

24-2-85
23-2-21
N^o 1976 Wd 25 August 1885

Communicated to officers
of the P. W. Dept. for information
and guidance, in continuation
of G. O. N^o 1869 Wd 21st July/82.

2. The Secretary to the Code
Committee will be requested
to submit a draft standing order
making the necessary alterations
in and additions to the Rules
at present in force on the
subject.

(Signed) J. H.

Suptg. Engineers

C. E. for Engrs.

C. A. to Govt.

Supt. of Works I. M. S.

Ex. P. W. Accts.

P. W. D.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.

ACCOUNT
General.

To

Circular No. 13 Public Works.

Dated Simla, July 29, 1885.

Received

N^o 1976 Wd 25 August/85

Revised rules relating to the execution of works
by the Public Works Department for local bodies
and for private individuals.

Govt. C. B. Press, Simla. — No. 214 P. W. D., A. G. — 4-3-85. — 1020

With order

Circular No. 13 Public Works.
GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.

ACCOUNT.

General.

To

THE GOVERNMENTS OF MADRAS, BOMBAY, BENGAL, THE NORTH-WESTERN PROVINCES AND
ODDH, AND THE PUNJAB, IN THE PUBLIC WORKS DEPARTMENT.
THE CHIEF COMMISSIONERS OF THE CENTRAL PROVINCES, BRITISH BURMA, ASSAM, AND
COORG.
THE RESIDENT AT HYDERABAD.
THE RESIDENT AT MYSORE (THROUGH FOREIGN DEPARTMENT).
THE AGENTS TO THE GOVERNOR GENERAL FOR CENTRAL INDIA, RAJPUTANA, AND
BLUCHISTAN.
THE SUPERINTENDENT OF PORT BLAIR, AND CHIEF COMMISSIONER, ANDAMAN AND
NICOBAR ISLANDS.
THE INSPECTOR GENERAL OF MILITARY WORKS.
THE SUPERINTENDENT OF WORKS, SIMLA IMPERIAL CIRCLE.
THE ACCOUNTANT GENERAL, PUBLIC WORKS DEPARTMENT.

Simla, July 29, 1885.

SIR,

I am directed to forward, for general information and guidance, the accom-
panying revised rules relating to the execution of works by the Public Works
Department for local bodies and for private individuals, and to state that these
rules will be duly embodied in the revised edition of the Public Works Code.

I have the honor to be,

SIR,

Your most obedient Servant,

A. G. BEGBIE, Major, R.E.,
Offg. Under Secretary.

Documents accompanying.
Rules referred to.

CHAPTER IX.

*Works carried out for Municipalities,
Port Trusts and other Local Bodies,
and for private individuals.*

80. The department may occasionally, at the discretion of the Local Government or Administration, be called upon to execute works for which the outlay is provided wholly or in part from—

- (a) funds of a public nature, but not included in the financial estimates and accounts of the Empire;
- (b) contributions from the public.

But in each case the definite sanction of the Local Government or Administration is necessary before the work is put in hand.

81. Where a work is to be carried out partly from funds provided in the estimates of the Department and partly from funds of the foregoing nature, the contribution will be considered as a lump sum in addition to the Government grant, and the work executed in strict accordance with the procedure laid down for public works.

82. The realization of contributions for churches is governed by distinct Rules, *vide* Rule XVI of Ecclesiastical rules circulated with Public Works Department Circular No. of 1885. In all other cases the contribution should be realized and paid into the Government Treasury to the credit of the Public Works Department and the amount placed at the credit of "Deposits" in the accounts of that Department before Government is committed to the outlay. This rule can only be relaxed under a special order of a Local Government or Administration, and such relaxation can only be allowed when sufficient security is taken for the realization of the balance of the contribution by fixed and specified dates.

83. In a case where the Department undertakes to design and construct a work wholly from the sources alluded to in paragraph 80, such as a town hall or reservoir for a Municipality, or a school or

hospital for which funds have been raised by subscription, or where the Department is entrusted with the construction of a church for which the funds have been provided and are administered under the conditions stated in Rule XVI (b) of the Ecclesiastical Rules circulated with Public Works Department Circular No. of 1885, the following rules will be observed:—

I.—The design and estimate will, in the first instance, be drawn up in communication with the parties administering the funds, and must be submitted for the approval of such higher local departmental authority as the extent of the estimate would require in the case of an ordinary public work; but no reference to the Government of India is required, saving that when the estimate exceeds the limit up to which a Local Government can sanction expenditure from public funds, an abstract of the estimate must be sent to Government of India for information.

