

(194⁹) Department.

Ms/ SERIES.

G.O. NO. 3618 Education

Dated: ~~dated~~ 24 - 11 - 1949.*96*
Closed
10/21

[Despatch Abstract.]

SCHOOLS - Special - Hindi Vidyalaya, Mannargudi - Transfer of the building of the Hostel attached to the Findlay High school, Mannargudi - Request -- O R D E R S P A S S E D.

Back Papers.

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

Further Papers.

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

A.Vedaratnam Pillai, M.L.A.,
Vedaranyam, Tanjore dt.

Camp: Madras,
24-2-1949.

To
The Hon'ble Minister for Education,
Government of Madras,
Madras.

Sir,

I am submitting herewith a letter from Sri P.V.
Muthukrishna Iyer of Mannargudi in connection with the
High
hostel belonging to the Findlay/School, Mannargudi,
That hostel building may kindly be arranged to be vacated
and given to the Hindi Vidyalaya.

Yours sincerely,

[Signature]
24-2-49

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P.V.Muthukrishna Iyer, L.M.P.,
Satyagraha Nilayam,

Mamargudi,
20-2-1949.

To

Sri A.Vedaratnam Pillai, M.L.A.,
Vedaranyam.

Dear Sir,

I have to state the following in connection with the Hostel belonging to the Findlay School, Mamargudi.

The Findlay School, Mamargudi was converted into a College before 1918. A hostel was also built for that High School after obtaining Government grant. During 1925-26, the College was re-converted into a High School. Now the hostel building attached to the ^{Findlay} Pentland High School is being occupied by some Christians for rent for their own use. According to the recent legislation in the Legislature, the hostel ^{building} can be given ~~back~~ to the Hindi Vidyalaya.

A The Pentland Hostel, situated in a compound, has got four spacious rooms, where there is class accommodation for 120 boys and floor space for 100 boys. The teacher~~s~~ also has got accommodation for him to reside there. The dining hall can accommodate 120 persons at a time and there is a store room and kitchen also.

(P.T.O.)

The connected papers in this connection are with the Director of Public Instruction. If any further information is required, I shall be glad to furnish them.

Yours faithfully,

Sd. P.V.Muthukrishna Iyer.

(Copy)

கதரையே கட்டுங்கள்.
கைகுத்தல் அரிசினையே சாப்பிடுங்கள்.
குடிசைத்தொழிலை ஆதரியுங்கள்.

P. V. MUTHUKRISHNA IYER, L. M. P.

SATYAGRAHA NILAYM *na*

MANNARGUDI,

20 - 2 - 1949

प्रिय बन्धु - जी

[illegible]

पि. वि. ^{पि. वि.} मुनिकुण्ड अक्षर

To

The B.O.G

with H 1-4 of in original ⁴⁸²¹
3/3/49

~~and the 2nd copy of~~
~~minutes on p 1 of~~

C1b.3-8-49

Please arrange to return the representation from Sri A. Vedaratnam Pillai d/ 24.2.49. Sent ~~to you~~ in original with the

8/22

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The S

A circular ink stamp from the Assistant Secretary to Government, Education and Public Health Department. The text "ASST. SECRETARY TO GOVERNMENT" is curved along the top inner edge, and "EDUCATION AND PUBLIC HEALTH DEPT." is curved along the bottom inner edge. In the center, the handwritten file number "65978" is written above the date "30 AUG 1949". There is a handwritten flourish or signature to the right of the date.

Sub: Schools - Special - Hindi Vidyalaya Mannargudi -
Request for the transfer of the buildings of the
hostel attached to the Findlay High School - Mannar-
gudi.

pp 9-10 ante

Ref: Post Copy of the Telephonic Message dated 9-8-1949 from
the Assistant Secretary to Government, Education
and Public Health Department, Madras.

The representation from Sri A.Vedaratnam Pillai dated 24-2-1949 together with the letter No.Nil dated 20-2-49 from Sri P.V.Muthukrishna Iyer are returned herewith.

Yours faithfully,

Resubmitted
for Director of Public Instruction

24/8/18

lost. Memo. cited above, as it has not been received back.

