

പതിനാലാം കേരള നിയമസഭ
അഞ്ചാം സമ്മേളനം

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം നമ്പർ.1017

28-4-2017 ൽ മറുപടിക്ക്

പാറ്ററിൽ പുറമ്പോക്ക് കയ്യേറി ഫ്ളാറ്റ് നിർമ്മാണം

<u>ചോദ്യം</u>	<u>മറുപടി</u>
<p>ശ്രീ.പി.സി.ജോർജ്ജ്</p>	<p>ശ്രീ. ഇ. ചന്ദ്രശേഖരൻ (റവന്യൂവും ഭവനനിർമ്മാണവും വകുപ്പ് മന്ത്രി)</p>
<p>(എ) തിരുവനന്തപുരം പാറ്ററിൽ സർക്കാർ പുറമ്പോക്ക് കയ്യേറി വലിയ ഫ്ളാറ്റ് സമുച്ചയം അനധികൃതമായി പണിതുയർത്തിയിരിക്കുന്നത് ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ടോ;</p>	<p>(എ) ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ട്.</p>
<p>(ബി) ഈ അനധികൃത കയ്യേറ്റത്തിനെതിരെ റവന്യൂവകുപ്പ് എന്തെല്ലാം നടപടികൾ സ്വീകരിച്ചിട്ടുണ്ടെന്ന് വിശദമാക്കുമോ;</p>	<p>(ബി) വഞ്ചിയൂർ വില്ലേജിലെ പാറ്റർ ഭാഗത്ത് ഫ്ളാറ്റ് ഇരുപ്പ് സ്ഥലവുമായി ബന്ധപ്പെട്ട് ബഹുമാനപ്പെട്ട ലോകായുക്തയിൽ കേസ് നിലവിലുള്ളതും, ബഹു. ലോകായുക്തയുടെ 21/03/2016 ലെ 964/14 (എ) നമ്പർ ഉത്തരവ് പ്രകാരം പാറ്റർ ആവൃതി മാൾ ആർടെക് സമുച്ചയത്തോട് ചേർന്നുള്ള സർവ്വെ നം.1805 എ പാർട്ട്, 1806 എ പാർട്ട് എന്നിവയിൽപ്പെട്ട 12.279 സെന്റ് പുറമ്പോക്ക് ഭൂമി അനധികൃത കൈവശത്തിൽ നിന്നും ഏറ്റെടുത്ത് ടി സ്ഥലത്ത് പൊതുമരാമത്ത് വകുപ്പ് നിർമ്മാണ വിഭാഗം മുഖേന അതിർത്തി വേലിക്കെട്ടി പൂട്ടുകൾ സ്ഥാപിച്ചിട്ടുള്ളതാണ്.</p>
<p>(സി) ഈ കയ്യേറ്റത്തിനെതിരെ റവന്യൂ വകുപ്പ് റിപ്പോർട്ട് തയ്യാറാക്കിയിട്ടുണ്ടോ; ഉണ്ടെങ്കിൽ ഇതിന്റെ കോപ്പി ലഭ്യമാക്കുമോ;</p>	<p>(സി) തിരുവനന്തപുരം ജില്ലാ കളക്ടറുടെ 23/02/2011 ലെ ബി9/35813/2010 ാം നമ്പർ റിപ്പോർട്ട്, തിരുവനന്തപുരം ജില്ലാ കളക്ടറുടെ 02/01/2013 ലെ ബി9/35813/2010 ാം നമ്പർ റിപ്പോർട്ട്, ലാന്റ് റവന്യൂ കമ്മീഷണറുടെ 13/09/2013 ലെ എൽ.ആർ.കെ3-35419/13 നമ്പർ റിപ്പോർട്ട്, തിരുവനന്തപുരം ജില്ലാ കളക്ടറുടെ 17/10/2011-ലെ ബി9/35813/2010 ാം നമ്പർ കത്ത്, ലാന്റ് റവന്യൂ കമ്മീഷണറുടെ 05/05/2015 ലെ എൽ.ആർ.കെ3-35419/13 ാം നമ്പർ റിപ്പോർട്ട്, എന്നിവയുടെ പകർപ്പുകൾ അനുബന്ധമായി ചേർക്കുന്നു.</p>
<p>(ഡി) പാറ്റർ ഭൂമിയുടെ മുൻ ഉടമകൾ ആരെക്കൊണ്ടെന്ന് പേരും അഡ്രസ്സും സഹിതം വിശദമാക്കുമോ;</p>	<p>(ഡി) ശാസ്താംഗലം മുടവാരം മാധവീശ്വരം ബംഗ്ലാവിൽ രാജഗോപാലൻ നായർ, ടി വിലാസത്തിൽ ടിയാൻ ഭാര്യ ഉഷ രാജഗോപാലൻ നായർ, മക്കൾ ജയദേവ് കുമാർ, അനിൽ കുമാർ മുതലായവർ.</p>

