

*Closed
1948*

Sectt. II-27-58,004-27-10-47.

Education and Public Health

(1948) Department.

Ms. SERIES.

G.O. NO. 3353 Edn.,

Dated 29-12-1948.

[Despatch Abstract.]

School-Virudhunagar Municipality-S.S. Subbiah Nadar Municipal High School.
Incurring of expenditure on anniversary and prize distribution-Sanctioned.

Back Papers.

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

Further Papers.

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

Please quote
date and
title.

DEPARTMENT.

Received.....Registered.....

From (Name) Sri S.Muthuremalingham,
(Designation) Commissioner, Virudhunagar Municipality,
Post Box....., (STATION).....Virudhunagar.

Telegraphic Address.....



The Secretary to the Government of Madras,
Education & Public Health Department, Madras.

Through the Chairman, Municipal Council, Virudhunagar. and
Roc.B-2.No.4317/46, dated 18th Nov. 1946. The Examiner of L.F.
Sir, Accounts, Madras.

ENCLOSURES.....

SPARE COPIES.....

* Sub: Education - Secondary - Virudhunagar Municipal
S.S.Subbiah Nadar Municipal Secondary school -
Anniversary and prize distribution - Expenditure
of Rs.150/- every year - From municipal funds -
Standing sanction - Requested. general

A philanthropic gentleman of this town Sri S.S.Subbiah Nadar has donated a sum of Rs.20000/- towards the cost of a building for the use of Municipal high school subject to - certain conditions viz. to name the institution jointly - after the said donor and the Municipality to celebrate the anniversary and prize distribution of the said institution once in a year at a cost of Rs.150/- etc. The Municipal Council in its resolution No.37 dated 8-1-1944 has agreed to the conditions stipulated by the donor in his letter dated 8-1-44. A copy of his letter dated 8-1-44 is enclosed. The school has been opened in the year 1944-45 and it is named as S.S.Subbiah Nadar Municipal Secondary school. The construction of the building is under execution.

It may be observed that one of the conditions lays down that the annual school day and prize distribution - should be celebrated at a cost of Rs.150/-. The expenditure falls under the category of extraordinary items of - expenditure. In its resolution No.672 dated 14-10-46 the Council has resolved that Government may be addressed to sanction the annual expenditure of Rs.150/- to celebrate the anniversary and prize distribution from the General - funds. A copy of the council's resolution is enclosed. I request that Government may be pleased to accord standing sanction for the expenditure of Rs.150/- every year for the purpose stated above.

Your obedient servant,

S.K.

S. K. Muthuremalingham
Commissioner.

Forwarded.

Chairman.

19.11.46.

P.T.O.

Copy of the Resolution of the Municipal Council, Virudhunagar.

No. 672, 1947

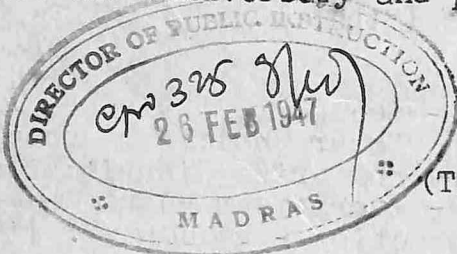
Dated 14-10-46.

Subject:

Read M.C.R.No.37 dated 8-1-44 and (2) office note requesting the approval of the council for the draft form of agreement to be executed between Sri S.S.Subbiah Nadar and the Municipal Council in connection with the contribution of Rs.20000/- made by the former for the maintenance of the High school by the Municipal Council and (3) Commissioner's note thereon dated 23-9-46 requesting the Council to re-examine the conditions for the reasons stated.

Resolution:

The draft form of agreement is approved. The Government may be addressed to sanction the annual expenditure of Rs.150/- to celebrate the anniversary and prize distribution from the General funds.



(Sd.) V.V.Ramaswamy,
Chairman.

(True copy)

S. Muthuswamy
Commissioner.

EXAMINER'S OFFICE.

It is understood that the school is at present located in a rented building and that there will be an annual saving of Rs. 3,300/-, when it is removed to the building now under construction. From a purely financial point of view, therefore, there is no objection to the expenditure of Rs.150/- being incurred for the celebration of the anniversary and the prize distribution of the school. Legal Department may be consulted on the point whether the acceptance of paragraph 7 of the letter of the donor which imposes a contingent liability on the Municipal Council to return the full amount of the donation in the event of certain circumstances is fraught with serious loss to the municipality or not.

To: The Secretary to Government,
Education and Public Health Department,
Madras.

Examiner of Local Fund Accounts.

