[L. & M.
9,000-8-8-96.]

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Local & Munl. (1895-) Department.

MISCELLANEOUS.

G.O., No. 2398 L.

DATED 9th Decr 1895.

[**Despatch Abstract.**]

District Board Engineer.

Recording letter from the President, District Board, Malabar, forwarding explanation of the -----, Mr.Maylor, regarding certain irregularities in connection with the repair of a certain road.

✓

BACK PAPERS.

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

FURTHER PAPERS.

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

No. $\frac{90627}{\text{Dis}}$

Proceedings of the President District Board Malabar dated 26th November 1895

Read again this office Proceedings dated 9th July 1895 No. $\frac{513 \cdot LF}{\text{Dis}}$.

Read also office note dated 12th September 1895

Reference No. $\frac{2/22}{\text{DBED}}$ of 95 from Mr Maylor, the District Board District Engineer submitting explanation as regards the various irregularities pointed out in the above Proceedings.

The Charges against Mr Maylor are mainly (1) that he, of his own motion, and without authority revised twice an estimate for Rs 2000/ originally sanctioned by the Board (2) that he allowed an excess amount in the revised estimate by adopting rates different from those sanctioned by the Board, and (3) that in the revised Estimate he provided a sum of Rs 247-2-0 for work already done which was not provided for in the original Estimate.

2. With regard to the 1st charge, Mr Maylor states that he did not obtain the sanction of the Board

-Sreedharan Nambudri and

Board to the first revised estimate (Exhibit D.1) as he intended submitting a Deviation statement later on and as there was no alteration in the several rates for the work. As regards this contention it has to be observed that the original estimate exhibit (Exhibit C) being one for special repairs and the quantity having been materially altered, a revised estimate was necessary as the deviations were not of a trifling nature for which alone form no. 20 is intended. Again in his diary for the week ending 24th February 1894 Mr. Maylor stated that he was again going to revise the special estimate, and he actually did so. His remark in a diary is not a sufficient authority to cover the carrying out of the work without obtaining the sanction of the Board. His failure to obtain sanction however appears to ~~be~~ have been only an oversight.

3 As regards the 2nd charge, Mr. Maylor states that there is no alteration in the rates in the first revised estimate (Exhibit D1) and that the rates given in the 2nd revised estimate (Exhibit D) were those adopted in

in accordance with the actual necessities of the case. With regard to the 1st contention it has to be observed that in the original estimate (Exhibit C) the rate for collection and spreading of metal between 4/5 and 5/8 miles is given as Rs. 8 which should have been Rs. 7-12-4 according to the Road metal rate book whereas in the 1st revised estimate (Exhibit D1) he has provided a rate of Rs. 10-10- for the above. This is clearly an alteration for which the sanction of the Board should have been obtained. Again in (Exhibit D) the 2nd revised estimate the rate for gravel collection is below what it was in the original estimate itself viz Rs. 4-1-3; but as regards metal, a uniform rate of Rs. 10 has been adopted — instead of Rs. 9-7-6 from 2nd to 4th mile and Rs. 6-9-10 from 5th to 6th mile in the original estimate. The decrease in the rate of gravel collection and the increase in the rate of metal should have been reported to the Board. The revised estimates D1 and D do not give the furlongwar particulars of

Collection

Collection of materials. It is therefore not possible to say whether the rates given in the 2nd revised Estimate (Exhibit D) which the Engineer states were adopted in accordance with the actual necessities of the case are fair. Mr. Maylor, however, asserts that the rates adopted in it are below what the D. P. W and the Local Fund Department gave in previous years and that they may therefore be accepted.

4. With regard to the 3rd. Charge Mr. Maylor explains that in his Office note Ref on No. $\frac{1877}{\text{DBED}}$ of 93 dated 26th July 1893 he wrote to the President, District Board, that he had in anticipation of Sanction authorized the A System Contractor to keep the road in question in orders and that he had instructed the overseer to keep an account of Extra work done. The President on the above Office note ordered on the 18th September 1893 that only such repairs as were absolutely necessary should be carried out for the upkeep of the road and any excess amount required might be provided in the budget for next year or transferred from other works. Before the receipt of the ~~Other~~ above order Mr. Maylor with his office note dated 15th August 1893 Ref on No. $\frac{2273}{\text{DBED}}$ of 93 submitted an Estimate for Rs. 2000/ for special repairs to road No. 37 in which he was not able to include the actual cost of work already done on the road. He was able to ascertain the Cost only on the 21st November 1893 and accordingly included it in the revised Estimate D1 prepared on the 9th December 1893.

