

Edm (1949) Department.

ms SERIES.

①

G.O. NO. *175 Ed*

Dated *25-1-49*

② *22* *2026*

[Despatch Abstract.]

Back Papers.

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

Further Papers.

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

From (Name) 1947. 37953
 Designation
 Station
 Department
 Education and Public Health Dept.
 Municipality, Erode.

Received _____ Registered _____
 To
 The Secretary to Government,
 Education and Public Health
 Department, Madras.

Enclosures: No. 7063/C4/46 dated 2/5/1947. 194

Sir,

Sub:- Building - Board High School, Erode - Rent - payment
 by Municipality.
 Ref:- Government Endorsement No. 48451/46 Gdn., dated
 10/9/1946 and reminder dated 28-4-47.

I beg to submit that as per the instructions in Government
 Endorsement quoted above, the reply was submitted through the Director of
 Public Instruction, Madras along with this office letter No. 7063-C4-46
 dated 15-3-47. However, a copy of the same is submitted herewith direct.

Encl: 1

P.M. 2/5 'A'

Special Officer & Commissioner.

DESPATCHED
 2-MAY 1947

Copy of letter No. 7065/04/46 dated 15/3/1947 from the Commissioner of Erode Municipality to the Secretary to Government through the Director of Town Planning, Madras.

Re-submitted to Government, Education and Public Health Department, Madras through the Director of Public Instruction, Madras.

This Council has agreed to pay the rent of the building occupied by the District Board High School only at Rs. 120/ p.m. The fairness or otherwise of any increase in rent demanded by the owner should have been settled then and there by a reference to the authority constituted to go into such matters, viz: the Rent Controller. A decision from him could have been binding on all parties not excluding the Erode Municipal Council. It is unfortunate that the District Board should have sought to drive home the terms of an agreement fixed with the council before the last war than to have obtained the reliefs provided for in the Rent Control Orders. I am of opinion that the Erode Municipal Council cannot be made to pay for any act of omission for which the District Board is solely responsible.

Sd/L.C. Richard
Commissioner.
15/3/1947.

/True copy/

Special Officer.

P.M. 2/5

Clew

15/3/47

2

Station	Designation	From (Name)	Department	Received	Registered

Enclosures	No.	Dated	1947

Sir,

iii 7/5
Memo No 48451 B1/2
E.P.H. (B1) Dept.
7.5.47

Buildings - Board High School, Erode - Rent -
Payment by Mty.

P. 1. ante. The Commr. Erode Mty. has stated that his
reply to Govt. Ldtr. no. 48451 B1/2 - 1. Edu. S.O. 9.47
on the subject cited above was sent in
his letter no. 7063-cu-46 dated 15-3-47 through
the D.P.I. The Director is requested to
forward the papers with his remarks
with his remarks at an early date. The letter from
the Commissioner Erode Municipality no
6.5.47 7065 / Ch/46 dated 15-3-47 on the above subject

6/5/47

6.5.47

131 5 4
Education Department.
From Dr. S.R.U. Savor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.
To The Secretary to Government,
Education and Public Health Department,
Madras.
Sir,
Roc. No. 422 G/47 dated 12-5-1947
Buildings - Board High School, Erode - Rent - Payment by the
Municipality.
Ref: Government Memo No. 48451-B1/46-2 Edn., dated 7-5-1947.
The matter is under correspondence with the Divisional Ins-
pector of Schools, Coimbatore. My remarks will be submitted to
Government soon after the receipt of the report from the Divisional
Inspector.
for Director of Public Instruction.

k.h.13-5.

13/5

The D.P.I. may be reminded on
if necessary.

16.5.47
16/5/47

16.5.47

E.P.H. (B1) Dept.
10-6-47

6

1. What is your idea regarding the organization of youth movements in this Province?
YOUTH MOVEMENTS.

15
 6/9

Buildings. Board High School, Lode
 Rent. Payment by the Mllly.
 Ref: Memo No 48451-B1/26-25 du
 d 7.5.47

Memor

48451 B1/26-3 du d 5.9.47

To ^{5/2/47} _{by} to expedite his final reply to the reference cited above.
 The D.P.I. ₃₉₂₇
₁₂₈₂
_{419/47}

2 ⑤. E & P. H. Dept

5.9.47

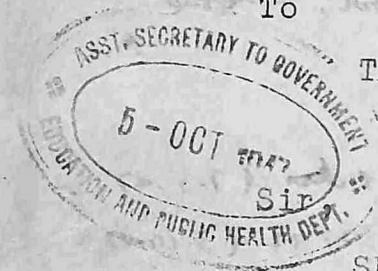
R.C.No. 422 G2/47

Office of the
Director of Public Instruction,
Madras, dated 3rd October 1947.

From

Dr. S.R.U. Savor, M.A., D.Sc.(Lond), I.E.S.,
Director of Public Instruction, Madras.

To



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

SUB:- Buildings = Board High School, Erode = Rent
payment by the Municipality:

REF:- Government Memorandum No.48451 B.1/46-3 Edn.
dated the 5th September 1947.

The reply of the Divisional Inspector of Schools, Coimbatore Division is awaited in the matter and immediately on its receipt in this office, my remarks will be submitted to Government.

M. A. S. Savor
for Director of Public Instruction.

KAN.4/10

10
52
6/11

28/10/47
B.D.

Buildings - Board High School, Erode -
Rent - payment by the M.C.C.

Refers Memo n 48451 B1/AG - 20/10/47 d 7.5.47
Letter from the D.P.I., Re n 422, 5/11/47 d 3.10.47
Memos 48451 B1/AG - 20/10/47

The D.P.I. is requested to state
when his final reply in the matter may be
expected.

To D.P.I.
3/11/47
The D.P.I.
3/11/47

From Education Department.

Dr. S.R.U. Savor, M.A., D.Sc., I.E.S.,
Director of Public Instruction, Madras.



Secretary, Education & P.H. Department, Madras.

48262/47 dated 8-11-1947.

89734

Sub: Board High School, Erode - Rent for the school -
Increased demand - payment by Municipality.

Ref: Govt. Memo 48451/46-1 B1 En., dated 5-9-47
and my reply Re. 422 G2/47 dated 3-10-1947.

