Sectt. II-27—80,000—4-1-52.

1950
(1953) Edn Department.

MS. SERIES. 121-1234.

G.O. NO. 1734

Dated 9.6.50.

Related
Sup: Pg

Current file 1 to 134 pages
Note File 1 to 24 pages

S. [illegible]
Section officer
30.3.76

(81)

[Despatch Abstract.]

Schools - Secondary - Aided - Hamidia High School Kilakarai - Ramnad Dt. - Transfer of Management. 15 Corr. - Orders passed.

Back Papers.

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

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ms	1157	Edn	6/8/49				
Ms	2252	Edn	22/11/49				
Rt	999-Es	25/8					

1

M Sec to GPH

At what stage is this now - I think the suggestions in X+ on page 3 seem to be the only solution

H.S. 9/8

SECRETARIAT 1949 GOVERNMENT OF MADRAS

ASST. SECRETARY TO GOVERNMENT 10 AUG 1949 EDUCATION AND PUBLIC HEALTH DEPT.

60801

To

The Hon'ble The Premier,
Government of Madras,
Fort St.George, M A D R A S.

2

The humble Memorial of K.T.M.Hussain Sahib, the Correspondent of Hamidia High School, Kilakarai, Ramnad Dt.

Sir,

105-110 of in (E)

Your Memorialist filed a petition before you on the 26th of May 1949 relating to the aforesaid School and another School at Kilakarai, Viz. Sathakathunjaria School. In that Memorial he submitted that both under Educational Rules and Regulations as well as from the practical point of view, the closure of the Sathakathunjaria School was absolutely necessary in the interest of education in Kilakarai. Your Memorialist humbly craves that that Memorial may be treated as part of this.

(E) 122 of

2. The Government were pleased to pass orders on that Memorial directing the closure of the Sathakathunjaria School, vide G.O.MS.No.1976 Edn., dated 17-6-1949. Your Memorialist implicitly carried out the directions contained in the order issued by the District Educational Officer who required that the students of the Sathakathunjaria Middle School should be admitted in to the Hamidia High School and they

S.O.

should be provided all facilities for the pupils seeking admission into the Hamidia High School. Your Memorialist thought that at long last a finality was reached in regard to the interminable difficulties exprtenced by him in carrying on the Hamidia High School.

3. Your Memorialist understands that recently those in charge of the Sathakathun Jaria Middle School have approached several members of the Government with a view to unsettle what has already been settled. Your Memorialist states that recently the Divisional Inspector of Schools, the District Educational Officer and Mr.Shanmughasundaram, M.L.A., visited Kilakarai and they wanted the disputes between the two Schools to be settled amicably and that having failed, we were asked to to go to Madura and there the management of the Sathakathun Jaria School were not agreeable to any terms. Your Memorialist understands that further representations had been made to the Government and the matter is now pending before you. Your Memorialist craves leave to mention that any interference with the orders already passed by the Government will cause serious hardship to the management of the Hamidia High School. If, however, the Government have any idea of passing fresh orders to alter the situation at it now exists, Your Memorialist begs to state that it will be very difficult if not impossible to carryø on the school by him any longer. In the event of the Government viewing with any favour the representations made on

behalf of the Sathakathun Jaria School, then your Memorialist desires that the entire Hamidia High School may be taken over by the Government with all the endowments etc. Your Memorialist has been interesting himself with the affairs of the School for the last several years to the detriment of his own businesses and alsó to the detriment of his health and any further interference on the part of the Government will only lead to fresh developments and difficulties. In these circumstances, your Memorialist feels that the only way out of the impasse is for the Government to take over the management of the institution. Your Memorialist has no other interest in the matter than the cause of education in this flourishing little town of Kilakarai.

4. Your Memorialist is not only willing to hand over the shcool but also all the endowments which are now owned by the institution. The School has got two houses at Mathunai fetching a monthly income of Rs.365/-. There are 8 pucca houses and one ordinary house (Staff quarters) at Kilakarai.. They fetch a low rent of Rs.67/- as they have been taken by the School teachers for rent. There is attached to the School a hostel which has got 15 rooms with modern facilities like electricity.etc.. This brings Rs.45/- per month. There are two playgrounder the school one of which is 3½ acres in extent and the other is 2 acres in extent. There are two school buildings with two storeys enclosed within a compound wall all round. The open space is about ¾ acre. Your Memorialist is willing to hand over the entire school as well as the endowments to the Government so that

S.O.
Edn

the phenominal progress of the school about which several distinguished persons have testified, may be maintained uninterrupted.

5. In this connection your Memorialist feels it his duty to point out that the Hamidia High School has been made a pawn in the political game. The sponsors of the Sathakathun Jaria School are parading that they are of the Congress persuasion although the elder brother of the correspondent of the school, viz. S.V.M.Jamaluddin Sahib is the President of the local Muslim League, and in fact he is the real head of the School though his brother is the correspondent in name~~s~~. ~~kinsbrother~~ Your Memorialist understands that some mahazars have been got up which have no intrinsic value. In this connection it may be mentioned that in the Sathakathun Jaria School which contains a strength of about 100 students, only about 20 students are of Kilakarai and the rest Have been brought in from other places under promise of their school fees, their hostel charges and everything being met by the management. The strength of the Hamidia High School is 190 of which about 160 students are of Kilakarai. These facts clearly show that those in the management of the Sathakathun Jaria School are not actuated by any bona fide motives in their present agitation. In fact they have virtually flouted the orders of the Government by not only still keeping the students but also trying to entice the students from Hamidia High School.

6. In these ~~xxx~~ circumstances, your Memorialist prays that either the order of the Government

already referred to may be allowed to remain, or if for any reason, the Government are going to modify that order in any form, then your Memorialist prays that the management of the Hamidia High School may taken over by the Government immdeiately. Your Memorialist is willing to hand over possession unconditionally of the High School and its endowments.

7. Your Memorialist are anxious to impress on you that he is not adopting an unhelpful attitude. He has no objection to the Hamidia High School being managed by him and the present management of the Sathakathun Jaria Middle School on any reasonable basis.

8. If the Government does not see its way to accept either of the alternatives mentioned above Your Memorialist may have no other option but to close the school.

Madras dated this the 9th day of August 1949.

K.T.M. Husain
MEMORIALIST.

Copy to the Hon'ble Minister for Education

S.O.
Edn

To

The Hon'ble The Premier
Government of Madras,
Fort St.George,
M A D R A S.

The Humble Memorial of
K.T.M.Hussain Sahib, the
Correspondent of Hamidia
High School, Kilakarai,
Ramnad District.

To

The Hon'ble The Premier,
Government of Madras,
Fort St. George,
M A D R A S.

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S.O.
Edn.

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of the school for the last several years to the detriment of his own business and also to the detriment of his health and any further interference on the part of the Government will only lead to fresh developments and difficulties. In these circumstances, your Memorialist feels that the only way out of the impasse is for the Government to take over the management of the institution. Your Memorialist has no other interest in the matter than the cause of education in this flourishing little town of Kilakarai.

4. Your Memorialist is not only willing to hand over the School but also all the endowments which are now owned by the institution. The School has got two houses at Mathurai fetching a monthly income of Rs.365/-. There are 8 pucca houses and one ordinary house (Staff Quarters) at Kilakarai. They fetch a low rent of Rs.67/- as they have been taken by the School teachers for rent. There is attached to the School a hostel which has got 15 rooms with modern facilities like electricity etc. This brings Rs.45/- per month. There are two playgrounds round the School one of which is 3½ acres in extent and the other is 2 acres in extent. There are two school buildings with two storeys enclosed within a compound wall all round. The open space is about 3/4 acre. Your Memorialist is willing to hand over the entire schools as well as the endowments to the Government so that the phenominal progress of the school about which several distinguished persons have testified, may be maintained uninterrupted.

S.O.
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5. In this connection your Memorialist feels it his duty to point out that the Hamidia High School has been made a pawn in the political game. The sponsors of the Sathakathunjaria School are parading that they are of the Congress persuasion although the elder brother of the correspondent of the school, viz. S. V. M. Jamaluddin Sahib is the President of the local Muslim League, and in fact he is the real head of the School though his brother is the correspondent in name. Your Memorialist understands that some mahazars have been got up which have no intrinsic value. In this connection it may be mentioned that in the Sathakathunjaria School which contains a strength of about 100 students, only about 20 students are of Kilakarai and the rest have been brought in from other places under promise of their school fees, their hostel charges and everything being met by the management. The strength of the Hamidia High School is 190 of which about 160 students are of Kilakarai. These facts clearly show that those in the management of the Sathakathunjaria School are not actuated by any bonafide motives in their present agitation. In fact they have virtually flouted the orders of the Government by not only still keeping the students but also trying to entice the students from Hamidia High School.

6. In these circumstances, your Memorialist prays that either the order of the Government already referred to may be allowed to remain, or if for any reason, the Government are going to modify that order in any form, then your Memorialist prays

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that the management of the Hamidia High School may taken over by the Government immediately. Your Memorialist is willing to hand over possession unconditionally of the High School and its endowments.

7. Your Memorialist are anxious to impress on you that he is not adopting an unhelpful attitude. He has no objection to the Hamidia High School beihg managed by him and the present management of the Sathakathunjaria Middle School on any reasonable basis.

8. If the Government does not see its way to accept either of the alternatives mentioned above Your Memorialist may have no other option but to close the School.

Madras dated this the 9th day of August 1949.

K. T. M. Hussain

MEMORIALIST.

S.O.
Edn

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Education and Public Health Dept.
Bl section.

Schools - Secondary - Aided - Hamidia High school Kilakarai- Ramnad- Transfer of management to Govt

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Special

From the Correspondent Hamidia High School Kilakarai dated 9-8-49

Memo No 60801/B1/49-1 Education dated 23-8-49.

A copy of the petition cited above is forwarded to the D.P.I. and he is requested to report immediately the immediate and ~~exk~~ ultimate cost involved in taking over the management of the Hamidia High school by Govt. The Director is also requested to specify the consideration subject to which the transfer of the management is to be effected.

2. The Director is requested to state whether he has submitted any report to the Hon'ble Premier to Govt in this regard and if so to submit a copy of it for ~~the~~ reference ~~information of Govt~~. The reference should be treated as Special.

To

The D.P.I. with copy of petition.

S.O.
Edn.

Special

R.O.C.No.42D3/48

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS, 25-8-1949.

A.S.IV.

ASST. SECRETARY TO GOVERNMENT
27 AUG 1949
EDUCATION AND PUBLIC HEALTH DEPT.
65987

From
THE DIRECTOR OF PUBLIC INSTRUCTION,
Madras.

To
THE SECRETARY TO GOVERNMENT,
Education and Public Health Department,
Madras.

Sir,

Subject: Schools- Secondary- Aided- Hamidia High School, KILAKKARAI - Rivalry.

Reference: Govt. Memo. No. 60,201-B1-49 Edn. dated 23-8-49.

I submit herewith a copy of the report of the Divisional Inspector of schools, Mathurai together with a copy of my D.O. letter dated 18-7-49 containing my remarks, submitted to the Hon'ble the Premier to the Government of Madras.

I shall submit separately the particulars regarding the immediate and ultimate cost involved in taking over the management of the Hamidia High School by Government.

Yours faithfully,

FOR DIRECTOR OF PUBLIC INSTRUCTION.

S.O.
Edn.

Enc. P.1-34.

18 HF

To

The Hon'ble Sri P.S. Kumaraswamy Rajah,
Premier to the Government of Madras,
Fort St. George, Madras.

MN. 25/8.

CONFIDENTIAL:

P.N. Chamu Nair, B.A., L.T.,
Divisional Inspector of Schools, Mathurai Dn.

Mathurai,
14-7-1949.

My Dear Sir,

Sub: Schools - Secondary - Kilakarai - Ramnad District.

In continuation of my D.O. letter dated 8-7-1949, I submit the following report:-

I proceeded to Kilakarai on the 10th July ~~xxx~~with Sri V. Shanmugasundaram, M.L.A. (deputed by the Premier) and the District Educational Officer, Ramnad, with a view to exploring the possibilities of an amicable settlement between the two managements. The ~~xx~~ two managements were informed of our arrival and the compromise talk began at about 3 p.m. and continued till 8 0'clock. As we were not able to finish the work on that day, we adjourned to meet again in the office of the Divisional Inspector of Schools at Mathurai on the 11th at 6 P.M. With a view to giving a clear idea of the trend of discussion that took place on both these days, I am submitting herewith a full report of the discussions. The entire talk was carried on by Sri V. Shanmugasundaram and the Educational Officers remained as observers.

Hf 21-31 infra

2 The management of the Sathakathun Jaria was aware of our going to that place on that day. Soon after our arrival, there was a crowd of about 200 people including urchins said to be the supporters of Sathakathun Jaria Middle School. The representatives of the general public who were said to be the supporters of Sathakathun Jaria presented about half a dozen mahazars containing the signatures of several individuals re-iterating the requesting for the retention of the Sathakathun Jaria Middle School. The mahazars are from Kilakarai, and from a few adjoining villages. The town congress committee President

S.O.
Edn.

and Secretary were also present and they were also supporting the Sathakuthun Jaria. In respect of these mahazars and the crowd that gathered there, Janab K.T.M. Hussain Sahib, Correspondent of the Hameedia School represented that he could also bring in more people, if he was aware of this meeting and that he could also get more signatures in a petition in support of his school, if he was given time. He also represented that people were brought from villages and fed for the purpose by the management of the Sathakuthun Jaria.

3 Sri Shanmugasundaram, M.L.A., made it clear to the people that in the view of Government there is no scope for two schools in the locality and that they should come to an amicable settlement and try to manage one school under a Joint management. For this purpose, he put forth before them the compromise suggestions contained in the Director's Proceedings ROC.No.42-D.3/48 dated 18-6-48 and he also went through the correspondence of both the parties connected with the compromise proposal. He definitely asked each party whether they were willing to accept the compromise proposals made last year. While Janab K.T.M. Hussain of the Hameedia School agreed to the compromise proposals of last year, the management of the Sathakathun Jaria Middle School did not agree and they desired to have a separate School run under their control. Since this was not acceptable Sri Shanmugasundaram, M.L.A., put forth another suggestion, of his own accord, viz. to allow the Sathakathun Jaria Middle School to have I form alone this year with the condition that they would be allowed to have II Form in future, after giving sufficient number of pupils for running two sections in Form II of the Hameedia School next year. It was explained to them that pupils, who are considered eligible for promotion from Form I of the Sathakathun Jaria School should be allowed to join II form of the Hameedia School next year and when two sections are opened in the Hameedia School and if there are pupils still waiting for

S-O.
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admission for Form II, the Sathakathun Jaria school may run second form; otherwise they cannot run Form II. It was also put forth before the Sathakathun Jaria management that in Form I of their school, they should have the same set of books, common examinations etc. Even this suggestion was not acceptable to the Sathakathun Jaria school and hence the compromise talk failed.

4 The minimum demand of the Sathakathun Jaria management seems to be to allow them to run atleast Form I this year with permission to develop the school next year with Form II, without laying down any condition. They desired that their school should be a separate middle school with Forms I to III in 3 years' time commencing from the current school year. The effect is that the locality will have again two secondary schools and the unhealthy competition and rivalry will be perpetuated.

5 The strength of the Hamidia High School on 7-7-49 was as shown below:--

Form VI	25	Form III	36
Form V	20	Form II	42
Form IV	30	Form I	54

Having regard to the nature of accommodation in the Hamidia school, it is not even half-full at present. In Form I, there are only 54 pupils, which will be inadequate for running two sections, though they may have to divide the form. For the Middle school alone, they have 6 class rooms of standard dimensions. The strength of the Sathakathun Jaria school on the date of its closure for the Ramzan holidays was as shown below:-

Form I	70
,, II	27
,, III	9

On a scrutiny of the admission register of the Sathakathun Jaria school, it is observed that out of 106 pupils, 44 pupils are coming far away from Kilakarai. The following is the classification--

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No.of pupils from Kilakarai and nearby - within 4 miles.		No. of pupils from far away from Kilakarai.	
Form I	37	Form I --	38
Form II	20	Form II	7
Form III	5	Form III	4
Total.	62	Total.	44

With a view to show adequate strength for running another school in the locality, much canvasing and propaganda work, offering all kinds of concessions have been done by the Sathakathun Jaria school and as a result of this, they have been able to get 44 pupils from far away places, even including outside Ramnad District. They also represented that about 45 pupils coming from distant places, are likely to be admi ted. It is, therefore, clear that nearly 50% of the pupils are coming from far away places and it remains to be seen to what extent this strength will be continuously maintained by them. Again, out of 70 pupils in Form I, 66 are from elementary schools and three from private study. In 48-49, they had 55 pupils in Form I and when the Dt.Edl. Officer tested the pupils he found a large number of unfit pupils in Form I. Even according to their own standard of promotion, only 15 pupils out of 55 were promoted to Form II. This shows that unfit pupils have been admitted and the strength has been inflated mainly to show that there is scope for two schools. I feel that figures cannot be much relied upon, having regard to the last year's experience, and the Hameedia school can easily absorb the pupils who are fit.

b One of the reasons adduced for the retention of the Sathakathun Jaria Middle School is that it is centrally situated in Kilakarai and it is easily accessible to all people while the Hameedia school is at one end of the town. This may be true so far as the present building of the Sathakathun Jaria school is concerned, but the new site in which the management is going to construct the building is also at one end of the town. So, the argument that the Hameedia school is at one end of the town cannot hold good.

S.O.
Edn

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S.O.
Edn

7 The management of the Sathakathun Jaria school feel that their prestige has been much affected by the latest orders of Government asking them to close down the school. To maintain their prestige and to have their faces, they feel that they should run atleast Form I this year. This is the plan fact. It is for consideration whether the Government should accede to this request. Permission to run I Form in this school this year will only perpetuate the unhealthy competition and according to the existing conditions, Keelakarai cannot have scope for two secondary schools.

8 Since the compromise proposal has failed and as the management of Sathakathu Jaria school does not adopt any reasonable attitude and as there is acute faction in the locality, I submit that it is desirable that one well conducted school is run in the locality in the interest of muslim education under a non-denominational management. This dispute has been going on since 1942 and the permission to run even Form I may not end the trouble. The only solution for the problem is to run a school under the direct management of the Government. I am not even in favour of the District Board management, as it may also give rise to faction with the ensuing elections. The Hamidia High School has got a very decent building for the school, hostel and quarters for teachers; the equipment also is generally fair and it has also a playground. The Manager of the Hamidia school has orally expressed his desire to hand over the whole thing to Government unconditionally, to solve the dispute and to have peace in the locality. If instructed, I shall further proceed in the matter.

