on the work will be classed as original works".

3. With reference to para 2 of your letter, I am to state that the words "one fifth of" in the penultimate line of para 909 Madras Code were expunged by Standing Order No. 1219 of 1890, it having been brought to notice in that year that the wording of the Code rule placed the limit at one twenty fifth of the total revenue of the last five years, while the general understanding was that, if an estimate for repairs or improvements exceeded one fifth of the total revenue of the preceding five years the work should be classed under "original". The Government considered that the general understanding was more reasonable than the letter of the rule, and modified the latter accordingly.

I have &c.

Completion of improvements to Irrigation works.

Nos: 1241-42 W. dy 19th May 1894

INDEXED

introduced into the edition of 1880 by Standing Order No. 143 of 1881 to para 960 of that edition. The papers on the subject were dealt with by the Code Committee of the day, whose records prior to 1882 have been destroyed, and the reasons which led the Government to adopt the rule cannot therefore be now ascertained. It is supposed however that the object was to fix a limit to the power of subordinate authorities to sanction repairs.

2. I am to point out that the portion of para 909 of the Madras Code ruling that "such general improvements to irrigation works as are estimated to cost more than the average of the past five years' revenue dependent on the work will be classed as Original Works" does not relate to Irrigation systems which have paid no revenue for the past five years as stated in para 1 of your letter. The rule in the Code is, firstly that "Reconstruction of Irrigation works such as banks, channels, sluices, waste weirs, revetments etc. is to be classed under the heading 'original works' only when any material change in the character of the work is proposed or when the tank or system to which the work appertains has paid no revenue for the past five years" and, secondly that "such general improvement to irrigation works as are estimated to cost more than the average of the past five years' revenue dependent on

Code is "one-fifth of the average of the p
years' revenue".

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

N. F. Macken

Under Secy. to the Govt

Enclosures.

Documents accompanying :-

Nil.

Regd: 2-5-94.

S.C.B.

PUBLIC WORKS DEPARTMENT.

No: 1241 W. dt 19th May 1894.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Govt of India P.W.D. No 91 I dated 23-4-1894.

The following reply will be sent to the Government of India.

H. E. no 1242 W. dt. 19th May 1894.

To

The Secretary to the Govt of India
P. W. D.

Sir,

In reply to your letter No. 91 I. dated 23rd April 1894, I am directed to state that the latter portion of para 909 of the Madras P. W. Code, commencing from the words "Re-Construction of Irrigation Works to

(60—1,000—21-4-94.)

3266

No 1013 W dt 31-3-90
" 3108W " 2-12-93

Code is "one-fifth of the average of the past five years' revenue".

I have the honour to be,

Sir,

Your most obedient servant,

N. F. Mackenzie

Under Secy. to the Govt. of India.

Documents accompanying :-

Nil.

Enclos

Regd: 2-5-94
Regd Out 30-4-94

S.C.B.

63 D 30/4

0/5 7/4

0/10/5 11/9/5

Cur 30-4-94

Cur 3266

Note

No papers connected with S.O. No 143 of 1881 can be traced in the Secretariat, & the indexes have not yet been completed. It is probable, however, that the matter was settled by the Code Committee, & that the papers were passed on to C without entering into the merits of the Secretariat. All records of the Code Committee prior to 1892 have been destroyed in C's office.

C
9/5/94

PUBLIC WORKS DEPARTMENT.

dy 19th May 1894.

OF THE MADRAS GOVERNMENT.

READ the following

D. No. 913 dated 23-4-1894.

The following reply will be sent to the Government of India.

H. E. No 1242 W. dt. 19th May 1894.

To

The Secretary to the Govt. of India

P. W. D.

In reply to your letter 913 dated 23rd April 1894, I am directed to state that the latter portion of para 909 of the Madras P. W. Code, commencing from the words "Regarding the construction of Irrigation Works" to

E. I. Form No. 20.

No. 24 W

Office of the Chief Engineer for P W D Branch
Secretary to Govt

Madras, 30 April 1894.

From Lieut. R.E. Drake-Brockman R.E.

All communications should be addressed to the Secretary.

No. 91 I.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

CIVIL WORKS.

Irrigation.

To,

The Secretary to the Government of Madras,

Public Works Department.

Simla, the 23rd April 1894.

Sir,

With reference to the Proceedings of the Government of Madras, No.3106 W., dated the 2nd December 1893, printed at page 19 of the Proceedings of that Government in the Public Works Department, Buildings and Roads Branch, for the month of December 1893, I am directed to request that the Government of India may be furnished with any information as to the reasons which led to the adoption of the particular limit of $\frac{1}{5}$ of the average of the past 5 years revenue with reference to the classification as "Original Works" of Works pertaining to Irrigation systems which have been paid no revenue for the past five years, referred to in paragraph 909, chapter VII-Designs and Estimates for Works-of Madras Public Works Department Code, 1886.

2. I am to take this opportunity of pointing out that there is an error (which is probably a clerical one) in letter No.1037 T.C. of the 24th October 1893, from the Superintending Engineer, VI Circle. The Superintending Engineer mentions improvements to irrigation works estimated to cost more than "the average of the past five years revenue", whereas the rule in paragraph 909 of the Madras

Code

NT.

#6/

FOR ORDERS.

Explanation in regard to certain irregularities in connection with the Chandragiri Talaq cutcherry

I do not well see that anything else can be said now.

W
13 May

W
8-5

CMH
9.5.94.

