Archives I—10,006—16-8-77.

(1) Number of pages 50.

(2) Date of repair 3.3.87

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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P. W. - DEPARTMENT

G.O. No. 456 W ? Press.
B.P. No. Mis.

Dated 20. 2. 1882 ~~197~~.

Appt

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

456
1

20th February 1882, No. 456 W.

Buildings and Roads.
Civil Works.

Read the following papers :—

No. 86. From the Superintending Engineer, Fourth Circle, dated 30th January 1882, No. 43.

No. 86-A. Endorsement of the Judicial Department on letter No. 148, dated 28th January 1882, from the Acting Registrar of the High Court of Judicature, Madras, dated 31st January 1882, No. 101.

No. 87. ORDER THEREON, 20th February 1882, No. 456 W.

THE correspondence quoted above has arisen in consequence of an alteration made by the District Judge to the Session's Court at Salem.

2. The building was, it is stated, in course of repair by the Public Works Department when the District Judge requested the Executive Engineer to block up the door leading to the Court record-room and to open out another doorway into the verandah.

3. The Executive Engineer seems to have raised no objection to the opening out of the new doorway when originally proposed, and the District Judge, acting under a misapprehension of the circumstances, ordered the work to be carried out by his own agency, without first communicating with the Public Works Department.

4. When almost completed the work was abruptly and forcibly stopped by the Executive Engineer, who also failed to inform the District Judge of the action taken or of his reasons. Thereupon several letters passed between the officers concerned, the tone of which is objected to by the recipients.

5. The objection to the work seems to have been raised by the Superintending Engineer on the occasion of his inspection of the building, and during the absence of the District Judge on circuit, and was based on engineering grounds. The Superintending Engineer, moreover, considered that the District Judge was not warranted in making an alteration of this character in a public building.

6. His Excellency the Governor in Council remarks that G.O., No. 647 W., dated 11th March 1881, lays down that "wherever practicable the opinion of an officer of the Public Works Department should be obtained before alterations are made to an existing building," and from the correspondence now before Government it would appear that insufficient attention was given to this ruling by Mr. Wilkinson.

7. The subsequent action of the Superintending and Executive Engineer erred in much the same way, no sufficient notice being given to Mr. Wilkinson of the objections entertained towards placing any door in the verandah.

8. The Government consider that the principals in this case have not shown the discretion and courtesy which might reasonably be expected from officers occupying such responsible positions, and have by their proceedings necessitated a reference to both the High Court and Government on a question of the most trifling importance.

(True Extract.)

(Signed) R. H. SANKEY, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintending Engineer, Fourth Circle.
" Judicial Department.

Exd. S. T. Austin.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1882} Madras.

PUBLIC WORKS.

To

THE SUPERINTENDING ENGINEER,
FOURTH CIRCLE,
&c., &c., &

Dated February, 20th.

Issued.

Read.

Encl.

G.O., 20th February 1882, No. 456 W.

FEBRUARY.

Nos. 86-87.

Session's Court at Salem.—Passing orders garding the correspondence between the ublic Works Officers, and the District dge relative to the opening of a doorway the —.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

2nd October 1879, No. 2,483 W.

General.
Establishment.

Read the following paper :—

No. 2-J. From Major P. MONTGOMERIE, R.E., Acting Superintending Engineer, Fourth Circle, to the Chief Engineer, Public Works Department, dated Coimbatore, 10th September 1879, No. 572.

WITH reference to your memorandum No. 2,832, dated the 27th ultimo, which was received under a cover marked confidential, I have the honor to submit a statement showing the present and proposed strength and distribution of the Executive and Upper Subordinates Establishments in this Circle, including the Bangalore Division, which has been prepared in accordance with your instructions and the requirements of the new divisions.

2. The following is an abstract of the result of the scheme.—

—	Executive Engineers.	Assistant Engineers.	Sub-Engineers and Supervisors.	Overseers.
Present	8	3	10	43
Proposed	5	4	7	31
Difference ...	—3	+1	—3	—12

3. In this statement I have entered the names of the members of the Upper Subordinate Establishment who, in my opinion, should be retained; but I have omitted the names of the officers of the executive establishments, as I have not been informed who are the individuals whose services the Government have decided to dispense with.

4. On your approval of the suggestions sketched out in this statement, and on receipt of detailed instructions, I shall be in a position to make the necessary proposals for the corresponding reduction in the office establishment.

5. I have not yet been informed whether Government intend to retain the services of any of the permanent petty establishment, or to dispense with them entirely.