Director of Public Health (B) Dept.

Enclt. No. 11307. B1/47-1. Edu. S. 22/2/47.

Referred to the Director of Public Instruction
for remarks.

Assistant Secretary to Government.

Copy of letter dated 8-1-44 of Sri S.S.Subbiah Nadar.

மகாநகர மன்றம் முனிசிபல் தேர்மன் அவர்க

ருக்கு தி.ச. சுப்பையா நாராயணன் எழுதிக்கொண்ட மனு:

விடுது நகரின் புதிதாக எழுதப்பட்ட உட்கட்டிட
நடத்து வேண்டியது குறிப்பாக என்னும் 17-6-43 ல் எழுதப்பட்ட
கொடுக்கப்பட்டது அந்த மனுவைப்பற்றி அதுவே கேள்வியில்
நடந்து முனிசிபல் கவுன்சில் மீட்டிங் நடந்ததில் மனுவர்
குறியிடப்பட்டிருப்பது அப்படிக்கொண்டு தீர்மானம் செய்ய
அது விஷயமாக 20-6-43 ல் R.C.P. 5476/43 உத்திரவு
அனுப்பி கிடைத்திருப்பதில் இதுண்டாகும் குறியிடப்பட்டிரு
க்கும் நிபந்தனைகளுக்கிடப்பட்ட நான் 17-6-43 ல் எழுதிய
மனுவர் ரூ. 12000/- அருவதாகக் கொள்ளியிருப்பது போக
மேலும் ரூ. 8000/- இவற்றை ஆக மொத்தம் ரூ. 20000/-
இருப்பது ஆகிய ஏதாவது மக்கள் அருவதற்குத் தகுந்திருக்கிறேன்.

நிபந்தனைகள்:

- (1) நான் கேட்டிருந்தேன் அந்த முனிசிபலிடமிருந்துப் பத்திரம்
மிக இவற்றையும் நிபந்தனை முனிசிபலிடமிருந்துப் பணம்
பெறுவதில் அன்றாடம் உட்கட்டிட வேண்டிய கட்டிடங்கள்
கட்டியும், மன்னும் தமது தந்திரப்பங்களுக்கேற்ப மர
மத்யகம் செய்யவும், விசாரணப்படுத்தி கட்டிக்கொள்ளவும்
- (2) வேண்டும். [நான் அன்றாடம் உட்கட்டிட என்னென்னவையும் முனிசி
பல் பெறுவதும் தேர்ந்து அதுவது "தி.ச. சுப்பையா
நாராயணன் முனிசிபல் கவுன்சில்" என்று நடத்தியதற்கு
தரப்படும் தன்மை செய்யவும் வேண்டும்.
- (3) என்னும் அப்படி என் உருவத்திலுமே,
உருவப்படத்தையும் மக்கிய அறையில் வைக்க வேண்டும்.
- (4) வடுவாத்திற் கொடுக்கையு ரூ. 150/- சுமார் தவறு
செய்து உருவத்திற்கொண்டாட்டும், மன்னவர்களுக்கு
பரிசுதரும் செய்யவரு வேண்டும்.
- (5) அவ்வெருவடுவாத்தும் வடுவாத்திற்கொண்டாட்ட
தும், மன்னவர்களுக்கு பரிசுதரும் செய்யவரு வேண்டும்.
வடுவாத்தில் நான் தீவிரப்பாடுக இவற்றை வரை என்னையும், என்

legal

6
legal department if it cannot be deleted altogether.

R. Narayanan

for DIRECTOR OF PUBLIC INSTRUCTION.

To
The Secretary to Government,
Education and Public Health Department,
Fort St. George, MADRAS.

KAN.21/5

28/5

64PH(B1)281

G.O. No. 3195 of 8-4. dated 20-7-36 quoted at p. 5 and
not called for from P.H.O. has not yet been recd.
This may be over till 2.6-47.

28.5.47;
28/5/47

28.5.47

5 2
66/4
No
Schools - Secondary - Vindhanagar Municipality -
S.S. Subbiah Nadar Municipal Secondary
School - Contribution towards construction of
School building - Execution of agreement.

From the Commissioner Vindhanagar Municipality
Re. No B.2 No 4317/46 D/S. 11-46
From the DPD Re. No 325 A/47 D/S. 21-5-47

11307B1/47-36 du d24-48

2-2/4/48
The Commissioner, Vindhanagar
Municipality is requested to report whether
an agreement has been executed between Sri
S.S. Subbiah Nadar and the Municipal Council
in connection with the donation of Rs
20000 made by the former towards the cost
of constructing (a building) for the use of the municipal
high school subject to certain conditions and

if so. to furnish a copy of the agreement. He is also requested to report whether the building has been constructed with the aid of the contribution occupied by the school.

