M.R.O. 1—10,006—23-2-50.

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MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No.	2657	Press	
~~B.P. No.~~		~~Mis.~~	
Dated	17-9	1874 —195—	

Not to be folded or roughly handled

No. 380. Read the following endorsement of the Financial Department, dated Ootacamund, 16th June 1874:—

From J. R. COCKERELL, Esq., President of the Municipal Commission, Ootacamund, to the Honorable D. F. CARMICHAEL, Acting Chief Secretary to Government, dated Ootacamund, 13th June 1874, No. 42.

I HAVE the honor to submit, for the consideration of the Government, a memorandum drawn up by the Municipal Commissioners of Ootacamund on the subject of a grant of 10,000 Rupees for metalling the Lake Road, the expenditure of which is reviewed in Government Order, 2nd March 1874, No. 539, Public Works Department.

From H. B. GRIGG, Esq., Honorary Secretary, Ootacamund Municipal Commission, to Captain J. L. L. MORANT, R.E., District Engineer, Neilgherries, dated Ootacamund, 28th November 1873, No. 281.

I HAVE the honor, in replying to your letter of the 14th instant, enclosing copy of a memorandum from the Chief Engineer to Government, dated 5th November 1873, No. 422, to state that the discrepancy alluded to therein, a difference of Rupees 324-7-0 between figures shown in the statement appended to the President's letter, and the figures given in paragraph 9 of the same, is the amount expended by the Municipality on this road over and above the balance of the Rupees 10,000 grant in their hands on that date.

2. The exact expenditure debitable to you was Rupees 5,663-7-7, not Rupees 5,666-7-7; thus the balance to be accounted is Rupees 4,336-8-5, not Rupees 4,333-8-5, and the excess expended from the Municipal Fund is Rupees 321-7-0.

3. I append also a statement of the monies expended by us in breaking up metal on the Pykarra Road, for the portion of the road under your charge, showing also certain other items of expenditure, the principal of which is the sum paid to Mrs. Hodgson for the land containing a large supply of metal near the Willow Bund.

4. The quantity of metal broken by us, as gathered from the Manager's account, was 863 cubic yards; you only admit to have received 600 cubic yards. From the Manager's explanation it appears that the actual deficiency, however, is 248 cubic yards. As he has failed to give satisfactory account of this deficiency, he has been compelled to resign, and the Commissioners are now taking steps to recover the value of the metal missing.

5. As regards the cost of breaking this metal, I have the honor to state that the Commissioners value a cubic yard of broken metal on the spot at Rupees 2-4-0, including wear and tear of tools. We demand a daily quota of 1½ parahs from a man and 1 parah from a boy, their pay being, respectively, 4 annas and 2½ annas. Thus the actual wage for a cubic yard broken would average about 2 Rupees.

6. As regards the expenditure on the Lower Bazaar Road by the Municipality, the President is of opinion that any further details beyond those set forth in his letter in G. O., No. 1,522, dated 18th October 1873, can only be furnished in answer to a Government Order calling for them.

No. 88.

THE Government in their Order, dated 28th October 1872, No. 1,468, granted Rupees 10,000 for thoroughly metalling the Lake Road "and any other roads for which a balance may remain," and in the Order, dated 28th August 1873, they granted a further sum of Rupees 3,000 requiring a statement of expenditure. The President submitted an explanation in his letter of 9th October, printed in Proceedings of Government, October 18th, 1873, No. 1,522. The letter was transferred to the Department Public Works. Immediately on receipt of the Order of 28th August 1873, the Honorary Secretary in his letter, dated 10th September, sent to the District Engineer a short statement of the work connected with the Lake Road, including the expenditure on the Lower

Bazaar Road to date. Subsequent to this the Chief Engineer in his memorandum, dated 5th November 1873, No. 442, copy of which was forwarded to the Municipal Office by the District Engineer, called for a detailed statement of account, and elicited a reply from the Honorary Secretary, dated 28th November. In this letter explanation was given regarding the expenditure incurred on account of the District Engineer on the West Lake Road, but detailed information regarding the Lower Bazaar Road was refused.

The Government now review their orders of October 18th, together with two letters from the District Engineer. The Honorary Secretary's letter of 28th November, though submitted with the District Engineer's letter, does not appear in the Government Order, nor is any notice taken of, or consideration given to the greater part of it. A copy of that letter is, therefore, hereto appended.

The Commissioners observe that the order is passed in the Department Public Works. The Secretary to Government in this department is also the Chief Engineer.

