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(2) Date of repair 24-9-40

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 127	Press Mis.
196-RS.	194-195
Dated 24-9-	1875.

12/13

Not to be folded or roughly handled

Municipal—Lands.

No. 194. Read the following letter from R. DAVIDSON, Esq., Acting President of the Municipal Commissions, Ganjam, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, Fort St. George, dated Rumbah, 10th May 1875, S. No. 297:—

I have the honor to submit copy of a letter, dated 29th March last, No. 1, from the Vice-President, Berhampore Municipality, relative to the acquisition of a piece of swampy land which the Municipal Commissioners of that town wish to reclaim on sanitary and public grounds.

2. The land in question is situated between the two parts of the town called Bapur and Berhampore, within the Berhampore Municipality. Its extent is 8 acres and 85 cents, a portion thereof is cultivated with paddy, and the remainder is a reeking cesspool. It forms part of an endowment of a pagoda, the full extent of which is Acres 12-48 wet, and the assessment of which was put down by the Inam Commissioner as Rupees 43. The number of the Inam Commissioner's title-deed issued for this land is 2,403. The assessment of the portion taken up would, according to the Inam Commissioner's rate of assessment, amount to Rupees 30. The actual amount realized by the Inamdar is probably a little more than this sum.

3. It is a pestiferous swamp into which a great portion of the drainage of the military lines and other portions of Bapur falls and stagnates.

4. Cholera invariably makes its first appearance in its vicinity when it visits the station; and the swamp is a nuisance and a source of disease to the inhabitants of Bapur and Berhampore at present.

5. The Zillah Surgeon, Dr. Beach, is of opinion "that its drainage would be a sanitary measure of much importance and tend greatly to improve the health of the neighbourhood."

6. The swamp is capable of being scientifically drained at a moderate cost which the Municipality are ready to incur; and there are no engineering difficulties in the way of carrying out the reclamation project.

7. Under these circumstances it is extremely desirable that the land in question should be obtained for the Municipality.

8. The Commissioners have it in contemplation to build a school, Municipal office, and other public buildings on the site after it has been acquired.

9. Every attempt has been made to come to terms with the proprietor, who is obdurate and impracticable.

10. The value of the land has been carefully estimated by highly competent judges; and a liberal amount of compensation, *viz.*, Rupees 1,327-8-0, has been fixed at the rate of Rupees 150 per acre. This sum invested in 4 per cent. Government securities will fetch Rupees 53, which is more than the amount which will be lost to the Inamdar by the taking up of the land in question. There is no land available which the Inamdar is willing to accept as an exchange. He declines to accept the money-compensation offered, and will come to no other reasonable terms.

11. For these reasons I hope Government will be pleased to support the Commissioners in their effort to obtain the land under the provisions of the Land

Acquisition Act. I accordingly request that, under Section 19 of the Towns Improvement Act III. of 1871, and Section 6 of the Land Acquisition Act X. of 1870, orders may be passed for the issue of a notification declaring that the land in question is needed for a public purpose, and authorizing proceedings to be taken for obtaining possession of the same on behalf of the Municipality, and for the determination and payment of compensation according to law.

From T. J. MALTBY, Esq., Vice-President of the Municipal Commission, Berhampore, to R. DAVIDSON, Esq., Acting President of the Municipal Commissions, Ganjam, dated Berhampore, 29th March 1875, No. 1.

With reference to your note on the report of the Sub-Committee appointed for the purpose of fixing the amount of compensation to be awarded to the owner of the swamp lying between Bapur and Berhampore, and adjoining the town, I have the honor to request that you will be good enough, under Section 19 of the Towns Improvement Act III. of 1871, to move Government to declare that this piece of land is needed for a public purpose.

2. As far back as September 1872, when I was Vice-President, the Commissioners resolved "that, with regard to the unhealthy and filthy state of the land situated on the northern side of Ramalingum Tank, steps be taken to acquire the same from its proprietor Mahantu Iruparamdoss for the ultimate improvement of the town."

3. Attempts were accordingly made, in accordance with this resolution, to acquire the paddy swamp by private treaty, but as the owner was only willing to part with it on condition of receiving a proportionately large piece of land conveniently situated elsewhere, and yielding an equal income, great difficulty was experienced in acceding to this request, and although it seemed at one time likely that the matter would be satisfactorily settled with the Tahsildar of Berhampore's assistance, yet the negotiations ultimately fell through.

