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THE

STANDING ORDERS

OF THE

BOARD OF REVENUE,

REVISED UNDER THE ORDERS OF GOVERNMENT.

BY

P. CHENTSAL RAO PANTULU, ESQ., C.I.E.

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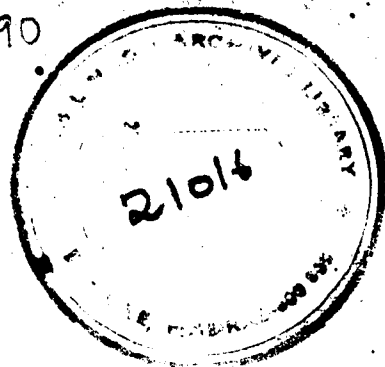
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CHAPTER XII.

REVENUE COURTS.

175. Regulation XII of 1816.—Europeans holding lands under the British Government in India are amenable to all existing laws enacted for regulating the conditions of landed tenure and for deciding questions arising out of them. Consequently in disputes between Europeans, or between a European and a Native, it is competent to a Collector to act under Regulation XII of 1816. The punchayets may then be composed either wholly or in part of Europeans.

18th May 1856.

176. Regulation IX of 1822.—The persons amenable to the jurisdiction of Collectors under Regulation IX of 1822, as supplemented by Regulation VII of 1828 and Act XXXVI of 1837, are described in those enactments. Persons employed in the management of attached estates and village officers in shrotriems are held to be similarly punishable. Complaints made by ryots in private estates against the proprietor's agent cannot be disposed of under these Regulations. The fact of persons having left the service previous to their trial does not bar a Collector's jurisdiction.

2. Where public servants are charged with offences clearly included in the classes defined in Clause 2, Section II, of Regulation IX of 1822, and the charge is supported by reasonable *prima facie* evidence, and is at the same time of a magnitude to require that a severe penalty should follow conviction, it is evidently desirable that the Collector should avail himself of the powers conferred by the Regulation. A public example will check frauds and malversation among a class of men who possess great facilities for carrying on their malpractices without detection. But in trifling cases such as would call for no great punishment if proved, proceeding to a formal trial under this Regulation is unnecessary and inexpedient. It will be better that on such occasions the Collector should have recourse only to the punishments he is empowered to award under his general authority as head of the Revenue establishment. Petty cases of fraud by village officers should be disposed of in this manner.

3. Collectors acting under Regulation IX of 1822 must consider themselves as exercising judicial functions. The Regulation is of a highly penal character, and it is of much importance that the investigations which Collectors are authorized to make should be conducted and recorded in the regular form of a judicial inquiry, with a view to revision by the Board and the Government when the case goes before them.

4. The charges and the plea of the accused should be distinctly recorded in writing, and the evidence should be fully taken down. The witnesses should invariably be examined in the presence of the accused, including both those in support of the charges and those for his defence, and he should be allowed to cross-examine them. All documents produced in evidence should be submitted for the inspection of the accused, and his remarks thereon should be recorded. To enable Collectors to determine what charges to prefer against an accused person, they may take evidence in his absence and without his knowledge. But before any evidence so taken can be used against an accused person, it must be shown to him, together with the written charges founded thereon and must be re-affirmed in his presence, and an opportunity must be afforded to him for cross-examining the witnesses who have given and re-affirmed that evidence. He should then be required to give his answers to the charges against him and to produce evidence in support of his answers. If he has any difficulty in procuring the attendance of his witnesses, the Collector should compel their attendance, by summons under Madras Act III of 1869.

5. The Collector in passing judgment on the case should briefly sum up the evidence on the several charges, and record in English a distinct sentence of acquittal or conviction on each, with a concise statement of the grounds on which the sentence is founded. In every case in which a judgment is passed upon a person under the provisions of Section 5 or 6 of this Regulation, the officer passing sentence will notify to him personally the period allowed for appealing, and will endorse upon the copy of the judgment delivered to him the date on which the appeal time will expire. Such copy shall be delivered free of all charges to the defendant at the close of the proceedings.

6. As regards punitive powers, it should be observed that the

distinction between offences under Clause 2, Classes 1, 2, and 3, as defined in Section 2, and offences under Clause 2, Classes 4 and 5, is clearly defined, and maintained throughout the Regulation; as also is the punishment to be awarded in each case, and the procedure to be followed subsequent to conviction. The Collector has power to sentence persons convicted under Classes 1, 2, and 3, to pay a certain sum.—See Section 5, Clause 1. After judgment for payment of such sum the convicted person is, under Section 5, Clause 2, to be kept in custody until the judgment is satisfied; first in the Collector's outcherry, and afterwards, if necessary, in the District jail as provided. That is to say, in default of payment, judgment for the recovery of the sum is to issue and execution is to follow as prescribed in Section 5, Clause 3. In the event of no property, or not sufficient property, being forthcoming, the Collector must, under Section 13, Clause 2, forward the defaulter to the District Court, and proceed as directed in the last-named section. The treatment of persons convicted of offences, defined in Classes 1, 2, and 3, Section 2, is analogous to that prescribed for ordinary revenue-defaulters, and charges for their diet should be included under "Land Revenue," minor head. "Diet money for defaulters." The case of persons convicted under Classes 4 and 5, Section 2, is different. Under Section 5, Clause 4, the Collector must impose a fine not exceeding a specified sum, and must further award, in default of payment, imprisonment not exceeding twelve months, or until the fine is paid. In these cases no order for recovery of the fine is necessary; it is for the convicted person to pay the fine, and imprisonment follows immediately on judgment passed, in default of payment. Persons so convicted stand, therefore, on the same footing as any other persons criminally convicted, and must be dealt with accordingly. If sentenced to less than one month's imprisonment, they will be sent to the jails provided under present jail regulations for other prisoners sentenced to like term of imprisonment; and if sentenced to more than one month's imprisonment, they will be sent under Police guard to the District jail, and charges for their diet will be debited to the usual head under "19, Law and Justice." There is, however, no reason why Collectors should not exercise the discretion which Magistrates exercise in permitting convicted persons reasonable opportunity to obtain and pay the fine awarded, if due precaution is taken to prevent miscarriage of

justice by the escape of the prisoner. As a matter of fact the fine will generally be forthcoming.

7. Should an appeal petition from the Collector's judgment be submitted, it should be forwarded by the Collector to the Board together with the original proceedings within three weeks from its receipt, accompanied by a letter containing such remarks as may be called for by the allegations in the appeal petition. Although Regulation VII of 1828 prescribes three months as the limit for appealing, it is competent to the Board to admit an appeal after that time, if just and reasonable cause for the delay is shown. When the Board refers an appellant to the ordinary Courts he must submit his appeal to those Courts within three months from the date of the delivery of the Board's order.

8. When appeals are presented to Collectors against the decisions of their subordinates under this Regulation, the same procedure should be adopted as in the case of appeals under Regulation VI of 1831.

9. In all cases in which appeals are presented, the provisions of Clause 6, Section 15, in regard to the sale of property and the release of accused parties on bail, must be attended to. The summary judgments passed under this Regulation should not be hastily enforced, particularly by the sale of property. If the property is secured in the first instance, it can be sold at any period most convenient to all persons concerned.

10. It is advisable that the powers vested in the Collectors, by Sections 7, 8, 9 and 13 of this Regulation, should be exercised with lenity and forbearance, particularly in cases in which superior Native servants are concerned. Whenever it may be found necessary to proceed under Section 9 to search a private house for papers, &c., care should be taken to mention in the warrant the manner in which it is to be executed, as laid down in that section. Collectors should bear in mind that any omission to take the attested lists specified therein may invalidate their proceedings, and involve them in much responsibility.

11. Though Collectors are authorized, by Section 6 of the Regulation, in cases "where money actually delivered in charge to a public servant has been embezzled, or is not forthcoming when called for, and the amount embezzled has been clearly ascertained

by reference to the public accounts of the cutcherry," to proceed to recover the amount in the same manner as for the recovery of arrears of revenue, it is not competent to them to impose a fine as a penalty for the crime of embezzlement, without evidence taken in a regular judicial manner.

12. Should a Collector fail to conform to the foregoing instructions in regard to recording a judgment in English, or noticing the allegations contained in an appeal petition, the proceedings in the case will be returned for revision.

13. Monthly returns of all cases tried by Collectors or their subordinates under this Regulation, should be forwarded in the prescribed form. The records and proceedings in such cases may be destroyed five years after the date of the sentence, on the Board's permission being obtained for so doing.

18th April, 1826; 19th June, 1826; 8th January, 1830; Proceedings of late Sudder Udalt, 30th September, 1830; 11th August, 1831; 15th May, 1834; 4th June, 1835; 31st December, 1835; 2nd April, 1838; 15th July, 1839; 30th May, 1844; 10th July, 1848; E. M. C., 11th May, 1852, R. D., No. 430; Pro. F. U., 12th May, 1853; 8th October, 1856; 29th October, 1856; 19th July, 1869; 16th August, 1871, No. 3,478; 18th May, 1896, No. 1120.

177. Regulation VII of 1828.—Clauses 1 and 4, Section 4, of Regulation VII of 1828, authorize Collectors to refer for investigation to Tahsildars all such petty cases of embezzlement as are punishable with a fine not exceeding Rupees 50. The Regulation however is permissive only. Collectors should refer all important charges against village officers to divisional officers for inquiry, estimating the importance of the case not by the amount embezzled but by the circumstances.

2. Tahsildars cannot take up cases of malversation by village officers under Regulation IX of 1822, unless they are referred to them under Regulation VII of 1828.

28th November, 1878, No. 2,431.

178. Regulation VI of 1831.—This Regulation is applicable to all village offices, whether situated in Zemindary estates or elsewhere, except in the particular case of karnam or village accountant in a permanently settled estate, which appointment is specially provided for by a separate enactment. It has been held by the late Court of Sudder Udalt that the Regulation applies to the hereditary offices held by village artisans.

2. The Regulation is declaratory of a previously existing law, well-known and based on immemorial custom, where it states that village offices are hereditary. To this extent therefore it may be considered retrospective. In other respects however its provisions cannot be held to apply to persons appointed previously to the date of its enactment.

3. Collectors should be careful to nominate proper persons to the office of Village Munsif or Monigar. Hereditary claims, residence in the village and possession of landed property are the primary qualifications for the office of Munsif and Monigar; and personal influence with the villagers is of primary importance.

4. Under the Regulation it is competent to Collectors and to their subordinates in separate charge to dismiss village officers from their posts for culpable neglect of duty or for fraudulent practices. As these offices are hereditary, and as it is very desirable that the holders of them should be respected in the villages to which they are attached, it is inexpedient to remove the holders except upon very good grounds.

5. The sub-division of the emoluments of office among several persons is objectionable, and in all cases in which this has already taken place, opportunities should be taken of gradually restoring them to such number of persons only as are absolutely necessary for the proper performance of the duties of office. In cases where persons doing no duty are enjoying the profits of office, the emoluments should be restored to the persons who actually perform the work whenever a lapse takes place.

6. The powers exercised by Collectors as regards suits instituted under the Regulation are judicial in character, and their proceedings should therefore be formal and regular. A file should be maintained of all suits for the possession of the emoluments of a village office, or of succession to the office itself, and the suits should be disposed of in due order, after a personal investigation, except in such cases as may be referred to assessors under the provisions of the Regulation. A regular judgment should be recorded in English, and a copy of it should be furnished at the close of the proceedings, free of all charges, to each of the parties to the suit. The attendance of witnesses summoned under Clause 4, Section 4, of the Regulation can be enforced under Madras Act III of 1869.

