L. & M.
8,000-4-8-96.

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 836m

DATED 16th May 1895.

[Despatch Abstract.]

Lands.

Stating that the values of the--proposed to be acquired for the Muhammadan burial-grounds in the Mangalore Municipality are extraordinarily high, and requesting the Collector to report by whom the draft notifications were prepared and on what data they are based, and to explain what special grounds he found for recommending the payment of such rates.

BACK PAPERS.

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

FURTHER PAPERS.

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

[32]

A6.

NOTE FOR THE ~~UNDER~~ SECRETARY.

I did not see the Coll^r's letter sending up the Draft Notifications or I would have come down upon him at once. This is the Welsh all over: he will accept anything that is put before him.

The area reported is Acres 2·90· and for the value placed on it £10.85·3 or roughly £3500 per acre!

Call upon the Coll^r to explain fully by whom & upon what data this calculation is based. It appears highly probable that any value that the owners chose to put upon the land was accepted without demur. In one instance the rate per acre is roughly over £1000 !!

10/5/[illegible]

Under Section 6 Act I of 1894, the Right Honorable the Governor in Council hereby declares that the land mentioned in the following Schedule and measuring 1 acre 14·271 cents be the same a little more or less is needed for a public purpose, to wit for converting it into a burial ground for the use of the Muhammadan community and under Sections 3 & 7 of the same Act, the Tahsildar in charge of the Mangalore Taluq is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land.

2. The plan of the land may be inspected in the office of the aforementioned officer.

Schedule

District	Taluq	Village	Description of land wet or dry, inam or peramboke with Survey or paimash number	Name of owner or occupier	Boundaries of the land required to be taken up. North	East	South	West	Extent to be taken up Acres	Cents	Estimated cost of the land to be taken up and the authority sanctioning it. Rs.	As	P.
South Canara	Mangalore	Mangalore Hobli	Garden Plot No 1 on the plan forming part of Muli Warg No 89	Manjunath	Wall of Warg land No 127	Compound wall of Marigudi land.	Wall of Warg No 89 i.e of Abdul Rahiman's land	Pathway.	"	25·300	404-	6	—
			Do Plot No 2 on the plan forming part of Muli Warg No 89.	Abdul Rahiman.	Manjunatha's land forming portion of Muli Warg No 89	Wall of Subba Sheregara's land (plot No 3 on the plan) & the Marigudi land	Wall of Subba Sheregara's land forming portion of Muli No 32	Do	"	31·220	570 -	3 -	"
			Do Plots Numbers 3, 4 & 5 on the plan forming part of Muli Warg No 32.	Subba Sheregara	Abdul Rahiman's land & wall of Marigudi land.	Wall of Plots Nos 3, 4 & 5 as shewn in the plan.	Wall of land belonging to Kote Santayya & Santamma forming portion of Muli No 108	Pathway & Abdul Rahiman's land (plot No 2 on the plan)	"	57·751	944-	2 -	"
										Total 1 — 14·271	1918 -	11 -	"

Govt. Order dated 22nd November 1894, No 1784 Mis.

South Canara
Collr's office,
Mangalore,
14th February 1895.

W 12/2.

Collector.

Enclosure I

In a letter from the Collector of South Canara, to the Chief Secretary to Government, Local & Municipal Department, Madras, Dated 14th February 1895, Rep on C. No 155 of 1895 Eng

Draft Notification under Section 6 Act I of 1894.

1/588 Mof 95

Under Section 6, Act I of 1894, the Right Honorable the Governor in Council hereby declares that the land mentioned in the following Schedule and measuring 1 acre 75·751 cents, be the same, a little more or less, is needed for a public purpose, to wit, for converting it into a burial ground for the use of the Muhammadan Community and under Sections 3 and 7 of the same Act the Tahsildar in charge of the Mangalore Taluk is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land.