9 As regards the commitments of the Sathakathun Jaria School, the only thing that I found in the locality is that they have rushed through the construction of a block of 5 rooms for a hostel. I understand that when

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the Deputy Director of Public Instruction (Finance) visited the locality, with the District Educational Officer on the 6th June, there was no construction on that site, but very recently, they rushed through the construction and the walls have been raised on their own responsibility. This is the only commitment, which can be said that they have incurred. The site seems to have been given free by some person.

YOURS SINCERELY,

Sd. P.N. Chamu Nair,

16

To

Sri D.S. Reddi, M.A. (Oxon).,
Director of Public Instruction,
Madras-6.

/True copy/

4/3

Thirumurthy
for Director of Public Instruction
Madras.

S.O.
Edn

Minutes of the meetings(Compromise talk) held at Keelakarai and Mat.
on the 10th and 11 th July, '48 respectively.

***

The following were presente-

1. Sri V.Shanmugasundaram Pillai, M.A., B.L.,M.L.A.
2. The Divisional Inspector of Schools, Mathurai,
3. The Dt. Educational Officer, Ramnad at Mathurai,
4. The representatives of the two managements - Hamidia School and Sathakathun Jaria School and
5. Representatives of the local public.

D I S CUS S I O N:

Janad K.M. Sayeed: (presenting a petition) Sathakathun Jaria Middle School is centrally stitutatad and is very popular among the public. Because of the closure of the school, the parents are put to difficulties and they are losing confidence. I request that two schools may be permitted to run in thislocality.

Sri Shanmugasumdaram: Instead of sending your children to other places you would do well to send them to a school in this locality and why not both the parties at Kalakarai make up their minds to run one school.

K.M. Sayeed: Sathakathum Jaria school is better stitutated and is very popular among the public.

Sri SHanmugasundaram: Supposing, both the schools are amalgamated, why not you send your boys to the combined school. At present, there is not sufficient strength to run two schools in this locality.

Janab Shaukat Ali: Only if the school is permitted to be re-opened, then we can think of increasing the strength.

Sri Shanmugasundaram: It is the policy of Government that permission for the opening of a school will be granted, only if there is sufficient scope for it.

Janab K.M. Sayeed: There is no question of increasing the strength at present since the people have lost their confidence because of the instability of the school.

Janab Shaukat Ali: If the school is allowed to run permanently, then the strength will automatically increase. Unless there is competition there is no scope for improvement. Competition will make both the parties work with more gigour. For this, there must be two schools. With only one school, there cannot be any scope for enthusiasm.

A parent: (R.C.Christian): My boy was reading in the Schwartz High School, Ramnad and I admitted him in the Sathakathun Jaria School. 10 days

J.O.

after this, the school was closed and he had to be taken away and admitted in the Hamidia School. How can the parents have any confidence of security of schools.

Janab K.M.Sayeed: Because of the withdrawal of recognition, the strength of the school has fallen in Sathakathun Jaria School and the Department is to be blamed for this and the Officers are responsible for this state of affairs.

Sri Shanmugasundaram: You cannot question the right of Government. They have got a set of rules to be followed and if your school does not satisfy the rules, naturally the recognition of the school will have to be withdrawn. There is no use of blaming the Officers also. It is the public of Kilakarai who are to be blamed for this. Because they are sending their children to outside schools, there is no scope for two schools in this locality and hence the recognition of the school had to be withdrawn.

Janab Shaukat Ali: Because there was no school, the children had to be taken away to other places.

Janab Abdur Rahman: I am in Ervadi. The public of Ervadi admitted their CHILDREN IN THE Sathakathun Jaria School. But, since the school has been closed, the boys had to be taken away. We were discouraged, when the order of withdrawal of recognition was received. We will try to bring in more children. What you should do is that the school should be allowed to run for 3 months atleast and if in the mean time, there is no sufficient strength, then you can withdraw the recognition.

Sri Bhoopal Rayan: The statement that there is rivalry should be proved.

Sri Shanmugasundaram: If there is no rivalry, there cannot be any objection to run a combined school.

Janab Shaukat Ali: This is managed by one Committee and that is managed by a different committee, how can these two schools be run as one.

Sri Shanmugasundaram: If both the managements can come to terms then the way is clear.

A parent: How can two managements be amalgamated? Take the case of R.C. and S.P.G. Missions among Christians. How can they unite? The same holds good for Sathakathun Jaria and Hamidia managements. Both of them have got different funds. Therefore let both of them run a different school.

Sri Shanmugasumdaram: It is the view of the Government that there is no sufficient strength to warrant two schools in the locality. If you can bring in more children, you can have another school. If you want to have the view of the

MN. 25/8.

government changed, then you must bring in more pupils. My purpose in coming here is to impress on your mind that the Government are under the impression that there is no scope for running two schools here. The Government will agree to permit the opening of another school if there are boys for two sections in each class in each school. Both of you have got money and both are willing to spend money. Two schools can be run, only if there is sufficient strength; otherwise, both the schools should be amalgamated. Do you agree to have one High School run by both the managements.

Janab Syed Kasim: We have got sufficient strength i.e. 90 pupils in Form I You can take into consideration all the schools in Ramnad and make a comparison.

Sri Shanmugasundaran: There is no use of comparing other places like Ramnad. In Ramnad, there are more pupils reading in schools. The population may be more or less the same. But, here, there are no parents, who are willing to send their children to schools. The number of school-going children here is less than what it is at Ramnad.

Janab Shaukat Ali: How can the strength improve, when the Officers stand in the way of the progress of our school and withdraw the recognition.

Sri Shanmugasundaram: What you should do is this. If you have sent your children to schools properly, then this state of affairs would not have arisen. How many boys can you admit within 3 days. If you can bring in more children, then you can have two schools. If you don't have it, what is your next step.

Janab Sheik Mathar (one of the Director's of Sathakathun Jaria management): We can get more children within 3 months' time.

Sri Shanmugasundaram: it is the orderof the Premier that the parents should not be put to any inconvenience or difficulty by closing this school and that all facilities should be afforded to the pupils to proceed with their education.

Sri Bhoopal Rayan: Does this order apply to Kilakarai alone or does it hold good to other places also?

Sri Shanmugasundaram: Please confine your talk to this locality alone. It is not a special consideration shown to the Hamidia School, but,it was done in the interests of pupils and parents and the Government do not know about parties i.e. Sathakathun Jaria and Hamidia. Both of them

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are equal to Government. This order was not passed on the basis of any consideration. If it is the intention of the public to have two schools, you must be able to satisfy the conditions prescribed for the same and the conditions are not at present satisfied in this case. We have come here to-day to bring both the parties to an amicable settlemen

Janab Shaukat Ali, Bitterness among us should be proved.

Sri Shanmugasundaram: Even to-day, it is a fact that there is no sufficient strength for Fomms I to III in Kilakarai and if you can bring in more pupils and come forward, the Government may agree to give another school

A representative of the Sathakathun Jaria management: The Department is trying to treat us like thieves and the Minister's orders were allowed to sleep for 24 days by the Departmental Officers.

Sri Shanmugasundaram: The Department are obeying the orders of Government and they are only carrying out the orders of Government.

Janab Shaukat Ali: Injustice was done to this school once, when this school was having Std.VII and when the other school was having only Std. V, permission to open a Middle School was granted only for that school. How do you justify this position?

Sri Shanmugasundaram: It is the intention of the Government to open more school in places where there is scope for it. There is absolutely no use of taking about Officers. They are only following the instructions of Govt You can talk about Govt. and you should not talk about Officers, as they are doing things in an impartial manner. If you ~~sympathy~~ narrate in saying this again and again, you are only alienating the sympathy of the officers. If you want to progress, you must co-operate with the Officers. The Officers have to follow certain rules and regulations and if you want to go against the rules, they cannot do anything.

Janab K.M.Sayeed: Is it that there is no scope for running two schools, here, or there is no scope for running another school by the Sathakathun Jaria management?

Sri Shanmugasundaram: There is no scope for running two schools.

Janab Syed Kasim: There are 102 elementary schools in Ramnad Range and 16,300 pupils are reading. There are two High Schools in Ramnad and two High Schools in Kilakarai. There are 14 elementary schools in Ramnad and the pupils going out of Std. V are reading in those schools and where do the pupils from other schools go for higher studies.

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Sri Shanmugasundaram: Inferential argument will not do.

Janab Syed Kasim: We got orders in '47. Along with it, we got orders to the effect why the school should not be closed. If this is the condition, how can the pupils come to our school.

Sri Shanmugasundaram: What were the reasons for this ?

Janab Syed Kasim: It was alleged that we were making wrong admissions, there were defects in the administration. We wanted an impartial enquiry. We were asked to say whether we could run a girls' school, as there is no scope for a boys' school. Then we were asked to say whether the two schools could be amalgamated. I wanted to clarify the position. I wanted an interview with the Divisional Inspector of Schools. A conference was arranged and I went to Madras. But there was no talk about a compromise there. The whole conversation was about running a girls' school. They wanted a reply by the 26th and I sent my reply to the effect that there is no scope for a girls' school. The closure of my school suddenly has brought about this state of affairs. From '43 onwards, we were fighting to get a secondary school and got our school. According to the report of the Dt. Edl. Officer, the management has spent Rs.3000/- on the school. Till the closure of the school, we had 106 pupils.

Sri Shanmugasundaram: The same enthusiasm, which you are all showing at should have been shown by sending more children and giving scope for two schools.

Janab Syed Kasim: This is due to the fact that people lost confidence because of its wavering condition. We are getting pupils from Rajapalayam, Tiruppattur and Sankarankoil. I am admitting pupils coming from other schools only. The Department is finding fault with us always saying that we have no qualified staff, adequate accommodation etc.

(At this stage all the members (representatives of both the parties were assembled together for discussion and the general public were requested to withdraw.)

Members of the Sathakathun Jaria Management:
1. Janab A.S. Sheik Mathar Sahib Ambalam, Vice President,
2. ,, S.V.M. Mohd Jalaludin - Treasurer,
3. ,, K.A.M.Md. Abubucker alias Shaukat Ali.
4. ,, Syed Kasim, Correspondent,
5. Sri A.S.Bhoopal Rayan, Member of the managing Committee,
6. Sri S.V.S.Ramanathan Pillai -Member and
7. Sri M.V.Matharasu Servai.

Sri Shanmugasundaram: When the Dy. Director of Public Instruction (Finance) came for enquiry , did you not say all this to him.

Janab Shaukat Ali: We were not aware of the Dy. Director's visit to this place

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Members of the Hamidia management:

1. Janab K.T.M.Hussain Sahib, Correspondent,
2. ,, S.M.Md. Sathakathani, Managing Committee, Member, President, Panchayat Board
3. ,, V.A.Mustafa Marakayar,
4. President of the Managing Committee.

Sri Shanmugasundaram: Are the admissions Proceedings?

Janab K.T.M. Hussain Sahib: Yes.

Sri Shanmugasundaram: What is the strength in Forms I to III.

Hamidia School:	Form I	54;	Form II	42:	Form III	36
Jaria School	,,	70	,,	27	,,	9

Sri Shanmugasundaram (to Jaria management) How many more do you except?

Janab Kasim: Form I, 20 Sri Shanmugasundaram: On what basis?

Janab Kasim: The Harijan Welfare Association has informed us. It is at Nilakottai (Mathurai District). Sri Veerabadran is the President of the Association. He is the Sub-Register, Kachapatti.

Form Form II: The Headmaster, Board Elementary School, Sikkal personally informed us to bring 10 muslim boys

Form Form III: Personally informed - 15 boys from Manamadura and 7 boys from Mathurai.
Manamadura: Mr. James of Tiruppuvanam - H.M. ofthe Bod. Higher Elementary School there.
Mathurai: Supervisor, R.V. Mill Ely. School -Mr. Jayapal.

Sri Shanmugasundaram: You have enough strength to Form I only. In Forms II and III there is no sufficient strength.

(To Hamidia Manager) There is no scope for running two schools. The other school was also recognised last year. This recognition is withdrawn now. Both of you are willing to spend on education. This is the impression of Government. Government are not willing to obstruct any one. But the rules should be followed. The difficulty is about forms I to III only. Are you prepared to come to any agreement onthis point?

Janab K.T.M. Hussain Sahib: Regarding the agreement Ihave already written to the Department about this (copy shown) I am willing to do what is possible and what the Department and others say. We are doing only philanthropic work and we don't want any quarrel. Why should we be quarrelling to spend money? If necessary, I shall close down my school. I am prepared to do what is just.

Sri Shanmugasundaram (to Sathakathun Jaria management): Both of you are willing for a just agreement. Are you prepared to accept what is considered just by the Government.

Janab Sahukat Ali: Yes. Sri Shanmugasundaram (to Janab K.T.M.Hussain) Do you also agree?

Janab K.T.M.Hussain: Yes.

Sri Shanmugasundaram: You have agreed on financial matters. Now the question is about the location of the school. This was the position last year. Do you still hold that view or is there any change? The Govt. are willing to give full

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scope for you to spend for education. But you may feel that they are not allowing you to spend as you like. Therefore why not you (Sathakathun Jaria) have Form I this year for which there is adequate strength and give Forms II and III to them (Hamidia). The school is the same, but with different sections in two buildings. You have agreed about the management and other things. The only point for discussion is about the building.

Janab Syed Kasim: What about next year?

Sri Shanmugasundaram: You have got sufficient strength for Form I and they have got strength for Forms II and III. If they have two Divisions, then you ban have the other sections. If you amalgamate, you get this advantage. If you don't you don't get this advantage also.

Sri Bhoopal Rayan: When there is sufficient strength in Form II, why not we have one Division in Form II also.

Sri Shanmugasundaram: It depends upon the strength. You accept this first, then we will proceed further. Do you agree that there must be one school. Do you agree to the points which you have already agreed to last year.

Janab Ambalam: We want our school only.

Sri Shanmugasundaram: If you have got alternate proposals, you can tell me.

Sri Bhoopal Rayan: We will have Form I this year and develop it later.

Sri Shanmugasundaram: Supposing the other school doesnot have the strength next year, what will you do. The question of development of a particular school depends on what the educational officers say about it. They have got to follow certain rules and it is for them to decide which school has got better facilities.

Janab Ambalam: We don't agree to the proposal.

Sri Shanmugasundaram: If you have a separate school then again there is the question of strength. Permission will be given to you only if you have got enough strength. Both permission and recognition mean the same thing. If you are really enthusiastic, you must have to come to a settlement; otherwise, it shows a spirit of rivalry. The demands of the public should always fit in with law and authority. Nothing can be done, simply because the majority wants a thing to be done. Hence the majority view is not the only xit criterion for deciding a thing.

Shi Bhoopal Rayan: The Govt. have done a mistake in this case.

Sri Shanmughasundram: Govt. have not done any wrong. In what way can we effect a compromise; only if both of you come together.There is no way

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out of this, unless both of you come to terms. If during the past two years you had not been able to convince the Govt. what further points are you going to give now. Two schools were permitted, thinking that there would be scope for two schools. But subsequently it was found out that there was no scope; Since the other management are feeling that by the opening of another school, their strength has become uneconomic. It only leads to the conclusion that there is no sufficient strength for two schools.

Janab Ambalam: We can come to an agreement, if we have our school.

Sri Shanmugasundaram: You can run Form I this year and Forms II and III should be run by them. Next year, if they have sufficient strength in Form II and III, then only you can get Forms II and III. They must have two sections and the rest of the boys should be admitted by you. Your school has been closed now; it can be revived only if the Department agrees to it and if there is sufficient strength. If you don't agree to ~~it and if there is sufficient~~ this, then both of you will have to go out and the school will be run by a Committee.

Janab Ambalam: We won't get students under this condition because they are not definite whether Form II will be here next year.

Sri Shanmugasundaram: You can try with Form I this year. The fundamental principle for running a school is its strength and that should be satisfied. The main point of agreement should be on the basis of strength. We can continue the discussion tomorrow at 5 P.M. in the Divisio al Inspector Office, Mathurai. Instead of calling it a Division, you can call it a unit. This is governed by the educational rules. If you have enough strength after that unit is filled up, you will have other sections. Both of you are running schools and none should be affected by a settlement. You can raise your school into a College and they can also do likewise. But the whole thing depends on the strength. You must get the strength first and fight for your rights and before you get the strength you cannot be talking of rights. What would happen next year, you need not worry about now. If the strength increases, then the whole problem is solved. You can select a Committee ward-war and try to improve the strength. I am sorry to say that people were not taking as much interest, as you are showing just now. Take a census of the school-going children ward-war and try to admit them in the local schools. Even if there is strength, you don't utilize it properly, since the parents are sending their boys elsewhere.

(At this stage the party visited both the schools and agreed to continue the conference at the Divisional Inspector's office on the 11th at 5 P.M.)

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(11--7--49)

Sri Shanmugasundaram: Did you think over the matter, which I mentioned you yesterday?

Janab Ambalam: You mentioned about Form I only, what abour Form II?

Sri Shanmugasundaram: If there is sufficient strength, we will give that form also.

Janab Ambalam: So as far as this year is concerned, it is all right, but the same problem will crop up next year also and we have to depend on the other school for our strength. We will abide by any condition, but we are to depend on the other school for the other Forms, which is not possible.

Sri Shanmugasundaram: You leavethat question to Government. You can first of all run Form I only and we can think of Forms II and III later. It all depends on how you conduct the school this year.

Janab Ambalam: You are talking of compromise, but your proposals of compromise relate to this year only and for the next we will have the same problem.

Sri Shanmugasundaram: This does not mean that both of you have come to an agreement. If it is a question of compromise you should have ahdered to the conditions laid down last year, but you did not agree to that. What you agree to,now is no compromise at all; it is a question of give and take policy. Next year, the question will depend on the conditions which will exist then.

Sri Bhoopal Rayan: What is the rule about the strength of a Middle School; how many students are required for a Middle school?

Sri Shanmugasundaram: Each should have a unit of two sectionsi.e. 90 pupils in each class.

Sri Bhoopal Rayan: The rule says that each class should have an average of 40 pupils.

Sri Shanmugasundaram: Each case will be judged on its own merits and you will have strength for Form I only.

Janab Syed Kasim: You must take into consideration our financial commitments last year i.e. during 48-49, you have taken Forms II and III fro our school, yet you have not considered the merits on our side.

Sri Shanmugasundaram: Kilakarai should be taken as a Unit. The question to be considered is whether two schools can be run with the present strength. Each school cannot be taken as a spearate entity. When you

give recognition ...

