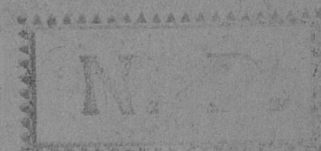


[21]
Educational (1903) Department.

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G.O., No. 305

DATED 23.6.03



INDEXED

ORIGINAL

[Despatch Abstract.]

Building grants

Stating that no building grant should be paid under rule 113 of the grant-in-aid code unless the grantee executes a formal agreement undertaking to refund such portion of the amount as may be determined under 116 if the building is devoted to purpose other than those for which the grant was sanctioned.

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Government {1903} of Madras. EDUCATIONAL.

Recd.

Enclosures

Regd.

} 1903.

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ORIGINAL

G.O., No. 305, 23rd June 1903.

M.P.

JUNE.

Building grants.

Stating that no building grant should be paid under rule 113 of the Grant-in-Aid Code unless the grantee executes a formal agreement undertaking to refund such portion of the amount as may be determined under rule 116 if the building is diverted to purposes other than those for which the grant was sanctioned.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

ORDER—No. 305, Educational, dated 23rd June 1903.

The Government considers that no building grant should in future be paid under rule 113 of the Grant-in-Aid Code unless the grantee executes a formal agreement undertaking to refund such portion of the amount as may be determined under rule 116 if, within the period specified in that rule, the building is diverted to purposes other than those for which the grant was sanctioned. The Director of Public Instruction is requested to submit at an early date for the approval of Government a draft form of agreement.

2. The following notification will be published in the *Fort St. George Gazette*:—

NOTIFICATION.

The words "if required" occurring in clause (ii) of rule 114 of the Grant-in-Aid Code shall be omitted with effect from this date.

(True Extract.)

A. G. CARDEW,
Ag. Secretary to Government.

To the Director of Public Instruction.
Gazette.

Exd. S. J. Pereira.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 305, EDUCATIONAL, DATED
23RD JUNE 1903.

[SUBJECT.—*Building grants to aided institutions.*]

From the Director of Public Instruction, dated 15th May 1903, No. 1964.

The "report" hardly predisposes one to repose great reliance on the compiler of the estimate or valuation statement or whatever it may be called. The school management I suppose is building. Does it build at Public Works department rates? Is it going to spend Rs. 10,000? Is it working by contract, and, if so, what are the rates? The plans furnished are of recent date: approval prior to erection is apparently contemplated by the rules.

2. These are matters that suggest themselves. I don't know if they are worth enquiring or not.

J. T. [HOMSON]—27-5-03.

The hostel is being constructed by the manager of the school. There is nothing to show whether the rates are Public Works department rates or not, but the Executive Engineer has passed the estimate and the rates cannot be higher than Public Works department rates. There is no information as to whether the work is to be done by contract, but, if it is, it is not likely that the contractor's rates will be less. In the case of grants to private bodies or persons for buildings it has not been usual to go into these considerations. The Executive and Superintending Engineers' approval to the estimates or valuation statements has been considered sufficient.

This is for the Members of Government to decide.

A. T. PRINGLE.

It is submitted that the same course may be followed in the present case also.

2. Under rule 114 of the Grant-in-Aid Code the grant can be disbursed only after completion of the work and on the production of a certificate from the Engineer or other responsible officer deputed to examine the building that the work has been proceeded with or completed, as the case may be, in accordance with the approved plan and estimate or that the building is worth the amount on which the grant is claimed. The manager shall also, if required, execute a deed of agreement in such form as may be prescribed by the Director.

3. Under paragraph 2 of rule 113 grants shall not be given for a building regarding which the sanctioning authority has not been consulted and for which aid has not been promised previously to its erection, enlargement or purchase. The present application is with reference to this rule. The actual payment will be made after the production of the certificate referred to.

