Public Works (1898) Department.

G.O., No. 171 W

DATED 20 January 1898

[Despatch Abstract.]

haik Hussain Saib Contractor for the Wandiwash aluk Cutcherry: Orders declining to modify the orders ~~[illegible]~~ on the subject of the claims — passed by the S.E. IV Circle and the Chief Engineer P.W.D.

8
20-1-98

P. W. 25.
000—30-11-97.

Indexed. 9/1

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

DEPARTMENT.

No. 13/800]
4-10-97.]

P. W. DEP

Papers to be read in proceedings :—

HIS E
Again G.O., dated 189 , No.
THE
Again G.O., dated 189 , No.
TH
Current No. 10469 of 1897, dated 9-10-97, from Shaik Hussain Sahib, Contractor for the Wandiwash [illegible] extension
" " " 189 , " , "
" " 11982 " 189 , " 26.11.97 , " the S.E. IV Circle.

No. 191 W 20.1.98

ORDER.

The Petitioner is informed that the Govt. has inquired into the subject of his claims, and declines to modify the orders passed on them by the Supdg. Engr. IV Circle & the Chief Engr. P.W.D.

2. The Govt. find that the petitioner's statement that his final bill was not prepared in accordance with the Supdg. Engr's proposals, is not correct.

3. The Supdg. Engr. IV is informed that if proper precautions

G.O. No. taken by the Ex. Engr to specify on what ~~the~~ terms the extra work was to be carried out, all the trouble and correspondence which have since arisen would have been saved.

15.1.98

To

Shaik Hussain Sahib
Contractor

C paras 1 & 2 of order

S-S. IV Circle

P.W. DEPARTMENT.

C. No. 11892 of 97.

HIS EXCELLENCY THE GOVERNOR. ✓
~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~
~~THE HON'BLE MR.~~ GROSE, C.I.E.

SUBJECT. Petition from the Contractor for the Wandiwash Taluk Cutcherry

FOR ORDERS.

The paper flagged A is a petition from Sheik Hussain, Contractor for the Wandiwash taluk cutcherry, representing that he has not been properly paid for the work turned out by him, and praying that an inquiry might be made into the matter, and that he may be compensated for the heavy loss sustained by him.

This man petitioned + the Chief Engineer on the same subject in March 1896, and a full inquiry was then made into the matter. The letter No 117 + dated 7.3.96, the Supdg

+ petition flagged B.

+ flagged C

Engineer IV Circle stated that after the contract had been concluded, Sheik Hussain was ordered to do certain descriptions of work for which he did not tender, and that no agreement was made with him as to the rates to be paid for such work. That he tried to take advantage of this remissness on the part of the Dept., and claimed rates of his own choosing, in excess of the schedule rates of the division.

The Supdg. Engr. went into all the man's claims item by item, admitting several of them, and restricting payment in other cases to the schedule rates.

The Executive Engr. (Mr. H.E. Clerk)+ in reporting on the petition, stated that the Contractor never personally attended to the works, & that if he was a loser, it was because

+ letter of 2.3.96 flagged D.

+ memo No 198 D of 18.5.96 flagged E.

+ flagged F.

+ Petition attached to flag G.

+ memo No 2745Z of 2.6.8)
flagged H.

+ letter of 2.3.96 flagged D.

+ flagged A.

It should be rejected.

A.SH
12.1.98

+ Letter of 2.3.96 flagged D.

Yes.

A.SH
12.1.98

Supdg Engrs instructions

It is recommended that the petition be rejected.

If the man had a good claim against the dept., he would doubtless have long ago carried it into the law courts. As remarked by the Supdg Engr, he is apparently trying to take advantage of the circumstance that no regular agreement was made with him for work not specified in his original tender.

If proper precautions had been taken by the Ex: Engr to specify in what terms the extra ~~ex~~ work has to be carried out, all this trouble & correspondence would have been saved

W. Bell

10.1.98

11-1-98 R 14-1-98.

he was entitled
agent – also that t
was not finished on
31st March 1895, as stated
by the Contractor, for
it was far from complete
in August of that year.

The Chief Engineer thereupon+ informed the petitioner that the settlement proposed by the Supdg Engr. was equitable, and that no further concession could be allowed him.

The sanctioned estimate for the taluk cutchery at Wandiwash amounted to Rs 34,550 – on completion of the work, an excess outlay of Rs 3191 was passed by Govt. in G.O. No 80 W dated 8th January 1897. The excess was due chiefly to

+ letter of 2.3.96 flagged D.

Public Works (1897) Department.

CURRENT No. 11892

Order

From
The Superintending Engineer
Fourth Circle

No. 647/W

Dated 26th November 1897
Received 30.11.97
Enclosures ~~(7) Seven~~ 9
Spare copies

SUBJECT.

Taluk Cutchery at Wandiwash – Reports on the Contractor's statement that the final bill for the —— was not prepared in accordance with Supdg Engrs instructions is not correct.

By squares are meant roughly squared

BACK PAPERS.

G.O.	No.	Department.	Date.
	4326c	P. W.	26-10-97 ✓
	2745c	"	2-6-97 ✓
	1963 c	"	5-4-97 ✓
	1104 c	"	24-2-97 ✓
	80w	"	8-1-97 ✓
	2979w	"	21-10-96 ✓
	198 W	"	18-5-96 ✓
	2197c	"	8-5-96 ✓
	557c	"	13-2-95 ✓
	1033w	"	21-4-94 ✓
	1448c	"	3-4-94 ✓
	1117 c	"	12-3-94 ✓
	525w	"	26-2-94 ✓
	494w	"	21-2-94 ✓
	649c	"	13-2-94 ✓
	1027w	"	13-4-93 ✓

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Exhibit. M.

True copy
D. P. W

From. Major. C. C Rawson R. E
Executive Engineer
North Arcot Division.

