Public Works (1890) Department.

RAILWAY BRANCH.

G.O., No. 2030 Ry.

DATED 18th December

[Despatch Abstract.]

Railway buildings.— Proceedings, Local & Municipal Department, deciding that the provisions of Section 180 of act IV of 1884 Should be Complied with in the Case of — also.

Indexed.

[P. W. Ry. 600—8-5-00.]

BACK PAPERS.

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

FURTHER PAPERS.

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

22nd February 1886, No. 446 W., Public Works.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil and Military Works.

Read—the following papers:—

From Colonel W. H. BURTON, R.E., Officiating Superintending Engineer, V Circle, to the Chief Engineer, Public Works Department, dated Bangalore, 22nd December 1885, No. 4089.

With reference to your No. 2129 C., dated 12th December 1885, I have the honor to report that the instructions conveyed in your office memorandum No. 524 E. were read thus, viz., that "when the Executive Engineer, Presidency division, had full authority from Government and funds wherewith to commence to erect or alter buildings within the Madras municipal limits, he was to give the notice laid down in clause 265 in Madras Municipal Act."

2. Having to obtain the approval of the President, Madras Municipality, to alteration or construction of every Government building to be altered or constructed within the municipal limits will of itself cause a delay of one but probably two months and extra clerical labor, and this is being done; but to ask the Municipal President's sanction to every proposal to alter or construct which may be put forward for sanction of Government does not appear to be amongst the provision of the Madras Municipal Act. Only the former course is, therefore, being pursued.

No. 36 C., Public Works.

The Superintending Engineer, V Circle, is requested to report from which rule or document he has extracted the interpretation of this office memorandum, No. 524 E., dated 26th August 1885, given under quotations in paragraph 1 of his letter, No. 4089, dated 22nd December 1885.

2. It would be anomalous for the Government to sanction a project which is liable to be subsequently objected to by the municipality, and the President's approval under the Act should always, therefore, be obtained before plans and estimates are submitted to the Government for sanction.

6th January 1886. (Signed) J. SHAW-STEWART, Col., R.E.,
Secretary to Government, P.W.D.

From Colonel W. H. BURTON, R.E., Executive Engineer, Presidency division, to the Superintending Engineer, V Circle, dated Bangalore, 15th January 1886, No. 4614.

In reference to your endorsement, No. 4227 (herewith returned), dated 14th January 1886, on the Chief Engineer's memorandum No. 36 C., I have the honor to report that memorandum No. 524 E. was supposed by me to mean that the provisions of section 265 of Madras Municipal Act No. I of 1884 were to be invariably complied with when it is proposed to erect or restore; and that as the provisions of this section are thus—

> "Whoever intends to restore or erect a building shall one month before beginning . . . . . give notice"

it is impossible to comply with the section and memorandum No. 524 E., unless I send plans to Madras Municipality after they are sanctioned and funds allotted.

BACK PAPERS.

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

FURTHER PAPERS.

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

22nd February 1886, No. 446 W., Public Works.

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PUBLIC WORKS DEPARTMENT.

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2. Having to obtain the approval of the President, Madras Municipality, to alteration or construction of every Government building to be altered or constructed within the municipal limits will of itself cause a delay of one but probably two months and extra clerical labor, and this is being done; but to ask the Municipal President's sanction to every proposal to alter or construct which may be put forward for sanction of Government does not appear to be amongst the provision of the Madras Municipal Act. Only the former course is, therefore, being pursued.

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> "Whoever intends to restore or erect a building shall one month before beginning . . . . . give notice"

it is impossible to comply with the section and memorandum No. 524 E., unless I send plans to Madras Municipality after they are sanctioned and funds allotted.

2. I cannot recall to mind an instance in which any new work was commenced within thirty days of the estimate leaving the Presidency division office.

3. If you will return me the plan and estimate I will apply for the President's approval thereto, but it will be necessary in order to comply with Chief Engineer's No. 524 E. and 265, Madras Municipal Act, to send plan and estimate a second time, viz., one month before Public Works Department commence to build, as the orders issued now read.

Endorsement on the above.

No. 4358.

Forwarded to the Chief Engineer, Public Works Department, with reference to his memorandum, No. 36 C., dated 6th January 1886.

