

Education (1950) Department.

Ms. SERIES.

G.O. NO. Ms. 2730 Edn.

closed

Subdt.

Dated

30.9.50.

[Despatch Abstract.]

Grant - Building - Dharmaraja Secondary School for Girls,
Rajapalayam - Construction of building on land taken
on lease - Disbursement of grant - Permitted.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
G.O.	2922	Edn.	19-11-48				
G.O.	1376	Edn.	28-4-50				

Further Papers.

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



13.

Education Department.

From

The Director of Public Instruction,
M a d r a s

To

The Secretary to the Government of Madras,
Education Department, Fort St. George, M a d r a s.

R.C.No. 585-D2/48 dated 1st September, 1950.

SIR,

GRANT--Building--Dharmaraja Secondary School for girls,
Rajapalayam--Construction of building on lease land--
Title of the property--Advance grant.

Item 3 on p 35 of (M)

put up in file with on
vide 11-7-50 p 4 (K)

1. Government, in their Order No.2922 Education dated 19.11.1948, sanctioned the inclusion in the list of approved works of the scheme for the construction of a building for the A.K.D.Dharmaraja Secondary School for girls, Rajapalayam at an estimated cost of Rs. 60,000/-. As the Joint Consulting Architect approved the estimate for Rs. 70,000/- the scheme was placed on the list of approved works rendering the institution eligible for a half grant not exceeding Rs. 35,000/-. Government have, in their Order Ms.No.1376-Education dated 28.4.1950, sanctioned the payment of an advance grant of Rs. 20,000/- during the current year.

2. In connection with the payment of advance grant the title of the management to the property was examined. The authorities of the Rajapalayam Chatram which has been in possession of 1.32 acres of land for the last 70 years have leased the lands in favour of A.K.D. Dharmaraja Education Charity Trust for 99 1/2 years from 1.9.1948 to 31.8.2047 for an annual rent of Rs. 500/- after obtaining the approval of the District Judge, Ramnad. It is provided in the lease deed (i) that, on the expiry of the lease, the then Manager of the Education Charity Trust shall be at liberty to remove the buildings etc. and (ii) that on the expiry of the term of 99 years, the lease can be renewed as the circumstances may then require. The management of the school have a lease-hold right on this land for a period of 99 years and have constructed on this land the school building for which grant has been sanctioned in the G.Os. cited above.

(M) and (K)

3. The State Counsel who examined the title deeds are of opinion that the proprietorship of the land is vested in the Rajapalayam Chatram and the lease-hold right is vested now in the A.K.D.DharmaRaja Education Charity Trust. I request the orders of Government whether the leasehold land and the building thereon may be accepted as sufficient security for the grant in respect of the building.

Rule 56 on p 11 of
Bkm 40

4. The grant is only Rs. 35,000/-. As the period of mortgage is only 30 years under the existing rules, which is within the period of lease, I recommend that the lease-hold property may be accepted as good security for purposes of the above Government grant.

5. In this connection, I submit that, in recent years, Government had sanctioned grants towards the construction of buildings on lease land in the cases quoted below:

- National High School for girls, Triplicane
G.O.Ms.2267-Education dated 27.10.1947
G.O.No.1981-Edn., dated 10.8.1948.
- Wynaad High School, Kodpette
1.Govt.Memo.27236-B1/47-19 Edn., dated 9.8.1948
2.G.O.No.841-Edn., dated 14.3.1950.

P.T.O.

Page 2.

I therefore request the general orders of Government whether, whenever school buildings are constructed on long-term lease lands, the lease-hold property may be considered as good security for purposes of Government grant under Chapter VIII of the Grant-in-Aid Code, so that I may avoid addressing Government for specific orders on each such case.

Yours faithfully,

T. S. S. S. S.

For Director of Public Instruction.

ks.2-9.

2/11/50

3/2

Edn. (B)

Grant. Building - Dharmaraja Secondary School for girls, Raja palayam - Construction of building on land taken on lease. Disbursement of grant - Permitted.

20/3/50

H 33-35 of (M) vide p 4 of (K) (item 7)

Read :- G.O. Ms. No. 2922 Edn. d/19-11-48

G.O. Ms. No. 1376 Edn d/28-4-50 *put up in file under O*

H 1-2 of

From the D.P.G. Rc. No. 585 D2/48 d/1-9-50.

Dr 30/9/50

Order. No. 2730 MS Edn. dated. 30.9.50.

*10/10/50
Pon p 2 of*

✓ item 7 on p 4 of (K)

The D.P.G is informed that in the circumstances stated, he may authorise the payment to the management of the Dharmaraja Secondary School for girls, Raja palayam, the grant provided for in the current year's budget towards the cost of the building constructed on land taken on long

[P.T.O]

4

lease.
2. The Director is also informed that no general orders are considered necessary in this regard and that each case should be considered, as it arises, on its merits.

29.9.50
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29/9/50

A on p 2 nf

To
The D.P.S.
The A.G. thro' Finance
2 S/cs.

