

(1) Number of pages_____

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MADRAS RECORD OFFICE

Government of Madras

Public Works

DEPARTMENT

G.O. No.	2674-75	Press	<i>Original</i>
B.P. No.		Mis.	
Dated	1-9-	1874	
		195	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
1st September 1874.*

No. 17. Read the following letter from Lieutenant-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, to Colonel G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Madras, 30th July 1874, No. 452:—

In reply to the Order of Government, dated the 15th January 1874, No. 102,

* Madras Railway, No. 666, 29th July 1874.
Great Southern of India Railway, No. 5,356,
23rd January 1874.

I have the honor to enclose letters* from the Agents of the Madras and the Great Southern of India Railways, giving their opinions with regard to

the proposal that Railway Contractors and their employes should be brought under the category of Railway Company's servants. It will be seen that both of the Agents are in favor of the proposal.

2. I am of opinion that it will without doubt be an advantage to the Companies and to the public if the last clause of Section 29 of Act XVIII. of 1854, viz., "every person employed by or on behalf of such Railway Company to do any act upon the Railway, shall be deemed to be a servant of the Company," were to be adopted in Section 29 of Act XXV. of 1871.

From R. B. ELWIN, Esq., Agent and Manager of the Madras Railway Company, to Lieutenant-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, dated Madras, 29th July 1874, No. 666.

With reference to your letter, No. 59, dated the 20th of January last, and to the Proceedings* of Government forwarded therewith, I have the honor to state that, in the opinion of the

Officers of the Company, it is desirable that Contractors and their employes should be brought under the category of Railway servants under Act XXXI. of 1867 when they are of the class alluded to by the Agency of the East Indian Railway Company, viz., employed by a Railway Company for the loading and unloading of public goods.

2. Under some circumstances it is expedient, on grounds of economy, that this work should be performed by contract instead of by the Company's own servants, and the employes of such Contractors being in effect Railway servants; if they were made so legally, it would doubtless tend to further the object which the Government of India have in view.

3. As far as this Railway is concerned however, this class of Contractor is exceptional, the greater number of Contractors with whom we have dealings being those who undertake work for the Engineering Department, and the supply of stores, firewood, etc., to the Company. The position of these men would appear to make them more interested in attempting to give bribes to the Company's servants than to receive them from others, and this is provided for by the insertion of a clause in their agreements to the effect that in any such case the Company is to be at liberty to terminate the contract and confiscate the security money.

From W. S. BETTS, Esq., Agent of the Great Southern of India Railway, to Lieutenant-Colonel J. H. M. SHAW-STEWART, R.E., Consulting Engineer for Railways, dated Negapatam, 23rd January 1874, No. 5,356.

Your letter No. 35 of the 20th instant.

2. I concur with the Board of Agency, East Indian Railway, in opinion that it would be an advantage to include Contractors and Contractors' servants who are in any way connected with the working of a railway as "public servants."

3. Upon this railway the loading and unloading at stations of trucks containing public goods is not performed by contract; but Contractors are employed for the loading and unloading of trucks used for the conveyance of the Company's material.

Proceedings of the Madras Government, Public Works Department,
1st September 1874.

No. 18. ORDER THEREON, 1st September 1874, No. 2,474.

RAILWAY, No. 2.

ORDERED that these papers be forwarded to the Government of India with a recommendation that the Law in

this respect should be replaced in the condition in which it stood under Act XVIII. of 1854.

(True Extract.)
(Signed) G. W. WALKER, Colonel, R.E.,
Secretary to Government.

No. 19. (DOCKET No. 2,475, dated 1st September 1874.)
Copy of the above forwarded to the Government of India, with reference to their letter, dated 2nd December 1873, No. 2,013 G. R.
(True Extract.)

Colonel, R.E.,
Secretary to Government.

No. 666

MADRAS RAILWAY.

AGENT AND MANAGER'S OFFICE

Madras, 27th July 1874

From

The Agent and Manager of the M. R. Co.

To

Col. H. H. Shaw, M. R. Co.,

Consulting Engineer for Railways.

SIR,

With reference to your letter of 27th July 1874, dated the 20th of January last and to the Proceedings of Government forwarded therewith I have the honour to state that in the opinion of the Officers of the Company, it is desirable that Contractors, and their employees, should be brought under the category of railway servants under Act ~~XXI~~ of 1867 when they are of the class alluded to by the Agency of the East Indian Railway Company, namely, employed by a Railway Company for the loading and unloading of public goods.

