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Mm
Supt

Scott. II-27-GO.001-17-11-48

EDP.H (1949) Department.

M.S. SERIES.

G.O. NO. 2915 Ed.

Dated 19. 9. 49

[Despatch Abstract.]

Subridy - Buildings - Dist. Bd. Mathurai - Board
High school at ultra mapalayam - Construction
of building - Maximum - Raised.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
4.0	596	Ed	20.3.48				

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
4.0	3522	Ed	16-11-47				
Memorandum	36537	B/SO-5Ed d.	15.3.51				

(N)

E 8p. H Deptt

Contract. Madras St. Board - Construction of a High School building in Nthnapalayam. Failure of contractor to complete the work.

Memorandum 66911B, (28-1-48) d 27.9.48

The C.E (Highways) is requested to state when the letter of the S.G. St. Board, Madras No. 13073/46. E-16 d 10.7.1948 reported to have been submitted through him ~~may be~~ will be forwarded to Govt with his remarks.

To

The C.E. (Highways)

23/9/48

25/9/48

24.9.48

From

W.H.Turner Esq., B.Sc.,
A.M.I.Mech.E.M.I.E.(Ind.)
Chief Engineer (Highways)
Chepauk, M a d r a s 5

To

The Special Officer,
District Board,
M a d u r a.

Letter No.5145 D2-48-1 d/ 7-10-48.

Sir,

Sub: Contracts - Madura District Board - Construc-
tion of a High School building in Uthanapala-
yam-Failure of Contractor to complete the work.

The Government have enquired when your letter
No.13073/46 E-16 dated 10.7-48 stated to have been submitted
through me will be forwarded to them. It does not appear to have
been received in this office. Please let me know if it has been
sent through the Superintending Engineer (Highways) IV circle, if
not, a copy of there of may be forwarded through him urgently.

W.H.Turner,
Chief Engineer (Highways)

True copy/Forwarded/By order

Sd/x x x x
Senior Superintendent.

p.t.o.

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Endorsement No. 5145 D2-48-2 dated 7-10-48.

Copy to the Superintending Engineer (Highways) IV Circle, Trichy. He is requested to expedite the transmission of the Special Officer's letter with his remarks if it is pending in his office. If not, it may be forwarded expeditiously on receipt from the Special Officer.

W.H. Turner,
Chief Engineer (Highways)

To: The Superintending Engineer (Highways) IV Circle, Trichy.
Copy to the Secretary to Government, Education and Public Health for information.

M. Itanah
FOR CHIEF ENGINEER (HIGHWAYS)

Edward P.H. (B.)

The letter of S.O. D.H. Board Madurai referred to on p. 1 ante may be awaited till 20-11-48.

G. 10/10
Remd
22-12-48
20-1-49

P. 10/10

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SIOR(M)

66911/48
28/12/49

Contracts - District Board Madurai. Construction of a building for the Board High School Ultrampalayam. Failure of contractor to complete the work.

From the S.O. D.H. Board Madurai Do 2 18-8-48
From the Chief Engineer Highways no 5145-D2/48-1 27-10-48

Memo 66911/131/48-2 E.D.N. d. 28-2-49 with reference to the letter from the CE (Highways) cited above. The S.O. D.H. Board Madurai is requested to report urgently whether he has forwarded a copy of his letter no 13073/46 E.D. 3 10-7-48 through the Superintending Engineer Highways IV Circle, suggested thereon and whether he has received any instructions from the CE (Highways) on that

letter

2. The S.O. of Bd Madura is informed that if the Bd wants to complete the work and if the remaining work to be executed is to be treated as a new work for all practical purposes, he should take necessary steps to get the plans & estimates prepared & get them approved by the S.P.D. & then apply to Govt for a grant towards one-half of the cost of completion of the work. so that it may be considered in connection with the budget for 1950-51.

1000
25-2-49

26/4/49

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10/2

To

M. S. O. D. R. A.
Madura

Copy to C.E. Highways

Copy to the S.P.D.

REF: NO. E.16. 13073/46,

41 District Board, Madura.
Dated 10-7-48.

From
Sri K. Rama Varma Raja B.A.,
Collector & Spl. Officer,
District Board, Madura.

To
The Secretary to Government,
Local Administration Department,
Madras.

9356 Du
15 Through
The Superintending Engineer (Highways),
IV Circle, Trichinopoly.
and The Chief Engineer (Highways),
Chepauk, Madras.

Sir,

Sub: Contracts - Madura District Board - constructing a High school building at Uthamapalayam - failure of contractor to complete the work - closure of accounts - orders - requested.

An estimate for Rs. 32,000/- for the construction of a building for the Board High School, Uthamapalayam was prepared by the D.B.E., Madura then and got approved by the Director of Public Instruction, Madras in his No. 2237-G/38 dated 27/6/41 for execution. The estimate was sanctioned by the District Board in District Board Resolution No. 158 dated 4-12-40. (Copy enclosed).

Tenders were called for for the execution of the work. Out of the several tenders received the tender of Janab K.K. Shahul Hamid Rowther Sahib was accepted in this office Ref. A.3. No. 8324/41 dated 19/8/41 with the concurrence of the S.E.(c), Trichinopoly conveyed in his L. Dis. 4441/41 A.3. dated 14/8/41 as it was the lowest tender working to 4.44% less estimate rate. The contractor executed an agreement on 10/9/41 agreeing to complete the work by the 31st August 1942. But he failed to complete the work within the period. The representation of the contractor dated 27-9-42 demanding higher rates was negated by the District Board Engineer. On his representation dated 23-10-42 for extension of time, the contractor was asked to be definite about the period extension affixed for. On 5-11-1942 the contractor wanted extension up to 15-3-1943. But he was granted extension only up to 31-12-42.

The contractor again represented on 12-12-42 asking for higher rates and extension of time till the end of March 1943. This was not however recommended by the District Board Engineer. But the special Officer, then granted time till 15-2-43. Even by that time the contractor was not able to complete the work. To add to his delay in the execution of the work the timber collected by him was found to be not of the very best quality and it was rejected by the Engineering Department. And before he could procure timber of the required quality the Government took over the control of timber, and the procurement of timber thus became impossible.