The Divisional Inspector of Schools, Coimbatore reports
that the Revenue Divisional Officer, Erode to whom the Govt.
Encl. in original were referred for remarks regrets his inability
to return the same since they have been lost in transit
between the Tasildar Erode and the Sub-Divisional Officer, P.W.D.
The Special Officer, District Board, Coimbatore and the Commissioner
Erode Municipality are being addressed to furnish the copies
of their original references now reported to be lost so as to
enable me to submit my remarks to the Government. Immediately
on receipt of their replies, my remarks will be submitted to
the Government.

The D.P.I.
may be reminded
again 26-12-47
if necessary.
12/11/47
12/11/47

K.A.10-11.

[Signature]
for Director of Public Instruction

12

E 2 P 4 Dept

Buildings - Board High School, Erode - Rent - payment by the Mty.

Refce: Memo N. 48451 B/46 - 2 Ednd 7.5.47
d 8.11.47

Memo N. 48451 B/46 - 5 ednd 8/48

To *John*
The D.P.I. *7/48*
W.S.N.
7/1/48

expedite his further report in the matter.

W.S.N.

C.F. 32 (a).

EDUCATION

From (Name) Sri D.S. Reddi, M.A. (Oxon),
Designation Director of Public Instruction
Station MADRAS.

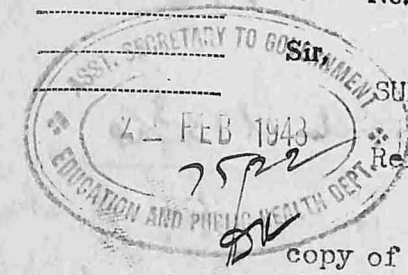
Asst/Asst

13

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

To
The Secretary to the Government,
Education and Public Health Department,
MADRAS.

Enclosures: Rc. No. 422-62-47 dated 29th January 1948.



SUB: BUILDINGS - Board High School, Erode - Rent - payment by the Municipality.
Ref: Government Memo No. 48451-B1/46-3 Edn., dated 8.1.48.

Only the Commissioner, Erode Municipality has furnished the copy of his original reference while no reply has yet been received from the Special Officer, District Board, Coimbatore. He has already been reminded in the matter and he is being again reminded to-day. My remarks will be submitted to the Government immediately on receipt of the reply from the Special Officer, District Board, Coimbatore.

E 2 P 4 Dept (B1)

The D.P.I. may be reminded again on 29.3.48, if necessary.
Ramu. 30.1.48.

W.S.N.
2/2/48

W.S.N.
for DIRECTOR OF PUBLIC INSTRUCTION.

3/30/1

Education.

Department

Received

Registered

From (Name) Sri D.S. Reddi M.A.,

To

(Oxon),

Designation Director of Public Instruction,

The Secretary to the Government,
Education and Public Health Dept.,

Station M.A.D.R.A.S.

Fort St. George,

M.A.D.R.A.S.



No. Rc. 422 G2/47 dated 24th March 1948

Sub:--Buildings--Board High School, Erode --Rent
payment by the Municipality.Ref:--Govt. Memo. No. 48451-B1/46-6 Edn.
dated 13.3.48.

I have the honour to invite your attention to my letter Rc. 422-G2-47 dated 8.11.47 and 29.1.48 and to state that the Special Officer, Dt. Board, Coimbatore has not yet furnished his reply to my letter Rc. 422 G2/47 dated 8.11.47. It is not possible for me to offer my remarks in the matter in the absence of the letter Rc. 8063-B6-46 dated 17.8.46 of the Special Officer for a copy of which he has been addressed. Further, the Special Officer has also been requested to inform me whether steps have been taken by the Dt. Board to get relief if any, under provisions of the Rent Control act against the demands of the owner for an enhanced rent. The Municipal Commissioner, Erode is arguing its case around this point and this information is necessary to arrive at a decision in the matter. Since the Special Officer has not furnished his reply so far, I request that Government may kindly address him in the matter and obtain his reply.

A copy of the original letter Rc. No. 7063-C4-46 dated 15.3.47 of the Commissioner, Municipal Council, Erode obtained from him and copy of my letter Rc. 422 G2/47 dated 8.11.47 addressed to the Special Officer, Dt. Board, Coimbatore are enclosed herewith.

P.S. 27/3

for Director of Public Instruction.

Copy of Rc. 422 G2/47 dated 8.11.47 from the Director of Public Instruction to the Special Officer, Dt. Board, Coimbatore.

Sub:--Board High School, Erode--Rent for the school--
Increased demand--Payment by Municipality.

Ref:--Your letter Rc. 8063 B6-46 dated 17.8.46.

Your letter referred to above and the papers connected thereto were received from Government and they were referred to the R.D.O. Erode for remarks. But the R.D.O reports that the original papers referred to him have been lost in transit between the Tahsildar, Erode and the Sub Divisional Officer, PWD. Please therefore furnish me with authorized copies of your letter referred to above and its enclosures sent to Government so as to enable me to take further action in the matter.

2. Please also let me know whether any steps have been taken by the Dt. Board to get reliefs, if any, under the provisions of the Rent Control act against the demands of the owner for an

Buildings. Board High School, Erode -

Rent. Payment by the Mty-

Ref: Memo No. 48451 B1/46-2 dated 7.5.47

1/3rd letter from the D.P.I. Rc. 422. S. 422 dated 29.1.48

Memo No. 48451 B1/46-6 dated 13.3.48

The D.P.I. is requested to state
when his final report in the matter may be
expected. - The matter has been pending for a very long

To
The D.P.I.
11.3.48

enhanced rent and if so the result there of may also please be intimated.

3. This may please be treated as very urgent since the Government desire that the papers should be submitted to them immediately.

Copy to the Commissioner, Municipal Council Erode, with a request that an authorised copy of his reference dated 11.3.47 on the subject may please be furnished for the Director soon.

/True Copy/

Copy of letter No. 7063/C4/46, dated 15/3/1947 from the Commissioner, Erode Municipality, Erode to the Secretary to Government, E & P. H. Department, Madras through the Director of Public Instruction, Madras.

Resubmitted to Government, E. & P. H. Department through the Director of Public Instruction, Madras.