To. Shaik Hoossain Sahib
Contractor
Chittoor

Station
Dated } 29th July 1891
Received } Despd. 30th

No. 518 M

Enclosure.

Dis No. dated 18

You will commence burning bricks at Wandiwash for the new Talug Cutcherry there six lacs of Raw bricks are required they must be moulded on a chunam floor

E. Regd No. 2/1147/1
3-NOV.97
P. W. D
NORTH ARCOT DIVISION

floor which will be passed and paid for by the Sub Divisional Officer before you commence moulding. Raw bricks are to be kept in Sheds not in the open air, until they are ready for burning.

The moulds used for the bricks are to be 9"×4½"×2¾" inside measurement, they are to be new and to be passed by the Sub Divisional Officer before being used.

In addition to the bricks 1100 cubic ft. of broken stone for concrete is required.

You should go as soon as possible to Mr Ward the Sub Divisional Officer at Ranipet and receive orders.

(Sd) C. C. Rawson
29.7.91
Major R. E.
Executive Engineer. N. A. D.

8/1374W
27 OCT 97

Exhibit M.

23 NOV 97

Exhibit ~~H.~~ R

True copy.

Madras 22nd September 1892

To M. R. Ry
C. R. Chinnaswami Iyengar Avergal
A. C. E; B. C. E
Sub Divisional Officer
Arni.

3 NOV 97
COAST DIVISION

In reply to Your No. 387/17 we have the honour to inform You that we shall enquire of our Rangoon friends at what rate they can supply Squired logs of the dimensions you require viz 10 to 22 feet long 15 to 21 inches in side measurement.

There are however various qualities of which we append a list, with price of each quality, so that you may have an approximate idea of what the cost of Your order would be. For Special sizes such as you require a higher price would be asked, as they would have to be picked out, and what were left would be spoiled for the ordinary assortment for which we are now quoting to you probably about Rs 10/ per 50 cubic feet extra would be charged.

For scan things the price various with the size we enclose a list from which you can select what you want. We do not ordinarily supply less than 5 Tons of each size

It must be understood that our quotations are only approximate, as, owing to the lead floating seasons of the last two two Years, stocks in Rangoon are very low and a higher range of prices may be expected.

By squares are meant roughly squared

logs and by Buttends. Short unsquared logs of various dimensions, containing usually from 10 to 12 Cubic feet each.

Our quotations are very low and do not admit of selection. They are for delivery at Madras harbour trust grounds and removal thence and loading in Railway trucks would cost another annas 14/- perhaps more, that must depend in the distance they may be from the railway. Buyer is to take delivery of and pay for the goods on advice of arrival. Ten per cent of price is to be deposited with order and to be deducted proportionately as deliveries are made and payments adjusted.

A is the quality usually shipped to Europe, known as U.K and is usually as sound as any timber can possibly be.

B known as S.R is the same quality as above but in shorter lengths though frequently of larger siding.

C known as L.R is the most popular quality here and is that usually supplied to railways and contraction of every sort.

D known as R is frequently of very large side dimensions and is chiefly used for sawing up.

E known as ◇WD is somewhat similar to the above and occasionally of ever larger siding but less sound also used for sawing.

We have the honour to be Sir
Your obedient Servant
(Sd)
Agent. B.B.T. Co. Ltd

Timber quotation

The undermentioned quotations are those at which we can probably make considerable sales without selection. Each rate noted is for sqrs not less than 10 Tons and for small materials not less than 5 Tons. We cannot however sell outright in the present of the market which is very strong without submitting the terms of any order with which you may favour us to our friends in Burmah.

Timber	Rate and ton of 50 cubic ft Madras landed terms		Equivalent F.O.B in Burmah after paying freight. comm and charges freight calculated at Rs 12/8	Remarks.
Squares	15 ft & over	14 ft & under		
A. English 1st class. U.K	120/-			
B. " " S.R	95/-	80/-		
C. Indian selected 1st class L.R	84/-	74/-		
D. Ordinary " R	74/-	64/-		
E. 2nd class " ◇WD	65/-	55/-		
Buttends		50/-		10 to 12 c ft. average
	Market lengths	avg. lengths		
Scantlings 2"x½"	83/	60/	405 ft length	
2x1	63/	50/		
2x1½	70/			
2x2	70/			
3x1	70/			
3x1½	85/			
3x2	85/			
4x1	75/			
4x1½	80/			
4x2	85/			
4x2½	103/			
4x3	103/			
6x1	85/			
6x1½	90/			
6x2	95/			
8x1	95/			
8x1½	105/			
8x2	105/			

Madras
22nd September 1892

(Sd)
Agents. B.B.T. Co. Ltd

Exhibit #3

True Copy

C. No. 1721/S.D. of 3-10-92

Indian Selected I st class will do for the wood work.

Doors and windows of English Selection, I st class.

(Sd.)

Executive Engineer

N. A. D.

7/1374 W

Exhibit #2

True Copy

No. 479/E.E.

Forwarded to the Executive Engineer for favour of orders as to which sort of these kind of teakwood to be purchased for Wandiwash Taluq Cutcherry. The 1st, 2nd and 3rd are the ones amongst which the selections timber. On receipt of your order I shall order the contractor to purchase teakwood. The 1st sort will be the best for doors and windows.

(Sd.)

Sub-Divisional Officer

Arni

2/10/92

Exhibit E

True Copy.

D.P.W.

From

The Sub-Divisional Officer

Arni.

To

The Contractor

Wandiwash

Taluq Cutcherry.

Station Arni

Dated 31st October 1892

Received

No. 261/M

Enclosure.

His No. Dated 189

Please have 12 tons of 1st class ("Europe") or marked (W.K) Teak wood logs from 1 1/4 or 1 3/4 feet side measurements brought at once and brought down to Arni for make

Regd. No. 4/114/7/4

3-NOV.97

P.W.D.

