

Education and Public Health

(194 50) Department.

SERIES.

Miscellaneous.

G.O. NO. 286. Edm

Dated 3rd February, 1950.

closed.
B
L

[Despatch Abstract.]

Typewriter - Damaged by fire - Transit - S.I. Ry. - Not liable to loss -
Orders passed.

Back Papers.

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

Further Papers.

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

From: V.V. Subramanian, Esq., I.C.S.,
Superintendent of Stationery,
Madras at Guindy,
Madras.15.

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

No. B.5.10562/48.

Dated: 24/11/49. 28 NOV 1949

Sir,

Sub: Royal Typewriter X-1159292 - belonging to the Treasury
Deputy Collector, Tanjore - Damaged in fire - accident.

The above Royal typewriter belonging to the Treasury Deputy Collector, Tanjore was, under instruction from this office, sent to Messrs Addison & Co., Ltd., Madras by train for certain repairs, in December '48. The parcel van in the train in which the typewriter was kept, caught fire near Portonovo and consequently the typewriter was damaged.

The present cost of the typewriter, after allowing depreciation is Rs.300/-. When the S.I.R authorities were addressed, to make good the loss to Government, they have disclaimed the responsibility, as unavoidable and beyond their control. A copy of the ref.No.A.T.2360/1/6 dated 9/11/49 is enclosed for reference.

I solicit orders of Government in the matter. It seems to me that the Railway aut should make good the loss to Government.

pk.24.

Encl: TSS 24/11 for Superintendent of Stationery.
Copy to the Treasury Deputy Collector, Tanjore.

Copy to the General Manager, S.I. Railway, Tiruchirapalli.

Encl: P.T.O

Copy of letter No.A.T.2360/1/6 dated 9/11/'49 from the General Manager, S.I. Railway, Tiruchirapally, to the Superintendent of Stationery, Madras.15.

Re: Stationery- Typewriter - Royal No.XII-59292 -
Damaged in fire accident while transit - Claim
for Rs.322/-
Ref: Your letter No.B.7.10562/48 dated 9/9/49.

Further to my letter No.A.T.2360/1/6 dated 20/9/49, I have to inform you that the parcel under reference was loaded and carried in the Parcels van attached to train No.10 on 8/1/49. At Porto Novo it was found that the Parcels van was under fire and in spite of the best efforts made to put out the fire, some parcels were destroyed. The parcel in question was one of them.

As the brakevan caught fire enroute due to circumstances beyond the control of this Railway, the Railway cannot be held responsible for the loss of the parcel.

In the circumstances, I regret your claim on this account cannot be admitted.

Sd/- XX XX XX XX
for General Manager.

Letter Ref No 92846c2/49-2 Edn dated 15-12-'49

To
General Manager
The Chief Commercial Manager
S. I. Railway
Trichinopoly (with enclosure)
Trichinopoly

Sir

Subj: Royal Typewriter X-1159292 -
belonging to the Treasury Deputy
Collector, Tanjore - Damaged -
in fire accident.

I am directed to forward a copy of letter No.B.5.10562/48 dated 24.11.49 from the superdt of stationery and to request that in the circumstances reported by him, arrangements may kindly be made to pay the cost of the damaged machine viz Rs 300/- to him.

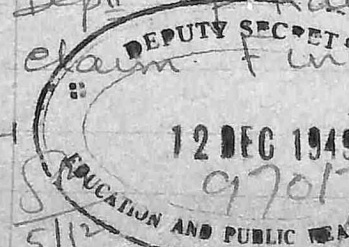
Yours faithfully



8/12
5/12
J. J. J.

Note Further action may be taken, if necessary, in consultation with the Legal Dept. if Railway authorities resist the claim. Finance may see.

E & PHC200 92846/49
6-12-49



Fin. no. 84918/EB-1
10.11.49

May be perused and returned to 826 H.
10/12/49
EPH

E & PH (C2)

The draft letter overleaf may
now issue.

13/12/49
JD
13/12/49

SOUTH INDIAN RAILWAY.

