Public Works (1899) Department.

G.O., No. 1096 W

DATED 21st April 1899.

[Despatch Abstract.]

"~~Improvement to the~~ Maraneri tank".

Directing that half the amount of the overpayment viz Rs 90. 6-8 on the work of Improving the ———, Tanjore Division, be recovered from overseer D. S. Sankara Aiyar and that the balance of the amount be written off the accounts.

E

[P. W. 2 / 9,000—29-3-99.]

Indexed. 24/4

BACK PAPERS.

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

FURTHER PAPERS.

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

E B

Frame orders.

P. W. DEPARTMENT.

READ the following:—

Memo No. 991 C d/ 15.2.99

Endt. of the Supdg. Engr., V Circle, No 179 W d/ 16.3.99

~~Circulated to~~

ORDER. No: 1096 W d/ 21.4.99

In Memo No. 991 C, dated 15th Febry 1899, the Chief Engineer directed that an overpayment of Rs 180-13-4 on the work "Improvements to the Maraneri tank", Tanjore Division, be recovered in equal shares from Overseer D. S. Sankara Aiyar and Anicut Supdt. V. R. Narayanasawmy Aiyar, ~~in equal shares~~ and in six monthly instalments.

2. The Ex. Engineer, Tanjore Division, now requests that this order may be modified, as the overpayment was made by the Overseer himself, & the Anicut Supdt. has been invalided with effect from the

E.W.D.

P. W. 42-A.
1,000—2-3-99.

the 10th Febry, 1899. Under there circumstances the Govt: directs that half the amount of the overpayment; iz: Rs 90-6-8, be recovered rom the Oversee, as ordered by the Chief Engineer, and that the balance of the mount be written off the ccounts.

AGK
Rec. 13.4.99.

17/4/99

To

The Supdg. Engr., V Circle
" Examr., P.W. Accts.

27/4/99

P. W. DEPARTMENT.

READ the following:—

Endt. of the Supdg. Engr., V Circle, No. 634 W dt 11.10.98
Do No. 76 W dt 1.2.99
Memo No. 991 C dt 15.2.99
Endt. of the Supdg. Engr., V Circle, No. 179 W dt 16.3.99

Circulated to H.E. the Governor

FOR ORDERS.

The above correspondence relates to a case of overpayment by Overseer D.S. Sankara Aiyar on the work "Improvements to the Maraneri tank", Tanjore Division. The facts of the case are as follows:—

2. In the estimate for repairing the Maraneri tank provision was made for gravelling the bank at the rate of Rs 7 per 100 cft. with a lead of 9 miles. The piecework agreement for the work was drawn up at the estimated rate, but the lead was not mentioned in it.

3. In May 1897 the Overseer, D.S. Sankara Aiyar, prepared a bill in favour of the piecework

DW/W

P. W. 43
500—14-11-98.

at the estimated rate, deducting one Rupee for spreading. Shortly after the Overseer left the division for famine duty, and the work was placed under the charge of the Grand Aniacut Supdt. V. R. Narayanaswami Aiyar. In Septr. following the latter prepared a bill at the same rate for gravelling & it was also paid. The conduct of the Supdt. while in charge of the work appears to have aroused the suspicions of the Sub Divisional Officer, who checked the lead in March 98, & found that it was only 2½ miles and not 9 miles, as provided in the estimate. The rate according to this latter lead would be only Rs 2-10-0 per 100 cft without spreading. The amount overpaid by the Overseer is thus found to be Rs 180-13-4. The Executive Engineer states that this amount cannot be ecovered from the pieceworker, s he is not now employed and te piece work agreement does not make any mention of lead. The amount overpaid by the Supdt. on the other hand has been recovered.