4. In the present case the Director may perhaps be specially asked to provide in the deed of agreement executed under rule 114 that the building shall be hypothecated to Government. The Government paid Rs. 3,000 for the site—*vide* G.O., No. 15, Educational, dated 12th January 1901—and the present payment is over Rs. 6,000. It is best to have proper security for this large grant to a private manager. He does not stand in the same position as a missionary body or registered association. If approved, an additional paragraph will be added to the order.

P. T. THARYAN—28-5-03.

I think Mr. Stuart might see these notes unofficially and make his remarks.

2. The draft should issue.

A. T. PRINGLE—28-5-03.

A From my knowledge of the case, I think it is very desirable that Government should make the grant on the clear condition that the building is to be retained for educational purposes, and that the grant would be forfeited and be recoverable, should the buildings be diverted to other uses. The notes can go to the Director of Public Instruction unofficially as suggested, and he may be asked to send us a copy of the stock form of deed usually executed under rule 114.

A. G. CARDEW—29-5-03.

To the Director of Public Instruction.

The condition that "the manager shall, if required, execute a deed of agreement in such form as may be prescribed from time to time" was first introduced into the Grant-in-Aid Code in 1885. No form of agreement has ever been prescribed and no manager has, up to the present, been required to execute such a deed. When drawing the grant, the manager signs a declaration, printed at the foot of the Grant-in-Aid bill, that he agrees to abide by the conditions laid down in rule 116 of the Grant-in-Aid Code. This has, so far, been considered sufficient. A copy of the bill form is sent. No cases for action under rule 116 of the Code have yet arisen.

2. As it seems doubtful whether a grant could be easily recovered on the strength of the declaration signed by the manager in the Grant-in-Aid bill, I am having a form of agreement drawn up incorporating the conditions of rule 116, and this will be recommended for insertion in the next edition of the Grant-in-Aid Code.

G. H. STUART—5-6-03.

The Director does not furnish any reply to the Honourable Member's queries. Nor does he propose to defer payment of the grant in the present case till the form of the agreement to which he refers is approved. The usual declaration seems to be clearly insufficient here. A paragraph may therefore be added to the draft to the effect that a special agreement with the condition suggested at A above should be taken in the present case if the grant is paid before the new form of agreement is adopted.

P. T. THARYAN—8-6-03.

Why has not the draft gone out? It was passed by the Honourable Member on the 27th ultimo, and should have reached the Director with the notes. I don't see the use of adding to the draft. The Director may see the notes again, and he will take what action is necessary.

A. T. PRINGLE—9-6-03.

I suppose the Government order should issue, as the Honourable Member passed it. Have we any lists of grants made by Government under chapter VIII of the Grant-in-Aid Code?

A. G. CARDEW—10-6-03.

We have no list ready, but one can easily be prepared from the Government orders sanctioning the grants. If the Secretary will kindly say up to what year we should go back, the orders will be called for from Madras and the list prepared. Meanwhile the draft may issue, copy of the notes up to the note of the 29th ultimo being stitched with the copy of the order going to the Director.

P. T. THARYAN—10-6-03.

Yes. A list of grants made in the last two years may be prepared.

A. G. CARDEW—10-6-03.

[G.O., No. 282, Educational, dated 11th June 1903.]

A list of building grants sanctioned by Government during 1901-1902, 1902-1903 and 1903-1904 up to date is herewith submitted.

2. From the Director's telegram in G.O., No. 630, Educational, dated 13th October 1902, it was gathered that the Director was getting a special deed of agreement executed in every case: but this, it now appears, was not the case.

