

22/8/48.

Reverred Kaka Sahib,

I do not know whether you remember me at all as it is after a very long time that I am addressing you these lines. You used to visit your friend, my reverred father, Late Pt. Krishna Kant Malaviya when we were living at 7, Perez Shah Road, and I was introduced to you and Mr. Jedhe by my father. You must have heard from him about the bungalow also that I have here in the New Cantonment, Allahabad. We had to face difficulties after difficulties regarding this bungalow since we purchased it. The British Government would not tolerate rebels like us to live in the Cantonment Area but so long as father was alive they could not succeed but immediately after his death in 1941, and taking advantage of my detention under section 26 D.I.R. they forced me to sign a lease and under the threat of DIR acquired the bungalow for Military purposes at a very low and nominal rent in May 1942. Since then it is in the occupation of the Military.

With the advent of the National Govt. I thought that my troubles and worries would come to an end but for me, it seems, every thing remains the same. There is no change in the situation at all. Only recently I came to know from a friend of mine that the Cantonment Department is under you and that you can help me a lot if you like, hence this letter. Kindly let me know if my information is correct and whether you would kindly help me in tiding over my difficulties with regard to this bungalow. I can come to you with the relevent papers whenever you desire. A line in reply will highly oblige.

P.T.O.

(2)

With deepest regards,

I am
Yours very sincerely

Hon. Shri M. V. Gadgil,
Minister for Works, Mines & Power Department,
Government of India,
New Delhi.



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New Delhi.
August 27, 1948.

My dear *M. Dasgupta*

Please refer to your letter dated 22nd August 1948. The Cantonment Department is not under me. It is under the Defence Ministry. If you make a representation to the Hon'ble Sardar Baldev Singh and send me a copy, I shall speak to him about the facts of the case.

Yours sincerely,

N. V. Gadgil

(N.V. Gadgil).

Shri P.K. Malaviya,
c/o. Abhyudaya,
Allahabad.

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28/11/48.

Revered Kakasaheb,

I was in due receipt of your very kind note of Aug 27, 1948, but I did not think it right to bother you with my petty personal affair so long as I could manage it here myself. But now the things have taken a serious turn and the local military authorities, finding their case hopelessly weak are trying to hit me below the belt by threatening to oust me from the Cantonment Area altogether by acquiring my bungalow under the Land Acquisition Act 1 of 1894, and delaying the settlement of my compensation claims.

Herewith I am sending you a copy of the letter that I am addressing to Hon. Sardar Baldeo Singhji, the Defence Minister. Kindly do speak to him about the facts of my case and oblige. This would be the unkindest cut of all which even the British Government did not dare to make on us. I am sure that you would protect me from this onslaught and see that justice is done to me and that too at the earliest. Justice delayed is justice not given. I am told that you are coming here in the next month. I extend hearty welcome to you to my city and shall be obliged if you would kindly accept my invitation for a tea party any day that may be convenient to you. An early reply will highly oblige.

With deepest regards,

I am
Yours very sincerely,

Hon. Shri N.V. Gadgil,
Member for Works, Mine and Power,
Indian Domision,

28/11/48.

Revered Sardar Baldeossinghji,

It is never a pleasure to me to approach the highest authorities directly for small personal things. Under sheer compulsion, I wrote to you a letter in May 1947, regarding my bungalow No. 1, Napier Rd. Allahabad Cantt: and under same condition, I have to write this one also. At that time you very kindly made enquiries about the same and the result was that my arrears of the rent were paid and non-repairing lease was changed to a repairing lease. About the compensation that was to be paid to me in the form of transferring the W.D. assets to me for the damages done to my garden etc. it was settled that the possession of these W.D. assets would be given to me after the termination of the tenancy but they were shown on the site plan attached to the new lease to avoid any further misunderstanding on the point at the time of de-hiring of the bungalow.

Very recently, on the 30th Sept '48, my bungalow was de-hired but the possession of the W.D. assets were not given to me and I was asked to waive off all my claims in relation to the same. I agreed to this, of course under protests, and demanded cash compensation for the damages done to my property during the period of tenancy and as provided in the terms of my lease and according to the Cantt: House Accomodation they are so much committed on the point and my case is so strong that the local authorities can not but pay me for my just claims. Finding themselves in a weak position they are trying to delay the decision and cause further damage to my property.

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and are threatening me to acquire the whole bungalow under the land acquisition Act of 1894.

I am in a fix. I do not know what to do. All that I can say about this acquisition business is that it would not be a fair attack on me. It would be immoral too. Although I was promised that my case for compensation would be settled at the end of tenancy and now at the end of tenancy, in order to avoid payment of my just claims I am being threatened with the acquisition of my bungalow itself.

As regards the dispute regarding the payment of compensation clause 15 of my lease says "Should any dispute or difference arise out of or concerning the subject matter of these presents or any covenant clause or thing herein contained or otherwise arising out of the tenancy aforesaid the same shall be referred to an arbitrator to be appointed by the Govt. of India and the decision of such arbitration shall be conclusive" etc.

According to this clause I served a notice on the Secy. Defence Department, Govt. of India to appoint an arbitrator within 15 days of the receipt of the said notice. I am sorry to say that no arbitrator has been appointed so far and according to the Arbitration Act of 1940 now I should apply to the Court to appoint an arbitrator but my difficulty is that I want to avoid going to the Court as far as possible against our own Govt. I request you therefore, to kindly get this matter decided amicably and at the earliest as the delay is causing loss both to the Govt. and myself.

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The Government can afford to bear it but being a poor man I can not and hence this letter to you.

I request you to kindly intervene in the matter and see that injustice is not done to me. I should not be hit below the belt and my just claims are settled at the earliest without any further delay.

Hoping to be excused for the trouble and with deepest regards.

I am
Yours sincerely,

To:
Hon. Sardar Baldeo Singhji,
Defence Minister,
Indian Dominion,
NEW DELHI.



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New Delhi.
December 2, 1948.

My dear Padam Kant,

Your letter of 28.11.48 to hand. I am presiding over the Maharashtra Parishad on 25th and 26th. I hope to meet you. I shall let you know when it suits me to attend the tea party which you so kindly has suggested.

Yours sincerely,

(N.V. Gadgil).

Shri Padam Kant Malviya,
c/o. "Abhyudaya",
Allahabad.

14/5/49.

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Revered *Kaka Sahib*,

I hope you must be remembering the compensation case regarding my bungalow No. 1, Napier Road, Allahabad Cantt: about which I wrote to you previously. I learn that now this case is before Hon. Sardar Baldeo Singhji, the Defence Minister. What I fear is that he might appoint an arbitrator in the case at this late stage which will further delay the matters. I want that he should himself decide the case here and now and finish with it. Every days delay means a huge loss to me.

I hope you had already spoken to Sardar Sahab about this case as promised by you in your letter dated 27th Aug '48. A word from you at this stage might avoid a lengthy process and help me also a lot. Kindly do take this much trouble for me and oblige.

Hoping to be excused for the trouble and with deepest regards,

I am
Yours very sincerely

P. H. M.

Hon. Shri N.V. Gadgil,
Minister for Works, Mines and Power,
Govt. of India,
New Delhi.