

(1) பக்கங்களின் எண்ணிக்கை 6

(2) புதுக்கித் திருப்பிய நாள் 2/9/2

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 3

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

PWD துறை

103

அரசாணை எண். 2580 அச்சகம்
மு. கோப்புத் தாள் எண். 2580 பலவகை

நாள் : 17-9-1892 198

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

3 Sheets

37

ஆவண. கா-1-18,006-15-6-87.

No. 401 W

SUPERINTENDING ENGINEER'S OFFICE,

V Circle, Madras,

Chennai, 5th September 1892.

From

W. Hughes Esquire

To

SUPERINTENDING ENGINEER, V CIRCLE,

THE

Chief Engineer

P.W. Department

SIR,

Enclosures.

I have the honor to report on the petition received with your endorsement No. 4023 C d/31 August 1892.

2. The petitioner had a contract for repairing the Korattur Tank and had done some of the work and collected building materials when the Cyclone of October 1888 occurred with the result that portions of the work and materials were destroyed. It was not however until January 1890 that the Executive Engineer submitted an estimate of Rs 1115 for restoring the ~~damage~~ ^{damage} but apparently the restoration had not been deferred all this time. The estimate was returned to the Executive Engineer with certain enquiries of which one related to the provision of Rs 248 for loss of materials

In

In his reply (d/m May 1890) the Executive Engineer states that he inspected the work just before the cyclone and found the work under construction and sand, lime, bricks &c collected by the contractor and that he had included compensation for the loss of materials in his estimate as the loss was due to the cyclone, not to any fault of the Contractor. This explanation did not satisfy Col. Burton who reduced the estimate to Rs 865/- and sanctioned it in August 1890. The Executive Engineer again on 8th November 1890 appealed to the Suptg. Engineer to pass the items which had been disallowed and stated that Rs 900 had already been paid on a bill of Rs 1033-8-4. The Suptg. Engineer replied that he had no knowledge of the terms of the Contract but would pass the extra amount when he was informed that by the terms of the Contract all such losses (i.e. of materials &c) were to be borne by the Secretary of State. Nothing further was heard of the claim in this office until receipt of a petition in July last apparently endorsed unfavorably by the Executive Engineer. Col. Campbell in returning the petition expressed agreement with the Executive Engineer that no compensation

is due for loss of materials.

3. My opinion is that the contractor has no legal claim to be compensated for the loss of his materials but it is quite clear the Executive Engineer promised and guaranteed as far as he could that compensation should be paid. I cannot account for his change of view between November 1890 and July 1892. $\frac{180}{25/2}$

I have the honor to be
Sir

Your most obedt. servt.

W. Hughes

Suptg. Engineer S. Circle.

9/140
P.W. CURRENT No. 9/40
Mansukh 40232 of 31. 8. 92

FROM
THE SUPERINTENDING ENGINEER,
V CIRCLE,

TO
THE Chief Engineer
P.W. Deptt.

Dated 8/1 September 1892
Recd. 8/1

ENCLOSURES.

No. 401 W

C. Valayudum Nair
Contractor Korakur
Lank work.

Referring to petition
presented by

9/9 2.16. 7-92

For orders

S

129 W

The S.E. Engineer has to examine
to him for the contractor's materials
lost in the cyclone. I think the
claim should be rejected. It
appears that the materials
already valued Rs 88 only
the Rs 248. How this has
been ascertained? I
suppose he must not have
examined.

13/10/92

PUBLIC WORKS DEPARTMENT.

3
From 2580 W of 17 September 1892

PROCEEDINGS OF THE MADRAS GOVERNMENT.

2580/3

Read the following

Petition from A. Valayudum Nair } (M.E. No. - of 22. VIII. 92)
From the S.E. V circle (" " 401 W of 5. IX. 92)

The Government
is not liable for the
loss of materials incurred
by the Contractor. His
claim must therefore
be rejected.

S
14/9

14/9

To
Valayudum Nair
St Thomas Mount
pay to the S.E. V circle.

No 2580 of 17 September 1891

(3)

9/22/91

old 947