NORTH ARCOT DIVISION

ooks and windows
nd &c for the Taluq
utcherry at Wandiwash
its ought to be brought
n before the 15th of
November without
fail

(Sd) Chinnaswami Ayyangar
Sub Divisional officer

6/1374W

27 OCT. 97

23 NOV. 97

Exhibit. E.

6W23

1852

Exhibit I

True Copy.

8.

Regd No. 5/1147

3-NOV. 97

P. W. D.

NORTH ARCOT DIVISION

To

The Superintending Engineer
4th Circle
Coimbatoor.

Through the Executive Engineer
North Arcot Division.

MOST HONOURED SIR,

I, Shaik Hoossain Sahib, Contractor, Wandiwash Taluq Cutcherry, most respectfully beg leave to bring the following to your kind notice, in sanguine hopes that your honour will graciously be pleased to patiently go through my miserable case and meet out justice.

I finished the work within the contract time 31st March 1895, but I am not as yet finally paid.

The work was inspected by all the officers; one and all of them were highly pleased with the outturn of the work. Of all the buildings lately built in North Arcot Division my work is considered the best.

The Sub-Divisional Officer, to my misfortune, took a dislike against me, and, in view to ruin me, cut down many items in the final bills. His first final bill I objected. Thereupon he revised the same and allowed a trifling increase without reason or rhyme.

I beg to submit a Comparative Statement, from which your honour will note that my case has been very unfavourably dealt with, and as the Executive Engineer's mind was poisoned against me by the misrepresentation of the Sub-Divisional Officer, I am afraid I cannot expect justice from the hands of the Executive Engineer.

My contract agreement was practically cancelled as there were material changes in many important items;—Brick work, doors and windows, iron doors, iron gates, shell lime plaster &c; &c. It was therefore essential that the authorities should get another agreement. But they made me to believe that the rates, I claimed, will be allowed if work is finished within the contract time, and now think it their duty to ruin me. I must say it is neither fair nor equitable that I should be thus treated.

I am one of the best contractors in this Division. I beg to submit copy of Major Rawson, R. E. Esquire's testimonial.

I must not omit to mention another fact that though the revised estimate was sanctioned in 1892, I was not furnished with a copy of it until the work was almost completed—some months before completion—and the estimate for extended record room, ceiling planks, and record racks, not as yet given to me.

I have therefore no other alternative but to fall at your feet for justice, and I humbly trust your honour will spare me the trouble of establishing my claims in a legal Court, the most vexatious to all concerned.

I am now put to very heavy loss by the nonsettlement of my accounts for the last 9 months and I must therefore solicit your early decision in the matter.

I beg to submit my explanation *seriatim* for each of the disputed items in the Comparative statement.

1 to 3 Table Moulded Bricks. The original estimate on which the contract was entered to, provided for common brick work at Rs. 19 per 100 c. ft. Subsequently orders were given to use table moulded bricks promising to pay the difference in rates, but the excess rate proposed by the late Sub-Divisional Officer is only one rupee! I objected to accept this increase, whereupon the Sub-Divisional Officer was directed to look into my accounts and report the actual rate at which work was turned out. He found after a week's examination on the spot that the actual cost was Rs. 22-8-0 per 100 c. ft; and this was reported to the Executive and Superintending Engineers. At this time the walls were raised only 6 ft. high. It is needless for me to say that the cost of superstructure exceeding 20 ft. will considerably exceed this amount.

For the Cutcherry work at Tindivanam in the South Arcot Division which is only about 20 miles from my work, the rate allowed for table moulded bricks is Rs. 26. The bricks used in Tindivanam is only 2¼" thick, while the bricks used by me is 3" thick.

I sent my explanation in para (2) and data for the rates in my letter dated 21st February 1895 (Exhibit A) and in reply I was informed by the Executive Engineer in his No. $\frac{1586}{\text{M.}}$ dated 13th March 1895 (Exhibit B) "His request for increase in rates will be considered only when he completes the work within the allotted time and in a satisfactory manner".

I have accordingly reported that I would complete the work within the fixed time, *viz*, 31st March 1895, except excavating the well; and the rates may be increased according as I asked on 21st February 1895. For this the Executive Engineer gave order No. $\frac{1639}{\text{M.}}$, dated 22nd March 1895 (Exhibit C).

The rates I demanded for these items are the rates allowed fou Tindivanam Cutcherry in South Arcot District and Chendragiri Cutcherry in this division.

I may also mention that when I asked for Tirupati Sub-Magistrate's Cutcherry work at Rs. 25 for 100 c. ft. of table moulded bricks, the Executive Engineer recommended me as the rate being within the data. My rate Rs. 25 was due as the town Tirupati is close to forests and the wood for burning bricks can be had comparatively cheap.

4 and 5 Cutstone work. The rate allowed for this work in the Taluq Cutcherry at Chendragiri is Rs. 1—8—0 per c. ft. at this place stones can be had within 2 furlongs.

The rate I claimed in para (1) *vide* Exhibit A is Rs. 1—8—0 plus cartage as the stones are to be carted from a distance of 26 miles from Arni. The cartage for this distance per c. ft. was fixed by the Executive Engineer at Re. 0—4—9. * *vide* para 1 No. $\frac{1380}{\text{M.}}$ dated 26th January 1895 (Exhibit D, also B and C.)

* The stones brought from Arni a distance of 26 miles a rate of Rs. 1—0—9 will be paid.
The estimate rate of Re. 0—12—0 Do.
Therefore cartage is Re. 0—4—9.

6 Cuddapa Slabs. The construction of this work was done under the personal supervision of the late Sub-Divisional Officer and I was paid the rate allowed in the estimate, which was also passed by all the officers and even the present Sub-Divisional Officer paid accordingly up to date. Now in the final bills Mr. Ainley deducted Rs. 25—1—3 for alleged want of slope. For this I am not responsible as the work was done as desired by the then Sub-Divisional Officer. If at the construction time I was directed to give more slope I would have done it.

