

Maharashtra Cosmopolitan Education Society

Land Transfer Deed

dt. 23rd June 1953

Between

THE GOVERNOR OF BOMBAY GRANTOR

And

MAHARASHTRA COSMOPOLITAN

EDUCATION SOCIETY..... SOCIETY

Registered with the office of the Sub Registrar of
Haveli II as on 23-07-1953. At Serial No. 918.

Original Certified Copy

THIS TRANSFER made the *Twenty-third* day of *June*

one thousand nine hundred and fifty-three
BETWEEN THE GOVERNOR OF BOMBAY exercising the executive
authority of the Government of State of Bombay

(Hereinafter called "the Grantor") of the one part and the
MAHARASTRA COSMOPOLITAN EDUCATION SOCIETY a Society

registered under the Societies Registration Act, 1860 and
having its registered office at Poona (hereinafter called

"the Society" which expression shall unless excluded by or
repugnant to the context include its successors in office

and assigns) of the other part.

WHEREAS the Government of Bombay (hereinafter referred
to as "the Government") is seized and possessed of

or other-wise will and sufficiently entitled to the place or
parcel of land bearing ~~Survey~~ Survey No. 160A of Poona

admeasuring 23 Acres and 30 Gunthas or thereabouts and more
particularly described in the first schedule hereto.

AND WHEREAS the Government constructed the Anglo Urdu
High School building on the said piece of land mainly from

the 5 percent Government securities of the face value of
Rs. 1,80,000 received by Government as a donation from the

Azam Trust Fund in pursuance of an Order of the High Court
of Judicature at Bombay dated the 12th April 1932 in Suit

No. 1065 of 1927.

AND WHEREAS the said High Court Order dated the 12th
April 1932 provided ~~inter alia~~ that "the said amount shall be

utilized towards the purchase of land for the Anglo Urdu
High School, Poona and erecting thereon either the main

school building or any hostel or other buildings, apartments
thereto, and that the balance, if any, shall be utilized for

other capital purposes connected with the said school and
that substantial building connected with the school, whether

erected with the said donation or with a portion thereof, or
otherwise, shall be called after the deceased Haji Mohomed

Azam.

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AND WHEREAS the amount was utilized for the building as recited above and there is at present a balance of Rs.24,182 remaining in the hands of the Government.

AND WHEREAS the Government also received a donation of Rs.20,000 from the Board of Trustees of David Sassoon Trust Fund for construction of hostel building and condition ~~XXXXXXXXXX~~ 6(c)(ii)(a) of the Scheme framed for the administration of the Grant and published in Government Notification, Education Department, No.934 dated the 10th April 1912 provided that hostels when built either partly or wholly by money supplied by the Board of Trustees were to become the property of Government and Government was to manage them at their full and unfettered discretion.

AND WHEREAS the said donation of Rs.20,000 was utilized by Government for the construction of the hostel building attached to the said High School.

AND WHEREAS under Government Resolution, Education and Industries Department No.8011, dated the 31st July 1948, Government has decided to close down the Anglo Urdu High School Poona whereby it is not possible for Government to run the school any longer or to manage the hostel and to discharge the obligation of the Trust.

AND WHEREAS the Government has decided to transfer to the Society the said school building and the Hostel as well as the balance of Rs.24,182 of the Azam Trust Fund.

AND WHEREAS by an order dated the 20th June 1951 made in Miscellaneous Application No.145 of 1950, the District Judge, Poona has accorded his sanction to the proposed transfer of the said school building, the hostel and the balance of Rs.24,182 of the Azam Trust Fund to the Society on the same terms and conditions which the same were held by the Government and on the condition that if the buildings and the fund ceased to be utilized for the purpose for which they are erected and donated they should revert to the Government

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NOW THIS TRANSFER WITHINSETH THAT IN consideration

of the premises the grantor doth hereby convey and transfer to the Society ALL AND SINGULAR the land and premises more particularly described in the first schedule hereto

TOGETHER WITH the school building and hostel constructed thereon EXCEPT AND RESERVING unto the grantor all mines and minerals in and under the said premises or any part thereof together also with said cash balance of Rs. 24,182.

