

सेवा में

प्रभिगीय वन अधिकारी

वन विभाग नैनीताल

उत्तराखंड

विषय:- जनपद -नैनीताल के अंतर्गत डायरेक्टर जनरल आफ दी रोमन कैथोलिक डाईसेस के चर्च प्रिस्ट हॉउस स्कूल, टीचर्स एंड सर्वेंट क्वार्टर के 30 वर्षों की लीज पर दिये जाने के सम्बन्ध में! (online no. FP/UK/OTHERS/9704/2015)

सन्दर्भ:- फाइल संख्या 8बी./यू./सी./पी./09/300/एफ.सी./44

महोदय,

उपरोक्त विषय सन्दर्भ पत्र के क्रम में राज्य सरकार वन मंडल के अधिकारी से अनिम्न स्तर के अधिकारी का प्रमाण पत्र एवं सम्बन्धित भवन 25.10.1980 के पूर्व स्थित है से सम्बन्धित अभिलेख/ प्रमाण समस्त आनलाईन अपलोड कर दिये गए हैं तथा हार्ड कापी भी आपको प्रेषित की जा रही है!

संलग्न:- उपयुक्तानुसार

प्रतिलिपि:- अपर प्रमुख वन संरक्षक एवं नोडल अधिकारी, वन संरक्षण, इंदिरानगर फारेस्ट कालोनी, उत्तराखंड, देहरादून

प्रतिलिपि:- वन संरक्षण दक्षिणी वृत्त, नैनीताल।


Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

सेवा में
प्रभागिय वन अधिकारी
वन विभाग नैनीताल
उत्तराखंड

प्रमाणित किया जाता है की डाइरेक्टर जनरल आफ दी रोमन कैथोलिक
डाईसेस के चर्च प्रिस्ट हॉउस स्कूल, टीचर्स एंड सर्वेंट क्वार्टर हेतु भवाली
कम्पार्टमेंट संख्या 19,20 तथा 25 में 2.189 है० वन भूमि में पूर्व स्वीकृत
लीज नाविनिकर्ण हेतु प्रतिक्रिया चल रही है! वर्तमान में लीज धारक उपयोग
में लाई जा रही 0.9921 लीज नाविनिकर्ण प्रस्तावित है! शेष भूमि व् विभाग
को वापस की जा चुकी है! वन भूमि में स० 1980 से पहले स० 1924 में ही
स्कूल व् सर्वेंट क्वार्टर का निर्माण हो चुका था ! जिसकी छाया प्रति संलग्न
है!

संलग्न

1. छाया प्रति - लीज डीड (10.07.1924)
2. छाया प्रति - लीज डीड (05.08.1987)

प्रार्थी

Director General, Roman
Catholic Diocese of Allahabad
Allahabad-211001

वन क्षेत्राधिकारी
भवाली वन क्षेत्र

सिस्टर अंजलि जैकब यू म आई

डाइरेक्टर जनरल आफ दी रोमन कैथोलिक डाईसेस
निर्मला सदन सोसिएट्टी निर्मला कान्वेंट. काठगोदाम

प्रभागिय वन अधिकारी
नैनीताल वन प्रभाग, नैनीताल



POWER OF ATTORNEY

THIS POWER OF ATTORNEY is executed on this the *fifth* day of August 1987 by me the Rt. Rev. B. Mudartha, Bishop of the Roman Catholic Diocese of Allahabad, residing at Bishop's House, Allahabad (hereinafter called the Director General) 32, Thornhill Road, Allahabad - 211002.

WHEREAS the Director General is the lessee in possession of the property known as "Rosary Villa" situated in Bhowali, District Nainital, by virtue of and under the indenture of lease made on the 10th day of July 1924 between the then Deputy Commissioner of Nainital and the Roman Catholic Bishop of Allahabad and his Successors in office whereby plot of land containing by measurement 9.33 (nine point thirty three) acres, then in Bhowali Block Compartment nos. 19, 20 and 25 Nainital Forest Division, was demised to the Roman Catholic Bishop Allahabad for a period of 90 years from the First of July 1924 for the purpose of erecting a Church, Priest House, School, Teachers' and Servants Quarters.

