

22-3-20

17-5-30 III

Public Works (1894) Department.

G.O., No. 2171 W

DATED 26th August '98

Overpayment to Contractor [Despatch Abstract.]

Directing the P. E. Office
to institute legal proceedings against the Contractor
to whom overpayment was made by
Mr. McIntosh, late Supervisor, Kurnool Dist.

which of the accompanying
bills regarding orders
payments on the work to the
Supply Channel of — Police
sent to Contractors and
requests orders on the same.

payments amount to Rs. 2215 the
difference being Rs. 1133-5-10. As
already reported in my No. 773 of
20.5.98 the amount yet to be
recovered either from Contractor
or from Mr. Tintin is Rs. 1030-1-4
arrived at thus -

Difference as Shown above 1133-5-10
due to Contractor by this Office 103-4-6

Balance Rs. 1030-1-4.

2. In bill No. 2 I have included
in the actual measurement of work
done in rock cutting, the quantity
15.39 as suggested in para 3 of
your letter to Chief Engineer and
have allowed the amount for
rock removal as per para 2 of
the above letter to stand; with
these items the bill comes to
Rs. 1579-15-4. Deducting previous

payments (1579-15-4-2215) the
amount is Rs. -638-0-8. Deducting
Contractor's dues as given above, the
amount yet to be recovered is -
Rs. (-638-0-8 + 103-4-6) 531-12-24
3. In this Office No. 462 of 17 May
1898 the Contractor was given a
written notice in a registered cover
to pay Rs. 1030-1-4. Shown in my
note 1 above but no reply has been
received up to date. A copy of
the notice sent to the Contractor
was also sent to the Government
Reader for modification if he
considered any necessary and for
sending a written notice to the
Contractor from his own Office.
The Government Reader in his
No. 34 of 21st May/98 suggested
the giving in detail to Contractor

the total value of work done by him and the amount paid to him in excess of work done. This information has not yet been sent to the Contractor through Government Reader because it is not known which of the two bills has to be sent.

4. The Government Reader at Madras in his No 443 dated 8. 6. 98 a copy of which was communicated with your No 976 of 20th June/98, is of opinion that the time for filing a Suit would run from the date when the mistake or fraud came to light and that the period of limitation would be 3 years from that date. The date of detection of the mistake is the

by Mr. Lazarus. i.e. 15. 10. 95 and so by the 15th of October 98 the time expires. The Suit if one should be filed ~~should be filed~~ within this time. I therefore request that you will be good enough to inform me at your early convenience which of the two bills should be sent to Contractor through Government Reader and whether a Suit should be filed.

5. As stated in para 4 of letter No 622 of 11. 5. 98, I to inform you that the Office to whom reference was made, that the Contractor was never employed by them on any work in their Divisions and that the money was due to him.

Encls
2 Bills

No. 1711 W dated 13 August 1898.

Copy Submitted to
the Chief Engineer P. W. D. for
favour of orders in continuation
of this Office No. 569 W dated
5-98 and with reference
G. O. No. 1485 W dated
6-98.

Respectfully

Lt. Col. R. E.
Sup. & Engineer
III Circle.