

Educational (190/ ) Department.

ORDINARY PRINTED.

G.O., No. 199

DATED 8. 4. 01

INDEXED.



ORIGINAL

[Despatch Abstract.]

Students' hostel

Recording letter from the govt of India stating that the site in the Diploma for a ~~school~~ may be granted direct to the Students hostel Association.

The Notes  
in these Proceedings have been printed.

8/4

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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## Government {1901} of Madras. EDUCATIONAL.

*Recd.*

*Regd.*

} 1901.

*Enclosures*

*Spare copies*

ORIGINAL

G.O., No. 199, 8th April 1901.

APRIL.

Students' Hostel.

Recording letter from the Government of India stating that the site in the esplanade for a — may be granted direct to the Students' Hostel Association.

## GOVERNMENT OF MADRAS.

## EDUCATIONAL DEPARTMENT.

Read—again the following papers:—

G.O., Mis. No. 750, Educational, dated 6th November 1899.

Read—the following papers:—

From M.R.Ry. M. VIRARAGHAVA CHARIAR Avargal, B.A., Honorary Secretary, Madras Students' Hostel Committee, to the Secretary to Government, Educational Department, dated Madras, 17th October 1899.

I have the honour to forward herewith the draft conveyance deed with the plan of the site of the Raja Sir Savalai Ramaswami Mudaliyar's hostel at the Esplanade for the approval of the Government in accordance with G.O., No. 659, dated 17th October 1898.

2. The draft deed will be duly engrossed in a stamped paper and registered on the approval of the same by the Government.

Ref. No. 503, Educational.

Forwarded to the Government Solicitor with a copy of G.O., No. 659, Educational, dated 17th October 1898. The Government Solicitor is requested to examine the draft and say if it is correct and includes all the conditions specified by the Government of India in the letter read in the above Government Order.

(Signed) M. HAMMICK,

26th October 1899.

Ag. Secretary to Government.

From E. BARCLAY, Esq., Government Solicitor, to the Secretary to Government, Educational Department, dated Madras, 30th October 1899, No. 585.

I beg to acknowledge receipt of your endorsement, dated 26th instant, No. 503.

2. The first of the conditions specified by the Government of India upon which the land is to be granted for a students' hostel is that it be granted revenue free in perpetuity for the purpose in question and the property to be vested in trustees. By the draft deed sent me with your endorsement, the land does not purport to be transferred free of revenue, but this can easily be provided for by the insertion on page 2 of the necessary words.

3. The land is, according to the draft deed, granted in perpetuity and for the purposes of the Madras students' hostels, but the land is not vested in trustees for the reason that it is granted direct to the association, which is described as registered under section 26 of the Indian Companies Act, 1882. This is a distinct advantage, as, were the land vested in trustees, every time a trustee died or vacated office a fresh trustee would have to be appointed and the property would have to be transferred, so as to be vested in the trustees for the time being, whereas, being vested in a corporate body having perpetual existence, no such transfer will ever be necessary.

4. The second condition is that should the site cease to be used for the purpose for which it is granted, it shall revert to Government. This is, I think, provided for on page 3 of the draft deed, where it is provided that, whenever the association shall, in the opinion of the Secretary of State or of the Governor in Council of Fort St. George,

cease to carry on, in a satisfactory manner, the objects for which the association has been formed (which will appear by its memorandum of association) according to its original memorandum of association, it shall be lawful for the Secretary of State or any officer of the Government of Madras, duly authorized, to re-enter upon the land and the buildings thereon, and that the association shall thereupon reassign the premises to Government. This provision is, however, subject to the association being given an opportunity of explaining and rectifying any matter that may have been complained of within three calendar months. The provision for re-entry might perhaps be strengthened somewhat by providing in the deed that, upon such re-entry, the property shall belong to Government and the assignment become null and void.

