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2. Date of receipt 7.3.38
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M.R.O. 1-52400-22-11-50

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.
Can 5.11.58

G.O. No. <i>2359</i>	Press Mis.
<i>22.23</i> Dated 3 — 11 — 1858.	

Not to be folded or roughly handled

7/3/38

Fort Saint George, Public Works Consultation of 5th November 1858.

No. 22 Read the following letter from Major R. STRACUEY, Officiating Secretary to the Government of India; to T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George, dated Fort William, the 22nd September 1858, No. 1595.

SIR,

With reference to your letter No. 1502 dated 31st July last, soliciting information on certain points connected with the Indemnity Bond and agreement to be executed by the Officers of the Public Works Department, I am directed to answer as follows, the several questions asked, though the replies appear for the most part sufficiently obvious.

Question.

1. Whether all Subordinates in the Department Public Works are required to lodge Promissory Notes to the amount allotted to each grade?

2. Whether an Officer is required to execute both the Bond of Indemnity and Memorandum of Agreement?

3. Whether the Bond of Indemnity is to be signed by one or two Sureties?

4. Whether the documents are to be on Stamp paper?

5. Whether Security is to be taken from Sub Overseers?

6. Whether all Officers and Subordinates already in the Department should furnish the documents, or only those who entered the Department after the receipt of the forms?

Answer.

1. No.—In page 191 of the Department Public Works Code, it is stated that they may lodge Notes, Cash or a Security Bond.

If however the question is intended to hinge on the word "all" (as applied to the Subordinates,) the answer will be given under the 6th Question.

2. No.—The object of the *Memorandum of agreement* is to enable the Government to appropriate the deposit whether it be in Cash or Notes, in case of default in the Depositor. The *Bond* is complete in itself.

3. The rule is one Joint Stock Company or Mercantile Firm or two private individuals, vide page 191 of the Department Public Works Code. The two forms of Bond are given to meet the two cases.

4. Under the Laws in force in Bengal they are exempt, Government being a party to the transaction. The Madras Government will know how the Law is in that Presidency.

5. No.—Excepting in cases of Cashiers and Store-keepers; it is not intended that the Lower Class of Subordinates should be entrusted with any considerable sum of money for expenditure. If this is not the case in the Madras Presidency, Sub-Overseers might be dealt with as Cashiers are in this Presidency. The amount of Security being made to depend on the sum entrusted to each Class.

6. See Circular letter No. 2525, dated 7th May last. The principle therein laid down is, that any one who is not under the New system in a better position than before in point of emolument, may adhere to the rules of the old system if he was appointed under that system.

The order however obviously must be held to apply to the date of the individual entering the Public Works Department and not to the date of the *receipt of the forms* at the place where he is employed.

14895

From
Major R. Strachey
Offg Secy to the Govt of India
To
J. Pycroft, Esquire
Chief Secy to the Govt of
Fort Saint George
Dated the 22nd Sept 1858.

Public Works Dept.
General
Establishments

Sir,

With reference to your
letter No 1502 dated 21st July last,
soliciting information on certain points
connected with the Indemnity Bond and
agreement to be executed by the Officers
of the Public Works Department, I am
directed to answer as follows, the several
questions asked, though the replies appear
for the most part sufficiently obvious.

<u>Question</u>	<u>Answer</u>
1. Will the all subordinates in the Department Public Works are required to lodge Promissory Notes to the amount allotted to each grade? -	1. No. In page 191 of the Department Public Works Code, it is stated that they may lodge Notes, Cash or a security Bond. - If however the question is

Fort Saint George, Public Works Consultation of 5th November 1858.

No. 23. ORDER THEREON, No. 2309; dated 3rd November 1858.
Ordered to be communicated to the Officiating Chief Engineer with reference to his letter dated 14th June 1858, No. 432.

2. With reference, to the answer to question 4, the Government observe that in this Presidency the documents to which Government may be one of the parties are not exempted from the Stamp Laws. The Governor in Council therefore authorizes the supply gratis of Stamp paper for the Bonds and Agreements in question as is done in the Revenue Department under the authority contained in Extract Minutes Consultation dated 23rd December 1838, No. 900.

