[L. & M. 5,000—3-4-99.]

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No. 1346 M.

DATED 13-9-99.

INDEXED.

[Despatch Abstract.]

Munl Commission Recording Copies of full proceedings as also of abstract proceedings of meetings of the Madras Munl Commissioners held on the 29th May, 9th & 23rd June 1899.

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. (1899) Department.

CURRENT No. 2303 M

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From
THE PRESIDENT,
Municipal Commission,
Madras.

N
Misc
Order No. 1346 mis 27 13/9/99

G. No. 292.

Recorded.

Dated 30 August 1899.

Received 31 AUG 1899

Registered —

Enclosures Six.

Spare copies nil

SUBJECT.

Forwarding full proceedings as also copies of abstract proceedings of meetings of Commissioners held on 29th May, 9th & 23rd June 99

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Encl (1) to G. No: 252

Proceedings of a Special Meeting of the Municipal Commissioners for the City of Madras, held at their Office Premises, No. 22, Errabalu Chetty Street, Black Town, on Friday, the 23rd June 1899, at 5-15 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884, II of 1892 and II of 1899.

PRESENT.

R. E. Eilis, Esq., M. Inst. C. E. (*Ag. President.*)
H. Ormerod, Esq.
M. R. Ry. P. Theagaroya Chetty Garu.
M. R. Ry. P. M. Appasawmy Pillay Avargal.
M. R. Ry. R. N. Pragasa Mudaliar Avargal.
M. R. Ry. Salla Gurusawmy Chetty Garu.
M. R. Ry. M. Venkataramiah Chetty Garu.
M. R. Ry. S. Subbayya Chetty Garu.
M. R. Ry. P. V. Krishnasawmy Chetty Garu.
M. R. Ry. N. Appusundaram Pillai Avargal.
M. R. Ry. C. S. Theagaroya Mudaliar Avargal.
Mir Muzheruddin Sahib Bahadur.
J. DeCaster, Esq.
M. R. Ry. Diwan Bahadur V. Krishnama Charriar.
M. R. Ry. V. Varadappa Naidu Garu.
M. R. Ry. W. S. Venkataramanjulu Nayudu Garu.
M. R. Ry. V. Masilamani Pillay Avargal.
N. Subrahmanyam, Esq.
M. R. Ry. M. K. Lakshmana Charriar Avargal.
M. R. Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.
W. D. Smith, Esq.
Eardley Norton, Esq.
M. R. Ry. C. Tirumalayya Naidu Garu.
M. R. Ry. V. C. Desika Charriar Avargal.
M. R. Ry. M. Punithavelu Mudaliar Avargal.

THE AG. PRESIDENT:—Gentlemen, we have a quorum now and we may as well go on with the business. I believe you are all aware that a letter was sent to me under Section 70 of the Municipal Act, asking me to convene a Special Meeting to consider the question of the tenders called for by the Engineer and received by the Acting President for the supply of cast iron pipes required for the drainage in Madras in reference to the objections raised by Messrs. Mahomedally Jeevajee & Co. that the pipes should be purchased from them alone.

GENTLEMEN,—This Special Meeting has been called to discuss a subject which is still before the Standing Committee. The papers have been circulated, so I need not keep you very long with the details of the case. You will remember that on the 16th February, 1899, tenders were called for cast iron pipes for the Drainage Works. On the 7th March Messrs. Jeevajee asked the President to cancel the tenders for pipes and requested that the order be sent to their firm. Sir George Moore discussed the matter with me at the time, and it was decided that there was no necessity to comply

the estimates, whether it was not so. The present recommendation that thinner pipes would answer all purposes appears to me to be an after thought, and is put forward as a make shift, to get out of the difficulty. It is usual in all departments when calling for tenders to tell them what is wanted to be supplied, and only leave them to fill up one column, *viz*,, the rate at which they are prepared to supply; the other day I see the Sanitary Engineer called for tenders for the supply of Cast Iron Pipes for the Trichinopoly Water-supply, and in it I find that he gives the sizes, the number of different sorts of pipes, the length of each size, the weight of each pipe and the standard plan of such pipes.

He has only asked the tenderers to enter the rate per ton; looking at our tender form, I find it to be very peculiar, for, it only gives the size of the pipes and the total length in feet required. All other information including thickness are left to the tenderers. I shall say nothing more on this point.

The Acting President has recommended that the tender of Messrs. Richardson and Cruddas or Mansfield and Sons may be accepted, and in his memorandum to the Standing Committee, dated 30th May, he remarks, "that if you purchase pipes of a greater thickness than is required, you pay for a greater weight than necessary, and I cannot see any reason why the Commissioners should be called upon to purchase that extra quantity of iron which is contained in a thicker pipe when it is not required." It may be as well to inform you here, that with the exception of the two tenderers referred to, seven others, give the same thickness, or very near the same, as Jeevajee and Co.

It is alleged by the Acting President that if the thinner pipes are procured, there would be a saving of about 1,75,000 rupees, as compared with the prices given by Jeevajee, and it is his opinion that the thickness given by Messrs. Richardson and Cruddas and Mansfield and Sons is sufficient for our purpose. The position that the Acting President assumes now, in saying that this thickness would be sufficient for drainage, is to say the least, as I have already remarked, an afterthought and is inconsistent with the opinion he has expressed on previous occasion as an Engineer regarding tensile strength of cast iron pipes. In trying to condemn Mr. Loane's scheme of drainage, and his cast iron pipes, Mr. Ellis in a memorandum, dated 28th February, 1896, calculates the pressure in the main will not exceed 40 feet, *viz.*, a head of 40 feet at Mylapore, and expressed fears of the inconvenience that would arise in case of a break down.

Then again in his examination at the Committee of Commissioners at the Special Meeting on the 5th February 1896 to a question put by Mr. Pragasa Mudaliar, Mr. Ellis replied as follows :—

"I will give you 2 pictures one of iron main as prepared by Mr. Loane, from Mylapore to Chindatripett, and the other of mine. If there is any break with regard to the iron sewer into which the sewage is pumped at Mylapore there will be a jet of sewage probably 70 feet high up in the air. It would have 70 feet pressure and if that pipe is to break you can put out fire by the sewage. If it leaks the particles of sewage will be forced into the ground with a force of 72 pressure."

Now gentlemen, if the pipes that have been used in this Municipality from the year 1870 until now and which are of a greater thickness than those now considered sufficient are thought unsafe, at the head of 40 feet, I cannot understand, how far a head of 300 feet as laid down in the new tender specification, the Acting President considers that the extremely thin pipes, he now recommends, would stand at all. I should therefore think that opinions put forward to suit circumstances should be received with the greatest caution.

In the next place it is necessary for us to consider, whether we would be wise in following the recommendation of the Acting President, that the thickness given by Messrs. Richardson and Cruddas and Mansfield and Sons are sufficient for our requirements. For the purpose of ascertaining how far it would be safe, to accept this view, the Acting President was asked among other things to place before the Standing Committee, a formula upon which the thickness of pipes of various sizes should be calculated in reference to the pressure laid down, and further what should be the thickness of the various pipes according to this formula. A statement was accordingly prepared by one of the under subordinates a thing very much to be deprecated and under his

signature, and the countersignature of the Acting President, it was placed before the Standing Committee. I am inclined to think that neither the Acting President nor the Engineer have examined this important document; at any rate it appears to me that the mode in which it was prepared was enough to mislead any one. This statement purports to give thicknesses under 3 formulæ; the first one under the name of Professor Unwin, allows a working strain of 2 tons on the square inch. I do not know where this data was obtained, and the mistake must necessarily viciate the result. Probably the Acting Engineer had nothing to do with it; for, the statement does not bear his signature or initial. The recognized working strain of cast iron pipes, according to Hutton, page 226, and Molesworth, page 38, is only $1\frac{1}{2}$ ton on the square inch. Following the erroneous data the thickness of a 12″ pipe is shown in the statement as 3/16″. I would simply ask the Acting President, whether it is possible to cast a pipe of this size and thickness, say 8 or 9 feet long. In this statement, thickness as per Rankin's is also given. It is no doubt thicker than the former. Whether the calculations here regarding the thickness of pipes is correct or not I did not think it necessary to check, but if I am to judge by the calculations entered under the name of Molesworth, I have grave doubts regarding the results in the 2 preceding ones. Whether the figures in the statement are correct or not, appears to me to be immaterial, but what appears to me to be very striking is that it is made to appear whether intentionally or otherwise, that according to 2 out of 3 authorities the thickness given by Messrs. Richardson and Cruddas is quite enough for our purpose, and that the thickness according to the third, is very slightly above, that of Messrs. Richardson and Cruddas and therefore it is not unsafe to adopt the pipes of Messrs. Richardson and Cruddas or Messrs. Mansfield and Sons. I am informed that the formulæ given under the name of Unwin and Rankin are only general formulæ for Hydrostatic pressure, and are totally in applicable for calculations in practical Engineering. I am also compelled to point out that the thickness of pipes as shown in the statement under the head Molesworth formula, does not seem to be correct.

The formula as given in the recent Edition of his pocket book, page 311, is very simple; it is $\frac{1}{8000}$ X pressure X diameter *plus* $\frac{1}{20}$ X the square root of the diameter; working this out the thickness of a pipe 36″ diameter would come to 1·48 or very nearly $1\frac{1}{2}$″; the figure entered in the statement is therefore not correct; similarly the thickness shown for the other sizes are not also correct, and I wish the Acting President or the Engineer would see whether it is so or not.

In deciding the thickness of pipes, I am authoritatively informed that it would be absurd to follow any theoretical formula; for, very often they give results much below actual requirements and what is usually adopted in practice. Hutton observes that besides making the thickness sufficient to bear water pressure, allowance must be made for Hydraulic shocks, &c., as well as for the strain due for weights falling upon or passing over them after they are laid underground and the reasons for allowing extra thickness in practice, are (1) theoretical sizes cannot be cast properly, (2) defects in casting have to be allowed in calculating thickness, and (3) allowance has to be made for atmospheric action, to wear and tear, deterioration, &c. In this connection let us see what Mr. Jones says at page 362 of his Manual. He remarks that the thickness which cast iron pipes should have is a question which has called forth many "opinions and formulæ. If the pipes were made thick enough to resist only the maximum pressure they would ordinarily be subjected to, they would be so thin, that they could not be safely handled. Again it is not possible to ensure that pipes shall be exactly of the same thickness throughout.". It may be useful to add here that Mr. Jones, an officer of great experience, classifies his cast iron pipes into A and B class. He says that B class are ordinarily specified, and are of sufficient strength unless the pressure exceeds 250 feet, and the A class pipes for pressure exceeding 250 feet. The pressure on the pipes we want is put down at 300 feet, and hence it follows that B class pipes will not do for our purposes. The thickness given by Richardson and Cruddas and Mansfield and Sons for their pipes of 12″ & 15″ are $\frac{9}{16}$″ and $\frac{11}{16}$″ respectively, and hence they come under B class, and therefore it follows again that the thickness given by these 2 tenderers will never do for our purpose. It seems to me that the safest course would be to be guided more or less by Hutton and Molesworth. Authorities who have authorized on actual results, as they have found during many years of their professional labours.

It will be well to compare the thickness of the pipes, of Richardson and Cruddas, and that of Jeevajee with those prescribed by Hutton, and Molesworth—

Size.	Thickness.			
	Hutton.	Molesworth.	Jeevajee.	Richardson and Cruddas.
36 in.	$1\frac{6}{16}$ in.	$1\frac{8}{16}$ in.	$1\frac{1}{16}$ in.	$\frac{12}{16}$ in.
33 ,,	$1\frac{4}{16}$,,	$1\frac{6}{16}$,,	not in Schedule.	$\frac{11}{16}$,,
30 ,,	$1\frac{3}{16}$,,	$1\frac{4}{16}$,,	$\frac{10}{16}$ in.	$\frac{10}{16}$,,
27 ,,	$1\frac{1}{16}$,,	$1\frac{2}{16}$,,	$\frac{9}{16}$,,	$\frac{9}{16}$,,
18 ,,	$\frac{13}{16}$,,	$\frac{15}{16}$,,	$\frac{7}{16}$,,	$\frac{8}{16}$,,
12 ,,	$\frac{10}{16}$,,	$\frac{12}{16}$,,	$\frac{10}{16}$,,	$\frac{6}{16}$,,

Now gentlemen, even if we are free to go into the market and purchase pipes, you will all certainly agree with me, that the pipes tendered by Messrs. Richardson and Cruddas and Mansfield and Sons should be rejected out and out. As we would all wish that the pipes we use should last for posterity, it would be penny wise and pound foolish to go in for the extremely thin pipes offered by Messrs. Richardson and Cruddas and Mansfield and Sons. In his memorandum of the 30th May 1899, the Acting President observes that no conditions were laid down in Jeevajee's contract, because "it was not considered necessary for a small quantity of water works pipes, where the pressure would in no case exceed 35 feet." I think it altogether unnecessary to criticise this statement for, if it was only a pressure of 35 feet wanted, why the Engineer should have wasted a large sum of money in taking the thick pipes at the rate we have paid and especially considering that we had to pay something like 4 lacks of rupees for the pipes required for the auxiliary mains.

Gentlemen, I have already detained you long enough, with the remarks I have already made. I now move my proposition and leave it in your hands, and trust that it will commend itself to you.

"That the Commissioners after careful perusal of all the papers circulated *re* Cast Iron Pipes required for the Drainage of Madras decide that the thinner pipes recommended by the Acting President be not adopted."

Mr. M. K. Lakshmana Chariar seconded the resolution.

Mr. V. C. Desika Chariar:—I move "that this proposition be not considered now."

Mr. Pragasa Mudaliar:—I do not think that Mr. Desika Chari is in order.

The Ag. President:—That is not the usual form of debate. At any rate that is not the custom at our meetings to move resolutions in this manner.

Mr. Eardley Norton:—Mr. Desika Chariar may say that this be considered this day six months.

Mr. Desika Chariar:—If it is not open to me to move an amendment then I oppose this proposition. The reason why I oppose it is that we are beginning at the wrong end of the stick. Instead of finding out what we are to do, it is proposed that we should reject one by one of the several tenders so that by this process of elimination we may not be able to accept anything at all. Only two questions arise for our consideration to-night. As has already been placed before you by the Acting President, the first question is whether we are bound by the contract entered into with Messrs. Mahomedally Jeevajee and Co., and the second question is whether on the merits of the tenders which of them is the most beneficial to the Municipality. It seems to me, gentlemen, that we shall be beginning at the proper end of the stick if we should take up the second question first. That may perhaps do away with the difficulty of our having to consider the technical question whether we are bound by the contract already entered into with Messrs. Mahomedally Jeevajee and Co. Of course, gentlemen, it may be said that that is a difficulty which we ought to face and face

boldly. No doubt if that is the only possibility we may face it; but if on the merits we come to the conclusion that Jeevajee's tender is the best under the circumstances, then the first question need not be considered at all. I ask you therefore not to vote for this proposition. The proper thing for us to do now is to consider the tenders on their merits, and in so considering them it will be open to you to reject any particular tender as having been received late. Without going into details as to whether the executive was in order or not in placing all the tenders before the Standing Committee, it is open to us now to say that such and such a tender shall not be considered because it has been received too late and among the tenders placed before us, we may decide which is the best. By that means we will save a good lot of our time. For these reasons, gentlemen, I hope you will reject this proposition.