The progress of the work slowed down from September 1942, and the work was finally stopped in March 1943. On 26-8-43 the District Board Engineer reported to the President, District Board that only the front portion of the building had been completed, and that the balance of work could be taken up only if timber was released.
/P.T.O./

was released by the controller. The value of the work so far done is Rs. 21366-8-0; and the value of the work that remains to be done as per the original estimate comes to Rs. 10633-8-0. The work was thus left incomplete on the date on which it should have been completed according to the terms of the agreement.

The Contractor represented to the District Board Engineer Madura in March 1944 that the estimate and the rates related to the year 1941, that since then the prices of materials and labour had risen enormously with the result that further execution of the work would entail a great loss to him and that he could not therefore execute the remaining work even if he were supplied with teak wood, and requested the closure of his accounts finally. The petition of the Contractor was submitted by the District Board Engineer, Madura, recommending the closure of his accounts. The President District Board then, however, ordered that the request of the contractor could not be complied with, and that he should in justice patiently wait till the timber became available and complete the work.

Meanwhile steps were taken in August 43 to obtain the required materials departmentally. The contractor was given a notice by the District Board Engineer, in his Ref. No. 3472/45-A.3. dated 30/10/45 telling him that arrangements had been made to secure the timber required for the work, that he should resume the work, and that any delay in the execution of the work after the receipt of the timber would result in the penal clauses of the agreement being enforced.

The contractor in his petition dated 10/12/45 to the District Board Engineer, Madura represented that he had already incurred heavy loss owing to the non-settlement of his account and non-payment of his security deposit by way of interest, and persistently requested to have his account closed finally. The District Board Engineer, Madura reported that the initial delay by the contractor resulted in the non-availability of good timber and the work being brought to a stand still. From his personal enquiry he gathered that the contractor was not for completing the work as he had no materials on hand. He therefore wanted to refer the question of closing the accounts of the contractor to the legal advisor as there is no contract committee in the District Board.

Legal opinion was sought for in this office Ref. A.3. No. 9648/46 dated 31-5-46 as to whether the contractor's account would be closed and his dues paid without making him liable for the extra expenditure to be incurred by the Board on account of the high cost of materials and labour. The legal opinion obtained in the matter indicated that under the law and as per clauses 8, 12, 20 of the said agreements the contractor would be liable to pay all the damages incurred by the board by reason of the breach of contract, including forfeiture of his tender deposit, that the contractor would be liable also to pay the excess expenditure to be incurred by the board in the future for completing the work which he ought to have done, and that if this excess expenditure could be reasonably estimated the contractor's account might be closed and money paid only after deducting the estimated excess expenditure and other loss, if any, sustained by the board by reason of the failure of the contractor to finish the work.

This was communicated to the Divisional Engineer, Highways, Madura South for having the accounts of the contractor closed as opined by the legal advisor; and a notice was also sent to the contractor to that effect.

In reply to the notice the contractor contended that he was not liable for the loss as he was prevented from doing his part of the contract due to acts of state and war.

The Divisional Engineer (Highways), Madura was again requested to examine the contention of the contractor and to state whether further legal opinion was necessary.

The Divisional Engineer (Highways) Madura has reported that the contractor was literally prevented from performing his part of the contract by circumstances beyond his control, that the default on his part to stick to the very letter of the contract should be considered in conjunction with the peculiar circumstances and the extraordinary extrinsic causes that operated during the period. He considers that these facts could not be established to mulct the contractor for the additional expenditure that would be occasioned by the inevitable revision of the estimate at rates which have risen by nearly 100% over those adopted in the original estimate. He has therefore suggested ~~that~~ that orders of the Government may be obtained.

1. for the closure of the account of the original contractor;
2. for the sanction of the revised estimate for Rs. 48,500/- for the work;
3. for the execution of the remaining work treating it as a new work for all practical purposes; and
4. for absolving the original contractor of any liability or responsibility for the extra cost to be incurred by the District Board.

The matter is taken to the notice of Government only now after all the efforts made to get the work done through the original contractor have failed. As this is a peculiar case of failure due to causes beyond anybody's control, and as this involves heavy extra expenditure of public money this is taken to the notice of Government.

The connected files of the Divisional Engineer's Office and this office are enclosed for favour of perusal and return.

The particulars required by the Superintending Engineer (Highways), IV Circle are also furnished in the statement attached.

I therefore request that Government may be pleased to issue orders in the matter early.

S. 10/7.

Enclosures:

D.E.'s Office Files.

1. 1 to 221 pages.
2. 1 to 405 pages.
3. 51 to 316 pages.
4. 1 to 240 pages.
5. 1 to 122 pages.
6. Sanctioned estimate in Book form.
7. S.O's office files.
8. D. Dis. 10365/43 dated 10/6/46.
9. D. Dis. 7598/45 dated 7/5/46.
10. D. Dis. 9648/46 dated 30/6/46.

Copy of letter No. 9556/48-D4-5, dated 15.11.48 from the Superintending Engineer (Highways) IV Circle, Tiruchirappalli to the Chief Engineer (Highways) Madras.

Sub : Contracts - Madura Dt. Bd. constructing High School building at Uthamapalayam - failure of contractor to complete the work closure of accounts and execution of balance work.

Ref : E.E's Endt. No. 5145-D2/48-2, dated 7.10.48.

With reference to Special Officer's Ref. E.16-15073/46, dated 25.10.48 and in continuation of this office letter No. 9556/48-D4-4, dated 25.10.48, I enclose herein letter E.16.15073/46 dated 10.7.48 of the Special Officer District Board Madura addressed to Government with the following remarks;

2. The original estimate for Rs. 52,000 was not sanctioned by the Suptg. Engr. (Comms) L.Dis.1441/41-A5, dated 1.8.41 of the Suptg. Engr. (Comms) quoted agreeing to the proposal of entrusting the work to the lowest tenderer Janab K.K. Sahul Hamid Rowther the Sahib at rates working at 4.44% loss estimate rates is also not available.

3. As per agreement drawn, the work should have been completed by 31.8.42 or at least by 15.2.45 as per extension of time granted. But from March 43 it is lying over unfinished. (Front portion is completed. For the rest, masonry upto roof level is completed) All efforts to get the work done through the original contractor failed.

4. For the balance works the Divl. Engr (Ex-Madura) sought in his No.1587/46-D2, dated 21.10.46) and President Dt. Bd. Madura (in his Ref. A5.15073/46 dated 27.10.46) recommended a tender from Sri N. Ponnuch Pillai at 19.6% premium on 47-48 rates. But it was returned with several remarks with directions for the sanction of the revised estimate and execution of balance works (in this office L.Dis.6962/46-D2, dated 1.12.46 (copy enclosed).