Under some circumstances it is expedient on grounds of economy that this work should be performed by contract instead of by the Company's own servants, and the employees of such Contractors being in effect Railway Servants, if they were made so legally, it would doubtless

No. 102 - 15
Jan 1874

24
tend to further the object which the Govern-
ment of India have in view.

3. As far as this Railway is concerned
however, this class of Contractor is exceptional
the greater number of Contractors with
whom we have dealings being those who
undertake work for the Engineering Depart-
ment, and the supply of stores, firewood
&c. to the Company. The position of
these men would appear to make them
more interested in attempting to give
bribes to the Company's servants than to
receive them from others, and this is pro-
vided for by the insertion of a clause
in their agreements to the effect that in
any such case the Company is to be
at liberty to terminate the contract
and confiscate the security money.

I have the honour to be,
Sir,

Your most Obedient Servant

J. H. Mellis

Joint Agent & Manager

No. 5356

GREAT SOUTHERN OF INDIA RAILWAY.

AGENT'S OFFICE,

NEGAPATAM, 23 January 1874

From

THE AGENT,

Great Southern of India Railway,

To

The Consulting Engineer
for Railways
Madras.

SIR,

Your letter - 1.35 of the 20th Inst.
I concur with the Board of Agents, East Indian
Railway, in opinion that it would be an advantage
to include contractors and contractors servants
who are in any way connected with the working of
a railway, as "public servants"

Upon this railway the loading and
unloading at stations of trucks containing public
goods is not performed by contract; but contractors
are employed for the loading and unloading of
trucks used for the conveyance of the Company's
material

I have the honor to be,
Sir

Your Most Obedient Servant

William Pitt.
Agent

MADRAS RAILWAY

From

The Agent and Manager.

To

The Consulting Engineer

for Railways

Post 29 July 1874
No. 30. 11/11/74
No. 666.

Noting that it is
desirable that contractors
and their employees
should be brought
under the category of
railway servants &
under Act XXXI of 1874.

Mr 4238/74
Ag. 17.04.1874. 18.10.17

Railway Department.

CONSULTING ENGINEER'S OFFICE.

No. 452

From

LIEUT.-COLONEL 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,

In reply to the Order
of Government dated the 15th January
1874, No 103, I have the honour to en-
close letters from the Agents of the
Madras and the Great Southern of
India Railways, giving their
opinions with regard to the proposal
that Railway Contractors and their
employees should be brought under the
category of Railway Company's servants.
It will be seen that both of the
Agents

Mr. A. No 666. 29 July 1874
L. S. P. No 26. 23 January 1874

View

The Agent

W. S. R.

The Consulting Eng^r

for Railways

W. S. R. } January 1874

W. S. R.

Respecting Contractors
and their servants

W. S. R.

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125. 21. 24. 1874

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for Railways (H & C)

XVIII of 1834-20

for Railways
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Copy of the above
forwarded to the Govt.
of

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the brick and
and. Second Adm.

Ordered that there be paid for
- awarded to the cost of Audie with an extension
of the entire convenience of the cost in the
opinion of the Engineer and the Railway Authority
do not be dated

Dated 20th Dec^r 1874.
 Recd. 1st August
 E. J. No. 452
 Submitted Letter
 from the Agents, Reading
 & G. of J. R. regarding
 the expenditure of leaving
 contractors & their em-
 ployees under the category
 of railway servants under
 Act No. 1 of 1863.
 C. J. No. 24/4. 1-2-74
 In the order

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

Dated *20th July* 1874.
Recd. *1st August*

of India with reference
to their letter dated 2nd
December 1873 J^o 2013 P. R.

Ann.

By order of the
Hon. Secy to Govt
of India

6 d. Copies des^d 5/9/14.

No 17-19

Ord 8/8/14 Retd 24/8/14

Forwarding copy of
Proceedings passed
on papers submitted
by the Com Ins for R.
regarding the expediting
of bringing Railway
Contractors & their
employees under
the category of
Railway servants
under Act XXXI
of 1867-

4798/

Govt. of Madras.

PUBLIC WORKS.

To
The Com. Engrs for Mys
Secy. to Govt. of India

Dated

Recd.

Encl. 2

G. O. of Sept. 1874. No. 2474
2475

No. 1719.

Railway Contractors -

Passing orders on
papers submitted by the
Com Engrs for Railways
regarding the expediency
of bringing Contractors
& their employees under
the Category of Railway
servants under Act ~~XXX~~
of 1867 -