Mr. M. Venkataramiah Chetty:—Is not this Special Meeting convened to consider this special question—the legal question?

The Ag. President:—That is a very wide question.

Mr. Venkataramiah Chetty:—Is it not within our province to go outside the question of Jeevajee's tender?

The Ag. President:—You can discuss anything connected with the subject.

Mr. N. Subramanyam:—Have any of the tenderers limited the time within which the tenders shall hold good?

The Ag. President:—Some of them have Messrs. Flemming and Co., have withdrawn their tender. Messrs. Mansfield and Sons and Messrs. Richardson and Cruddas have practically limited the time.

Mr. N. Subramanyam:—If they have limited the time there is no use of considering them.

The Ag. President:—We are not now considering them.

Mr. M. Venkataramiah Chetty:—I thought you said that we can go outside the agenda.

The Ag. President:—The question of the acceptance of the tender cannot come before this meeting. You cannot decide that a certain tender be accepted.

Mr. N. Subramanyam:—The proposition of the mover is that the tender of Messrs. Richardson and Cruddas be not accepted.

The Ag. President:—Though he moved it yet it could not bind the Standing Committee. Most of the tenders are now practically null and void.

Mr. N. Subramanyam:—Probably you will have to invite fresh tenders.

Mr. R. N. Pragasa Mudaliar:—I beg to move the following amendment. To the original resolation add the following, "and that the Commissioners place on record their dissatisfaction at the manner in which the tenders for the said cast iron pipes were received and the shape in which the several statements in connection with these tenders were prepared and placed before the Standing Committee, and call upon the Acting President to place before the Commissioners a full explanation as to how the various irregularities disclosed by the records arose, so that the Commissioners may decide what notice should be taken by them in the matter."

It is with very great reluctance that I move this amendment. Having noticed for some time that things were going from bad to worse in the Public Works Department only very recently that we had an instance to show how things were prepared and placed before the Commissioners and the Standing Committee. I think it is high time that we should take some notice of it in connection with the present tenders. Now you find some irregularities which, however trivial they may be in themselves but when put together, form one chain which will enable you to form some conclusions on the matter. In the first place you will find that the tenders were received by the Acting President on the 17th of May. There appears to have been extraordinary haste in putting the matter before the Standing Committee.

Mr. Venkataramanjulu Naidu rose to a point of order and questioned the relevancy of the amendment.

THE AG. PRESIDENT :—I think Mr. Pragasa Mudaliar is in order.

MR. PRAGASA MUDALIAR :—The usual practice observed in this office is that when tenders are received a statement is prepared which, together with the tenders, is circulated to the members of the Standing Committee. But in this case the subject was put in the agenda paper the very next day, *i.e.*, the 18th, and brought before the Standing Committee with the recommendation of the Acting President that the lowest tender should be accepted. The Standing Committee very properly refused to consider this subject until the usual practice of sending all the papers in circulation was adopted. As soon as tenders are received the usual practice is they are opened by the President and are sent into the departments concerned. In this case they should have gone to the Engineer. Then the Engineer transfers them to some subordinates of his for the preparation of the usual statement. But in this case a peculiar procedure was adopted. The tenders were opened by the Acting President and handed over to some clerk of the Public Works Department who prepared the statement. I think that is a most objectionable course to adopt—that is, to ignore the existence of the Engineer altogether. In the statements that were prepared by the department and sent to some of the Members of the Standing Committee, the name of Messers. Mansfield and Sons was entered first, and when it went round to some of the members, the statement appears to have been altered and the name of Messrs. Richardson and Cruddas was put first and the name of Messrs. Mansfield and Sons was put second. I do not know who it was that did it or under what authority that was done or why it was done. There is another little thing which attracts the attention of any person. We have received tenders from England and other places. Messrs. Richardson and Cruddas and Messrs. Mansfield and Sons give the same thickness for every size of pipe. Of course that does create a great deal of suspicion, but the Acting President says that they might have received their quotation from the same firm. However, I shall not say anything about it.

THE AG. PRESIDENT :—Suspicion against whom ?

MR. PRAGASA MUDALIAR :—The thing naturally creates suspicion in the mind of anybody.

MR. GURUSAWMY CHETTIAR :—They might have clubbed together and formed themselves into a compact.

MR. PRAGASA MUDALIAR :—Messrs. Mansfield and Sons in their tender say that they only give probable prices and on the receipt of orders they would give firm prices. I would ask you, any of you, belonging to the mercantile line, whether you would accept a tender like that and whether you would treat it as a tender at all. They only give probable prices. Their firm prices may be anything in the world, may be a lakh less or more. In spite of all that, the Acting President has no objection to the acceptance of Messrs. Mansfield and Sons' tender. Then again there is the India Trading Company's tender. It appears to have to come into the office about half an hour earlier than the prescribed time, but through some mistake the Manager refused to receive it. But through the mistake of the bearer of the letter, it was not put into the hands of the Acting President till after the lapse of one hour after the due time. The Acting President very properly stated in the statement "received an hour late." I have not the slightest objection to the course adopted. He was within his rights to reject the tender if it was received after 12.

THE AG. PRESIDENT :—That is not rejected.

MR. PRAGASA MUDALIAR :—If you limit the time up to 12 and if it is presented after that, you can reject it.

DIWAN BAHADUR V. KRISHNAMA CHARIAR :—When was that presented ?

MR. PRAGASA MUDALIAR :—It was presented to the Manager at 11-30 but he refused to take it. Of course the receipt of this tender an hour late is noted in the statement circulated to the members of the Standing Committee. But, as a matter of fact, Messrs. Flemming and Co.'s tender was received only on the 18th—that is, 24 hours late ; and yet no mention is made of it in the statement nor was the Standing Committee informed that Messrs. Flemming and Co.'s tender was received one day late. Again Messrs. Richardson and Cruddas tender was received on the 18th and in this case too there was no note made in the statement itself nor was the Standing Committee informed by the Acting President that this tender was received a day too late. And yet the fact of the India Trading Company's tender having been received after 12 o'clock is noted, to shut them out of the

field, while on the 17th Messrs. Flemming and Co. and Messrs. Richardson and Cruddas were informed by the Acting President that their tender had not been received. This letter did not come before the Standing Committee nor did it find a place among the papers circulated to the Commissioners. I have only one remark more to make. When the Acting President was asked to prepare a statement showing what the thickness ought to be according to some of the recognised engineering formulæ, he appears to have asked some subordinate in the office, some Supervisor, to work out the figures. My friend Mr. Muzheruddin told us that the formulæ given under the name of Unvin and Rankin are theoretical formulæ and would never do for practical engineering. However that may be, in Unwin's and others, as already pointed out, there is a working strain of 2 tons which apparently is inaccurate. You can hardly depend on the calculation made. I have been trying to work out the formulæ according to Molesworth and working out the formulæ you get very nearly $1\frac{1}{2}$" thickness but it is put down as 1 3/16. One peculiarity in this matter is that this information does not appear to have been called for from the Acting Engineer who is a competent authority to furnish this information. There are so many practical Engineers such as Hutton or our experienced Sanitary Engineer, Batesman and Low ; but somehow or other, the man who prepared the statement took Unwin and Rankin while the calculation made according to Molesworth is wrong. Gentlemen, you will admit that such irregularities as those I have pointed out should not have occurred in an office like the Municipality. I think that in the working of this Municipality, no room ought to be given for any sort of suspicion or doubt being created in the minds of people in regard to anything done by the department or the Commissioners. I hope, gentlemen, that my amendment will be supported by you all.

Mr. Varadappa Naidu seconded the amendment.

MR. P. THEAGAROYA CHETTY :—Gentlemen, this subject has been threshed out by the Acting President, Mr. Muzheruddin Sahib and Mr. Pragasa Mudaliar, and all that I wanted to say has been said, but there is one point that, I am sorry I must disclose now, that these irregularities have come up for our consideration. There is an irregularity which is more serious and dangerous than any that has been pointed out. One tender was received some 8 or 10 days before the due time, that is, the 17th of May which was the due date.

MR. VENKATARAMANJULU NAIDU :—Do you happen to know which tender it is ?

MR. THEAGAROYA CHETTY :—I know. It is the tender of Messrs. Stuart and Co. The contract notice clearly says that tenders will be received at this office up to 12 o'clock noon on the 17th of May for the supply of cast iron pipes. The time fixed for opening the tenders is always given in the notice, that is, 12 noon.

MR. N. SUBRAMANYAM :—The time for opening the tenders is not given.

MR. THEAGAROYA CHETTY :—Even if the time is not given for opening the tenders, I say what occurred is very irregular. It is known to everybody that nobody should know what the terms are before the due date. The time fixed for receiving tenders is 17th of May, but if a tender is opened say on the 10th or before, will it not be open to suspicion ? I do not say that there is any suspicion in this matter, but I say it is open to suspicion. I think the matter should be very seriously considered when the question of tenders is considered. You must know that Messrs. Richardson and Cruddas are in Bombay and Messrs. Mansfield and Sons are in Madras. I do not suggest anything but is it not possible that these people who are here and in Bombay might have come to know these figures and therefore gave certain thickness which causes all this fuss ? That is the point I want you to understand and to consider.

MR. VARADAPPA NAIDU :—I should like to know whether the new disclosure made by Mr. Theagaroya Chetty is a fact.

THE AG. PRESIDENT :—One tender was received a few days before the due date.

MR. VENKATARAMIAH CHETTY :—Was it opened ?

THE AG. PRESIDENT :—It was received from Messrs. Henry S. King and Co., but there was nothing to show on the cover that it was a tender. It was opened and when I saw it was a tender I kept it in the draw.

MR. VENKATARAMIAH CHETTY :—You did not know the figures.

THE AG. PRESIDENT :—I did not know the figures.

MR. THEAGAROYA CHETTY :—I must contradict you there. I was here that day on the 10th of May. I and Mr. Pragasa Mudaliar came here for an appeal sitting. After finishing that work we were discussing the estimates for the drainage scheme. The Acting President just then mentioned to me that our estimate was Rs. 5,70,000 and that he has got a tender which was much cheaper.

THE AG. PRESIDENT :—If you say I mentioned it, I accept it.

MR. THEAGAROYA CHETTY :—I am sorry I am obliged to say that.

MR. SUBBIAH CHETTY :—I propose an amendment "that the consideration of this question be deferred pending the receipt of the opinion of Mr. Bashyam Iyengar."

THE AG. PRESIDENT :—I went into the question with Mr. Norton and had a long talk with him.

MR. VENKATARAMIAH CHETTY :—Is it as a counsel or as a Commissioner ?

THE AG. PRESIDENT :—As a Commissioner. I regret you should have taken exception to the way in which the tenders were placed before you. You have now to come to the conclusion as to what the right thickness of the pipes should be, because that will decide whether we have any right to go outside the contract or not. The first question is whether we have a right to go outside the contract and the next question is what the thickness of the pipes should be. Probably the Chief Engineer's opinion may guide us to a very great extent and until that is received, the matter may be deferred. In the meantime we may hear what Mr. Norton has to say.

MR. EARDLEY NORTON :—I wish to move the following amendment : "That the Commissioners being of opinion that the preliminary question to be decided is what is the minimum strength of pipes which, regard being had to all considerations, may be safely employed for the proposed drainage works, refer the question for investigation and report by the President."

We are here solely to discuss the contract with reference to the objections raised by Jeevajee, that he was entitled to supply all these pipes. This at once raises the question as to the thickness of pipes. I venture to suggest that if you hereafter decide that the Municipality cannot safely use pipes of less thickness than the pipes mentioned in Jeevajee's contract, we shall be obliged to go to Jeevajee ; but if, on the other hand, we can safely use pipes not specified in his contract, I am of opinion that we are not bound to go to Jeevajee but can get these pipes supplied by others. The question rests on the thickness of pipes that the Municipality can safely deal with. The question of Jeevajee's claim to the sole and exclusive right to supply these pipes must depend upon the ultimate selection of the pipes you are going to use. If we eventually decide from Engineering considerations coupled with other considerations such as what I have suggested the durability and life time of pipes, that nothing less than those mentioned in Jeevajee's specification can be safely dealt with, then we shall be obliged to go to Jeevajee and act according to the terms of his contract. If, on the other hand, it is decided from the Engineering stand point that pipes of less thickness than those mentioned in Jeevajee's contract will suffice, then we as Commissioners are absolutely bound to take into consideration the financial aspect of the matter and get them as cheaply as possible. I maintain that if pipes of less thickness can safely do for the purpose, then the question of cost should certainly influence our decision in the interests of the rate-payers. I am not here to defend my opinion. The papers on which I gave my opinion have been circulated to you and are public property now. It is clear from these papers that the case upon which the opinion was launched made no reference whatever to the thickness of the pipes. The specification upon which Mr. Ellis invited the tenders makes no reference to thickness and Jeevajee might well suppose in the absence of any reference to thickness that the Municipality had intended to use the pipes of the same thickness as they had hitherto been using. He took legal advice and said "I stand on my rights. There is no question of thickness in the new tenders and I claim that the whole of the pipes must be taken from me." Hitherto we have been using thick pipes. It seems to me that it is an *ex post facto* knowledge which the Acting President has derived as the result of his invitation of tenders that apparently much less thin pipes than those we have been using will do. The question of thickness is one that I do not propose to deal with. I feel myself incompetent to

decide whether thinner pipes can be used though my friend Mr. Muzheruddin discusses algebraical formulæ with a gay heart and a light conscience, in a fashion which must always remain a sealed mystery to me. I do not want to decide whether the pipes should be 1" thick or $1\frac{1}{8}$", $1\frac{1}{8}$" or $1\frac{1}{8}$." I feel that I am incompetent to decide that question. That is the point upon which the whole question depends. I am authorised to tell you and Jeevajee admits the situation that if the pipes which the Municipality may hereafter adopt are pipes not mentioned in the specification he says that he does not claim the right to supply them. He cannot be more honest than that. If the pipes that we intend to use are the pipes specified in Jeevajee's contract, I still stand by my opinion that we shall be bound to go to Jeevajee. But if, on the other hand, it is safe in the best interests of the rate-payers to use pipes of much less thickness and save an appreciable amount—though it may not be Rs. 1,75,000 and even if it be only Rs. 10,000.—I venture to suggest that we shall not be doing our duty to the people who sent us here if we practically waste even Rs. 10,000 on pipes of unnecessary thickness. You have not yet decided the thickness of pipes. That is a question which we will have to decide before accepting any tender. That is no doubt an Engineering question, but we have definitely to decide with what pipes we are eventually to carry out the drainage scheme. If it is thin pipes that we are to use we are not bound to go to Jeevaji ; but if it is to be thick pipes, then it seems to me that we are bound to go to him. That is one view that I desire to place before you. There is another view which I would desire to place before you. If as a matter of fact the question of thickness was not mentioned in the notice you cannot blame Jeevajee for not sending in a tender, because he might well be under the belief that the Municipality was actually going outside his contract for getting pipes which they were bound to take from him.

