

E & P. H (1949) Department.

Ms. SERIES.

G.O. NO. 1979 Edn.

Dated

19-6-49.

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[Despatch Abstract.]

Grant - Building - Boddam Muslim Hostel - Sale of building
within the period of mortgage - Permitted - Recovery of
proportionate grant - Waived.

Back Papers.

G.O. No.	Department.	Date.	G.O. No.	Department.	Date.
G.O. 1046	Edn.	7-9-1914.			

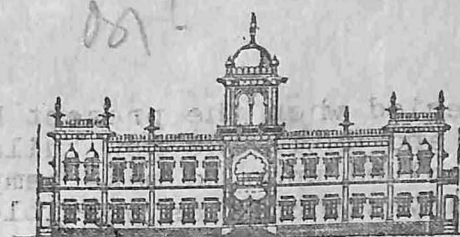
Further Papers.

G.O. No.	Department.	Date.	G.O. No.	Department.	Date.
Ms 747	En	30.3.51			

The Muslim Educational Association of Southern India, Madras.

(REGISTERED UNDER ACT XXI OF 1860)
(Established in 1902)

PRESIDENT:
HAJI MOULVI M. NAZIR HUSSAIN SAHIB.
HONORARY SECRETARY:
BASHEER AHMED SAYEED ESQ., M.A., B.L.
HONORARY TREASURER:
S. K. AHMED MEERAN ESQ., M.A., B.L.
ASSISTANT SECRETARIES:
T. S. MUHAMMAD IBRAHIM ESQ.,
C. A. MUHAMMAD IBRAHIM ESQ., M.A., B.L.
T. ABDUL WAHID ESQ., B.A., B.L.
MRS. RAHMATHUN NISA.
PHONE NO. 3872



VICE-PRESIDENTS:
M. MOHAMED ISMAIL ESQ., M.L.A.
B. POCKER ESQ., B.A., B.L., M.L.A.
M. ABDUL HAMID KHAN ESQ., M.L.A.
FAZL KARIM ESQ.
MUSTAFA HUSSAIN ESQ.
BEGUM SULTAN MIR AMIRUDDIN, M.L.A.
HONY. LEGAL ADVISER:
M. A. HAFEEZ ESQ., B.A., B.L.
HONY. WARDEN, BODDAM MUSLIM HOSTEL:
C. A. MUHAMMAD IBRAHIM ESQ., M.A., B.L.
POST BOX NO. 1614.
Office:-II, SINGANNA NAICK STREET,
GEORGE TOWN, MADRAS.

Letter No. 9/49-61

IMMEDIATE

9th Jan. 1949.

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

Sir,

My Association had constructed hostel for boys known as the "Boddam Muslim Hostel" at No. 11, Singanna Naick street, G.T., Madras, in the years 1915 and 1916 on the land owned by the Association. For the construction of his hostel, the Government of Madras had made a grant of a sum of Rs.32,700/- in or about March 1915 under the Grant-in-Aid Code then in force and the mortgage deed in respect thereof was executed and registered only in March 1947. I invite attention to the terms of the mortgage deed in this connection.

The said hostel has been maintained for the past nearly 34 years in a running order by the Association, but since some time past, it has been increasingly felt by the Association that the present building has outgrown its utility and purpose and that the site has become unsuitable any more for a hostel. The hostel has only about 13 rooms to accommodate about 20 boys normally, but 40 to 45 boys have been huddled in the rooms on account of the persistent demand for more admissions from year to year. The hostel has had no reading room, no suitable dining room, no common hall and no quarters for the Warden. The convenience and comfort that could be given to the inmates has also been not satisfactory and proper sanitation also could not be maintained on account of congestion due to lack of space.

