# Tamil Nadu Public Works Department Code

WITH APPENDICES

(ISSUED BY AUTHORITY OF GOVERNMENT OF TAMIL NADU.)

(THIRD EDITION)

EMBODYING CORRECTIONS UPTO 31st DECEMBER 1983.



[ Rs. ]

3. As regards Central Civil Works, the Governor is the agent of the Governor-General in Council under Devolution Rule 46 and the issue of rules to be observed in regard to such works rests with the Governor-General in Council. The rules in the Public Works Department Code (Government of India), X Edition as modified by subsequent orders from time to time govern this class of work. As the officers of the Public Works Department have been entrusted with the transactions both of the Central and Provincial Governments, the special rules to be observed by them in regard to agency transactions have been embodied in an Appendix to the Code.

4. Most of the rules in the Public Works Account Code are Accounts rules issued by the Auditor-General, while some are Financial rules issued by the Local Government under Devolution Rule 37 (e) and some are subsidiary rules issued under the Treasury orders. There are also a few connected administrative rules. The Madras Public Works Account Code has been compiled from the Public Works Accout Code issued by the Auditor-General and the several relevant orders of the local Government issued in the past after making the necessary examination and revision. Rules which the Auditor-General and not the Local Government has power to issue have also been embodied in this Code as it is important that from the point of view of Departmental Officers the various rules bearing on one subject whether administrative, financial or accounts should be arranged in a logical sequence and the question of authorities issuing them is not relevant. Due care has, however, been taken to obtain the acceptance of the Auditor-General or of his local representative, the Accountant-General, to all modifications of rules issued by him that the Local Government may have deemed necessary to make.

5. The Madras Public Works Department and the Madras Public Works Account Codes contain the rules which are special to the Public Works Department.

They do not reproduce rules which are applicable to the Public Works Department in common with the other departments. The Fundamental Rules and the Subsidiary Rules thereunder including the Madras Travelling Allowance Rules, the Civil Service Regulations (Pension Rules), the Civil Account Code and the Madras Treasury Manual will continue to be applicable in the matter of conditions of service, and pay, allowances, contingencies, etc., drawn on bills encashed at the treasuries.

6. A Memorandum showing the relation between the rules if the Codes now issued and those in the old Codes, is appended. The authority competent to modify the rules now issued has also been indicated.

7. The Madras Public Works Department and the Madras Public Works Account Codes came into force with effect from the 1st June 1926.

8. Reference have been given in those Codes to the numbers assigned to the forms in the Book of Forms issued by the Auditor-General as also to the numbers assigned by the Accountant-General and the Local Government to the same forms printed locally.

9. Consequent on the deletion or revision of certain paragraphs of the other edition of the Madras Public Works Department Code, the paragraph numbers in the present edition have been revised.

10. Officers who notice any error or omissions are requested to bring them to the notice of the Chief Engineer, who is requested to address Government if the error or omission is mortant enough.

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# TAMIL NADU PUBLIC WORKS DEPARTMENT CODE

With

APPENDICES

## CHAPTER 1

## ESTABLISHMENT AND ORGANISATION OF THE DEPARTMENT.

### A. INTRODUCTORY

1. This code is intended to define the scope of the administrative and executive functions of the officers of the Pubiic Works Department. It does not deal with questions of pension or leave., nor with the detailed procedure to be followed in connection with the Public Works Department accounts. The rules contained in the Fundamental Rules and Subsidiary Rules thereto, and the pension rules (including wound and injury, pension rules) in the Civil Service Regulations are applicable to the Public Works Department. Rules in the Tamil Nadu Financial, Treasury and Account Code relating to classes of transactions which occur in the Public Works Department as well as in Civil Departments are binding upon the Public Works Department except in so far as they may be overridden by express provisions in this Code or in the Tamil Nadu Public Works Account Code. The detailed procedure to be adopted in accounting for transactions authorised by this Code is laid down in the Tamil Nadu Public Works Account Code.

### B. ORGANISATION AND FUNCTIONS OF THE PUBLIC WORKS DEPARTMENT.

2. The operations of the department are controlled by the Government of Tamil Nadu. The various items of Public Works assigned to the State Government as a State Subject are contained in List 2 of the 7th Schedule of the "Constitution of India", and are reproduced below—

" 12. Libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those (declared by or under law made by Parliament) to be of national importance. "

"17. Water, that is to say, water supplies, irrigation and canals, drainage and flood control, water storage and water power subject to the provisions of entry 56 of List I."

"35. Works, lands and buildings vested in or in the possession of the State."

3. Omitted.

4. Besides the functions described above, the Public Works Department has, as the agent of the Government, to execute Public Works on behalf of the Central Government debitable to Central Revenue.

## C.RECRUITMENT OF OFFICERS, SCALE OF PAY, ALLOWANCES, ADVANCES, LEAVE ETC.

5. The rules relating to the recruitment of officers and the scales of pay and allowances admissible to them are contained in the Manual of Appointments and Allowances of Officers in Tamil Nadu published by the Accountant-General. The rules governing the grant of advances of various kinds are contained in Chapter X of the Tamil Nadu Financial Code Volume I. The leave rules are contained in the Fundamental Rules and the conditions of language leave rules in the subsidiary rules framed by Government there under.

Copies of orders in the following cases should be sent by the authorities concerned to the Tamil Nadu Public Service Commission:—

(i) Orders of appointment, confirmation or promotion, as the case may be, in cases where the Tamil Nadu Public Service Commission has been consulted under sections 9, 10, 11 and 13 of the Tamil Nadu Public Service Commission Act in regard to:—

(*a*) The selection of candidates for appointment to any State or subordinate service or special post by direct recruitment;

(*b*) The selection of candidates for appointment to any permanent post in a State Service by promotion from a subordinate service; and

(*c*) Confirmation or promotion of probationers or persons already in Government Service.

(ii) Orders of appointment in the case of candidates selected by the Commission for appointment as Junior Assistants, Typists, etc., in Government offices in the State; and

(iii) Final orders in disciplinary and other cases where the commission has been consulted under the Act.

## D. DUTIES OF OFFICERS OF THE PUBLIC WORKS DEPARTMENT.

### I—CHIEF ENGINEER.

6. Each Chief Engineer is the administration and professional head of that Branch of the department of which he is in charge and is responsible to Government for the efficient working of that Branch. He is also the responsible professional advicer of Government in all matters relating to his Branch.

7. The Chief Engineer (General) will recommend to the State Government removals, transfers and postings of Suprintending and Executive Engineers. The Chief Engineer (General) is empowered to post and transfer subdivisional officers who are officers of the Tamil Nadu Engineering Service. One Chief Engineer will be in charge of establishment, but his recommendations to Government will be made in consultation with the others.

All the postings and transfers of officers of the Tamil Nadu Engineering Service to divisional charge will be made by Government.

The Chief Engineer in charge of establishment has powers to appoint and dismiss Assistant Engineers and Junior Engineers anctioned for the State and all the Chief Engineers have powers to appoint and dismiss the clerical, the drawing and the inferior staff of their offices.

The Chief Engineer (General) has power to make temporary transfers of subordinates in special cases between the services or executive lower subordinates and draftsman and to grant them officiating pay in such cases. Permanent transfers from yne service to the other should not be made without obtaining the prior sanction of Government.

8. The Chief Engineer will exercise a concurrent control, with the Audit Officer, over the duties of the officers of the department in connection with the maintenance of accounts and will give all legitimate support to the Audit Officer in enforcing strict attention to the regulations concerning the disbursement of money, the custody of stores and the submission of accounts. He will have no authority over the Audit Officer in

regard to audit matters, but will have a claim on him for assistance and advice in matters relating to accounts and finance. At the same time, the Chief Engineer should arrange that the Audit Officer is kept fully cognizant of all proceedings and proposals, to enable the latter to fulfil his functions.

9. The Chief Engineer will prepare, annually the portion of the budget estimates relating to the works under his control, and as soon as possible after the close of each year, prepare a report of the progress made during that period on the Public works under his charge, giving a breif but clear account of the operations of the department. The general supervision and the control of the assessment of such a irrigation and navigation revenue as are collected in the Public Works Department will rest with the Chief Engineer, who should frame the necessary estimates and watch the progress of realizations during the year.

10. It will be the duty of the Chief Engineer to see that the budget allotments of the year are fully expended, in so far as is consistant with general economy. He will be responsible for ensuring that any money which is not likely to be needed during the year is promptly surrendered, so as to allow of its appropriation for other purposes by the proper authority. (See Chapter V, Tamil Nadu Public Works Account Code).

11. When any Military Works are placed under the administration of the Public Works Department, questions relating to military details will be referred by the Chief Engineer to the General Officers commanding Divisions or Brigades. A Chief Engineer may correspond direct with Heads of Departments on all matters relating to details of buildings or works appertaining to those departments.

12. The Chief Engineer is responsible for all important structral designs and controls of the Central designing office managed by the Chief Architect, Government of Tamil Nadu Superintending Engineer, Planning and Designs Circle and the Technical Section. Responsibility for the technical features of all designs rests with the office of their origin.

II—SUPERINTENDING ENGINEER

13. The administrative unit of the department is the circle in charge of a Superintending Engineer, who is responsible to the Chief Engineer for the administration and general professional control of Public Works in charge of officers of the department within his circle.

14. The Superintending Engineer shall inspect the important works in his circle, to satisfy himself that the system of management is efficient and economical, that regulations as regards works, stock and accounts are strictly observed and that the executive and administrative work of the circle is satisfactorily performed.

Whenever large construction work is sanctioned in a circle for which no special staff is allowed, the Superintending Engineer may, with a view to avoid delay, detach one or two su[illegible]s from within his circle for some definite period and put them to the work in question. In other words, there should be some elasticity in the sectional and subdivisional charges and the Superintending Engineer should not hesitate to call upon the services of one or two officers under him for such special work. They should freely resort to these methods in order to accelerate construction work.

