Public Works (1898) Department.

✓

G.O., No. 1843 W

DATED 20 July '98

[Despatch Abstract.]

Rent of building hired by Mr Somers Eve:

Stating that Mr Somers Eve, Ex-Engineer on Special duty, Ootacamund, will be allowed to draw, as office rent, 45 Rs & 130 Rs per month, for the period during which he pays a rent of Rs 150 & Rs 90 ~~Rs~~, respectively.

[P. W. 56. / 1,000—2-3-98]

Indexed.

BACK PAPERS.

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

FURTHER PAPERS.

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

P. W. 4.
500—24-3-98.

P. W. **DEPARTMENT.**

Papers to be read in Proceedings :—

Again G.O., dated 189 , No.
Again G.O., dated 189 , No.
Current No. 3432 of 189 8, dated 20th April , from S.E. IV Circle.
" " 4135 " 1898 , " ~~12~~ 10th May , " Exar. P. W. Accts.
" " 5389 " 189 8, " 28th June , , S.E. II Circle.

ORDER. No 1843 W, 20.7.98.

In his letter No. 443/W dated 14th August 1897, the Superintending Engineer IV Circle reported that no suitable public building was available at Ootacamund for the Office of the Executive Engineer on special duty, Drainage works, and that a private building was therefore engaged on a rent of Rs.50 per mensem. This letter led Government to infer that a separate house had been hired for Mr. Somers Eve's office at Rs.50 per mensem and to sanction that rent -- under para 16(2), Chapter VI, Vol. I of the P. W. Code. Vide G.O. No. 2452 W dated 2nd September 1897.

2. It now appears that Mr. Somers Eve at first engaged Warley Lodge at Rs.150 per mensem and that he subsequently moved into another house at Rs.90 per mensem, the terms being that if he vacated withing one year

he was to pay Rs. 150 per mensem for the last six months and that if he remained in it for more than a year, he was to get the house on more favourable terms presumably on the Rs. 90 first charged. In both these houses Mr. Somers Eve provided accommodation for his office and appropriated the Rs. 50 per mensem sanctioned by Government as office rent.

3. Mr. Hannan explains that his misleading letter No. 443/W dated 14th August 1897 was based on Mr. Somers Eve's letter No. 53 dated 15th April 1897 wherein no mention was made of the office being held in a portion of the residence. This omission on the part of Mr. Somers Eve led Government to sanction a rate of rent in excess of that admissible under the rules and he is therefore principally to blame for this misunderstanding.

4. As under para 16(3), Chapter VI, Volume I of the P.W. Code the maximum rent admissible for an Ex: Engr's office held in his residence is Rs. 45 a month, this rate will be allowed for the period during which Mr. Somers Eve paid a rent of Rs. 150 for the building and Rs. 30 per mensem so long as he pays Rs. 90, to be increased to Rs. 45 if he certifies that he pays Rs. 150 for the house.

Mr. Somers Eve will be allowed to draw office rent at this rate for the period during which he pays Rs 150/- per mensem for the building, & at the rate of Rs 30 for the period during which he pays Rs 90 per mensem

14.7.98

Drs/ W

Desp 21/7/98

The Suptg. Engineer IV Circle. ✓

,, Examiner, P. W. Accounts. ✓

- S. E. II [illegible], [illegible] [illegible].

[$\frac{43}{500}$]

Public Works DEPARTMENT.

2

C. No. 3432, 4135 & 5389 of 1898

HIS EXCELLENCY THE GOVERNOR.

~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~

~~THE HON'BLE MR. GROSE, C.I.E.~~

SUBJECT.

Rent of Mr. Somers Eve's office at Ootacamund.

FOR ORDERS.

~~o Flag B~~

In accordance with His Excellency's instructions on the Note° for Orders dated 23rd May 1898, the accompanying explanation has been obtained from Mr. Hannan. He states that he understood from the Executive Engineer's letter No. 53 dated 15th April 1897 that a separate private building was referred to and that although he became subsequently aware that the office formed part of the residence, he overlooked this fact when he approved the draft letter sent up by his head clerk owing to Mr. Somers Eve's failure to report the circumstances officially. Mr. Hannan remarks that Mr. Somers Eve should have, when submitting

KC

H.E. 4.7.98 R 8.7.98

submitting his application, stated that he proposed to hold his office in a portion of his private residence. This is true & Mr Somers Ene is principally to blame for all this mis-understanding

4. 7. 98

Mas

I accept this view of the case.