The Governing Body has therefore resolved at its special meeting held for the purpose on 7-1-49, to dispose of the building in its present condition to an intending purchaser who has offered to buy the same for a sum not exceeding Rs.300,000 and to utilise the said sale proceeds for the construction of another hostel on modern lines at a more suitable site with all the sanitary and other necessary ~~arrangements~~ convenience so as to accommodate a much larger number of boys than hithertofore and to request the Government to accord approval for the same. The Governing Body has in view a site on Vijiaraghavachariar Road, in Thygarayanagar on which to locate the hostel and hopes to complete the construction, if all goes well, within about a year or so.

p.t.o.

During the interim period when the present hostel will not be available for the boys and until the new buildings are ready, the Governing Body has resolved upon to make temporary arrangements to accommodate as many students as possible in a suitable building that may be available and which may be taken up on rent.

As it is the intention of the Governing Body of my Association to utilise the sale proceeds as stated above for the construction of another hostel on up-to-date lines, in a more suitable locality for a larger number of students, the Governing Body requests that the Government may be pleased to accord its approval for the sale of the present Boddam Muslim Hostel Buildings at No. 11, Singanna Naick street, G.T., Madras and further prays that the grant of such approval may kindly be expedited with a view to avoid any possible risk in the purchaser receding from his offer on account of undue delay.

Thanking you,

Yours sincerely,

Basheer Ahmed Sayeed
Hony. Secretary.

Edn & P. H. (B.)

Endorsement No. 1879 B, /49-1 Edn d/17-1-49.

Referred to the Director of Public Instruction

for very early remarks.

[By order]

O/C

Assistant Secretary to Govt

To The Director of Public Instruction

with copy letter

As we are on the review

MO 24/1

E & P. H. (B.)

T.M. (By Post) d/10-2-49.

From The A.S. E & P. H. Dept.

To The Dy. D. P. O.

Ref:- Govt Endtt. No. 1879 B, /49-1 Edn d/17-1-49 regarding the sale of the "Boddam Muslim Hostel" building.

Please say when a reply to the ~~the~~ reference cited above may be expected. The matter may be treated as urgent

9/2/49
W.R.
9.2.49

10/2/49

R.C. NO. 18-D.2/49

27 FEB 1949

From:

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education and Public Health Department.

Sir,

Sub: Grant - Building - Boddam Muslim Hostel - Sale of
building within the period of mortgage.

Ref: Endt. No. 1879-B.1/49-1 Edn dated 17-1-1949. - p2 ante

The Hon. Secretary, The Muslim Educational Association
has been addressed for details. I shall submit my remarks on
receipt of reply.

Yours faithfully,

K. S. Hanumanth

for Director of Public Instruction. E.R.P.H.(B)

RVR 15/2/-

The remarks of the B.P.G may be
awaited till 10.3.49.

17/2/49 20/2/49 21/2/49

E & P. H. (B.).

1879/49

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16/3
p2 of

p5 of

17/3/49

p5 of

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MD
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To
The D. P. G.

Grant - Building - Boddam Muslim Hostel - Sale of building within the period of mortgage.

Ref:- Govt Endt. No 1879 B, /49-1 Edu. d/17.1.49.

From:- the D. P. G. Re. No. 18-192/49 d/11.2.49.

Memo No 1879 B, /49-1 Edu d. 17.3.49

The D. P. G. is requested to state whether the reply from the Honorary Secretary, The Muslim Educational Association of Southern India, Madras, has since been received and if so to forward it with his recommendations ~~thereon~~ at an early date.

10/3/49
16/3/49

17/3/49

EDUCATION

Department

Received

Registered

From (Name)

Designation The Director of Public
Instruction,
Station Madras.

To

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

Enclosures:

RC No.

18-D2/49.

dated

16---3---194 9

Sir,

SUB: G R A N T - Boddam Muslim Hostel - Sale of
building.

-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-X-

REF: Government Endorsement No.1879-B1/49-1 Edn.
dated 17th January 1949.