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a particular institution, the merits of that institution alone should be taken into consideration.

Janab Syed Kasim: Then you can decide the question on our own merits.

Sri Shanmugasundaram: The point is how many schools Kilakari can have. It depends upon the strength. The questions is not whether Jariamanagement or Hamidia management should have a school. The public may want a school under Jaria management. But the attitude of the Government is whether there is scope for two schools.

Janab K.T.M. Hussain Sahib: You said that public are supporting that school. It is on what basis.

Sri Shanmugasundaram: It was on the people, who were present there.

Janab K.T.M.Hussain Sahib: I can bring in more prople. What you should consider is in which school the local pupils are reading in larger numbers. We have also got pupils from outside. You consider the percentage of pupils. That is the best way to judge. Mere signatures in a petition alone will not do. I was under the impression yesterday that you would be coming 4 days hence. To tell you the fact, people were brought from villages and fed for the purpose by the other people. Please do not form an opinion on the strength of the people present yesterday. Hindus are working under me also.

Sri Shanmugasundaram: I have not formed any opinion so far. But they were were saying that they have got the support of the public. My opinion will not be based on this statement.

Janab K.T.M. Hussain Sahib: The reason why I have not collected so many persons was that it was an unnecessary work and a waste of expnditure. You must consider that we have run the school for three years. You can take the number of local pupils, either Christians, or Hindus and find out in which school they are reading in larger numbers.

Sri Shanmugasundaram : I have not given my opinion in the matter.

Sri Bhoopal Rayan : It was mentioned in the order that on the representation of the public, the school was ordered to be closed. If we have got public support, then how does this argument hold good.

Sri Shanmugasundaram: You can have Form I this year and leave the rest i.e. Forms II and III to be decided by Government next year according to the conditions, which will exist then.

Janab Ambalam: We say that we have got public support and they too are saying like this. In that case let us hold an election for that purpose and decide. Even the Government are running by elections only.

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Sri Shanmugasundaram: The reason why elections are held is this. All the people cannot run a Government at the same time. Hence elections are held to choose the representatives, who will run the Government.

Janab Ambalam: We want our school and you can do what is possible to achieve that end.

Sri Shanmugasundaram: In Form I, both the schools should have one set of books, common examinations, the valuation of papers being half and half in each school.

Janab Ambalam: We want a separate school and we leave the rest to the Dept.

Sri Shanmugasundaram: Then you don't agree to Form I being conducted in a separate school.

Janab Ambalam: We don't agree to the proposal.

Sri Shanmugasundaram: Then we will say that the compromise has failed. Last year's terms of compromise offered by the Department were again put forth to the parties and the Jaria Management did not agree to the terms and conditions.

Sri Bhoopal Rayan: What were the proposals of last year?

Sri Shanmugasundaram: Then another proposal was given to both the parties. i.e. the Jaria Management will be permitted to continue Form I alone on condition that they should send this year the pupils in Forms II and III to the other school. They agree to have Form I alone this year but they wanted that they should be allowed to have Form II in the next year without any hindrance or objection from the Department; a further condition being imposed upon them was that Hamidia School should function as a unit (with two sections), if there are boys over and above their strength i n Fomm II, then only the question of granting recognition for Form II will be considered next year so far as Jaria School is concerned. To this they (Jaria Management) did not agree. But they expressed the desire that their school should continue as a separate unit and they should be allowed to continue it as Middle School with Forms I to III.

(True copy)

For Director of Public Instruction
Madras.

EDUCATION DEPARTMENT

FROM

THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS

To

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

Rc.No.1296 K3/49 dated 30-8-49

Sir,

Sub:--Schools--Secondary--Aided--Hamidia High School, Kilakarai--Ramnad--Transfer of management to Government.

Ref:--Government Memorandum No.60801-B1/48-1 Education dated 23rd August 1949.

I furnish below the immediate and ultimate cost involved in taking over the management of the Hamidia High School by Government. In regard to the conditions subject to which the transfer of management is to be effected, the Divisional Inspector of Schools, Madura is being asked to offer his remarks in the matter, and I shall submit my reply on receipt of his remarks.

COST IN 1949-50:

The immediate cost is worked out assuming that the transfer of management is to be effected from 1-10-49.

The School has - as per the financial statement 1947-48 - 7 sections one in each of Forms II to VI and 2 in Form I. The staff requirements of the School are as follows:--

1. Four L.T. Assistants including the Headmaster.
2. Four Secondary Grade teachers.
3. One Tamil Pandit Grade I
4. One Urdu Munshi "
5. One Arabic Munshi "
6. One Hindustani Teacher "
7. One Drawing Master "
8. One Assistant Manual Training Instructor
9. One Physical Training Instructor
10. One Clerk.
11. Two peons.
12. One Gardener.
13. One Sweeper.

COST IN 1949-50

1. Pay of 4 L.T. Assistants in the Scale of 85-5-125-10-175	= 85 x 4 x 5	=	1,700
D. A. at Rs. 24	= 24 x 4 x 5	=	480
2. Pay of 4 Secondary Grade teachers in scale of 45-3-60-2-90	= 45 x 4 x 5	=	900
D.A. at Rs.22	= 22 x 4 x 5	=	440

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3) Pay of One Tamil Pandit, One Urdu Munshi, One Arabic Munshi and One Hindustani Teacher all in Grade 1 in the scale of Rs.85-5-125-10-175 - 85 x 4 x 5	-	1,700
D.A. at Rs. 24 - 24 x 4 x 5		480
4) Pay of one Drawing Master Grade I in the Scale of Rs.45 -3 - 60- 2-90 - 45 x 5		225
D.A. at Rs.22/- 22 x 5	-	110
5) Pay of one Assistant Manual Training Instructor in the scale of Rs. 45-3-60-2-90 = 45 x 5		225
D.A. at Rs.22 - 22 x 5		110
6) Pay of one Physical Training Instruction Grade 1 in the scale of Rs.50-95 - 50 x 5		250
D.A. at Rs.22/- 22 x 5		110
7) Pay of One Clerk in the scale of Rs.45-3-60-2-90 45 x 5		225
D.A. 22 x 5		110
8) Pay of two peons in the scale of 18-25 18x 2 x 5		180
D.A. at Rs.18/- -do-		180
9) Wages of one gardener at Rs.30/- p.m. 30 x 5		150
10) - Sweeper at Rs.25/-p.m. 25 x5		125
Other contingencies		250
	Rs.	7,950
Deduct Probable fee income		4,100
	Rs.	3,850

or Rs.3900/- in round figures.

ULTIMATE COST

1) Average pay of 4 L.T. Assistants and 4 teachers for Languages Grade I in the scale of Rs. 85-175 - 137 x 8 x 12		13,152
D.A. - 24 x 8 x 12		2,304
2) Average pay of 4 Secondary Grade teachers one Drawing Master Grade and One Assistant Manual Training Instructor in the Scale of 45- 90 - 67.5 x 6 x 12		4,860
D.A. 22 x 6 x 12		1,584
3) Average pay of one Physical Training Instructor Grade I in the scale of 50-95 - 72.5 x 12		870
D.A. 22 x 12		264
4) Average Pay of one Clerk in the scale of Rs.45-95 - 67.5 x 12		810
D.A. 22 x 12		264
5) Average pay of two peons in the scale of 18-25 -20.7 x 2 x 12		497

ULTIMATE COST (CONTINUED)

5) D.A.	18 x 2 x 12	432
6) Wages of the Gardner	30 x 12	360
7) Wages of the Sweeper	25 x 12	300
Contingencies		300
		25,997
Deduct fees expected at Standard rate		6,071
		Rs. 19,926

The School earned a grant of Rs.7,145/- during the year 1947-48 and if this amount is deducted from the ultimate cost of Rs.19,926, the extra ultimate cost will be Rs.(19,926 - 7145) 12,781 or Rs.12,800 in round figures.

2. The petition of the Correspondent received with the Government endorsement cited above is resubmitted herewith,

Yours faithfully,

For Director of Public Instruction

C1b.31-8-1949

31/8

		Rate	No.	Total.	
4 L.i.Asstts.	@	137.	32-	169 x 4 =	676.0
4 Boys @ tea	@	67.5	24.	91.5 x 4 =	366.0
4 Pandits	@	137.0	32.	169 x 4 =	676.0
1 draughtsman		67.5	24.	91.5	91.5
1 Instr. mi. Sktr		67.5	24.	91.5	91.5
1 P.T. Instructor		72.5	24	96.5	96.5
1 clerk		67.5	24.	91.5	91.5
2 peons		22.2	19.	111.2 x 2	82.4
one gardener		—	—	30	30.0
one sweeper				25.	25.0
					2226.4 x 12
					26716.8
Contingencies					300.0
					27016.8
deduct fees at Std. rate				6071.0	
Gat grant				7145.0	
				13216.0	13216.0
					13800.8

S.O.

Rs 13,800

ASST. SECRETARY TO GOVERNMENT
6427
10 AUG 1949
EDUCATION AND PUBLIC HEALTH DEPT.

THE HON'BLE THE PREMIER
17 AUG 1949
GOVERNMENT OF MADRAS

To

The Hon'ble The Premier,
Government of Madras,
Fort St.George, M A D R A S.

The humble Memorial of K.T.M.Hussain Sahib, the Correspondent of Hamidia High School, Kilakarai, Ramnad Dt.

Sir,

Your Memorialist filed a petition before you on the 26th of May 1949 relating to the aforesaid School and another School at Kilakarai, Viz. Sathakathunjaria School. In that Memorial he submitted that both under Educational Rules and Regulations as well a s from the practical point of view, the closure of the Sathakathunjaria School was absolutely necessary in the interest of education in Kilakarai. Your Memorialist humbly craves that that Memorial may be treated as part of this.

2. The Government were pleased to pass orders on that Memorial directing the closure of the Sathakathunjaria School, vide G.O.MS.No.1976 Edn. , dated 17-6-1949. Your Memorialist implicitly carried out the directions contained in the order issued by the District Educational Officer who required that the students of the Sathakathunjaria Middle School should be admitted in to the Hamidia High School and they

should be provided all facilities for the pupils seeking admission into the Hamidia High School. Your Memorialist thought that at long last a finality was reached in regard to the interminable difficulties expréenced by him in carrying on the Haidia High School.

3. Your Memorialist understands that recently those in charge of the Sathakathun Jaria Middle School have approached several members of the Government with a view to unsettle what has already been settled. Your Memorialist states that recently the Divisional Inspector of Schools, the District Educational Officer and Mr.Shanmughasundaram, M.L.A., visited Kilakarai and they wanted the disputes between the two Schools to be settled amicably and that having failed, we were asked to to go to Madura and there the management of the Sathakathun Jaria School were not agreeable to any terms. Your Memorialist understands that further representations had been made to the Government and the matter is now pending before you. Your Memorialist craves leave to mention that any interference with the orders already passed by the Government will cause serious hardship to the management of the Hamidia High School. If, however, the Government have any idea of passing fresh orders to alter the situation at it now exists, Your Memorialist begs to state that it will be very difficult if not impossible to carryø on the school by him any longer. In the event of the Government viewing with any favour the representations made on

behalf of the Sathakathun Jaria School, then your Memorialist desires that the entire Hamidia High School may be taken over by the Government with all the endowments etc. Your Memorialist has been interesting himself with the affairs of the School for the last several years to the detriment of his own businesses and also to the detriment of his health and any further interference on the part of the Government will only lead to fresh developments and difficulties. In these circumstances, your Memorialist feels that the only way out of the impasse is for the Government to take over the management of the institution. Your Memorialist has no other interest in the matter than the cause of education in this flourishing little town of Kilakarai.

4. Your Memorialist is not only willing to hand over the shcool but also all the endowments which are now owned by the institution. The School has got two houses at Mathurai fetching a monthly income of Rs.365/-. There are 8 pucca houses and one ordinary house (Staff quarters) at Kilakarai.. They fetch a low rent of Rs.67/- as they have been taken by the School teachers for rent. There is attached to the School a hostel which has got 15 rooms with modern facilities like electricity.etc.. This brings Rs.45/- per month. There are two playgrounder the school one of [illegible]h is 3½ acres in extent and the other is 2 acres in extent. There are two school buildings with two storeys enclosed within a compound wall all round. The open space is about ¾ acre. Your Memorialist is willing to hand over the entire school as well as the endowments to the Government so that

the phenominal progress of the school about which several distinguished persons have testified, may be maintained uninterrupted.

5. In this connection your Memorialist feels it his duty to point out that the Hamidia High School has been made a pawn in the political game. The sponsors of the Sathakathun Jaria School are parading that they are of the Congress persuasion although the elder brother of the correspondent of the school, viz. S.V.M.Jamaluddin Sahib is the President of the local Muslim League, and in fact he is the real head of the School though his brother is the correspondent in name. Your Memorialist understands that some mahazars have been got up which have no intrinsic value. In this connection it may be mentioned that in the Sathakathun Jaria School which contains a strength of about 100 students, only about 20 students are of Kilakarai and the rest have been brought in from other places under promise of their school fees, their hostel charges and everything being met by the management. The strength of the Hamidia High School is 190 of which about 160 students are of Kilakarai. These facts clearly show that those in the management of the Sathakathun Jaria School are not actuated by any bona fide motives in their present agitation. In fact they have virtually flouted the orders of the Government by not only still keeping the students but also trying to entice the students from Hamidia High School.

6. In these circumstances, your Memorialist prays that either the order of the Government

already referred to may be allowed to remain, or if for any reason, the Government are going to modify that order in any form, then your Memorialist prays that the management of the Hamidia High School may taken over by the Government immediately. Your Memorialist is willing to hand over possession unconditionally of the High School and its endowments.

7. Your Memorialist are anxious to impress on you that he is not adopting an unhelpful attitude. He has no objection to the Hamidia High School being managed by him and the present management of the Sathakathun Jaria Middle School on any reasonable basis.

8. If the Government does not see its way to accept either of the alternatives mentioned above Your Memorialist may have no other option but to close the school.

Madras dated this the 9th day of August 1949.

K.T.M. Husain
MEMORIALIST.

62

To

The Hon'ble The Premier
Government of Madras,
Fort St.George,

MADRAS.

The Humble Memorial of
K.T.M.Hussain Sahib, the
Correspondent of Hamidia
High School, Kilakarai,
Ramnad District.

38

63 M

Education and Public Health Dept.
B 1 section.

Schools- Secondary -Aided - Hamidia High school Kilakarai- Taking over of the management by Govt.

From the D.P.I. R.O.C. No 4293/48 dated 25-8-1949 and 30-8-49. pp 32-34 pp 12 f

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Special

Memorandum No 6080/B1/49-3 Edn dated 3-9-49. 33

The D.P.I. is requested to take steps immediately to complete all formalities for conveying the Hamidia High school, Kilakarai, with its properties to Govt as proposed by the Correspondent of the high school in his letter dated 9-8-49- The Director is requested to ~~[expedite his reply to memo No 6080/B1/49 dated 23-8-49 and to]~~ report the conditions subject to which the transfer of management of the school to Govt should be sanctioned.

3/9/49

pp 7-9 f

p 11 f

To
The D.P.I.

1.9.49

1-9-49

2/9

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p 11 c

39

85

E & P.H. (B1).

Schools - Secondary - Aided - Hamidia High School, Kilakarai - Taking over of the management by Govt.

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From the D.P.I. Roc. No. 42.B3/48 d/30-8-49.
Ref Memo No. 60801 B1/49-3 Edn. dated 3-9-49.
Memo No. 60801 B1/49-5 Edn. dated 16.9.49.

—

The D.P.I. is requested to report immediately the conditions subject to which the transfer of management of the Hamidia High School, Kilakarai to Govt may be sanctioned. He is also requested to state whether all formalities, for conveying the school with all its assets to Govt, have been completed

H 32-34 cf
p 38 cf

A in Sachivi
16/9/49

p 38 cf

To

The D.P.I.

Dept/16/9/49 — S.O. Edn

16/9/49.
16-9-49.

16-9-49

From

The Correspondent,
Sathakathun Jaria Middle School,
Kilakarai, Ramnad District.

To.

The Hon'ble, The Premier,
Government of Madras,
Madras.

ASST. SECRETARY TO GOVERNMENT
17 SEP 1949
EDUCATIONAL AND PUBLIC HEALTH DEPT.

HONBLE THE PREMIER
15 SEP 1949
GOVERNMENT OF MADRAS

Sir,

In pursuance of the petition of 22nd June 1949 submitted by the Sathakathun Jaria High School Committee, Kilakarai, the Hon'ble, The Premier, was pleased to depute Mr. Shanmuga Sundaram, M.L.A., and the Divisional Inspector of Schools, Madura, to go to Kilakarai in order to inquire into the matter referred to in the petition. On enquiry, they were convinced that the above school is enjoying the full support of an overwhelming majority of the people, Hindus, Muslims, Christians, etc., and that Kilakarai can in fact accommodate two secondary schools without any prejudice to each other.

2. It is given to understand that the management of Hameedia High School, Kilakarai, have represented to the Hon'ble, The Premier, that they would not run their school, if the above school is allowed to continue any longer. This attitude of the management of Hameedia High School only shows the unreasonabless and lack of bonafides on their part, in view of the finding of the said deputed members. If they persist in such unreasonable attitude, the Sathakathun Jaria High School Committee, which is a registered body, may be permitted to submit that they are willing and quite prepared to take over the management of the Hameedia High School in addition to their own. Their financial capacity for these purposes is proved by their endowments, referred to in their above petition. They will be responsible for any additional expenditure incurred for the maintenance of the Hameedia High School over and above the income from fees, from endowment of Hameedia School and from any other source, plus grant, from the date of such taking over.

P. T. O.

S.O.

To show their earnest, the Sathakathun Jaria High School Committee are prepared to deposit a sum equal to the difference found in 1948-49 between the expenditure incurred for running the Hameedia High School and the income by way of fees, grant, from endowments and other sources of the said school.

In these circumstances, it is prayed that recognition may kindly be restored to the Sathakathun Jaria Middle School, Kilakarai.

MADRAS
8th Sept.1949

8/9/49

Correspondent, Sathakathun Jaria Middle School, and Assistant Secretary of the Sathakathun Jaria High School Committee, Kilakarai.

E&P.H(B)

May be added to the main file on the subject.

19/9/49.

19.9.49

26/9/49

R.C.NO.1296-K.3/49

Office of the Director of Public Instruction, Madras, Dated 5--10--1949.

From

The Director of Public Instruction, Madras.

