M.R. O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2808 Press
~~Mis.~~

127-128

Dated 7th November 1868

Not to be folded or roughly handled

No. 127. Read the following Proceedings of the Board of Revenue, dated 20th October 1868, No. 7,534:—

Read the following Proceedings of the Madras Government, dated 12th September 1868, No. 2,371, Revenue Department.

ABSTRACT.—Communicating Circular from Government of India, stating that the Financial Circular, No. 1,798, dated 31st March 1868, respecting the charge for Petty Construction or Repairs refer only to cases where Civil Officers incur expenditure on repairs to buildings borne on the rolls of the Public Works Department, and the charges on account of which are not of the description specified in paragraphs 5 to 7, Section 1, Chapter X of Public Works Code.

Read also the following letter from the Accountant General to the Government of Madras, to the Acting Secretary to the Board of Revenue, dated Fort St. George, 24th September 1868, No. 3,477.

1. Adverting to my Circular, No. 3,104, dated the 7th instant, which it became necessary for this department to issue under the instructions of the Government of India therein quoted, I have the honor to forward, for disposal by the Board, a letter, in original,* addressed to me by the Collector of Tanjore, and regarding which I request early instructions may be issued to that Officer.

* To be returned.

2. I may add that the orders of the Government of India on the subject, leave no option in regard to the omission in the Civil Budget of the charge, which they have ruled should be borne by the Public Works Department.

ENCLOSURE No. 1.

From the Collector of Tanjore, to the Accountant General, Madras, dated Negapatam, 19th September 1868, No. 831.

1. With reference to your Circular letter, No. 3,104, of the 7th instant, I have the honor to solicit further instructions as to what works I should make provision for under Petty Construction and Repair in the Budget-Estimate for 1869-70.

2. I am induced to make this reference, because your letter under acknowledgment seems to differ from the Board's Proceedings of the 27th August, No. 6,151, submitting to Government revised list of Petty Construction and Repair for 1868-69.

3. From your letter it would appear that I am to provide only for "Petty repairs of doors "and windows including the replacement of broken glass in any Government building occupied by "Civil Officers." From the Board's Proceedings in question, and its enclosure, however, it appears that provision for the following kinds of works, besides those under Salt, should be made in the Civil Budget, though they fall within the category of Public Works :—

(1.) Repairs to Collector's Cutcherry and other Revenue buildings.

(2.) Construction of permanent buildings connected with Sea and Land Customs Departments.

(3.) Putting up and repairing sheds in front of the Collector's and other Revenue Officers' Cutcherries.

4. I have the honor, therefore, to request to be informed whether the works referred to in your letter, are in addition to those mentioned in the Board's Proceedings, or otherwise.

5. As no copy of the Board's Proceedings above quoted appears to have been communicated to you, I enclose my office copy for your perusal, and request that it may be returned with your reply.

ENCLOSURE No. 2.

ABSTRACT.—Copy of Board's Proceedings, dated 27th August 1868, No. 6,151.

IN the Circular Order from the Government of India, Financial Department, dated 10th August 1868, recorded in the first of the foregoing papers, it is ruled, with reference to the Financial Circular, No. 1,798, dated 31st March 1868, that no charge for Petty Construction or Repairs that appertains to a building which comes within the category of Public Works, as defined in the Public Works Code, should be admitted in the Civil Department, however small may be its amount, and that petty repairs of doors and windows should alone appear in the Civil Budget under that head.

2. With the second letter above recorded, the Accountant General forwards, for disposal, a letter from the Collector of Tanjore in which he requests to be informed what works are to be provided in the list of "Petty Construction and Repairs" for 1869-70, under the Circular issued by the Accountant General, with reference to the orders of the Supreme Government, stating at the same time that the orders of the Government of India on the subject leave no option in regard to the omission in the Civil Budget of the charge which they have ruled should be borne by the Public Works Department.

