

Explanation of necessity for modification of allotments.

vide letter to the Chief Engineer R.W.D. No. 2325 dated 24/2/81. L.D.

From 1459/81

The Superintending Engineer

Circle,

To

The Secretary to Government,
Public Works Department,
(Through the Examiner,
P. W. Accounts.)

Dated 24/2/81 No. X/2324T

Submits application for modification of * allotments for the reasons noted in the margin.

No. 184^B dated 9th March 1881.

Forwarded to the Secretary to Government

*The amount required may be sanctioned from the available balance of Reserve with Government under Provincial Original Works Civil Build-
-ing*

D. H. Raut *Chapman*

Examiner, P. W. Accounts.

cr. 67
No. 9.3 Proceedings of Madras Government,
No. 6668 dated 12th March 1881.

Read application from Superintending Engineer, *Circle* No. 2325 dated 24/2/81, requesting modification of allotments.

Order thereon,

The modifications shown in the accompanying statement are sanctioned.

True Extract

J. B. Raut
Propd to C-12-3-81
H. Raut Secretary to Government.

N.B.—If there is not room here for the whole of the explanation an additional half sheet or more of foolscap should be added, and the explanation should be continued thereon.

* Here enter the head of Service.

Application for rearrangement of allotments

III Circle Negapatnam Dist.

Fund Ordinary

Service Head, Financial Head, and Departmental Head.	Allotment as it stands.	Appropriation already made.	Available balance.	PROPOSALS.			SANCTION.		
				Increase or reduction from each Dept. Head.	Total of each Financial Head.	Available balance as it will be.	Item of increase or reduction.	Total of each Dept. Head.	Total of each Financial Head.
Provincial Repairs									
Communication	"	"	"	168	168	168	168	168	168

John P. S. S. S. S.

* If an increase or rearrangement as the case may be, N.B. - The application must be submitted in duplicate, but the explanations need only be given on one copy. The other copy will be returned showing the modifications sanctioned, if any. Proposed reductions should be first detailed and totalled, and then proposed increases. The two totals must always agree.

L. P. S. S. S.

Superintending Engineer.

Secy. to Government.

2nd February/81.

IRRIGATION.
ACCOUNT.

Govt. of 1879; Madras.
PUBLIC WORKS.

To
The SUPERINTENDING ENGINEER,
FIFTH CIRCLE
do, do,

Dated September 4th.

Issued

Recd.

Recd.

G. O., 4th September 1879, No. 461 L.

SEPTEMBER

No. 15-16.

Claims of a certain Contractor for plan...
Nand in the Calcutta. - Approves with
remarks the recommendations of the C.E.
Engineer for Irrigation for the settlement
of the -

Application for Re-arrangement of allotments

Final Ordinate

III Circle Negapatnam Dist

Service Head, Financial Head, and Departmental Head.

Provincial

Repairs

Communication

Allotment as it stands.	Appropriation already made.	Available balance.	PROPOSALS.			SANCTION.		
			Increase or reduction.		Available balance as it will be.	Item of increase or reduction.	Total of each Dept. Head.	Total of each Financial Head.
			Total of each Dept. Head.	Total of each Financial Head.				
			168	168	168	168	168	168
J. W. Rundall Superintending Engineer.								
H. Beatty Secy. to Government.								

* Here enter increase or re-arrangement as the case may be.
N.B. - The application must be submitted in duplicate, but the explanations need only be given on one copy.
The other copy will be returned showing the modifications sanctioned, if any. Proposed reductions should be first detailed and totalled, and then proposed increases. The two totals must always agree.

242 February/89.

GOVERNMENT OF MADRAS. PUBLIC WORKS DEPARTMENT.

4th September 1879, No. 491 I.

Irrigation.
Account.

Read the following paper:—

No. 15. Endorsement of the Chief Engineer for Irrigation, dated Ootacamund, 23rd August 1879, No. 223 I.

From J. W. RUNDALL, Esq., Acting Superintending Engineer, Fifth Circle, to the Chief Engineer for Irrigation, dated Alenagaram, 18th July 1879, No. 300 T.C.

I HAVE the honor to bring the following circumstances to your notice, and request that the orders of Government may be obtained in the matter.

2. On the 17th January last I received a petition from one Mannarsawmy Iyer, claiming Rupees 1,800 as due on an estimate of Rupees 3,300 for planting nanel on the left bank of the Coleroon in the Trichinopoly District, and Rupees 400 for extra work done on the same estimate.

3. I requested the Executive Engineer, Trichinopoly, to be good enough to inquire into and report on the claims put forward. On the 14th June I received from Major Smalley, R.E., a report from Sub-Engineer Syed Yusuf, together with a number of documents, from which, with the papers subsequently called for by me, the following facts are elicited.