The Commissioners desire to remind Government of the conditions under which the grant of 10,000 Rupees was made. In his letter of the 9th October, paragraphs 19 and 20, the President writes as follows :—

"In this supposition I venture to bring to the notice of Government that the road round the Ootacamund Lake is a legacy the Municipality has inherited far exceeding its own wants, and which, though the Commissioners might keep up, they cannot remake; when the road was handed over to the Municipality, it was not in good repair, and at the back part of the lake it has been deteriorating ever since, notwithstanding the efforts of the Commissioners. It is between six and seven miles in length, and after rain two-thirds is ankle-deep in mud and very difficult for carriages.

"The Government are aware that the road is a prominent feature in Ootacamund and a boon to visitors. I take the liberty of proposing that Government make a special grant of 10,000 Rupees for the reconstruction of this road in the coming year. For this sum it is believed the road can be metalled throughout with granite and properly drained, and if this is done the upkeep for some years will be small and can be borne by the Municipality. Unless Government are able to afford this assistance, the Municipality will find it extremely difficult to maintain the road."

From this letter from the President the inference to be drawn is that the Commissioners, in soliciting a grant, were applying for aid in the interests of visitors, and not in local interests. Accordingly, when the grant was made, the Commissioners had no wish to incur suspicion of being actuated by local interests in applying the money. That this was so is shown by the following resolution indicating their desire to call in an uninterested department to aid them in the outlay of the grant.

"Estimates for barrelling and metalling Hadfield's Road and the Lake Road from the Willow Bund to the junction with the Imperial Road near the new sluice prepared by the Manager were placed on the table.

	Rs.
"Hadfield's Road	2,967
"Lake Road	6,719

"The Commissioners resolve to invite Captain Morant to prepare an estimate for macadamizing the road from the Willow Bund, under St. Thomas' Church, by Fern Hill, the Cedars, the Sluice Lock End as far as Harrington Lodge near the Club."

The intention of the Commissioners, in recording this resolution, was that the District Engineer should carry out the work with their aid, the latter consisting in the preparation of metal for application by him. No estimates were formally submitted by the District Engineer. Subsequently the Commissioners passed the following resolution :—

January 14th, 1873.

"Resolved that the Lower Bazaar Road be reconstructed under the supervision of the District Engineer, and that the road be commenced forthwith, the road to run from the Willow Bund to the corner of the bandystand near the Brahmin's Bridge. The earth required to be taken in the first instance from the market place until it is reduced to a uniform level, and the further earth required to be taken from the vicinity of the pump and Alexandra Hotel grounds, which Mr. Leigh has kindly placed at the disposal of the Municipal Commissioners for the purpose. The Commissioners further resolve that the metal required be taken from the rocks near Oakland."

Proceedings of the Madras Government, Public Works Department,
17*th September* 1874.

The Commissioners obtained the District Engineer's services for the reconstruction of that part of the road from the sluice to the Willow Bund. They themselves determined to construct the Lower Bazaar Road, not because they wished to interfere, but because they thought that the District Engineer could not perform his allotted portion of the work and the Lower Bazaar Road also.

These facts were probably known in their general features to the Government when the Government arrived on the Hills in April 1873, for the District Engineer was questioned on the subject in Council. No orders notwithstanding were issued to the Commissioners, who naturally, in the circumstances, assumed their programme approved. At that time the Lower Bazaar Road had been but just commenced, and the work could without loss have been stopped. The Honorary Secretary stated in a demi-official letter to a Member of Council in reply to a requisition, that only a few hundred rupees had been expended on the work.

The next point is whether the Commissioners were actually wrong in applying part of the grant to the Lower Bazaar Road, that is to say, whether the work was within the scope of the grant. The Government Order remarks "nothing can justify the diversion of money obtained for the special purpose of putting into order the road round the lake to the road through the bazaar." The Commissioners submit, in the first place, that the Lower Bazaar Road is as much a part of the road round the lake as any other part of the public way encircling that reservoir. It is as near the margin of the water-spread as the rest of the Lake Road. In fact, it is actually on the margin. Accordingly, the Commissioners cannot admit that in making this road they were violating the spirit of the grant so much as they would have done had they metalled Hadfield's Road which deviates altogether from the lake. Indeed, if the section from the Brahmin's Bridge to the Willow Bund on the south of the lake is a portion of the Lake Road, and it is admitted to be so in this order, by what reasoning the section on the northern side of the same piece of water is denied the name, the Commissioners fail to apprehend.

