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MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No.	2620-21	Press Mis.
Dated	7. 11	18 72.

Not to be folded or roughly handled

No. 692,

MADRAS RAILWAY.

AGENT AND MANAGERS' OFFICE

Madras, 23rd September 1872.

From

A. D. Clavin Esq.

Agent and Manager of the M. R. Co.

To

Col. J. H. Shaw Stewart, R.E.

Consulting Engineer for Railways.

SIR,

In acknowledging the receipt of your letter of 6th dated the 27th ultimo, I have the honour to state that I learned with deep regret that His Excellency the Governor General of India in Council had considered it necessary to pass the order that was communicated in your letter with reference to the action which was taken by the officers of this Company in regard to the alterations to the Indrugs and Signals at Bellary. I request that an expression of my regret may be communicated to the Government of India.

2. Having only been favoured with a manuscript copy of the Order in question I am not aware what papers the Government of India had before them when it was passed, but feeling as I do that the action which we took in this matter was in perfect

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38

good faith, I requested the Chief Enquiree to favour me with a plain narrative of what actually took place in order that I might submit it to Government with the information called for in paragraphs 2 and 3 of your letter under acknowledgment.

3. I have now the honour to forward a copy of Mr. Anderson's letter No 440 of the 20th instant with the statement therein referred to, and I request that a copy of them and of this letter may be forwarded to the Government of India, with an assurance that the Officers of this Company have never had the remotest intention of treating the orders of Government with inattention in any case.

4. I cannot but believe that the explanation afforded by Mr. Anderson will be considered satisfactory as regards the case now under notice, and I sincerely trust that upon reconsideration His Excellency the Governor General in Council will be pleased to withdraw the censure which he has felt it necessary to record in the Order which is embodied in your letter.

5. The preparation of the statement called for in paragraph 3 of your letter has necessarily taken

Madras Railway Company
Chief Engineer's Office
Madras 20th September 1872

The Agent and Manager,
Dear Sir,

Consulting Engineer's letter of 6th of
27th ult. communicating the opinion of His
Excellency the Governor General of India in
Council upon the action taken by the Railway
authorities in the matter of certain alterations
to the sidings and signals at Bellary.

2. I cannot but think that the severe
censure recorded by His Excellency was written
under a misapprehension of the circumstances
by which the Railway authorities were guided,
and I deeply regret that my previous expla-
nations on this subject have not been sufficiently
conclusive to establish the good faith of the
Railway Officers in the matter, and to satisfy
His Excellency that there has not been the
slightest inclination or attempt to treat the
orders of the Government of India with
inattention.

3. The Bellary Branch was opened
for public traffic on 1st March 1871. It was
found however that the large coupled engine
sent up to work the line did not run smoothly
round the sharp curves leading to the Goods
shed &c. and it appeared to me sound policy
to remedy this defect at the earliest possible
opportunity. The slight additional cost being
more than compensated for by the increased

22840
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22/11

From

The Agent and Manager.

To

The Consulting Engineer

for Railways.

Dated 20th Sept 1872.
Recd. 21st 11/2

No. 6924

Regarding the action
taken by the Board
very satisfactory in
the matter of certain
alterations to the
sidings & signals
at Bellary.

P. N. 4973

ease in working the line, and the not inconsiderable saving in the wear and tear both of the permanent way and rolling stock.

4. A very favorable opportunity for altering the sidings presented itself, when, owing to the floods in the Haggrey River, it was decided to close the Bellary station for goods traffic. I accordingly on the 27 September 1871 submitted the necessary Plan and Estimates.

5. It was of course of importance that the work should be carried out before goods traffic was resumed and, as more than two months had elapsed since the date upon which my estimates were submitted, the question was brought forward for discussion at a meeting of the Stores Committee held on the 4th December 1871.

6. I was not present at that meeting, but my Department was represented by Mr Robinson, Officiating Deputy Chief Engineer.

7. The following letter from Mr West, Resident Engineer in Charge of the Bellary Branch was read - "I beg to remind you that I am waiting for orders to commence the alteration of sidings in Bellary yards. It will be next to an impossibility to alter them after the goods traffic has been extended to this station. Could not I commence - as a special case - in anticipation of Government sanction?"

Telegram.
Letter.