(ഇ) പ്രസ്തുത ഫ്ലാറ്റിന്റെ പണിനടക്കുമ്പോൾ ആധാര പ്രകാരമുള്ള ഉടമസ്ഥൻ ആരായിരുന്നു; കോപ്പി ലഭ്യമാക്കാമോ

(ഇ)

വഞ്ചിയൂർ വില്ലേജിലെ 28186 ാം നമ്പർ തണ്ടപ്പേർ പ്രകാരം മുൻബയിലെ ജോശേശ്വരി ശ്യാംനഗറിലെ നോളേഡ്ജ് ഹൗസിൽ രജിസ്ട്രേഡ് ഓഫീസുള്ള മെസ്സേജ് ആവൃതിമാൾ മാനേജ്മെന്റ് കമ്പനി പ്രൈവറ്റ് ലിമിറ്റഡിനെ പ്രതിനിധീകരിച്ച് ശ്രീ.ജയേഷ് സോണേജിയാണ് നിലവിലുള്ള ഉടമസ്ഥൻ. ആധാരം ലഭ്യമല്ല.

(എഫ്) ഈ വസ്തുവിന്റെ മുൻപ്രമാണ (എഫ്) അളം നിലവിലുള്ള പ്രമാണങ്ങളും റവന്യൂ ഉദ്യോഗസ്ഥർ പരിശോധിച്ചിട്ടുണ്ടോ; ഉണ്ടെങ്കിൽ ഇതിന്റെ വിശദാംശങ്ങൾ വെളിപ്പെടുത്തുമോ; ആധാരങ്ങളുടെ കോപ്പികൾ ലഭ്യമാക്കാമോ?

ഈ വിഷയവുമായി ബന്ധപ്പെട്ട് ബഹുമാനപ്പെട്ട ലോകായുക്തയിൽ നിലവിലുള്ള 964/14 ാം നമ്പർ കേസിന്റെ ഭാഗമായി വഞ്ചിയൂർ വില്ലേജിലെ ഫാറ്റർ ആവൃതിമാൾ ഫ്ലാറ്റിന്റെ സർക്കാർ ഭൂമി കയ്യേറ്റം സംബന്ധിച്ച താല്പക്കാഫീസിലെ ഫയൽ 20/10/2014 ന് ബഹുമാനപ്പെട്ട ലോകായുക്തയിൽ സമർപ്പിച്ചിരിക്കുകയാണ്.



സെക്ഷൻ ഓഫീസർ



No.B9-35813/10

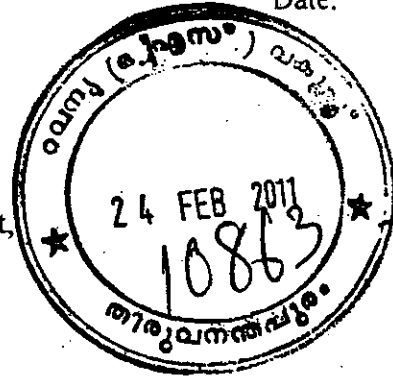
Collectorate
Thiruvananthapuram
Date.

From

The District Collector
Thiruvananthapuram.

To

The Principal Secretary to Government,
Revenue (U) Department,
Secretariat,
Thiruvananthapuram.



Sir,

Sub:-Unauthorized occupation of Government puramboke land (and its) - *audit*
observation - reg.

Ref:-Letter No.21821/41/2009/RD dated 23.3.2010 from Government.

Hearing of the interested parties was conducted. After going through the records, report of the Village Officer, Tahsildar and hearing submissions, the following facts are submitted.