This council has agreed to pay the rent of the building occupied by the District Board High School only at Rs. 120/- per mensem. The fairness or otherwise of any increase in rent demanded by the owner should have been settled then and there by a reference to the authority constituted to go into such matters viz, the Rent Controller. A decision from him would have been binding on all parties not excluding the Erode Municipal Council. It is unfortunate that the District Board should have sought to drive home the terms of an agreement fixed with the council before the last war than to have obtained the reliefs provided for in the Rent control Orders. I am of opinion that the Erode Municipal Council cannot be made to pay for any act of omission for which the District Board is solely responsible.

sd/-

/True copy/

For Director of Public Instruction.

From the D.P.I., No. Re. 422 52/47 d 24.3.48

E & P. H. Deptt

Buildings - Board High School, Erode - Rent.

Payment by the Municipality.

(10)

Memo No 48451 B1/46-7 d 6.4.48

The D.P.I. reports that the special officer, Dt. Board, Coimbatore has not yet furnished a reply to his reference Re. 422 52/47 d 8.11.1947.

As the matter has been pending for a long time, the special officer is requested to send his reply to the D.P.I. at a very early date.

To
The Special
Officer, Dt. Board,
Coimbatore.
D.P.I.

N
S. M. 148

32.

In reply, please quote
number, date and
short title.

Local Administration DEPARTMENT.

Received Registered

From (Name) F.W.A. Morris, Esq., O.B.E., I.C.S.,
(Designation) Collector & Special Officer, Dt. Board,
Post Box _____, (STATION) Coimbatore.
Telegraphic Address _____

To

The Director of Public Instruction,
Madras.

R.O.C. No. 8063.S.E.2, dated - 5 - 1948,
Sir, DB.46.

ENCLOSURES

SPARE COPIES

Sub: Education - Secondary - Board High School,
Erode - Rent for the School - increased -
Demand - Payment by Municipality - certain
information - furnished.

Ref: Your letter R.C.No.422/G2/47, dated -
8-11-47 and Government Memorandum No.48451/
B.1/46-7., Edn., dated 6-4-1948.

I enclose herewith a copy of this office -
letter R.O.C.No.8063/B6/46., dated 17-8-1946 to the -
Secretary to Government, Education & Public Health -
Department, Madras, for your information as required.
There was no enclosure to the letter.

No steps were taken by the Board to get
reliefs under the provisions of the Rent Control Act -
against the demands of the owner for an enhanced rent.
But the original enhanced rent was fixed only by the -
then Chairman of Erode Municipality and the same was -
approved by the Board. The second enhancement was -
sanctioned by the Board.

In the above circumstances, I request -
you to issue orders to the Municipality to pay the -
arrears as shown in the provision previous reference
with the arrears till date and continue to pay the -
rent at the enhanced rate of Rs.220/- per mensem.

For Collector & Special Officer,
District Board.

Copy submitted to the Secretary to Government,
Education & Public Health Department,
Madras.

crk/24-5.

L 8 P H Dept

The D.P.'s report may be
awaited till 22.6.48.

36/48
4/6/48

Wb 4

EDUCATIONAL Department
From (Name) SRI. D.S. REDDI,
Designation M.A.(OLON), M.B.E.
DIRECTOR OF PUBLIC INSTRUCTION,
MADRAS.

Received

To

The SPECIAL OFFICER
DISTRICT BOARD,
COIMBATORE.

Enclosures:

R.C. N422-G.2/47

dated 1st JUNE 1948

Sir,

SUBJECT: EDUCATION - SECONDARY - BOARD
HIGH SCHOOL, ERODE - Rent for
the School increased demand -
Payment by the Municipality -

R e f: Your R.C. No.8063/S.E-2/D.B/
Dated 16th May 1948.

-:000:-

It is seen from the copy of your letter No.8063/B.6/46, Dated 17th August 1946, that when the rent was originally raised from Rs.120/- to Rs.175/- per mensem the Municipality expressed in its Resolution No.281, dated 1st March 1944 that it was unable to pay the increased house rent and hence the Board had to pay the increased rent of Rs.175/- from 1st June 1943. But the claim for arrears of rent now made by the District Board includes the payment by the Municipality of enhanced rent for this period also (i.e.) from 1st June 1943 to 31st May 1944 at Rs.175/- per mensem. Please, therefore, let me know the reasons why the District Board is now making a claim for an amount which it had undertaken to pay from its own funds, after accepting the Resolution of the Municipal Council, wherein it had expressed its inability to pay it from its funds. A copy of the Resolution under reference of the Municipal Council may also please be furnished.

2. Further it is stated in your letter R.C. No.8063/S.E-2/D.B/46, dated 16th May 1948, that the original enhanced rent of Rs.175/- per mensem was fixed only by the then Chairman of the Erode Municipality.. Please let me know in what capacity the

the Chairman had fixed the rent as stated above (i.e.) whether he was authorized to discharge such duties under the provision of the Rent Control Act. Please also state definitely why no steps were taken by the District Board to get relief under the provisions of the Rent Control Act against the demands of the owner for an enhanced rent.

3. A very early reply is requested since a report is due to Government in the matter.

R. A. M. S. S.
for DIRECTOR OF PUBLIC INSTRUCTION.

✓ Copy submitted to the Secretary to Government, Education and Public Health Department, with reference to Government Memo. No. 48451/B.1/46-7-Education, Dated 6th April 1948.

SN/3.6

W. P. H. Dept.

The D. P. I. further report may be awaited till 5.7.48.

As
9/6/48
10/6/48

11.6.48

(13)

23

E. & P. H. Dept.

6/5/48
10/7

From the D. P. I. R.C.N. 422 - 5.2/47d 1.6.48
Buildings - Board High School, Enode.

Rent - payment by the Hllg
Memo. 48451 B, Tab - 8 (chd 107) 128

8/5/48

The D. P. I. is requested to state when his final report in the matter may be expected.

To

The D. P. I.

13/7/48
8/7/48

By
6/48

in
9-7-48

24

C.F. 32 (a).

EDUCATION Department
From (Name) SRI D.S. REDDI M.A.,
(OXON).,
Designation DIRECTOR OF PUBLIC
INSTRUCTION,
Station MADRAS.

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

To
The SPECIAL OFFICER,
District Board, Coimbatore.

Enclosures: RC No. 422-G2/47 dated 21st July 1948.

Sir,

Sub: Board High School, Erode - Rent for the school-increased demand - Payment by the Municipality.

