(1) பக்கங்களின் எண்ணிக்கை 4

(2) புதுக்கித் திருப்பிய நாள் 20-12-88

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

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தமிழ்நாடு அரசு

PWD துறை

அரசாணை எண்.	
மு. கோப்புத் தாள் எண். 163	அச்சகம் பலவகை
நாள் : 21. 1.1989	198 .

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

2 sheets

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[For Heads of Departments.]

Circular No. II Public Works.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

Calcutta, the 10th January 1889.

Restrictions on the power of Local Governments and Administrations to enter into Contracts involving liabilities on the State.

The following is forwarded to the Local Governments, Administrations and Officers noted in the margin, for information and guidance, with reference to Public Works Department Circular No. XII, dated 29th December 1887.

The Governments of Madras and Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab.
The Chief Commissioners of the Central Provinces, Burma, Assam and Coorg.
The Resident at Hyderabad.
The Agents to the Governor General for Central India, Rajputana, and Baluchistan.
The Accountant General, Public Works Department.
The Director General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Central Division, and Lucknow.
The Director General of Telegraphs.

By order,

G. H. D. WALKER,

Under Secy. to the Govt. of India.

No. 5712, dated 20th October 1888.

RESOLUTION—By the Government of India, Dept. of Finance and Commerce.

READ—

Despatch No. 15 Public Works, dated 31st March 1887, from Her Majesty's Secretary of State to the Government of India, concerning restrictions on the power of Local Governments to enter into contracts involving liabilities on the State.

RESOLUTION.—The Government of India having had under consideration certain cases in which agreements have been made with private persons or mercantile firms, which have resulted in loss or inconvenience to the State, has prescribed the following rules for the guidance of Local Governments and Administrations :—

I.—In those cases where it is considered expedient to grant concessions or to make agreements which create any exclusive privilege or impose any corresponding obligation upon the Government, the deed of concession, or the agreement, if the rights under it are transferable, must be so framed that it will be beyond the power of the persons with whom the agreement is made to transfer their rights, or a part of them, without the sanction of the Government.

II.—Whenever it is considered that the circumstances are such that it may be expedient that the property or rights should be placed in the hands of a joint stock company, the circumstances must be reported to the Government of India before the agreement is concluded or the concession finally made.

III.—All contracts, agreements, or concessions creating any exclusive privilege, or imposing any corresponding obligation upon the Government which have a currency of more than five years, must be forwarded before execution for the approval of the Government of India, unless powers have been unconditionally reserved to Government in the contract to terminate it on giving notice of such intention.

IV.—Agreements with private persons, firms, or companies, under which a Local Government undertakes to execute works or perform services for them which involve expenditure from Government funds to the extent of a lakh of rupees altogether, or of a yearly sum of Rs. 5,000, or the cession of Government property valued at a lakh of rupees, should be submitted to the Government of India for approval.

V.—Contracts or agreements which fall under the terms of clause III will be subject to any special provision made by Government to meet particular cases, or particular classes of cases, in which a strict application of that clause would be unadvisable.

VI.—When agreements of the class referred to in this Resolution are executed by a Local Government, their terms should be considered in the Judicial Department and by the highest legal adviser to that Government, and they should be executed by the Secretary to the Local Government in the Judicial Department.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the several Departments of the Government of India; the several Local Governments and Administrations; the Mint Masters, Calcutta and Bombay; the Director General of the Post Office; and the Commissioner of the Northern India Salt Revenue for information and guidance.

No. 1634 dated 21-1-89

Recorded with reference to Govt. No. 3680 dated 21st November 1888

(52) H R Mo.

Government of India Central Printing Office.—No. 845 P. W. D.—11-1-89.—1,022.

SECRETARY TO GOVERNMENT 19 JAN. 89 PUBLIC DEPARTMENT, MADRAS

163/2. 163/2

[For Heads of Departments.]

Circular No. II Public Works.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

Calcutta, the 10th January 1889.

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The Resident at Hyderabad.
The Agents to the Governor General for Central India, Rajputana, and Baluchistan.
The Accountant General, Public Works Department.
The Director General of Railways.
The Consulting Engineers to the Government of India for Railways, Calcutta, Central Division, and Lucknow.
The Director General of Telegraphs.

By order,

G H Walker

Under Secy. to the Govt. of India.

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To
The Secretary to the Govt. of Madras
P. W. Department

W. 605

IV.—Agreements with private persons, firms, or companies, under which a Local Government undertakes to execute works or perform services for them which involve expenditure from Government funds to the extent of a lakh of rupees altogether, or of a yearly sum of Rs. 5,000, or the cession of Government property valued at a lakh of rupees, should be submitted to the Government of India for approval.

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ORDER.—Ordered, that a copy of this Resolution be forwarded to the several Departments of the Government of India; the several Local Governments and Administrations; the Mint Masters, Calcutta and Bombay; the Director General of the Post Office; and the Commissioner of the Northern India Salt Revenue for information and guidance.

Government of India Central Printing Office.—No. 836 P. W. D.—11-1-89.—1,022.