MR. VENKATARAMIAH CHETTY :—He might have tendered under protest.

MR. EARDLEY NORTON :— That would have weakened his position. Here is a man who (to judge him from his testimonials from Colonel Moore and various other officers with whom he has dealt for 20 years,) is spoken of very highly and his work is said to be excellent. If that is so, I do venture to suggest if by any mistake on his part he has excluded himself from participating in the benefits of a tender for pipes of less thickness than those mentioned in his specification, that we ought to give him a chance, if we eventually decide to use pipes of lesser thickness. I am glad to hear the Acting President saying that these tenders are practically null and void and if we decide to use pipes of less thickness than those mentioned in Jeevajee's contract we shall have to go to the public again. But before we do that it would be a good thing as some speakers have pointed out if in future in the invitations we may issue to the public we specified the exact thickness of pipes so that if we hereafter decide to have pipes of less thickness than those of Jeevajee's contract, Jeevajee may be able to come in with other people and tender. The real question that we shall have to decide before the question of law is the question of fact—what is the thickness of pipes that we are to accept.

THE AG. PRESIDENT :—Mr. Pragasa Mudaliar's amendment is before the meeting.

MR. EARDLEY NORTON :—If I can find anybody to second my amendment, and my amendment is carried the other propositions will disappear.

MR. SUBBIAH CHETTY :—I do not think that Mr. Norton is right in saying that the other amendments will disappear.

MR. EARDLEY NORTON :—Suppose my proposition is seconded and carried, our business is over.

THE AG. PRESIDENT :—Then these amendments will not be before the meeting.

MR. EARDLEY NORTON :—Yes. You will make this investigation and submit the report at a subsequent meeting.

MR. PRAGASA MUDALIAR :—If you have no objection it would be better if you could give us the opinion of Hutton and Molesworth.

THE AG. PRESIDENT :—I shall give you as full a statement as I can.

MR. EARDLEY NORTON:—Originally I intended to propose reference of this subject to the Standing Committee. But Mr. Subramanyam suggested that it should be referred to the President. If, however, Mr. Pragasa Mudaliar as a member of the Standing Committee wishes to have a finger in the pie and to study Hutton and Molesworth, he may do so. I am sure the Acting President will give all the authorities that you desire. I do not wish to take up any more of your time and I

therefore move that in lieu of the words after "that" in the original proposition, the following be inserted: "the Commissioners, being of opinion that the preliminary question to be decided is what is the minimum thickness of pipes which, regard being had to all considerations, may be safely employed for the proposed drainage works, refer the question in the first instance to the President for investigation and report."

Mr. M. Venkataramiah Chetty seconded the amendment.

Mr. Theagaroya Chetty :—There is a pipe leading from the Black Town Pumping Station into a well in Kalmantapam Road in the 1st Division. That pipe was removed and a big pipe was put in. By force of water one-fourth of it was cut out. You may find out what the wear and tear has been for the last ten years by cutting open a pipe from it now.

Mr. Varadappa Naidu :—Is this report to contain only the report of the President or the opinion of a competent Engineer?

The Ag. President :—The matter has already been referred to the Chief Engineer and his opinion will be of great importance.

Mr. Varadappah Naidu:—I think the opinion of Mr. S. Loane who has great experience may also be taken.

Mr. Pragasa Mudaliar :—In the meantime you may write to the Chief Mechanical Engineer, Gun Carriage Factory.

The Ag. President:—I shall do what I can.

Mr. P. Theagaroya Chetty :—You may take Mr. Jones' opinion also.

Mr. Pragasa Mudaliar :—We may adjourn this meeting to 17th of next month.

Mr. Venkataramanjulu Naidu :—The Acting President will do what is necessary.

Mr. Pragasa Mudaliar :—If you bring this up at a General Meeting we will not have time to go through the subject. If you bring this up at a Special Meeting at any time you like, it will be all right.

Mr. Eardley Norton's amendment was put to the vote and carried.

The meeting then terminated.

THOMPSON AND CO., MADRAS.

6 3/May/99.

Judl(2) & G. No. 292

Proceedings of an adjourned General Meeting of the Municipal Commissioners for the City of Madras, held at their Office Premises, No. 22, Errabalu Chetty Street, Black Town, on Friday, the 9th June 1899, at 5-15 p.m. under the provisions of the City of Madras Municipal Acts I and VII of 1884, II of 1892 and II of 1899.

Present :

R. E. Ellis, Esq., M. Inst., C.E., *Ag. President.*
H. Ormerod, Esq.
M. R. Ry. P. Theagaroya Chetty Garu.
M. R. Ry. P. M. Appaswami Pillai Avargal.
M. R. Ry. R. N. Pragasa Mudaliar Avargal.
Cowasjee Eduljee, Esq.
M. R. Ry. P. M. Sivangnana Mudaliar Avargal.
Mahomed Sheriff Khan Bahadur.
M. R. Ry. N. Appusundaram Pillay Avargal.
M. R. Ry. C. S. Theagaroya Mudaliar Avargal.
Mir Muzher-ud-din Sahib Bahadur.
J. DeCaster, Esq.
M. R. Ry. Dewan Bahadur V. Krishnama Charriar Avargal.
M. R. Ry. V. Varadappa Naidu Garu.
M. R. Ry. W. S. Venkataramanjulu Naidu Garu.
N. Subrahmanyam, Esq.
M. R. Ry. M. K. Lakshmana Charriar Avargal.
M. R. Ry. Rai Bahadur A. Dhanakoti Mudaliyar Avargal.
M. R. Ry. C. Tirumalayya Naidu Garu.
M. R. Ry. M. Punithavelu Mudaliar Avargal.

Proceedings of the Standing Committee.

The Acting President in opening the Proceedings said :—Gentlemen, at the last General Meeting we were in the middle of the discussion of a proposition proposed by Mr. Gurusawmy Chetty and seconded by Mr. N. Appusundaram Pillay "that item No. 16 of the Proceedings of the Standing Committee, dated 17th March, be recorded and the meeting regrets that the Standing Committee have not acted judiciously in having accepted the tender of Mr. Chinnababu Maistry."

There was an informal conversation as to what resolutions were before the meeting.

Mr. Mir Muzher-ud-din Sahib :—Gentlemen, at our last meeting, there was a repeated invitation from some of my friends on the opposite side to the members of the Standing Committee to tender an explanation for accepting the tender of Chinnababu Maistry in preference to that of Krishnama Charry, which is alleged to be the lowest. Having the honor of representing you on the Standing Committee and having been present at the time this business was transacted, I thought of offering a few remarks calling your attention to the false position some of you were assuming in demanding an explanation on this matter, contrary to the provisions of the Act, but I advisedly kept quiet wishing to hear all that you had to say. I shall say a few words to-night.

To those gentlemen, who try to demand from us, in a brusque and ungracious manner, an explanation, I offer my emphatic protest and decline to give reasons for accepting Chinnababu's tender on principle. By doing so, I do not mean to burke, explanation or deprecate discussion but what I firmly maintain is that an explanation on this particular matter at this stage is simply preposterous. The section in the Act on this point is clear and unambiguous and you have only to refer to it to realise your position and the powers vested in us. Before a tender is accepted, the President discusses with us the several points connected therewith and states his reasons why one

should be accepted and the other rejected. He obtains information on the qualifications of the tenderers before placing the tenders for our consideration and makes his recommendation, provided none in the Standing Committee raises objections, we accord our unanimous consent to his acceptance. Seeing that he is directly responsible for the proper execution of works, it is nothing but just, fair and reasonable that we should respect his recommendation. In the acceptance of tenders lowest figures are not and cannot always be the safest guides ; there are several other things besides the lowest figures that are to be taken into account, such as the experience, the capacity, the solvency and the reputation of the tenderers. The Municipality has already suffered a good deal financially by the acceptance of the lowest tenders of irresponsible persons. All of you are aware that we are not bound to accept the lowest tender. You are entirely wrong in deluding yourselves by imagining that we accepted Chinnababu's tender under the impression that it was the lowest. As far as I remember Sir George Moore never mentioned in the meeting that it was the lowest, and I assure you that we never accepted it thinking that it was the lowest.

Gentlemen, you have no right whatsoever to compel us to state our reasons for accepting a particular tender and we are not under any obigation, legal or Municipal, to divulge them to you in a meeting such as this. Bearing in mind the powers delegated to us, the discretion allowed to us and the confidence you have reposed in us, you ought to rest assured that we have bestowed our best consideration on the subject. If you thrust your nose in such matters in contravention to the provisions of the Act, if you bind us with hard and fast rules and if you insist on subjecting us to oral examinations for stating *pros* and *cons* to everything we do, the efficient administration of our work will materially suffer.

I pass on to the next point and wish to make a few observations on the extreme measure some of you, were determined to adopt the other day. One of you proposed a vote of censure on the members of the Standing Committee, forgetting at the moment that a vote of censure on them, meant a vote of censure on his colleagues, on the President and the last but not the least on himself. If you have proofs for suspecting our honesty and the honesty of the President in this matter, you are welcome to pass a vote of censure, otherwise why do you allow yourselves to look smaller in the eyes of the public by encroaching on our rights and prerogatives. To distrust us, to disbelieve us and to suspect us, without sufficient grounds tantamounts to distrusting, disbelieving and suspecting yourselves. If you have reasons for wresting from us the confidence which you were good enough to place in us as early as April last, have the courage to declare them and we shall resign in a body as there is no use of representing you on the Standing Committee with a badge of no confidence having on our breasts, otherwise it would be more graceful on your parts and specially on the part of the proposer of the vote of censure, although I do not press for it, to tender an apology for the indiscreet proposal.

Mr. P. M. Sivangnana Mudaliar :—Gentlemen, I was away from Madras and I am sorry I was not able to take part in the discussion at the last meeting. I was simply surprised to read the report in the newspapers that the Commissioners had taken exception to the action of the Standing Committee in accepting the tender of Chinnababu Maistry. As one of the members of the Standing Committee, I was present at its deliberations when it accepted the tender of Chinnababu Maistry. We are told that the figures given by the Public Works Department and placed by the President before the meeting, for which neither the President nor the Standing Committee were in any way responsible, were wrong and that if the figures were correctly put, Chinnababu's tender would not have been the lowest. Granting this, I fail to see how the Standing Committee acted injudiciously or wrongly in accepting the tender of Chinnababu Maistry. Apparently, the gentlemen, who were anxous to propose a vote of censure on the Standing Committee, did not care to know that the Standing Committee was not bound to accept the lowest tender and that there are more substantial grounds than the figures on which the Standing Committee very often accepts a tender which is not the lowest. Gentlemen, in the present case if the representation by the figures that the Maistry's tender was the lowest was a factor at all in leading the Committee to accept his tender, I, for one, can positively state that that was but a minor factor. For, there were certain facts placed before the Standing Committee by the President which were sufficiently substantial to outweigh all other considerations and to accept Chinnababu's tender, even if it were the highest. I do not now feel myself at liberty to disclose those facts nor do I think it expedient to do so ; but in fairness to the President who is now away from us and therefore is unable to give an

explanation, I must say that Chinnababu's tender was accepted with the best of intentions in the interests of the Municipality and there was not the slightest intention on the part of any one to mislead the Standing Committee nor was the Committee in any way misled. In these circumstances, I would ask you gentlemen, to maintain the action of the Standing Committee in accepting the tender, and thereby uphold the honest endeavours of that body in the interests of the corporation.

Mr. Pragasa Mudaliar :—I told you at the last meeting that I was not present when the discussion took place ; but from the report of the Proceedings of that meeting I gather that the drift of Mr. Theagaroya Chetty's remarks at the meeting of 29th April was to point out to the President a mistake that was committed by a mistaken and inaccurate statement which, I believe, the Public Works Department placed before him. That was the drift of his remarks so far as I can understand them and nothing more. Unfortunately at the last meeting the Acting President gave an unfortunate turn to that discussion. He characterised the remarks made as censure on the Standing Committee, whereas he ought to have said that it was a censure on the people who prepared that statement and placed it before the President and the members of the Standing Committee.

The Acting President :—You think there is a mistake in the statement.

Mr. R. N. Pragasa Mudaliar :—I will come to it. You will see from the statement put before the President and the members of the Standing Committee, wherein the secret of the thing lies and you will see whether, on the face of it, an unsuspecting eye could detect what was underlying that statement. Just for the sake of refreshing your minds as you are not likely to have the Standing Committee's proceedings I shall place before you a printed copy of the statement that was put before the Standing Committee. You will notice there that I have inserted the last column. That does not appear in the statement put before the Standing Committee. You will see just at a glance that Chinnababu's rate for laying materials is 5 annas whereas Krishnama Chari's was 7 annas 6 pies. In the matter of watering and tamping it looks, on the very face of it, that Chinnababu's tender is the most advantageous. But wherein the sly lies is this ; for laying materials, they calculate in the statement at 100 c. ft., but when they come to watering and tamping they take it by the square. You will remember there are 4 squares ; taking 3" for every 100 c. ft. the figure that ought to appear under watering will not be 1 anna 3 pies but four times that amount and for watering it will not be one anna but four times that amount, so that Chinnababu's rate for laying, watering and tamping per 100 c. ft. will be 14 annas. From the reports I see that all that Mr.Theagaroya Chetty wanted to do was simply to point out the mistake. When the figures were pointed out to him, the President said that "it was worked out that Chinnababu Maistry's was the cheapest." Then further on the President said that he expected that among the tenders Chinnababu's tender was the lowest. When the secret of these figures was further explained the President said, "I see what you mean." You will specially notice that all that Mr. Theagaroya Chetty wanted to do is brought out in his next remark that "This is the mistake which the department ought to have told you." The President was good enough to say that he would look into the matter. You will find there is not the slightest insinuation whatever on the part of Mr. Theagaroya Chetty, when he brought this fact to the notice of the President, that he intended to impute the slightest flaw or motive either to the President or to the members of the Standing Committee. It is as well to tell you that I had to meet the President on the following day on some business. After the business with the President was over, the President said "You see after all that the remarks made by Mr. Theagaroya Chetty were perfectly correct and we had committed a mistake in accepting the tender of Chinnababu Maistry." I told him that I was not present at that meeting and then he explained to me the figures.