7 Teakwood wrought and put up. The rate I tendered for, is Rs. 4—8—0, and I must be paid at this rate which was allowed for Chendragiri.; *Vide* para 7 of Exhibit A also Exhibits B and C.

8 U. K. Mark Teak. The late Sub-Divisional Officer asked the permission of the Executive Engineer to use this teak in his letter No. $\frac{419}{\text{E. E.}}$ dated 24th September 1892. On receiving the permission of the Executive Engineer, No. $\frac{1720}{\text{S. D.}}$ dated 3rd October 1892, I was directed to procure this teak, No. $\frac{461}{\text{M.}}$ dated 31st October 1892 (Exhibits E and F.) From the latter it will be seen the difference in prices for U. K. and common teak. Please also see para 7 of my letter Exhibit A and Exhibits B and C. I also submit copies of letters, deposit receipts, and measurements from Messrs. Arbuthnot and Co., who procured for me the wood from Burma at a cost of Rs. 115 per ton while the rate for common teak is only Rs. 60 or 65 per ton, *vide* Exhibits G_1 to G_8. So I claim with profit Rs. 1,200 for 20 tons and 10 ft. or 1010 c. ft.

9. Iron grated doors for jailwards and iron grated gate. My actual cost of labour for making a door is Rs. 65 without the cost of iron, 384 lbs. Messrs. Massey and Co. demanded 4 annas per lb for gates, Exhibit K which is easier to make than the doors. Even at this rate each door would cost Rs. 96 while the rate claimed by me is only Rs. 2—2—0 per sq. ft. for doors and gates at this rate the cost of the door is only (32 × Rs. 2—2—0) Rs. 68 while the rate demanded by Messrs. Massey and Co. is Rs. 96. Even this rate (Rs. 2—2—0 per sq.ft.) will not cover my actual cost. *vide* para 10, Exhibit A, also Exhibits B and C.

10. One inch square iron bars in addition to the 3 bars allowed in the plan for windows which was done under the orders of the late Sub-divisional officer.

I asked the payment for these bars in paras 6 and 21 (for the extention record room) of my petition, Exhibit H.

I submit this was done under the personal supervision of the late Sub-divisional officer at Arni, his Head Quarters, *Vide* Exhibit E.

For 21 windows one additional bar 6 ft. 3 inches was fixed. Their length comes to (21 × 6′-3″) lineal feet $131\frac{1}{4}$. The weight of one lineal foot being 3·34lbs. The total weight of the additional bars inserted is=$131\frac{1}{4} \times 3{\cdot}34 = 438{\cdot}37$lbs.

11. **Filling in basement.** The estimate provides for filling in with sand but the late Sub-divisional officer ordered to use gravel instead, *vide* para 7 of my petition, Exhibit H.

12. **Cement plastering.** I asked Rs. 8 per 100 sq. ft. in para 3 of my petition, Exhibit A, also *Vide* Exhibits B and C.

14. **Plastering 3 coats ordinary Chunam.** The estimate allows only 2 coats at Rs. 2—8—0 but I was ordered to do 3 coats at Rs. 3—12—0 and was paid accordingly up to date. But in the final bills the Sub-divisional officer who was himself paying at Rs. 3-12-0 now allows only Rs. 2—8—0. In his inspection notes 31st August 1894 the Executive Engineer observes as follows :—

"Some of the rooms are plastered with shell lime which is estimated to cost Rs. 5 about—the estimate only allowing for ordinary plaster 3 coats Rs. 3—12—0", *vide* Exhibit L and also the 2 final bills.

I also beg a reference to para 9 of my petition, Exhibit H. Against which the Executive Engineer remarks that "orders to this office have I think already been passed" that is Rs. 3—12—0.

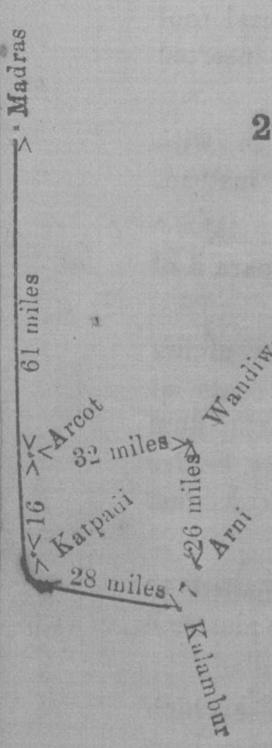
15. **Plastering with shell lime.** This was also done under the verbal orders of the late Sub-divisional officer. The shell lime was brought from Madras and the sand used for this plaster was brought from Tiruvattoor 6 miles north of Madras. My actual cost including cartage trainage for lime and sand comes to Rs. 5-0-0 and no margin is left for my profits. Yet the Sub-divisional officer allowed me only Rs. 4—4—0.

The Executive Engineer also estimates the rate for this at Rs. 5-0-0, *vide* Exhibit L.

16. **Painting 3 coats of zinc white paint.** This work was done under the personal supervision of the present Sub-divisional officer and I was paid the estimate rate Rs. 3—0—0 upto date. It was approved by all the officers without any objection. But the Sub-divisional officer now considers for reasons best known to him it is equitable to reduce it to one Rupee !

17. **Pointing with tar and asphalte.** In para 4 of my petition Exhibit A, I asked Rs. 3—0—0 which excludes value of tar and profit. This is only sufficient for labour alone. So I claimed the actual rate Rs. 3—8—0. *Vide* also Exhibits B and C.

18. **Colouring for bricks throughout tar pointing.** This was ordered by the late Sub-divisional officer and Overseer and was carried out under the supervision of the present Sub-divisional officer. In his notes the Executive Engineer remarked, *vide* Exhibit L "The whole of the brickwork which was very creditable has been *painted bright red* and what is ever worse the cutstone which has in many places been painted. This was I [illegible] believe done by Overseer, Arumoogam Pillai. He should be called on for an explanation."