It is alleged that nearly 16.35 cents of property has been misappropriated through Sale Deed No.507/2006, of SRO, Thiruvananthapuram. The property involved is 123 cents of land comprised in Survey No.1804/B, 1805/B, 1830, 1806/B, 1806/C and 1829 in Vanchiyoor village of Thiruvananthapuram Taluk, Thiruvananthapuram district.

Initially this property belonged to one Sri.Pameswaran Pillai, Madhaveswaram Bunglaw, Vellyambalam, Sasthamangalam vide TP No.4365 of Vanchiyoor Village. As per that TP, the extent was 123 cents in the above described survey numbers. Subsequently this property was transferred through a Partition Deed No.2178/1970 through SRO, Chalai in the name of Shri.Rajagopalan Nair, S/o Sri.Pameswaran Pillai, and was assigned TP 13717. This TP account is seen missing from the Village Office, hence the area mutated from the above TP could not be ascertained. Though this TP is missing the land as per the above deed has been traced out as below:

Sy. No. in the Deed of 1970	Extent in cents.
1804 B	3.952
1805 B	31.616
1806B	24.700
1806C	5.928
1829	31.616
1830	23.712
Total extent	121.524

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But as per TP 4365 the extent mutated to the land owner comes to 122.960 cents. After this through a Partition Deed No.82/1989 of Principal SRO, Thiruvananthapuram, the land belonged to TP 4365 in the name of Shri.Parameswaran Pillai was again partitioned between his son Rajagopalan Nair, Usha Rajagopalan Nair, Jayadev Kumar and Anil Kumar(wife and sons of Shri.Rajagopalan Nair). From TP 13717 (records not available) four null TPs were generated as 2729, 2752, 2732 and 2762 in the name of the above persons.

TP No & Name	Survey No.	Extent
2729 ✓ Rajagopalan Nair	1805B	28 cents
	1804B	02 cents
2732 ✓ Usha Rajagopalan Nair	1829	32 cents
	1830	02 cents
	1806B	04 cents
2742 ✓ Jayadev Kumar	1806C	5.500 cents
	1830-2	19 cents
	1805 B	04 cents
2752 ✓ Anil Kumar	1806 B	21 cents
	1806C	00.500 cents
	1830	03 cents

The Special Tahsildar, Additional LA Unit, Thiruvananthapuram in his Proceedings No.LAC 180/04 acquired 2.5 cents from TP 2729 for Palayam Airport Road development. Thus the entire possession of the land become 118.5 cents ($121 - 2.5 = 118.5$) except 2 cents common road.

The entire 118.5 cents of land was transferred to Jayesh Soneji, M/s Avruthi Mall Management Company Pvt. Ltd., Mumbair as per Sale Deed No.567/06 of SRO, Thiruvananthapuram. The village settlement register proves 123 cents of patta land comprised in the above said Survey Number ie. ($1804B - 4 \text{ cents} + 1805B - 32 \text{ cents} + 1806B - 25 \text{ cents} + 1806C - 6 \text{ cents} + 1829 - 32 \text{ cents} + 1830 - 24 \text{ cents} = 123 \text{ cents}$)

Thus it appears that no misappropriation was done regarding the patta land through document No.567/06 of SRO, Thiruvananthapuram except the omission and mistakes done in the TP register in the village.

Settlement Register and Puramboke Register mark 24 cents for Thodu Puramboke comprised in Survey numbers 1805A & 1806A (12 cents each). It is definitely annexed to the western part of the patta land along with the 'amayizhanchan thodu' (Sy. No.1803 - 118 cents).

The patta holder possess the surplus land of 14.5 cents ($134 - 123 - 2.5 = 14.5$). The sketch attached to the report of Executive Engineer, Water Authority indicates the Kerala Water Authority Sewerage line laying through the puramboke land which is annexed to the western part of the patta land. Thus the puramboke land must be demarcated. The abstract of the Puramboke Register submitted by the Village officer.

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Vanchiyoor shows that there is no puramboke land in sy. 1830 and 1831 of Vanchiyoor Village. But in the Tahsildar's report it is stated that 20 cents of land in these survey numbers have been marked to the Water Authority is now within the possession of M/s Avruthi Mall Management. Neither the report given by Assistant Commissioner (L.A), Thiruvananthapuram nor Tahsildar, Thiruvananthapuram have been able to locate where the puramboke lies. Tahsildar has not stated that this land is puramboke land.

