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MADRAS RECORD OFFICE

Government of Madras

Public works.

DEPARTMENT

G.O. No.	1383	Press
B.P. No.		Mis.
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Dated	17. 5-	1873.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
17th May 1873.*

No. 280. Read the following letter from Captain J. PENNYCUICK, R. E.,
District Engineer, North Arcot, to Colonel G. W. WALKER, R. E.,
Secretary to Government, Public Works Department, dated Camp at
Arnee, 24th April 1873, No. 303:—

I HAVE the honour to request the decision of Government upon the following facts.

Two copies of letters, Nos. 513 and 519, dated 11th and 15th March 1873, from Mr. Stephens, Supervisor, to the Assistant Engineer, Polar Range.

2. During the last official year Mr. Supervisor Stephens, then employed as a Sub-divisional officer under the Assistant Engineer in charge of the Polar Range, finding himself unable to expend the full allotment for the maintenance of the road from Wandiwash to Chetput, commenced the construction of a tunnel of two vents and some stone revetment to a portion of the road, these works being essentially new works, and in no sense repairs.

3. The Range Officer, on ascertaining what had been done, refused to pass the bills for these works, and referred the matter to the District Engineer.

4. Mr. Stephens' letters of explanation are enclosed; it will be seen that he does not deny having executed the work without authority, but considers that he was justified in doing so, and states that he has frequently done the same thing before.

5. The Range Officer's opinion, in which I concur, is that the works, apart from the fact of their having been executed without authority, were in themselves entirely unnecessary, and, as far as I can see, there is not a shadow of excuse for Mr. Stephens' conduct in the matter.

6. The contractors have sent me a petition for payment, and I should be disposed to leave them to take proceedings against Mr. Stephens, but as in that case he would be certain to appeal to Government, I have thought it best to refer the matter at once, requesting the contractors to wait until the decision of Government is made known.

7. The authority stated in the 5th paragraph of Mr. Stephens' first letter to have been given him by the Assistant Engineer, refers only to the acceptance of contracts for works mentioned, and not to the ordering their execution. This authority was, in the first instance, given under a misunderstanding, which has already been rectified by my predecessor.

8. The cost of the works in question amounts to Rupees 200 for the tunnel, and the same sum for the revetment.

From Mr. J. H. STEPHENS, Supervisor, Sub-division, Polar Range, to Lieutenant W. G. BEVAN,
Assistant Engineer, Polar Range, dated Arnee, 11th March 1873, No. 519.

With reference to your No. 997 of this date, I am sorry to observe that you seem to be under some misconception. The repairs to the Vunnagumboddy and Theroomony thangle tanks were sanctioned long ago in the Superintending Engineer's No. 2,631 of 18th September 1872. They were completed and afterwards checked by me; completion certificates were also submitted on the 21st ultimo. The repairs now ordered, for which agreements have been submitted, are to the Wandiwash and Chingieput road, and not to the tanks.

2. The road in the 6th and 7th miles intersects the drainage area of two tanks, the names of which I do not now recollect. The waters of the tanks back on the road embankments and

*Proceedings of the Madras Government, Public Works Department,
17th May 1873.*

have washed away one of the slopes. As rough stone is procurable near by and it is too late in the season to plant manul, I directed the Overseer to have the slope revetted as a protection to further corrosion.

3. The Theroomony thangle bank, you are doubtless aware, meets the road embankment at the north end, and that a tunnel of three vents of 3 feet has been constructed in the road for the passage of tank surplus which drains an area of two square miles. The Overseer and others informed me that this tunnel is not large enough, and that the surplus not passing sufficiently fast through it caused the breaching of the tank in last year. I therefore ordered two more vents of 4 feet* to be added on to the tunnel which is across the road and had been built about two years ago from Road Funds, and which is entirely a road and cannot be an agricultural work. The enclosed rough sketch will show this to you at a glance.

4. You are aware that there is a balance of more than Rupees 800 unexpended on the road, which you wished to have laid out as rapidly as possible. I therefore put these works on hand at once so as to complete them before the end of this month.

5. In your Nos. 829 and 844 of 27th January and 1st February, you gave me authority to give contracts for road materials under Rupees 200. As these works are of an analogous nature and under the amount limited, I need, I suppose, not have sent the agreements to you at all for approval, and did so only as a matter of courtesy.

