

822

R. No. 461.
2. 10. 84.

Chupak
No. 1782 D 2^d October 84
Loc

For note and
return

The procedure
adopted is appa-
rently correct
Cib.

DW

1-10-84
To 1510 of 11-10-84.
D. W.
Encs: 10.
Yes.
Noted and returned.

DC

Q. Co. No 195-744584. 11. 8. 84.
" " 2012 W. 15. 8. 84.
" " 2137 W. 29. 8. 84.
B. Co. 2335 W. 22. 9. 84.
Q. Co. 2241 W. 12. 9. 84.

No. 2563 W of 18th Oct/84
Recorded.

41/10 E. M. J. 21/10
Return noted 11. 10. 84

From

The Superintending Engineer,

IIIrd Circle,

Bellary

To

The

Chief Engineer
P. W. Department
M. S. S.

Dated 26th
Reed. 30th } September 1884

ENCLOSURES.

No. 2563 W of 18th Oct/84

No. 1263.

Building occupied by the
Collector of Anantapur
as his residence:—Fixing
the house rent as Rs 37 1/2
instead of 80 for a portion
of the—

With order
With order

neglect on the part of proprietors of private irrigation works, I am directed to state that His Excellency the Governor-General in Council would have no objection to legislate in the matter on the following principles:—

- (1) The normal liability of a Zemindar for the maintenance of his tanks must not exceed the limits defined by the Privy Council in the case cited in the Proceedings furnished with Madras Government letter, No. 379 A.R., dated 15th June 1882.
- (2) The construction of a railway or other similar work in the neighbourhood of an existing tank must not increase the proprietor's liability in respect of the tank.
- (3) The State is justified in executing, or in authorizing the execution of such works as are, in its opinion, necessary for averting serious danger to life or property, or serious obstruction to public traffic.
- (4) Where such works are executed on private land, the liability of the landowner to contribute towards their expenses must be measured by his liability under ordinary circumstances for executing them.
- (5) In estimating this liability, regard should be had to local customs.

2. Provision could also be made to employ, for the purpose of assessing liabilities, either the ordinary machinery of the civil courts or a commission consisting, say, of the District Judge, the Collector of the district and an Engineer other than the Engineer responsible for the condition of the railway.

3. I am further to inquire whether it would not be desirable to extend the proposed Act to cases of apprehended danger to roads and other works besides railways.

Order—dated 30th November 1883, No. 3418 W., Public Works.

Ordered that the following reply be addressed to the Government of India:—

(Here enter No. 3419 W., dated 30th November 1883.)

(True Extract.)

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

To the Consulting Engineer for Railways, with copy of letter.
" Revenue department.
" Judicial do.

G.O., dated 30th November 1883, No. 3419 W., Public Works.

Letter—from Colonel J. SHAW-STEWART, R.E., Secretary to the Government of Madras, Public Works department, to the Secretary to the Government of India, Public Works department, dated Fort St. George, 30th November 1883, No. 3419 W., Public Works.

I am directed to acknowledge the receipt of your letter, No. 917 R.C., dated 12th October 1883, on the subject of the necessity for special legislation for the prevention of risk to life and property arising from neglect on the part of proprietors of private irrigation works.

2. In reply, I am to say that His Excellency the Governor in Council accepts the principles laid down by the Government of India for legislative action, and will be prepared to consider the matter further on the publication of the bill.

3. With respect to paragraph 3 of the letter under acknowledgment, His Excellency the Governor in Council does not consider it desirable to extend the proposed Act, at all events for the present, to cases of apprehended danger to roads and other works besides railways.

From

Lt Col H. M. Vihart R.E.
The SUPERINTENDING ENGINEER,

3rd Circle,

To

The Chief Engineer

P. D. D.

Madras

SIR,

Enclosures.

With reference to para 2 of
G.O. No. 2241 D of 12th September/84, I
have the honor to report that the
Collector of Anantapur objected to
pay the full rent of Rs 50 for the
building occupied by him since a
portion of the same was used for his
office. The collector addressed the
Board of Revenue on the subject,
who wished to know what objection
there was to permit the rent for the
portion.

room occupied as office, agreeably
to para 1228 of the S. D. Code, which
rules that rent is to be charged for
the whole or a part rateably assessed,
of every Government building occu-
pied as a dwelling.