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explanation, I must say that Chinnababu's tender was accepted with the best of intentions in the interests of the Municipality and there was not the slightest intention on the part of any one to mislead the Standing Committee nor was the Committee in any way misled. In these circumstances, I would ask you gentlemen, to maintain the action of the Standing Committee in accepting the tender, and thereby uphold the honest endeavours of that body in the interests of the corporation.

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that the rates given by Krishnama Chari were so preposterous and so low that if the coolies were to be paid at the rates mentioned by him there would not be any one left for watering the road. Mr. Theagaroya Chetty has pointed out to you already that even here there is a mistake. There is the suggestion made that Chinnababu's tender was accepted, because nobody knew anything of Krishnama Chari and that Krishnama Chari was a new man. You will see that there are sentences in the memorandum to the effect that it is desirable to keep impecunious contractors out of the field. It was made to appear that this man was an unknown man.

THE ACTING PRESIDENT:—Which memorandum are you referring to.

MR. R. N. PRAGASA MUDALIAR:—The President's memorandum. At the last moment this idea was put into the head of the President that Krishnama Chari's rate was simply nominal, as he had no man left for watering the road. It must be remembered that nobody had any doubt whatever as regards what induced either the President or the Standing Committee to come to the decision they had come to. If the conclusion to which they had come was wrong it was but right to say, as the President did, that it was wrong and I do not see what degradation there is in that. All people are liable to commit mistakes and if we did really commit a mistake, I do not see the slightest reason why we should try to assume all sorts of reasons for trying to maintain a position which is untenable. At the last meeting it was put forward that the Commissioners had no right of interference. If Mr. Theagaroya Chetty at the meeting of 29th April when the thing came up for discussion distinctly said that we could not do anything, that we could not cancel the contract as the contract had been given away, but that he only pointed out the mistake so that the President might call upon the department to look into the matter. To this moment that is our position; it is not that we are trying to find fault with the Standing Committee or the President. What we want to know is whether a statement like that is not likely to mislead the President and the members of the Standing Committee who do not have time to go into these figures. For instance, when any statement is placed before the head of a department, say the Chief Secretary to Government, it is presumed that it is prepared by some responsible officer and it is not for the Chief Secretary to go into the calculation and figures and to see that things are right. The people that are responsible for the statement are answerable for any shortcomings there may be in it. A good deal has been said at the last meeting as regards the position of the Standing Committee and as regards the relations between the Standing Committee and the Commissioners.

THE ACTING PRESIDENT:—Are you speaking to the resolution?

MR. R. N. PRAGASA MUDALIAR:—Yes, I am. One of the Commissioners said that once the Standing Committee select a tender it was not right that Commissioners should question their selection. Another Commissioner said that the Commissioners as a body had no voice in the matter. Although I admit the Commissioners have no voice whatever and cannot call upon the Standing Committee or the President to cancel what they have done, yet I maintain that the Commissioners have every right to point out the shortcomings of either of the Standing Committee or of the President in any branch of the administration. You must remember that the Standing Committee are not an independent body but they are a part and parcel of this corporation. Certain powers are delegated to them and it is for them to exercise the powers properly. To say that the Commissioners must sit with folded hands merely staring at the Standing Committee and that they have no right to point out any waste of money when there is a waste, is by no means fair. You will remember that all contracts are made by the President with the concurrence of the Standing Committee, and it is not a contract on behalf of the President or on behalf of the Standing Committee but it is a contract on behalf of the Commissioners. So long as anything is done by the President, and the members of the Standing Committee on behalf of the Commissioners, it stands to reason that the Commissioners have a voice in the matter—if there has been a shortcoming on the part of the Standing Committee to point out that shortcoming so that the necessary remedy may be applied, if not in that particular case but in all future cases. You know that the President has got the entire executive power and responsibilities under the Act. Does that mean that the President is at liberty to do anything he likes? I say "no." The Act gives us power to call the attention of the President to any waste of money. Here, in this case, it is not the sole act of the President but the conjoined act of the President and the members of the Standing Committee. Mr. Theagaroya Chetty has pointed out

that there has been a waste of money by the acceptance of this tender. Do you mean to say that it is not within the province of the Commissioners to call the attention of the President, as Mr. Theagaroya Chetty has done, to this waste of money, caused by the acceptance of this man's tender? I maintain that the Commissioners have got every right to point out such shortcomings. It has been said that all the Proceedings of the Standing Committee come before the Commissioners simply for information and the Commissioners have nothing more to do than to record them. I will assure you that is not the position which Sir George Moore has taken from the very beginning when he took charge of the Municipality up to the very last moment. You remember that I brought in a proposition sometime in 1896 regarding the powers and duties of the Standing Committee. Sir George Moore then remarked "After all, the Standing Committee do not decide anything, they are merely an executive body that go into details of all questions that come before the Commissioners. They simply submit them for sanction or otherwise of the Commissioners." Further on he says "The Standing Committee cannot do anything they like." "All proceedings of the Standing Committee come before the Commissioners and they have a perfect right to say yea or nay." In 1895 Sir George Moore stated "The Standing Committee go into details of all matters and submit them in the form they do now to the Commissioners; and it would be impossible for us to carry on the work of the Municipality otherwise." So that you will see that had Sir George Moore been here, he would not have taken the position which some of the Commissioners have taken, in saying that we have no right to question the action of the Standing Committee and that we do not have power to demand or insist an explanation. If it is necessary to demand an explanation and if they decline to give it, then it would be for the Commissioners to decide whether they are liable to a censure or not. It was also said that the present procedure was going beyond what has happened in the annals of the Municipality and that the Commissioners never thought that they had the right to question the proceedings of the Standing Committee. If I had time, I would put before you very many instances given by the Standing Committee. In 1886, gentlemen, when the old liability system gave place to what is called the reforming system, tenders were called and the Standing Committee and the President decided that the tender of one Elayalwar Naidu should be accepted. A resolution was then brought by the Commissioners that the contract ought to be cancelled and that ought not to be put into execution until the Commissioners could decide on the advisability of accepting the tender. Mr. C. F. MaCarti who was the President, was good enough to give notice to the contractor to say that his tender would be accepted only after the views of the Commissioners had been ascertained. In the meantime, the opinion of the Advocate-General was sought and he gave his opinion. He said "I do not think the Commissioners are entitled under the Municipal Act to disallow any contract made by the President under Sections 49 and 50 or any contract made by the President with the previous consent of the Standing Committee. The only power that the Commissioners have is to draw the attention of the President to any wasteful contract made." That is exactly our position. Mr. Theagaroya Chetty has merely come forward saying that a wasteful contract has been entered into and simply drew the attention of the President. It is for the President to take notice of the person or persons that were responsible for giving incorrect information to him and to the Standing Committee. Upon that this resolution was passed "the Commissioners request the President not to carry out the proceedings of the Standing Committee of 1886 in regard to the road material contract and that they accept any responsibility that may arise from his compliance with their request." I may tell you that Sir George Moore was the officer who received this opinion and although he knew that once a contract was settled and given away by the Standing Committee the Commissioners have no power of interference, yet he said that if any such shortcoming was pointed out to him in time before the tender was actually accepted, he was always ready to see if there was anything to be looked into in the matter. Therefore, the position taken up by some of the Commissioners that the step now taken up by Mr. Theagaroya Chetty was intended as a reflection or a censure on the President or the members of the Standing Committee, is a preposterous one. That is not the case at all. It is for the Acting President to say who the person or persons are who are responsible for putting in that most indistinct, most doubtful and that most deceptive statement before the President and the members of the Standing Committee.

MR. J. DECASTER:—I do not think it satisfactory that we should proceed with the discussion any longer with the principal person absent, *viz.*, the President who is the Chairman of the Standing

Committee. Some of those gentlemen who have spoken have propounded doctrines, to which every one cannot be expected to subscribe. It is hardly consistent to go on passing remarks in the absence of the President. The vote of censure proposed by one of the members is on the President and yet the President is not present. It is not right and fair that we should continue the discussion. Let the matter stand over till his return from leave and with further enlightenment which he may afford we will be able to do what is necessary.

Diwan Bahadur V. Krishnamachariar :—I do not quite agree with the last speaker. We are the guardians of the honour of the Standing Committee and of our own. I do not think it right for us to go and pass a vote of censure. In fact, that is not the object of the discussion as pointed out by Mr. Pragasa Mudaliar. I hope that the main question will not be lost sight of, that is, who is responsible for the actual preparation of the figures that seemed to have misled the President and the Standing Committee. You, sir, were at the time the head of the Engineering Department. May I ask you who furnished these figures? It really comes to this: that the gentleman who prepared the figures ought to be called upon to explain his conduct.

The Acting President:—That is not the resolution before the meeting. Don't you think we had better go into Committee and we shall be able to discuss the matter more freely.

Diwan Bahadur V. Krishnamachariar:—I have no objection to that.

The Acting President:—I can give you more information if you are prepared to go into committee.

Mr. Sivangnana Mudaliar:—Whoever is responsible for the figures, has that anything to do with the recording of those proceedings?

The Acting President:—This is a side issue.

Diwan Bahadur V. Krishnamachariar:—Once we record the proceedings of the Standing Committee we cannot do anything more. Section 77 simply lays down that every Committee's report should be submitted to the Commissioners. The Standing Committee is just in the same position as any other committee.

The Acting President:—You may just ask some lawyer about it.

Mr. Theagaroya Chetty:—There is no legal question about it.

The Acting President:—We have Mr. N. Subramanyam to enlighten us on the point.

Mr. Pragasa Mudaliar:—What is the question on which you are asked to enlighten us?

Mr. N. Subramaniam:—The question is whether the section alluded to by Diwan Bahadur Krishnamachariar refers to the Standing Committee. I do not think it does.

Diwan Bahadur V. Krishnamachariar:—The Proceedings are submitted to us and they are before us now. The question is who is the author of these wrong figures?

The Acting President:—If you ask for information, you had better go into committee.

Diwan Bahadur V. Krishnama Charriar:—In order to elicit that information, let us resolve ourselves into committee.

Mr. Thirumalayya Naidu seconded this motion.

Mr. Pragasa Mudaliar:—I do not see the slightest reason for going into committee for the President to explain to us how the figures were prepared. The President can easily explain it in the meeting. I do not see what discussion there is going to be on it and he can give all the explanation now; and then the Commissioners will see whether it is satisfactory or not. I do not see why we should be in closed chambers and talk away a lot of things. I do not think this procedure would be advantageous. It is a simple question that Diwan Bahadur Krishnama Charriar puts—who prepared the statement.

The motion was put to the vote and lost.

Mr. W. S. Venkataramanjulu Naidu:—Now that the motion for going into committee is lost, I may request you once more to answer the question put by Divan Bahadur Krishnama Charriar. You presided, sir, over the Public Works Department when this mistake occurred. If you have any explanation to offer, it can be easily done. The only question the Commissioners have to go into is

whether there was any blunder and whether the Standing Committee and the President were misled by any mis-statement into the blunder of accepting a contract which they ought not to have accepted. It is a very simple matter and an explanation from you will decide the question. It is not the intention of the Commissioners, except one or two who proposed the amendment to which I do object, to pass a vote of censure. They want to know the real facts of the case. The only question is who is responsible for this blunder and it is the easiest thing in the world for you to offer an explanation and it will remove all the confusion in our minds. No one seriously advances that a contract which the President executed with the concurrence of the Standing Committee can be vetoed or cancelled by the Commissioners. I don't think that any Commissioner will seriously come forward and say that we have no right to ask under what circumstances the tender was accepted and whether the acceptance of such a tender is calculated to benefit or injure the Municipality. The reason for going into this matter is to see that similar blunders are avoided in the future. If you will offer an explanation, I don't think this matter will be pressed by anybody, and even Mr. Theagaroya Chetty will withdraw it. If you fix the responsibility upon some one, you yourself can take action. Probably you yourself may have been misled. Once more I ask you, if you choose to do so, to give an explanation.

Mr. Theagaroya Chetty:—I am very sorry that I was the cause of all this bother and nuisance. I thought it my duty as a Commissioner and as the representative of the rate-payers to point out any loss of Municipal money. I simply pointed that out to you, but unfortunately things have taken a curious course which was never intended and which many of the Commissioners did not intend. No doubt the other day a vote of censure was proposed but I am very sorry that such a resolution should have been proposed at all. I would like to refresh your memory as to what took place at the first meeting and show you that I never intended any censure, that I knew that once the President made a contract the Commissioners cannot cancel it. I am also sorry that one gentleman who complained that we were wasting our time went on talking for half an hour without understanding the position of affairs. Everything that can be said has been said by my friend Mr. Pragasa Mudaliar, but I would only like to refresh your memory as to what took place in the first day. You will remember that I called the attention of the President to certain matters. It was simply this: That with reference to the proceedings of the Standing Committee there were three persons for contract No. II and four persons for contract No. III; Chinnababu Maistry got the contract and I wanted to know whether his tender was considered to be the lowest. The President had the kindness to tell us immediately not that we have no right to ask him that question, but that his tender was considered to be the most advantageous. The Standing Committee, he remarked, made a rule that a reform contractor should have no other contract such as the carting of materials, &c., and that he would have the matter looked into. I found that the next man Krishnama Charri had no other contract and I told that to the President and I then pointed out to the President that Krishnama Charri's tender was 20 or 21 per cent. cheaper than the other one. The President thereupon said that it was worked out that Chinnababu's tender was the cheapest. I then said "That is not so. It seems to me there is something wrong in the calculation. I think you took the lowest." The President said "Yes we did." Then I said "in these two you took the lowest." Then he said "I expect they were the lowest. He must be the lowest in the next, his rate being 5 annas as against 5 annas 9 pies of the other." You will see from all these that there was an impression that Chinnababu's tender was the lowest. This is what took place.

"Mr. Theagaroya Chetty:—You will find that for laying out materials for one square is only one-fourth of that.

The President:—He has got to lay down 100 c. ft.

Mr. Theagaroya Chetty:—No, per square. That is the mistake which the Department ought to have pointed out to you. There should be laying down per square as there is the watering per square and there is the tamping per square. If it is 3" road, according to the first one, that is the 5 annas rate, it will be 1 anna 6 pies per square.

The President:—I see what you mean. They calculated it at 100 c. ft. instead of per square. I will have it gone into. Of course I cannot do anything as the tenders have gone out.

Mr. Theagaroya Chetty:—I don't want you to do anything but I simply want to point out the mistake. The man's tender has been accepted; it is better that the mistake is pointed out to

the department. I cannot say whether this is wilfully done or not. But, however, a blunder has been committed with the consequence, that we have to spend 20 or 23 per cent. more than we would otherwise do."

