Scott II-27—58,004—4-11-46.

E. & H. (1947) Department.

GRB
4
20/6/48

Ms SERIES. (1)

G.O. NO. 2143 Edn.

Dated 4-10-47

(36)

[Despatch Abstract.]

Hostel - The Presidency College Women Students' hostel - Payment of rent for the building "Zittorofeld" for two months - Sanctioned.

Back Papers.

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

Further Papers.

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

Inward 4 (V)/3
G.O. 1882 Edn
27-8-47

1 / E.P.H.(A)

Sub: Hostel - The Presidency ~~[illegible] of~~ College Women's hostel - Payment of rent for the building "Fallowfield" - for two months - Sanctioned.

Read: G.O. No. 1746 Edn. dated 4-8-47.

G.O. Ms. 2143 Edn. dated 4-10-47

vide para 7 on p 10 n.f.

Sanction is accorded to the payment of rent for the building "Fallowfield" Royapettah, for a period of two months from the date on which the building was vacated by the Labour Contract Society, at the rate paid by the Society, as the fair rent has yet to be fixed by the Rent Controller. This sanction is accorded pending the settlement of other issues.

2. The expenditure will be debited to the head "37. 6. Education - University. Govt. Arts Colleges - A. Arts Colleges for Men - 6. Other Contingencies - Voted."

29.9.47 29/9/47 30-9-47

6/10

To the D.P.I.
" A.G. thro. Fin.
" Pub (Gen.) C.
S/C.

செப்பனிடுபவர் பெயர் ரா.ப. சேகர்

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 1/2000

செப்பனிட்டு முடித்த நாள் 5/2000

சரிபார்க்கும் மு.ப.எ. கையொப்பம்

ஆராய்ச்சி உதவியாளர் கையொப்பம்

12/6/2000

13-6-2000

(X) Dp.t sent to Pub 18/2/48

(4) 5 E.P.H.(A) 3

Memo. No. 8226-E/48-1 Edn. dated 18-2-48.

Sub: ~~Hostel~~ - Presidency college Women Students' hostel - Rent for the building "Fallow Field" - Payment - Sanctioned - Payment of gardener's wages & electricity bills - Remarks called for.

Read: G.O. No. Ms. 2143 Edn. dated 4.10.47.
From the Collr., Madras. A6. No. 4947/47 d. 30.1.48.

(M)

pl-2 c.f. c.no. 8226

Sanction is accorded to the payment (by the D.P.I.) of rent for the building "Fallow Field", Royapettah, ~~every mo~~ at the rate of Rs 300-10-0 every month, from the date on which arrears of rent have fallen due. The expre. should be debited to the head "37. b. Edn. University - Govt. Arts colleges - A. Arts colleges for Men - 6. Other contingencies - Voted".

para 1 on pl c.f.

(Rupees three hundred and annas ten only)

vide (m)

2. A copy of the letter of the Collr. of Madras read above is forwarded to the D.P.I. and he is requested to offer his remarks ~~w.r.t.~~ on paras 3 and 4 of the letter, urgently.

7.2.48

9/2/48

Copd 23/2/48

pl-2 c.f.

To the D.P.I.
(with copy of pl-2 c.f.)
" Collr. Madras
" A.G. thro. Fin
(para 1 only)
(Cme S.P.)

19/2

3

From
D. Padmanabhan Esq., I.C.S.,
Collector of Madras,
Madras.

(3) (3) A

To
The Secretary to Government,
Education & Public Health
Department, Madras.

B

ASST. SECRETARY TO GOVERNMENT
4 - FEB 1948
EDUCATION AND PUBLIC HEALTH DEPT.
8226

Sir,

A6 No. 4947/47 dated 30th January, 1948.

Sub:- HOSTEL - Presidency College Womens' Hostel - Payment of rent
for the building 'Fallow Field' for two months.
G.O. Ms. No. 2143 dated 4-10-1947. (m)/p.17

A monthly rent of Rs. 300-10-0 was fixed for the above building an intimated to the owner and the Director of Public Instruction. I have not received yet a copy of Rent Controller's Order fixing the fair rent. The owner has filed an appeal against the Rent Controller's order and the records of the Rent Controller's Office have been filed in Court. I shall intimate in due course the rent fixed by the Chief Judge, Court of Small Causes.

2. The owner has complained that she has not been paid rent for the past six months. The Director of Public Instruction may be instructed to pay th rent at the old rate of Rs. 300-10-0 pending decision of the appeal.

Not reqd

3. The owner claimed payment of gardener's wages at Rs. 20/- p.m. from July 1947. She produced a letter No. 2950 R.S. dated 5-9-'45 from A.R.P. Reserve Officer in which the rents payable for the building and vacant land were fixed. As there was no mention in that letter, of the payment of gardener's wages by the Reserve Officer, the owner was informed that the claim would not

PTO

5/ 4

be accepted. She has again represented that the gardener was in the service of the Reserve Officer and the Amalgamated Co-operative Union (Labour Contract Society) receiving pay from them direct and that as he was in her service for over 20 years, she took up the responsibility, of retaining him and paying the wages from July 1947 as the Government did not appoint any gardener or watchman when they took over the property. She has requested that the pay of the gardener from July 1947 at Rs. 20 P.M. with allowance may be paid to her. No information is available here about the payment of gardener's wages by the Reserve Officer etc. I request orders.

4. She has also represented that the Electricity bills have not been paid for the last six months. The Director of Public Instruction may be instructed to pay the amounts atonce.

2/2/48

for COLLECTOR OF MADRAS.

CRB/2-2.

2/2/48

(W)

Dpt. sent to Pub
18/2/48

19/2

(M)

pl-2c.f. e.no.8226

(4) 5 E.P.H.(A) 3

Memo. No. 8226-E/48-1 Edn. dated 18-2-48.

Sub: ~~Hostel~~ - Presidency college Women Students' hostel - Rent for the building "Fallowfield" - Payment - Sanctioned - Payment of gardener's wages & electricity bills - Remarks called for.

Read: G.O. No. Ms. 2143 Edn. dated 4.10.47.
From the Collr., Madras. A6. No. 4947/47 d. 30.1.48.

para 1 on p1 c.f.

(Rupees three hundred and annas ten only)

(by the D.P.I.) Sanction is accorded to the payment of rent for the building "Fallowfield", Royapettah, ~~every mo~~ at the rate of Rs 300-10-0 every month, from the date on which arrears of rent have fallen due. The expr. should be debited to the head "37. b. Edn. University - Govt. Arts colleges - A. Arts colleges for Men - 6. Other contingencies - Voted".

vide (M)/1

2. A copy of the letter of the Collr. of Madras read above is forwarded to the D.P.I. and he is requested to offer his remarks ~~w.r.t.~~ on paras 3 and 4 of the letter, urgently.

Despd
23/2/48

p1-2 c.f.

To the D.P.I.
(with copy of p1-2c.f.)
" Collr. Madras
" A.G. thro. Fin
(para 1 only)
(Case S.P.)

7.2.48

9/2/48

C.F. 32.

Education DEPARTMENT.

In reply, please quote number, date and short title.*

Received ________ Registered ________

ASST. SECRETARY TO GOVT.
19 MAR 1948
EDUCATION AND PUBLIC HEALTH DEPT.

20795

From (Name) Sri D. S. Reddi, M.A. (Oxon.),

(Designation) Director of Public Instruction,

Post Box ________, (Station) Madras.

Telegraphic Address 'Instruction'.

To

The SECRETARY TO THE GOVERNMENT OF MADRAS,
EDUCATION AND PUBLIC HEALTH DEPARTMENT,
FORT ST. GEORGE, MADRAS

ROC. No. 1026-A2/48 dated 17th March 1948.