NOTE 1.—The Superintending Engineers should review the works in progress periodically and at any rate, at intervals of not less than one year from the date of commencement of all works costing Rupees one crore and over and six months in respect of all major works costing less than Rupees one crore.

NOTE 2.—The Superintending Engineers should specifically state in each case of review which should be submitted to the concerned Chief Engineer whether a revised stimate is necessary or not and whether the work is executed economically and in accordance with rules. In case a revised estimate is found necessary, he should make immediate and prompt action to submit it for obtaining revised administrative approval of Government well in advance.

15. It will be his duty to watch and control the rates paid for work and he may require an Executive Engineer, to report to him such details of expenditure as he may desire.

16. It is his duty to satisfy himself that the staff employed is actually necessary and adequate, and that the divisional and subdivisional officers attend personally to their primary accounts; he will inspect each divisional office once in a year and report thereon to the Chief Engineer.

17. The Audit Officer and Superintending Engineer should assist each other in rendering the management of departmental accounts as perfect as possible. To this end, during his inspec-

tions of Divisional offices, the Superintending Engineer will examine the divisional registers and other account and measurement books, the mode of preparation of estimates, contractor's accounts and agreements, the system of recording plans and papers and office work generally. He is expected to communicate freely and personally with Executive Engineers and to advice them in the performance of their duties.

18. The Superintending Engineers are empowered to transfer and post Assistant Executive Engineers and Subordinate Engineers within their circles. In the case of office and petty establishments borne on divisional scales it should be seen that these scales are not exceeded without proper authority. It will also be their duty to recommend removals and transfers of Executive Engineers, Assistant Executive Engineers, Assistant Engineers and Subordinate Engineer fron their own circles.

19. All reports on Engineer and Subordinate establishments will be noted on by the Superintending Engineer before submission to the Chief Engineer.

He will bring to the notice of the Chief Engineer cases of incompetence or disqualification for public duties. In like manner he will bring prominently forward all instances of extraordinary zeal and ability.

He will have power to appoint, dismiss and control the drawing and the ministerial staff of the circle, and the inferior servants of his office. Appeals will lie from any order of punishment passed by a Superintending Engineer to the Chief Engineer.

20. The Superintending Engineer should generally prepare designs and have detailed plans and estimates prepared in his office for all original works and improvements likely to cost more than Rs. 1,00,000. In the case of estimates for improvements to existing structures amounting to over Rs. 1,00,000 where the Superintending Engineer could not undertake the preparation of estimates without being supplied by the Executive Engineer with an amount of data which would make it more convenient if the latter himself prepared the plans and estimate in question, the Executive Engineer should prepare them. The Superintending Engineer will be responsible for the Engineering feature of all designs prepared by him; his Personal Assistant will be responsible for the calculations and for the accuracy of the rates.

When submitting to the Chief Engineer any report, design or estimate, he will invariably state his own opinion and recommendations.

21. The Superintending Engineer should generally supervice and control the correct assessment and realization of such revenue as is assessed or collected in the Public Works Department, *vide* paragraph 254, Tamil Nadu Public Works Accounts Code.

22. A Superintending Engineer is authorised to correspond direct with any of the local authorties, civil or military, within his circle. He will address Genral Officers Commanding Divisions or Brigades through their staff Officers and all other officers direct.

23. Under the rules framed under the District Municipalities Act, the Superintending Engineers have statutory powers to inspect municipal works other than road works in their respective jurisdiction. No additional emoluments may be received for these duties.

## III. SUPERINTENDENT OF WORKS:

24 Deleted.

## IV. EXECUTIVE ENGINEER

25. The executive unit of the department is the division in-charge of an Executive Engineer, who is responsible to Superintending Engineer for the execution and management of all works within his division.

26. An Executive Engineer can receive positive orders only from his own departmental superiors, the head of the administration, or other civil officers duly authorised, except in the case of works considered urgent by an officer Commanding a station, who can, in the circumstances explained in Army Regulations, India, issue an order to the Executive Engineer for the execution of the work.

27. The Executive Engineer is responsible that proper measures are taken to preserve all the buildings and works in his division, and to prevent encroachment an Government lands in his charge. He must keep accurate plans of all cantonment or other Government lands borne on the P.W.D. registers and ensure that his subordinates are acquainted with the boundaries.

28. The Executive Engineer should insist on periodical inspections of all vacant lands in charge (i.e. lands which were acquired or set apart for particular object and which are still unoccupied, the particular objects not having been fulfilled and lands appertaining to Government buildings which are not enclosed by compound walls or fences) being made by the subordinates in proper time with a view to prevent encroachment thereon. So far as lands pertaining to P.W.D. channels, canals, drains, tanks, tankbeds, road berms and to other P.W.D. Irrigation and road works are concerned encroachments thereon will be guarded against by the subordinates of the Revenue Department.

All lands should be demarcated, wherever it has not been done, and this work should be carried out by the subordinates of the P.W.D. in consultation with the officers of the Revenue Department.

29. Every Executive Engineer should immediately report to the Chief Engineer through the Superintending Engineer and the Collector of the District, any serious loss of immovable property, caused by any accident or unusual occurrence as required by paragraph 299 of the Tamil Nadu Financial Code Volume I—*vdie* also paragraphs 192—194.

30. Executive Engineers may transfer Assistant, Junior Engineers (other than Subdivisional Officers) from one station to another within their respective divisions without reference to superior authority. The transfers will be reported in the ordinary course to the Superintending Engineer.

31. An Executive Engineer is prohibited from commencing any work or expending any public funds without, the sanction of competent authority or from making any other than trifling deviations from sanctioned designs in the course of execution, except in case of emergency.

32. Immediately on a work being finished, it will be the duty of the Executive Engineer to close the accounts of it and to prepare the completion report if required by the rules in paragraph 216.

33. The Executive Engineer will submit his accounts punctually to the Audit Office under the rules in force and will exercise efficient control over his Divisional Accountant. The Executive Engineer is responsible for the correctness of

the original record of cash and stores, receipts and expenditure and for the submission of complete vouchers. The Divisional Accountant is responsible for the correct compilation of the accounts from the data supplied to him.

34. The Executive Engineer is responsible that the accounts of the division are not allowed to fall into arrears; but if arrears or confusion arises which, in his opinion cannot be cleared without the assistance of the Accountant-General, he should at once apply for such assistance.

35. The Executive Engineer has a right to seek the advice of the Accountant-General in all matters connected with the accounts of his division or the application of financial rules and orders concerning which there may be any doubt It will usually be desirable, however that he should first obtain the advice of the Divisional Accountant who is specially trained for this duty, and this should be done in writing in all cases of importance.

36. The Executive Engineer is primarily responsible for reporting without delay, supported, if necessary, by a work slip, the probability of any excesses over estimates, all important liabilities not brought to account being noted and for the prompt revision of estimates when necessary.

NOTE 1:—The Executive Engineer need not submit work slips in case in which he has power to pass finally excesses over estimates but should sanction work slips and keep them on record.

NOTE 2:—Workslips on agreements after completion are purposeless. However, workslips or revised estimates as the case may be got sanctioned before sending. completion report.

NOTE 3:- Deleted.

37. The Executive Engineer is responsible for the detailed assessment of such revenue as is collected through the Public Works Department within his division and will maintain such records and accounts for the purpose as may be prescribed—vide Chapter IX Tamil Nadu P.W.A. Code.

38. The Executive Engineer is responsible that the surveying and mathematical instruments in his division are properly cared for, and will report on their condition to the Superintending Engineer at the end of each working

season. Any damage to the instrument due to neglect or carelessness should be made good at the expense of the Officer or subordinate responsible for the damage.

39. The Executive Engineer is responsible for the purchase (subject to the provisions of the stores rules Articles 125 and 126 to the Tamil Nadu Financial Code Volume I) manufacture, care and disposal of all stores in or required for, his division (Tamil Nadu P.W.A. Code, Paragraphs 177 and 178).

40. The Executive Engineer may dispose of temporary buildings or structures not required for and charged to works—vide paragraph 236.

41. The Executive Engineer will appoint or dismiss and generally control all the inferior and petty establishments authorised for his division.

He may fill up acting or temporary vacancies of Junior Assistants, Typists and Steno-typists and of Assistant Draughtsman in his division and grant leave (other than special disability leave) to temporary, acting and permanent clerks, Assistant Draughtman and Draughtsmen. He should, however, report the appointments made and the leave granted to the Superintending Engineer immediately. Appeals will lie from any order of punishment passed by an Executive Engineer to the Superintending Engineer.

42. It will be the duty of the Executive Engineer to furnish Treasury and Sub-treasury officers after due inspection with the certificate prescribed in Article 9 (b) of the Resource Manual, as to the security of strong rooms used or proposed to be used for the storage of coin.

43. The Executive Engineer will be required to inspect, report on and suggest measures for the protection of ancient and historial monuments other than those declared by or under law made by Parliament to be of National importance of buildings of architectural interest, which appear likely to fall into decay—vide entry 12 of List II of schedule VII of the Constitutions of India.

In the case of monuments, which have been declared "Protected" under the Ancient Monuments preservation Act of 1904 or buildings under the care of the Archaeological Department, the Executive Engineer should arrange in

consultation with the Superintending Archaeologist, Archaeological Survey of India, Southern circle for a joint inspection, when the former is specially called upon by the latter to decide upon any important repairs that may be required. The cost of such inspection will be borne by the Central Government.

44. The Executive Engineer is ex-officio the professional Advisor of all departments of Government and local bodies within the limits of his charge, and it will be incumbent on him to see that no undue formalities are allowed to interfere with the performance of this duty.

45. The Executive Engineer is responsible for the Engineering features of designs and the rates in estimates prepared or sanctioned by him.

46. Executive Engineers may, where the services of an officer, of the Military Works Services are not available, be called upon by General Officers Commanding Divisions. or Brigades to be Members of Committee appointed to select sites and determine general boundaries of cantonments.