The Government Order remarking on the intention expressed by the President in his letter of the 9th October with regard to the expenditure, argues that the Commissioners misappropriated the grant, because they altered the intention. But the Commissioners observe the Government would have never known the intention had not the President stated it after the road was made, and in that supposition they submit the case would have stood in the manner it should now stand and should be considered. The question would then have been: has the grant been expended on the Lake Road? and a reply in the affirmative would necessarily have followed, because the Lower Bazaar Road is part of the Lake Road. As to the need of the road the Commissioners can only repeat what was said by the President in his letter, that it is the most important in the station, and add that so much was the improvement of this neighbourhood and road, the impression of a former Government, that houses on the site were purchased by Government, and convict labor ordered to be employed on the land in 1868 (Government Order, Public Works Department, 12th May 1868).

The Government Order proceeds to express a doubt whether the Commissioners have made the Lower Bazaar Road in an economical manner. The reply is that, at the request of the Commissioners, the District Engineer measured up the work on its completion and informed them that the work done corresponded with the Manager's statement, that the rates were moderate, and the execution satisfactory.

The Government Order then remarks: "It is not understood on what grounds the President declined to supply" a requisition for the accounts connected with the Lower Bazaar Road by the Chief Engineer, and states—"It will be understood that the detailed accounts of grants-in-aid shall always be supplied on such reasonable demand as that of the Chief Engineer without necessitating a Government Order to that effect."

The Commissioners beg to draw attention on this subject to Sections 32, 33, and 34 of the Municipal Act, where it is laid down that Municipalities are accountable to Government alone, and then only with reference to the annual accounts. This was the reason the President declined compliance with the requisition of the Chief Engineer. He believed, and the Commissioners hold the same opinion, that the accounts of Municipalities cannot legally be called for except by Government annually.

The Commissioners would be glad to learn whether, in the opinion of Government, their reading of the law is correct.

The Government Order next remarks upon an assumed loss to Government, by the negligence of the Commissioners, of Rupees 827. The Commissioners are glad to state there has been no such loss. The Chief Engineer was officially informed, in the Honorary Secretary's letter sent up to him by the District Engineer, that "the Commissioners are now taking steps to recover the value of the metal missing."

The Commissioners had contracted for delivery of metal at a certain rate, and on short delivery withheld payment of the missing quantity. Had this letter been laid before Government by the Chief Engineer, Government would doubtless never have entertained the belief that any loss had been incurred.

The Government Order next remarks upon the dilatoriness of the Commissioners in carting metal to the Lake Road, and the consequent "destruction caused to the existing roads by the carriage over them of metal during the monsoon, and points out the considerable public and private inconvenience entailed thereby." The facts of the case are that the Commissioners commenced early in the year the preparation of granite metal for the Lake Road, and selected after mature consideration the Pykarra Road as the nearest available source of supply. There was no granite to be had nearer without payment of seigniorage. The 600 cubic yards of metal mentioned in the President's letter of explanation was ready broken before the monsoon, but there was great difficulty in procuring carts to carry it. As the Commissioners at this time could not get a sufficient number of carts for their own work they appreciate the difficulty, but they do not regard the delay in carting the metal as unsatisfactory, as under the circumstances that the metal on the Pykarra Road was close to the end of the lake, where it was to be laid, no great damage could be caused by its cartage after the opening of the monsoon. Practically there was, on the contrary, this advantage by delay, viz., that the carting was over the new road, and helped to consolidate it, passing to the road only over a short section of good highway. It is true that the construction of the Lake Road caused damage and considerable public inconvenience, but the Commissioners submit that this resulted not from carting granite but from carting *laterite*.

The laying on of a bed of laterite on the road was a thing never intended by the Commissioners, though they fully realized the necessity of such a bed, where the soil is soft or boggy, but they believe was ordered by Government to the District Engineer when the Government arrived on the Hills. This direct interference was perhaps hardly in the spirit of any section in Act III. of 1871; but the Commissioners naturally anxious to follow out the views of Government in constructing the Lower Bazaar Road also used laterite, from the necessity of the case and in deference to what was supposed to be the wishes of Government, and so far contributed to the destruction reprobated. As a matter of fact the carting of the laterite was carried out as speedily as the difficulty of obtaining carriage could be overcome.

The *granite metal* for the Lower Bazaar Road was taken by the Commissioners from land by the Willow Bund which was purchased for the granite on it specially on account of this road, and for the road by St. Thomas', and the cartage of this metal did no injury to the public roads as it passed over newly metalled road. Some metal was drawn also from the Jail close at hand.