5. The third condition laid down by the Government of India is that, should the property be at any time resumed by Government, the compensation payable therefor shall in no case exceed the cost or the present value, whichever shall be less, of any buildings erected or other works executed on the land by the grantees. By word "present" is, I presume, meant "then". As at present drawn, the deed goes very much further than this, for it provides (pages 4 and 5) that if the premises shall be re-entered upon, as provided in the deed, the association shall not take down or remove any buildings, fixtures, etc., then on the land, that all such buildings, fixtures, etc., shall thereupon become and remain the actual property of Government and that without any liability to pay to the association the value of any such buildings, fixtures, etc., or to make to the association any compensation for the same.

6. The fourth condition is that no additions or alterations be made to the hostel without the prior sanction of the Government of India in the Military Department. The deed does not provide for this in any way.

7. With reference to paragraph 4 of the letter from the Government of India, if part of the land asked for as a compound for the hostel cannot be granted as being within the zone to be maintained round Fort St. George, the description of the land as given in the schedule to the draft deed may require alteration, but I cannot say for certain how this is, as I do not know whether any part of the land described in the schedule is within the military zone; but, apparently, not, as the southern boundary there given is the military zone. Apparently also the land described in the schedule does not include the land between the China Bazaar Road, the Ordnance Lines, the Evening Bazaar Road and the Police Station, as the eastern boundary is said to be an open drain belonging to the Municipality of Madras instead of the Evening Bazaar Road.

8. I return the papers sent me.

Order—Mis. No. 750, Educational, dated 6th November 1899.

The draft conveyance deed will be returned to the Government Solicitor for all the necessary alterations being made in it in communication with the Madras Students' Hostels Committee and the deed re-transmitted as soon as possible. The necessary alterations are, (1) the insertion of the words "free of revenue", (2) the strengthening clause that on re-entry the property shall belong to Government and the assignment become null and void. A stipulation that no additions or alterations shall be made to the hostel without the prior sanction of the Government of India in the Military Department should also be inserted. The condition that the land should be vested in trustees need not be inserted.

2. With reference to paragraph 7 of the Government Solicitor's letter, it is observed that the land described in the schedule shows only the area to be alienated. It lies outside the military zone and excludes the area, also outside that zone, which the Government of India has promised to allow the students to use for recreation purposes.

(True Extract.)

(Signed) M. HAMMICK,

Ag. Secretary to Government.

To the Government Solicitor.

G.O., Mis. Nos. 350, 351, Educational, dated 8th August 1900.

Read—the following paper:—

From the Honorary Secretary, the Madras Students' Hostel Committee, dated 28th April 1900.

Ref. No. 210, Educational.

The draft deed is returned to the Government Solicitor with the remark that it requires amendment in the following respects.

2. While the conveyance as now drawn up duly makes provision for the contingency of the reversion of the site to the assignor or the Madras Government on the assignee's default, it does not provide for resumption of the property for military or other reasons of State. The contingency of such resumption, as distinguished from reversion, was contemplated by the Government of India, and it was stipulated that in such a case compensation, limited, as a maximum, to the cost or then existing value of any buildings erected or other works executed on the land by the grantee, should be payable to him. This condition was intended to be quite distinct from that providing for re-entry in the event of the site ceasing to be used for the purpose for which it was granted; and provision for such resumption, if ever deemed necessary, and for limiting as above stated the amount of compensation payable in such case to the assignee, must be made in the deed for execution.

3. The Government Solicitor is requested to arrange, in communication with the Solicitor of the Madras Students' Hostels, for having the necessary additions and alterations made in the draft deed, which should then be retransmitted to Government for final approval.

(Signed) H. TREMENHEERE,

3rd July 1900. Secretary to Government.

From E. BARCLAY, Esq., Government Solicitor, to the Chief Secretary to Government, dated Madras, 16th July 1900, No. 386.

With reference to your memorandum, No. 210, Educational, dated 3rd instant, I forward herewith, for your approval, engrossment of the assignment to the Madras Students' Hostels.