Failure to obey summonses issued under that Act is punishable under Sections 172 to 174 of the Penal Code, according to the nature of the case.

7. A suit is not inadmissible under the Regulation, the object of which is to obtain the appointment to a village office already occupied by an incumbent duly appointed.

8. An incumbent should not be allowed to be ousted by reason of defective title if he has held the office continuously for the space of three calendar years or if the applicant is a minor or an adult who has failed to apply for the office for three years from the date of attaining his majority. Similarly appointments made at the revision of village establishments (effected after Survey and Settlement) cannot be questioned after three years. But, in exceptional cases, the Board will relax the rule when good ground is shown for delay in suing and when the matter at issue is not *res judicata*. This relaxation applies only in revision cases.

9. Claims of a declaratory nature may be entertained under Regulation VI of 1831, but such suits must be discouraged.

10. As alienation of the emoluments of office is illegal, even though carried out by the consent of the holders, no claims founded on such private transactions will be admitted as valid, unless dated anterior to the passing of the Regulation. On the other hand, a man should not be allowed to set this up as a plea in repudiation of his private contracts.

11. The following are the general principles upon which appointments to hereditary village offices should be made:—

(i) It is in the first place essential that the holder of a village office shall be able to perform its duties, and the hereditary principle cannot be allowed to override administrative necessities. It follows, therefore, that females, who are obviously incapable of performing the duties, should be excluded from succession. When, however, the legal heir is a sonless widow and she expresses her intention to adopt a son, a reasonable time may be allowed her for that purpose, and if the adoption is completed within the limited period, the adopted son should be appointed to the office. It is not intended by this rule to exclude persons claiming through females; e.g., a daughter's son will still have a superior hereditary right to that of a divided collateral.

(ii) The case of females differs from that of males who are incapacitated by youth or other transitory causes. When the legal heir is a minor he should be registered as office-holder and the Collector should appoint a gumastah to perform the duties. In selecting a gumastah regard should be had to the wishes of the minor's family and some one acceptable to them should always be appointed, unless no qualified and suitable man who comes within this category can be found. A gumastah once appointed should not be displaced merely because the incapacitated office-holder expresses a preference for some one else. Where the inams have been enfranchised the whole salary of the office should be paid to the gumastah, but where lands form the emoluments, the gumastah should get only the assessment. The gumastah should be required to instruct the minor in the duties of the office.

(iii) As a general rule when the disqualification of a registered office-holder is removed or when he asks that his heir may be appointed and the latter is qualified, the gumastah should be displaced; but in working this rule it should be remembered that for the judicial duties of a village munsif some experience of life is required and that a very young man would not generally have much influence in the village. Some discretion must, therefore, be left to Collectors in regard to this particular office, both with respect to the displacement of gumastahs and to allowing young men who are otherwise qualified at the date of appointment to enter on their duties.

(iv) Lastly, there is the case of village officers dismissed under circumstances which render it inadvisable to appoint the heir, even though the latter is unconnected with the offence. In such cases also the heir should be registered and a gumastah appointed. Ordinarily the gumastah in such a case will hold office during good behaviour, but in both the first and all subsequent appointments of a gumastah it will be left to the discretion of the Collector to declare it terminable on the death of the dismissed man or the occurrence of some other particular event.

12. Regulation VI of 1831 directs that the Collector should adjudicate, and that the appeal from his decision should lie to the Board, and Regulation VII of 1828 vested Divisional officers with the powers of Collectors then existing or which might afterwards be conferred upon them. Hence a Divisional officer acting under

Regulation VI of 1831 is in the place of a Collector, as far as that Regulation goes, and the formal appeal from his decision lies direct to the Board. The Collector has however the power to revise and modify any decision passed under Regulation VI of 1831 by his subordinates; and if he does so modify it, then his judgment is the one to be appealed against. When applications are presented to Collectors for the revision of decisions of their subordinates, notice should invariably be given to both parties of the day of hearing, except in cases where such applications may be rejected at once as being groundless. The Collector cannot alter a judgment of a subordinate which has once been appealed against, and confirmed, modified or reversed by the Board. Divisional officers acting under Regulation VI of 1831 should endorse upon the copy of their judgment which is given to the parties, a notice to the effect that parties dissatisfied with the decision must present an application to the Collector for revision or prefer an appeal to the Board within three months from the date of the decision. Collectors should give the parties similar warning with reference to appeal to the Board in cases decided by them.

13. Review petitions presented to Collectors against decisions passed by them under Regulation VI of 1831 when the period allowed for appeal to the Board has elapsed, in order to obtain a new order from the Collector declining to review his decision, and thereby to import a new date from which to calculate the time of appeal to the Board; review petitions made on a change of Collectors or made to the same Collector in terms which amount to nothing more than an application that the decision should be reconsidered on the old grounds; and like review petitions to the Board are not contemplated by the Regulation. It nowhere authorizes Collectors to review their own decisions, and no hardship can arise from Collectors refusing to review their own decisions as the Regulation provides for an appeal to the Board and reserves to Government a final power of revision. Petitions for review of officers' own orders should therefore be invariably refused.

14. Whether land or the assessment constitutes the Inam attached to the village office is a question for the decision of the Civil and not of the Revenue Courts.

15. Hereditary officers of villages may hold Government or

private appointments and perform the duties of the village office by competent deputy. When a village officer is allowed to perform his duty by deputy, the whole of the emoluments attached to the office shall be enjoyed by the latter.

16. Holders of Inam villages have no right to appoint their village officers who fall under Regulation VI of 1831.

17. The only fees leviable under the Court Fees Act (No. VII of 1870) in connection with proceedings under Regulation VI of 1831 are:—

Fee of 8 annas each on plaints or petitions for execution.

Fee of Rs. 2 each on memoranda of appeal to the Board.

Copies of judgments and decisions passed under the Regulation are exempt from Court Fees.

18. Collectors should bear in mind that it is objectionable to attempt to apply or enforce in large towns village institutions such as those here contemplated.

25th August, 1831; 23rd March, 1837; 1st August, 1839; 25th June, 1840; 26th June, 1840; 18th December, 1845; 9th July, 1849; 3rd April, 1850; 17th October, 1850; 23th August, 1851; S. U. to Government, 30th June, 1852, No. 84; 2nd August, 1852; 26th October, 1858; 11th March, 1859; 12th April, 1859; 6th June, 1859; 21st November, 1859; 5th May, 1862; 12th December, 1862; G. O. dated 9th August, 1867, No. 2,430, P. W. D.; G. O., dated 13th August, 1867, No. 1,881, R. D.; 21st June, 1869; 15th May, 1879, No. 1,287; 22nd July, 1879, No. 2,090; G. O., 8th March, 1880, Petition Dept.; 19th March 1880, No. 390; 25th March, 1880, No. 420; 25th August, 1880, No. 1,216; 7th October, 1882, No. 2,451; 24th October, 1882, No. 2,575; 15th November, 1883, No. 3,481; 8th March, 1884, No. 773; G. O., 31st March, 1884, No. 453; 17th May, 1884, No. 1,673; 17th May, 1884, No. 1,676; 14th June, 1884, No. 2,057; 8th August, 1885, No. 2,290; 9th September, 1885, No. 2,595; 5th March, 1886, No. 568; 16th March, 1886, No. 635; 2nd April, 1886, No. 822; 18th May, 1886, No. 1,120; 2nd July, 1886, No. 1,517; 5th August, 1886, No. 1,765; 11th September, 1886, No. 2,025; 11th November, 1886, No. 2,445; 14th February, 1888, No. 139; 12th October, 1888, No. 876; 31st October, 1888, No. 924; 5th August, 1889, No. 517.

179. Records in Revenue cases.—Revenue officers of Government acting judicially should record their decisions, sentences and final orders, in English or their respective vernacular languages.

2. Collectors exercising the powers vested in them by Regulations XII of 1816, IX of 1822 and VI of 1831 are acting judicially, and they and their English subordinates are bound to record their decisions, with the reasons for arriving at them, in English. The disregard of this requirement not only causes great additional inconvenience to the appellate authority, but allows of an objectionable laxity of procedure growing up, calculated to defeat the object of vesting in Collectors these judicial powers.

3. The simple form of diary appended to the late Regulation V of 1822, will answer for recording decisions under Regulations IX of 1822, and VI of 1831, in which the appeal lies to the Board, and Collectors should invariably adopt it in disposing of such cases.

19th July, 1859.

180. Process Service.—The forms of summonses to be issued by Revenue officers under Madras Act No. III. of 1869 are given in the Appendix.

2. The scale of Process Service Fees given in the Appendix should be adopted in all Revenue Courts, whether the process is to be served within or beyond the jurisdiction of the Court to which the application is made.

3. The fees levied must be paid in Court fee labels of the proper amount to be affixed to the application; such labels will be punched by the officer appointed to receive the application who will endorse a note on the process that the proper fee has been levied. When the process has to be forwarded to any Court in British India subordinate to the High Court of Madras for execution, such subordinate Court will accept the certificate endorsed on the process as sufficient proof that the proper fee for the issue thereof has been paid, and serve the process accordingly through the proper officer and return it to the Court by which such process was transmitted.

4. The salary of ameens employed in Collector's Courts should be Rs. 14 per mensem, and of ameens employed in other Revenue Courts Rs. 12. In exceptional cases batta may be allowed in addition to the fixed salary with the previous sanction of the High Court.

5. Peons employed as process servers in the Collector's Courts should be paid Rupees 7 per mensem, and those employed in other Revenue Courts Rupees 6. In exceptional cases batta may be given in addition to the fixed salary with the previous sanction of the High Court.

6. The number of process servers fixed by the Collector for his own office and the offices subordinate to him should be so fixed that the cost of the establishment may be at least covered by the amount of fees levied on the processes served and executed by them. It should be reported to the Board of Revenue and Government in the first instance for confirmation, and should be altered from time

to time as they may direct, and it should not be increased without their sanction; but the Collector has power to transfer process servers from one office to another within his jurisdiction as experience may dictate, and when convenience requires that processes issued by one officer should be served by the process servers attached to another, they may be served accordingly.

7. As a rule, no process fees should be collected from parties appearing before Tahsildars and Collectors for obtaining lands or for getting disputes connected with them settled. The processes in such cases should be served through Government peons and the village establishment; but if in any particular taluk the work is too heavy, and the employment of batta peons for processes is necessary, the Collectors may apply for the entertainment of batta peons as a special case.

8. Fees deposited in excess of requirements can be refunded to the proper parties. The refund can be made in money, the sum being debited to the Contingent Fund.

9. Tahsildars are competent to issue summonses under Act III of 1869 in darkhust cases, and process fees can be collected from the parties on whose application the summonses are issued.

7th January, 1857; 11th October, 1859; 5th October, 1860, Misc.; 16th August, 1869; 27th October, 1869, No. 7666; Government Notification, Fort Saint George Gazette, 30th June, 1874; 12th April, 1875, No. 899; G. O., 28th February, 1876, No. 292, Revenue; 17th July, 1877; 14th August, 1878, No. 2,277; G. O., 8th September, 1880, No. 1108, R. D.; 13th April, 1883, No. 1,050; 16th May 1885, No. 1445; Notification at page 624, Fort St. George Gazette, 25th September, 1885.

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CHAPTER XIII.

IRRIGATION AND OTHER PUBLIC WORKS.

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CHAPTER XIII.

IRRIGATION AND OTHER PUBLIC WORKS.