6. From the above it will be seen that the works were much needed; that they strictly relate to roads; and that in putting them at once on hand I have not exceeded the authority given me, but have only done my best to get through the current allotments. I have now sent immediate orders for the stopping of the works, and of course an unexpended balance will remain. I feel conscious that in the above I have strictly adhered to the line of duty, and while feeling secure in the decision of the District Engineer, still regret that a subject of difference should arise.

From the same Officer, dated Yelangadoo, 15th March 1873, No. 513.

In continuation of my No. 519 of 11th instant, I have the honour to explain that I have just inspected the Wandiwash and Chetput roads, and find that the tunnel complained of is not an extension of the old one as stated in my last, but built some few feet apart. I recollect, when personally instructing the Overseer on this subject, giving him a rough sketch showing how the new wings ought to be constructed, with an outer curved aplay and not in straight lines parallel to the road as in the old tunnel, which I considered defective. It is this very probably which led him to make it a separate work altogether.

2. I must however again state that I do not consider this a dereliction from the path of duty. I am not aware that there is any thing in the Local Fund Act prohibiting it, and I have hitherto both as an Overseer and Range Officer done it over and over again. In fact I always took rather a pride in being able to maintain my roads and still save enough of money for petty improvements like this, for which it takes a good deal of time and delay to get a separate sanction.

3. In this road I do not know what the Overseer would have done with the large balance of Rupees 800, which he had not surrendered, if I had not ordered these works. He could never have collected sufficient materials, and had he even done so the money would have been near three-fourths wasted, as the materials could not be utilized till the next monsoon, before which the greater part would have been trodden under foot of man and beast and carried away by wind and rain.

4. The foundations of the tunnel have been already laid, and as the deep cut in the embankment prevents all carts from passing up and down, I have directed the contractor to recommence the work at once and complete it within the next week, which he has promised to do, and request that you will be so good as to send me a Local Fund cheque for Rupees 200, which I shall pay him after completion. Should you still continue to disapprove of my doing so, I solicit that you will be kind enough to submit this letter with enclosed estimate to the District Engineer with the least convenient delay, so as to keep that officer informed of the course of action I have adopted in this matter.

* In point of fact the two new vents were entirely detached from the original tunnel.

*Proceedings of the Madras Government, Public Works Department,
17th May 1873.*

5. There can be no doubt about the new revetment being strictly a road repair, as the old stone under it had been constructed from Road Funds. I shall therefore send you the bill for this for payment as soon as the work is done.

No. 281.

ORDER THEREON, 17th May 1873, No. 1,333.

ESTABLISHMENT, No. 41.

Mr. Supervisor J. H. Stephens' proceedings were highly irregular, and he will be informed that no such diver-

sion of maintenance funds to purposes of improvement is within the competence of any Range Officer to sanction, without at least the knowledge of the District Engineer, much less can a Sub-divisional Officer or Overseer so dispose of maintenance allowances of his own instance. But inasmuch as Mr. Stephens appears from his letters to have acted in perfect good faith, he will be excused on this occasion.

2. It is not the intention of Government to debar zealous and skilful officers and subordinates of the department from turning to good account savings that they have made in maintenance allotments by their good management and economy, and making petty improvements to the works under their charge, and in which they take an interest, provided that those savings are not more urgently required elsewhere. But the Government and Local Fund Boards must have some guarantee that such is the case, and that the works in question are real improvements, and nothing less than the previous approval of the District Engineer will satisfy them. And His Excellency the Governor in Council must condemn most strongly the mischievous idea that the spending of money is in itself any object. When all for which money has been granted has been effected, nothing is simpler than to report the fact in good time, and have any balance utilized elsewhere.

(True Extract.)

Colonel, R.E.,

Secretary to Government.

To the District Engineer, North Arcot.

To all other District Engineers.

To Major R. B. Kennedy.

To the Controller of Public Works Accounts.

Financial Department.

Edw. S. T. Austin.

From No 308

The District Engineer,
North Arcot.

The Secretary to Government,
Public Works Department.

Sir, Madras.

I have the honour to request the
decision of Government upon the following

Encls 2 Lrs

2 Copies of Letters

No 513 & 519 of

11 & 15 March 1903

from Mr Stephens

Superintendent, to the

Asst. Engr. Polier

Range

facts. 2. During the last Official year,

Mr. Superintendent Stephens, then employed
as a sub-Divisional Officer under the

Assistant Engineer in charge of the
Polier Range, finding himself unable to

expend the full allotment for the main-
tenance of the road from Wandsworth

to Chetput, commenced the construc-
tion of a tunnel of two vents and some

stone pavement to a portion of the
road, these works being essentially new

works, and in no sense repairs.