47. Deleted.

48. Executive Engineers should address Officers Commanding Divisions, Brigades or Stations through their Staff Officers.

## V-SUBDIVISIONAL OFFICER

49. The division is divided into subdivisions in-charge of Subdivisional Officer, who may be Executive Engineers, Assistant Executive or Assistant Engineers or where no such officers are available, Subordinate Engineers, and who are responsible to the Executive Engineer in-charge of the divisions, for the management and execution of works within their sub divisions. No subdivision can be constituted in the first instance without the sanction of the State Government.

Subdivisional Officers may fill up acting and temporary vacancies in the inferior and petty establishments in their sub divisions and grant leave (other than special disability leave) to basic servants permament, temporary and acting up to one month at a time and for not more than one month in a calender year.

The adhoc rules ordered in G.O. Ms. No. 461, P.W.D. dated 15—3—1980 shall be followed in respect of work charged establishment (Provincialised) in regared to imposing of penalties.

## VI-DIVISIONAL ACCOUNTANT

50. The Divisional Accountant referred to in paragraphs 33 and 35 is appointed by the Accountant-General and his functions are described in the Tamil Nadu Public Works Account Code paragraphs 88—93 and 539—548.

## E. COMPENSATION FOR LOSS OF PROPERTY

51. No public officer is entitled to compensation for loss of property caused by an accident of any kind, merely because such accident may have happened to him while he was employed in the service of the State, except to such extent that the State Government may relax the provisions of this rule.

## F. SERVICE UNDER PANCHAYAT JNION

52. Members of the department may be transferred permanently or temporarily to work under the Panchayat Unions or Municipalities and be paid wholly from such funds under the Foreign Service Rules in Part V of the Fundamental Rules.

53. Officers wholly employed on Panchayat Union works which are carried out under the orders of the Chief Engineer, and those required to work, in connection with Panchayat Union works in addition to their regular duties, when the latter is not detrimental to the Public Service, will be wholly subject to the departmental rules. No such officer may receive any additional emoluments in connection with Panchayat Union works except as provided in Fundamental Rule 47.

## G. EMPLOYMENT OF TEMPORARY ESTABLISHMENTS

### I. *Temporary establishment*

54. In order to meet the demand for extra supervision arising from time to time, as well as to provide for the reduction as well as increase in staff as they volume of work diminishes, or increases the permanent establishment may be supplemented by temporary establishments to the necessary

extent. Temporary establishment will include all such non permanent establishment, no matter under what titles employed as is entertained for the general purposes of a division or subdivision or for the purpose of general supervision as distinct from the actual execution of a work or works. The specific sanction of Government is necessary for the creation of temporary appointment.

55. (a) *Temporary establishment engaged to provide for the normal work of the department i.e., in temporary territorial division or subdivisions.*—These may be regarded as quasi-permanent and integral parts of the territorial organisations and will be sanctioned on that basis. Provision will be made for them in the budget and it will not then be necessary to obtain renewal of sanction every year.

(b) *Temporary establishmnet employed. on the investigation and execution of projects and works which the territorial organisations are unable to cope*--Standing sanction should be obtained for these for the period required for their completion. Fresh sanction will not be required except for alterations in the sanctioned scale or for extensions of the sanctioned period.

(c) *Establishments of a purely temporary nature required for short periods.*—The prior sanction of Government should be obtained except where they are required to meet sudden emergencies such as floods, cyclone etc., In such emergencies, the Chief Engineers, Superintending Engineers and Executive Engineers are empowered to entertain in anticipation of sanction of subordinate office and petty establishments on the minimum rates of pay. The Executive Engineers or Superintending Engineers should report atonce to their immediate superior authority what has been found necessary, and regular proposals for the establishments so employed should be submitted by the Chief Engineer to Governmet for sanction within a month.

56. Superintending Engineers and Executive Engineers may sanction within the budget provision out of contingent allotments the following temporary establishment for offices under their control:—

Watchmen, gardeners, lascars and conservancy staff subject to a minimum time scale of pay applicable to that category.

NOTE 1:—All persons engaged on temporary establishments, must be required to sign the declaration indicated in paragraph 57. Petty establishments and establishments whose pay is charged to works under paragraph 58 are exempted from submitting temporary service declarations.

NOTE 2:—The entertainment of gardeners at Government expense for public residences is forbidden except with the sanction of Government. Superintending Engineer may however, sanction the entertainment of gardeners in the case of unoccupied residences to look after the buildings and the gardens. A certificate should be recorded by the officer drawing the gardener's pay on the connected bill, that the residence concerned was unoccupied during the period of employment. The pay of these gardeners is chargeable to repair estimates, see paragraph 138.

Exception: Deleted

57. Temporary officers have no claim to pension, or to any absentee allowances beyond those conditionally given to temporary employees under Fundamental Rule 103. If they are engaged for a special work, their engagement lasts only for the period during which the work lasts. If dismissed, otherwise, than for serious misconduct before the completion of the work, they will be entitled to a month's notice or a month's pay in lieu of notice; but otherwise, with or without notice, their engagement terminates when the work ends. If they desire to resign their appointments, they will be required to give a month's pay in lieu of sueh notice. These conditions should be clearly explained to the men employed and a written declaration obtained from them that the terms have been clearly understood by them.

NOTE:—No agreements of temporary service under this paragraph should be taken from men selected for Class I of the Tamil Nadu Engineering Subordinate Service after 26th July 1932.

II. *Workcharged Establishment*:

58. Deleted:

NOTE 1:—Deleted

NOTE 2:—Deleted

59. Deleted

III. *Miscellaneous rules relating to workcharged establishment*:

60. Deleted

61. Deleted

62. Deleted

## H. POLICE AND OTHER GUARDS

63. When marching or in camp on public duty, officers are allowed a guard for the protection of public property. Such guards are supplied without charge by the Police Department and application for them should be made to the Superintendent of Police by the officer requiring them, unless he be an Assistant Executive Engineer, an Assistant Engineer or subordinate Engineer, when the application should be made by the Executive Engineer, Such guards will not, however, be supplied unless the officer travelling is in charge of Government money or valuable Government property, or unless the country is disturbed.

64. In all cases, where through the inability of the Police Department to supply a guard from the regular Police Force. special guards have to be entertained, the sanction of the State Government will be necessary. Officers may, however, in urgent cases, entertain the guard in anticipation of sanction reporting their action atonce to higher authority. The services of such extra guards should be dispensed with directly if they are no longer required.

## I. Medical Establishment

### I. GENERAL

65. The requirements of the department will, as a rule, be met from the Civil Assistant Surgeon cadre of the Medical Department of the State.

66. Civil Assistant Surgeons will be allowed as part of the Public Works Establishment, and furnished with medicines at the public expense wherever any large body of workmen is collected together. Sanction to their appointment must be obtained under the usual rules regarding increases of establishment and applications for the service of individuals, to fill sanctioned appointments, will be made by the Chief Engineer (General) to Government to post Civil Assistant Surgeon on deputation under Deputation Rules.

67. Deleted

68. Deleted

69. Deleted

70. Deleted

71. Deleted

72. Persons employed in the department shall have no personal pecuniary interest, directly or indirectly in the construction of any public work, or in the manufacture, supply or sale of building materials. They are further subject to the rules laid down in "The Government Servants Conduct Rules".

73. Every member of the department, whether civil or military, must consider that his pay, for time being, or as defined in any agreement, is his sole legal remuneration; and that the receipt of commissions, or any consideration, directly or indirectly, on account of any business or transaction in which he may be concerned on behalf of Government, is prohibited. Every Officer of Government is bound to report to his departmental superior any infringement of this rule which may come to his knowledge-see also paragraph 53.

NOTE 1.--An exception is however, allowed in cases of arbitration as follows:—

(i) An officer shall not act as arbitrator in any case without the sanction of his immediate superior or unless he be directed so to act by a court having authority to appoint an arbitrator.

(ii) No public officers shall act as an arbitrator in any case which is likely to come before him in any shape by virtue of any judicial or executive office which he may be holding.

(iii) If an officer acts as arbitrator at the private request of disputants, he shall accept no fees except as provided in Fundamental Rules 46 and 47.

(iv) If he acts by appointment of a court of law he may accept such fees as the court may fix.

NOTE 2.--There is also no objection to an officer of the department competing for any prize offered by a Municipality for preparing for it any designs or estimates, and to his receiving the award if he competes successfully.

NOTE 3.--An officer of the department, called upon by a court to act as a commision to give reliable information on certain technical points of engineering, may comply with the request unless debarred by the operation of clause (2) of Note 1 above. If he accepts the commission, he may retain such fees as are fixed by the court.

NOTE 4.—Fees to be levied from co-opertive building societies for the grant of certificates under Rule 7 of the rule annexed to G. O. No. 512, Development, dated 11th April 1923, that the instalments of State loans made to the societies have been properly utilised. When the certificate is obtained from an officer of the Public Works Department, the fee payable by the society should be calculated at 1¼ per cent of the estimated cost of the work done up to the date of inspection. If and when subsequent inspections take place, the further fee to be paid should be 1¼ per cent of the estimated value of the work since the date of the estimated value of the work done since the date of the last inspection. If and when subsequent inspections take place, the further fee to be paid should be 1¼ per cent to the estimated value of the work done, since the date of last inspection. Two-fifths of the fee thus recovered from a society will be paid to the inspecting officer as fees, the rest being credited to Government.

NOTE 5.—In the case of inspection and valuation by the Public Works Department of buildings constructed by the Co-operative Societies, contemplated in Rule 12 of the rules for the grant of loans to co-operative building societies issued with G. O. No. 512, Development, dated 11th April 1923, as modified in G. O. No. 2019, Development, dated 28th November 1927 no fee is recoverable.

NOTE 6.—Fee to be levied from grant-in-aid educationa institutions for issue of certificate of reasonableness of Rent.