181. Relations with Public Works Department.—The Collector's procedure in reference to the Public Works Department is detailed in the Public Works Code, and Collectors should make themselves acquainted with it.

2. Collectors should be specially careful never to make representations adverse to the Public Works Department without having previously discussed the matters referred to with the local head of the department.

3. Remarks by the Revenue authorities regarding works under the supervision of taluk overseers, or applications made by them for reports or information should be addressed to the Executive Engineers and not to any subordinate.

4. The officers of the Revenue Department should render all reasonable assistance to the Public Works Department, in obtaining supplies, procuring labor, &c., and any taluk servants who directly or indirectly may throw difficulties in the way of the Public Works Department will be severely punished.

5. On requisition being made to that effect, Collectors will permit the cash chests of executive officers of the Public Works Department to be placed in the taluk treasuries. Collectors will also give such aid to the Public Works Department in regard to remitting money to subordinates as they are able to do without impairing the efficiency of their own department.

6. The forms of address between the Revenue and Public Works Departments will be found in another part of this volume.

7th May, 1857; 7th January, 1859; G. O., 26th August, 1859, No. 2,046, P. W. D.; 31st August, 1859; 20th March, 1863; 3rd August, 1864, Misc.; 24th March, 1868, No. 762, R. D.; 5th June, 1868; G. O., 11th June, 1876, No. 1,313, Revenue.

182. Powers to sanction works and repairs chargeable to Public Works grant.—During the rainy season, or in the event of a flood, the Collector or any of his subordinates may sanction an emergent work for the protection or immediate repair of Irrigation works,

roads, bridges, or river bunds, to be executed by the Revenue Department in the absence of a competent member of the Public Works Department, and without limit as to amount. It is the duty of the Executive Engineer to supply funds for any emergent work which a Revenue officer may direct to be undertaken, provided the work is one which the Public Works Department is required to maintain. It is to be noted, however, that when the services of a Public Works officer of any grade are available, Revenue officers must leave to him the execution of the works, restricting their own action to giving him all the aid in their power in procuring labour and materials; and that Revenue officers have no authority to act in such cases unless no competent member of the Public Works Department is on the spot.

2. The powers of Collectors as to sanction of ordinary repairs to Irrigation works or to Revenue buildings falling under the Public Works Budget will be found described in the Public Works Code.

28th November, 1861; 9th April, 1862; G. O., 24th January, 1863, No. 218; 3rd February, 1863; G. O., 31st October 1870, No. 1676; 7th November, 1870, No. 6,527.

183. Execution of works chargeable to Public Works Grant.

—No work of any description, for whatever purpose required, shall be put in hand nor appropriation be made except on a sanctioned estimate. The officers of the Public Works Department have been instructed on no account to pay for works, the execution of which appertains to them, should such works have been undertaken by others without their authority. The Government have announced that any violation of these orders will subject the officer concerned to a mark of their severe displeasure, and that they will hold him personally responsible for any unauthorized expenditure that may be incurred.

2. When a public work belonging to the Public Works Budget is carried out under the superintendence of a Revenue officer, the funds will be supplied by the Executive Engineer of the division to the Collector of the district.

3. Advances to a Collector to enable him to carry out public works will be made on general account and not on account of specific works.

4. Subordinate Revenue officers entrusted with the execution of works will obtain funds from the Collector.

5. Collectors and Revenue officers under them who may be entrusted with funds for the execution of public works will keep accounts and render returns in such forms and at such times as may be prescribed, and the Examiner of Public Works Accounts will, when inspecting the accounts of Range officers, take the opportunity of assisting Civil officers with his advice on any points in connection with Public Works Accounts on which they may require it.

6. Subordinate Revenue officers will be in account with the Collector of the district, and he alone will be in account with the Examiner of Public Works Accounts.

7. The Examiner of Public Works Accounts will supply all forms to be used in accounting for public works expenditure.

8. A completion certificate will be prepared by the Revenue officer on the completion of each work, and will be submitted through the Collector of the district to the Examiner of Public Works Accounts for final audit.

10th October, 1864, Misc.; 7th March, 1865, Misc.; 30th May, 1865, Misc.; 2nd November, 1867; G. O., dated 20th September, 1867, No. 2,228, R. D.; 10th January, 1868; G. O., 9th June, 1876, No. 1,050, Revenue.

184. - Control of water-supply.—The officers of the Public Works Department are to exercise complete control over the distribution of water in larger works of irrigation; but the management of the water-supply of smaller works continues under the Revenue Department.

2. Collectors are responsible that the Government water is not wasted, and where necessary they should adopt proper measures for securing a systematic economy in its use.

3. The right of Government to regulate the distribution of water from new irrigation works is liable to be seriously compromised if muchilikas are taken from landholders binding them and the Government to certain conditions in the event of an ancient or other work being constructed. Care should be taken to avoid this course. On the contrary it should be notified on occasion in the District Gazette and in the Collector's and Tahsildar's offices that the privilege of benefiting by a new work is permissive on the part of Government, and that the Government reserve to themselves the full control and disposition of the supply.

4. In seasons of short water-supply Collectors have a right to restrict the area of wet cultivation. But this right should be rarely extended in practice to *field* distribution. The Revenue officer's control should cease generally at the distribution to *villages*, the distribution to particular *fields* being left to be settled, as in all ordinary seasons it is, by the villagers themselves. All that is necessary, except in very exceptional cases, for Revenue officers to do, is to decide what *proportion of the ayacut* should be brought under cultivation and to give warning that if such proportion is exceeded, and the crops wither in consequence, remission will not be granted. It is not desirable to specify what particular area or what particular lands should be irrigated.

5. When the supply is not enough for the wet lands, Collectors should refuse water to dry lands.

23rd September, 1858; 17th February, 1872; 23rd March, 1889, No. 217.

185. Conservancy of private works of irrigation.—When a private tank is in such a condition as to give cause for apprehending damage to public property, the repairs have sometimes been executed by the Public Works Department at the request of the Collector, and in such cases it has often been found impossible to recover the cost of the repairs from the proprietor of the tank. This practice is no longer permitted without the special sanction of Government.

2. Attention is called to Act IV. of 1886 (Madras).

3. Officers of the Public Works Department are now to represent to the proper authority any liability to damage which may be incurred by works under their charge from neglect by private proprietors, with a view to the necessary legal steps being taken to force those proprietors to adopt measures for obviating the threatened damage. When a representation of this kind is made to a Collector, it will be his duty to institute such legal proceedings as the nature and circumstances of the case may require.

G. O., dated 10th April, 1867, No. 827; 10th May, 1867; G. O., dated 7th Dec., 1872, No. 2,931, Public Works Department; 16th January, 1873.

186. Conservancy of Government works of Irrigation.—The special attention of village officers should be drawn to the following rules on the subject of the protection of works of irrigation.

2. The bunds of tanks are to be carefully inspected, and holes or other trifling damages repaired according to established custom (see para 17).

3. When heavy rain falls, the taliaries must be sent to watch the bunds and must immediately report any appearance of danger.

4. The munsiffs or other village officers must inspect the tanks as often as possible.

5. When a breach appears likely to happen, the village coolies must be summoned and employed in adopting the usual means of preventing it.

6. In the case of tanks in charge of officers of the Public Works Department notice of danger must be sent in good time to the nearest officer or subordinate of that Department.

7. When a breach has taken place, the village coolies should be at once employed in forming a ring bund to save the cultivation.

8. In the case of tanks in charge of the Public Works Department the Executive Engineer will see that all work is duly and fairly paid for, except those repairs which the people are bound to perform, and which the Revenue officers are empowered and required to enforce.

9. When earth is taken for the repair of breaches in river and channel embankments from valuable land, compensation is to be given, the amount being decided by the Revenue authorities. It should be considered as coming under the head of 'materials' in Section 5, of Act I. of 1858.

10. The Tahsildars will without fail report to the Collector cases of neglect of ordinary measures for the safety of tanks, and will warn the people that no claims of remission of revenue will under such circumstances meet with attention.

11. Tahsildars and their subordinates will visit as many tanks as possible before and during the monsoon, to see that these orders are carried into effect.

12. Ryots may raise temporary dams on the calingulahs of Government tanks when the crest of the calingulahs is below full tank level on the following conditions:—(1) The materials used for stuffing the spaces between the dam stones of calingulahs must be such as may be readily removed or washed away by the rush of

water in case of danger to the tank and must not be higher than 6 inches above full tank level. (2) The tanks must be carefully watched by the nirganties and others day and night during the setting of the periodical rains as also in rainy or stormy weather. (3) The temporary dam must be wholly or partially removed as circumstances require when the water rises to such a level as to indicate danger to the tank. (4) All calingulahs must be cleared at least once a year to prevent the stuffing between the dam stones becoming hardened to such an extent as not to admit of being readily removed or washed away by a rush of water. (5) The village officers and the nirganties are held responsible that all necessary precautions are taken to ensure the safety of the tank.

13. In the case of works such as chains of tanks, and tanks adjoining public roads, and lines of railway, the clearance of the calingulahs at least a fortnight before the usual date of the setting in of the periodical rains must be insisted on, unless close watching can be ensured. Collectors must decide, in communication with the District Engineer, with reference to the circumstances of each tank of this class, whether the bunding of the calingulahs may be permitted, and may impose such restrictions as they think proper.

14. The placing of bunds on, or in front of, surplus weirs, the crests of which are at full tank level, is distinctly prohibited.

15. Collectors should be careful not to permit any encroachments on tank bunds by the holders of lands lying under them. Where such cultivation has been carried on for a series of years, and where the safety of an important irrigation work is at stake, it will be advisable to purchase the land rather than run the risk of having the tank injured.

16. The orders given above apply to river channels, anicuts, sluices, &c., as far as circumstances allow. They are not necessarily applicable to works under the direct supervision of the Public Works Department.

17. It is the duty of Collectors to see that the customary labor on irrigation works is performed in each village of their districts as authorized by Section 6 of Act I. of 1858. This customary labor is invariably to be performed by the ryots themselves, or at their expense, except in cases where the villagers have agreed to the payment of a cess in lieu of it. Only such labor as is customary can be exacted, and no precise money limit

can be laid down. In most districts it will include the following:—(1) To fill up gullies or other inequalities caused by rain, the treading of cattle, &c., upon the bunds of tanks and channels. (2) To check the growth on bunds of prickly-pear and any similar rank and pernicious weed. (3) To clear away such underwood from the bunds of tanks as may be considered by the Executive Engineer to be injurious. (4) To clear out the deposits from tank sluices, and from river and spring channels to such an extent as will afford a sufficient opening for the supply of water to flow to the fields. (5) To clear and repair the earthwork of petty and branch channels, and clear away the accumulations in all channels issuing from tanks which obstruct the flow of water to the fields. (6) To keep in order the supplying channels of tanks to such extent as is sanctioned by local custom. (7) To watch the bunds of all tanks, during rainy weather; to turf the parts acted on by the waves which appear leaky; to open and close the calingulahs; and generally to perform minor duties of this nature to prevent breaches and other accidents. (8) To construct ring dams at breaches, and where requisite to temporarily strengthen the bunds of tanks during the season of cultivation. And, in general, by that constant care and attention which residents on the spot can alone exercise, to preserve the works of irrigation, in which they and the Government have a common interest, from those small injuries which, if unchecked, will lead to serious loss and expense. (9) To uncover the sluices in tank bunds, so as to enable the officers of the Department of Public Works, to inspect them in case they should require repair.