2. Under the above rule, and in
consideration of the fact that a por-
tion of the building was set apart
for public purpose, I saw no neces-
sity for exacting the full rent, and
I have therefore decided that rent
should be charged only for that
portion of the building actually
occupied by the collector as his pri-
vate residence. The rent has been
accordingly reduced from Rs 50
to Rs 37½ per annum.

I have the honor to be
Sir
Your most obed^t servant.
Charles V. B. L. K. E.
Superintending Engineer
3^d Circle
C.M.

MS
in

R. No. 461.
2. 10. 84.

From

The Superintending Engineer,

IIIrd Circle,

Bellary

To

The

Chief Engineer
P. W. Department
Madras.

Chapalk
No. 17828 2nd October 84

For

note and
return

The procedure
adopted is appa-
rently correct
C.B.

DW

Dated 26th } September 1884.
Recd. 30 }

ENCLOSURES. 4

1-10-84

510 of 11-10-84.

Encs: 1/2

No. 2563 W of 18th Oct/84-

Yes.

Noted and returned.

DC

Q. No 195-784586. 11.8.84

" " 2012 W. 15.8.84

" " 2137 W. 29.8.84

B. No 2335 W. 22.9.84

Q. No 2241 W. 12.9.84

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No. 1263

Building occupied by the
Collector of Anantapur
as his residence:—Fixing
the house rent as Rs 3 1/2
instead of 80 for a portion
of the —

Recorded.

Recorded.

Recorded.

Recorded.

Recorded.

Recorded.

Recorded.

Written order
written

GENERAL.
ACCOUNT.

Gobt. of (1884) Madras.

PUBLIC WORKS

Dated September, 12th.

Recd.

Encl.

G.O., 12th Sept. 1884, No. 2241 W.

SEPTEMBER.

Inspection

Orders on the notes of an — of the
Bellary division office submitted by the
Examiner, Public Works Accounts.

R. No. 461.

11th 8/14

11TH AUGUST 1884, No. 1957 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General
Establishment.

READ—the following papers:—

G.O., dated 18th June 1884, No. 1330, Public.

Order—dated 18th June 1884, No. 1330, Public.

In supersession of G.O., No. 781, Public, dated 21st April 1884, His Excellency the Governor in Council is pleased to direct that when the Government provide a residence for a public officer, it shall be the duty of such officer to dwell in it or pay rent for it. Six per cent. on the capital cost of the building will be fixed as the maximum charge to cover interest at $4\frac{1}{2}$ per cent. together with risk and repairs; and the maximum monthly rent should not exceed the rates noted in the margin.

	Per mensem.
	RS.
For a Collector	150
„ Sub-Collector... ..	100
„ Head Assistant Collector ...	80

(True Extract.)

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

Office note from the Examiner, Public Works Accounts, dated 12th July 1884, No. 275.

ORDER—dated 11th August 1884, No. 1957 W., Public Works.

The orders in the Public Department will be forwarded for the confirmation of the Government of India.

(Here enter No. 1958 W., dated 11th August 1884.)

(True Extract.)

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

To the Public Department.

Exd. E. Fernandez.
Spare Copies

Return noted 11.10.84
13.10.84

GENERAL.
ESTABLISHMENT.

Govt. of (1884) Madras.
PUBLIC WORKS.

Dated August, 11th.

Recd.

Encl.

G.O., 11th Aug. 1884, No. 1957 W.

AUGUST.

Rent

Ordered that the Government of India be requested to confirm the orders in the Public Department prescribing 6 per cent. on the capital cost of a building as its maximum monthly —.

11TH AUGUST 1884, No. 1958 W., PUBLIC WORKS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

LETTER—from

COLONEL J. SHAW-STEWART, R.E.,

Secretary to the Government of Madras,

Public Works Department,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

PUBLIC WORKS DEPARTMENT.

