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P.W.D

Go. No 2618-91W.

dt. 13.10.1893

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1/2618

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Account.

READ—the following papers:—

Office-note from the Examiner, Public Works Accounts, dated Madras, 8th May 1893, No. 168 A.

With reference to paragraph 2 of G.O., No. 897 W., dated 6th April 1893, I beg to point out that under Code, chapter I, paragraph 17, the following temporary establishment should be charged to Petty establishment and not, as directed, to Tools and Plant:—

(1) Watchman on Rs. 4 per mensem for tools shed in the Negapatam division.
(2) Stores lascar on Rs. 5 per mensem in the Tanjore division.

Office-note to the Examiner, Public Works Accounts, dated Madras, 13th July 1893, No. 2608 C.

In your office-note No. 168 A., dated 8th May 1893, it is pointed out that the store watchmen referred to in paragraph 2 of G.O., No. 897 W., dated 6th April 1893, should be charged to "Petty establishment" and not to "Tools and Plant" as directed in the Government Order, and you quote paragraph 17, chapter I of the Public Works Code as the authority for the change.

2. Prior to 1889 all store lascars were charged to "Tools and Plant, Repairs," as would be seen from the foot-notes (*d*), (*f*) and (*h*) to the proposition statement printed with G.O., No. 2196 W., dated 13th August 1889, and letter No. 1651, dated 9th September 1889, from the Superintending Engineer, III Circle, read in G.O., No. 3298 W., dated 20th November 1889. The Government of India Code rule quoted by you is not a new one and is the same as paragraph 19 of the Madras Public Works Code, and from the instances quoted above it will be observed that store lascars were charged to "Tools and Plant," no objection having been taken thereto with reference to the Madras Code rule.

3. The rule in question contemplates *servants who are employed on general duties and whose salaries are not provided for in any estimate for a work.* The store lascars are *not employed on general duties, their work being confined to looking after the safety of the stores*, and *their salaries are proposed to be provided for in the estimate for "Tools and Plant."*

4. Under paragraph 67, chapter VII of the Public Works Code, repair estimates should provide for all watchmen for the care of vacant buildings, guarding works, working sluices, &c., and from this it follows that the watchmen guarding tools should be charged to "Tools and Plant, Repairs." It is therefore considered that the instructions contained in paragraph 2 of G.O., No. 897 W., dated 6th April 1893, are in accordance with the spirit of this rule.

Office-note from the Examiner, Public Works Accounts, dated Madras, 1st August 1893, No. 576 C.

[Your office-note No. 2603 C., dated 13th July 1893.]

In my opinion the words "employed on general duties" in Government of India Code, chapter I, paragraph 17, mean that employés of any of the classes mentioned in that paragraph whose duties are so general in extent though specific in character that their pay cannot be debited to any particular office or estimate should be charged to Petty establishment.

2. Under any other interpretation, such, for instance, as that suggested in your paragraph 3, the pay of an artificer or of a storekeeper should not be charged to Petty establishment, because their duties are in one sense specific and *not* "general;" but the propriety of this incidence of charge has never, I think, been questioned.

3. With reference to your paragraph 2, I would, with all deference, submit that an audit officer cannot be bound to-day by errors in procedure in the past, and I would respectfully ask for a re-consideration of the matter under notice.

Order—dated 13th October 1893, No. 2618 W., Public Works.

Ordered that the Government of India be addressed.

[Here enter No. 2619 W., dated 13th October 1893.]

(True Extract.)

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

To the Examiner of Public Works Accounts.

Encl. C. A. Munisamy.
Spare Copies

GENERAL.
ACCOUNT.

Govt. of {1893} Madras.

PUBLIC WORKS.

Dated October, 13th.

Recd.

Encl.

G.O., 13th Oct. 1893, No. 2618 W.

OCTOBER.

Watchmen

Ordered that the Government of India be addressed in connection with the incidence of the pay of — employed in guarding tools and plant.

PUBLIC WORKS DEPARTMENT.

General.
Account.

LETTER—from

J. HANNAN, ESQ.,
Ag. Joint Secretary to the Government of Madras,
Public Works Department,
General, Buildings and Roads Branch,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.

