

Education and Public Health

(194) Department.

SERIES.

G.O. NO. 275 En.

275

Dated 18-2-1947.

[Despatch Abstract.]

Land Acquisition-Pondicherry District-Kannadugudi Taluk-Milapangalam village-Lakshmi Vilas Higher Elementary School-Extension and provision of grounds, playground etc.-Notification under Section 4(1) of the Land Acquisition Act (Act I of 1947)-Published.

Back Papers.

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

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms	2281	Eon	28/10/47				

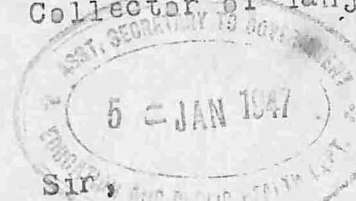
R.C. 24802-46-B9.

Collector's office, Tanjore.
Dated 23rd December, 1946.

From
Khan Bahadur Muhammad Ismail
Sahib Bahadur, B.A.,
Collector of Tanjore.

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

Through
The District Educational Officer,
Tanjore.



Sir,

Subject:- Land Acquisition (Tanjore) - Mannargudi -
Taluk - 22. Chattram Nidamangalam village -
Lakshmi Vilas Higher Elementary school -
extension and provision of garden, playground
and latrine, - draft notification under
section 4(i), submitted.

At the instance of the Manager, Sri Lakshmi Vilas Higher
Elementary school, Nidamangalam, + send herewith an application
under section 4(i) of the Land Acquisition Act for
favour of approval and publication in the Fort St. George
Gazette.

2. The District Educational Officer, Tanjore and the
Divisional Inspector of Schools, Madura, have recommended the
proposal. The Manager has agreed to abide by the special and
general conditions of alienation, a copy of which is enclosed.

H. C. M. McLaughlin,
for Collector.

BS.25x11a

for Collector.

28/12/47

Conditions of alienation

1. R. Somasundaram Headmaster Sri "Lakshmi Vilas Higher Elementary School", Nidamangalam, agree to have the lands and land revenue thereon shown in the schedule attached alienated in my favour as Manager of the above school subject to the following conditions and any additional conditions that may be prescribed by the Government.

General

1. The land shall be used as the site for extension of the school building, school garden playground and latrine and no other purpose.

2. No other building shall be constructed on the land without the previous permission of the District Collector, Tanjore.

3. The entire cost of acquisition of the land will be borne by me as Manager of the above school.

4. The Government may resume the land wholly or in part with any building thereon in the event of the infringement of any of the conditions of the grant. In the event of such resumption no compensation shall be payable for any improvements that may have been effected or any other works that may have been executed on the land by the grantee, and the grantee shall not be entitled to the repayment of any amount that may have been paid to the Government for the grant. If there are buildings on the land the Government may direct the grantee to remove them and if the grantee refuses to remove the buildings when so directed the Government or any officer empowered by them in this behalf shall have power to remove the building and realise the cost of such removal by the sale of the materials.

5. The Government may resume the land wholly or in part with any building thereon if in the opinion of the Government the land is required for a public purpose or for conducting mining operations. In the event of such resumption or in the event of acquisition of land for any reason, the compensation payable for the land and trees shall in no case exceed the amount paid for them by the grantee or their value at the time of resumption or acquisition (less 15 per cent awarded for compulsory acquisition) whichever may be less and the compensation payable for buildings or other improvements shall in no case exceed the amount paid for them by the grantee at the time of alienation or their value at the time of resumption or acquisition whichever may be less. If any building is erected or other improvements effected on the land by the grantee in accordance with the terms of the grant, the amount of any grant made by the Government towards the cost of the buildings or other improvements shall be deducted from the compensation payable under these conditions.

6. In the event of voluntary relinquishment of the land by the grantee, no compensation shall be payable for any improvement that may have been executed on the land by the grantee but the grantee shall be entitled to the repayment of any amount that may have been paid to the Government for the grant less 15 per cent awarded for compulsory acquisitions or the value of the land at the time of relinquishment whichever may be less.

7. Full land revenue shall be levied if at any time any net income is derived from the land, or if any of the conditions of alienation is infringed. In the latter cases the land revenue shall be levied from the date of the infringement.

8. The demarcation and subdivision fees if any shall be collected from the alienator before the alienation is given effect to. Special conditions applicable to school buildings, latrine and playground and garden.

Schools

9. The Government may resume the land wholly or in part with any building thereon, if the recognition of the school already granted is withdrawn.

10. The amount of any grant made by the Government towards the cost of the building shall be deducted from the compensation payable to the grantee in the event of the resumption of the land.

