

[For Heads of Departments.]

Circular No. X Public Works.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

Simla, June 26, 1882.

The Governments of Madras, Bombay, Bengal, North-Western Provinces and Oudh, and the Punjab, in the Public Works Department.  
The Chief Commissioners, Central Provinces, British Burma, Assam and Coorg.  
The Resident at Hyderabad.  
The Accountant General, Public Works Department.

The following is forwarded to the Local Governments and Administrations and Officers marginally noted for information, in continuation of Public Works Department Circular No. 93 of 2nd November 1878.

By order,

A. B. SAMPSON,

Under Secretary.

No. 1600, dated 9th June 1882.

RESOLUTION—By the Government of India, Department of Finance and Commerce.

Read again—

Financial Resolution No. 2679, dated the 31st August 1878, prescribing rules to regulate the powers of Local Governments to sanction special additions to salaries which are not authorised by any general or special orders of the Government of India.

RESOLUTION.—In the above Resolution the Government of India declared that, unless in any particular case it be otherwise distinctly provided, the whole time of a public officer must be held to be paid for by the State; and an officer may be employed, in any manner required by proper authority, within his own branch of duty, without any claim to additional remuneration, whether the services rendered were such as might ordinarily be paid for from the Imperial or Provincial Revenues or from any Local Fund. But in order to obviate the necessity of frequent references to the Government of India, rules were framed under which, in certain cases, Local Governments might sanction an addition to the pay of any officer, employed under its orders, for the performance of any special duty outside the duties of his regular appointment, as a charge against any fund administered under the Local Government, including Municipal or Port Trust Funds or Wards' Estates; it being, however, provided that in cases not covered by existing special orders, the sanction of the Government of India should be obtained to the grant of remuneration in addition to the fixed pay of any public officer.

2. The Governor General in Council observes that the principle of these rules appears to be thoroughly sound. But in determining whether the duty, for which an addition is proposed to the pay of any officer employed for the performance of any special duty, is or is not outside the duties of the officer's regular appointment or beyond his regular office duties, the mode of applying these rules in particular cases has been called in question.

3. For example, it has been argued that the supervision of municipal works lay properly beyond the sphere of duty of an Executive Engineer, and that he was accordingly entitled to an addition to his pay for the performance of such duties, although, as a matter of fact, it is very important to have municipal work well done, and Government is strongly interested in securing the best and broadest utilisation of municipal funds.

4. As it appears desirable that all doubts on this point should be removed, the Governor General in Council is pleased to declare that all municipalities and funds administered under a Local Government, including Port Trust Funds and Wards' Estates, are entitled to the gratuitous advice and services of officers of the Public Works Department, and of all Government Medical, Sanitary and Educational officers, when these can be given without detriment to the public service.

5. It will rest with Local Governments in each case to decide whether this last condition is fulfilled, and to indicate in each instance to what officer application for advice or assistance should be made.

6. When a municipality or fund has its own Engineer or Manager, it would probably only desire to *consult* some superior officer of the Public Works or other Department. In other cases more direct supervision and assistance might be considered desirable, and should be freely given without charge, if the Local Government decide that such supervision and assistance can be given without detriment to the public service.

7. These orders are not intended to affect any Government officer who as a Director of a Railway Company, or as a member of a Town Council or Port Trust (Government Director of the Darjeeling Railway, Chairman and Vice-Chairman of the Rangoon Port Trust), &c., is under any special or local law entitled to receive fees or other remuneration for attendance at meetings of Railway Directors or of Port Commissioners, &c., for the transaction of business.

8. The provisions of the rules of August 1878, under which Local Governments are authorised to sanction special additions to salaries which are not authorised by any general or special order of the Government of India, are hereby withdrawn.

GOVERNMENT OF INDIA.  
PUBLIC WORKS DEPARTMENT.  
GENERAL.

To

Circular No. X Public Works.

Dated Simla, June 26, 1882.

Received

1869 W  
21-7-82

Rules that all Municipalities and Funds administered under a Local Government, including Port Trust Funds and Wards' Estates, are entitled to the gratuitous advice and services of officers of the Public Works Department, and of all Government Medical, Sanitary and Educational Officers, when this can be given without detriment to the public service.

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*1869 hr 2/21-7-82*  
*Comd to the Officer*  
*of the P.W. Dept*  
*Ad. R. I.*  
*hr*

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No 1869 W. 27/21 July 1882

Communicated to officers of the P. W. Dept. for information & guidance.

2- The Secretary to the Code Committee with  
lath steps for the issue of the necessary Standing Orders—(Ind) P. L.  
Sy: W-

Vide Code (P.W.) Para  
660 & 661 - 5-11-82

S. Es.

C. E. for I.

C. A. to Govt.

Genl. Supt. P. W. Stores & Workshops  
Examiner P. W. A-

24-2-17

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