6. In regard to the curtailment of the work to be performed in future by this department, which is rendered imperatively necessary by the extensive reductions ordered in the establishment, I am of opinion that this might be more satisfactorily performed by limiting the class and description of the works themselves, than by entirely eliminating professional advice and assistance from whole tracts of country. In any case repairs and even new works to a considerable extent must be carried out by each department concerned, unless the country is to be allowed to fall into a state of ruin and decay.

7. The concentration in particular localities of the remaining establishment of the professional department, which must always be highly paid, and consequently expensive, would merely be perpetuating the evil which now necessitates the reduction of the department to more moderate dimensions. It is the necessary costliness of work executed by a trained professional department and not the inefficiency or inability of the Public Works Department, if properly strengthened to perform a certain task, that can be complained of. Such an assertion could only be made by the ignorant or misinformed. If it does not pay to employ a separate department of public works to carry out all the petty new works and repairs throughout the Presidency (which might just as well be carried out by the departments concerned), the limiting of the process to any particular locality must be equally uneconomical.

8. I would not therefore attempt to maintain any particular district or locality in a thorough state of conservancy as to its roads, buildings and irrigation works by means of the regular Department of Public Works alone, except perhaps in the irrigated deltas and large systems of irrigation. In all other localities I would utilise to the best advantage such Engineer establishment as the Government can afford to maintain, for rendering advice and assistance to all departments of the State, in the execution of repairs and petty new works, and for accounting for expenditure on the same to Government; and they should be responsible for the proper design and execution (as well as the maintenance) of only works of importance, and the proper record of all schemes which have been proposed for the development of the resources of the country.

9. With this view I would venture to make the following suggestions for your consideration. That the Public Works Department as reconstituted shall be considered to be only in charge of, and responsible for, the proper maintenance of—

(*a.*) selected Local Fund roads, such as ghauts, &c.;
(*b.*) all important bridges which have been constructed at a cost of Rupees 25,000 and more;
(*c.*) all Government buildings of a greater value than Rupees 10,000;
(*d.*) all *important* irrigation systems without exception; and,
(*e.*) all tanks and minor irrigation channels which irrigate 100* acres and more. Although the Public Works Department will not be responsible for irrigation works which irrigate less than 100 acres, it will of course be their duty to ascertain the condition and circumstances of all such works that affect the safety of the irrigation works under their own charge and prepare plans and estimates for them, the repairs to be carried out by the Revenue Department or the individuals responsible, and the new works by the Public Works Department.
(*f.*) The actual execution of repairs and new works might be carried out, to the following extent, by other agency, except on minor irrigation works, irrigating less than 100 acres, where all repairs should be carried out by other agency and new works by the Public Works Department:—

LOCAL FUND WORKS

Repairs to any extent—except those specified in (*a*) and (*b*).
New Works.—Not exceeding Rupees 5,000—except with the permission of Government.

OTHER FUND WORKS.

Repairs up to Rupees 1,000.
Minor New Works.—Not exceeding Rupees 200—except with the approval of Government.

10. Having suggested what, in my opinion, should be the scope of the future operations of the department, I have the honor to make a few remarks as to the territorial limits most suitable for this and the adjacent circles. In the 15th paragraph of your memorandum you hint at the possibility of an increased number of

* In the Salem District there are 1,510 tanks, of which 171 irrigate more than 100 acres; and in Coimbatore there are 181 tanks, of which 66 irrigate more than 100 acres.

circles, but in a Resolution of the Government of India, which has lately appeared in the public newspapers, I observe that it is the intention of the Government of India to still further reduce the number of Superintending Engineers in the Madras Presidency to four. Whatever be the number of Superintending Engineers allowed to this Presidency, the circle to be superintended by any one officer should be limited by the work to be performed and the possibility of a man of ordinary activity making at least one inspection of the whole circle in the year.

11 The redistribution of divisional charges made in your memorandum appears to be judicious, and I am of opinion that if the work to be required in future from this department is limited to what is really professional, the establishment proposed will be sufficient. I would however suggest the following slight modifications in the arrangements proposed in your memorandum:—

(*a.*) That as the Cannanore Division is very inaccessible, the officer in charge should have the powers of a Superintendent of Works.
(*b.*) That the Hassanoor Ghat Road, which is in the Satyamangalam Taluk, should remain under the charge of the Coimbatore Division officer for the convenience of payments and inspection. The foot of the ghat is only nine miles from the Satyamangalam Treasury, and the whole road is separated from Collegal by many miles of jungle.
(*c.*) That the combined Bangalore and Oosoor Division belong to the Third Circle, and that Utankarai Taluk be replaced in Tirupatur Sub-Division.