To

The Secretary to Government, Education and Public Health Department.

Sir,

ASST. SECRETARY TO GOVERNMENT 8 OCT 1949 EDUCATION AND PUBLIC HEALTH DEPTT.

Subject: Schools - Secondary - Aided - Hamidia High School, Kilakarai - Taking over of the management by Government.

p 39 ante

Ref: Government Memorandum No.60801/49-B.1-3 Education dated 3rd September 1949 and 16th September 1949.

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p 44-45 infra

I submit herewith a copy of the letter dated 15-9-1949 from the Correspondent, Hamidia High School, Kilakarai addressed to the Divisional Inspector of Schools, Mathurai together with the enclosures referred to therein for favour of information.

p 44 infra

2. The Hamidia High School, Kilakarai is being managed by a Committee, the members of which have been nominated by "The Uswathun Hasana ~~Muslim~~ Society" which is reported to be registered Society under the Society Registration Act and which is the trustee of the School and its properties. The Managing Committee of the School met on 11-9-1949 and passed resolutions agreeing to hand over the School with its movable and immovable properties to Government and specifying the conditions for transfer. Kind attention is solicited to the copy of the Resolutions (enclosed) The following remarks are offered thereon.

p 44 infra

Resolution No.1: The Committee has resolved that the school should be continued in its present building with its present name as "Government Hamidia High School". In view of the fact that the Committee is transferring the management of the school with its properties to Government, there appears to be no objection to accepting the suggestion.

pp 44-45 infra

Resolution No.2: The Committee has resolved to transfer all movable and immovable properties unconditionally with a Registered agreement of conveyance with the exception of the Hostel buildings and the teachers quarters which will continue to be the properties of the society. This may be accepted as one of the conditions, as the Committee has proposed to utilise the income derived from the property excluded towards the maintenance of the Elementary School under the management and by eliminating the property the Government will not be under any obligation to run a Hostel or provide quarters for the staff as is being done by the present management.

do

p 45 infra

The Committee has stated in sub-paras 2 and 3 of the resolution that the income derived from the endowed property at Mathurai, be set apart from scholarships, supply of books etc. free to the poor pupils and that in awarding scholarships 80 per cent may be reserved to muslim and the remaining 20 per cent to non-muslims. I recommend that Government may be pleased to accept this condition but the society may be asked to make an endowment of the property separately.

p 45 infra

p 45 infra

Resolution No.3: deals with the question as to what course should be adopted in regard to the properties of the school in the event of its closure. The committee desires that the property should revert back to the Uswathun Hasana Society in the event of closure of the school. No grant has been paid for the construction of the school building, except a sum of Rs.2000/- as equipment grant. If the school has to be closed for any reasonable cause it is but fair that the properties should be returned to the Society.

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Resolution No.4: deals with the question of retention and fixation of pay of the Existing Staff of the School.

The Committee has no objection to the ousting of unqualified teachers but desires that such of teachers as are qualified may be retained subject to the condition that in fixing their pay no member sustains loss in their present emoluments. This has to be decided according to the service rules. The Divisional Inspector reports that the Correspondent had informed him that the intention was that the present incumbents if taken into Government service might be allowed to draw their present pay, the difference if any being treated as personal allowance to be merged in future increments. Usually in such cases as the one under reference teachers retained in Government Service are allowed the pay drawn by them under the previous management, the request of the Committee does not present any difficulty.

Resolution No.5 deals with Holidays to be observed and the mode of instructions in the 2nd language. These will be according to the policy of Government.

In the circumstances I suggest for consideration of Government the following conditions subject to which the transfer of management of the school to Government may be sanctioned.

1. That the school ~~should~~ Shall be called Government Hamidia High School, Kilakarai.
2. That the Correspondent should legally convey immediately the moveable and immoveable properties of the school except the Hostel buildings and the teachers' quarters.
3. That in case the school is closed for any reasonable cause, the then existing moveable properties and immoveable properties transferred by the Society will be returned to the Society after deducting the value of improvements if any effected to the buildings.
4. That the levy of fees and grant of fee concessions in the schools will be governed by the existing orders of Government.
5. That the instruction in the school will be according to the general policy followed by Government in such matters.
6. That such of the existing teachers in the school as are qualified will be retained by Government subject to the condition that their pay and not their previous service will be taken into account in fixing their pay and others discharged without claim for compensation.

3. In regard to the formalities to be completed in conveying the school with all its assets to Government, I presume the first step is to obtain the Resolution of the Managing Committee of the School agreeing to transfer the management of the school with the properties to Government, the next step to take an inventry of the moveable (and immoveable properties) of the school and then a draft a deed of conveyance in consultation with the Government Pleader or Government Solicitor. I request to be informed whether my presumption is correct and if so I wish to state that since the Committee by a resolution has agreed to transfer the management of the school, other formalities will have to be completed only after Government Order the transfer of management of the school in their favour. In this connection, I also wish to state that the property of the school is apparently a trust property consisting of endowments and donations from the Muslim Public and the question whether the Society is competent to transfer the property without an order of the Court needs legal opinion. The mode of legal conveyance of the property, which is reported to worth 3 Lakhs, whether by a deed of agreement or conveyance etc. also needs legal opinion. I request orders of Government on these matters.

Yours faithfully,

for Director of Public Instruction.

RVR 6/10/-

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Copy of letter dated 15-9-1949 of the Correspondent, Hamidia High School, Kilakarai to the Divisional Inspector of Schools, Mathurai

I beg to state that on receipt of your above communication, I called for a meeting of the managing committee of the Hamidiah High School, Kilakarai on 11-9-1949 at 8-30 P.M. and the following resolutions were passed unanimously. I have herewith enclosed a copy of the Resolution (See Encl. I)

vide below

1. There is a Society named "The Uswathun Hasana Society" and that Society is the trustee of the school and its properties and that the society has nominated 23 members 19 being its own members and four from outside.

2. This society is a registered society under the Society act. Para 7 of the bye-laws of the society ~~dx~~ defines the formation of the school committee.

3. Being the nominee of trustee of the school properties the committee has absolute authority to transfer the property.

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Enclosure No.1:

A meeting of the members of the committee of the Hamidiah High School formed by the authorities of the Uswathun Hasana Sangam, a Registered body, who are the trustees of the School, was held on 11-9-1949 (Sunday) at 8-30 P.M. in the premises of the school. The letter from the Divisional Inspector of Schools bearing No. R.C.No.104-B/48 dated 6-9-49 and the letter from the Director of Public Instruction bearing No. K.3/49 dated 7-9-49 regarding the transfer of the school with its properties and endowments to the Government was discussed and the following resolutions were unanimously passed.

Resolved that the school with its movable and immovable properties be handed over to the Government under the following conditions:-

1. Resolved that the school should be continued in its present building with its present name as Government Hamidiah High School.

2. Resolved that the entire property of the school including two school buildings and two play-grounds with all other movable and immovable properties and endowments and equipments valued at about rupees Three lakhs (constructed without having received any building grant from the Government) be transferred to the Government unconditionally by a registered agreement of conveyance with the exception of the Hostel building and the Teachers' Quarters. The hostel and the Teachers' Quarters which will continue to be the property of the society may be used solely for the purpose of the school, but the income will be utilised by the society solely for running the Hamidiah Elementary School, which is being run by the same society. In this connection it is not out of place to mention that the society has spent all its resources in the properties of the High School and if these are not retained the running of the Elementary School will be handicapped.

There are two houses one bearing No.134 North Marret New Street, 9th Ward Madura and the other bearing No.54 Lakshiminarayanapuram, 5th Ward at Madura as the endoed property of the school fetching a rent of Rs.365/- per mensem. This will be handed over to the Government along with other school properties. In this connection we wish to state that Kilakarai is a very peculiar place whose inhabitants are mostly very poor depending on ~~their~~ their

daily

So

daily earnings from the sea. Most of them feel it a burden to educate their children by paying school fees and purchasing books for them. As such the school going population is very small and unless some sort of help is rendered by way of school fees and books, it is very difficult to induce them to send their children to the school. Therefore the income from the buildings at Madura may be set apart for scholarships and free books to the poor children of this locality.

This little town is predominantly a Muslim area and more than 80% are Muslims and others are non-Muslims including Hindus, Christians and Scheduled castes. The entire endowment and the property of the school were acquired only from Muslims. In awarding scholarships we think that it is reasonable to award atleast 80% of the scholarships to Muslims and 20% to non-Muslims.

3. The above named Uswathun Hasana Society are the sole trustees of the Hamidiah High School and its properties. According to rule 29 of the Bye-laws of the Society, it is clearly stated that in the event of the closure of the Hamidiah High School, all its properties and endowments should be handed over to the society. Therefore in the event of the closure of the school for any cause the school and its properties movable and immovable should be returned to the Society.

4. It is resolved to agree to the condition that such of the teachers as are qualified be retained by Government subject to the condition that in fixing their pay no individual should suffer loss of emoluments bythis transfer eventhough their previous service under the private management is not taken into account.

5. In the matter of holidays and in the matter of imparting instruction in second language in Urdu and Arabic along with Hindi the present system may be continued (in order to satisfy the wishes of the Donors to the school fund) according to the Government policy.

Resolved that the Correspondent of the Hamidiah High School Janab K.T.M.Husain Sahib is authorised to do all that is necessary for handing over the school and its endowments to the Government.

(Sd.) T.M.Abdul Kyoom,
PRESIDENT.

(TRUE COPY)

for Director of Public Instruction.

Encl No 2

'USWATHUN HASANA MUSLIM SOCIETY'

Kilakarai.

(Memorandum)

The society was registered on 7-6-1944 under 21 of 1860 Registration Act at Madura.

Memorandum of Association:- (1) This society will be called as 'Uswathun Hasana Muslim Society', Kilakarai.

(2) (a) To educate all pupils of Kilakarai, particularly Muslims and to undertake to conduct Hamidiah School of Kilakarai and to conduct Middle schools, High Schools, industrial schools and other branch schools if necessary according to circumstances and to construct buildings and establish, Library, Reading room, gymnasium and play-grounds and according to circumstances to do all that is necessary to establish schools on strong basis and to collect funds for the schools and to do all that is necessary to place the schools on sound basis.

(b) To propagate the tenets and truths of Islamic religion and civilisation amongst Muslims and to ameliorate their position.

(c) To help amongst the common citizens, poor students, unmarried helpless girls and travellers, the sick, orphans and all such people and those who are very poor Muslims to celebrate the marriages and ceremonies of very poor Muslims and to arrange for the burial of the poor and the destitute.

(d) For the above purposes to apportion buildings and other properties movable and immovable to the society and to the school according to circumstances.

Encl 3

L A W S.

(1) The name of the Society is 'Uswathun Hasana Society'.

(2) The Head office of the society will be in the premises of the building constructed on the site of the Pudupalli Mosque of the west street, No.37/1 West Street, Kilakarai.

(3) a) The members of the Society must be Muslims, males and above 18 years of age.

b) The members of the Society will be enrolled on application but the society can reject any application without assigning any reason whatsoever.

(4) Each member will have to pay a subscription of annas four per mensem; apart from the subscription the working committee is authorised to receive all donations, other prizes in cash, kind or property on behalf of the society.

(5) a) Each member who has not paid the subscription for 18 months continually has no right to attend or vote in any of the meetings.

b) The working committee is authorised to take action against any member who has not paid his subscription for two years continually or anyone who acts against the rules and regulations of the society.

(6) All the affairs of the society will be managed by the working committee consisting of one President, two Vice Presidents and one General Secretary, and two assistant Secretaries, one Treasurer, two auditors and fourteen ordinary committee members.

(7) The Hamidiah High School and other schools which will be established according to the laws of the society will be run by a committee named the school sub-committee. That committee will be constitued having the President , the Secretary and the Treasurer

(Cont.....

the Treasurer of this society as Ex-office members. The President of the society in consultation with the Secretary and treasurer will nominate from among the members of the working committee four members and these seven members will coopt four more of the ordinary members of this society making in all eleven. These eleven persons will select another four members one from Hindus, one from Catholic, one from Protestants and one from Harijans; making a total of fifteen members and these fifteen members will constitute the school sub-committee and this committee will elect one of the members as the Correspondent of the school who will look after the affairs of the school.

(8) If a member of the Executive committee of the society fails to pay subscriptions continuously for Twelve months he will forfit his membership of the society.

(9) For the society's purposes nine members including three office bearers will form the quorum for the school sub-committee five members will form the quorum to conduct the affairs.

(10) The secretary of the society for the society's purposes and the correspondent of the school for the school purposes will conduct meetings at least once in a month. In all meetings the opinion of the majority will be carriedout and when both sides are equal, the president will decide by his casting vote.

(11) For the working committee and the school sub-committee ordinary meetings a notice of 24 hours must be given. If necessary in consultation with the President of the society special meetings can be arranged by the secretary without 24 hours notice.

(12) For any failure of giving notice to the members the resolutions passed by the committee will not be affected in any way.

(13) If a member of the working committee or the school sub-committee fails to attened continuously five meetings he loses his membership and the secretary will inform the members of the committee and will have elected ~~one~~ the member in the next ordinary meeting.

(14) The President of the Sangam:- will preside over all the ordinary meetings and meetings of the Executive committee. In the absence of the President one of the Vice-presidents of the society and in his absence the Secretary will propose one of the suitable members to preside over the meeting.

(15) Secretary:- (a) The secretary in addition to his duties of the society will sign all correspondence, notices and letters.

(b) He will be present and will have taken minutes of the proceedings of the working committee meetings and school committee meetings and will have all the records kept in his safe custody.

(c) He will receive all subscriptions, donations, presents, money orders, cheques tappals and Hundies etc., and will manage movable and immovable properties of the society.

(d) He is entitled to deal with others in civil, criminal, Revenue, Local Board, Registration and Government departments and to appear on behalf of the Society.

(e) and for the purpose of the society he can have with him amounts less than rupees Fifty and amounts above fifty must be remitted to the treasurer. He can spend amounts less than rupees Ten for any special purpose other than the routine purposes. For anything special above rupees Ten he will have to get the permission of the Working committee and he will have to maintain regular accounts.

(16) Assistant Secretaries:- They will have to officiate as secretaries during the absence of the secretaries and to render a necessary help to the secretary.

(Cont.. ...

(17) Treasurer:- He will have to receive and issue money by issuing receipts from the Secretary of the society and the Manager of the school and he will have to deposit these amounts in banks or other persons as may be decided by the working committee and he can draw money from those agencies and can pay to the Manager of the school, or the Secretary of the society against receipts and he will have to maintain regular accounts.

(18) Auditors:- They will have to check the accounts of the Treasurer, Secretary of the Society and the Manager of the school and the vouchers they all keep and will have to make a report to the working committee in monthly meetings and in ordinary meetings.

(19) The school sub-committee meeting may be called for by the secretary if there is any need and that sub-committee can appoint teachers or servants and dispense with their services for proper reasons.

(20) The correspondent is authorised to grant leave and attend to all the administrative matters of the school.

(21) The working committe of the society can reconsider or set aside any of the resolutions of the school sub-committee . The Manager of the school will have to conduct the school according to the resolutions of the sub-committee.

(22) From out of the funds of the society and out of the donations from other sources and from funds collected for the school a trust has to be established for the school and proper accounts and vouchers must be kept by the Manager.

(23) a) Every year the General body meeting of the society will be held in the first week of May. A notice of 15 days' time will have to be given (b) The following business will be transacted. In that meeting President, vice presidents, secretary, Assistant secretaries, Treasurer, auditors and other committee members to hold office from 1st June to 31st May next will have to be elected.

(24) The Secretary can conduct a General body meeting on the resolution passed by the working committee. In addition he can call for a meeting on a request signed by thirty members of the Society within 30 days of the requisition.

(25) All the General body meetings will be conducted only when 30 or more members of the society attend.

(26) Members of the working committee if they desire to resign they will have to present a letter of resignation and will have to relinquish the duties entrusted to them. They will be relieved only when their resignation is accepted. If any of the place of the member of the working committee falls vacant during the middle of a term, the working committee is authorised to fill up the vacancy for the remaining period.

(27) The working committee can alter or add any of the bye-laws of the society without prejudice to the Memorandum of Association if circumstances so want.

(28) The Memorandum of the Association can be changed only by the majority of the General body meeting attended by not less than half the members of the society.

(29) If due to any circumstances the Hamidiah School is closed, all the properties of the school should go to the society and if the society is no longer in existence then the entire property of the school and the society will have to be handed over to the authorities of the "Pudu Pallivasal" of West Street, Kilakarai and the trustees of that Mosque can use these properties for the education and cottage industries of Muslim and for the purpose of the Mosque.

The above are the rules and regulations of the Uswathun Hasana Society.

Encl No 4

LIST OF COMMITTEE MEMBERS.

(1) Janab Al-Haj T.M.Abdul Kyoom Sahib.
(2) Janab K.T.M.Husain Sahib.
(3) " S.M.Muhammed Sathakkuthamby.
(4) " K.T.M.S.Hameed.
(5) " P.R.M.Syed Ahmed.
(6) " P.M.S.Jahufar Sadiq
(7) " N.S.M.Muhammed Abdul Kadir Sahib.
(8) " P.R.L.Noor Muhammed Sahib.
(9) " P.S.M.Mohamed Abubaker Sahib.
(10) Mr. P.Pechimuthu.
(11) Mr. S.Anthony.
(12) Mr. S.Muthusami Pillai.
(13) Janab S.A.Mohammed Sultan.
(14) " Thaika Abdul Majeed.
(15) " K.T.M.Ahmed Kasim.
(16) " K.T.M.S.Sheik Abdul Kadir.
(17) Mr. K.Samuel.
(18) Janab T.A.M.Habeeb Muhammed Thamby.
(19) " N.D.M.Syed Ismail Marikar
(20) " S.K.M.Abdul Kadir,
(21) " K.M.A.Abdul Razack
(22) " M.K.E.Moulana.
(23) " S.K.K.Mohamed Abdul Kadir Maricar.

I.O.

Hamidiah High School, Kilakarai.

Statement showing the strength of the school according to caste or creed.

Form.	Strength.	Classification of pupils according to caste.				
		Indian Christian.	Brahmins.	Non-Brahmins.	Harijans.	Muslims.
VI.	15	..	2	5	..	8 - 15
V.	18	..	..	7	..	11 - 18
IV	29	4	3	6	..	16 - 29
III.	36	3	1	6	..	27 - 36
II.	49	4	3	18	1	23 - 49
I.	60	2	1	11	2	44 - 60
Total:	207.	13	10	53	3	129 -207

Encl No 5

D.E.O. Ram

K. Venkatasubba
Headmaster.
15/9/49

EDN & P.H. DEPT. (B1)

Schools - Secondary - Aided - Hamidia High School, Kilakarai - Transfer of management to Government -

From the D.P.I., Rc.No. 1296 K3/49 dated 5--10--49.

