close

Scott II-27—58,004—4-11-46.

E & P H. (1947) Department.

MS SERIES.

G.O. NO. MS.1774 Education → order at page 61 CF

Dated the 7th August 1947

54

[Despatch Abstract.]

Schools . Municipal Council (Corpn) - Higher Elementary School - Acquisition of land - orders passed.

Back Papers.

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

Further Papers.

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

Rao Bahadur B.Samanna Naidu,
Chairman,
Coonoor Municipal Council.

D. O.

Municipal Office,
Coonoor, 6th July, 1[illegible]

541
29/7/46

23440
29 JUL 1946

Secy. L.A ~~HM (Edn)~~. 07 16.7.46. 07 24/7

43454

L.A. Dept.

E.&P.H. U.O.

(which will no doubt tell L.A. see the case ~~in due course~~) and circulate to HM (LA) in due course. 2/8/46 E&PH

L.A.U.O.No. 23440/46-1-F 2/8/46

ASST. SECRETARY ... 5 AUG 1946 ... EDUCATION AND PUBLIC HEALTH

Dear Sir,

Sub:- Elementary education - Municipal Higher elementary school, Coonoor - acquisition of land for additional accomodation.

On behalf of the Coonoor Municipality of which I happen to be the Chairman for the last one decade and more I have to bring to your notice an instance of flagrant injustice done by the Divisional Inspector of schools, Coimbatore. Here is an example where the noble attempts of a Municipal Council to improve accomodation in a much needed public elementary school have been thwarted by the educational authorities.

This council had been maintaining a higher elementary school which for want of suitable accomodation is held in three different buildings separated from one another. It was repeatedly pointed out by all the Inspecting Officers in the educational as well as Local Board departments that it would be advantageous to secure the plot adjacent to one of these three buildings owned by the Municipality and construct additions to this so that the whole school could be centrally located and would be better supervised and maintained. The proposal was duly brought forward by the Commissioner. The Council went into a committee to thrash out the question thoroughly and the recommendation of the committee suggesting to acquire the land and building in S.No.F.240 and 239 measuring 11 ½ cents was duly approved by the council in C.R.No.3911 dated 15-8-1945. It has to be mentioned here that the owner of this plot one Mr.Nanjappa Rao had tried to influence the councillors to drop this proposal as it would be financially unfavourable for him if it is acquired. In spite of his influence the council being guided by public interest alone passed the resolution to acquire.

P.T.O.

As required under the rules the approval of the District Educational Officer and the Public Works Department Executive Engineer were taken and the acquisition proceedings were started by the Collector. The District Educational Officer and the gave his approval on 28-8-45. Long after all preliminaries were over and acquisition proceedings were started the Divisional Inspector of schools, Coimbatore on 15-12-45 has thought it necessary to interfere and put a stop to the whole proceedings. On his own initiative he has written to the Collector to call off the acquisition proceedings basing his action on some obselete departmental Government Order which appears to state that the approval of the District Educational Officer for acquisition should be forwarded through the Divisional Inspector. Having put a break on the proceedings the Divisional Inspector delayed the disposal from 15-12-45 when he seems to have got information about the acquisition(from where it is not stated) upto 2-7-46 when he has finally decided that the site proposed for acquisition is not suitable for the purpose of extending the school building. For one thing it was quite unnecessary for him to interfere in the matter when it was not before him officially. The inordinate delay in disposing off the matter which had already reached a stage of progress leads me to doubt whether the Divisional Inspector was not prejudiced against the council's proposal by interested persons moving in the matter. Obviously it is to the interest of the owner of the propzerty to drop the acquisition proceedings.

The reasons given by the Divisional Inspector for turning down the proposal are ingenious but not convincing.

1. He says that the land is on the slope of a hill. All lands here are on hill slopes and since it is admitted that there are buildings all round and the area is congested the argument that it is in a slope and unsuitable for building cannot hold good.

2. Secondly it is said that it is in a congested locality. There is already the nucleus of a municipal school building there and the proposal is to remove the adjacent dilapidated building and construct a new school building which would remove the conjestion

P.T.O.

conjestion and eventually improve the place. The site proposed by the Divisional Inspector is equally conjested and in a thorough unsuitable area as it is low lying and very close to bed level of a stream which is not a healthy site for a school building on a hill station.

2. He says that the site is inadequate being 11¼ cents and there will be no playground.

The site to be acquired is adjacent to other Municipal lands measuring 44½ cents which with this 11¼ cents would be quite adequate for the school building. Even according to the suggestion of the Divisional Inspector he proposes to bifurcate the classes into two one at the old school building and the other at the playground site. Such a bifurcation would defeat the purpose of acquisition as the proposal itself was thought necessary to have a central building where all the classes could be accommodated. In a hill station like Coonoor the expansion of the building must be by addition of top storey as had been recently suggested by the Town Planning expert and in this view there is plenty of scope for expansion in the proposal of the council.

3. He says better and larger sites are available in the neighbourhood at less cost. I may claim legitimately a longer and a more thorough experience of this place than the Divisional Inspector and so far as I know the site selected by the Council after mature deliberation is the best. The Divisional Inspector has obviously in view the site selected for a play ground for this school which is just sufficient for a play ground alone for a strength of 500 pupils. The site is so close to a stream under vegetable cultivation in an unsuitable slum area that no responsible council would ever think of putting their central school in such a site. Apart from the fact that building will be very costly in that site since the foundations have to go deep into the soil being loose mud and huge revetment at enormous cost on the stream margin will be necessary. So far as I know of land values here, the cost of land will be almost the same in both the sites.

Then another reason advanced by the Divisional Inspector is that the sweeperpet school could be amalgamated with the

the Higher Elementary school if it is constructed on the playground site. For sweeperpet school there is already a site alienated by Government in consonance with Government orders to have a school for each ward and where council proposes to construct shortly. Incidentally I may say that there is no stigma to be removed as sweeperpet school is not a separate school for any community in particular. It has only the lower ~~three~~ Five classes which even according to the proposal of the Divisional Inspector cannot be amalgamated as he wants only the higher elementary classes from VI to VIII standards to be shifted to the site proposed by him. Hence the argument about sweeperpet school amalgamation will not hold water.

I may be excused for having gone into the matter at some length as I would like to convince you of the frivolous nature of the objections raised. As the head of the Local Administration I solicit your kind interference in the matter to secure the legitimate rights of the council from unnecessary departmental interference especially in a matter where public interests should have preference over individual interests of parties.

Yours faithfully,

B Samanna

To

The Hon'ble Daniel Thomas, B.A., B.L.,

Minister in Charge,

Local Administration Department,

Fort Saint George,

Madras.

List of enclosures.

1. Visiting remarks of the Deputy Inspector of schools dated 26-6-45
2. Sub Committee resolution
3. Council resolution.
4. Permissions of District Educational Officer and Executive Engineer
5. Letter Rc.661E/45 dated 15-12-45 of the Divisional Inspector of schools.
6. Draft notification for acquisition
7. Copy of Commissioner's letter to the Collector dated 26-4-46.
8. Divisional Inspectors R.O.C.No.661-E-1/45 dated 2-7-46.

No.349/45 9 26-6-45 L.Aacc.1/45-46.

Visited this afternoon and watched the classes at work. strength and attendance are noted below:-

I		II		III		IV		V		VI	
A.	B.C.	A.	B.	A.	B.	A.	B.	A.	B.	A.	B.
59	23	76	22	71	27	53	13	45	13	96	23
47	14	50	14	50 -15		46	10	35	11	72	18

VII		VIII					
A.	B.	28	1	Total	475	136	611
47	14	24	1		372	96	468

Teachers:- All the seventeen present including the prevocational instructor.

No. of school places 418.

I hope the question of providing adequate accommodation will be taken up at an early date. It will be a good idea if the old dilapidated sheds in the western side of the Municipal council's own building (in which standards I to III are housed) are acquired for the purpose of an extension to the building.

In respect of instruction I should like to suggest that .....

x x x x x

Sd) P.Mukundan.
Deputy Inspector of Schools
26-6-1945.

(Enclosure No.1)

Proceedings of the Sub Committee meeting of the Coonoor Municipal Council constituted in C.R.No.3857 dated 18-7-45 held on Wednesday the 25th July, 1945 at 11 a.m. in the Municipal Office, Coonoor.

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1. Road Commissioner's note dated 16-7-45 requesting sanction of the council to address the Collector to take proceedings under the land acquisition act to acquire the land and building in S.No.F.240 and 239 measuring 11¼ cents belonging to Sri.Nanjappa Rao adjacent to the Higher Elementary School building owned by the council for the purposes of extension of the school building. Also requesting sanction of the council to apply for loan to Government to meet the cost of acquisition and the construction of school building and also for permission to deposit the cost of acquisition from General funds for the present with Government sanction.

The Sub Committee resolves that the site bearing S.Nos.239/1 and 240/1 measuring 11¼ cents and including the building thereon be acquired for extending the municipal school building in view of the following reasons:-

1. The site in question is adjacent to the existing municipal building in which there is accommodation only for 3 standards of the higher elementary school-

2. There is no other site available nearby except the proposed one which is conveniently situated in the heart of the town.

3. The childr n will have less chance of meeting with any accidents especially due to heavy vehicular traffic on the main road.

4. As this proposed acquisition is intended for higher elementary school wherein only children between the ages of 5 to 12 will attend, it is imperative that the school should be in a place easily accessible to such children and the sending of children to this place would relieve the parents of some anxiety which otherwise they would be subjected to.

5. The educational authorities have suggested many a time and recommended the site for the extension of the school.

6. The present opportunity should be made the best use of as the building in question is dilapidated, vacant one and awaits sanction for reconstruction.

Proposed by Sri. T.V.Kuppamuthu Pillai and seconded by Janab.C.Bahadur Khan Sahib - Carried.

Mr.S.Noor Mohammed Sait voting against.
Khan Sahib S.Ismail Sait - Neutral.

Read proceedings of the Sub Committee meeting of the Coonoor Municipal council constituted in C.R.No.3857 dated 18-7-45 held on 25-7-45 for acquisition of site for extension of Municipal Higher Elementary School.

COUNCIL RESOLUTION NO.3911 DATED 15th AUGUST 1945.

The following amendment was moved by Janab.S.Noor Mohammed Sait and seconded by Mr.J.R.James.

"Whereas the proposed site for the expansion of the elementary school is not only in a crowded locality opening into streets but does not permit also the provision of the playground, the importance of which has been emphasised by the Government in a recent Government order published on the 31st July, 1945, I propose that the compulsory acquition of the land and buildings thereon belonging to Sri.L.M.Nanjappa Rao be dropped or the proposal may be proceeded with subject to sanction of the Government after thorough inspection by the Director of Public Instruction or his nominee"

When put to vote the amendment was lost and the poll being:-

For	Against
Janab.S.Noor Mohammed Sait	Sri.R.T.Manickam
Mr.J.R.James	Sri.T.V.Kuppamuthu Pillai
Mr.J.Yesuthasen	Sri.M.Ramiah
	Janab.C.Bahadur Khan Sahib
	Sri.C.Asirvatham Pillai

The Sub Committee's proposal was accepted by majority. The pol

poll being as follows:-

For accepting the proposal.
Sri.R.T.Manickam
Sri.T.V.Kuppamuthu Pillai
Sri.M.Ramiah
Janab.C.Bahadur Khan Sahib
Sri.G.Asirvatham Pillai

Against:-
Janab.S.Noor Mohammed Sait
Mr.J.R.James
Mr.J.Yesuthasen.

The Council requests the Collector to acquire the land and building mentioned hereunder and take action expeditiously:-
R.S.No.1723 and 1724 measuring 11½ cents.

The council undertakes:-
1. To use the land in R.S.No.1723 and 1724 and measuring 11½ cents for the purpose of ~~xx~~ extending the municipal school building for which it is to be acquired and for no other purpose without the sanction of Government.
2. To carry out that purpose within 3 years
3. To restore the land to Government if they so direct on payment of the compensation awarded less 15% awarded for compulsory acquisition or of the land at the time of restoration whichever ~~is~~ may be less in the event of the municipality not carrying out the purpose for which the land is acquired within the specified period or using the land without the sanction of the Government at any time for any purpose other than that for which it is acquired.

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 L.A act or an appeal therefrom.

The council resolves to request for a half grant and half loan for the cost of acquisition which is roughly estimated at Rs.10000/-.

(True Copy).

V.K.Raman Menon M.A.(Oxen) Bar-at-Law, The Coonoor Municipal
District Educational Officer, Commissioner,
Coimbatore. Coonoor.

R.C.27-28C/45 dated 28-8-45.

Sir,

Sub:- Acquisition of land - for constructing a school house Municipal Higher Elementary School Coonoor.
Ref:- Your D.O.dated 7-8-1945.

The site plan received with your reference is retransmitted herewith. The site proposed to be acquired for school purposes is approved.

Sd) V.K.Raman Menon.
District Educational Officer.