Carting metal over newly laid road is an economy in the making of the road, because the carts supply in part the place of rollers otherwise necessary and very expensive to use.

The Commissioners deem it necessary here, as they have been charged with misappropriation, to request the attention of Government to the fact only recently known to them that

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17th *September* 1874.

apparently ever since the Municipality was formed in 1866, the Department Public Works has drawn money from Government in the way of lump sums and mileage for roads which have been kept up from Municipal Funds. This is the case as respect St. Stephen's Church Hill Road.

This section has never been repaired by the Department Public Works, and yet the department is drawing a mileage of 217½ Rupees a mile for the road from St. Stephen's Church to the bridge at Coonoor, twelve miles in length. Thus the Municipality have been keeping up half a mile of road which is provided for by Government.

The Department Public Works since 1866 has drawn a mileage of 110 Rupees a mile for the Seegoor road. The repair of the mile of this road from St. Stephen's Church to Roadside Cottage has been thrown on the Municipality.

The hill leading to Fern Hill from St. Thomas' Church is provided with a mileage rate of Rupees 55 per mile from Government. The Municipality expended 1,000 Rupees on less than a mile of this road the year before last. In justice to the present District Engineer, the Commissioners desire to point out that the anomaly of the Department Public Works drawing money for roads on which it made no outlay was in force before his time.

There are several points connected with unexpended mileage by the Department Public Works; but the Chief Engineer was for a long time Superintending Engineer of the division in which the Neilgherry District is situated, and will no doubt be able to throw light on them. The Commissioners have to express a hope that this explanation may approve itself, and that the Government will see fit to modify the censure the Government Order under report throws on a body consisting in great part of independent gentlemen which has conscientiously striven to do its best to serve the Government and the public in the administration of the funds at its command.

In submitting this appeal, the Commissioners desire to express their sense of the liberality shown by Government towards the Ootacamund Municipality.

OOTACAMUND,
11*th June* 1874.

(By order.)
(Signed) H. B. GRIGG,
Honorary Secy., Ootacamund Municipal Commission.

TRANSFERRED to the Public Works Department for consideration and disposal.

(Signed) D. F. CARMICHAEL,
Acting Chief Secretary.

No. 381. ORDER THEREON, 17th September 1874, No. 2,657.

CIVIL WORKS, No. 30.

* Financial Department.

HIS Excellency the Governor in Council has to remark that it was not his intention that any portion of the sum of Rupees 10,000 granted in G.O.,* No. 1,468, of 28th October 1872, for thoroughly metalling the Lake Road, still less so large an amount as Rupees 4,000, should be laid out in reconstruction of the Lower Bazaar Road, and prolonging it through the market place. This section of road subserves exclusively local interests. The expression "Lake Road" means the road on the southern side of the lake from Charing Cross to Loch End, with the duplicate line running between Awdry House and Fern Hill, the circuit being completed by Hadfield's Road, Club Road, and Church Hill, and marked by a continuous series of milestones.

2. As the Commissioners appear to be unwilling that the details of their outlay on the Lower Bazaar Road should be professionally analyzed and reported on

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17th September 1874.

by the District Engineer, the subject will not be pressed at present. But the Government do not concur in the argument put forward by the Commissioners.

3. His Excellency in Council is glad to be informed that a recovery of Rupees 827 will be, or has been, made. It is not quite understood how, if payment of the amount was withheld, it has been debited against the Government as expenditure by the Municipality, and a report is requested of the manner in which it has been recredited.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Commissioner of the Neilgherries.
,, District Engineer, Neilgherries.
,, Financial Department.

Exd. E. C. Shunker.

Spare Copies

Municipal Commissioners' Office
Ootacamund 28 Nov 1873.

No. 281

From

H. B. Grigg Esquire.
Hony Secy O.M.

To

Captain J. L. L. Morant R.E.
District Engineer
Neilgherries

Sir.

I have the honor in replying to your letter of the 14th Instant enclosing copy of a memo. from the Chief Engineer to Government dated 5th November 1873. No 422. to state that the discrepancy alluded to therein – a difference of Rs 324-7-. between figures shown in the statement appended to the Presidents letter, and the figures given in Para 9. of the same. is the amount expended by the Municipality on this road over and above the balance of the Rs 10,000 grant in their hands on that date.

2. The exact expenditure debitable to you was Rs 5663-7-7. not Rs 5666-7-7. thus the balance to be accounted is Rs 4336-8-5. not Rs 4333-8-5 and the excess expended from the

Municipal Fund. is Rs 321-7- ..