5. Thereupon the Special Officer addressed Government through this office in his No. A2.15073/46 dated 29.5.47 for closure of accounts with the original contractor and for the completion of the work. As the report to Government was incomplete and brief necessary particulars were called for from the Special Officer in this office L.Dis.8196/47-D4-1, dated 19.6.47. The reply of the special officer in his ref. 15073/46 dated 29.4.48 was also incomplete and in L.Dis.5692/48-D4, dated 28.5.48 a clear detailed and self contained letter to Government was called for.

6. In Special Officer's fresh detailed letter dated 10.7.48 to Government now under submission, the Special Officer and Divl. Engr. have reported that the matter is taken to the notice of the Government only now after all efforts to get the work done through the original contractor have failed. The delay is considerable and could have been avoided especially when the work is half finished and where Government orders are to be obtained. As it is, the original contract has to be determined, fresh tenders called for for the balance work after first obtaining administrative and technical sanction of revised estimate for the work.

7. This is a Government grant work and the interests of both the Government and Dt. Bd. have to be safeguarded. Due to the failure by the original contractor, heavy extra expenditure is involved. The legal opinion is that there has been a breach of contract and that the contractor is liable to pay all damages incurred by the Board by reason of such breach. There was no

rise in schedule of rates till 11.1.45 i.e., till the expiry of contract period even as extended. Even the shortage of timber arose only in July 48 (vide Chief Engr's (Comm) Cir. Memo No. 6518/48-3-B2, dated 22.7.48). If the Contractor did his work as per terms of the contract he would not have had to face increase in prices in 1945 etc., I see no extraordinary circumstances as suggested by the Divl. Engr. and Special Officer. For his failure to carry out his part of the contractor Government or Dt. Bd. cannot bear the loss. I see no force in Divl. Engr. or Special Officer stating that things were beyond contractor's control. They were beyond his control only after expiry of the contract period. I think legal opinion was entirely in order and fair. Hence the request of the Divisional Engineer and Special Officer for the closure of original contract absolving the contractor from liability or responsibility for the extra cost to be incurred is not recommended. The contractor has to be penalised according to the terms of agreement and legal opinion and his final dues settled.

8. Action to get the administrative sanction for the revised estimate (Rs. 55400) from the Director of Public Instructions (in accordance with the instructions in para 8 of this office letter No. 9356/48-D4-1, dated 12.8.48 (copy enclosed) and the Divisional Engineer's request to the Special Officer with reference thereto in para 8 of Divisional Engineer's letter No. 9848/48-A7, dated 3.9.48 (copy enclosed) has yet to be taken by the Special Officer. He is being requested to expedite the same.

9. (a) As per Divisional Engr's letter No. 6711/47 dated 29.10.47 (para 5) to the Special Officer (copy enclosed).

Value of work so far done was	Rs. 21,366-8-0
Value of work to be done as per original rates was	10,633-8-0
Total	Rs. 32,000-0-0

(b) But as per revised estimate for Rs. 55400 sent by the Divisional Engineer to the Special Officer with his letter No. 9848/47-A7, dated 3.9.48.

Value of work done as per contract as provided in the revised estimate	16879-0-0
Value of work to be done as per 48-49 schedule of rates.	34521-0-0
Petty supervision	2000-0-0
Total	554000-0-0

The Divisional Engineer has to reconcile the figure at (b) above with the figures reported by him at (a) above. He is being asked to do the same urgently.

10. The reasons for not collecting the materials which were not under contract control were specifically called for in para 9 of this office letter No. 9356/48-D4-1, dated 12.8.48 as they have bearing on loss to the Dt. Board. But the Divisional Engineer has not reported the reasons for the non-collection by the contractor (penultimate para of his letter No. 9848/48-A7, dated 3.9.48). They are being obtained from him with a clear report explaining why the contractor should not be penalised for such failure.

/True copy/

Ref: E.16. No. 13073/46

District Board, Mathurai.
Dated - 15-3-49.

From
Sri K. Rama Varma Raja B.A.,
Collector & Spl. Officer,
District Board, Mathurai.

To
The Secretary to Government,
Education and Public Health
Department, M A D R A S.

Sir,

Sub: Education - Secondary - Building - construction of a building to the Board High School, Uthamapalayam failure of the contractor to complete the work-closing of his accounts - orders requested.
Ref: Government Memorandum No. 6691/B1/48-2 Education dated 28-2-49.

19 MAR 1949

Government were addressed in my reference E.16-13073/46 dated 10-7-48 through the Superintending Engineer, Highways, IV Circle Tiruchirapalli and the Chief Engineer, Highways, Madras requesting orders to close the accounts of the Contractor to commence the original unfinished work treating it as a fresh work for all practical purposes, to sanction the revised estimate for Rs. 48,500/- and for absolving the original contractor of any liability or responsibility for the extra cost to be incurred by the District Board. The Superintending Engineer, Highways, IV Circle, Tiruchirapalli in his letter No. 9356/48 dated 12-8-48 D-41 called for copies of certain documents and requested to send the revised estimate for Rs. 48,500/- after revising it as per current schedule of rates and after obtaining the administrative approval of the Director of Public Instruction with his specific approval for the extra subsidy involved in the work. After getting the particulars with revised estimate for Rs. 53,400/- from the Divisional Engineer, Highways, Mathurai. The Superintending Engineer, Highways, Mathurai was addressed in my reference E.16. No. 13073/46 dated 25-10-48 furnishing the particulars called for by him. The Superintending Engineer returned the revised estimate for Rs. 53,400/- to obtain the administrative approval of the Director of Public Instruction. The revised estimate for Rs. 53,400/- was sent to the Director of Public Instruction, with my reference E.16 No. 13073/46 dated 3-1-49 for his administrative approval. He has stated in his Rc. No. 10100 (d) G-2-46 dated 1-3-49 that the revised estimate and plan have been forwarded to the joint consulting Architect to Government for his remarks and that they would be sent to this office on their receipt back in his office. I shall send the revised estimate for Rs. 53,400/- and plan to the Superintending Engineer, Highways, IV Circle Tiruchirapalli on their receipt from the Director of Public Instruction.

R.S. 16/3.

For Collector & Spl. Officer,
District Board, Mathurai.