2. The plan of the land may be inspected in the Office of the aforementioned Officer.

Schedule

District.	Taluk.	Village.	Description of land, wet or dry, inam or poramboke, with survey or paimash number.	Name of owner or occupier	Boundaries of the land required to be taken up.			Extent to be taken up.	Estimated cost of the land to be taken up and the authority sanctioning it.
					North	East	South	West	
								acrs. cents.	Rs. As. Ps.
South Canara	Mangalore	Kasba Bazaar	Garden Plot No 1 on the plan forming part of Mulki Warg No 47.	1. Mohtisham Hassan Saheb. 2. Bipamma and Biyatu.	Hall of Bipamma's land	Kudroli road.	By path	Straight line drawn between the western walls of lands Mulki Nos 203 and 185. (plot nos 4 and 9 on the plan)	" — 23·860	1,279-15-. (4)
			—Do— Plot No 2A on the plan i.e. Nelaterige No 1	Land belonging to Kandath Palli Musjid and held by Muhammad Jalaludin on Mulgueni	By path	Land Mulki No 185	Nalla	Hedge of land Hossagame No 185.	" — 16·750	692-14-. (5)
			—Do— Plot No 2B on the plan forming part of Mulki Warg No 185.	—Do—	—Do—	Compound wall of Kandath Palli Musjid	—Do—	Nelaterige land No 1	" — 23·750	892-6-. (6)
			—Do— Plot No 3 on the plan forming part of Mulki Warg No 47.	Mohtisham Hassan Saheb.	Hall of land Warg No 51.	Hall of Bipatumma's land and a line drawn straight from it	By path	Hedge of Hossagane land No 47.	" — 48·276	2,093-9-. (7)

Under Section 6, Act I of 1894, the Right Honorable the Governor in Council hereby declares that the land mentioned in the following Schedule and measuring 1 acre 75.751 cents, be the same, a little more or less, is needed for a public purpose, to wit, for converting it into a burial ground for the use of the Muhammadan Community and under Sections 3 and 7 of the same Act the Tahsildar in charge of the Mangalore Taluk is appointed to perform the functions of a Collector under the Act and directed to take order for the acquisition of the said land.

2. The plan of the land may be inspected in the Office of the aforementioned Officer.

Schedule

District.	Taluk.	Village.	Description of land, wet or dry, inam or poramboke, with Survey or paimash number.	Name of owner or occupier	Boundaries of the land required to be taken up.			Extent to be taken up.	Estimated cost of the land to be taken up and the authority sanctioning it.
					North	East	South	West		
									acres cents.	Rs. As. Ps.
South Canara	Mangalore	Kasba Bazaar	Garden Plot Nos 4 and 5 on the plan forming Muli Wargs Nos 155 and 203	Mayamma, Aysamma and Abdul Rahiman, children of Bipamma deceased widow of Mukri Hussein.	Hall of land Muli Warg No 35	Kudroli road	Garden Plot No 1 on the plan forming part of Muli Warg No 47.	Garden Plot No 3 on the plan forming part of Muli Warg No 47.	" — 11·515	1,053-6--
			—Do— Plot No 6 on the plan i.e. Hossagame land added to Muli Warg No 47.	Mohlisham Hassan Saheb.	By path	Kadim land No 47.	Hossagame land No 185	River	" — 25·320	1,419-2--
			—Do— Plot No 7 on the plan i.e. Hossagame land added to Muli Warg No 185	Land belonging to Kandath Palli Musjid and held by Mohlisham Hassan Saheb on Mulgueni	Hossagame land No 47.	Nelaterige land No 1.	River	—Do—	" — 26·280	1,488-11--
								Total —	1 — 75·751	8,919-15--

S. Canara Collector's Office
Mangalore, 14th February 1895

Collector

Government Order dated 22-d November 1894. No 1784 Misc.

Enclosure II

In a letter from the Collector of South Canara to the Chief Secretary to Government, Local and Municipal Department, Madras, dated 14th February 1895 Ref: on C. No 155/Eng of 1895.

Draft Notification under Section 6 Act I of 1894.

2/588 Mopgs

Notice

The members of the Muhammadan Burial Ground Sub Committee are informed that Government has passed orders on the Memorial of the Muhammadans & Moplas of Mangalore protesting against the closure of certain of their burial grounds, to the following effect:

(a) The proposal of the Municipal Council to close the following burial grounds for sanitary reasons is approved from the date on which the new burial grounds to be substituted for them shall have been opened.