H 33-35 of (M) Read: G.O. Ms. No. 2922 Edn. d/19.11.48.
note p 4 of (K) G.O. Ms. No. 1376 Edn. d/28.4.50 put up in file under circulation
H 1.2 of From the D.P.G. Re. No. 585. D2/48 d/1.9.50

Item 3 on p 35 of (M)

not put up (put up in file under circulation)
* Item 7 on p 4 of (K)

para 2 on p 1 of

para 3 on p 1 of

para 4 on p 1 of

✓ para 4 on p 1 of
* Rule 56 p 11 of BKM 4-0

para 2 on p 1 of

G.O. 1981 Edn
10.8.48
H 9-11 of (F)
G.O. 841 Edn p 4 of (V)
14.3.50

Edn. (B)
Grant. Building. Bharmaraja Secondary School for girls, Rajapalayam - construction of building on land taken on lease - Disbursement of grant.

The scheme for the construction of a building for the A.K.D. Bharmaraja Secondary School for girls, Rajapalayam was ordered to be included in the list of approved works and a grant towards one half of the cost of construction not exceeding Rs 35,000/- was sanctioned in G.O. Ms. No. 1376 Edn d/28.4.50. A provision of Rs. 20,000/- has been made in the current year's budget towards the payment of a portion of the grant due to the management.

2. The D.P.G. has reported that the building in question has been constructed on a piece of land taken on lease for a period of ninety nine years. He has stated that the State Counsel have scrutinised the title deeds and are of the opinion that the proprietorship of the land rests in the Rajapalayam Chattram and the lease hold right in the A.K.D. Bharmaraja Education charity. The Director solicits instructions as to whether the lease hold property may be considered sufficiently safe security towards the grant. As pointed out by the D.P.G., under the provisions of the grant-in-aid Code, the period of mortgage to be executed by the management in favour of Govt. is only for thirty years, while it holds the lease on the site for a period of ninety nine years with option to renew the lease for a further period at the expiry of the term. It may also be pointed out that grants were sanctioned to the managements of the National High School (Girls) Triplicane and the Wynaad High School, Kalpetta, towards the cost of buildings constructed on lease hold property. In the circumstances, it is for consideration whether the lease hold

in the present case also may be considered ^{as} good security for disbursement of the grant provided for the scheme.

3. The D.P.S. has raised the question whether in cases where school buildings are constructed on long-term lease lands, the lease hold property may be considered sufficient security for purposes of govt. grants. Under the existing orders, the maximum grant payable to any building scheme is

Rs 35,000/- The period of mortgage in favour of Govt. in such cases is only thirty years. It would therefore appear that if the management holds lease rights for a period of ~~thirty~~ not less than 30 years ~~at the time when grant is sanctioned, it may be considered~~ ^{as sufficient security} ~~and the period of mortgage should constitute a safe security for a grant of Rs 35,000/-~~ ^{and less} As a safety measure and with a view to encourage

managements to own lands instead of leasing them, it is submitted that instead of having a marginal limit of thirty years of lease hold, a period of sixty years (double the period of mortgage) may be prescribed as good security. The D.P.S. may be informed that he may authorise grants to aided secondary schools for buildings constructed on lease lands without consulting Govt. if the period of lease is for sixty years and more.

4. The file may be sent to legal and finance for remarks.

Legal
Finance
16/9/50

This Dept. agrees with the view expressed by A.S. Edn. in this note at A above.

16/9/50

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29.50
para 5 on Pp 1-2 of

para 4 on P 1 of

It will be unsafe to give a Carte blanche.

Each case can be considered as it arises -

No general orders seem to be necessary.



Edn U.O. No.
26936 B/50-1 Edn
11.9.50



Legal no 14653/50

5 B

7 in (exp A)

The notes of Education on pp 1-2 above may be perused. As the A.K.D. Dharmaraja Education Charity Trust has taken the plot measuring 1.32 acres ^(and especially in view of the present at 1.32) on lease for 99 years, from 1-8-48, this Dept. may agree with Edn. that the lease hold may be considered as sufficient security for the disbursement of the grant.

2/ As regards the issue of general orders on the subject, the views of Edn. ^(which are concerned in legal) at A on P 2 above may be agreed to by this Dept. also.

26.9.50
26.9.50



Pat p 2 ante

A on p 2 ante.

The file relates to the question of disbursing the building grant sanctioned to the A.K.D. Dharmaraja Secondary school for girls, Rajapalayam on the security of lease hold property. It is proposed to permit the D.P.S. to disburse the amount provided for the scheme in the current year's budget on the security of the lease hold property. It is also proposed to inform the D.P.S. that no general orders in this regard are necessary and each case should be considered as it arises. Legal and Finance have agreed to the proposals of this Dept. A draft order is submitted below for approval.

28/9/50
28/9/50

28.9.50

(V) (4) The Secretary shall provide the following:

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(c) mb^2

The following is a list of the names of the persons who have been appointed to the various committees of the Board of Education, for the year 1900-1901.

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