BANGALORE,
21st January 1886.

(Signed) H. L. PRENDERGAST, Col., R.E.,
Superintending Engineer, V Circle.

No. 412 C., Public Works.

Referred, with advertence to G.O., No. 788 M., dated 10th November 1885, to the Financial Department, for favor of information whether section 265 of Madras Act I of 1884 should be read to mean literally that the notice and plan should be sent to the President of the Municipality exactly one month before it is intended to begin the erection or restoration of a building, or whether it would be sufficient to send such plan and notice *not less* than one month before beginning work.

2. The papers quoted in the Superintending Engineer's letter are forwarded for reference and return.

1st February 1886.

(Signed) J. SHAW-STEWART, Col., R.E.,
Secretary to Government, P.W.D.

No. 60, Financial.

Returned to the Public Works Department with the remark that it will be sufficient if the plan and notice referred to in section 265 of Act I of 1884 be sent to the President *not less* than one month before beginning the work.

(By Order.)

FORT ST. GEORGE,
10th February 1886.

(Signed) J. D. REES,
Under Secretary.

ORDER—dated 22nd February 1886, No. 446 W., Public Works.

This correspondence will be communicated to the Superintending Engineer, V Circle, and to the Consulting Architect, for information and guidance.

(True Extract.)

(Signed) J. SHAW-STEWART, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintending Engineer, V Circle.
,, Consulting Architect to Government.
,, Financial Department.

Exd. E. Fernandez.
Spare Copies

BUILDINGS AND ROADS.
CIVIL AND MILITARY WORKS.

Govt. of {1886} Madras.

PUBLIC WORKS.

Dated February, 22nd.

Recd. *Encl.*

G.O., 22nd Feb. 1886, No. 446 W.

FEBRUARY.

Buildings within Municipal Limits

Correspondence on the subject of notice being given to the municipality prior to the erection of —, communicated to the Superintending Engineer, V Circle, and the Consulting Architect to Government.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

Read—the following paper:—

From Lieut.-Colonel A. C. SMITH, R.E., Superintending Engineer, IV Circle, to the Chief Engineer, Public Works Department, dated Coimbatore, 28th February 1889, No. 102-E.W.

In forwarding the accompanying letter from the Chairman, Municipal Council, Karúr, requesting to show cause why the necessary license under section 180 of Act No. IV of 1884 (Madras District Municipalities Act) was not obtained for the construction of the District Munsif's Court-house at Karúr within the municipal limits, I have the honor to state that it was not usual hitherto to obtain licenses for the construction of Government buildings in any of the municipalities in this circle.

2. The section quoted, in my opinion, refers to building intended to be erected by private persons, who should satisfy the Municipal Council as to dimensions and level of foundation of floor and the means of ventilation, drainage and privies, and then obtain a license for proceeding with the structure; but, in the case of Government buildings, the professional opinion of the Municipal Council is practically of no value, as plans and estimates of such buildings are approved by the highest professional officers of Government, and further, should any dispute arise regarding any omission or defect in any building proposed to be constructed by private parties within municipal limits, the matter would be finally decided by this department. It seems therefore unnecessary for Government to obtain a license in these cases.

Enclosures.

From M.R.Ry. T. PADMANABHAIAH, Chairman, Municipal Council, Karúr, to the Superintending Engineer, IV Circle, dated Karúr, 26th February 1889, No. 725.

In forwarding the accompanying extract from the proceedings of the Municipal Council, Karúr, I have the honor to request you will be good enough to inform me why the necessary license has not been obtained from the Municipal Council for the construction of the court-house in the railway compound of this municipality.

Extract from the Proceedings of the Municipal Council, Karúr, at a special meeting dated 16th February 1889.

* * * * *

4. Read letter from M.R.Ry. Srinivasa Row Avargal requesting information as to whether the licenses from the Municipal Council are not necessary for the construction of Government buildings.

A reference be made to the Public Works Department authorities to show cause why the necessary license under section 180 of the Municipal Act is not obtained for the construction of the building.

ORDER—dated 7th March 1889, No. 670 W., Public Works.