I submit herewith a copy of letter from the
Hon. Secretary, Muslim Educational Association of Southern
India Madras together with the recommendation of the Dt.
Educational Officer, Madras contained in his Endorsement
R.C. No. 127-B/43 dated 5th March 1949.

2. Government in their order No.1046 Education -
dated 7--9--1914 sanctioned as a special case a grant not
exceeding Rs.32,700/- towards the cost of constructing
"Boddam Muslim Hostel" in George Town for Muhammadan stu-
dents studying in the Christian, Law and Medical Colleges.
As the Association spent Rs.11,000/- towards the purchase
of the site at No.11 Singanna Naick Street, G.T. on which
the hostel is constructed, a grant of Rs.32,700/- equal to
the full cost of construction of the hostel building was
sanctioned as a special case.

3. As the grant was paid in March 1915 the Hostel
should not be diverted to other Educational purpose, prior
to the lapse of 40 years from the 31st March 1915 i.e. till
30-3-1955. As required in Rule 56 of the Grant-in-Aid Code
the Association will have to refund the proportionate grant
for the unexpired portion of the period of Mortgage of 6 -
years. The proportionate grant will be Rs.4,905/-.

4. It may be mentioned here that the actual cost of
site and the Hostel building in 1915 was only about Rs.44,000/-
while the same property is now proposed to be sold for --
Rs.3,00,000/- three lakhs of rupees. By the above sale
the Association will profit by over two lakhs of Rupees. It
is reported that the sale proceeds of this Hostel build-
ing in George Town will be utilised for the construction
of Hostel building on upto date lines.

5. As the Association will profit by over two lakhs
of rupees by this sale, and as no grant is claimed towards
the construction of the fresh hostel the permission reques-
ted for by the Association to sell the building within the
period of mortgage may be favourably considered subject to
the following conditions:-

1. The proportionate grant of Rs.4,905/- for the
unexpired period of mortgage of 6 years is re-
funded;

and

2. Satisfactory accommodation is provided for the
inmates during the interim period till suitable
buildings are put up

& 3. the construction of the new hostel building --
should be commenced only after (a) the site is
approved by the Health Department and the Dt.

Educational.....

- TWO -

Educational Officer, Madras and (b) the plan of the building is approved by the Joint Consulting Architect.

However if the estimated cost of the new building is equal to the sale proceeds of the old building Government may perhaps waive the refund of the proportionate grant of Rs.4,905/-.

Yours faithfully,

for DIRECTOR OF PUBLIC INSTRUCTION.

Ram.18/3/1949.

E & P. H. (B.)

G.O. No Ms. 1046 Edn dated 7-9-1944 has been called for from the H.R.O. Chittoor. Its receipt may be awaited. No work be dealt with urgently.

29/3/49
29/3/49

31-3-49

COPY of letter dated 28th January 1949 from the Hon. Secretary, The Muslim Educational Association of Southern India, Madras to the Director of Public Instruction, Madras thro' the District Educational Officer, Madras.

My Association had constructed a hostel for boys known as the "Boddam Muslim Hostel" at No.11 Singanna Naick Street, G.T. Madras, in the year 1915 on the land owned by the Association. For the construction of this hostel, the Government of Madras had made a grant of a sum of Rs.32,700/- in or about March 1915 under the Grant-in-Aid Code then in force and the mortgage deed in respect thereof was executed and registered only in March 1947. I invite attention to the terms of the Mortgage deed in this connection. The 40 years period of the mortgage expires by March 1955 leaving only 5 years still to run.

The said hostel has been maintained for the past nearly 34 years in a running order by the Association, but since some time past, it has been increasingly felt by the Association that the present building has outgrown its utility and purpose and that the site has become unsuitable any more for a hostel. The hostel has only about 13 rooms to accommodate about 20 boys normally, but 45 to 50 boys have been huddle in the rooms on account of the persistent demand for more admissions from year to year. The hostel has had no reading room, no play ground, no suitable dining room, no common hall and no quarters for the Warden. The convenience and comfort that could be given to the inmates has also been not satisfactory and proper sanitation also could not be maintained on account of congestion due to lack of space.