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9-8-69

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

P.P.S. ya ut ot

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~~1000~~

Reference is made to the letter of the 10th inst. from the
Director of the Bureau of Education, Department of the Interior,
Washington, D. C., regarding the transfer of the
building of the hotel attached to the
Friday High School, Haverhill.

The material is
 representative of the
 original in general
 at

5/4/49

Telephonic Message By Post dated 7/9/49.
From the Asst. Secretary, E & P. H. Deptt.
To the Dy. S. O. S.
Ref.:- Director's Re. No. 101 B2/49 d/1-8-49
regarding the transfer of the building of the
hostel attached to the Findlay High School
Manonargudi to the Hindi Vidyalyaya.
In the grant towards the construction of the
hostel building attached to the Findlay High School
was sanctioned in 1913, please say whether the
Govt. have any hold over the building now

5/4/49

Enb
ms
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6/9/49
ms
6-9-49

12

9
E & P. H. (B1).

Telephonic Message By Post dated 7/9/49.

From the Asst. Secretary, E & P. H. Deptt.
To the Dy. S. O. S.

Ref:- Director's Re. No. 101 B2/49 d/1-8-49
regarding the transfer of the building of the
hostel attached to the Findlay High School
Manonargudi to the Hindi Vidyalyaya.

In the grant towards the construction of the
hostel building attached to the Findlay High School
was sanctioned in 1913, please say whether the
Govt. have any hold over the building now

ms
7-9-49

12.10.49

Telephone Message By Post d/12.10.49

From the Asst. Secretary, E & P. H. Deptt.

To the Dy. A. P. S.

Ref. - Director's Re. No. 10192/49 d/1.8.49 and
Govt. T.M. d/7.9.49 regarding the transfer
of the ^{hotel} building attached to the Findlay High
School, Mannargudi to the Hindi Vidyalaya.

Please expedite reply.

12/10/49
11/10/49

13

10

E & P. H. (B.1.)

Telephonic Message By Post d/12.10.49

From the Asst. Secretary, E & P. H. Deptt.
To the Dy. A. P. S.

6/13/10
15/10/49
p12cf

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12/10/49

11/10/49
11/10/49

12/10/49

Office of the Director of Public Instruction, Madras.

Telephonic Message by post No.101 D2/49 dated 17th Oct. 1949.



Director of Public Instruction
Madras.

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

Reference:- Your Post copy of Telephonic message, dated 7-9-49 regarding transfer of the building of the hostel attached to the Findlay High School, Mannargudi.

The grant towards the construction of a building for the hostel attached to the Findlay High School, Mannargudi, was authorised for payment on 11-2-1914. With reference to the rules there in force, the management of any institution receiving a grant under the Grant-in-aid Code shall refund the grant or a portion of it, if the land or building in respect of which the grant was made ceases to be used for educational purposes approved by the Government, within a period of 20 years from the date of payment of grant- As grant was authorised for payment on 11-2-1914, the Government have no hold over the building.

For Director of Public Instruction.

SH/17/10.

12

E & P. H. (B.)

Schools- Special - Hindi Vidyalyaya, Mannargudi -
Transfer of the building of the Hostel attached to the Findlay
High School, Mannargudi - Request - Orders passed.

From Sri A. Vedaratnam Pillai, M.L.A. d/24-2-49
From the D.P.G. Rc. No. 101 B2/49 dated 1-8-49
and 17-10-49

Order No. 3618 Edn. dated 24-11-49
Ms

The Govt. agree with the S.P.G. that a time limit of one year may be prescribed for running the hostel attached to the Findlay High School, Mannargudi and that the management may be informed that the ^{building} will be taken and handed over to the Hindi Vidyalyaya, Mannargudi under the provisions of the Madras Aided Institutions (Prohibition of Transfers of

Property) Act, 1948, in case the hostel is not revived within that period.