18. When prickly-pear has accumulated to a great extent on tank or channel bunds, the cost of removing it should not be charged to the villagers. When, however, clearance is once effected, the villagers should be required to keep down the growth as customary labour. Cases will be brought to notice of Collectors, if necessary, by the Public Works Department. All clearances or re-clearances will be carried out by the Revenue Department.

19. Trees such as the *Acacia Arabica*, and grasses used for thatching, as well as the grass used as food for buffaloes and milch cows and known by the native name of "Tandan kuttay," may be planted along the outer edge of the water-spreads of tanks either by the inhabitants of the village on permission previously obtained,

or by the Forest Department. No puttahs should in this case be issued for the land, and no revenue should be derived from it or from the trees, except in the case of trees which have been planted by Government.

20. It is of much importance that the communal rights of the villagers in all grazing ground, including, of course, the beds of tanks when dry, should be carefully maintained, and any step calculated to lead to a supposition that individual rights can be created in the land forming the water-spread of a tank should be carefully avoided.

18th November, 1858; 13th July, 1859; 25th July, 1859; 21st September, 1859; 23rd December, 1859; 25th April, 1860; 6th April, 1861; 2nd August, 1862; 27th October, 1862; 18th January, 1864; 28th March, 1868; 17th August, 1869; G. O., 5th July 1875, No. 1,896, P. W. D.; 9th July, 1877, No. 3,182.

187. Maintenance of Minor Irrigation Works.—Collectors are in charge of the maintenance of all works irrigating less than 200 acres excepting such of them as have been for special reasons classed as Imperial by the Public Works Department. The following rules should be observed in obtaining and accounting for funds for the upkeep of such works.

Rules regarding the procedure to be observed by Revenue Officers in obtaining and accounting for funds for the upkeep of Minor Irrigation Works.

I.—ESTIMATES AND ALLOTMENTS.

The maintenance of minor irrigation works by the Revenue Department is, as a rule, to be limited to the repair of masonry and earthwork, and to the re-construction of injured works. No other work should be undertaken, except in consultation with the Executive Engineers, who will be required to assist the Revenue officers in such matters with their professional advice, and by the preparation of the necessary plans and specifications, should the work proposed be approved.

2. No new works should ordinarily be executed from the maintenance grant, but in cases where it is found to be useless to carry out repairs without providing new sluices, it is competent to the Revenue Department to construct such sluices in accordance with the standard plans furnished by the Public Works Department. In all such instances, however, full explanation should be

given in the lists forwarded to the Chief Engineer of the necessity for the new works. Revenue officers may also carry out the restoration of works which have deteriorated by continued neglect, provided the cost is less than one-fifth of the aggregate revenue during the preceding five years. When the cost exceeds this limit, the work will be classed as an original work.

3. Applications for allotments on account of the whole of the works proposed for execution in the ensuing official year, with a rough estimate of the cost, should be submitted (in Form No. 1 appended) to the Board of Revenue, through the Chief Engineer for Irrigation, before the end of December in each year.

4. For repairs of monsoon damages, Collectors should send in supplemental lists not later than the 15th December of the official year in which the proposed expenditure is to be incurred. The statements will be in the same form as above prescribed for ordinary allotments.

5. Estimates and plans, where necessary, should be prepared between January and March for all works entered in the list approved by the Chief Engineer and the Board, so that they may be put in hand as soon after the beginning of the official year as possible on receipt of Government sanction to the budget. The estimates will be prepared in duplicate.

6. Estimates, when sanctioned, will be returned to the *taifasildar*, the duplicate copy being retained for use in the Collector's office.

7. Collectors will assign funds for works in the sanctioned lists. They may transfer any grant sanctioned by them from any work included in a sanctioned list to any other such work; and in case of emergency, they may appropriate or transfer funds to any work not so included, provided that immediate report in the matter is made to the Board, through the Chief Engineer, giving information regarding the acreage and assessment of the work. The intention is to leave the detailed appropriation of funds to Collectors, subject only to the condition that the proposed expenditure has been included in a sanctioned list of works.

8. Collectors should carefully scrutinize the progress reports submitted to them, and take such measures as may be necessary to secure that the full amount of the allotment may be utilized before the close of the year.

9. Where, from any cause, a portion of the sanctioned allotment cannot be utilized, the Collectors concerned should give early intimation of the fact, so that the amount may be made available for expenditure in other districts. Such intimation should in any case reach the Board's Office before the 1st January.

10. For the record of sanctioned estimates and allotments, a register in the form attached (No. 2) should be maintained by each tahsildar. Column 8 of this register will show the amounts originally and subsequently allotted for each work. In the maintenance of this register, the instructions entered at the foot of the form should be carefully attended to.

11. A similar register should also be maintained by each Collector, who should furnish each Divisional officer with an extract relating to his division.

II.—EXECUTION OF WORKS.

12. Works may be executed either by contract or by departmental agency.

13. *Contract.*—In the case of works proposed to be given out on contract, tahsildars should adopt the necessary measures to guard against any loss. Written agreements and securities, if need be, should be taken from contractors. Forms of deeds, can be obtained by Collectors from the offices of the Executive Engineers in their districts. As far as possible, persons should be selected as contractors who hold lands irrigated by the works, and who are therefore personally interested in their maintenance in a state of efficiency.

14. Payments for work done should be made, as a rule, monthly on a certificate (Form No. 3) showing the quantities and value of the work executed, the quantities being duly attested by the subordinate in charge. The certificate should be filled up strictly in accordance with the instructions given on the form itself.

15. Every payment to a contractor should be on account of some particular work. The practice of making payments on general account to a contractor is forbidden.

16. Pending check measurement by tahsildars or other superior officers, a deduction of not less than 10 per cent. should be made from all claims. Payment for unmeasured work is prohibited.

17. In the case of small works, the execution of which runs over only a few weeks, it will be more convenient to measure up and pay for the work on its completion.

18. When payment is made to a contractor, the whole quantity executed up to date of the work on account of which the payment is made should always be recorded in the contract certificate, as required by the instructions on the form.

19. The certificate should be prepared in duplicate, and should be supported by detailed measurement lists. The original should be given to the contractor to be presented to the tahsildar for payment, and the duplicate forwarded by the executive subordinate direct to the tahsildar for record as an advice of work done up to date.

20. The subordinate's sole record of work done will thus be his measurement book (which should be in Form 4 appended). It will be the duty of the tahsildar to see that this record is complete.

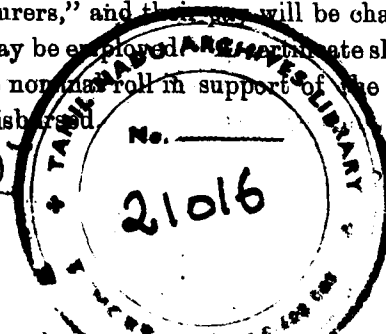
21. The above rules must not be understood to prevent the frequent measuring up of work and corresponding payments for labour. On the contrary, every effort should be made by prompt settlement with contractors to obviate the necessity for making advances beyond the value of work done.

22. *Daily Labour.*—When work is done by daily labour, the basis of the account will be the Nominal Muster Roll (Form No. 5, appended). The period for which each of these rolls should be maintained will vary according to local custom, &c. They will be prepared in duplicate, one copy to be retained by the tahsildar for office record and the other to be forwarded to the Collector with his accounts.

23. Nominal Rolls should be prepared in accordance with the instructions given on the reverse of the form. The amount due to the labourer, as well as that actually disbursed, should be shown. All persons, except those regularly-sanctioned employes whose salaries are chargeable to the head "Establishments," will be considered to be "Daily labourers," and they will be charged to the works on which they may be employed. A certificate should be furnished at the foot of the nominal roll in support of the total amount shown to have been disbursed.

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24. Tahsildars and other superior officers inspecting works which are being carried out by daily labour should always muster the work-people, to see that all who are entered in the Muster Roll are actually present; and, in order to prevent subsequent fraudulent additions, should enter in ink under their initials the totals of all the "Days" column up to the dates of their visits, inclusive.

25. All measurements of work done by means of daily labour should, as in the case of work executed by contract, be recorded in the measurement book, which is the basis of all accounts of quantities. From the measurement book, all quantities should be clearly traceable into the accounts. All pencil entries in measurement books should be inked in with as little delay as possible and no erasures should be made. Alterations should be made by scoring out the erroneous entry and substituting the correct one in red ink, under the initials of the officer concerned.

III.—CASH AND STORES.

26. *Cash.*—With a view to avoid large sums being unnecessarily withdrawn from the treasury, as well as to ensure the more prompt submission of detailed bills for expenditure actually incurred, the system of allowing special advances to meet expenditure should be introduced.

27. Under this system, a tahsildar will be allowed an advance of such amount only as may be necessary for the actual requirements of his taluk, but not in excess of Rs. 500 in any case. The Collector, in sanctioning works for execution at the commencement of the year, will fix the amount of special advance to be allowed in each case, and communicate the fact to the Treasury officer.

28. It must be clearly understood, however, that the full amount of the special advance thus allowed is not necessarily to be drawn from the Treasury at once, but only by instalments as required. And further, when, for any reason, the special advance in hand is not needed (as, for instance, when work ceases at the commencement of the rainy season), it must at once be refunded into the Treasury. Whenever a change of officers takes place, a receipt for the special advance outstanding must be obtained from the relieving officer.

29. These advances should be debited in the treasury accounts to "Advances repayable—Special advances," while the further payments made upon countersigned bills (paragraph 36) will be debited to the "Public Works Department."

30. The holders of these special advances will, as a rule, be tahsildars and not officers of lower rank; and they will be responsible for distributing the advances allowed them as may seem necessary among the several overseers or maistries in charge of separate works within their taluks.

31. A simple memorandum will be maintained by the tahsildar for all transactions connected with his special advance.

IV.—ACCOUNTS.

32. The accounts of minor irrigation works will be of two kinds, viz., those required to be maintained and rendered—

(1) By Tahsildars.

(2) By Collectors.

33. *Accounts to be maintained by Tahsildars.*—The registers and accounts to be maintained by tahsildars will be the following:—

(a) Register of sanctioned estimates and allotments (Form No. 2).

(b) Measurement books (Form No. 4).

(c) Register of works (Form No. 7).

34. As regards the register of sanctioned estimates and allotments, see paragraph 10 above. Measurement books have been dealt with in paragraphs 20 and 25.

35. When funds are required by the tahsildar in payment for work, he will prepare a detailed bill, duly dated and numbered, and send it together with the vouchers (nominal rolls, contract certificates, establishment bills and other vouchers which support the expenditure) to the Divisional officer.

36. The Divisional officer after scrutinizing the bill will countersign and forward it, together with the vouchers relating thereto, to the Treasury officer, issuing at the same time a payment order to the tahsildar concerned, who will on authority of that order draw the amount from his treasury and pay the bill, debiting the amount in his account directly to the Public Works Department. The payment order of the Divisional officer should invariably refer to the number

and date of the bill in payment of which it is issued, and the fact of the issue of the payment order should be entered at the foot of the detailed bill, before it is passed on to the Treasury officer.

37. As soon as possible after the completion of a sanctioned work, a completion report (in Form No. 6) will be drawn up by the tahsildar, or where it may be impossible for him to inspect the work in person by the Deputy Tahsildar, and sent to the Collector through the Divisional officer. In the case of works each costing less than Rs. 500, a consolidated report (in Form 6-A) may be submitted for all the works concerned.