Sir,

* Buildings--'Fallow Field'--Payment of gardeners' wages and electricity bills from Provincial funds Remarks--Submitted.
Reference:-Government Memorandum No.8226-2/48-A Education dated 18..2..1948.

ENCLOSURES

SPARE COPIES
20-8-4

Take 20-6-4

I have instructed the Principal, Presidency College, Madras to draw and disburse the rent payable for the building "Fallow Field" from 20.6.1947.

2. As regards the payment of gardeners' wages and electricity bills from Provincial funds, I submit the following remarks:-

(i) Gardener's wages:- The building "Fallow Field" was allotted to this department in June 1947 for accommodating the Presidency College Women students' hostel, but it has not been so far taken possession of by the Principal for the reason that it is not in a fit condition for occupation. Even if the building had been formally taken over from the owner, it could not be used for the hostel and the employment of a servant to guard the vacant premises would have, therefore been necessary. As Government are now deemed to be the tenant of the building and are paying the rent from 20.6.1947 without actually occupying it, the owner's claim that the gardener's wages and electricity bills, which would be paid from Provincial funds if the building had been taken over by the Principal, should be met by Government appears to be reasonable. The gardener is reported to be a full-time servant on Rs. 35/- a month residing in the premises of the building. Being an unskilled menial, he is not eligible for more than Rs. 31/- (Rs. 15/- pay plus Rs. 16/- as Dearness allowance) a month upto 31.12.1947 and Rs. 33/- a month (Rs. 15/- plus Rs. 18/-) from 1.1.1948. In the circumstances, I request that Government may permit the payment of the servants' wages from Provincial funds at the above rates from 20..6..1947 till the building is given up.

(ii) Electricity Bills:- The owner reports that the electricity bills from June 1947 to January 1948 amount to Rs. 15/- and that all the bills paid by her are not available.

P.T.O.

8

The gardener's wages and the Electricity bills paid by the owner upto 29.2.1948 will be drawn and disbursed to her on receipt of Government orders. In future these charges will be paid direct by the Principal, Presidency College to the parties concerned until the building is vacated.

3. In this connection, I invite the attention of Government to my letter R.C.1926-A2/46 dated 11.9.1947 recommending that "Fallow Field" be given up, and request the early orders of Government in the matter. The retention of this building by Government without occupation entails an expenditure of about Rs.340/- a month by way of rent and other charges.

4. I request the orders of Government on this letter at an early date.

P. M

FOR DIRECTOR OF PUBLIC INSTRUCTION.

ts.18.3.

3/18/3.

E.P.A.(A)

⑧ 5A 6

Please see the notes of Public on page 2 ante. The papers may now be added to G.O. No. 2143 Edn. dated 4-10-47. (Public will be reminded again, if necessary, in the linked file, to which the necessary extracts from this file will be added.)

3.3.48

3/3/48

OSM
4/3/48

Memo. 6336/47

extracts taken & added

20795/48

H 8
24/3

9

(A) (b)

Edn and P. H. Dept

Telephone Message by Post d. 23.3.48

From
Mr Secy to Govt, Edn and P. H. Dept

To Mr D. P. I.

Hostel - Fallow Field - Payment of gardener's wages and Electricity bills.

Ref D. P. I's letter No: 1026-A2/48 d 17.3.48.

Please say why any electricity bill has to be paid when the Govt. had not actually occupied the building. Even granting that the meter rent has to be paid the sum of Rs 15/- seems to be excessive.

Dpd
30/3/48

27/3/48

(8) A (7) 11

Office of the
Director of Public Instruction,
Madras.

RC.3120/A/48

Post copy of telephonic message dated the 7th April 1948.

***

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education and Public Health Department,
Fort St.George, Madras.

ASST. SECRETARY TO GOVERNMENT
6 - APR 1948
EDUCATION AND PUBLIC HEALTH DEPT.

25791

SUB:- Hostel - "Fallow Field" - Payment of Gardener's wages and electricity bills.

REF:- Government Telephonic Message (by post) dated the 23rd March 1948.

The Gardener is reported to be residing with his family in the compound of the building "Fallow Field". He may, perhaps, be using one or two electric lights. Further, one or two lights may have to be put on every day/atleast a few hours even though the building is unoccupied. Some consumption of Electric Current is therefore unavoidable. The sum of Rs.15/- towards meter rent and current charges for a period of about 8 months (June 1947 to January 1948) appears to be reasonable. Government as the tenant of the building, have to pay the electricity bills.

for/

for Director of Public Instruction.

KAN.

3/7/4.

13 (8) (9)

E.P.H.-(A)

Memo. No. 20795-2/48 A Edn dated 15-5-48.

Sub: Hostel - Presidency College Women Students' hostel - "Fallowfield" - gardener's wages and electricity bills - Payment - Sanctioned.

c.no.8226 From the Collr., Madras A6. No. 4947/47 d. 30-1-48
Memo. No. 8226-2/48 A Edn. d. 18-2-48.

c.no.20795 From the D.P.I. No. 1026-A2/48 d. 17-3-48.

Sanction is accorded to the payment from Provl. funds of the wages to the gardener employed in the building "Fallowfield" at a rate of Rs 31/- (Rupees thirtyone only) per month from 20-6-47 upto 31-12-47 ~~and Rs.~~ at a rate of Rs 33/- (Rupees thirty three only) per month from 1-1-48, ~~till the building is given up~~ ~~and the~~ payment of electricity bills amounting to Rs 157/- ~~for the period~~ from June 1947 to Jan. 1948, and thereafter as and when they fall due, till the building is given up.

DM 17/4/48

9-4-48

15/4/48

P.T.O.

2/5/5

Sent to Collr. Madras

27-5-48

Spl. copy to the Collr. item as there is no sign

20/5

To the D.P.I.
" A.G. thro. Fin.
" Collr., Madras.

S/C.

14

Public

Note: Finance u.o. for acceptance. (~~The papers up to~~ ~~[illegible], please see p. 7-11~~)

9-4-48

17/4/48

Public
Finance
Public (General) B Dept.

E. P.A. u.o. 20795-1/48A
dated 19-4-4

Assistant Secretary to Govt.
20 APR 1948
1353
Chief Secretariat

21/4/48

May be forwarded and the file passed on to Finance.

28/4/48.

NS
23/4/48

ABL
28-4-48

Finance (Expr)

Public (Genl. i)
1353/48-1
28-4-48

Assistant Secretary to Government
33378
20 APR 1948
Expr
Finance Department

Please see the letter from the D.P.I. on pp 1-2 CF with ref to the memo on p 5 CF of G.O. 2143 Edn dated 4-10.47. In para 3 of his letter on pp 3-4 CF of the above G.O. the Collector of Madras has reported that no information was available about the payment of the gardener's wages by the Reserve officers etc., who were the previous occupants of the building, but that the owner of the building has stated ~~[illegible]~~ that the gardener was receiving pay from them direct. For the reasons given in para 2 on pp 1-2 CF, the D.P.I recommends that both the gardener's wages as well as the electricity bill may be paid by the Govt. Please see also the telephonic correspondence on pp 3-5 CF. In the circumstances, Finance may agree to the D.P.I's proposals at A on p 2 CF, subject to the ~~following~~ remarks that the gardener shall not be allowed to use electric lights hereafter. ~~and the supply of electricity may be temporarily cut off, if it is possible~~ permissible. E&P.H may be requested to suitably modify the draft memo on p. 1 above accordingly.

Expr

p. 4 CF. of Y

p. 2 CF. of Y

Y

(10)

(9)

15

3

R
7-5-48

× The charges work out to Rs 2 p.m. Even if the lights are not used meter hire rent will have to be paid.)

1 P 1567

3. E&P.H. may also be requested to expedite the decision on the question referred to in para 3 of the D.P.I's letter on p. 2 CF ~~as already indicated by this~~ vide the note of this Deptt.

