

Educational (1904) Department.

ORDINARY PRINTED.

G.O., No. 652

DATED 3. 11. 04

INDEXED.

ORIGINAL

[Despatch Abstract.]

Building Grant

Asking the Govt. Solicitor to modify the
forms of the deed of acceptance relating
to — approved in G.O. No. 513 of 16.8.04,
so as to provide for the release of the
Contract after the expiry of ~~three~~ years

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1904} of Madras. EDUCATIONAL.

Recd.

Regd.

1904.

Enclosures

Spare copies

ORIGINAL

G.O., No. 652, 3rd November 1904.

N. P.

NOVEMBER.

Building Grants.

Asking the Government Solicitor to modify the forms of the deed of acceptance relating to — approved in G.O., No. 513, Educational, dated 16th August 1904, so as to provide for the release of the contract after the expiry of twenty years.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper :—

From the Hon'ble Mr. A. G. BOURNE, D. Sc., F.R.S., Director of Public Instruction, to the Secretary to Government, Educational Department, dated Madras, 14th October 1904, Ref. on Cur. No. 4644.

The Secretary to the Council of Aided Education has addressed the following letter, with reference to the forms of deeds of acceptance relating to building grants not exceeding Rs. 1,000 sanctioned by Government in their Order No. 513, Educational, dated 16th August 1904 :—

In acknowledging the receipt of your Proceedings, Ref. on C. No. 4644, dated 8th July 1904, and 31st August 1904, by direction of the Missionary Council on Aided Education, I have the honour to call your attention to the fact that in the proposed deeds of acceptance of grants below Rs. 1,000 forwarded with your Proceedings no time limit is fixed. The Council requests that you will be good enough to call the attention of the Government to this apparent oversight in the drawing up of the proposed deeds; for, as they stand, they would appear to be distinctly inconsistent with the provisions of the Grant-in-Aid Code and with the mortgage deed already prescribed and applicable to grants above Rs. 1,000 as recently modified by the provision to release the property mortgaged after the expiry of twenty years.

If I understand aright it was not the intention of Government that the deeds of acceptance should be binding on managers after 20 years, any more than the mortgage deeds relating to grants above Rs. 1,000. It is true no specific mention is made of the 20 years' limit in the forms relating to the deeds of acceptance; but the provisions of Rule 121 of the Grant-in-Aid Code should, I think, be understood as governing deeds of all kinds executed under the code. I beg to enquire if I am right in my interpretation.

I do not think that it is necessary to refer to the time limit in the form. If Government think otherwise the Government Solicitor may be asked to revise the draft deeds so as to provide for the release of the contract after the lapse of twenty years.

ORDER—No. 652, Educational, dated 3rd November 1904.

The Government Solicitor will be asked to modify the forms of the deed of acceptance approved in G.O., No. 513, Educational, dated 16th August 1904, so as to provide for the release of the contract after the expiry of twenty years.

(True Extract.)

H. D. TAYLOR,
Ag. Secretary to Government.

To the Director of Public Instruction.
" Government Solicitor.

Exd. V. A. Rajave'u.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 652, EDUCATIONAL, DATED
3RD NOVEMBER 1904.

[SUBJECT.—Forms of Deeds of Acceptance relating to Building grants.]

From the Director of Public Instruction, dated 14th October 1904, No. 4644.

In their orders, No. 529, Educational, dated 26th October 1903, and No. 644, Educational, dated 23rd December 1903, Government prescribed forms of mortgage deeds which managers of schools had to execute before they could obtain building grants under the Grant-in-Aid Code. Managers of schools did not take kindly to these forms, and in their order, No. 513, Educational, dated 16th August 1904, the Government approved of simple deeds of acceptance being executed instead of mortgage deeds when the grants did not exceed Rs. 1,000 and prescribed* forms for these acceptance deeds.