REF: Your RC.8063/BE2/DB-46 dated 16-5-1948 and Director's Letter RC.422-G2/47 dated 1-6-48.

I request you to please furnish me with your reply immediately since the Government desire an early report in the matter.

Yours faithfully,

for Director of Public Instruction.

Copy Submitted to the Secretary to Government, Education and Public Health Department with reference to Government Memorandum No 48451-B2/46-8 Education dated 10--7--1948.

Reply will be submitted to Government on receipt of the particulars from the Special Officer.

Ram.23/7.

for Director of Public Instruction.

55707

28/7/48

The D.P.I.'s report may be awaited till 24.8.48

29/7/48

29/7/48

30/7/48

123 anti

26

60/9

present from the DP I, Rem 422 S. 2/42d 217/48
Buildings - Board High School, Erode -
Rent - Payment by the mty

Memo M 48451 B. 1/46 - 9 (chr d 9/48)

The DP I is requested to state when his final report in the matter may be expected.

The S. G. D. Board, Coimbatore, is requested to expedite his reply to the DP I's letter cited above, if he has not already sent a reply in the matter.

To
The DP I

11 S. G. D. Board 49/48
Coimbatore
(para 2 only)

7/9/48

F. 32.

In reply, please quote number, date and short title.

LOCAL ADMINISTRATION DEPARTMENT.

15 27

Received _____ Registered _____

From (Name) F.W.A. Morris, Esq., O.B.E., I.C.S.,
(Designation) Collector and Special officer, Dist. Board,
Post Box _____, (Station) COIMBATORE.
Telegraphic Address _____



The Secretary to Government, of Madras,
Education and Public Health Department,
M A D R A S.
Roc No. 8063/S.E.2 DB/46 dated 20--9-- 19 48.

Sir,

ENCLOSURES _____

Sub: Buildings--Board High School, Erode--rent--payment by the Municipality.
Ref: Government memorandum 4851/B1-49-9 Edn., dated 9-9-48.

SPARE COPIES _____

The reply to the Director of Public Instruction, Madras is given in this office letter Roc.8063/S.E.2/DB/46 dated 12-8-48.

CVS/22.9
RR
22/9

For Special Officer, Dist. Board.

28

C.F. 32 (a).

From (Name)

Designation The Director of Public In-
struction,
Station Madras.

Education Department

27 SEP 1948

Received Registered

To

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

Enclosures:

Re. No. 422-G2-47 dated 23-9-1948.

Sir, Sub:- Buildings - Board High School, Erode - Rent -
payment by the Municipality.

Ref:- Govt. Memo No. 48451-B1/46-9 Edn., dated 9-9-48.

The reply of the Special Officer, District Board,
Coimbatore, has been received but the information furnished
by him is not complete. He has, therefore, again been addressed
to furnish complete information. Reply will be submitted to
Government on receipt of the particulars from the Special Officer.

Yours faithfully,

For Director of Public Instruction.

MDS
25/9

E. P. H. Deptt. B.

The D.P.I.'s further report may be awaited till 22.10.48.
25/9/48 29/9/48

the Chairman had fixed the rent as stated above (i.e.) whether he was authorized to discharge such duties under the provision of the Rent Control Act. Please also

From the D.P.J. Re-no: 422-G2-47 dated 23-9-48

Buildings - Board High School, Erode - Rent
Payment by the Municipality.

Memo No: 48451-B1/46-10 Edn dated 4-11-48

The D.P.J. is requested to expedite his ^{final} report. The matter has been pending for a very long time

27-10-48

W.R.P.

357* / 48

3/11/48

ETP.H(B1)

Education Department.

From

The Director of Public Instruction,
Madras.

To 89166

The Secretary to Government,
Education & P.H. Department, Madras.

Re. 422-G2/47 dated 23-11-1948.

Sub: Board High School, Erode - Coimbatore District -
Rent for the school - Increased demand - payment
by Municipality - orders requested.

Ref: Govt. Memo No. 48451-B1/46-7 Edn., dated 4-11-48.

In continuation of Director's letter Re. 422-G2/47 dated 23-11-47 I am herewith submitting copies of the letters Re. No. 8063/B6-46 dated 17-3-46 and Re. 7063-C4-46 dated 15-3-47 of the Special Officer, District Board Coimbatore and the Commissioner, Erode Municipality respectively which were addressed to Government. As already stated in Director's letter referred to above, the originals of these letters were lost in transit between the Tahsildar Erode and the Sub-Divisional Officer, P.W.D. and hence copies of these letters have been obtained by addressing the Special Officer, Dt. Board, Coimbatore and the Commissioner, Erode Municipality.

The school under reference was formerly under the management of the Municipal Council, Erode, but since the Municipal Council was unable to maintain the school it was transferred to the management of the Dt. Board, Coimbatore. The transfer of management of the school was approved in G.O. No. 1029 L & M dated 26-3-31. Two of the three conditions of transfer were that (i) the Municipal building which accommodates one portion of the school should be handed over to the District Board free of all charges, along with the school and (ii) the Municipal Council should continue to meet out of its own funds the rent of the Mission building which accommodates the remaining portion of the school or of any other building which may be leased for the purpose till the Dt. Board constructs its own buildings for the school. The rent that was being paid for the Mission building then was Rs. 120/- p.m. Subsequently the ownership of this building has changed twice (i.e.) during the years 1943 and again in 1944 and the rent was increased on both the occasions by the new owners of the building. When, on the former occasions, the rent was increased from Rs. 120/- to Rs. 175/- p.m., the District Board asked the Municipal Council to bear this enhanced rent from its funds but the Municipal Council passed a resolution on 1-3-44 (vide, copy enclosed) expressing its inability to pay the increased house rent. The District Board, has, therefore, been paying the increased rent of Rs. 175/- p.m. from 1-6-43. The rent was increased on the second occasion from Rs. 175/- to Rs. 220/- p.m. from 1-5-44 and the District Board now requests Government to direct the Municipal Council to bear the whole rent of the building from its own funds and also to pay the arrears for the previous years. The District Board presses its claim on the ground that G.O. 1029 L & M dated 26-3-31 states that the Municipal council should continue to meet the rent of the Mission building or of any other building housed for the purpose. The District Board also wants the arrears to be paid by the Municipal Council even for the period from 1-6-43 upto 30th April 1944 when the District Board paid the rent at Rs. 175/- p.m. from its own funds, since the Municipal Council pleaded its inability to pay the rent at that rate as referred to above.

p.t.o.