Copy to the Divisional Engineer, Highways, Mathurai with reference to his No. 1908/49 A-7 dated 22-2-49.

2. At this stage when the Government are being looked up to for orders permitting the closure of the contractor's account for the unfinished work it will be pre-posterous to close the account before definite orders of the Government are received.
Copy to the Superintending Engineer, Highways, IV Circle, Tiruchirapalli in continuation of this office reference E.16. No. 13073/46 dated 3-1-49 and 10-2-49.

Copy to the Chief Engineer, Highways, Chennai, Madras.
Copy to the Director of Public Instruction, Madras with reference to his Rc. No. 10100 (d) G-2-46 dated 1-3-49 for favour of according his administrative approval for the revised estimate and plan at an early date.
Copy to E.16.

16/3

L.D/8.5. Ans. 12115-49-1E
 21-3-49.

Education and Public Health Deptt
B 1 section.

Contracts - District Board ^{Mathuram} Madurai - Board High School
Uthamapalayam - Failure of the contractor to complete
the work- Closure of accounts and completion of the
balance of work

pp 6-8 C.F.

pp 10-11 CF

p 14 cf

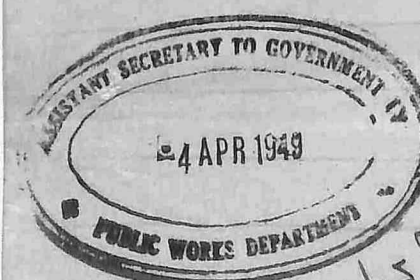
p 12 cf

From the S.O. Dt Bd, Madurai Ref No E 16 13073/46
dated 10-7-48
From the Superintending Engineer (Highways) 1V circle
No 9356/48 D-4-5 dated 13-11-48
From the Chief Engineer Highways, Endt No 5145 D2/48-3
dated 7-3-49
From the S.C. Dt Bd Mathurai E.16 No 13073/46 dated
15-3-49

Memo 66 911 B. 1/48-4 Edn d. 12-4-49.

The remarks of the Superintending Engineer
(Highways) in paras 6 to 8 of his letter cited above
with which the Chief Engineer (Highways) fully agrees
are communicated to the Special Officer, District Bd,
Mathurai, and he is informed that steps should be taken
to penalise the contractor according to the terms of
the contract and to settle his final dues. The
Divisional Engineer (Highways) may be instructed to
enforce the terms of the contract on the defaulting
contractor. If the contractor has any grievance, he
can seek remedy by applying for arbitration.

2, After the revised estimate for the work
are administratively approved, the S.O. Dt Bd ^{Mathuram} Madurai
^{may} ~~should~~ submit through the D.P.I. the application for
subsidy required for completion of the work, giving full particulars of the amount of subsidy
already disbursed towards the ^{expenditure} ~~expenditure~~ incurred
on the execution of the work. The completion of the
work should not be undertaken before the question
of financing the scheme is settled.



To

The S.O. Dt Bd
Madurai with encl)
D.P.I.
Chief Engineer
Highways.

S/C!

Note. P.W.D. may see before issue.

As 4 067 =

Education Department.

From The Director of Public Instruction,
Madras.

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

Rc.10100 (d)-G2-46 dated 16-4-1949.

Sir,

Sub: Education - Secondary - Building - Construction
of a building to the Board High School -
Uthamapalayam.

Ref: Letter Ref.El6:No.13073/46 dated 15-3-1949 - *p12a*
of the Special Officer, District Board,
Mathurai addressed to Government.



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With reference to the letter of the Special Officer District Board, Mathurai addressed to Government referred to above, I wish to state that the revised Estimate and the plan relating to the scheme under question have already been approved and returned to the Special Officer. A copy of the Director's Proceedings Rc.10100-(d)-G2/46 dated 19-3-1949 of the Director approving the plans and estimates under question is enclosed herewith for favour of perusal.

Yours faithfully,

Thiruvananthapuram

for Director of Public Instruction.

KHR.21-4.

2/2/4

Copy of the Director's Proceedings Rc.10100(d)-G2/46 dated 19-3-1949.

Read: From the Special Officer, Dt.Board, Mathurai
Rc.No.13073/46-El6 dated 3-1-1949.

The revised Estimate and the plan relating to the Scheme under reference are approved and returned herewith subject to the remarks of Joint Consulting Architect to Government - vide copy enclosed.

It is seen from the letter of the Special Officer, read above that he proposes to send the Revised Estimate (after being accorded administrative approval by the Director) to the Superintending Engineer, Highways, presumably for his approval again. If this is so, the Special Officer is informed that the plans and Estimates relating to the educational buildings should be got approved only by the Director and there is no need to send them to the Engineering Department - vide, executive instruction 387 A of the Local Boards Manual.

pp4-santi

The attention of the Special Officer is in this connection invited to para 2 of Government Memo No.6691-P1/48-2 Edn., dated 28-2-1949 wherein Government have informed the Special Officer that if the District Board wants that the remaining work to be executed is to be treated as a new work for all practical purposes, he should get the plans and estimates prepared and get them approved by the Director and then apply to Government for a grant towards one half of the cost of completion of the work so that it may be considered in connection with the Budget Estimate for 1950-51. Since, for the purpose of sanction of subsidy to the scheme in the Budget Estimate for 1950-51 only the

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: 2 :
cost of the work which is yet to be done will be taken into account and since the Revised Estimate (Rs. 53,400) now approved includes the amount spent on the work done already (vide his letter R.C.No.13073/46-El6 dated 3-1-1949), the Special Officer is requested to state, while applying for grant in connection with the Budget Estimate for 1950-51, the cost of the work (according to the revised Estimate now approved) which is yet to be done and also to show how it was arrived at.

The Special Officer is also requested to forward his application for grant for consideration in connection with the Budget Estimate for 1950-51 sufficiently early (i.e.) by 1st August 1949.

(True Copy)

for Director of Public Instruction.

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2/2/4

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Copy of letter R.C.No.10100(d)G2-46 dated 2nd August 1949, from the Director of Public Instruction, Madras.

Sub: Board High School, Uthamapalayam - Completion of the building - Subsidy.