More over the Kerala Water Authority's claim that the sewerage line goes through the puramboke land could not be fully proved since the puramboke has not been demarcated by the Survey Authorities. In the circumstances the following action has been taken.

1. The Taluk Surveyor has been directed to demarcate the puramboke in the surrounding Survey numbers of the property of the above company in Vanchiyoor Village of Thiruvananthapuram Taluk.
2. Additional Tahsildar, Thiruvananthapuram has been directed to file I.C. case against the M/s Avruthi Mall Management regarding the encroachment of puramboke land by them, and take all necessary steps to protect the same.
3. The Executive Engineer, Kerala Water Authority, Sub Division, Pattor has been permitted to change the orientation of sewerage line if it passes through patta land realizing its cost from the Company authorities. ✓

This is for information and necessary action.

Sd/-
District Collector

Forwarded / By Order

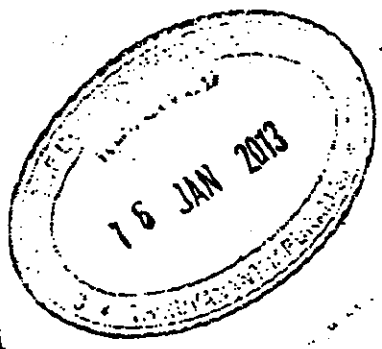

For District Collector

89-35813/2010

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010111

കളക്ടറേറ്റ്, സിവിൽ സപ്ലൈസ്,
കൂടപ്പനക്കുന്ന്,
തിരുവനന്തപുരം.
തീയതി - 02-01-2013

ജില്ലാ കളക്ടർ,
തിരുവനന്തപുരം.



പ്രിൻസിപ്പൽ സെക്രട്ടറി,
റവന്യൂ (യു) വകുപ്പ്,
സെക്രട്ടറിയേറ്റ്,
തിരുവനന്തപുരം. (ലാൻഡ് റവന്യൂ കമ്മീഷണർ മുഖേന)

സർ,

- വിഷയം-റവന്യൂ വകുപ്പ് - വാട്ടർ അതോറിറ്റി വക പൈപ്പ് ലൈൻ വസ്തു കൈയേറ്റി പ്രധാനം ചുമട്ടുവീട് - നടപടികൾ സ്വീകരിച്ചത് - സംബ.
- സൂചന:-1.24-09-2011, 17-10-2011 തീയതികളിലെ മേൽ നമ്പർ കത്തുകൾ
- 2.23-03-2010, 24-9-2011, 31-10-11 തീയതികളിലെ 21821/യു/09/ആർ.സി.നമ്പർ കത്തുകൾ.
- 3.22-04-12 ലെ 25843/യു/12/റവന്യൂ നമ്പർ കത്ത്.
- 4.അഡ്വക്കേണൽ തഹസീൽദാരുടെ 26.11.2012 ലെ സി3-20039/10 നമ്പർ കത്ത്.

സൂചനകളിലേയ്ക്ക് സാദരം ശ്രദ്ധ ക്ഷണിക്കുന്നു. വഞ്ചിയൂർ വില്ലേജിൽ വാട്ടർ അതോറിറ്റിയുടെ വക പൈപ്പ് ലൈൻ സ്ഥലം ഉൾപ്പെടുന്ന പുറമ്പോക്ക് കൈവരപ്പെടുത്തിയതുമായി ബന്ധപ്പെട്ട് സൂചന (2) പ്രകാരമുള്ള നിർദ്ദേശപ്രകാരം നടപടി സ്വീകരിക്കുകയും താലൂക്ക് സർവ്വേയർ മുഖാന്തിരം പുറമ്പോക്ക് അളന്ന് തിരിച്ച് സ്കെച്ച് തയ്യാറാക്കിയിട്ടുള്ളതുമാണ്. ഈ വിവരം സ്കെച്ചിന്റെ പകർപ്പ് സൂചന (4) പകർപ്പ് എന്നിവ സഹിതം തുടർനടപടികൾക്കായി റിപ്പോർട്ട് ചെയ്യുന്നു.