Pr. Dasy
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distr. (U.K.)
Pin-263125

R-41-2-15



- 2 -

AND WHEREAS the Roman Catholic Bishop of Allahabad got constructed Buildings as aforesaid on the said plot of land which are now collectively known as "Rosary Villa".

AND WHEREAS the Director General being far away from the aforesaid premises is unable to look after the proper management, upkeep and preservation of the said premises.

AND WHEREAS the Rev. Sisters of the Ursulines of Mary Immaculate (U.M.I.) of Cannanore, a Society duly registered under the Societies Registration Act XXI of 1860 having its registered office at Ursuline Convent, Payambalam, Cannanore in the state of Kerala (hereinafter called the said Society). The President Rev. Maria Alberoni of the aforesaid Society has agreed to look after the management, upkeep and preservation of the said premises for and on behalf of the Director General.

L. D. S.
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

AND WHEREAS the Director General has decided to appoint the said attorney President Rev. Sr. Maria Alberoni as his Attorney.

82.11 - 1-12 62
contd. 3

NOW THEREFORE this power of Attorney witnesseth as under:-

1. That I, the said Director General, do hereby appoint and constitute the said President of the Society Rev. Sr. Maria Alberoni as my Attorney to exercise any of the under mentioned powers hereby conferred, in my name and for my use:-

- a) To take possession of the aforesaid premises known as Rosary Village, its lands and tenements as I am now or in any way be entitled to and to bring any proceeding or action in respect to or for or concerning the said premises, lands or tenements and also to demand, receive, recover and give receipts for the rents and damages thereof respectively for my use;
- b) To sign in my name and as my act and deed, to execute, verify and deliver any plaint, written statement, contained agreement relating to or concerning the said premises or any part thereof;
- c) To commence, carry on or defend all actions and other legal proceedings concerning the said premises or any part thereof or concerning anything in which I may be a party;



L. Posy
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

B.K. - d. 1/4

contd....4

- d) To manage, preserve and keep in proper repairs the said premises and every part thereof and make due compliance with the terms and conditions of the afore said lease dated 10th July 1924 relating to the said premises;
- e) To use the said premises strictly in accordance with the terms and conditions laid down in the aforesaid Lease dated 10th July 1924, a true copy whereof is annexed to this power of Attorney;
- f) To appoint and remove in its absolute discretion any substitute for or agent under my said Attorney in respect of all or any of the matters aforesaid upon such terms as it may think fit;
- g) and generally to do, execute and perform all and every other act, matter and thing whatsoever in any way necessary or expedient, to be done in regard to the said premises as fully and effectually as if I were personally present to do the same;

AND I the said Rt. Reverend B. Mudartha, son of late Mr. Joseph Mudartha, Bishop Roman Catholic Diocese of Allahabad for myself and my successor in office hereby agreed to confirm and ratify all and whatsoever the said Attorney or any substitute or agent appointed by

contd.... 5



Sr. Pooey
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

B. H. - d - h - w

it under the power in that behalf herein before contained shall lawfully do or cause to be done.

IN WITNESS WHEREOF I the said Rt. Rev. B. Mudartha, Bishop of Roman Catholic Diocese of Allahabad have hereto signed before the witnesses present on the date and year first above written.

for the Roman Catholic Diocese of Allahabad

B. Mudartha

Roman Catholic Bishop and
Director General of the Roman Catholic
Diocese of Allahabad (P) Ltd.
Allahabad.

Witnesses:-

X

1. *Isidore Fernandes* 5/8/1987
(Rev. Fr. Isidore Fernandes)
32, Mohanhill Road
Allahabad 211001.

Signature attests

for the Roman Catholic Diocese
of Allahabad (Private) Ltd.