4. An estimate, amounting to Rupees 3,300, of which there is only a rough copy to be found, was prepared by Sub-Engineer Syed Yusuf for planting nanel grass on the left bank of Coleroon, between 42nd and 66th mile stones. The date marked on this estimate is 6th December 1876, but this is manifestly wrong, as the amounts of this estimate are referred to in the contract bond dated 20th November, hereafter referred to.

5. Sub-Engineer Syed Yusuf was moved to Bellary in November 1876, and Overseer Manikam Pillay was in temporary charge of the Udiarpoliem Range, and while in charge made a contract with one Mannarsawmy Iyer for executing the planting work according to the Sub-Engineer's estimate; the amounts of the items being copied into the bond. This contract was never submitted to the District Engineer nor formally approved by him; the conditions are absurd, as the contractor was to work according to the specification when there was no such document, and to complete the work before the 20th December, that is in one month, and to be paid after inspection, no date being fixed for the inspection.

6. This contract was dated the very day Mr. Evans, Assistant Engineer, then recently arrived from England, relieved Overseer Manikam Pillay from charge of the range. Mr. Evans states that he was directed by Colonel Vertue to revise Syed Yusuf's estimate, and was under the impression he had considerably reduced it. In this he is wrong, as the total of Mr. Evan's estimate (including sundries) is the same as that prepared by Sub-Engineer Syed Yusuf, viz., Rupees 3,300; the two differ only in the quantity of nanel to be planted with channels and without channels.

This estimate was sanctioned in March 1877. Mr. Evans states that he believes the contractor carried out the work on his estimate, and, as far as he inspected the work, it was properly done. The late Colonel Vertue inspected the planting in company with Mr. Evans during the months of January and February. It is stated also that Colonel Vertue inspected the work again in June 1877, and that in February he directed some further planting in the 68th mile, for which the contractor now claims Rupees 400.

7. The exact date on which the contractor completed the work on the main estimate cannot be ascertained, nor are there any measurements of Mr. Evans to be found on record. Mr. Evans, to whom references on this subject have been made, states that he left the Udiarpoliem Range for Musiri in February or March 1877, and though he continued to hold charge of the former range till the 5th April 1877, he was never in Udiarpoliem again.

8. On the 31st March a part payment of Rupees 1,500 was made by Mr. Evans, but no measurements are attached to the office copy of the receipt, which is stated distinctly to be in *part* payment.

9. The contractor contends that he finished the work on the 20th December 1876, and that when he was paid the Rupees 1,500 he was told that no more funds were available. It is true that Rupees 1,500 was the amount appropriated in 1876-77 on the estimate of Rupees 3,300.

10. I can only account for Mr. Evans making a payment of Rupees 1,500 without, as far as can now be ascertained, any measurements being taken, on the supposition that Mr. Evans was new to the country and was not acquainted with departmental rules. It is not however likely he would have paid the money unless satisfied that a considerable amount of work had been done. Mr. Evans now says he cannot state from memory what portions of the work were inspected and measured by him. This of course is not to be wondered at. On 27th, 28th, 29th January, Mr. Evans remarks in his diary that nanel at Madavacurichi and Karupur is growing satisfactorily.

11. On the 5th April 1877 Sub-Engineer Muniappa Pillay took charge of the Udiarpoliem Range.

12. The work having been stated to be complete, and being entered in the progress report for April 1877, signed by Sub-Engineer Muniappa Pillay as "almost completed," it was clearly this subordinate's duty to have checked the work and settled with the contractor. No step in this direction seems to have been taken by the Sub-Engineer himself, though in May 1877 a Sub-Overseer made some measurements to be presently referred to. On the 19th October 1877 the contractor petitioned Captain Morris, R.E., then Acting District Engineer, for payment of the balance due to him, stated to be Rupees 1,800. This petition was sent for report to Sub-Engineer Muniappa Pillay, who replied in a long letter throwing doubt on the amount of nanel which should be paid for, as Colonel Vertue's instructions were that only such nanel as grew properly was to be paid for. The Sub-Engineer does not state that he had made any measurements or in any way checked the contractor's work himself, but refers to measurements made by a Sub-Overseer, Thavacoty Pillay, which he states prove that "nanel plantation to the extent of Rupees 1,210-7-4 only is growing." The Sub-Engineer concludes by stating that, in his opinion, the contractor had been paid as much as he was entitled to. This opinion unsupported by measurements checked by himself, to show the extent of nanel growing at the time the measurements were made, is, in my opinion, worthless.