4 The Overseer's explanation is that having been only 4 months in the taluk, he could not acquaint himself with the places well, that "as the quarry was not in easy reach of his eyes" he had to place confidence in the estimate already prepared & did not check the lead as provided for therein. The mistake made was a *bona fide* one; if he had known that the estimate was unreliable, he would have given less rates, as he had done in several other bills for earthwork & naval planting. The omission of any mention about lead in the agreement the Overseer attributes to oversight

been recovered from the Contractor, and

(3) that the Anicut Supdt. has applied for pension with effect from the 10th Febry 1899.

9. As the Supdt. has retired (~~[illegible]~~) from the public service, the undersigned recommends that half the amount of the overpayment viz. Rs 90-6-8 be recovered from the Overseer as originally ordered, & that the balance be written off the accounts.

ACR
28.3.99

28/3/99

Appd.
A.G.H.
7.4.99

I.E. 5/4/99 R 10/4/99

C No. 2417

Dw/

The facts in connection with the overpayment of Rs 180-13-4 on the work "Improvements to the Maaruveri tank" are detailed in the note flagged A

Memo No 991C d/ 15-2-99 flagged B directed that the amount be recovered in equal shares from Overseer D.S. Sankara Aiyar & the Anicut Supdt. V.R. Narayanaswamy Aiyar in six monthly instalments.

The Ex: Engr. now asks that this order may be modified as the overpayment made by the Anicut Supdt. has been recovered from the contractor, & that the overpayment of Rs 180-13-4 was made by the Overseer himself.

As regards this, the recovery was ordered from the Anicut Supdt. ~~not because he~~ as a punishment for the greater degree of culpability attaching to to his action, he having had a longer experience of the District than the Overseer.

The Assistant Supdt Overseer has applied for pension with effect from the 5th Feby 1899, & the Supdg Engr. recommends that the overpayment of Rs 180-13-4 be recovered from the Overseer in six equal instalments.

For orders whether the Supdg. Engr's recommendation may be accepted.

RKR
20/3/99

W

For orders

ASK
21.3.99.

I knew the facts when I made the order, but as the Supdt. is to take pension the order must be modified. I would however like to reduce the amount that the Overseer should be called upon to repay by one half. x

x This I presume will require the sanction of Govt. & as it may be held for orders. The circumstances must be detailed.

Aut
22/3/99

With reference to the words "(or is about to retire)" added by you ~~to~~ in para 9, it is submitted that the Ex: Engr's letter in the bottom file shows that Assistant Supdt. V. R. Naradyanaswami Aiyar has retired with effect from the 16th Feby 1899.

RKR
29.3.99

Words now inserted can be struck out

ASK
29.3.99.

P. W. D.

ndum

r., V Circle, No. 634 W
d 11th October 1898.
No. 76 W d 1st Feby 1899.

The Chief Engineer directs that of the over-payment of Rs 180-13-4 ~~Rs 90~~ be recovered in equal shares from Overseer D. S. Sankara Aiyar & the Assistant Supdt. V. R. Narayanasawmy Aiyar in six monthly instalments.

ASK
8-2-99.

the remainder
ed be written off the
r. accounts or charged E. W.
to the estimate
the work be
however extra charged
8/2/99
they are practically
case — but there is the
cle with 11 Enclos.
irrecoverable balance to
case will have to go to

Aut
8/2/99

991C

P. W. D.

Memorandum

Endt. of the Supdg. Engr., V Circle, No. 634 W
d/ 11th October 1898.

——— Do ——— No. 76 W d/ 1st Feby 1899

The Chief Engineer directs that of the over-payment of Rs 180-13-4 Rs 20 be recovered in equal shares from Overseer D. S. Sankara Aiyar & the Assist. Supdt. V. R. Narayanasawmy Aiyar in six monthly instalments. and that the remainder be written off the accounts or charged to the estimate of the work

E. W.

8.2.99.

To

The Supdg. Engr., V Circle with 11 enclos.

" Examiner, P. W. Accounts

W

This draft is based on your recommendation (Flag J); but, as pointed out in a paper sent to you this morning, I think it questionable whether such heavy penalties shd be exacted in cases where deliberate negligence cannot be proved

AEK
8.2.99.

