

29. 7. 24 ✓

G.O., No. 38/

Dated 21st Feb. 1895.

INDEXED.

[Despatch Abstract.]

ACQUISITION OF LAND

[illegible]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	2784.		16-11-94				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
80	519.		9-3-95				

Ref. 7

Revenue { 189 5 } Department.

From

The Collector,

Godavari District.

No.

ENG 45869 2 2 inch

Dated 22nd

Despatched 3rd January 1895.

Received 3

Sup 4

SUBJECT.

Informing that the Head Quarters Dy Collector has not recognised that the land, required for the Police huts at ~~the~~ ^{the} ~~the~~ ^{the} has a special value owing to its proximity to the Village.

10/6/95

Over

So 2784. 16-11-94
Hape

CS from order

Order 8, 21 Feb. 95, No. 381.
Mis

Recorded with the
remark that the application cannot
be accepted as 72 satisfactory

(From order)

20
27/2/95

To The Colln of Godavari, 8/2 with 3
as my land 3

MR 1/2

Have the N.P. men
It timed looked up - I
don't think this is a satisfactory
explanation will

11/2/95

The B.P. Proceedings attended to
in this note is marked with
white tape.
The B.P. agreeing with the Colln
recommends that the award
of the Dist Ct be accepted.
The B.P. was in the file
when sent down by me
and is stated to have been
there when sent in care.

See

10/2

15/2/95

14/2/95

Note for C.S.

Judle

H.M. has apparently on
the copy of the B.P. submitted
to the Collector (vide white paper)
D
13.2.85

Dated 23rd December 1893.

Read letter from S. H. Wynne Esquire, Collector
of Godavari, dated 9 December 1893, no $\frac{404}{\text{Var.}}$

Recorded.

2. The Board agrees with the Collector that the District Judges Award may be accepted.

(True extract)

/sd/

Secretary.

To the Collector of Godavari.

(True Copy)

Mocasin
by for Collection

42 Ru 28/1

280 $\frac{404}{100}$ of 93.

Godavari District Collector's office

Date 29/12/93. Refd 12/12/93.

From

S. H. Wynne Esquire

Collector, Godavari District.

To.

The Secretary to the Commissioners
of Land Revenue, Madras.

Sir,

In forwarding a copy of the award in
Land Acquisition case no 3 of 1893, on the file of
the District Court, Rajahmundry, which has
been decided against Government, I have the
honor to state that through an appeal lies
under Sec 35 of the Land Acquisition Act, it
is observed from the records that the said land
had a special value on account of its
proximity to the town and suitability for
building purposes. ~~I therefore consider that an~~
~~appeal is~~ and there was evidence of the sale of
land for building sites at a high price in the
immediate neighbourhood of the plot. I therefore
consider that an appeal is not desirable.

I have

Have the honor to be,
Sir,
your most obedient servant,

/Sd/ S. H. Weyman.
Collector.

(True Copy)

M. Masandaram
By for Collectr

sd Rm
28/11

No 803.

Godavari District Head Qrs. Dy Collector's
Office, 31. 12. 1894

From. Mr Dy Dewan Bahadur S. Venkata Rama Das
Naidu gam, Head Quarters Dy Collector,
Godavari District.

To. The Collector, Godavari District.

Sir, In reference to para 2 of G.O. no 2784
16.11.94

communicated to me with your endorsement Ref no
2266 of 30-11-94, regarding the land acquired for
Eng the Police Station House and huts at Tuni, I have
the honor to report as follows:-

2. In 1891, the site in question together with some
more land adjacent to it measuring about 2 acres
was required for a Cartstand and then the Rajah
of Tuni in his letter dated 11.6.91, to the Deputy
Tahsildar Tuni agreed to give it up on payment
of 20 times the rent of the land and reduction of
proportionate peshkash. The Superintendent of
Police having subsequently requested that the
site in question 60 x 60 yards might be acquired for
the construction of the station House & huts, the

original proposal to acquire the whole land for the cart stand was given up and the declaration duly cancelled; a fresh notification for acquiring the portion required for the police station etc was subsequently published and the necessary procedure under the act gone through. At the time the case was taken up by me for settlement of compensation, the Rajah through his mukhyar claimed compensation at Rs 14-0 per square yard, and filed an authenticated copy of a sale deed relating to a piece of dwelling site in the village, sold at about 1 Rupee per square yard. Having regard, however, to the fact that the dwelling site in question is situated by the side of the main road, and within the village, while the land required for the Police lines etc, does not lie on the main road, nor within the village, and also to the fact that it was not likely to be soon built upon if not taken up for the Police station House etc, though fit to be built upon, I allowed him compensation at 20 times the rent of the land though under the rules he was only entitled to 15 times the rental. In awarding compensation at this rate, I took into consideration the fact that the land in question is not fatihpura but a muir jerryadi and also

relied on the Rajah's letter to the Dy. Tahsildar above referred to in which he agreed to relinquish the 2 acres of land (including the site in question) on these terms as stated above. I did not of course value the site at the time as a building site. The claimant not having accepted my award the case was referred to the court and the only evidence that was considered necessary, was proof of the handwriting of the Zamindar and this was adduced. But the District Judge, apparently considering the fact that the site is fit to be built upon and is not far from dwelling houses and that the village might be extended sooner or later and the site built upon even if not taken up for the Police Station House etc valued it as a building site and awarded 4 annas per square yard. I thought at the time that it was advisable to prefer an appeal against the District Judge's award and wrote to Mr. Logniet, the then Collector, on the subject, but he and the Board considered that an appeal was not maintainable (vide B.P. 7140 23.12.93).

The enclosures of your reference are returned
I have.

I have the honor to be,
Sir,

Your most obedient servant.

/sd/ S. Venkata Rama Das

By Collector.

(True Copy)

Dis no ⁹⁶ 22.1.95.
Eug Despt 30.1.95

478

Submitted to the Secretary to Government
Judicial Department in reference to para 2
of G.O no 2784 dated 16-11-94. In making the
original estimate the By Collector did not
recognise that the land had a special value
on account of its proximity to the town as
it was a pinyati field. Copies of B. P ⁷¹⁴⁰ _{23.12.93} and
Mr. Wynne's letter no ⁴⁰⁴ _{Ver} of 93 dated 9.12.93. are
enclosed.

/sd/ W. J. A. Le Fanu
Collector.

Thomas Das
By for Collector

To
The Secretary to Government Judicial Department
with 3 enclosures returned

Given for copying _____
copied _____
examined _____
signed _____

189.

AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

STATE OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.