Public Works Department

From:-
Sri.S.R.Narasimham, B.E.,
Executive Engineer,
Special Works Division,
P.B.No.148, Coimbatore.

To
The Municipal
Commissioner,
Coonoor.

No.2264 M dated 18-10-1945.

Sir,

Sub:- Acquisition of site for extending the school building.
Ref:- Your No.C/45 dated 7-8-1945.

The site proposed is approved for extending the school building.

Sd) S.R.Narasimham,
17-10-45.
Exe.Engineer, Special Works Division.

(True Copy)

14

15

Education Department.

From
Sri.V.R.Ranganathan,
Divisional Inspector of Schools,
Coimbatore Division.

To
The Commissioner.
Municipal Council,
Coonoor.

No.661E/45 dated 15th Decr, 1945.

Sir,

Sub:- Elementary Education - Acquisition of land - selection of school site to Coonoor Municipal elementary boys school - proposal.

I learn that there is a proposal for the acquisition of land for the Municipal Elementary School, Coonoor and I request you to forward the proposals, if any, for the same.

V.R.Ranganathan,
Divisional Inspector of Schools,
Coimbatore Division.
(True Copy)

R.C.Al.2789/45 dated 15-3-46.

Notice under section 4(1) and 5A of the Land Acquisition Act 1 of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923.

Notice is hereby given that the land specified in the appended schedule and situated in the village of Coonoor, Coonoor Taluk in the district of the Nilgiris is needed or is likely to be needed for a public purpose, to wit, for extension of Municipal school buildings in accordance with the notification under section 4(1) of the land acquisition act 1 of 1894 as amended by the land acquisition amendment act XXXVIII of 1923, published by Government at page 75 of part 1A of the Fort St.George Gazette dated 12th March 1946.

x x x x x x x

NOTIFICATION.

No.93. Whereas it appears to His Excellency the Governor of Madras that the land specified below is needed for a public purpose, to wit, for extension of Municipal school building, 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 1 of 1894 as amended by the Land acquisition (Amendment) Act XXXVIII of 1923, and His Excellency the Governor of Madras hereby authorises the Sub Collector Coonoor 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 Sub Collector, Coonoor to perform the functions of a Collector under section 5-A of the Act.

Nilgiri district, Coonoor Taluk, Coonoor Village

	Approximate Extent. Acres.
Dry R.S.Nos.1723 and 1724 belonging to Sri.L.M.Nanjappa Rao	0-11½

L.Ack.1/45-46. 17

From the Commissioner,
Coonoor Municipality, Coonoor.

To the Collector of the Nilgiris,
Ootacamund.

Sir,

Sub:- Acquisition - C.M.C - Higher elementary school building - proposals - particulars furnished - letter from the Divisional Inspector of schools requesting to stop acquisition proceedings.

Ref:- Collector's R.C.B3.5642/45 dated 19-4-46.

With reference to the above I have to submit that the approval of the education department for the acquisition of land for school building was obtained from District Educational Officer as required under G.O.No. 4039 L.A dated 17th October 1939 which has not been superseded in later Government orders. Under clause d of the above G.O. the approving authority for any such proposal is District Educational Officer and a copy of his approval is enclosed. The Government Order quoted by the Divisional Inspector that is G.O.No.318 Ed and P.H. dated 1st March 1943 does not supersede G.O.No.4039 nor does it change the approving authority in the education department. It is only an administrative G.O. which says that the application for acquisition should be forwarded through the D.E.O. and the Divisional Inspector and nothing more. The Divisional Inspector is now apparently taking advantage of the omission of not forwarding the application through him to hold up the whole acquisition proceedings. It is doubtful if such an omission of not passing through a particular channel would invalidate the acquisition proceedings if continued. That the D.E.O. who approved the proposal as he is empowered to do under G.O.No.4039 did not forward it through his superior the Divisional Inspector as required under G.O.No.318 of the Education Department is a mere oversight and cannot invalidate legal proceedings.

However the moment this was brought to my notice I took steps to forward all the papers to the Divisional Inspector requesting him to expedite his approval as the owner of the plot might take advantage of the delay to obstruct acquisition. The file was returned only on 11-3-46 and his recommendations are still awaited. I am reminding him again to accord his approval if he deems it necessary.

Sd) M.Govinda Menon.
26-4-1946.

From:-
Rao Bahadur V.R.Ranganathan,
Divisional Inspector of Schools,
Coimbatore Division.

To
The Commissioner,
Coonoor Municipality,
Coonoor.

R.C. No.661-T /45 dated 2-7-1946.

Sir,

Sub:- Ele.Education - Municipal Higher Ele.School, Coonoor - acquisition of land - re:

Ref:- Your letter Cl.L.Acq.1/45/46 dated 22nd June, 1946.

There is no doubt that the Municipal Higher Ele.School is in urgent need of additional accommodation and an adequate playground. But the site proposed to be acquired is not suitable for the purpose and I am therefore unable to support the proposal. My reasons are given below:-

1) The land is on the slope of a hill and is in a very congested locality unsuitable for the location of a school,

2) The site is inadequate being only 11¼ cents hardly sufficient even for the building and there will be no playground nor room for expansion.

3) Larger and more suitable sites are available not far from the school, &

4) The value of the site is high. For the same amount 92 cents -nearby an acre - can be purchased in ward No.2

2. I recommend:-

1) That the site proposed for the playground in ward No.2 may be selected for the construction of the building for the school. This site being 92 cents in extent should be sufficient both for the building and the playground.

2) The first five classes of the higher elementary school may be retained in the present building to serve the needs of the young children of the locality or only classes I to III if there is not sufficient room.

3) The higher elementary classes - Standards VI to VIII or Standards IV to VIII may be shifted to the new building that may be constructed on the site in ward No.2.

4) The Sweeperpet school in this ward which is so close to the playground site and which is located in a rented building, may be amalgamated with the higher elementary school and run as one school.

I, therefore, recommend that steps may be taken to acquire the site in ward No.2 proposed for the playground and the new buildings put up on the site. The advantages of this suggestion are:-

a) There will be one school with standards I to III or I to V to serve the young children in the locality in ward No.9,

b) The higher elementary school will be located in better surroundings and will have sufficient playground and scope for expansion,

c) The new site will be only 200 yards from the present school,

d) The sweeperpet school will form part of the higher elementary school and provide facilities for the sweeperpet children to continue their studies in the higher elementary standards; and it will also help to remove the stigma attached to a separate school of this kind.

In view of these, I am unable to recommend the acquisition of the site in question and I will advise the Municipality to select the site in ward No.2 proposed for the playground for the construction of the school.

Sd)V.R.Ranganathan
Divisional Inspector of Schools,
Coimbatore Division.

Copy to the Dist.Educational Officer, Coimbatore and the Nilgiris Dts
" Collector of the Nilgiris Dist., Ootacamund with reference to his R.C.83.No.5642/45 dated 14-5-46 and reminders thereon.

2-7-46

(11)

Edn and P.H. Dept
C1.

G. No. 43454 C1. Letter from Sri. Rao Bahadur. B. Ramanna Naidu, B.A. B.L. G, Bonnur Dt 6.7.46.

-

Municipal Higher Ely. School, Bonnur. Acquisition of land for addl. accommodation.

-

Endt- No 43454 C1/46-1 dt 13.8.46.

Referred to the D.P.I for early remarks

[illegible]
9/8/46.

To The D.P.I (with letter [illegible] & the enclosure with refs).

[illegible]
10/8/46

forwarded through a particular channel cannot be a ground to invalidate the approval itself nor the proceedings based thereon. The Divisional Inspector having stayed the acquisition proceedings by his letter to the Collector, kept the matter pending from 15-12-45 to 2-7-46 on some pretext or other and finally he has given his verdict that the site selected by the Council and approved by all the prescribed authorities including his own departmental subordinate is not suitable for the purpose. The reasons given by the Divisional Inspector are not seriatim in my note to the Council which is enclosed herewith.

The casual manner in which the decision arrived at by the Council after mature deliberation has been treated by the Divisional Inspector, the long delay in the disposal of a matter which is of vital importance to the Council and his final decision setting at naught all the noble endeavours of this Council are all keenly felt by the Council and they have expressed their protest in the resolution forwarded herewith. On behalf of the Council, I seek your intervention to secure the just rights of the citizens and for your sanction to proceed with a very beneficial measure in the interest of the school-going children of this town.

Chairman,
Coonoor Municipal Council.

Copy to the Secretary to Government, Local Administration Department, Fort St. George, Madras.

Enclosures:-1. C.R.No.3911 dated 15-8-1945;
2. C.R.No.4458 dated 20-7-1946;
3. Chairman's note to the Council;
4. Letter R.O.C.No.661-E-45 dated 12-7-46 of the Divisional Inspector of Schools.

ENCLOSURE No.1.

Read Commissioner's note dated 16-7-45 requesting the sanction of the Council to address the Collector to take proceedings under the Land Acquisition Act to acquire the land and building in S.No.F 240 and 239 measuring 11¼ cents belonging to Sri I.M.Nanjappa Rao adjacent to the Higher Elementary School building owned by the Council for the purposes of extension of the school building. Also requesting sanction of the Council to apply for loan to Government to meet the cost of acquisition and the construction of school building and also for permission to deposit the cost of acquisition from General funds for the present with Government sanction.

Proceedings of the Sub-Committee meeting of the Coonoor Municipal Council constituted in C.R.No.3457 dated 18-7-45 held on 25-7-45.

The Sub-Committee resolves that the site bearing S.No.239/1 and 240/1 measuring 11¼ cents and including the buildings thereon be acquired for extending the municipal school building in view of the following reasons:-

1. The site in question is adjacent to the existing municipal building in which there is accommodation only for 3 standards of the higher elementary school;
2. There is no other site available nearby except the proposed one which is conveniently situated in the heart of the town;
3. The children will have less chance of meeting with any accidents especially due to heavy vehicular traffic on the main road;
4. As this proposed acquisition is intended for higher elementary school wherein only children between the ages of 5 to 12 will attend, it is imperative that the school should be in a place easily accessible to school children and the sending of the children to this place would relieve the parents of some anxiety which otherwise they would be subjected to;
5. The educational authorities have suggested many a time and recommended the site for the extension of the school; and
6. The present opportunity should be made the best use of as the building in question is dilapidated, vacant one and awaits sanction for reconstruction.

P.T.O.

Proposed by Sri T.V.Kuppamuthu Pillai and
Seconded by Janab C.Bahadur Khan Sahib.

CARRIED.

Mr.S.Noor Mohammed Sait voting against.
Khan Sahib S.Ismail Sait - Neutral.

Same as pp 9-10 ante

C.R.No.3911 dated 15th August 1945.

The following amendment was moved by Janab S.Noor Mohammed Sait and seconded by Mr.J.R.James:-

"Whereas the proposed site for the expansion of the elementary School is not only in a crowded locality opening into streets but does not permit also the provision of a playground, the importance of which has been emphasised by the Government in a recent order published on the 31st July 1945, I propose that the compulsory acquisition of the land and buildings thereon belonging to Sri L.M.Nanjappa Rao be dropped or the proposal may be proceeded with subject to sanction of the Government after thorough inspection by the Director of Public Instruction or his nominee".

When put to vote the amendment was lost and the poll being-

For:::-Messrs. S.Noor Mohammed Sait, J.R.James and M.Yesuthasan.
Against:::-
Messrs. R.T.Manickam, T.V.Kuppamuthu Pillai, M.Ramiah, C.Bahadur Khan Sahib and G.Asirvatham Pillai.

The Sub-Committee's proposal was accepted by the majority; the poll being as follows:-

For accepting the proposal:-Messrs.R.T.Manickam, T.V.Kuppamuthi Pillai, M.Ramiah, C.Bahadur Khan Sahib and G.Asirvatham Pillai.

Against:- Messrs. S.Noor Mohammed Sait, J.R.James and J.Yesuthasan.

The Council requests the Collector to acquire the land and building mentioned hereunder and take action expeditiously.
R.S.No.1723 and 1724 measuring 11¼ cents.
The Council undertakes:-
1. To use the land in R.S.No.1723 and 1724 and measuring 11¼ cents for the purpose of extending the municipal school building for which it is to be acquired and for no other purpose without the sanction of Government;
2. To carry out that purpose within 3 years;
3. To restore the land to Government if they so direct on payment of the compensation awarddd less 15% awarded for compulsory acquisition or of the land at the time of restoration whichever may be less, in the event of the municipality not carrying out the purpose for which the land is acquired within the specified period or using the land without the sanction of the Government at any time for any purpose other than that for which it is acquired.
4. To pay enhanced compensation together with incidental charges, if any, that may be awarded by the Civil Court in the vent of a reference under Section 18 of the Land Acquisition Act or an appeal therefrom.

The Council resolves to request for a half-grant and ~~xxf~~x half-loan for the cost of acquisition which is roughly estimated at Rs.10,000/-.

ENCLOSURE NO.2.