You will see I never objected to the contract going forward and throughout the proceedings I never said one word against the Standing Committee, I never said they did anything wrong nor did I impute any motives to them. Unless you go minutely into the details, you cannot understand these matters, especially things connected with road-making. I do not suppose it is possible for us to say off hand how many cubic feet of material is required to make a 3" road. It is the duty of the department to point out what is required for different kinds of road and to calculate which is the owest. I have some experience of the Standing Committee and for a long time several tenders came before me. The department generally makes out a statement and you will find the lowest tenderer being placed the first. That is my experience and if I am wrong I should like to be corrected. In that way, you find Chinnababu's name as the first in the list. When you come to the next proceedings, you will find the lowest tender being placed in the first. That is the rule followed, though not made by the Commissioners. You will find that with regard to these figures there is something wrong. You cannot ask the President how he acted on those figures, because he is not the head of the department which prepared them nor can you ask the Standing Committee why they have acted upon them, because they cannot be expected to look into all these things minutely and they take on trust whatever is placed before them. I have simply pointed out to you that we lose something by a certain contract and I will point out to you that we lose something more in the next. The question is simply this: are we as custodians of public money, to sit quiet and allow things to go on resulting in a waste of public money or should we not take some steps to put things right? As the representatives of the public, we ought to see that public money is not spent more than it ought to be. Therefore it is a pertinent question for the Commissioners to go into as to how these figures were prepared, by whom these figures were prepared and to see, if there is any guilty man, that he is punished. Is that not our plain duty? I say, gentlemen, it is; and, therefore, I beg to propose an amendment "that proceeding No. 16 be recorded and that a committee consisting of Messrs. Pragasa Mudaliar, Venkataramanjulu Naidu, Varadappa Naidu, the President and the mover be appointed to go into the question."

THE ACTING PRESIDENT:—As you have all spoken on the question, I may be permitted, before you move the amendment, to enlighten you on the subject which is now before the meeting. The morning after the meeting in question at which I was not present, the President mentioned to me that Mr. Theagaroya Chetty had pointed out to him that the lowest tender had not been accepted. I remarked at the time that "Mr. Theagaroya Chetty is right. The statement is correct, and is prepared in the way it is usually done, and had I seen that Chinnababu Maistry's tender had not been the lowest I would have brought it specially to your notice." The President then said "I must write a memorandum" and he then wrote it at this table. I do not know what actuated the Standing Committee in selecting Chinnababu's tender. The President has told you that there are other reasons to be considered, besides the question of the lowest tender. That is why I regret that this matter should be gone into in the absence of the other members of the Standing Committee. You all know that a resolution of the Standing Committee is the resultant of the various opinions; and is the best resolution that could be agreed upon. Mr. Pragasa Mudaliar said just now that Sir George Moore had stated in years gone by that he would have stopped a contract if any reason to do so was brought to his notice in time. In this case it was not brought to his notice in time. It is a pity for he could have stopped it, if it had been brought to his notice in time. But he cannot do so now I think, gentleman, you exactly see how the matter stands. I have told you already that had I known at the time that Chinnababu was not the lowest tenderer, I would have brought it to the notice of Sir George Moore. Now Sir George Moore is not here to say anything, but he has written you a memorandum. Other members of the Standing Committee have spoken on the subject.

MR. PRAGASA MUDALIAR:—After the explanation given by the President the proposition may be withdrawn.

MR. THEAGAROYA CHETTY:—It is not the Engineer or the President that prepared the statement but somebody in the office.

MR. VENKATARAMANJULU NAIDU:—After the explanation of the President, the matter may be withdrawn. The President knows who prepared the statement and I have no doubt he will take such steps as will prevent the recurrence of such blunders.

MR. PRAGASA MUDALIAR:— That will answer all purposes.

MR. VENKATARAMANJULU NAIDU:— The President has told us exactly what the real facts are. He knows what enquiries to make and how to guard against similar mistakes. There is no useful object to be gained by pressing the matter. I think the matter may be dropped.

MR. THEAGAROYA CHETTY.—I want to guard against the recurrence of such blunders.

THE ACTING PRESIDENT:—I do not think there will be a recurrence of such things at all.

MR. PRAGASA MUDALIAR:—We may record the proceedings of the Standing Committee.

MR. N. SUBRAMANIAM:—My original amendment that certain words should be left out will quite answer the purpose.

It was proposed by Diwan Bahadur V. Krishnama Chariar and carried "that item No. 16 of the proceedings of the Standing Committee dated 17th March be recorded."

On the motion of Mr. Sivangana Mudaliar seconded by Mr. Muzheruddin Saib, the rest of the business on the agenda paper was deferred to the next meeting.

The meeting then terminated.

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Proceedings of a General Meeting of the Municipal Commissioners for the City of Madras held at their Office premises No. 22, Errabalu Chetty Street, Black Town, on Monday the 29th May 1899, at 3 p.m., under the provisions of the City of Madras Municipal Acts I and VII of 1884, II of 1892 and II of 1899.

PRESENT:

R. E. Ellis, Esq., M. Inst., C. E., *Ag. President.*
H. Ormerod, Esq.
M. R. Ry P. Theagaroya Chetty Garu.
M. R. Ry. P. M. Appasawmy Pillai Avargal.
M. R. Ry. R. N. Pragasa Mudaliar Avargal.
Cowasjee Eduljee, Esq.
M. R. Ry. Salla Gurusawmy Chetty Garu.
M. R. Ry. M. Venkataramiah Chetty Garu.
M. R. Ry. S. Subbayya Chetty Garu.
Haji Mahomed Abdul Hadi Badsha Saheb.
M. R. Ry. P. V. Kistnasawmy Chetty Garu.
M. R. Ry. N. Appusundaram Pillai Avargal.
M. R. Ry. C. S. Theagaroya Mudaliar Avargal.
Mir Muzheruddin Sahib Bahadur.
J. DeCaster, Esq.
M. R. Ry. Diwan Bahadur V. Krishnama Charriar Avargal.
M. R. Ry. V. Varadappa Naidu Garu.
M. R. Ry. W. S. Venkataramanjulu Naidu Garu.
N. Subrahmanyam, Esq.
M. R. Ry. M. K. Lakshmana Charriar Avargal.
M. R. Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.
W. D. Smith, Esq.
M. R. Ry. C. Tirumalayya Naidu Garu.
M. R. Ry. G. Subramania Iyer Avargal.
M. R. Ry. V. C. Desika Charriar Avargal.
M. R. Ry. M. Punithavelu Mudaliar Avargal.

The Lighting Question.

THE AG. PRESIDENT:— Well, Gentlemen, we have a quorum now and we may go on with our business. The first question before the meeting is the consideration of the lighting schedules which had all been circulated to you. There are 4 schedules. Probably you have all seen Mr. Agar's letter, in which he points out as follows: "I have the honour to request that you will be so good, in connection with this matter, to inform the Commissioners that in the interests and safety of the Public, I consider that the Municipal lamps should be kept lighted up to 3 A. M. on dark nights and from 6 to 10 P. M. daily, whether there be moonlight or not during the time of the monsoon from best way October to March." It is better to decide how many months you wish to light continuously from 6 to 12 or from 6 to 3 and then how you wish to light during other months.

MR. THEAGAROYA CHETTY:—What is the present system?

THE AG. PRESIDENT:—On dark nights we light till 3 A. M.—all dark hours up to 3 A. M.

MR. THEAGAROYA CHETTY:—What does it cost us?

THE AG. PRESIDENT:—The present cost is approximately Rs. 60,000. If you will add to

that, the extra hours from 6 to 9 during certain months of the year, I think you will have added a very great deal to the lighting of the city.

DIWAN BAHADUR V. KRISHNAMACHARIAR :—October to March or half the year is too long.

THE AG. PRESIDENT :—If that is too long, then have it from October to December.

MR. W. D. SMITH :—The Commissioner of Police proposes that we should light from 6 to 3 A. M. On moonlight nights in certain months, how are you going to light—is it from 6 to 10 or 6 to 12 ?

THE AG. PRESIDENT :—At present we light all dark hours up to 3 A. M., and we propose to add to that 6 to 9 whether the moon is up or not during the monsoon, from October to December—that is to leave the lighting exactly as it is and add to it lighting from 6 to 9 for 3 months.

MR. SMITH :—Are you not going to knock off any hours during moonlight nights? Is not there a proposition to light from 6 to 12 ?

THE AG. PRESIDENT :—There are several proposals here for you to decide. One is to light from 6 to 9 every night whether the moon is up or not. We had carried that out and found that street lamps were burning on full moonlight nights. That was rather ridiculous and was abandoned on a resolution of the Commissioners.

MR. THEAGAROYA CHETTY :—It is better to settle the question whether we are to have lights till 12 or 3 A. M.

MR. N. SUBRAMANYAM :— I propose "that it is not necessary to light our street lamps from midnight to 3 A. M."

DIWAN BAHADUR V. KRISHNAMACHARIAR :—Won't you put the same proposition in the affirmative form ?

MR. N. SUBRAMANYAM :—Many years ago the lighting of our street lamps from 12 to 3 was introduced on the suggestion of the Commissioner of Police, that the lighting during those hours would prevent a great deal of burglary and theft ; but although we have had our street lights lit between those hours at a considerable cost to us, I have seen no evidence to satisfy me that it has had any considerable effect in reducing the amount of crime committed in the city of Madras. Taking the mere percentage during certain years the amount of crime has decreased ; but that was not due to lighting between 12 and 3. It may be due to various causes—may be due to the more efficient working of the Police authorities. In the absence of satisfactory evidence, it is a waste of public money—which we can ill afford—to light our streets unnecessarily between 12 and 3, I happen to be in a peculiar position surrounded by three streets. When I come out of the house at 2 or 3, I find half a dozen lights burning without a single person moving about.

MR. VENKATARAMIAH CHETTY :—There is no burglary committed.

MR. N. SUBRAMANYAM :—No burglary was committed when there was no light.

Mr. W. D. Smith seconded the resolution.

THE AG. PRESIDENT :—In putting this resolution, I understand that you wish to put other resolutions afterwards.

The resolution was put and carried.

DIWAN BAHADUR V. KRISHNAMACHARIAR :—We have 4 schedules placed before us. Are we not to consider any of them ? I find that the 2nd is without an estimate.

THE AG. PRESIDENT :—It is the same as the present estimate. That comes to Rs. 60,000.

MR. THEAGAROYA CHETTY :—The next step is to decide whether we are to have lights on all nights. Let us clear our ground.

THE AG. PRESIDENT :—Let some gentleman propose whether we are to light from 6 to 9 every night or for 6 months or for 3 months.

MR. THEAGAROYA CHETTY :—Will you please tell us what will it cost us to light our street lamps from 6 to 9 for 3 months ?

THE AG. PRESIDENT :—If we light from 6 to 9 when there is little or no moon from October to December and light all dark hours up to 12 throughout the year, that will practically cost us the same amount that we now pay to the Contractor.

MR. THEAGAROYA CHETTY :—I beg to propose " that all street lamps be lighted from 6 to 9 from 15th October to 15th January, and afterwards according to schedule, and during the other months in accordance with the schedule up to 12 o'clock."

Mr. Venkataramiah Chetty seconded the resolution.

MR. THEAGAROYA CHETTY :—Now our street lighting is considered a shame to Madras. Whether it is due to the working of it or to lighting itself is a thing we ought to consider. First of all there is the contract deed which gives us certain specifications for lighting the streets. I read the specifications and I see that our street lighting can be three times better than what it is at present. It is said here that all oil to be used by the Contractor shall be of a quality specified in the tender and all wicks to be of a quality to be approved by the Engineer. Then it goes on to say :—

" The reservoir of every lamp to be lighted by the Contractor under this contract shall, at all times, when such lamp is lighted, contain a sufficient quantity of oil to maintain a clear steady light during the hours such lamp is to be kept lighted and the wicks in every such lamp shall be properly trimmed, when lighted and shall be kept turned up to their full height, so as to give such clear steady light, during the hours that such lamp is to be kept lighted and every such lamp shall, when lighted, be supplied by the Contractor with two wicks, one for burning and the other for supplying wick that shall be burning with oil—any lamp burning a double wick by order of the President shall be considered as two lamps."

Here so many conditions are given. With these conditions is it not possible for us to keep our lights in a much better order than they are at present ? That is the question. Well, gentlemen, all of you must have some idea as to what our street lights are like. I have got a photo here (handing the photo to the Commissioners) of five lamps and you will see what kind of lights we have in our streets. The other day our Ag. President, our Ag. Engineer, Mr. Pragasa Mudaliar and myself went over certain portions of the town and looked into certain lamps. We examined 37 lamps and they tell a very awkward tale indeed. We examined 8 lamps in Popham's Broadway. There we found that the wicks which should be one full inch in breadth and when soaked in oil $\frac{11}{16}$ inch, were cut into three-fourths inch in surface and there was one lamp whose width was only $\frac{5}{8}$ of an inch in surface. Then we went over to the 1st division—there we examined 29 lamps. Out of these we found 12 lamps with $\frac{3}{4}$ of an inch burning surface and the rest 17 lamps with $\frac{5}{8}$ inch burning surface. Then again there is the question of the feeder wick, that is the second wick. In the 8 lamps we examined there were feeder wicks only in 2. But these feeder wicks were not doing their duty. One Inspector expressed his wonder to me that he never knew there was a feeder wick and that he had to do such a work as to inspect that, also we found that out of 29 lamps, the very first lamp on the border of 3rd division had a feeder wick and there was a feeder wick just put in another lamp when they came to know that we were coming. But the remaining 27 had no feeder wick at all. Again there is the question of nipples. You know what nipples are, (A voice :—No). The brass thing at the neck is called the nipple. With regard to nipples, our standard lamps have $1\frac{1}{2}$ inch nipples, whereas in the 37 lamps we examined we found only one lamp with $1\frac{1}{2}$ inch nipple. Perhaps by some strange accident it was left there. With regard to 8 lamps in Broadway, there were 2 lamps with 1 inch nipple and 6 lamps with $1\frac{1}{8}$ inch nipple. In the 1st division there were 7 lamps without nipples. There were 8 lamps with 1" nipple, 4 lamps with $1\frac{1}{16}$ nipple, 6 lamps with $1\frac{1}{8}$" nipple and 4 lamps with $1\frac{1}{4}$" nipple. Gentlemen, these nipples make a good deal of difference in the flame that a light gives. There are 2 lamps without chimneys.

THE AG. PRESIDENT :—Mr. Theagaroya Chetty, I must ask you to keep to the resolution.

MR. THEAGAROYA CHETTY :—I am keeping to the resolution. I am giving these details to show whether we are spending or wasting our money. I am within my right in bringing this to your notice.

DIWAN BAHADUR V. KRISHNAMACHARIAR :—The question is whether we are to have the street lamp lit up during certain hours of every night or not.

