

# School land controversy

## School

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case was not in any way involved with those cases.

He, however, questioned the construction of multi-storied buildings on the land and said one cannot go for construction on a requisitioned piece of land.

Both the sides seem to be prepared for yet another round of legal battle keeping the study of 4,000 children in uncertainty.

By MUSTAFA MOIN

The row over the possession of the land on which the Willes Little Flower School shows little sign of peaceful settlement.

A few days back, in the wake of a climax of events centring on an attempt to hand the plot of land over to one Moshahed Ali Chowdhury by the district land administration officials, President Ershad paid a visit to the school and said that the problems of the school would be looked into.

The President's visit was apparently enough for the persons concerned. But it is learnt, the President ordered that the land should be given to the school subject to the settlement of legal disputes over the ownership of the property.

Meanwhile, the long-standing problems over the possession of the land created a sensational issue and many socio-cultural forums and political quarters took up the issue and vowed to resist any attempt to hand over the side to anybody else whoever it might be.

For the populace it was a war of morality between an educational institution and an industrialist. And naturally, the press, people and politics made it the number one popular issue of the day.

The school's very name suggests that it was once a kindergarten school set up by Mrs. Josephine Willes, a former inspectress of schools of then East Pakistan. After her retirement from government service Mrs. Willes set up the kindergarten in 1956. It was a kindergarten school till her death in 1968.

After her death it was closed down. After a period of four years of discontinuity the school started again in 1972. In 1978 the school was upgraded to the level of a junior school and in 1983 it was made a secondary school.

At present about 4,000 students are enrolled in the school while 150 teachers and employees are employed here.

The school soon came to limelight especially due to its location adjacent to the aristocratic residential areas and not far from the major government establishments and busy trading centers of the city.

The plot of land measuring 1.60 acres on which the school is now located originally belonged to Alyosis Naronha who left behind two sons and two daughters, Clifford, George, Josephine and Winnifred.

Josephine and Winnifred later were known as Mrs. Josephine R. Willes and Mrs. Winnifred Ruby. Mrs. Ruby still lives in the first floor of the school's original house.

According to Christian law of inheritance all the sons and daughters inherited equal shares of the plot. But the problem arose when Mrs. Willes died in 1968. According to the Christian law each of the surviving brothers and sisters and Mr. Willes, the husband of Josephine, inherited the rest.

Mr. Willes before his death willed four decimals of the property for the school.

That part of the will is still pending with the court.

Meanwhile, Moshahed Ali Chowdhury, a retired professor, purchased the 1.56 acres of land from Mrs. Ruby in 1980 with a power of attorney from the two inheritors staying abroad.

Prior to this, in 1977 the school had a legal dispute with the church which claimed for the church. The government, however, requisitioned the plot of land for the school.

On the basis of a high court judgment the requisition was declared mala fide. But consequently the supreme court stayed the order of ejecting the school from the site with the rate of rent of 560 takas per month during the requisition order of 1977.

After the President's visit to the school Moshahed Ali Chowdhury published an advertisement in a mass circulated daily. The publication of the advertisement once again revived the issue among the teachers of the school, the students and their guardians.

Meanwhile, talking to Holiday M.A. Rouf Chowdhury, son of Moshahed

Chowdhury said, for the school they had no enmity rather they were sacrificing 93 acre of land for the school. He said the press got a one-sided story of the whole affair.

He said involving the name of multi-millionaire Zahirul Islam diverted the attention of the people and the press and all concerned to another aspect. He said he had family relationship with Mr. Islam but relationship was very bitter. They were not even on talking terms.

Regarding the requisition of the plot of land he said the school was a privately run institution run on a profit-making basis. He said no private property can be requisitioned for any private purpose.

Quoting martial law ordinance no. 2 of 1982 he said this ordinance prohibits the requisition of private property for a period of over two years.

Rouf Chowdhury claimed that their ownership of the property was accepted in the court. He said, the school is paying 560 takas a month as rent to them though they are not taking the amount which is being deposited in the national treasury.

He regretted that they were being paid at the rate of 560 takas a month while they were paying 14 to 15 hundred takas a month as rent, tax, municipal tax, etc.

He said, his octagenarian father and old mother along with a widowed sister had no house of their own in the city. So the district land revenue administration after separate consultations with the school committee and themselves divided the land into two sections. The segment with the original building was expected to be handed over to them.

On December 29 they were asked to be present during the formal transfer of the property and after some complications they were asked to take the possession of the plot on January 16.

But by that time the school management staged a sit-in with the help of the local people, students and their guardians reinforced by the support of the press and political quarters and thus successfully held their ground and the attempt by the magistrates and the law enforcing agency men failed.

Talking to Holiday, Shafiqur Rahman Chowdhury, legal adviser to the school, challenged Moshahed Chowdhury's claim that he purchased an undputed plot of land and showed that at least 11 cases were pending with the court regarding this land. He also said that no transfer of property can be made when a plot is under requisition.

Rouf Chowdhury also agreed that some cases were still pending with the court but maintained that their

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