

Public Works (1899) Department.

RAILWAY BRANCH.

G.O., No. 1097. *Ly*

DATED 5th Octr 1899.

Includes to Mr. ^{11/5} ~~11/5~~ Ry dated 10/12/97
— do — 9/10 Ry " 12/8/98

[Despatch Abstract.]

Carriage by rail of Commissariat
Stores

Coming to the Agent, Mr. S. L. Hyslop, for info.
a memorandum from the Govt of India
forwarding an extract from its letter to
the Govt of Bombay regarding a claim made
by G. I. P. Ry, against Govt for the difference
between the 1st class rate paid by the Cawnpore
Sugar Works Co for the carriage of certain con-
signments of sugar re from Cawnpore to Bombay.

Indexed.

[illegible]

Forwarding for information an extract of Govt of India letter to the Govt of Bombay passing orders, an copy of correspondence from the Agent B. B. & C. S. Ry. Coy; re. certain which were consigned to an employe of the Commissariat Dept^t & paid for at ordinary tariff rates, instead of at the all round rates sanctioned for the carriage of stores for that Dept^t.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY TRAFFIC.

The Governments of Madras, Bengal, and Burma.
The Chief Commissioner of Assam.
The Resident at Hyderabad.
The Agent to the Governor General for Rajputana.
The Director of Railway Traffic.
The Consulting Engineers to the Government of India for
Railways, Calcutta, Lucknow, and Assam.
The Accountant General, Public Works Department.

By order,

Captain, R. E.

Offg. Under Secretary

I am directed to acknowledge the receipt of your letter No. 1016, dated the 5th April 1897, forwarding, for the orders of the Government of India, correspondence from the Agent, Bombay, Baroda and Central India Railway Company, regarding certain consignments of commissariat stores which were consigned to an employé of the Commissariat Department and paid for at ordinary tariff rates instead of at the all-round rates sanctioned for the carriage of stores for that Department.

2. It is represented that under the circumstances now reported the railway should be reimbursed the sum of Rs. 601-6-0, being the difference between the ordinary tariff rates charged for the conveyance of the stores in question and the all-round rates for the conveyance of commissariat stores, and that the all-round rates should either be abolished or that such instructions may issue as will ensure the prevention of similar evasions in the future.

3. In reply, I am to explain that commissariat stores are ordinarily arranged for by contract, tenders being publicly invited, but commissariat officers are at liberty, when they consider such a course necessary, to give orders for supplies to be made at fixed rates agreed upon between themselves and the suppliers at the time of purchase. In such cases commissariat agents, notwithstanding that they are paid servants of the department, may be required to undertake the supply. The supply, however, does not become the property of Government until taken delivery of, and if not of the required standard when tendered by the Agent, would be rejected. The Agent, therefore, is practically in the position of an individual, not a paid servant of the department, who might undertake the supply.

4. The Government of India have, however, been pleased to decide, after a careful consideration of the case, that stores purchased for departmental use and consigned to officers, subordinates or paid employes of departments shall, for the present, be charged the all-round departmental rates for conveyance by railway.

5. The question whether the all-round rates should be abolished and ordinary tariff rates charged in future will be further considered. In the meantime instructions will issue for the payment of the undercharges, amounting to Rs. 601-6-0, claimed by the Agent, Bombay, Baroda and Central India Railway Company.

To The Joint Secy: to the Govt of Madras,
Public Works Department
Railway Branch.

G. I. C. P. O.—No. 563 P. W. D.—27-10-97.—500.—P. K. B.

Public Works (1899) Department.

Railway
CURRENT No. 996.

From The Govt of India

Order No. 910. Dtd 12/8/99

Communicated to
the Agents Messrs S. & K.
for information with re-
ference to Paper No. 1115 R
of 10th Decr. 1899.

No. 700 R.T.

Dated 22nd July 1899

Received 3rd August 99

Registered — do —

Enclosures

Spare copies

SUBJECT.

Carriage by railways of
Commissariat & Ordnance
stores: Forwarding
for information copy of Govt
of India letter No 699 R.T
of 12/7/99 to R. Railway
deciding to adhere to the
present all round rates
for the —

To
The Agent & Messrs M.R. & Co.
— Agent S. & K.
— Ex. to Richards
— Comptroller for R.R.

Despatched on 12/8/99



GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
RAILWAY TRAFFIC.

THE SECRETARY TO THE GOVERNMENT OF BOMBAY,
PUBLIC WORKS DEPARTMENT, RAILWAY BRANCH.

SIR,

SIR, With reference to paragraph 5 of the Government of India letter No. 827 R. T., dated the 1st November 1897, and the Government of India letter No. 904 R. T., dated the 19th August 1898, I am directed to say that, after a careful consideration of the case, the Government of India have decided to adhere to the present all-round rates for the carriage by railways of commissariat and ordnance stores.

SIR,

W. J. McELHINNY, Captain, R.E.,
Offg. Under Secretary to the Government of India.

No. 700 R. T., dated the 22nd July 1899.