MR. THEAGAROYA CHETTY :—My resolution is that we should have lights from 6 to 9. But the question is whether we are to have proper lighting or not. Our present lighting is disgraceful, and it is our duty to see that it is better. I am, therefore, within my rights in bringing this to your notice; and it is relevant to the subject under consideration. Further, we made some experiments with the Ag. Engineer's assistance. What we found was that a lamp with $1\frac{1}{2}$" nipple and with a feeder wick consumed $1\frac{1}{4}$ oz. of oil whereas a lamp with $\frac{5}{8}$" burning surface and 1" nipple without a feeder wick consumed $\frac{5}{16}$ oz. of oil. You will see the difference it makes. If you will look at this photograph, you will see that the 1st lamp is the one that has $\frac{5}{8}$" burning surface, the 2nd one has $\frac{3}{4}$" burning surface, the 3rd $\frac{7}{8}$", 4th 1" and 5th 1". You will see the difference it makes in the flame. If we take a little trouble to put this matter right and see that our wicks are properly cut and properly raised, as stated in the specification, we can get our proper light. If this is done, I think we can satisfy every Commissioner in the hall, the European community and also the *Mail's* representative. Well, gentlemen, we have four Inspectors to look after lighting. What they do in nights, it is not for us to say. However, the Administration Report of last year gives us very curious figures. You will find from that report that there are 5,840 lamps in Madras and each lamp was inspected 74 times in the course of the year by the Lighting Inspector If you calculate you will see that it makes 295 lamps for every Inspector per night taking an average of 5 hours' work. How many miles of streets have we in Madras? 270 miles of metalled road and 180 miles of streets with our road, making a total of 450 miles. Dividing 5,840 by 450, you will get 13 lamps per every mile. In that way each Inspector will have to travel $22\frac{1}{2}$ miles in those 5 hours per night. Whether that is possible or not is a matter to be seen.

MR. W. D. SMITH :—Bicycles are provided, I suppose.

MR. THEAGAROYA CHETTY :—You must put that question to the President. The question is whether it is possible for anybody to inspect such a large number of lamps. I say there is no inspection at all. It is something like sitting at home and writing reports. It looks like it—I don't say that these do not inspect. Now, gentlemen, are we not going to improve our lamps before we spend more money or provide lights for a greater number of hours?

DIWAN BAHADUR V. KRISHNAMACHARIAR :—Is there any proposition before the meeting about the improvement of our plan of lighting the streets?

THE AG. PRESIDENT :—No.

MR. THEAGAROYA CHETTY :—I put certain facts before you and it is for you to consider what steps you will take to put these matters right, so that the people may be satisfied with the extra 3 hours lighting that we give them and may not laugh at us.

MR. R. N. PRAGASA MUDALIAR :—I have only a couple of words to tell you. I take it that the object of the remarks now made by Mr. Theagaroya Chetty is that we should secure better lighting for what we spend. All that he says is we ought to get for what we spend something in the shape of bright lights. I have been going through some streets only last night. I saw 4 lamps near Mr. Theagaroya Chetty's house. I believe he has been putting them himself. From a distance the lights seemed as if they were lit with electricity. I went near and saw that the flame was fully an inch. I then went to the main street in Royapuram and found that the wicks were better raised than they were before this little hubbub was made. I think that the wick can be raised to a considerably great height, and if the wick is only properly trimmed, I think that for the money we spend we will have excellent light. There is one other thing to which I hope our President and Engineer will see. Our lamp lighter has got too many lamps to attend to. He has got to run from one light to the other with the result that there is hardly any time left for him to trim the wick. If the man after lighting a lamp turns to see how it burns and if he makes the necessary adjustment to give a bright light, I think we will have excellent light.

THE AG. PRESIDENT :—Well, gentlemen, the proposition before the meeting is a simple one.

MR. N. SUBRAMANYAM :—I wish to ask a question. Suppose the moon sets at 8 o'clock, how are our streets lighted—are they lighted at 8 o'clock or at 6 o'clock?

THE AG. PRESIDENT :—That is a dark night and lights will be lit at 6 o'clock.

DIWAN BAHADUR V. KRISHNAMACHARIAR :—We have been spending a long time in talking on the subject. No doubt the remarks of Mr. Theagaroya Chetty are useful, but how are they to be given effect to? What has been brought to public notice at this meeting seems sufficient to induce the executive to set the lighting work right.

MR. M. VENKATARAMIAH CHETTY :—Have any efforts been made at any time to ascertain whether the Contractor has been asked to say whether he can do this or not. If the work is done well what would it cost the Contractor to make him do it?

THE AG. PRESIDENT :—You cannot ask a question like that.

MR. M. VENKATARAMIAH CHETTY :—I can ask Mr. Theagaroya Chetty.

MR. THEAGAROYA CHETTY :—I can give you the information, if the President permits it.

THE AG. PRESIDENT :—I do not think it will help the discussion in any way.

MR. VARADAPPA NAIDU :—I wish to make an addition to the proposition brought forward by Mr. Theagaroya Chetty. In the light of the remarks made by Mr. Theagaroya Chetty I would add "that the President be called upon to enforce the specification upon the Contractor strictly from this date."

MR. N. SUBRAMANYAM :—That is not an amendment. The question is from what hour to what hour should the lights be lit. Any Commissioner can draw the attention of the President to this matter.

THE AG. PRESIDENT :—That is hardly an amendment.

MR. VARADAPPA NAIDU :—Then I would simply draw the attention of the President to this matter.

The proposition was put to the vote and carried.

The President's Leave.

THE AG. PRESIDENT :—The next subject is the G. O. No. 558 M. Mis., dated 26th April 1899, granting 3 months' furlough to the Hon'ble Col. Sir George Moore.

MR. N. SUBRAMANYAM :—I propose "that this be recorded."

MR. R. N. PRAGASA MUDALIAR :— I have a small proposition to move with regard to this subject "that with reference to G. O. No. 558 M. Mis., dated 26th April 1899, the Commissioners request that the Government will be pleased to reconsider its order and grant Col. Sir George Moore the 6 months leave applied for by him, which he had earned by his past services under the Civil Service Regulations, and which apparently was a matter of urgency with him." Gentlemen, it is rather an unpleasant position, but considering the circumstances, I think it would not look well if we do not show some sympathy in the matter. Col. Moore has served the Municipality for about 14 years and under the rules he is entitled to a furlough of two years. During his whole service, he has had no furlough at all and even on the present occasion he was not for taking furlough but for some urgent necessity. There was some very urgent business but for which he would not have applied for the furlough. The Government was only pleased to give him 3 months leave. Considering what Col. Moore has done to us especially in connection with plague, I think it is hard that we should not try and plead for him with Government. If this little indulgence is granted to him for the short time he will remain with us, he will continue to do the work with all the more energy. I hope gentlemen, you will all be at one with me in making this request to Government.

Mr. Cowasjee Eduljee seconded the resolution.

MR. M. VENKATARAMIAH CHETTY :—Has the Government assigned any reason for curtailing the leave applied for?

THE AG. PRESIDENT :—The papers have all been circulated. The only information I have is what is contained in those papers.

DIWAN BAHADUR V. KRISHNAMACHARIAR :—Has Sir George Moore left any memorandum expressing his regret?

THE AG. PRESIDENT:—I have no other papers than those circulated.

MR. V. C. DESIKA CHARIAR:—I suppose the original application went round to the Commissioners and was sent up with their recommendation.

THE AG. PRESIDENT:—Yes.

MR. V. C. DESIKA CHARIAR:—I wish to make a few remarks on this proposition, not with a view to oppose it. There cannot be two opinions as to the question what leave Col. Moore should have, but from another point of view it is somewhat painful to face the question. On a former occasion when you made a recommendation in regard to a matter, though not exactly similar, the Government came down on you and snubbed you and said that in these matters by making these recommendations you put them in an awkward position. When this leave application came to us, we unanimously recommended it and I do not think that there is any on this Board that could have taken exception to the granting of leave to Col. Moore. But when the matter went before Government, they did not think it fit to grant him 6 months leave. The Government have very likely their own reasons for it and they will not reconsider it simply because we ask them to reconsider it. We will be placing the Government, in an awkward position by passing resolution. I have no predilections in the matter either the one way or the other. So far as Col. Moore is concerned, I do not grudge him the leave that he is entitled to. But for the fact that he brought to the notice of Government that his term of office would come to an end by the end of the year, the Government would not have known of it. As his time is extended by one year he would not be entitled to any leave. All the same we have shown that we did not grudge him the leave by our unanimous recommendation and in spite of that the Government did not see their way to give him the leave applied for. I do not know if there is any use in passing this resolution. I only place before you this aspect of the question not, as I have already told you, with a view to oppose the proposition, for I have no interest to oppose it. The question is whether you would like to place yourselves in another awakward position and get another snub.

MR. G. SUBRAMANIA IYER:—I fully share Mr. Desika Chariar's apprehension in the matter and doubt the propriety of our passing this resolution. The Commissioners are aware of the very valuable services rendered by Col. Moore especially in recent years. When the Government declined to grant him the full leave, they must have had sufficient reasons for the order they passed. Probably they thought that in the present state of public health in this city, our veteran President could not be spared for so long a time as 6 months. Probably there were other reasons which induced the Government to pass this order on his application for leave. If we pass this resolution against the order of Government, it would be assuming that the Government are not sensible of the services rendered by Col. Moore and his claim to the leave that he applied for. Considering the precedent in the matter, I fully share the opinions expressed by Mr. Desika Chariar.

MR. THEAGAROYA CHETTY:—I quite agree with the opinions expressed by Mr. V. C. Desika Chariar and Mr. G. Subramania Iyer. I should think that the Government must have had very strong reasons for going out of their way to grant him only 3 months leave when the recommendation of the Commissioners was for 6 months leave. Especially after the rebuff we had, it is better we are more careful in such matters in future than we were before. I think it will be better for the mover to withdraw his proposition.

MR. V. C. DESIKA CHARIAR:—I think we may take the whole thing out of the report.

DIWAN BAHADUR V. KRISHNAMACHARIAR:—We have every right to recommend to Government any leave for any Municipal officer or upper subordinate, but we have no right to go to Government and ask them to reconsider such an order as this. The question is whether Sir George Moore himself would like this resolution. If he again applies for an extension of the leave now granted, we can again make the recommendation. I do not think it at all proper that we should go up at this stage to Government with this resolution, unasked, and I hope that Mr. Pragasa Mudaliar will see the propriety of withdrawing it.

MR. PRAGASA MUDALIAR:—If that is the sense of the meeting, there is no other help but to withdraw the resolution.

THE AG. PRESIDENT:—It is the wish of this meeting that the proposal be withdrawn with the consent of the proposer and the seconder. The reporters are requested not to report it in any way but record it.

The Government Order was accordingly recorded.

The Madras Municipal Act.

G. O., No. 572 M. Mis., dated 27th April *re* the Madras Municipal Act, was unanimously recorded.

Budget for 1899-1900.

G. O., No. 582 M. Mis., dated 1st May, *re* Budget for 1899-1900 was also unanimously recorded.

Proceedings of the Standing Committees.

The next item on the Agenda was the consideration of the Proceedings of the Standing Committee, dated 11th and 21st April, 5th May, and resolutions Nos. 3-I to VI, 16 and 19, dated 17th March 1899.

THE AG. PRESIDENT:—You will have, first of all, to deal with the Proceedings of 11th April.

MR. THEAGAROYA CHETTY:—First we will have to deal with the Proceedings of 17th March. There is the proposition to circulate the drainage estimates.

THE AG. PRESIDENT:—If you wish to take it you can do so. The drainage estimates have been circulated to the members of the Commission, but the papers have not been completely round since the addition has been made to the estimates. Mr. Pragasa Mudaliar says that he wishes them to be circulated. I think this matter may be deferred.

MR. THEAGAROYA CHETTY:—The other day I called the attention of the President to a subject contained in the Proceedings of the Standing Committee of the 17th March, that is about the tenders for reforming the roads, &c., in the City of Madras for 3 years from 1st of April. The President has sent us an explanation. Gentlemen, at the last meeting when I called the attention of the President to this matter he mentioned to us that the contract was given to Chinnababu Maistry because his was the lowest tender. The members that were present at the meeting of the Standing Committee when this subject was disposed of are Mr. Sivangnana Mudaliar, Mr. Varadappa Naidu, Mr. Subramania Iyer, Mr. Lakshmana Chariar, Mr. Muzheruddin Saheb and Mr. Badsha Saheb. These gentlemen might know something of what took place at that meeting—whether the explanation now given by the President is the explanation given to the members of the Standing Committee when that tender was accepted or not.

THE AG. PRESIDENT:—What is your resolution.

MR. THEAGAROYA CHETTY:—We will have to confirm the Proceedings of the Standing Committee or send them back.

THE AG. PRESIDENT:—Then you are discussing the point.

MR. THEAGAROYA CHETTY:—Yes. This is the memo. sent round by the President.

MR. DESIKA CHARIAR:—Is it necessary to read it. We have read it in circulation.

MR. THEAGAROYA CHETTY:—There are some points given here which require your attention. You will see it stated here that working these figures out for one square and 3 inches thick Chinnababu's rate comes to 3 as. 6 ps. against Krishnama Chari's rate of 2 as. 9½ ps. That is, as I pointed out, a difference of 8½ pies per square or 23 per cent.

MR. G. SUBRAMANYA IYER:—I must rise to a point of order. I think Mr. Theagaroya Chetty must formulate his proposition before making a speech.

THE AG. PRESIDENT:—He is in order. He can formulate his proposition at any time he likes.

MR. DESIKA CHARIAR:—It is better for him to formulate his proposition now, so that we may be better able to follow him.

MR. THEAGAROYA CHETTY :—My proposition is " that Resolution No. 16 of the Proceedings of the Standing Committee, dated 17th March, be not recorded." If you say I am not in order in making that proposition I will make another proposition.

THE AG. PRESIDENT :—You are quite in order.