Name of burial ground or of its manager.	Locality
1 Rahiman Saheb ____	Sultan's battery road
2 Bi Fathuma Bi ____	____ Ditto ____
3 Manager Maniar Hussein Saheb.	Kudroli
4 Gulam Mohiuddin ____	____ Do ____
5 Jakri Beari ____	____ Do ____
6 Rahiman Saheb ____	Dongerkeri Street
7 Shaik Ahamad ____	Fish Bazaar road
8 Mulla Hussain Saheb (Wali's Masjid) ____	Butchers' lane

Name of burial ground or of its mandger.	Locality
9 Hassan Saheb	Bibi Alavi Road
10 Kulsumbi (Sayed Jaffar's Makhan)	—— Ditto ——
11 Nurodin Saheb (Wazir Saheb's Makhan)	—— Ditto ——
12 Pir Pasha	—— Ditto ——
13 Abbas Ali	—— Ditto ——
14 Harun Shet (Memon Masjed)	12 Shops Bazar
15 Jalab Saheb	Trishileshwar Temple Street.
16 Harun Shet	Cantonment Road
17 Rajab Ali Shet	Donger Keri Street
18 Harun Shet	—— Ditto ——
19 Sepoys' burial ground	Kent Road
20 Mohiddin Kunhi Beari (Puslars' burial ground)	Kudroli
21. Haji Abu Bakr	—— Fish Bazar road.

(b) The following new —— grounds have been selected in place of those which have been closed.

1. A site behind the existing cemetery attached to the Kandal Palli Mosque at cloth Bazaar more than an acre in extent.
2. Ditto - in extension of an existing burial ground near the Bolar ferry, about an acre in extent.

(c). As regards the Jamma Masjid burial ground it is already overcrowded and opposed to all the principles of sanitation. In deference however to the feelings of veneration with which the Moplas regard this cemetery the Government has been graciously pleased to allow 2 burials a year in it from the time that the new burial grounds are opened. This concession is intended to provide for the case of any man who on account of his sanctity or high position among the Moplas should in their opinion be buried near their principal Mosque.

(d) If the proposed extension to the cemetery of the Jamma Masjid known as Walli Abbu Beari - Jamma Masjid is cleared of houses by the Mopla community, and rendered suitable for a cemetery, not more than 12 burials will be allowed there in one year.

(e) No burials in the Jamma Masjid or its extension will be allowed after the opening of the new burial grounds except

except with the previous permission in writing of the Municipal Chairman

(f) After the opening of the new burial grounds burials will be allowed in the grounds mentioned below only with the previous permission in writing of the Municipal Chairman.

1	Sayed Mastan Sahib, Manager.	Sultan's Battery road.
2	Nasiruden Sahib, do-	ditto
3	Maniyar Hussein Sahib (in the southern extension only)	Kudroli
4	D. Mahomed Ali	ditto

2. If the concessions mentioned in subheads (c) to (f) of the previous para are abused or if advantage is taken of them to effect clandestine or unauthorised burials these grounds will be finally and entirely closed.

3. Of the grounds ordered to be closed the one belonging to Haji Abu Bakr Khan Bahadur is unobjectionable and I only recommended its closure at his request. Some of his countrymen, he thought, might suspect that while he was inducing them to submit to the closure of their burial grounds he had taken care to have his own left undisturbed. The conduct of the Khan Bahadur in subordinating his private interests to the public good deserves the highest praise and affords a bright example for the imitation of his countrymen.

(Signed) G. N. Dance
Collector

(True copy)

J. Walsh
Collector.

M 12/2

Compd
J.S.
12/2

Enclosure III

In a letter from the Collector of South Canara to the Chief Secretary to Government, Local and Municipal Department Fort St George, dated 14th February 1895 No Ref: on C. No 155 Eng of 1895.

Notice issued to the Muhammadans on the subject of the Muhammadan Burial ground

3/588 to 95

Reference on current No 155 Eng of 1895.

SOUTH CANARA COLLECTOR'S OFFICE,
Mangalore,
14th February 1895.

From

W. H. Welsh Esquire,
Collector of
South Canara.

To

THE CHIEF SECRETARY TO GOVERNMENT,
Local & Municipal Department,
Fort St. George.

Sir,

As directed in para 2 of G.O. dated 22d November 1894, No. 1784 M. Mis, I have the honor to submit herewith formal draft notifications for the acquisition of the two plots of land therein referred to for converting them into Muhammadan Burial Grounds. The cost for acquiring both the lands has been estimated at Rs: 10,838-10-. inclusive of the 15 per cent increase on the market value as allowed under clause (2) of Section 23 of the Act.

2. In para 17 of this office letter to Government No. 3679 dated 15th October 1894 Mr. Dance referring to these lands

said that the Council may be asked to acquire them. I do not think it will be necessary to pay a high price". Both this letter and the G.O. thereon now under reference, were communicated to the Chairman. But the Council's views, if any, about the cost of the acquisition, have not been communicated to this office; and the G.O. is silent on the point.