98 9.
and Mr Robinson most distinctly and positively states, and his statement is fully corroborated by yourself, that the acting Consulting Engineer authorised the proposed alterations at Bellary in anticipation of formal sanction.

8. On leaving the Committee room Mr Robinson at once telegraphed and wrote as follows to Mr West:

"Your letter 1396 - commenced altering sidings."
"Your letter no. 1396 of the 2nd inst - You can proceed with the alteration of the sidings in the Bellary yard as a special case pending sanction of Government."

9. The works were commenced on the 6th December 1871 and finished on 13 January, 1872.

10. Neither commencement nor completion were communicated to the acting Consulting Engineer - as this practice is not observed in the Madras Railway, it being understood that all works are commenced at the very earliest possible date after receipt of sanction, and works on the open line, not requiring to be passed by the Consulting Engineer, are dealt with in the usual Quarterly Reports of the Deputy Chief Engineer.

11. I was not present at the Committee Meeting of 5th February 1872, and it may be possible that I was mistaken in saying that the letter from the Government of India printed with G. O. no 52 of

9th January was fully discussed at that meeting, but the facts of the case remain substantially the same. The Railway Officer acted upon the authority of the Acting Consulting Engineer in executing these works, and the letter from the Government of India of 25th Dec. dated 14th December 1871 states - "As regards the signals and sidings, I am directed to suggest that the former should be removed and the latter should be eased at the cost of Revenue, if a change is absolutely necessary." I read that then, and I read it now, to mean that the work was to be considered as sanctioned provided it was absolutely necessary, and I ventured to think that had the alterations been changed to revenue, nothing would have been heard on the subject of the Railway Officer having acted without sanction.

12. I contend that we had 1st authority from the Consulting Engineer to execute the work. 2^d formal sanction from the Government of India to execute the work at the cost of revenue, if absolutely necessary. The necessity being admitted, the sanction must equally be admitted.

13. In writing upon this subject I have invariably referred to the formal sanction of the Government of India rather than to the somewhat informal authority conveyed verbally

116 10
by the Acting Consulting Engineer. 114. As regards the revised estimate submitted with my letter of 30 dated 31st January 1872 I presume there can be no question as to the right of the Railway authorities to seek for reconsideration of the allocation of any charge that appears to them not in accordance with the principle laid down for their guidance.

15. The statement called for by the Consulting Engineer showing in full the expenditure actually incurred upon the alteration of the sidings and signals at Bellary is herewith forwarded.

Yours faithfully
J. D. Anderson,
Chief Engineer

True Copy.
J. D. Anderson
Agent Bellary.

Dear Mr. C.

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The papers to which
these notes relate are
some original draft
orders on the subject of
constructing a siding at
the Bellamy Station with
authority which gave
rise the angry discussion.
The papers were made
over to Etherington to be
put in to their places in
the Record. He was
particularly instructed
to make a list of the
papers and this I know
he did. The book is
now wanted. Please

75.

ers
of
red
not
note
win,
red

ress

P. M. 4/9/31/2

Read up.

G. R. P.

16.6.75

Mr. P. P. P. -
These notes, reports, etc.
concerning the subject.
150

My dear Walter
In turning over
my things I find this packet -
of my great dismay - with
the note enclosed with it.
(When written I know not)
whether I did enclose
it or not - I don't know -
I know not now -
It seems to be a
very old & a vexed matter

21.14.5.75

Wrote I will be with it
when it is for good & can
think on it.

26/12

J. S. J.
J. S. J.

22.12.75

196

12. Jan. 1875.

My dear Mr. H.

I return the papers
sent with your note of
Saturday. I explained
to you that I could not
well answer your note
until I had seen Shaw,
as the subject concerned
his Officers solely.

He tells me that he
has no wish to press

the matter after so long
time has elapsed, &
I am sure that I have
done.

Yours sincerely

Manthorpe

22-19-5-75

RAILWAY DEPARTMENT.

CONSULTING ENGINEER'S OFFICE.

No. 547-

From

Leventt Col. J. H. M. Shaw Stewart R.E.

Consulting Engineer for Railways,

To

Colonel G. W. Walker R.E.

Secretary to Government,

Public Works Department,

Fort Saint George.

