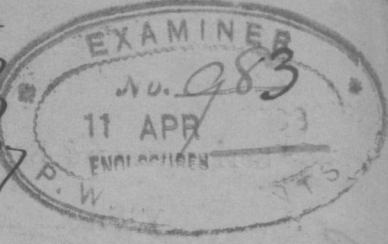


1516C of 10.4.88
1191C of 21.8.88
3018W of 10.11.87
3312C of 30.9.87
2307W of 26.8.87



PWC No. 3720
3272

From
THE SUPERINTENDING ENGINEER,
V CIRCLE,

No. 1516C of 10 April 1888

To
C
For favour of
remarks.

To
THE Chief Engineer
P.W. Department.

Wm
10.4.88
d.w.

Dated 6 April 1888.
Reed. 9 April 1888.
R.21.4.88

ENCLOSURES.

No. 1286 W. of 2-5-1888

To W.
No. 1370
2.4.88.

There is no objection to
the payment of the security money
to the legal representative of the
deceased contractor, as the depart-
ment appears to have no claim
against the estate as far as this
office is aware.

No. 37.
Late Govinda Reddy
Contractor. Requests
that sanction may be
given to the security
money Rs. 376 of
being paid to his legal
representative.
With order

1286 W. of 2-5-1888
Sanctioned, as
recommended by the
Supty. Engr.
S.E. Engr.
23/4-88
P.W. Accts. 23.4.88

[C. No. 8.]

GOVT. OF MADRAS. } 1888. { P.W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 16 March 1888.

OFFICE NOTE No. 1223

To
W.

G.O. No. 3018 W. dated 10th. November 1887.

With reference to the orders
contained in the G.O. quoted above,
regarding the revised procedure to
be adopted in the matter of claims
of arrears of salaries due to
deceased servants, I beg to point out
that the discovery of the legal
representatives would seem to be a
matter for which the P.W.D. staff is
hardly fitted, and I would therefore
suggest for the consideration of
Government, that all such cases
should be made over to some suitable
Civil officer.

2. Appendix D. of the recently
issued Volume III of the Government
of India P.W.D. Code contains rules
for dealing with claims against the
estates of deceased State Railway
employees, and from para 4 of that

KEEP-WITH
dated
Genl. No.
188

1,000-7-2-88.

Appendix it would seem that the District Judge is the authority, who should deal with such cases, when the deceased was a Hindu, Mahomedan or Buddhist.

3. Both from the Government Solicitor's letter, and from the rules in the above quoted Appendix it appears that it is the total net value of the estate (and not the amount of arrears due by Government as in the Code, para 464) that should determine the procedure.

4. Casualties occur in other departments besides the P.W.D., and the procedure in different departments should presumably be uniform; and it might be advisable to move Government in the Judicial or in the Public Department, or in whatever department is the proper one, to lay down rules for the guidance of all departments. I do not feel competent to draft rules intended to secure the observance of the requirements of the law as stated in the Government Solicitor's letter, and the mere insertion of his opinion (as it stands) in the Code, would, I think, only lead to confusion.

P.W.C. No. 2623
3983/88

CURRENT NO. *1403*
Judicial

R. 19.3.88
No. 1191 C of 21 March 1888

Referred to the
Judicial Dept.

Mr. B. S. S. S.
Capt. R. E.
under Secy. to Govt. P.W.D.

The Judicial Dept. with copies of previous correspondence as noted below:-

Letter from S.E. Circle No. 409 G.N. dated 14 Sept. 87
Encl. No. 3312 C of 30 Sept. 87
Examiner's No. 6484 of 12 Oct. 87
Encl. No. 3608 C of 21 Oct. 87
Govt. Solicitor's No. 5834 of 25 Oct. 87
G.O. 3018 W of 10 Nov. 87
Copy of Vol. III. India P.W. Dept. Code (to be returned)

[26]



Judicial Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper

From the Public Works Department of 21 March 1888
No. 1191 C.

Order, 20 April 1888 No. 944.

The question submitted by the Examiner, P.W. Accounts, is really a very simple one. The Examiner has only to do with arrears ^{of salary} and allowances due from Government to its deceased officers, and it is not the duty of the staff of the P.W.D. to seek for the legal representative or person entitled to receive such arrears, but it is for the legal representative to apply, arming himself with the necessary probate, letters of administration, or certificate to which the law gives conclusive effect. Where there is any doubt as to the representative title, no payment should be made except upon production of such conclusive evidence of title as above referred to, but when there is no doubt and the amount does not exceed Rs 200, payment should be made to the person apparently entitled. The

Examiner's