3. A copy of a Notice explaining to the leading members of the local Muhammadan Community the purport of the Government Order under reference is also enclosed for the information of Government.

I have the honor to be,
Sir,
Your most Obedient Servt

Collector.

M 42/2

Compd
J.S.B.
12/2

1.—P. No. 153—91.

Local & Municipal Dept.
CURRENT No. 588/h

Local and Municipal

1895.

From,
The — Collector of
South Canara.

To, Chief
The Secretary to Government,
L. & Mun.l Department,
Fort St. George.

Dated 14th February 1895.
Despd 15th
Received

Ref on C. No. 155 cnig of 1895.

ENCLOSURE.

Subject.

Submitting drafts notifications for the acquisition of certain land for converting into Muhammadan Burial ground.

/with a Ref/ 22/2 a28/2

Reference: 334 6/3/95

The Collector is requested to ascertain and report how the municipal Council proposes to find the necessary funds for the acquisition of the lands in question.

V.R. 1/3/95 W. 2-3-95

copy completed 4/3

To The Collector of South Canara.
Despd 6/3/95

Note Vide balance of the remarks in forwarding a Report to Govt. dated 4th March 1895.

Extract from the Proceedings of the Municipal Council of the Town of Mangalore, dated 22nd February 1895.

* * *

12. Read Reference dated the 14th February on C. No. 155 Enq of 1895 from the Collector of South Canara, communicating copy of his letter of the same date addressed to Government and requesting that the Council's views regarding the cost of the acquisition of the new grounds for Muhammadan Cemeteries, may be communicated to him.

Resolution. The Council is of opinion that considering the nature of the land proposed to be acquired, the estimated valuation of Rs 10838-10- is certainly excessive.—

The Council desires to add that as the income of the Municipality

cipality is hardly sufficient to
meet even the ordinary requirements
of the town, it cannot afford
to bear any portion of the cost
of the acquisition of the grounds,
and trusts therefore that Govern-
ment will be pleased to come
to its help with the necessary funds.

* * *

(True Extract)

(Signed) T. M. Rama Rau
Chairman.

(True Copy)

Collector.

Compd. H.C.R.

1/1153 Sept 95

No. 1214. Municipal Office,
Mangalore, 4th March 1895.

From,

M.R.Ry. T. M. Rama Rau Avergal
Chairman, Municipal Council,
Mangalore.

To

The Collector of
South Canara

Sir,

Enclosure
One only

In reply to your Reference dated the
14th February 1895, on C. No. 153/E of 1895,
about the cost of the acquisition of the
new grounds for being used as Muhammadan
burial-grounds, I have the honor to
forward herewith a copy of the Resolution
passed by the Municipal Council on the
subject, and to request that you will
be pleased to address Government with
a view to the cost being sanctioned for
payment from Provincial Funds.

I have &c.
(Signed) T. M. Rama Rao
Chairman.

(True Copy)

Collector.

Enclosure

In a letter from the Collector of South Canara to the Chief Secretary to Govt., L&M Depart Madras, dated 26th March 1895.

Dis. No 233/24 & 25.

Copy of letter No 1214 dated 4.3.95 & its Enclosure from the Chairman of the Municipal Council, Mangalore.

2/1853 Mar 1895

1—P. No. 24-93. 200.

Dis. No 233/24 & 25.

SOUTH CANARA COLLECTOR'S OFFICE,
Mangalore,
26th March 1895.

From

W. H. Welsh, Esquire,
Collector of
South Canara.

To

THE CHIEF SECRETARY TO GOVERNMENT,
Local and Municipal Department,
Fort St. George.

Sir,

With reference to Official Memorandum from Government dated 6th instant No 334 L&M, I have the honor to submit herewith copy of letter No 1214 dated 4th March 1895 with its enclosure, from the Chairman of the Municipal Council, Mangalore, stating that the Council is unable to bear any portion of the cost of the acquisition of the lands in question, Rs 10,838-10-...

2. The opening balance is in round figures Rs 4000 of which Rs 3000 has been utilized. The Council cannot find the money unless its general taxation is increased.

I have the honor to be,
Sir,
Your most obedt Servant,

Collector

WK

memo No 334 6.5.95 G.O. No 1466 dt 18.6.91
G.O. 1784 M. dt 22-11-94 G.O. No 12661 7.7.88.