19. **Earth work for levelling and clearing compound.** The amount provided in the estimate for this item is Rs. 200, which was not sufficient for removing the high ground which obstructed the view of the Cutcherry and it cost me more than Rs. 300. But I claim only the estimate amount Rs. 200, *vide* para 13 of my petition, Exhibit H.

20. **Trainage from Arcot to Kalamboor.** This was done under the orders of the late Sub-divisional officer, *vide* Exhibit E. The estimate only provides Rs. 100 for trainage up to Arcot (a distance of 61 miles) and now an additional distance of 44 miles (*i. e.* from Arcot to Kalamboor) had to be carried, *vide* Exhibit E. This was done because the late Sub-divisional officer wanted to see himself the making of doors and windows at his Head Quarters (Arni). According to the estimate I should bring the doors and windows. But I had to bring teakwood logs as per Sub-divisional officer's order for U. K. mark teakwood 10 tons and 8 feet.

According to the estimate for 61 miles the trainage is Rs. 100.

Rs.

Therefore for 1 mile the trainage is ... ... $\frac{100}{61}$

for 44 ... ... $\frac{100 \times 44}{61}$

= Rs. $\frac{4400}{61}$ = Rs. 72—2—1.

21. **Brick in clay platform.** I was ordered to construct a chunam floor to cut data bricks with a promise that I would be paid the cost thereof before commencing moulding, Exhibit M, No. $\frac{518}{M.}$ dated 29th July 1891. On observing this order the late Overseer ordered me to erect a floor of 75 feet long, 25 feet broad, and $\frac{1}{2}$ feet deep; Exhibit N, No. 161 dated 31st October 1891. Accordingly I erected and I was ready to plaster it. He gave another order, Exhibit O, No. 311 dated 13th January 1892 in which he said that one platform will not be sufficient to cut many data bricks and hence to erect another floor having the same measurement. Accordingly I commenced to erect another floor. Before erecting half of another floor he measured it and I received payment of Rs. 118—9—7. Afterwards I finished the other floor and also plastered those 2 floors. Now without adding the payment with Rs. 118—9—7, for the whole plastering and half of the brick work (of one floor) the present Sub-divisional officer deducted the payment of Rs. 118-9-7 in the final bills, which was paid in all the bills up to date. The measurements :—

Brick in clay No. 2. $75 \times 25 \times \frac{1}{2} = 1875$ c. ft.

Plastering 2 coats No. 2. $76 \times 26 = 3952$ s. ft.

22. **Special work in Jailwards.** I was ordered by the late Sub-divisional officer to fix cutstones ($3' \times 1\frac{1}{2}' \times 1\frac{1}{2}'$) in the walls of the Jail to secure the locking arrangement. I asked for each stone Rs. 30, but the Executive Engineer promised personally that he would pay at Rs. 25 for each stone, *vide* Exhibit D, para 2. That this work cannot be done at a less cost than Rs. 25 per each stone will be evident if any officer visits the work. But the Sub-divisional officer allowed only Rs. 25 for 5 stones !

24. **Scaffolding.** The original estimate provided a lump sum of Rs. 150 which is itself insufficient and will not cover my cost. But I only asked this amount, *vide* Exhibit A, para 5 and also Exhibits B and C.

25. **Teakwood Record racks.** 4 Record racks of the same measurement were supplied Departmentally from Gudiyatam and the rest 26 were made by me. The racks made by me are not inferior either in quality or workmanship. My actual cost is about Rs. 80—0—0 for each rack; (*Vide* Exhibit A, para 6) and some profit must be allowed to me, or I would be glad to receive the rate paid for the 4 racks departmentally made inclusive of trainage, cartage, and fixing charges also, *vide* Exhibits B and C.

26. **Ceiling planks.** I was told that the estimate provides Rs. 14 per square. The planks were supplied departmentally and deducting the cost I should be paid the balance. The Executive Engineer did not consent to this. Whereupon I asked labour and screw nails at Rs. 5 per 100 s. ft. and furnished data for the same. *Vide* Exhibit A, para 9 and also Exhibits B and C.

27. **Wood oiling 9 Coats.** The cost of scaffolding itself cost me more than Rs. 100, and unless I am paid at Rs. 2 it will not cover my actual cost.

28. **Kilns for burning table bricks.** My data furnished in my petition, Exhibit A para 2 did not include cost of kilns. In South Arcot District for Tindivanam Cutcherry work the contractor was paid Rs. 26 per 100 c. ft. of table moulded bricks work, also cost of kilns. I already gave measurements of these 2 kilns with the petition, *vide* Exhibit H.

29. **A deduction of Rs. 10.** The cost of wooden gate is Rs. 20-0-0 out of which Rs. 10-0-0 was deducted on plea of bad work. It was made under the personal supervision of the present Sub-divisional officer.

30. **Fine imposed on 3 Occasions Rs. 150.** I was fined twice for slow work. On the first occasion my representing to the Executive Engineer he promised to cancel the fine. Again when I was fined the second time, I appealed and the Executive Engineer wrote to say "the question of remitting the fine will be considered when it is seen what progress the contractor makes on the work," Exhibit P, No. $\frac{1206}{M.}$ dated 3rd December 1894.

I finished the work within the contract time and the fines should therefore be remitted. On account of finishing this work within the time I worked for 3 months both day and night and had to incur additional cost.

31. **Flooring asphalte.** For this work the estimate supplies in different ways (*i. e.*, Rs. 14—17—21) for 100 s. ft. of $\frac{3}{4}$ inch thick asphalte well rubbed. It was accordingly paid. Rs. 21 will not cover even my actual cost. For this work I brought bricklayers from Madras.