Ref: Government Memorandum No. 66911-B1/48-4 Edn., dated 12-4-49. p/b ante

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In inviting your attention to para 2 of the Government Memo. referred to above I request to be informed if it is the intention of Government that the application for subsidy called for from the Special Officer, District Board, Mathurai should be considered only in connection with Part II of the Budget Estimate for 1950-51 (i.e. treating the completion of the Building as a fresh scheme) and that the scheme (completion of the building) is not eligible for payment of any subsidy during the current year - vide in this connection para 2 of the Government Memorandum No. 66911-B1/48-2 Education dated 28-2-1949. I may also add that the application for subsidy called for from the Special Officer has not yet been received and he has also been addressed for the same by this office. He is also being reminded again.

The revised Estimate and the plan relating to the scheme (for the whole work including the work already done) have already been approved by the Director as already reported to Government in Director's R.C.No. 10100(d)-G2/46 dated 16-4-1949. The Special Officer has been advised to furnish, while forwarding the application for subsidy, the cost of the work already done and the cost of the work yet to be done with reference to the revised Estimate.

pp 17-18 ante
/True copy/

Copy of Memo. No. 40742 B1/49-4, Edn., dated 13-8-49, to the
Director of Public Instruction. --

Sub: Subsidies - Buildings - Secondary Schools under local
bodies. --

Ref: From the Director of Public Instruction, R.C.No. 1421
G2/48 dated 20th July 1949. --

The Director of Public Instruction is informed that of the three schemes for which subsidies have been sanctioned in the previous years but for which no provision has been made in the current year's budget necessary provision for the two part-paid schemes viz., the scheme for the construction of a building for the Board High School, Uthamampalayam, and the scheme for the construction of a building for the Board High School, Kamuthi, may be made in Part I of the B.E. for 1950-51 estimating the amount correctly after ascertaining from the District Boards concerned the amount of subsidy that is likely to be claimed in the next year. As regards the third scheme, viz., the scheme for the construction of a building for the Municipal High School, Chicacole, the question will have to be considered in connection with the Part II proposals for 1950-51, as the work has not yet been taken up and no subsidy is likely to be disbursed in the current year and the question of financing the scheme has not yet been settled.

2. In regard to the point raised in the last para of the Director's letter whether subsidies can be disbursed in the current year in respect of the schemes relating to the Board High Schools at Attali, Kargiri and Jammalamadugu and the Municipal High School, Palghat, for which no amount was claimed in the last year, the attention of the Director of Public Instruction is invited to para 53 of the Madras Budget Manual and he is informed that the schemes for which no subsidy is likely to be disbursed in the current year will have to be considered in connection with Part II of the Budget for 1950-51; P.T.O.--2--

22
-2-
but if any of the schemes qualified for a subsidy in the current year, it may be paid in the current year and the balance of the subsidy due may be provided in Part I estimates for 1950-51. The Director is requested to advise the Special Officers of the District Boards concerned and the Commissioner, Palghat Municipality to push on the construction and claim the subsidy as early as possible and to ascertain whether any subsidy will be claimed in the current year.

3. The Director of Public Instruction is informed that in respect of the four schemes for which subsidies were sanctioned by the Government without considering as Part II schemes referred to in para 1 of the Director's letter cited above, the subsidies claimed may be disbursed in the current year out of the sanctioned appropriation and if the appropriation is found to be insufficient he may take the expenditure on these schemes into account when he submits proposals for, additional appropriations and surrenders etc. under '37 Education' in the first week of February 1950.

/True copy/

R.C. 10100 (d) G2/46.

Office of the Director of Public Instruction, Madras, dated 3-9-49.

Sub: Board High School, Uthamapalayam - Construction of building - application for grant.
Ref: Copy of letter R.C. No. E16-13073/46 dated 8-8-49 of the Special Officer, District Board, Mathurai addressed to the Director.

Submitted with reference to Government Memo No. 66911.B1/48-4 Edn., dated 12-4-49 and in continuation of this office R.C. 10100-(d)-G2/46 dated 2-8-49.

2 Regarding the particulars of the grant of subsidy already disbursed I invite your attention to Director's letter R.C. 2237-G-38 D/9-1-45; G.O. Ms. 113 Edn. dated 25-1-45; G.O. No.(Ms) 559 +Edn, dated 12-3-46; and Director's letter R.C. 2237-G.38 dated 7-4-46.

3 The cost of the Revised Estimate which was approved by the Director in his proceedings R.C. 10100-(d)-G2/46 dated 19-3-49 is Rs.53,400/-. The Special Officer says in the second enclosure that according to this Revised Estimate the value of the work already done is Rs.16,879/- and the value of the work yet to be done is Rs.36,521/-.

4 The Special Officer says that the work has not yet been resumed. Attention is invited in this connection to para 2 of the Government Memo No. 66911-B1/48-4 Edn, dated 12-4-49 wherein Government have stated that the completion of the work should not be undertaken before the question of financing the scheme is settled.

I request that Government may be pleased to issue orders on Director's reference R.C. 10100-(d)-G2/48 dated 2-8-49 wherein orders were solicited as to whether the scheme in ~~xxxxxx~~ regard to the completion of work under question is to be included in part II of the Budget Estimate for 1950-51 considering it as a fresh scheme. I invite your attention in this connection to Para 1 of Government Memo No. 40742-B1/49-4 Edn, dated 13-8-49 wherein Government have stated that provision may be made in respect of the scheme under question in part I of the Budget Estimate for 1950-51.

For Director of Public Instruction.

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

MN. 5/9.

Sub: Education - Secondary District Board, Mathurai-Board High School,
Uthamapalayam - construction of building - application for grant
for 1950-51- Forwarded.

Ref: Your R.O.C. No. 10100(d) G2/46 dated 19-3-49.

Sub: Education - Secondary District Board, Mathurai-Board High School,
Uthamapalayam - construction of building - application for grant
for 1950-51- Forwarded.

Ref: Your R.O.C. No. 10100(d) G2/46 dated 19-3-49.

The details showing the work to be done and also how they were arrived at are also furnished. The work has not yet been resumed.

I request you to kindly sanction half grant as applied for.

For Director of Public Instruction.

42579

24/ 6 /

MATHURAI DISTRICT BOARD -- GRANT APPLICATION STATEMENT FOR 1949-50 - SECONDARY SCHOOL BUILDINGS.