12. I have made the last suggestion for obvious reasons. Bangalore is much more conveniently situated for an inspection from Madras than from Coimbatore. The Third Circle is the smallest in the Presidency. And the drainage of the Oosoor Division does not belong to the basin of the Cauvery in which this circle is principally situated. If the Oosoor Division be handed over to the Third Circle the southern portions of the South Arcot District, which are irrigated direct by Cauvery water, might be handed over to the present Fifth Circle, and the districts of Tinnevelly and Madura formed into a separate circle, to be in charge of a first-class Executive Engineer until Government can afford to pay for a Superintending Engineer.

13. I have now only to refer to the points noticed in paragraphs 11 to 14 of your memorandum, viz., the organisation of the Superintending Engineer's office and the technical work required to be performed in it. In a previous communication I have expressed my decided opinion in favor of a properly qualified manager for the office, he need have no technical knowledge whatever, in fact he would perform his duties much better without any. Such a man would methodise and reduce the work in a Superintending Engineer's office to a minimum. The technical branch of the office should however be strengthened, and it should generally be in charge of a man who has had some practical experience in the field and who is a good draughtsman.

14. In connection with the technical work to be performed in Superintending Engineer's office is the very important subject of the proper maintenance of complete records of all important works and projects, especially those that are fitted for Famine Relief Works. These, in my opinion, should be preserved in the offices of Superintending Engineers. The fair copies sent up to Government would of course be carefully lodged by the Chief Engineer, but it would require the local knowledge of the Superintending Engineer to utilise these records, when the necessity arose. I would therefore suggest that some more definite instructions than those contained in the Public Works Code be issued with reference to this important point.

No. 2-K. ORDER THEREON, 2nd October 1879, No. 2,483 W.

ON further consideration His Grace the Governor in Council determines to direct the amalgamation of the Oosoor Division with Salem instead of with Bangalore, thus forming the Salem District into a single division.

2. The Erode Division will be amalgamated with Coimbatore, Wynad with Canara, and Calicut with the Nilgiris; and the Superintending Engineer will take immediate steps for carrying out these amalgamations.

3. The accounts of the amalgamated divisions will be dealt with in communication with the Examiner of Public Works Accounts, in accordance with the instructions issued at the time of the re-organisation of the department under the terms of G.O., No. 3,674 W., of 18th September 1878.

4. The class of the amalgamated divisions as regards establishment and the officers who will assume charge of them will be as follows :—

Salem-Oosoor, second, Mr. Bell, (on relief from the charge of the Tindivanam Division.)
Canara-Wynad, second, Mr. Grimes.
Nilgiri-Calicut, first, Major Morant.
Coimbatore-Erode, second, Captain Awdry.

The head-quarter of the Nilgiri-Calicut Division will in future be at Calicut.

5. The Superintending Engineer will take immediate steps for reducing the cost of the office establishments of his circle to the amount allowable for the divisions which it includes, on the scale fixed by the order quoted above.

6. It is not desired that the number of individuals should be reduced, or their pay raised, to correspond with the above scale, but merely that the total cost of the establishments is to correspond with it. It will be left to the Superintending Engineer to select the individuals whose services are to be permanently retained under the new arrangements, but he will be guided in his selection by the following principles :—

First, all men over 55 years of age and, second, all incompetent men should be at once given one month's warning of the intention of Government to dispense with their services.

All men not included in either of the above classes, but for whom room cannot be found in the new permanent establishment, should be warned that Government reserve to themselves the right of dispensing with their services without further notice, on such terms as may hereafter be decided on.

7. The men thus warned for discharge should be by preference those who have been but a short time in the service, and who have no claim to pension, but competence and good conduct must in all cases be taken into consideration.

8. The Superintending Engineer will submit, for the consideration and final orders of Government, a list showing the numbers of the office establishment to be—

(*a*) permanently retained,
(*b*) warned for immediate discharge,
(*c*) warned for discharge at the pleasure of Government ;

his reasons for the selection being briefly stated in each case, but action in the matter need not be deferred until the orders of Government are received.

