Archives I 10,006—16-8 77.

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(1) Number of pages 26

(2) Date of repair 7.9.87

(3) Initials of the Referencer

# TAMIL NADU ARCHIVES

## GOVERNMENT OF TAMIL NADU

PWD DEPARTMENT

G.O. No. 1315 & 1316 Press.
B.P. No. Mis.

Dated 26. 5. 1884 197 .

*Not to be folded or roughly handled*

13

1315-76
1

GOVERNMENT OF MADRAS.

# PUBLIC WORKS DEPARTMENT.

General.
Account.

READ—the following papers:—

Office Note from the Examiner, Public Works Accounts, dated Madras, 5th March 1884, No. 1229.

With reference to G.O., No. 422 W., of 16th February 1884, I beg to point out that while the orders of Government object to the cost of repairs being borne by the State, it is apparently contemplated to meet the outlay on the repairs in a different form, viz., by the enhanced rent which is suggested; or, in other words, while Government declines to pay a distinct item as "repairs" it is prepared to pay that same item if merged in "rent."

2. The proposal is in either case, in my opinion, opposed to the spirit of code paragraph 1680.

---

From the Rev. C. J. ETTY, Acting Garrison Chaplain, to the Chief Secretary to Government, dated Fort St. George, 11th March 1884.

In reference to G.O., dated 16th February 1884, No. 422 W., forwarded to me for report, I have the honor to request that you will direct the Public Works Department to furnish me with a statement of the annual expenditure for repairs of the building rented by military authorities from the trustees of St. Mary's Charity during the last five years. I shall then be in a position to state what sum should be added to the rent in order to meet the cost of repairs in future to devolve upon St. Mary's Charity.

---

No. 625, Ecclesiastical.

Forwarded to the Public Works Department with request that the garrison chaplain may be furnished with the statement required by him.

FORT ST. GEORGE,
18th March 1884.

(Signed) E. F. WEBSTER,
Chief Secretary.

---

From the Rev. C. J. ETTY, Acting Garrison Chaplain, to the Chief Secretary to Government, dated Fort St. George, 7th May 1884.

With reference to G.O., dated 16th February 1884, No. 422 W., Public Works, referred to me for report, I have the honor to state that I consider that the sum of Rs. 30 should be added to the rent (Rs. 85) now paid by the Public Works Department for the use of the Infant school, to enable the trustees of St. Mary's Charity to meet the cost of repairs in future to devolve upon them.

---

No. 1049, Ecclesiastical.

Transferred to the Public Works Department.

OOTACAMUND,
15th May 1884.

(Signed) E. F. WEBSTER,
Chief Secretary.

1315-16
2

Order—dated 26th May 1884, No. 1315 W., Public Works.

It is observed that the rent of the building hired for the Infant school in Fort St. George was fixed at Rs. 85 per mensem, on condition that the Public Works Department should keep the premises in repair. The Examiner, Public Works Accounts, having pointed out, in his letter recorded with G.O., No. 422 W., dated 16th February 1884, that the repair of a private building at the expense of the State is opposed to code rule, it became necessary to reconsider the amount of rent which should be paid if the repairs of the building are in future to devolve on the trustees of St. Mary's Charity, in whom the building vests.

2. The garrison chaplain now reports that the future rent should, under the altered conditions, be fixed at Rs. 115 per mensem.

3. In his office note recorded above, the Examiner, Public Works Accounts, puts forward the opinion that any such enhancement of rent is opposed to the spirit of Public Works Code rules, as the outlay on repairs would thus be met in a different form, viz., by merging it in rent.

4. His Excellency the Governor in Council is unable to agree in the interpretation placed by the Examiner on the rules of the Public Works Code applicable to the case. A landlord has a right to expect that the rent received for his property shall not only cover cost of repairs and risks, but shall also leave a fair margin as interest on capital. This is no more than the Government themselves exact when providing buildings for the accommodation of public offices, and it seems anomalous that a different principle should be applied when the Government are themselves the tenants.

5. As, however, under the section of the code quoted by the Examiner, it is incumbent on the Government, in the case of a difference of opinion on a question of this character, to refer the matter for the orders of the Government of India, these proceedings will be forwarded accordingly.

(Here enter No. 1316 W., dated 26th May 1884.)

(True Extract.)

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

To the Superintending Engineer, V Circle.
" Examiner, Public Works Accounts.
" Ecclesiastical Department.
" Military Department.

Exd. C. Howarth,
Spare Copies

GENERAL ACCOUNT.

# Govt. of [1884] Madras.

PUBLIC WORKS.

*Dated May, 26th.*

*Recd.* *Encl.*

**G.O., 26th May 1884, No. 1315 W.**

**MAY.**

**Infant School, Fort St. George**

*Ordered that the question of enhancing the present rent of the building hired for the* — so as to meet the cost of repairs in future to devolve on the trustees of St. Mary's Charity in whom the building vests, be referred to the Government of India.



1315/76
3

GOVERNMENT OF MADRAS.

## PUBLIC WORKS DEPARTMENT.

General.
Account.