In the case of private buildings occupied by educationa institutions which are aided from State Funds, Certificates of reasonableness of rent will be issued by the Public Works Department Officers and the fee payable therefor will be calculated at the following rates:—

(*a*) Ten per cent of the monthly rental recommended by the Public Works Department as reasonable subject to a minimum of Rs. 50 (Rupees fifty only) in each case, where the building concerned is situated within eight kilometres from the headquarters of the inspecting officers.

(*b*) Ten per cent of monthly rental recommended subject to a minimum of Rs. 50 (Rupees fifty only) in each case plus the travelling allowance involved, where the building concerned is situated beyond eight kilometres from the headquarters of the inspecting officers.

For renewal of the above certificates, a fee of Rs. 30 only shall be collected in each case.

NOTE 7. A.— In the case of private buildings occupied by the office or officers of the Union Government 1% of the cost of the buildings and ¼% of the land if land also is to be valued subject to a minimum of Rs. 50 for buildings situated within 8 KM from the Headquarters of inspecting officer, and if it is beyond 8 K. M. T. A. will be collected in addition. No, centage shall be levied for issue of rent certificate to private buildings occupied by E. S. I. Dispensaries.

NOTE. 7:—(*a*) (i) Fees to be levied from Market Committees for grant of technical sanction and issue of certificates:—

Under rules 36 and 37 of the Tamil Nadu Agricultural Produce Market Rules, 1962, framed under the Tamil Nadu Agricultural Produce Market Act, 1959 (Act 23 of 1959), the Executive Engineer or the Sub-divisional Officer, who may be empowered by the Executive Engineer shall (i) accord technical sanction for works costing above Rs. 1,000 executed by the Market Committee; and.

(ii) Inspect and test-check all such work costing above Rs. 1,000 at suitable intervals during the progress of works and shall certify that the work have been executed according to the approved plan, estimate and specification.

## II. PUBLICATION OF RULES AND NOTICES.

74. Drafts of rules, regulations and notifications having the force of law and affecting the outside public should, before issue under any Act, or in cases in which the previous approval or sanction of the President of Indian Union is necessary, before submission to the Union Government, be published with a view to ascertain whether any valid objections can be taken thereto. A similar course should be adopted in the case of rules or notifications affecting the outside public intended to be issued not under any Act or Regulations but as Executive Orders.

When drafts of any rules, regulations or notifications of the foregoing clauses are submitted for the sanction of the President of Indian Union, it should invariably be stated whether they have been published and the result of publication described. If they have not been published the reasons for non-publication should feqully xplained.

## III. ANONYMOUS COMMUNICATIONS

75. No anonymous communications regarding the conduct of any Government Officer shall be acted upon without the permission of the State Government, excepting so far as to endeavour to remove any apparently well founded causes of complaint which do not affect the character of individuals. With the above exception, every complaint by or against any person in the department must be received and enquired into by his superior officer.

## IV. PROCEDURE IN REGARD TO LAW SUITS

76. When any officer or subordinate in the department is personally sued in any Civil Court, by parties claiming from him wages or money arising out of transactions in which he is concerned only in his official capacity, and *bona fide* on behalf of Government it will be necessary that he defends the suit by pleading that Government should be made the defendant as the party really interested. But when the suit is for damages in respect of an alleged wrongful act of a Government Officer, the party aggrieved may, as a general rule, bring the suit against such officer, and it would be no defence for the officer sued to contend that Government ought to be the defendant. The Plaintiff may legally contend that he has a right to look to the party by whose act he has been aggrieved, whether he could or could not have sued that party's principal. Suits on contracts should be distinguished from suits for wrongs. In cases of latter kind, the Government reserves the right to determine whether it would be just and proper that the defence should be carried on at the expense of Government. This course should ordinarily be adopted only in case where there is no reasonable doubt of the innocence of the defendant. When, on the other hand, there is *prima facie* evidence that he has acted improperly, he should be left to conduct his own defence, the question of Government, contributing towards the cost of the defence being subsequently considered. Whatever be the nature of the case, failure to defend the suit or to reply to the plaint in person or by the counsel as the case may require will render the officer or subordinate personally responsible.

For rules regarding the head of debits of law charges incurred on the execution of works *vide* paragraph 486 of the Tamil Nadu Public Works Account Code and Local Ruling 2 unde Act. 62 of the Tamil Nadu Account Code, Volume I.

77. An Officer receiving a subpoena to produce official documents in a Court of law, should, provided the documents be specified, produce them to the Court unless they are unpublished official records relating to any affairs of state, when he must refer to the officer at the head of his department.

77-A. 'In the case of attachment by a Court of Law if at any stage, the Court issues summons to the Executive Engineer in a matter connected with the attachment, the papers will have to be sent to the Government Pleader after observing the relevant rules for attending to the case on behalf of the Government. Should, however, there be no time between the date of receipt of the summons and the date of hearing, the Executive Engineer shall appear before the Court and furnish such information in respect of the case that the Court may order or obtain an adjournment for briefing the Government Pleader.''.

## V.—STATIONERY AND FORMS.

78. Stationery is supplied by the Director of Stationery and Printing, Madras. Officers, other than those to whom power has been delegated, are prohibited from obtaining elsewhere articles which can be procured from the Stationery Offices except under orders of Government in each case, or after obtaining No Objection Certificate from the Director of Stationery and Printing, Madras.

79. All the executive Public Works Department forms are kept in stock by the Director of Stationery and Printing, Madras. The Chief Engineer may make changes in them except in the following cases which require the approval of the Union Government.

Public Works Department Form 155 (Old Number) Forecast of Financial prospects of Irrigation works.

New Completion Report Forms—Irrigation works (Schedule A to E)

80. All the Public Works Account Forms are standardised and sent for printing to the Works Manager, Government Press, Madras, by the Accountant-General. These forms will be distributed by the Director of Stationery and Printing to the officers concerned.

81. Indents for forms and returns will be submitted annually by Chief and Superintending Engineers direct to the Director of Stationery and Printing for compliance. The forms will be despatched to indenting officers direct.

NOTE.—The rules in the Printing Manual and Chapter XII of the Madras Stationery Manual are to be observed in indenting for forms.

82. All officers entrusted with a supply of stationery and forms for their official use will take proper precautions to keep them in the custody of responsible and trustworthy person and to maintain a record of the receipts, issues and balances. Stock should be verified annually and the certificate of verification recorded in the register of stationery over the signature of a responsible officer.

83. Forms or deeds and other documents ordinarily required by the department will be settled by the Law Officers of the Government, and furnished through the Chief Engineer to whom all applications on such matters should be addressed.

## VI.—DESTRUCTION OF OFFICIAL RECORDS.

84. The various records of the Circle and Divisional Offices included in Appendix XV may be destroyed after the periods specified therein unless, in any case, a record has been specially ordered to be kept for a longer period. As regards, records not included in the appendix, the sanction of the Superintending Engineer or of the Accountant-General in the case of Accounts records should be applied for annually in the month of January. In ordering the destruction of such records, great care should be exercised that it is confined to such as are valueless (*vide* also paragraph 590 of the Tamil Nadu Public Works Account Code) but the following should on no account, be destroyed.—

(1) Records in connection with expenditure which is within the statute of limitation.

(2) Records in connection with expenditure on works not completed, although beyond the period of limitation.

(3) Records of experiments and observations.

(4) Records in connection with claims to service and peraons matters connected with persons in the service.

## VII.—RECORDING OF PLANS AND DRAWINGS.

85. An Executive Engineer must keep on record in his office the following plans, or such of them as are required in his division.

Copies of all standard plans of buildings.

Complete plans, sections and elevations of every building under his charge, whether military or civil, as actually constructed any departures from sanctioned design being carefully noted. The boundaries of the ground attached to any buildings should be distinctly shown.

Plans of roads under his charge showing the quarries whence metal is obtained.

Detailed drawings including foundations, where practicable, of all bridges and other works in the division as actually constructed, any departures from sanctioned design being carefully noted. The boundaries of the ground attached to any building should be distinctly shown.

## VII-A.—SUPPLY OF TYPE DESIGNS AND PLANS.

85.-A. Copies of Type designs and Plans may be supplied to other States, Central Government Departments, Municipalities, Corporations, Local Bodies and Private Institutions at the rates indicated below:—

| | |
|---|---|
| For Drawings up to a size of 60 cm x 50 cm. | Rs. 3·00 per copy |
| For drawing bigger than (size of) 60 cm x 50 cm but not larger than 60 cm x 100 cm. | Rs. 6.00 per copy. |

"The Supply of Type designs and plans shall be subject to the specific condition that the plans shall not be reproduced without the written concurrence of the Chief Engineer, Public Works Department.

NOTE.—The cost towards the supply of Type Designs shall be remitted into Tamil Nadu Government Treasury or the Reserve Bank of India under the head "059 Public Works ad. Other receipts 03. Miscellaneous—I Miscellaneus Receipts "and the chalan produced before effecting supply of the prints"

## VIII.—GENERAL RULES OF OFFICE PROCEDURE.

86. No officer should correspond direct with an authority superior to the officer under whom he is immediately serving, or with the State Government or the Union Government out of the regular course except in a case of extreme emergency, in which case he must send copies of his communications to his immediate superior together with a statement of his reasons for the direct correspondence.

86-A. No officer or subordinate of the department may, except with the previous permission of the authority to which he is immediately subordinate seek an interview with any officer in respect of any matter affecting him personally as a Government Servant. The previous permission of the head of department should be obtained through the proper channel in the case of an interview with Member of Government or with a Secretary to Government.

Every application for an appointment or for promotion shal be submitted through the proper channel.

## IX.—PERIODICAL RETURNS.

87. With regard to periodical returns not prescribed by the Union Government, Government of Tamil Nadu or the Auditor-General, Officers to whom such returns are submitted should institute, at convenient intervals of time, an examination into the necessity for each return, with a view to the discontinuance of any that may be found to be no longer necessary.