SIR,

Upon receipt of the order
of Government dated the 20th August
1872, to 1983, I informed the Agent
of the Madras Railway Company of
the view taken by the Government of
India of the action of the Railway
Officers in the matter of the ad-
ditional sidings at the Bellary
station, and asked him to submit
the information called for by the Govern-
ment in paragraph 2 of their order,
and

and to report the expenditure which had been incurred upon the work in question.

2. I have now the honour to submit for consideration a letter from the Agent, from which it will be seen that the alteration of the sidings at Bellary was commenced on the 6th December 1871, and finished on the 13th January 1872. The Agent explains that it has not been the practice to report to this Office the dates upon which works on the open line are begun and finished.

3. The statement of the expenditure incurred on the work, referred to in paragraph 5 of the Agent's letter, was found to be incorrect, and had to be returned for revision.

With

* No 692
dated 23rd Sept
1872 with
enclosure.

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With reference to paragraph 4 of the letter from the Government of India, I have to report that the actual outlay which has been paid to Capital under the sanction given in the previous paragraph amounts to Rupees 6,549-2-9.

4. In reply to paragraph 4 of the order of Government under acknowledgment I have to report that the Bellary station was visited by the Acting Consulting Engineer upon the 26th November 1871, and the 24th February 1872. It was also visited by the Deputy Consulting Engineer upon the 24th February 1872.

5. In the letter from the Agent, and its accompaniment from the Chief Engineer, it will be observed that reference is now made to the meeting of

* Vide G.O.
5th January 1872.
No 13.

of the Railway Committee which was held at Royapuram on the 4th December 1871, and it is stated that the Acting Consulting Engineer, at that Meeting, authorised the immediate carrying out of the proposed alterations at Bellary, in anticipation of sanction from the Government of India. In

all previous correspondence on this subject the Railway Authorities

have stated that paragraph 2 of the letter from the Government of India

dated the 14th December 1871 had been understood by them to convey sanction;

but that letter was not communicated

to the Agent until the 20th January

1872, and it is now shown that the work was finished on the 13th of that month.

* Vide G.O.
8th June 1872
No 1423,
and 2nd August
1872. No 1826.

* Vide G.O.
9th January 1872.
No 52.

254
6. I feel certain that the Railway Officers must be altogether mistaken when they state that at the Meeting held on the 4th December 1871, Major Prendergast authorised the immediate commencement of the work. My reasons are as follows:-

(1) In the Minutes of the Meeting there is no record of such authority having been given. In similar cases, when the Consulting Engineer takes on himself the responsibility of acting in a matter in which the sanction of Government is required, it is the invariable practice to enter a record of the transaction in the Minutes of the Meeting.

(2) Lieutenant Christie, who was present at the Meeting, has no recollection of authority to begin the work at once having been either asked for or given. Captain Smith was also present, and I believe that his recollection of what passed is the same.

(3) The revised estimate for the work, which was submitted by the Agent on the 19th February 1872, without any reference to the fact that the alterations had then been finished for more than five weeks, was laid

before Government by Major Pendergast upon the 29th idem; and a reference to the remarks made by him in forwarding the estimate

* Vide G.O.
21st March 1872
10801.

estimate will show that at that time he had no knowledge that the work had been even begun.

I have the honour to be,
Sir,

Your most obedient Servant.

Madras 3
12th October 3
1872

Wm. Christie Esq. to Colonel B & Co

Cous: Engineer for Railway

Handwritten notes and signatures at the bottom right of the page.

Dec 28 November 31 1872-571
 " 5 January 1872-423-24
 " 9 " " " 101-112.
 " 21 March " " 492-493.
 " 25 April " " 352-353.
 " 8 June " " 110-112
 " 20 Dec " " 260-28.
 " 20 " " 834-335

P. W. 1872 Michael.
 Dr. J. W. 2nd Nov. 1872.
 No. 493.

The Consulting Engineer
 for Railways,

To
 The Secretary to Government,
 P. W. Department,
 Fort Saint George.

Dated 12th Oct 1872.
 Recd. 14 Oct 1872.

No. 5447
 Subd. 21
 Submitting for
 consideration a letter
 received from the agent
 of the company of the
 railway to the
 stationers to the
 siding at Reddy-

Enclosure
 to 2620-21

1006
 1006 1006 1006