R
7-5-48

16

A

at A on p. 8 ~~n.f.~~ of G.O. at (Y).

M.
5.5.48

~~V.K.~~
~~10.5.48~~

(B)
7.5.48

~~A.S.~~/~~D.S.~~
8.5.48

E.P.H. (A)

E.P.H. A
10/6/48

Thro' Endst.

ASST. SECRETARY TO GOVERNMENT
12 MAY 1948
34984
EDUCATION AND PUBLIC HEALTH DEPT.

The notes of Finance on p 2-4 above may be perused. The building "Fallow field" in question has since been given up. No modification to the draft on plante is necessary. It may be issued.

Fins. 33378 Edn.(?)
10.5.48

13.5.48

13/5/48

14/5/48

A ⑪ ⑩ Spl. 17

C.F. 32.

In reply, please quote number, date and short title.

EDUCATION DEPARTMENT.

Received ________ Registered ________

From (Name) SRI D.S. REDDI M.A., (OXON).,
(Designation) DIRECTOR OF PUBLIC INSTRUCTION,
Post Box ________, (Station) MADRAS.
Telegraphic Address ________

45208

ASST. SECRETARY TO GOVERNMENT
21 JUN 1948
EDUCATION AND PUBLIC HEALTH DEPT.

To

The SECRETARY TO GOVERNMENT,
Education and Public Health Department, MADRAS.

ROC.No. 120-A2/48, dated 17th June 1948.

Sir,

Sub: RENT - "Fallow Field" No.42 Peters Road, Royapettah - Fixation of fair rent - Application for.

REF: Government Memorandum No. 8226-2/48-A Edn., dated 18th February 1948.

=========

Enclosures ________

Spare Copies ________

G.O. 2143 Edn.
4-10-47

(B)

× (A)

(G.O. not available)

In their memorandum cited above, Government sanctioned the payment of a rent of Rs.300/10/- a month for the premises building "Fallow field" [illegible] to this Department for accommodating the Women students' hostel of the Presidency College, Madras. The building was not made use of for the purpose as it was not fit for occupation. The owner of the building has filed an application before the Rent Controller for fixation of fair rent under section 4 of the Madras Buildings (Lease and Rent) Control Act 1946. The summons received from the Rent Controller and a copy of the owner's application are submitted herewith for reference and return. In the circumstances I request the orders of Government as to whether the application for fixation of a fair rent of Rs.450/15/0 for the building should be opposed in view of the fact that the building was not fit for occupation; if so, I shall place the matter in the hands of the Government Solicitor.

PTO

18

= 2 =

As the application is to come up for hearing on 2-7-48 I request the urgent orders of Government on this ~~x~~ letter.

for Director of Public Instruction.

Ram.18/6/48. B 18/6.

Issue today by special messenger

(12) (11)

Edn and P H Dept

By 30/6/48 Memo No 40405 - 1A - Edn 30.6.48

Rent. Fallow Field. No: 42. Peters Road, Royapetta - Fixation of rent

Ref letter from the D.P.I. No: 120A2/48 dt 17.6.48.

[illegible]

The D.P.I is informed that he may ask the Govt Solicitor to appear [illegible]

[illegible]

In this connection the Director is informed that the building in question was under requisition when it was allotted to the Edn dept for use as a hostel, ~~and~~ that the provisions of the Madras Buildings (Lease and Rent Control) Act, 1946, will not apply to requisitioned buildings and as such no application lies to the Rent Controller for fixation of fair rent under section 4 of the Act in the present case. It is also understood that the Govt Solicitor once appeared before the Rent Controller in connection with an application for fixation of fair rent filed by Miss Janaki, one of the daughters of the owner Sri [illegible] and that the case was dismissed by the 1st Addl Rent Controller in his order dt the 31st March 1948. The Director is requested to bring these facts to the notice of the Govt Solicitor ~~[illegible]~~

Desp 30/6

To the D.P.I

Copy to the Govt. Solicitor

29/6/48

30/6/48

(13) (12) 2

From

Leslie D.Miller Esq.,
Acting Government Solicitor,
Madras.

To

The Director of Public
Instruction,
Madras.

- -

ASST. SECRETARY TO GOVERNMENT
17 JUL 1948
EDUCATION AND PUBLIC HEALTH DEPT.

C.2143

53195

No. 2026 Dated 15th July 1948.

Sir,

H.R.C. No. [illegible]3 of 1948 - Petition by M.A.Srirangammal - Fixing of fair rent for premises NO."Follow Field", No.42 Peter's Road, Royapettah, Madras.

I an in receipt of your letter of the 6th instant with its enclosures.

When the above application came up for hearing yesterday before the Additional Rent Controller I filed a memo. of appearance on behalf of Government and represented to the Controller that Miss Janaki has filed an appeal before the Chief Judge of the Court of Small Causes against the order dated 31st March 1948 passed by the Rent Controller who dismissed the application on the ground that she was not entitled to maintain the petition as her mother is the owner of the premises in question. The Controller has adjourned it to the 14th proximo before which date the said appeal is expected to be disposed of.

The relevant file of papers had been ~~are~~ returned to the Director of Resettlement and Employment with my letter to him of the 22nd April last. I have sent two letters requesting him to return the

same

22

to me as they are now required in connection with the above matter. Please therefore obtain the ~~same~~ documents from him and send on to me on or before the 7th proximo.

Mr.Mahalingham who called at my office yesterday may be directed to call at my office on the 9th proximo at 3 p.m. to enable me to take instructions from him for filing a written statement.

Yours faithfully,

Sd Leslie D Miller

Acting Government Solicitor.

EK/CJ.

2027 Copies for information to :1. The Secretary to the Government of Madras,
Education & Public Health Department,
Fort St.George, Madras, with reference to his memo.No.4805-A.Edn. dated 30th June 1948.

2028 2. The Director of Resettlement & Employment, 42 Peters Road, Royapettah, Madras.

---

(14) (13) 23

From

Leslie D,Miller Esq.,
Acting Government Solicitor,
Madras.

To

The Deputy Secretary to the Government of Madras,
Public (Resettlement) Department,
Fort St.George, Madras.

17 JUL 1948

No. 2030. Dated 15th July 1948.

Sir,

53196

HRA Appeal No.839 of 1948 - Amalgamated Labour Contract Society for Ex-servicemen - Rent for premises No.42 Peter's Road, Royapettah, Madras - H.R.A.No.579 of 1947 against order in L.Dis.1967/HRC/1947-M.A.Janaki vs. Amalgamated Labour Contract Society for Ex-Servicemen and Government.

I have been served with a notice from the Office of the Chief Judge of the Court of Small Causes in Appeal No.HRA.839 of 1948 filed by Miss M.A.Janaki against the order dated 31st March 1948 passed by the first Additional Rent Controller dismissing the application filed by her on the ground that she was not entitled to maintain the same as her mother was the owner of the premises. This ~~application~~ appeal came up for hearing yesterday and I entered appearance on behalf of Government and the learned Judge has adjourned it to the 14th proximo after which date I shall advert to the matter.

Yours faithfully,

Sd Leslie D. Miller

Acting Government Solicitor.

EK/CJ.

p.t.o.

12

2031. Copy for information to the Secretary to the Government of Madras,
Education & Public Health Department,
Fort St. George, Madras.

ED304 (A)

No action is called for on the letters on pp 1-3 ante. May be ~~lodged.~~ filed.

ES
7/8/48

7/8/48

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(15) (14)

From

Leslie D. Miller Esq.,
Ag. Government Solicitor,
Madras.

To

The Deputy Secretary to the
Government of Madras,
Public (Resettlement) Department,
Fort St. George, Madras.

- -

7 AUG 1948

No. 2243. Dated 4th August 1948.