25.3.48

26.3.48

To *[Signature]*
9.4.48
✓ She *[Signature]*
Comm.
Virudhunagar
Mty (through the
Chairman)

C.F. 32.

In reply, please quote number and short title

LOCAL ADMINISTRATION DEPARTMENT.

Received

Registered

From (Name) Sri E. Mohana Rao
(Designation) Commissioner-in-charge,
Virudhunagar Municipality,
Post Box _____, (Station) Virudhunagar.
Telegraphic Address _____

To

The Secretary to Government of Madras,
Education & Public Health Department, Madras.
Through The Chairman, Municipal Council, Virudhunagar.
L. Dis. No. 5883/48, dated 29--5--1948 194 .
Sir,

40767
a/c *[Signature]*

ENCLOSURES

*Sub:- Education - Secondary - S. S. Subbiah Nadar
Municipal High School, Virudhunagar - Information furnished.

Ref:- Government Memorandum No. 11307 B1/47-3,
Education, dated 2-4-1948. *[Signature]*

SEABE COPIES

In the absence of specific sanction from Government for incurring the recurring expenditure the agreement was not actually executed.

The construction of the building was commenced, but subsequently it was found necessary to revise the estimates. The estimates have been revised and they are pending technical sanction. The building is not yet completed and the school is at present housed in rental buildings.

The contribution of Rs. 20,000/- will be utilized for the construction of the building.

[Signature]
S.S.31.5.

[Signature]
Commissioner-in-charge.

Forwarded.

[Signature]
S.S.31.5.

[Signature]
3.15/48
Chairman.

68
12/7

7

E & P. H. Dept
(B)

Schools - Secondary - Virudhunagar
Mltg - S.S. Subbaiah Nadar Municipal Secondary
school - Contribution towards construction of
school building.

1908

From the Commissioner, Virudhunagar Mltg,
L.D. No. 5883/48 d 29.5.48

8
197

15th

• Memo No 11307B1/47-20 d 10.7.48

The Commissioner, Virudhunagar
Mltg is informed that beyond accepting
to name the school after the donor, it is
not desirable to accept any other conditions.

The Comm^r is therefore requested to
consult the donor in the matter and to
report the result. to govt. at an early date.

W. H. M.

To
The Comm^r Virudhunagar Mltg
Chairman
D.P.I.

8/7/48

9-7-48

12/

From
Sri A. J. John, M.A.,
Municipal Commissioner,
Virudhunagar.

13/

To The Secretary to the Government of
Madras, Education & Public Health
Department, Fort St. George, Madras.
Thro' The Chairman, Municipal Council,
Virudhunagar.

13 AUG 1948
Roc. C-1. No. 7589/48 dated 4-8-1948.

Sir,

Sub:- Education - Secondary - S. S. Subbiah Nadar Municipal High
School - Virudhunagar - Information furnished.

60461
Ref:- Government Memorandum No. 11307-B.1.-47-7, Education, dated
10-7-1948.

Sri S. S. Subbiah Nadar, the Donor of the Municipal High School,
is dead and no agreement has been executed. The Government memorandum
referred to above will be placed before the next meeting of the council
and the Government informed of the decision of the Council.

S.S.4.8.

6-8-48
Commissioner.

Forwarded.

48th April
The Commissioner's
further report may be awaited
till 29.8.48

Chairman.

17/8/48
18/8/48
20/8/48

14

22/9/48

C-8PH Dept B

11307 From the Comm^r, Virudhunagar mty,
Roc. C1. N 7589/48 d. 4-8-48

Schools. Secondary. S.S. Subbiah
Nadar Hl High School, Virudhunagar

Memo 11307 B1/47 - 9 (dnd 27/48)

The Comm^r Virudhunagar

Mty is requested to state when his
final report in the matter may be expected.

To
The Comm^r
Virudhunagar
Mty
(Asst. Chairman)
31/8/48

30/8/48
1/9/48

From
Sri A. J. John, M. A.,
Municipal Commissioner,
Virudhunagar.



To
The Secretary to Government of Madras,
Education and Public Health Department,
Fort St. George, ~~Mad~~ Madras.

Through
The Chairman, Municipal Council,
Virudhunagar.

Roc. C4. 7589/48 dated 29-9-48.

Sub:- Education - Secondary - S.S.S. Municipal Secondary School -
Virudhunagar - Contribution towards the construction of school
building.