D. W.

I recommended the full recovery because I suspected attempt at fraud in the case of the Supdt. and of culpable negligence on the part of the Overseer. I would however now reduce the fines (they are practically fines) to Rs 20 in each case — but how is the irrecoverable balance to be treated? The case will have to go to Govt. I suspect.

8/2/99

Rw.

E
B
SAW

…ative pensi…
the order must be mod…
I would however like t…
the amount that the Ove…
be called upon to repay by one half. x

Origl. draft is submitted for initials.

It is respectfully submitted that it is not open to the Chief Engr. to give the men the chance of paying up or of having the case placed before Govt.

It is for the Chief Engineer to decide how the overpayment is to be recovered. If it is considered that it was caused by negligence on the part of the Overseer & the Amicut Supdt then he can order the recovery of the amount from them either

(1) in whole

or (2) in part.

If the latter ~~course~~ course

1KW

---

899) Department.

CURRENT No. 2417.

99 C
15.2.99

From The Supg Engineer 5th Circle.

No. 179 W

Dated 16th/18 March 1899.

Received } 20.3.99.

Registered

Enclosures

Spare copies

SUBJECT.

Overpayment of Rs 180·13·4

Forwards copy of letter from the Executive Engineer Tanjore Division & states that — should be recovered from Overseer D. S. Sampara Aiyar in six equal instalments

W

w

Origl. draft is sub=
=mitted for initials.

It is respectfully submitted that it is not open to the Chief Engr. to give the men the chance of paying up or of having the case placed before Govt.

It is for the Chief Engineer to decide how the overpayment is to be recovered. If it is considered that it was caused by negligence on the part of the Overseer & the Assist. Supdt then he can order the recovery of the amount from them either

(1) in whole

or (2) in part.

If the latter ~~course~~ course

from

-Nasa Anjar in six equal instalments

W

course is adopted, the matter must be submitted to Govt. because there will be a loss of Govt. money.

If the Chief Engr. thinks there was fraud in the matter, then the case must be reported to Govt.

The Chief Engr. cannot tell the men that they must either pay up or the matter will be reported to Govt: who will probably take a serious view of the case & ~~you will~~ that they will then fare worse.

He has the power to order the recovery of the full amount from the men. If they think they should not be made to pay, they have the right of appealing to Govt.

W I think the above Rem is correct AEK 11.2.99. 11.2.99

C No 1130.

Dir

If the accounts of the work are not yet closed, the balance of the overpayment may be debited to the work. If they are closed, the amount will have to be written off the accounts.

In either case the matter must be submitted to Govt.

Rem
8/2/99

W As the matter will have to go to Govt. I should say the men had better be fined as you originally proposed, & the original memo might issue

AEK
8.2.99

matter is [illegible] in policy but [illegible] whom [illegible] fraud:

The original order may be rewritten & passed

So it seems to us to give the men the chance of paying up or of having the case placed before Govt. I believe Govt. would take a serious view of
Cunl 9/2/99

v.2.5.10. R20/H

---

from

-para Arjar in six equal instalments

warded ACH 11.2.99
11.2.99.

Public Works (1899) Department.

CURRENT No. 2417.

991C
15.2.99

Order

From The Supg Engineer 5th Circle.

No. 179W

Dated 16th/18 March 1899.

Received
Registered } 20.3.99.

Enclosures

Spare copies

SUBJECT.

Overpayment of Rs 180.13.4

Forwards copy of letter from the Executive Engineer Tanjore Division & states that — should be recovered from Overseer D. S. Sampara Aiyar in six equal instalments

SRW

v. L. S. 10 R 20/H

BACK PAPERS.		FURTHER PAPERS.	
No.	Date.	No.	Date.
991 C	15-2-99		
4655 C	22-10-98		

Copy of a letter from H. H. O'Connell Esqre Executive Engineer Tanjore Divn to the Superintending Engineer 6th Circle dated 7th March 1899 No 1309.

