

(1) பக்கங்கமின் எண்ணிக்கை

16

(2) புதுக்கித் திருப்பிய நாள்

12/91

(3) ஆதாரப் குறிப்பவர் சுருக்கொப்பம்

[Signature]

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

P. W. குறை

அரசாணை எண்.	அச்சகம்
மு. கோப்புத் தாள் எண்.	பலவகை
2458(W)	
நாள் :	25. 9. 1893
	199

மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

[Signature]

ஆவண. கா. 1—18,006—6-9-90.

2458
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25TH SEPTEMBER 1893, No. 2458 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Account.

READ—the following paper:—

From G. D. WYBROW, Esq., Superintending Engineer, I Circle, to the Chief Engineer, Public Works Department, dated Dowlaishweram, 15th August 1893, No. 1249 G.D.

Copy of my letter, No. 1997 G.D., dated 16th December 1892, to President ...	1	I have the honour to submit, herewith, the marginally-noted correspondence between the President, District Board, Górávari, and myself, relative to the recovery of rents, for the occupation of canal berms by Local Fund Department as depôts for the deposit of materials, under the rules contained in Appendix I to the Madras Public Works Code.
President's endorsement, No. 241 L.F.E., dated 16th May 1893, to me with 3 enclosures ...	1	
My letter, No. 821 G.D., to President ...	1	
President's letter, No. 515, dated 11th July 1893 ...	1	
1893 ...	1	

2. From the correspondence, it will be observed that the Local Fund Engineer declines to pay rent for 1891-92 for the depôts, on which he had no occasion to deposit materials, although they were included in the list of depôts he applied for. When an exactly similar state of things happened in 1890-91, the Local Fund Engineer was distinctly informed by the Executive Engineer, Górávari Eastern Division, that the variations in the extent of the land, originally applied for, should have been intimated to him, and a revised application sent in, in time, to admit of corrections being made in the returns of rents already submitted to the Examiner, and of regulation of bills for the correct realization of rent.

3. Regardless of this timely warning, the Local Fund Engineer again disputes the propriety of the Executive Engineer's billing for the rent of depôts applied for in his list, and bases his contention, apparently, on the following grounds:—

(a) Submission of lists for approval by Executive Engineer is a matter of form to prevent inconvenience to traffic, or to the construction or repairs of works, and also to prevent possibility of a claim being made at some future time, on behalf of the Local Fund Department, by right of custom.

(b) Alleged impossibility to apply for the exact extent of land required during the year.

With regard to (a), I beg to state that the rules published in Appendix I, Madras Public Works Code, require that application for the required depôts should be made by the Local Fund Engineer to the Executive Engineers of the Divisions, who should grant permission for their occupation, subject to the conditions of payment of one rupee a year, or part of a year, for every 20 yards of frontage. As far as I can see, this rule admits of no exception, and I do not see why it should not be enforced, and the more so, when it is wilfully infringed. As regards (b), I fail to see why the Local Fund Engineer, as occasion needs, should not intimate to the Executive Engineer the variations in the extent of land originally applied for.

4. It appears to me that the rule in question is more honored by violation than by adherence, since the Local Fund Engineer occupied certain of the depôts which were not included in the list, for which he never applied to the Executive Engineer, for permission for their occupation.

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25TH SEPTEMBER 1893, No. 2458 W., PUBLIC WORKS.

5. In drawing my attention to rule IX of the appendix, the President states that "the Local Boards are clearly only liable for land *actually occupied*." The Executive Engineer, Eastern Division, and myself, are however unable to agree in the President's decision.

6. Under these circumstances, I have the honour to refer the question for favour of your instructions, and, in the event of your coinciding with my views that the rents should be realized for plots of land allotted to the Local Fund Department, to request that orders of Government be obtained for the recovery of the rent due for the areas applied for by Local Fund Engineer from the Local Fund Department.

7. Further, I would beg to suggest your moving Government to order the realization of these rents in advance in future, to prevent vexatious correspondence of the nature referred to in this letter.

8. I beg to request that the original letters forming enclosures of this letter may be returned, when no longer required.

No. 47 E.W.

Forwarded.

2. The Superintending Engineer has considerable power in his hands and, if he rigidly enforces rule 6 of G.O., No. 248 L., dated 21st March 1882, and Appendix I of the late Madras Public Works Code, the Local Fund Engineer will probably stop asking for more depôts than he occupies.