Ref:- Government Memo. No. 11307-B1/47, Education, dated 10--7--48
and this office Roc.C.1.No. 7589/48 dated 4--8--48.

In continuation of this office letter cited above, I am sending
herewith a copy of the Municipal Council's resolution No. 560 dated
20--9--48. I request that the Government may be pleased to accord sanc-
tion for an annual expenditure of Rs. 150/- for the purpose stated in this
office letter Roc. B.2. No. 4316/46 dated 18--11--46.

Encl. One.

VBK.1/10/A.N.V.

Forwarded

Commissioner.

Chairman. 9/10/48

-/True Copy/-

Sub: Schools - Secondary - Virudhunagar Mty. -
S.S. Subbiah Nadar Ml. secondary school -
contribution towards construction of school
building.

From the Commissioner, Virudhunagar Mty, R.o.c.B2.
No.4317/46 dated 18-11-46.
From the Exr. L.F.A., No.L.F.9230 dated 7-2-47.
From the D.P.I. R.C.No.325 G/47, dated 21-5-47.

Please see the letter from the Commissioner, Virudhunagar Mty. at p.1.cf. He has stated that Sri S.S. Subbiah Nadar of Virudhunagar has donated a sum of Rs.20000/- towards the cost of construction of a building for the Ml. High School subject to the nine conditions specified at p.p.3-4 cf. The Ml.Cl. has agreed to accept the contribution subject to these conditions specified by the donor. It is observed that the school has already been opened during 1944-45 itself and named after the donor's name.

One of the conditions referred to above is that the Ml.Cl. should spend every year Rs.150/- from its funds. towards the expenses for the school day celebration and for distribution of prizes among students. The Commr. has now requested the Govt. ~~to permit the Council to incur an expenditure~~ ~~to accord standing sanction for the expenditure~~ of Rs.150/- per annum from ~~its~~ ~~Council's~~ funds for the purpose referred to above.

The Exr. L.F.A. is in favour of the Ml.Cl accepting the present offer and spending Rs.150/- per annum from its funds as it stands to gain financially thereby. But he thinks that the acceptance of condition (7) viz. to return the full amount of the donation in the event of the closure of the high school or change of its name or the discontinuance of the annual school day celebration, may be fraught with serious risk to the Mty.

The remarks of the D.P.I. on the proposal are at p.p.5-6 cf. He has stated that ~~the~~ Ml.Cl. has to obtain his sanction every year for spending Rs.150/- from its funds. ~~In the circumstances the Director's approval seems sufficient for the purpose.~~ ~~He agrees with~~ the Exr. that the acceptance of condition (7) ~~is~~ ~~fraught with~~ serious risk, and has suggested that the condition may be got modified if it cannot be deleted.

It may be mentioned here that the donor may be not willing for the deletion of this condition. He may perhaps agree

L.N. 11307/47.

p.1.cf.

p.2.cf.

p.564

X vide condition
(4) at p.1.cf.

para 2. at p.1.cf.

p.2.cf.

p.4.cf.

V

p.5-6 cf.

Handwritten notes in Tamil script, likely a translation or summary of the English text on the right. The text is written in a cursive style on lined paper.

I have
just finished
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- y. a multiplication
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The file may be sent to L.A. and Legal for remarks. before the Commissioner & Special Officer is asked to ascertain whether the donor is willing to the above condition. The non-performance of the school day celebration should not be a condition for repayment of donation.

9 Aug
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LA
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for

Under Section 65 of the Dt Municipalities Act, the Council may accept trusts relating exclusively to the furtherance of any purpose to which the municipal fund may be applied. The rules for the transfer of immovable property

It may be ascertained whether the agreement has already been executed, whether the building has been constructed and occupied by the School. The Commissioner Urmohunagar Ndy may be asked to furnish a copy of the agreement if it had already been executed.

A draft memo is submitted below for approval after issue. L.A. may perhaps be consulted whether they have issued any general orders governing the acceptance of donations by local bodies for purposes for which the funds of the local bodies could be utilised.

$$\begin{array}{r} 182 \\ \hline 25.348 \end{array}$$
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$$\frac{1}{2} \times \frac{1}{2} = \frac{1}{4}$$

№ 1/307B/A7-31-d

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SECRET

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Th. C.

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6 MAY 1948

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8758.

The file has been sent to this Dept with reference to it above. General orders have been issued in Memo No. 7044-2 D LA dated 29/4/48 put up at (X). The file may be returned to E & P. H. Dept.