The Governing Body has therefore resolved at its special meeting held for the purpose on 7-1-49 to dispose of the building in its present condition to an intending purchaser who has offered to buy the same for a sum not exceeding Rs.300,000/- and to utilise the said sale proceedings for the construction of another hostel on modern lines at a more suitable site with all sanitary and other necessary convenience so as to accommodate a much larger number of boys than hitherto and to request the Government to accord approval for the same. The Governing Body has in view a site on Vijiaraghavachariar Road in Tyagarayanagar on which to locate the hostel and hopes to complete the construction, if all goes well, within about a year or so. The hostel if newly constructed will be located on the plot of land measuring 7½ acres belonging to the Anjuman-Himayathe-Islam. The said Anjuman has agreed to this proposal as all their buildings are planned to be put on the other plot of land belonging to the Anjuman and measuring 12 acres. So the construction of a hostel on the smaller plot will not prove in any way detrimental to the building programme or other interests of the Anjuman. This site satisfies Appendix LL of the Grant-in-Aid Code in every respect. Even otherwise the Association proposes in the alternative to buy a suitable building and land in Royapettah or other central place to locate the hostel. Further the Association has also applied to the Government for the assignment of land free of cost for the purpose of a boys and girls hostel and the matter is under consideration.

During the interim period when the present hostel will not be available for the boys and until the new building are ready, the Governing Body has resolved upon to make temporary arrangements to accommodate as many students as possible in a suitable building that may be available and which may be taken up on rent.

As it is the intention of the Governing Body of my Association to utilise the sale proceeds as stated above for the construction of another hostel on up-to-date lines, in a more suitable locality for a larger number of students, the Governing Body requests that the Government may be pleased to accord its approval for the sale of the present Boddam Muslim Hostel Buildings at No.11, Singanna Naick Street, G.T., Madras, and further prays that the grant of such approval may kindly be expedited with a view to avoid any possible risk in the purchaser receding from his offer on account of undue delay. It may be mentioned....

COPY of letter dated 28th January 1949 from the Hon. Secretary
The Muslim Educational Association of Southern India, Madras
to the Director of Public Instruction, Madras through the Dis-
trict Educational Officer, Madras.

My Association had constructed a hostel for boys known as
the "Hodgson Muslim Hostel" at No. 11 Singanna Street, G.T.
Madras, in the year 1945 on the land owned by the Association.
For the construction of this hostel, the Government of Madras had
made a grant of Rs. 32,700/- in or about March 1945 under
the Grant-in-aid Code then in force and the mortgage deed in respect
thereof was executed and registered only in March 1947. I invite
attention to the terms of the mortgage deed in this connection. The
40 years period of the mortgage expires by March 1955 leaving only
10 years still to run.

The said hostel has been maintained for the past nearly
34 years in a running order by the Association, but since some
time past, it has increasingly felt by the Association that
the present building has outgrown its utility and purpose and
that the site has become unsuitable any more for a hostel. The
hostel has only about 18 rooms to accommodate about 30 boys normally,
but 45 to 50 boys have been housed in the rooms on account of the
persistent demand for more admissions from year to year. The hostel
has had no reading room, no play ground, no suitable dining room,
no common hall and no quarters for the Warden. The convenience and
comfort that could be given to the inmates has also been not
satisfactory and proper sanitation also could not be maintained on
account of congestion due to lack of space.