Sir,

59114

HRA Appeal No. 809 (not 839)-Amalgamated Labour Contract
Society for Ex-servicement- Rent for premises No.42
Peter's Road, Royapettah, Madras- H.R.A. No. 579 of 1947
against order in L.Dis. 1967/HRC/1947-M.A. Janaki vs.
Amalgamated Labour Contract Society for Ex-servicement
and Government.

In continuation of my letter No. 2030 of the 15th ultimo when the above appeal came on for hearing today before the Chief Judge of the Court of Small Causes, the learned Judge at the request of the advocate for the appellant adjourned it to the 25th instant after which date I shall advert to the matter.

Yours faithfully,

Sd Leslie D. Miller.

Ag. Government Solicitor.

EK/CJ.

2244. Copy for information to the Secretary to the Government of Madras,
Education & Public Health Department,
Fort St. George, Madras.

26

E.P.H.(A)

~~Lodged~~ Filed.

11.8.48

11/8/48

From

Leslie D. Miller Esq.,
Ag. Government Solicitor,
Madras.

To (16) The Director of Public
Instruction,
Madras.

(18)

27

No. 2386. Dated 16th August 1948.

Sir,

HRC 2563/48 petition by M.A.Srirangammal - Fixing of fair rent for the premises "Fallow field" - No.42 Peter's Road, Royapettah, Madras.

In continuation of my letter No.2026 of the 16th ultimo the above application has been adjourned to the 11th proximo for hearing.

EK/CJ.

ASST. SECRETARY TO GOVERNMENT
61778
18 AUG 1948
EDUCATION AND PUBLIC HEALTH DEPT.

Yours faithfully,

Ag. Government Solicitor.

2387. Copies for information to: 1. The Secretary to the Government of Madras, Educational & Public Health Department, Fort St.George, Madras.

2388. 2. The Director of Resettelemtn & Employment, 42 Peter's Road, Royapettah, Madras.

E.P.H.(A)

May be filed with @.

20.8.48

23/8/48

KA 13 16 29

From

Leslie D.Miller Esq.,
Ag. Government Solicitor,
Madras.

To 13

The Deputy Secretary to the
Government of Madras,
Public (Resettlement)Department,
Fort St.George, Madras.

- -

64014

7 AUG 1948

No.2479. Dated 25th August 1948.

Sir,

HRA Appeal No.809 (not 839)-Amalgamated Labour Contract Society for Ex-Servicemen-Rent for premises No.42 Peter's Road-Royapettah,Madras - HRA No.579 of 1947 against order in L.Dis.1967/HRC/1947-M.A.Janaki vs.Amalgamated Labour Contract Society for Ex-servicemen and Government.

The above appeal has been adjourned to the 28th proximo for hearing after which date I shall advert to the matter.

EK/CJ.

Yours faithfully,

E. Krishnamurthy

For Ag. Government Solicitor.

2480 Copy for information to the Secretary to the Government of Madras,
Education & Public Health Department,
Fort St.George, Madras.

E.P.H.(A)

May be filed.

30-8-48

DM
3/9

(18) To (17) 31 E.P.H.(A)

May be filed
6
17-9-48

From

Leslie D.Miller Esq.,
Ag.Government Solicitor,
Madras.

The Director of Public Instruction,
Madras.

ASST. SECRETARY TO GOVERNMENT
16 SEP 1948
EDUCATION AND PUBLIC HEALTH DEPT.

No.2683. Dated 13th September 1948.

Sir,

68962

HRC 2563/48 Petition by M.A.Srirangammal - Fixing of fair rent for the premises "Fallow field" - No.42 Peter's Road, Royapettah, Madras.

In continuation of my letter No.2386 of the 16th ultimo the above application has been adjourned to the 9th proximo after which date I shall advert to the matter.

EK/CJ.

Yours faithfully,

sd Leslie D. Miller
Ag. Government Solicitor.

2684. Copies for information to
1. The Secretary to the Government of Madras, Educational & Public Health Department, Fort St.George, Madras.
2685. 2. The Director of Resettlement & Employment, 42 Peter's Road, Royapettah Madras.

(19) A (18) G.O. 2143 Edn 4-10-47

33

From

Leslie D. Miller Esq.,
Ag. Government Solicitor,
Madras.

To

The Deputy Secretary to the
Government of Madras,
Public(Resettlement) Department,
Fort St. George, Madras.

ASST. SECRETARY TO GOVERNMENT
4 OCT 1948
EDUCATION AND PUBLIC HEALTH DEPT.

No. 2892. Dated 29th September 1948.

73278

HRA Appeal No.809 - Amalgamated Labour Contract Society for Ex-Servicemen - Rent for premises No.42 Peter's Road - Royapettah, Madras - HRA No.579 of 1947 against order in L.Dis.1967/HRC/1947 - M.A.Janaki vs. Amalgamated Labour Contract Society for Ex-servicemen and Government.

(8) 29-9

In continuation of my letter No.2479 of the 25th ultimo the above appeal was not taken up for hearing yesterday due to pressure of work and has been adjourned to the 28th proximo, after which date I shall advert to the matter.

EK/CJ.

Yours faithfully,

Sd Leslie D Miller

Ag. Government Solicitor.

2893. Copy for information to

The Secretary to the Government of Madras,
Education & Public Health Department,
Fort St. George, Madras.

2/36

E.P.H.(A)

May be filed with the papers at (d).

6
5-10-48

5/10/48

6/10/48

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(20)

A (19)

35

From

H.M. Small Esq., O.B.E.
M.A., LL.B.,
Government Solicitor,
Madras.

To

The Deputy Secretary to the
Government of Madras,
Public (Resettlement) Department,
Fort St.George, Madras.

ASST. SECRETARY TO GOVT.
NOV 1948
EDUCATION AND PUBLIC H

No. 3257. Dated 28th October 1948.

Sir,

HRA Appeal No.809 of 48 - Amalgamated Labour Contract Society for Ex-Sercicemen-Rent for premises No.42 Peter's Road, Royapettah, Madras- HRA No.579/47-against order in L.Dis. 1967/HRC/47-M.A.Janakivs. Amalgamated Labour Contract Society for Ex.serwicemen and Government.

80881

In continuation of my letter No.2892 of the 29th ultimo the above appeal was heard today by the Chief Judge of the Court of Small Causes, and the learned Judge has reserved orders. I shall advert to the matter as soon as ~~xxxxxxx~~ orders are pronounced.

Yours faithfully,

EK/CJ.

H.M. Small

Government Solicitor.

3258. Copy for information to the Secretary to the Government of Madras, Education & Public Health Department, Fort St. George, Madras.

E.P.H.(A)

May be added to the papers at (E).

6
2-11-48

2/11/48

3/11/48

(20) 37

ASST. SECRETARY TO GOVERNMENT, EDUCATION AND PUBLIC HEALTH DEPT.
5 NOV 1948

From
H.M.Small Esq., O.B.E.,
M.A., LL.B.,
Government Solicitor,
Madras.

To
The Deputy Secretary to the
Government of Madras,
Public (Resettlement) Department,
Fort St. George, Madras.

No. [illegible] Dated 4th November 1948.

Sir,

81623

HRA Appeal No.309/48 Amalgamated Labour Contract Society for Ex.servicemen-Rent for premises No.42 Peter's Road, Royapettah, Madras-HRA No.579/47-against order in L.Dis. 1967/HRC/47-M.A.Janaki vs. Amalgamated Labour Contract Society for Ex.servicemen and Government.

In continuation of my letter No.3257 of the 28th ultimo the Chief Judge of the Court of Small Causes passed orders today dismissing the appeal filed by Miss.M.A.Janaki, daughter of the landlady Mrs.Srirangammal, on the ground that she was not entitled to file the petition before the Rent Controller for fixing a fair rent of the premises, as she was not the agent of the landlady. The learned Judge has however, held in his order that the rent of Rs.312-8-0 per mensem fixed by the Rent Controller in his order dated 31st March 1948 is a fair one for the premises.