MR. THEAGAROYA CHETTY :—You will see that there was a difference of $8\frac{1}{2}$ ps., as I pointed out that day. The President gives certain reasons for giving the contract to Chinnababu Maistry and the members of the Standing Committee may say whether these were the reasons given to them. It is stated in the President's Memorandum working these figures out for one square, 3 inch thickness Chinnababu's rate is 3 as. 6 ps. against Krishnama Chari's 2 as. $9\frac{1}{2}$ ps. But the rates should be scrutinised further. Krishnama Chari's rate for watering and tamping is 11 ps. per square. Under the contract he is bound to do 50 squares a day, so he would get 550 ps. or 46 as. This represents 11 men. The contract provides for 10 men tamping daily, so that he has only one left for watering—which is absurd." This is the explanation that is placed before us for giving the contract to Chinnababu Maistry in preference to Krishnama Chari who is a lower tenderer. If you look into the specifications for laying out materials on roads, you will find paragraph like this " 10 beaters should be employed continuously on each section of the road under reform," under which the President brings in his argument and says that Krishnama Chari's rate is absurd. The question is whether 10 beaters are to be employed all throughout the day in making 50 squares or whether some portion of the time is to be spent in other ways. If you look at another part of the same specification you will find this : " the Contractor shall in executing such works complete and finish (including tamping) on each day out of the total area included in such estimate an area of not less than 50 squares." Now reading these two together, it makes one understand that 10 men must beat ; all right they must beat and beat they must all day. Generally, what they do on roads is this : they begin their work at 8 o'clock in the morning. They first take up the road and throw the materials on the road. They are packed, levelled and then watered. After finishing the watering which takes until 3 o'clock in the evening, they begin to tamp them. I would thank the President if he would tell me if I am wrong. This is the custom that is followed, that is the way in which every road in Madras and out of Madras is made. With that information and with this paragraph which I just read to you, can it mean that the 10 men should be placed on the road for tamping? The conclusion come to by the President that the 10 men take away all the money given for watering and tamping and that there is only one man left for tamping is a statement that is not worth our consideration at all. I must tell you that the President has not seen many roads made. He is not an Engineer but only an ordinary lay man like ourselves. There is a special department which looks after this work. I may say that the information which he gives in this memo., he did not give on the day I asked him. He said that Chinnababu Maistry's was the lowest tender. The explanation now placed before us is an ingenious one, no doubt. Instead of pointing out to us who the person is that is responsible for this kind of calculation, he brings in a statement which I do not think even a new born baby would swallow. I would ask the President to say whether the calculation is wrong or whether the explanation given is right.

THE AG. PRESIDENT :—What calculation is it that you are referring to ?

MR. THEAGAROYA CHETTY :—The calculation by which it was made out that Chinnababu Maistry's tender was the lowest. I should like to know why the contract was given to him—is it because that his tender was the lowest or is it because that it required 10 men for tamping and therefore his tender was preferable. I would like to have some information from the President. I would also like to hear from the members of the Standing Committee here present what they have to say on the matter—whether they gave the contract to Chinnababu Maistry because he was the lowest tenderer or whether they gave it to him on the grounds now put forward.

MR. N. SUBRAMANYAM :—They are not bound to give anything.

MR. THEAGAROYA CHETTY :—If they remember they can give us the information

MR. DIWAN BAHADUR V. KRISHNAMACHARIAR :—This is a kind of interpellation

THE AG. PRESIDENT :—Will you please send in your resolution on paper ?

MR. PRAGASA MUDALIAR :—Although I am a member of the Standing Committee, I am sorry I was not present on the occasion and therefore I am not in a position to explain the circumstances.

THE AG. PRESIDENT :—Unless the proposition is seconded, you cannot speak.

MR. GURUSAMY CHETTY :—I second it for argument's sake.

THE AG. PRESIDENT :—This, of course, appears to me like a vote of censure upon the Standing Committee. Under section 50 of the Municipal Act, contracts are left entirely with the Standing Committee and the Standing Committee have agreed with the President in selecting this particular tender. To say that it be not recorded, looks to me like nothing but a vote of censure upon the Standing Committee.

MR. DESIKA CHARIAR :—I wish to say a few words in regard to this proposition. I move " that this subject be referred back to the Standing Committee for reconsideration." My reason for moving this amendment.

THE AG. PRESIDENT (INTERRUPTING) :—There is not much use in sending this back to the Standing Committee because the contract has already been entered into.

MR. DESIKA CHARIAR :—Then why does it come to us ? Are we to confirm everything that is sent up by the Standing Committee. It does not seem to me business like to send the Proceedings to us after the contract has been entered into. If it is sent us by way of information I can understand it. But if we are to confirm it, there must be some object in sending it to us and you must wait till you get the confirmation from us. If there was any mistake committed, we must once for all be bound by it. As the President tells us that the contract has been entered into and that there is no use of passing this resolution or a vote of censure, I beg to withdraw my amendment and oppose the resolution.

THE AG. PRESIDENT :—The Standing Committee has a special section for considering the contract. " The President may accept any contract with the consent of the Standing Committee." And that consent has been given.

MR. V. C. DESIKA CHARIAR :—The Standing Committee has done what it is entitled to do. There is no use in our not recording it. We may record the Proceedings if no confirmation is necessary. The contract has been entered into and it will go on even if you do not record the Proceedings. I could not quite follow all the arguments of Mr. Theagaroya Chetty. As the section says, this is a matter left to the Standing Committee and Standing Committee alone. We meeting here, so many Commissioners could hardly be expected to go into the matter and look this one tender after another. The very object of leaving it to the members of the Standing Committee is that they should go into the matter fully. It is only when any question of principle is involved we may ask them to re-consider the subject. Unfortunately there is no use of asking them to reconsider a thing which has been done and done completely without any way out of it.

MR. M. VENKATARAMIAH CHETTY :—We are in a peculiar position. The matter is brought before us either to be vetoed or to be confirmed. If you do not choose to adopt, are you not left the other alternative of vetoing it ? However from what the President and Mr. V. C. Desikachariar has said, I see that we cannot veto it. If we cannot veto it, I certainly feel it my bounden duty at least to pass a vote of censure upon the StandingCommittee if as explained by Mr. Theagaroya Chetty, the Committee had done a thing without any justification. I hope the members of the Standing Committee will state what induced them, although they are not bound to do so, to accept a tender which was not the lowest. If these reasons are not satisfactory, we, if we are not privileged to do anything more, are certainly entitled to pass a vote of censure on the Standing Committee. I for one will be the first to propose it if Mr. Theagaroya Chetty withdraws his proposition.

MR. THEAGAROYA CHETTY :—If as stated by the President the Commissioners have no power but to record the proceedings, then I withdraw my proposition in favor of the one which my friend wants to propose.

The proposition with the consent of the seconder was withdrawn.

Mr. M. Venkataramiah Chetty :—I beg to propose "that this meeting records Resolution No. 16 of the Proceedings of the Standing Committee, dated 17th March, and in doing so regrets that it has to pass a vote of censure upon the Standing Committee for giving the contract to one that, taking all things together, was not the lowest tenderer". I do not think I really need make a speech, as the speech has already been made by Mr. Theagaroya Chetty.

The proposition fell through for want of a seconder.

Mr. S. Gurusawmy Chetty thereupon moved the following :—

"That the Commissioners do record item No. 16 of the Proceedings of the Standing Committee, dated 17th March 1899, and in doing so regret that the Standing Committee have not acted judiciously in having accepted the tender of Chinnababu Maistry, which was not the lowest, taking all things together.

Mr. N. Appusundaram Pillay seconded the proposition.

Mr. V. C. Desika Chariar :—I strongly oppose the proposition moved by Mr. Gurusawmy Chetty and seconded by Mr. Appusundaram Pillay. This is simply a waste of time. Are we, each one of us, prepared to say that the Standing Committee did commit an error. I have great respect for Mr. Theagaroya Chetty who always comes prepared with facts and figures. But before we can say whether the Standing Committee acted judiciously or not, we should first go into facts and figures before arriving at a conclusion. In this late afternoon is each and every one of you prepared to say that these figures and facts are correct or are you going to take them on mere *ipse dixit* and pass a vote of censure upon your elected representatives? If these gentlemen whom you have elected are men who have not exercised their judgment properly, then it is open to you to send in a new set of men at the next opportunity. There is no good in passing this resolution, as I think that to pass a vote of censure now would only be to create bad blood without any result flowing from it. We shall be simply wasting our time by passing this resolution at this fag end of the day. After all the explanation given by Mr. Theagaroya Chetty, one may feel in his inmost mind that there may be something when the whole thing is sifted. What are we to do now? Eight members of this Commission besides the President have gone into the matter and say that the thing is done. One thing that was lost sight of in considering this matter is that the Standing Committee is not bound to accept the lowest tender. The initial mistake that we made is in supposing that the Standing Committee is bound to accept the lowest tender. In the case of tenders, they can accept any or no tender as they like and they must exercise their judgment as best as any of the 32 sitting in this room can do and come to a conclusion. It is simply idle to pass a vote of censure upon the Standing Committee upon a single thing which the Standing Committee might have failed to do judiciously or to apply that degree of judiciousness which we think they should apply. You must give a long tether to the Standing Committee. It is not to correct to suppose, as I originally supposed, that the matter comes to us for confirmation. I am told that such matters come before us merely for information (Cries of 'No' 'No') and that the Commissioners have no powers of revision under the Act. What the Standing Committee does merely comes to you for information for being recorded and you cannot ask them to reconsider them. Just as you do with several G. Os. you can only record them and cannot in any way interfere with them. We must suppose that the members of the Standing Committee have exercised their powers to the best of their judgment and it will be simply futile and will not be wise if you pass this resolution which would be unprecedented in the annals of the Municipality.

Mr. S. Subbiah Chetty :—I certainly do not agree with Mr. Desika Chariar. I do not see the fun of the Proceedings of the Standing Committee coming before a meeting like this unless we have the power to approve or disapprove of the action of the Standing Committee. I do not see the fun of the proceeding being submitted to us at all. If Mr. Desika Chariar is right in saying that we have no right to record our disapproval of the action of the Standing Committee, it is better that these proceedings do not come before us. My friend has gone to the length of saying that we actually propose a vote of censure on the members of the Standing Committee. I thoroughly fail to see that. It is not a vote of censure on the members of the Standing Committee. It is merely an

Pml(4) 5-2-99:292

expression of our disapproval of their action. My friend will no doubt admit that 8 heads are inferior to 32 heads here sitting. It is possible that the 8 people of the Standing Committee—I do not think that 8 members are always present, it is always not less than 8—could have been misled or might have committed a mistake. It is only right on our part that before we express our disapproval of their action we must take into consideration their view of the case. With reference to this proposition I would certainly like to have some information as to how the members of the Standing Committee were led to do this thing, what figures were placed before them and how they came to approve of this contract. It is only fair that the members of the Standing Committee should be given an opportunity of justifying their action. Before we condemn them and do not approve of the action, it is better to give them a hearing to see whether they were properly informed of the correct facts, and whether they have judiciously exercised their discretion in accepting the contract. I would therefore propose : "That this matter be deferred to the next meeting and that, in the meantime, if the members of the Standing Committee are pleased to give their reasons in writing they may be circulated to the Commissioners."

Mr. Pragasa Mudaliar :—I beg to second the resolution. Gentlemen, I am a member of the Standing Committee but luckily (laughter) I was not present when the question came up before them. Probably the Standing Committee might have made a mistake as it was all a matter of figures. Perhaps at that moment they did not go into the calculation as minutely as Mr. Theagaroya Chetty has done and hence the mistake might have arisen and by the proposed adjournment they will be in a position to explain. Therefore it is certainly a wise thing to put off the subject.

Mr. Theagaroya Chetty :—I should think that this meeting itself may be adjourned as this is a marriage day.

Mr. Subbiah Chetty :—Then I will withdraw my proposition for deferring the subject and move the following :—"The meeting be adjourned to Friday, the 9th June, and that the Standing Committee be requested in the meantime to explain the circumstances under which the tender of Chinnababu Maistry was accepted."

Mr. N. Subramanyam :—I propose an amendment that the words "and that the Standing Committee, &c." be omitted from Mr. Subbiah Chetty's proposition and that the words "that the meeting be adjourned to Friday next" be retained. Mr. President, it seems to me that a great deal has been spoken by many of the Commissioners without fully understanding their rights and those of the Standing Committee. The Act defines what the duties of the Committee are. Certain contracts come before them and in regard to those which the President proposes to accept, the Standing Committee have a voice to say yea or nay. When the Standing Committee have approved of the President's proposal to accept a particular tender, then the matter comes to an end ; and so far as that is concerned, the Commissioners as a body have no voice in the matter and that fact is best exemplified by what has happened for a series of years. Every contract is accepted as soon as the proposal of the President to accept a certain tender is accepted by the Standing Committee. Of course it is open to the Standing Committee to pass what is in effect a vote of censure, if they chose to do so. I oppose strongly the suggestion embodied in the proposition that the Standing Committee should be called upon to give reasons for accepting a particular tender. Mr. President, I am an old Commissioner and I have for some years served on the Standing Committee and a great many things transpire in the Standing Committee as to why a particular tender should be accepted although it is not the lowest. Questions affecting the capacity and honesty of the tenderer besides various other things are considered and freely discussed in closed chambers; and the Standing Committee should not be called upon to give its reasons. Supposing the Standing Committee has to say of a person that the real reason for not accepting his tender though the lowest is that his performance of the contract in the past has been very disgraceful. Although that could be considered in closed chambers, yet that and other similar reasons cannot safely be published to the world at large. I think the Commissioners have no right to call upon the Standing Committee to state its reasons. I would strongly object to any member of the Standing Committee saying anything. I would advise every member of the Committee to hold his tongue and not attempt to give any reasons for accepting any tender. Nothing in the sections of the Municipal Act can compel him to disclose what his reasons are. The Standing Committee is a corporated body and one member is at present on his way to Scotland and it will take three months for him to come ; and we cannot have

the reasons of the Standing Committee unless all the members are brought together. You cannot expect any individual member to say what reasons induced him to vote in the way he has done in regard to a matter which came up before him some 2 or 3 months ago. Much more difficult is it for the Committee collectively to give the reasons which led it to act in a certain way. We have no power to ask any such question. It would be impolitic on our part to ask the Standing Committee to give their reasons. It would be exceedingly impolitic and foolish on their part to attempt to give reasons. The Standing Committee consists of men whom we have chosen for their intelligence and aptitude for business. We ought, therefore to give them every support during the one year that they are administering the Municipal affairs in our behalf. If we are dissatisfied with them, let us turn them out at the next chance. But until that time arrives it seems to me that it is our bounden duty to give our cordial support to the action of the Standing Committee which we have no power to call into question. For these reasons I strongly oppose the latter part of the resolution and propose the amendment.

MR. V. C. DESIKACHARIAR:—I beg to second the amendment and offer only a few remarks. The reasons I gave you in opposing the other proposition apply to this amendment. I am in favour of this amendment. It is impossible that for every proposition that is passed at the General Meeting each one of us can, when asked, give the reasons that induced us to vote either one way or the other. Is it at all likely that you will remember all the reasons which made you incline to the one side or the other? A member of the Standing Committee stands in the same position. With reference to the particular Standing Committee that decided this matter, two members are out of it. Now you are going to ask the remaining 5 members to give the reasons which induced the majority to come to a certain conclusion. How inviduous and awkward will it be to ask them to give their reasons? One of the fundamental clauses given in the invitation of tenders is that no reason shall be given for accepting or declining any tender. There may be one thousand and one reasons which may be considered in accepting a tender in a closed meeting of 7 or 8. But if these are to be discussed here—our meetings are not privileged like those of the Standing Committee and our Proceedings are published in newspapers—then there may be statements which may be defamatory and it would be unwise and impolitic to call upon the Standing Committee to give the reasons. The members of the Standing Committee are as respectable as any member of the Commission sitting at this table. It is not right when they do their duty to the best of their ability and judgment, to ask them to give reasons unless you have any reason to suppose that any one acted dishonestly.