9. The proposals contained in the Superintending Engineer's letter now under consideration are generally approved, but the actual transfer of works to other agency must await the result of the discussion with Presidents of Local Fund Boards ordered by G.O., No. 2,428 W., of 25th September 1879 ; rules will be framed hereafter regarding the charge of irrigation works ; for the present these must be dealt with by the Public Works Department. As regards Local Fund Works in the Malabar, Canara and Coimbatore Districts the Government desire that the Public Works Department retain charge of the main ghat road from the Mettapolliem to Ootacamund, and of the Gudalur and Carcoor ghats, making over the others to the Local Fund Boards, but the matter will be left in accordance with the Government Order above quoted, to the decision of the Superintending Engineer and President, Local Fund Board.

10. From and after the 31st December next, the execution of ordinary repairs to civil buildings and the construction of petty or temporary buildings of all classes limited to 1,000 Rupees in each case in all districts will be entrusted to the departments concerned, the balance of the budget grants for the year being placed at the disposal of the local heads of departments, and in future years these petty construction and repair works will be provided for in the Civil Budgets, and not in those of the Public Works Department.

11. Improvements, new works, and special repairs, will, as a rule, be carried out by the Public Works Department.

12. The Superintending Engineer will submit definite proposals for the strength and distribution of the Upper Subordinate Establishment of his circle, but the total strength of this establishment will not exceed six Sub-Engineers and Supervisors (together) and thirty-three Overseers.

13. The Government will be prepared to consider favourably an application for the temporary retention of such extra subordinate establishment as may be necessary for the completion of works now in progress in the areas or of the classes to be given up. Every effort should be made to finish works and transfer charges to the agency selected by the end of 1879, but special works and the necessary establishment for their completion may be retained till the end of the official year if necessary.

14. The Government desire to get rid as soon as possible of the permanent petty establishment, and every endeavour should be made to induce its members to retire, but they are not at present prepared to order the dismissal of any individual; no new appointments are to be made to this establishment.

15. Consideration of the remaining points referred to by the Superintending Engineer must be deferred for the present, as it is considered desirable to postpone decision upon points regarding Superintending Engineers and their establishments until the new executive arrangements have been got into working order.

(True Extract.)

Major, R.E.,
Ag. Under Secy. to Govt., P.W.D.

To the Superintending Engineer, Fourth Circle.
" Chief Engineer for Irrigation.
" Examiner of Public Works Accounts.
" Financial, &c., Departments.
" Revenue Department.
" Military "
" Inspector General of Police
" do do of Jail
" Post Master General
" Superintendent Telegraph Road Cess Department

Exd. S. T. Austin.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of (1879) Madras.

PUBLIC WORKS.

To

The SUPERINTENDING ENGINEER,
FOURTH CIRCLE,

&c., &c., &c.

Dated

Recd. Encl.

G. O., 2nd October 1879, No. 2,483 W.

OCTOBER.

Nos. 2-J.—2-K.

Reductions in the Fourth Circle, Public Works Department.—Orders regarding the —

456
5

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

11th March 1881, No. 647 W.

Buildings and Roads.
Civil Works.

Read the following paper:—

No. 29. From Major H. M. VIBART, R.E., Superintendent of Works, Presidency, to the Chief Engineer, Public Works Department, dated Chepauk, 7th March 1881, No. 4,477.

WHILE inspecting works near the Custom House a few days ago, I observed that a wooden verandah was being put up on the upper-story of the Sea Custom House, on the east side of the Collector's room. I am not sure that I am called upon to interfere, but being uncertain on this point, I think it as well to draw your attention to it. A plan of the verandah is enclosed. It will be seen from this that the new verandah rests on the terraced roof which is supported on large beams. These beams have at some former time sagged and are propped up by cast-iron posts. As the south-east corner of the verandah is a masonry pillar, some 3 feet high, built on the terraced roof and supported by a joist only, I hardly think it was advisable to build the verandah in this way. The amount of the estimate is below Rs. 1,000, but nearly amounts to that sum. It was passed by the Collector of Sea Customs about the middle of January.

2. It seems to me that estimates for all new work to a building in the charge of the Superintendent of Works, Presidency, should be sent to him for an opinion as to its advisability. I beg to request instructions on this point.

No. 30. ORDER THEREON, 11th March 1881, No. 647 W.

THE Collector of Sea Customs will be directed, in the Revenue Department, to place himself in communication with the Superintendent of Works, Presidency, who will advise him as to the best mode of guarding against any danger caused by the alterations recently made.

2. With regard to the general question raised by the Superintendent of Works, the Government consider that wherever practicable, the opinion of an officer of the Public Works Department should be obtained before alterations are made to existing Government buildings.

(True Extract.)