2. One of the objections raised against the forms of mortgage deeds was that they did not contain any provision for the release of the properties mortgaged after the lapse of twenty years. In regard to this the Government ordered that the forms should be modified and provision inserted for such release—paragraph 3 of G.O., No. 513, Educational, dated 16th August 1904. The revised forms have now been approved and are being printed.

3. In his letter read above, the Director says that the Missionary Council on aided education likewise objects to the forms of deeds of acceptance on the grounds that they contain no provision for the release of the property in respect of which a grant is accepted and that so far they are inconsistent with the provisions of the Grant-in-Aid Code rule 121. The Director thinks, however, that it is unnecessary to make any special provision in these deeds for the release of the property as the provisions of rule 121 should be understood as governing the deeds drawn up in the forms of the acceptance deeds prescribed. It is submitted that the Director's view is correct, but so long as there is express provision in the forms of mortgage deeds for the release of properties mortgaged it is for consideration whether a similar provision should not be inserted in the forms of acceptance deeds also.

P. T. THARYAN—24-10-04.

The Government Solicitor may be asked to enter the condition in the form?

Yes.

A. GALLETTI—26-10-04.

H. D. TAYLOR—31-10-04.

A draft is placed below for approval.

T. KANAKASUNDARAM PILLAI—1-11-04.

A.G.—1-11-04.

Issue.

H.D.T.—2-11-04.

[G.O., No. 652, Educational, dated 3rd November 1904.]

Educational (190⁴) Department.

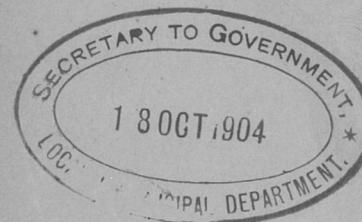
CURRENT No. 1836

From

[Name] The Hon'ble Mr. A.G. Bourne, D.Sc., F.R.S.,

[Designation] Director of Public Instruction,

[Station] Madras.



Ref No. Cur No. 4644 of 04

Received 18-10-1904

Dated 14th October 1904

Enclosures

Registered 18-10-1904

SUBJECT.

Submitting a further communication from the Secretary to the Council of Aided Education regarding the deeds of acceptance to be executed under rules 119 of the Grant-in-aid Code.

BACK PAPERS.

10573-16-8-02

FURTHER PAPERS.

The Secretary to Government,
Educational Department.

The Secretary to the Council of Aided
 ssed the following letter with reference to
 of acceptance relating to building grants
 000/ sanctioned by Government in their order
 dated 16th August 1904.

"In acknowledging the receipt of your Proceedings No. 4644 dated 8th July 1904 and 31st August 1904, by direction of the Missionary Council ^{on} ~~of~~ Aided Education I have the honour to call your attention to the fact that in the proposed deeds of acceptance of grants below Rs 1,000/ forwarded with your Proceedings no time limit is fixed. The Council requests that you will be good enough to call the attention of the Government to this apparent oversight in the drawing up of the proposed deeds; for, as they stand, they would appear to be distinctly inconsistent with the provisions of the Grant-in-Aid code and with mortgage deed already prescribed and applicable to grants above Rs 1,000/ as recently modified by the provision to release the property mortgaged after the expiry of twenty years."

1,200—7-10.03.

EDUCATIONAL DEPARTMENT.

READ AGAIN G.O., No. 513, dated 16th Aug. 1904

READ ALSO:—

C. No. 1836, From the D.P. I., No. 4644, dated 14th Oct. 1904

ORDER No. 652, dated 3. 11. 1904

The Govt. Solicitor will be asked to modify the forms of the deed of acceptance approved in G.O. no. 513 Ldl dated 16th Aug. 1904 so as to provide for the release of the contract after the expiry of twenty years.

7/12.

12
1.11.20

HD2
2-11-04

The opt. - lazy issue

To The D.P.I.

-- Goul. Solitudo

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
190 .

, DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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5-80
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The first sentence will be
added to the body of the letter of the
chief of acceptance of the
so on 212 the date 18th of 1890
so on to provide for the release
of the contract after the expiry
of twenty years

1890
1890