43 ante

3 But the Municipal Council, Erode, contends that the fairness or otherwise of any increase in rent demanded by the owner should have been settled then and there by a reference to the authority constituted to go into such matter (i.e.) Rent Controller and since the District Board has not got this done, the Municipal Council cannot be made to pay for this act of omission for which the District Board was solely responsible. To this contention the District Board points out that every attempt was made to avoid enhancement by conciliation and when that failed and when only a reasonable enhancement was agreed to by conciliation, reference to rent controller was dropped as enhanced rent was considered only a fair rate. Copy of the letter Rc.8063-SE2/DB-46 dated 12-8-48 of the Special Officer Coimbatore is enclosed herewith.

P36 info

P35-36 info

(M)

4 Another contention of the Municipal Council is that it has agreed to pay the rent of the building only at Rs.120/- p.m. when asked to furnish a copy of the Resolution of the Municipal Council wherein it has specifically agreed to a rent of Rs.120/- p.m. only the Commissioner Council (vide copy enclosed). In this Resolution, the Municipal Council has agreed to transfer the School to the District Board as per G.O.No.1029 L & M dated 26-3-31 but did not say that it would pay the rent only at Rs.120/- p.m. Since the rent paid then was only Rs.120/- p.m. obviously the Commissioner is presuming that the Municipal Council is committed only to the rent that was being paid at the time of transfer of management of the school.

5 I am inclined to support the Municipal Council as against the District Board for the following reasons.

- i) Though the G.O.No.1029 L & M dated 26-3-31 includes the clause 'any other building' the phrase cannot be urged to justify the enhanced rent for the same building.
- ii) When the Municipal Council expressed its inability to pay the enhanced rent of Rs.175/- as ~~long ago~~ long ago as 1943 the District Board accepted the plea and did not press for any enhanced rent as it should have done. It is not, therefore, justified in demanding a higher rent now.
- iii) The G.O. 1029 L & M dated 26-3-31 was passed nearly 17 years ago and there is a clause that the rent should be paid by the Municipal Council till the District Board constructs a building. The natural presumption is that within a reasonable time the District Board should undertake this work and not wait for over 17 years.

6 I am, therefore, of the view that the Municipal Council, Erode need not pay from its funds the increased rent under question.

7 I wish also to state in this connection that the question of retransfer of the school to the management of the Municipal Council is now under consideration of Government - vide Govt.Memo 25709 B1/48-5-Edn., dated 22-7-1948.

Yours faithfully,

J. C. Pantamolin

for Director of Public Instruction.

KHR.26-11

Ker
27/11

Copy of letter No.11495/C4/47 dated 26-11-1947 from the Commissioner, Erode Municipality to the Director of Public Instruction, Madras.

(12)

Ref: Your No.422-G2/47 dated 8/11/1947.

I am sending herewith a copy of this office letter No.7063/C4-46 dated 15-3-1947 submitted to the Secretary to Government Education and Public Health Department Madras through the Director of Public Instruction, Madras as desired.

Copy of letter No.7063/C4/46 dated 15-3-1947 from the Commissioner Erode Municipality, Erode to the Secretary to Government, E & P.H. Department Madras through the Director of Public Instruction, Madras

Resubmitted to the Government E & P.H. Department, through the Director of Public Instruction, Madras.

This council has agreed to pay the rent of the building occupied by the Dt. Board High School only at Rs.120/- p.m. The fairness or otherwise of any increase in rent demanded by the owner should have been settled then and there by a reference to the authority constituted to go into such matters viz. the Rent Controller. A decision from him would have been binding on all parties not excluding the Erode Municipal Council. It is unfortunate that the District Board should have thought to drive home the terms of an agreement fixed with the council before the last war than to have obtained the reliefs provided for in the Rent Control orders. I am of opinion that the Erode Municipal Council cannot be made to pay for any act of omission for which the District Board is solely responsible.

Copy of letter Roc.No.8063/SE2/DB/46 dated 16-5-1948 from the Special Officer, Dt. Board, Coimbatore to the Director of Public Instruction, Madras.

I enclose herewith a copy of this office letter Roc.No. 8063/B6/46 dated 17-3-1946 to the Secretary to Government Education and Public Health Department, Madras for your information as required. There was no enclosure to the letter.

No steps were taken by the Board to get reliefs under the provisions of the Rent control Act against the demands of the owner for an enhanced rent. But the original enhanced rent was fixed only by the then chairman of Erode Municipality and the same was approved by the Board. The second enhancement was sanctioned by the Board.

In the above circumstances I request you to issue orders to the Municipality to pay the arrears as shown in the previous reference with the arrears till date and continue to pay the rent at the enhanced rate of Rs.220/- per mensem.

Copy of letter Roc.No.8063/B6/46 dated 17-8-1946 from the President, District Board, Coimbatore to the Secretary to Government, Education and Public Health Department, Madras.

Ref: G.O.No.2010/36 dated 22-9-36 Education and Public Health.

PP100-101 (K)

PP100-101 (K)

(M)

In the above G.O. Government ordered that the Erode Municipal Council should continue to meet out of its funds the rent of the building occupied by the High School as laid down in para 1(b) of G.O. No.1029 L & M dated 26-3-1931. Accordingly the Municipality was paying an amount of Rs.1440/- per year respectively the rent of the building at Rs.120/- per mensem.

When the ownership of the building was changed to the Messrs. S.Kuppuswami Mudaliar and Bros, Erode from 5-11-42, they issued a notice requiring the Board to vacate the building, on the plea that it was required for their owners use and also demanded a monthly rent of Rs.200/- per mensem from 1-5-43. After negotiating

with the owner through the chairman, the rent was raised from Rs.120/- to 175/- from 1-6-43. The chairman, Erode Municipality was addressed in this office Ref.32599/42 dated 20-1-44 to bear the whole rent of the building at Rs.175/- per mensem. The municipality expressed in its Resolution No.281 dated 1-3-44 that it is unable to pay the increased house rent. The Board had therefore to pay the increased rent of Rs.175/- from 1-6-1943. P35 imp

The ownership of the building again changed to one Sri C.K.Subramania gounder in May 1944 and immediately he wanted the building for his own use. Finally he demanded the enhancement of rent to Rs.220/- as the rent of Rs.175/- p.m. was very low considering the heavy cost invested by him on the building amounting to nearly Rs.37,000/- and Rs.1000/- towards municipal tax and repairs to the building per year. Hence the rent had to be raised to Rs.220/- from 1-5-44 and the Board is paying the enhanced rent. A detailed account showing the date from which enhanced rent is paid by the Board is furnished below.