SIR,

I am directed to forward, for the confirmation of the Government of India, the accompanying copy of proceedings of Government in the Public Department, No. 1330, dated 18th June 1884, prescribing 6 per cent. on the capital cost of a building as the maximum charge for rent. Under existing rules * of the Government of India, no such limit has been laid down.

* Government of India Code, Volume I, Chapter XI, Section IV, paragraph 25.

The rental is required to be assessed at a figure that will cover interest at $4\frac{1}{2}$ per cent. in addition to a fair allowance for risks and repairs. This allowance will of course vary slightly according to the character of the building; but, in the opinion of His Excellency the Governor in Council, it is desirable that the maximum rental to be charged should be fixed by rule; and the allotment of $1\frac{1}{2}$ per cent. (equivalent to three months' rental), provided in the proceedings under reference, will, it is thought, amply cover all "risks and repairs."

2. The maximum monthly rents noted in the margin of the accompanying proceedings for the various grades of civil officers have been assumed as a guide to the Public Works Department, in framing estimates for the construction of buildings. They are not intended to affect the prescribed assessment of 6 per cent., which is to be paid as rent.

3. I am to request the early orders of the Government of India on these proposals, the circulation of which for the guidance of officers of the Public Works Department has been withheld pending a reply to the present communication.

I have the honor to be,

Sir,

Your most obedient servant,

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

OOTACAMUND,
11th August 1884.

Exd. E. Fernandez.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of (1884) Madras.

PUBLIC WORKS.

Dated August, 11th.

Recd.

Encl.

11th Aug. 1884, No. 1958 W.

AUGUST.

Rent

Government of India requested to confirm the proceedings of Madras Government, Public Department, prescribing 6 per cent. on the capital cost of a building as its maximum monthly —.

29TH AUGUST 1884, No. 2137 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

READ—the following letter from Colonel J. BEATTY, R.E., Superintending Engineer, IV Circle, to the Chief Engineer, Public Works Department, dated Coimbatore, 18th August 1884, No. 379 E.W. :—

I have the honor to request you will be good enough to furnish me with a copy of G.O., No. 1330, Public, of 18th June 1884, and inform me if I am to act upon it. The Collector of Salem claims to have his rent charged according to that order from the date it was issued.

ORDER—dated 29th August 1884, No. 2137 W., Public Works.

G.O., Public, No. 1330, dated 18th June 1884, cannot be acted upon in the Public Works Department until it has received the confirmation of the Government of India, and has been formally promulgated to officers of the department for guidance.

(True Extract.)

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

To Superintending Engineers.
To the Consulting Architect to Government.
" Examiner, Public Works Accounts.
" Public Department.

Exd. E. Fernandez.
Spare Copies

GENERAL.
ESTABLISHMENT.

G.O. of (1884) Madras.
PUBLIC WORKS.

Dated August, 29th.

Recd.

Encl.

G.O., 29th Aug. 1884, No. 2137 W.

AUGUST.

Rent of Government Buildings

Rate for fixing—Orders intimating that G.O., No. 1330, dated 18th June 1884, Public Department, prescribing the —, cannot be acted upon until confirmed by the Government of India.

12TH SEPTEMBER 1884, No. 2241 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Account.

READ—the following letter from D. C. GORDON, Esq., Examiner, Public Works Accounts, to the Secretary to Government, Public Works Department, dated Madras, 29th August 1884, No. 59 W.:—

I have the honor to forward, for information and orders of Government, notes by Mr. Rainier, Deputy Examiner, of his inspection of the office of the Bellary division.

Paragraph 2.—The Executive Engineer's attention should be given to this.

Paragraph 3.—The Superintending Engineer will consider these matters with reference to paragraph 2181 (standing order No. 155 of 1884) of the code, G.O., No. 271 W., of 24th January 1883, and code paragraph 2306.

Paragraph 4.—The accounts for July were received on 21st August, and if the work abstracts had been posted periodically on receipt of the initial accounts, the chances are the accounts would have been received much earlier.

Paragraph 6.—There is no excuse whatever for these delays, if there be proper system and methodical arrangements in the office.

Paragraph 9.—Proposals should be submitted to the Superintending Engineer.