5. On a Careful Consideration of the facts, the President is of Opinion that Mr. Maylor's Explanation may be accepted as satisfactory. There has been no pecuniary loss to the Board and Mr. Maylor will distinctly note that he should in future work up to the Estimates sanctioned by the Board and should not except in unimportant cases or trifling details alter the quantities or rates without obtaining the sanction of the Board for the revised Estimates which should be submitted in due course.

(Sd) J. Hewetson
President

True copy
T. Varadarao
For President.

Cabiet 29. 11 - 95

...Sreedharan Nambudri and

3/3539M/95

District Board District Engineer's
Office, Calicut, 12th September 1895

Ref. on Cal. $\frac{2/122}{\text{DBED}}$ of 95

Office note

To,

The President, District Board,
Malabar

In reply to your Proceedings no. $\frac{513}{\text{Dis}}$ L.F of 9th July '95, I have the honor to submit the following explanations with my observations in the matter.

(1) Re. the necessity for the revised Estimates D & D1.

On my inspection of the road in question on 21st November 1893 I found it badly cut up in places, and several rat holes here and there were noticed too. vide my diary for the week ending 25th November '93 (true Copy herewith forwarded for perusal and return, in the absence of the original which is not forthcoming at present — I feel sure that the President must have passed some remarks on the original) I then revised the sanctioned Estimate (Ex: C) to suit the actual ~~the~~ requirements of the road (vide Exhibit D dated 9.12.'93) but not exceeding the sanctioned rates. There being no alteration in the rates I thought separate sanction

was

was unnecessary except by means of a deviation statement which can only be submitted after the expenditure incurred has been regularly allotated under different sub heads of work. Moreover it occurred to me to await getting sanction at all in view to this estimate being further revised on my inspection of the road again in the following February providing for metal and gravel collection only during the year as it was then not the proper season for spreading and consolidating them for want of water, and fever largely prevailing in Wynaad at the time besides being the end of the official year, and to sanction being then obtained all at once. I accordingly on 22nd February inspected the road and found the further revision of the estimate very necessary as stated in my diary for the week ending 24th February '94 herewith sent for perusal and return. This diary was seen and approved by the then Dist: Board President Mr. Bradley on 10th March '94. I have therefore revised the estimate a second time (not in excess of the original estimate amount) vide

Ex: D

Ex: D d/7.3.94 - But in so doing I allowed Rs. 4 for 100 cft of gravel and Rs. 10 for metal collection alone against Rs. 5 and Rs. 10-10- respectively for collection and spreading together appearing in the original estimate (Ex: C)- According to Road metal Rate Book (Ex- A) the rate for collection of gravel is Rs. 4-1-3 and metal (2 to 4 miles) Rs. 9-7-6 for 100 cft. But Mr. Winterbotham having all along kept complaining both in letter and person of the rate allowed in the original estimate viz Rs. 10-10- for metal collection and consolidation as being too low to allow any margin (vide his letter dated 8th December 1893) I have allowed for metal collection Rs. 10 instead of Rs. 9-7-6 found in the Rate Book (Ex- A) But in so doing I was fully alive to the fact of the increased rate being not in any way excessive but being on the other hand far below the usual rate given for those miles in the previous years and as compared with the D.P.W. rates in the Wynaad, vide special estimate for this road sanctioned in 1890-91 herewith sent for perusal and return wherein you

will

Sreedharan Nambudiri

will find Rs. 14-7-2 was allowed as average rate for 100 Cft of metal Collection and Consolidation at the same miles against only Rs. 6-6-- in the original sanctioned Estimate (Ex: C) You will also see that I have allowed only Rs. 4 rate for gravel Collection while 4-1-3 should be strictly allowed as per rate book (Ex: A) I made this reduction in gravel as it was sufficient. Under such Circumstances I hope you will see that the rate Rs. 10 in the 2nd revised Estimate was not given as I pleased, just to favor the Contractor but was based on the above just and reasonable principle. The only error on my part is that necessary sanction to the Estimate was not obtained in time by me before going on furlough which was a failure really due to the fact that I was just at that time being completely knocked up owing to my having been frequently laid up with fever and dysentery which left me in a sore plight as no doubt you are aware of, quite unable to satisfactorily attend to my work. I was soon after forced to the necessity of altogether quitting India agreeably to medical advice and

and the whole matter was left to be settled by my successor Mr. Underwood who I find has failed to place it before the Board in justice to me and obtain the necessary sanction to the revised Estimate as he was equally responsible for the transaction; on the other hand I observe from his note dated 9-2-96 that he has brought the matter to your notice more as a slight on me which shows that he was biased against me, than support my action. I also find that Mr. Underwood obtained a revised rate book from the Wynaad Overseer on 26th Oct '94 (Ex: B) to tally with the revised Estimate in dispute, and he ought to have seen to any irregularities in it as I had nothing whatever to do with it, it having been received while I was absent in Europe.