MEMORANDUM NO. 60801 B1/49 - 8 Edn DT. 13.10.49.

The Govt. approve the conditions stipulated by the D.P.I. in his letter cited above for the transfer of management of the Hamidia High School, Kilakarai to Govt.

2. In regard to the ~~legal~~ conveyance of the assets of the school legally to Govt., the D.P.I. is informed that as there is no provision in the Memorandum and Articles of Association of the Uswathun Hasana Society empowering it to transfer the management to an outside authority, action will have to be taken under section 12 of the Societies Registration Act. The Director is therefore requested to take necessary steps ~~forxthis~~ in consultation with the Govt. Solicitor for the ~~legal~~ legally conveyance of the assets of the Society to Government. As the Govt. Solicitor has to draft the necessary deeds for conveying the management to Govt. and as it has been reported that the assets of the association consists of trust and endowment property, the D.P.I. is requested to send the documents creating the trust or endowment to the Govt. Solicitor while consulting him in the matter.

To The D.P.I.

As these formalties for the conveyance of the assets of the ~~Society~~ School to govt by the management are likely to take a long time, the Director is requested to ascertain from the Govt Solicitor whether in the meanwhile the school may ~~not~~ be taken over under Govt. manggement, ~~pending the transfer of the assets of the school~~.

S.O.
Edn

EDUCATION DEPARTMENT

FROM
THE DIRECTOR OF PUBLIC INSTRUCTION,
MADRAS

To

The Secretary to Government,
Education & Public Health Dept.,
Madras.

Rc.No.1296 X3/49 dated 6-11-49

Sir,

Subject: Schools--Secondary--Hamidia High School, Kilakarai--
Proposed transfer of management to Government.

Ref: Government Memorandum No.60801 B1/49 -8 Education
dated 13-10-49

With reference to orders Paragraph 3 of the Government Memorandum cited above, I submit herewith a copy of the letter No.4035 dated 31-10-49 from the Government Solicitor, Madras for information. The deed of trust or the document ~~xxxxxxxxx~~ by which the Endowment was created has been called for and the same will be forwarded on receipt to the Government Solicitor for his opinion. I shall submit a further report in the matter after the receipt of the opinion of the Government Solicitor.

Yours faithfully,

For Director of Public Instruction

Clb.5-11-49

51

93

Copy of letter from the Government Solicitor to the Director of Public Instruction, Madras Rc.No.4035 dated 31st October 1949

Schools--Secondary--Aided--Hanidia High School, Kilakara--
Transfer of management to Government.

I acknowledge receipt of your letter Rc.No.1296 K3/49 dated 22nd Instant with enclosures.

p52 ante

I have perused the memorandum of the Education and Public Health Department of the Government of Madras dated 13th Instant and find it distinctly stated in paragraph 2 thereof that the properties of the School are held on trust by the society. I have not had the advantage of perusing the deed of trust or the document by which the endowment was created. From the copies of the resolutions sent to me it appears that the transfer to Govt. is also to be as ex trustee. In the absence of the deed of trust or the document by which the endowment was created I am unable to say that the society is competent to transfer the property to Government. If the document creating the trust does not contain such a power an order of Court may be necessary.

Under these circumstances I am unable to advise that Govt. can take possession of the properties of the School at this stage.

(Sd)x x x xxx

/True copy/

48

For Director of Public Instruction

Clb.5-11-49

ஜெயஹிந்த்

95

கே. ராமானுஜம்,
தலைவர்,
இராமநாதபுரம் தாலுகா காங்கிரஸ்கமிட்டி,
கீழக்கரை.

தேதி. 14 . 11 . 49

MINISTER FOR EDUCATION
15 NOV 1949
GOVT. OF MADRAS

SEC. TO GOVT. EDN. AND PUB. HEALTH DEPT.
16 NOV 1949
GOVERNMENT OF MADRAS

ASST. SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPTS.
17 NOV 1949

எங்கள் தமிழ்நாட்டு மாபெரும் தலைவரும், மாகான பிரதம அமைச்சருமாகிய கனம் ஸ்ரீ பி.எஸ். குமாரசாமி ராஜா அவர்கள் சமூகத்தக்கு, தாழ்மையுடன் விண்ணப்பித்துக்கொள்ளும் விஞ்ஞாபனம்.

8958

இராமநாதபுரம் ஜில்லா, இராமநாதபுரம் தாலுகா, கீழக்கரை நகரில் உள்ள இரண்டு உயர்தரபாடசாலைகளில் ஒன்றான சதக்குத்துல் ஜாரியா பாடசாலையை மூடும்படி தாங்களிட்ட உத்தரவானது இந்நகர் மக்களையும் இதைச்சுற்றியுள்ள கிராமத்துக்கான இத் தாலுகா வாசிகளையும் பெரும் துயருக்குள்ளாக்கியதை தங்களுக்கு நேரில் தெரிவித்ததின் பேரில் தாங்கள், கருணை கூர்ந்து இவ்விஷயத்தை புனராலோசனை செய்யும்படி டிவிஷனல் கல்வி அதிகாரி அவர்களையும், கனம் ஸ்ரீ உஸ்மான்சுகந்தரம் எம்.எல்.ஏ., அவர்களையும் கொண்ட ஓர் குழு கோஷ்டியை இந்நகருக்கு அனுப்பியிருந்தீர்கள்.

49

அவ்வதிகாரிகளிடம் துயரக்கதைகளான பொது மக்கள் ஜாதிமத பேதமின்றி திரள் திரளாகச் சென்று நேரிலும் மகஜர்கள் மூலமும் மேல்கண்ட பாடசாலையை நீடித்து நடத்த அனுமதிக்குமாறு தங்களுக்கு தெரிவிக்கும்படி கேட்டுக்கொண்டார்கள்

இது நிற்க, இந்த கோஷ்டி இந்நகரின் ஜனத்தொகை, பொருளாதாரம், முதலிய விஷயங்களை கவனித்து இரண்டு பாடசாலை நடைபெறலாம் என்ற முடிவுக்கு வந்தது.

தற்சமயம் மூடப்பட உத்தரவு இடப்பட்டிருக்கும் சதக்கத்துல் ஜாரியா பாடசாலையில் 150க்கு மேல் உள்ள மாணவ, மாணவிகளும் பெரும்பாலான

S.O.

உறிஞ்ச மாணவர்களும் கல்வி பயின்று வருகிறார்கள். இம் மாணவர்களின் படிப்பும் ஆசிரியர்களின் கதியும் மிக கவலைக்கிடமான ஸ்திதியில் இருக்கிறது.

உறிஞ்ச மாணவர்களுக்கென்று சுமார் பல ஆயிரக்கணக்கான ரூபாய் -கள் செலவிடப்பட்டு கட்டப்பட்ட மாணவர் விடுதியும் இதற்கிடங்களும்- பயனற்று கிடக்கின்றன.

ஹரிஜன்களுக்கு சன்மானமும் சலுகைகளும் செய்து வந்த தர்மகர்த்தாக்களும் மனம் நலிந்து விட்டார்கள். இந்த நிலைமையில் இந்தத் தாலுகாவின் நலனையும் முக்கியமாக இந்நகர் கல்வி அபிவிருத்தியையும் - கருதி ஹரிஜன் பாடசாலையை துரிதமாக நடக்க உத்திரவு செய்யும்படி - தங்களை மிக தாழ்மையோடு வேண்டுகிறேன்.

தங்கள் உண்மையுள்ள,

K. R. [illegible]

தலைவர்,

இராமநாதபுரம் தாலுகா காங்கிரஸ்கமிட்டி,

கீழக்கரை.

இதன் நகல் கல்வி மந்திரி அவர்களுக்கும் அனுப்பப்பட்டிருக்கிறது.

E&P.H(B1)

May be added to the main file on the subject.

Sd/
12/11/49.

தலையுரிந்த

E&PH

SECRETARY, TEN. AND P.H. DEPT. 17 NOV 1949 GOVERNMENT OF MADRAS

ASST. SECRETARY TO GOVERNMENT 17 NOV 1949 EDUCATION AND PUBLIC HEALTH DEPTS.

14. 11. 49

கே. ராமானுஜம்,
தலைவர்,
இராமநாதபுரம் தாலுகா காங்கிரஸ்கமிட்டி,
கீழக்கரை.

எங்கள் தமிழ்நாட்டு மாண்புமிகு தலைவரும், [illegible] பிரதம அமைச்சருமாகிய கனம் ஸ்ரீ பி.எஸ். குமாரசாமி ராஜா அவர்கள் சமூகத்துக்கு, தாழ்மையுடன் விண்ணப்பித்துக்கொள்ளும் விஞ்ஞாபனம்.

89785

இராமநாதபுரம் ஜில்லா, இராமநாதபுரம் தாலுகா, கீழக்கரை நகரில் உள்ள இரண்டு உயர்தரபாடசாலைகளில் ஒன்றான சதக்குத்துல் ஜாரியா பாடசாலையை மூடும்படி தாங்களிட்ட உத்தரவானது இந்நகர் மக்களையும் இதைச்சுற்றியுமுள்ள ஆயிரக்கணக்கான இத் தாலுகா வாசிகளையும்மி பெரும் துயருக்குள்ளாக்கியதை தங்களுக்கு நேரில் தெரிவித்ததின் பேரில் தாங்கள், கருணை கூர்ந்து இவ்விஷயத்தை புனராலோசனை செய்யும்படி டிவிஷனல் கல்வி அதிகாரி அவர்களையும், கனம் ஸ்ரீ உன்முகசுந்தரம் எம்.எல்.ஏ., அவர்களையும் கொண்ட ஓர் குழு கோஷ்டியை இந்நகருக்கு அனுப்பியிருந்தீர்கள்.

Please see report of the discussions at H.21-31 ante

3 அன்னவர்களிடம் ஆயிரக்கணக்கான பொது மக்கள் ஜாதிமத பேதமின்றி திரள் திரளாகச் சென்று நேரிலும் மகஜர்கள் மூலமும் மேல்கண்ட பாடசாலையை நீடித்து நடத்த அனுமதிக்குமாறு தங்களுக்கு தெரிவிக்கும்படி கேட்டுக்கொண்டார்கள்

4 இது நிற்க, ஹை குழு கோஷ்டி இந்நகரின் ஜனத்தொகை, பொருளாதாரம், முதலிய விஷயங்களை கவனித்து இரண்டு பாடசாலை நடைபெறலாம் என்ற முடிவுக்கு வந்தது.

5 தற்சமயம் மூடப்பட உத்தரவு இடப்பட்டிருக்கும் சதக்கத்துல் ஜாரியா பாடசாலையில் 150க்கு மேல் உள்ள மாணவ, மாணவிகளும் பெரும்பாலான

20.
Edn

98 56

-2-

உறவினை மாணவர்களும் கல்வி பயின்று வருகிறார்கள். இம் மாணவர்களின் படிப்பும் ஆசிரியர்களின் கதியும் மிக கவலைக்கிடமான ஸ்திதியில் இருக்கிறது.

6 உறவினை மாணவர்களுக்கென்று சுமார் பல ஆயிரக்கணக்கான ரூபாய் -கள் செலவிடப்பட்டு கட்டப்பட்ட மாணவர் விடுதியும் இதற்கட்டிடங்களும்- பயனற்று கிடக்கின்றன.

7 ஸ்கூலுக்கு சன்மானமும் சலுகைகளும் செய்து வந்த தர்மகர்த்தாக்களும் மனம் தளர்ந்து விட்டார்கள். இந்த நிலைமையில் இந்தத் தீர்மானம் தாலுகாவின் நலனையும் முக்கியமாக இந்நகர் கல்வி அபிவிருத்தியையும் - கருதி இந்த பாடசாலையை துரிதமாக நடக்க உத்திரவு செய்யும்படி - தங்களை மிக தாழ்மையோடு வேண்டுகிறேன்.

தங்கள் உண்மையுள்ள,
K. Ramanujam
தலைவர்,
இராமநாதபுரம் தாலுகா காங்கிரஸ்கமிட்டி,
கீழக்கரை.

இதன் நகல் கல்வி மந்திரி அவர்களுக்கும் அனுப்பப்பட்டிருக்கிறது.

H.57-58 ante 99

Translation of the representation from the President Ramnad Taluk congress committee, Kilakarai.

—

From. K. Ramanujam,
President, Ramnad Taluk Congress Committee
Kilakarai

Humble representation to the H.Pr.

2. On our representing that the closure of the Sathakathun Jaria Middle School, Kilakarai, one of the two secondary schools of the locality has caused great misery to the people of the taluk, you were gracious enough to depute the Divisional Inspector of schools, Mathurai and Sri Shanmugasundaram M.L.A to enquire into the matter.

3. The public of the town met and requested Sri Shanmugasundaram for the continuance of the school.

4. Meanwhile the committee (the Divisional Inspector and Sri Shanmugasundaram) concluded that there is scope for two secondary schools in the locality.

5. The plight of the 150 students of the closed school and the condition of the teachers of the defunct school causes concern.

6. The hostel meant mainly for Hariyan students, which was constructed at a cost of several thousands is now lying idle.

7. The donors who came forward freely with endowments are disheartened. In the circumstances I humbly request you to order the continuance of the school in public interest.

Sd
21/11/49.

21/11/49

51

10.

10 | SM 61

E & P. H (B.)

Schools - Secondary - Aided - Hamidia High School, Kilakarai - Transfer of management to Government

From the D. P. I. Rc No 1296 K3/49 dated 5-11-49.

Memo No 60801 B1/49-9 Edn d/ 8-12-49.

The attention of the D.P.I. is invited to his letter cited and he is requested to state whether the Govt. Solicitor has scrutinised the deed of trust and other necessary documents (connected) with the transfer of management of the Hamidia High School, Kilakarai, ~~which the endowment for the Hamidia High School, Kilakarai was created~~ and if so to forward the Govt. Solicitor's opinion with his remarks if any thereon at a very early date.

To
The D.P.I.

SM

ASST. SECRETARY TO GOVERNMENT
20 DEC 1949
EDUCATION AND PUBLIC HEALTH DEPT.

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.

R.C.No.1296-K3/49 dated 17th December 1949.

SIR,

SCHOOLS--Secondary--Aided--Hamidia High School, Kilakarai--transfer of management to Government.
Reference:-Government Memorandum No.60801-B1/49-9 Edn.,dated 8.12.1949.

The Government Solicitor has not yet scrutinised the deed of trust and other documents connected with the transfer of management of the Hamidia High School, Kilakarai. As the Correspondent of the school has furnished the copies of the documents in vernacular, the same were returned to him for retransmission with English translations thereof as required by the Government Solicitor, Madras and they are awaited from him. The documents after receipt from the Correspondent will be forwarded to the Government Solicitor for his opinion.

Yours faithfully,

D. Paramasivam
9.12.49

For Director of Public Instruction.

S.O. Edn 17.12.

104

E&P.H.(P.I.)

Please see the Director's interim reply at page 61 ante.

His final reply may be awaited till 17-1-50.

21-12-49

21-12-49

20-12-49

Education Department

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education and Public Health Department

ASST. SECRETARY TO GOVERNMENT
17 JAN 1950
EDUCATION AND PUBLIC HEALTH DEPT.

Rc 1296 K3/49 dated 11.1.50

Sir,

Subject: Schools - Secondary - Aided - Hamidia High School, Kilakarai - transfer of Management to Government

Reference: Government Memorandum No. (1) 60801 B1/49 -8 Edn dated 13.10.1949 (2) 60801 B1/49-9 Edn dated 8.12.49

p 52 ante — p 60 ante — p 61 ante

3983

In continuation of my letter Rc No. 1296 K3/49 dated 17.12.49 I have the honour to submit herewith a copy of

p 64 infra (1) the letter dated 19.11.49 from the Correspondent, Hamidia High School, Kilakarai received with the documents relating to the properties of the school and

p 64-65 infra (2) letters No. 5001 dated 23.12.49 and No. 67 — p 66 infra dated 6.1.50 from the Government Solicitor Madras, offering his opinion on the documents and on the information required in para 3 of the first Government Memorandum cited above.

2. The Divisional Inspector Mathurai has been requested to obtain and forward the trust deed constituting the trustee if there is one and if not to ~~report~~ the Government to take immediate steps to obtain and forward an order of ~~the~~ Court as required by the Government Solicitor. I shall submit a further report in the matter on receipt of reply from the Divisional Inspector.

Yours faithfully,

D. Pantarah

for Director of Public Instruction

Vk 12.1

13/1

12/1/50

J.O.

Copy of letter dated 19.11.49 from the Correspondent, Hamidia High School, Kilakkarai, Ramnad Dt. to the Director of Public Instruction, Madras

Ref: Proceedings of the Director of Public Instruction Madras
Rc No. 1296 K3/49 dated 5th Nov. 1949

I beg to furnish the following particulars in connection with your proceedings quoted above.

(1) That all the properties excepting the lands of the two school buildings were purchased by me from various parties in my own name and I have got the absolute title to dispose of the property in whatever manner I like. The only sentence in the sale deeds relevent to the school is that the concerned properties were purchased for the benefit of the school. I was making arrangements to transfer all the said properties to the committee; but owing to the permission given to open the rival school in the year 1947, I had to keep in abeyance all the arrangements for the transfer. So the Uswathun Hasna Society and the school Committee now act merely as advisory bodies.

(2) The site of the two buildings and the vacant site in the front are the lands belonging to a mosque in the locality for which there is no proper document. Some forty years back an elementary school was constructed on that particular site with three standards and it was without recognition for about twenty years. About ~~twne~~ twenty years back it was recognised by the Government with four standards. The school was run all these years without any hindrance or objection from any one. The mosque itself was constructed by my fore fathers. Even now I am in charge of the mosque affairs although there is not proper trustee for the mosque since the mosque owns no valuable property. I presume that I am competent to transfer the properties of the school which stand in my name. The two school buildings were newly constructed by me after demolishing the old Elementary school building. I am prepared to transfer the rights which I hold in this connection and get the sanction of others if need be.

(3) Regarding condition number (3) of your proceedings, I beg to lay down that the buildings of the school and other properties were constructed and purchased by me for chariatable purposes. After transfer to the Government if any improvement is made, it is done for charitable purposes. If it so happens that the school is closed for any reasonable cause, the improvements made during the management by the Government may not be useful for any other purpose. Therefore I request that the Government in case of returning the properties need not insist on deducting the amount spent towards the improvement during their management.