(Signed) R. H. SANKEY, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintendent of Works, Presidency, with the Plan.
" Revenue Department.
" Public, &c., Departments.
" Military Department.
" Superintendents of Works, Godávari and Kistna.
To Superintending Engineers.
To the Consulting Arthitect to Government.

Exd. S. T. Austin.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of [1881] Madras.

PUBLIC WORKS.

To

THE SUPERINTENDENT OF WORKS,
PRESIDENCY,

&c., &c., &c.

Dated March, 11th.

Issued

Read. Encl.

G. O., 11th March 1881, No. 647 W.

MARCH.

Nos. 29-30.

Sea Custom House, Madras.—The Collector of Sea Customs to place himself in communication with the Superintendent of Works, Presidency, as to the best mode of guarding against any danger caused by the alterations recently made to the —.

No. 25.

District Court, Salem
18th January 1882.

A 56/6

From

The Sg. District Judge,
Salem

To

The Executive Engineer,
Salem

Sir,

I have the honor to request that you will forward the doors belonging to the Record Room of the Court recently repaired, and which I learn with surprise you have caused to be removed without consulting me.

I have also the honor to request that you will state on what grounds you have prevented the Maistry and Workmen employed under my orders, from performing the work — ordered without making any reference on the subject to me.

I have the honor to be,
Sir,
your most obedient servant,

Acting District Judge

No. 26

District Court, Salem
18th January 1882.

456/7

From

The Ag. District Judge.
Salem.

To

The Executive Engineer.
Salem.

Sir,

I have the honor to acknowledge the receipt of your letter No. 515, of this date, the wording of which is so objectionable that I must decline to put it on the file unless altered. The words which I object to in the 1st Para are "you have taken upon yourself." I am convinced you will see on reflection that this is not the way to address me in my position as District Judge.

I take objection to the whole of the 2nd Para. I am not under the orders of the Superintending Engineer as you seem to imply. By G.O. 2483 W. dated 2nd October 1879.

1879. alterations &c to Civil Buildings to the value of Rs: 1000 and under, are to be executed by the Officer in charge of the building, and not by the D. P. W. and under the authority of that order I am carrying out an alteration in the Court House which had your sanction. I feel sure that you will on reflection see that the threat contained in the last para of your letter is most improper. I am at a loss to surmise what is meant by "the Establishment" with which I am said to have interfered. I return the letter herewith

I have the honor to be,
Sir,
Your most obedient Servant.

Acting District Judge

Supy Engrs Office, 4th Circle
No. 28/58 Coimbatore, 23 January 1882.

A52/8

To.
The Ag. District Judge
Salem.

Sir,

Referring to your Memos Nos. 25 and 26 dated the 18th January 82 addressed to the Executive Engineer Salem Copies of which he has forwarded to me I have the honor to request that you will in future as ordered in G.O No. 1708 dated 16th July 1870 and G.O. No. 2233 of 16th September 1870, when addressing an Officer of this Department use the letter form. I have further to call your attention to the style in which you have

Chosen to address the Executive Engineer and trust that you will on reconsideration be willing to withdraw them.

2. With regard to the doorway &c that you have thought right to open out I have the honor to point out that the G.O. that you quote No. 2483 W dated 2nd October gives you no authority whatever to make any alterations in the Court House at Salem para 10 of that order only orders that "the execution of ordinary repairs to Civil buildings and the Construction of petty or temporary buildings of all Classes &c &c

be

be carried out by the Department concerned.

456/9

Again G.O. No. 647 W dated 11th March 1881 para 2 order that before alterations are made to Existing buildings when practicable the opinion of an Officer of the P.W. Department should be obtained.

In this case not only have you taken on yourself to alter a public building without authority but you have done so against the professional opinion of this Department and this when the building in question was being repaired and in the Charge of this Department.

3. With regard to your action in opening the new door as you have done I have no cause but to refer the matter to Government

but before doing so I shall be much obliged if you will reconsider your Correspondence as I have no wish to foward Copies of it to Government which will be my duty to do unless it is reconsidered.

I have &c

(sig) A. R. Mead Major R.E.
Supg. Engr. 4 Circle.

/True Copy/

Mead Major R.E.
Supg Engineer 4 Circle.

Cus. 2.
No. 41.

District Court, Salem
26th January 1882

456/0

From

The Acting District Judge,
Salem.

To

The Superintending Engineer,
IV Circle
Coimbatore

Sir,

I have the honor to acknowledge receipt of your letter No. 28/52 of the 23rd Instant.