38. It will be necessary for the tahsildar also to maintain a register of works (in Form No. 7) for showing the progress of expenditure from month to month on each particular work. It is not necessary that expenditure under sub-heads should be shown in this register, but simply the total expenditure on each work for the month, distributed according to the two classes of charge, viz., (1) work done by contract and (2) work done by daily labour.

39. From the above register, the prescribed progress report (in Form No. 8) will be prepared by the tahsildar at the end of every month, showing the total expenditure up to and in the month on each work, and forwarded to the Collector, a copy being sent at the same time to the Divisional officer. The total cost of sanctioned establishments employed during the month will be entered in a lump sum at the foot of the progress report.

40. *Accounts to be maintained by Collectors.*—The registers and accounts to be maintained by Collectors will be—

(1) Register of sanctioned estimates and allotments (Form No. 2).

(2) Do. of works (Form No. 7).

Of these, the first has already been referred to (paragraph 11).

41. The register of works will be written up monthly on receipt of the progress reports to be rendered by tahsildars (paragraph 39 above). The latter should first be checked by comparison with the detailed bills paid during the month (paragraph 36).

42. From the register of works a consolidated bill (in Form No. 9) for the whole of the works of each district will be prepared every month and sent to the Accountant-General in support of the

debits in the treasury account. The bill will show separately, as provided in the form, the expenditure incurred on daily labour and on contract, and at foot the total cost of sanctioned establishments.

43. Expenditure under the head "Contract" will be vouched for by contract certificates, and expenditure under Establishment by the establishment pay bills. No vouchers are required to be submitted to the Accountant-General for expenditure on daily labour; it will be sufficient if in this case the certificate at the foot of the consolidated bill be signed by the Collector to the effect that vouchers for the amount specified have been duly received and filed in his office.

44. Besides contract certificates and establishment bills, completion reports should also be sent to the Accountant-General when received from tahsildars (paragraph 37).

45. The detailed bills of the tahsildars will be filed in the Collector's office separately, taluk by taluk, for facility of reference. The nominal rolls received in support of expenditure on daily labour (which, as already stated, need not be sent to the Accountant-General) should be filed with the detailed bills.

46. A progress report (in Form No. 10) will also be submitted monthly by Collectors to the Board of Revenue. This form is similar to that prescribed for tahsildars (paragraph 39), but omits details in the column for expenditure of the current month. The report need not be prepared in detail for each work in progress, but should show lump sums only.

47. The annual cost of supervision and check should not exceed 15 per cent. of the annual grant.

G. O., 23rd July, 1883, No. 900, Revenue; 6th August, 1883, No. 2,255; 12th October, 1883, No. 3,062; 1st November, 1883, No. 3,267; 15th December, 1883, No. 3,793; 12th February, 1884, No. 483; 30th June, 1884, No. 2,236; 6th August, 1884, No. 2,702; G. O., 7th October, 1884, No. 1,105, Revenue; 23rd October, 1884, No. 3,653; 1st February, 1886, No. 263; 6th November, 1886, No. 965, Revenue; 28th January, 1887, No. 145; 3rd September, 1887, No. 818, (Settlement); 2nd May, 1888, No. 402; 19th May, 1888, No. 453; 3rd July, 1888, No. 591; 4th December, 1888, No. 994; 20th December, 1888, No. 1,040; 21st October, 1889, No. 738.

NOTE.—For Forms under this Standing Order, see Appendix.

188. Charge of buildings.—When the Revenue Department vacates or relinquishes the use of a public building, the Collector must make over the building formally to the custody of the Public Works Department. That department will take the orders of Government as to the future disposal of the building.

2. Old fort walls or other old buildings should not be offered for sale to private parties until a reference has been made to the officers of the Public Works Department as to whether the materials are likely to be wanted for public buildings or for municipal improvements.

G. O., 19th July, 1861; 26th July, 1861, No. 1,842; G. O., dated 27th February, 1874, No. 271; 20th April, 1874; G. O., 29th May, 1877, No. 167, Public Works; G. O., 9th June, 1877; G. O., 26th September, 1877.

189. Petty Construction and Repairs of Buildings.—The Government of India have defined Petty Construction and Repairs of Buildings under the Civil Budget in the following terms:—"The following classes of works shall not be considered as Public Works in the sense of requiring to be provided for in the Public Works Budget Estimate, and disbursed under the Public Works Department rules, unless they are to be executed by the agency of the Public Works officers, but their construction or repair may be provided in the Civil Estimates under each department, as petty construction and repair. (a) Duly authorized shelter for establishments, whether bungalows of a temporary character or huts. (b) Police lines and buildings, except large police stations. (c) Educational buildings, with the exception of large permanent structures. (d) Any buildings, permanent or temporary, of which the cost is under Rupees 1,000 each; but alterations, additions, or repairs to buildings in charge of the Public Works Department, and borne on the returns of that department, as recognized State buildings, will not come under this class of works. Grants-in-aid to such works as though constructed by private agency, would, if carried out at the expense of the State, be Public Works, will be Public Works charges; and grants-in-aid made to Special Funds, with the object of assisting in such constructions, will fall into the Public Works Estimates.

2. Previous to the submission of his budget, the Collector should, in consultation with the District Engineer, decide what works under the head of Petty Construction and Repair should find place in it for the ensuing year. In selecting these works, preference should be given to those which are considered emergent, and the completion of which within the next official year is absolutely necessary, and next to such as have been already commenced and remain unfinished. The several works should be distinguished in the budget under the two distinct heads of Original Works and

Repairs, arranged under the several major heads of Land Revenue, Customs and XLV, Miscellaneous. All the works entered in the budget should be such as can be executed by the Revenue Department with the unskilled labour available on the spot. The list of works should invariably accompany the Revenue budget.

3. Large works, the cost of which may exceed 1,000 rupees and which cannot be executed without the agency of the professional department, the District Engineer should be requested to embody in the budget submitted by him to Government, in the Public Works Department. Collectors should take care that this requisition is made in time to the District Engineer.

4. Petty repairs to office-buildings of Collectors, and their subordinates, Taluk cutcherries, Sub-Magistrates' offices, &c., should be entered under the head of Land Revenue. Charges for erecting pandals should be provided for under Petty Construction and Repairs. The construction and repair of Sea Custom buildings and Sayer or Land Custom chowkies should find place under the head of Customs.

5. No new works entered in the list of Petty Construction and Repairs, likely to cost more than Rs. 5,000, can be commenced until Government have sanctioned the plans and estimates. Collectors may sanction new works entered in the sanctioned list up to Rs. 1,000, and repairs similarly entered up to Rs. 2,000; all estimates for new works costing more than Rs. 1,000, but not exceeding Rs. 5,000, and all repairs costing more than Rs. 2,000, will be sanctioned by the Board. When applications for new buildings or additions to buildings are made, some statement of the reasons should be supplied to take the place of the report which is required by the Public Works Code.

6. After the necessary sanction is obtained for estimates, the execution of the works may be proceeded with; but in no case may the allotment in the budget for the year be exceeded. If in the course of the year the allotment assigned for a particular work is found insufficient, and its completion within the year is indispensable, the Collector should apply for the sanction of the Board to transfer the allotment of some other work of less importance, the execution of which can be deferred till another year without inconvenience.

7. The execution of works under Petty Construction and Repairs, will be carried on and payments made, as far as possible under the rules contained in S. O. 187. Money can be drawn within the Budget provision, under the authority of the Collector, either from the Huzur or Taluk Treasury.

8. All actual charges paid from a Treasury on account of such works should at once be entered under and debited to the head "Petty Construction and Repairs" as it is not intended that the system, under which "special advances" to meet expenditure on account of Minor Irrigation Works are allowed, should be adopted in connection with Petty Construction and Repairs.

9. Care should be taken not to include in contingent bills items of charges which are properly debitable to Petty Construction and Repairs.

10. If, in the course of the year, any work not entered in the budget is found to be absolutely required, Collectors should represent the matter to the Board, and obtain their sanction for incurring the charge, in which case but not otherwise the charge will be admitted.

11. The utilisation of the full amount of the provision under Petty Construction and Repairs within the official year is a matter of importance, as unexpended balances lapse. Whenever it becomes certain that any portion of an allotment will not be spent within the year, the Collector of the district should immediately advise the Board of the fact.

12. Collectors should furnish the progress report of "Petty Construction and Repair" works under execution in the prescribed form to the Accountant-General at the same time as they send in the statement of expenditure.

G. O., 14th March, 1867, No. 623; 11th May, 1867; 8th October, 1867; G. O., 26th September, 1867, No. 2,263, R. D.; 12th March, 1868, No. 1,805; G. O., dated 26th May, 1868, No. 1,460; G. O., dated 26th June, 1868, R. D., No. 1,794; 29th September, 1868; 21st May, 1869; 8th June, 1869; 15th April, 1874; G. O., dated 26th August, 1875, No. 1,228; 23rd September, 1875; 14th February 1881, No. 263; 25th March, 1881, No. 494; 12th August 1881, No. 1,689; 27th February, 1883, Nos. 554 and 555.

190. Report on Irrigation Projects.—When Collectors have to report on Irrigation Projects, they are required to pay special attention to the following points:—

1st. Whether the extent of land intended to be irrigated is available and suitable for irrigation;

2nd. Whether the introduction of irrigation in unirrigated tracts, or the extension of irrigation in partially irrigated tracts, is desired by the people generally;

3rd. Whether the population of the tract to be irrigated is sufficient to allow of a reasonably rapid spread of irrigated cultivation;

4th. What are the respective extents, within the limits of the intended field of irrigation, of—

- (1) Occupied land held direct from Government;
- (2) Government waste;
- (3) Zemindari land;
- (4) Inam land;

5th. What extent (if any) of land, included in the area to be irrigated, will be entitled to water without payment of water-rate;

6th. What water-rates are intended, or recommended, to be levied. When the tract is already partially irrigated, the actual water-rates obtained from such irrigation should be stated or deduced from the consolidated assessment, if the latter prevails. Otherwise the proposals should be compared with the irrigation revenue derived from some neighbouring and similarly circumstanced tract of country;

7th. Whether irrigation is likely to spread concurrently with the progress of the works, i.e., whether it is probable that the water will be taken as it becomes available, and what will be the probable rate of growth until the full or ultimate area provided for is attained.

There is a special form for exhibiting the estimated growth of area and revenue with the consequent financial results, and this will have, in the case of all projects requiring the sanction of the Government of India, to be prepared and signed by the Collector as well as by the Public Works officers;

8th. Whether the land compensation provision is adequate, with reference to the selling price of land as shown by the registration returns.

Government of India
Circular XVII of
1880, Form 3, (G.O.,
No. 314 I, 17th
May 1880).

2. In the case of large projects, the estimated area of irrigation is usually a certain proportion of the area commanded by each canal, or in each section of the tract of country to be dealt with. What the proportion is in each case has to be stated in the report, and it will be for the Collector to express an opinion as to whether, having regard to the population, their habits and circumstances, the proportion adopted is reasonable. It is not necessary that the Collector should be informed, or that he should attempt to ascertain exactly what lands in individual villages will, or may be, irrigated. For every canal there will be a water distribution statement, showing not only the area intended to be irrigated thereby, but giving the names of all the primary distribution channels, and the area to be supplied by each. The Collector has then to satisfy himself that approximately and generally there are these areas of suitable land available and that the people are willing to irrigate.