2. On receipt of your memorandum, I inserted in the draft assignment the proviso you will find on the last page of the engrossment and sent the draft so altered to the Solicitor of the association, Mr. King, for approval. Mr. King has had the assignment engrossed with my added proviso, which he has approved, so that, if it be approved by Government, the deed can be stamped and completed.

Endt. No. 1846, Public.

Transferred to the Educational Department.

(Signed) A. R. KNAPP,  
Under Secretary to Government.

18th July 1900.

Order—Mis. No. 350, Educational, dated 8th August 1900.

The Government of India will be addressed.

(True Extract.)

(Signed) M. HAMMICK,  
Ag. Secretary to Government.

Letter—Mis. No. 351, Educational, dated 8th August 1900, to the Secretary to the Government of India, Military Department.

In paragraph 3 of Military Department letter No. 2563 M.W., dated the 15th September 1898, the Government of India sanctioned the grant of a site in the vicinity of Fort St. George for a students' hostel to be constructed by Raja Sir Savalai Ramaswami Mudaliyar, one of the conditions on which the grant was made being that the property should be vested in trustees. This Government, however, is advised that as the grantee is an association registered under section 26 of the Indian Companies Act, 1882, it will be a distinct advantage to grant the land direct to the association; as otherwise whenever a trustee died or vacated office, a successor would have to be appointed and the property would have to be transferred. If, on the other hand, it is vested in a corporate body having perpetual existence, no such transfer will be necessary. I am to say that His Excellency the Governor in Council agrees in this view, and to request that the Government of India will be pleased to modify the condition accordingly.

(Signed) M. HAMMICK,  
Ag. Secretary to Government.

READ—also the following papers:—

From the Secretary to the Government of India, Military Department (Defences—Inland), to the Secretary to the Government of Madras, Educational Department, dated Simla, 26th September 1900, No. 3133-W.M.

I am directed to acknowledge the receipt of your letter No. 351, dated the 8th August 1900, proposing a modification of one of the conditions on which a plot of land in the vicinity of Fort St. George, Madras, has been granted for a students' hostel to be constructed by Raja Sir Savalai Ramaswami Mudaliyar, viz., that the property should be vested in trustees.

2. It is stated that as the grantee is an association registered under section 86 of the Indian Companies Act, 1882, it will be a distinct advantage to grant the land direct to the association, and it is proposed that the condition in question should be modified accordingly.

3. In reply, I am to say that, in the circumstances represented, the Government of India sanction the proposal.

Copy forwarded, for information, to the Lieutenant-General Commanding the Forces, Madras.

From E. BARCLAY, Esq., Government Solicitor, Madras, to the Secretary to Government, Educational Department, dated Madras, 10th December 1900, No. 641.

With reference to my letter, dated 16th July last, No. 386, Mr. H. C. King, the Solicitor for the Madras Students' Hostel Association, has written me requesting to be informed as to what is being done with reference to the assignment which I forwarded with my letter.

ORDER—No. 199, Educational, dated 8th April 1901.

Recorded.

(True Extract.)

C. J. WEIR,  
Ag. Secretary to Government.

End. A. F. Eccleston.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 199, EDUCATIONAL, DATED  
8TH APRIL 1901.

[SUBJECT.—*Raja Sir Savalai Ramaswami Mudaliyar's Hostel.*]

*From the Government of India, Military Department, dated Simla, 26th September  
1900, No. 3133-W.M.*

The Government of India agree to the proposal that the land granted in the esplanade for the students' hostel to be constructed by Raja Sir Savalai Ramaswami Mudaliyar should be granted direct to the association and need not be vested in trustees. The draft conveyance under cover of G.O., No. 350, Educational, dated 8th August 1900, may now be forwarded to the Honorary Secretary, Madras Students' Hostel, with the request that it may, with the correction noted in pencil, be engrossed upon the appropriate stamp paper and thereafter duly executed and registered.

P.T. THARYAN.  
12-10-00.