3. In any case, the rent charged is so small that it does not seem worth while raising the question.

MADRAS,
5th September 1893.

(Signed) F. W. ASHPITEL,
for Chief Engineer for Irrigation.

ORDER—dated 25th September 1893, No. 2458 W., Public Works.

Rent should be paid for the areas actually allotted to the Local Board on the application of their Engineer, whether availed of or not.

If the Local Fund Board do not conform to rules, they should not be allowed the use of the berms to store material.

(True Extract.)

Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Superintending Engineer, I Circle,
" Chief Engineer for Irrigation, with enclosures.
" Examiner, Public Works Accounts.
" Local and Municipal Department.

Encl. T. K. Narayana Aiyangar.
Spare Copies

GENERAL
ACCOUNT.

Gobt. of {1893} Madras.
PUBLIC WORKS.

Dated September, 25th.

Recd.

Encl.

G.O., 25th Sept. 1893, No. 2458 W.

SEPTEMBER.

Rent

Orders on correspondence relative to the payment of — by the Local Board of the Godavari district for occupation of canal berms as depôts for the deposit of material.

No. 1249 G. D.

2458
3

FROM

G. D. Wylerawar
SUPERINTENDING ENGINEER

FIRST CIRCLE.

Shro the Chief Engineer
for irrigation.

TO

THE CHIEF ENGINEER

PUBLIC WORKS DEPARTMENT.

Enclosures. 7.

DOWLAISHWERAM, 15th August 1893.

SIR,

I have the honor to submit herewith the marginally noted correspondence between the

1 Copy of my letter No 1997 G. D. d/16-12-92
to President

1 President's endorsement No 241 L.F.E. to me
with enclosures 16-5-93

1 My letter No 213 G. D. to President

1 President's letter No 515 11-7-93

President District Board
Godavari and myself,
relative to the recovery
of rents, for the occupa-
tion of Canal berms,
by Local Fund Depart-
ment, as Depôts for the

deposit of materials, under the rules contained in
Appendix I. to the Madras P. W. Code.

2. From the correspondence, it will be observed
that the Local Fund Engineer declines to pay rent
for 1891-92 for the depôts, on which he had no
occasion to deposit materials, although they were
included in the List of depôts he applied for.
When an exactly similar state of things happened
in 1890-91, the Local Fund Engineer was dis-
tinctly informed by the Executive Engineer,
Godavari Eastern Division, that the variations
in the extent of the land, originally applied for,
should have been intimated to him, & a revised
application sent in, in time to admit of correction.

being made in the Returns of rents already submitted to the Examiner, & of regulations of bills for the correct realization of rents.

Regardless of this timely warning, the Local Fund Engineer again disputes the propriety of the Executive Engineer's billing for the rent of depôts applied for in his list, & shows his contention apparently on the following grounds:

(a) Submission of lists for approval by Executive Engineer is a matter of form to prevent inconvenience to traffic or to the construction or repairs of works, & also to prevent possibility of a claim being made at some future time on behalf of the Local Fund Department by right of custom.

(b) Alleged impossibility to apply for the exact extent of land required during the year.

With regard to (a) I beg to state that the rules published in Appendix B, Madras P. W. Code, require that application for the required depôts should be made by the Local Fund Engineer to the Executive Engineers of the Divisions, who should grant permission for their occupation, subject to the conditions of payment of one Rupee a year or part of a year, for every 20 yards of frontage. As far as I can see, this rule admits of no exception, & I do not see why it should not be enforced, & the more so, when it is wilfully infringed. As regards (b) I fail to see why the Local Fund Engineer, as occasion needs, should not intimate to the Executive Engineer the variations in the extent of land originally applied for.

It appears to me that the rule in question is more honored by violation than by adherence.

2458
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2 Pca
since the Local Fund Engineer occupied certain of the depôts which were not included in the list for which he never applied to the Executive Engineer for permission for their occupation.

5. In drawing my attention to rule 12 of the Appendix, the President states that "the Local Boards are clearly only liable for land actually occupied". The Executive Engineer Eastern Division & myself are however unable to agree in the President's decision.