Serial No.	Name of work.	Total estimate cost of the same.	Amount sanctioned from Provincial Funds.	Amount required from Provincial Funds in 1949-50.	Amount required in subsequent year from Provincial Funds.	How the value of cost will be met.	Date on which the loan is to be repaid if any.	Whether the plans and Estimates accorded technical sanction? If so when?	Whether Provision has been made in the budget.	Source of refunding loan if any.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
1.	Construction of Buildings for the Board High School at Uthamapalayam.	53,400	Grant drawn to the end of 1945-46 Rs.8763/- Further work did not proceed.	17,937	---	District Board Funds.	This is only a grant applied for	Estimates and plan approved by Director of Public Instruction in his Proceedings No. W.100(d)-G2/46 dated 19-3-49.	Yes.	Does not arise since subsidy is applied and it is not a loan.	The Ex- penditure incurred so far is 19813-8-0 Grant drawn to the end of 45-46 is Rs.8763/-

28.

Schedule to accompany the tender for the work of constructing High school building at Uthamapalayam.
Balance of work to be done for completing the High school building at Uthamapalayam.

403-

Item No.	Probable quantity.	Description of work.	M.D.S.S. No.	Rate in Rupees.	Amount in Rupees.	Unit in figures.	Amount.
1.	1720- Cft.	Concrete borken stone jolly 1 1/2" gauge in line mortar 1:2	59	@ 55-40	950 ✓	One hundred cubic feet.	
2.	1400- Cft.	Burnt brick in line mortar 1:2.	102	@ 85-80	1197 ✓	do	
3.	21- Cft.	Cutstone granite- 1-line dressed for lintels-plinth etc.,	36	2-130	59 ✓	One Cub.Ft.	
4.	126. Cft.	Cutstone granite work 1 line dressed for slabs 6" thick including fixing and pointing with cement works.	36	1-70	181 ✓	do	
5.	6400-S.ft.	Granolythic floor 1:3:6- 1 1/2"thick with 1/2"jelly		22-40	1424 ✓	One hundred Square feet.	
7.	72-Sq.ft.	Pannelled doors with expanded metal head made up of T.W.frames,shutters etc.,(Shutters to be fixed)	233	3-00	216 ✓	One Sq.foot.	
8.	130-Sq. ft.	Pannelled doors with T.W.frames and shutters including necessary iron fitting etc., complete.	233	3-40	423 ✓	do	
9.	189-Sq.ft.	T.W.windows iron barred and fully glazed including frames,shutters,and fittings etc., complete (Iron bars only to be provided)	82G	2-40	425 ✓	do	
10.	54-Sq.ft.	Glazed windows with T.W.frames and shutters including necessary iron fittings etc., complete. (1) Iron bars to be provided.		2-40	122 ✓	do	
	54-Sft.	do- (2) Shutters to be prvided.		3-14-0	209 ✓	do	
11.	51 1/2.	T.W.windows,panelled with iron bars frames, and shutters including iron fittings etc., complete (1) Iron bars only to be provided	82K	2-40	116 ✓	do	
	393 1/2	do (2)Shutters and iron bars to be provided		5-14-0	2313 ✓	do	
12.	308-Sq.ft.	Ventilators with fixed expanded metal 1/2" mesh with T.W.frames and iron fittings etc. complete- (1) Expanded metal and iron fittings to be done.	82M	1-12-0	539 ✓	do	
13.	94 1/2 Sq.ft.	Shelves 9" deep made of T.W.frames,glazed shutters, two tiers of T.W.planks 1" thick and iron fittings etc., complete. Frames only fixed other items to be done.		3-14-0	366 ✓	do	
14.	310-Cft.	Best T.W.wrought and put up.	80-	21-00	6510 ✓	One Cub.Ft.	
15.	115 .Cft.	Best T.W.framed wrought and put up for trusses including straps and all iron work.	80	25-40	2904 ✓	do	
16.	310-Lbs.	Iron work including fixing.	97	0-9-0	174 ✓	One pound.	
17.	9800-Sft.	Roofing with asbestos trafford sheet including bolts ,washers etc., complete.	52A	73-100	7215 ✓	One hundred square feet	
12.	1920-Sft.	Plastering with 1:4 mortar 1:2 - 1-coat- 1/2" thick.	57			do	
18	19100-Sft.	do with cement mortar 1:4-2 1/2" thick.	61	11-00	2101 ✓	do	
19.	290- Sft.	Wall black boarding.		33-10-0	98 ✓	do	
20.	14150-Sft.	Painting 2-coatswith approved colour.	72	8-00	1132 ✓	do	
21.	600-Sft.	Tarring with coal-tar- 2- coats.	76	4-20	25 ✓	do	
22.	480-Sft.	Sunshades with T.W.rafters-struts,brogsunners over it, with asbestos sheet 1/2" thick		2-130	1350 ✓	One Sq.foot.	
23.	48.	Ornamental wrought iron gate in two halves including locking arrangements and painting		5-00	240 ✓	do	
24.	300- Rft.	'U' shaped masonry drains 9" inside with				do	

M. S. S. S.
For collector and Special Officer
District Board, Madurai

Value of work done 16879
do - yet to be done 36521
Total 53400
1/2 Rank for this = 26700
Grand drawn already 8763 Rank is 17937

69181/49

Education and Public Health Dept.
B 1 section.

Subsidy-Buildings - District Board Mathurai-High school
at Uthamapalayam - Construction of ~~a~~ building - Maximum-
Raised.

From the S.O. Dt Bd Mathurai R.C.No E 16-13073/46 dated
8-8-49
From the D.P.I. R.C. 10100 (d) G2/46 dated/3-9-49

Order No 2915 Education dated 19-9-1949
MS

In G.O. No 521 Education dated 5-4-41, the Govt
sanctioned a subsidy not exceeding Rs 16,000 towards
one half of the cost of construction of a building for
the Board High School at Uthamapalayam which was then
estimated at Rs 32,000. The work was partly executed
and the work was stopped in 1943 owing to the failure
of the contractor to complete the work. It is now proposed
to complete ~~the work~~ ^{it.} According to the revised ~~the~~ estimate
the total cost of the work is Rs 53,400 (including Rs 16879
being the value of the work done already). With
reference to the revised estimate, the maximum subsidy
payable towards the cost of construction of the building
will be raised from Rs 16,000 to Rs 26,700 (Rupees
twentysix thousand seven hundred). As a subsidy of
Rs 8763 has already been paid towards the cost of the
work already executed, the balance payable will be Rs
17,937 only (Rupees seventeen thousand nine hundred and
thirtyseven).

