

Application No.718 of 2021
in C.S.No.363 of 1912

R.SUBBIAH, J

This Court is held by Video Conference.

2. This application has been filed seeking permission to the Official Trustee of Tamil Nadu to utilize the amount of Rs.8,44,000/- from the Trust Estate of N.V.Ammal accumulation of funds of FY 2016-17 for packing, transportation expenses and other incidental expenses to execute the project of distribution of Books, Dictionaries, School bags, T-shirts and Stationeries to 10,000 school children studying in Forest Department schools and Tribal Department schools in 15 districts across in the state of Tamil Nadu, and to maintain a proper account with Vouchers / Bills and make a report.

3. The learned Administrator General and Official Trustee has submitted a report dated 20.02.2021, in which it is stated as follows:

- (i) the office of the Administrator General and Official Trustee of Tamil Nadu [AG & OT] has been administering more than 150 Trust Estates. There are properties to Trust Estates and rental income deriving from it are put it in

fixed deposit. Out of the rental and interest income on fixed deposit the O/o AG & OT has been doing charities, maintenance to the beneficiaries, scholarship to the students, salary to estate staff, making statutory charges to Government, paying income tax, meeting other necessary expenses. Apart from that, as per the orders of this Court donation by way of things, articles and medical machines etc. have been given to the NGOs and other institutions based on their request.

(ii) the Trust Estate of N.Visalakshi Ammal is under the administration of the Official Trustee of Tamil Nadu as per Scheme Decree dated 22.02.1915 in C.S. No. 363 of 1912. The Trust Estate of NV Ammal has various properties and fixed deposits. Out of the income generated from it, charities have been done as per the intension of the Testator and the orders of this Court.

(iii) the O/o AG & OT has been doing various charities to the School, Hospital, NGO and deserved peoples from the accumulated funds. In such a way, the AG & OT has filed A.Nos.1084 & 1085 of 2020, with a prayer to donate Books, Dictionaries, School bags, T-shirts and Stationeries to 10,000 poor students studying in hill area schools run by Forest Department in the districts of Coimbatore, Thiruvannamalai, Thirupattthur and Vellore and

Tribal Department in the districts of Chennai, Coimbatore, Dharmapuri, Dindugal, Erode, Kanniyakumari, Perambalur, Theni, Thiruppur, Thirunelveli and Vellore with a total cost of Rs.1,03,90,750/-. Those applications were allowed by this Court on 10.03.2020. The said amount was metted out from various Trust Estate of V.T.Chetty for Rs.65,56,200/-, PR Chetty for Rs.16,85,850/-, MKA Charities for Rs.14,00,000/-, Ponnambalam Pillai for Rs.6,44,656/- and A.H.Rao for Rs.1,04,044/- from the accumulated funds of FY 2014-15.

(iv)after the said order, necessary work order was supplied to the vendors to supply the Books, Dictionaries, School bags, T-shirts and Stationeries with an idea to donate and distribute it to the students during the reopening of the schools in June, 2020. At this juncture, there was a pandemic due to CORONA-19 in the world over and complete lock down was implemented in Tamil Nadu also. Out of which, there was a delay to supply the articles by the suppliers and ultimately, all the suppliers supplied the product with some delay. However, the schools have been not opened in toto. Recently, by step by step the schools were opened from IX Standard to XII Standard. However, so far schools are not opened from I Standard to VIII Standard.

(v) since the products were already supplied by the suppliers and kept it in a Godown at Thiruvottriyur in the Trust property, it is decided to donate it to the students before the vacation. When contacted the Forest Department and Tribal Department to distribute the same, they assured that once the AG & OT is ready to distribute they will ask the students or parents to come to their school on the date fixed to receive the same. Steps have been taken to collect the current year data of student's strength in each school. The Forest department submitted the required data and the data from Tribal department is in the pipeline.

(vi) the students benefitted from the Forest Department are in four districts of Coimbatore, Thiruvannamalai, Thiruppathur and Vellore and Tribal Department are in eleven districts of Chennai, Coimbatore, Dharmapuri, Dhindigul, Erode, Kanyakumari, Perambalur, Theni, Thiruppur, Thirunelveli and Vellore. There are 18 schools from Forest department and 108 schools from Tribal department with total strength of 3,322 and 6,235 respectively. The balance 443 would be from aided schools under the control of AG & OT and other Homes. A part of books were originally stored in the O/o AG & OT and remaining were stored at Thiruvottriyur.

Now the processes of distribution work have been started, the books already stored in the O/o AG & OT was shifted to Thiruvottriyur for packing.

(vii) 10,000 bags to be filled with each 5 books, stationery kit and T-Shirt. A tentative weight after filling the books and articles in the bags comes to 3.5 kg each. For loading and unloading purpose about 10 bags would be put in a parcel. In such manner, there would be 1000 packages to be delivered at the beneficiary destination. Since the beneficiaries are 10,000 students studying in the Forest and Tribal area, preferably, all are in the hills area at different places at different districts. There would be a heavy transportation charges from Chennai to longer distance of Kanyakumari and other destinations. There are 15 districts to be covered with 126 schools of 10,000 students as stated above. When enquired with a transporter for tentative transportation charges per day, they quoted depends upon the load weight and kilometers minimum Rs.10,000/- to Rs.12,000/- per day would be the transportation charges. If the destination is very high it would be on a higher side.