READ—the following papers:—

Office Note from the Examiner, Public Works Accounts, dated Madras, 5th March 1884, No. 1229.

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2. The proposal is in either case, in my opinion, opposed to the spirit of code paragraph 1680.

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FORT ST. GEORGE,
18th March 1884.

(Signed) E. F. WEBSTER,
Chief Secretary.

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From the Rev. C. J. ETTY, Acting Garrison Chaplain, to the Chief Secretary to Government, dated Fort St. George, 7th May 1884.

With reference to G.O., dated 16th February 1884, No. 422 W., Public Works, referred to me for report, I have the honor to state that I consider that the sum of Rs. 30 should be added to the rent (Rs. 85) now paid by the Public Works Department for the use of the Infant school, to enable the trustees of St. Mary's Charity to meet the cost of repairs in future to devolve upon them.

---

No. 1049, Ecclesiastical.

Transferred to the Public Works Department.

OOTACAMUND,
15th May 1884.

(Signed) E. F. WEBSTER,
Chief Secretary.

1315=16
4

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2. The garrison chaplain now reports that the future rent should, under the altered conditions, be fixed at Rs. 115 per mensem.

3. In his office note recorded above, the Examiner, Public Works Accounts, puts forward the opinion that any such enhancement of rent is opposed to the spirit of Public Works Code rules, as the outlay on repairs would thus be met in a different form, viz., by merging it in rent.

4. His Excellency the Governor in Council is unable to agree in the interpretation placed by the Examiner on the rules of the Public Works Code applicable to the case. A landlord has a right to expect that the rent received for his property shall not only cover cost of repairs and risks, but shall also leave a fair margin as interest on capital. This is no more than the Government themselves exact when providing buildings for the accommodation of public offices, and it seems anomalous that a different principle should be applied when the Government are themselves the tenants.

5. As, however, under the section of the code quoted by the Examiner, it is incumbent on the Government, in the case of a difference of opinion on a question of this character, to refer the matter for the orders of the Government of India, these proceedings will be forwarded accordingly.

(Here enter No. 1316 W., dated 26th May 1884.)

(True Extract.)

(Signed) J. SHAW-STEWART, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintending Engineer, V Circle.
" Examiner, Public Works Accounts.
" Ecclesiastical Department.
" Military Department.

---

Endorsement—dated 26th May 1884, No. 1316 W., Public Works.

Copy of the above forwarded for the orders of the Government of India.

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

Exd. C. Howarth,
Spare Copies

GENERAL.
ACCOUNT.

# Govt. of [1884] Madras.

PUBLIC WORKS.

*Dated May, 26th.*

*Read.* *Encl.*

**G.O., 26th May 1884, No. 1316 W.**

**MAY.**

## Infant School, Fort St. George

Requesting orders on the question of enhancing the present rent of the building hired for the — so as to meet the cost of repairs in future to devolve on the trustees of St. Mary's Charity, in whom the building vests.

Secr. 13/5—16/5

In para: 4, line 6, of G.O. 1315 W of 26th May 1884, the word "offices" is printed for "officers". Please have the necessary corrections made in all copies of the G.O.

K.S.
Cav.
3/6/84.

RK Please let me see the paper
cc
JV

Secr
Before further action the mistake in the original — S.P.
5/6/84.

RK.
Please have original & all copies corrected
J

C. No: 2045

1315-16

C takes a very restricted view of the nature of "rent" which every Landlord would Expect to cover depreciation and cost of repairs as well as some return upon Capital.

Under the powers granted by the Codes C thinks cases will have to go to the Govt of India if C's views is not accepted. In any Case, a reply to G.O. 622 W of 16 Febr: 84 might be awaited?

K.S.
6-3-84.

We will await reply to G.O. No 422 W. The Landlord charged a certain rent believing the Tenant would execute certain repairs — the Tenant cannot execute the work & consequently the Landlord charges an enhanced rent to enable him to do the work. There is nothing in the proposal tending to the advantage of a private individual — nothing against the spirit of C. de [illegible] 1880. A fair rent for the repaired building will be paid — more than would be paid for the building in a dilapidated state. C. takes a wrong view. CCS.
6-3-84

Yes. Wait reply from Secretary Dept. to G.O. 422 W. which should be awaited, & after which a reference must be made to Madras Code for 1882. Secretary mistaken in his view he takes

Write Also 2477

1315-2
3105 1

(52)

(Exr. Wks. Form No. 111.)

1315-10
7

Write Also 2045

GOVT. OF MADRAS. } 1884. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, March – 5 – 1884

OFFICE NOTE No. 1229

To W.

With reference to G.O. No. 422 W. of 16th. February 1884, I beg to point out that while the orders of Government object to the cost of repairs being borne by the State, it is apparently contemplated to meet the outlay on the repairs in a different form, viz by the enhanced rent which is suggested; or, in other words, while Government declines to pay a distinct item as "Repairs" it is prepared to pay that same item if merged in "Rent"

2. The proposal in either case in my opinion opposed to the spirit of Code para 1680.

No 1315/1316 W 1/28 2 May 84

G.