(4) I have herewith enclosed true Tamil copies of the original Tamil documents. If any clarification is required I am prepared to explain in person.

Copy of letter No..5001 dated 23rd Dec 1949 from the Government Solicitor to the Director of Public Instruction, Madras.

Schools - Secondary - Aided - Hamidia High School, Kilakarai - Transfer of management to Government

---

I am in receipt of your letter Rc 1296-K3/49 dated 20th instant with the enclosed copies of nine documents and their English transactions.

2. I find that eight of such documents are of the year 1944 while the ninth is of the year 1945 and that all the documents are in

favour of one K.T.M. Hussain Sahib as manager of the Hamidia High School Kilakarai. It appears to me therefore that the properties do not vest in the registered society called the Uswathan Hasana Muslim Society . Any conveyance therefore in favour of Government should be executed by the said K.T.M. Hussain Sahib.

3. As all the documents state that the properties are conveyed to him only as trustee for the school and as no trust deed constituting the trustee has been sent to me I am of opinion that he would be competent to transfer the properties in favour of Government only after an order of Court has been obtained by him.

4. I retain the papers sent to me pending receipt of further instructions from you.

/True copy/

Copy of letter No. 67 dated 6.1.50 from the Government Solicitor Madras to the Director of Public Instruction, Madras.

--

Sub: Schools - Secondary - Aided - Hamidia High School, Kilakarai - Transfer of management to Government

--

I acknowledge receipt of your letter Rc No. 1296 K3/49 dated 30th ultimo.

2. Your presumption that Government should not take over the management of the school pending the production of an order of Court authorising the trustee to convey the properties to Government is correct.

3 The contents of paragraph 2 of the letter dated 19th Nov. last from the correspondent of the school appear to make an order of Court all the more necessary before Government can take possession of the properties. The facts stated in the said paragraph should in my opinion, be specifically put before Court which is invited to sanction the conveyance in favour of Government.

/True copy/

for Director of Public Instruction.

Education Department.

From The Director of Public Instruction,
Madras.

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

ASST. SECRETARY TO GOVERNMENT
21 MAR 1950
EDUCATION AND PUBLIC HEALTH DEPT.

Roc.No.1296 K3/49 dated 27-2-1950.

Sir,

Sub: Schools - Secondary - Aided - Hamidia High School, Kilakarai - Transfer of management to Government.

Ref: 1) My letter Rc.No.1296 K3/49 dated 11-1-1950.
2) Reminder from Government dated 17-2-1950.

In continuation of my letter referred to above, I submit herewith an extract from the letter dated 6-2-1950 from the Correspondent of the Hamidia High School, Kilakarai for the information of Government. He states that there is no Trust deed constituting the trustee for the management of the school. The Government Solicitor who was consulted by me regarding the procedure referred to in para 2 of the Correspondent's letter, informs me that there appears no legal objection to the procedure suggested by the Correspondent and that he is of opinion that the same may be accepted. I am therefore requesting the correspondent to take necessary further action in this regard urgently.

Yours faithfully,

for Director of Public Instruction.

KHR.28.2.

Extract referred to above.

With reference to the above Proceedings I beg to state that there is no Trust deed constituting trustees for the management of the school. All the documents of title relating to the properties purchased for the benefit of the School have been sent to the Government. The properties have been purchased in my name for the benefit of the School. There is no other trust deed.

2. I find that the opinion of the Government Solicitor is that I will be competent to transfer the properties in favour of the Government only after an order of Court has been obtained by me. My legal adviser advises me that I may apply under the Indian Trusts Act to get myself discharged from my position as trustee and to have the Government appointed as a ~~such~~ trustee and vest the properties in the Government as such trustee and for permission to transfer the properties, if necessary. Please be kind enough to inform me at an early date as to whether the above procedure will be acceptable. On receipt of the views of the Government I will take steps to get the necessary orders from the District Court, Ramnad.

(True Copy)

for Director of Public Instruction.

Copy of letter No. 67 dated 6.3.50 from the Government Solicitor Madras to the Director of Public Instruction, Madras.

Sub: Schools - Secondary - Aided - Hamidia High School, Kilakarai - Transfer of management to Government

---

I acknowledge receipt of your letter No. 1296 K3\49 dated 30th ultimo.

Your presumption that Government should not take over the management of the school pending the production of an order of Court authorising the trustee to convey the properties to Government is correct.

The contents of paragraph 2 of the letter dated 19th Nov. last from the correspondent of the school appear to make an order of Court all the more necessary before Government can take possession of the properties. The facts stated in the said paragraph should in my opinion, be specifically put before Court which is invited to sanction the conveyance in favour of Government.

\True copy\

for Director of Public Instruction.

Education Department.

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education Department.
Madras.

ASSISTANT SECRETARY
10 APL 1950
EDUCATION DEPARTMENT

Roc.No.1296 K3/49 dated 6.4.1950.

Schools - Secondary - Aided - Hamidiah High School, Kilakarai - Transfer of management to Government.

Ref: My letter Roc.No.1296 K3/49 dated 27-2-1950.

In continuation of my letter quoted above, I have the honour to state that the Correspondent of the Hamidia High School, Kilakarai has since filed a petition in the Court of the District Judge, Ramnad at Mathurai on 21-3-1950 for discharging himself from his office of the trustee of the school and for appointing the Government as trustee instead. The orders of the District Court on the petition are awaited.

2. In this connection I enclose herewith a copy of the letter dated 29-3-1950 from the Correspondent of the School for the information of Government. He reports that the news of the transfer of management of the school has resulted in the resignation of most of the teachers and that it will be very difficult to continue the school if the Government do not take over the management immediately without waiting for the legal conveyance of the properties etc. The Government Solicitor in his letter No.67 dated 6-1-1950 (copy submitted to Government with my letter Rc.No.1296 K3/49 dated 11-1-50)has stated that Government should not take over the management of the school pending the production of an order of Court authorising the trustee to convey the properties to Government. However in view of the circumstances stated by the Correspondent, and in view of the fact that the Correspondent has already filed a petition in the Court in regard to the conveyance of the properties to Government, Government may consider the desirability of taking over the management of the school now itself, without waiting for the result of the petition filed in the District Court Ramanad by the Correspondent.

3. In their memorandum No.60801 B1/49-8 Edn., dated 13-10-49 Government approved the conditions suggested by me for the transfer of the management of the above school to Government. Condition 3 of the conditions referred to above, lays down that in case the school is closed, the then existing movable and immovable properties will be returned to the Society after deducting the value of improvements if any effected to the buildings. The Correspondent requests that Government may not insist on the refund by the Society of the cost of improvements effected by Government, in case the school is closed and the properties are returned to the Society. I enclose herewith (1) an extract from the Correspondent's letter dated 19-11-49; (2) an extract from my Proceedings Roc.No.1296 K3/49 dated 27-2-1950 addressed to the Correspondent and (3) an extract from the Correspondent's reply thereto dated 22-3-50 and solicit the orders of Government in the matter.

Yours faithfully,

for Director of Public Instruction.

KHR.8.4.
8.4.50

Copy of letter dated 29-3-1950 from the Correspondent, Hamidia High School, Kilakarai (Ramnad Dt.) to the Director of Public Instruction, Madras.

Ref: No.1293 K3/49 of 27-2-1950.

Sub: School - Secondary - Aided - Hamidiah High School, Kilakarai - Transfer of management to Government.

In continuation of my letter dated the 22nd March 1950 and my personal representation to you on 23-3-1950, I beg to add that the news of the transfer of management of the school to the Government has resulted in the resignation of all L.Ts excepting the Headmaster and some other teachers. It will be very difficult to continue the school after the reopening in June if the Government do not take the management as early as possible without waiting for the result of the application presented on 21-3-1950 in the District Court of Ramnad for the transfer of management to the Government of Madras.

I therefore request you to issue orders and to make arrangements to take over the management immediately.

Extract from the letter dated 19-11-1949 from the Correspondent, Hamidia High School, Kilakarai, Ramnad Dt.

Regarding condition number (3) of your proceedings, I beg to lay down that the buildings of the school and other properties were constructed and purchased by me for charitable purposes. After transfer to the Government if any improvement is made, it is done for charitable purposes. If it so happens that the school is closed for any reasonable cause, the improvements made during the management by the Government may not be useful for any other purpose. Therefore I request that the Government in case of returning the properties need not insist on deducting the amount spent towards the improvement during their management.

Copy of para 2 of the Director's Proceedings Roc.No.1296 K3/49 dated 27-2-1950.

As regards the point raised in para 3 of his letter relating to conditions of the conditions for the transfer of the management of the school, the Director considers that it is only reasonable, that the expenditure incurred by Government on improvements to the building or on putting up additional buildings should be refunded to Government by the Society in case the school is closed later and the properties are returned to the Society as per the above conditions. The correspondent is therefore requested to state whether he still desires that the condition in question should be modified.

Extract from the letter dated 22nd March 1950 from the Correspondent, Hamidiah High School, Kilakarai.

As regards para 2 in your proceedings relating to condition 3 of the conditions of transfer, I beg to state that as the matter is charitable the Government may be requested to hand over all improvements etc. to the Society without claiming any compensation therefor. I do recognise that it is reasonable to expect a refund of the expenses, but I request that the right to refund may be given up in favour of the charitable society. If for any reason, the Government is not in a position to accept, improvements and additions may be valued subject to depreciation allowance as per Govt. audit Rules as on the date- when Government returns the properties to the Society. Such a condition may be inserted.

(True Copies)

To

117

22

Edn(B).

18/2914

Schools. Secondary - Aided - Hamidia High School, Kilakarai - Transfer of management to Govt.

p68f

From the D.P.I. Rc. No 1296 K3/49 d/ 6.4.50.

60

Memo No 60801 B/49-11 Edn d/ 28-4-50.

AT 28/4/50

p18f

~~The Govt. should not take over~~

The management of the Hamidia High School, Kilakarai, ~~need not be taken over~~ will be taken over until the order of the Court authorising the trustee to convey the properties of the school to Govt, is ~~received~~ obtained. In the event of the closure of the school after its transfer to Govt, the then existing movable and immovable properties of the School will be returned to the Society, after deducting the value of improvements, if any, effected by the Govt. to the buildings; ~~the deduction taking into account~~ The ~~being subject to~~ depreciation in respect of ~~the~~ improvements and additions ~~made~~.

ibid

To

The D.P.I.

Dlw 1/5

Sd/- 26/4/50

Edn

Sd/- 26/4/50

Sd/- 28/4/50

Sd/- 28/4/50.

Copy of letter dated 29-3-1960 from the Corr[illegible]
Hamidia High School, Kitakami (Named Th.) to [illegible]
of Public Instruction, Madras.

Ref: No.1893 Ka/49 of 27-3-1960.

Sub: School - Secondary - Aided - Hamidiah High School,
Kitakami - Transfer of management to Governments.

In continuation of my letter dated the 22nd March 1960
and my personal representation to you on 19-3-1960, I hav[e]
to add that the Govt. of the [illegible]

Extract from the letter dated 29th March 1960 from the
Correspondent, Hamidiah High School, Kitakami.

[illegible]

23
Edn.

With reference to the opinion of legal at A on p 2 ante a draft memo is submitted for approval.

7/7/51.

13.7.51

61

S.O.

EDUCATION DEPARTMENT. 1199

ASSISTANT SECRETARY 14840 8 JUN 1950 EDUCATION DEPARTMENT

The Director of Public Instruction,
Madras.

The Secretary to Government,
Education Department,
Madras.

RC.No. 1296 K3/49 dated 7-6-1950

Sir,

SUB: Schools--Secondary --Aided--Hamidia High school, Kilakarai-- taking over the management by Government.

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p 2 ante REF: Govt, Memo No . 60801 B/49-11 Edn. dated 28-4-1950

---

vide Secretary's orders on p 18 ante

Court

With reference to the personal discussion, I had with the Hon'ble the Chief Minister and the Hon'ble Minister (Education) on 6-6-1950, I am instructing the District Educational Officer, Ramnad to take over the management of the Hamidia High school, Kilakarai immediately without waiting for the orders of the ~~Government~~ as the school year is commencing and as both the teachers and students are leaving the school owing to the uncertainty. I request that my action may kindly be approved

62

Yours faithfully,

for Director of Public Instruction

ptv 7/6

7/6.

Edn (B)

File faced below

The main file on the subject has been sent to Finance on 7.6.50. Its return may be awaited till 12.6.50.

8/6/50.

S.O.

Edn

120

121 Edu Dept B

Schools - Secondary - Aided - Hamidia High School Kila Karai - Ramnad Dt - Transfer of management to Govt - Orders passed

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H/1-5cf From the Correspondent of the Hamidia High School Kila Karai dated 9-8-49

H 32-34cf, 42-43cf, 53cf, 63cf, 67cf, 68cf From the DPI RC No 1296-K-3/49 dt 30-8-49 5-10-49, 5-11-49, 11-1-50, 27-2-50 and 6-4-50 and 7-6-50.

Order No No 1734 Education dated 9/6/50

The management of the Hamidia High School at Kilakkarai in the Ramnad Dt will be taken over by Govt, as a special case, from the school year 1950-51 subject to the following conditions :-

X on p43cf (1). The school shall be called the Govt Hamidia High School, Kilakkarai

(2) The management should legally convey to Govt all the movable and immovable properties of the school except the hostel buildings and teachers' quarters. If for any reason, the school is closed by Govt, the then existing movable and immovable properties transferred by the Islwathi Hasana Society to Govt shall be returned to it after deducting the value of the improvements if any effected by Govt to the buildings taking into account the depreciation in respect of such improvements and additions

p70cf — General condition laid down even in respect of transfers to local bodies

(3) All outstanding bills and liabilities of the School up to the date of transfer to Govt including the cost of legally conveying the properties should be borne by the management

X on p43cf (4) Such of the existing teachers in the School as are qualified shall be retained by Govt subject to the condition that their pay and

their previous service will be taken into account for fixing their pay in the Govt scales and others discharged without claim for any compensation

(5) The Conveyance deed should be executed as soon as the order of the Court authorising the Trustee to convey the properties of the School to Govt is obtained. In the meantime, the Correspondent of the Hamidia High School should hand over the School with its buildings, equipment and all the records to the ~~District Educational Officer, Ramnad~~ ~~Officer of the Education Department~~ authorised by the ~~D P I~~ to take over the institution on behalf of the Govt ~~The DP I is requested to issue necessary instructions in this regard~~)

2. ~~The~~ Sanction is accorded to the employment of the staff specified in the annexure to this order on the usual scales of pay and allowances temporarily for a period of one year from the date of taking over the management of the School. The staff to be paid from contingencies should be employed at the market rates taking into account the costliness of living. The expenditure on contingencies should be limited to Rs 300 in the current year ~~The~~ The expenditure on the maintenance of the school should be debited to 37 f. Education Secondary. A - General I. Govt Secondary Schools ~~for Boys~~. 1 - Ordinary Areas - Voted. The A G. is requested to admit the expenditure in audit pending provision of funds.

p70 of

(This is a recast to take place of the earlier one)

delete

32-33 of

~~1 340~~

KN
6/6/50

LMA
7.6.50.

DPI 9/6.

To
The DPI
A G through Fin
Finance Dept
Correspondent
Hamidia High School
Kilakarai Ramnad.

Two Spare copies

(Annexure PT.O)

~~3~~ ~~14~~ 83

Annexure

64

123

Vide A on p32 of and the estimates of cost in 1949-50 on pp 32-33 of

(1) Four L. T. Assistants
(2) Four Secondary grade teachers
(3) One Tamil Pandit, One Urdu Munshi, one Arabic Munshi and one Hindustani Teacher all in Grade I.
(4) One Drawing Master Grade I
(5) One Assistant Manual Training Instructor
(6) One Physical Training Instructor Grade I
(7) One Clerk.
(8) Two peons.

Staff paid from contingencies

(9) One Gardener
(10) One Sweeper.

LMA
6/6/50

LMA
7.6.50.

KN
S.O.
6/6

EDUCATION DEPARTMENT

From

The Director of Public Instruction,

Madras.

To

The Secretary to Government,

Education Department.

Roc.No. 1296.K.3/50 dated 29.8.'50

Sir,

Sub: Schools - Hamidia High School, Kilakarai - Taking over under Government management -

Ref: G.O. Ms.No. 1734.Edn. dated 9.6.'50

In their order quoted above, the Government ordered the taking over of the Hamidia High School, Kilakarai under Government management from the school year 1950-51. The school was accordingly taken over by the District Educational Officer, Ramanathapuram on 13.6.'50.

2 As percondition 3 of the conditions laid down in the above G.O. all outstanding bills and liabilities, up to the date of transfer of Management should be borne by the previous management of the school. Thus the pay of the staff etc., up to 13.6.'50, the date of transfer, have to be met by the management. After the reopening of the school after the summervacation in June 1950, the previous management had collected tution fees etc., from the students for the current school year 1950-51, from 5.6.'50 to 12.6.'50. The amount thus collected is now with the Headmaster of the school. I have issued instructions to the District Educational Officer, to have the amount remitted to the treasury immediately. When the previous management are required to pay the staff etc., up to 13.6.'50, the date of transfer, they have a legitimate claim for at least a portion of the fees collected in June 1950. Therefore, to avoid all possible complications that may arise in assessing the grant and finally settling the accounts between the management and the Government, I suggest that the school may be deemed to have been taken over under Government management from the beginning of the current school year, i.e. from 1.6.'50 itself even though the transfer was actually effected only on 13.6.'50.

3 I request the favour of very early orders of Government in the matter.

Yours faithfully,

for Director of Public Instruction.

Copy to the Divisional Inspector of Schools, Mathurai.
and the District Eductional Officer, Ramanathapuram for information.

GRD. 30 8.

Edn. (B) 1127

Schools - Secondary - Hamidia High School, Kilakarai - Date of transfer of management to Government.

Read :- G.O.Ms. 1734 Education d/ 9-6-50
From the D.P.I. Roc. No. 1296 K3/50 d/ 29-8-50

Memo No 26068 B/50-2 Edn d/ 9-9-50.

In the circumstances stated, the Govt approve the proposal of the D.P.I. that the Hamidia High School, Kilakarai, may be deemed to have been taken over under Govt. management from 1-6-50 even though the transfer was actually effected only on 13-6-50.

2. The Director is informed that all outstanding bills and liabilities of the school up to 1-6-50 should be borne by the previous management.