SIR,

In forwarding the accompanying copy of the Proceedings of this Government, No 2618 W., dated 13th October 1893, I am directed to solicit the favour of opinion of the Government of India as to whether the pay of watchmen employed in guarding tools and plant can be charged to "Tools and Plant, Repairs."

2. It having been observed that the pay of several classes of establishment which should, under paragraph 67, chapter VII of the Public Works Code, be charged to "Works" had for several years past been debited to "Establishment," this Government ordered that the provisions of the aforesaid paragraph should in future be strictly adhered to. It was accordingly decided that the pay of watchmen employed in guarding tools and plant should be charged to "Tools and Plant, Repairs."

3. The Examiner of Public Works Accounts, however, pointed out in his office-note No. 168 A., dated 8th May 1893, that this charge should, under paragraph 17, chapter I of the Public Works Code, be debited to "Petty establishment" and not to "Tools and Plant," and having been asked to reconsider his objection in the light of the arguments put forward in my office-note No. 2608 C., dated 13th July 1893, he adheres to his original opinion.

4. The watchmen in question are not employed in supervising the execution of any work or in discharging any regular office duties, and it is therefore considered that the pay of the men cannot with propriety be charged to "Establishment." Under paragraph 67, chapter VII of the Code, repair estimates should provide for all watchmen for the care of vacant buildings, guarding works, working sluices, &c., and this Government considers that, in accordance with the spirit of this rule, the pay of watchmen employed in guarding tools and plant should be charged to "Tools and Plant, Repairs."

I have the honour to be,
Sir,
Your most obedient servant,

Ag. Joint Secy. to Govt., P.W.D.,
General, Buildings and Roads Branch.

OOTACAMUND,
13th October 1893.

Exd. C. A. Munisawmy.
Spare Copies

GENERAL ACCOUNT

Govt. of {1893} Madras.

PUBLIC WORKS.

Dated October, 13th.

Recd. Encl.

13th October 1893, No. 2619 W.

OCTOBER

Watchmen

Requesting an expression of opinion as to whether the pay of — employed in guarding tools and plant can be charged to "Tools and Plant, Repairs."

2619-W/93 (C. No. 1201/8.)

KEEP-WITH CURRENT No.

dated 189 .

GOVT. OF MADRAS. } 1893. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 8 May 1893.

OFFICE NOTE No. 168 A

To

1 Rec.

W.

With reference to para 2 of G.O. No.897 W.dated 6th.April 1893,I beg to point out that under Code,chapter I para 17, the following temporary establishment should be charged to petty establishment and not,as directed,to Tools and Plant.

1. Watchman on Rs.4 Per mensem for tools shed in the Negapatam Division.
2. Stores lascar on Rs.5 per mensem in the Tanjore Division.

C.

P. W. CURRENT No. 4303

Nº 2196 W 9-12-8-89
" 32 W 20-11-89
" 577 W 26-4-93

Recd 9-5-93

EXAMINER 1310 15 JUL 1893

No. 2680

Government of Madras.

PUBLIC WORKS DEPARTMENT.

Madras, 13th July 1893.

OFFICE NOTE.

From W

To C

In your office note Nº 168 A dt 8 May 1893, it is pointed out that the store watchmen referred to in para 2 of G.O. Nº 897 W dt 6 April 1893 should be charged to "petty establishment" and not to "tools and plant" as directed in the G.O., and you quote para 17, chap. I of the P.W. code as the authority for the change.

2. Prior to 1889, all store lascars were charged to "Tools and plant, Repairs", as would be seen from the footnotes (d) (f) & (h) to

to the proposition statement printed with Go. No 2196 W of 13 August 1889 and letter No 1651 of 9 September 1889 from the Superintending Engineer III circle read in Go No 3298 W of 20 November 1889. The Govt of India Code rule quoted by you is not a new one and is the same as para 19 of the Madras P. W. code, and from the instances quoted above, it will be observed that store lascars were charged to "Tools and Plant," no objection having been taken thereto with reference to the Madras Code rule.

3. The rule in question contemplates servants who are employed on general duties and whose salaries are not provided for in any estimate for a work. The store lascars are not employed on general duties, their work being confined to looking after the safety of the stores, and their salaries

26/12-9

salaries are proposed to be provided for in the estimate for "Tools and Plant."