The Governing Body has therefore resolved at its special
meeting held for the purpose on 7-1-48 to dispose of the building
in its present condition to an intending purchaser who has offered
to buy the same for a sum not exceeding Rs. 300,000/- and has
also the said sale proceeding for the construction of a
hostel on modern lines at a more suitable site with all sanitary
and other necessary conveniences so as to accommodate a much
larger number of boys than hitherto and to retain the
Government to accord approval for the same. The Governing Body
has in view a site on Vittalachari Road in Teyyanagar
on which to locate the hostel and hopes to complete the con-
struction, if all goes well, within about a year or so. The
hostel if newly constructed will be located on the plot of land
measuring 77 acres belonging to the Anjuman-Himayathul-Islam. The
said Anjuman has agreed to this proposal as all their buildings
are planned to be put on the other plot of land belonging to the
Anjuman and measuring 2 acres. So the construction of a
hostel on the smaller plot will not prove in any way detrimental
to the building programme or other interests of the Anjuman. This
site satisfies Appendix II of the Grant-in-aid Code in every re-
spect. Even otherwise the Association proposes in the alternative to
buy a suitable building and land in Teyyanagar or other central place
to locate the hostel. Further the Association has also applied to
the Government for the allotment of land free of cost for the
purpose of a boys and girls hostel and the matter is under con-
sideration.

During the interim period when the present hostel will not
be available for the boys and until the new building is ready,
the Governing Body has resolved upon to make temporary arrangements
to accommodate as many students as possible in a suitable building
that may be available and which may be hired on a rent.

As it is the intention of the Government to construct a
large hostel on up-to-date lines, in a more suitable locality for
a larger number of students, the Government has decided that the
Government may be pleased to accord the approval for the sale of the
present Muslim Hostel building at Rs. 300,000/- and the Government may
be pleased to grant a view to exempt the said building from the
provisions of the Grant-in-aid Code.

be mentioned that this request does not contravene the condi-
tions of the mortgage executed in favour of the Government as
the amount is not intended to be diverted to any purpose other
than educational.

A letter in this behalf has already been sent to the
Government and I am informed that the remarks of the D.P.I.
have been called for on the same. It would therefore be very
kind of the D.E.O., Madras and the D.P.I. if the matter is ex-
pedited as all the information required is furnished herein.

Sd. x x x x
Hony. Secy.

/True copy/

Ram.18/3.

for Director of Public Instruction.

Ram.18/3.

be mentioned that this request does not contravene the conditions of the mortgage executed in favour of the Government as the amount is not intended to be diverted to any purpose other than educational.

A letter in this behalf has already been sent to the Government and I am informed that the remarks of the D.P.I. have been called for on the same. It would therefore be very kind of the D.P.O., Madras and the D.P.I. if the matter is expedited as all the information required is furnished herein.

26. x x x
Hon. Secy.

For Director of Public Instruction.

EX-100

9
E & P.H. (B).

Telephonic Message (By Post)

From Asst
The Secretary E & P.H. Deptt.

To Deputy
The D.P.O.

para 3 of Director's letter

Ref:- ~~you~~ Re: No. 18 S2/49 d/16-3-49 regarding
the Sale of the Boddam Muslim Hostel
Building

The period specified in Rule 56 of the Grant-in-aid code is thirty years ~~not~~ 40 years.

Please refer me to the order where in the minimum period, before which a building cannot be diverted from to purposes other than educational, was raised from thirty ~~from thirty~~ to forty years for purposes of recovery of proportionate grant under rule 56 of the Grant.

p11 of Bn No 40.

in - Aid code. If there has been no modification, please say whether any recovery has to be effected in this case.

Ad
6/4/49
Wm
Wm

2/4/49

From The Director of Public Instruction,
M a d r a s

To The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St. George, M a d r a s.

R.C.No.18-D2/49 dated 27th April, 1949.

Sir,
Grant--Building--Boddan Muslim Hostel--Sale of building within the period of mortgage.
Reference:-Post copy of telephonic message dated 7.4.1949 from Government (Education and Public Health).