TO HOLD the same UPON THE TRUSTS decreed by an order of the High Court of Judicature at Bombay dated the 12th April 1932 in Suit No. 1065 of 1927 and Government Resolution, Education and Industries Department No. 934 dated the 10th April 1912, a copy whereof is set out in the second schedule

hereunder written.

AND IT IS HEREBY DECLARED that in the event of the

Society failing to utilize the school buildings, Hostel and the cash balance of Rs. 24,182 or portion thereof remaining

unspent, for the purposes for which they are hereby transferred to the Society, the same shall revert to the Government.

AND IT IS HEREBY LASTLY DECLARED that the Government

shall bear the stamp duty and registration charges payable in respect of this Indenture.

First schedule above referred to

ALL THAT piece of land bearing Survey No. 160-A at Poon,

Taluka Poon City, in the Registration sub-district of in

the Poon district, measuring 23 acres and 30 gunthas or

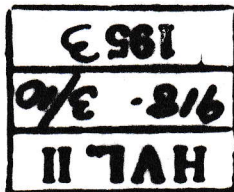
thereabouts together with the message tenement or buildings

standing thereon and bounded on or towards the East by Mutha

Canal on or towards the West of Hidayatullah Road on or

towards the North by New Modikhana Road and on or towards the

South by Shankarwar Road.



Second schedule above referred to

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

Ordinary Original Civil Jurisdiction.

Suit No. 1065 of 1927.

Plaintiff }
Haji Mohd. Mohamed Ajam of Bombay
Mohamed Merchant residing at
Khadgaon Dabholkar Road outside the
Port Bombay.

vs.

Defendants. }
1. The Advocate General of Bombay and
2. Bai Alshad wife of Haji Gulam
Mohamed Ajam residing at Narayan
Dabholkar Road outside the Port
Bombay.

Upon reading the affidavit of Narayan Gajanan Jayakar solemnly

affirmed herein on the 11th of April 1932 and the Judges Order

dated the 26th Day of January 1929 referred to therein and upon

Hearing Messrs. Little and Company, Attorneys for the 1st Defendant

the Advocate General of Bombay I DO ORDER in modification of the

said Judges Order that the 1st Defendant and Advocate General of

Bombay be at liberty to give to the Government of Bombay out of the

funds herein deposited with the Accountant General High Court,

Bombay, to the credit of the above suit 5 per cent Government

securities of the face value of Rs. 1,80,000/- as a donation in the

name of the deceased Haji Gulam Mohamed-Ajam on the condition that

the said amount shall be utilized towards the purchase of land for

the Anglo Urdu High School at Poona mentioned in the said affidavit

and erecting thereon either the main school building or any hostel

or other building appurtenant thereto and that the balance, if any,

shall be utilized for or on capital purposes connected with the

said school and that a substantial building connected with the said

school whether effected with the said donation or with a portion

thereof or otherwise shall be called after the deceased Haji Gulam

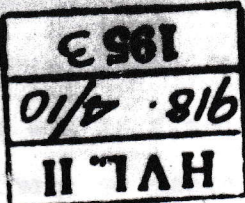
Mohomed Ajam AND I DO FURTHER ORDER that the said Accountant