*Honourable Member.*

A.T. PRINGLE.  
15-10-00.

M. HAMMICK.  
15-10-00.

The Raja has again veered round and wants to build the girls' school on the site. Before engrossing the conveyance write to the Raja and say the sanction of India has been received, and ask if the conveyance of site for a students' hostel should now be executed.

A.T.A. [RUNDEL].  
17-10-00.

It is desirable to resubmit the paper for orders.

2. In accordance with the Honourable Member's note of the 17th October last, Sir S. Ramaswami Mudaliyar was written to by Mr. Hammick, but he did not reply. Mr. Hammick again wrote to him on the 25th December 1900 and 20th February 1901 and Mr. Weir on the 19th March, but equally in vain.

3. The fact is that Sir S. Ramaswami Mudaliyar does not wish to displease the Students' Hostel Association and does not wish to displease the persons who urged him to build a girls' school; and writing is perfectly vain.

Yes.

A.T.A. [RUNDEL].

4. I submit that the paper should now be simply "recorded" until one or the other party can induce the Raja to move. It is hardly dignified to send out demi-official communications from Government over and over again and to receive not a word in reply.

*Secretary.*

For orders.

*Honourable Member.*

A.T. PRINGLE.  
1-4-01.

C.J. WEIR.  
2-4-01.

The paper may be recorded as proposed.

A.T.A[RUNDEL].  
3-4-01.

A draft is placed below.

P.T.THARYAN.  
4-4-01.

A.T.PRINGLE.  
6-4-10.

[ Edl. ]  
5  
1,000-5-16-08.

# Educational (189 ) Department.

CURRENT No. 1397

*Received by  
following pt.*

*10 350-1/00 lms  
+ 100 med. 1/00*

From The Govt of India  
Military Deptt

Order

No. 3133. W. M.

Dated 26 - 9 - 00

Received

Registered } 12 - 10 - 00

Enclosures

Spare copies

## SUBJECT.

Sang the proposal to modify  
one of the conditions on which  
a plot of land has been  
granted for a Students'  
hostel to be constructed  
by Raja Sir Ramaswami Mudaliar  
et cetera.

# BACK PAPERS.

| G.O. | No.  | Department. | Date.  |
|------|------|-------------|--------|
|      | 3504 | 8. 8. 00    | mi     |
|      | 159  | 25-4-00     |        |
|      | 154  | 29-3-00     | mi     |
|      | 291  | 6-3-00      | lodged |
|      | 121  | 3-1-00      | "      |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
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750: 6-11-99 mi  
 509: 7-8-99 "  
 659: 17-10-98 91  
 430-1: 16-7-98 mi  
 193-4: 1-4-97 "  
 274: 24-2-94 " J  
 170: 21-3-95 Cops  
 205: 30-3-94 "

[ J. 52. ] 2,000-29-16-00

# Judicial (1900 ) Department,

CURRENT No. 4844 1729

From

[Name]

[Designation]

[Station]

Govt. Solicitor,  
Madras.

No.

Dated

Enclosures

Received

Registered

SUBJECT.

Stating that Mr H.C. King, Solicitor for  
 the Madras Students Hostels Association has  
 written to him requesting to be informed as to  
 what is being done with reference to the assignment  
 which he forwarded to Govt with his letter No 386  
 of 16th July 00.

BACK PAPERS.

FURTHER PAPERS.

Judicial Department.

Sir,

EDUCATIONAL DEPARTMENT.

” ” ” ” 350-1 ” 8-8- ” 1900

READ ALSO:—

" " 1729, " " Goal Solicitor, " 641, " 10 - 12 - 1900

" " ..... " " ..... " ..... " ..... 190

ORDER No. 199, dated 8 4 1907

rs. Mio

Recorded

(from orders)

BH  
 4/4/01  
 5.4.

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.

1

DATED

CURRENT

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

SPECIMENS WITH AUTO.

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13

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2/9  
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