I shall apply to the court for a certified copy of the order and shall send it to you as soon as I am in receipt thereof.

EK/CJ.

E.P.H.(R)

Yours faithfully,

H. M. Small

Government Solicitor.

May be filed.
5-11-48
5/11/48
6/11/48

p.t.o.

3320. Copies for information to the Secretary to the Government of Madras, Education & Public Health Department, Fort St. George, Madras.

3321. The Director of Public Instruction, Madras.

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(22) A (21)

Education Department.

From

The Director of Public Instruction,
Madras.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, Madras.

93113

R.C.No.120-A2/48 dated 8th December, 1948.

ASST. SECRETARY TO GOVERNMENT
12 DEC 1948
EDUCATION AND PUBLIC HEALTH DEPT.

SIR,

BUILDINGS--"Fallow Field" No.42 Peters Road, Royapettah--Fixation of rent.

Reference:-Government Memorandum No.48405-1A Education dated 30.6.1948. (E) 19

As ordered in the above Government Memorandum the Government Solicitor opposed the application of the owner demanding higher rent for the building "Fallow-Field". The Rent Controller, after hearing both the parties, has fixed a fair rent of Rs.312-8-0 per mensem to the building in his proceedings L.Dis.No.2563/HRC/48 dated 12.11.1948 (Copy enclosed). I therefore request the sanction of Government for the payment of rent at Rs.312-8-0 as fixed by the Rent Controller.

below

Yours faithfully,

For Director of Public Instruction.

ks.9.12.

11/XII

ENCLOSURE.

Proceedings of the Rent Controller, Madras.

Present:- Janab H. Mohideen Batcha Sahib Bahadur

L.Dis.No.2563/HRC/48. Dated 12th November 1948

MADRAS BUILDINGS (Lease and Rent Control) Act 1946-Fixation of fair-rent -- Premises known as "Fallow-Field" Peters Road, Royapettah, Madras.

M.A. Srirangammal .. PETITIONER

Vs.

1. The Government of Madras.
2. The Secretary of the Amalgamated Co-Operative Labour Central Society for Ex-Servicemen
3. The Director of Public Instruction.

.. RESPONDENTS.

Order:-

This is a landlady's application for fixation of fair-rent. The Government Solicitor contends that this petition is not maintainable under the Madras Buildings

240

: 2 :

(Lease and Rent Control) Act 1946, as the building was requisitioned by the Government, under the Defence of India Rules for their use and that the owner is entitled only to such compensation or rent as is fixed by the agreement entered into by him or as is allowed by the award of the arbitrator and that the owner is not entitled to anything more. The Government have held in G.O.No.Ms.1206-Dated 24.4.1947(Public-General-C) Department that when owners of requisitioned buildings apply for increase in rent, such cases should be treated on an analogy of those coming under the Madras Buildings (Lease and Rent Control) Act 1946 and such increase in rent as is considered fair should be allowed. This petition is therefore maintainable.

not [illegible]

There was a previous petition(HRC.1967/47)for fixation of fair-rent in respect of the suit premises. The Rent Controller fixed Rs. 312-8-0 as the fair-rent but dismissed the petition on the ground that the petition was not filed by the real owner. The present petition has been filed by M. A. Srirangammal the real owner. The Government Solicitor has no objection to the fixation of Rs. 312-8-0 as the fair rent. I therefore fix the fair rent of the premises at Rs. 312-8-0 per month with effect from 1.10.1946.

sd. H. MOHIDEEN BATCHA
Rent Controller,
19.11.1948.

To the Parties
Copy to the Commissioner, Corporation of Madras, Madras.

/True copy/.

For Director of Public Instruction.

11/xii

---

(23) (22) E.P.H. (A)

Memo. No. 93113-1/48 A Edn dated 20-12-48.

Sub: "Fallow Field" – Payment of rent at the rate fixed by the Rent Controller from the D.P.I. No. 120-A2/48 d. 8-12-48

C. no. 93113

The D.P.I. is requested to report the period ~~for~~ which rent has to be paid by the ~~Govt~~ Edn. Dept. at the rate of Rs 312-8-0 fixed by the Rent Controller for the building "Fallow Field", Royapettah

14-12-48

18/12/48

15/12/48

10/12

22/12

To the D.P.I.

766 A 23

ASST. SECRETARY TO GOVERNMENT
0 - JAN 1949
AND PUBLIC HEALTH DEPT.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, Madras.
RC 120 A2/48 dated 30-12-48

Sub: Fallow field - payment of rent at the rate fixed by the rent controller

Ref: Government Memorandum No, 93113-1/48 A Education dated 20-12-48 p3 ante

Rent has to be paid for the building "Fallow Field" for the period from 20-6-47 to 10-5-48 (both days inclusive)

For Director of Public Instruction

To
The Secretary to Government,
Education and Public Health Department
Madras.

MSR 3/1

Extract of letter No.A.5.4947/47, dated 31-12-1948 from the Collector of Madras to the Secy. to Govt., Revenue Dept.

Buildings - 'Fallow Field' - Madras - Requisitioned and released - Payment of enhanced rent - Orders - Solicited.

...

xx xx xx

3. In this connection, I solicit attention to para. 2 of my letter dated 8 .9.1948 in which I requested sanction of Government for payment of rent for 16 days from 4-6-47 to 19-6-47 (both days inclusive) when the building was vacant for allotment to the Education Department. I solicit orders of Government for payment of rent for the above period at Rs.312-8-0.

Copy of letter A.6.4947/47, dated 8-9-1948 from the Collector of Madras to the Government.

..

BUILDINGS - "Fallow Field" - Requisitioned and released - Payment of rent - Orders solicited.

...

Ref: Govt. Memo.No.41542-K/48-3, dated 12-8-1948 (Revenue Department).

In their memo. cited above, the Government considered that a month's extra rent in lieu of notice of release is equitable in this case. I request to be informed of the head of expenditure to which the amount is to be debited.

2. The above building was vacated by the Labour Contract Society on 4-6-47 and was occupied by the Education Department from 20-6-47. Rent for the vacant period i.e. from 4-6-47 to 19-6-47 (inclusive) has to be paid to the owner at the rate of Rs.300-10-0 p.m. I solicit Government's sanction for this expenditure. The head of debit may also be intimated to me.

****

(20) (28) 47/E.P.4.(A)

2/22/2

Memo. No. 93113-4/48A Edn. dated 21-1-49.

Sub: Hostel - The Presidency College Women Students' hostel - Payment of rent for Fallowfield at the revised rate - Sanctioned.

pl & 50 f.

From the D.P.I. No. 120A2/48 dd: 8-12-48 & 30-12-48

Sanction is accorded to the payment of rent for the building "Fallowfield" at the rate of Rs 312-8-0 p.m. for the period from ~~26~~ 4-6-47 to 10-5-48 (both days inclusive).

MB 22/12

To the D.P.I. [illegible]

To 6-1-49 7/1/49.

DMU 8/1/49

ADDITIONAL ASSISTANT SECRETARY TO GOVERNMENT
10 JAN 1949
PUBLIC DEPART

Note: Public (Genl.) and Fin. may see for acceptance of draft.

To 6-1-49 7/1/49.

DMU 8/1/49

Public
Fin

E.P.H. u.o. 93113-2/48A dated 8-1-49

4:48

A

ER

Public (General-C) Department.

