

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Public Works

DEPARTMENT

G.O. No.	2414	Press	<i>Original</i>
B.P. No.		Mis.	
Dated	23-8	4825	
		195	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
23rd August 1875.*

No. 379. Read the following letter from J. D. GRANT, Esq., Officiating District Engineer, Tinnevely, to Major J. O. HASTED, R.E., Officiating Chief Engineer for Irrigation, dated Palamcottah, 1st July 1875, No. 45 :—

I HAVE the honor to request that you will instruct me as to whether rent should be charged for the occupation of the Puthugudy bungalow by Conductor Falvey, Sub-divisional Officer.

2. The bungalow in question was built in common with several others from the estimate for the Streevigundum Anicut Project, and was occupied free of rent by Lieutenant Shepherd, R.E., while he was there.

3. Mr. Rundall, however, directed that from the 1st April 1875, Conductor Falvey should pay Rupees 12 per month rent, because the repairs of the bungalows were found to be so expensive.

4. Mr. Falvey now protests against the order,—first, because he considers the rent excessive; second, because Lieutenant Shepherd had paid nothing.

5. I do not think the rent can be considered excessive, being as it is very nearly in accordance with the scale of rents laid down by Government in G. O., No. 196, of 23rd February 1875.

6. Whether Lieutenant Shepherd did or did not pay rent does not strictly speaking affect the present question; but considering the relative positions of Lieutenant Shepherd and Conductor Falvey, the latter is certainly least able to pay rent and entitled, I think, to greater consideration in the matter.

FORWARDED to the Controller of Public Works Accounts for report.

(Signed) JOHN MULLINS, Lieut.-Colonel, R.E.,
Officiating Secretary to Government, P.W.D.
8th July 1875.

No. 66-W.

OPINION.

THE following rules apply :—

PUBLIC WORKS CODE.

IV.—ii. 18. "When individuals of the U. S. establishment occupy public buildings as quarters, monthly rent must be paid by them as follows :—
Supervisor, 1st grade Rupees*15."

IV.—ii. 20. "No rent is demanded by Government for the temporary occupation by officers or subordinates of inspection houses, but when they are permanently occupied as residences, rent will be charged to *** upper subordinates as far as Supervisors of the 1st grade, at the rate of Rupees 15 per mensem."

In the present case, there would appear to be no doubt that the building is a public one, and that Conductor Falvey occupies it permanently as a residence.

The fact of Lieutenant Shepherd not having paid rent for the time he occupied this building would only affect the question on its being shown that Lieutenant Shepherd's exemption had been officially authorized by proper authority for some sufficient reason unconnected with Lieutenant Shepherd personally. In the papers sent me, there is no evidence of such an authorization.

I am therefore of opinion that Conductor Falvey may properly be called upon to pay rent while occupying this building.

Proceedings of the Madras Government, Public Works Department,
23rd August 1875.

I am further of opinion that the rent demanded, viz., Rupees 12 per mensem is not excessive, being Rupees 3 less than the scale laid down in the Public Works Code, and within one-tenth of his salary, a limit which has I believe on several occasions been indicated by the Supreme Government as a rough guide for fixed rents in doubtful cases.

(Signed) L. CONWAY-GORDON, Captain, R.E.,
Controller of Public Works Accounts.

16th August 1875.

No. 380. ORDER THEREON, 23rd August 1875, No. 2,414.

ESTABLISHMENT, No. 23.

MR. FALVEY will be required to pay the rent fixed by the late District Engineer of Tinnevely from the 1st April 1875.

(True Extract.)

Major-General, R.E.,
Secretary to Government.

Handwritten notes:

27th Aug. "Where individuals of the U.S. Establishment occupy public buildings no question, naturally, must be paid by them as follows."

28th Aug. "To rent is demanded by Government for the temporary occupation by officers or individuals of public buildings, but when they are permanently occupied no rent is demanded, as it will be assigned to the U.S. Establishment as far as the provisions of the 1st Code. As the R.E. of 1875, for instance, in the present case, this would appear to be in place of the building as a public one and that Government should occupy it permanently as a residence."

The fact of the U.S. Establishment not being paid rent for the time he occupies the building would only affect the question of the building being above that of the U.S. Establishment's exemption had been specially authorized by proper authority for some sufficient reason - no memorial with the U.S. Establishment's building. In the paper sent me, there is no evidence of such an authorization."