For Tirupati Sub-Magistrate's Cutcherry I askad at Rs. 21 per 100 s. ft. of $\frac{3}{4}$ inch thick asphalte. The Executive Engineer recommended me as the rate being within the data. I asked the payment according to the data in my petition H.

I am sure, my honoured sir, that this petition will be a source of vexation to your grace, nor can I,—not I alone, but my whole family—not for a moment enjoy the expected gratitude from your esteemed situation. My work being a large one, a slight reduction in any of the above rates will bring upon me sure and utter destruction. It is not necessary for me to state that, though my work was completed in March, as the accounts are not yet closed, and as I have not yet received my proper due, what amount of loss should I incur and what horrible sum of interest I owe to my creditors! A word more and I have done. The Chendragiri work and mine were begun at the same time. But, though I have completed mine nearly a period of 10 months ago, though Chendragiri work is incomplete up to date in spite of those rates being very high and in work being smaller than mine. I am now left only to mourn over my present fate. What more can I say, than to rest safe by approaching your honour's feet for justice and right-doing while intolerable cruelty of the Sub-Divisional officer itself serves as steps to the etiquette of your sublimity.

Begging for an early settlement.

I remain,
Most Honoured Sir,
Your most obedient servant,

26th January
1895

(Sd) Shaik Hossain Sahib

Contractor, D. P. W.
Chittoor,
North Arcot Division.

Chittoor:—Printed by M. Ramanujacharyulu at the Victoria Jubilee Press.

5/1374W

27 OCT. 97

FOUR

23 NOV. 97

Exhibit I.

RWS.4

10489/57

1892

Exhibit. H.

True Copy

To.

The Executive Engineer. D.P.W
North Arcot Division
Vellore.

6/1147

3 - NOV. 97
P.W.D
NORTH ARCOT DIVISION

Most Respected Sir.

With reference to the final Bill for Wandiwash Taluq-Cutcherry prepared by the Sub. divisional Officer I beg to bring to Your honour's notice the following omittions in the bill:—

1 Cut Stone. The measurements for this item has not been given as per para 1 of Your letter No 1380 dated January 1895. A deduction of Rs41–2–0 has been deducted under this item and it is not known for what purpose. Cost of about 138 cft. is still due to me.

2 Cudapah Slabs. The quantity build for is 816 ft. The work was done as per estimate (i.e) 930 sft. I was also ordered to put cudapah slabs for Tasildhar's and Sub-magistrate raised platform seats which amounts to 36 ft. So the quantity must be 930 + 36 = 966 ft. and not 816 ft. Under this item an amount of Rs25–1–3 has been deducted from the amount already paid. The work was done under the personal supervition of the late Sub-divisional Officer M. R. Ry. Chinnaswami Aiyangar. So there is no reason to deduct anything from the amount already paid.

3 Teakwood. The estimate provides for 1545 Cft. But it was ordered by the late Sub-divisional Officer to place one more rafter at each of the 4 vallies. The quantity to be with 1545 cft + 6⅓ ft (for 4 rafters each measuring L 15' × B 5" D 3") + 6.11½" (for the Eave planks was placed 8" breadth instead of 7" in the estimate. The difference one inch for the length of 102½ ft. Payment is requested as per rate contained in the bond

4 Iron grated door with Stong battend shutters inside with frames and c. For this work Your honour gave order for Rs2–14–0 it [illegible] before payment. But the Sub-divisional [illegible]

calculate according to the estimate

requested at Rs 2-14-0.

5 Iron grated door with frames and co. without shutters for gailwards. Your honour gave order for Rs 2-2-0 instead of Rs 1-12-0. But the Sub-Divisional officer calculating according to the estimate rate. Therefore payment requested according to your order.

3 - NOV. 97
P.W.D.
NORTH ARCOT DIVISION

6 Teakwood venition windows with glazed top frames iron bars and other fittings. For this work the plan supplies only 3 one inch squire iron bars. But the late sub-divisional officer ordered me to place 4 iron bars instead of 3 bars. Therefore payment is requested for each bar in every window.

7 Filling in basement. The estimate provides for filling baseme with sand. And it is accordingly build for. But the late sub-divisional officer Mr. Chinnaswami Aiyangar thinking that sand filling will not be strong. Ordered that the basement should be filled with gravel. This was done. Therefore payment is requested for gravel at the usual rates.

8 Flooring with 2" thick cement concrete. The estimate provi for this item Rs 6-0-0. But the sub-Divisional officer calculate it Rs 5-4-0 instead of Rs 6-0-0. Therefore payment requested according to the estimate rate.

9 Plastering. The estimate provides a rate of Rs 2-8-0 for 2 coats of plastering. But 3 coats of plastering was ordered to be done and a rate of Rs 3-12-0 was paid already. Therefore payment for the former rate.

10 Painting with 3 coats of zinc white paint. The estimate provi a rate of Rs 3-0-0 for 3 coats of paint. And 3 coats of pain has been done. I am at a loss to know why the rate was reduced and the item struckout it was paid for this already. A[illegible]ore over the late Sub-Divisional officer ordered me [illegible] paint the reepers also. Accordingly 629 ft. painted. Therefore payment is requested for reepers al

11 Masonry drain under jailwards from court yard. For this item the estimate provides a sum of Rs 20-0-0. But the sub-divisional officer paid Rs 10-0-0 for this work. Pray that the estimated amount may be paid.

12 Iron gates for the above. For this estimate provides eight annas for each gate. But the sub-divisional officer omitted this item. Therefore payment is requested for the 2 gates at eight annas each.

13 Levelling earth work. The earth was like a ~~montain~~ mountain in the front side of the cutcherry. The earth was being in that way the cutcherry was not also visible. After the building work was over I levelled it. Afterwards I begin to erect the compound wall. And more over in the rear side of the building the earth was many feet lower than the building. And that was also filled by the earth that was in the front side. I brought it out much earth. In your honours inspection you noticed it many times. The earth which was levelled will cost me more than 300 rupees. For this work the late sub-divisional officer told me that he will give Rs 200 which was in the estimate for levelling the earth. Therefore I levelled it with a cost of more than Rs 300. For that work the sub-divisional officer gave only Rs 28-14-7 in the bill. And that officer also noticed it many times. In my seeing the bill I was astanished. Therefore I request you to give me payment of Rs 300.

