Nr. 1942 c xx/18-5.88

OFFICE OF THE SUPERINTENDING ENGINEER,
6TH CIRCLE.

Trichinopoly 30th May 1888.
D 31/-

No. 204 TC.

From J. W. Rundall Esqre M.I.C.E.
~~The~~ Superintending Engineer,
6th Circle.

To

The Chief Engineer
P. W. D.

Sir,

ENCLOSURES.

I have the honor to bring to your notice that the late Lieutenant Falvey, built, at his own cost, an additional room to the Bungalow, at Musiri, 30'×12', connected with the Bungalow by a covered passage 12' long. The building is constructed of brick in mud, and thatched with na-nel grass on bamboo rafters. The Executive Engineer has esti-mated the cost of this Building at Rs 360. The present value may be assumed to be 25 per cent less or say Rs 270.

2. Lt. Falvey would not,

I

I am aware, under Code para 1036, have been entitled to claim anything in the way of a refund of the money he expended, had he been transferred elsewhere, but as he has died, and as the extra room gives extra accommodation, I would suggest my being allowed to pay for the room at its estimated present value, say Rs 270. A small coach house, and stable were also put up, but I have not included these, the cost must have been small.

3. The rent paid by Lt: Falvey was Rs 7-8-0 per mensem. If the extra room be purchased, I would in future fix the rent at Rs 9-8-0 per mensem.

I have the honor to be
Sir
Your most obedt Servant

I. Mo. Rundall
Superintending Engineer
VI° Circle.

Cm

Rs 270/- 1:6:2-22-6-88

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Ans
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The recommendation of the S.E. VI Circle is made under para 1036 of the P.W. Code

MCM
16.6.88

for para 1036 he being entitled to claim refund of money expended by him only if he had been transferred elsewhere. This is not applicable to Lt Falvey who died in office. The cost can be agreed by mutual consent. If the widow of the late Lt Falvey accepts the recommendation of the S.E. she shall get further no more.

16/6/88

S.E. VI Circle
Rs

0
10/6

No. 211 gc d/ 5 June 1888

To

C

For favour of remarks.

4.6.88

D.W.

To W. No. 1671 d/14-6-88

Code para 1036 clearly bars any claim for compensation; and it is not even shown that the alterations made by Lieut. Falvey were authorized by the Executive Engineer. Death is often, and very reasonably, held to condone breaches of rule, and to be a ground for foregoing claims, but it would, I think, be creating a dangerous precedent to make it a ground for the admission of claims which would under other circumstances be inadmissible. Lieut. Falvey's estate has, I take it, even less claim to the consideration of Government than Lieut. Falvey himself would have had.

C.

14/6. 89. 14/6.

P. W. D. 6TH CIRCLE.

EXAMINED 1167 7 JUN 1888 ENCLOSURES P. W. ACCOUNTS

From

The Superintending Engineer,

6th Circle.

To

The Chief Engineer P.W.D.

No. 204 TC.

Dated 30 / 31 } May 188 8.

Received

Enclosure.

Reports the additions made to the Inspn Bungalow by late Lt. Falvey & suggests Rs 270 may be passed for the rooms -

To

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

Letter from the S.E. VI Circle (No. 204 T.C. of May 30. 1888)
Endorsement by the Ex. Br. Accts (" " 1671 of June 14. ")

W. B.

Under para 1036 of the P.W. Code no alteration can be made to public buildings without the concurrence of the Ex: Engr & there is nothing to show that the late Lt Falvey was authorized to add to the building he erected; in any case it is clear that he has no claim under Govt on account of expenditure incurred by him after addition; but, as the S.E. represents that the cost of the building was, in consequence of the addition, increased by 2 Rs per measure, which would be about G.O.C on its present value, Rs 270, he is authorized to pay this amount to the heirs of the late Lt Falvey.

In the circumstances stated, the recommendation made by the Supdg Engineer is sanctioned. -

S.E. VI Circle ✓ Lett 20/6/88.

Ex. Br. Accounts. D 251

by order of the Hon.

Sec