Please see the draft order overleaf. The Collector has stated in para 2 of his letter at pp.121-122 c.f. in the top file that ~~xxx~~ rent has to be paid by the Education Department at Rs.312/8/- from 4-6-47. An extract of this letter and a copy of the Collector's letter referred to therein is put up at (M). Reference in this connection is invited to para 1 of the G.O. No.2143 Education, dated 4-10-47. In this order payment of rent has been sanctioned for 2 months from the date on which the Labour Contract Society vacated the building (i.e., 2 months from 4.6.47). The expenditure was ordered to be debited to "37. Education". In the ~~Mxxxx~~ draft order overleaf payment of rent is proposed to be sanctioned from 20-6-47 to 10-5-48. Perhaps sanction may now be made ~~from [illegible] to 10.5.48~~ ~~It appears that the period 4-6-47 to [illegible] [illegible]~~ to cover the period of 16 days from the 4th to the 19th [illegible] also at the enhanced rate ~~[illegible]~~. E.&PH may be requested to revise the order suitably.

c.No. dis [illegible] 24/12/47

H.C.F. (E)

26/1/49.

29.1.49

E&PH(A)

27/1/49 Draft has been modified. It may be issued after perusal by Finance.

4.2.49

8/2/49.

11/2/49 Fin.

E.P.H. u.o. 9113-3/48A dated 11-2-49

ASSISTANT SECRETARY TO GOVERNMENT FINANCE DEPARTMENT 11 FEB 1949 9113 Exp

ASST. SECRETARY TO GOVERNMENT EDUCATION 6873 01 JAN 1949

27

A'

26

49

Fin (Expc)

The draft order on p 1 above may be accepted.

19.2.49

E&P.H

17.2.49

18.2.49

EPH

Fin no 9113 Expc-1 19.2.49

ASST. SECRETARY TO GOVERNMENT EDUCATION AND P.H. 19 FEB

13009

A/ (27)

RC. 120-A2/48.

Office of the
Director of Public Instruction,
Madras, dated 1st February 1949.

FROM

THE DIRECTOR OF PUBLIC INSTRUCTION,
MADRAS.

TO

THE SECRETARY TO GOVERNMENT,
EDUCATION AND PUBLIC HEALTH DEPARTMENT,
FORT ST. GEORGE, MADRAS.

7659

ASST. SECRETARY TO GOVERNMENT
3 FEB 1949
EDUCATION AND PUB...

SIR,

Sub: RENT - "Fallow Field" - Fixation of- Payment of Pleader's fees.
Ref: Govt. Memo. No. 48405-1 A. Education dated 30/6/48.

E/19 ind 7 below

@£@

In enclosing herewith a copy of the note from the Government Solicitor, Madras for fees due to him for opposing the application filed by the owner of the building "Fallow Field" before the Rent Controller for fixation of fair rent for his building, I have the honour to request that Government may be pleased to sanction the fees at an early date. The Government Solicitor was asked to oppose the application with reference to the instructions contained in the Government memo. cited above.

Yours faithfully,

for Director of Public Instruction.

Copy of letter No.281 dated 20th January 1949 of the Government Solicitor, Madras.

--

re. Premises No. 42 Peters Road, Royapetta, Madras-Application No. 2563 of 1948 before the Madras House Rent Controller-M.A. Srirangammal vs. The Government of Madras and others.

I enclose a note of my fee in the above matter amounting to Rs.90-4-0 and shall be pleased to receive payment at an early date.

Before the Madras House
Rent Controller.

Application No. 2562 of 1948:

M.A. Srirangammal ... Petitioner.
vs.
1. The Government of Madras.
2. The Secretary of the Amalgamated Labourt Contract Society for ex-servicemen,
and
3. The Director of Public Instruction, Madras. .. Respondents.

PTO

1948	Rule Nos.			Rs.	As.
July 2	22	(1)	Instructions to appear before the Rent Controller to oppose the petition.	10	0
14	3	(2)	Attending Court when petition in list for hearing but adjourned	3	8
Aug.14	3.	(3)	Attending court when petition in list for hearing but adjoured.	3	8
Sep.11	3	(4)	Attending court when petition in list for hearing but adjourned.	3	8
15	3	(5)	Attending court when petition in list for hearing but adjourned.	3	8
Nov.11	32(b)	(6)	Perusing and considering papers and looking up Act and authorities in preparation for hearing of the application.	35	0
	6 A	(7)	Attending court when application called heard and order passed fixing fair rent.	30	0
	43	(8)	Perusing and considering copy of order.	1	4
			Rs.	90	4

(RUPEES NINETY AND ANNAS FOUR ONLY)

(TRUE COPY)

P. M

kn.2/2/-

for Director of Public Instruction.

3/2/

Memo. No. 7659-2/49 A Edn dated 19-2-49.

Sub: Rent - "Fallowfield", Royapettah - Fixation of - Pleader's fees - Payment - Sanctioned.

Read: Memo. No. 48405-1A Edn. d. 30.6.48.
from the D.P.I. No 120 A2/48 d. 1.2.49.

C.no.7659

pl - 2 c.f.

The Govt. Sanction the payment of Rs 90-4-0 (Rupees ninety and Annas four only) to the Govt. Solicitor, Madras, towards his fees for opposing the application filed by the owner of the building "Fallowfield", Royapettah, before the Rent controller, Madras, for the fixation of fair rent for the building.

2. The expr. will be debited to "27. B. Administration of Justice - Law Officers - c. Allowances and Honoraria -

P.T.O.

-Voted

Honoraria (Fees to Govt. Pleaders.)

6
10.2.49 10/2/49

11/2(6)

Note: Home and Finance may see.

6
10.2.49 10/2/49

11/2(4)

To
The D.R.G.
A.G. thro. Fin.

12122
12 FEB 1949
HOME DEPARTMENT

12-2-49

E.P.H. u.o. 7659-1/49 A
dated 11.2.4

Home Dept.

The case deals with the payment of fees to Govt. Solicitor, Madras for his work in Appln. No. 2562 of 1948 before the Rent Controller, Madras. The fee of Rs. 90-4-0 claimed by him [illegible] with the lower scale of fees fixed in G.O. MS. No. 1391, Home, d. 18/4/48 for all items of work on p. 2 cf except item (6) for which he has

H 1-2 cf

(not p. 1-2)

[F.1.12122/49]

(30) Pen (28)

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.

claimed a lower amount of [illegible]. The fee claimed may, therefore, be sanctioned to him. The draft order on pp. 1-2 ante may be accepted subject to the alteration made to it in pencil and the case passed on to Fin.

12/2/49

14.2.49

Fin (Pen)

The draft, as slightly amended by Home, may be accepted.

15-2-49

OR
16.2.49

16/2

Home u.o. no 12122 F/49-1

ASSISTANT SECRETARY TO GOVERNMENT
9650
14 FEB 1949
FINANCE DEPARTMENT

Fin u.o. 9650 Pen-1
16.2.49

Assistant Secy. Edn.

Edn & P.H. Dept.

13364
18 FEB 1949
HOME DEPARTMENT

16-2

Home u.o. no 13364 F/49-1
17.2.49

May issue

17/2/49. 18/2/49 12294

Extract of Note of Public from their file bearing e.no. 2452/47 Public

Note file

(30)

(3)

Please see the letters from the Collector of Madras and the Government of India, Defence Department at pp.17 and 18 c.f. respectively.

In his letter on p.7 c.f. the Collector of Madras has reported that the building "Fallow Field" allotted to the D.P.I. was not taken by that Dept. as it is in a bad state of repairs. The Collector asks for orders as to what should be done with the building as Govt. are liable to pay rent from the date of receipt of intimation of vacancy.

2. Since the building requires extensive repairs the Govt. have decided to take over the building after it is repaired and as it would take some fairly long time it has been decided to shift the Women's Hostel from " Narayan Castel" where it is now located to the "Retreat". Orders to this effect are under issue in the E & P.H. Deptt. It would appear that the " " Fallow Field" ~~xx~~ will be taken by the Education department who will have to pay rent from the date of receipt of intimation of vacancy.