2. I have further to inform you that all that was paid by me on the work was Rs. 277-5-7 on account of very urgent unforseen works, such as cutting drains, tarring, filling ruts raking up wheel tracks etc

Sreedharan Nambudri

14 [illegible]

etc as the road was then next to impassable but a sum of Rs. 1717-6-10 was paid by Mr. Underwood on account of the whole materials required as per Estimate thus:—

May '94 ——	Rs. 359 - 7 - 5
July - " ——	Rs. 1121 - 4 -
October - " ——	Rs. 236 - 11 - 5
Total Rs.	1,717 - 6. 10

and it is strange how he did not look into the matter of obtaining sanction before expenditure was incurred by him. In his memo Ref on No. 620 of 3rd July '94 (which I call Exhibit $\frac{A}{1}$ and herewith sent for perusal) written at Camp Manantoddy, to South Wynaad overseer he orders thus: "overseer Mr. Benjamin is informed that the rate for metal for special repairs to Road No. 37 is Rs. 10 and Mr. Winterbotham must be paid at this rate as per Estimate". This order was given by him against his own remarks that the rate of Rs. 10 is in excess of the sanctioned rate in the original estimate vide (Ex: E).

In

-Sreedharan Nambudri and

14 " In [illegible]

In the face of these facts, I am at a loss to understand how Mr. Underwood could have put the blame on me shuffling off his responsibilities in the matter and further remarking in his note against D, that I have overruled the sanctioned estimate of the District Board communicated to Contractor and that it is irregular. I leave it to you to judge how far he as an Assistant Engineer acting for District Engineer for a time is justified in his above remarks.

3. As regards the failure of submission of deviation statements, I beg to state that this statement could only be prepared after the expenditure incurred had been properly allocated under the different sub heads of work as prior thereto it was not possible to ascertain under what subheads and how far the sanctioned quantities or rates have been deviated. The entire expenditure of Rs. 1,994-12-5, Rs. 277-5-7 paid in my time and Rs. 1717-6-10 by Mr. Underwood has been shown in my work's register under the sub heads thus:—

Unforeseen works —— Rs. 514-1-.
Materials at site —— " 1480-11-5

as found from the monthly works Abstract of the overseer; the deviations can be known only after the spreading of the materials takes place when credit will be given to the temporary sub head "materials at site" and the corresponding amount exhibited under the respective sub heads "Spreading gravel", "Spreading metal" as the case may be. But the materials being shown "at site" until the end of last year no deviation statement could have been submitted in my time.

4. Regarding the special grant of Rs. 250 or 300 asked by Mr. Winterbotham, dealt with in para 4 of your Pro; I have to state that this special fund is not for the whole road as presumed, but only for that part of it where mud holes etc existed vide his letter of 6th July 1893 and the sum of Rs. 160 and odd stated to have been actually

Sreedharan Nambudri and

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actually spent by Mr. Winterbotham against Rs. 126 sanctioned is for the maintenance of the road budgetted for as per margin× and has been by a mistake confounded with the special repairs of the road under reference.

× Allotment { For road — Rs. 126
For Kaniam-batta Bungalow Rs. 380
Budget 506 }

5. Re: Rs. 247-2-0 worth of work done alluded to in para 5 of the Proceedings I have to point out that when sanction to the original Estimate for Rs. 2000 submitted with my letter Ref on Cu. 2273 of 15th August '93 was refused, and I was referred by Endorsement thereon to the President's orders on my Office note Ref on Cu. 1877 of 26th July '93, which were to the effect that only such repairs as were absolutely necessary for the upkeep of the road should be carried out, I gave orders in Ref on Cu. 2273 of 17th September '93 to Contractor to carry out the actual repair works needed to keep the road going and it is this expenditure that is above referred to viz Rs. 247-2-0 and which was actually ascertained only on 21st November '93 vide Mr. Winterbotham's

letter

letter of 4th October 1893 to the South Wynaad overseer and hence it could not have been included in the Estimate submitted long before i.e. on 15th August '93 but sanctioned only in October '93 on my urging on the necessity of the Estimate in my F. Ref on Cu. 2273 of 2nd October 1893.