2. The S.O. Dt Bd Mathurai is requested to take
steps to proceed with the construction of the building.

3. The D.P.I. is informed that as already stated
in para 1 of Memo No 40742 B1/49-4 Edn dated 13-8-49
necessary provision may be included in Part I of the
budget estimates for 1950-51 for payment of subsidy to
the Dt Bd Mathurai towards the cost of construction of
the building ^{for the Board High School - Uthamapalayam} after ascertaining the amount of subsidy
likely to be claimed in that year having regard to the

p25 of
p19 of
p23 of

Amended
4819
vide
item 2 on p 29 of (E)

Amount on p 6 of R
pages 23-27 of M

p 39 of (E) +
col 4 on p 27
col 5 on p 27

on p 21 of

2. 31
progress that can be made in the execution of the work in the current year as well as in the next year.

11.8.49

12.9.49

12/9

To
The S.O. Dt Bd Pannad
The D.P.I.
The A.G. (through Fin)
The Examiner of L.F.
Accounts.

S/c 2.

D.O.

Sri K. Rama Varma Raja, B.A.,
Collector & Special Officer,
District Board, Madura.

Madura.
Dated 18-8-1948.

My Dear Paul,

Sub: Contractors - Madura District Board-
constructing a High School building
in Uthamapalayam failure of contractor
to complete the work - closure of accounts
orders requested-

Ref: My letter No. 13073/46 E.16 dated 10-7-48
sent through the Superintending Engineer
(Highways), Trichinopoly and the Chief
Engineer (Highways), Madras.

The work of constructing a building for
the Board High School, Uthamapalayam at a cost of
Rs. 32,000/- was started in 1942 and left incomple
owing to the scarcity of timber under war
conditions. It is a half grant work which has to
be completed at least this year as the Director
of Public Instruction is threatening disrecog
nition on the grounds of lack of adequate accommodat
tion. In my reference quoted above I had requested
orders of Government,

- 1) for the closure of the accounts of the original contractor;
- 2) for the sanction of the revised estimate for Rs. 48,500/- for the work;
- 3) for the execution of the remaining work treating it as a new work for all practical purposes; and
- 4) for absolving the original contractor of any liability or responsibility for the extra cost to be incurred by the District Board.

Kindly see that early orders, are passed
on my reference quoted above so as to facilitate

(P.T.O)

33

to facilitate the work being completed this year itself.

Yours sincerely,

W. S.

To

1. Rao Bahadur **Sri Rajaiah D. Paul, M.A.,**

Secretary to Government,

Local Administration Department,

M A D R A S.

D.O. no. 33811 E 148. 1 dated 3.9.48

L.A. Dept. E. no. 33811/48

My Dear Rama Varma Raja,

Sub: Building - Madura Dt. Rd. - Construction of High School building in Uthamapalayam - Failure of Contractor to complete the work - Closure of account.

ppr. 1/2 Your D.O. dated 18.8.48 ~~has been transferred to the E & P H Dept. as order have to be issued by them. in which orders on the subject have to issue.~~

To
Sri K. Rama Varma Raja, I.S. Officer
Clerk. & Spl. Officer
Madura Dt. Rd.
11/9/48

6/10/48 7.9.48

18/9 29.11.48

Yours sincerely,

R
29/11

35

~~4~~

Admitted from EPH
that they have not
received the letter
referred to in the D.O.



LTWO 53811E/48-2

8 19148

10 Sept 48

(2)

35

Please see the D.O. from the S.O. Madura
dt-Bd. on pp1-2 above. The subject is one
for consideration in EPH Dept. Its order
have to be issued from that Dept the
D.O. may be transferred to that Dept.
The S.O. may be informed accordingly
by a D.O. A draft D.O. is submitted below
for approval. After issue the file may
be transferred to EPH HQ.

19.48

11/19/48

28.48

S.P.H. (A.I.)

The receipt of the EPH Dept.
The letter of the S.G. of Board,
Madura referred to at x on p1 ante may be

37

awaited till 22.9.48.

10/9/48
11-9-48
109.48

CR. 21374. From the S.O. St Bd Mathurani Ref. 2.16 no 13073/46
8.5.3.49 p120f
From the Chief Engineer (Highways) Enst no 5145.92/48-3
8.7.3.49 p140f

The Chief Engineer agrees with the recommendations of the Superintending Engineer (Highways) TV Circle in para 6 to 8 of his letter on pp 10-11 of & suggests that the Divisional Engineer (Highways) may be instructed to enforce the terms of the contract on the defaulting contractor. The S.O. St Bd Madurai may be informed accordingly. He may also be informed that the completion of the work should not be undertaken before the question of financing the scheme is settled. The maximum subsidy sanctioned for the work in 1941 is Rs 16,000 based on the then estimated cost of Rs 32,000.

EXP A

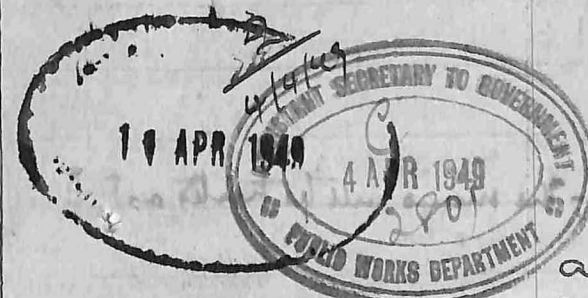
2 38



Edn no. 669113/48-3
5.4.49 1/4/49

2-4-49

P.W.D. Fin



Fin. no. 23858/Exp. D/49-1
5.4.49

P. W. D. U. O.
2801C/49-1
6.4.49

and the revised estimate is for Rs 53,400. Sanction of Govt should therefore be obtained for payment of subsidy as per revised estimate before proceeding to complete the work.

A draft memo is submitted below for approval. P.W.D. may see before issue

P.W.D. (C)

E. & P.H. Deptt's note from hb ante and the draft memo below may be perused and the file may be passed on to Fin.

5.4.49

6.4.49 Fin (Exp A)

May be perused and returned to Exp H.

9.4.49

9.4.49

Exp H.

of para 2
Extract from the Note File relating to Subsidies -
Buildings - Secondary Schools under local bodies bearing
C.No. 40742/49.