2. I observe that G. O. of 16th September 1870 (G. O. 1708 of 16th July 1870 does not appear to have been communicated to this Court) directs that correspondence between "Officers of the P. W. D. and of the Revenue and Judicial Departments should be conducted by letter." This I was not aware of. I beg to apologise for addressing the Executive Engineer by Official Memo. and request that the enclosed letters may be substituted for the said Memos

3.

3. With regard to Para 2 of your letter, I have to inform you that though, G. O. 647 of 11th. March 1881 not having been communicated to this Office, I was not acquainted with its provisions. I understood from Mr. Bell's letter of the 14th. November last that he approved and intended to carry out my suggestion. Mr. Bell himself, I believe marked out the proposed door-way, and had the frame placed in position.

4. With reference to your remark that I "have taken upon myself to alter a public building not only without authority, but against the professional opinion of the Department, and this when the building was being repaired, and in charge of the Department", I have the honor to remark that the only "alteration" (if alteration it can be called) which I have carried out "to the District Court House" is that I have opened a doorway in place of the one which the Executive Engineer in communication with me closed - "The professional opinion of the Department" was not

not conveyed to me, until the doorway was on the eve of completion, viz: in Mr. Bell's letter of 18th. Instant which was a reply to my No. 25 of same date. The building in question was not under repair, nor in charge of your Department when I had the doorway opened, for on the 7th. instant Mr. Bell wrote to me "the rooms taken up for repair by this Department are ready for occupation", and on the 11th. instant I occupied them. Had I been informed that in your opinion the opening of the door was 'unsafe' (Vide Mr. Bell's letter of 18th. instant which is I presume the professional opinion you refer to) it is hardly necessary to state that I should not have undertaken the work. Mr. Bell did not inform me in his D. O. (to which he refers in Para 1 of his letter of the 18th. instant) that you "objected to the door being opened", but merely stated that you had decided that the work should not be carried out by your Department. This I understood to mean that as the work had not been provided for in the Estimate, you declined to execute it. I therefore

on

on the authority of G. O. 2483 W. carried out the work submitting an estimate to the High Court for sanction.

5. Mr. Bell's conduct in forcibly removing the doors from the custody of the Maistry who was working under my orders, without giving me any information, has been already reported to Government, and I request that in making the reference you propose to Government you will forward a copy of this letter.

I have the honor to be
Sir,
your most obedient Servant.

Acting District Judge

Enclosures 1 to 4

In a Letter No. 43
of 30th January 1882
from the Supt. Engr:
4th Circle.

Particulars of
Enclosures

1 Copy of letter No: 28 of 23rd
Jany: 82 from Ch. to Distt.
Judge Salem.
1 original letter No: 41 of
26th Jany: 82, with
2 Enclosures from Distt
Judge Salem to Supt.
Engineer 4th Circle

Supg. Engineers Office, 4th Circle
Coimbatore, 30th January 1882.

No: 43

426/13

From,

The Superintending Engineer
4th Circle.

To,

The Chief Engineer
P.W.D. Madras

Sir,

I regret to have to forward
Enclosures 4
1 Copy of letter No: 28 of 23rd Jany/82 from Ch. to District Judge.
1 Original letter No: 41 of 26th Jany/82 with
2 Enclosures from Distt: Judge to Supt. Engr: 4th Circle
to you for orders the enclosed correspondence I consider that Mr. Wilkinson's Memoranda Nos. 25 Nos. 26 dated 18th January/82 are written in a most objectionable Style and tone and should you agree with me I beg that Government may be requested to direct this Officer to write his Official Communications in a less Arbitrary manner.

Mc

2. Mr. Wilkinson considers that under G. O. No. 2483 W dated 2nd October/99 he is at liberty to make whatever alterations he considers right and that all he has to do is to submit (I suppose after the work has been done) an estimate for the same to the High Court. I have pointed out to him that the order in question gives him no authority for this but I think it advisable that he should be informed what his real powers are by higher authority.

3. The present case is simply this. the roof of the Sessions Court at Salem being in bad order has to be removed and rebuilt. half the work has just been completed the other half will be done as soon as funds are available probably next official year.

The Acting Judge when I visited Salem in December/98 was, I was informed by the Executive Engineer, anxious to have a doorway made from the Verandah into what was a Court record room which he wished to make into a Court Library I believe.

4. In my notes of inspection of the 7th December sent to you on the 10th December I remarked on this and ordered that the alteration should not be carried out.

On this Mr. Bell the Executive Engineer declined to do it.