6. In conclusion I regret to see that in spite of my endeavours to fulfil my duties faithfully to the best interests of the Board I have been considered to have done otherwise and I hope my explanations will be to your entire satisfaction and my character thus cleared. I also request that necessary sanction to the revised estimate be now given.

7. All papers on the subject are herewith retransmitted as per list appended hereto and I request their return after the matter has been finally disposed of, as they are the records of this Office.

Sd/- W. Naylor
Dist Engineer. Dt Board
Malabar.

|True Copy|

Calicut } P.H.
29-11-95 }

T. Varadaraja
For President

13 " O. Sreedharan Nambudri and

2/3539/95

Letter

Extract from the Proceedings of Dist: Board. Malabar, at its meeting held at Calicut on Saturday the 16 November 95.

Present.

J. Hewetson Esq. President

1. Mr J. Murphy Esq. Ag Head Asst Collector
2. M.R.Ry. S. Swaminatha Iyer Avl Dy Collector & Vice President Calicut
3. Revd. J. L. Weisman
4. M.R.Ry. T. Kunhambu Avl Tahsildar
5. " P. Nanu Menon Avl Ponani.
6. Koya Kunhi Koya Thangal Sahib Bahadur
7. M.R.Ry. P. Kanaran Avl
8. " V. Kesava Menon Avl. Sub Asst Inspector of Schools. Palghat
9. " S. Ananta Patter Avl Tahsildar Walluvanad ~~[illegible]~~
10. " P. I. Chinnaswami Pillay Avl
11. " A. Venkitapathi Naidoo Avl
12. " P. Narayana Menon Avl
13. " P. Sreedharan Nambudri Avl
14. "

15. L. P. Naidu Sahib Bahadur

Supplemental

2 Read again Presidents Proceedings
th July 95 no $\frac{513 L7}{Dis}$ Calling on Mr
the Dt Board Dt Engineer, to ex
the various irregularities
Sir, to the special repairs to Road
Adventure
note from the Dt Board
July 95 dated 12th Septr 95 Ref on
to $\frac{722}{ED}$ of 95. explaining the
of G. O. irregularities referred to in
one Proceedings and requesting
that for reasons stated, Sanction may
be accorded to the revised Estimate
(Exhibit D.) submitted by him.

Sanctioned.

Sd/ J. Hewetson
(True Extract) President.
T Varadurao

95
office

1/3539 L/95

No. 906(a) L7/Dis Malabar Dist Board Office
Calicut 27th November 95.

Local & Municipal Dept
DOCUMENT No. 3539 L

From
J. Hewetson Esq.
President Dist: Board

To
The Honble J. H. Price
Chief Secretary to Govt
Madras.

Sir,

Adverting to para 2 of G.O. dated 29th July 95. no 1332 L. Mis. I have the hono to forward herewith for the informatio of Government Copy of my proceedings no. 906 L7/Dis dated the 26th Inst, passin orders on the explanation furn by Mr Mayfor, the Dist: Board regarding the various irregularit with regard to special repairs Road no 37. A Copy of Mr Mayfors explanation read in the above — Proceedings is also Enclosed.

2. In this Connection, I beg to

State that the revised Estimate D. referred to in para 6 of Mr Maylor's Explanation was Sanctioned by the Dist: Board at its meeting held on the 16th Instant. A Copy of the Board's resolution on the subject is herewith Submitted for the information of Government.

I have the honor to be
Sir,
Your most obedt Servant

T. Varadarao
for President.

Municipal Dept.
CURRENT No. 3539 L

From
The President
D.t Board
Malabar

To
The Chief Secretary
to Govt
Madras

D/ 27-11-95
Despd 30-11-95
Recd

CHIEF SECRETARIAT
-2 DEC 1895
GOVERNMENT OF MADRAS

Enc 3.

Subject.

Forwarding for the information of Govt. Mr Maglosi explanation referred to in para 2 of G.O no 1332 L mis d/ 29.7.95

(With order)

No
mis:

Order No 2398 L mis. 9.12.95

Recorded.

V.R.
9/12/95

W.W.S.
9.xii.95

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Letter of Government.

Statement with ditto.

Papers not filed up, being meant for despatch in original.

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