(Signed) W. H. BAYLEY,
Acting Secre'ary to Government.

is intended to hinge on the word "all" (as applied to the Subordinates), the answer will be given under the 6th Question. —

2 Whether an Officer is required to execute both the Bond of Indemnity and memorandum of Agreement?

2 No. The object of the memorandum of agreement is to enable the Government to appropriate the deposit & whether it be in Cash or Notes, in case of default in the Depositor. The Bond is complete in itself. —

3 Whether the Bond of Indemnity is to be signed by one or two Sureties?

3 The rule is one joint stock company or mercantile firm or two private individuals. vide page 191 of the Department Public Works Code. The two forms of Bond are given to meet the two cases. —

4 Whether the documents are to be on stamp paper?

4 Under the Laws in force in Bengal, they are exempt Government being a party to the transaction. The Madras Government will

will know how the Law is in that Presidency. —

5 Whether security is to be taken from Sub Overseers, Cashiers and Store Keepers. No. Excepting in cases it is not intended that the Lower Class of Subordinates should be entrusted with any considerable sum of money for expenditure.

If this is not the case in the Madras Presidency, Sub Overseers might be dealt with as Cashiers are in this Presidency. The amount of security being made to depend on the sum entrusted to each class. —

6 Whether all Officers and Subordinates already in the Department should furnish the documents or only those who entered the Department after the receipt of the New system in a better form? See Circular letter No 2525 dated 7th May last. The principle therein laid down is, that any one who is not under the New system in a better position than before in point of emolument, may

adhere

adhere to the rules of the
Old system if he was
appointed under ^{that} system.

The order however
obviously must be held
to apply to the state of
the individual entering
the Public Works Department
and not to the date of the
receipt of the forms at
the place where he is
employed. —

I have the honor to be,
Sir,

Your most Obedt Servt

W. H. Murray

Offg Secy to the Govt of India

Fort William
The 22nd Sept^r
1853

PWD

N^o 2309

Extract from the Minutes of Consultation
Under date the 3^d ^{Nov} ~~October~~, 1858.

Read the following letter from the officiating Secretary to the Government of India.

(Here enter 22nd Sept 58 N 4895)

Ordered to be
communicated to the Offici-
ating Chief Engineer with
reference to his letter dated
1/6 " June 1858 N^o 1132-

2 With reference, to
the answer to question 1,
the Government observe
that in this Presidency
the documents to which
Govt. may be one of the
parties, are not exempted
from the stamp Laws.
The Governor in Council
therefore authorizes the
supply gratis of stamp paper
for the Bonds, and agree...

A handwritten signature in black ink, appearing to be "H. C." or similar, written over a horizontal line.

With

London 29 July 1848

71 N. H. 1838
 Oct 14
 1838
 2379

From the 18th Sunday
to the Fourth of June

October 22nd July 1858
 Remond-11th Dec^r }
 No 4595

Ms. A. 2.309. 3. 2. Nov. 1858.

Furnishing the appli-
 cation required by the
 Government in respect
 to certain points connected
 with the indemnity
 Bond and agreement
 to be executed by officers
 of the Public Works Dept.

No. 22.

October 28th 1922

in question as is done in
the Revenue Department
under the authority con-
tained in Ex. Min. Cons.
of 23^d December 1828 No. 900. B^d Com. order Book page 87.

10 Copies to the Off^r of the Dep^t
3 — — — — — B^d of Rev^y
1 — — — — — Sup^t of Stamp^s

Public Works 1855 of the
City of London. Dr. Moore

Dec 28/09.
East Street Miss: of Hove:
2/30. Nov. 7/08

from Offr. Ch Engineer
9th Decr/58 C. W. 3601 mi.
1st July/59 to 30th
from the Ch Engineer
9th Decr/59 C. W. 560
mi. do.
Commenced at 2

to the effect, that Congress
shoulder from the Board of
Education promising in for-
mation in accordance with
arranged with the Bureau,
and Board of Education
to be extended by the
action of the B. E. B.

No 228203.

22 October R 28.