3. In the orders of the Government of India, dated 31st October 1865, No. 2,787, it was decided that certain classes of works shall not be considered as public works in the sense of requiring to be provided for in the Public Works Budget-Estimate, and disbursed under the Public Works Department Rules, unless they are to be executed by the agency of the Public Works Officers; but that their construction or repair may be provided in the Civil estimates under each Department as Petty Construction and Repair. Under this order all Salt works, repairs to Revenue buildings, construction of Police huts for Salt guards, Salt Superintendents' Cutcherries and the like have hitherto been included under "Petty Construction and Repairs," and not provided for in the Public Works Budget. In the Order of Government, dated 26th May 1868, No. 1,460, it was decided that monsoon thatching and pandals, and for raising and erecting pandals, should be included under "Petty Construction and Repairs."

4. In reviewing the list for 1867-68, the Government of India took exception to certain works included in that list, observing that they were apparently such as should be brought within the category of Public Works, and that the expenditure on their account should be provided from the Public Works allotment, unless on further explanation it should appear that the works were not of the character of Public Works. In their Proceedings, dated 29th January 1868, No. 240, the Government pointed out that none of the works taken exception to by the Government of India were of the nature of public works properly chargeable to the Budget provision of that Department, and that all of them were of the simplest descriptions, being mainly earthworks, and the whole being capable of execution by the Revenue Department with the unskilled labor available on the spot. The Government of India appear to have been satisfied with the explanation: at all events no further objection was raised.

5. The recent orders on the subject, however, require that the entry in the Revenue Budget should be confined to repairs of doors and windows, the charges

for which will be very trifling, and might even be provided as ordinary contingent charges. The maintenance of a separate head "Petty Construction and Repairs," under such circumstances, appears hardly necessary or desirable.

6. The Board resolve to submit the matter for the definite orders of Government. If the ruling of the Government of India is acquiesced in, it will be necessary to include in the Public Works Budget all the works hitherto estimated under "Petty Construction and Repairs;" but the Board would deprecate such a proceeding as charging these petty items to the Budget of the Public Works Department: such a procedure is only likely to cause unnecessary delay.

7. The Collector of Tanjore will submit his list of Salt works, &c., as usual, that it may be sent to the Public Works Department for inclusion in their Budget, in the event of Government deciding that these works are not to appear under "Petty Construction and Repairs."

No. 128. ORDER THEREON, 7th November 1868, No. 2,808.

Miscellaneous.

Circular of Government of India, Financial Department, 31st March 1868, No. 1,798.
Do. do. 10th August ,, ,, 1,583.

1. The Government have given the two documents noted in the margin, upon which the Accountant General's Circular, dated 7th September 1868, No. 3,104, is based, their most careful consideration, and they are of opinion that it is not the intention of the Government of India to limit the provision to be made in the Civil Estimate under "Petty Construction and Repair" to such petty repairs only as are alluded to in the margin of this Circular.

2. The preparation of this estimate in the Civil Department originated in the Resolution of the Government of India under date 31st October 1865, No. 2,787, and if there had been any intention to cancel this Resolution, it would doubtless have been specifically so stated.

3. On a reference to paragraphs 13 and 14 of Section 1, Chapter X of the Public Works Code of the Government of India, which are alluded to in both the communications from that Government, it will be observed that the preparation of a Civil Estimate for certain expenditure in the construction and repair of temporary structures is directed, but that strict injunctions are issued against any expenditure under this estimate upon alterations, additions, or repairs to buildings on the returns of the Public Works Department.

4. In the opinion of Government, the communications from the Government of India merely intend to direct that these injunctions are to be more strictly adhered to than hitherto, *i. e.*, that no charge for petty construction or repairs that appertains to a building in charge of the Public Works Department and on the returns of that Department, is on any account to be met from the provision in the Civil Estimates. The second communication strengthens this view, as it permits certain exceptional expenditure by the Civil Department on articles which are not fixtures, to be entered in these estimates, even in the case of buildings borne on the roll of Public Works, and explains that the expenditure intended to be prohibited was that often incurred by Civil Officers on ordinary repairs to such buildings.

Proceedings of the Madras Government, Revenue Department, 7th November 1868.

5. Under these circumstances the Board will be directed to submit the Budget for Petty Construction and Repair as usual, being, however, specially careful to exclude from it all repairs, proper, to buildings in the rolls of the Public Works Department, or any charge which can properly be deemed to be a Public Works charge.

(True Extract.)