A copy of G.O., No. 446 W., dated 22nd February 1886, will be supplied to the Superintending Engineer, IV Circle, with intimation that section 180 of Act IV of 1884 should invariably be complied with when Government buildings are proposed to be erected within the limits of district municipalities.

2. The substance of the order above quoted and of this order will be embodied in the Public Works Code.

(True Extract.)

(Signed) H. R. MEAD, Colonel, R.E.,
Ag. Secretary to Govt., P.W.D.

To the Superintending Engineer, IV Circle.
To other Superintending Engineers.
To the Examiner, Public Works Accounts.
Local rural deptt

Exd. J. Henricus.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1889} Madras.

PUBLIC WORKS.

Dated March, 7th.

Recd. Encl.

G.O., 7th March 1889, No. 670 W.

MARCH.

Government Buildings

Orders in regard to notice being given to the municipality when — are proposed to be erected within municipal limits.

Extract from Madras District Municipalities Act, (Act No. IV of 1884)

Application to be made if new building is to be erected

180. (1) Every person intending to erect a building shall, one month before beginning so to erect, make an application to the Municipal Council in writing for a license to erect such building:

(2) Such application shall be accompanied by

Statement of dimensions and level of foundation of floor.

(i) a Statement showing the size and dimensions of the building and the levels at which the foundation and lowest floor are intended to be laid, and

Statement of means of ventilation, drainage, & privies.

(ii) a Statement of the means of ventilation and drainage and the privies which it is intended to provide for the building.

(iii) and such further particulars as the Municipal Council may require under the bye-laws.

Approval or disapproval to be signified within one month.

(3) The Municipal Council shall, within one month after receiving such application, signify their approval or disapproval of such plan, statement & particulars

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1889} Madras.

PUBLIC WORKS.

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Recd.

Encl.

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(iii) and such further particulars as the Municipal Council may require under the bye-laws.

Approval or disapproval to be signified within one month.

(3) The Municipal Council shall, within one month after receiving such application, signify their approval or dis approval of such plan statement & particulars

In Case of disapproval, Municipal Council to state their views.

(4). If they deem the ventilation insufficient, or disapprove of the drainage or of the levels of the lowest floor or foundation, or of the situation or sufficiency of the privies, or of such other particulars as may have been required under the bye-laws, they shall Communicate their views to the person proposing to erect the building and, if necessary, specify other levels, privies and means of Ventilation or drainage, and such other particulars as aforesaid which it shall be the duty of such person to adopt.

If no approval or disapproval in one Month, building to proceed.

(5) If the Municipal Council do not Signify their approval or disapproval in writing within one Month after receiving such application, the applicant may proceed with his building according to the plan submitted.

Municipal Council to interfere if building dangerous to human life.

181. The Municipal Council may, at any time, interfere to put a stop to the erection of any building, if they think that the work in progress is dangerous to human life.

REGISTER
Nº 1418
FILE
Nº

No. 1539

South Indian Railway,
AGENT'S OFFICE,
Trichinopoly ~~NEGAPATAM~~, 25th October 1890

From
The AGENT,
SOUTH INDIAN RAILWAY

To
The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

The Chairman of the Municipal Council Negapatam has called upon me to comply with the provisions of Section 180 of the District Municipalities Act IV of 1884 as regards the additions now being made to this Company's buildings within the Negapatam railway compound.

For ready reference I enclose a copy of the section in question.

The act you will observe was introduced in 1884, but during the years which have since intervened no Municipality has sought to read section 180 as applying to railway station buildings, the plans of which are always submitted to and receive the approval of Government before the buildings are erected.

I trust you will agree with me in considering that railway buildings should be exempted from the provisions of this section of the Act, and that you will obtain from Government such special exemption.

I am
Sir
Your most obedient Servant

1 Encl

William S Betts
Agent

2830m

REGISTER
No. 14155
FILE
No.

PW 2336
11860/3

From
THE AGENT,
South Indian Railway,
Negapatam.

To
THE CONSULTING ENGINEER FOR
RAILWAYS,
Madras.

Dated 25th October } 1890
Received 29th
No. 1539
ENCLOSURE

Form No. 2.

PUBLIC WORKS DEPARTMENT.