2. The correspondent, Hindi Vidyalaya, Mannargudi is informed that the request for the transfer of the building ~~into~~ of the hostel attached to the Findlay High School, Mannargudi, cannot be complied with at present. The management may renew their application some time next year, if the building is not used for hostel purposes by that time

Sd/-
17/11/49
18/11/49
20/11/49

To
The D.P.S.
The correspondent,
Findlay High School,
Mannargudi
The correspondent,
Hindi Vidyalaya,
Mannargudi
Sri A. Vedaratnam
M.L.A. w.r.t his
letter d/24-2-49
2 S/cs.

Secretary, E. & P.H.

Please see herewith a representation from Sri A. Vedaratnam Pillai, M.L.A. I understand that the hostel building for the Findlay High School, Mannargudi was built with Government grant but now that it is being ~~re~~ rented out for non-educational purposes. The Hindi Vidyalaya people want to have that building. The matter may be examined and put up.

H.M. Education.

E & P. H. (B.).

Please see the minutes of H.M. (Edn) above. A report from the D.P.S. may be called for. The draft memo below is for approval.

Sd/-
2/3/49
18/11/49
3.3.49

p7cf.

[Issued as Memo No. 14813 B, /49-1 Edn d/9.3.49]

p8cf

C.No. 59776 from the D.P.S. Re. 101 S2/49 d/1.8.49

p11cf

C.No. 65978 from the D.P.S. Re. 101 S2/49 d/25.8.49

p8cf

The D.P.S. has reported that the building of the hostel attached to the Findlay High School was built with Govt. aid and that at present the building is not used for hostel purposes. ~~But the~~

has ascertained from the Principal of the High School that the hostel will be revived from the next

G.O. 922 Edn. (C)/p5
6-10-13.

p8cf

school year. and In view of this it is for consideration whether the question of transferring the building to the Hindi Vidyalyaya, Mannargudi may be deferred considered next year if the hostel is not revived as proposed by the management of the Findlay High School. - Perhaps the management may be informed even now as suggested by the D.P.G. in para 4 of his letter on p 8 of

2.) The file may be circulated to H.M. (E&L)

for orders. The grant was paid in 1913. It is necessary to know whether the Govt. have any hold over this building.

20/8/49
1682
29.49

[Received T.M. By post on 7-9-49]

C.M. 81290. Post copy of T.M. d/17-10-49 from the D.P.G.

The proposal in this file relates to the request

of the Hindi Vidyalyaya, Mannargudi for the transfer of the building of the hostel attached to the Findlay High School, Mannargudi. Attention is solicited to the representation from Sri A. Vederatnam Pillai at p 1 cf and the minutes of the previous H.M. (Edn) thereon at p 1 ante.

2. The D.P.G., to whom the matter was referred, has reported that the hostel building was constructed with Govt aid, and that the management of the High School is not at present running the Hostel. He has also reported that there is a proposal to revive the hostel from the next school year and

p 12 cf

p 14 cf

p 3-4 cf

p 8 cf

p 8 cf

that the question of transfer of the building to the Hindi Vidyalyaya may be considered if the proposal to revive the hostel does not materialise. But as the grant for the construction of the hostel was authorised for payment during 1914, under the orders ^{then} in force, the management is required to maintain ^{the} hostel for a period of twenty years only after which period Govt. have no hold over the building. In view of this it is for consideration whether the management of the Hindi Vidyalyaya may be informed that they may secure the building by private negotiation with the management of the Findlay High School, ~~from~~ Mannargudi, provided the hostel attached to the High School, is not revived next year.

2.) The file may be circulated to H.M. (E&L) for orders.

22/10/49
1682
23.10.49

Please put up a copy of the Act passed last year and see whether this case is covered by any of its sections.

25.10.49

(B)

p 1 of (B)

Section 4 on p 2 of (B)

A copy of the Madras Aided Institutions (Prohibition of Transfers of Property) Act, 1948 is put up at (B). ^{provides that} Section 3 (1) (b) of the Act ^{any building} constructed with Govt aid shall not be used except for the purposes of the institution or purposes similar thereto or be kept vacant without being used for any purpose without the permission of Govt. ^{under} Any contravention of ~~the provisions of this section~~ of the Act, Govt. may direct the management to repay the grant in full or direct the collector to take possession of the land and of the building in which case the Govt. shall pay the management any amount spent ~~to~~ from the funds of the institution for ~~constructing~~ acquiring the land and constructing the building thereon. Even though it may be held that the provisions of Section 3 (1) (b) of the

Act have been contravened in this case (the building was not used for hostel purposes) it is for consideration whether the building should be taken possession of, as the management of the Findlay High School, Mannargudi intend reviving the hostel next year. It would therefore appear that it will be sufficient to invoke the provisions of this Act if the management fails to revive the hostel next year.