# CHAPTER II—WORKS

## A. CLASSIFICATION OF THE OPERATIONS OF THE PUBLIC WORKS DEPARTMENT.

88. The operations of the department are divided primarily into two classes—'original works' and 'repairs or maintenance'.

89. 'Original works' include all new constructions, whether of entirely new works or of additions and alterations to existing works except as hereinafter provided; also all repairs to newly purchased or previously abandoned buildings required to render them usable.

90. The expenditure on 'system works' for which capital and Revenue Accounts are kept, falls under "333. Irrigation etc., works (Commercial) and the expenditure on 'non-system works' like tanks, etc., for which capital and revenue accounts are not kept falls under "333. Irrigation etc., works (non-commercial)". The expenditure on both the above two categories of work comes under "Revenue Accounts". All works, which either increase the efficiency of a system of work or its scope of action by an extension of or addition to it, are classified under the detailed head of appropriation 'Major works and Minor works' under the respective minor heads concerned. The circumstance in which irrigation expenditure can be charged to "Revenue Account" are explained in paragraph 379.

91. The term 'repairs or maintenance' includes all operations except the foregoing required to maintain in proper condition or to replace the wear and tear of buildings and works in ordinary use.

92. There are certain operations of the Public Works Department which fall under both the categories of 'original works' and repairs i, e., operations which are of the nature of both e. g. substitutions of a terraced for tiled roofing, substitutions of steel beams for damaged teak ones, dismantling and extending a verandah, etc. The classification and treatment of such mixed estimates for the purposes of this code will be determined by the principles in paragraph 93. Vide in this connection explanatory note 26 (3) and (4) in Appendix 4 to TamilNadu Public Works Account Code also.

93. When a portion of an existing structure is to be dismantled for the reason that it is structurally unsound, and is to be replaced by a work which is not in material essertials the same as the work dismantled, e.g. thatched roof replaced by tiled roof, or by an addition e.g. an extension of a building, the mixed work shall, for the purpose of determining the authority competent to sanction it, be treated as an original work. In the estimate and in the accounts, the following points should, however, be observed :—

(*a*) If the new work costs more than the original cost of the work which it replaces, the whole cost should be first taken to original work but eventually the difference should be charged under 'original works' and the costs of the dismantled portion under 'repairs'. The costs of the dismantled portion should be taken at its original cost of construction plus the cost of any additions subsequently made, or where this is not known its estimated cost.

(*b*) If the new work does not cost more than the original cost of the dismantled portion, the difference between the two will be written off the capital accounts where they are kept and the entire cost of the new work charged under repairs.

NOTE 1.—If an existing structure dismantled for the reason that it is structurally unsound is replaced by work which is in material essentials the same as the work dismantled, the work is strictly of the nature of repairs unless it falls under the last clause of paragraph 89. If a work is dismantled and replaced not because it is structurally unsound but purely because of administrative reasons, the entire operation will be treated as an 'original work' and the whole cost debited to original works the cost of the dismantled work being written off the 'capital accounts'. The cost of dismantlement in either case should be charged to repairs.

NOTE 2.—The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

*Illustrations.*—The cost of replacement of palmyra rafters by Karimarudu or of bamboo hurdeing by teakwood reapers or of country tiles by Mangalore tiles or of lime plastering by cement plastering should not be added to the capital

cost of a building. The cost of deepening a well in order to restore the normal water supply should not be added to the capital cost of a building but the cost of replacing a mud compound wall by a wall of brick in mortar plastered with cement and replacement of a cement floor by tiles should be dealt with in accordance with clauses (a) and (b) of this paragraph.

94. When an entire structure is reconstructed owing to the occurrence of fire, flood, earthquake, abnormal storm or other calamity or owing to wear and tear, the work should be treated as an original work and the cost of reconstruction as capital cost. On completion, the Government will decide what amount should be written off the original capital cost.

## B. WORKS ENTRUSTED TO DEPARTMENTS OTHER THAN THE PUBLIC WORKS DEPARTMENTS.

### I.—FOREST DEPARTMENT

95. The Forest Department is empowered to execute its own works whenever it is desirable to do so, instead of entrusting them to the agency of the Public Works Department owing to the special circumstances in which they are executed in out-of-the way localities, with which Forest Officers are better acquainted than those of the Public Works Department The Forest Department has also got a special engineering staff. Such works are provided for in the Forest Department budget and the detailed rules regarding the preparation of plans and estimates and the maintenance of accounts are contained in the Forest Department Code. Works for which the agency of the Public Works Department is more suitable are executed by it in the usual mannar in accordance with the rules in this Code and the Tamil Nadu Public Works Account Code, out of funds provided in the Public Works Department estimates.

### II.—EXCISE DEPARTMENT

96. A procedure similar to the one prevailing in the Forest Department is in force in the Excise Department also. The works are however, generally of such a nature as do not require the employment of skilled labour or professional supervision. Such works are provided for in the Excise Department

budget and the detailed rules regarding their execution and accounts are contained in the departmental manuals concerned. Works which the Public Works Department are called upon to execute are charged to the Public Works Department and are dealt with in accordance with the rules in this Code and the Tamil Nadu Public Works Accounts Code.

96.A (*a*) The acceptance of agreements of Civil Departments for original works requiring technical skill and which do not relate to petty construction and repair works shall be governed by the following limits:—

(1) Where the Civil Department (i.e. departments other than the Public Works Department) employ technically qualified Engineers of the rank of the Executive Engineers of the Public Works Department up to a maximum limit of Rs. 25,000 in the case of works for which estimates are sanctioned by higher authorities and up to Rs. 10,000 in other cases.

(2) Where the Civil Departments employ technically qualified Engineers of the rank of Assistant Executive Engineers of Public Works Department up to Rs. 2,500.

(*b*) The arbitrators in the case of disputes arising out of such agreements shall be the Superintending Engineers of the Public Works Department in respective areas in cases falling under (1) above and the Executive Engineers of the Public Works Department in whose area of jurisdiction the work lies in respect of cases coming under (2) above.

(*c*) The instructions in this paragraph will not apply to the Forest Department works and the works relating to irrigation and navigation under the Revenue Department.

## III.—PETTY CONSTRUCTION AND REPAIRS

97. The following works in connection with State buildings are assigned to the departments using or requiring such buildings:—

(1) Works of petty construction and repair of buildings originally constructed by the Public Works Department and borne on the Public Works Register in cases where such petty construction and repair are carried out by the department using or requiring the building under the rules in force from time to time.

(2) Works of petty construction and repair of Jail Warders' lines, Police Lines, huts and stations which do not form part of Taluk Offices, and other buildings originally constructed by the Public Works Department but not borne on the Public Works Register in pursuance of orders issued from time to time; and

(3) All works connected with buildings constructed by departments other than the Public Works Department and not borne on the Public Works Register. See also paragraphs 95 and 96 above and paragraph 256 below.

The following are the rules and conditions governing the execution of such works by the Departments concerned:—

(1) The construction of petty buildings and the execution of ordinary repairs to all Civil Buildings up to a limit of Rs. 10,000 shall ordinarily be undertaken by the Departments using or requiring them out of the funds placed at their disposal in the Civil Budget.

NOTE 1.—The construction of new rainguage pillars and the maintenance of rainguage shall be undertaken by the departments for which they are intended, from funds allotted in the budgets of the respective departments. The Officers of those departments may however, at their discretion seek the advice of the Public Works Department Officers.

NOTE 2.—When a building is occupied by more than one department the 'department' for the purpose of the above rule will be Revenue Department, if it be one of the occupants and if not the Government department occupying the major portion of the building, to be decided in each case by the Superintending Engineer concerned. Petty internal repairs may however be carried out by and at the cost of the occupying departments.

NOTE 3.—(i) In the case of works relating to judicial Second Class Magistrate's Offices which are located in the same building as the Taluk Office, the Revenue Department shall be deemed to be in-charge of the whole building, administrative approval to such works shall be accorded by the Officers of that department up to the limit of their powers, the expenditure being met from funds provided under 'General Administration'.

(ii) Works relating to Judicial Second Class Magistrate's Offices which are located in separate or detached buildings eventhough situated in the same compound with other buildings shall be deemed to be in-charge of the Judicial Department; administrative approval to the proposal shall be accorded by that department up to the limit of their powers, the expenditure being met from funds provided under the head 'Administration of Justice'.

(2) When the works described in rule (1) above involve structural alterations and additions to buildings in-charge of the Public Works Department, Civil Officers should obtain the concurrence of the Executive Engineer to such alterations and additions and should also communicate to the Executive Engineer the actual cost incurred so that the capital accounts of the buildings may be correctly maintained. While giving his concurrence to the proposals of Civil Officers, the Executive Engineer should consider whether the work will require technical advice of a skilled nature or professional supervision and if so inform such officers that the necessary technical advice or assistance will be given by the Public Works Department Officers during the course of construction and that for this purpose timely intimation should be given of the date of commencement of the work.

(3) When the works undertaken by Civil Officers do not involve structural alterations or additions to buildings in-charge of the Public Works Department, such Officers should not requisition the services of officers of the Public Works Department unless in their opinion, the works require technical advice of a skilled nature or professional supervision. The reasons for their reaching this opinion should in every case be communicated to the Public Works Department Officer whose assistance is requisitioned. If however the Public Works Department Officer is of the opinion that the work does not require such skilled advice or professional supervision he may return the requisition with full reason for his opinion.

NOTE 1.—As regards classification of expenditure connected with building works the expenditure will be generally debited to the department in which the administrative control of the building vests irrespective of the agency of execution. For example, in the case of the Civil Department even if the execution is taken up by the Public Works Department for any reason the expenditure should be debited to the Civil Department. As an exception to

the above rules when a Civil Department using a building which is under the administrative control of the Public Works Department incurs expenditure on petty construction and repairs connected with the building up to an amount not exceeding Rs. 5,000 for any one work, it should be shown on contingency expenditure of the Civil Department carrying out the work. Expenditure on petty construction and repairs connected with a building which is under the administrative control of the Civil Department should be debited to the minor head "works" under the relevant Departmental major head if the expenditure on any work exceeds Rs. 5,000. If the expenditure is within that limit, it should be shown as contingent expenditure of the Civil Department concerned.