A. G H
7.7.98

Mr. de Winton's recommendation at the end of his Note of 23.5.98 is now accepted.

A. G H
7.7.98

Public Works (1898) Department.

CURRENT No. 5389

From The Superintending Engineer II Circle

Order

No. 370 G l

Dated 24.6.98
Received
Registered 28-6-98
Enclosures 2
Spare copies

SUBJECT.

Mr Somers Ene's Office building at Ootacamund — reports the circumstances under which the information referred to in No 443 W d 14.8.97 of S.E. IV Circle, was given

o.L.S 205 R16/7 WC/0

BACK PAPERS.

No.	Date.
3972D	d/ 3·5·98
2331/C	d/ 28·4·98
24324W	d/ 2·9·97

FURTHER PAPERS.

No.	Date.

Letter from J. F. Somers Cve Eng/ Executive Engineer on special duty, Drainage works. Ootacamund,. to the Superintending Engineer. Fourth Circle, No 537/15·4·97.

I have the honor to request that you will sanction the payment of Rs 50 per mensem as rent for my office in a private building, as there is no suitable public building available in Ootacamund. The building is partly furnished which will save purchase of furniture to a large Extent.

/True copy/

Mo: Upston

Manager

Supg: Engr's office

4 Circle

A.G

No 370 GL

Superintending Engr's Office
2nd Circle Dated. 24.6.98

From

J. Hannan Esquire.
Superintending Engineer.
II Circle

To

The Chief Engineer.
P. W. Department.

Encl 2.

Sir,

With reference to your memo No $\frac{397 D}{3\text{-}6\text{-}98}$ Calling on me to state when I got the information embodied in my letter No $\frac{443 W}{14\text{-}8\text{-}97}$, I beg to enclose Copy of Mr Sowers Exe' letter No 53 dated 15-4-97. I certainly understood from this letter that a separate private building was referred to.

2. There was several months' delay in applying to Government for Sanction as a certificate had to be obtained from the Divisional Officer, Coimbatore, to the effect that

no

no public building was available. When the required certificate was at last obtained, the letter under reference was drafted by my acting Head Clerk (draft enclosed) and sent me in camp for my signature.

In the Correspondence on this subject Mr Somers Eve mentions that I was aware that the office in question formed part of his private residence. I regret very much that owing to his not having reported so, officially the circumstance must have been overlooked by me when I approved the draft, referred to above. It is to be regretted that Mr Somers Eve, when submitting his application, did not state that he proposed to hold his office in a portion of his private residence.

I

I have the honor to be
Sir.
Your most obdt Servt
J H Munnall
Superintending Eng
a Circle

A.G.
JM.

P. W. Department.

No. 397 D., d/ 3rd June 1898

Memorandum.

In his letter No: $\frac{443}{W}$ d/ 14th August 1897, Mr. Hannan, as Supdg. Engineer IV Circle reported that no suitable public building was available at Ootacamund for the office of Executive Engineer on special duty, Drainage Works, and that a private building was therefore engaged on a rent of Rs. 50 per mensem. This letter gave the impression that a separate house had been hired for Mr. Somers Cree's office at Rs 50 per mensem and led Govt. to sanction that rent. It now turns out that the house was rented as a residence by Mr. Somers Cree, in which he also held his office and that the rate of rent sanctioned by Govt. was therefore beyond its power of sanction. The undersigned is directed to request that Mr. Hannan will be so good as to explain on what information he wrote his letter above referred to.

W.A.S.
30.5.98
W

Note for W

It will be seen from para 4 of Mr. Garrett's letter that Mr. Hannan saw Mr. Somers Cree's house and yet wrote the misleading letter. It is therefore proposed to send Mr. Hannan a copy of Mr. Garrett's letter.

W.A.S.
30.5.98

To The S. E. II Circle with copies of letters No: $\frac{443}{W}$ d/ 14-8-97 & $\frac{221}{W}$ d/ 16th April 1898 from the S. E. IV Circle

Despd. 3/6/98

Public Works DEPARTMENT.

C. Nos. 3432 & 4135.

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

SUBJECT. Rent of Mr. Somers Eve's office at Ootacamund.

FOR ORDERS.