Regd No.
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P.W.D.
NORTH ARCOT DIVISION

14 Brick in clay plat form. These are the 2 plat forms which were built by me by the order of Ranipet sub-divisional officer for to cut data bricks. I received payment already for this. more over the data bricks was altered to table bricks by the late divisional officer. And these plat forms were erected for the purpose of to cut data bricks. When the bricks were altered it is necessary to give payment. So there is no reason to struck a sum of Rs 118-9-7 whi was already paid. So payment is requested as before.

15 Stones and iron bolts. 6 cut stones (3 times chiselled) and 6

have been used for each door. 4 cutstones and 4 bolts for
each window. In this way we used for all the doors and
windows which comes to the amount of 348 cutstones and
348 bolts. Overseer took a bolt for to weigh. And he told
me each bolt weighs 4½ lbs exactly. But the sub-divisional
officer calculate at 12 annas for both the stone and the
bolt. On this I request Your honour to make a separate
payments for stones and a separate payment for bolts.

16 Cement plastering. The sub-divisional officer omitted cement
plastering wholly for cook room. Therefore payment is reques

17 Tarring. Estimate provides a sum of Rs13 for tarring the country
wood in cook room. But the sub-divisional officer paid only
Rs4-9-10 in the bill instead of Rs13. So payment requested
according to the estimate

18 Tarring. The sanction estimate provides a sum of Rs22 for tarring the
country wood in Public Latrine. But the sub-divisional
officer paid only Rs10-3-4. So the payment is requested
according to the estimate.

19 A wooden gate for the compound wall. Estimate provides
for this work a sum of Rs23-0-0. But the sub-divisional
officer paid only Rs20-0-0 in the bill. There is no reason
to deduct nor to struck the amount. So the payment is
requested according to the estimate.

20 Painting with oak colour and the cut stones for the gate. For
this the estimate provides a sum of Rs16-0-0. But the
sub-divisional officer paid Rs2-0-7 for painting and
Rs2-7-0 for cut stone in the bill. So the payment is
requested according to the estimate.

21 Teakwood venetian windows with glazed top frames iron
bars and other fittings. For this the payment is request
according as I ask (for one inch squire iron bar for
every window) in para 6.

22 Levelling course of concrete 4 inch thick under flooring. The
sub-divisional officer omitted this item for the extention
of record room. So the payment is requested.

23 Painting with 2 coats of silicate oak colour for 4 windows

interest for the money till the date of my payment.

3 coats of white zinc paint for wood work in the extention of the record room. For this work the suppliment estimate provides Rs 3. But the sub-divisional officer mitted this item wholly in the final bill. Therefore is requested according to the estimate

24 Fine imposed on 2 occations. Your honour told me that "You will cancel the fine" if You complete the work within 31st of March." I completed accordingly. So the fine may be cancelled.

25 A deduction of 2½ percent. It was already promissed by the late divisional officer to cancel it. Up to this I received payment without deduction. Therefore payment is requested without deduction.

Regd No 3-NOV.97 P.W. NORTH ARCOT DIVN

26 Kilens for table bricks. In the datas of table bricks the kilen was not taken. More over Tindivanam is a near place to Wandiwash. In that Tindivanam also Rs 26 was given to the table moulded bricks and the payment for kilen was also given to him. Herewith I send the measurements of 2 kilens. In these reasons I request Your honour to pay payment for kilens.

The payments is requested according to Your orders about the rates of items as I asked in 20th February 1895 and also to the following items

Wood oiling The estimate rate for 2 coats of ceiling planks is Rupee 1-4-0 is very low. The labour and the cost of oil alone cost me Rs 2 for 100 sft. Therefore payment is requested Rs 2 + contractor's profit.

Asphalte. The rate allowed in the estimate is very low. And I therefore payment is requested according to the actual data.

I beg to state that this being a very large work a slight deduction in the rates will put me to a very great loss and ruine. 7 months ago (i.e March) I finished my whole work. I specially request Your honour to make the payment at once. So that I may pay my debtors to whom I have to pay [illegible] interest for the money till the date of my payment.

I beg to remain most respected sir
Your most obediant servant.
(Sd) Shaik Hoossain Sahib
Contractor. D.P.W
Chittoor

18th October }
1895. }

NORTH
3-NOV.97

4/1374W
SUPG ... FOURTH C...
27 OCT 97

Exhibit .H.

...ENGINE...
23 NOV 97

6WL25
10669/57
1185

Exhibit II

True Copy

Read No. 9/1147/E
3-NOV.97
P.W.D.
ARCOT DIVISION

No. 198 D

Government of Madras

Public Works Department

Memorandum

Dated ~~Madras~~ Ootacamund 18th May 18

Petition from Shaik Hoossain Sahib dated 27th March 1896.

7/1147/E
3-NOV.97
P.W.D.
NORTH ARCOT DIVISION

The undersigned considers the settlement proposed by the Superintending Engineer to be equitable. No further concessions can be allowed. The Contractor will be informed accordingly.

(Sd.)

Colonel R. E.
Chief Engineer, P.W.D.

Shaik Hoossain Sahib

3/1374 W
27 OCT. 97

Exhibit. II.

23 NOV. 97

R.S.6
10467/97
1892

PWD

CHIEF SECRETARY
GOVERNMENT OF MADRAS
13-OCT. 1897

Recd No. 9/1147/97
3-NOV.97
P.W.D.
NORTH ARCOT DIVISION

To

His Excellency the Governor in Council,
Fort Saint George,
MADRAS.

