

Law (Education) (1926) Department.

Mis SERIES.

G.O. No. 730

DATED 29. 4. 26

[Despatch Abstract.]

School.

Elementary - Sainte Elementary School -
George Town. Building grant -
Exemption from Execution of mortgage
deed - 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.

THE SAIVITE ELEMENTARY SCHOOL,
Madras, Dated 23rd January 1926.

From

The Manager,
The Savite Elementary School,
Telegraph Abboy Naidu Street,
George Town, Madras.



The Secretary to the Government of Madras,
Law (Education) Department,
Madras.

Sir,

I have the honour to inform you that a site for the Savite Elementary School at Pattabirama Iyer Street, George Town, Madras, was acquired by Government in the year 1922, and has been placed in possession of the school through a conveyance deed executed at the expense of the school. A sum of Rs.1,750/- has been given in advance to the school out of the grant payable by the Madras District Educational Council. A mortgage deed is now required to be executed in favour of the Madras District Educational Council before the remaining amount of grant is received.

2.The school has already been heavily burdened owing to the payments of Rs. (a) Rs. 1,847^{as} shown below, in addition to the value of the site, which was assessed by the Collector as Rs.3510 (including 15 per cent additional compensation).

(a) Rs. 1,346 Enhanced award made by the Court of Small Causes.

"	205	Interest on enhanced award
"	83	Costs awarded to claimant
"	67	Government Solicitors fees to conduct the suit
"	50	-do- to draw the conveyance deed.
"	96	Stamp duty on conveyance deed.
	<u>Rs. 1,847</u>	

Encl- NO. 298 A-1
28.1.26 Law (RM) Dept

Referred to the President, District Educational,
Madras, for remarks
(By order)
Assistant Secretary to Govt
14/1/26

P.T.O.

3. The school is under the management of a registered society which has been working for the last 27 years. The conveyance deed already executed would itself appear to be enough to meet the requirements of the Government. The question of exempting documents connected with educational purposes from stamp duty &c. has already been under the benign consideration of the Government of Madras. Exemptions have been sanctioned in similar instances.

4. Under these circumstances I request that you may be pleased to accord sanction to exempt the management of the Saivite Elementary School from executing a mortgage deed to the Madras District Educational Council in the present instance.

I have the honour to be,

Sir,

Your most obedient servant,

A. A. Muthuola Mudaliar

Manager, the Saivite Elementary School.

*X. L. 1464/15
15/4/20.*

In my opinion the prayer contained in the petition is a reasonable one. Both stamp duty and registration fees are now provincial sources of revenue and Managers of Elementary Schools ought to be exempted in the interests of the expansion of Elementary Education from payment of these duties and this particular school pre-eminently deserves ~~exemption~~ pending the decision of the general question, exemption sought for in paragraph 4 of the petition.

1st April 1926.

President, Madras District Educational Council.

Saivite Elementary School, Madras.
Building grant - Exemption from
execution of a mortgage deed.

[CM. 2987]

From the Manager, Saivite Elementary School,
Madras, 2.23.26.

[CM. 11264]

Est. by M.D.E.C., Madras, 2.1.26.

The question of exempting
from stamp duty and registration charges
the mortgage deeds executed by ~~aided~~
^{the} ~~school~~ Managements of aided schools
on account of building grants paid
to them is under consideration separately
in the linked file. The Govt of India
~~has~~ has to be addressed, and the
receipt of further information called for
from the D.P.D. is being awaited.

2. The Manager of the Saivite
Elementary School, Georgetown, Madras,
^{the management} requests that ~~it~~ may be exempted from
executing a mortgage deed for the grant
paid by the Madras D.P.D. office towards the
acquisition of a site for the school on
the grounds -

(1) that the management of the school has
been

been put to additional expenditure on payment of enhanced award made by the Court and consequently it cannot afford to incur further expenditure on stamp duty and registration charges on account of the mortgage deed and

(2) that a deed of conveyance has already been executed and this would appear to be sufficient.

3. The deed of conveyance is different from the mortgage deed. While the former is in respect of the ~~land~~ the conveyance to the management of the land acquired by Govt. on its ~~held~~ behalf, the mortgage deed is in respect of the grant paid by the Dt. Ed. Council towards the cost of the land. It is not therefore possible to exempt the management of the school from executing the mortgage deed. Attention is, however, solicited to the orders in G.O. No. 508, Law (S), of 7-4-24, in which the Dt. Ed. Councils have been empowered to accept deeds of acceptance in lieu of mortgage deeds in cases where the grant paid to the management of a school does not exceed Rs. 2500.

In

An advance grant of Rs. 1750 has already been paid by the Dt. Ed. Council and the balance yet to be paid.

In the present case the grant appears to be not more than Rs. 2500 as the Dt. Ed. Council has sanctioned the grant. The deed of conveyance which should be drawn up on Rs. 25 stamp paper does not require registration, and the management need not incur any expenditure on account of stamp duty and registration charges, except a small amount of Rs. 25.

4. It is now for consideration whether the attention of the P.D.E.C., Madras, may be drawn to the instructions in G.O. No. 508, Law (S), of 7-4-24, and he be asked to accept a deed of acceptance in lieu of a mortgage deed, or whether the management may be asked to wait till the general question of exemption from stamp duty and registration charges is disposed of. In the former view a draft order is submitted.



CA 20/4
V.T.K.
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CA 25/4
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by Law (com) DEPARTMENT.

School Elementary - Sairite
Elementary School, Georgetown.
Building grant - Exemption from
execution of mortgage deed - Orders
passed

READ AGAIN G.O. No. , dated 192 .

" " " " " " 192 .

READ ALSO:-

C. No. 298A From the Manager, Sairite Ele. School, Georgetown; No. , dated 23-1-1926.

" " 298A " " P.D.E.C., Madras " " 1-4-1926.

" " " " " " 192 .

ORDER.

mis

No. 730, dated 29. 4. 1926.

~~The Govt. are unable to accede to the request of the Management of the Sairite Elementary School, Georgetown, Madras, that it should be exempted from executing a mortgage deed in respect of the building grant paid to it by the Dt. Ed. Council, Madras. The attention of the President, Dt. Ed. Council, Madras, is, ~~however~~, invited to the orders issued in G.O.~~

① No. 508, Law (com), of 7. 4. 24.

under which the ~~Council~~ have been

been empowered to accept
a deed of acceptance in lieu
of a mortgage deed, provided the
amount of grant does not exceed
Rs. 2500/- ~~the amount~~
~~of the grant~~.

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25.4.26
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CA
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K.T.
26/4

DESPATCHED
7/2 30 - APR 1926

To
The P.D.E.C., Madras.
" Manager, Sairite Elementary
School, Telegraph Alamy Nagar,
George Town, Madras
(~~George Town~~)

When given for copying
When copied
When examined
When signed

192

READ AGAIN G.O. No. 192, DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT ... A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETTO.

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IN ORIGINAL.

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