KEEP WITH Genl. No.

ed 18

For Vt. Govt

135/16

March 11th 1884

No.

E. Forster Webster Esqre

Offg. Chief Secretary

Government of Madras

Sir,

In reference to G. O. 16th Feb. 1884 No. 422 W., forwarded to me for report, I have the honour to request, that you will direct the Public Works Department to furnish me with a statement of the annual expenditure for repairs of the buildings rented by Military Authorities from the trustees of S. Mary's Charity, during the last five years. I shall then be in a position to state what sum should be added to the rent hereafter to meet the cost of repairs, in future to Govt. over and upon S. Mary's Charity.

I have the honour to be,

Sir,

Your Obedient Servant,

C. J. Colley

Offg. Governor Chaplain

P.W.D. 2216 Cy 16—a—84
" 2158 W.D. 21-9-83

No 625 of 1884.

Forwarded to the Public Works Department with request that the Garrison Chaplain may be furnished with the statement required by him.

J. W. Meister
Chief Secy
14/3

Fort St. George
18th March 1884

Copy of the above forwarded to the Supdg. Engineer I Circle, who will furnish the required information direct to the Garrison Chaplain.

Cy. 17-3-84

Ul. 19-3-84

S. E. I Circle ✓ Despd 24/3/84.

From
The Actg Garrison Chaplain
Fort St. George.

R. W. Received 25/3/84
Registered
No 1315/316

1315/316 W. 26 May

No 722 Copy

Asking for a Statement of the annual expenditure for repairs of the buildings granted by Government from the Revenue of St. George Church

With the disposal
Ent. Encl. Recd. etc.

Fort St. George
May 7th 1884

1315/316/9

To
The Chief Secretary
to the Government of Madras

Sir,

With reference to G.O. 16th February 1884 No 422 W., Public Works, referred to me for report, I have the honor to state that I consider that the sum of Rupees Thirty (Rs 30) should be deducted to the Rent (Rs 35) now paid by the Public Works Department for the use of the Europe School, to enable the trustees of St. George's Charity to meet the cost of repairs in future to devolve upon them.

I have the honour to be,
Sir,
Your Obedient Servant,

C. J. Etty
Actg Garrison Chaplain

Transferred to the Public Works Department

From

The Agt Garrison Chaplain
Fort St George

Further Intimation

Chief Secy

12/5

Dy 7 to Engr [illegible]

[illegible]

G.O. No 2158 W. dy 1-9-87
" " 4223 W " 16-2-84 orgl
No 722 C " 24-3-84.

No. 1315/1316 W dy 26.5.84

Considering that
Rs 30 should be added to
the rent now paid by the Govt
for the use of the Infant school
to enable the Trustees of Wor-
burg's Charity to meet cost
of repairs.

Order:-

Endorsement

[illegible]

T.L. 4/5
Reminded 20. 17-5-84

Endorsement

Genl Dept

No. 1315 Public Works Department,

Proceedings of the Madras Government,

Under date the 26th May 1884

Read the following:- 1315/1316

Office Note from the Examiner, P.W. Accounts, Madras } No. 1229 dy March 5, 1884

Letter from the Agt. Garrison Chaplain, Fort Saint George } " dy March 11, "

Endt thereon in the Ecclesiastical Dept. " 625 dy " 18, -

Letter from the Agt. Garrison Chaplain, Fort Saint George " 3 " dy May 7, -

Endt thereon in the Eccles: Department " 1049 dy May 15, "

---

It is observed that the rent of the building hired for the Infant School in Fort St. George was fixed at £85/- per mensem, on condition that the Public Works Dept

leave a fair margin as interest on capital. This is no more than the Govt themselves exact, when providing buildings for the accommodation of public officers, and it officers seems anomalous that a different principle should be applied when the Govt are themselves the tenants.

As however, under the section of the Code quoted by the Examiner, it is incumbent on the Government in the case of a difference of opinion on a question of this character, to refer the matter for the orders of the Govt of India, these

Proceedings will be forwarded accordingly.

(H.E. No. 1316 D/26th May)

130-16
1/2

Copy of the above forwarded for the orders of the Govt of India.

M.
19.5.84

S.E.V Circle ✓ ✓
Ex. N.W. Sects. ✓ 2/6/84
Ecclesiastical Dept ✓
Military Dept ✓

S.S.

13/5-16
13

6168

Govt. of [1884] Madras.

PUBLIC WORKS.

(13)

Dated

Rect.

G.O. 7th May 1884 No 1315

Infant school,
Fort St George.

Ordered that the question of enhancing the present rent of the building hired for this ——— so as to meet the cost of repairs in future to devolve on the Trustees of St. Mary's Church for whom the building rents be referred to the Govt of India.

To Infant School, Fort St George

Forwarding for orders

Requesting orders on the question of enhancing the present rent of the building hired for this ——— so as to meet the cost of repairs in future to devolve on the Trustees of St. Mary's Church for whom the building rents.

Submitted