

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	953	Presse Mis.
191-92		
Dated	25-7-	1861.

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24.7.11

PUBLIC WORKS DEPARTMENT.
Public.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from Lieutenant-Colonel W. I. BIRDWOOD, Deputy Chief Engineer, in charge of Central Office of Public Works, to J. D. SIM, Esq., Secretary to Government, dated Chepauk, 5th June 1861, No. 1,276 :—

SIR,

1. In the letters noted in the margin, from the District Engineer Tanjore, which I have the honor to forward herewith, that

1 Letter from District Engineer, dated 4th April 1861, No. 420.
1 Do. to District Engineer, dated 18th April 1861, No. 12,038.
1 Do. from do., dated 23rd April 1861, No. 440.
1 Do. to do., dated 11th May 1861, No. 426.
1 Do. from do., dated 10th May 1861, No. 24.
Officer suggests that some specific instructions should be issued with respect to the authority that is empowered to dispose of the debris of dismantled works, that being still an open question, as will be seen from the two following cases.

2. The Civil Judge of Negapatam declined to allow the Department of Public Works to take away the debris of some pillars of a building on the eastern face of the citadel at Tranquebar, which had been converted into a Jail. The debris was much needed for the groyne works, for which materials cannot easily be procured in the immediate neighbourhood; but as the same was wanted by the Civil Judge for the formation of pathways round the Jail, he objected to its appropriation for the former work, though the District Engineer was prepared to give credit to the Jail works for it, and as much material as could be required for the pathways might have been procured without cost within the Fort of Tranquebar and prisoners employed in conveying it to the spot where it was needed.

3. Again, the materials of the dismantled buildings in the Fort of Tanjore have been either disposed of by the Collector or appropriated for various purposes. Under the impression that these materials would be available, provision was not made for them in the estimates for the Súrja Mahál, &c., but the proceeding of the Collector will necessitate the purchase of new materials, and probably cause an excess over the estimates.

4. In my opinion, whenever a building is once made over to this Department for repairs, by the Head of any other Department, the District Engineer alone is responsible for making the best arrangements he can for the disposal of the old materials, whether they consist of debris, condemned rafters, or any thing else, so long of course as he gives credit for the same to the work whence they have been taken, and the Head of the Department which uses the building should have no power whatever to interfere in any way, or to touch the materials, new or old, so long as the building remains in the hands of the Executive.

5. If Government concur in the views here expressed, I will circulate the same for the information of all the Officers of the Department.

ORDER THEREON, 19th July 1861, No. 1,342.

1. The questions raised in the correspondence submitted with this letter, are :—

I. Are unoccupied or abandoned buildings under the custody of the Public Works Department, or that of the Department to whom they originally belonged?

II. Where buildings or other structures have been thrown down or repaired by the Public Works Department, who are the proper parties to appropriate or dispose of the debris or old materials?

III. As a corollary to the above, ought not the materials to be disposed of to the best possible public advantage; and who is to be the judge of what is that best advantage?

2. The first question has been correctly answered by the Central Office, to the effect that unoccupied buildings are under the charge of the Department to which they belonged: and that Department is answerable and must take measures for the care of the buildings, and obtain the orders of Government for their disposal when no longer required.

3. As to the second question, the Public Works Department is the Department to appropriate or dispose of old materials, and credit for the value or sale proceeds must appear in the accounts.

4. Thirdly, the old material of buildings under repair, &c., in the Department Public Works, should be disposed of to the best advantage; and the District Engineer, subject to the Chief Engineer's control, is the proper party to decide to what is the best way of disposing of them.

(True Extract.)

J. D. Sim
Secretary to Government.

To the Chief Engineer,
" Board of Revenue, } for information.
" Judicial Department, }

Exd. S. T. Augustin.

3 Mr. Sim

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