2.9.50

To
The D.P.I.
The A.G. thro' Finance.
The Correspondent of the Hamidia High School, Kilakarai

Edn U.O. No. 26068 B/50-1 Edn. 1-9-50.

5 SEP 1950

Note. The D.P.I. has reported that with reference to the orders in G.O. No. 1734 Edn d/ 9-6-50, the management of the Hamidia High School, Kilakarai was taken over by the D.E.O. Ramanathapuram on 13-6-50. However to facilitate settling of accounts, the Director has suggested that the transfer may be deemed to have been effected on 1-6-50. In the circumstances explained, his suggestion may be accepted. The draft memo above may be issued with the concurrence of Finance.

2.9.50

Finance

S.O. Edn

Fwi(5/11)

In view of the reasons stated by the D.P.I. in his letter dated the draft memo cannot also may be accepted.

7.9.50 Sdr (B)

ASSISTANT SECRETARY 27262 9 SEP 1950 EDUCATION DEPARTMENT

fwi.cm 77018 Edn 7-9-50.

Sdr

The draft complaints may issue

9.9.50 S. B 9.9.50

From
Sri A.Uttandaraman, BABL., IAS.,
Collector of Ramanathapuram at
Madurai.

To
The Secretary to Government,
Educationx Department,
Madras.

Roc.B1. 7852/51 dated 25--5--51.
****

Sir,

Sub:--Education--Schools--Government Hamidia High School at Keelakarai.

Ref:--i) G.O.Ms. 1734 Education, dated 9th June 1950.
ii) Roc.B. 8193/50 dated 17--4--51 from the Revenue Divisional Officer, Ramanathapuram.
****

The Government have taken over the control of the Management of Hamidia High School at Keelakarai as per the G.O. cited above. It is only stated in that G.O. that the conveyance deed should be executed as soon as the order of the Government authorising the Trustee to convey the properties of the school is obtained, but the agency in whose favour the conveyance deed should be executed is not clearly specified, and as to which authority in the Revenue Department or in the Educational Department or in any other Department of Government to be mentioned in the deed is also not clearly stated. Now the pleader has expressed the difficulty in regard to the execution of deed.

2. A copy of the Reference Roc.B1. 8193/51 dated 17--4--51 from the Revenue Divisional officer, Ramanathapuram is enclosed, I request clear instructions in the matter.

for Collector.

Bss/26.5.51

Copy to the Revenue Divisional Officer, Ramanathapuram with reference to his Roc.B. 8193/50 dated 17--4--51.

Copy of the Revenue Divisional Officer's report Ref. Roc.B.8193-50 dated 17--4--51.

Sub:--Education--Schools--Government Hamidia High School at Keelakarai.

Ref:--Your D.Dis. 10237-50 dated 30--10--50.
*****

I enclose a copy of the memo firxx filed by the Pleader. I request that the doubt raised by the pleader may be clarified by consulting the Government Pleader, Ramanathapuram at Madurai, if necessary.

(True copy)

Copy of memo dated 13--4--51.
In the court of the Assistant Collector, Ramanathapuram.
In the matter of the Government Hamidia High School, Kilakarai.

Ref:--Roc.C. 8193-51.

---

2. The draft in the transfer deed of items of property belonging to the School was submitted to Government sometime ago for scrutiny and approval but the agency in whose favour it is to be executed has been doubtful and it was not shown in the draft.

2. Even now it is not clear as to which authority in the Revenue Department or in the Education Department or any other department

130

-2-

...ment of Government is to be mentioned in the deed.

...Though a technical matter yet it is of importance ...a clarification of the same will avoid future complications.

...The Advocate-General of the Law Department of the Govern... ...can give an authoritative opinion in this matter.

5. Janab K.T.M.Hussain who was the prior correspondent and who is to execute the deed of transfer is anxious about the speedy transfer as several matters in connection with the repairs of the buildings fencing of school compounds and other incidental to the running of the school have to be attended to in due time. He has also addressed the Dt.Educational Officer in connection.

It is therefore submitted that your Honour may kindly be pleased to address the Collector to take steps to ascertain definitely as to the proper authority and department in whose favour the deed of transfer is to be executed.

/True copy/

FOR COLLECTOR.

Education Dept

Endt No. 20008 B/51-1 Edn. dt 7-6-51.

Referred to the Director of Public Instruction for very urgent Remarks. (13.0)

N Ghani Sahib
Assistant Secretary.

To The Director of Public Instruction

DIRECTOR OF PUBLIC INSTRUCTION 8 JUN 1951 C776K3/51 MADRAS

Rc.1296K3/49

B

Education Department.

131

From The Director of Public Instruction, Madras.

To The Secretary to Government, Education Department, Madras.

Rc.1296 K3/49 dated 21-6-1951.

Sir,

Sub: Schools - Government Hamidia High School, Kilakarai - Execution of Conveyance deed.

Ref: Government Endt. No.20008 B/51-1 Edn., dated 7-6-1951.

pzante

In resubmitting herewith the Government Endorsement referred to above I have the honour to say that the deed may be executed in the name of the Collector as he represents the Government in the District. The opinion of the Legal Department may also be obtained in the matter.

Yours faithfully,

22/6.

for Director of Public Instruction.

ASSISTANT EDUCATION 25 JUN 1951 23948

KHR.21.6.

Rc.1296

speedy transfer as several matters [illegible] repairs of the buildings fencing of school compounds and other [illegible]

132

82

83

133

Edn (B)

Schools - Secondary - Government Hamidia High School, Kilakarai - Taking over of the assets - Execution of the deed of conveyance.

—

Ltr 72-74 of of (B)
p1cf
p3cf

Read:- G.O. Ms. No. 1734 Edn. dt 9-6-50
From the Collector of Ramanathapuram, Roc. No. B, 7852/51 d/25-5-
From the D.P.I. Rc. No. 1296 K3/49 dt 21-6-51.

—

2V/147

Memo No 20008 B/51-3 Edn. dt 14-7-51.

69

—

Xmp 2cf.

The Collector of Ramanathapuram is informed that the deed of conveyance should be made in favour of the Governor of the State of Madras.

To
The Collector of Ramanathapuram,
The D.P.I.
2 S/Co.

S.O. Edn

14/7/51
JD
10751

3717 B/147.

Education and Public Health Dept
B 1 section.

Schools - Secondary- Aided - Hamidia High, school Kilakarai
Transfer of management to Govt -

From the Correspondent of the Hamidia High school Kilakarai
dated 19-8-49

On account of the rivalry between the management of the Hamidia High school and the Sathakathan Jaria Middle school at Kilakarai, the need for the existence of two schools in the village was carefully considered and it was ordered in G.O. No 1976 Edn dated 17-6-49 that the S.J.Middle school should be closed forthwith and that the students of the school should be admitted into the Hamidia High school. Subsequently several representations were received for the reopening of the S.J.Middle school, but no action was taken on those representations. The correspondent of the Hamidia High ~~appendix~~ apprehends that the orders will be revised. He may be informed that it is not proposed to reconsider the orders already passed.

2.The question of taking over the management of the Hamidia High school by Govt has not been considered before. If the offer is to be considered, it is necessary to obtain the remarks of the D.P.I. and to obtain from him an estimate of the extra cost involved in taking over the management of that school by Govt. It may however be mentioned in this connection that the policy of Govt is not to run secondary school for boys under their own management although in the past they have established a few schools for Muslim boys. ~~Qmxthexeeondxrmxy~~ The Retrenchment and Reorganisiation Committee has recommended that ~~whxxxxxx~~ if a local body or private management is willing to take over the management of any Govt secondary school it should be enabled to do so. Perhaps it may be ascertained first whether the Ramnad Dt Bd is willing to take over the High school with all its endowments.

3. The file may be circulated to H.M. (Edn) for orders whether the D.P.I. may be consulted before the case is circulated to the Hon'ble Premier. (The original of the petition

Separate file

This is a matter to be settled by the correspondent in consultation with the Dt. Board.
16-8-49

134

in the off. addressed to H.Pr, has not been received in the office)

16-8-49

S 17/8

H.M (E & L)

H. Pr

I understand the D.P.I has sent a report direct to H.Pr. Let me see that first. I aim for accepting the offer of the Hamidia High School & take over the school as a Govt School. I will discuss with H.Pr. on his return & decide for

SECRETARIAT, EDN. AND PUB. DEPT. 23 AUG 1949 GOVERNMENT OF MADRAS

VK 23/8

VK HUSSAIN

Report at A may please be made available

P. S to H. Pr.

S 23/8

p13 of.

On the petition presented to the Hon.Premier he has minuted as follows:-

' Immediate steps may be taken to take over the school to Govt control '

P.S.K.
18-8-49

With reference to the above minutes, the D.P.I. may be asked to furnish immediately an estimate of the immediate and ultimate cost to Govt involved in taking over the school under Govt managment and the conditions subject to which the transfer may be accepted. He may also be asked to furnish a copy of the report referred to at X above for reference.

A draft memo is submitted below for approval.

VSK 24.8.49

VK 23-8-49

S 23/8

[Issued as Memo No. 60801 B, 1/49-1 Edn. d/23.8.49]

p11 of.

p12 of.

C. No. 65981 from the D. P. I. Roc. No. 42 B3/48 d/25-8-49

—

The further report promised by the D.P.I regarding the cost involved in the taking over the management of the Hamidia High School, Kilakarai, may be awaited till 23-9-49.

2.) The Director has forwarded a copy of his report submitted to direct to H. Pr. It may be circulated to H.M.(E&L) for perusal with reference to his minutes at 'X' on p 2 ante.

p12 of

p13 of

p14 p15 - 2 of

30/8/49

31-8-49

VK 31-8-49

S 31/8

H.M (E & L)

I am surprised at the way in which things are done in the Office. When I say that D.P.I has sent a report direct to H.Pr. to obtain it I instead of getting it from H.Pr. You are asking the D.P.I for a copy of his letter to H.Pr. As if it is impossible to get it from this Office. Will you Cannot this be stopped? Some body could have gone to P.S to H.Pr. to get it or if you had told me I would myself have got it from him now.

I think We need not wait for the D.P.I's report to proceed with the formalities required to take up the management of the School. The D.P.I may even now take steps to complete all formalities for Conveying the School and its properties to the Govt. By that time we will get his promised report on which formal orders can be passed launching the transfer after

S.O. Edn

1to examination in the Secretariat.

SECRETARIAT, EDN. AND R.H. DEPT. 1 SEP 1948 GOVERNMENT OF MADRAS

With reference to para 1 of the minutes of H.M.(Edn) on 3 ante it is submitted that on 23-8-48 when the file was received in office H.Pr was on tour it was not possible to obtain the report. Further on the same date, the copy of the petition containing the minutes of H.Pr was received and action was taken immediately thereon. As a reference had to be made to the D.P.I. with reference to the orders of H.Pr, the Director was asked to furnish a copy of the report also.

⊗ He left Madras with his private secretary on 20-8-48 and returned on 29-8-48

2. With reference to para 2 of the minutes of H.M.(Edn) with which H.Pr has agreed, a draft memo to the D.P.I. is submitted below for approval. Finance may see before the memo is issued.

SECRETARIAT, EDN. AND R.H. DEPT. 1 SEP 1948 GOVERNMENT OF MADRAS

FIN(E III)

E & P.H.U.O. No. 60801 B1/49-2 Edn. 2-9-49.

ASSISTANT SECRETARY TO GOVERNMENT 5765/49 2-SEP 1949 FINANCE DEPARTMENT

Fin.U.O.S.557/Edn.1

C. No 67249 from the D.P.I. Rc. No. 1296 K3/49 d/ 30-8-49

Please see the notes of Finance deptt. above. The draft memo may now be issued as altered in pencil. After issue, the estimates of cost submitted by the D.P.I. will be examined in consultation with Finance.

[Issued as Memo No. 60801 B1/49-3 Edn d/ 3-9-49]

From the D.P.I., R.C No 1296-K3-49 d 30-8-49.

The D.P.I. has furnished an estimate of the extra cost to Govt. immediate and ultimate involved in the taking over of the management of the Hamidia High School, Kilakarai. The immediate extra cost to Govt. has been estimated at Rs 3,900/- on the assumption that the transfer will be effected from 1-10-49 while the ultimate extra cost has been given as Rs. 12,800/- recurring (per year)

2. Pending receipt of a report on the conditions subject to which the transfer of management of the school should be accepted, the file may be sent to Fin. U.O for remarks with reference to the financial procedure to be adopted.

Finance

72

Finance (E.III)

(Previous Finance note on p.4 above).

The letter from the D.P.I. on pp.32-34 C.F. and the further note of E.& P.H. above may be perused. The file relates to the taking over by the Government of the management of the Hamidia High School, Kilakarai Ramnad Dt. The proposal will involve the following financial commitments to Government:--

	Recurring.
Expenditure on staff referred to at 'A' on p.32 C.F.	26,716-8
Contingencies.	300-0
	27,016-8
Deduct - at standard Fees and School rates.	6,071
Grant during 1947-48.	7,145
	13,216-0
Net Extra cost.	13,800-8 or 13,800/

E & P.H.U.O. No. 60801 B1/49-4 Edn. 8-9-49.

ASSISTANT SECRETARY TO GOVERNMENT 5885 8-SEP 1949 FINANCE DEPARTMENT

It is stated that the Correspondent of the High School is ~~working~~ willing to handover the school together with the endowments which are owned by the institution (for details vide para 4 on pp.3-4 C.F.). ~~The correct amount of annual grant paid by the Govt. towards the management of the Hamidia High School is not known.~~ It is ~~however~~ observed from the letter from the D.P.I. on page 34 C.F. that an amount of Rs 7,145/- was paid as ~~annual~~ grant towards the ~~management~~ maintenance of the High School, during ~~for~~ the year 1947-8. The ~~net~~ fee income of the School is ~~stated to be~~ estimated at Rs 6,071/-. Deducting the anticipated fee income and the Government grant based on the amount paid during 1947-8, the net extra cost to Government will be Rs 13,800/- per annum recurring. It is proposed to take over the management of the school under Govt. control with effect from 1-10-1949 .

2. It may, however, be mentioned in this connection that the policy of the Government is not to run secondary schools for boys under their own management, although in the past, they have established a few schools for Muslim boys. The R.& R Committee has recommended that if a local body or a private management is willing to take over the management of any Government Secondary school, it should be enabled to do so. It is also not known whether the Dt.Board, Ramanad, is willing to take over the management of this school ~~or not~~. However, in view of the minutes of H.Pr. and H.M.(E.& L) on pages 2-4 above, Finance may agree to the proposal.

3. Financial procedure - Ordinarily the proposal will have to be referred to the S.F.C. and the Cabinet before issue of orders, as extra cost involved in the proposal exceeds Rs 10,000 p.a. recurring. ~~However in view of the minutes of H.Pr. on p.2 above and the decision of E.& P.H.~~ As it is proposed to take over the management from 1-10-1949, Finance may suggest that the short circuit procedure indicated in para II(iii) on p.2 of Finance Budget U.O.No.26978(A)BG-4, dated 21-12-1947 for waiving reference to S.F.C. and the Cabinet may be followed in this case.

9/9/49

Fin uno 5885/Edn/49 9/9/49

69512

Education and Public Health Dept
Bl section.

Please see the Finance Department's note from page 5 ante. As stated therein the policy of Govt is not to open and maintain from their funds secondary schools for boys, although in the past they established a few schools for Muslims. As a special case, it is proposed to take over the Hamidia High school at Kilakarai in the Ramnad under Govt control and run it as a Govt institution from 1-10-49. The extra cost involved in the proposal is Rs 13,800 per annum recurring.

2 Inview of the urgency, the file may, as suggested by the Fin Dept, be circulated to H.M.(Edn) H.M.(Fin) and H.Pr for orders whether the reference to the S.F.C. and the Cabinet may be dispensed with and orders may be issued as soon as the reply is recieved from the D.P.I. in regard to the terms subject to which the transfer of management of the school ~~may~~ be accepted. [The Director has already been asked to take steps to complete the formalities for conveying the school with its properties to Govt.]

9.9.49 9/9/49

may agree to A

H.M (E+L) / H.M (Fin) / H.Pr

We have to take up the School immediately & resolve the difficulties there. The question of handing it over to the Bd can be considered later.

13.9

SECRETARY, EDN. AND P.H. DEPT. 16 SEP 1949 GOVERNMENT OF MADRAS

10/9

S.O. Edn

8.

Please see the orders in circulation at p 7 ante.

The D.P.I. has not yet reported the conditions subject to which the transfer of management of the Hamidia High School, Kilakarai, to Govt. should be sanctioned. He may be requested to expedite his report. The draft reminder below is for approval.

Sd 16/9/49. 16-9-49

16.9.49

[Issued as Memo No.60801 B1/49-5 Edn. dated 16-9-49.] p 39 cf

C.No.77299: From the D.P.I., Rc.No.1296 K3/49 dt. 5-10-49. p 42-43 cf

The D.P.I. has submitted the conditions subject to which the transfer of management of the Hamidia high school, Kilakarai, to Govt. should be sanctioned. × on p43 cf.

The Dir. has reported that the present management viz the Uswathun Hasana Society which is reported to be a registered society under the ~~Societies~~ of Societies Registration Act, has resolved to transfer the management of the school to Govt. subject to the conditions specified by the D.P.I. at p.43 c.f. para 2 on p42 cf para 2 on p42-43 cf

2. As regards the formalities that have to be completed in conveying the school with all its assets to Govt. the Director requests to be informed whether the transfer is to be effected by a deed of agreement or by legal conveyance. He also requests information as to whether the association can be deemed ~~competent~~ competent to transfer the property of the school without an order of the Court. The file may be sent to Legal who may be requested to suggest the procedure that should be adopted for the transfer of the assets of the school to Government. para 3 on p43 cf para 3 on p43 cf

Sd 8/10/49. 8-10-49

Sd 10/10/49 Legal

ASSISTANT SECRETARY 2861 10 OCT 1949 LEGAL DEPARTMENT

E & P.H. U.O. No. 60801 B1/49-6 E 10.10.49

Sd 10/10/49 may

Legal 2861/49-1 10.10.49.

ASST. SECRETARY TO GOVERNMENT 10 OCT 1949 78192 EDUCATION AND PUBLIC HEALTH DEPTT.

X on p43 cf

Sd 10/10

9

LEGAL DEPARTMENT.