The order ab (x)
 has been communi-
 cated to all impties
 and ~~applies to all~~ is
 applicable to all
 impties in

The reply of the commr, 8 p.m. 1948
 was awaited till 27.5.48.

15748

24
From the Commissioner, Virudhunagar Hlty.
L.Dir. No 5883/48 d 29-5-1948.

From the Commissioner's
reply on p 9 of f. it is observed that the agreement
between the M.L. Council and the donor
has not yet been executed. Before obtaining
the consent of the donor to clause (1) of the
agreement being modified as indicated
on p 2 ante, the file may be sent to
Legal for remarks on the amendment suggested.

In an attempt
to get the Council
modified the donor
should not have
as in the case of Belur.
We should proceed with
caution in carrying
the suggestion for amendment
concerning the

Legal Department

There is no legal objection to clause 7 being amended
as proposed by E. & P.H. The word 'closed' apparently
not means 'permanently closed' and 'closure for vacation'. This
may be made clear.

"Penal" clauses of this kind frequently lead to
trouble. Obviously the donor is seeking to perpetuate
his name - a harmless and from the point of view of the council
a useful form of vanity. E.P.H. may consider whether
it cannot devise a clause which will satisfy the self-
esteem of the donor without incurring the risk of
having to repay the "gift". We may agree to keep the
name; but as regards the closure of the school and the
annual celebration, some clause making the decision
of the D.P.I. final may be evolved.



EPH (M)

Please see the legal dept's note above. In the word 'closed'

in clause 7 suggested on p 2 ante, the words 'permanently
closed' may be substituted. According to the clause (1)
in the donor's letter on pp 3-4 of the entire amount
of the donation is refundable in the event of the
high school being closed etc. According to the
modification suggested on page 2 ante only a portion
of the donation will be refundable in case the school
has been closed etc. within a period of 20 years. It
is very doubtful whether the donor will agree if the
clause is so modified as to impose liability
to repay the gift. For orders whether the Commr.
maybe asked to ascertain whether the donor is
willing to clause (1) being modified as suggested
on page 2 ante.

The suggestion of the Legal Secretary at
B on page 4 ante may also be put to
the Commissioner and he may be asked to
obtain the views of the donor and the M.C.

Beyond accepting to name the school after the
donor, I think it will be dangerous to accept any other
conditions.



A draft Memo is submitted
for approval.

Approved as Memo No. 11907/47 d 10-7-48.

[C.O.: 60461/48 - From M.L. Commr. C.I. 7589/48
d 4-8-48]

Please see the resolution of the Municipal Council on page 17 cf. As the donor is no more, the Council has regretted its inability to alter the conditions. It is not clear why the donor's legal heirs cannot be asked to accept the modifications proposed, but as the Council itself does not seem to be alive to the trouble involved in accepting the conditions as they were originally stipulated by the donor, it is for consideration whether the Council may be allowed to have its way and sanction may be accorded for incurring an expenditure of Rs 150 per annum on the celebration of the anniversary & prize distribution. Legal may see to their remarks before the final decision is taken.

L.A. may also see to the case.

15-11-48
16/11/48

L A D

May be perused.
This dept may agree with the view expressed by EXP at A above.

LEGAL DEPARTMENT.

There is no objection to sanction being given to the Council as proposed at A above.

13-12-48



Legal.

L.A.U.O. 45273/481.D
22. 11. 48

13822
94161
15 DEC 1948



(Previous notes need not be read)
The Municipal Council, Virudhunagar

Legatus 138221
d u - u

P170f

P170f

P110-f

Pbook

Ibid

has accepted a donation of Rs 20,000 from a gentleman of the town, Sri. S. S. Subbiah Nadar for the construction of a building for the Municipal High School subject to the conditions specified at pages 3-4 c-f. The Municipal Council accepted the donation subject to those conditions and it is resolved to request the Govt to sanction the incurring of an annual expenditure of Rs 150 on the celebration of the school anniversary and prize distribution in accordance with one of the conditions of the donation. It was pointed out to the Council that beyond accepting the name of the donor, it would be dangerous to accept any other conditions. As the donor is now dead, the Council has regretted its inability to alter the conditions. It was therefore suggested that the Council may be allowed to have its way and that sanction may be accorded for incurring of an expenditure of Rs 150 per annum on anniversary celebrations etc. L.A. and Legal agree to this suggestion. A draft order is submitted below. The file may be circulated to HM (Edn) for approval of the draft.

16-12-48
17-12-48

21-12-48

23-12-48

22/12

23-12-48

[illegible]

81-11-1
11-1
11-1
11-1

221.85