(viii) since 126 schools are to be covered for distribution throughout the Tamil Nadu it is possible to distribute at least 3 to 4 schools per day since the

schools are situated in hills area in different parts of districts. In such a way minimum 40 days require to distribute the books and bags. This 40 days would not be covered at a stretch since the office staff and other private persons be engaged for packing, loading, transporting, unloading and distribution in 10 intervals. In such a way to and fro time would take another two days for each interval. Altogether, the distribution work would go for 60 days. For 60 days, it require a substantial amount of for transportation charges to carry the materials from Chennai to all part of the states. In addition to that for packing materials of box, bags and other stationeries be purchased. Few number of private persons service be engaged in addition to the few office staff to carry out the project.

(ix)they would be paid daily wages on working days depending upon their work. Once the materials are transported, the officer and staff of AG & OT have go to the out station for distribution. They would be paid travel allowances, daily allowances of boarding, lodging and other attending expenses be meted out. In addition to that the private persons travel allowances, boarding, lodging expenses also to be paid. Considering all these aspects for tentative amount for transportation charges for 60 days at

the rate of Rs.10,000/- per day, comes to Rs.6,00,000/-. Even if 5 persons of staff and private persons engaged to execute the work, their transportation charges, daily allowances of boarding and lodging and other attending expenses for 60 days comes to Rs.2,40,000/- at the rate of Rs.800/- per person per day.

(x) in addition to that when the officer of AG & OT or Dy AG & OT supervise and participate the distribution work they are also eligible to be paid travel allowances, daily allowance of boarding and lodging etc. For all these aspects a rough cost of Rs. 9,00,000/- is required to execute the project to 10,000 students across the state. There cannot be a quotation for the proposed expenses for the reasons depends upon the distribution destination, number of persons involved in the execution the task may vary. Even for packing materials the cost may vary. Therefore, the Superintendent and the staff in charge for the charity have been instructed to maintain a proper Voucher / Bills and statement of account then and there for accounting the amount to be meted out to execute the project.

(xi) there is a surplus funds of Rs.8,44,000/- in the Trust Estate of N.V.Ammal from the FY 2016-17 and the said amount may be utilized for execution of

the project and maintain proper account. In the event the amount is not adequate, thereafter, another permission application be filed.

Submitting as above, learned Administrator General and Official Trustee prays for the above relief.

4. Considering the submissions made, this Court grants permission to the Official Trustee of Tamil Nadu to utilize the amount of Rs.8,44,000/- from the Trust Estate of N.V.Ammal accumulation of funds of FY 2016-17 for packing, transportation expenses and other incidental expenses to execute the project of distribution of Books, Dictionaries, School bags, T-shirts and Stationeries to 10,000 school children studying in Forest Department schools and Tribal Department schools in 15 districts across in the state of Tamil Nadu, and to maintain a proper account with Vouchers / Bills and make a report.

Accordingly, the application is ordered as prayed for.

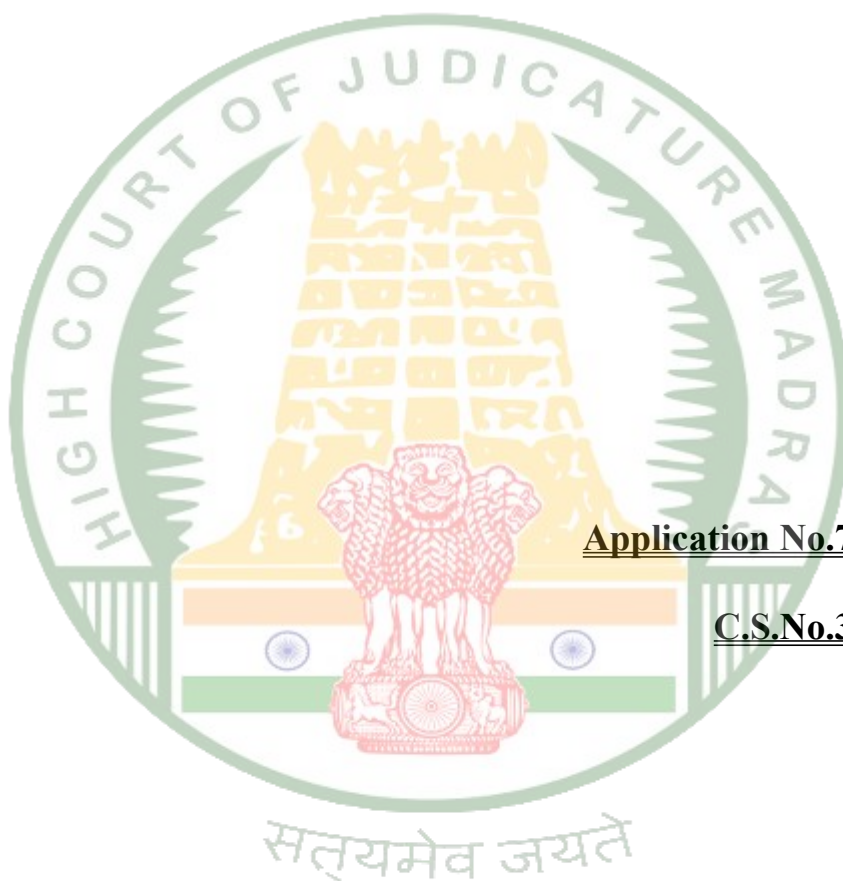
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