The humble petition of Shaik Hussain Sahib Contractor Chittoor (North Arcot Division.)

Most Respectfully Shewth:—

1. That he undertook the Contract of Wandiwash Taluq Cutchery in July 1891 under the orders of the Executive Engineer (North Arcot Division) and after finishing the work within the specified time (in March 1895) and handed over the charge of the same.

2. That the construction of the Taluq Cutcherry being a big one he was ordered by the officers in charge of the work from time to time to use better and durable materials than those prescribed in the specification (and the orders of deviations are common in all the cases of this nature throughout the presidency).

3. That part payments during the construction of the above work was made to him from time to time and that a revised estimate was not made by the Officer in charge until the final bill was made, though the estimate was not inaccordance with the work done.

4. That subsequently when the amount that should properly be given to him highly exceeded the estimate amount, he began to lower the rates a good deal which subjected him to a very heavy loss.

5. That as the result of this unexpected loss he preferred a petition to the Superintending Engineer through the Executive Engineer on 26th January 1896 (Exhibit I) for which no reply was received for a long period of 3 months.

6. That as a further action he had to send a petition to the Chief Engineer on 27th March 1896 to the effect that he was given a reply saying that he thinks that the settlement proposed by the Superintending Engineer is equitable and that no further concessions will be allowed. Ootacamund 18th May 1896. (Exhibit II). Memo

7. That this reply of the Chief Engineer is made without proper enquiry into the matter since the present final bill was not at all prepared inaccordance to the proposal made by the Superintending Engineer.

8. That it will be seen clearly from the *memorandum* enclosed herewith that he is put to a heavy loss as he was not properly paid for the work turned out.

9. That though he completed his work more than 2 years and a half ago, yet the sum was not paid to him and what horrible sum of interest he must owe to his creditors.

10. That he prays most humbly and respectfully that a proper enquiry should be held in the matter and that he should be justly compensated for the heavy loss sustained.

That Your Excellency in Council will be graciously pleased to pass favourable orders after a careful perusal of the records connected with the Petitioner's hard case is the earnest and humble prayer of.

Your Excellency's most obedient and humble petitioner

9th October 1897

Contractor D. P. W. Chittoor.

Chittoor:—Printed by M. Ramanujachariar at the Victoria Jubilee Press.

PWD

P.W. Deptt.
Clea.
R.S. 14-8-97

1/1374W
SUPG. ENGINEER'S OFFICE
27 OCT. 97
FOURTH CIRCLE

SUPG. ENGINEER'S OFFICE P.W.D.
23 NOV. 97
FOURTH CIRCLE

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27 OCT. 97

Public Works (1897) Department.

Regd No. 1/1147 22
3-NOV. 97
P.W.D
NORTH ARCOT DIVISION

CURRENT No. ~~10469~~ E.9
6852/97

23 NOV. 97
FOURTH CIRCLE

7/8 D
18.5.96

From Shaik Husain Sahib
Contractor Chittoor, (North
Arcot division.)

No.

Dated 9th October 1897
Received } 20-10-97
Registered }
Enclosures 7
Spare copies

SUBJECT.

Wandiwash Taluq Cutchery
stating that the sum due
to him for constg: the ——
has not yet been paid to him.

For favour of orders

refer to DO

No. 4326 C D/26-10-97

Referred to the Supdg. Engineer IV Circle for favour of remarks, with reference to the petitioner's statement in para 7 to the effect that the "present final bill" was not prepared in accordance with the Supdg. Engr's proposals.

2. Attention is invited to this office No. 1968 C dated 5th April 1897 & to the Supdg. Engr's endt. No. 273 W dated 20th May 1897.

Ag. Secy. to Govt.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Letter from the Executive Engineer North Arcot Division to the Supg: Engineer 4th Circle, dated 22nd November '97. No 614.

In reply to your endorsement No 578/N.A. dated 30th October '97 forwarding Chief Engineer's endorsement on enclosures herewith returned I have the honor to report as follows:-

Your instructions to which the Contractor alludes and to which he appears to have had unauthorized access, are contained in your letter No 117/N.A. of 7th March 1896. I take the items therein seriatim.

Item 6. The deduction of Rs 25-1-3 for Cuddapah slabs is remitted in the final bill, as ordered.

Items 7 & 8. Rs 4-8-" per Cft is allowed as ordered.

Item 10. Rs 54-12-9 is allowed in final bill for these iron bars.

Items 11, 14 & 16. Your instructions regarding these items are cancelled by your subsequent No 129/N.A. of 14th March 1896.

Item 17. Rs 2-8-" (the estimate rate) is allowed

allowed in the Final bill, the Contractor not having tendered a rate, and the Schedule being silent.

Item 18. Rs 50-6-5 is allowed in Final bill for painting brick work.

Item 19. The Contractor made no tender for this, and actual measurements are accordingly allowed in Final Bill as ordered.

Item 21. Your instructions are to disallow this item

Item 24. The scaffolding was not tendered for. It was struck out of the original estimate by the Chief Engr. before sanction and included in the rate for brick work, for which the Contractor is allowed Rs 20 as against his tender rate of Rs 19.

Item 25. The Final Bill shows a Lump sum of Rs 55 for each record rack. The cubic contents of each rack is 11.67 Cft. This at Rs 4-8- per Cft. (the rate ordered by you) = Rs 52-8-0. per rack. I do not know why the extra Rs 2-8-0 per rack was allowed; possibly for fixing and wood oiling

It therefore appears that the Contractor's statement, that the Final Bill was not prepared in accordance with your instructions is untrue.

No. 647/W d/26th November 1897

Enclosure.
1 Endorsement No. 4326 c d/26th Oct 97
with 8 enclosures —
returned.

Copy forwarded to the Chief Engineer P. W. D. with reference to his No. 4326 c dated 26th October 1897.

Hannan
Supg: Engr., 4th Circle.