Paragraph 10.—The whole of this matter requires the Superintending Engineer's interference. As regards the military quarters, the procedure is clearly set down in code paragraphs 1447 to 1454 (including standing order No. 210 of 1883) and if these rules are observed there should be neither trouble nor unpunctuality. In regard to the old barracks at Rámandrug, and their occupation rent-free or otherwise, orders of Government are perhaps necessary. The attention of the Superintending Engineer is invited to code paragraph 1230 in reference to the rent payable by the overseer.

Paragraphs 7, 11 and 12.—The remarks show the grounds of complaint which this office has against the work sent from this division. The records and books examined at this inspection are in fair order, there is little or nothing to find fault with; but where the detailed audit of the accounts is concerned there are evidences of carelessness to instructions, vague explanations on points referred, and an apparent want of energy and spring about the office from which it wants rousing. The Executive Engineer has to remember that the advancement of the accountant depends on the work he sends to the audit office, rather than on what is seen at inspections, and that inattention to instructions sent out in audit notes, &c., react on the divisional office and on its administration.

ENCLOSURE.

Notes of inspection by H. RAINIER, Esq., Deputy Examiner, Public Works Accounts, Madras, of the office of the Executive Engineer, Bellary Division, on the 14th and 15th August 1884.

Major S. C. Clarke, R.E., the Executive Engineer, and P. Bashiem Naidu, the accountant, were present. The office was last inspected on the 28th September 1883 (*vide* G.O., No. 2963 W., of 18th October 1883).

2. The imprest accounts are in order, and so are the cash-books. The accuracy of the Executive Engineer's drawing account balance on 31st July 1884 was proved. A more complete preparation of the cash balance statement is promised. Insufficient care in this document led to

an error in the April's statement, which does not seem to have been properly explained at the time. The cash balance at the end of any month should be quoted from the actual cash balance shown in the cash-book, and not from any other statement. The date on which sub-divisional accounts and cash balances were last examined will in future be stated in its proper place, as asked for in four audit notes this year.

3. The work abstracts, which are prepared from ten-day reports, should be posted as frequently as, and immediately after, such reports come up. To leave such work abstracts till after the month is finished is to very much impair their practical usefulness to the Executive Engineer. Contractors' work should be measured up and paid for as often as possible. When there are materials the property of Government, part iv of the work abstract is invariably necessary, and the present rough account of such materials should give place to the formal statement, a supply of forms being obtained. Regarding the Royal Artillery stables at Bellary, there seem to be charges other than contemplated in the estimate, which, although not likely to cause an excess of the total sanctioned amount, must affect sub-heads of the estimate, probably more than Rs. 200. Such unexpected charges are at present being debited to contingencies and are in need of the Superintending Engineer's sanction under code paragraph 311. They will be explained, too, in the deviation statement required by code paragraph 2305.

4. The register of works has not been posted for July, no work abstract being ready; none of the accounts for July have yet been put in hand.

5. The schedule of expenditure has been generally sent forward with errors and omissions. There is need of advice from the Superintending Engineer whenever the nomenclature, &c., of any estimate is altered there, in communication with the Examiner, and this should be arranged for. Refunds of expenditure should be shown in the above schedule as also in work vouchers. It is desirable to state in red ink whenever a work is completed, also whenever a work's progress is suspended.

6. Advices from Examiner's office of debits from the civil department, in September 1883, were not responded to in the Executive Engineer's accounts till March 1884. Advices from this division to others, of transfer debit, have been sometimes so long delayed as to cause the acceptances to appear in subsequent months' accounts, which is objectionable. Code paragraph 2269 is important; both the divisions should show the transactions in the same month's accounts.

7. It has been the rule and not the exception to receive from this office incorrect contract certificates, which have had to be returned for correction or completion. Accounts have usually been rendered in an unsatisfactory state and with vouchers missing, and the audit notes for many months past have contained instructions which do not seem to have had proper attention, and which have had to be again and again repeated month after month.