3. I append also a statement of the moneys expended by us in breaking up metal on the Pykarra road, for the portion of the road under your charge, showing also certain other items of expenditure, the principal of which is the sum paid to ~ Mrs Hodgson for the land containing a large supply of metal near the Milno Bund.

4. The quantity of metal broken by us, as gathered from the Manager's account was 863 cubic yards. you only admit to have received 600 cubic yards. From the Managers explanation it appears that the actual deficiency however is 248 cubic yards. As he has failed to give satisfactory account of this deficiency he has been compelled to resign, and the Commissioners are now taking steps to recover the value of the metal missing.

5. As regards the cost of breaking this metal. I have the honor to state that the Commissioners value a cubic yard of broken metal on the spot at Rs 2-4-0 including wear and tear of tools. We demand a daily quota of 1½ parah from a man, and 1 parah from a boy, their pay being respectively 4 as and 2½ as. Thus the actual wage for a cubic yard broken would average

4

about 2-0-0 Rupees. 5†

6. As regards the expenditure on the Lower Bazaar Road by the Municipality the President is of opinion that any further details beyond those set forth in his letter in G. O. No 1522 dated 18th October 1873. can only be furnished in answer to a G. O. calling for them.

I have the honor to be
Sir
Your most Obdt Servt

Sdf. H. B. Grigg.
Actg Secy Mc

True Copy

A. B. [illegible]
Actg Secy Mc

No. 88. No 1

6X

The Government in their Order dated 28th October 1872 No 1468 granted Rs 10,000 for thoroughly metalling the Lake Road "and any other roads for which a balance may remain" and in the Order dated 28th August 1873, they granted a further sum of Rs 3000. requiring a statement of Expenditure. The Resident submitted an explanation in his letter of 9th October, printed in Proceedings of Government October 18th 1873. No 1522. The letter was transferred to the D. P. W. Immediately on receipt of the Order of August 28th 1873. the Honorary Secretary in his letter, dated 10th September, sent to the District Engineer, a short statement of the work connected with the Lake Road, including the expenditure on the Lower Bazaar Road to date. Subsequent to this the Chief Engineer in his memo dated 5th November

1813. No 442, copy of which was forwarded to the Municipal Office by the District Engineer, called for a detailed statement of account, and elicited a reply from the Honorary Secretary dated 28th November. In this letter explanation was given regarding the expenditure incurred on account of the District Engineer on the West Lake Road, but detailed information regarding the Lower Bazaar Road was refused.

The Government now review their Orders of October 18th together with two letters from the District Engineer. The Honorary Secretary's letter of 28th November, though submitted with the District Engineer's letter, does not appear in the Government Order, nor is any notice taken of, or consideration given to the greater part of it. A copy of that letter is therefore hereto appended.

The Commissioners observe that the Order is passed in the D. P. W. The Secretary to Government in this Department is also the Chief Engineer

The Commissioners desire to remind Government of the conditions under which the grant of 10,000 Rs was made. In his letter of the 9th October Paras 19 and 20. the President writes as follows.

"In this supposition I venture to bring to the notice of Government that the road round the Ootacamund Lake is a legacy the Municipality has inherited far exceeding its own wants, and which though the Commissioners might keep up they cannot remake. When the road was handed over to the Municipality it was not in good repair, and at the back part of the Lake it has been deteriorating ever since

notwithstanding the efforts of the Commissioners. It is between six and seven miles in length, and after rain two-thirds is ankle-deep in mud and very difficult for carriages.

"The Government are aware that the road is a prominent feature in Ootacamund and a boon to visitors. I take the liberty of proposing that Government make a special grant of 10,000 Rupees for the reconstruction of this road in the coming year. For this sum it is believed the road can be metalled throughout with granite and properly drained, and if this is done the upkeep for some years will be small and can be borne by the Municipality. Unless Government are able to afford this assistance the Municipality will find it extremely difficult to maintain the road."

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The intention of the Commissioners in recording this resolution was that the District Engineer should carry out the work with their aid the latter consisting in the preparation of metal for application by him. No estimates were formally submitted by the District Engineer. Subsequently the Commissioners passed the following resolution. —

January 14th 1873.

1st Resolved that the Lower Bazaar Road be reconstructed under the supervision of the District Engineer, and that the road be commenced forthwith the

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The earth required to
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The Commissioners obtained
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of that part of the road from the sluice to the Willow Bund. They themselves determined to construct the Lower Bazaar Road not because they wished to interfere but because they thought that the District Engineer could not perform his allotted portion of the work and the Lower Bazaar Road also.