In letter from the Superintending Engineer, IV Circle, No. 4434 W, dated 14th August 1897, it was reported that no public building was available at Ootacamund for Mr. Somers Eve's Office, and that "a private building was therefore engaged on a rent of Rs 50 per mensem". Rent at Rs 50 per mensem was ~~therefore~~ upon sanctioned under para 16(2), chapter VI, Volume I P. W. Code - Vide G.O. No. 2432 W dt 2-9-97.

Flagged B

By some means, the Examiner became aware that Mr. Somers Eve's Office was accommodated in his own residence, and he asked the Superintending Engineer to report all the facts of the case to Govt.

HC 26 May 98

It now appears that Mr. Somers Eve at first engaged Warley Lodge at

HG 23-5-98 A 26.5.98

at Rs 150 per mensem, and that he subsequently moved into another house at Rs 90 per mensem, the terms being that if he vacated within one year, he was to pay Rs 150 per mensem for the last six months, and that if he remained in it for more than a year, he was to get the house on more favourable terms, presumably on the Rs 90 first charged.

In both these houses, Mr. Somers Eve provided accommodation for his office, and appropriated the Rs 50 per mensem sanctioned by Government as Office rent.

The Superintending Engineer now states his opinion that so long as Mr. Somers Eve pays an average rent of Rs 120 for his house, Rs 50 is a fair charge for office rent.

The Officers concerned however appear to overlook the fact that the rules for the payment of rent for a separate building, and for office accommodation provided in an Executive Engineer's residence, are quite different.

When a separate building ~~for~~ is

is hired for the office of an Executive Engineer, the amount of rent to be paid is fixed by the Local Government (para 16(2), Chapter VI, Volume I P.W. Code)

When Executive Engineers provide accommodation for their offices in their own residences, they may be allowed office rent up to Rs 30 per mensem, and in special cases, this amount may at the discretion of Government be increased to a maximum of Rs 45 a month (para 16(3) of the same chapter). Beyond this, it is out of the power of Government to go.

Mr Hannan's letter of the 14th August 1897 certainly gave the impression that a separate house had been hired for Mr Somers Eve's office at Rs 50 per mensem, and Government was thus led into sanctioning a rate of rent which it had no power to sanction.

It

It has now to be decided whether rent at the maximum rate of Rs 45 per mensem can be sanctioned. The Examiner says this may be done if it is decided that Mr. Somers Eve may be treated as an Executive Engineer in charge of a division.

There is no evidence in this office to show on what information Mr. Hannan, the then Superintending Engineer of the IV Circle, wrote his misleading letter No. 443/W of 14th August 1897, and I think he should be called upon for explanation. With regard to the rent to be paid for the portion of the house used as an office, it is stated that Mr. Somers Eve used 3 rooms out of 9 in a house for which he paid Rs 150 a month, and 2 rooms out of 6 in a house for which he is paying Rs 90 a month. In the first instance I think he may be allowed the maximum

Flagged B

Mr. Hannan should be called upon to explain.

A.G.H

I will defer decision on this until I have seen Mr. Hannan's explanation. A.G.H 25.5.98

Filed.
A.G.H
7.7.98

maximum, viz, Rs 45 per mensem, and in the second instance Rs 30 per mensem, to be increased to Rs 45 if he certifies that he is paying Rs 150 for the house.

23.5.98

Chr. 5389 Cw 4/35 O&S/115

is hired for the Office of an Executive Engineer, the amount of rent to be paid is fixed by the Local Govt. (para 16(2), Chapter VI, Volume I P.W. Code).

When Executive Engineers provide accommodation for their Offices in their own residences, they may be allowed office rent up to Rs 30 per mensem, and in special cases this amount may at the discretion of Govt. be increased to a maximum of Rs 45 a month. (para 16(3) of the same chapter) Beyond this, it is out of the power of Govt. to go.

Mr. Hannan's letter of the 14th August 1897 certainly gave the impression that a separate house had been hired for Mr. Somers Eve's Office at Rs 50 per mensem, and Govt. was thus led into sanctioning a rate of rent which it had no power to sanction.

It has now to be decided whether rent at the maximum rate of Rs 45 per mensem can be sanctioned. The Examiner says this may be done if it is ~~been~~ decided

decided that Mr. Somers Eve may be treated as an Executive Engineer in charge of a division.

