

Local & Munl. (189 9) Department.

MISCELLANEOUS.

G.O., No. 1887 M

DATED 19-12-1899.

[Despatch Abstract.]

Lands

Recording letter from the Collector
the Nilgiris submitting a copy of the
correspondence regarding the award made in connection with the
acquired for the catchment area of the
Martinswood Reservoir.

BACK PAPERS.

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

FURTHER PAPERS.

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

Local & Munl. (1899) Department.

CURRENT No. 3166M



mis
 Order No 1887 *miss* 17 12 99
 Recorded. *for perusal*
 From *Info letter of the Belgian*
 B.L. No. 630 of 1899
 Dated 9th December 1899
 Received } 11/12/99
 Registered }
 Enclosures *one*
 Spare copies

SUBJECT.

Land Acquisition
 Submitting
 herewith a copy
 of the Award made
 in Connection with
 the lands acquired
 for the Catchment
 area of the Marlborough
 Reservoir.

BACK PAPERS.

G.O.	No.	Department.	Date.
1837	minis	9-3-99	
1838	minis	10-9-99	
1839	minis	11-9-99	
1840	minis	9-10-99	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

En 1/31662M/99

Proceedings of the Collector of the Malgins
dated 8th December 1899.

1. With reference to the notification of Government dated 12th September 1899, declaring certain lands to be needed for a public purpose viz. For the Catchment area of the Marlborough Reservoir and to the notice of this office dated 15th September 1899 issued thereon, the parties interested in the lands having appeared before the Collector on 3rd October 1899 and certain claims to the amounts to be paid for the aforesaid lands having been advanced on behalf of the mortgagees from the present owners and on behalf of one Tada Euvianum in respect to one Surney N. of the aforesaid lands. viz. S. N. 2. 137. To investigate these claims the

the inquiry had to be adjourned to various dates and was postponed for final disposal on this date when the following award is made.

2. (i) As regards the true area of the land.

In the original notification the total area of the land to be acquired was given as 172.96 acres. The correctness of this area having been challenged by the owner Mr. C. Akilandaia, a careful resurvey of the Catchment area of the Marimund Reservoir was carried out by the District Surveyors. As a result of this resurvey, the area was found to be 177.66 acres which is hereby declared to be the true area of the land acquired. The particulars for each Survey field are given in the schedule hereto annexed.

(ii) As regards the Compensation to be allowed for the land. Government and the Ostacarnund Municipality, after negotiation with the owner Mr. C. Akilandaia agreed to offer two lakhs of Rupees as Compensation subject to certain conditions: viz 1st that Mr. C. Akilandaia should waive all claims to Compensation in regard to certain lands which had been leased to him by the Municipality which lease had been cancelled by the Municipality.

2nd That Mr. C. Akilandaia should execute an agreement binding himself to indemnify Government in respect of any claims brought by the Joda Goviavennu or any other Joda in respect of the land S. N. C. The owner Mr. C. Akilandaia has

has duly accepted these
conditions and has waived
the claims referred to in
Condition (i) and has executed
the agreement dated 4th Dec-
ember 1899 referred to in
Condition (ii) and has agreed
to accept the sum of two
laks in full Compensation
for all his rights & interest
in the lands aforesaid & the
buildings thereon.

I therefore declare
that two laks of Rupees
is the sum to be paid as
Compensation for the land
acquired. Mr. C. Khandaiya
has agreed to accept in pay-
ment of the sum of one
lakh 200 debentures issued
by the Municipal Council
Solapur of Rs 500 each
bearing interest at 5 per cent.

(iii) As regards the apporportion-
ment of the amount thus
awarded as Compensation
two claims were preferred.

(a) One Tada Euviaum claimed
on behalf of himself and
others certain grazing rights
in S. No. $\frac{C}{137}$. He stated that
his ancestors used to graze
their cattle in this field
and it was found to be
true that the field is registered
as Tada mund.

An investigation of
the title deeds of the present
owner however showed that
an ancestor or relation of
the Tada Euviaum had 32
years ago sold the land to
one Mr. W. Taylor from whom
they had duly passed through
many hands to the present
owner Mr. C. Khandaiya.

It further was admitted
by

by the Lada Euvianum that the
Ladas have not gone near
Survey No. ¹³⁷ since he was
a little boy - apparently about
35 or 40 years ago, and it is
alleged by the present owner
that he has always considered
this field as part of his
estate and has exercised
acts of ownership ~~and~~ over
by cutting peat, timber &c.
I consider therefore that
any rights the Ladas may
have had in this field
have been extinguished and
I therefore disallow the claim.
As mentioned above however
W. C. Akilaudaiya has
executed an agreement
to indemnify Government
for any loss or damage
caused to Government
by

by any claim or suit
brought by Euvianum or any
other Lada in respect of
this land.

(b) The 2nd claim was
preferred by Messrs Mulraj
Khattan & Gordandoss Khattan
of Bombay. The gentlemen
claimed in virtue of certain
mortgages over the land acquired
and of other agreements with
W. C. Akilaudaiya the whole
amount of the Compensa-
-tion money. Mortgages over
the land acquired for sums
much less than the amounts
paid as compensation were
admitted, but the rest of
the claim was disputed.

It is however to unne-
-cessary to discuss the claims
further as the claimants and
W. C. Akilaudaiya, the owner
of

of the land acquired have arrived at an agreement regarding the apportionment of the award, whereby Mr. C. Akshandaya agrees that the whole of the two lakhs paid to him as Compensation shall be made over unconditionally to Mr. A. R. Winkler Solicitor for the claimants Daulraj & Gourdass Khattar

Schedule

Survey No.	Extent.
<u>Polacarnum Village</u>	
C 131	3. 46
132	0. 13
133	7. 56
134	0. 08
135	0. 15
136	0. 24
137	2. 42
138	2. 22
139	16. 99
140	2. 00
141	1. 48
142	4. 05
143	2. 50
144	2. 07
145	9. 72
146	9. 70
147	6. 95
<u>1</u>	
148	76. 94
150	29. 00
<u>B</u>	
Total	<u>177. 66</u> acres

By Order
Collector

B & G No. 630
1899

COLLECTOR'S OFFICE, NILGIRI
Dated 9th December 1899

FROM

C. J. Weir Esquire & Co

COLLECTOR OF

The Nilgiris.

TO

THE SECRETARY TO GOVERNMENT,

Local & Municipal DEPARTMENT,

LOCAL & MUNICIPAL DEPT.
Madras.
CURRENT No. 3166 M.

SIR,

Recd 1839
9.12.99

In continuation
of my telegram of the 8th Instant
I have the honour to submit
herewith a copy of the Award
made in connection with
the lands acquired for the
Catchment area of the
Marlimumb Reservoir.

I have the honor to be,

Sir,

Your most obedient Servant,

C. J. Weir

Collector.

Copied by 9.12.99

Examined by 87

SUBJECT.