These facts were probably known in their general features to the Government, when the Government arrived on the Hills in April 1873. for the District Engineer was questioned on the subject in Council. No Orders notwithstanding were issued to the Commissioners who naturally in the circumstances assumed their programme approved. At that time the Lower Bazaar Road had been but just commenced and the work

could without loss have been stopped. The Honorary Secretary stated in a demi-official letter to a member of council in reply to a requisition that only a few hundred Rupees had been expended on the work.

The next point is whether the Commissioners were actually wrong in applying part of the Grant to the Lower Bazaar Road, that is to say whether the work was within the scope of the Grant. The Government Order remarks "nothing can justify the diversion of money obtained for the special purpose of putting into order the road round the Lake to the road through the Bazaar". The Commissioners submit in the first place that the Lower Bazaar Road is as much a part of the road round

the Lake as any other part of the Public Way encircling that reservoir. It is as near the margin of the water spread, as the rest of the Lake Road. In fact it is actually on the margin. Accordingly the Commissioners cannot admit that in making this road they were violating the spirit of the grant so much as they would have done had they metalled Hadfield's road which deviates altogether from the Lake. Indeed if the section from the Brahmins Bridge to the Willow Bund on the South of the Lake is a portion of the Lake road and it is admitted to be so in this Order, by what reasoning the Section on the Northern side of the same piece of water is denied the name the Commissioners fail to apprehend.

The G.O. remarking

on the intention expressed by the President in his letter of the 9th October with regard to the expenditure argues that the Commissioners misappropriated the grant, because they altered the intention. But the Commissioners observe the Government would have never known the intention had not the President stated ~~stated~~ it after the road was made, and in that supposition they submit the case would have stood, in the manner it should now stand, and should be considered. The question would then have been: Has the grant been expended on the Lake Road? and a reply in the affirmative would necessarily have followed, because the Lower Bazaar Road is part of the Lake road. As to the need of the

road the Commissioners can only repeat what was said by the President in his letter, that it is the most important in the station, and, add that so much was the improvement of this neighbourhood and road the impression of a former Government, that houses on the site were purchased by Government and convict labour ordered to be employed ~~thereon~~ on the Canal in 1868 (G.O. D.P.W. 12th May 1868)

The Government Order proceeds to express a doubt whether the Commissioners have made the Lower Bazaar Road in an economical manner. The reply is that at the request of the Commissioners the District Engineer measured up the work on its completion, and informed them that the work done corresponded with the Managers statement, that the rates were moderate, and the execution satisfactory

187 17

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requisition of the Chief Engineer. He believed, and the Commissioners hold the same opinion, that the accounts of Municipalities cannot legally be called for except by Government annually.

The Commissioners would be glad to learn whether in the opinion of Government their reading of the Law is correct

The G. O. next remarks upon an assumed loss to Government by the negligence of the Commissioners of Rs 827. The Commissioners are glad to state there has been no such loss. The Chief Engineer was officially informed in the Honorary Secretary's letter sent up to him by the District Engineer that "the Commissioners are now taking steps to recover the value

20X

of the metal missing".

The Commissioners had contracted for delivery of metal at a certain rate and on short delivery withheld payment of the missing quantity. Had this letter been laid before Government by the Chief Engineer, Government would doubtless never have entertained the belief that any loss had been incurred.

The G. O. next remarks upon the dilatoriness of the Commissioners in carrying metal to the Lake Road and the consequent "destruction caused to the existing roads by the carriage over them of metal during the monsoon" and points out the "considerable public and private inconvenience entailed thereby". The facts of the case are that the Commissioners commenced early in the year the preparation of granite metal for the Lake Road, and selected after mature

consideration the Pykara road as the nearest available source of supply. There was no granite to be had nearer without payment of Seigniorage. The 600 cubic yards of metal mentioned in the Presidents letter of explanation was ready broken before the monsoon but there was great difficulty in procuring carts to carry it. As the Commissioners at this time could not get a sufficient number of carts for their own work they appreciate the difficulty-but they do not regard the delay in carting the metal as unsatisfactory, as under the circumstances that the metal on the Pykara road was close to the end of the Lake, where it was to be laid no great damage could be caused by its cartage after the opening of the monsoon. Practically there was on the contrary this advantage by delay viz: that the carting was over the new road. and helped to ~

consolidate it, passing to the road only over a short section of good highway. It is true that the construction of the Lake Road caused damage and considerable public inconvenience but the Commissioners submit that this resulted not from carting granite but from carting laterite.