Read C.R.No.3911 dated 15-8-45 resolving to acquire the land in R.S.No.1723 and 1724 of Coonoor Town measuring 11¼ cents belonging to Mr.L.M.Nanjappa Rao for the extension of the Municipal Higher Elementary School buildings.
2. Notice under Section 4(1) ~~xf~~ and 5-A of Land Acquisition Act

P.T.O.

Act I of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923 issued by the Sub-Collector inviting any objection to the acquisition of the land in question;

3. Letter R.O.C.No.661-E1-45 dated 2-7-46 from the Divisional Inspector of Schools, Coimbatore regarding the acquisition;

4. Letter from the Sub-Collector B3-No.5642/45 dated 15-7-46.

C.R.No.4458 dated 20-7-46.

This Council emphatically protests the unjustifiable and belated interference by the Divisional Inspector of Schools, Coimbatore with the school acquisition proceedings already started by the Collector after due approval by the competent authorities in the educational, public works and Public Health Departments and requests the Government to permit the acquisition proceedings to go on as the site had been selected by the Council after exhaustive consideration of all aspects as the most suitable for extension of the existing school building.

This Council is further of opinion that the site selected for playground is thoroughly unsuitable for accommodating the school and exhorbitantly costly.

As the matter is pending with the Government, this Couhcils requests the Collector to keep the acquisition proceedings panding till their final orders are received.

Proposed by Dr.A.L.Meganathan and seconded by Janab C.Bahadur Khan Sahib.

CARRIED.

~~Note~~ ENCLOSURE NO.3.

NOTE OF THE CHAIRMAN.

In pursuance of Council Resolution No.3911 dated 15-8-45, acquisition proceedings were started after the approval of the District Educational Officer and the Public Works Department Executive Engineer. The District Educational Officer gave his approval on 28-8-45. After the Collector had issued the notification and started acquisition proceedings, the Divisional Inspector of Schools, Coimbatore has thought it fit to delay the matter from 15-12-45 to 2-7-46 on the ground that the approval of the District Educational Officer was not sent through him as required under a departmental Government order and finally he has decided on 2-7-46 that the site selected by the Council is not suitable. The reasons given by the Divisional Inspector of Schools are unconvincing and his opinion is biassed.

He says that the land is in the slope of a hill. All lands here are on hill slopes and since it is admitted that there are buildings all round and the area is congested, the argument that it is in a slope and unsuitable for building cannot hold good.

Secondly, it is said that it is in a congested locality. There is already the nucleus of a municipal school building there and the proposal is to remove the adjacent dilapidated building and construct a new school building which would remove the congestion and eventually improve the place. The site proposed by the Divisional Inspector is equally congested and in a thoroughly unsuitable area as it is low lying and very close to bed-level of a stream which is not a healthy site for a school building in a hill station.

He says that the site is inadequate being 11¼ cents and there will be no playground. The site is to be acquired is adjacent to other municipal lands measuring 44½ cents which with this 11¼ cents would be quite adequate for the school building. Even according to the suggestion of the Divisional Inspector, he proposes to bifurcate the classes into two, one at the school building and the other at the playground site. Such a bifurcation would defeat the purpose of acquisition as the proposal itself was thought necessary to have a central building where all the classes would be accommodated. In a hill station like Coonoor the expansion of the building must be by addition of top-storey as had been recently suggested by the Town Planning Expert and in this view there is plenty of scope for expansion in the proposal of the Council.

P.T.O.

He says better and larger sites are available in the neighbourhood at less cost. I may claim legitimately a longer and a more thorough experience of this place than the Divisional Inspector and so far as I know the site selected by the Council after mature ~~consideration~~ deliberation is the best. The Divisional Inspector has obviously in view the site selected for a playground for this school which is just sufficient for a playground alone for a strength of 500 pupils. The site is so close to a stream under vegetable cultivation in an unsuitable slum area that no responsible Council would ever think of putting their central school in such a site. Apart from the fact that building will be very costly in that site since the foundations have to go deep into the soil being loose mud and huge revetment at enormous cost on the stream margin will be necessary. So far as I know of land values here, the cost of land will be almost the same in both the sites.

Then another reason advanced by the Divisional Inspector is that the Sweeperpet School could be amalgamated with the Higher Elementary School if it is constructed on the playground site. For Sweeperpet School there is already a site alienated by Government in consonance with Government orders to have a school for each Ward and where Council proposes to construct shortly. Incidentally, I may say that there is no stigma to be removed as Sweeperpet School is not a separate school for any community in particular. It has only the lower five classes which even according to the proposal of the Divisional Inspector cannot be amalgamated as he wants only the higher elementary classes from VI to VIII standards to be shifted to the site proposed by him. Hence, the argument about Sweeperpet School amalgamation will not hold water.

For the reasons stated above, the Council may address the Government to permit the acquisition proceedings to go on as the interference of the Divisional Inspector of Schools at such a late stage is against public interest.

The Sub-Collector may also be replied that the Council has addressed the Government for permission to proceed with the acquisition proceedings may be kept pending Government orders.

Sd. B.Samanna,
Chairman.

ENCLOSURE NO.4.

Copy of letter R.O.C.No.661-E1/45 dated 2-7-46 from the Divisional Inspector of Schools, Coimbatore Division to the Commissioner, Coonoor Municipality.

Sub:-Elementary Education - Municipal Higher Elementary School, Coonoor - acquisition of land - re.
Ref:-Your letter C1.L.Acq.1-45/46 dated 22-6-46.

There is no doubt that the municipal higher elementary school is in urgent need of additional accommodation and an adequate playground. But the site proposed to be acquired is not suitable for the purpose and I am therefore unable to support the proposal. My reasons are given below:-

1. The land is on the slope of a hill and is in a very congested locality unsuitable for the location of a school.
2. The site is inadequate being only 11¼ cents hardly sufficient even for the building and there will be no playground nor room for expansion.
3. Larger and more suitable sites are available not far from the school, and
4. The value of the site is high. For the same amount 92 cents - nearly an acre - can be purchased in Ward No.2.

2. I recommend:as

1. That the site proposed for the playground in Ward No.2

P.T.O.

may be selected for the construction of the building for the School. This site being 92 cents in extent should be sufficient both for the building and the playground.

2. The first 5 classes of the higher ~~xxx~~ elementary school may be retained in the present building to serve the needs of the young children of the locality or only classes I to III, if there is not sufficient room.

3. The higher elementary classes standards VI to VIII or standards IV to VIII may be shifted to the new building that may be constructed on the site in Ward No.2.

4. The Sweeperpet School in this Ward which is so close to the playground site and which is located in a rented building may be amalgamated with the higher elementary School and run as one School.

I, therefore, recommend that steps may be taken to acquire the site in Ward No.2 proposed for the playground and the new buildings put ~~xx~~ on this site. The advantages of this suggestion are:-

(a) There will be one School with standards I to 3 or 1 to 5 ~~and xxxx xxxx~~ to serve the young children in the locality in Ward 9.

(b) The higher elementary school will be located in better surroundings and will have sufficient playground and scope for expansion

(c) The new site will be only 200 yards from the present school. and provide for the Sweeperpet children to continue their studies in the higher elementary standards and it will also help to remove the stigma attached to a separate school of this kind.

In view of these, I am unable to recommend the acquisition of the site in question and I will advise the Municipality to select the site in Ward No.2 proposed for the playground for the construction of the school.

Sd. V.R.Ranganathan,
Divisional Inspector of Schools,
Coimbatore Division.

Copy to the Dist. Educational Officer, Coimbatore and the Nilgiris district.
Copy to the Collector of the Nilgiris, Ootacamund with reference to his R.C.B3.5642/45 dated 14-5-46 and reminders thereon.

(True Copies)

27/viii/48

(18)

33

Edn and P.H. Dept

H. 3-14 of

C. No: 45481 C1. From the C.M.C., Coonoor, cl No: L Acq. C1. 1-45/46 d/ 9. 8. 46.

—

Municipal Higher Ely School, Coonoor. Acquisition of land

—

Endt- No. 43454 C1/46-II Edn - dated 22-8-46

Forwarded to the D.P.I in continuation of Govt Endt No: 43454 C1/46-1 d/ 13.8.46.

[illegible] 20/8/46

[illegible] 22/8/46

To the D.P.I (with enclosure)

H. 3-14 of

Local Administration Department.

From: Rao Bahadur.B.Samanna Naidu,
Chairman, Coonoor Municipality,
Coonoor.R.S.

To: The Secretary to Government,
Education and Public Health Dept,
Fort St.George, Madras.

C1/L.Acq.1-45/46 dated -11-'46.

Sir,

Sub: Land Acquisition - Coonoor - for extension of school building interference with the acquisition proceedings by the Divisional Inspector of Schools, Coimbatore - Protest of Municipal Council Coonoor.

Ref:- My letter No.C1/L.Acq 1-45/46 dated 10-8-'46.

Further to my letter No.C1/L.Acq 1-45/46 dated 10-8-'46

I have to bring it to the notice of the Government that the Council in its C.R.No.4690 dated 20-11-'46 (a copy of which is enclosed) have decided to drop the proposal for acquisition of the particular site for the play ground for the Municipal Higher Elementary school. In this connection I have to point out that the whole recommendations of the Divisional Inspector turning down the proposals of the Council is based on the ground that the site proposed for the playground is more suitable for construction of school building and hence he recommended that the proposal of the Council to acquire the land adjacent to the present school building belonging to Sri.L.M.Nanjappa Rao be dropped. The Divisional Inspector says in his letter No.661.E1/45 dated 2-7-'46 that there is urgent need of additional accommodation for the school but he recommends in para 2 of his letter that the site proposed for the play ground in Ward No.2 close to the stream may be selected for the construction of building for the various reasons suggested by him. Now that the Council for equally weighty reasons of public health and sanitation have dropped this proposal of the site for playground acquisition, the only other alternative left to remedy the defect viz. want of accommodation pointed out by the Divisional Inspector is to acquire the plot adjacent to the present school as originally proposed by the Council and for which the acquisition proceedings were put through by the Collector.

I request the Government in the interest of the school going children to pass early orders allowing the acquisition proceedings already started to continue.

B Samanna

Chairman,C.M.C.

Encl.-1.

Mun. Form No. 61-A.

ORIGINAL.

..........MUNICIPALITY. No. 31

BILL FOR EXCESS WATER CHARGES AND MISCELLANEOUS ITEMS DUE FOR THE MONTH OF / QUARTER ENDING ....

To

....

....

	Rs.	A.	P.
Excess water charges for..........gallons at Rs..........			
Meter rent at Rs..........per month			
House rent at Rs..........per month			
Rent of stalls at Rs..........per month (market, etc., to be specified)			
Other items (to be specified)			
Total ...			

Rupees..........

Date of service of duplicate..........19

Date of collection..........19

Date of credit..........19

Bill Collector.

Executive Authority.

29/11 19/28/11

Municipal H. E. School, Coonoor — Acquisition of land

Ed/PH (C-1)

(21)

C No. 72365 C-1/46 from the C. M. C., Coonoor, C1/L. Acq. 1-45-46, dt. nil

p15c-1

Endt: No. 43454 C-1/46-8 Edn., dt. 28/11/46

Forwarded to the D. P. I.

p3e-1

in continuation of Govt. Endt: No. 43454 C-1/46-2 Edn., dt. 22.8.46

To the D. P. I. (with c.f. pages 15-18 in original to be returned with reply)

26/11/46

27/11/46

26/11

30/11

40 28/12/46

EPH (C-1)

Municipal Higher Elementary school, Coonoor - Acquisition of land for additional accommodation.

From the D.P.I., R.C. No. 3487 B8/46, d/ 19.11.46 p13 ante

Memo: No. 43454 C-1/46-9 Edn., d/ 12/12/46.

The D.P.I. is requested to submit his reply to Govt Endt. No. 43454 C-1/46-1 Edn., d/ 13.8.46 at an early date. p1 ante

To the D.P.I.

11/12/46

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37 (22) 41

Office of the Director of Public Instruction, Madras.

Roc.No.3487 B2/46 dated 31-1-1947.

Sub: Municipal Higher Elementary School, Coonoor - Acquisition of land for additional accommodation.

Ref: Government Endorsement No.43454 C1/46-1 Edn., dated 13-8-46.

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p19 ante

9873

pp43-44 infra

Resubmitted to the Secretary to Government, Education and Public Health with a copy of the remarks of the Divisional Inspector, Coimbatore Rc.661 E/45 dated 6-1-1947. The allegations made by the Chairman have been answered by the Divisional Inspector in the above endorsement.

ASST. SECRETARY ... EDUCATION AND PUB... 5 2 FEB 1947

pp43-44 infra

for Director of Public Instruction.

To the Secretary to Government, Education and Public Health Department, Madras.

k.h.1-2.

Recd 6/2/47

Sol 3/2/47

39

43

OFFICE OF THE DIVISIONAL INSPECTOR OF SCHOOLS COIMBATORE DIVISION.
Rc.No.661-E/45 dated 6-1-1947.