വിദ്വേഷ് തയ്യോടെ

 ഡെപ്യൂട്ടി കളക്ടർ (എൽ.ആർ.)
 ജില്ലാ കളക്ടർക്കുവേണ്ടി

LR(K3)-35419/13

ENQUIRY REPORT
[39569/U1-2013/RD dated 31.08.2013]

As per the Government letter cited above, the Government have directed the undersigned to conduct an enquiry into the findings and recommendations of the Vigilance and Anti-Corruption Bureau in SC/03/2013/TVM dated 15.05.2013 and submit report within three days.

I may report that, a detailed report was submitted to Government vide LR(K3)No: 19254/2009 Dated:11/05/2009 [Copy of the same is enclosed] initiated on the basis of a DO No: Report(RR)/3697/09-10/8Dated: 06/04/2009 sent by the Dy. Accountant General(RR) and addressed to the Additional Chief Secretary, Revenue Department, Government of Kerala, pointing out a discrepancy in the area of the land conveyed through **Sale Deed No: 567/06 of the SRO, Fort, Thiruvananthapuram.**

Pursuant to the above report Government in their letter No: 21821/U1/2009/RD Dated: 23/03/2010 had directed the District Collector, Trivandrum to take immediately action to implement the recommendations of the above cited report. The recommendations of the report dated 11/05/2010 were as follows:-

- I. The Village Officer, Vanchiyoor may be directed to make appropriate noting in the Thandaper number 4365 so that, no more transaction takes place from the above Thandaper account.
- II. RDO, Thiruvananthapuram may be directed to initiate a case against the company towards cancellation of the Transfer of Registry [Pokkuvaravu] in Thandaper number 28186 based on the letter from Deputy Accountant General [RR]

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- III. The present Transfer of Registry [Pokkuvaravu] in the name of M/s Avruti Mall Management Company, Mumbai thandaper number 28186 is to be cancelled by the RDO, Thiruvananthapuram after an opportunity of being heard is given to the company
- IV. A specific survey for the delineation of pipeline is to be carried out in the above site with the help of KWA officials
- V. A stop memo may be issued immediately to the company banning any sort of construction activity at the above site till the disposal of the case by RDO

The above recommendations were given as the land in question is "Poromboke land" as per Section 3[1] and 4 of the Kerala Land Conservancy Act, 1957. The protection of such lands otherwise being specifically entrusted with the 'Collector' under Section 15 and Rule 4 of the Act and Rules of 1958, is vested with the Tahsildar, Thiruvananthapuram, in this case. The Sewerage Pumping Main Line was commissioned during 1964-65 period.

However, against the letter and spirit of the direction of the Government communicated vide letter number 21821/U1/2009/RD dated 23.03.2010; the District Collector heard the parties [which was actually entrusted with the RDO as per the recommendations and Transfer of Registry Rules, 1966]. The District Collector in order to comply with the Government direction ought to have caused the registration of LC Case as prescribed in Rule 5 of the Kerala Land Conservancy Rules, 1958. Following this Issue of the statutory notice prescribed by law Viz; Form-B notice is a mandatory requirement as in any case where encroachment of the Property of Government is alleged. The Rule 9 states that 'the notice shall be in Form B appended to these Rules'. This would have made the opposite party liable to produce the documents to prove the claim before the authorities.

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The District collector issued an order No: B9-35813/10 Dated: 16/02/2011, without following the statutory procedure, holding that it appears that no misappropriation was done regarding the patta land through document No: 567/06 of SRO, Thiruvananthapuram except the omission and mistakes done in the TP register in the village. The proceedings taken before the District Collector is highly suspicious on the following grounds;