With reference to your No 45 JJ dated 2d Instant communicating orders of the Chief Engineer that overpayment of Rs 180-13-4 be recovered from Overseer D. S. Santhara Aiyar and Anicut Superintendent V. R. Narayanaswami Aiyar in equal shares in six monthly instalments, I have the honour to refer you to this Office original letter paras 5 and 6 of No 4553 dated 4th October 1898, from which it will be seen that the above overpayment of Rs 180-13-4 was made by Overseer D. S. Santara Aiyar himself, and that the Anicut Superintendent is not a party to it. The overpayment

made

made by the Ancient Superintendent has already made good from the Contractor now working in the Division, and nothing therefore remains to be accounted for by the Ancient Superintendent. Under these circumstances, I request that you will be good enough to address the Chief Engineer to modify his order.

2. In this connection, I should like to bring to your notice, that the Ancient Superintendent's application for pension from the 10th February 1899 has been submitted.

(True Copy)

No. 179W

Forwarded to the Chief Engineer P. W. Department for orders - the overpayment of Rs 180-13-4 should be should be recovered from Ancient D. S. Sankara Aiyar in six equal instalments.

16/3/99 Col. R.E.

Supg Engineer 5th Circle

1

No: 991C d/ 15-2-99

P.W.D.

Memorandum

Endt. of the Supdg. Engr., V Circle, No. 634 W d/ 11th October 1898.

——— Do — No 76 W d/ 1st Febry 1899

The Chief Engineer considering that Overseer D.S. Sankara Aiyar and Assist. Supt. V.R. Narayanaswamy Aiyar showed gross negligence in not ascertaining that the gravel was obtained at 2 miles distance and not 7 miles and therefore directs that the overpayment of Rs 180-13-4 be recovered from them in equal shares in six monthly instalments.

The Chief Engineer directs that the overpayment of Rs 180-13-4 be recovered in equal shares from Overseer D.S. Sankara Aiyar, & the Assist. Supdt. V.R. Narayanasawmy Aiyar in six monthly instal=ments.

A.C.K.
11.2.99.

E. W.

To

The Supdg. Engr., V Circle with 11 Enclos.

" Examiner, P.W. Accounts

11/2/99

21/2/99

Public Works (1899) Department.

CURRENT No. 1130

From The Sup^g Engineer
V Circle

Order

No. 76W

Dated 1st February 1899
4th

Received } 7.2.99
Registered }

Enclosures 11

Spare copies

SUBJECT.

Maravaeri tank — Submits copy of letter from the Executive Engineer, Tanjore, with its accompaniments stating that he is unable to fix the responsibility on any one for entering the lead of 9 miles in the estimate for

SAW/

BACK PAPERS.

No.	Date.
4655C	22-10-98

FURTHER PAPERS.

No.	Date.

Copy of letter from H. H. O'Connell Esquire, Executive Engineer, Tanjore Division, to the Supdg. Engineer, 5th Circle, No. 164 dated 11th January 1899:—

In reply to your No. 500 T.J. dated 3rd November 1898, I have the honour to state that I am unable to fix the responsibility on any one for entering the lead of 9 miles. I send herewith, copy of replies received from M. V. Srinivasa Aiyar and G. Raghunatha Row, the former Head and assistant Draftsman, who were connected with the framing of the estimate.

2. It is possible, that at the time the estimate was framed, the existence of the gravel within 2 miles might not have been known.

3. The original estimate is herewith enclosed.

No. 764

Enclosures. 6

1 copy of Hd. Draftsman's explanation
1 Sub overseer G. Raghunatha Row's explanation (late asst. Draftsman)
1 Overseer D. S. Sankara Ayar's explanation
1 Estimate with report and abstract
1 Pieceworker's agreement
1 Statement of Bills.
6

To the Chief Engineer, P. W. Department, with reference to his No. 4655 C. dated 22nd October 1898.