B. Mudartha

Director General

2. *K.B. Srivastava*
(K.B. Srivastava)
Advocate

24, old *Chandpur* Allahabad

date 5/8/87
by *Sukhdev Goyal* Notary
himself to be present and
signature which I have and verify.

authenticated
on 5-8-87 at
10-30 AM

R.D. Saxena
Notary Allahabad



Sr. Dasy
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263125

THIS INDENTURE made the tenth day of July, 1924 (Nineteen hundred and twenty four) BETWEEN the Deputy Commissioner of Naini Tal (on behalf of the Right Honourable Secretary of State for India in Council, hereinafter called the "LESSOR") of the one part AND The Roman Catholic Bishop of Allahabad and his Successors in Office (hereinafter called the "LESSEE") of the other part witnesseth that in consideration of the NOMINAL rent hereby reserved and of the covenants on the part of the Lessee hereinafter contained, the Lessor doth hereby demise unto the Lessee all that plot of land containing by measurement 9.33 (nine and thirty three) acres FORMERLY in Bhowal block Compartment Nos. 19, 20 and 25 Naini Tal Forest Division bounded by pillars as per detail in the attached description of the boundary for the sake of greater clearness delineated or shown on the plan hereto attached and thereon coloured.

TO HOLD the same unto the Lessee for the term of ninety (90) years from the first day of July 1924 rendering therefore during the said term a NOMINAL rent of rupees five (Rs. 5/-) payable before or on the 1st July 1924 at the Office of the Deputy Commissioner of Naini Tal.

And the Lessee hereby covenants with the Lessor as follows:

1st: that the Lessee will during the term hereby granted pay unto the Lessor the yearly rent hereby reserved on the day and place hereinbefore appointed.

2nd: that the Lessee will use the said demise premises for the purpose of erecting a Church, Priest House, School, Teachers and servants quarters.

3rd: that the Lessee will be responsible for the action of his men and servants if they do any kind of damage to the surrounding forest. Care must also be taken to protect the water pipes which cross the area. If it is necessary for building purpose to DIVERT them this must be done at the cost of the Lessee. If the pipes are covered over in any way this must be done in such a manner that they can easily be got at whenever repairs become necessary.

4th: that the Lessee will on the expiration of the term of his lease peaceably surrender the said demise to the Lessor; PROVIDED:

S. P. Joshi
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

B.K. - J-12

a) that the Lessor will on the expiration of the term of this lease if the demised land be NOT otherwise required by the Lessor, GRANT to the Lessee a fresh lease of the said land for a further period of ninety (90) years, and so on.

b) also that upon the expiration of the term of this lease or of any renewed lease, which may be granted as aforesaid, the Lessee shall be allowed such period as to the Lessee may seem sufficient, NOT being less than twelve months, within which to remove any buildings which he may have erected or any materials which ~~xx~~ he may have brought upon the demised premises, BUT upon failure to remove the said building or materials within the time so limited the same shall become the property of the Lessor.

In witness whereof the Parties hereto have hereunto set their hands on the day and the year first above mentioned.

LESSEE:-

Sd. Fr. Amedeus D.M.C.
R.C. Chaplain of Maini Tal
Attorney

For Roman Catholic Bishop
of Allahabad.

LESSOR:-

E. H.H. Edge
Deputy Commissioner of
Nainital.

ON BEHALF of the Right Hon'ble
the Secretary of State
for India in Council.

WITNESSES:-

1st. Sd. H.R. Sheil

2nd.



WITNESSES:-

1st. Sd. Nandan Singh, S.N.

2nd. Sd. Prem Singh Rajwar
Chief Reader.

10.7.24

S. P. Singh
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

B. K. Singh

BOUNDARY DESCRIPTION OF THE LAND
FOR A ROMAN CATHOLIC CHURCH IN BHOWALIE

LESSEE	Description of Land	Pillar No	Position of Pillar	Nature of line next pillar
1	2	3	4	5

Roman Catholic Bishop of ALLAHABAD and His Successors in Offices

Parts of what is used to be Compartments Nos. 19, 20 and 25.