Local & Municipal Dept.
CURRENT No. 1153/94

Local and Municipal

1895

From

The Collector of
South Canara

To

The Chief Secretary to Govt
Local & Municipal
Depart.
Fort St George.

CHIEF SECRETARY'S OFFICE
30 MAR 1895
GOVERNMENT OF MADRAS

Date 26 March 1895.

Rec'd

No.

Enclosure (one).

Subject.

Muhammadan burial Grounds — Submitting copy of letter No. 1214 dt 4.3.95 from the Chairman of the Municipal Council, Mangalore, stating that the Council is unable to bear any portion of the cost of the acquisition of the lands in question &c.

18/4 24/4 cl/4/5

Current Nos. 588 & 1153.

From

FOR ORDERS.

In para. 2 of G.O. dated 22nd November 1894 No. 1784 M, the Collector of South Canara was requested to submit draft notifications for the acquisition of two plots of land to be converted into Muhammadan burial grounds in lieu of some of the existing grounds in the town of Mangalore, which he recommended should be closed. With the first of the letters read above the Collector submitted the required notifications and stated that the cost of acquiring both the two plots

plots was estimated at Rs 10538-10-0, inclusive of the 15 per cent increase on the market value allowed by clause (2) of section 23 of the Land Acquisition Act I of 1894. On this he was asked to ascertain and report how the Municipal Council proposed to find the necessary funds for the acquisition of the lands in question.

2. In reply to this, the Collector now submits a copy of the Council's resolution stating that the estimated cost of the lands is excessive, that as the income of the Municipality is hardly sufficient to meet the ordinary requirements of the town, it cannot afford to bear any portion of the cost of acquisition of the grounds and that the same should therefore be paid from Provincial funds. The Collector states that the Council will not be able to find the money unless its general taxation is increased.

3. As no Contribution can now be made from Provincial funds for this purpose, the Municipal Council should either borrow the amount, or raise it by extra the taxation as suggested by the Collector, and it is submitted that it may be called upon to report which of these Courses it is prepared to adopt.

4/5/95 This seems to be the only way out of the difficulty, for it would be doubtful policy to set about looking for fresh sites after so much trouble has been experienced in obtaining the approval of all parties to those now selected. It is to be noted, however, with regard to Mr. Welsh's estimate of their value that Mr. Davee did not think they would be very costly and that the Council also protest that considering the nature of the land the valuation is excessive.

C.G.
7.V.

Expansion of land for urban
burial grounds – Bangalore mu

1153 M

FOR ORDERS

a/Assistant

NOTE FOR THE ~~UNDER~~ SECRETARY.

The values per acre of the lands proposed to be taken up have been calculated in the accompanying Slip. The figures given in the draft (sanad) which have been entered in pencil, in the fair copy do not seem to be correct.

M 14/5

Please see corrections in f.c. and correct o.c accordingly

18.V

Done 21/5/95

[G. 24.] 600—8-3-95.

DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. 588 M of 1895, dated 14-2-95 from the Collector of S. Canara

Current No. 1153 M of 1895, dated 26-3-95 from —

ORDER. M 16-5-95 No 836 M Mis

It is observed that the Council takes objection at the outset to the Collector's estimate of the value of the land as being excessive and there seem to be good grounds for considering that this objection is well-founded.

2. The area to be acquired is acres 2·90 of garden land and the value put upon this by the Collector is Rs 10,839, or roughly Rs 3700 per acre. In individual cases the values per acre vary from Rs 1600 to Rs 1,800, Rs 3750, Rs 4,100, Rs 5,300, Rs 5,800 and finally to Rs 9,100. These values are extraordinarily high and certainly cannot have been anticipated by Mr. Dance whose statement was that he did not think it would be necessary to pay a high price for the land.

3. The Collector will now report by whom the draft notifications were prepared and on what data they are based and will explain fully what special grounds he found for recommending the payment of such abnormal rates

Seen GS 16/5

GS 16.5.

Issd (from orders) 20/5/95

To the Collector of S. Canara No Despatch

836a

Back Paper, No. of 189 .

Further Paper, No. of 189 .

2846 Vol 95.

Read again Order of Government, dated
189 , No. , Miscellaneous.

Enclosures.

Current No.

Statement with ditto.

Order of Government

Statement with ditto.

Papers not filed up, being meant for despatch
in original (not paged).

N.B.—

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

Copied by V.G.P. 7/5 January 95

Examined by