1/2/99

Colonel R.E.

Supdg. Engineer 5 Circle

199

Public (1898) Department.

CURRENT No. 8480

1st Reminder issued 24-1-99

No. 4655C d/22-10-98

C.

~~Order~~ Memo

With reference to his No. 634 W dated 11th Octr 1898, the Supdg. Engr., V Circle, is requested to be so good as to report how the lead ~~of~~ came to be ~~provided for at~~ Entered as 9 miles in the estimate for ~~the~~ improvements to the Maraneri tank while it was actually only 2½ miles.

2. A copy of the original estimate should be forwarded with the Supdg. Engr's reply.

ACH
21.9.98.

Rev. Dw.

To

The Supdg. Engr., V Circle
with ~~papers~~ enclosures – the retd

Pd 25/10/98

From The Supdg: Engr V Circle

No. 634 W

Dated 11th October 1898.

Received } 12 — do —
Registered }

Enclosures 4

Spare copies

SUBJECT.

Maraneri Tank.

Submitting for orders a case in which Overseer T. S. Sankara Aiyar is charged with having caused an over payment to be made on the —

26/10/98

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Read
Cr No 8480.

Note

The Suptg: Engineer T Circle reports for orders a case of overpayment by Overseer D.S. Sankara aiyar on the work "Improvements to the Maraveri tank", Tanjore Dt. In the estimate for repairing the tank, provision had been made for gravelling the bank at the rate of Rs. 7 per 100 Cft with a lead of 9 miles. The piecework agreement for this work was drawn up at the estimated rate; the lead however was not mentioned in it.

In May 1897, the Overseer prepared a bill in favour of the pieceworker at the estimated rate, deducting Re. 1 for spreading. The bill was duly paid. Shortly after the Overseer left the division for famine duty, and the work was placed under the charge of the Grand Anicut

Superintendent V. R. Narayanaswami Aiyar. In September following, he prepared a bill at the same rate for gravelling the bank and it was also paid. The conduct of the Superintendent while in charge of the work, apparently aroused the suspicions of the Subdivision Officer, who checked the lead in March last and found that it was only 2½ miles and not 9 miles as ~~provided~~ provided in the estimate. The rate according to this lead would be only Rs. 2-10-0 per 100 cft without spreading. The amount overpaid by the Overseer was thus found to be Rs. 180-13-4. The Executive Engineer states that this amount could not be recovered from the pieceworker as he is not now employed and the piecework agreement does not make ~~for~~ any mention of ~~any~~ lead. The amount overpaid by the Supdt., on the other hand, is recoverable, as the pieceworker is still working and his agreement specified a lead of 9 miles.

The

Overseer's explanation is that having been only 4 months in the taluk, he could not acquaint himself with the places well, that "as the quarry was not in easy reach to my (his) eyes" he had to place confidence in the estimate already prepared and did not check the lead as provided for therein. The mistake made was a bonafide one; if he had known that the estimate was unreliable, he would have given less rates, as he had done in several other bills for earthwork and manual planting. The omission of any mention about lead in the agreement the Overseer ~~explains~~ attributes to oversight on the part of the Kodamurty Supdt., who drew up the agreement, the Overseer having had no clerk then.

In forwarding the papers, the Suptg: Engineer, Col Smart remarks that the overpayment was a case of culpable negligence on the part of Ovr Sankara Aiyar. Althoug

S the amount overpaid by the Superintendent is recoverable, it does not make his Conduct less wrong; having had many years experience in the district he is in fact more to blame than the Overseer. The Suptg: Engineer accordingly recommends that the sum of Rs. 180-13-4 lost to Govt. be paid in equal shares by the two men in six monthly instalments.

There is nothing in the papers to show how the lead ~~came was~~ came to be provided for at 9 miles, in the estimate, while it was actually only 8 2½ miles. This would seem to be a glaring case of ~~[illegible]~~ incorrect estimating.