Mr. Somers Eve has an important charge under the direct orders of the Superintending Engineer, and though it is not technically a "division", it may be treated ~~to~~ as one for purposes of office rent. Rent at Rs 45 per mensem may therefore be sanctioned, but as the facts were not ~~probably~~ properly reported to Government in the first instance, it is submitted that the rate of Rs 45 must have effect from the date the Rupees 50 was first paid.

Any charge beyond Rs 45 will require the sanction of the Govt. of India, to whom all the circumstances must be reported.

WS

CM

Reduce this sheet

There is no evidence in this office to shew on what information Mr Shearman, the then S. E. of the IV th Circle, wrote his misleading letter No 4463/W of the Aug 1897. & I think he should be called upon for explanation with regard to the rent to be paid for the portion of the house used as an office. It is stated that Mr Somers Eve used 3 rooms out of 9 in a house for which he paid Rs 150 a month, & 2 rooms out of 6 in a house for which he is paying Rs 90 a month. In the first instance I think he may be allowed the maximum viz Rs 45 per mensem, & in the second instance Rs 30 per mensem, to be increased to Rs 45 if he certifies that he is paying Rs 150 for the house.

10.5.98

Public Works (1898) Department.

CURRENT No. 4135

Order

From The Examiner, P. W. Accts, Madras

No. 1564 B/E

Dated 10 May 1898

Received 12.5.98

Enclosures 2

Spare copies

SUBJECT.

Mr Somers-Eve Ex. Engr on Special duty —— states with remarks that Rs 45 p. m. may be charged as rent for the office of ——

O.L.S. 115

BACK PAPERS.

G.O.	No.	Department.	Date.
	2331	C	28-4-98
	2432	W	2-9-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

EXAMINER,
P. W. ACCOUNTS.
2- MAY. 1898
No.

No. 221/W

Superintending Engineer's office
4th Circle
Camp Ootacamund 16th April
1898.

From

A. H. Garrett Esq
Superintending Engineer
4th Circle.

To,

The Chief Engineer
P. W. Department.

Sir,

I have the honor to inform you that in April 1897, Mr. Somers Eve asked the Superintending Engineer to sanction "the payment of Rs 50 per mensem as rent for my office in private building."

2. The sanction of Government was applied for in this office No. 443/W of 14th August 1897, in which it was stated that a private building had been engaged on a rent of Rs 50 per mensem.

3. In January last the Examiner drew my attention to the fact that this private building was also used as a residence by Mr. Somers Eve, and wanted to know what proportion of the rent ought to be paid by him

Owr. 1
4135/98

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Public Works (189 8) Department.

CURRENT No. ~~3432~~ 8.2
4135/98

EXAMINER,
P. W. ACCOUNTS.
2 MAY 1898
No.........................

From The Supg. Engineer,
4th Circle

No. 2 1/2 1 / W

No 2331C dated 28th April 1898

~~Order~~ O. U.

20C

For favour of remarks.

ALR
26.4.
DW

Dated 16th April 1898

Received
Registered } 20.4.98

Enclosures ✓

Spare copies ✓

SUBJECT.

Office of the Exe. Engineer on Special duty, Drainage Scheme, Ootacamund

Recommends that Rs.50 is a fair charge of rent for the ——

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R28/4

821 2432 0/17

BACK PAPERS.

No.	Date.
2432 W	2-9-97

The Supdg. Engineer
4th Circle

16th April 1898

Office of the Ex. Engineer
on Special duty, Cauvery
Scheme, Coleroon.

Recommends that Rs. 45
is a fair charge for
&c.

FURTHER PAPERS.

No.	Date.

E. No. 27.
1,000—6-9-97.

KEEP-WITH

dated 189 .

CURRENT No.

GOVT. OF MADRAS. } 189~~7~~8 { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 10 May 189~~7~~8

OFFICE NOTE No. 1564 B/E

To

W.

Your Office Note No.2331 C dated 28th.April 1898.

The first question to be decided is

whether Mr.Somers-Eve can be treated as an Executive Engineer in charge of a division under P.W.Code I.VI.16 (3).

If Government decides this in the affirmative,it will then be for them to say further whether Mr.Somers-Eve should,under P.W.Code I.VI.16 (3), be allowed to charge at Rs.45 per mensem as a special case,or only Rs.30 as rent for the portion of the building used for his Office.

2. Any charge in excess of Rs.45 would have to receive the sanction of the Government of India.

W/10.5.98

C.