3. The Range Officer on ascertaining
what had been done, refused to pay for the

bill

bullet for these works, and referred the matter to the District Engineer.

4. Mr. Stephens' letters of explanation are enclosed; it will be seen that he does not deny having executed the work without authority, but considers that he was justified in doing so, and states that he has frequently done the same thing before.

5. The Range Officer's opinion, in which I concur, is that the works, apart from the fact of their having been executed without authority, were in themselves entirely unnecessary, and as far as I can see, there is not a shadow of excuse for Mr. Stephens' conduct in the matter.

6. The Contractors have sent me a petition for payment, and I should be disposed to leave them to take proceedings against Mr. Stephens, but as in that case he would be certain to appeal to Government, I have thought it best to refer the matter at once, requesting the Contractors to wait until the decision of Government is made known.

known.

7. The authority stated in the fifth paragraph of Mr. Stephens' first letter to have been given him by the Assistant Engineer, refers only to the acceptance of contracts for works mentioned, and not to the ordering their execution. This authority was in the first instance given under a misunderstanding, which has already been rectified by my predecessor.

8. The cost of the works in question amounts to Rs. 200 for the Tunnel, and the same sum for the revetment.

I have the honor to be,

Sr.

Your Most Obedt Servt.

R. P. Perry - J. Captain R. P.

North West, District Engineer's Office
Camp Dancer 24 April
1873.

N. A.

Yelangadoo
15th March 1873

No. 518

Dear Sir,

Mr. J. H. Stephens Supervisor
Sub Division, Police Range

No.

Lieutenant, W. G. Barron
Assistant Engineer Police Range

Sir,

In continuation of my No. 519 of 11th March, I have the honor to explain, that I have just inspected the Mandowash and Chhotpat roads and find that the tunnel complained of is not an extension of the old one, as stated in my letter, but built some feet apart. I recollect when personally inspecting the Overseer on this subject, giving him a rough sketch showing how the new wings ought to be constructed, with an outer curved arch, and not set in straight lines parallel to the road as in the old tunnel, which I considered defective. It is this very probably which led him to make it a separate work altogether.

2. I must however again state that I do not consider this a dereliction from the path of duty. I am not aware that there is anything in the Local Ordinance prohibiting it, and I have hitherto both as an Overseer and Range Officer done it over and over again. In fact, I always took rather a pride in being able to maintain my roads and still save enough of money for petty improvements like this, for which it takes a good deal of time and delay to get a separate

Yelangadoo 15th March 1873
J. H. Stephens
Supervisor
Sub Division, Police Range

Mr. J. H. Stephens
Supervisor
Sub Division, Police Range

Enclosure 2 Nos.

Respecting Overseer's
the irregularity of his
Station and Supervision
for constructing a tunnel
without sanction -

Yelangadoo 15th March 1873

No. 1383-17 May 1873

No. 1383-17 May 1873

No. 1383-17 May 1873

separate sections.

3. On this head I don't know what the Overseer would have done with the large balance of \$2000, which he had not disbursed. If I had not ordered these works, the could never have collected sufficient materials, and had he even done so, the money would have been near its waste, as the materials could not be utilized till the next season, before which the greater part would have been trodden under foot of man and beast and carried away by wind and rain.

4. The foundations of the tunnel have been already laid, and as the descent in the embankment prevents all carts from passing up and down. I have directed the contractor to recommence the work at once and to complete it within the next week, which he has promised to do, and request that you will be so good as to send me a Local Order Cheque for \$200, which I shall pay him after completion. Should you still continue to disapprove of my designs, I submit that you will be kind enough to submit this letter with enclosed estimate to the District Engineer with the least convenient delay so as to keep that officer informed of the course of action I have adopted in this matter.

5. There can be no doubt about the new revetment being strictly a road repair, as the old stone under it had been punctured from

No 519

Amoy
11th March 1873

From

(Mr. J. H. Stephens Supervisor
Pub Division, Police Range)

To

Lieut. W. G. Brown.

from road funds. I shall therefore send you the bill for this for payment as soon as the work is done.