Sub: Acquisition of land for Municipal Higher Elementary School, Coono
- protest of the Chairman, Municipal Council against this offi
remarks.

Ref: Director's N.Rc.No.3487-B8/46 dated 19-8-1946.

Resubmitted.

2. The points raised by the Chairman are:

(i) that my intervention in the acquisition Proceedings was done on my own initiative.
(ii) that it was irregular and uncalled for; and
(iii) that the matter was unnecessarily delayed from 15-12-45 to 2-7-46.

These are answered as follows:

(i) Though there was nothing wrong if I had taken the initiative it actually happened that my attention to this question was drawn by petitions from the owner of the site, people of the locality and som of the councillors protesting against the acquisition of this particula site on the ground that it was in a congested and unhealthy locality an that the acquisition was not in public interest.

(ii) The Chairman evidently does not understand the implications of G.O.No.318 Edn., dated 1-3-43. Instruction in para 2 of G.O. is not "a mere administrative order for the guidance of the de- ment". It actually makes the Divisional Inspector responsible for recommendation rather than the Dt.Educational Officer. In this case the District Educational Officer in a mere D.O. letter has given his approval without the knowledge and approval of the Divisional Inspe In fact, the District Educational Officer's action was irregular and when it was brought to my notice that acquisition proceedings we started on the strength of a D.O. letter from the Dt.Edl.Officer and there was protests from several quarters, I looked into the matter a found that the procedure adopted was irregular and asked the Collect to delay the matter till I had had time to examine the question and a I had a right to interefere as the final responsibility for recommend the acquisition was mine and not the District Educational Officer's.

(iii) The delay complained of was inevitable. As there were conflicting reports on the suitability of the site and as the Dt.Edl officer has already given his consent through demi officially, I wa to inspect the site in person and come to a decision, and this I cou not do for some time and even after my inspection, I had to call for plans and all that naturally took time. Acquisition of sites is not matter that can be dealt with quickly and in a casual manner.

On the merits of the case, my letter Rc.No.661-E/45 dated 2-7-46(enclosure 4) explains the position clearly. The council for some reason has selected a site which was not merely inadequate, but altogether unsuitable. It will be seen that this site is hardly suffi for even for erecting a building large enough for the school, and the proposal of the Municipality is to acquire another site in Ward II to serve as a playground. This latter's site is the one that I have recommended for the building as well as playground. The site, the cou desires to acquire, is on the slope of a hill and is in a very crowded locality. I need not go into all the arguments used by the Chairman a they are not likely to carry conviction with anybody. Nor as an offici am I free to suggest motives and say things which a non-official is fr to say. The points for consideration are (1) whether the present site is suitable, (2) whether it is adequate; (3) whether the playground sit will not be more suitable, (4) whether it is not wise to amalgamate the sweeperpet school with this school by providing an adequate building; a (5) whether the needs of the Bazaar street locality cannot be met by a feeder school with Standards I to III or even a complete Ely.School with Standards I to V located in the existing building owned by the Municipality. On all these points I have offered my remarks in the le to the Commissioner and the Collector and this letter is enclosure 4 to the Chairman's letter. It may also be pointed out that the distanc between the two sites the site in question and the site suggested by t is only 200 ~~years~~ yards.

I am more than ever convinced now that the acquisition of

p.t.o.

42

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site is not in public interest.

Sd. --
Divisional Inspector of Schools,
Coimbatore Division.

(True Copy)

[signature]

for Director of Public Instruction.

Sof
3/2/47

Cm 43454 C-1/46

PC Wgo

83
14/2

1/2

p 41 ante

p 39 ante

T.M.

45 EoPH (C-1)

From the Asst. Secy to Govt
Edn H. Dept (24)

To the Dy. D. P. I.

Sub: Municipal H. E. School
Coonoor – Acquisition of land

Ref: D.P.I's letter Roc. No.
3487 B2/46, d/31.1.47

The letter of the C. M. C, Coonoor
C-1/L. Acq-1-45-46, d/nil sent to
the D. P. I. with Govt. Endt: No.
43454 C-1/46-8 Edn, d/28.11.46 has
not been returned. Please arrange
to send it urgently

[initials]
11/2/47

[initials]
13/2/47

PC 12/2/47

Issued
14/2/47

PC ✓ [initials] 17/2

A.S.II

(23) C1 47

Proceedings of the Director of Public Instruction, Madras.
R.C.No. 3487-B8/46 dated 14th Feb. 1947.

Elementary Education--Municipal Council, Coonoor--Acquisition of land--Municipal Higher Elementary School, Coonoor.

Read:-1. This office Endorsement R.C.No. 3487-B8/46 dated 6.12.46 forwarding letter C1/LAQ-1-45/46 dated nil of the Commissioner, Municipal Council, Coonoor

2. Endorsement R.C.661-E/45 dated 6.1.1947 of the Divisional Inspector of Schools, Coimbatore Division.

pp 43-44 ante

ASST. SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH DEPTT. 18 JAN 1947

1419 The attention of the Divisional Inspector of Schools, Coimbatore, is invited to the Director's endorsement read above and he is requested to resubmit urgently the original letter of the Commissioner, Municipal Council sent therewith.

K. Narasimha

For Director of Public Instruction.

To

The Divisional Inspector of Schools, Coimbatore

Copy submitted to the Secretary to Government, Education and Public Health Department, with reference to the telephonic message dated 14.2.1947.

p.45 ante

M

2. The original letter of the Commissioner, Municipal Council will be submitted on receipt from the Divisional Inspector.

ks 17-2.

EPH(C-1)

'M' above may be availed

Tel 1.3.47

21/2/47

22/2/47

48

49

Office of the
Director of Public Instruction,
Madras, Dated 24-2-1947.

Rc.No.3487 B8/46.

From

Dr. S.R.U. Savoor, M.A., B.Sc., I.E.S.,
Director of Public Instruction, Madras.

To

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

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
26 FEB 1947

Sir,

Sub:- Elementary Education - Municipal Council, Coonoor
Acquisition of land.

15965

Ref:- Your Endorsement No.43454 C1/46-2,Edn.,
dated 28-11-1946.

The enclosures received with the endorsement cited above are resubmitted herewith.

added 5
as pp 21-23 ante

I have the honour to be,
Sir,
Your most obedient servant,

R. Narasimhan

for Director of Public Instruction

m.k.25/2.

50

46 2/5

51 (57)

(22)

Edn OPA
C1.

Schools — MLCL. Coonoor — Higher Ele. School — Acquisition of land.

Read :- 1) From the C.M.C Coonoor dt. 6.7.46.

pp 1-4 CF.

2) — do — — do — C.1 No L. ACQ 1-45/46 dt 9-8-46 and 11/46.

pp 21-23 & 35 CF.

3) From the DDI. ROC no. 3487 B2/46 dt 31-1-47.

p 41 CF.

6/5

—.

Memo :- 43454-11 C1/46 - Edn dt 6/5/47

Despd with encls 8/5

To

The Collr of Nilgiris.

(with ~~a copy~~ of pp. 1-17 CF, 21-31, 35-37 and pp 41-44) enclosures to be returned with remarks

[R.Dt. 15/6/47].

~~A Copy of~~ The Correspondence read above, ~~are~~ is forwarded to the Collr of the Nilgiris, and he is requested to inspect the two sites referred to therein, and to offer his remarks regarding the acquisition of a plot for ~~the~~ the Municipal Higher Ele. School, Coonoor.

3/5. 3/5/47

5/5/47

C.F. 32 (a)

Department Received Registered

From (Name)
Sri M. Govinda Menon B.A., B.L.
Designation
Commissioner & Special Officer,
Station Coonoor Municipality,
Coonoor N.S.

To
The Secretary to Government,
Education & Public Health Dept.
Fort St. George, Madras.

Enclosures

C.I. No. L. Acq. 1-45-46 dated 10th June 1947.

Sir,

Sub:-- Land-acquisition- Coonoor Municipality- extension of school building - S.No. 1723 and 1724 - orders- requested.

Ref:-- This office letters C.I. L. Acq. 1/45- 46 dated 22-11- 1946, 28-2- 47, 29-3-47 and 30-4-47

I request that the Government may be pleased to pass early orders on the subject.

Your obedient servant,

Commissioner & Special Officer.

V.V.P. 13-6.

E&P.H
C1

The Subject referred to overleaf has been referred to the Collector of the Nilgiris for his report. The receipt of his reply may be awaited till 15.7.47. He has been reminded.

8/7/47

4/7/47

GOVERNMENT OF MADRAS.
Education and Public Health Department.
Memo No. 43454-11 C.1/46 Edn. dated 6-5-47.

* * *

Sub: Schools - Municipal Council Coonoor - Higher Elementary School - Acquisition of land.

Ref: From the Commissioner, Municipal Council, Coonoor dated 6-7-46.
From the Commissioner, Municipal Council, Coonoor dated 9-8-46 and 11-46, C.1 No.L. Acq.1-45/46 d

COLLECTOR'S OFFICE
406-7/4
MAY 1947
THE NILGIRIS

The correspondence read above, is forwarded to the Collector of the Nilgiris, and he is requested to inspect the Tow sites referred to therein, and offer his remarks regarding the acquisition of a plot for the Municipal Higher Elementary School, Coonoor.

M.V. Subramanian,
Secretary to Government.

To the Collector of Nilgiris.
(with enclosures in original to Gc

P.T.O.

-2-

returned with reply.)

Forwarded/By Order.

Rajar J Swamy
Superintendent.

Er./

From
H.H.Carleston Esq.,O.B.E,I.C.S.,
Collector of the Nilgiris,
OOTACAMUND.

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

L.Dis.No.4067/47, dated 9-7-47.

Sir,

SCHOOLS--Municipal council, Coonoor--Higher Elementary school--Acquisition of land.

Ref:-Government Memo.No.43454-HC1/46, dated 6-5-47.

I submit herewith a copy of the report of the Sub Collector, Coonoor, Rc.A5.No.5008/47, dated 25-6-47. I have inspected the sites in question, I quite agree with the Sub Collector,Coonoor. The Divisional Inspector's proposal defeats most of the objects of the scheme which is to amalgamate the 3 portions of this school. With the proposed acquisition, a decent school can be put up in the locality it now serves. There is more mosque land to one side which could be used (rented) as playground and at least kept as open space and properly maintained, after removal of the unsigtly sheds now on this plot. Municipality should be asked to see to this. I recommend that acquisition should proceed since every one except the Divisional Inspector of schools is in favour.

2. The enclosures received with the Government Memo referred to above are resubmitted.

FOR COLLECTOR.
The Nilgiris.

a.9.7.
Encl: one file of 40 pages.

Copy of Sub Collector's report Rc.A5.No.5008/47, dated 25-6-47.

Submitted to the Collector of the Nilgiris.

I inspected the sites in question on Thursday 19th June,1947. To understand the points at issue it is necessary to inspect both sites and consider the two proposals together i.e., the proposals of the Coonoor Municipal Council and of the Divisional Inspector of schools. The existing school buildings are in a central locality, though in a crowded one; there is however space for extension of the School by acquisition of a site and by combining it with another site already owned by the Municipality. The Divisional Inspector steps in at a very late stage in the proceedings and suggests an entirely new scheme; i.e., removing the school or a major portion of it to a completely different site. The latter site is now under cultivation, is further away from the town, and would have to be levelled. If the Divisional Inspector scheme is followed it would mean providing for fresh acquisition, fresh school buildings and a complete remodelling of the school in a different site, for which estimates would have to be prepared and so on. The question is not whether ~~suitmatss~~ one site is better than the other, but whether the Divisional Inspector was justified in stepping in at a late stage when all other authorities i.e., Coonoor Municipal Council, District Educational Officer, P.W.D. and Public Health Department had agreed on a certain scheme, to suggest an entirely different scheme and so render nugatory all the practical work that had already been done. It is rather like a man who had made all preparations to extend his hen house being advised to keep ducks as there was a nice duck pond nearby.

I beg therefore to support the views of the Municipality as opposed to those of the Divisional Inspector of schools.

Sd/ J.C.Griffiths,
Sub Colector.

(True copy).

FOR COLLECTOR.
The Nilgiris.

C.F. 32 (a). C1 (3) 5T9

Department

Received Registered

From (Name)
Sri M.Govinda Menon B.A., B.L.,
Designation
Commissioner & Special Officer,
Station Coonoor Municipality,
Coonoor R.S.

To
The Secretary to Government,
Education & Public Health Dept.
Fort St. George, Madras.

Enclosures: C.1. No. L.Acq.1-45-46 dated 16th July 1947.

Sir.

5-8785

Sub:-- Land Acquisition- Coonoor Municipality - extension of school building - S.No. 1723 and 1724- orders requested.

Ref:-- This office letter C.1. L.Acq. 1/45-46 dated 22-11- 46, 28-2- 47, 29-3- 47, 30-4- 47 and 16-6- 1947.