I request that the Government may be pleased to direct the Erode Municipality to bear the whole rent of the building that is actually paid and also to pay the arrears due for the previous years at the increased rate as per G.O.No.1029 L & M dated 26-3-1931.

- 1) From 1-6-43 to 31-5-44 at Rs.175/- p.m. i.e. 12 months - 2100 paid.
- 2) From 1-6-44 to 28-2-46 at Rs.220/- p.m. 21 months 4620/-paid

Deduct amount paid by the Municipal at Rs.120/- p.m. for 33 months. 6720/-

Arrears due from the Municipality. 3960/-

2760/-

Copy of letter Roc.8063/S.E.2/DB/46 dated 12-8-48 of the Special Officer, Dt.Board, Coimbatore.

Ref: Your Rc.No.422/G2/47 dated 1-6-48 and reminder thereon dated 21-7-48. PP100-101K

The Government have ordered in G.O.No.2010/36 dated 22-9-36 Edn., & P.H., that the Erode municipal council should however continue to meet out of its funds the rent of the building occupied by the High School as laid down in paragraph 1(b) of G.O.1029 L & M., dated 26-3-31 stating that the Municipal Council continues to meet out of its own funds the rent of the mission building which accommodate the remaining portion of the school or of any other building which may be leased for the purpose, till the District Board constructs its own building for the school. As such rent is not merely the rent that was then paid (as Government order does not state so) but would include the rent enhanced. Therefore it is clear that the municipal council should meet from its own funds the rent of the building leased for the location of the Board High School, Erode.

As required a copy of Municipal resolution expressing its inability to pay the enhanced rent is enclosed for information.

Every attempt was made to avoid enhancement by conciliation and when that failed and when only a reasonable enhancement was agreed to by conciliation, reference to rent Controller was dropped as enhanced rate was considered only a fair rate. The enhanced rent was agreed to after consulting the Municipal Chairman in his private capacity.

In the above circumstances equity requires council to pay at enhanced rate. I therefore request that Government may instruct the Municipal Council to pay the enhanced rent from the date already reported.

Copy of Proceedings of the Municipal Councils Erode passed at its meeting held on 1st March 1944.

Papers relating to the handing over of the management of Dt.Board High School at Erode to this Municipality.

Letter dated 29-9-43 from the President, Dt.Board, Coimbatore requesting to inform him whether the Erode Municipality is willing to take over the management of the Board High School at Erode and improve its condition as the school was once a Municipal High School and also in view of the willingness of the Sengunthar Board to take over the management of the said school.

Letter dated 20-1-44 from the President communicating a copy of the Dt.Board's resolution No.1421 dated 4-1-44 resolving to retain the District Board High School and that the Erode Municipality be addressed to allot a site for the playground and to bear the whole rent of the building.

The present rent for the Dt.Board High School is Rs.120/- per mensem, but the owner is demanding a rent of Rs.175/- per mensem.

Council for decision.

Resolution No.281.

The following resolution was proposed by Sri M.S.Muthakaruppan Chettiar and seconded by Sri B.Ramaswamy:--

"As funds have not been provided in the next year's budget the Council is unable to take up the management of the School. The Council has no objection in handing over the management of the said school to Sengunthar Board according to letter dated 29-9-43 of the District Board. In the matter of increased rent and provision of playground requested by the District Board in their letter dated 20-1-44, the Council regrets that it is unable to pay increased house rent. The Council resolves to set apart a portion of the park grounds for playground".

Sri M.R.Balagurumoorthy objected and Janab A.Mohideen Batcha Sahib seconded to the inclusion of the question of handing over the management of the school to Sengunthar Board.

The original resolution is carried by majority 6 voting for and 4 against.

Copy of letter D.Dis.6462/C4/48 dated 3-9-1948 of the Commissioner, Erode Municipality.

Ref: Your letter No.422 G2/47 dated 1-6-1948.

I enclose herewith a copy of Municipal Council Resolution No.479 dated 31-3-1931 wherein the municipality has agreed to the conditions of Government while transferring the management to Coimbatore District Board. The rent paid to the London Mission School building at that time was Rs.120/- per mensem.

Extract from the Proceedings of the Municipal Council, Erode passed at meeting held on 31-3-1931.

Read: G.O.No.1029 L & M. Mis. dated 26-3-1931 sanctioning the transfer of the Erode Municipal High School to the Coimbatore District Board and the letter from the President, Coimbatore District Board in connection with the above transfer.

Resolution No.479.

Both the council agrees to transfer the school to the District Board from 1-4-1931 as per order of Government. The council requests be the cost of furniture, since apparatus and other equipments might of they the District Board in view of the present financial stringency of the District Board. The council agrees to hand over the building in Lord Napier rd. in which lower classes are located at present, till the school is transferred a building of its own for the school. The Dt.Board will have to bear the necessary repairs to the building so long as the school is in it. The council requests

with the owner through the chairman, the rent was raised from Rs.120/- to 175/- from 1-6-43. The chairman, Erode Municipality was addressed in this office Ref.32599/42 dated 20-1-44 to bear the whole rent of the building at Rs.175/- per mensem. The municipality expressed in its Resolution No.281 dated 1-3-44 that it is unable to pay the increased house rent. The Board had therefore to pay the increased rent of Rs.175/- from 1-6-1943. *P35 mfm*

The ownership of the building again changed to one Sri C.K.Subramania gounder in May 1944 and immediately he wanted the building for his own use. Finally he demanded the enhancement of rent to Rs.220/- as the rent of Rs.175/- p.m. was very low considering the heavy cost invested by him on the building amounting to nearly Rs.37,000/- and Rs.1000/- towards municipal tax and repairs to the building per year. Hence the rent had to be raised to Rs.220/- from 1-5-44 and the Board is paying the enhanced rent. A detailed account showing the date from which enhanced rent is paid by the Board is furnished below.