011 45
HE 9/5
R16/5

thority and for the
insufficient rates entered
in the original estimate
rests with himself as
Superintending Engineer.
3. The first named
action was an irregularity
certainly, but I dont
think it is worth while
to take much notice
of it, as it had no
practical importance.
The Chief Engineer
hardly ever interferes
with the Supty Engineers
recommendations
as to the acceptance
of a tender, and for
my own part I should
be glad to see this
fact recognised and
the Supty Engineer
made the final

authority in the
matter of the acceptance
of tenders of all
kinds, though it is
not worth while to
ask India to alter
the Code for this purpose.
4. As regards the
entry of insufficient
rates it is clear that
Colonel Drake-Brockman
was in error, but the
substantial result is
of course the same as
if the estimate had
been properly prepared
in the first instance.
5. Perhaps it will be
sufficient to say that
it is clear that the
responsibility for the
irregularities noticed
in para: 3 of G.O. No.

(40—2,000—12-6-93.)

2393 W d/ 19-9-93
3948 C d/ 23-11-93
598 C d/ 10-2-94
1399 C d/ 30-3-94
63 D d/ 30-4-94.
734 W d/ 11-3-89
1002 W d/ 10-4-89
3285 W d/ 10-12-90
23 W d/ 5-1-91
1108 W d/ 21-4-91
4302 C d/ 1-10-91
2904 W d/ 30-10-91
4837 C d/ 2-11-91
627 W d/ 26-2-92
969 W d/ 24-3-92
2914 W d/ 20-10-92

Gast. for
... vide L.O. 2914 W d/
20 Oct. 92 - and now Colonel
Drake-Brockman says that
he learned the rates
himself.

R.S.
8 May 94

W
For orders.

C.O. 82/5
8/5/94

P. W. Department.

Read the following:—

Letter from the Chief Engineer for Irrigation
No. 246 W d/ 30/4/94.

FOR ORDERS.

Submitted for the
information of His
Excellency the Governor
with reference to draft
of G.O. No. 210 W of 23rd
January 1894.

2. There has been
some difficulty in
ascertaining the exact
facts but it is clear
from Colonel Drake-
Brockman's letter now
submitted that the
responsibility for the
acceptance of the
tenders without due

43—500-27-4-94.

H.S. 45/ 119/5

2393 W dy 19-9-93
3948 C dy 23-11-93
598 C dy 10-2-94
1399 C dy 30-3-94
632 D dy 30-4-94.
734 W dy 11-3-89
1002 W dy 10-4-89
3285 W dy 10-12-90
23 W dy 5-1-91
1108 W dy 21-4-91
4302 C dy 1-10-91
2904 W dy 30-10-91
4837 C dy 2-11-91
627 W dy 26-2-92
969 W dy 24-3-92
2914 W dy 20-10-92

P. W. CURRENT No. 256

1894

From Lt Col A R L. Drake Brockman
~~The~~ Chief Engineer for Irrigation Rly.

To
The Secretary
to Government
P. W. D.

No. 24 W.
Dated 30th April 1894
Despatched 4th May 1894.
Received 6.5.94

Enclosures. Sheet of papers etc.

Subject.

Chandragiri taluq
Cuddapah — submits
explanation on the points
noticed in G. O. No 210 W.
dy 23d January 1894 relating
to the excess incurred
on the ——

W 45/219/5

For orders.

This explanation is submitted in compliance with para 3 of G.O. 210 W dy 23d January 1894. The history of the case is given in that order.

K.B.
7 May 94

C.A.W.

Who covered the rates in the revised estimate? As far as I can see they were reduced after the Ex: Engineer but it does seem quite clear that such was the case. And that the S.E in this explanation thinks the Board threw himself

C.A.W
8/5/94

D.W.

The previous papers on the file do not state specifically whether the rates were lowered by the E.E or the S.E. The S.E however accepted the lower rates and the

P. W. Department.

Read the following:—

gineer for Irrigation

DERS.

Submitted for the information of His Excellency the Governor with reference to draft of G.O. No. 210 W of 23rd January 1894.

2. There has been some difficulty in ascertaining the exact facts but it is clear from Colonel Drake-Brockman's letter now submitted that the responsibility for the acceptance of the tenders without due

the District Munsiffs Court at Tirupati, there is every reason to believe that they would have been sanctioned in this case as well. When it was found that the Contractor would not agree to the reduced rates, a revised Letter Estimate on the original rates should have been drawn and forwarded for formal sanction. These rates are not, I have ascertained from the present Executive Engineer abnormally high. I left the Circle three months after I forwarded the Estimate for Rs 28,600, or I would have followed out the procedure indicated by me above -

I have the honor to be,
Sir,
Your most obedient Servant

Friedrich Buchmann Lt Col R.E.

Chief Engineer for Irrigation

To,
Colonel
R.E.
1.5.94

tender without due

2,000 9-1-94

NT.

PUBLIC WORKS DEPARTMENT.

2. 12 1 15 d. 19th Dray 1894.

I. I. FORM NO. 20.

No. 246

OFFICE OF THE CHIEF ENGINEER FOR IRRIGATION,
H Secretary to Govt P W D I Branch
Octacamund Madras, 30 April 1894.

From

Lt Hall R.E. Drake Brockman R.E.

~~THE~~ CHIEF ENGINEER FOR IRRIGATION,

To

THE Secretary to Govt P.W.D

Enclosures.

SIR,

In reference to Govt Sgs c dated 10 February 1894 relative to the excess incurred on the Chandragiri Talug Cutcherry, I have the honor to state that as far as my recollection serves me, the reduced rates were entered in the estimates of Rs 28.600 forwarded by me, as I considered the originally tendered for rates were too high, and I had full hopes if I had remained longer in the Circle of bringing the Contractor to reason and inducing him to accept the reduced rates. I was at fault in not having forwarded the tender in the first instance for approval to the Chief Engineer but in as much as the original rates were the same as those already sanctioned for the

File with 63 D 30/4/94

(40—2,000—12-5-93.)