Mr. Wilkinson however considered himself justified in doing the work himself and as pointed out by the Executive Engineer has done the work without any relieving arch and therefore in an unsafe and improper manner.

5. Mr. Wilkinson is anxious I believe for the present building which was built for 2 Courts to be utilized entirely for his Court the Munsiffs Court is to be held as it now is in a hired building in the town.

I have, of course, nothing to do with the settlement of this question but I must protest against, Mr. Wilkinson without authority making alterations in the Court house to adapt it to his views.

6. In conclusion I forward Mr. Wilkinson's letter to me No. 41 dated 26th January /82 as requested by him. I would remark that in it he in no manner withdraws his objectionable correspondence as I asked him to do nor does he appear to be aware that G. O. No. 2,483 W gives him no authority to make alterations in buildings.

I have the honor to be,
Sir,
Your Most Obt. Servt.

[signature] Major R.E.
Supg Engineer, 4 Circle

From
The Supg. Engineer,
Fourth Circle.

Worth C. No. 661

456 W

G.O. 2483 W. 2.10.79
647 W 11-3-81

Dated 30th
Despd: Do } Jany: 1882.

No: 43
Enc: 4.

District Court House at Salem:—

Forwarding for orders, certain correspondence relative to the — between the District Judge Salem, Ex. Engineer Salem, and the Supg. Engineer; and requesting that Government may be requested to direct this Officer to write his official communications in a less arbitrary manner.

Cir 16/2/82

High Court of Judicature
No. 148 Madras 28 January 1882

CURRENT No. 293

456/17

From
T. Weir Esquire,
Acting Registrar of the High Court of Judicature at Madras.

To,
The Honourable R. Davidson, C.S.I.,
Chief Secretary to
Government.

Honourable Sir,

I am directed to forward for the Orders of Government the accompanying letter dated 21st instant, No. 33, from the District Judge of Salem bringing to notice the conduct of the Executive Engineer of Salem in a certain matter connected with an alteration in the Court-house building.

I have the honour to be,
Honourable Sir,
Your most obedient Servant,

Weir.

Acting Dy. Registrar,
Appellate Side

District Court, Salem
21st January 1882

No. 33.

456
19

From

F. H. Wilkinson Esquire,
Acting District Judge
Salem

To,

J. Weir Esquire,
Acting Registrar, High Court
Appellate Side
Madras

Sir,

I regret to have to bring to the notice of the Honourable the Chief Justice and the Judges of the High Court with the request that they will lay the matter before Government, the conduct of Mr. Bell, the Executive Engineer, under the following circumstances

2. While the repairs of the Court house were in progress I pointed out to

Mr. Bell that the only entrance to the room used as the Court and Bar Library was through one of the record rooms, and requested him to block up the doorway marked D in the accompanying plan and to open another door into the Verandah at E. This was in September last. Mr. Bell blocked up the door at D, removing the frame to the verandah and marking out the new doorway.

3. Nothing more having been done, I on the 9th Instant (when leaving the Station on inspection) directed the Sheristadar to see the Taluq Overseer and to get the work done before I returned.

4. On my return the Sheristadar told me that the Taluq Overseer had been informed by Mr. Bell that the proposed work would not be carried out by that Department.

5. I then ordered the Sheristadar to engage a Mistry to carry out the work, which was done.

6. On the 16th Instant when the work was approaching conclusion, Mr. Bell sent some workmen who, notwithstanding the opposition of the Mistry in charge, forcibly removed the doors to Mr. Bell's bungalow.

7. Astonished that Mr. Bell should have taken such a step without writing to me, I requested him to return the doors and explain why they had been removed.

8. In reply I received a letter in which Mr. Bell accused me of "having taken

upon myself to disobey the orders of the Superintending Engineer" and informed me "that I would be held responsible". As I considered the tone and wording of Mr. Bell's letter improper I returned it to him for correction. Mr. Bell has neither returned the doors nor answered my letter.

9. I gather from Mr. Bell's letter that the Superintending Engineer, Major Mead, recently inspected the Court and objected to a door being opened into the verandah. I was not informed of Major Mead's visit nor of his objection, though mere courtesy should have led Major Mead to inform me both of his inspection visit and of his objection to the

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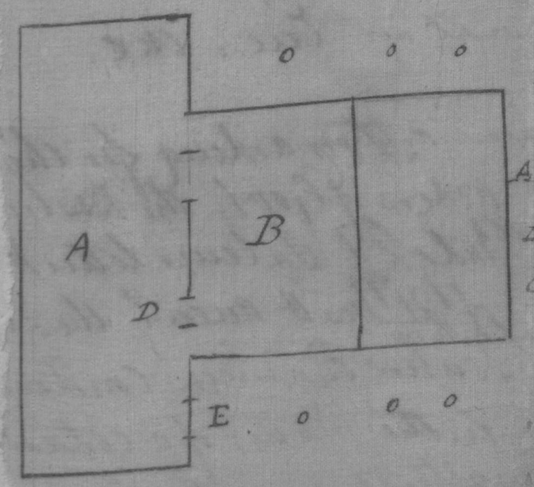
proposed doorway and to propose some other way in which my wishes could be carried out.