The laying on of a bed of laterite on the road was a thing never intended by the Commissioners, though they fully realized the necessity of such a bed, where the soil is soft, or boggy, but they believe was ordered by Government to the District Engineer when the Government arrived on the Hills. This direct interference was perhaps hardly in the spirit of any section in Act III of 1871. but the Commissioners naturally anxious to follow out the views of Government, in constructing the Lower Bazaar Road, also used laterite, from the necessity of the case and in deference to what was supposed to be the

23X 22

wishes of Government, and so far contributed to the destruction reprobated. As a matter of fact the carting of the laterite was carried out as speedily as the difficulty of obtaining carriage could be overcome.

The granite metal for the Lower Bazaar Road was taken by the Commissioners from land by the Willow Bund which was purchased for the granite on it specially on account of this Road and for the road by St Thomas' and the cartage of this metal did no injury to the Public Roads as it passed over newly metalled road. Some metal was drawn also from the Jail close at hand.

Carting metal over newly laid road is an economy in the making of the road because the carts supply in part

the place of rollers otherwise
necessary and very exc
pensive to use. 24X

The Commissioners
deem it necessary here as
they have been charged
with misappropriation to
request the attention of
Government to the fact
only recently known to
them, that apparently
ever since the Municipality
was formed in 1866 the D.
P. W. has drawn money from
Government in the way of
lump sums and mileage
for roads which have been
kept up from Municipal
Funds. This is the case
as respect St Stephens
Church Hill road

This section has never
been repaired by the
D. P. W. and yet the Depart
ment is drawing a
mileage of 24 1/2 Rs.
a mile for.

the road from St Stephens Church to the Bridge at Coonoor 12 miles in length. Thus the Municipality have been Keeping up 1/2 a mile of road which is provided for by Government.

The D. P. W. since 1866. has drawn a mileage of 110 Rs a mile for the Seegoor Road. The repair of the mile of this road from St Stephen's Church to Roadside Cottage has been thrown on the Municipality.

The Hill leading to Jew Hill from St Thomas' Church is provided with a mileage rate of Rs 5- per mile from Government of ~~Rs 5 for mile from Government~~, the Municipality expended 1000 Rs on less than a mile of this road the year before last. In justice to the present District Engineer the Commissioners desire to point out that

the anomaly of the D.P.W. drawing money for roads on which it made no outlay was in force before his time. 261

There are several points connected with unexpended mileage by the D.P.W., but the Chief Engineer was for a long time Superintending Engineer of the Division in which the Nilgiri District is situated, and will no doubt be able to throw light on them. The Commissioners have to express a hope that this explanation may appear itself, and that the Government will see fit to modify the censure, the G.O. under report, throws on a body consisting in great part of independent Gentlemen, which has conscientiously striven to do its best to serve the Government and the Public in the administration of the funds at its command.

In submitting this appeal The Commissioners desire to express their sense of the liberality shown by Government towards the Potaeammud Municipality

By order.

H. B. Fisk

Hony Secy M.C.

Municipal Commissioners Office.
Potaeammud 11th June 1874.

Commissioners Office
Ootacamund 13th June 1874.

No 442

From.

J. P. Cockerell Esq
President - Municipality
Ootacamund

To

The Chief Secretary
to Government
Ootacamund

Sir

I have the honor to submit for the consideration of the Government a Memorandum of the Municipal Commissioners of Ootacamund on the subject of the Petition of the Inhabitants of Kotagiri praying for a grant of 10000 Rupees for metalling the Kotagiri road.

The Expenditure of which is recommended in the Government Order Public Works Dept. No 539, Public Works Department -

I have the honor to be
Sir
Your Most obedient Servt.

J. P. Cockerell
President

1874
1874
Dy. No 17 Sept. 74
In B. Pl. No. 380
Honorary Secretary

O. Tacamund
Municipality

Dated 11th } June
Read 12th } 1874
No 552/74

Road

Submits Memorandum drawn up by the O. Tacamund Municipal Commissioners on the subject of a grant of Rs 10,000 for metalling the Kotagiri road

Municipal 1874 Depart
No. 42
Date— 13th June /74
Recd 15. — do —

Commissioner's Office,
Ootacamund.

To No. 1230

The Chief Secretary
to Government
Ootacamund

Enclosures. (1)
Lake Road
Cn (printed)

SUBJECT.