NOTE 2.—All petty works of the Fisheries Department which require technical advice of a skilled nature and professional supervision should be executed by the Public Works Department irrespective of the cost of such works.

(4) In the case of a building occupied partly by a Panchayat Union Council Office along with one or more Government Offices, the cost of the annual repairs should not exceed 1½ per cent or any other rate that may have been sanctioned on the capital cost of the building.

(5) Rules (1) to (4) above do not apply to the following buildings, the maintenance and repairs of which irrespective of the cost, devolve on the Public Works Department:—

(i) All buildings in the Madras City (excluding certain City State Hospitals-vide note—(1) under clause (ii) below the Penitentiary and the Government Press to which rules (1) to (4) apply, subject in the case of the Government Press to a limit of Rs. 500).

(ii) All Medical Colleges, Hospitals and Primary Health Centres in Tamil Nadu State.

NOTE 1.—The Heads of Departments as in para 438 may authorise their subordinates to carryout departmentally up to a limit of Rs. 1,000 (Rupees one thousand only) in each year, urgent petty works and repairs such as those noted below (including hostels and residential buildings) which require no technical skill or supervision by the officers of Public Works Department. This delegation does not authorise the execution of repairs of buildings, if such repairs will increase the capital cost

thereof. The Executive Engineer should be consulted in doubtful cases: —

1. Renewing broken tiles and stopping of leakages in roof.

2. Renewing broken glass panes of doors and windows.

3. White washing in patches whenever dirty.

4. Repairing chimneys.

5. Renewing hooks, hasps and staples and hinges and petty repairs to fixtures in buildings.

6. Painting portions of doors and windows wherever dirty.

7. Repairing floors.

8. Repairing fly proof fittings.

9. Gravelling pathways here and there to prevent water stagnating.

10. Repairs and renewals of a minor nature to the water closet system.

11. Leakage in gas and water pipes.

12. Minor repairs to drains. All petty constructions and repairs not of an urgent nature will continue to be executed by the Public Works Department as now.

13. Petty electrical works (the cost of petty electrical works executed at a time should not exceed Rs. 50).

(iii) All Official Residences.

NOTE 1.—Quarters of Sub-Inspectors of Police and Reserve Superintending Inspector of Police not situated in Madras City or falling under exception (v) below, may however, be maintained by the Police Department.

NOTE 2.—Quarters provided for employees in interior service and for compounders in the Veterinary Department not situated in the Madras City may be maintained by the departments concerned.

NOTE 3.—Gazetted Officers occupying Government residences are empowered to execute very urgent petty repairs such as the replacement of window-panes or stoppage of leaks subject to an upper limit of Rs. 50 annually (the actual amount being fixed by the heads of departments concerned) when Public Works Department Officers are not immediately available to

arrange for such repairs being done. The expenditure should be reported to the Public Works Department Officers concerned as soon as it is incurred, so that he may checkmeasure the work done as soon as he returns to headquarters or visits the station as the case may be.

In such cases the money required for expenditure should be advanced by the Gazetted Officers from their permanent advances and recouped from the Public Works Department Section Officers concerned who will debit the expenditure to "259. Public Works-(d) Maintenance and repairs and to 283. Housing (e) Maintenance and Repairs."

(iv) Buildings in which offices of the departments of the Central Government or Official residences are located along with one or more other Government offices.

(v) All other Government buildings borne on the Registers of Public Buildings maintained by the Public Works Department.

(vi) State buildings which are occupied wholly by the departments of the Central Government and for which rent is recovered.

## IV.—PUBLIC WORKS EXECUTED BY CIVIL OFFICERS ACTING AS PUBLIC WORKS DISBURSERS.

98. The Administration of all public works other than those assignees of the departments concerned under paragraphs 95 to 97 above falls within the functions of the Public Works Department but even such works, may, by a mutual understanding between the Public Works Department and the department concerned, be executed by the latter on behalf of the former, the charges being debitable to the Public Works grants. In actual practice the system is combined mainly to (1) Industries and (2) the Agricultural Departments. In the case of (1) and (2) the presence of departmental engineering staff renders the arrangement advantageous to both departments.

NOTE 1.—The heads of offices of the Agricultural Department are authorised to carryout, as Public Works Disbursers, ordinary and Special repairs to residential buildings of the department borne on the registers of the Public Works Department subject to the conditions:—

(i) that the services of the engineering staff of the Agricultural Department are secured when necessary;

## V—LIMITATION OF SANCTION.

111. Nothing in these rules is to be constructed into a permission to officers to carryout in portions any group of works or altrerations or to make purchases of which the cost in the aggregate would exceed what they are empowered to sanction under the rules.

## E—PREPARATION OF PROJECTS.

### I. GENERAL

112. The papers to be submitted with the Project for a work will consists of a report, a specification and a detailed statement of measurments, quantities and rates, with an abstract showing the total estimated cost in rupees only of each item. These documents form what is called the estimate in the sense of this Code. The form of the abstract will depend on the method proposed for the execution of the work. If it is intended to purchase or supply materials and to employ labour for construction separately (whether by contract or departmental agency) the abstract of the estimate should be so framed as to show separately for each distinct item of artificer's work (1) the cost and quantity of "Labour" and (2) the cost of materials. But if this is not the case, e. g. when any item of work is to be executed by the contract and it is proposed to contract for the completed items of work, the abstract of the estimate may show merely the quantity and cost each item of work. In the case of a project consisting on several works the report may be a single document for all the works and likewise the specification; but details of measurements and abstracts may conveniently be prepared for each work, supplemented by a general abstract bringing the whole together. In the case of estimates for 'Repairs' or 'Maintenance only the specification and the detailed statement of measurements and quantities with the abstract will ordinarily be required. The report should state clearly the purpose of the work estimated for, and explain any pecularities which require elucidation including where necessary, the reason for the adoption of the estimated project or design in preference to others.

of a design lies with the office of origin. Local officers will be responsible, however for settling locally questions connected with foundations and other similar matters. Subordinate officer should always bring to the notice of their higher authorities any unsuitability or technical defect in a design.

121. All Government servants should treat the rate and the amount of cost entered against each item in an estimate and the abstract showing the total estimated cost of a work or part of a work as strictly confidential. No information concerning them may be communicated on any account to any contractor, piece worker or prospective tenderer.

## II—ORIGINAL WORKS.

### (a) CIVIL BUILDINGS.

122. The site of every building should, if possible, be definitely settled before the detailed designs and estimates are prepared. Local authorities must be consulted in all cases as to the site In the case of works or buildings which are intended to be erected in the neighbourhood of any fort or cantonment, the matter should, in the first instance be referred to the local military works officer for an expression of his opinion from a military point of view, and then submitted to the Government of India in the Army Department for concurrence, and when such concurrence has been obtained no devation is permissible without previous reference to that department.

Estimates for buildings should be accompanied by drawing as follows;—

(i) A block plan showing the situation, of the proposed building with reference to others, the various features in proximity to the intended site, meridian line, prevailing directions of the wind, and all other matters capable of graphic delineation which may have influenced the SELECTION.

(ii) A ground plan or plans of the building foundations and various stages as required.

(iii) Sections through the buildings in such directions as may be necessary to exhibit the intended form and dimensions of every part.

(iv) Elevations where necessary.

(v) A plan or plans showing the general arrangements and distribution of the timbers or iron work of the flowers and roof and such working drawings as may enable the officer responsible for the project to judge of the details.

123. Delegated.

124. Powder magazines should be provided with lightning conductor as directed in the Code of Instructions for the guidance of Public Works officers in the subject. All conductors and their connection with the earth should be inspecte and tested periodi caily under the rules, laid down in that code, by Public Works Department Officers, a respect of each such inspection being submitted to the Superintending Engineer.

125. Designs for the coach-houses attached to residential buildings should include provision for a motor pit with a wooden covering and a window. The coach-house should be capable of being used either for a carriage or a car.

126 to 132—Deleted.

## III—REPAIRS

### (a) GENERAL

133. "Repairs" may be divided into two classes, "ordinary" and "special". Ordinary repairs include:—

(i) those, which, as a matter of regulattion, are carried out periodically and which are usually of the same quantity from time to time, such as the painting or white washing a building, or a new coating of metal on a road.

(ii) other occassional petty repairs which may become necessary from time to time and which may have to be carried out between the time of periodical repairs.

(iii) in respect of irrigation works all operations required to maintain, in proper condition, the work, as they are i.e. to the standards laid down already.

139. Estimates for special repairs remain current till the completion of the repairs in the same manner as estimates for original works-*vide* paragraph 186.

140. In cases of urgency the Superintending Engineer may authorize the commencement of periodical repairs in anticipation of the formal sanction to the estimate; but in such cases an approximate sum must be fixed, to the expenditure of which sanction is provisionally given, and the Executive Engineer will be responsible that sanction of the competent authority is accorded to the regular estimates at the earliest possible date.

141. In the case of all descriptions of work, for the renewal of which any specific periods of time has been fixed, the estimate for its repairs should show the date when such item of work was last executed.

142. No administrative approval is required for works, which are of the class of either ordinary or special repairs. The class of mixed works described in paragraph 93 above require the same approval as original works.

143. To facilitate the preparation of estimates for perodical repairs, a standard measurement book may be kept in the office of each Executive Engineer showing the detailed measurements of each kind of work which is usually subject to renewal in each work under his charge *vide* paragraph 29 , Tamil Nadu Public Works Account Code. Standard Measurement books should, however, be maintained properly in the case of repairs to floating plant which require periodical repairs such as painting and tarring.