3. From the Collector's report on pp.5-6 cf. in L.F. it appears that " Fallow Field" continues to be ~~xx~~ a requisitioned building and has not yet been derequisitioned. It is not known how the owner of the building could take it over from the Amalgamated Co-operative Labour Contract Society who seem to have occupied it last and why the Society did not hand over the building to the Collector when they vacated it. Under the circumstances stated by the D.S. in the margin on p.1.ante the building was allotted to the D.P.I. under section 3 of the Act.

4. With reference to para 4 of the Collector's letter on pp.5-6 cf. in the L.F., it would ~~be~~ seem desirable to direct the Collector not to derequi sition the building at present. It is submitted in this connection that wh a building is derequisitioned, vacant possession of it has to be handed over to the owner after restoring the building in its original condition. The building is still under requisition though the owner got possession of it for obvious reasons without the knowledge of the requisitioning authorities. Thus the requisitioning authorities cannot assess the amount of damages if any that might have been caused to the building. The building, it would appear in the circumstances, can be derequisitioned from the date when the owner got possession without any liability on the part of the Government. Bu now that the Government require the building for the purposes of a Women's Hostel the requisition order can continue to remain in force. The Collecto may be told that the building need not be derequisitioned in which case Gov would seem liable to all the repairs and damages that the owner may claim i respect of the building. E.& P.H. are taking steps separately with regard

to the repairs and improvements to the building to make it suitable for Hostel purposes. If the requisition order is to be continued, the Govt. may have to pay rent for the building from the date the building was vacated by the Amalgamated Co-operative Labour Contract Society (though the building is now possession of the owner). If the building is derequisitioned now, no allotment under the Act is possible and the owner will be at liberty to let out the building to any she pleases.

2. If the requisitioning is continued, Government will have to pay the rent from the date when the Labour contract Society vacated. Even otherwise the owner will have strong justification to claim it in view of the Collector's order allotting the building to the D.P.I. which was passed under the impression that the building had been derequisitioned sometime back.

3. The owner's daughter (Miss Janaki) saw me the other day and wanted that the rent for the past two months may be paid to her pending settlement of the other issues.

Sd: ...
1-8-47. E.P.H.

E.P.H.(A)

Please see the letter from the Collr. of Madras on p.7 c.f. and the notes of Pub (Genl) on p.5.6 ante.

2. Orders have since been issued in G.O.No. 1746 Edn. dated [illegible] directing the D.P.I. to shift the Presidency College Women Students' Hostel, at present located in the "Narayana Castel" in Mylapore to the "Retreat" in Purasawalkam after certain repairs to it are carried out and later on to the "Fallow Filed" in Royapettah. The Chief Engineer has been asked to arrange at an early date for the carrying out of the necessary repairs to the "Fallow Field," in consultation with its owner and the D.P.I.

3. In view of the decision to shift the hostel to the "Fallow Field" as soon as the necessary repairs are carried out this department may agree to the suggestion that the requisitioning of the building be continued. This department may also agree that rent may be paid to the owner by the Govt. from the date on which it was vacated by the Labour contract Society which last occupied it. This department need not also object to the suggestion that the owner may be paid the rent for the last two months, pending settle- [illegible] For the present, however, rent may be paid at the

at the rate paid by the previous occupant, as fair rent for the building has yet to be fixed by the Collector after the carrying out of repairs.

4. The file may be returned to Public through Finance, with the request that it may be circulated to H.M(Education) also. After orders are passed on this case, Public may send relevant extracts from the C. f. and n.f. to this Department which will then authorise the D.P.I. to disburse the rent.

M.V.S.
I.B.M.
9-8-47.
11-8-47. Fin, Pub.

Fin.

Please see the notes on pages 5-7 above.

2. The proposals at A,B & C on page 7 above may be agreed to in this Department and the case returned to Public.

C.S.K.
17-8-47.

Public (General) C. Department

The file relates to the building 'Fallow Field' taken by the Education Department for use as Women's hostel. The building was requisitioned by the A.R.P.Controller in 1942. It was taken over by the Military on 1-3-1945 after A.R.P. vacated it. Then it was handed over to the Amalgamated Co-operative Labour Contract Society (Moplah Camp) on 1-6-1945. Miss M.A.Janaki, on behalf of the owner of the building in her letter dated 4-6-1947, and 5-6-47 reported that she had taken over possession of the building from the Contract Society. and asked for the restoration of the building to its original condition at Government cost. She also enquired whether the Government want the building again. It is not known how she came into possession of the building from the Society before the building was de-requisitioned and formally handed over to her. The building has not been de-requisitioned yet though it has been vacan since 1-6-47 and is in the possession of the owner. The rent paid by the last, occupant is reported to be Rs.300/10/- (The owner has asked for higher rent and it is stated that the matter is pending with the Rent Controller.)

2. The Government in the E.&.P.H. department have decided to take it up for Women's hostel and have sanctioned a sum of Rs. 13000 for repairs and improvements to the building to make it suitable for hostel purposes. The Collector of Madras has now

asked for orders whether the requisition order may be continued or whether it may be de-requisitioned. He has pointed out that if it is de-requisitioned and handed over to the owner, it will not come under the purview of section 3 of the Madras Buildings (L & R.C.) Act for allotment for Government purposes.

3. It is submitted that though the building continues to be a requisitioned one and has not been de-requisitioned ~~hasx~~ it has been in possession of the owner since 1-6-1947. As already stated, it is not clear why the Labour Contract Society did not inform the Collector when the building was vacated and how the owner came into possession of it before it was de-requisitioned.

4.Generally, when a requisitioned building is de-requisitioned vacant possession has to be given to the owner after restoring it to its original condition. This has not taken place in this case. Since the E.P.H. propose to take it and that department have already sanctioned a sum of Rs. 13,000 for the repairs of the building this question does not arise now. As pointed out by the Collector, if the building is de-requisitioned no allotment under the Act is possible and it will be open to the owner to let it out to any one she pleases.

5. If the requisition order is continued, Govt.will have to pay the rent from the date when the Labour Contract Society vacated. Even otherwise the owner will have strong justification to claim it in view of the Collector's order allotting the building to the D.P.I. which was passed under the impression that the building had been de-requisitioned sometime back. The owner's daughter has since reminded for the rent of the building for two months June & July 1947 (Rs. 625 according to the owner) pending settlement of other issues.

6.Orders have been issued in G.O.No.1746 Edn. dated 4-8-1947 directing the D.P.I to shift the Presidency College Women Students' Hostel at present located in the 'Narayana Castle' in Mylapore to the 'Retreat' in puruaswalkam after certain repairs to it are carried out and later on to this building 'Fallow Field' in Royapettah. The E.& P.H Deptt. have also asked the Chief Engineer to arrange at an early date for carrying out the necessary repairs to 'Fallow Field' in consultation with the owner and the D.P.I.

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7. The points for consideration in the file now are -

(1) whether the requisition order may continue to remain in force and the Collector be asked not to de-requisition the building;

(2) whether the rent may be paid to the owner by the Government from the date on which the building was vacated by the Labour Contract society; and

(3) whether the owner may now be paid rent for the ~~two~~ months i.e. for June and July pending settlement of other issues.

The rent may be paid at the rate paid by the previous occupant, the Labour Contract Society, as the fair rent has yet to be fixed by the Rent Controller.

8. The E.& P.H. and Finance Departments have agreed to the above points. The E.& P.H. department has desired that the file may be circulated to H.M.(Education). The file may be circulated for orders.

The proposals in para 7 above may be approved.

1-9-47. H.M.( )

H.M.(Education)

May be done as indicated above. But there is no point in paying the rent and not having the repairs carried out soon. Arrangements may be made through P.W.D. to get the repairs made very soon so that the building may be utilized.