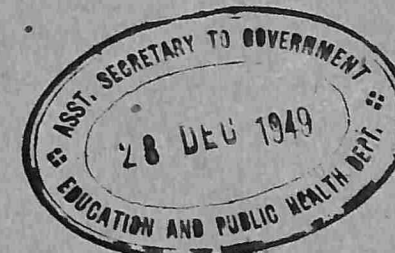
TELEGRAM : SILVIA, Trichinopoly.
TELEPHONE : TR 177 & 178.

General Manager's Office,

TRICHINOPOLY, 27--12-- 19 49.

No. A.T. 2360/1/6/

The Deputy Secretary to Government,
Education & Public Health Department,
Fort St. George, Madras.



Sub:- Royal Typewriter x-1159292 - belonging to the
Treasury Deputy Collector, Tanjore - Damaged
in fire accident.

Ref:- Your letter Ref.No.92846-C2/49-1 Edn. dated
15th December 1949.

With reference to your letter quoted above, I have
to refer you to this office letter No.A.T.2360/1/6 dated
9-11-49 addressed to the Superintendent of Stationery, Madras
at Guindy, a copy of which has been sent to you by him with
his letter No.B.5-10562/48 dated 24-11-49.

NM.

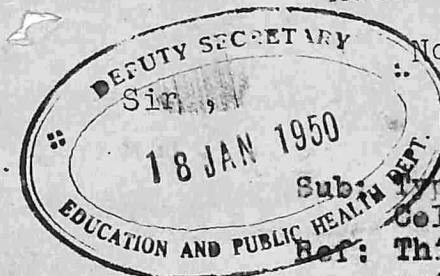
Kankarabalan
for General Manager.

6
From: Sri V.V. Subramanian, I.C.S.,
Superintendent of Stationery,
(Madras) at Guindy,
Madras.15.

To
The General Manager, South
Indian Railway, Trichinapalli

Dated:

14-1-50.



No. B.5. 10562/48.

Sub. Typewriter - Royal X1159292 - belonging to the Treasury Dy. A
Collector, Tanjore. damaged - in fire accident.
Ref: This office B.5. 10562/48 dated 24-11-49 and Govt. F&PH
reference No. 92846e2/49-1 education dated 15.12.49.

4274
I invite your attention to the above references and request that a
reply to it may be expedited.

Rg.16.1.

P.T.O.

For Superintendent of Staty.

TJS
Tb11

268

Copy to the Secretary to Government, Education and Public Health Department. Madras.

E & PH (e2).

Please see the copy of the letter addressed to the General Manager, S.I. Ry. The file on the subject referred to A overlay has been sent to Legal Dept in this Dept D.O. No 9284602/49 dt 11.1.50 and they may be requested to expedite it. May be

23/1/50
150

2.2.50

24.1.50

4/3/2

⑥
Typewriter Damaged by fire. C2
Trans - S. I. Ry - N. R. letter to
- Order passed.

For the Supr & Shj No B5/105-62/48
dt 24.11.49

For the S. I. Ry. AT. 2360/116 dt
ORD/Mo. 286 Edm dated 3.2.50 27.12.49

The Supr. & Shj. is informed that the S. I. Ry. administration is not liable to make good the loss of GWT on account of the damage caused to the Royal Typewriter X-1159292 belonging to the Treasry Dy. Colln. Tngn.

The Supr. & Shj. B
A.G.
S.C. - 1 for SF.

28/11/50

Royal Typewriter X-1159292 - Belonging to the Treasury Deputy Collector, Tanjore - Damaged in fire accident.

From the Superintendent of Stationery, No.B.5.10562/48, dated 24-10-1949.
From the General Manager, South Indian Railway, No. A.T.2360/1/6, dated 27-12-1949.

