(1) பக்கங்களின் எண்ணிக்கை 24

(2) புதுக்கித் திருப்பிய நாள் 12/89

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

㉑

தமிழ்நாடு அரசு

P.W.D. துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	1180	அச்சகம் பலவகை
நாள் :	3-5-1889	~~198~~.

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

12. Sheets

ஆவண. கா-1—18,000—15-6-87.

1180

1889.

P. W. DEPARTMENT.

Current No. 483

From

The Examr. P. W. Accounts

Enclos.—

No. 46

Dated 16th Jany 1889.

Received 17th " —.

SUBJECT.

Submitting for orders of Government the question regarding the employment of convict labour on works given out on Contract.

B/ B 21/1

DISPOSAL.

No. 287C Dated 21st Jany 1889

Referred to the Superintending Engineer VI Circle for report.

2. It appears to the undersigned, objectionable

20/1

that convict labour should be employed, under a Contractor. Certain portions of work may be done by the convicts and credit given for it, but the system, adopted is probably very favourable to the Contractor.

18/1/89

W.C.B.
18.1.89

E.W.

Cr

D 22/1

p/180

To S.E. VI circle with the O.N. from the Ex. to be retd. ✓

No. 287 C d/ 21-1-89.

1180/1

1889.

P. W. DEPARTMENT.

Current No. 1576

From The Suptg. Engineer VI circle.

Enclos.—

No. 1030 T.C.

Dated 13th Feby 1889

Received 18 — do —

Subject.

Reporting as regards the employment of Convict labor under a Contractor for constructing Dist: Jail & repairing Central Jail at Trichinopoly:

N/19/2 ✓

Disposal.

No. 823 C Dated 19th Feby 1889

Referred to the Judicial Dept. for favour of information whether there is any objection to an order being issued as suggested in para 3 of the Suptg. Engineer's letter.

D 20/2

(Sd) W.L.C.B. 18-2-89.

(Sd) H. R. Mead Col. R.E. Secy. to Govt P.W.D.

✓

J 21/2

P.W.

Para 1 of this order does not altogether agree with Code Rules. Para 1288 says that the services of convicts will be given free of charge when they can be employed with advantage on the construction or repair of jail works, but I do not find any stipulation that they must be employed. The same para says that when there is no fixed price for convict labor half of the ordinary wages of a day cooly should be charged. The rates for labor in the contract can thus be easily checked after it has been ascertained from the Jail Dept how many convicts will be available.

If it were possible the best plan apparently would be to rule that all work in connection with jails should be

118c

carried out by departmental agency. Apparently this is contemplated by the Judicial Dept for the last clause of para 1 of the order says "the intervention of contractors when jail labor is employed should be forbidden". The word "intervention" is not ~~[illegible]~~ quite ~~[illegible]~~ clear in its meaning for tenders for contracts are ~~ex-~~ called for without ~~[illegible]~~ reference to ~~of~~ the question of convict labor being employed.

It is proposed to ask C whether he has any remarks to offer before the Judicial order is promulgated to the P.W. Dept for guidance.

J.B.
5/4/89.

Yes. Send the proposals to C for remarks.

6.4.89

3

No. 823C d/. 19-2-89
" 287C " 21-1-89

1180

1889.

P. W. DEPARTMENT.

Current No. 3214

From The Judicial Dept.

Enclos.—2

No. 613
Dated 4th April 1889
Received 5 — do —

Subject.

Passing orders on the question raised by the Exr. P.W. Accts regarding the manner in which the work done by Convicts in the Construction of the Dist jail & in repairing the Central jail Trichinopoly, should be eliminated from the Contractors bills &c.

Disposal.

No. 1783C Dated 6th April 1889

To
C

For favor of any further remarks you may have to offer.

(Sd) W.L.C.B.
6-4-89

D 8/4

Dw

9/4

4

W.

So much work is done by Contrs. in the P.W. ~~that~~ there will be few instances in which an Ex Engr. will directly employ jail labour. I am doubtful whether Contractors will often employ jail labour, when they cannot do so through the Ex Engr. Practically the effect of P.O. Judicial of 4th April 89 No 613; will be to prevent the use of jail labour in many cases where, under existing rules, it would be used; but this is not a question for the P.W.

There seems no reason in the P.W., why the ruling referred to should not be put into the Code.