Refer to P.S. for information on this point, & for a copy of original estimate
ACK
21.10.98.

The punishment proposed by the Suptg: Engineer is apparently dictated by a consideration of the ~~comparative~~ fact that ~~newness of~~ the Overseer was new to the locality; the amount he has to refund, being only half of what he actually overpaid, while, in the case of the Supdt. although ~~in effect~~ practically there ~~is~~ will be no overpayment, he has to reimburse the remaining half, as a punishment for the greater degree of culpability attaching to his action, the Supdt. having had longer experience of the district than the Overseer.

For orders whether the Suptg. Engr's recommendation may be accepted.
AR
20.10.98.

Copy of a letter from E. Dady Esquire Offg. Executive Engineer, Tanjore Division, to the Supg. Engineer, 5 Circle, No. 4553 dated 4th October 1898::

I have the honour to submit for your orders, the following case in which Overseer D.S. Sankara Aiyar is charged with having caused an overpayment to be made on the Maraneri Tank.

The following are the facts of the case:-

1. In the estimate for repairing the Maraneri Tank, provision is made for gravelling ~~the~~ the bank at the rate of Rs 7 per 100 cft with a ~~load~~ lead of 9 miles. In drawing up the piecework agreement for this work, the estimate rate was given, but without the lead being mentioned.

2. On 28th May 1897, the Overseer prepared a bill in favour of the Pieceworker for the gravelling and gave him the rate agreed upon, excluding 1 Rupee for spreading. This was paid. After this the Overseer was sent to famine duty, and on his return was posted to the Mayavaram Sub-Division. While he was away, the Maraneri Tank work was placed under the charge of the Grand anicut Superintendent V.R. Narayanasawmy Aiyar. In the month of September following, this Superintendent submitted a bill for gravelling the bank at the same rate. This bill was also paid.

3. The Superintendent's conduct while he had charge of this work, appeared to have aroused the suspicion of the sub-Division officer, who checked the lead in March last, and reported that it was only $2\frac{1}{2}$ miles. The rate according to this lead would be only Rs 2.10.0 per 100 cft without spreading. At this rate the Piece-worker was overpaid by Rs 180-13-4 on the Overseer's bill. The overseer's explanation with regard to this is submitted.

4 In this explanation the overseer states that he took the estimate rate to be correct, and hence did not take the trouble to check the lead, and mentions that in many other bills, he gave rates only according to lead. A list of these bills showing rates given and estimate rates is appended. There are several in which the rates are less than the estimate, but most of them are the proper and reasonable rates as the works are incomplete except one in which less rate for less lead.

This case was enquired into by Mr O'Connell he was of opinion that the Overseer should be made to refund the overpayment, but he took o final steps as he was awaiting the overseer's xplanation, which was received ~~after he~~ after he left the Division.

. I may mention that with regard to over-payment made by the Grand anicut Super-ntendent, the excess will be recovered, as that piece worker

And the Supdt's bill as well?

piece worker (there were two on this work) is still working, and his agreement specified a lead of 9 miles.

7. In the case of the bill prepared by the Overseer the pieceworker is not now employed.

—.

No 634 W.

To the Chief Engineer, P. W. Department, for orders.

Enc. 4

1 Sanctioned Estimate.
2 Piece Worker's agreements.
3 Overseer Sankara aiyar's agreement.
4 List of bills

The overpayment of Rs 180-13-4 is a case of culpable negligence on the part of Overseer Sankara aiyar. The Superintendent Narrainasawmy aiyar also passed a bill which was paid at the same rate allowed by the Overseer; but the amount is recoverable. This, however, does not make his conduct less wrong and he has had many years experience in the District and is in fact more to blame than the overseer. I recommend that the sum of Rs 180-13-4 lost to Government be paid in equal shares by the two men in six monthly instalments.

Dated 11th October/98.

Colonel R.E.

Offg Supdg. Engineer 5th Cir

10.10.98