10. Had I known that the Superintending Engineer had ordered Mr. Bell not to open the proposed door, I should not have taken upon myself to get the work executed and it would have been well if Mr. Bell instead of carrying off the doors in order to prevent the completion of the work had informed me before the work was begun of the Superintending Engineer's objection.

I have &c.

(Signed) Frank H. Wilkinson
Ag. District Judge.



Loaes.

Acting Dy. Registrar,
Appellate Side

N. Lall [illegible]
Esqr.

No 101

Transferred to the Public Works Department for disposal.

R. Davidson
Chief Secretary

31/1/82
29/1/82

P. W. C. No. 661

Judicial (1882) Departt.

N

30 JAN 82

From
The Ag. Registrar of the High Court of Judicature at Madras

Dated 28 January 1882.
Recd. 29

CURRENT No. 293.

No. 148

Enc: one.

Forwarding for the orders of Govt. the District Judge of Salem's letter No. 33 of 21st Mst. anent the Executive Engineer's conduct in the matter of a certain alteration in the Court-house building.

Endorsed

Cir 16/2

Cir Invt No. 293/82

Cir A

Buildings & Roads
Civil Works

No. 456 W.

PUBLIC WORKS DEPARTMENT.

456/22

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 20th February/82

Read the following :—

From
The Suptg. Engr. IV Circle. H.E. No. 43 of 30th January 1882

Endorsement of the Judicial Dept. on letter from the Ag. Registrar of the High Court of Judicature, Madras, No. 148 of 28th January 1882 } " " 101 of 31st " "

The correspondence quoted above has arisen in consequence of an alteration made by the District Judge to the Sessions Court at Salem.

2. The building was, it is stated, in course of repair by the P.W. Department when the District Judge requested the Executive Engineer to block up the door leading to the

Court Record Room - and to open out another doorway into the Verandah.

3. The Executive Engineer seems to have raised no objection to the opening out of the new doorway when originally proposed, and the District Judge, acting under a misapprehension of the circumstances, ordered the work to be carried out by his own agency, without first communicating with the I.W. Department.

4. When almost completed, the work was abruptly and forcibly stopped by the Executive Engineer, who also failed to ~~[illegible]~~ inform ~~concert with~~ the District Judge of the action taken or of his reasons. Thereupon several

letters passed between the officers concerned, the tone of which is objected to by the recipients.

5. The objection to the work seems to have been raised by the Suptg Engineer on the occasion of his inspection of the building, and during the absence of the District Judge on circuit, and was based on engineering grounds. The Suptg Engineer moreover considered that the District Judge was not warranted in making an alteration of this character in a public building.

6. His Excellency the Governor in Council remarks that G.O. No. 647 W. of 11th March 1881 lays down that

"wherever practicable the opinion of an officer of the S.W. Department should be obtained before alterations are made to an Existing building," and from the correspondence now before Government it would appear that insufficient attention was given to this ruling by Mr. Wilkinson.

7. The subsequent action of the Superintending and Executive Engineer erred in much the same way, no sufficient notice being given to Mr. Wilkinson of the objections entertained towards placing any door in the Verandah

8. ~~It is clear to~~ The Govt consider that the principals in this case have not shewn the discretion and courtesy which might reasonably be Expected from officers occupying such responsible positions, and have by their proceedings necessitated a reference to both the High Court and Government on a question of the most trifling importance.

S.S.

[signature]

14.2.82

A 15-2 82

For counter initials of the Chief Secretary

S. Gt. Circle
Jnd. Dept.

Desptd. 2-3-82

660.

Govt. of {1882} Madras.

PUBLIC WORKS.

To

Dated

Issued 23/2/82

Recd. Encl.

G. O., 20 Feby 1882, No. 456 W.

Nos. 86 to 87

Sessions Court at Salem

Passing orders regarding the correspondence between the PW officers and the District Judge relative to the opening of a doorway in the ——

No 23/2