- I. There is no hearing note in the current file of Collectorate file bearing number B9/35813/2010 unlike other cases. In the Note File Dated: 16/02/2011- the District Collector orders that "orders based on hearing/ records present in the file" should be issued. No such Hearing Note as submitted as para 7 dated 23.06.2010 or the statement of the parties recorded at the time of hearing is available in the note file. The District collector has based his proceedings entirely on the TP accounts of the Vanchiyoor village office.
- II. The TP 4365 of Vanchiyoor village submitted by the Village Officer, Vanchiyoor is a photocopy of the account, and on it is written 'shoonyam' a null TP. Basic tax for FY 1981-82 alone is recorded therein. The TP 13717 is missing from the Village Office. [Partition Deed: 2178/1970]. Four TP account generated thereafter are all null TPs. [Partition Deed 82/1989] Tax for FY 2005-06 alone is recorded, just on the year of the impugned Sale Deed. Mutations from and to these account have been omitted to be recorded.
- III. The Draft of the proceedings in the current file is missing, though the same is mentioned in the note file as para 23 dated 16.02.2011.
- IV. The circumstances under which the District Collector ordered to change the orientation of the sewerage pumping main line passing beneath the Poramboke land is not known and he is not

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empowered to order so under any of the prevailing Acts or Rules in force. It is not amenable to reason that the erstwhile PHE Department would lay a 500 mm sewerage pumping main pipeline through registered land without acquiring it first.

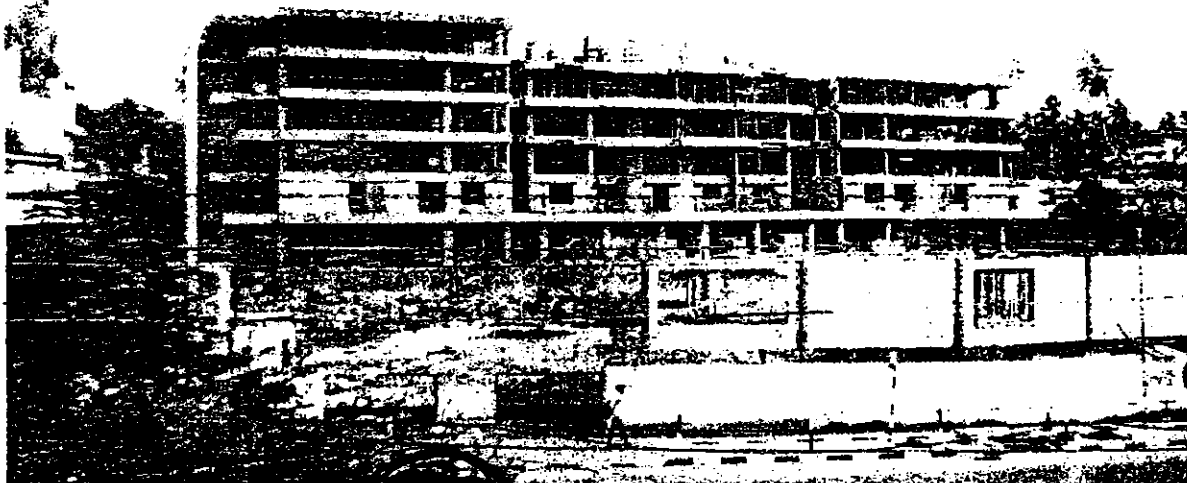
- V. Though there were two more directions to protect the Government land but those were to demarcate the Poramboke "in the surrounding areas" and not in the area through which the sewerage line is passing at present. This is against the spirit of the Kerala Water Supply Sewerage [Amendment] Act, 2008 which calls for prohibition of all sort of activities over the pipe lines of the Authority. Sec 46A states as follows:

"46A. Prohibition of construction of buildings etc., over land, pipes etc. (1) No person shall without permission of the Authority construct any private street, building, wall fence or other structure over any land or pipes or mains belonging to the Authority.

- VI. The Executive Engineer, Water Authority was addressing the District Collector on 14.10.2010, eight months after the date of the afore cited order, for a direction to survey and demarcate the Poramboke land. [Enclosed].
- VII. Most importantly, it is not clear how the District Collector while being an officer entrusted with the responsibility of initiating action to remove such unlawful occupation can bypass or ignore the statutory provisions of The Kerala Land Conservancy Act, 1957(Act 8 of 1958) and the Rules framed there under.

The Company revived the activities at the land in question pursuant to a letter from Government bearing number 21821/U1/2009/RD dated 18.02.2012 and the construction activities at the site is in full swing now.