XX XX XX
2. The following are the categories of schemes for which
the question of providing funds for payment of subsidies in
the current year has to be considered:-

I. SCHEMES FOR WHICH GRANTS HAVE BEEN SANCTIONED IN PRE-
VIOUS YEARS BUT FOR WHICH NO PROVISION WAS MADE IN THE BUDGET
AS IT WAS THEN CONSIDERED THAT THE SCHEMES ARE NOT LIKELY TO
BE TAKEN UP FOR EXECUTION IN THE CURRENT YEAR.

Their present stage is noted below:-

(1) BOARD HIGH SCHOOL, UTHAMAPALAYAM - CONSTRUCTION OF A
BUILDING. Against the maximum subsidy of Rs. 16,000 sanctioned
for this work in 1941, Rs. 8763 has been disbursed and the work
has been left incomplete owing to the failure of the contrac-
tor to finish it as per contract. The S.O. has been asked to
get the revised estimate for completion of the work approved
by the D.P.I. and then apply for a subsidy towards one of ~~half~~
half of its cost.

(2) BOARD HIGH SCHOOL, KAMUTHI, RAMNAD DT. - CONSTRUCTION
OF A BUILDING FOR THE MIDDLE SCHOOL DEPT. Against the subsidy
of Rs. 9247 sanctioned for this work, a small amount of Rs. 314
only has been paid towards the cost of construction of a well.
The main building scheme has not been taken up. The revised
estimate for the work is under scrutiny and has not yet been
submitted to the D.P.I. for approval. After it is approved
the Dt.Bd. should apply for subsidy towards one half of the
cost.

(3) MUNICIPAL HIGH SCHOOL, CHICACOLE - Construction of a
building. The revised estimate for the work is Rs. 44,000.
The maximum subsidy which the Govt. undertook to pay as a
special case is Rs. 29,000 with reference to the previous esti-
mate for Rs. 33,000. Even if the maximum subsidy of Rs. 35,000
is made as a special case, the council has to find Rs. 9,000.
The financial position of the municipal council will not per-
mit the incurring of any expenditure from its funds. The
Council was advised to defer the scheme, but as it wants to
proceed it has been asked to report whether it has collected
any donation and if not how the cost will be met.

The D.P.I. has suggested that a lump sum provision of
Rs. 20,000 may be made for these schemes; but having regard
to the present stage of these schemes it seems unnecessary to
provide anything in the current year's budget. It is not
clear whether these schemes should now be treated as new
schemes and considered as Part II schemes for next year or
whether the D.P.I. may be asked to include necessary provi-
sion in Part I estimate for 1950-51. Finance may be con-
sulted.

/True extract/

Extract of para 2 of Finance Department's note.

2. Item I in para 1 above - Schemes for which grants
have been sanctioned in previous years but for which no provi-
sion was made in the budget, as it was then considered that
the schemes are not likely to be taken up for execution in
the current year.

E. & P.H. refer to three schemes under ~~this~~ category.
A portion of the grant was disbursed in the past for two
schemes viz. items (1) and (2) in para 2(I) on p. 6 above. In

Expt. Dept. (by)

28154

Issued as Memo No. 66911 B1/48-4 Edu d. 12-4-49. p 16 of

From the D.P.I. No. R.C. 10100 (d) 92-46 d. 16-4-49. p 17 of

P.I. See the letter from the D.P.I. on p 17 of

He states that he has approved the plans and ~~estimate~~

~~the revised estimates~~ for the const. of building to

the B.H.S. Uthamapalayam. No action is necessary

now. Action may be taken when the S.O. applies for

grant as suggested in the foot memo on p 16 of. ~~The memo will be treated as~~

8/26/49

27-4-49

28/4/49

It would seem
sufficient to
include the ne-
cessary provision
in Part I of the
B.E. for 1950-51.

V.R.
27-7-49

the third case viz. item (3) on p.7 N.F. no portion of the grant was disbursed in the past and it is not known whether any payment will be made in the current year. E.& P.H. suggest that necessary provision may be made for the three works in Part I of the B.E. for 1950-51.

Under para 53 of the Madras Budget Manual, the Part II estimates include grants not only for new works but also for works in progress or completed works for which no part of the grant has actually been disbursed in a past year and no part is likely to be disbursed in the current year. Finance may suggest that necessary provision for items (1) and (2) on p.6 N.F. may be made in Part I of the B.E. 1950-51 and that the D.P.I. may be asked to estimate the amount correctly when submitting his estimates with reference to later information available. (Item (3) viz. grant for the construction of a building for the Municipal High School, Chicaole will have to be considered in connection with the Part II proposals for 1950-51, as the work has not yet been taken up and as no grant will evidently be disbursed in the current year.)

Memorandum No 4242 dt 1/49 - 4 Jan 5, 13.8.49 - p21cf
True extract

From the S.O. Dt Bd Mathurai R.C. E 16 -13073/46 dated 8-8-49- p25cf

From the D.P.I. R.C.No 10100(d)/ 46 dated 3-9-49 - p23cf

The S.O. Dt Bd Mathurai has applied for a subsidy towards the cost of completion of the building for the Board High school at Uthamapalayam which has already been partly executed with the help of Govt subsidy and left unfinished owing to the failure of the contractor to complete the work. The revised estimate for the work including the value of the work already done and the value of the work yet to be done is estimated at Rs 53,400 and this has been approved by the D.P.I. The maximum subsidy payable towards the cost of construction of the building may be raised from 16,000 (the subsidy previously sanctioned on the basis of one half of then estimated cost of Rs 32,000) to Rs26,700-(onehalf of the revised estimate for Rs53,400).

2 The S.O. Dt Bd Mathurai may be permitted to proceed with the work and claim the subsidy due in the next year with reference to the progress made in the execution of the scheme in the latter part of the current year as well as in the next year. As the work has not yet been resumed and the winter season will set in ^{in shortly} no appreciable progress ^{is likely to} be made in the current year. As already instructed - the D.P.I. may be asked to make the necessary provision for payment of subsidies for this scheme in Part 1 of the estimates for 1950-51.

3 A draft order is submitted below for approval. It may be sent to

Finance u.o. for acceptance.

Edn u.o. 6918181/49.1
12.9.49

11.9.49

12.9.49

S/R12
109/ Fin

12/12/49



Fin 60179 EA-1



Please see the note from p2 above.
The draft order may be accepted.

15.9.49

S/O H
(B1)

16.9.49

43

1/2

1/2

1/2

1/2

1/2