4. Subsequent changes intervened, and although the matter was never lost sight of, as being one of importance to the town, yet it was not until October 1874 that the Commissioners again formally moved in the matter, when they "resolved that the under-mentioned Commissioners be requested to form themselves into a Committee for the purpose of ascertaining and reporting, at an early date, the terms on which the owner of the swamp between Bapur and Berhampore will part with the same to the Commissioners, as it is most desirable, on sanitary grounds, that a proper system of drainage, &c., should be carried through it, after which it would be available for Municipal building and other purposes :—

"G. Balaramiah Pantulu.
"A. L. Narasimham Pantulu.
"G. Venkataramadoss ,,
"N. Bheemia Chetty."

5. With reference to the above resolution, the Sub-Committee submitted a report, dated 7th December 1874, stating "that the owner seems that he has no mind to come to any terms." A copy of the report is herewith forwarded.

6. The report was duly considered by the Commissioners at a meeting held on 7th December 1874 and presided over by yourself, and the following resolution was then passed :—

"IX. Read letter submitted by the Sub-Committee appointed to report upon the terms on which the owner of the swamp between Berhampore and Bapur will part with the said swamp.

"Resolved unanimously that, under the circumstances explained in the above letter, the necessary action be taken to acquire the swamp under the provisions of the Land Acquisition Act, and that the Sub-Committee be requested to furnish the Collector with all necessary information and data as soon as possible."

7. On the same date Dr. Beach, the Zillah Surgeon, was requested to express his opinion as to the desirability or otherwise of the acquisition of the swamp by the Municipality on sanitary

Proceedings of the Madras Government, Financial Department,
24th *May* 1875.

grounds ; and in concurring with the Commissioners, Dr. Beach in his reply, dated 11th December 1874, states, "I am and always have been of opinion that its drainage would be a sanitary measure of much importance and tend greatly to improve the health of the neighbourhood."

8. It will therefore be observed, from the above detailed circumstances, that it is highly desirable that the swamp should be acquired by the Municipality, and that the Commissioners have given the owner thereof every opportunity to come to reasonable terms to part with the same to them, but in vain.

9. The members of the Sub-Committee are of opinion that a sum of Rupees 1,327-8-0 would be an adequate compensation for the land in question. The swamp consists of 8 acres and 85 cents, and brings an average net profit of about Rupees 70 to the owner annually. The Tahsildar of Berhampore was one of the members of the Sub-Committee, and it appears from their report (copy of which is herewith forwarded) that due inquiry was made and consideration given to the soil of the swamp in fixing the amount of compensation.

No. 195. ORDER THEREON, 24th May 1875, No. 1137.

The Governor in Council fully recognises, in a sanitary point of view, the necessity for acquiring the swamp between Bapur and Berhampore under the Land Acquisition Act, and directs the Acting President of the Ganjam Municipalities to submit the requisite details regarding the situation of the swamp, &c., to admit of the necessary declaration being made under the Land Acquisition Act and published in the *Fort St. George Gazette.*

(True Extract.)

Officiating Chief Secretary.

To the President of the Municipal Commissions, Ganjam.

Exd. J. Wright.

Govt. of 1875 Madras.

FINANCIAL.

To

THE PRESIDENT OF THE
MUNICIPAL COMMISSIONS,
Ganjam.

Dated May, 24th.

Issued

Read.

G.O., 24th *May* 1875, *No.* 1137.

MAY.
Nos. 194-195.

Municipal Lands.—Necessity for acquiring the swamp between Bapur and Berhampore under the Land Acquisition Act, recognised. Acting President of the Ganjam Municipalities to submit requisite details regarding situation of swamp, &c.

S. No. 297.

From

The Acting Collector & President of the Municipality
Ganjam

194

To

The Chief Secretary to Government
Financial Department
Fort St. George

Dated Camp Rumbah 10th May 1875.

Sir,

I have the honor to submit copy of a letter dated 29th March last. I from the Vice President Berhampore Municipality, relative to the acquisition of a piece of swampy land which the Municipal Commissioners of that town wish to reclaim as Sanitary and public grounds.