11. The school shall be open to members of all communities.

Buildings

12. The buildings namely school with a latrine attached to it shall be constructed on the land within a period of 2 years from the date of the grant.

13. No buildings other than those specified in condition 12 above shall be constructed on the land without the previous permission of the Collector of the District.

14. In the event of resumption or acquisition of the land no compensation shall be payable for any building constructed in contravention of condition (13) above.

Playground, garden and latrine:-

15. The playground and garden shall be formed within a period of 2 years from the date of the grant.

16. No part of the land set apart for the playground and garden shall be built without the previous sanction of the Collector.

17. If there are buildings so constructed with permission compensation shall be payable as usual.

18. If buildings are constructed in violation of condition 17 above, the land with the buildings shall be resumed without any compensation whatsoever.

19. The latrine shall be constructed within a period of 2 years from the date of the grant on the models approved by the Health Department.

20. The latrine shall be opened to the staff and pupils of the school and not to the public and it shall be kept clean and serviceable on the conditions that may be prescribed by the municipal Sanitary staff from time to time.

21. Special conditions relating to acquisition of land under the provisions of the land acquisition Act:-

The grantee also agrees to pay the enhanced compensation together with the incidental charges if any that may be awarded by the civil court in the event of the reference under section 18 of the Land Acquisition Act or any appeal therefrom.

22. To bear also the cost of demarcation of the site in case of fresh or additional demarcation being found necessary.

23. If I refuse to agree to any of the above conditions and additional conditions that may be imposed by the Government or if I fail to deposit the necessary funds with the Revenue Divisional Officer, Mannargudi within 3 weeks after the publication of the draft declaration, I agree to the withdrawal of the land from acquisition and to pay such compensation for damages that may be determined by the Government under section 48 (2) of the act.

As manager of the above school I also agree to abide by the following conditions:-

1. To use the land for the purpose for which it is acquired viz. for the extension of the school building, school garden, playground, and latrine and for no other purpose.

2. To carry out the purpose within one year after the acquisition.

3. To restore the land to the Government if they so direct on payment of the compensation awarded less 15% for compulsory acquisition or of the value of the land at the time of restoration whichever may be less in the event of my not carrying out the purpose for which the land is acquired within the specified period or of 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 be awarded by the civil court in the event of the reference under section 18 of the land Acquisition Act or an appeal therefrom.

5. To abide by all the conditions of B.S.O. 90 para 6.

/true copy/

For Collector.

R.F. XVIII-A-25-19,004-28-3-41.

Form of notification to be issued under section 4 of the Land Acquisition Act I of 1894 as amended by Act XXXVIII of 1928.

Madras
WHEREAS it appears to the Government that the land specified in the schedule below and situated in the 22 Chathram, Inam Nidamangalam village Mannargudi taluk

Tanjore district is needed for a public purpose, to wit, for the extension and provision of orders, playground and latrine to Lakshmi village Higher School for the notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 4 (1) of the Land Acquisition Act I of 1894 as amended by the Land Acquisition Amendment Act XXXVIII of 1923; and the Governor in Council hereby authorizes the Rev. Divl. officer, Mannargudi, his staff and workmen to exercise the powers conferred by section 4 (2) of the Act. Under section 3 (o) of the same Act the Governor in Council appoint the Rev. Divl. officer, Mannargudi to perform the functions of Collector under section 5-A of the Act.

Under sub-section (4) of section 17 of the Act, the Governor in Council directs that in view of the urgency of the case the provisions of section 5-A of the Act shall not apply to the acquisition of the waste or arable lands specified in the schedule.

[P.T.O.]

accepted and the file returned to E & P H.
 (E & P H will no doubt send the draft order
 to Finance also for acceptance since
 a contribution of one anna is proposed
 to be made - Vide para 2 of the draft order)



5M
 31/1/47
 1/2
 E & P H
 Rev. no. 6534/47
 9708 1-2-47

With ref. to the Rev. dept.
 note above, it is submitted that such cases
 are not usually sent to Finance.
 Pl. see the precedents kept below.

For orders where this
 may now be sent to the Finance dept.
 and they may
 be requested to state where such cases like this
 should, in future, be sent to them for
 acceptance.

in view of Rev.
 note above

A

5/24/47
 5/24/47
 5/24/47
 Finance

Rev. no.
 57101/47-2
 6.12.47

Finance (Sub-A)

The draft order overhead may
 be accepted.



2. With reference to A above, E & P H.
 may be informed that such cases like this
 may be sent to Fin. of Rule 12(V) of the Business
 Rules.

NRV
 13.2.47
 E & P H
 CI

ADS
 E & P H
 Jw no 7396001

The draft order on plank
 may now issue.



14/2/47
 17/2/47

1-10/10 11/2/47