3. The areas commanded will be shewn on the surveys, and their general correctness may be accepted on the responsibility of the Public Works officers. The names of the villages and their boundaries will also be indicated. Then from the area commanded in each village the Revenue officer will be able to deduct the portions unsuitable for irrigation or entitled to free irrigation, showing both the area of the latter and the grounds of its exemption. When, as in the case of the Godavari and Kistna Deltas, a large part of the assumed proportion of area commanded is already irrigated, it will be comparatively easy to decide whether the rest, intended to be provided for, is likely to be irrigated, or whether any reduction of the total would be desirable.

4. It is of course open to the Collector to express an opinion that it would be desirable to provide for the irrigation of a larger area than may have been contemplated in the project arrangements, though generally the latter are based upon the available water-supply. Otherwise it is immaterial if the area available for irrigation be found to be greater than that which the Public Works officers have proposed to irrigate.

26th September, 1881, No. 2003.

191. Quarrying by the Public Works Department.—The following are the rules prescribed by Government regarding the use of waste and by officers of the Public Works Department, for the purpose

of quarrying materials, such as earth, stone, and gravel, for the construction of Government works:—(1) As a general rule, Government waste lands other than lands treated as “Reserved lands” under the rules framed under section 26 of the Forest Act will be available for the excavation of materials for making, and repairing roads, embankments, tank bunds, and similar works the property of Government, without reference to the Revenue authorities. (2) When the material required is excavated and removed departmentally, that is to say, under the direct supervision of the Public Works Department, the Range officer or Divisional overseer will satisfy himself by communication with the villagers or otherwise that the land to be operated on is really and *bonâ fide* unclaimed Government waste, not reserved under the rules above referred to and will take measures to mark out the limits within which quarrying or digging is to take place, taking especial care that existing roads are not injured, and that all pits are sunk at a reasonable distance from the roadside. (3) In cases where a large quantity of material exists, which is likely to be required as a permanent source of supply, the Tahsildar should be asked to hand over the land to the department as a Government quarry. (4) In all cases, other than those where the occupation is of a strictly temporary nature, intimation will be sent to the Tahsildar, in order that darkhasts may not be accepted for the land without previous communication with the Department of Public Works. (5) Where contractors are employed to quarry in Government land, the Range officer is to issue a certificate to the contractor, stating that he is authorized to quarry a certain quantity of material in certain waste lands. The Public Works officers are to be responsible that encroachments on roads are not made by contractors in the same way as if the operations were conducted departmentally. (6) Karnams and Monigars will give Public Works Department officers all the information they may require as to the position of waste lands in their respective villages, and report to the Tahsildar whenever a quarry or excavation is opened. (7) When new lines of road or embankments are laid out, through Government waste land, a margin is to be marked out at a maximum distance of 22 yards from the centre line of the road on each side.

2. The following are the similar rules relating to private lands:—(1) Any one encroaching on private lands for materials,

without the consent of the owner, whether he be a contractor or Government servant, will be held personally responsible for his acts, if sued in the Courts, except in cases of proved emergency. (2) Officers of the Public Works Department and their contractors are forbidden to enter on private land without permission from the owner. When they are unable to come to terms, Revenue officers will aid them. When necessary, land must be taken up under the Land Acquisition Act. (3) When excavations are made in private land, officers of the Department of Public Works are to make a point of measuring up the work with the least possible delay. (4) Tahsildars will aid in every way in making amicable arrangements for permission to dig, and every opportunity should be taken to secure a space of ground adjoining tank bunds and other embankments from whence materials can be dug when required for repairs.

3. Whenever practicable, excavations for repairs of tanks should be made in the tank bed.

G. O., 10th June, 1872, No. 1,433; 15th August, 1872; Board's Proceedings, 25th February, 1881, No. 330.

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CHAPTER XIV.

SANITARY AND MEDICAL.

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CHAPTER XIV.

SANITARY AND MEDICAL.

192. New Towns.—The following remarks of Government regarding the regulation of sites for towns likely to be erected in the vicinity of railway stations, refer also to other cases where new towns are formed:—"It seems to Government that too much should not be attempted, and that the regulations laid down should be confined to such as may be necessary to ensure width and straightness to the streets, and to guard against overcrowding, with a small provision for drainage. Where there may be waste land, the property of Government, conveniently situated for the purpose, streets and house-grounds may be marked out; and sites may be given to applicants on certain terms, such as building within six months or other fixed time, a payment of a small sum for a stone or masonry side drain in front of the house, and an annual payment for the ground. Some conditions of this kind are necessary, otherwise people are prone to get grounds, and then neglect for years to occupy them. There should be no stipulations as to the style of building; except some very general ones (as for example that the house should be either tiled or terraced, not thatched) in parts reserved for the better classes, where also the ground should be larger. The grounds in those parts designed for the poorer classes should be smaller; and the occupants should be prohibited from sub-dividing them. Subject to those or other similar conditions, the land should be made over in full proprietary right, with a permanent puttah* specifying the conditions, to constitute a title-deed. At stations where there might be no unoccupied Government land at hand, the new population would necessarily settle on private land. But in this case also much might be done by the influence of the Collector and of the railway authorities combined, to ensure attention to the points above indicated. In particular, all land, except Inam and Zemindary, would be of course liable to the taram assessment; Government would be prepared to relinquish

* Special title deeds are now provided in lieu of these permanent puttahs.

this payment on land *bonâ fide* occupied with buildings, streets, &c., in these situations; and this concession would go far to make the pattahdar willing to conform to such rules as those above suggested. He would of course be at liberty to levy a rent on his land thus occupied; and the municipal fee or tax for draining, &c., would be levied. Whether there might be a town site laid out on Government land or not, no restriction should be laid on the building of houses on any private ground where it might suit individual convenience to settle, except such as relate to the particulars above specified. Under such a system as that above set forth, little would be gained at first except scope for future improvement. There would be width and straightness of streets, and each house-ground would be of sufficient size. But these would be no inconsiderable advantages, and others might be expected progressively to develop themselves. Various inducements would be in operation to promote improvement. The sight of the neat and substantial railway buildings; intercourse with the railway officials of various grades; occasional visits to Madras and other places; the cheapness of some materials by reason of the railway; increasing wealth on the part of some at least, it is to be hoped; the emulation arising when once a beginning should have been made; all these would operate to produce the effect sought, more surely than the direct interference of Government. Certainly, the improvement thus effected would be more likely to spread; in the other case, all would be looked on as a Government work, and there would be no thought of attempting to imitate it. The Board of Revenue will communicate these observations to the Collectors of those districts, which will be traversed by the railway for their information and guidance. Where Government waste land may be available in the vicinity of the railway stations, Collectors will take up a moderate extent on each side of the line, and mark it out in streets and house sites, to be given for occupation to intending settlers."

2. The main points to be kept in view in these cases are ample roadway, good ventilation, facilities for drainage, and conservancy of the water-supply so as to keep the source pure and to turn it to the utmost advantage.

3. Tahsildars should be held responsible for preventing unauthorized and disorderly squatting.

Ext. Min. Con., 28th September, 1855, No. 1,094 R. D.; 12th November, 1855.

193. Cattle Disease.—In order to advise district officers and ryots as to the sanitary measures which should be taken to prevent outbreaks of diseases among cattle and their consequent mortality, Government have provided a Local Cattle Disease Inspector for nearly every district in the Presidency. Copies of a book containing plain hints on cattle diseases have been distributed to all divisional and taluk officers and Tamil and Telugu translations of the book have been published in the district Gazettes. Ryots should be encouraged to follow the directions which are contained in that book and those which will be given by the local inspectors when cattle diseases break out. Village officers should report any outbreak at once to the local inspector who will, if necessary, visit the affected villages and advise as to the treatment to be adopted and the measures to be taken to prevent the spreading of the diseases. Local inspectors have always a supply of cattle-medicines. Ryots should be induced by all legitimate means to resort to the inspectors for advice and treatment and to carry out their instructions. Taluk and village officers should be directed to pay particular attention to the suggestions of the local inspectors and to carry them out as far as possible. Cattle-owners should be warned to separate animals suffering from contagious or infectious diseases from the rest of their stock and to scrape and whitewash the walls of buildings used by diseased animals before they are used by the healthy ones. All woodwork should be carefully scoured with hot water mixed with some disinfectant such as carbolic acid or phenyl. The skins of animals which have died of diseases should be invariably destroyed by burning them.

2. Taluk officers should be instructed to see that village officers submit correct statistics of cattle and cattle diseases.

3. Collectors will apply for sanction to introduce Act II. of 1866 wherever they consider such a course desirable.

9th June, 1867, No. 3,466; 27th April, 1876; G. O., 18th July, 1876; 28th July, 1876, No. 1,010, R. D.; 9th October, 1876.

194. Birth and Death Registration.—The system of registering vital statistics inaugurated in 1865 has been now so long in force that village officials have no excuse for sending in incomplete or inaccurate returns. Collectors and Divisional officers should take advantage of the annual *jamabandi* to inspect the mortuary registers

and to check their accuracy by questioning the ryots who attend for the distribution of puttahs. By thus giving personal attention to the matter, in communication with the villagers and the village officials they should be able to secure a constant improvement in the returns. The danger of inducing falsification of returns by injudiciously strict pressure must on the other hand not be overlooked. Real improvement will necessarily be gradual.

2. Collectors should impress on Zemindars the importance of furnishing through their Karnams correct and punctual information on vital statistics.

3. In cases of daily reports of cholera deaths, advantage can often be taken of the assistance of the Police, whose information will serve as a check on the village returns of mortality.

4th March, 1868; 30th January, 1872, No. 206; 30th January, 1872, No. 211; G. O., 21st July, 1873, No. 762, Revenue; 5th February, 1874, No. 221; 7th June, 1883, No. 1,640; 24th April, 1884, No. 1,390.

195. Outbreak of Epidemic Diseases.—Whenever a Tahsildar or Deputy Tahsildar receives information of an outbreak of cholera or other epidemic disease in his taluk or division, he must communicate the fact at once simultaneously to the Collector of the District, to the District Medical Officer and to the Medical Subordinate in charge of the dispensary, if there is one, in the taluk or division. If there are two or more dispensaries, the information should be communicated to the Medical Officer nearest the locality of the outbreak.

23rd September 1889, No. 664; G. O., 22nd October 1889, No. 6,801, Revenue.

196. Persons apparently drowned.—Collectors should make known in their districts the substance of the "Instructions for the treatment of persons apparently drowned," copies of which pamphlet have been distributed to the districts in several languages and which should occasionally be republished in the Vernacular in the Village Sheet of the District Gazette.

7th July, 1874, No. 1,711.

197. Occurrence of Floods to be telegraphed.—Damage, which might be prevented by timely notice being given, is often occasioned by unusual floods in large rivers. Collectors will understand that, whenever such floods occur in their districts, they should forthwith telegraph the fact to the Collectors of any districts lower down the streams which are likely to be affected by the floods.

20th January, 1888, No. 164.

198. European Christian Burial-grounds.—European Christian burial-grounds are under the charge of the Resident Chaplain of the station, or, where there is no Resident Chaplain, of the chief Magistrate on the spot, or of the Senior Military officer, if they are attached to a Military cantonment. At out-stations where there is a Church Committee, the charge of the general cemetery will belong to the senior member of the Committee, and where there is no such Committee, to a subordinate officer nominated by the Magistrate of the district. These burial-grounds should be inspected yearly by the Collectors or their Covenanted Assistants, and a brief report, in the form given in the Appendix, should be submitted to Government through the Venerable the Archdeacon in view to arrangements being made by him for provision of funds where repairs are necessary. The report should deal with (a) European Christian burial-grounds in actual use which are under the charge of a Government Chaplain or for the up-keep of which the Government provides an establishment, and (b) abandoned European Christian burial-grounds and tombs of whatever denomination. Particular notice should be taken of the condition of the older monuments or grave stones.