1. On Forest path leading to Bhowalie path north old rest house at junction with a small dry water course. Along the path north generally.
2. At junction of forest path with Naini Tal Bhowalie Bridle path. Along the path leading to the cart road.
3. Same as pillar No. 1 of the Sanatorium chak. Along a small ridge south east.
4. Same as pillar No. 2 of the Sanatorium Chak. Along a small ridge south west.
5. Same as pillar No. 3 of the Sanatorium chak. Along a dry Rauli east.
6. In the saddle of the ridge. Along a small Rauli east.



Sr. Dasy
Principal
Marmala Convent Sr. Sec. School
KATHGODAM P.O.
Mainital Distt. (U.K.)
Pin-263126

B.K. 2-11

Sd. Fr. Amedeus O.M.C.,
R.C. Chaplain of Naini Tal,
Attorney for
Roman Catholic Bishop of Allahabad.

Sd. E.H.H. Edge
Deputy Commissioner of
Naini Tal.

WITNESSES:-

1st. Sd. H.R. Sheel

2nd.

WITNESSES:-

1. Sd. Nandan Singh Bist
S.N.

2. Sd. Prem Singh Rajwar
Chief Reader

10 . 7 . 24



J. Dasy

Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

B.K. - d. 1/10

Presented for registration by Rev. Fr. Amadeus R.C. Chaplain
Naini Tal, General attorney of Right Rev. Fr. Angelo Poli
Bishop of Allahabad by virtue of the General Power of Attorney
"registered as No. 130 in Bk. No 4 Vol 104 on pages 94 & 95
dated 12th July 1924 in Sub-Registered Office Allahabad" at the
office of the Chief Sub-Registrar of Naini Tal this 17th day
of July 1924 between 2 & 3 p.m. Sd. Fr. Amadeus O.M.C.
R.C. Chaplain of Naini Tal, Attorney for R.C. Bishop

Sd. J.S. Grose
Chief Sub-Registrar
17-7-24

Execution admitted by Rev. Fr. Amadeus R.C. Chaplain of
Naini Tal Attorney for Rt. Rev. Fr. Angelo Poli Bishop of
Allahabad by virtue of General Power of Attorney mentioned above.
The executant is personally known to me.

Sd. Fr. Amadeus O.M.C. R.C. Chaplain
of Naini Tal, Attorney for R.C.
Bishop of Allahabad 17-7-24

Sd. J.S. Grose
Chief Sub-Registrar
17-7-24

Having satisfied myself that this lease was executed by E.H.H
Edge, Esqr. I.C.S. Deputy Commissioner of Naini Tal

Sd. Illegible.

Bill-d-th

L. Posy
Principal

Nirmala Convent St.
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

in his official capacity, his attendance and signature are dispensed with and this document is admitted to registration.

Sd. J.S. Grose
Chief Sub-Registrar
17.7-24

Certified that this document is free from any alterations or cuttings. It has been endorsed with eight anna adhesive stamp on the first page. The document is written on four pages.

Sd. J.S. Grose
Chief Sub-Registrar
21-7-24

Registered as No. 126 in Book no. 1 Vol 46 on pages 138 to 141 this 21st day of July 1924 -----

Sd. J.S. Grose
Chief Sub-Registrar

Regn. Fee	0 - 4 - 0	
Copying Fee	1 - 0 - 0	towards 790
	<hr/>	
	1 - 4 - 0	

True Copy
Sd. Illegible

Copied by R.D. Dhondyal
Compared by H. Rawat

Fee for this copy charged Rs. 1/2/ only.

Chief Sub-Registrar
for Registrar
24 - 7 - 24

R.D.C.



Sd. Dasy
Principal
Nirmala Convent Sr. Sec. School
KATHGODAM P.O.
Nainital Distt. (U.K.)
Pin-263126

The Roman Catholic Diocese
of Allahabad (Private) Ltd.

B.M. S. M.
Director General