General do, at the request of the 1st Defendant, Advocate General

of Bombay, deliver to the Director of Public Instruction, Bombay

Presidency, on behalf of the Government of Bombay or to such other

officer as the Government may nominate and authorise in that behalf



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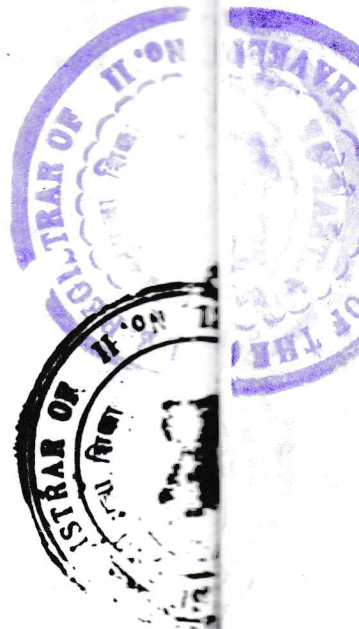
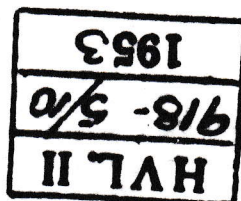
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out of the funds in his hands to the credit of this suit 5 per cent Government Securities of the face value of Rs. 1,50,000/- to be utilized for the purposes hereinabove mentioned AND I DO FURTHER ORDER that the 1st Defendant the Advocate General of Bombay be at liberty to apply to this Honourable Court as there may be occasion AND I DO FURTHER ORDER that the costs of the 1st Defendant the Advocate General of and incidental to the application and this order including the costs of carrying out the same when taxed as between Attorney and client do come and be paid by the said Accountant General out of the funds herein in his hand AND I DO LASTLY ORDER that this order be filed on or before the 22nd day of April, 1932 .

Dated this 12 th day of April 1932.

sd. C.P. Bicknell.

sd/- Little and Company,
Attorneys for the 1st Defendant
Advocate General.



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Educational Department,
 The Charitable Endowments, Act, 1890.

Notification.

The matter of the Sir Sassoon David Trust Fund for the promotion of the welfare of the people of the Presidency of Agricultural and Educational purposes and otherwise for the Bombay including Sind.

Scheme.

Whereas the Honorable Sir Sassoon David Baronet, J.P., a member of the Jewish community of Bombay has in commemoration of the visit to India of their Imperial Majesties King Emperor George V and Queen Empress Mary placed at the disposal of the Government of Bombay the sum of £ 53,400 sterling being the equivalent of Rupees eight lakhs and one thousand at the official rate of exchange of 1 s. 4 d. per Rupee to be devoted towards agricultural and educational purposes and otherwise for the promotion of the welfare of the people of the Presidency of Bombay.

And whereas the said donation is now represented by the following securities for money that is to say five hundred and thirty four Calcutta Port Trust Sterling Bonds of the aggregate nominal face value of £ 53,400 sterling the particulars of which are as follows, namely:-

Serial Nos.	Nominal face value of each	Year of Loan.	Annual interest.
Nos. 5876 to 6375 (both inclusive)	£ 100	1909	Interest at 4% at the rate of exchange prevailing in the market.
Nos. 6686 to 6719 (both inclusive)	£ 100	1909	

And whereas the said Sir Sassoon David has applied to the Government of Bombay to vest all the said property in the Government of Charitable Endowments for the territories subject to the Government of Bombay and to settle a scheme for the administration of the said property:

And whereas by an order of the Governor of Bombay in Council No. 933 in the Educational Department dated the 10th day of April, 1912 and duly notified in the Bombay Government Gazette the said property has under section 4 of Charitable Endowments Act 1890 been vested in the Treasurer of Charitable Endowments for the territories subject to the Government of Bombay:

And whereas the following scheme has been settled by the Governor of Bombay in Council with the concurrence of the said Sir Sassoon David for the administration of the property:



hereby declared that the following scheme shall come into force from the date that the said property become vested in the Treasurer of the said Endowments for the territories subject to the Government of Bombay.

Scheme.

1. The donation of £ 53,400 sterling equal to Rs 8,01,000 given by the Hon'ble Sir Sassoon David, Baronet, which is represented by certain securities for money namely five hundred and thirty four Calcutta Port Trust Sterling Bonds of the aggregate nominal face value of £ 53,400 sterling shall be called "The Sir Sassoon David Trust Fund".