2. All scattered Christian graves throughout the districts are under charge of the local Civil authorities.

9th February, 1857, No. 469; 22nd March, 1859, No. 974; 11th November, 1862, No. 7,413; 13th February, 1863, No. 890; G. O., 19th May, 1885, No. 87, Eccl.; G. O., 17th July, 1885, No. 141, Eccl.; G. O., 31st May, 1888, No. 78, Eccl.; G. O., 12th June, 1889, No. 53, Eccl.; 24th August, 1889, No. 593.

199. Medical Subordinates.—Revenue officers when returning to stations where they are no longer dependent on the services of the medical subordinates attached to their offices for professional aid, will direct those officials to place themselves under the orders of the chief medical officer of the station, and to continue so until their services are again required for circuit duty.

2. In these cases medical subordinates will still retain charge of the stores and medicines entrusted to them for departmental purposes; but the superior medical officer will be at liberty to examine the stock and compare it with the Stock Account, on their coming under and leaving his supervision.

G. O., 30th October, 1865, No. 2,656; G. O., 15th November, 1865, No. 2,789; 8th December, 1865.

200. Medical Attendance.—The following rules for medical attendance on Government servants in the Madras Presidency have been prescribed by Government:—

I. *In districts beyond the Town of Madras.*—All Government servants, except those referred to in rule VII, in receipt of salaries amounting to Rs. 100 and upwards, are entitled to the attendance of the medical officer of the station or district at their own houses in cases of illness such as to prevent their consulting the medical officer at his house.

II. There will, no doubt, be cases of not unfrequent occurrence in which it will be proper for the medical officer to visit at their own houses Government servants in receipt of salaries under Rs. 100. Government trusts to the good sense and good feeling of the medical profession, in preference to laying down any precise rules for such cases.

III. It is to be distinctly understood that medical officers will not be expected to attend Government servants in their own houses, unless the patient is unable to wait upon the medical officer either at his house or at such place and time as, having due consideration for the position of the servants and circumstances of the case, may be appointed for the purpose.

IV. In any station where there may be an Assistant Surgeon, Apothecary or Hospital Assistant, and where there may not be proper hospital accommodation, the duty of such officers should be to attend, at their own residences, the upper subordinate grades of Government servants, including clerks, whose appointments are not gazetted, the latter paying conveyance hire should they reside more than two miles from the official residence of the medical subordinate. In all serious cases, the Civil Surgeon will visit the patient.

V. *Nilgiris.*—All uncovenanted servants, however, while on duty on the Nilgiris with Government head-quarters, are entitled to the gratuitous medical attendance of the medical officer at their own quarters for themselves and for their families.

VI. *In the Town of Madras.*—At the Presidency, where the duty of attending upon this class of public servants would bear very heavily on medical officers, and where suitable accommodation is

available on payment of very moderate charges in the General Hospital, of which for their own sake it is desirable that Government servants should avail themselves, such Government servants as decline to avail themselves of these advantages will, as heretofore, make their own arrangements for medical attendance.

VII. *General, for Presidency and Provinces.*—Gazetted civil officers of Government and those drawing salaries of Rs. 250 and upwards are in all circumstances entitled to gratuitous medical aid for themselves at their own residences from the Surgeon of the District or the Civil Surgeon, as the case may be.

VIII. *Supply of Medicines.*—The rules for the supply of medicines to Government servants in civil employ and their families are given in the Appendix.

G. O., No. 792 of 1865, Public Department; Medical Code, Section III-5; G. O., No. 1,367 of 1st October, 1869, Public Department, Medical Code, Section III-5; G. O., No. 21 of 7th January, 1875, Public Department; G. O., No. 792 of 1866, Public Department, Medical Code, Section III-136; G. O., No. 2,629 of 8th December, 1884, Public Department; G. O., dated 17th January, 1885, No. 138, Public; 19th March, 1885, No. 916; 6th November, 1885, No. 3,055; 3rd March, 1886, No. 552; G. O., 2nd May, 1889, No. 391, Public.

201. Medical Certificates.—Medical certificates granted to public servants can only be accepted, if they are granted by Government medical officers, who are under Government control and supervision. Certificates granted by private medical practitioners cannot be accepted. The rules for the grant of certificates are given in the Appendix.

2. Public servants on leave in the mofussil, who may obtain medical certificates from other than a commissioned medical officer, shall have their certificates countersigned by the local, or the nearest, Civil or Zillah Surgeon, before whom the applicant must appear personally.

11th August, 1883, No. 2,341; 13th December, 1883, No. 3,773; G. O., 15th April, 1889, No. 339, Public.

202. Distribution of Medicine, &c.—Collectors have a discretionary power to incur contingent charges for the purchase of medicines during the prevalence of cholera or other serious epidemic disease in their districts. It is to be understood that the services of the Apothecaries and Dressers attached to the offices of Collectors and their subordinates should not be confined to the establishment, but should, especially when the cutcherry is on circuit, be made available for the relief of all classes within their reach. On such occasions

advice should be freely given, and medicine should if necessary be gratuitously dispensed.

2. Ordinary drugs can be purchased in the bazaar, only a few important medicines being obtained by indent on the Medical department. The Inspector-General, Indian Medical Department, has requested Civil Medical officers to co-operate with Collectors in procuring the medicines which they are authorized to purchase in the local market, and it is highly desirable that Collectors should avail themselves of this assistance, in order to guard against the supply of spurious and old medicines which might escape detection, if not subjected to professional inspection.

3. Charges incurred by Collectors for the distribution of cholera medicines should be borne by the Local Boards concerned and in the event of a Local Board declining to pay for any special reasons, the sanction of Government is necessary before the charge can be admitted against Medical—Miscellaneous.

7th September, 1848; 7th April, 1853; 20th February, 1862; 8th April, 1868; G. O., 28th June, 1876, No. 1,167, Financial; 19th March, 1889, No. 681 L, Local and Municipal; 4th May, 1899, No. 309.

203. Vaccination.—Collectors should use their utmost endeavours to induce the people of their respective districts to avail themselves of the benefits offered to them gratuitously by the Vaccination department. Revenue officers when on circuit accompanied by a competent medical attendant may give much assistance by directing their medical subordinates to vaccinate all who are willing.

15th July, 1847; 31st August, 1848; 28th August, 1850; 7th April, 1853; 20th January, 1865; G. O., 23rd May, 1867, No. 1,171, R. D.; 12th July, 1867; G. O., 15th May, 1877, No. 555, R. D.

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IRRIGATION AND OTHER PUBLIC WORKS.

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APPENDICES TO DIFFERENT ORDERS.

REVENUE COURTS.

Order 180, para. 1.]

FORMS OF SUMMONS UNDER MADRAS

ACT III. OF 1869.

I. Summons to appear in person [and also to produce documents].

To A.B. of WHEREAS your attendance is necessary to give evidence [and to produce the following documents (here describe the documents with convenient certainty)] with reference to a Revenue inquiry (here enter briefly the subject of the inquiry) now pending before me, you are hereby summoned to appear in person before me on the
day of at o'clock, and not to depart thence until permitted by me.

Given under my hand and seal this day of



____ (Signature.)

____ (Official designation.)

II. Summons to produce documents.

To A.B. of WHEREAS the following documents (here describe the documents with convenient certainty) are required with reference to a Revenue inquiry (here enter briefly the subject of the inquiry) now pending before me, you are hereby summoned to produce, or cause to be produced, the said documents before me on the
day of at o'clock.

Given under my hand and seal this day of



____ (Signature.)

____ (Official designation.)

Order 180, para. 2.]

SCALE OF FEES FOR PROCESS SERVICE IN COURTS.

Nature of Process.	Amount leviable in any Revenue Court.
I. For each Summons or Notice—	RS. A. P.
(a) to a single defendant, respondent or witness.	0 8 0
(b) to every additional defendant, respondent or witness residing in the same village, if the processes be applied for at the same time.	0 4 0
II. For every Warrant—	
(a) of arrest in respect of every person to be arrested,	
(b) of attachment in respect of every such warrant,	
(c) of sale in respect of every such warrant,	1 0 0
(d) of delivery of possession in respect of every such warrant, with an additional fee for the services of every officer en- trusted with the warrant for each day after the third day, beginning with the day on which the warrant was issued.	
(e) if such officer is an amin.	0 6 0
(f) if such officer is a peon.	0 4 0
III. For every process in execution of a village munsif's decree.	0 4 0
IV. For proclamation, injunction, or order, and every process not otherwise provided for.	1 0 0
An additional fee being leviable after the third day as above.	
V. In respect of sales a fee by way of poundage on the purchase- money calculated at one anna in the rupee on the first 250 rupees, half anna in the rupee on any additional sum up to Rs. 1,000, and quarter anna in the rupee on any additional sum above Rs. 1,000.	
Note 1.—Any party may deposit the cost of proceeding by railway or any public conveyance where such is available, and in such case the process server shall be bound to proceed by such railway or public conveyance, and the cost so de- posited shall be part of the costs of the cause.	
Note 2.—For processes applied for and ordered to be executed as emergent, the fee will be the ordinary fee and half as much again.	

Judicial Notification, dated 16th June 1884, at page 382 of the Fort St. George Gazette of the 24th June 1884, and Board's Proceedings, 16th May 1885, No. 1446.

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APPENDICES TO DIFFERENT ORDERS.

IRRIGATION AND OTHER PUBLIC WORKS.

Order No. 187.]

Form No. 1.

Minor Irrigation Works.

Application for Allotments.

[illegible]

COLLECTOR'S OFFICE.

-189

Collector.

Form No. 2.

Minor Irrigation Works.

Register of Estimates and Allotments.

Number.	Description of work.	ESTIMATE.			Previous year's expenditure.	ALLOTMENT.		Remarks.
		Date of submission of.	Number and date of order sanctioning.	Amount of.		Number and date of order sanctioning.	Amount allotted in the current year.	
1	2	3	4	5	6	7	8	9
				RS.	RS.		RS.	

NOTES.—(1) Entries relating to other than repairs to monsoon damages, viz., those for original works and repairs, should be separately entered. Each entry should have a certain space left blank for the record of subsequent modifications. Repairs to monsoon damages should be separately provided for, and a few pages should be set apart for establishments.

(2) The amounts of supplemental estimates should be entered below those of the respective original estimates. In the case of revised estimates, the amount should be entered after scoring out the amounts of the original estimates.

(3) The estimates for original works should be numbered separately, while those for ordinary and monsoon repairs should also be separately numbered thus:—

- 1 O. for Original works.
 1 R. " Repairs.
 1 M.R. " Monsoon repairs.

Order 187.]

APPENDICES.

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Form No. 3.

Minor Irrigation Works.

REMARKS OF THE TAHSILDAR.
 (Here enter the nature of check-measurement taken or other examination of the work).

Tahsildar.

Contract Certificate
 No. of this Certificate
 Nature of Work
 Name of Contractor
 Authority for Work
 Number and date of last Certificate granted for this Work, No.
 Amount of Security deposited (if any)
 Where lodged

NOTES.

1. Payments will usually be made up to nine-tenths of the total value of work done, the balance being retained as security unless other security has been furnished by the Contractor.

2. Payments made in cash for sums exceeding Rs. 100 should be attested by two witnesses, and for smaller sums by one witness.