33217
SUM

(Y)

(Z) In G.O.No.868-Education dated 22.7.1914 the period of Mortgage was raised from twenty to forty years. The minimum period of mortgage was fixed at 30 years with effect from 1st September 1928 - vide G.O.No.628-L.E. dated 7.4.1930 and G.O.No.Ms.1381-Law(Education)dated 17.7.1930. (X)

2. As the grant for the building was paid in March 1915, the period of mortgage is 40 years i.e. till 31.3.1955. The proportionate grant for the unexpired period of mortgage of 6 years is Rs.4905/- as reported in my letter R.C.18-D2/49 dated 16.3.1949. Normally, this should be recovered but it is for Government to waive the claim if they choose to do so in consideration of the fact that the new buildings would continue to be used for a similar purpose.

(A)

3. However, now that the Madras Act XIV of '48 has been finally passed since, it is for Government to consider the request in relation to the provisions of the new act and pass orders suitably.

Yours faithfully,

Thiruvananthapuram

For Director of Public Instruction.

ks.28-4.

28/4
28/4

The Muslim Educational Association of Southern India, Madras.

(REGISTERED UNDER ACT XXI OF 1860)

(Established in 1902)

PRESIDENT:

Haji Moulvi M. Nazir Hussain Sahib.

HONORARY SECRETARY:

Basheer Ahmed Sayeed Esq., M.A., B.L.

HONORARY TREASURER:

S. K. Ahmed Meeran Esq., M.A., B.L.

ASSISTANT SECRETARIES:

T. S. Muhammad Ibrahim Esq.

C. A. Muhammad Ibrahim Esq., M.A., B.L.

T. Abdul Wahid Esq., B.A., B.L.

Mrs. Rahmathun Nisa.

PHONE No. 3872.

Letter No. B.M.H./S-49.

VICE-PRESIDENTS:

M. Mohamed Ismail Esq., M.L.A.

B. Pocker Esq., B.A., B.L., M.L.A.

M. Abdul Hamid Khan Esq., M.L.A.

Fazl Karim Esq.

Mustafa Hussain Esq.

Begum Sultan Mir Amiruddin, M.L.A.

HONY. LEGAL ADVISER:

M. A. Hafeez Esq., B.A., B.L.

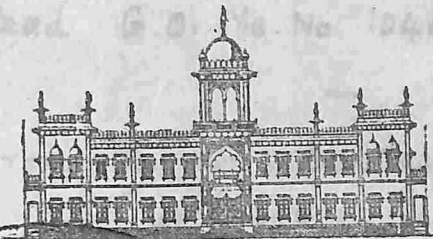
HONY. WARDEN, BODDAM MUSLIM HOSTEL

C. A. Muhammad Ibrahim Esq., M.A., B.L.

Post Box No. 1614.

Office:-II, Singanna Naick Street.

George Town, Madras.



URGENT.

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

Sir,

In continuation of my letter No. 72/49, dated 9th Jan 1949. I write to state that my Association has since purchased the 'Limbd1 Gardens' with the buildings thereon for a sum of about Rs.5/-lakhs for purposes of shifting the Boddam Muslim Hostel from its present location and for the establishment of a college. The newly purchased buildings are under repair and as soon as they are ready, the hostel will begin to function in those buildings.

As already stated, since the existing hostel buildings have become unsuitable for purposes of a hostel, they have to be disposed of. In case they are not disposed of by reason of the delay in obtaining the permission from the Government or any other cause, they will have to be rented out and the rents received will be utilised to liquidate the mortgage loan of Rs. 2,50,000/-outstanding against the newly purchased properties referred to above.

In the circumstances, I request that the Government may be pleased to expedite permission to sell the aforesaid buildings of the Boddam Muslim hostel located at No. 11, Singanna Naick street, G.T., Madras, or in the alternative to permit the Association to rent out the buildings and utilise the rents for purposes of the hostel and the college proposed to be established.

Thanking you,

Yours faithfully,

Basheer Ahmed Say
Hony. Secretary.

C. No. 1879 B, / 49.

Е. Р. Н. (В.).