II.—Provision must be made to cover the cost of establishment and tools and plant at the established percentages laid down for the province concerned, no reduction being made except with the sanction previously obtained of the Government of India in case of Imperial establishment, or of the Local Government or Administration where the establishment is Provincial.

III.—Prior to the work being put in hand, a written approval to the estimate and design must be obtained from the authority administering the funds from which the amount deposited was obtained, and an acknowledgment procured to the effect that in undertaking the work the Department does not accept responsibility for unavoidable and reasonable excesses such as would be caused by a rise in the price of labor or materials, by authorized alterations in design, loss by fire or theft, or by other causes which could not be foreseen at the time the estimate was prepared. Any alteration in design must be similarly dealt with.

IV.—The necessary funds for the prosecution of the work must be realized and paid into the Government Treasury either in a lump sum or

in such instalments and by such dates as the Local Government or Administration shall decide in each case. All amounts so realized must be credited to "Deposits" in the accounts of the Department. No advance of Government money for such purpose will be permitted, and in a case where the money is paid by instalments, Government will not be responsible for any increase in cost, or damage to the uncompleted work, caused by a temporary stoppage of the work pending receipt of further instalments.

V.—It will be the duty of the officer in charge of the work to bring *at once* to the notice of his superiors and of the local body or individuals any anticipated excesses over estimate; as well as to provide the fullest information in connection with the progress of expenditure, so that no responsibility may attach to Government in the event of the work having to be stopped for want of funds.

VI.—The expenditure on the work will be accounted for under "Deposits" in strict accordance with Public Works procedure, and a copy of the work voucher will be sent by the Examiner to the Administrators of the funds immediately after the audit of the monthly Divisional Accounts.

VII.—Local Governments and Administrations undertaking such works should satisfy themselves that the extent to which the Government is responsible in regard to the execution of the work is thoroughly understood both by the parties for whom the work is to be constructed and by the Executive Officers to whom its construction is to be entrusted.

VIII.—Where the work is of magnitude, or there are any special circumstances which seem to render such a course desirable, an agreement should be drawn up under legal advice.

84. It must be distinctly understood that contributions on account of one work can under no circumstances be utilized in meeting outlay on account of another work, the contributions to which may be in arrears.

1976 W/25 August 1885

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
ACCOUNT.
General.

Communicated to officers
of the P. W. D. for information and
guidance in continuation of G. O.
No: 1869 W dated 21 July 1882.

2. The Secretary to the Code
Committee will be requested to
submit a draft standing order
making the necessary alterations
in and additions to the rules
at present in force on the subject

For J. L. S.

To

Circular No. 13 Public Works.

Dated Simla, July 29, 1885.

Received

13/12 1976 W/25/8/85

S. Es.

S.

C. A.

S. of W. J. M. S.

Secy. P. W. D.

Revised rules relating to the execution of works
by the Public Works Department for local bodies
and for private individuals.

1976 W of 25th August 1885

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Committee will be requested to
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For J. L. S.

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ACCOUNT.
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CHAPTER IX.

*Works carried out for Municipalities,
Port Trusts and other Local Bodies,
and for private individuals.*

80. The department may occasionally, at the discretion of the Local Government or Administration, be called upon to execute works for which the outlay is provided wholly or in part from—

(a) funds of a public nature, but not included in the financial estimates and accounts of the Empire;

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But in each case the definite sanction of the Local Government or Administration is necessary before the work is put in hand.

81. Where a work is to be carried out partly from funds provided in the estimates of the Department and partly from funds of the foregoing nature, the contribution will be considered as a lump sum in addition to the Government grant, and the work executed in strict accordance with the procedure laid down for public works.

82. The realization of contributions for churches is governed by distinct Rules, *vide* Rule XVI of Ecclesiastical rules circulated with Public Works Department Circular No. of 1885. In all other cases the contribution should be realized and paid into the Government Treasury to the credit of the Public Works Department and the amount placed at the credit of "Deposits" in the accounts of that Department before Government is committed to the outlay. This rule can only be relaxed under a special order of a Local Government or Administration, and such relaxation can only be allowed when sufficient security is taken for the realization of the balance of the contribution by fixed and specified dates.

83. In a case where the Department undertakes to design and construct a work wholly from the sources alluded to in paragraph 80, such as a town hall or reservoir for a Municipality, or a school or

hospital for which funds have been raised by subscription, or where the Department is entrusted with the construction of a church for which the funds have been provided and are administered under the conditions stated in Rule XVI (b) of the Ecclesiastical Rules circulated with Public Works Department Circular No. of 1885, the following rules will be observed:—

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B.

No. 1976 W. 725th Aug 1885

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J.

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Y. W. S. H. S.

Ex. P.W. As.

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