I request that the Government may be pleased to direct the Erode Municipality to bear the whole rent of the building that is actually paid and also to pay the arrears due for the previous years at the increased rate as per G.O.No.1029 L & M dated 26-3-1931.

- 1) From 1-6-43 to 31-5-44 at Rs.175/- p.m. i.e. 12 months - 2100 paid.
- 2) From 1-6-44 to 28-2-46 at Rs.220/- p.m. 21 months 4620/-paid

Deduct amount paid by the Municipal at Rs.120/- p.m. for 33 months. 6720/-

Arrears due from the Municipality. 3960/-

2760/-

Copy of letter Roc.8063/S.E.2/DB/46 dated 12-8-48 of the Special Officer, Dt.Board, Coimbatore.

Ref: Your Rc.No.422/G2/47 dated 1-6-48 and reminder thereon dated 21-7-48. *PP 100-101K*

The Government have ordered in G.O.No.2010/36 dated 22-9-36 Edn., & P.H., that the Erode municipal council should however continue to meet out of its funds the rent of the building occupied by the High School as laid down in paragraph 1(b) of G.O.1029 L & M., dated 26-3-31 stating that the Municipal Council continues to meet out of its own funds the rent of the mission building which accommodate the remaining portion of the school or of any other building which may be leased for the purpose, till the District Board constructs its own building for the school. As such rent is not merely the rent that was then paid (as Government order does not state so) but would include the rent enhanced. Therefore it is clear that the municipal council should meet from its own funds the rent of the building leased for the location of the Board High School, Erode.

As required a copy of Municipal resolution expressing its inability to pay the enhanced rent is enclosed for information.

Every attempt was made to avoid enhancement by conciliation and when that failed and when only a reasonable enhancement was agreed to by conciliation, reference to rent Controller was dropped as enhanced rate was considered only a fair rate. The enhanced rent was agreed to after consulting the Municipal Chairman in his private capacity.

In the above circumstances equity requires council to pay at enhanced rate. I therefore request that Government may instruct the Municipal Council to pay the enhanced rent from the date already reported.

Copy of Proceedings of the Municipal Councils Erode passed at its meeting held on 1st March 1944.

Papers relating to the handing over of the management of Dt.Board High School at Erode to this Municipality.

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The present rent for the Dt.Board High School is Rs.120/- per mensem, but the owner is demanding a rent of Rs.175/- per mensem.

Council for decision.

Resolution No.281.

The following resolution was proposed by Sri M.S.Muthakaruppan Chettiar and seconded by Sri B.Ramaswamy:--

"As funds have not been provided in the next year's budget the Council is unable to take up the management of the School. The Council has no objection in handing over the management of the said school to Sengunthar Board according to letter dated 29-9-43 of the District Board. In the matter of increased rent and provision of playground requested by the District Board in their letter dated 20-1-44, the Council regrets that it is unable to pay increased house rent. The Council resolves to set apart a portion of the park grounds for playground".

Sri M.R.Balagurumoorthy objected and Janab A.Mohideen Batcha Sahib seconded to the inclusion of the question of handing over the management of the school to Sengunthar Board.

The original resolution is carried by majority 6 voting for and 4 against.

Copy of letter D.Dis.6462/C4/48 dated 3-9-1948 of the Commissioner, Erode Municipality.

Ref: Your letter No.422 G2/47 dated 1-6-1948.

I enclose herewith a copy of Municipal Council Resolution No.479 dated 31-3-1931 wherein the municipality has agreed to the conditions of Government while transferring the management to Coimbatore District Board. The rent paid to the London Mission School building at that time was Rs.120/- per mensem.

Extract from the Proceedings of the Municipal Council, Erode passed at meeting held on 31-3-1931.

Read: G.O.No.1029 L & M. Mis.dated 26-3-1931 sanctioning the transfer of the Erode Municipal High School to the Coimbatore District Board and the letter from the President, Coimbatore District Board in connection with the above transfer.

Resolution No.479.

The council agrees to transfer the school to the District Board from 1-4-1931 as per order of Government. The council requests that the cost of furniture, since apparatus and other equipments might be paid by the District Board in view of the present financial stringency of the Council. The council agrees to hand over the building in Lord Napier St., in which lower classes are located at present, till the Dt.Board constructs a building of its own for the school. The Dt.Board will have to do the necessary repairs to the building so long as the school is located in it. The council requests the

in the park till a playground is secured by the Board. Notice will be given to the teachers as per letter of the President, District Board.

Copy of Roc.No.8063/S.E.2/DB/46 dated 29-9-1948, of the Special Officer, Dt.Board, Coimbatore.

The District Board addressed the municipality to pay at the enhanced rate but it pleaded its inability. The Board did not specifically accept the plea of the Municipality. The owner pressed for vacation of the building and no other suitable building was available. This is alone seen in the file. The enhanced rent was paid. As the enhanced rent was reasonable, steps were not taken under rent control Act provisions as already reported. The Municipality cannot plead its inability to meet rent in full and to bear only a portion of it as Government have ordered in G.O. 2010/36 dated 22-9-36 that the Erode Municipal Council should however continue to meet out of its own funds the rent of the mission building which accommodate the remaining portion of the school or of any other building which may be leased for the purpose till the dt.board constructs its own building. In the above circumstances I request that Govt. may instruct the Municipal Council Erode to pay the enhanced rent from the date already reported are passed such orders as are deemed fit and reasonable.

(True Copies)

J. P. S. Paulanah
27.11.48

For Director of Public Instruction.

Edn & P.H. Dept. (B1)

C.No. 684 S/48

School - Board High school, Erode - Rent for a building - Payment by the Municipal Council ~~rent~~ at enhanced rates. Orders passed.

From the S.O., Dt.Bd., Coimbatore, Roc.No.8063/B6-46, dated 17-8-46.
From the Commr. Erode Mty. No.7063/C4/46 dt. 15-3-47.
From the S.O., Dt.Bd., Coimbatore, Roc.8863/S.E.2-DB/46 dated 12-8-48.
From the Commr. Erode Mty, D.Dis.6462/C4/48, dt.3-9-48.
From the S.O., Dt.Bd. Coimbatore Roc.8063/S.E.2 DB/46, dated 29-9-48.
From the D.P.I. Rc.422-G2/47 dated 23-11-48.