MR. THEAGAROYA CHETTY:—Nobody ever said that.

MR. DESIKA CHARIAR:—To pass any such proposition as the one proposed by Mr. Subbiah Chetty will be simply ridiculous.

MR. PRAGASA MUDALIAR:—20 minutes ago a proposal was made to adjourn the meeting and still we are discussing the subject. I do not know whether we are expected to offer our remarks at this meeting or at the next meeting on the amendment moved by Mr. N. Subramanyam and seconded by Mr. Desika Chariar.

MR. THEAGAROYA CHETTY:—Before the proposition is put to the meeting, I wish to say a few remarks. Mr. N. Subramanyam has told us something about contracts in moving his amendments.

DIWAN BAHADUR V. KRISHNAMA CHARIAR:—Can you not bring it forward at the next meeting?

THEAGAROYA CHETTY:—I can do so if the President undertakes to send the speeches in circulation.

THE AG. PRESIDENT:—Do you speak on the amendment?

MR. THEAGAROYA CHETTY:—Yes.

MR. PRAGASA MUDALIAR:—I propose an amendment so that the discussion may be continued at the next meeting. Mr. Subbiah Chetty's proposition was conditional, but mine is unconditional. I beg to propose "that this meeting be adjourned to Friday the 9th June, and the discussion on the subject be continued at the adjourned meeting."

MR. VENKATARAMANJULU NAIDU:—I beg to second this amendment. It is already late and it is better that we adjourn the meeting so that the discussion may be resumed.

THE AG. PRESIDENT:—The proposition before you, gentlemen, is that the meeting be adjourned to Friday, the 9th June.

The amendment was carried.

The meeting was accordingly adjourned to Friday, the 9th June.

THOMPSON AND CO., MADRAS.

Pml(4) 5 R-Vs:292

MINUTES of the PROCEEDINGS of a GENERAL MEETING of the MUNICIPAL COMMISSIONERS for the CITY of MADRAS, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Monday the 29th May 1899, at 5–15 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884, II of 1892 and II of 1899.

PRESENT:

R. E. Ellis, Esq., M.INST.C.E., Ag. President.
H. Ormerod, Esq.
M.R.Ry. P. Theagaroya Chetty Garu.
M.R.Ry. P. M. Appaswami Pillai Avargal.
M.R.Ry. R. N. Pragasa Mudaliar Avargal.
Cowasjee Eduljee, Esq.
M.R.Ry. Salla Gurusawmy Chetty Garu.
M.R.Ry. M. Venkataramiah Chetty Garu.
M.R.Ry. S. Subbayya Chetty Garu.
Haji Mahomed Abdul Hadi Badsha Saheb.
M.R.Ry. P. V. Kistnasawmy Chetty Garu.
M.R.Ry. N. Appusundaram Pillay Avargal.
M.R.Ry. C. S. Theagaroya Mudaliar Avargal.
Mir Muzheruddin Sahib Bahadur.
J. DeCaster, Esq.
M.R.Ry. Diwan Bahadur V. Krishnama Charriar Avargal.
M.R.Ry. V. Varadappa Naidu Garu.
M.R.Ry. W. S. Venkataramanjulu Naidu Garu.
N. Subrahmanyam, Esq.
M.R.Ry. M. K. Lakshmana Charriar Avargal.
M.R.Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.
W. D. Smith, Esq.
M.R.Ry. C. Tirumalayya Naidu Garu.
M.R.Ry. G. Subrahmania Iyer Avargal.
M.R.Ry. V. C. Desika Charriar Avargal.
M.R.Ry. M. Punithavelu Mudaliar Avargal.

No. 1.

Consideration of the Lighting Schedules for different hours.

Proposed by Mr. N. Subrahmanyam and seconded by Mr. W. D. Smith—

"That it is not necessary to light the lamps from 12 mid-night to 3 A.M., on any night."

Carried.

Proposed by M.R.Ry. P. Theagaroya Chetty Garu and seconded by M.R.Ry. M. Venkataramiah Chetty Garu—

"That the street lamps be lighted from 6 to 9 P.M. from 15th October to 15th January and afterwards according to schedule to 12 o'clock, and during other months in accordance with schedule to 12 o'clock."

Carried.

No. 2.

G.O., No. 558 M., Mis., dated 26th April 1899, granting three months' furlough to the President.

Proposed by M.R.Ry. R. N. Pragasa Mudaliar Avargal and seconded by Mr. Cowasjee Eduljee—

"That, with reference to G.O., No. 558, dated 26th April 1899, the Commissioners request that Government will be pleased to reconsider its order and to grant to Sir George Moore the six months' furlough applied for by him and which he had earned by his past service under the Civil Service Regulations and which apparently was a matter of urgency with him."

M.R.Ry. R. N. Pragasa Mudaliar Avargal withdraws, with the consent of the meeting, his resolution.

The G.O. was then recorded.

No. 3.

G.O., No. 572 M., Mis., dated 27th April 1899, re the amendment of the Madras Municipal Act.

Recorded.

No. 4.

G.O., No. 582 M., Mis., dated 1st May 1899, re budget for 1899–1900.

Recorded.

No. 5.

Proceedings of the Standing Committee, dated 11th and 21st April, 5th May, and resolutions Nos. 3–I to VI, 16 and 19, dated 17th March 1899.

Resolution No. 3–*I* to VI of Proceedings dated 17th March 1899 is deferred.

Proposed by M.R.Ry. P. Theagaroya Chetty Garu and seconded by M.R.Ry. Salla Gurusawmy Chetty Garu—

"That item No. 16 of the Proceedings of the Standing Committee dated 17th March 1899 be not recorded."

M.R.Ry. P. Theagaroya Chetty Garu, with the consent of the meeting, withdraws his resolution.

M.R.Ry. M. Venkataramiah Chetty Garu proposed the following resolution which fell through for want of a seconder—

"That this meeting do record resolution No. 16 of Standing Committee Proceedings dated 17th March 1899, and in doing so this meeting regrets that it has to pass a vote of censure on the Standing Committee for giving the contract to one, that taking all things together, was not the lowest tenderer."

Proposed by M.R.Ry. Salla Gurusawmy Chetty Garu and seconded by M.R.Ry. N. Appusundaram Pillai Avargal—

"That item No. 16 of the Standing Committee Proceedings of the 17th March 1899 be recorded and the meeting regrets that the Standing Committee have not acted judiciously in having accepted the tender of Chinnababu Maistry, which was not the lowest, taking all things together."

Proposed by M.R.Ry. S. Subbiah Chetty Garu and seconded by M.R.Ry. R. N. Pragasa Mudaliar Avargal—

"That the meeting be adjourned till 9th and the Standing Committee be requested to explain the circumstances under which the tender of Chinnababu Maistry was accepted."

As an amendment Mr. N. Subrahmanyam proposed and M.R.Ry. V. C. Desika Chariar Avargal seconded—

"That the meeting be adjourned till the 9th June 1899.

Carried.

R. E. ELLIS,
Ag. President, Municipal Commission.

Municipal Office, Madras,
May 1899.

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

3
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Pub(s) 5 G. No: 292

MINUTES of the PROCEEDINGS of an adjourned GENERAL MEETING of the MUNICIPAL COMMISSIONERS for the CITY of MADRAS, held at their Office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday the 9th June 1899, at 5-15 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884, II of 1892 and II of 1899.

PRESENT:

R. E. Ellis, Esq., M. INST. C.E., Acting President.
H. Ormerod, Esq.
M.R.Ry. P. Theagaroya Chetty Garu.
M.R.Ry. R. N. Pragasa Mudaliar Avargal.
Cowasjee Eduljee, Esq.
M.R.Ry. P. M. Sivangnana Mudaliar Avargal.
Mahomed Sheriff Khan Bahadur.
M.R.Ry. N. Appusundaram Pillay Avargal.
M.R.Ry. C. S. Theagaroya Mudaliar Avargal.
Mir Muzheruddin Sahib Bahadur.
J. DeCaster, Esq.
M.R.Ry. Diwan Bahadur V. Krishnama Charriar Avargal.
M.R.Ry. V. Varadappa Naidu Garu.
M.R.Ry. W. S. Venkataramanjulu Naidu Garu.
N. Subrahmanyam, Esq.
M.R.Ry. M. K. Lakshmana Charriar Avargal.
M.R.Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.
M.R.Ry. C. Tirumalayya Naidu Garu.
M.R.Ry. M. Punithavelu Mudaliar Avargal.
M.R.Ry. P. M. Appasawmy Pillai Avargal.

Proceedings of the Standing Committee dated 11th and 21st April, 5th May, and resolutions Nos. 16 and 19, dated 17th March 1899.

The Acting President informed the meeting that they should now consider the following resolution proposed at the last meeting by M.R.Ry. Salla Gurusawmy Chetty Garu and seconded by M.R.Ry. N. Appusundaram Pillai Avargal—

"That item No. 16 of the Standing Committee proceedings of the 17th March 1899 be recorded and the meeting regrets that the Standing Committee have not acted judiciously in having accepted the tender of Chinnababu Maistry which was not the lowest taking all things together."

Proposed by M.R.Ry. Diwan Bahadur V. Krishnama Charriar Avargal and seconded by M.R.Ry. C. Tirumalayya Naidu Garu—

"That the meeting go into Committee."

Lost.

Proposed by M.R.Ry. Diwan Bahadur V. Krishnama Charriar Avargal and seconded by Mr. H. Ormerod—

"That the words after 'recorded' be omitted."

Carried.

Proposed by M.R.Ry. P. M. Sivangnana Mudaliar Avargal and seconded by Mir Muzheruddin Sahib Bahadur—

"That the consideration of the remaining subjects be deferred to the date of the next General Meeting."

Carried.

The meeting then terminated.

R. E. ELLIS,
Ag. President, Municipal Commission.

Municipal Office, Madras,
June 1899.

MADRAS: PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

Rud (b) 68-no-292

30 August 9

MINUTES of the PROCEEDINGS of a SPECIAL MEETING of the COMMISSIONERS for the CITY of MADRAS, held at their office Premises, No. 22, Errah Bauloo Chetty Street, Black Town, on Friday the 23rd June 1899, at 5-15 P.M., under the provisions of the City of Madras Municipal Acts I and VII of 1884, II of 1892 and II of 1899.

PRESENT :

R. E. Ellis, Esq., M. INST. C.E., Acting President.
H. Ormerod, Esq.
M.R.Ry. P. Theagaroya Chetty Garu.
M.R.Ry. P. M. Appasawmy Pillai Avargal.
M.R.Ry. R. N. Pragasa Mudaliar Avargal.
M.R.Ry. Salla Gurusawmy Chetty Garu.
M.R.Ry. M. Venkataramiah Chetty Garu.
M.R.Ry. S. Subbiah Chetty Garu.
M.R.Ry. P. V. Kistnasawmy Chetty Garu.
M.R.Ry. N. Appusundaram Pillay Avargal.
M.R.Ry. C. S. Theagaroya Mudaliar Avargal.
Mir Muzher-ud-din Sahib Bahadur.
J. DeCaster, Esq.
M.R.Ry. Diwan Bahadur V. Krishnama Charriar Avargal.
M.R.Ry. V. Varadappa Naidu Garu.
M.R.Ry. W. S. Venkataramanjulu Naidu Garu.
M.R.Ry. V. Masilamani Pillay Avargal.
[redacted] Subramanyam, Esq.
M.R.Ry. M. K. Lakshmana Charriar Avargal.
M.R.Ry. Rai Bahadur A. Dhanakoti Mudaliar Avargal.
W. D. Smith, Esq.
Eardley Norton, Esq.
M.R.Ry. C. Tirumalayya Naidu Garu.
M.R.Ry. V. C. Desika Charriar Avargal.
M.R.Ry. M. Punithavelu Mudaliar Avargal.

To consider the question of the tenders called for by the Engineer and received by the Acting President for the supply of cast-iron pipes required for the Drainage of Madras in reference to the objection raised by Messrs. Muhammad Ally Jeevajee & Co., that these cast-iron pipes should be purchased from them alone.

Proposed by Mir Muzher-ud-din Sahib Bahadur and seconded by M.R.Ry. M. K. Lakshmana Charriar Avargal—

"That the Commissioners, after careful perusal of all the papers circulated regarding cast-iron pipes required for the drainage of Madras, decide that the thinner pipes recommended by the Acting President be not adopted."

Proposed by M.R.Ry. R. N. Pragasa Mudaliar Avargal and seconded by M.R.Ry. V. Varadappa Naidu Garu that the following words be added to the resolution—

"And that the Commissioners place on record their dissatisfaction at the manner in which the tenders for the said cast-iron pipes were received and the shape in which the several statements in connection with these tenders were prepared and placed before the Standing Committee and call upon the Acting President to place before the Commissioners a full explanation as to how the various irregularities disclosed by the records arose, so that the Commissioners may decide what notice could be taken by them in the matter."

As a further amendment Mr. Eardley Norton proposed and M.R.Ry. M. Venkatramiah Chetty Garu seconded—

"That, in lieu of the words after 'that' in the resolution substitute 'the Commissioners being of opinion that the preliminary question to be decided is what is, the minimum thickness of pipe which, regard being had to all considerations, may be safely employed for the proposed drainage works, refer that question in the first instance for investigation and report by the President.'"

Carried.

The Meeting terminated.

R. E. ELLIS,
Ag. President, Municipal Commission.

Municipal Office, Madras,
June 1899.

MADRAS : PRINTED BY THE SUPERINTENDENT, GOVERNMENT PRESS.

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Genl. Dept.
13.

MUNICIPALITY OF MADRAS,

General Department,

G. No 292

Madras, 30th August 1899.

From R. E. Ellis Esq., M.Inst. C.E.,

~~The Hon'ble Lieut.-Col. SIR GEORGE MOORE, KT., C.I.E.,~~

Ag. President, Municipal Commission.

LOCAL & MUNICIPAL DEPT.
RECEIPT No. 2303 m

To

The Secretary to Government,

Local and Municipal Department,

Fort St. George.

Sir,

Enclosure.S
6

I have the honor to submit herewith for the infor-
-mation of Government full proceedings as also copies of
abstract proceedings of Meetings of Commissioners held on
29th May, 9th and 23rd June 1899.

I have the honor to be,

Sir,

Your most obedient servant,

R. E. Ellis.

Ag. President, Munl. Commn.

1
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