

L. & M.
100-13-0-89.

Local & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1598 M

DATED 13-9-98.

DESPATCHED

INDEXED.

[Despatch Abstract.]

Examination of Cars.

Recording Ld. P.W.D. laying down the procedure to be followed in regard to the — before they are allowed to be dragged, and extending to all regular magistrates the power of requisitioning the Public Works Department to examine & report on the stability of cars whenever necessary.

W. A. M.

BACK PAPERS.

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

FURTHER PAPERS.

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

Local & Munl. (189) Department.

CURRENT No. 2779m

From Govt. of Madras
P. W. D.

Order No 1598 Muns
13/9/98.

Recorded.

2/9/98

No. 2036.

Dated 11-8-98.

Received 24-8-98.

Registered

Enclosures

Spare copies.

Copy to the Chairman. Re Chidambaram. 15/9/98

SUBJECT.

Examination of Cars

Laying down the procedure to be followed in regard to the before they are allowed to be dragged, and extending to all regular motor vehicles the power of requisitioning the P. W. D. to examine and report on the stability of cars whenever necessary.

BACK PAPERS.

G.O.	No.	Department.	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

BUILDINGS AND ROADS.
CIVIL WORKS.

Government {1898} of Madras. PUBLIC WORKS.

LOCAL & MUNICIPAL EPT.
CURRENT No. 2779m

Recd. 24 AUG 1898

Regd.

1898.

Enclosures

Spare copies

G.O., No. 2036 W., 11th August 1898.

AUGUST.

Examination of Cars

Laying down the procedure to be followed in regard to the — before they are allowed to be dragged, and extending to all regular Magistrates the power of requisitioning the Public Works Department to examine and report on the stability of cars whenever necessary.

No. 2036 W., 11TH AUGUST 1898.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

READ—the following papers :—

From Colonel C. C. RAWSON, R.E., Superintending Engineer, V Circle, to the Chief Engineer, Public Works Department, dated Chepāk, 23rd March 1898, No. 204 W.

I have the honour to forward copy of a letter, No. 178 S.E., dated 11th March 1898, from the Executive Engineer, South Arcot, regarding the grant of certificates of the stability of cars, and to request the favour of orders on the subject.

2. The question appears to be as to who are the responsible authorities mentioned in paragraph 3 of G.O., No. 1330 W., dated 27th May 1881.

ENCLOSURE.

From J. E. PAUL, Esq., Executive Engineer, South Arcot Division, to the Superintending Engineer, V Circle, dated Camp, Cuddalore, 11th March 1898, No. 178 S.E.

I have the honour to state that the Chairman, Municipal Council, Chidambaram, requested the Chidambaram Sub-divisional officer to inspect the cars of the Sabanayagar temple, a few days before a feast, giving as authority G.O., No. 1330 W., dated 27th May 1881, and the cars were inspected by Assistant Engineer Mr. Arokiasawmy Mudaliar.

2. I find this inspection is being made annually.

To examine one car thoroughly so as to be able to give an opinion of any value, it is unnecessary to say, would take a considerable time.

3. I am inclined to think that the Government Order only intends that a car should be examined by the Executive Engineer, when it is considered that it would be dangerous to move it and then only on the requisition of the District Magistrate.

4. I would suggest that the duties of an Executive Engineer in this connection should be made plain; if it is not, and any petty official of Government or of a Municipality is permitted to demand a certificate from him as to the stability of a car, he will be more or less answerable for every car accident in the district.

No. 2090 C.

Referred to the Local and Municipal Department, for remarks.

(Signed) C. H. B. BURLTON,
Under Secretary to Government.

5th April 1898.

No. 551, Local and Municipal.

Transferred to the Judicial Department.

(Signed) H. TREMENHEERE,
Ag. Secretary to Government.

9th May 1898.

No. 2036 W., 11TH AUGUST 1898.

No. 1201, Judicial.

Referred to the Inspector-General of Police for remarks.

(By order.)

(Signed) A. R. KNAPP,
Ag. Under Secretary.