22.4.89

Approved

22.4.89

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[C. No. 8.]

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EXAMINER
No. 286
9 APR 1889
ENCLOSURES 2
P. W. ACCOUNTS

GOVT. OF MADRAS. } 1889. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 16 January 1889

OFFICE NOTE No. 46

SECRETARY TO GOVERNMENT
17 JAN. 89
P.W. DEPARTMENT, MADRAS.

To

W.

KEEP-WITH Genl. No.

dated 188 .

1. Constructing a District Jail at Trichinopoly Estimate Rs. 85,244.

2. Repairing Central Jail Estimate Rs. 2,600.

6

The Executive Engineer Trichinopoly Division informs me that convict labour has been employed by him on the two works noted in the margin executed by the agency of a contractor, and he asks for information as to the manner in which the work done by convicts should be eliminated from the contractors' bills.

2. He explains that he used to keep daily reports of work done by convicts and at the end of the month, calculate the total value of work done under the various sub heads of the estimate and allow full rates whenever quantities are known, and measured, but when this cannot be made out, he charges only a poll rate

6

89

of 1 anna and 6 piesand deducts the total cost thus arrived at from the bill given to contractors.

3. Code para 937 provides that " when the labour is given without charge to the department, a note of the reduction to be effected thereby will be made at the foot of the abstract of the estimate, supported by a detailed statement of the proposed application of the labour and of its value" but does not lay down any rule in respect of convict labour employed on contract works.

4. I have requested the Executive Engineer to continue the procedure indicated in para 2 above, for accounting for convict labour, but it seems to me that there may be considerable objections to employing convict labour at all under contractors, and that the ~~section~~ silence of the Code on the point in question may be due to the assumption that convict labour will never be so employed. Moreover, if the employment of convict labour under contractors is to be permitted, it might perhaps be better that the contractor should in each case make his own arrangements and terms with the jail authorities, without in any way affecting the terms and rates of the contract, and the P. W. Department have no concern or responsibility in the matter. I therefore submit the question for the orders of Government.

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C.

16/1

16/1

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Mlle 4835

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ENGINEER'S OFFIC
SER'L NO.
30 JAN
TRICHINOPOLY

Reg 17/2/89

1/1265/89

Mss 3
3021/89

OFFICE OF THE SUPERINTENDING ENGINEER,
6th CIRCLE.

Trichinopoly 13' February 1889
Desp 15'

No. 1030TC

From Major D. McN. Campbell R.E.
~~The~~ Superintending Engineer,
6th Circle.

118

To

The Chief Engineer
P.W.D.

118

Sir,

ENCLOSURES. 1
1 Examiners Note.

In returning the Examiner's Office Note No. 46 dated 16' January/89 which accompanied your Memorandum No. 287C of the 21st idem, regarding Convict labor employed under a Contractor on the Jail works at Trichinopoly, I have the honor to state that the Executive Engineer is of opinion that the system is not favorable to the Contractor, and that as Convicts do very little work for Contractors, the rate of 0.-1-6 a head is ample for what they do.

2. Mr. Grimes also states that

8

"as we are ordered to employ convicts as much as possible, the course in question has been adopted" This does not meet the point in question, which is whether Convicts can be employed on contract works or under Contractors through the medium of this Department. The Code rules and the several G.Os on the subject are silent on this point, and this appears to have given occasion to the adoption of the system now objected to.

3. I agree with the Examiner in considering that Convicts should not be employed under Contractors, as has been done in the present case; but I see no objection to Contractors making their own arrangements and terms with the Jail authorities for employing Convicts, without any intervention of this Department and without in any way interfering with the rates and terms of the Contracts. I am also of opinion that a specific order to this effect, or an addition to Code para 937, will remove all doubt on the point.

4. The Executive Engineer has been ordered to discontinue the present practice at once.

I have the honor to be
Sir
Your most Obedient Servant

Sd/ D. McV. Campbell Major RE
Supt. Engineer II Circle.

99

P. W. Dept.
To be returned with reply.

EXAMINER No. 286 APR 1889

P. W. D. 6TH CIRCLE. 232

No. 823C d/ 19th Feby 1889

Referred to the Judicial Dept. for favour of information whether there is any objection to an order being issued as suggested in para 3 of the Supdg: Engineer's letter.

Colonel R.E.
Secretary to Govt P.W.D.