The Superintendent of Stationery has brought to the notice of Government that the above typewriter belonging to the Treasury Deputy Collector, Tanjore, was sent to the Addison Co. Ltd. by train for certain repairs in December 1948 and that the parcel van in the train in which the typewriter was kept caught fire near Porto Novo and subsequently the typewriter was damaged. The Supdt. of Stationery states, that when the S.I.Ry. authorities were addressed to make good the loss of Government, namely, Rs 300/- they have disclaimed the responsibility as unavoidable and beyond their control. The Superintendent of Stationery considers that the Railway should make good the loss to Government.

2. The General Manager, S.I.Ry. who was addressed by Government to make good the loss invites attention to his former letter in which it was stated that as the ~~Brake~~ Van caught fire en route due to circumstances beyond control of the Railway, the Railway could not be held responsible for the loss in question and that the claim should not be admitted.

3. It may be noted that in April 1949 the Superintendent of Stationery brought to the notice of Government that out of 65 bales of bleached paper, despatched by Messrs Titaghur Paper Mills, Calcutta, under a Railway Receipt through the M.&S.M. Railway, one bale was found missing. The Railway Company was addressed to make good the cost of the bale viz. Rs 174-2-8. The Railway Co. remitted the amount. It is for consideration whether on this analogy the S.I.Ry. may be ordered to pay the loss caused to Govt. on account of the damaged machine.

The remarks of Legal & Finance may be invited.



2 & PHC 92846/493

11. 1. '50

J.P.
10/1/50

11/1/50

Finance
Legal

2

cr ✓ Prin (Heck)

Finance may agree with the
view at M imp. 1 above, unless
the claim can be legally enforced.

W
16-1-50

Ceb
16-1-50

Legal

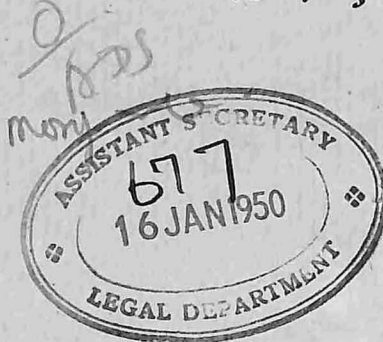
Legal

722 2881
16-1-50

LEGAL DEPARTMENT

This Department also agrees with the view of E&PH
at M on p1 ante.

The responsibility of a railway administration for
the loss or destruction of goods delivered to it is that
of a bailee. Where the goods entrusted to the Railway
Administration is lost by fire caused by circumstances
beyond its control, and there is no evidence of any
negligence or misconduct on the part of its servants,
the Railway administration cannot be held responsible
for the loss of the goods.



Gift

W
23-1-50

E&PH.
C2

Legal no 677/50-1
23-1-50

A draft order is submitted.

Hon (E&L) may see.

J
28-1-50



W (Edm-8)

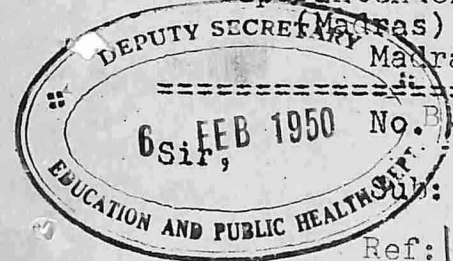
W
2/2

W
2/1

(9)

From: Sri V.V. Subramanian, I.C.S.,
Superintendent of Stationery,
Madras.15.

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



No. B.5.10562/48.

Dated: 4/2/50.

Subject: Typewriter - Royal No.X.1159292 - belonging to the
T.D.C. Tanjore - Damaged in Fire Accident -

Ref: This office No.B.5.10562/48 dated 24/11/49
letter No.92846-C2/49-1 Education dated 15/12/49 and
of Government addressed to the General Manager S.I. Rly
Tiruchirapally and his reply letter No.AT.2360/1/6
dated 27/12/49.

I request to be informed of the orders of Government passed
on the above.

pk.4.

for Superintendent of Stationery.

TSS
4/2

2

E & PH (C2)

Orders have been issued in G.O. Ms.

p-94 (K) No. 286 Edm of 3.2.50 on the reference
stated at X overleaf. This may be added
to file

1924 50

7/25
925

(10)