13. Captain Morris' reply to this letter was a memorandum* addressed to the Sub-Engineer, in which he is informed

* Dated 21st January 1878.

that the extra planting ordered by Colonel Vertue should be paid for, and that as regards work on the original estimate, the Sub-Engineer is to do his best to arrange the matter amicably with the contractor.

† Dated 24th January 1878.

In reply† Muniappa Pillay points out that the original estimate had not been cancelled, and says he will endeavour to arrange the matter. The contractor, on the

25th February, again petitioned Captain Morris for a settlement, and Captain Morris endorsed this petition to the effect that the Sub-Engineer had been ordered to pay for the extra work ordered by the late District Engineer; but Captain Morris gave no reply regarding the sum claimed as balance of the original estimate. On the 25th February 1878 Sub-Engineer Muniappa Pillay reports that he has paid Rupees 162-13-6 for the extra work. This was measured by Sub-Overseer Thavacoty Pillay, who reports that the measurement was "entirely based on the guidance of his last visit," as the nanel had all been covered with silt. The planting in this case at least answered its purpose. In his petition to me the contractor claims Rupees 400 for this extra work, but as no sum was claimed in his previous petitions to Captain Morris, and as the receipt he gave was for *final* payment on this account, I do not think anything more should be paid.

14. As regards the sum claimed as balance of the original estimate, I think that the contractor should be paid the balance of the estimate without sundries, as revised by Mr. Evans under Colonel Vertue's orders, viz., Rupees 3,216-10-4 — Rs. 1,500 = Rupees 1,716-10-4. There seems to be no reason to doubt that the contractor worked in good faith, and that Mr. Evans, though prevented from or neglecting to take proper measurements, was yet satisfied with the work done. Sub-Engineer Muniappa Pillay, who relieved Mr. Evans on 5th April 1877, should at once have made the necessary measurements, and I do not think we could base a refusal to pay on the unchecked measurements of a Sub-Overseer.

15. The contractor's claim cannot be supported by any measurements whatever, and I request the favor of orders on the subject.

SUBMITTED to Government.

In this letter the Superintending Engineer reports on claims made by a contractor named Mannarsawmy Iyer on account of nanel planting on the left side of the Coleroon in the Trichinopoly District.

2. Mr. Rundall's report is so full that it is unnecessary to do more than very briefly recapitulate the leading features of the transactions:—

1st.—Sometime in 1876 an estimate of Rupees 3,300, of which only a rough copy is to be found, was framed by Sub-Engineer Syed Yusuf for the planting of nanel.

2nd.—In connection with this estimate a contract was entered into in November 1876 by Overseer Manikam Pillay, then temporarily in charge of the range. The contract was not submitted to the District Engineer for approval, and it referred to a specification which was not drawn up.

3rd.—Mr. Evans, Assistant Engineer, took charge of the range on the same day as the date of the contract, and he states that he was directed by the late Colonel Vertue to revise the estimate. The only revision made appears to have been in the manner of doing the work. This estimate was sanctioned by the District Engineer in March 1877, that is several months after the date of the contract. The work was inspected by the District Engineer, Mr. Evans being with him, in January and February 1877, and some additional or extra work in the 68th mile was then ordered to be done.

4th.—No measurements of work done by the contractor appear to have been taken, but on the 31st March 1877 a part payment of Rupees 1,500 was made by Mr. Evans. That it was a part payment is shown by the receipt.

5th.—The contractor states that he finished the work on the 20th December 1876, and that the reason why he was not paid more than Rupees 1,500 was because there was no more money available. This was the amount appropriated to the work in 1876-77.

6th.—In April 1877 Sub-Engineer Muniappa Pillay took charge of the range, and in the progress report for April the work was noted as "almost completed." In May 1877 some measurements were taken by a Sub-Overseer.

7th.—In October 1877 the contractor petitioned Captain Morris, the then District Engineer, for payment of Rupees 1,800, the claim was referred to Sub-Engineer Muniappa Pillay, who took no steps personally to verify the work done, but referred to the Sub-Overseer's measurements as showing that nanel of the value of Rupees 1,210-7-4 only was growing.

8th.—In February 1878 the contractor again petitioned Captain Morris, who informed the contractor that the Sub-Engineer had been directed to pay him for the extra work, and Rupees 162-13-6 were paid on this account, but nothing was done to settle the contractor's claim on the original estimate.