II. The said property after being vested in the Treasurer of Charitable Endowments for the territories subject to the Government of Bombay and the income arising therefrom shall be administered in accordance with the following provisions :-

(1) The Trust Fund shall be administered by a Board of Trustees consisting of :-

- (1) The Secretary to the Government of Bombay for the time being in the Revenue Department, Ex-Officio;
 - (II) The Secretary to the Government of Bombay for the time being in the Educational Department, Ex-Officio;
 - (III) a gentleman to be nominated from time to time by His Excellency the Governor of Bombay; and
 - (IV) a gentleman to be nominated from time to time by His Excellency the Governor of Bombay; and
- the death of Sir Sassoon David the holder for the time being of the title of Baronet or his nominee or during the minority of any Baronet the nearest major male descendant for the of Sir Sassoon David or the nominee of such descendant.

(2) The senior in the Indian Civil Service of the two Secretaries to Government shall be Chairman of the Board and shall convene meetings keep minutes of proceedings, and do all things necessary to facilitate the transactions of the Board.

(3) All decisions of Trustees shall be by a majority of votes.

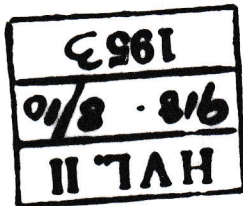
(4) The Board shall not have power to utilise the capital sum presented by the donor, but may sell the securities for reinvestment in other securities authorised by section 20 of the India Trust Act 1882.

(5) The Board shall have full power to utilise the interest arising from Trust Fund after the 1st January, 1912 in all or any of the ways hereinafter appearing. ~~XXXXXX~~ If in any year the full interest accruing is not so utilised the balance may be invested in securities authorised aforesaid, which may be added to the Trust Fund or which may be kept in reserve for payments authorised by this scheme in future, or it may be held in cash or deposit for utilisation in any future year.

(6) The Board may utilise the moneys available in all or any of the following ways, including Sindh, by

(a) Giving grants-in-aid initial or recurring of expenditure incurred by the Government of Bombay or by any public body in establishing rural schools of agriculture where the vernacular is the only, or the main, medium of instruction;

(b) Giving grants-in-aid of experiments conducted by the Government of Bombay or by any person with approval of the Government of Bombay having for their object the introduction of improved methods of agriculture suitable for use in the Presidency of Bombay inclusive of Sindh.



Secretary to Government.

L. L. Rao,



In Council.

By order of His Excellency the Honourable the Governor

Dated this 10th day of April 1912.

of Bombay.

(8) The benefit of the said Trust Fund shall be extended to and as long only as it forms an integral part of the Presidency

the people of the Presidency of Bombay including Sind. of the Government of Bombay is likely to promote the welfare of or income as referred to any other object which in the opinion the funds at the disposal of the Trustees being such interest on the application of the Trustees to sanction the diversion of ways mentioned above, the Government of Bombay shall have power said Trust Fund cannot be advantageously utilized in any of the moneys at their disposal being the interest or income of the (7) If any time it should appear to the Trustees that the

Sassoon David Hostel.

Note: Any hostel built as above shall be called the

approved by the Government of Bombay. recognized by the Government of Bombay under conditions to be erection of hostels attached to private educational institutions may at any time be no further need for hostels at Government (b) When in the opinion of the Government of Bombay there

Bombay at their full and untrammelled discretion property of Government and to be managed by the Government of partly or wholly by money supplied by the Board to become the institutions of all classes, such hostels when built either building of hostels in connection with Government educational from time to time such sums as the Board may agree to for the (a) by placing at the disposal of the Government of Bombay

Sind.

(11) to assist the building of hostels attached to educational institutions of all classes in the Presidency of Bombay including

Note: Any rural school established as in (a) shall be called "The Sir Sassoon David Agricultural School" any grant-in-aid as in (b) and (c) shall be called "The Sir Sassoon David Endowment".

inclusive of Sind.