The Governments of Madras, Bengal and Burma.
The Chief Commissioner of Assam.
The Resident at Hyderabad.
The Agent to the Governor General for Rajputana.
The Consulting Engineers to the Government of
India for Railways, Calcutta, Lucknow and Assam.
The Managers of the North Western, Oudh and
Rohilkhand, Eastern Bengal and East Coast (State)
Railways.
The Accountant General, Public Works Department.

Copy forwarded to the Local Governments and Administrations, and to the Officers noted in the margin, for information, in continuation of the Government of India memorandum No. 878 R. T., dated the 25th November 1897.

Wg. McCreary
Offg. Under Secy

Captain, R.E.,

Offg. Under Secy. to the Govt. of India.

G. C. Press, Simla.—No. 832 P. W. D.—25-7-99.—490.

To The Joint Secy. to the Govt. of Madras
Public Works Department
Railway Branch
50 A.C. Road, Bangalore

Public Works (189) Department

CURRENT No.

1115R

10.12.97

No. 22.01

Date of 20.12.97

Received

Registered

Enclosures

Spare copies

SUBJECT

Forwarding for information
copy of extract paras 1 to 3 of the
Gmt of India letter by 1116 R.T. of 11/10/98
to the Secretary to the Gmt of Bombay.
P. W. D. Branch regarding a
claim made by S. 2 P. Ry against
Gmt for the difference between the
1st class rate paid by the Lawnpore
sugar works company for the
carriage from Lawnpore to Bombay
of certain consignments of sugar
etc.

Public Works (189) Department.

Road again Railway
Con: 1115 R on 10.12.97 CURRENT No. 1185
910 R on 12.8.98.
Road also
Gmt of India Memo No. 854 R.T.
dated 7.8.98.

From The Gmt of India

Order - No. 1097. Dated 5/10/98

Communicated

No. 854 R.T.

Mr. Agents, Nagpur & P. I.

Railways for information - Dated 7th September
Continuation of C.O. 2. 1115 R, Received 20/9/99
2/10.12.97.

Registered

Enclosures

Spare copies

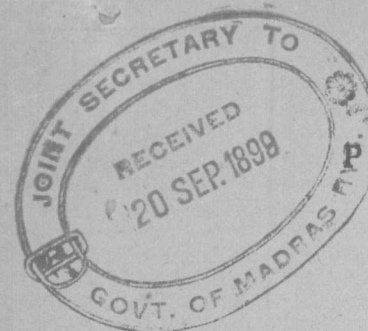
SUBJECT.

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1st class rate paid by the Lawnpore
sugar works company for the
carriage from Lawnpore to Bombay
of certain consignments of sugar
etc.

To Mr. A. J. Ch.

Despatched on 7/10/98

Public Works Department, Railway Branch
with 50 spare copies.



GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

RAILWAY TRAFFIC.

Simla, the 7th September 1899.

THE undermentioned paper is forwarded to the Local Governments and Administrations, and to the officers noted in the margin, for information, in continuation of the Government of India memorandum No. 878 R. T., dated the 25th November 1897, with the remark that the orders now forwarded are not in supersession, but in elucidation, of those conveyed in the Government of India letter No. 827 R. T., dated the 1st November 1897.

By order,

Captain, R.E.,

Offg. Under Secy. to the Govt. of India.

Extract, paragraphs 1 to 3, of the Government of India letter No. 1116 R. T., dated the 11th October 1898, to the Secretary to the Government of Bombay, Public Works Department, Railway Branch.

I am directed to forward copy of a letter from the Controller of Military Accounts, Bombay Command, to the Government of India in the Military Department, No. 841—138, dated the 13th June 1893, and of its enclosures, regarding a claim made by the Great Indian Peninsula Railway against Government for the difference between the 1st class rate paid by the Cawnpore Sugar Works Company for the carriage from Cawnpore to Bombay of certain consignments of sugar and the all-round rate of $\frac{1}{2}$ pie per maund per mile applicable to commissariat stores under item 32 of the schedule issued with this Department's circular No. 8 Railway, dated the 14th July 1897.

2. From the facts of the case, which are clearly set forth by the Controller of Military Accounts, it will be seen that by the terms of the contract the consignments in question remained the property of the Cawnpore Sugar Works Company until after their delivery by, and at the expense of, the contractors at the Commissariat godowns at Bombay, where they were, moreover, subject to the approval of the Commissariat officer. In these circumstances the goods during transit were not the property of Government, to which alone the all-round rate applies.

3. It is noticed that the Railway Administration relies upon the certificate granted by the Commissariat officer at Cawnpore to the effect that the consignments were the property of Government, and also upon paragraph 4 of this Department's letter No. 827 R. T. of the 1st November 1897, to your address. In this connection I am to explain that the action of the Commissariat officer at Cawnpore was incorrect, and that paragraph 4 of the letter of the 1st November 1897 refers to supplies obtained by the Commissariat Department through its own recognised agents, as distinguished from contractors and others in whom, as in the present case, the property in the goods, with its attendant risks, etc., is unquestionably vested until after final delivery to and acceptance by the Commissariat Department.

G. C. Press, Simla.—No. 1077 P. W. D.—11-9-99.—522

G. C. Press, Simla. — No. 1077 P. W. D. — 11-9-99. — 522.

To The Joint Secy: to the Govt of Madras
Public Works Department, Railway Branch.