8. The stock in this division consists of the doors and windows referred to in paragraph 8 of the report printed with G.O., No. 2681 W., of 14th October 1882, mentioned also in the two subsequent reports, value Rs. 2,621, and also of certain teak timber, value Rs. 9,341. The former are about to be utilised upon the Bukkapatnam taluk cutcherry, that work having been resumed. The latter is to be utilised according to G.O., No. 1521 W., of 18th June 1884, when the opportunity arises. The stock accounts are in order but the certificate required by paragraph 2267 of the code should have been submitted in the case of the teak timber returned from works to stock.

9. Tools and plant include 9325 pick-axes, 16,357 hand-hammers, and 5,959 mamooties. These are on the divisional list, and, for the Executive Engineer's purposes, are, he says, quite surplus. Major Clarke would prefer to transfer them to the famine tools list.

10. The recovery of rents in this division has been unsatisfactory. A house occupied since October 1883 by the Collector of Anantapur has lately been sub-divided, a portion being treated as that officer's private residence and the remainder as his office. This department is responsible for the house and should apparently collect the entire rent, but claim has only been made for the residence portion of it, namely, Rs. 37-8-0, out of Rs. 50 per month. If the civil department collect any of the rent, it might be as well for the whole of it to be so collected and credited to this department in the exchange accounts. The "timely warning" referred to in the last line but one of code paragraph 1447 is, it seems, never given by the barrack department to the Executive Engineer, regarding any impending change in the tenantry, and hence bills for rent are often cut down by the paymaster on the grounds that the quarters were not occupied for the entire time. The barrack-master's return alluded to in the above code paragraph is generally received too late to be used for the statements or bills aforesaid. On the other hand, a correspondence with the military authorities about the quarters supplied for two conductors (considered insufficient for them) has made the Executive Engineer's lists due to paymasters once or twice very late.

There are some old barracks at Rámandrug not commonly occupied, and Lieutenant Tarrant with four others were allowed family quarters there lately for a week or two, for change of air, at a nominal rent. Similar occupation had formerly been permitted rent-free and this concession was made with a view to get people to begin to use the buildings, which they would not otherwise have done. This is understood to have been referred for orders. Mr. J. Elliot, overseer, 3rd grade,

whose fixed rent, according to rule, is Rs. 6 per month, "whatever the value of the quarters," occupied for some weeks only a corner of the out-office of his quarters, instead of the building itself. The full amount of rent was not, during that time, recovered from Mr. Elliot, though he is now again, since he resumed the occupancy of the entire house, paying the entire rent. This has also been referred and requires, as does the former case, the orders of Government. The particulars and circumstances of any non-recovery of rent should be fully explained in the column of remarks in the schedule of buildings rentable and rented. Buildings occupied rent-free should be invariably noted as such.

11. Respecting miscellaneous advances, there has been repeated difficulty in getting remarks in the audit note properly responded to by fair and full explanations.

12. It is right to say that in the Bellary office there has been some sickness, and the accountant himself has been poorly for two months. The Executive Engineer says that as soon as he gets another clerk for the office, he will place the present assistant accountant free to work solely on accounts, whereas he at present does letter copying also.

13. Until the entire time of this assistant accountant is placed at the accountant's disposal there must be much difficulty.

ORDER—dated 12th September 1884, No. 2241 W., Public Works.

Communicated to the Superintending Engineer, III Circle, who will direct the attention of the Executive Engineer, Bellary division, to the various matters requiring rectification in the accounts work of the division.

2. The Superintending Engineer will report on the subject of paragraph 10 of the inspection notes.

(True Extract.)

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

To the Superintending Engineer, III Circle.
" Examiner, Public Works Accounts.

Exd. E. Fernandez.
Spare Copies

GENERAL.
ACCOUNT.

Gobt. of {1884} Madras.

PUBLIC WORKS.

Dated September, 12th.

Recd.

Encl.

G.O., 12th Sept. 1884, No. 2241 W.

SEPTEMBER.

Inspection

*Orders on the notes of an — of the
Bellary division office submitted by the
Examiner, Public Works Accounts.*

.O-20 3301 W. 19-11-83
" " 2099 W. 25-8-84

old 46/10

20/10/84

Current official year.
with order