OFFICE OF CONSULTING ENGINEER FOR RAILWAYS,
Madras, 30th October 1890.

Letter from the Agent, South Indian Railway, No 1539 dated 25th October 1890

No. 752

SUBMITTED for the orders of Government.

2. The Agent, South Indian Railway has been called upon by the chairman of the Municipal Council Negapatam to comply with the provisions of Section 180 of Act IV of 1884, i.e to make an application in writing for a license to carry out the additions now being made to the Company's buildings within the railway compound at the Negapatam Station.

2830

REGISTER
No. 14195
FILE
No.

From
THE AGENT,
South Indian Railway,
Negapatam.
To
THE CONSULTING ENGINEER FOR
RAILWAYS,
Madras.

Dated 25th October } 1890
Received 29th
No. 1539
ENCLOSURE

Form No. 2.

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Letter from the Agent, South Indian Railway, No 1539 dated 25th October 1890

No. 752

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2. The Agent, South Indian Railway has been called upon by the chairman of the Municipal Council Negapatam to comply with the provisions of section 180 of act IV of 1884, i.e to make an application in writing for a license to carry out the additions now being made to the Company's buildings within the railway compound at the Negapatam station

3. The Agent appeals against this, and bases his objection to the operation of the provisions of this Section in the case of Station buildings on the ground that no such buildings are ever erected without plans and Estimates being first submitted to and the Sanction of Government obtained thereto.

4. Although the act was introduced in 1884, this appears to be the first instance of the Company being called upon to comply with the provisions of the Section in question.

Sidney Smith
Major RE
for Offg Cons. Engr for Rys.

Form No. 3.

Local & Municipal Dept.
2836 M

No 4608C d/8th Novr. 1890

HS 7/11/90

Referred to the Local and Municipal Department with the inquiry whether municipal authorities have any right to object to a work which has been sanctioned by the Madras Government, and approved by the Government of India, and built upon Government land.–

Sidney Smith
Major RE
Under Secy. to Govt. P.W.D. Ry. Branch

HS 1.11.90
8.11.90

P.W.C. No. ~~10368~~
11860/90

From

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS.

No. 752

Dated 30th } October 1890.
Received 31

No. of Enclosures. 2

CHIEF SECRETARIAT
8 NOV 90

Subject.

Submitting, for orders, the appeal of the Agent, S. I. Ry. against the decision of Chairman of Municipal Council, Negapatam, to comply with the provisions of Section 180 of Act IV of 1884.

1890.

P. W. DEPARTMENT.

Current No. 10368

From

The Cons: Engr:
For Rys:

Enclos.– 2

No. 752

Dated 30–10–90

Received 31 –"–

Subject.

Reg: the submission to the Municipal Council of an applic: for a license to carry out the additions now being made to the S. I. Ry: Company's buildings at the Negapatam station.

Disposal.

No. 4608C Dated 8th Novr. 1890

Referred to the Local & Municipal dept: with the inquiry whether municipal authorities have any right to object to a work which has been sanctioned by the Madras Govt:, approved by the Govt of India, & built upon Govt: land.

Sgd. A.S.

Local and Municipal Department.

CHIEF SECRETARIAT, MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper :—

From the Public Works Department, (Railway Branch), dated 8th November, 1890 No. 4608c, transferring letter from the Consulting Engineer for Railways, Madras, submitting for orders of Government, the appeal of the Agent, South Indian Railway, against certain decision of the Chairman, Municipal Council, Negapatam, and enquiring whether Municipal Authorities have any right to object to a work sanctioned by Government etc.

Order, dated, 8th December, 1890 No. 1865 M mis

The Public Works Department, (Railway Branch) will be referred to the correspondence ending with G. O. dated, 7th March, 1889 No. 670 W, under which the provisions of Section 180 of Act IV of 1884 have to be invariably complied

with

Local and Municipal Department.

Chief Secretariat, Madras.

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From the Public Works Department, (Railway Branch), dated 8th November, 1890 No. 4608C, transferring letter from the Consulting Engineer for Railways, Madras, submitting for orders of Government, the appeal of the Agent, South Indian Railway, against certain decision of the Chairman, Municipal Council, Negapatam, and enquiring whether Municipal Authorities have any right to object to a work sanctioned by Government etc.