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Recommendations:

- I. The District Collector, Trivandrum may be directed survey and demarcate the land through which the underground sewerage pipeline is passing, with the help of KWA officials at once to avoid any disastrous situation due to piling operations by the company
- II. As per the version of the KWA officials 5.00 m on both sides of the surface portion of pipeline should be protected without any construction if that is so the same may be done along with the survey process as suggested above. KWA may fence and protect the land from further encroachment by the company.
- III. The adjacent government land in old survey number 1804/A and 1805/A are to be surveyed and demarcated immediately to ensure that, the company is left with possession of the land on their legitimate claim only.


9.9.13
MC Mohandas

Commissioner of Land Revenue

06.09.2013





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5813/2010

Collectorate, Civil Station
Kudappanakunnu, Thiruvananthapuram
Date :- 17.10.2011

From,
The District Collector,
Thiruvananthapuram.

To,
The Additional Chief Secretary,
Revenue (U) Department,
Government Secretariat,
Thiruvananthapuram.

Sir,

Sub :- Unauthorized occupation of Government ~~Puramboke~~ land and its
observation - reg.

- Ref :- (1) Letter No. 21821/U1/2009/RD dated 23.3.10 from Govt. Revenue
(u) Department.
(2) Proceedings no.B9/35813/10 dated 16.02.11 of the District Collector
Thiruvananthapuram
(3) Letter No.KWA/SU/LRC/6489/2011 dated 04.08.2011 of the
Managing Director, Kerala Water Authority.
(4) D.O Letter No.C3/20039/2010, dated 24.09.2011 of the Additional
Tahsildar, Thiruvananthapuram.

In the above case, as per directions from Government and Land Revenue
Commissioner, the then District Collector heard the parties and issued the
proceedings on 16.02.2011. The directions were as follows:- *"The Taluk Surveyor is
hereby directed to demarcate the puramboke in the surrounding survey numbers of
the property of the above company in Vanchiyoor Village of Thiruvananthapuram
Taluk. The Additional Tahsildar, Thiruvananthapuram is hereby directed to file LC*

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case against the M/s Avruthi Mall Management regarding the encroachment puramboke land by them, and take all necessary steps to protect the same. The Executive Engineer, Kerala Water Authority, Sub Division, Pattoor is hereby permitted to change the orientation of sewerage line if it passes through patta land realizing its cost from the company authorities."

The Additional Tahsildar instead of getting the excess land, probably puramboke land, taken into custody has vide reference 3rd cited stated that no proper records are available to establish that the land is puramboke and due to lack of survey records, no survey could be conducted. This is a very strange and irresponsible statement. He is duty bound to locate the Revenue Records and ensure whose land it is. It is his duty to protect Government land. Similarly the Head Surveyor also has duty to locate the survey sketch and locate the puramboke land. As shown in the reference 1st cited the Accountant General, the Government and the Assistant Commissioner have found that the land held by the company is in excess of their entitlement.

But inordinate delay in locating exactly in which portion this 16.111 cents of land is lying in delaying the project of the company. The officers of the company were called for a hearing on 14.10.2011. The Deputy Collector (LR), Head Surveyor and the Village Officer also were present. The company claimed that they are entitled for the entire 135 cents of land. They also wanted that the existing sewerage line shifted to the western and northern side of their property. In the earlier order the direction was that the line should be shifted to the puramboke land at the expense of the company.

It is true that the inordinate delay is being caused in locating the puramboke and in the area. This badly delays the utilization of 118.5 cents of land which even the Government admits that the company is entitled to. The company is also

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willing to bear the cost of shifting the existing sewerage line from the present position to western and northern side of their property.

In the above circumstances the following proposals are submitted for consideration and orders. The area for shifting is to be demarcated jointly by the officials of Kerala Water Authority, Head Surveyor, Village Officer and the officials of the company. The area demarcated should be at least 16.5 cents which is to be treated as puramboke. This should be under the possession of Water Authority and Revenue Department jointly until the dispute is finally settled. If slightly more area is required to connect both the ends of the sewerage line while shifting it should be provided by the company as the shifting is to their benefit.

Yours Faithfully

[Signature]
DISTRICT COLLECTOR

Copy to :-

1. Land Revenue Commissioner, Thiruvananthapuram (With C/L)
2. The Managing Director, Kerala Water Authority (With C/L)
3. The Managing Director, M/s Artech Realtors Pvt.Ltd, Tvpm