6. Under these circumstances, I have the honor to refer the question for favor of your instructions, & in the event of your coinciding with my views that the rents should be realized for plots of land allotted to the Local Fund Department, to request that orders of Government be obtained for the recovery of the rent due for the areas applied for by Local Fund Engineer from the Local Fund Department.

7. Further, I would beg to suggest your moving Government to order the realization of these rents in advance in future, to prevent vexatious correspondence of the nature referred to in this letter.

8. I beg to request that the original letters forming enclosures of this letter, may be returned when no longer required.

I have the honor to be,
Sir,

Your most Obedient St.

J. D. J. [Signature]
Supr Eng: 1st Circle.

P. W. CURRENT No. 7703

S. E. I. 500-13-2-93

no 248 9 821-3-82
657 9 823-7-86
571 9 821-7-91

DISPOSAL.

2458
5

FROM
D. Wyllie Esq.
SUPERINTENDING ENGINEER
FOR THE FIRST CIRCLE
21/12/93
TO
THE CHIEF ENGINEER

3 Pcs

No. 47 Sw

with a file of
correspondence

Forwarded.

2. The Superg. Engineer has considerable power in his hands as, if he rigidly enforces rule 6 of G. O. No. 248, I dated 21 March 1882 and Appendix I of the late Madras O. R. Code, the Local Fund Engineer will probably stop asking for more depots than he occupies.

3. In any case, the rent charged is so small that it does not seem worth while raising the question.

W. H. P. S.

For Chief Engineer

Madras
5 Sept 93

Pls

I do not agree with

para 3 above.
The terms of our
Contract with the
Muz. with regard
material & building
material under the rules
are rigidly enforced.

Government of Madras.

1893.

P. W. DEPARTMENT.

CURRENT No. 7703

No. dated

From

The Chief Engineer
for Irrigation

ENCLOS. 7

No. 47 S. W

Dated 5.9.93

Received 8.9.93

SUBJECT.

Occupation of canal berms

by L. I. Department as Depots.

Forwarding, with remarks,
letter from S. E. I circle forwarding
certain correspondence regarding
the recovery of rents for
the —

For orders with
reference to the Encl.
by the Chief Engineer
for Irrigation

2458

11
16.9

15.9.93

The rules should be enforced. The L. I.
Dept. must say that for the land
they apply for, as well as for any
they may occupy without application.
If they won't conform to rules, they should
not be allowed to store material on
the berms at all.

16.9.

8/5 2/8
16.9.
20/9

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from the Sups. Engineer Chingle 11249 of 15.8.93
Encl. by the Chief Engineer for Irrigation 1147 of 5.9.93.

Rent should be paid for the areas actually allotted to the Local Board on the application of their Engineer ^{with the sanction of the} as well as for any land that may be occupied without application.

Whether a request of or not -

Chief. They cannot occupy land without permission. If allowed to stand might be construed into an admission that they can do so.

GH

If the Local Fund Board do not conform to rules they should not be allowed

allowed

allowed the use of
the beams to store
material.

2458
19-9-93

20-9

2458

1. The S.E. Circular with
enclosures
Chief Insp. to Insp.
S. W. Accto.
Local & Municipal Dept
(The H.M. the Chief Insp.
to favor of Circular
etc.)



N^o 2458 Waj 25th September 1893

PROCEEDINGS OF THE MADRAS GOVERNMENT

Read the following

Letter from the S.E. I Circle No. 1249 G.D. of 15 August 1893.
Enclt. by the Chief Insp. for Inspection No. 47 Ed
dated 5 Sept. 1893.

Rent should be paid
for the areas actually
allotted to the Local
Board on the application
of their Engineers whether
availed of or not.
If the Local Fund
Board do not conform
to rules they should
not be allowed the use
of the beams to store
material

DISPATCHED
3 OCT. 93

2. The S.E. I Circle 6/10 ✓
with Enclosures (7)
Chief Insp. for Insp.
S. W. Accto.
Local & Municipal Dept.

20-9-93
21-9
22-9-93

CN^o 7703

Govt. of Madras.
PUBLIC WORKS.

Date

26/9

Recd.

Encl.

C.O. 25 Sept 1893 No. 24584

Reint

Orders on ~~cor~~
relative to the
payment of — by
the Local Board of
the Gaduani district
for occupation of
canal beams as
depôts for the deposit
of material.

100/-

J.C. 25.14

25/9-