144. Except in the case of lump-sum estimates for ordinary repairs dealt with under paragraph 147, the annual expenditure on ordinary repairs to Government Buildings (both residential and non-residential) exclusive of Municipal taxes, should be limited to the norms fixed by Government from time to time *vide* appendix XXII-A. Expenditure on special repairs to Government buildings (both residential and non-residential) should be limited to the norms fixed by Government from to time *vide* Appendix XXII-A.

Note I.—Deleted

Note 2.—Deleted

144-A. The Executive Engineer and the Electrical Engineer, P.W.D. may incur annual expenditure on ordinary repairs to electrical installations in Government buildings (both residential and non-residential) and should be limited to the norms fixed by Government from time to time vide Appendix XXII-A.

Expenditure on special repairs to electrical installations in Government buildings both residential and non-residential should be limited to the norms fixed by Government from time to time—vide Appendix XXII-A.

145. The estimate when prepared will be submitted to the officer occupying such building, or in the case of military buildings in charge of the Pubic Works Department, to the officer commanding the station, for counter signature in token that all repairs known to be required are provided for. In the case of buildings occupied by officers of a Civil department occasional repairs not provided for in the annual estimate will be executed on requisitions sanctioned under paragraph 110.

146. Provision for the payment of municipal or other taxes on Public buildings should be made in the annual repairs estimates in the cases indicated in Article 120 in the Tamil Nadu Financial Code, Volume I.

(b) LUMP-SUM REPAIR ESTIMATES.

147. If the cost of ordinary annual repairs, excluding municipal taxes, to a building (residential or non-residential) is less than Rs. 2,000 the Superintending Engineer may prescribe, subject to revision from time to time, a lump-sum limited to Rs. 2,000 (plus the amount of municipal taxes, if any, payable by Government under paragraph 250) to cover the cost of ordinary annual repairs and within this amount, expenditure will be permissible year after year without any detailed estimate being prepared. The Executive Engineer enjoys similar power upto a limit of Rs. 1,000 for each building. Such lump-sum estimates should be framed after a consideration of the cost of maintenance in the past and is not subject to the 1 per cent limit under paragraph 144 except in the case of residential buildings. If, in any working year the estimated cost of ordinary repairs is more than the permissible limit given above, or if the lump sum sanctioned by the Superintending Engineer or Executive Engineer is exceeded, a detailed estimate should

be prepared in accordance with the ordinary rules and sadctioned by the competent authority. On sanction being accorded to such an estimate, the sanctioned lump-sum estimat would automatically be superseded for the working year in question.

Similarly lump-sum estimates may also be prepared and sanctioned for ordinary repairs to floating plant based on a five year limit of expenditure subject to the following conditions.

In the case of staff boats or steamers for which pro forma accounts are maintained individually for each plant the expenditure on any one plant in any year together with the expenditure on that plant in the previous four years should not exceed the five-year limit to be fixed. In the case of other minor floating plant, a single lumpsum estimate based on a five year limit to be fixed may be sanctioned for the repairs of all floating plant included in a class and the total expenditure for any one year on all the plant in any one class should not exceed one-fifth of the five-year limit fixed for that class.

## Electrical Maintenance Works.

Similar lump-sum estimates may also be prepared and sanctioned for ordinary repairs to electrical installations in civil buildings, Where the cost of such annual ordinary repairs is less than Rs. 10,000 the Chief Engineers may prescribe, subject to revision from time time, a lumpsum limited to Rs. 10,000 to cover the cost of annual maintenance of electric installations in civil buildings. The Electrical Engineer, Public Works Department may similarly prescribe lump-sums upto a limit of Rs. 2,500 Within this amount the expenditure will be permissible year after without any detailed estimates being prepared and when the above limits are exceeded in any working year detailed estimates will have to be prepared in accordance with the ordinary rule and got sanctioned by the competent authority.

NOTE:—The sanction accorded to the lump-sum provision referred to in the paragraph should be held to be a sanction for an estimate for the amount of the lump-sum for all purposes of this code.

(C) SPECIAL REPAIRS.

148. It is irregular to classify under 'Special Repairs' an estimate which provides for items of ordinary repairs for the reason that the repairs cannot be completed before the date fixed for the closure of annual maintenance estimates.

IV—ROADS

149. Unless metal is to be obtained by purchase or contract, delivered on the road, the estimate should show the proposed cost, divided under cost of collection' and 'carriage'; if the metal is to be manufactured the probable outlay on each sub-head of the operation should be shown distinct from carriage.

F—CONTRACTS

I—METHODS OF EXECUTION OF WORKS

150. The works executed by the department are carried out by one of the undermentioned three methods:—

(i) departmentally, by the employment of daily labour,

(ii) by piece-work agreement in form Public Works Department IV-27 and

(iii) by an agreement in form Public Works Department, V. 53, based on a lump-sum tender system, as defined in the TNBP—Method (i) is adopted in cases where no contractors are available or where for other reasons, it is found more economical. Under this method, the department manufactures or purchase its own materials. The purchase of materials or tools and plant and machinery is governed by the stores rules in Appendix 15 to the Tamil Nadu Financial Code (Volume II).

Under method (ii), the piece-worker merely agrees to execute a specified work at specifed rates without reference to quantity or time. The conditions of the contract and the security to be taken from the piece-worker for the due fulfilment of the contract are set forth in form Public Works Department IV-27. The piece workers usually possesses little professional knowledge or capital and employees no supervising staff. The department arranges for the Supervision, the setting out and the measuring of all work. The piece-work system shall ordinarily be confied to works (including improvements and repairs) costing not more than Rs. 1,00,000 If in any case for works costing more than

Rs. 1,00,000 it is considered preferable to adopt the piece-work system instead of method (iii) which should not be resorted to as a matter of course unless the situtation strongly whranks it, the reasons for adopting piece-work system of contract should be recorded in relevent file. The schedule of rates in the piece-work agreements should show rates either for finished work or for labour and materials, as the case may be, even for items for which lump sums have been provided in the sanctioned estimates.

In regard to method (iii) the details are set forth clearly in—

1. The General conditions of contract to TNBP;

2. The standardized forms of articles of agreement, tender notice and tender mentioned in the TNBP (Public Works Department Form Nos. V-53, 53 (a) and 53 (b) respectively); and

3. The intermediate and the final bill forms connected therewith (Public Works Department Form Nos. VI-75 (a) and 75 (b).

In the case of each work executed under Method (ii) or method (iii) the authority accepting the contract will decide whether it is desirable to retain, in the hands of the department, the supply of imported stores or other materials.

In cases where it is decided that the department should supply certain materials to the contractor for use on the work a description of every such material and the rate and place at which it will be supplied should be specified in the notice calling for tenders and also in the schedule forming part of the agreement *vide* also paragraph 327, Tamil Nadu Public Works Account Code.

In cases where the contractors are allowed to supply the required imported articles themselves, the description of such articles must be clearly defined by governering specifications. For cases where the 'British Standard Specifictions' standards are not applicable, other suitable methods should be adopted, such as specifying the catalogue number product of a reputable firm. When test certificates are demanded, full particulars shall be given in the tender notice and the agreement and it shall also be stated therein that the cost of furnishing such certificates shall be borne by the contractors.

NOTE.—Rules regulating the payment of bonus to contractors in very exceptional cases are given in Appendix XVII.

## II—CONTRACT DOCUMENTS AND ENFORCEMENT

151. Before a work is given out on contract, the authority competent to accept the contract must prepare "contract documents" to include:—

(i) a complete set of drawings showing the general dimensions of the proposed work and so far as necessary, detatils of the various Parts-works to be done under lump-sum items in the schedule to the agreement should be clearly defined by specifications or drawings, as necessary.

(ii) a complete specification of the work to be done and of the materials to be used, unless reference can be made to specifications contained in the Tamil Nadu Building Practice and its Addenda Volume (in the case of the items of work for which there are already standard specifications the numbers of the relevant specifications of the Tamil Nadu Building Practice should be referred to in the schedule attached to the agreement).

NOTE.—Item (i) and (ii) above are necessary for both piece work contracts and contracts based on the lump-sum tender system.

(iii) a schedule of the quantities of the various descriptions of work (This is necessary only in the case of contracts based on the lump-sum tender system as defined in the Tamil Nadu Building Practice. In such a case, the total under the Schedule-A of the agreement must be equal to the lump-sum entered in the agreement), and

(iv) a set of 'conditions of contract' to amplify as necessary, the preliminary and other specifications of the Tamil Nadu Building Practice forming part of contracts based on the lump-sum tender system (in the case of piece-work contracts, the condition considered necessary for any particular case in addition to those printed in Form PWD V. 51 should be attached to the agreement).

152. The terms of a contract must be precise and definite and there must be no room for ambiguity or misconstruction therein. No contract involving an uncertain or

indefinite liability or any condition of an unusual character should be entered into without the previous consent of the competent financial authority.

If the contract, even when it is within the powers of acceptance of the Executive Engineer, is to be of a very special nature, he should, before inviting tenders publicly, submit the contract documents to the Superintending Engineer for his approval or remarks together with a copy of the proposed advertisement for tenders and the form in which the tenders are to be submitted. The Superintending Engineer should similarly when the amount of the contract is likely to exceed his powers for acceptance or when it is to be a very special nature requiring, in his openion, the Chief Engineer's advice, submit the contract documents to the Chief Engineer for approval.

153. Contract should, where possible, be executed on one or other of the standard forms, but they may be modified to suit the requirements of any particular case, or for works of great magnitude, after consultation with the legal advisers of the Government. In cases where it is considered that none of the standard forms can be used even with suitable modifications, the contracts should be got prepared specially by the Government Law Officers.

Engineers and their subordinates are responsible that the terms of contract are strictly enforced and that no act is done tending to nullify or vitiate a contract.

All agreements entered into with the department by contractors for the execution of works are exempt from stamp duty.