T.S.A./10-9-47.

Please see H.Ms. Minutes on p.10 ante. A draft memo with reference to point (1) on p.10 ante is submitted for approval

2.The building 'Fallow Field' has been taken by the Education Department for use as hostel and it would appear appropriate that orders on points (2)and (3) on p.10 ante. are issued in the E.& P.H. Cf.G.O.No. 1746 Education dated 4-8-47 at (6).

3.After issue of the draft in para 1 above, the file may be sent to E.& P.H. for necessary action.

E.P.H. (a.1)
A.

Orders have now to be issued in this Department on points 2 and 3 in para 7 on page 10 ante. A draft order is submitted for approval. Finance may see for acceptance.

M.V.S. 30-9-47.

(Previous Finance note on page 8 above)

Please see the summarising note of Public at pp.8-10 above the orders in circulation thereon and the notes above.

2. The draft order below may be accepted.

(The building has been vacant since 1-6-1947 and the rent paid by the previous occupant was Rs. 300-10-0)

C.S.K. 1-10-47

Sent to Public with
file
another/linked. Returned
to E.& P.H.

E & P.H.

E.P.H(A)

The draft order below may now be issued.

× × × × ×

[Issued as G.O. No. 2143 Edn. d. 4-10-47.] p.1 cf.

Extracts from the Notes cum File of the Public (General) Department, (main f.c. no. 3826/47)

N 6. It is submitted that Sri M.A. Janaki, Advocate for the owner has asked for payment of rent for at least 2 months, June and July 1947 at Rs. 300/-10/- p.m. and it has been sanctioned in G.O.No. 2143 E. & P.H. dated 4-10-47.

× × × × × × × ×

K 'N'-As rent has to be paid by Government from August onwards in any case, the D.P.I. may be authorised to pay the monthly rent for the building till Government declare that they have no interest in it & release it.

× × × × × × × × × ×

~~Extracts from the Notes File of the Education and Public Health Department.~~

E.P.H.(A)

3. 'K' ~~on page 4 ante.~~ above It may be noted that the D.P.I. has suggested that the building "Fallow Field" may be given up, as it needs extensive repairs to be made suitable for the location of a hostel. H.M.(Edn.) has, in that connection, desired that the question may be examined whether the cost of repairing it to make it suitable for a hostel will be greater than the cost of restoring it to its original condition (which is a responsibility of the Government), before a decision as to retaining it or not is taken. The matter is being dealt with in the Public Department. As rent has to be paid by the Government for the building every month, though it is unoccupied, Public may be requested to expedite the examination of the question referred to. Meanwhile the suggestions that the D.P.I. may be authorised to pay the monthly rent for the building, till a decision is taken one way or other may be accepted. Necessary extracts will be taken and dealt with separately.

B

A

× × × × × × × × ×

M.V.S./
19-1-48.

c.no. 8226 from the Collr. of Madras A6 No. 4947/47 d. 30-1-48.

Please see the letter of the Collr. of Madras on pp.1-2 c.f. since received. w.r.t. 'A' above and para 1 of the Collr.'s letter on p.1 the payment of rent for the building "Fallow Field" every month may be sanctioned.

2. The remarks of the D.P.I. may be obtained w.r.t. paras 3 and 4 of the Collr.'s letter.

3. A draft memo is submitted for approval. Finance may see for acceptance of para 1 of the draft, before issue.

A

8530 Ep

7-2-48

9/2/48

Finance

no. 8226-1/48A
dated 9-2-48

8

Finance (Exp.c)

Paras 1-2 of p 1 c.f. and para 1 of the E&P.H. note on p 1 ante may be perused.

2/. ~~[illegible]~~ The draft memo below (subject to the addition indicated in pencil) may be accepted & the case returned to E&P.H.

14.2.48

"E&P.H. may be requested to kindly see that ~~[illegible]~~ the question referred to at B on page 7 above is decided expeditiously in order to avoid payment of rent while the building is vacant."

A

m.e. 11.2.48

E&P 14.2.48

14.2.48 E&PH

16 FEB 1948
11163

E.&P.H. (A) Dept. Fin 85 30-Exp C-1
14.2.48

The draft memo below as altered by Finance may now issue. After issue, the file may be sent to Pub. for remarks with refce. to 'B' on page 7 ante and 'A' of Finance note above.

[Issued as Memo. No. 8226-2/48 A Edn. d. 18.2.48.]

17/2/48.

Pub (ai)

E.P.H. u.o. 8226-3/48 A
dated 21.2.48

Public (General-C) Department.

1-8

Notes on pp.1-2 above may be perused. It is submitted that the Collector of Madras has been asked to report in consultation with the Chief Engineer (General) the approximate cost of restoring the building "Fallow Field" to its original condition in case it were to be de-requisitioned and handed over to the owner. ~~XhexmakkerxmayxhexkrexkexHexwex~~ He has also been informed that the information is required to determine whether it would be advantageous for Government to carry out the repairs necessary to return the building to the owner or to make it suitable for a ~~[illegible]~~ hostel and use it as such. The Collector in his reply dated 13-2-48 to the last exchange reminder has stated that the Chief Engineer has not yet sent his reply in the matter and that he will submit his reply on receipt. The same will be forwarded to the E.P.H. on receipt. The Collector will be reminded on 5-3-48 if no reply is received by then.

The file may be returned to E.P.H.

27.2.48

26/2/48.
Vol.
26.2.48

DEPUTY SECRETARY
25 FEB 1948
CNo 629
PUBLIC DEPARTMENT

copy of G.O. 4378/47-1
3-10-47
at p. 22 c.f.
of L.F.
Original in
E.P.H. G.O.
6334/47
p. 63 c.f. of L.F.

14755
1948
E.P.H.

Pub (Genl-C) dept.
CNo 629/48-1
27.2

38

34

Edn and P.H. Dept

Memo ~~No 48405-1/A Edn d 30-6-48~~

Rent - "Fallow Field" No. 42 Peter's Road, Royapettah - Fixation of fair rent

—

Ref letter from the D.P.I. No. 120-Bc/48 d 17.6.48.

—

The application for fixation of a fair rent of Rs 450-15-0 for the building ~~should be opposed~~

26/6/48

28/6/48

To
The D.P.I.

Note

~~Public~~ may see

26/6/48

28/6/48 Public

Edn Memo 4520 8 A-1
28.6.48

CNo 2570

A

Public(General-C)Departme

Please see the D.P.I.'s letter in the c.f. The premises "Fallow Field", No.42, Peter's Road was under requisition when it was allotted to the D.P.I. for us of the hostel. The provisions of the Madras Building (Lease and Rent Control)Act, 1946, will not apply to requisitioned buildings and as such no application lies to the Rent Controller for fixation of fair rent under section 4 of the Act in the present case.

It is ~~requested~~ understood that the Government Solicitor once appeared before the Rent Controller in connecti with an application for fixation of fair rent filed by Miss Janaki, one of the daughters of the owner

12

Sri Sreerangammal. The case was dismissed by the 1st Additional Rent Controller in his order dated the 31st March 1948. The D.P.I. may perhaps bring to the notice of the Government Solicitor the position stated at A on p.1 ante.

B

With these remarks the file may be returned to E.&P.H. through Legal.

29/6/48

28/6/48

Legal / E.& P.H.

Legal Dept.

This Dept. may agree with the view expressed at A on p1 ante. The D.P.I. may also be advised as at B above.

7929

29.6.48

He may ask the Govt. Pleader to appear in person.

E.& P.H.

S.1/6

A revised draft memo is filed

Legal U.O. 7929/48-1 d 29-6-48

29/6/48

30/6/48

S

ASSISTANT SECRETARY LEGAL DEPARTMENT 2 JUN 1948

2 JUN 1948

E.P.H.

No 48405-1 1/48

30-6-48

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