26th May 1898.

From M. HAMMICK, Esq., I.C.S., Inspector-General of Police, to the Chief Secretary to Government, dated Madras, 16th June 1898, No. 2275.

With reference to Mr. Knapp's endorsement No. 1201, Judicial, dated 26th May 1898, made on C. No. 2107 (returned), I have the honour to report that, in my opinion, the Chairman of the Chidambaram Municipality need not have addressed the Public Works Department in order that the cars he considered unsafe might be inspected by the Public Works Department. His more proper course, as it appears to me, would have been to have asked the Police to satisfy themselves as to the safety of the car before allowing it to be dragged. The Police would then have examined the cars, and, had there been any doubt of their stability, would have put in an occurrence report to the nearest Magistrate expressing their opinion to this effect. The Magistrate would then, no doubt, have examined the car himself, and either requested the nearest Public Works Department officer to examine and give his opinion on the cars, or referred the matter under section 144, Criminal Procedure Code of 1898, to the Sub-Divisional Magistrate having jurisdiction.

2. I do not think that the District Magistrate alone should be empowered to ask the Public Works Department for a certificate, as the matter may be emergent. The power of requisitioning the Public Works Department might, I think, be confined to the Sub-Divisional Magistrate, who would act of course generally on a report from the Police. If the Government agree and make an order to this effect, I shall have to warn all Police officers in such cases to take care that the examination of these cars and enquiries about their stability are made in ample time before the festivals to allow of application being made to the Magistrate in case of need. This can be done. As years go on, probably the cases in which cars are found to be unsafe will increase in number, as nowadays, in many cases, the repairs done are very insufficient.

No. 1427, Judicial.

Transferred to the Public Works Department, for the issue of the necessary orders.

(Signed) A. R. KNAPP,
Ag. Under Secretary.

6th July 1898.

ORDER—No. 2036 W., dated 11th August 1898.

In G.O., No. 1330 W., dated 27th May 1881, it was laid down that the opinion of experts in regard to the stability of cars must, when sought by responsible authorities, be unhesitatingly afforded. Under this Government Order, the Chairman, Municipal Council, Chidambaram, is reported to have asked the Sub-divisional officer at that station to inspect the cars of the Sabanayagar temple, and this was done by Assistant Engineer Mr. Arokiasawmy Mudaliar. The Executive Engineer, South Arcot division, reports that this inspection is made annually, and that to examine a car thoroughly so as to be able to give an opinion of any value, would take a considerable time. He considers that the Government Order quoted above intends that a car should be examined only when it is considered dangerous to move it, and then on the requisition of the District Magistrate, and suggests that the duties of an Executive Engineer in this connection should be defined clearly, as otherwise any petty official of Government or of a Municipality may demand a certificate as to the stability of a car and the Executive Engineer would be held answerable for every car accident in his district.

2. His Excellency the Governor in Council directs that the following procedure be followed in future.

3. The authorities of a temple owning a car should ask the local Police officers to satisfy themselves as to the safety of the car before allowing it to be dragged. The Police should thereupon examine the car and, should there be any doubt as to its stability, put in an occurrence report to the nearest Magistrate to that effect. On receipt of this report the Magistrate should examine the car himself, and, if necessary, apply to the nearest Public Works officer for his opinion on its stability. Should the temple authorities fail to take action themselves, it will be open to either the Police or the Magistrate to do so, if they think it advisable; the same procedure being followed.

4. The power of requisitioning the Public Works Department in these cases cannot be confined to a District Magistrate. All regular Magistrates, being empowered to act under section 144 of the Criminal Procedure Code, must be allowed to call on the Public Works Department to examine and report on the stability of cars whenever necessary.

(True Extract.)

J. Helms
Under Secretary to Government.

To all Superintending Engineers.
„ the Consulting Architect to Government.
„ the Judicial Department.
„ the Local and Municipal Department. ✓

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Erd. T. K. Narayana Aiyangar.

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AD AGAIN G.O. No.
189

DATED

RENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAVERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
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