Grant - Building - Boddam Muslim Hostel - Sale
of building within the period of mortgage - Permitted -
Recovery of proportionate grant - Waived.

Read G.O. Ms. No. 1046 Edm. d/7-9-1914

From the Hon'y. Secretary, Muslim Educational Assn.
of South India No. 9/49-61 dated 9-1-49 and
B.M.H./S.49 d/13-5-49.

From the D.P.G., Rec. No. 18 D₂/49 d/16.3.49 & 27.4.49

Order No. 1979
Ms.

Edm. dated. 19-6-49.

Permission is accorded ~~on a special case~~
to the Muslim Educational Association of South India
to sell or rent the Boddam Muslim Hostel Buildings
at No. 11, Singamma Naick St. G.T. Madras, before the
expiry of the period of mortgage of 40 years and to
utilise the proceeds of the sale or the rent realised to
liquidate the mortgage loan of Rs. 2.5 lakhs outstanding
against the (Dumbold Gardens) with the buildings thereon
the newly purchased building at Royapettah
for the hostel.

2.) The recovery of the proportionate grant of Rs 4,905 repayable to Govt. on account of the sale of the hostel buildings before the expiry of the period of mortgage is waived as the sale proceeds of ~~of the Hind and Muslim Hostel or the rent realized~~ ~~of the Hind~~ will be utilised only in furtherance of the purposes for which the grant was originally sanctioned.

despatched.
To \$ 19/6/49
The D. P. J.
✓ The A. G. thro' Finance.
✓ The Hon'y Secy. Muslim E.

Assoc. of South India.
No. 11, Singanilla Nairk. SO.
3 S/c. G. T. Madras.

Grant - Building - Boddam Muslim Hostel, Sale of building.

From the Hony. Secretary, Muslim Educational Association of South India, No. 9/49-61 dated 9-1-49 and B.M.H./S.49 dated 13-5-49.

From the D.P.I., Rc.No. 18 D2/49 dated 16-3-49 & 27-4-49.

The Muslim Educational Association of South India is maintaining the Boddam Muslim Hostel. The hostel is run in a building constructed with Govt. aid. Only the site was secured by the management and the entire cost of construction not exceeding the sum of Rs. 32,700/- was met by Govt. Vide G.O.No. 1046 Edn. dated 7-9-1914. The Association now finds that the existing building is not adequate enough to suit the present needs of the growing hostel. The Governing body has therefore ^{purchased} ~~requested for~~ ^{Limdi Gardens in Royapettah} ~~for the hostel and requests~~ permission to dispose of the existing building and ~~to~~ ^{utilise the sale} ~~to liquidate the mortgage~~ ^{loan of Rs 250,000 outstanding against the newly} ~~utilised for the construction of a more modern and purchased~~ ^{property in the alternative to rent the existing building and} ~~suitable building required for the hostel. They also assure~~ ^{utilise the rent for the purpose.} that suitable temporary arrangements will be made for the running of the hostel during the interim period.

2. The provisions of the Grant-in-Aid Code require that the building should not be utilised for any purpose other than educational within a period of 40 years the period of mortgage that was enforced at the time the grant was sanctioned. As the proposed sale will take place before the expiry of the period of mortgage the D.P.I. has reported that a proportionate recovery of Rs. 4,905/- will have to be effected. ^{He has however suggested} ~~However he considers~~ that the recovery may be waived if the estimated cost of the new building is equal to the sale proceeds of the old one. The

3. The Honorary Secretary of the Association has ~~since~~ ^{the} reported that the Association has purchased the "Limdi Gardens" with buildings thereon for about Rs. 5 lakhs and that after effecting some repairs the hostel will be shifted to the new premises. The old building is estimated to fetch a price of only about Rs. 3 lakhs. It is obvious

that the entire proceeds will have to be utilised only to liquidate the mortgage loan outstanding against the newly purchased properties. As the new building would continue to be used for a similar purpose - Viz. for running the hostel - it is for consideration whether the recovery of the proportionate grant may be waived in this case and the Association permitted to ~~sell the old building and if this is not feasible to rent that building and utilise the rent for repayment of the sale of the old buildings.~~ Attention is in this connection invited to Clause 3.(2)(i) of Act No. XIV of 1948 wherein the transfer of any building by managements of educational and other institutions of the province is made in furtherance of the purposes of the institution is permitted without the repayment of a proportionate grant.