W.C.B.
18.2.89

From

The Superintending Engineer,
6th Circle
Trichinopoly

To

The Chief Engineer
P.W.D.
Madras.

No. 1030 TC

Dated 13th
and 15th } February 1889
Received

Enclosure. One.

Convict labour

Reporting as regards the employment of — under a Contractor for Constructing Distt Jail & repairing Central Jail at Trichinopoly.

Referred

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[25]

EXAMINER
No. 286
9 APR 1889
ENCLOSURES 2
P. W. ACCOUNTS

Judicial Department.

118

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper

From the Public Works Department. No 823C. d/ 19th February 1889.

From the Inspector General of Jails. No 64, d/ 7th March 1889, Submitting remarks on the valuation of Convict labor employed on Jail works.

Order:- d/ 4th April 1889. No 613

If the rates at which the contractors work were the ordinary rates paid for free labour the Engineer need not concern himself with the adjustment and might leave the Contractor and Jail authorities to settle the price of the labour. But it is probable that the rates tendered by the contractor in face of a stipulation that he shall employ jail labour will not be the ordinary ones but will be enhanced so as to cover the admitted inferiority of that labour. In that case Government will be paying more than the proper cost of the

10 10

building

building. The intervention of contractors when jail labour is employed is therefore objectionable and should be forbidden.

2. The whole estimated cost of the building should be charged to the jail in calculating the gross cost per head. Where there is a contractor+ the receipt from him will be credited as jail earnings. Where there is not(i), the difference between the actual disbursement by the Engineer and the estimated cost of the work, if done by free labour, will be taken as jail earnings, and the actual disbursements by the Engineer will, of course, be alone recorded in the Public Works Dept. Accounts. The share taken as jail earnings may be greater or less than the amount calculated at the rates laid down in the Jail Code.

+ a PWD contractor who makes his own terms, or contract with the jail auth:?

(i) there will be very few of these cases - nearly all work is done on contract

(True Extract)

W. C. B[illegible]

Captain, R.E.,
Under Secy: to Govt., P.W.D.,
for Chief Secretary.

To

The Public Works Deptt. } with papers.
" Inspector General of Jails

x 7/7 S.D.

EXAMINER
No.
8 APR [illegible]
ENCLOSURES
P. W. ACCOUNTS

[6]

Govt. of { 188 } Madras.

To

/180

188

Proceedings, dated 188 .
No.

Subject.

11 11

[6] P.W.C. N: 3214

Govt. of {188} Madras.

To

The P.W.D

Rg 5-4-89 E.2

Rge/3629/89

Proceedings, dated 4 April 1889

No. 613.

Subject.

Passing orders on the question raised by the Examiner of Public Works Accounts regarding the manner in which the work done by Convicts in the construction of the Dl. Jail & in repairing the Central Jail Trichinopoly, should be eliminated from the Contractors bills &ca.

No. 1783 C d/6th April 1889

to

C

For favor of any further remarks you may have to offer.

6.4.89

D.W.

Keep-with Genl. No.

dated 188 .

118

12

2,000—9-10-88.

[C. No. 8.]

GOVT. OF MADRAS. } 1889. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 17th April 1889.

Office Note No. 514

Enc 3

To 118

W.

Your office note No.1783 C. dated 6th.April 1889.

I gather from the proceedings received with your office note that the employment of convict labor by the P.W.Department in connection with contract work is considered undesirable and that it should be forbidden; but that there is no objection to a contractor entering into any arrangement with the jail authorities for the employment of convict labor without the intervention of this department, provided that the cost of the work to this department is not enhanced thereby. On this understanding and on the understanding that para 2 of the orders in the ~~jail~~ Judicial department No.613 dated 4th.April 1889 refers entirely to procedure between jail and contractor, with which the P.W.D. has no concern, I see no objection to th

12/12

introduction of a ruling to the above effect into the Madras P.W.D.Code.

C.

17/4

(2)

Encl. 3

Recd 30.4.89

1180 W. of 3rd May

30 Apr

The ruling will be brought into the Public Works Code, as proposed by the Examiner

25.4.89

2.5.89

27th

1783C - 6-4-89.
823C - 19-2-89
287C - 21-1-89

(12)

The Ex. P.W.A.
(- Chief Secretary for favour of countersignature)

4/5

C.S.

May

8/5

C. 23-4-89