3. Payments made by cheques or to recognized firms or institutions need not be attested.

4. When the payee signs in the vernacular the amount acknowledged should also be noted in the vernacular as well as in English.

5. In the case of other than well-known firms, all the parties must sign, or the one payee must produce a power of attorney from the firm.

6. The words "as a final payment in settlement of all demands" must be added when the contractor is finally paid up.

7. The words in the heading written "prepared at the contractor's request" should be scored out when the contractor prepares his own bill.

8. This form may be used for large supplies of materials, as also when a contractor undertakes to complete works without intermediate measurements or payments.

MEMORANDUM OF PAYMENTS MADE.		P.		P.	
Total value of work done less deductions for fines, &c. ...		A.		A.	
Amount of previous payments from last certificate No. ... of 189...		RS.		RS.	
forwarded with the accounts for ...		P.		P.	
Payments { By Cash ... of ...		A.		A.	
" " Cheque No. ... of ...		RS.		RS.	
" " Stock supplied ...		P.		P.	
Balance due ...		A.		A.	
Received Rupees ... (in words) ... only as per detail below on account of this work, viz.:		P.		P.	
In Cash and by Cheque ...		A.		A.	
" Value of Stock supplied ...		RS.		RS.	
Total as above...		P.		P.	

Contractor.

Witnesses.

Rupees

Prepared at the Contractor's request.

Unit.	Quantity executed up to date as per measurement list.	Items.	Rate.	Amount.		Remarks.
				Up to Date.	Since last Certificate.	
1	2	3	4	5	6	7
			RS. A. P.	RS. A. P.	RS. A. P.	
		Total value of work done to date ...	...			
		Deduct value of work shown on last certificate ...	...			
		Other deductions (*) ...	...			
		Net value of work done since last certificate...				

* Give particulars of the fines or other deductions made.

Contractor.

Certified that the preceding claim is correct, that the necessary measurements have been made by me, and that the work has been satisfactorily performed.

Tahsildar.

Overseer, or other Executive officer.

Form No. 4.

Minor Irrigation Works.

Name of Work

Date of Measurement

Taluk.

No.	Items.	L.	B.	D.	Contents.
1	2	3	4	5	6

Minor Irrigation Works.

PART I.—Nominal Muster Roll.

Form No. 5.]

FORM No. 5.]

PAET I.—Nominal Muster Roll.

Description.	No.	Names.	DAYS.														Fines and Stoppages.	Balance due.	Date of Payment.	Initials of Paying Officer and Remarks.
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
															RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.		
Grand Total of this Muster Roll																	...			
Deduct payments not made, as per details transferred to Register of Arrears, Part II																	...			
																	Balance paid			
																	...			
																	...			
																	...			
Add arrears of previous Muster Roll now paid off, as per details of Register of Arrears, Part II																	...			
																	Total Payments			

Grand Total of this Muster Roll

Deduct payments not made, as per details transferred to Register of Arrears, Part II

Balance paid

Arrears, Part II

Total Payments

Certified that the above payments have been made by me in person and in the presence of the witnesses herein signed.

Read and explained.

(Signature of the Witnesses.)

Signature

Rank of Paying Officer

Station

Dated

18

Completion Report of Petty Works and Repairs each costing Rs. 500 and under, completed during the Month of

Number	DATE OF		Name of Work.	Amount of sanctified Estimate or Requisition.	Total value of work done.	Differences* between Estimate and work done, 5±6.	OFFICERS BY WHOM WORK WAS SUPERVISED.			By whom last in-spection specified.	Remarks and explanation of differences and proposals as to the disposal of materials at site.
	Commence-ment.	Comple-tion.					Name & Incumbency.	From.	To.		
1	2.	3	4	5	6	7	8	9	10	11	12
						RS. A. P.					

* Excess to be entered in red ink.

N.B.—When there are liabilities not discharged, full explanations of the reason should be given in Column 12.

Forwarded to the Accountant-General.

(Signature.)

Dated

189

Collector.

Form No. 7.

REGISTER OF WORKS.

Minor Irrigation Works.

EXPENDITURE INCURRED DURING THE MONTH OF			Name of Work.	Total...
Allotment.				
April.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
May.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
June.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
July.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
August.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
Sept.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
October.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
Novr.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
Decr.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
January.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
February.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			
March.	On Contract Certificate.			
	On Nominal Rolls.			
	Total.			

Progress Report of Minor Irrigation Works in Taluq, District, during the month of 18

Name of Work.	DATE OF		Amount of Allotment.	AMOUNT EXPENDED			AMOUNT ADVANCED FROM IMPREST RE-MAINING UNADVISED		Remarks.
	Sanction.	Commencement.		Up to the end of last month.	During the month.	Total.	In the month.	Up to the month.	
1	2	3	4	5	6	7	8	9	10
					On Contract Certificate.	On Nominal Rolls.			
Total...									

N.B.—The fact and date of completion may be inserted in the remark column.

TASILDAR'S OFFICE.

18

Tasildar.

Form No. 9.

Minor Irrigation Works.

CONSOLIDATED Bill of _____ District

for _____ 18

Name of Work.	Allotment.	Expenditure up to the end of last month.	EXPENDITURE DURING THE MONTH.			Remarks.
			Nominal Rolls.	Contract Certificate.	Total.	
1	2	3	4	5	6	7
Total cost of sanctioned Establishments employed during the month.						
Grand Total...	...	...	...	...	...	

Certified that, in support of all payments included in this bill, vouchers are herewith submitted with the exception of those for Rs. , being Nominal Rolls which have been duly received, checked and filed in my office.

Date

Collector.

APPENDICES TO DIFFERENT ORDERS.

SANITARY AND MEDICAL.

Order No. 198.]

FORM OF REPORT ON EUROPEAN CHRISTIAN BURIAL-GROUNDS.

Name of cemetery or tomb.	Condition.	REMARKS.

Order 200, para. VII.]

REVISED RULES FOR THE GRATUITOUS ISSUE OF MEDICINES TO GOVERNMENT SERVANTS IN CIVIL EMPLOY.

Servants of Government in civil employ at all stations, except Madras and Ootacamund, where there is a Government civil hospital, will be entitled to the gratuitous supply of such authorized medicines as are in store therein, but such supplies will only be given on the prescription of a Government Medical officer on duty at the station.

2. In places in which no Government civil hospital exists, prescriptions should be sent to a druggist's shop, or to a Municipal or Local Fund dispensary, and the patient will be liable to pay for the supplies.

3. In Ootacamund, all non-gazetted officers drawing less than Rs. 60 a month will be entitled to the gratuitous supply of authorized medicines in store at the Jail or Police hospital, on the prescription of a Government Medical officer on duty at the station.

4. In Madras, all non-gazetted servants of Government drawing less than Rs. 60 per mensem will be entitled to the gratuitous

supply of medicines for themselves when they apply at any Government hospital for medical treatment and are actually brought on the records as out-patients.

5. In cases where families of Government officers are entitled to gratuitous medical treatment, they are also entitled to the supply of Government medicines gratis under the same conditions as the officers themselves.

Order 201, para. 1.]

Rules and instructions issued for the guidance of Medical officers who may be called upon to grant a medical or vaccination certificate to any person already in, or seeking to enter, the public service in civil employ :—

Medical Certificates.

1. Medical certificates are required by—

- (a) Candidates for the public service as to their physical fitness for Government employment ;
- (b) Candidates for pension from Government service as to their unfitness for further service ;
- (c) Government servants who desire leave to recruit their health.

2. Commissioned Medical officers holding Presidency appointments or in medical charge of districts or civil stations, and Uncovenanted officers in the position of District or Civil Surgeons, are, with the exceptions noted below, alone authorized to grant certificates of physical fitness for the public service. Such certificates are not to be granted by Assistant Surgeons unless when in independent medical charge of a district, nor by warrant medical officers, civil apothecaries or hospital assistants, except to persons proposed to be appointed to posts carrying less than Rs. 50 a month, who cannot conveniently appear before a Commissioned Medical officer or Civil Surgeon.

3. A medical certificate of fitness for the public service is not to be given to any person unless he can produce a letter or other form of requisition from the head of the office or department in which he seeks employment ; and such requisition should be accompanied by a descriptive roll signed by the head of the office or department.

4. The form of certificate to be given to a candidate for employment in the public service is laid down in Article 61 of the Civil Service Regulations and should contain such additional particulars regarding the nature of the duties the candidate is expected to perform, and his physical fitness therefor, as the head of the department making the requisition required in Rule 3 above may desire to have.

5. Commissioned Medical officers holding Presidency appointments or in charge of districts or civil stations, and Uncovenanted officers in the position of District or Civil Surgeons, are, with the exceptions noted below, alone authorized to grant certificates of unfitness for further service. Such certificates should not be granted by Assistant Surgeons, except when in independent medical charge of districts, nor by warrant medical officers, civil apothecaries or hospital assistants, except to public servants whose pay is below Rs. 50, and who cannot conveniently appear before a Commissioned Medical officer or Civil Surgeon.

6. Medical officers should not grant a certificate of unfitness for further service to any Government servant, except on the requisition and with the cognizance of the head of the office or department in which he is at the time serving. Every such application for examination should be accompanied by a descriptive roll of the person to be examined, signed by the head of such office or department.

7. The form of the certificate to be granted to an officer applying for pension is laid down in Article 491 of the Civil Service Regulations and should contain such additional particulars regarding the nature of the duties for which he is supposed to be unfit as the head of his office or department may desire to have.

8. All Medical officers and subordinates in independent medical charge of a district or station are authorized to grant certificates to Government servants recommending the grant or commutation of leave on medical grounds, provided the person by whom the certificate is required can produce a letter, order, or other document from the head of the office or department in which he is employed, authorizing him to apply for such certificate. But Government servants already on leave, and requiring an extension on medical

grounds, are not required to produce a permit from the head of their department before appearing for medical examination.

Note.—Certificates granted under this rule by a Hospital Assistant in temporary charge of a Civil Surgeon's station are only to be accepted subject to confirmation by the Civil Surgeon on his return to the station.

9. A certificate, recommending the grant or extension of leave on medical grounds, should always specify whether the nature of the patient's complaint is such as to preclude him, either wholly or partially, from discharging his public duties. In cases where the Medical officer considers further observation necessary, he is entitled to insist on it before granting the certificate.

10. The form of certificate recommending the grant of leave on medical grounds is laid down in Article 893 of the Civil Service Regulations. Such certificates should ordinarily be accepted from Government medical officers alone, except when required to justify mere casual leave of absence.

Vaccination Certificates.

11. Vaccination certificates required by candidates for the public service may not be granted except on the requisition of the head of the Office or department in which the candidate seeks employment.

12. The following officers are empowered to grant such certificates in addition to, or in the absence of, those enumerated in Rule 2 above :—

Native or Assistant Surgeons.

Apothecaries and Assistant Apothecaries.

Sub-Assistant Apothecaries.

Hospital Assistants.

Deputy Superintendents of Vaccination.

13. If a medical subordinate granting a vaccination certificate receives no pay from Government, either wholly or in part, he will be entitled to a fee of 1 rupee for every such certificate, to be paid by the person to whom the certificate is granted.

14. Except in the instance referred to in Rule 13 above, no fee or recompense of any kind is to be asked for or accepted in consideration of the grant of any of the certificates referred to in this circular.

15. A Medical officer signing any of the certificates referred to in the above rules should indicate, in addition to his usual departmental designation, whether he is the chief Medical Officer of his station or district, or otherwise.