I request that the Government may be pleased to issue early orders on the subject.

Commissioner & Special Officer.

V.V. 18-7.

18/7

C.No. 43454/46

pages 1-4 c.f.
pp. 21-23 c.f.
page 41 c.f.
page 57 c.f.

p.9 c.f.

To
The Commr & Spl. Officer, Coonoor Hills
" D. P. I.
" Collector of the Nilgiris.

(32) 61 E & H (C1)

Schools - Mcl. cl. Coonoor - Higher Elementary School - Acquisition of land - orders passed.

From the Chairman, Mcl. cl. Coonoor d 6.7.46
" " d 9.8.46
From the D. P. I. no. 3487 B2/46 d 31.1.47
From the Collector of the Nilgiris. L. Dis. no. 4067/47 d 9.7.47

Order no. 1774 Edn. dated 7-8-47

Rs.

The Municipal Council, Coonoor, is permitted to proceed with the acquisition of the site, ~~proposed approved~~ referred to ~~approved~~ in its Resolution no. 3911 d 13.8.45 ~~for~~ the purpose of ~~a~~ Construction ~~teaching~~ building for the ~~extension of~~ the Municipal Higher Elementary School ~~building~~ Coonoor.

5-8-47

From,

L.M.Nanjappa Row,
Bedford Buildings,
C O O N O O R.

(33)

28203
4 - AUG 1947
LOCAL ADMINISTRATION DEPT.

To,

The Honourable Minister,
Local Administration,
Government of Madras,
M A D R A S.

Subject:- Acquisition of land, Coonoor Th and Town. R.S.Nos.1723 & 1724.

Sir,

I beg to submit the following facts for your kind consideration and favourable orders.

1. I wanted to reconstruct the property (now sought to be acquired by the Coonoor Municipality for School Buildings) which is an ancestral one and kept fit for my own personal occupation and I had no other suitable premises. With this object in view I applied in March 1945 to the Municipal Commissioner, Coonoor for reconstructing Licence. Several particulars were called for and furnished. Plans were also submitted. While correspondence were going on I was served with a notice that the Municipality had decided to acquire the property for the use of The Municipal Higher - Elementary School.

2. I submit that this property is most unsuitable for School - purposes. My protests have been brushed aside and the Municipality has rushed the proceeding and has approached the Government to compulsarily acquire the property.

3. The Divisional Inspector of Schools, whose permission in case of acquisition of a site for School building is necessary - under G. O. 318 - Education. dated 1-3-1945 was, I understand, not in favour of the site being used for School. In the absence of a permission in the affirmityve the Municipal Council had vehemently creticised the Divisional Inspector of School and rushed through resolution and passed by a Division, that Government is requested to permit the acquisition.

4. A Mahazar signed by Eighteen prominent Citizens of Coonoor was also sent to the District Educational Officer, Coimbatore, - objecting the sight in question.

5. Further it is understood that the Collectors of Coonoor and Nilgiris were also not in full agreement with the Councils' - Resolution. It is their view that the place is crowded, but having proceede with, they do not wish turn down the suggestion of the Council.

6. In this connection I beg to submit that the Government may please direct the Commissioner and his Special Officer of the Coonoor Municipality and the concerned Authorities to withdraw the Acquisition Proceedings or the same may be kept in abeyance for a personal inspection by the Honourable Minister, when he proposes to visit Coonoor next.

I beg to remain,

Sir,

Your's obediently,

Coonoor.
4th. August 1947.

L. A. Dept.

It is understood that a file on the subject is pending in E & PH. This may therefore be transferred to that Dept with the request that the case may be circulated to H.M.(L.A) also with reference to this minute at page/1 ante.

ASST. SECRETARY TO GOVERNMENT
64772
8 - AUG
EDUCATION AND PUBLIC HEALTH DEPT.

4

E&I.A (C1)

Please see the petition at pages 1-3 ante. Orders have been issued in G.O. No. 1774 Edn. d 7.8.47 permitting the Mpl. C. Coonoor to proceed with the acquisition of the site belonging to the petitioners. Reference is solicited to the notes at pages 1-2 n.f. and the orders in circulation at page 3 n.f. of the G.O. at (L). For orders.

2. The case may be circulated to H.M. (Edn.) and H.M. (L.A.)

20.8.47

28/8/47

S.M. (L.A.)

26-8-47

H.M. (Edn.)

H.M. (L.A.)

29

Ask report from Commissioner to send a full report & till then not to proceed with acquisition in view of the Divl. I.'s report & above petition.

A draft memo is submitted for approval. May be circulated to H.M. (Edn.).

3.9.47

4/9/47

H.M. (Edn.)

8-9-47

SECRETARY TO GOVERNMENT ... PUBLIC HEALTH DEPT. 6477

SECRETARY, EDN. AND P.H. DEPT. 9 SEP 1947 GOVERNMENT OF MADRAS

G. M. Abdul Majeed,

"Balaclava"
Coonoor, R.S.

11th August 1947.

To,
The Hon: Sri. K. Chandramouli,
Minister for Local Administeration,
26, Sterling Street,
Nungampakam,
Madras.

SECRETARY TO GOVERNMENT 13 AUG 1947 LOCAL ADMINISTRATION DEPT.

MINISTER FOR LOCAL ADMINISTRATION 13 AUG 1947 GOVT. OF MADRAS

Dear Sir,

I trust you will pardon me for the liberty I have taken in addressing this letter in the midst of your heavy works. I am obliged to do it by the forces of circumstances.

The building acquisition decided by the Coonoor Municipality for the purpose of school buildings, despite, the disapproval of the Divisional Inspector of Schools, of which I had represented to you in your office on 4/8/47 to kindly either cancell the acquisition or to keep the same in abeyance till it is personally seen by you when you next visit Coonoor on the ground that it is most unsuited and congested for the purpose contemplated by this Municipality has now, I understand obtained the sanction of the Government to my surprise. You were kind enough to promise me that you will ask the Commissioner to keep the matter in abeyance and call for a detailed report by with holding sanction from the Government.

There is a vast extent of land viz:- Town Shola belonging to the Municipality situated within a distance of 100 yards from the proposed site lying idle, this could be very easily utilised for the purpose without any extra cost which will also provide a decent play-ground which generally considered very useful.

I shall therefore beg of you to kindly use your good offices and do the needful. In case you feel hesitant to revise the order I would humbly suggest that you may instruct the authrities

See lt. Please call for a report from the Commissioner and till then ask him not to proceed with the acquisition any further. 12/8

authorities concerned to take up the matter after the approval of the new council which will function after the election next month.

I am confident that the matter will receive your most favourable consideration.

With my respects.

I remain,
Yours sincerely,

11/8

L.A. Dept.

70813

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.

It is understood that there is a file on the subject in the E. & P.H. Dept.. The current may be transferred to that Dept. That Dept will no doubt circulate the case to H.M. (L.A), with reference to this minute at page 1 ante.

E & PH
3.9.47

3.9.47

3.9.47
L.A. Edn. No
29299/47-1F
9/9/47

~~4~~ 8

authorities concerned to take up the matter after the approval of the new council which will function after the election next month.

I am confident that the petition will receive your most favourable consideration.

With my respects,

Yours sincerely,

[signature]

11/8

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9 E 28.H (C1)

38 10/9

C.No. 64722/47

(37)

Schools. Rd. dt. Coonoor. Higher Elementary School - Acquisition of land - Report called for.

Read again - G.O.No. 1774 Edn. d 7.8.47

From the ~~Sri~~ L.M. Nanjappa Rao, Coonoor d 4.8.47

page 61 of (L)
pp 1-3 c.f.

Memo. No. 64722/47 - 1 C1 Edn. d 9.9.47

A copy of the petition read above is forwarded to the Commr. and Special Officer, Coonoor Mpty. for ~~a~~ submission of a complete report, ~~which should be submitted~~ at a very early date.

KK

2. The Commr. & S.O. is informed that pending the issue of ~~final~~ further orders in the matter, the council should not proceed with the acquisition of the site referred to in its resolution No. 391 d 13.8.45.

p. 9 of (L)

To
The Commr. & S.O.
Coonoor Mpty.
(with a copy of pp. 1-3 c.f.)

[initials] 3.9.47

[initials] 3/9/47

[initials] 4/9/47

[initials]

From

Sri A.Govinda Menon B.A., B.L.,
Commissioner & Special Officer,
Coonoor Municipality,
Coonoor R.S.

To,

The Secretary to Government,
Education and Public Health Department,
M a d r a s.

C.I. L. Acq. 1/45-46 dated 23rd September 1947.

Sir,

Subject:-- School- Municipal Council- Coonoor- Higher Elementary School- Acquisition of land.

Reference:-- G.O.No. 1774 Edn. dated 7th August 1947 and Government Memorandum No. 64728/47- 1 . C.I. Edn. dated 8-9-47.

It will be seen from the resolutions of the Municipal Council, the letters of the chairman addressed to the Hon'ble Minister, Local Administration and, the Secretary to Government, Education & Public Health Department, copies of which are enclosed herewith that the points raised in this petition have all been exhaustively dealt with.

2. Regarding para 1 of the petition it has to be mentioned that some years back the very same petitioner offered this building for sale to the municipality for the very same purpose of school extension. For a long period the petitioner and his family had been residing in a house owned by him and for an equally long period the building now proposed to be acquired had been let out on rent to tenants. The sudden attachment to this ancestral property, which the petitioner evinces in this petition appears to be an after thought in the light of the circumstances mentioned above.

3. Regarding para No.2 of the petition it will be evident from the records that it was only after mature consideration that the Council decided to acquire the site. From 18th July 1945 onwards the council had been considering the question in all its aspects. First a sub committee of the prominent members of the Council was constituted to whom the matter was referred. The Sub-Committee with only one dissentient recommended acquisition for reasons stated therein. In Council resolution No. 3911 dated 15th August 1945 the council decided on the acquisition by an over-whelming majority only three members dissenting. Hence there is no justification for charging the council with haste or carelessness in deciding the matter.

Not only the council had decided after mature consideration the several authorities whose consent to the acquisition was necessary had fully consented. The Executive Engineer of the Public Works Department, the District Educational Officers and the Collector had approved the proposal unconditionally. In pursuance of the council resolution , the Collector started acquisition proceedings and issued notices under Section 4(1) and 5-A of the Land acquisition Act. At this stage the Divisional Inspector of schools interfered in the matter justifying his interference under G.O. 318 Education dated 1st August 1943 which is only an administrative G.O. stating that the District Educational Officer had to send his approval of acquisition ~~proposal~~ through the Divisional Inspector. This G.O. had not in any way altered the previous Government orders prescribing the authority competent to give his approval which is even now the District Educational Officer.

The Divisional Inspector after delaying the acquisition from 15-12-45 to 7th July 1946 finally stated that the site was not suitable. For one thing there is no provision for stopping the acquisition by the Divisional Inspector as all the prescribed rules have been complied with, the approval of the prescribed authorities were obtained, and normally the proceedings should have gone on. The sanction or approval of the Divisional Inspector was not necessary and the proceedings could not be invalidated merely because a channel of communication laid down in an administrative Government order of a particular department was not complied with.

Anyhow the reasons given by the Divisional Inspector were again fully considered by the council which decided in council resolution No. 4458 dated 20th July 1946 to appeal to the Government as the only alternative open to them in the circumstances. The letter to the Hon'ble Minister Local Administration and the petition to the Secretary to Government Education and Public Health of the then Municipal Chairman Mr. Samanna Naidu clearly explains the whole position and a perusal of these is requested.

The Government had the matter under consideration from August 1946 to August 1947 for about a year during which time they had considered fully the views of the educational department the Collector and the Council and finally decided to permit the council to proceed with the acquisition in G.O. M.S. No. 1774 Edn. dated 7th August 1947.

In addition to the approval of the P.W.D. and the District Educational Officer, the Collector to whom the matter appears to have been referred had

also agreed with the views of the council. Against all these there is only the disagreement of a single Divisional Inspector at a belated stage of the acquisition proceedings.

It remains to be said that want of accommodation had long been felt and expressed in successive inspection reports of the educational authorities. The only economic way is to extend the municipal building already in existence by acquiring the adjacent site. The educational budget of the council had been working at a deficit. Unless the Government is prepared to make a full grant for acquiring new sites at a distance and constructing a new school somewhere else there is no prospect of solving the accommodation question in the near future if the present proposals which are of a practical nature within the financial capacity of the council are given up. Hence the interest of the institution and public requires the proposed acquisition and it may be allowed to proceed.

Your obedient servant,

M. Govindarajulu

Commissioner & Special Officer,
Coonoor Municipality.

25/9/47

Enclosures.