G.O., number and date.	Institution.	Amount sanctioned.
1901-1902.		
211, Edl., 12th April 1901 ..	Evangelical Lutheran Mission Fabricius Lower Secondary school, Pursewakam.	Rs. 2,666
497 " 6th Sept. " ..	The Sarah Tucker college, Palamcottah	7,123
685 " 25th Nov. " ..	The American Mission Training school for Mistresses, Madura	12,000
774 " 23rd Dec. " ..	The Deaf and Dumb school, Palamcottah	4,674
Total ..		36,463
1902-1903.		
183, Edl., 1st April 1902 ..	The Wesleyan Mission Boys' boarding school at Ikkadu in the Tiruvallūr taluk of the Chingleput district.	2,923
337 " 5th June " ..	The Roman Catholic girls' school at Hirutayapuram in the Trichinopoly district.	2,043
416 " 21st July " ..	The B. G. M. Training school at Kaiti in the Nilgiris	1,550
564 " 16th Sept. " ..	The American Mission Training school for Mistresses, Madura	7,666 (additional grant).
584 " 22nd " " ..	The Sacred Heart Convent school, Tellicherry	2,630
599 " 27th " " ..	The Sarah Tucker college, Palamcottah	100 (additional grant).
605 " 30th " " ..	The Arcot Mission college, Vellore	1,200
630 " 13th Oct. " ..	The Madras Christian college	10,000
632 " 13th " " ..	St. Joseph's Convent school, Coonoor	4,933
666 " 29th " " ..	The Scottish Ladies' Association Hindu girls' school, Pursewakam ..	1,833
670 " 31st " " ..	Mrs. A. V. Narasinga Rao's college, Vizagapatam	16,633
685 " 31st " " ..	Kumbakonam college hostel	25,000
777 " 18th Dec. " ..	The Board High school Lalpudi	1,173
7 " 12th Jan. 1903 ..	St. Joseph's Convent Poor European girls' school, Calicut	5,833
66 " 9th Feb. " ..	The Wesley College, Royapettah	3,256
127 " 19th Mar. " ..	The Madras Christian college	14,200
Total ..		1,01,983
1903-1904.		
175, Edl., 21st April 1903 ..	The Wesleyan Mission Hindu girls' school, Black Town	2,475
224 " 18th May " ..	The Wesleyan Mission High school, Tiruvallūr	1,990
282 " 11th June " ..	The Setupathi High school, Madura	6,066
Total ..		10,531

P. T. THARYAN—19-6-03.

Rule 114 of the Grant-in-Aid Code provides that the manager of an educational institution to which a grant for building purposes is given, "shall, if required, execute a deed of agreement in such form as may be prescribed."

2. The Director of Public Instruction in his unofficial note, dated 5th June 1903, in G.O., No. 282, Educational, dated 17th June 1903, states that no form of agreement has ever been prescribed and no manager has, as yet, been required to execute such a deed.

4

J. T[HOmSON].

B 4. I submit, therefore, that the words "if required" should be deleted from rule 114.

C grant was sanctioned in G.O., No. 630, dated 13th October 1902. We do not know whether the grant has yet been paid, but it is curious that the form of agreement has not yet been drawn up.

A. G. CARDEW—19-6-03.

B. Yes.

C. Better ask.

J. T[HOMSON]—20-6-03.

The drafts placed below may issue. It is submitted that the enquiry about the grant to the Christian college hostel may be made by means of a separate memorandum.

P. T. THARYAN—22-6-03.

A. G. CARDEW—23-6-03.

[Memorandum No. 345, Educational, dated 23rd June 1903.]

[G.O., No. 305, Educational, dated 23rd June 1903.]

AGAIN G.O., No. _____, dated _____, 190_____

READ ALSO :—

C. No. _____, From the _____, No. _____, dated _____ 190_____

ORDER

No. 305, dated 23-6-

1903

The Govt considers that no building grant should in future be paid under rule 113 of the Grant in aid Code unless the grantee executes a formal agreement undertaking ^{(such portion of} to refund ^{as may be determined under rule 116} the amount if, within the period specified ^{that} in ~~rule 116~~ rule 116, the building is diverted to purposes other than those for which the grant was sanctioned. The following notification will be published in the Port of George's Gazette:-

Notification.

The words "if required" occurring in clause (ii) ~~paragraph~~ of rule 114 of the Grand in aid Code shall be omitted with effect from this date.

The D.P.I. is requested to submit ^{for the approval of Govt.} at an early date a draft form of Agreement. ~~f. H.~~

✓ The 27th Sept
Lyonsville 14. 7. 03

२२/५/३

23.6.03

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