(c) Giving grants-in-aid of experiments conducted by the Govt. of Bombay, or by any person with the approval of the Govt. of Bombay, for their object the devising of new or improved agricultural machinery for use in the Presidency of Bombay

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IN WITNESS WHEREOF Shri Anthony Lancelot Dias.

Secretary to Government, Education Department hath for and on behalf of the Governor of Bombay set his hand and seal

of his office and the Chairman of the Maharashtra Cosmopolitan

Education Society has for and on behalf of the Society set

his hand hereto the day ~~Twenty-Ninth~~ ~~day of June~~

and year ~~1953~~ ~~1954~~ First above written.

Signed sealed and delivered by

Shri A. L. Dias, I.C.S.

Secretary to Government

Education Department

in the presence of -

1. ~~Shri A. L. Dias, I.C.S.~~

2. ~~Shri A. L. Dias, I.C.S.~~

Signed sealed and delivered by

Shri A. L. Dias, K.A.L.L.B.

Chairman of the Maharashtra

Cosmopolitan Education Society

pursuant to a resolution of the

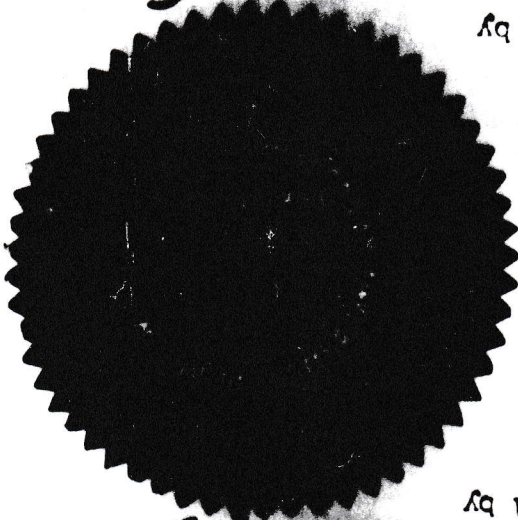
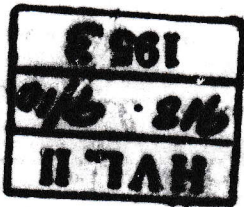
Managing Committee of the

Society dated 15th January 1953

in the presence of -

1. ~~Shri A. L. Dias, I.C.S.~~

2. ~~Shri A. L. Dias, I.C.S.~~



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Received fees for:-

Registration
Photographing
Pages 10
Memo
Postage

Rs. 0-15
Total Rs. 0-15

Joint Sub-Registrar,
Havelli No. II.

[Signature]

Joint Sub-Registrar,
Havelli No. II.

[Signature]
Chairman, Mohaechi
Communist Education Society

Presented at the office of the
Sub-Registrar of Havelli II
between the hours of 11 AM
and 12 PM 23-7-1953

Sh. A. L. Dias Secretary to

Govt, Education Department,

extending Govt. permission for and
in writ of the Government of Bombay,
is exempt from payment

affidavits under § 88 of

the Indian Registration Act 1908

(XVI of 1908). His signature

and seal are known to the

under signed Sub-Registrar

2 Sh. A. A Khan M.A.L.B

Chairman of the Mohaechi

Communist Education Society

extending Govt. permission

Muslim, 60, 608 Saelephir

Street Pooa 1 admitly execute

He is formerly known to the

under signed Sub-Registrar

23 JUL 1953

Joint Sub-Registrar,
Havelli No. II.

[Signature]



Joint Sub-Registrar,
Havelli No. II.

23 JUL 1953

Registered No. I
of book No. I

Joint Sub-Registrar,
Havelli No. II.

Duplicate presented
along with this deed under
Serial No. 919 is certified
under this registered No. 918



श्री. व. व. गोवर
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