I have the honor to be
Sir

Your most obedient Servant.
[Signed] J. M. H. Stephens Esq.
Pub Division, Police Range

[True copy]

[Signed] Captain R. C. }
District Engineer North Street }

To

Mr. J. H. Stephens Supervisor
Sub Division, Police Range.

Re

Lieut. W. G. Brown.
Mysore Engineer, Police Range

Sir

With reference to your No. 997 of this date, I am sorry to observe that you seem to be under some misconception. The repairs to the Vennagumbdy and Wheremongy thangle tanks were sanctioned long ago, in the Supg. Engineer's No. 2621 of 18th September 1872. They were completed and after check, by me, and the certificates were also submitted on the 21st ultimo. The repairs were ordered for which agreements have been submitted, are to the Grandamash and Chingapur road, and not to the tanks.

The road in the 6th and 7th miles intersects the drainage area of two tanks, the names of which I do not recollect. The water of the tanks has on the road embankments and have washed away one of the steps. As rough stones are procurable nearby, and it is too late in the season to plant grass, I direct the Engineer to have the slope revetted as a protection to further erosion.

The Wheremongy thangle tank you are so doubtless aware meets the road embankment at the north end and that a tunnel of 2 vents of 3 feet, has been constructed in the road for the passage of tank surplus which drains an area of 2 square miles.

The

P. M. 266493.

The Curson and others informed me that this tunnel is not large enough and that the surplus not passing sufficiently fast through it caused the breaching of of the bank in Coast Yuma. I therefore ordered two or more vents of 2 feet to be added on to the tunnel which is across the head and had been built about 2 years ago from Coast Yuma, and which is entirely a road and cannot be an agricultural work. The enclosed rough sketch will show this to you at a glance.

4. You are aware that there is a balance of more than \$200, unexpended on the road which you wished to have laid out as rapidly as possible. I therefore put these works on hand at once so as to complete them before the end of this month.

5. I on your Nov 29 1844 of 27th January and 1st February you gave me authority to give contracts for road materials under \$200. As these works are of an analogous nature and under the amount limited I need not have sent the agreements to you at all for approval and did so only as a matter of courtesy.

6. From the above it will be seen that the works were much needed that they strictly relate to roads, and that in putting them at once on hand, I have not exceeded the authority given me, but have only done my best to get through the current affairs. I have ^{now} sent immediate orders for the stopping of the works and of course unexpended

balance

balance will remain. I feel conscious that in the above I have strictly adhered to the line of duty, and while feeling sure in the decision of the District Engineer, still regret that subjects of difference should arise.

I have the honor to be
Sir

Your most obedient servant
Wm. J. M. W. Stephenson, Sup^t
Sub Div. Polar Range.

(True Copy)

John Perry - Captain R. E.

District Engineer B. A.

* Note.

In point of fact the two new vents were entirely detached from the original Tunnel
S.

No 1383

Mr. Supervisor
J. W. Stephens proce-
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officer to sanction, with-
out at least the
knowledge of the

W

Mr. 2616/73.

District Engineer - much
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sional Officer or
Overseer so dispose of
maintenance allowances
of his own instance.
But inasmuch as Mr.
Stephens appears from
his letters to have acted
in perfect good faith
and to have attempted
no concealment of the
facts, he will be ex-^{mit}-
cused on this occasion.

It is not the in-
tention of Government
to debar zealous and
stifful officers and
subordinates of the
Department from
turning to good account

savings that they have
made in maintenance
allowments by their
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and economy, and
making petty improve-
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under their charge
and in which they
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the previous approval
of the District Engineer
will satisfy them.

And His Excellency
the Governor in Council
must condemn most
strongly the mischievous
idea that the spending
of money is in itself
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^{has been}
that ~~any~~ money has
been granted, ~~to carry~~
~~out~~ has been effected,
nothing is simpler than
to report the fact in
good time, and have
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elsewhere.

Wm. W.

J: 280-81.

173
26
To Mr. E. South at Capt. J.
a. at the Dist. Engineer's
Major Haynesdy
a. Controller of R.F. & S.
a. Finance & Dep't

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Wm

2:280-81.

1/2 25/16

Vol. of 1873

PUBLIC WORKS

The District Engineer
North West

1873

1873

1873

1873

Mr. J. P. Stephens. Paper
orders on the from the
King's Bank, &
having in the irregular
proceedings of Mr. Stephens
in having undertaken
new works from
savings without pro-
per sanction.