1. Council resolution No. 3857 dated 18th July 1945
2. Approval of District Educational Officer and P.W.D. Executive Engineer.
3. Sub-Committee's report to Council dated 26th July 1945.
4. Council resolution No. 3911 dated 15th August 1945
5. Letter R.C. 661 E/45 dated 15th December 1945 from the Divisional Inspector of Schools.
6. Letter Roc No. 661-E.1/45 dated 2nd July 1946 of Divisional Inspector.
7. Council resolution No. 4458 dated 20th July 1946.
8. Letter of Chairman to Hon'ble Minister dated 15th December 1945
9. " to Secretary to Government forwarding council resolution
10. G.O.M.S.No. 1774 Edn dated 7th August 1947.

14

15

Extract from the proceedings of an ordinary meeting of the Municipal Council, Coonoor, held on 18th July 1945 at 11 A.M.

(40)

3857. Read Commissioner's note dated 16th July 1945 requesting sanction of the council to address the Collector to take proceedings under the Land Acquisition Act to acquire the land and building in survey Numbers 240/1 and 239/1 measuring 11 ¼ cents belonging to Sri Nanjappa Row adjacent to the Higher Elementary school building owned by the council for the purpose of extension of the school building Also requesting sanction of the Council to apply for loan to Government to meet the cost of acquisition and the construction of school building and also for permission to deposit the cost of acquisition from general funds for the present with Government sanction.

Refer to a committee of Messrs. Major Webb, Dr. Miller, Noor Mohamed Sait, Khan Sahib Ismail Sait, T.V.Kuppamuthu Pillai, Abdul Sattar, Asirvatham Pillai, C. Bahadur Khan, R.T.Manikkam, and Mr. James.

The building application of Mr. Nanjappa Row may be kept pending till the council decides.

Enclosure 2.

Copy of letter from The District Educational Officer, Coimbatore, to the Coonoor Municipal Commissioner, R.C. 27-220/45 dated 28-8-45.

Sub:-- Acquisition of land - for constructing a school house Municipal Higher Elementary school Coonoor.
Ref:-- Your D.O. dated 7th August ~~1947~~ 1945.

The site plan received with your refernde is retransmitted herewith. The site proposed to be acquired for school purposes is approved.

Enclosure 3 Copy of letter from the P.W.D. Executive Engineer, Special Works Division, Coimbatore, to the Municipal Commissioner, Coonoor. No. 2264 M. dated 18th October 1945.

Sub:-- Acquisition of site for extending the school building
Ref:-- Your No.C-/45 dated 7th August 1945.

The site proposed is approved for extending the school building.

Enclosure 3.

Proceedings of the Sub-Committee of the C.M.C. constituted in C.R.No.3857 dated 18-7-45 held on Wednesday the 25th July 1945 at 11 A.M. in the Municipal Office, Coonoor.

Present

x x

Read Commissioner's note dated 16th July 1945 requesting sanction of the council to address the Collector to take proceedings under the Land Acquisition Act to acquire the land and building in S.No. F. 240 and 239 measuring 11 3/4 cents belonging to Sri Nanjappa Row adjacent to the Higher Elementary school building owned by the council for the purposes of extension of the school building. Also requesting sanction of the council to apply for a loan to Government to meet the cost of acquisition and the construction of school building and also for permission to deposit the cost of acquisition from general funds for the present with Government sanction.

The Sub. committee resolves that the site bearing S.Nos 239/1 and 240/1 measuring 11 3/4 ~~cxnx~~ cents and including the buildings thereon be acquired for extending the municipal school building in view of the following reasons:--

1. The site in question is adjacent to the existing municipal building in which there is accommodation only for 3 standards of the higher Elementary school.

2. There is no other site available nearby except the proposed one which is conveniently situated in the heart of the town.

3. The children will have less chance of meeting with any accident especially due to heavy vehicular traffic on the main road.

4. As this proposed acquisition is intended for higher Elementary school wherein only children between the ages of 5 to 12 will attend, it is imperative that the school should be in a place easily accessible to such children and the ~~xnx~~ sending of children to this place would relieve the parents of some anxiety which otherwise they would be subjected to.

5. The educational authorities have suggested many a time and recommended the site for the extension of the school.

6. The present opportunity should be made the best use of . As the building in question is dilapidated , vacant one and awaits sanction for reconstruction.

Proposed by Sri T.V. Kuppamuthu Pillai and seconded by Janab C.Bahadur Khan Sahib

Carried.

Mr. S. Noor Mohamed Sait voting against — Khan Sahib S. Ismail Sait.
Neutral.

Enclosure. 4.

Read proceedings of the Sub-Committee meeting of the C.M.C. constituted in C.R.No. 3857 dated 18th July 1945 held on 25th July 1945 for acquisition of site for extension of Municipal Higher Elementary school.

Council resolution No. 3911 dated 15th August 1945.

The following amendment was moved by Janab S. Noor Mohamed Sait and seconded by Mr. J.A. James :--

'Whereas the proposed site for the expansion of the Elementary school is not only in a crowded locality, opening into streets but does not permit also the retention of the ~~xxxx~~ playground , the importance of which has been emphasised by the Government in a recent order published on the 31st July 1945, I propose that the compulsory acquisition of the land and ~~xxdxx~~ buildings thereon belonging to Sri L.N. Nanjappa Row be dropped or the proposal may be proceeded with subject to sanction of

the Government through inspection by the Director of Public Instruction or his nominee.'

When put to vote the amendment was lost and the poll being:

For	Against.
Janab S. Noor Mohamed Sait.	Sri R.T. Manikkam
Mr. J.A. James.	Sri T.V. Kuppamuthu Pillai
Mr. J. Yesuthasen.	Sri M. Ramiah.
	Janab C. Bahadur Khan Sahib
	Sri G.Asirvatham Pillai.

The sub-committee's proposal was accepted by the majority. The poll being as follows:--

for accepting the proposal.	Against.
Sri R.T. Manikkam	Janab S. Noor Mohamed Sait.
Sri T.V. Kuppamuthu Pillai	Mr. J.A. James.
Sri M. Ramiah.	Mr. J. Yesuthasen.
Janab C. Bahadur Khan Sahib.	
Sri G. Asirvatham Pillai.	

The council requests the Collector to acquire the land and building mentioned hereunder and take action expeditiously:--

R.S.No. 1723 and 1724 measuring 11 3/4 cents.

The council undertakes

(1) To use the land in R.S.No. 1723 and 1724 and measuring 11 3/4 cents for the purpose of extending the municipal school building for which it is to be acquired and for no other purpose without the sanction of Govt.

(2) To carry out that purpose within 3 years.

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

(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.

The council resolves to request for a half grant and half loan for the cost of acquisition which is roughly estimated at Rs. 10000.

Enclosure 5.

Letter R.C. 661 E/45 dated 15th December 1945 from the Divisional Inspector of Schools, Coimbatore Division, to the Commissioner, Municipal Council.

Sub:-- Elementary education- Acquisition for~~xxx~~ the of land- Selection of school site to Coonoor Municipal Elementary Boys School- proposal.

I learn that there is a proposal for the acquisition of land for the Municipal Elementary School, Coonoor, and I request you to forward the proposals, if any for the same.

18

Enclosure 6.

Copy of letter R.O.C. No. 661-E.1/45 dated 2nd July 1946 from the Divisional Inspector of Schools, Coimbatore Division, to the Commissioner, Coonoor Municipality.

Sub:-- Elementary Education- Municipal Higher Ele. School, Coonoor Acquisition of land- regarding.

Ref:-- Your letter Cl. Acq. 1-45/46 dated 22nd June 1946.

There is no doubt that the Municipal Higher Elementary school is in urgent need of additional accommodation and an adequate playground. But the site proposed to be acquired is not suitable for the purpose and I am therefore unable to support the proposal. My reasons are given below:--

(1) The land is on the slope of a hill and is in a very congested locality unsuitable for the location of a school,

(2) The site is inadequate being only 11 3/4 cents , hardly sufficient even for the building and there will be no playground nor room for expansion

(3) Larger and more suitable sites are available not far from the school, and

(4) The value of the site is hihg high. For the same amount 92 cents nearly an acre- can be purchased in ward No.2.

2. I recommend:--

(1) That the site proposed for the playground in ward No. 2 may be selected for the construction of the building for the school. This site being 92 cents in extent should be sufficient both for the building anf the playground.

(2) The first five classes of the higher elementary school may be retained in the present building to serve the needs of the young children of the locality, or only classes I to III, if there is not sufficient room.

(3) The higher elementary classes - standards VI to VIII or standards IV to VIII may be shifted to the new building that may be constructed on the strike site in ward 2.

(4) The Sweeperpet school in this ward which is so close to the playground site and which is located in a rented building, may be amalgamated with the higher elementary school and run as one school.

I, therefore, recommend that steps may be taken to acquire the site in Ward No2 proposed for the playground and the new buildings put up on this site. The advantages of this suggestion are:--

(a) There will be one school with standards I to IVI or I to V to serve the young children in the locality in ward 9

(b) The higher elementary school will be located in better surroundings and will have sufficient playground and scope for expansion,

(c) The new site will be only 200 yards from the present school,

(d) The sweeperpet school will form part of the higher elementary school and profide facilities for the sweeperpet children to continue their studies in the higher elementary standards; and it will also help to remove the stigma attached to a separate school of this kind.

In view of these, I am unable to recommend the acquisition of the site in question and I will advise the municipality to select the site in Ward No. 2 proposed for the playground for the construction of the school.

19

Enclosure 7.

Extract from the proceedings of an ordinary meeting of the Coonoor Municipal Council, held on 20th July 1946 at 11 A.M.

4458. Read C.A. No. 3911 dated 15th August 1945 resolving to acquire the land in R.S.No. 1723 and 1724 of Coonoor town measuring 11 3/4 cents belonging to Mr. L.A. Nanjappa Row for the extension of municipal higher elementary school buildings.

(2) Notice under section 4(1) and 5-A of land Acquisition Act I of 1894 as amended by the land acquisition acquisition amendment Act XXXVIII of 1923 issued by the Sub-Collector inviting any objection to the acquisition of the land in question.

(3) Letter Roc No. 661-E1/45 dated 2nd July 1946 from the Divisional Inspector of schools, Coimbatore, regarding the acquisition.

(4) Letter from the Sub-Collector, B3/5642/45 dated 15-7- 46.

This Council emphatically protests the unjustifiable and belated interference by the Divisional Inspector of Schools, Coimbatore, with the school acquisition proceedings already started by the Collector after due approval by the competent authorities in the educational, public works and Public Health department and requests the Government to permit the acquisition proceedings to go on as the site had been selected by the council after exhaustive consideration of all aspects as the most suitable for extension of the existing school building.

This council is further of opinion that the site selected for playground is thoroughly unsuitable for accommodating the school and exhorbitantly costly.

As the matter is pending with the Government, this council requests the Collector to keep the acquisition proceedings pending till their final orders are received.

Proposed by Dr. A.L. Meganathan and seconded by Janab S. Bahadur Khan Sahib.

Carried.

Enclosure 8.

Copy of letter of Chairman, dated 15th December 1945 to Hon'ble Minister in charge of Local Administration.

Subject:-- Elementary Education- Municipal Higher Elementary School, Coonoor- Acquisition of land - for additional accommodation.

On behalf of the Coonoor Municipality of which I happen to be the Chairman for the last one decade and more I have to bring to your notice an instance of flagrant injustice done by the Divisional Inspector of Schools, Coimbatore, Here is an example where the noble attempts of a municipal council to improve accommodation in a much needed public elementary school have been thwarted by the educational authorities.

This council had been maintaining a higher elementary school which for want of suitable accommodation is held in three different buildings separated from one another. It was repeatedly pointed out by all the Inspecting officers in the educational as well as local board departments that it would be advantageous to secure the plot adjacent to one of these three buildings owned by the municipality and construct additions to this so that the whole school could centrally located and would be better supervised and maintained. The proposal was duly brought forward by the Commissioner. The council went into a committee to thrash out the question thoroughly and the recommendation of the committee, suggesting to acquire the land

and building in S.No. F. 240 and 239 measuring 11 3/4 cents was duly approved by the council in C.R. 3911 dated 15-8- 1945. It has to be mentioned here that the owner of this plot one Mr. Manjappa Row had tried to influence the councillors to drop this proposal as it would be financially unfavourable for him if it is acquired. In spite of his influence the council being guided by public interest alone passed the resolution to acquire.

As required under the rules the approval of the District Educational Officer and the P.W.D. Executive Engineer were taken and the acquisition proceedings were started by the Collector. The District Educational Officer gave his approval on 28th August 1945. Long after all preliminaries were ~~started~~ and acquisition proceedings were started the Divisional Inspector of schools, Coimbatore, on 15-12-45 has thought it necessary to interfere and put a stop to the whole proceedings. On his own initiative he has written to the Collector to call off the acquisition proceedings basing ~~basing~~ his action on some obselete departmental G.O. which appears to state that the approval of the District Educational Officer for acquisition should be forwarded through the Divisional Inspector. Having put a break on the proceedings the Divisional Inspector delayed the disposal from 15th December 1945 when he seems to have got information about the acquisition (from where it is not stated) up to 2nd July 1946 when he has finally decided that the site proposed for acquisition is not suitable for the purpose of extending the school building. ~~From~~ For one thing it was quite unnecessary for him to interfere in the matter when it was not before him officially. The inordinate delay in disposing off the matter which had already reached a stage of progress leads me to doubt whether the Divisional Inspector was not prejudiced against the council's proposal by interested persons moving in the matter. Obviously it is to the interest of the owner of the property to drop the acquisition proceedings.