4. Under para 67, chap. VII of the P. W. code, repair estimates should provide for all watchmen for the care of vacant buildings, guarding works, working sluices &c and from this it follows that the watchmen guarding tools should be charged to "Tools and Plant Repairs". It is therefore considered that the instructions contained in para 2 of Go. No 897 W of 6 April 1893 are in accordance with the spirit of this rule.

11/7

10.7.93

EXAMINER
16 JUL 1893

PW E.I
6775/53

2618-19/8

KEEP-WITH CURRENT No.

dated 189 .

(C. No. 1201/8.)

GOVT. OF MADRAS. } 1893. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 1st/2nd August 1893.

OFFICE NOTE No. 376 C

To

W.

Your office note No.2608 C. dated I3th.July I893.

In my opinion,the words,"employed on general duties",in Government of India Code chapter I,para I7,mean that employes of any of the classes mentioned in that para,whose duties are so general in extent though specific in character,that their pay cannot be debited to any particular office or estimate, should be charged to Petty Establishment.

2. Under any other interpretation, such for instance as that suggested in your para 2,the pay of an artificer or of a storekeeper should not be charged to Petty establishment ,because their duties are in one sense specific and not "general";but the propriety of this incidence of charge has never,I think, been questioned.

3. With reference to your para 2, I would,with all deference,submit that an audit officer cannot be bound to-day

3000—3-2-97.

P. W. CURRENT No: 6775

by errors in procedure in the past; and I would respectfully ask for a re-consideration of the matter under notice.

Ag 21 96 W dy 13.8.89
" 8298 W dy 20.11.89
" 840 W dy 28.3.90
" 897 W dy 6.4.90
" 2608 C dy 13.7.90

H 2/8

C.

Encls 1

Encls 1
Recd: 3.8.93

H 533
R 13/10

Current No: 6775

2618-19
9

Note

In G.O. No: 840 W dy 28th March 1893 it was ordered that the pay of the watchmen employed in guarding tools and plant should in accordance with the spirit of the rule contained in para 67. Chap. VII of the P. W. Code be charged to Tools and Plant, Repairs, and this procedure was followed in dealing with applications for the employment of watchmen for tools and plant and stores.

2. The Examiner, P.W. Accts. in his office note No: 1681 A dy 8th May 1893 objected to this procedure and he was asked to reconsider his objection in office note No: 2608 C dy 13th July 1893. He does not however appear to have considered the arguments advanced in para 4 of the Office note

2. It was observed that the pay of several classes of establishment which should, under para 67, chapter VII of the P.W. Code, be charged to "Works", had been for several years past been debited to "Establishment"; this Govt. therefore ordered that the provisions of the aforesaid para should in future be strictly adhered to. It was accordingly decided that the pay of watchmen employed in guarding tools and plant should be charged to "Tools and Plant, Repairs".

3. The Examiner of C. W. Accts. however, pointed out in his office note No: 188 A dy 8th May 1893 that this Charge should under para 67, Chap. I of the P. W. Code be debited to "Petty Establishment" and not to "Tools and Plant", and having been asked to reconsider his objection in the light of the arguments put forward in my office note

2618-19
11

6 Pay

Note No: 2608 C dy 13th July 1893.

But the Examiner has adhered to his original opinion.

4. The watchmen in question are not employed in supervising the execution of any work or in discharging any regular office duties, and it is therefore considered that the pay of the men cannot with propriety be charged to "Establishment". Under para 67, Chap. VII of the Code, repair estimates should provide for all watchmen for the care of vacant buildings, guarding works, working sluices &c and this Govt. considers that in accordance with the spirit of this rule, the pay of watchmen employed in guarding tools and plant should be charged to "Tools and Plant, Repairs"

DESPATCHED
26 OCT. 93

DESPATCHED
24 OCT. 93

Accts

C.W.O. 6775

Govt. of {1893} Madras.

PUBLIC WORKS.

Dated

3157 W

Rec'd. Encl.

G.O. 13th Oct. 1893. No. 2618

2619 W.

3157 W

P.C. (W.T.) Watchmen

Ordered that the Engr be addressed in connection with the incidence of the pay of —— employed in guarding tools and plant.

Watchmen 1—7

Requesting an expression of opinion as to whether the pay of —— employed in guarding tools & ××

×× plant can be charged to "Tools & Plant, Repairs".

S/2

S/2

S/2

P 14/10