The file may be sent to Legal and Finance U.O. for remarks.

18/5/49.
18/5/49

Legal
Fin

LEGAL DEPARTMENT

There is no legal objection to the proposal at "A" above. Whether it should be done is a matter of policy.

4.6.49

Finance

Fin (Exp A)

In the circumstances stated, the proposal of E. & P.H. at A above to waive the recovery of the proportionate grant of Rs 4905 may be accepted in Finance. H.O. (Finance) may see the case.

7.6.49

7.6.49

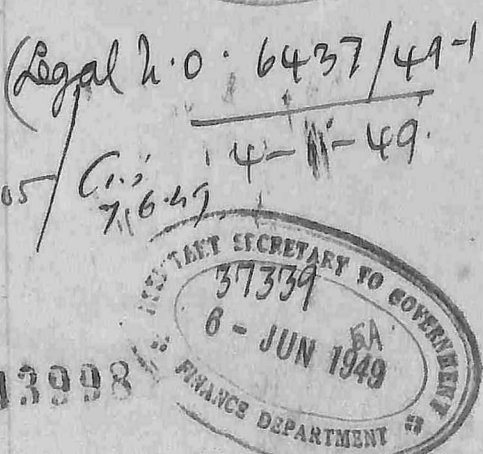
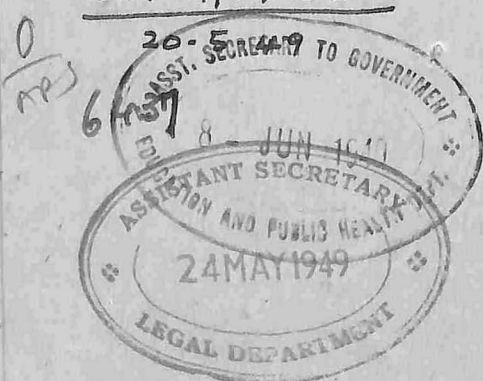
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E.P.H.

E & P.H. U.O. No.

1879 B, 149-3 Edn.



37339/Exp A-1

7.6.49



10/6

p.2 ante



E & P.H. U.O. No. 1879 B, 149-4 Edn. 16/6/49.

the proposal in this file is to permit the Muslim Educational Association of Southern India to sell the "Boddam Muslim Hostel" ^{buildings} in George Town Madras and to utilise the sale proceeds to liquidate the mortgage loan of Rs 2.5 lakhs outstanding against the newly purchased buildings ^{at Royapettah} for the hostel or to rent the existing building and utilise the rent for the purpose; and (2) to waive the recovery of the proportionate grant of Rs 4905 repayable to govt on account of the sale of the hostel buildings before the expiry of the period of mortgage as the sale proceeds are proposed to be utilised only in furtherance of the purposes for which the grant was originally made. Legal Dept have pointed out that there is no legal objection to the proposal & Finance have accepted it.

The file may be circulated to HM (Gen) & HM (Fin) for approval of the proposal.

18/5/49. 10.6.49

11.7 (Exp L) 11.7 (Fin)

13.6

A draft order is submitted below for approval. Finance may see before issue.

14/6/49. 15.6.49

Previous Finance note on p 2 above Fin (Exp A)

The orders in circulation above

81

and the draft order may be
perused.

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Tru Jo. 39739 Exp A-1
17.6.49

Issue
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PH 6

draft order is below for approval
Finance may be taken over

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