The reasons given by the Divisional Inspector for turning down the proposal are ingenious but not convincing.

1) He says that the land is on the slope of a hill. All lands here are on hill slopes and since it is admitted that there are buildings all round and the area is congested the argument that it is on a slope and unsuitable for building cannot hold good. Secondly it is said that it is in a congested locality- There is already the nucleus of a municipal school building there, and the proposal is to remove the adjacent dilapidated building and construct a new school building which would remove the congestion and eventually improve the place. The site proposed by the Divisional Inspector is equally congested and in a thoroughly unsuitable area as it is low lying and very close to bed ~~xxxx~~ level of a stream which is not a healthy site for a school building in a hill station.

2) He says that the site is inadequate being 11 3/4 cents and there will be no playground.

The site to be acquired is adjacent to other municipal lands measuring 44½ cents which with this 11 3/4 cents would be quite adequate for the school building. Even according to the suggestion of the Divisional Inspector he proposes to bifurcate the classes into two, one at the old school building and the other at the playground sitd. Such a bifurcation would defeat the purpose of acquisition as the proposal itself was thought necessary to have a central building where all the classes could be accommodated. In a hill station like Coonoor the expansion of the building must be by addition of top storey as had been recently suggested by the Town Planning Expert and in this view there is plenty of scope for expansion in the proposal of the council.

3) He says better and larger sites are available in the neighbourhood at less cost. I may claim legitimately a longer and a more ~~through~~ thorough experience of this place than the Divisional Inspector and so far as I know the site selected by the council after mature deliberation is the best. The Divisional Inspector has obviously in view the site selected for a playground for this school which is just sufficient for a playground alone, for a strength of 500 pupils. The site is so close to a stream under vegetable cultivation in an unsuitable slum area that no responsible council would ever think of putting their central school in such a site. Apart from the fact that building will be very costly in that site since the foundations have to go deep into the soil being loose mud huge revetment at

enormous cost on the stream margin will be necessary. So far as I know of land values here, the cost of land will be almost the same in both the sites.

Then another reason advanced by the Divisional Inspector is that the sweeperpet school could be amalgamated with the Higher Elementary School if it is constructed on the playground site. For sweeperpet school there is already a site alienated by Government in Ansanance with Government orders to have a school for each ward and where council proposes to construct shortly. Incidentally I may say that there is no stigma to be removed as sweeperpet school is not a separate school for any community in particular. It is has only the lower five classes which even according to the proposal of the Divisional Inspector cannot be amalgamated as he wants only the higher elementary classes from VI to VIII standards to be shifted to the site proposed by him. Hence the argument about sweeperpet school amalgamation will not hold water.

I may be excused for having gone into the matter at some length as I would like to convince you of the frivolous nature of the objections raised. As the head of Local Administration I solicit your kind interference in the matter to secure the legitimate rights of the Council from unnecessary departmental interference especially in a matter where public interests should have preference over individual interests of parties.

---

9. Enclosure 9.

Letter from Chairman to Secretary to Government Education & P.H. Dept forwarding council resolution.

Subject:- Land acquisition- Coonoor- for extension of school building- interference with the acquisition proceedings by the Divisional Inspector of schools, Coimbatore- protest of municipal council-Coonoor.

In forwarding herewith the council resolution requesting for Government intervention in the interests of providing adequate facilities for elementary education in this town I wish to enter my emphatic protest against the manner in which the Divisional Inspector of Schools have flouted the considered opinion of the council, the District Educational officer, the P.W.D. Executive Engineer and the Public Health department.

There were repeated complaints from the educational department about want of accommodation in the municipal ~~xxxxxxx~~ Higher Elementary school which was being held in three separate buildings. One of these is owned by the Municipality and the two others are rented. It was suggested by the Deputy Inspector of schools, in his visiting report dated 26th June 1945 that the plot adjacent to the municipal owned building may be acquired for extension of the school building so that all the classes could be accommodated in one building. This was approved by the Deputy Inspector of Local Board also. The only man interested in opposing this is the owner of the plot who could get a higher value if he sells it in the open market. In spite of his opposition the Council after going through all aspects exhaustively by means of a Committee decided in C.R.No. 3911 dated 15th August 1945 to start acquisition proceedings of this site. Though the idea and necessity of extending the school building had been there for the last one decade and more the council had been postponing for one thing or other and this is the first serious attempt made to have some remedy. The council had in ~~xxx~~ view all the difficulties of securing a land plot on this hill station which is centrally situated and ~~xxxx~~ easily accessible to small children mostly of poor parents who have to go home for their midday meals in very cold weather as also the limitations of the finances available in the elementary education funds. It was due to these considerations that the council decided to have the adjacent plot to the existing nucleus school building acquired and provided a modest figure of Rs. 5300 in the revised budget of 1945- 46.

The approval of the District Educational Officer, the Executive Engineer P.W.D., and the Health Officer as prescribed under the rules were obtained and the Collector started acquisition proceedings by issuing the notification under section 4(1) and 5 A of the land

22

Acquisition Act.

At such a late stage, the Divisional Inspector, Coimbatore, has on his own initiative interfered with the acquisition proceedings by writing to the Collector on the ostensible ground that the proposal was not sent through him as required under some old administrative Government order. Though I reserve the right to dispute this contention that want of his approval would invalidate the acquisition proceedings I submit the interference at such a late stage seemed to me to be quite wanton and uncalled for. According to G.O.No. 4039 L.A. dated 17th October 1939 which is the substantive G.O. on the matter and which has not been superseded or modified the acquisition of land for educational purposes should be approved by the District Educational Officer only. Such approval was duly obtained from the District Educational Officer, Coimbatore as early as 28-8-45. G.O.No. 318 Edn. dated 1st March 1943 which the Divisional Inspector quotes as his authority for interference is only an administrative G.O. which lays down for the guidance of the educational department the channel through which the approval of the District Educational Officer is to be forwarded. That by an oversight it was not forwarded through a particular channel cannot be a ground to invalidate the approval itself nor the proceedings thereon. The Divisional Inspector having stayed the acquisition proceedings by his letter to the Collector kept the matter pending from 15-12-1945 to 2nd July 1946 on some protest or other and finally he has given his verdict that the site selected by the council and approved by all the prescribed authorities including his own departmental subordinate is not suitable for the purpose. The reasons given by the Divisional Inspector are not seriatim in my note to the council which is enclosed herewith.

The casual manner in which the decision arrived at by the council after mature deliberation have been treated by the Divisional Inspector the delay in the disposal of a matter which is of vital importance to the council and his final decision setting at naught all the noble endeavours of this council, are all keenly felt by the council and they have expressed their protest in the resolution forwarded herewith. On behalf of the council I seek your intervention to secure the just rights of the citizens and for your sanction to proceed with a very beneficial measure in the interests of the school going children of this town.

Enclosure. 9

Government of Madras.
Education and Public Health Department
G.O. Ms. No. 1774 Education dated 7th August 1947

Abstract.

Schools- Municipal Council, Coonoor- Higher Elementary school- Acquisition of land- orders passed.

Read-- the following:--
From the Chairman, Municipal Council, Coonoor dated 6th July 1946 and 1-8-46
From the Director of Public Instruction No.34872/46 dated 31-1-47.
From the Collector of the Nilgiris L.Dis. No. 4067/47 dated 9-7-47

ORDER. The Municipal Council, Coonoor, is permitted to proceed with the acquisition of the sites referred to in its resolution No. 3911 dated the 13th August 1945, for the purpose of constructing a building for the Municipal Higher Elementary School, Coonoor.

(By order of His Excellency the Governor)
R.V. Subramanian,
Secretary to Government.

To the Commissioner and Special Officer, Coonoor Municipality.
,, Director of Public Instruction.
,, Collector of the Nilgiris.

(True copies)
[signature]
Commissioner & Special Officer,
Coonoor Municipality.

23

(44)

Edn. & P. H. Deptt. (C)

C.No. 64772/C1/47. From Sri L. M. Nanjappa Row, Coonoor, Petition, d/ 4/8/1947.
From the Commr., Coonoor Mty., C1. L. Acq. 1/45-46, dated 23.9.1947

5/4
6/4

Schools - Municipal Council, Coonoor - Higher Elementary School - Extension of - Acquisition of land belonging to Nanjappa Row - Objection petition of owner

Memo. No. 64772/47 - 2 - C1 - Edn., dated 5/4/1948

The petitioner is informed that his request for the withdrawal of the acquisition proceedings cannot be complied with.

2. The Commr., Coonoor Mty., is informed that the acquisition may be proceeded with.

To
The Petitioner (Para 1 only).
,, Commr. Coonoor Mty (thro' the C.M.C.)
(Copy S.C.)

[initials] 5/4/48

24

GOVERNMENT OF MADRAS (49) 25
EDUCATION AND PUBLIC HEALTH DEPARTMENT
MEMORANDUM NO.64722/47-2-C1-Edn., dated 5th April 1948.

Sub: Schools - Municipal Council, Coonoor - Higher Elementary School - Extension of - Acquisition of land belonging to Nanjappa Row - Objection petition of owner.

Ref: From Sri L.M.Nanjappa Row, Coonoor, Petition dated 4.8.48.
From the Commissioner, Coonoor Municipality C1.L.Acq.1/45-46, dated 23.9.1948.

The petitioner is informed that his request for the withdrawal of the acquisition proceedings cannot be complied with.

2. The Commissioner, Coonoor Municipality is informed that the acquisition may be proceeded with.

M.V.SUBRAMANIAN,
Secretary to Government

To Sri L.M.Nanjappa Row, Bedford Buildings, Coonoor.
To the Commissioner, Coonoor Municipality
Forwarded / By order

kr.

SUPERINTENDENT

Local Administration Department.

From (Name) Janab M.Mehdi Hasan,B.A.
Designation Commissioner, Coonoor Municipality

Station: Coonoor R. S.

Received ..... Registered 46

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

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
5 - MAY 1948

Enclosures:

C-1 No. 2821/48 dated 28.4.'48 194

Sir,

Sub:- Acquisition-land-C.M.C.-extension of Municipal Higher Elementary School, Coonoor-land belonging to Sri.L.M. Nanjappa Row, Coonoor-proposal dropped.

33089 p 23 ante Ref:- Government Memo No.64722/47-2-C1-Edn. dated 5.4.'48.

p 28 infra As resolved by the Council in its resolution No.55 dated 7.11.'47, copy overleaf, the proposal to acquire the land in S.No.1723 and 1724 for the extension of the Municipal Higher Elementary School building has been dropped, nearly 5 months ago.

Forwarded

Chairman, C.M.C. 3/5

Commissioner 3/5

KBL 5/5/48

28 Extract from the Proceedings of the Meeting of the Municipal Council, Coonoor, held on 7.11.'47.

Read Government Memo No.64722/47-1C1 Edn dated 9.9.'47 communicating a copy of the petition dated 4.8.'47 from Sri.L.M.Nanjappa Rao, Coonoor, objecting the acquisition of his property in R.S.No.1723 and 1724 for the extension of the Municipal Higher Elementary School for remarks and that pending the issue of further orders in the matter, the Council should not proceed with the acquisition of the site referred to in C.R.No.3911 dated 13.8.'45.

C.R. No.55 dated 7.11.'47.

A The acquisition proceedings should be dropped immediately as the site in question is considered unsuitable for the purpose. It is also resolved to shift the existing school to a better locality with a playground attached to it.

CARRIED

FOR.

Sri.P.Krishnaswamy Chettiar.
Mr.P.J.Francis.
Sri.T.A.Thiruvengadam Pillai.
Mr.J.C.E.Corfield.
Sri.K.V.Chockalingam.
Janab.G.M.Abdul Majeed Sahib Bahadur.
Sri.V.Y.Gangadaran.
Mr.J.C.Peters.
Sri.J.Borai Gowder.
Major R.E.Webb.
Dr.A.L.Meganathan (Chairman)

AGAINST.

Janab C.Bahadur Khan Sahib Bahadur.
Sri.T.V.Venugopal Naidu.
Sri.K.I.Verghese.
Sri.C.Packiam.

True Copy

Commissioner 3/5

C1/ Coonoor,R.S.,
Dated 3rd May,1948.

From
1. C.Bahadur Khan,
2. K.I.Varghese,
3. T.V.Venugopal Naidu,
Municipal Councillors,
Coonoor.

To
The Honourable Minister of Education,
Madras:
Through,
The Secretary,
Education Department; Madras.