2. The land in question is situated between the two parts of the town called Bapur and Berhampore, within the Berhampore Municipality

Municipality. Its extent is 8 Acres 2 85 Cents,
a portion thereof is cultivated with paddy and
the remainder is a rocking cess pool. It
forms part of an Endowment of a Pagoda,
the full extent of which is - Acres 12. 48 cent
and the assessment of which was fixed down
by the Inam Commissioner as R. 43. The
- 8 of the Inam Commissioner's Title Deed issued
for this land is R. 03 - The assessment
of the portion taken up would according to the
Inam Commissioner's rate of assessment,
amount to R. 30. The actual amount
realized by the Inamdar is probably a little
more than this sum.

3. It is a pestiferous swamp into
which a great portion of the drainage of the
Military lines and other portions of Bapur
falls and stagnates.

4. Cholera invariably makes its first
appearance in its vicinity when it visits
the Station; and the swamp is a nuisance
and a source of disease to the inhabitants
of Bapur and Berhampore at present.

5. The Civil Surgeon Dr Beach is of
opinion "that its drainage would be a
sanitary measure of much importance and
tend greatly to improve the health of the
neighbourhood."

6. The swamp is capable of being
scientifically drained at a moderate cost which
the Municipality are ready to incur; and
there are no engineering difficulties in the way
of carrying out the reclamation project.

7. Under these circumstances it is
extremely desirable that the lands in question
should be obtained for the Municipality.

8 The

8. The Commissioners have it in contemplation to build a School, Municipal Office and other public buildings on the site after it has been acquired.

9. Every attempt has been made to come to terms with the proprietor, who is obdurate and impracticable.

10. The value of the land has been carefully estimated by highly competent judges and a liberal amount of compensation, viz Rs 1327-8-. has been fixed at the rate of Rs 150 per acre. This sum invested in 4 per Cent Government Securities will fetch Rs 53 which is more than the amount which will be lost to the Inamdar by the taking up of the land in question. There is no land available which the Inamdar is willing to accept as an exchange.

He declines to accept the money compensation offered and will come to no other reasonable terms.

11. For these reasons I hope Government will be pleased to support the Commissioners in their effort to obtain the land under the provisions of the Land Acquisition Act. I accordingly request that under Section 19 of the Towns Improvement Act III of 1871 and Section 6 of the Land Requisition Act X of 1870 orders may be passed for the issue of a Notification declaring that the land in question is needed for a public purpose and authorizing proceedings to be taken for obtaining possession of the same on behalf of the Municipality and for the determination and payment of compensation according to law.

I have the honor to be
Your most Obedient Servant

L. Saindar
Acting President of the
Municipality of Sanjaun

Forwarded
A. C. Gun

No 1.

Berhampore Municipality
Commissioners Office
29th March 1875.

From

The Vice President
Berhampore Municipality

To

The President
Municipalities, Gayam
Chetterpore.

Sir

With reference to your note on the report of the Sub-Committee appointed for the purpose of fixing the amount of Compensation to be awarded to the owner of the Swamp lying between Bapore and Berhampore, and adjoining the town, I have the honor to request that you will be good enough under section 19 of the Towns Improvement Act III of 1871 to move the Government to declare that this piece of land is needed for a public purpose.

2. As far back as September 1872 when I was Vice President, the Commissioners resolved "that with regard to the unhealthy and filthy state of the land situated on

Municipalities 1875 Despatches
Received 29th March
No 1
The President Municipality
Berhampore
Requesting that the Government
will declare that a piece of land
is needed for a public purpose.
Forwarded
S. O. No 113
Dated 10th April 1875
Despatched 11th April 1875
No 1207
Rec'd 21st
Rec'd 29th
Submits copy of letter
from the Vice President
Berhampore Municipality
requesting sanction to
the proposed acquisition
of land & Requisition
under Act

on the northern side of Ramalingam Pantulu steps be taken to acquire the same from its proprietor Mahanta Rupasamdoss for the ultimate improvement of the town".

3. Attempts were accordingly made in accordance with this resolution to acquire the paddy swamp by private treaty, but as the owner was only willing to part with it on condition of receiving a proportionately large piece of land conveniently situated elsewhere, and yielding an equal income, great difficulty was experienced in acceding to this request, and although it seemed at one time likely that the matter would be satisfactorily settled with the Zamindar of Berhampores assistance, yet the negotiations ultimately fell through.