ORDER/MS. NO. 175 EDN. & DATED 25.1.1949

The G.O. No.1029 L & M, dated 26-3-31 the Municipal Council, Erode, was permitted to transfer the management of the Municipal High school, Erode, to the Dt.Board, Coimbatore, subject to the conditions among others that the Council should meet out of its funds the rent for a mission building in which a portion of the school was located or of any other building which may be leased for the purpose until the District Board constructs its own building for the school. With the change of ownership of the mission building the rent was raised from Rs.120 to Rs.175 with effect from 1-6-43 and again to Rs.220 with effect from 1-5-44. As the Municipal Cl. Erode, expressed its inability to pay the rent at the enhanced rates, the District Board has been paying the excess amount. The Special Officer, District Board, Coimbatore, has now requested the Govt. to direct the Municipal Council, Erode, to pay the rent at the enhanced rate and also the ~~amounts~~ ^{amount} due for the previous years at the enhanced rates.

2. The Govt. have carefully considered the matter. The Municipal council was permitted to undertake payment of the rent for the Mission buildings until suitable buildings are constructed by the District Board in the expectation that the Dt.Bd. will provide suitable buildings at an early date. In the absence of a specific provision that the Municipal Council should bear the rent for the ~~mission~~ building as might be fixed from time to time, it is arguable that the condition referred to only

amount that was paid at the time of transfer.
only to the ~~rent~~ then current. The Govt. do not see
sufficient justification for directing the Municipal cl.
to pay rent at the enhanced rates ^{or also} and to pay the balance
of rent due for the previous years, ~~at the enhanced rates~~.

10/1/49

10-1-49

TO
The S.O., Dt.Bd.,
Coimbatore
The Commr., Erode Mty.,
through the C.M.C.
The D.P.I.
Spare copy 1.

3/1/49

From the D.P.I. Rc. no. 422-62/47 dated 23-11-48
Schools - Board High School, Erode - Payment of rent for
a building occupied by the school.

In G.O. no. 1029 LTM dated 26-3-1931 Govt permitted
the Municipal Council, Erode, to transfer the management of the
Municipal High School, Erode, to the District Board, Coimbatore.
According to the conditions of transfer, the Municipal Council had
to hand over to the Dt. Board the municipal building occupied by a
portion of the school, equipments, playground, etc. free of all charges. The
Council was also required to continue to meet out of its funds the rent of
a mission building (Rs 120 per mensem) which accommodates the remaining
portion of the ^{School} building, or of any other building which may be leased
for the purpose until the District Board constructs its own buildings
for the school. The ownership of the mission building changed
from 5-11-42 and the rent of the building was then raised to Rs 175/-
per mensem from 1-6-43. The ownership of the building changed again
in 1944 and the rent was again raised to Rs 220/- per mensem.
As the Municipal Council, Erode, refused to express its inability
to pay the rent at the enhanced rates, the District Board has been
paying the excess amount. The Special Officer, District Board, Coimbatore
now requests that Govt may direct the Municipal Council, Erode to
bear the whole rent of the building and also to pay the arrears
due for the previous years at the enhanced rates.

The Municipal Council, Erode, contends that the fairness
or otherwise of any increase in rent demanded by the owner of the
building should have been settled then and there by a reference
to the Rent Controller, and since the District Board failed to do so,
the council cannot be made to pay the enhanced rent. It is against
this the Special Officer of the District Board points out that a reference
to the Rent Controller was dropped only because a reasonable
enhancement was agreed to by conciliation.

For the reasons stated at 'F' on page 32c-f. the D.P.I.
remarks that the Municipal Council need not pay from its
funds the increased rent under question.

It may be mentioned that in G.O. no. 2010 dated 22-9-36 Govt re-issued the condition that the municipal

At the request of the Municipal Council, the D+Ed Combarator has proposed to retransfer the High School to the Municipal Council and the Municipal Council has agreed to the conditions of transfer. The transfer will be permitted if the financial position of the Municipal Council will permit the incurring of the extra expenditure involved in taking over the management of the school. The Council will have to meet the increased rent ^(Rs 220) from the date on which it takes over the management of the school. In regard to the payment of rent ~~check~~ for the back periods it appears that as the D+Ed accepted the Council's plea of inability to pay the enhanced rent and arranged to pay the enhanced rent from its funds, it has no claim now to claim payment at the enhanced rate. All that the Municipal Council can be asked to bear is only the rent at Rs 120 which it agreed to meet at the time of transfer of management. As pertinently pointed out by the D+Ed, this liability was contemplated only until suitable buildings are constructed by the D+Ed and this latter has been fulfilled up to now.

(File sent separately)

I do not see how the Council can be asked to pay the enhanced rent. The Council has been paying this rent. At the time of transfer the Council was asked to pay the enhanced rent from its funds. It has been doing so. The Council is not in a position to pay the enhanced rent. The Council is not in a position to pay the enhanced rent. The Council is not in a position to pay the enhanced rent.

The remarks of LA may be inserted.

WRL
18/12/48

m
21-12-48

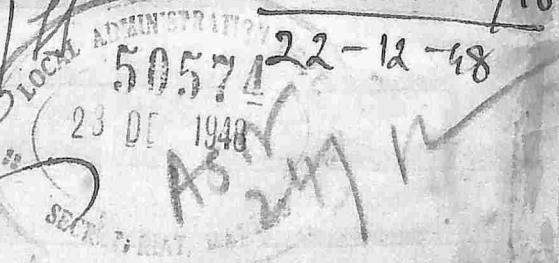
S/LA in the whole

I am inclined to agree that the Municipal Council will be directed to pay the enhanced rent.



L.A. Dept. E,

Please see the note of E+PH on pp. 1-2 above. This Dept may agree with the above remarks of the Secy E+PH. The file returned to E+PH in his above note & the file returned to E+PH n.d.



411

Please see the notes at pages 1-2 ante. A draft order is submitted for approval.

WRL
6-1-49
WRL
8-1-49

m
10-1-49

WRL
11-1-49

15A

24-1-49



E 4648

Please see the note at top of page 2 and 3. It says
order is submitted for approval.

1951
12/1
12/2
12/3

42

1951

~~1951~~