(Signed) R. A. DALYELL,

Acting Secretary to Government.

To the Board of Revenue.
,, the Public Works Department.

Exd. S. T. Augustin.

20 September 65 — 12 336 338
12 December 65 No 66-67
28 January 68 — 485-486
21 April — — 444-445
30 — — — 710-711
26 May — — — 580/81
12 September 68 — 164-65
3 October — — 63-611

Accountant Genl
Circulary September 68 No 3102

Rev: 1868 Department

Bd of Govt for Mad

No. 3401.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 20th October 1868.

Bnd 24-5
RP. 26

S Ole 80 9805 7 Jan

No. 7,534.

Govt. of 1868 Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated November, 7th.

Recd.

Encl.

G. O., 7th November 1868, No. 2,808.

NOVEMBER.

Nos. 127-128.

Works of Petty Construction and Repair—Board of Revenue to submit the Budget as usual, excluding from it all buildings on the rolls of the Public Works Department.

Works to be entered in Budget—under "Petty Construction and Repairs."—Definite orders of Government requested on,

No. 127-128.

Ole 80 9805 7 Jan

Revenue Depart.

5

W. 2808.

Proceedings of the Madras Govt.

Under date the 7th November 1868.

Read the following Proceedings of the Board of Revenue

Requesting definite orders of Govt. on works to be entered in Budget under "Petty Construction & Repairs".

(H. E. 20 "October 1868 Ho. 1534)

Cir: of Govt. of India Fin: Dep.t 31st March 1868 Ho. 1798.

Do. Do. 10th August 1868 Ho. 1583.

W.D.H.

K. M.A.

I have had some discussion with Mr. Lushington on the subject of this order. He is of opinion that the Govt of India intend to cancel their former orders about the "Petty construction and Repairs" Budget, but Mr. Ellis and Colonel Orr both agree with me in considering otherwise. D.M.

The Govt. have given the two documents noted in the margin, upon which the Accountant Generals Circular dated 7th September 1868, Ho. 3104 is based, their most careful consideration, and they are of opinion that it is not the intention of the Govt of India to limit the provision to be made in the Civil

Civil Estimate under "Petty Construction & Repair" to such petty repairs only as are alluded to in the margin of this Circular.

The preparation of this estimate in the Civil Dep^t originated in the Resolution of the Gov^t of India under date 31st Octo: 1865 No. 2787, and if there had been any intention to cancel this resolution, it would doubtless have been specifically so stated.

On a reference to paras 13 & 14 of Section I Chapter X of the P.W. Code of the Gov^t of India, which are alluded to in both the communications from that Gov^t, it will be observed, that the preparation of a

a Civil estimate for certain expenditure in the Construction and Repair of temporary structures is directed, but that strict injunctions are issued against any expenditure under this estimate upon alterations, additions

Civil

additions, or re=

=pairs to buildings

on the returns of the

Public Works De=

=partment.

In the opinion

of Govt, the Commu=

=nications from the

Govt of India

merely intend to direct,

that

that these injunctions
are to be more strictly
adhered to than has
hitherto been done,
i.e. that no charge for
petty construction or re
=pairs that appertains
to a building in charge
of the Public Works
department and on
the returns of that de=
=partment is on any ac=
account to be met from
the provision in the Ci=
Civil Estimates. The
second communication
strengthens this view, as
it permits certain ex=
=ceptional expenditure
to be by the Civil De=
=partment on articles
which are not fixtures,
to be entered in these Es=
Estimates, even in the
case of buildings borne
on the roll of Public
Works, and explains

that

that the expenditure intended to be prohibited was that often incurred by Civil officers on ordinary repairs to such buildings.

Under these circumstances the Board will be directed to submit the budget for petty construction and repair as usual, being however specially careful to exclude from it all repairs, troops, to buildings in the old of the Public Works Department, or any charge which can properly be ~~esteemed to be~~ a P.W. charge.

? deemed

14 Copies to the Bd of Revenue Dec 12
21 " " Bd Public W

P.W.D.
M.Bd W

45
4

Revenue 1808 Depa
Proof Court of on Rol

No 2808

Proof the Madras Court
of 17 November 68.

No 127-128

127-128