I am therefore of opinion that to conclude that any building is to be paid upon it by the U.S. Establishment occupying the building."

I am further of opinion that the rent demanded, viz., Rs. 12 per mensem is not excessive, being Rs. 3 less than the scale laid down in the R.E. of 1875, for instance, as far as the provisions of the 1st Code. As the R.E. of 1875, for instance, in the present case, this would appear to be in place of the building as a public one and that Government should occupy it permanently as a residence."

I am further of opinion that the rent demanded, viz., Rs. 12 per mensem is not excessive, being Rs. 3 less than the scale laid down in the R.E. of 1875, for instance, as far as the provisions of the 1st Code. As the R.E. of 1875, for instance, in the present case, this would appear to be in place of the building as a public one and that Government should occupy it permanently as a residence."

P. W. 18 Sept 8
From Rs. 4500

The Offg Dist Engineer
Sinnervally

The Offg Chief Engineer
for Irrigations
Madras

Dated 1st July 1875.
Recd 5th July 1875.
Recd 10th

1st July 1875.
Encl: none.

Requests to instruct
him whether rent should
be charged for the occu-
pation of the Pathigudi
Bungalow by Conductor
Falvey Sub Division
Officer.

The following rules apply:-

W. S. 18 Sept 8

Retd from Govt
P. L. Sheet 6 p. 14

No 45
Tinnevely District Eng'g Office
Palamcottah 7th July 1875
From

J. D. Grant Esq
Offr District Engineer
Tinnevely

Major J. O. Wasted P. C.
Offr Chief Engineer for Irrigation
Madras

Sir,
I have the honor to request that
you will instruct me as to whether rent
should be charged for the occupation of
the Puthugudy Bungalow by conductor
Falvey Sub Division Officer.

2. The Bungalow in question was
built in common with several others from
the estimate for the threegunalom Ancient
Project and was occupied free of rent by
Lieut Shepherd P. C. while he was there.

3. Mr Rundall however directed
that from the 1st April 1875 conductor
Falvey should pay Rs 12 per month rent,
because the repairs of the Bungalows
were found to be so expensive.

4. Mr Falvey now protests against
the order (1) because he considers the
rent excessive (2) because Lieut
Shepherd had paid nothing.

5. I do not think the rent can be

P. W. 1875 Dep't.
From the Controller
P. W. Accounts

The Offr Secretary to
Government
P. W. Department

Dated 16th August 1875
Recd 18
No 66. W.

S. B. 2414. 23-8-75.
Offer opinion on the
question submitted to
Government whether
conductor Falvey, Sub
Divisional Officer
of Tinnevely District
should be required
to pay rent for the
public building
occupied by him
as a residence

4823-7-6-75-2-196. k. i. r.

No 379

Cd = 19. 8. 75 P. W. 23. 6. 75

Dep't 20. 8. 75

P.W.D. No. 24/14

No. 24/14

Proceedings of the Madras Government
under date the 23rd of Aug. 1875.

Read the following:-

From the Off^{ce} of the Commissioner (N^o 45 d/1 July 1875)
The Controller { Here enter No 66 H.
P. W. Accounts } dated 16th Aug. 1875

Mr. Falvey will be
required to pay the
rent fixed by the late
District Engineer of
Tinnevely from the
1st April 1875-

G.M.

H. Linnerville

H. Linnerville 55 20/3
Cmt. P. W. Accounts 55

5000-7-9-75

considered excessive, being, as it is, very
nearly in accordance with the scale of
rents laid down by Government in G.
O. No 196 of 23rd February 1875.

6. Whether Lieut. Shepherd did or did
not pay rent, does not strictly speaking
affect the present question, but consider-
ing the relative positions of Lieut. Shep-
herd and Conductor Falvey the latter
is certainly least able to pay rent and
entitled I think to greater consider-
ation in the matter.

I have the honor to be
Sir

Yours most obediently

J. D. Grant
Off^{ce} Dist Engineer

1500
5206

Subt. of 1872 Madras

PUBLIC WORKS.

To

The St. Supr.
Trincomally

Dated

Issued

Recd.

Encl.

G. O., 2808 1875, No. 2414

Nos. 379-880

Conductor Salary, Sub.
Divisional Officer, Trincomally,
O! - The rent for the public
building occupied by - ~~direct~~
to be paid by him from the
1st April 1875.