Legal may see for remarks, if any, prior to circulation.

27/10/49
11/11/49
18/10/49
A above. The hostel was built in 1913-1914 with a half grant of Rs 17,106. According to the terms of the agreement, the building was mortgaged to Govt. for a period of 20 years, i.e. till 1934. But the Govt. have now a claim over this building under Section 3(1) of the Madras Aided Institutions (Prohibition of Transfers of Property) Act, 1948. But as the use of the building as the quarters for the teaching staff of the Findlay High School is covered by Section 2(2) (a) of the Act, it would appear that there has been no contravention on the part of the management. It is also reported that the management proposes to revive the hostel from the next year.

The request of the authorities of the Hindi Vidyalaya, Mannargudi, to permit them to occupy the building in question, does not seem to be permissible.

29-10-49

5/13/49
7
Legal

LEGAL DEPARTMENT.
Section 3(1)(b) of Madras Act XIV of 1948 prohibits any building constructed with the aid of Govt. grant being used except for the purpose of the question or purposes similar thereto without the permission

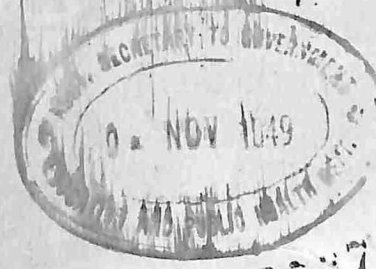


(5)
in 22/2/49
of the Government. The word "institution" has been defined as meaning any college, school or other place intended for an educational purpose including libraries, playgrounds, hostels and quarters for the residence of teachers and servants. In view of this wide definition, it is difficult to say that there has been a contravention of the provisions of section 3(1)(b) in this case. However, as the management proposes to revive the hostel from next year, a definite time-limit may be given to it, as suggested by ~~the Director~~ the Director of Public Instruction in paragraph 4 of his letter on page 8 c.f. and the management may be informed that if the hostel is not revived next year, the question of taking over the hostel by the Government will be considered.

11/11/49

E.P.H. (B.)

Legal No.
140557/49



8:571
SW

(B)

The proposal in this file relates to the request of the management of the Hindi Vidyalaya, Mannargudi, for the transfer of the building of the hostel attached to the Findlay High School, Mannargudi. The notes from page 2 ante may be perused. Legal Dept. consider that the provisions of Section 3(1) (b) of the Madras Aided Institutions (Prohibition of Transfers of Property) Act 1948 have not been contravened in this case, as the building is being used as quarters of for the staff of the Findlay High School. In view of the management's proposal to revive the hostel during the next school year, Legal agree with the D.P.G that a definite time limit may be fixed for such revival and that if the hostel is not revived within that period, the question of taking over the hostel ^{building} by Govt. ^{may} be considered. It is

para 2 on p 8 of

para 3 on p 8 of

para 4 on p 8 of

for consideration whether ~~the management of the Tuesday~~
~~High School, Mannargudi should be prescribed a time limit~~
~~of one year for deriving the hostel and whether they should~~
~~be informed that the building will be taken over and handed~~
~~over to the Hindi Vidyalyaya in case the hostel is not revived~~
~~within the period. It is also for consideration whether the~~
~~authorities of the Hindi Vidyalyaya, Mannargudi may~~
~~be informed that their request cannot be complied with~~
~~at present. They may perhaps be instructed to renew their application~~
~~request if necessary, some time next year if the building is not used~~
~~for hostel purposes by that time.~~

A

M-49

B

2. The file may be circulated to H.M.(E&L) for
 order on A and B.

10/11/49
 12-11-49
 H.M.(E&L)
 may approve A + B
 14/11

A draft order is enclosed below for approval.



15/11/49
 20-11-49