

Home(1918) Department.
(Education)

Ordinary SERIES.

G.O. No. 748

DATED 16-6-1918

[Despatch Abstract.]

Mortgage Deed.

Waiving the liability of the management of the C.E.S. village schools in the Kistna district to execute the formal mortgage deed contemplated by article 53 of the Grant-in-aid Code and permitting the Director of Public Instruction to take a simple undertaking instead.

BACK PAPERS.

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

FURTHER PAPERS.

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

07.

1462 not
17 C.F.—29.

HOME (EDUCATION)

DEPARTMENT.



191

Registered

30 5 1919

Subject.

Requesting Government to exempt the management of C. M. S. Elementary Schools, Kistna District, from the execution of a mortgage deed in respect of grant sanctioned for the construction of village school buildings.

ENCLOSURES.

No.

R.C. No. 2714/1919

Spare copies

Station Madras, Dated the 28 May 1919

From (Name) the Hon'ble Mr. R. Littlehales, M.A.,

(Designation) Ag. Director of Public Instruction
MADRAS.

To The Secretary to the Government of Madras,

HOME (EDUCATION)

Department.

Sir,

(D)

With reference to paragraph (2) of G. O. No. 520 Home (Education) dated 24th April 1919 I have the honour to state that an advance grant of Rs. 5,500 has been authorised for payment towards the construction of twenty-one village school buildings for the C. M. S. Schools in the Kistna District. As regards the execution by the management of the mortgage bond contemplated by Article 53 of the Grant-in-Aid Code, the Correspondent requests that the execution

Subject.

'Mortgage deed'

6-1071/B, from the D.P.D., R.C. 2714/19, 8-5-19

Home (Ed.) Dept.

of such a deed need not be insisted upon. He writes as follows:-

"As regards executing a mortgage deed I doubt its feasibility in the present case, as the property in about half the cases belongs to Government and was given to the C.M.S. for school purposes and is liable to resumption if not used for that purpose. In other cases the land was given by Zamindars freely for schools; etc. In two or three cases the C.M.S. bought the land but as this is held by the Church Missionary Trust Association, it would have to go, I am afraid, to the London Committee who would have to execute a Power of Attorney to make a mortgage deed valid and this might take six months and would be somewhat expensive. Hitherto such a deed has not been required of me when a much larger grant has been given.

I therefore hope you will not press for such a deed in these particular cases where the grants are so small".

I request that, in the circumstances stated by the Correspondent, Government will be pleased to waive the question of mortgage. As alternative an undertaking may, if necessary, be obtained from the management that the buildings towards which grants have been sanctioned will be used only for school purposes and that, if used otherwise without approval, they will be liable to resumption.

I have the honour to be,

Sir,

Your most obedient Servant,

G. H. [Signature]

for Director of Public Instruction

(D)

in G.O. No. 520 Ed., dt. 24th April 1919 was virtually for the construction of village school building provided for in Art. 60-A of the grant-in-aid code. As the grant could not however be technically brought under Art. 60-A, it was sanctioned subject to ordinary rules regulating building grants (Ch. VIII of the Grant-in-aid code) one of which requires that the management receiving a grant-in-aid should execute a mortgage deed guaranteeing the use of the building for educational purposes for a period of forty years. (Art 53 (ii) of the Code). As this should be lost of sight of, the D.P.D. was specifically asked to obtain a mortgage deed from the management of the schools in question. For the reasons mentioned in his letter the Director now asks that the question of mortgage may now be waived.

Para 2 of G.O. 320 Ed.

(D) 24-4-19

PP 344 of notes in linked file (C-629/19)

(Below)

2 In another connection, the D.P.D. has stated that he is not generally in the habit of taking mortgage deeds in the case of small schools managed by reliable bodies e.g. missions. If this is the

9/25/19

Y. V 27/5

practices followed by him, Govt. need not perhaps insist on a mortgage deed in this instance where also the mortgagee is a missionary body. The alternative of taking a simple undated ~~any~~ may also be agreed to as a similar course was ^{it} proposed for adoption in connection with the St. Alexius' Industrial School, Vizagapatnam - No. 552d. d/22nd January 1913.

The object of the mortgage deed is to ensure that the building, for the erection of which a grant is given, is not, during the period of mortgage, diverted to other than educational purposes. If the D.P.D is satisfied in the present case that the above object can be secured by the simple undertaking he refers to we need not object.

CA
12/10/49 5 11/13/49

A draft order is subd.:

$\frac{8}{13.6-19}$
 $\frac{9}{157.679}$
 may 16/6/19

Seott. II-10 (a)—5,002-13 1-19 (6)

~~Home~~ DEPARTMENT

Waiving the liability of (2dnd)

the management of the C. M. S. Village
Schools in the Krishna Dist. to execute the formal
mortgage deed contemplated by Art. 53 of the
Grant. in - his hope of permitting the D. P. S. to take
a simple undertaking instead.

READ AGAIN G.O. No. 520 ~~Amended~~, dated 24.11 1919. (D)

" " " "

READ ALSO:—

C. No. 1071, From the D.P.G., Re; No. 2714, dated 28.8.1919

” ” ” ” ” ” 191

” ” ” ” ” ” 191

ORDER.

Met.

No. 748, dated 16-6-1919

In the circumstances stated the Govt: will not insist on the execution by the correspondent of the C. M. S. village schools in the Krishna Dist: of the formal mortgage deed requested in Gov. No. 520 Home (Edn.), dt 24th April 1919, but will permit the D.P.D. to accept in lieu thereof the ~~same~~ simple undertaking referred to in his letter.

To the D.P.I. (q + w)

12.66

CR
1576 me my before

(v. 16) *Forstulidion* coll. p. 16. N.

191

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH LATTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.