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The Public Works Department, (Railway Branch) will be referred to the correspondence ending with G. O. dated, 7th March, 1889 No. 670W, under which the provisions of Section 180 of Act IV of 1884 have to be invariably complied with

with even in the case of Government buildings within the limits of District Municipalities. The same course should be adopted in the case of Railway buildings also.

(True Extract)

A. G. Cardew

Under Secretary.

To

The Public Works Department, (Railway Branch)

with referred papers returned.

Govt. of {188} Madras.

To

Proceedings, dated 188 ,

No.

Subject.

P.W.C. No. 11860

Govt. of {1880} Madras.

Local and Municipal Department.

To

The P. W. Department
Railway Branch

To Consulting Engineer in reference to his enquiry
Ch
11/12/90

22.2.86 - 446 W
7.3.89 - 670 W
8.11.90 - 4608 C

Rg 11.12.90

E.3

Proceedings, dated 8th December 1890,
No. 1865 M/mu?

Subject.

Referring to the correspondence ending with G.O. dy 7-3-89 No. 670 W and stating that application should be made in writing to the Munl: Council for a license to carry out additions &c. to the Railway Buildings also.

B.
No. 2030 R dy 18th Dec/90.

Exd 20/12.

~~To the Hon. the Governor~~

B.
No. 2030 R dy 18th Dec/90.

Exd 16/12/90
Ch
17/12.

Communicated to the Consulting Engineer for Railways with reference to his endorsement No: 752 dated 30th October 1890.

Ch
Offg: R

D 18/12

To
The Consg Engr for Rys

HE 13.XII.90
R 17 XII 90

P.W.C. No. 11860

Govt. of {1890} Madras.

Local and Municipal Department.

To

The P. W. Department
Railway Branch

To Consulting Engineer in reference to his enquiry
22.2.86 - 446 W
7.3.89 - 670 W
8.11.90 - 4608 C

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B
No. 2030 R dy 18th Dec/90.

E.I.C. 26/12

~~To the Hon. the Governor~~

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No. 2030 R dy 18th Dec/90.

D.H.L. 16/12/90 17/12.

Communicated to the Consulting Engineer for Railways with reference to his endorsement No: 752 dated 30th October 1890.-

Dy: R

D 18/12

To
The Consg Engr for Rys

H.E. 13.xii.90
R 17.xii.90

P.W.C No 11860

Gobt. of {1880} Madras.

Local and Municipal Department.

To

The P. W. Department
Railway Branch

To Consulting Engineer in reference to his enquiry

22.2.86 - 446 W
7.3.89 - 670 W
8.11.90 - 4608 C

11/12/90

R 11-12-90

E. 3

Proceedings, dated 8th December 1880,
No. 1865 M(mun)

Subject.

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No. 2030 R d/ 18th Dec/90.

EEC 20/12

~~The Hon. the Governor~~

B.

No. 2030 R d/ 18th Dec/90.

DHC 16/12/90

17/12.

Communicated to the Consulting Engineer for Railways with reference to his endorsement No: 752 dated 30th October 1890.

Offg: R

D 18/12

To
The Consg Engr for Rys

HE: 13 XII 90
R 17 XII 90

P.W.C. No. 11860

Govt. of {1890} Madras.

Local and Municipal Department.

To

The P.W. Department
Railway Branch

To Consulting Engineer in reference to his enquiry
22.2.86 - 446W
7.3.89 - 670W
8.11.90 - 4608C
11/12/90

Rd 11.12.90
E.3

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No. 2030 R dy 18th Decr/90.

Ede 20/12.

~~The Hon. the Governor~~

B.
No. 2030 R dy 18th Decr/90.

Dl 16/12/90 17/12.

Communicated to the Consulting Engineer for Railways with reference to his endorsement No: 752 dated 30th October 1890.

Offg: R

D 18/12

To
The Consg Engr for Rys

HE 13.XII.90
D 17.XII.90

PWC No. 11860

~~To the Hon. the Governor~~

Govt. of {1880} Madras.

Local and Municipal Department.

B

No. 2030 R of 18 Dec