4. Subsequent Changes intervened, and although the matter was never lost sight of, as being one of importance to the town, yet it was not until October 1874 that the Commissioners again formally moved in the matter when they "Resolved that the undermentioned Commissioners be requested to form themselves into a Committee for the purpose of ascertaining and reporting at an early date, the terms on which the owner of the swamp between Baipore and Berhampore will part with the same to the Commissioners as it is most desirable on sanitary grounds that a proper system of drainage be should be carried through it, after which it would be available for Municipal Building and other purposes".

C. Balaramiah Pantulu
A.L.C Narasimham Pantulu
C. Venkataramadoss Pantulu
C. Bheemiah Chetty. "

5. With reference to the above resolution, the Sub-Committee submitted a report dated 7th December 1874 stating that "the owner seems that he has no mind to come to any terms". A Copy of the report is herewith forwarded.

6. The report was duly considered by the Commissioners at a meeting held on 7th December 1874 and presided over by Yourself and the following resolution was then passed.

"IX. Read letter submitted by the Sub-Committee appointed to report upon the terms on which the owner of the swamp between

between Berhampore and Bapore will part with the said swamp.

Resolved unanimously that under the circumstances explained in the above letter the necessary action be taken to acquire the swamp under the provisions of the Land Acquisition Act and that the Sub-Committee be requested to furnish the Collector with all necessary information and data as soon as possible."

7. On the same date, Doctor Beach, the Zillah Surgeon was requested to express his opinion as to the desirability or otherwise, of the acquisition of the swamp by the Municipality on Sanitary grounds; and in Concurring with the Commissioners Dr Beach in his reply dated 11th December 1874, states "I am and always have been of opinion that its drainage would be a sanitary measure of much importance and tend greatly to improve the health of the neighbourhood".

8. It will therefore be observed from the above detailed Circumstances that it is highly desirable that the swamp

should be acquired by the Municipality, and that the Commissioners have given the owner thereof every opportunity to come to reasonable terms to part with the same to them, but in vain.

9. The members of the Sub-Committee are of opinion that a sum of Rs 1327-8- would be an adequate Compensation for the land in question. The swamp Consists of 8 acres and 85 cents and brings an average net profit of about Rs 170 to the owner annually. The Sub-Committee of Berhampore was one of the members of the Sub-Committee, and it appears from their report (Copy of which is herewith forwarded) that due enquiry was made and consideration given to the soil of the swamp in fixing the amount of Compensation.

I have &c.

/Signed/ J. J. Maltby
Vice President

/True Copy/

L. Davidson
Acting President

Q. to
Raghavarao
Cur. Clerk

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Ag. President, Municipal Commissioners, Ganjam, dated 10th May 1875, S. No. 297.

Order thereon - Ootacamund 24th May 1875. No 1137.

The Governor in Council fully recognizes, in a sanitary point of view, the necessity for acquiring the swamp between Bapur and Berhampore under the Land Acquisition Act and directs that the Acting President of the Ganjam Municipalities be required to submit the requisite details regarding the situation of the swamp &c. to admit of the necessary declaration

Enclosure in a letter from the Acting President Municipal Commissioners Ganjam to the Chief Secretary to Government, Financial Department, dated 10th May 1875. S. No. 297.

Copy of letter from the Vice President Municipal Commissioners Ganjam

Ag. Pres. 1207/75

declaration being made
under the Land Acquisi-
tion Act and published
in the Fort St. George Ga-
zette.

21/5/75

To

The Presidt. of the Municipality
in Ganjam — 6 Desp'd 4/6

20 Letter.

Rec'd 21/5/75.

Govt. of {187 } Madras.

To

Dated } 187 . No.
Recd.

Nos.

details regarding
alienation of Swamp
&c.

21-6-13.
11-10-17
4-10-22

Govt. of 18/5 Madras.

Financial

G.O. 24 Jany 1875 No. 1137

Nos. 194-5

Municipal - Lands

Necessity for acquiring the swamp between Vepery and Perambur: Vested under the Land Acquisition Act, recognized by President of the Corporation Municipal Council to submit requisite