Sir,

Sub: Schools- Municipal Council Coonoor- Higher Elementary School- extension of- Acquisition of land belonging to Nanjappa Rao- Objection of owner.

33381/P23 Ref; Government Memorandum No.64722/47-2-C1-Edn.,dated 5th April,48.

The Government in their Memorandum quoted above, while informing Mr.Nanjappa Rao that his request for the withdrawal of the acquisition proceedings cannot be complied with, have informed the Commissioner,Coonoor Municipality to proceed with the acqusition of his land for the extension of the Municipal Higher Elementary School in Coonoor.

Though it is nearly a month since the G.O.was received, the Commissioner has not been pleased to place it before the Council, and we are at a loss to know at what stage the matter stands.

As this is a subject of utmost importance, in which the interest of the entire public of Coonoor is centered, we most earnestly request you to urge the Council and the Commissioner to proceed with the acquisition without the least possible delay.

We remain,
Sir,
Yours faithfully.
C.Bahadur Khan

KBL 6.5.48 2) K.I.Varghese
3) T.V.Venugopal Naidu

30

(48) 31

Government of Madras.
Education & Public Health Department.,
Memorandum No.64722/47-2-C1-Edn., dated,5th April '48.

Sub:- Schools-Municipal Council,Coonoor-Higher Elementary School-Expension of - Acquisition of Land belonging to Nanjappa Rao-Objection of owner.

Ref:- From Sri,L.M.Nanjappa Rao,Coonoor,Petition dated,4-8-47 from the Commissioner,Coonoor Municipality,C1.L.Acq.~~xxxx~~ 1/45-46,dated, 23-9-47.

The petitioner is informed that his request for the withdrawal of the acquisition proceedings cannot be complied with.

2. The Commissioner,Coonoor Municipality,is informed that the acquisition may be proceeded with.

Sd.M.V.Subramaniam,
Secretary to Government

To:- Sri,L.M.Nanjappa Rao,Bedford Buildings,Coonoor.
The Commissioner,Coonoor Municipality(Through the Chairman)

Forwarded/ by order

Sd.xxxxxxxxxxxxxx.
Superintendant.

True copy.

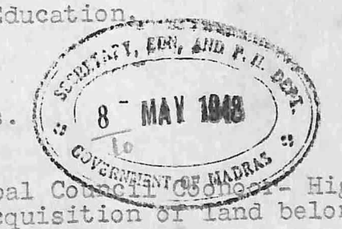
32

From
1. C.Bahadur Khan,
2. K.I.Varghese,
3. T.V.Venugopal Naidu,
Municipal Councillors,
Coonoor.

Coonoor,R.S.,
Dated 3rd May,1948.



To
The Honourable Minister of Education,
Madras:
Through,
The Secretary,
Education Department; Madras.



Sir,

Sub: Schools- Municipal Council Coonoor- Higher Elementary School- extension of- Acquisition of land belonging to Nanjappa Rao- Objection of owner.
Ref; Government Memorandum No.64722/47-2-C1-Edn.,dated 5th April,48.

The Government in their Memorandum quoted above, while informing Mr.Nanjappa Rao that his request for the withdrawal of the acquisition proceedings cannot be complied with, have informed the Commissioner,Coonoor Municipality to proceed with the acqusition of his land for the extension of the Municipal Higher Elementary School in Coonoor.

Though it is nearly a month since the G.O.was received, the Commissioner has not been pleased to place it before the Council, and we are at a loss to know at what stage the matter stands.

As this is a subject of utmost importance, in which the interest of the entire public of Coonoor is centered, we most earnestly request you to urge the Council and the Commissioner to proceed with the acquisition without the least possible delay.

We remain,
Sir,
Yours faithfully.
1) C.Bahadurkhan

84

Government of Madras.
Education & Public Health Department.,
Memorandum No.64722/47-2-C1-Edn., dated,5th April '48.

Sub:- Schools-Municipal Council,Coonoor-Higher Elementary School-Expension of - Acquisition of Land belonging to Nanjappa Rao-Objection of owner.

Ref:- From Sri,L.M.Nanjappa Rao,Coonoor,Petition dated,4-8-47 from the Commissioner,Coonoor Municipality,C1.L.Acq.~~xxxx~~ 1/45-46,dated, 23-9-47.

The petitioner is informed that his request for the withdrawal of the acquisition proceedings cannot be complied with.

2. The Commissioner,Coonoor Municipality,is informed that the acquisition may be proceeded with.

Sd.M.V.Subramaniam,
Secretary to Government

To:- Sri,L.M.Nanjappa Rao,Bedford Buildings,Coonoor.
The Commissioner,Coonoor Municipality(Through the Chairman)

Forwarded/ by order

Sd.xxxxxxxxxxxxxx.
Superintendant.

True copy.

NOTES (5)

Education and P.H.(C.1.) Deptt.

C.No. 4345A/46

Schools--Municipal Council, Coonoor--Higher Elementary School--Acquisition of land.

pp 1-9 cf

pp 21-23 & 35 cf

p 41 cf

From the C.M.C., Coonoor, dated 6-7-46.
-dO- C.1.No.L.Acq.1-45/46 dated 9-8-46 and 11-46
From the D.P.I. Roc No. 3487 B2/46 dated 31-1-47.

--

p 1 cf

p 7 cf

pp 9-10 cf

p 11 cf

pp 1-2 cf (b)

p 13 cf

para on p 17 cf

The Municipal Council, Coonoor, maintains a Higher Elementary school which is held in three different buildings. On the suggestion of the Deputy Inspector of schools, the Council resolved to acquire the plot adjacent to the school building so that the whole school might be centrally located. The proposal was forwarded to the Collector of the Nilgiris through the D.E.O. the Nilgris. The D.E.O. and the Executive Engineer approved the site. The proposal was not forwarded through the Divisional Inspector of schools, as required in G.O.No. 318 Edn. dated 1-3-43. At this stage, the Divisional Inspector of Schools, Coimbatore, intervened. After an inspection, he advised the Council, for the reasons stated in his letter dated 2-7-46, that the site proposed was not suitable for the purpose. He also advised the council that the site proposed for a playground in Ward No.2 might be acquired for the construction of a building for the higher elementary school. The advantages of his proposals are explained by the Divisional Inspector in his letter dated 2-7-46.

para 3 on p 17 cf

M

p 35 cf.

2. The council has dropped the proposal to acquire the site referred to at 'M' above for reasons of health and sanitation. Besides, the price demanded for the site is also stated to be excessive.

p 37 cf

pp 1-4 and 21-23 cf

3. The C.M.C., Coonoor, now states that the action of the Divisional Inspector of schools was irregular and uncalled for. He requests that the Government may intervene in the matter and allow the acquisition proceedings already started to be put through. The reasons urged for the intervention of the Government are stated at pp 2-4 c.f.

ibid and p 41 cf

4. The remarks of the Divisional Inspector are at p 43 c.f. He reiterates his original remark that the

pp 43-44 cf

P.T.O.

2

acquisition of the site in question is not in public in~~s~~terest. The D.P.I. states that the allegations made by the C.M.C. have been answered by the Divisional Inspector.

p 4 c.f.

The Divisional Inspector objects(ion) to the site proposed by the Municipal Council are:-

A in p 17 c.f.

1. The land is on the slope of a hill and is in a very congested locality unsuitable for the location of a school;

2. The site is inadequate being only 11¾ cents hardly sufficient even for the building and there will be no playground nor room for expansion;

3. Larger and more suitable sites are available not far from the school, &

4. The value of the site is high. For the same amount 92 cents nearby an acre - can be purchased in ward No.2.

The C.M.C. Coonoor has answered all the objections of the Divl. Inspector of Schools in his note on pp 27-29 c.f.

The C.M.C. says that the site selected by the Divisional Inspector is also objectionable for reason of health.

B in p 39

It is for orders whether the whole matter may be referred to the Collector of Nilgiris for his remarks after an inspection of the two sites in question.

/ This may be done.

BRM 16/4/47 S / 21/4/47 H.M. (Cor.)

TSA 30.4.47

A draft memo to the Collector of the Nilgiris is submitted for approval

SECRETARY, EDN. AND P.H. DEPT. 1 - MAY 1947 GOVERNMENT OF MADRAS

BRM 3/5.

5/5/47

[Issued as Memo. No. 43454 - U C 1 Edn. d 6.5.47] page 57 c.f.

C.No. 57019/47. From the Collector of Nilgiris, L.Dis. No. 4067/47 d 9.7.47

page 57 c.f.

Please see the reports of the Sub-Collector, Coonoor, and the Collector of Nilgiris at page 57 c.f. The Sub-Collector and the Collector inspected the sites proposed by the Municipal Council, Coonoor and the Divisional Inspector. They recommend the acquisition of the site selected by the Council. For orders whether this recommendation may be accepted and the Council be permitted to

3

/ to proceed with the acquisition of the site selected by it.

May be done.

23.7.47

BRM 25/7/47 S / 26/7/47 H.M. (Cor.)

TSA 27.7.47

SECRETARY, EDN. AND P.H. DEPT. 28 JUL 1947 GOVERNMENT OF MADRAS

With reference to the remarks of L.A. in the margin on page 1 c.f. the file may be circulated to H.M. (L.A.) also.

28.7.47

BRM 28/7/47 S / 28/7/47 H.M. (L.A.) 3/8

A draft order is submitted below for approval.

SECRETARY, EDN. AND P.H. DEPT. 4 - AUG 1947 GOVERNMENT OF MADRAS

5.8.47 5/8/47

BRM 6/8/47

E. & P. H. Department.

Schools - Municipal Council, Coonoor - Higher Elementary Schools - Acquisition of land.

From Sri L.N.Nanjappa Rao, dated 4-8-47.
From Mr.G.M.Abdul Majeed, Coonoor dt. 11-8--47.
From the Commissioner, Coonoor Municipality C1. L.Acq.1.45-46, dated 23--9--47.

***

Minute of H.M. (L.A.) on the petitions

Please inform Commissioner not to proceed and send his report with full particulars. Till then the acquisition may be stopped.

Sd. K.C.

Please call for a report from the Commissioner, and till then inform him not to proceed any further.

Sd. K.C.
17--8--

The Commissioner, Coonoor Municipality, was informed that pending the issue of further orders in the matter, the Council should not proceed with the acquisition of the site and he was asked to submit a complete report, which is on pp.11-22 c.f.

7 The petitioner's objections to the acquisition are examined below:-

1. The petitioner says that the property now proposed to be acquired is an ancesteral one, he had kept it for his own personal occupation and that he has not got other suitable premises. The Commissioner states that the petitioner offered the same building for sale to the municipality for the very same purpose, i.e. extension to the school and that for a long period the petitioner and his family have been residing in a home owned by him letting out for rent, the building now proposed to be aquired. The Commissioner considers the petitioner's sudden attachment to the property as an afterthought.

2. The petitioner says that the property is most unsuitable for school purposes; that his protests have been brushed aside and that the Municipality had rushed the proceedings. The Commissioner says that the Council agreed upon the acquisition only after mature consideration. He also says that the acquisition was approved unconditionally by the Executive Engineer of the P.W.D., the D.E.O. and the Collector. Attention is invited to the note of the then chairman as to the suitablity of the land for the extension of the school - pp. 27-29 of G.O.1774, Edn., dated 7-8-47. In this connection attention is also invited to the remarks of the Sub-Collector, Coonoor and the Collector of Nilgiris on p.57 c.f. In the circumstances it does

appear necessary to reconsider the orders in G.O.No.1774.Edn d. 7.8.47

The file may be circulated to H.M. (Edn.) and H.M. (L.A.)

(L) 61 c.f. There are no figures at all for reconsideration, I think.

16/3/48

23.3.48

SECRETARY, EDN. AND P.H. DEPT. 25 MAR 1948 GOVERNMENT OF MADRAS

A draft memo is submitted below for approval. After issue, the papers may be filed with G.O. No. 1774 Edn., dated 7.8.1947.

3/4/48

[Issued as Memo. No. 64722/47-2 C1 Edn. d 5.4.48]

C. No. 33089/48. From the Commr. Coonoor Mply. No. 2821/48 d 28.4.48

C. No. 34361/48 From C. Bahadur Khan etc. dated 3.5.48

page 23 c.f.

pp 27-28 c.f.

p. 33 c.f.

Please see the letter of the Commissioner, Coonoor Municipality at pages 27-28 c.f. and the letter of ~~Coonoor~~ certain Mpl. councillors, Coonoor, at pages 33-35 c.f. In the circumstances explained by the new council at 'A' on page 28 c.f. no further action seems to be called for by the Govt. The papers may be filed with G.O. No. 1774 Edn. d 7.8.47

(L) A curious volte-face, after the stand taken up in (L)! But I don't think we need interfere.

H.M.s may see.

15/5/48

17/5/48

H.M. (Edn.)

H.M. (L.A.)

23.5.48

SECRETARY, EDN. AND P.H. DEPT. 25 MAY 1948 GOVERNMENT OF MADRAS