Submitting for consideration of Govt. a Memorandum drawn up by the Municipal Commissioners of Ooty on the subject of grant of 10000 Rs for metalling the Lake Road — transferred

Transferred to the Public Works Department for consideration & disposal.
D. F. Carmichael
Ag. Chief Secy

Ootacamund 16 June 1874
To the Public Works Department.

28

2

P. W. 1874 Dept.
Municipal
No: 5520

From

The Chief Secy.

Dated 16 June 1874.
Rec'd 2 Sept. 1874.

C. I.

Transferring a letter forwarding a Memo: by the Municipal Commission, Ooty, relative to the grant of Rs 10000 for metalling the Lake Road.

Ex. No: 2657 17.9.74.

No 380

Public Works Department

Proceedings of the Madras Govt

Read the following

From the President of the Municipal Commission Ootacamund, No 42 dated 13 June 1874

2657 30X

His Excellency the Governor in Council has to remark that it was not his intention that any portion of the sum of Rs 10,000 granted in G. O. No 1168 of 28 October 1872 for thoroughly metalling the Lake Road, still less so large an amount as Rs 4000, should be laid out in reconstruction of the Lower Bazaar Road, and

Lind. departt

2657

prolonging it through the Market-place. This section of Road subserves exclusively local interests. The expression "Lake Road" means the Road on the Southern side of the Lake from Chasing Cross to Loch End, with the duplicate line running between Awdry House and Fern Hill; the circuit being completed by Wadfield's Road, Club Road, and Church Hill, and marked by a continuous series of milestones.

As the Commissioners appear disinclining that the details of their outlay on the Sewer

Bazaar Road should be professionally analyzed and reported on by the District Engineer, the subject will not be pressed at present. But the Govt. do not concur in the argument put forward by the Commissioners.

His Excellency in Council is glad to be informed that a recovery of £8,7 will be, or has been, made. It is not quite understood how, if payment of the amount was withheld, it has been debited against the Road £ as Expenditure by the Municipality.

and a report is requested
of the manner in which
it has been recredited.

Govt

380-381.

36

To The Commr Nalgherries
" Dr
" Fd Depts
& Copies despd 23/9/74

Public Works Department

Proceedings of the Madras Government

Read the following

From The Presidents of the Municipal Commissioners Ootacamund Nilgiris

(No. 312 dated 13th June 1874)

His Excellency the Governor in Council has (~~seriously~~) to remark that whatever the Municipality of Ootacamund may have persuaded themselves to believe, and doubtless they acted in good faith, it was never his intention that any portion of the sum of Rs 12,000 granted in ×G.O. No. 1468 of 28th October 1872 for thoroughly metalling

Laws inclined Ppr
Mr Commrs - down upon
civil - however will deserve
Mr Secretary

×Fin. Dept.

metalling the Lake Road still be so large an amount as Rs 4000, should be laid out in reconstruction of the Lower Bazaar Road and prolonging it through the market-place. The Lake Road was described by the President of the Municipal Commission as a legacy inherited by the Municipality for exceeding its onerous wants, and as a boon to visitors, and the grant-in-aid is now stated to have been applied for in the interests of visitors and not in

in local interests. The expression "Lake Road" interpreted according to these remarks would appear to mean the Road on the Southern side of the Lake from Charing Cross to Loch End, with the duplicate line running between Awdry House and Town Hill; the circuit, as-yet by visitors, being completed by Wadfield's Road Club Road and Church Hill, ~~and marked as shown~~ by the a continuous series of mile-stones.

As the Commissioners appear to be unwilling that

that the details of their outlay on the Lower Bazaar Road should be professionally analyzed and reported on by the District Engineer, the subject will not be pressed. But it may be remarked that it will be no additional induce-ment to the Govt. to assist the Municipality with grants-in-aid that their right to receive detailed infor-mation as to the outlay of such grants is thus repudiated.

His Excellency in Council is glad the

informed that a re-covery of Rs 827 will be, or has been, made. It is not quite under-stood how, if pay-ment of the amount was withheld, it has been debited against the Govt. as expendi-ture by the Municipa-lity. And a report is requested of the manner in which it has been recredited.

The rest of the Memorandum requires no remark.

Crewe.

5520 √

Govt. of [1874] Madras.

PUBLIC WORKS.

To The Comptr. of Mds & Nilgris!

Dated

Recd. Encl. /

G. O., Dept. 1874, No. 2657

Nos. 380-381.

Golacamund Lake Road.

Passing orders on a Memorandum by the Municipal Commissioner, Ootz. relative to the Grant of Rs. 10,000 for metalling the Road —