3. The Superintending Engineer recommends the payment to the contractor of Rupees 3,216-10-4 less the 1,500 rupees already paid, the difference between the 3,216-10-4 and the 3,300 rupees of the contract of November 1876 being due to the striking out of sundries when the estimate was revised by Mr. Evans under the late Colonel Vertue's order; but the undersigned considers that the contractor has been very badly treated, and that he should receive the 1,800 rupees claimed by him with interest at 5 per cent. from the 1st May 1877, by which date at latest his work ought to have been finally examined and his claims settled.

4. In paragraph 6 of his letter the Superintending Engineer remarks that Mr. Evans had in November 1876 only recently arrived from England, but the Departmental list shows that he was posted to Trichinopoly in December 1875, so he ought by November 1876 to have become acquainted with the ordinary duties of a Range Officer. Muniappa Pillay is no longer in the department, he having died just when his dismissal from the department had been approved by Government, or it would certainly have been recommended that he should be required to pay the interest now proposed to be allowed to the contractor, as some compensation for the trouble he has had in obtaining a settlement of his claims, and for being kept out of his money so long.

5. It will be necessary to authorise the Examiner of Public Works Accounts to pass the whole of the expenditure without completion certificate, as no measurements are in existence except those taken by a Sub-Overseer long after the work was done.

6. The submission of the Superintending Engineer's letter has been delayed, as it was supposed that specific instructions regarding nanel planting had been given to the District Engineer, but it is found that

* 1878.
Proceedings, Madras Government, No. 766 I., these were of later date* than the period
3rd October 1878. referred to in these transactions.

(Signed) JOHN MULLINS, Col., R.E.,
Chief Engineer for Irrigation.

No. 16. ORDER THEREON, 4th September 1879, No. 491 I.

THE circumstances reported on in the foregoing papers show that for a period extending over fully two and-a-half years, the claims of a contractor, who had undertaken in November 1876 the planting of nanel in the Coleroon, were left without proper investigation, and that at the time the work was done the duty of its examination was neglected successively by Mr. Evans, Assistant Engineer, and by Muniappa Pillay, a Sub-Engineer, who succeeded him in the charge of the range. Also that the District Engineers, the late Colonel Vertue and Captain Morris, neglected to exercise any proper control over the Range Officers, or to ascertain for themselves what the circumstances were.

2. The recommendations of the Chief Engineer for Irrigation that the contractor should be paid Rupees 1,300, the balance due on the work included in the original estimate, together with interest at 5 per cent. on this amount from the 1st May 1877 are approved, and had Muniappa Pillay been still in the department he would have been required to pay the interest as a punishment for his neglect.

3. The Examiner of Public Works Accounts is authorised to admit the expenditure without the usual completion certificate.

4. These Proceedings will be communicated to all Superintending Engineers, who will take care that Divisional Officers and their subordinates are warned that neglect to measure and check the measurements at the proper time, of work done, will entail personal responsibility for claims which cannot be supported by proper vouchers; and that interest will be awarded, at the expense of the members of the department concerned, to contractors whose claims are improperly and unnecessarily left unsettled.

(True Extract.)

(Signed) JOHN MULLINS, Colonel, R.E.,
Joint Secy. to Govt., P.W.D.,
Irrigation Branch.

To the Superintending Engineer, Fifth Circle.

To other Superintending Engineers.

To the Chief Engineer for Irrigation.

„ Chief Engineer, Public Works Department.

„ Examiner of Public Works Accounts.

Ed. S. T. Austin.

Spare Copies

IRRIGATION.
ACCOUNT.

Cont. of 1879; Madras.
PUBLIC WORKS.

To
THE SUPERINTENDING ENGINEER,
FIFTH CIRCLE,
&c., &c., &c.

Dated September 4th.

Issued

Recd.

Encl.

G. O., 4th September 1879, No. 431 I.

SEPTIMINE.

Nov. 15-16.

Claims of a certain Contractor for planting
Naul in the Coleroon.—Approves with
remarks the recommendations of the Chief
Engineer for Irrigation for the settlement
of the —

GOVT.
OF MADRAS.

188 .

P.W.
DEPT.

SECRETARY.

Chepauk, 11th March 1881.

OFFICE NOTE.

To

W

From S. E. III Jw

2025 T. J. g 24^o

Feb. (received 10^o

March) -

The required allotment
will be given at once,
but it appears from
that some further notice
should be taken.

It is most comprehensive
that an officer should
consider himself justified
in withholding from

676W

cookies for fairly canned
of them, because certain
principles with which
they have nothing to do,
have not been complied
with.

The orders on the subject
are as clear as they can
be, and there is no
cause whatever -

S

W

Divine notice
should certainly
be taken of the
remarks circulated
to all of mine in
anticipation of
private order
Please see to this

11/3/80 ~~W~~