The Memo and Articles of Association are at pages 46-49 c.f. There is no provision in those articles empowering the Society to transfer the management to an outside authority. Regulation ~~23~~(29) on p49cf seems to militate against any such transfer. Action will, therefore, have to be taken under section 12 of the Societies Registration Act. But before doing so, the Government Solicitor may be consulted in the matter. In any case, he has to draft the necessary deeds for conveying the management to Government. At S on p43 c.f. the Director of Public Instruction has stated that the property consists of trust and endowment property. The documents creating the trust or endowment are not in the file. Those documents may be sent to the Govt.Solicitor when consulting him in the matter.

Sd 10/10

74

EDN & P.H. DEPTT.(B1)

Please see the note of the Legal Deptt. above. As suggested by them the Director may be requested to take steps for the preparation of the deed relating to transfer of management of the Hamidia High School, Kilakarai, to Government in consultation with the Govt. Solicitor. The Director may also be informed that the conditions for transfer stipulated by him are approved.

A draft Memo is submitted below for approval. ~~After issue~~ The file may be circulated to H.M.(E & L) ~~for approval of the Director's letter to the Govt.~~ before the memo is issued.

Sd 11/10/49 11-10-49

These formalities will take a long time, may

11/10/49

10

87

On the meanwhile can we not take over the School for running it as a govt institution

11/X

There seems to be no objection in taking over the management of the School under the departmental control subject to the conditions specified at X on p.43 cf. Legal may, however, see for remarks.

11-10-49

S/11/Legal

11/X/49

LEGAL DEPARTMENT.

As pointed out in this Department's note on p9 ante, it is doubtful whether the Association can, before action is taken under section 12 of the Societies Registration Act, transfer the Institution. The Government Solicitor may be consulted in the first instance and then the question may be considered.

12.10

E&P.H.U.O.No. 60801/B1/49-7 Edn. 11-10-49.

ASSISTANT SECRETARY 12966 11 OCT 1949 5-PM LEGAL DEPARTMENT

E&PH

Legal U.O. 12966/49-1

EDN & P.H. DEPT.(B1)

12.10.49.

In view of the Legal Dept's note above, the Dir. may be requested to consult the Govt. Solcitor whether the mangement of the Hamidia High School may be taken over by Govt. pending completion of the formalities ~~as~~ for the conveyance of all the assets of the school to vest. A sentence has been added to the Memo already approved. ~~It may be circulated to H.M.(E & L) for approval prior to issue.~~ For orders as to whether ~~Circulation~~ the file may be circulated to H.M.(Edn) for perusal after issue

ASST. SECRETARY TO GOVERNMENT EDN. & PUBLIC HEALTH DEPT. 12 OCT 1949 78913

SECRETARY, EDN. & PUBLIC HEALTH DEPT. 17 OCT 1949

19/10/X

Issued p52cf

12/10/49. 13/X/49. 14.10 (S+L) 15/10 (a.c)

12/X/49

11

W

p52cf [Issued as Memo No. 60801/B1/49-8 Edn. dt/13-10-49]
p53cf C No. 86846 from the D.P.I. Rc. No. 1296/K3/49 dt/5-11-49.

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p54cf The letter from the Govt. Solicitor to the D.P.I. and
p53cf the latter's endorsement thereon may be perused.
p53cf The report promised by the Director may be awaited till 5-12-49.

8/11/49. W 9-11-49

8/11/49

H p57-58cf C.No. 89875 Petition from the President, Ramnad Taluk Congress Committee, Kilakarai dt/14-11-49

—

Please see the petition in Tamil from the President, Ramnad Taluk Congress committee, Kilakarai at pp 57-58 cf and the minutes of H.Pr. thereon at p57cf.

p57cf 2. It is stated in the petition that Sri V. Shanmugasundaram M.L.A., who was deputed by H.Pr. to effect a compromise between the managements of the Hamidia High school and the Sathakathun Jaria Secondary (middle school) School at Kilakarai, considers that there is scope for para 4 on p57cf two schools in the locality and that therefore permission para 7 on p58cf might be accorded for reviving the Sathakathun Jaria Secondary School at Kilakarai.

3. Attention is in this connection solicited to the copy of the full report of the discussions held at Kilakarai and at Madhurai at pages 21-31 cf. 'A' on p15cf The entire talk was carried on by Sri V. Shanmuga-sundaram on behalf of the Govt and it is observed 'X' on pp 22-23cf and Y on p26cf from the report that he had clearly impressed on the two managements that there is no scope for two secondary schools ~~for~~ at Kilakarai. As a compromise A on p31cf he suggested that the management of the S.J.M. School

S.O. Edn

may reopen their school with Form I alone this year leaving the question of having Form II in the school to be decided by the Departmental Officers with reference to the needs of the locality. As the management of the S.J. Middle School, Kilakkarai was not prepared for this solution, the talks broke down, vide, the concluding remarks of Sri Shanmugasundaram at 'A' on page 31 cf. Since then at the request of the management of the Hamidia High School, Kilakkarai, it has been ordered in circulation that the management of the school should be taken over by Govt. so as to ensure the interests of the public of Kilakkarai. The D.P.I. has been accordingly requested to take necessary steps in consultation with the Govt. Solicitor for the conveyance of the assets of the school legally to Govt. Pending completion of these formalities the Director has also been requested to ascertain from the Govt. Solicitor whether in the meanwhile the school may be taken under Govt. management. The Director's final report is awaited.

pp 1-5 cf.

minutes on p1 cf, p 7 cf and p 3 ante

p 52 cf

p 52 cf

vide p 11 ante.

4. As Govt. intend taking over the management of the Hamidia High School, Kilakkarai, the educational needs of the locality will be served by a well run non-denominational institution which will put an end to the unhealthy rivalry that has been existing for the past seven years. In view of this no action seems called for on the representation at pages 57-58 cf. The file may be circulated to H.Pr. through H.M. (E&L) for perusal with reference to the former's minutes on p 52 cf.

× compare 'M' on p 19 cf.

Put up translation of representation without delay

21/11

18/11/49. 19-11-49

S

H.M.(E&L)

H.Pr.

A translation of the representation is put up at p 59 cf.

20/11/49 21-11-49

S

C.No 6860/B1/49

Hamidia School is being taken over by Government. The question is how this affects the position of the Jaria school. The President of the Ramnad Taluk Congress Committee has represented that the Jaria school may be allowed to become again a Middle School, in view of the accommodation available and of the 150 students who were previously studying in the school.

p.59 c.f.

We cannot revise the orders in respect of the Jaria school during the current year. In respect of next year, we have to consider whether it will be fair to the Hamidia school which we have taken over, to allow the rival school to become a Middle school. In any case, nothing need be done for the present. If the Hamidia school acquires an enrolment commensurate with its accommodation, the question of allowing the Jaria School to take up ~~such~~ any overflow of students may be considered later.

H.M.(E.& L.) 26/11

H.Pr. 26/11

22/H

38/21/11

SECRETARIAT, EDN. AND R.D. DEPT. 25 NOV 1949 GOVERNMENT OF MADRAS

Please see the minutes of H.Pr above. In view of this, I do no further action seems called for on the representation at p 59 cf. The final report promised by the D.P.I. in his letter at p 53 cf may be awaited till 5.12.49 as already ordered at p 11 ante.

25/11/49. 26/11/49

26/11/49

The Director's report has not yet been received. He may be reminded. The draft below is for approval.

7/12/49. 2.12.49

SO Edn

[Issued as Memo No. 60801 B1/49-9 Edn. d/ 8-12-49]

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C.No. 3983 From the D.P.I. Rc. 1296 K3/49 d/ 11-1-50.

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The letter from the D.P.I. forwarding the views of the Govt. Solicitor in regard to the conveyance of the assets of the Hamidia High School, Kilakarai legally to Govt., is submitted for perusal. The Govt Solicitor is of the opinion for the reasons stated in his letter at pp 64-65 cf that an order of the Court is necessary to enable Janab K.T.M. Hussain Sahib, Manager of the School to transfer legally the properties of the school to Govt. He has also stated that Govt. should not take over the management of the school pending the production of an order of Court authorising the trustee to convey the properties to Govt.

2. The Director has reported that the Divisional Inspector, Madurai, has been requested to obtain and forward the trust deed constituting the trustee if there is one, or to request the correspondent to take steps to obtain the order of court at an early date. The Director's further report in the matter may be awaited till 11.2.50.

Sd/ 17/1/50.
Hon 17.1.50

h 18-1-50

S 19/1

C. No. 212. From the D.P.I. Roc. No. 1296 K3/49. d/ 27-2-50.

—

The letter from the D.P.I at p67 cf is submitted for perusal. The Director has instructed the correspondent of the Hamidia High School, Kilakarai to take necessary steps urgently to get himself discharged from his position as trustee and to get have the Govt appointed as trustee and vest the assets of the school in the Govt. Further action in this regard may be taken after the Director reports about the completion of these legal formalities. The Director's further report may be awaited till 2-4-50

Sd/ 2/3/50.
Hon 2/3/50

h 3-3-50

S 4/3

C.No. 6405 - From the D.P.I. Roc.No.1296 K3/49 dated 6.4-1950.

***

The file relates to the proposal to take over the management of the Hamidia High School, Kilakarai directly under the control of Government.

2. On account of the rivalry between the management of the Hamidia High School and the Sathakathan Jaria Middle school at Kilakarai, the need for the existence of two schools in the village was carefully considered and it was ordered in G.O.No.1976 Education dated 17-6-1949 that the S.J. Middle school should be closed forthwith and that the students of the school should be admitted into the Hamidia High School. On a further representation from the management of the Hamidia High School, orders were obtained in circulation to take over the management of the school by Govt. subject to certain conditions. The D.P.I. has now reported that the correspondent requests that the condition stipulating that in case the school is closed, the then existing movable and immovable properties will be returned to the Society after deducting the value of the improvements, if any, effected to the buildings, need not be insisted upon. The correspondent contends that any improvement that may be effected may not be useful for any other purpose and that therefore the deduction of the expenditure on improvements need not be insisted upon. As an alternative he has requested that the deduction in respect of expenditure on improvements and additions to the buildings may be subject to depreciation. In the circumstances it is for consideration whether the correspondent's latter suggestion may be accepted.

3. It has also been reported that the Correspondent of the Hamidia High School, Kilakarai has filed a petition in the Court of the Dt.Judge, Ramnad for discharging himself from his office of the

h 12/4/50

SO. 8/4

trustee of the school and for appointing the Govt. as trustee instead. As it is likely to take sometime before the orders of the Court are issued, the management has represented that the transfer of management may be effected forthwith, on the ground that on account of the ~~existing nebulous~~ impending transfer state of the management of the school, most of the teaching staff have deserted the school. In these circumstances it is for consideration whether the Govt. may take over the management of the school now itself, or at least from the next school year, in anticipation of the orders of the court on the petition filed by the correspondent. ~~In this connection it is submitted that as the management has already moved the District Court in the matter, the objection raised by~~ The Govt. Solicitor has however held that Govt. should not take over the management of the school pending the production of an order of court authorising the trustee to convey the properties to Govt. ~~may be considered onerous.~~

The file may be sent to

4. Finance and Legal ~~may see~~ for remarks if any.

12/4/50

Fin / Legal.

11/4/50 Legal 11.4.50

12/4/50

Edn U.O. No. 60801 B/49-10 Edn. 12-4-50.

Fin (Exp C)

(Pre-Fin. note on ¶ 5-7 above)

The file relates to the proposal to take over the management of the Hamidia High School, Kalakarai in Rannad Dt, which is being run by a Society called Uswa Khin Hasana Society. Orders were obtained in Circulation to U. M. (Edn & Law), H.M. (Fin) and H.E.M. for taking over the management

ASSISTANT SECRETARY TO GOVERNMENT 11 APR 1950 15266 FINANCE DEPARTMENT

Legal may be consulted in view of the opinion of the Govt. Solicitor on p 66 cf. 10/4/50

I do not think that Govt. should take over the School

Thro' E III

20/4/50

Edn. Secy's note on p. 16 above.

Legal Secy's note on p. 16 ante.

Fin U.O. No. 2664 Exp/C-1 21.4.50

ASSISTANT SECRETARY 6164 21 APR 1950 LEGAL DEPARTMENT

Legal U.O. No. 6164/1950. 24/4/50.

ASSISTANT SECRETARY 8553 25 APR 1950 EDUCATION DEPARTMENT

of the school, subject to certain conditions. One of the conditions was that in case the school is closed for any reasonable cause, the movable and immovable properties transferred by the Society will be returned to the Society, after deducting the value of improvements, if any, effected to the buildings (by the Govt.). At the instance of the Correspondent of the school, Education propose that for purposes of deduction (recovery), the improvements and additions made by Govt. may be valued taking into account depreciation in respect of the improvements and additions. The proposal may be agreed to in finance.

19/4/50 19/4/50

2. This dept. may agree with Edn. that the School need not be taken over by the Govt. until the Court's order is obtained authorising the Trustee of the School to transfer the properties to the Govt.

20/4/50

21/4/50

Legal.

Legal Dept

This Dept also agrees with the view of Secy. Edn at p 16 ante. The Court's order sanctioning the conveyance of the properties in favour of the Govt is necessary in view of the present position of the properties as described in para 2 of the Correspondent's letter at p 64 cf. As the Correspondent has already filed a petition for the purpose in the Court the Court's orders may be awaited.

22/4/50

Edn.

Edn (B)

The file relates to the proposal to take over the management ~~by Govt.~~ of the Hamidia High School, Kilakarai, Ramnad Dt. under the control of Govt. The proposal is summarised in this Deptt note at pp 15-16 ante.

Finance and Legal have agreed with the views of this Deptt. that the management of the school need not be taken over by Govt until the order of the Court authorising the trustee to convey the properties to Govt. is received. They also agree that in the event of the closure of the school after its transfer to Govt, the then existing movable and immovable properties may be returned to the Society after deducting the value of the improvements, if any effected, to the buildings & after taking into account depreciation in respect of the improvements and additions. The D.P.I. may be informed accordingly. A draft memo is submitted below for approval.

p 17 ante

p 17 ante

Sd 26/9/50. KSRR 26/4/50

WR 28-4-50 S. 26.4.50

[Issued as Memo No. 60801 B/49-11 Edn dt/ 28-4-50]

p 70 of (RD 28.6.50)

H.C.M. ~~H.M.~~ (L+L) discussed the matter with the DPI. ~~Both~~ agreed that orders should issue at once taking over the school. Pl. prepare draft. ~~sd~~ at once. (The Schools due to reopen).

Special

6/6/50.

A draft order is submitted below for approval. It may be sent to Finance ~~us~~ for acceptance

KSRR 6/6/50

WR 7.6.50 S. 7.6.50

Fin. Edn. No. 60801 B/49-12 7.6.50

ADDITIONAL DEPUTY SECRETARY 41754 7 JUN 1950 FINANCE DEPARTMENT

PF 7/6/50

B

Govt. Cypher.

Fin. U.O. No. 1754/Edn./ 8.6.50

ADDITIONAL SECRETARY 11899. 8 JUN 1950 EDUCATION DEPARTMENT

p 21 of draft

19

Fwd (A)

(Prov. Finance note on pp 16-17 above)

Further notes on pp 17-18 above may be perused. The draft order below may be accepted. ~~as slightly altered is permissible~~

pp 16-17 ante 8.6.50 A 8/6/50 D/S. 8/6/50

Edn (B)

A letter since received from the D.P.I. has been added to the current file. With reference to that, slight alterations are indicated in the draft order already approved and accepted by Finance. The draft as altered may now be issued.

Sd 8/6/50. KSRR 8.6.50

WR 8-6-50 S. 8/6/50

7A

P 7

WR 8.6.50 Edn

Edn (E)

Schools. Secondary - Government Hamidia High School, Keelakarai -- Taking over of the assets - Execution of the conveyance deed.

---

pp 72-74 of (B)

Read :- G O Ms. No. 1734 Edn. d/ 9-6-50

From the Collector of Ramanathapuram, Rc. No B.I. 7852/51 d/ 25-5-51

The Govt. took over the management of the Hamidia High School, Keelakarai with effect from 1-6-50 subject to the condition that the management should legally convey to the Govt. all the movable and immovable properties of the school except the hostel buildings and teachers' quarters vide G O Ms. No. 1734 Edn. d/ 9-6-50. It was also stipulated that the conveyance deed should be executed as soon as the order of the court authorising the Trustee to convey the properties of the school to Govt. was obtained.

p 78 of (B)

para 1(ii) on p 72 of (B)

pp 72-74 of (B)

para 1(5) on p 73 of (B)

p 1 of

2. The Collector of Ramanathapuram has now raised certain points for clarification in regard to the execution of the conveyance deed. At the instance of the former management of the school, the collector requests that the agency in whose favour the conveyance deed should be executed may be specified as also the authority in the Education or other Department of the Govt. to be mentioned in the deed. It is submitted that the intention is that the properties of the school should be conveyed to the Govt. by the Trustee. It is not clear whether it is necessary to specify any particular Deptt. of the Govt. in the deed. If it is necessary, it will be appropriate that the deed is executed in favour of the D.P.I. or any other officer of the Education Deptt. nominated by the Director on behalf of the Govt. The file may be sent to legal for remarks whether the latter alternative may be suggested to the Collector.

H-1 of

4/6/51

56 51

Hihar is no precedence followed in other cases of transfer Surely this is

2

22.

not a solitary case — Even more recently we took over the private School at Nilambur — The Coll r's letter may be referred to the DPI for very urgent remarks — Soon the Govt on p 2 of & watch a reply to it

B

6/6/51.

[Issued as Endt. No. 20008 B/51-1 Edn. dt/ 7-6-51] p2 of
C. No. 23948 From the D.P.I. Rc. No. 1296 K2/49 dt/ 21-6-51. p3 of

The D.P.I. is of the view ~~that~~ that the previous management p3 of
of the Hamidia High School, Kilakarai, may be executed the
deed of conveyance in the name of the Collector of Ramanathapuram, p2 of
as he represents the Govt. in that District. As suggested by
the Director, the file may be sent to Legal and they may be p3 of 81
requested to say whether the course proposed by the Director
may be adopted. As regards B' above, a similar question has not yet been raised in
respect of the Manaredan High School, Nilambur.

30/6/51.

3757 L. H. J.

Legal

Legal

ASSISTANT SECRETARY
25870
7 JUL 1951
EDUCATION DEPARTMENT

Edn U.O. No.
20008 B/51-2 Edn.
4-7-51

The deed of Conveyance should be made in favour of the Governor of the State of Madras.

X

ASSISTANT SECRETARY
11193
5 JUL 1951
LEGAL DEPARTMENT

5/7/51 Educational