## III—TENDERS

154. Tenders, which should always be sealed, should invariably be invited in the most open and public manner possible, whether, by advertisement in the Government Gazette or local newspapers or by notice in English and Tamil posted in public places, and tenderers should have free access to the contract documents. The notice should in all cases state:—

(i) When and where the contract documents can be seen and the blank forms of tenders can be obtained and also the amount to be paid for sets of plans or other tender documents;

(ii) When and where tenders are to be submitted and are to be opened (in the case of large contracts, that is, works costing more than Rs. 5 lakhs, the date of receipt of tenders should be atleast one month after the date of first advertisement or notice. In the case of works costing less than Rs. 5 lakhs the time limit of one month can be reduced for good and sufficient reasons which shall be recorded in writing.

(iii) the amount of earnest money to accompany the tender, and the amount and nature of the security deposit required in the case of the accepted tender; in the case of lump-sum contracts the amount of earnest money and that of the additional security (and in the case of piece-work contracts the amount of earnest money) should each be 2½ per cent of the sanctioned estimate figure when the contract is for all the items of work included in the estimate or 2½ per cent of the estimated amount of the contract when the contract is only for part of the work included in the estimate; and

(iv) with whom or what authority, the acceptance of the contract will rest.

NOTE 1.—In the case of standing contractors of repute from whom special lump sum deposit of Rs. 50,000 together with Indemnity bond have been taken, the rates mentioned in (iii) above, shall be 1 per cent each in respect of Earnest Money and Security Deposit, in case of lump sum contracts; and 2 per cent in respect of Earnest Money for K2 contracts, in such cases the retention money from bills as additional security for the due fulfilment of the contract shall be 2½ per cent instead of 5 per cent. The number of deposits of Rs. 50,000 to be taken from contractors, who are admitted to the concession shall be limited to 5; that is one deposit shall be utilised to cover irrigation Branch and Project works, which ever Chief Engineer is in-charge of the work and the remaining 4 deposits each for (a) Building works (b) public Health Engineering and Municipal works (c) Electrical Department works and (d) Highways Department works.

The period of agreement with such contractor shall be limited to 3 years at a time.

The authority to extend the concession to such contractors is vested with the Chief Engineers concerned.

Authority should always be reserved to reject any or all of the tenders so received without the assignment of a reason and this should be expressly stated in the advertisement.

In the case of works to be given on contract based on the lump sum tender, as defined in the Tamil Nadu Building Practice, the form of tender notice and tender (standardized) as P. W. D. forms Nos, V. 53 (a) and 53 (b) should be used with such modification as any particular work may require.

No tender should be accepted from any person directly or indirectly connected with the Government Service-vide paragraph 72 of this code.

The Executive Engineer or the Superintending Engineer as the case may be, should open the tenders in the presence of the tenderers or their authorized agents who may choose to be present at the time. The officer opening the tenders should also initial all corrections in each tender, which have been initialed by the tenderer. If there are corrections in the tender unattested by the tenderer, a note of such corrections should be made on the tender itself, when it is opened-vide paragraph 9 of the standard tender notice P.W.D. Form No. V. 53 (a). The officer opening the tender should keep a personal note of the total number of tenders opened by him and verify therewith the number in the comparative statement of tenders.

After the receipt of the comparative statement and before the selection of a tenderer the officer concerned should examine all the tenders and satisfy himself that no corrections which were not in the tenders at the time he received them had been made in any of them.

NOTE 2.—Tenders should invariably be called for when the amount involved in a particular contract is Rs. 5,000 or more. If it is proposed in any case, whether for urgency or any other reason, to depart from this rule, the previous approval of the Superintending Engineer, should be obtained in the case of works costing not more than Rs. 20,000 and of the Chief Engineers or Government as the case may be in the case of those costing more than Rs. 50,000. When the amount involved is less than Rs. 5,000 the Executive Engineer may call for tenders or not at his discretion. This rule does not admit of a major work being split up into parts, each costing less than Rs. 5,000 and each part being given out on contract without calling for tenders.

NOTE 3.—Notices calling for tenders should invariably be published in prominent local newspapers in respect of all works costing over Rs. 1,00,000.

NOTE 4.—The Chief Engineers may authorize dispensing with tenders in the case of contracts pertaining to major works provided that the total aggregate value of such contracts in respect of particular major work does not exceed Rs. 50,000.

NOTE 5.—When once tenders have been called for a work in accordance with Note 2 above and there is no response or all the tenders received are unsatisfactory and have to be rejected and it is considered that a call for further tenders will be fruitless or is undesirable the officer who is competent to accept the tender may allot the work to a contracter selected by him with the sanction of his immediate Superior authority.

NOTE 6.—The rule in Note 2 above applies.—

(*a*) to contracts for execution of works including supply of materials for such works by the contractors themselves, but not to contracts involving only supply of materials (other than road quarry materials) or tools and plant; and

(*b*) to contracts for the supply of road quarry materials.

In the case of supply of materials (other than road quarry materials) and tools and plant, the stores rules in Appendix 15 to the Tamil Nadu Financial Code (Volume II) apply vide also Article 187, Tamil Nadu Financial Code, Volume I).

Asphalt, tar and such bituminous products for road surfacing are governed by the Stores rules.

(*c*) In the case of purchase of stores in respect of large contracts the time limit of one month from the date of first advertisement shall be made applicable, if the value of stores is more than Rs. 2 Lakhs. In the case of tenders for purchase of stores below Rs. 2 Lakhs, a minimum time limit of 15 days shall be fixed.

NOTE 7.—When stores are proposed to be purchased in India for water-supply and drainage schemes, tenders should be called for by the Superintending Engineer of the Circle in which the works are executed.

155. As a rule, no tender for the execution of works of any description should be received unless accompanied by a treasury chalan, deposit at call receipts or Demand drafts or Government securities or Electricity Board Bonds, or National Savings Certificates or 10 years Defence Deposit Certificates or 12 year National Defence Certificates, for earnest money to the extent which has been notified as necessary in the tender notice. The earnest money is the guarantee of the tenderer to deposit the requisite security and to enter into the required agreement on intimation of the acceptance of his tender. It is forfeited in case of default-vide forms of tender notice and tender P. W. D. Forms Nos. V. 53 (*a*) and 53 (*b*).

NOTE 1.—Deposit at call receipts may be accepted towards earnest money subject to the condition that confirmatory advice from the Reserve Bank of India towards its acceptance is received along with it.

NOTE 2.—The deposit at call receipts of scheduled banks will be treated as cash in Account book of the Public Works Divisions for purposes of earnest money deposit.

NOTE 3.—The earnest money in the shape of deposit at call receipts of scheduled banks attached to tender and returned to contractors whose tenders are rejected on the same date will not pass through Divisional Accounts, provided that the contractors concerned give a stampted receipt for the money in the Register of Tender maintained in the Division Office.

NOTE 4.—The earnest money in the shape of deposit at call receipts of Scheduled banks which is received prior to the date fixed for opening the tenders or which, for any reason cannot be returned on that date should be brought on to Account in the cash book and thereafter accounted in the manner prescribed in paragraphs 454 and 455 of the Tamil Nadu Public Works Account Code.

NOTE 5.—Demand drafts should be drawn in favour of the Executive Engineer by designation only and the acceptance is subject to the realisation of each before consideration of the tenders.

NOTE 6.—State Government Securities, Electricity Board Bonds or National Savings Certificates accepted towards Earnest Money Deposit should be endorsed or pledged in favour of the Executive Engineer concerned and the provisions in paragraph 454 of Tamil Nadu Public Works Account Code and Article 279 of Tamil Nadu Financial Code, Volume I should be observed.

NOTE 7.—The 10 year Defence Deposit Certificate and the 12 year National Defence Certificates accepted towards Earnest Money Deposit should be endorsed or pledged in favour of the Executive Engineer concerned subject to the condition that the ruling price at the time of disposel of the certificate only will be recovered for determining its price value and to the observance of the formalities specified in Article 279 (5) of the Tamil Nadu Financial Code, Volume I.

NOTE 8.—The tenderers in other states remit earnest money deposit direct to the departmental officers by means of bank drafts drawn on schedule banks or the State Bank of India and the departmental officers shall credit the proceeds of the Bank drafts into Treasury/Bank under the head "Reserve Deposits" and arrange for their refunds by means of Bank Drafts.

156. In selecting the tenderers to be accepted, the financial status of the tenders, their capability, the security offered by them or the record of their execution of any works previously, should be taken into consideration. Other conditions being equal the lowest tender is accepted, a confidential record should be kept of the reasons for doing so. This confidential record should be shown to the Inspecting Officer of the Audit Department, if required. The Superintending Engineers and the Executive Engineers during their inspection of the division and subdivision offices, should also examine every case in which a tender other than the lowest has been accepted and bring to the notice of the higher authorities, cases in which the rule about the acceptance of the lowest tender has been departed from without sufficient justification.

The acceptance or rejection of tenders is however, left entirely, to the discretion of the officer to whom the duty is entrusted and no tenderer can demand the case of rejection of his offer. Such an explanation may, however, be called for by a superior authority, if considered necessary

## IV—FORMS OF SECURITY FOR PERFORMANCE OF CONTRACTS.

157. The forms of a security to be taken in the case of piece-work contracts is laid down in the conditions printed in P. W. D. Form No. V. 51.

The orms of security to be taken in the case of contracts based on the lumpsum tender system as defined in the Tamil Nadu Building Practice, are given in the forms of tender notice and articles of agreement connected therewith (P. W. D. Forms Nos. V. 53 (*a*) and 53).

## V.—CUSTODY OF ACCEPTED TENDERS AND OTHER CONTRACT DOCUMENTS AUTHORITY COMPETENT TO GIVE CERTIFIED COPIES OF TENDERS AND AGREEMENTS.

158. Originals of tenders and agreements for execution of works approved by the Executive Engineer of a division or by higher authorities should be kept in the personal custody of the Accountant of the division office. He should maintain a careful check of all original tenders and agreements that are put up for reference in connection with audit of bills, etc., or sent to Subdivisional officers. When copies of such tenders and agreements are issued to subdivision officers or contractors, the Executive Engineers should see that the copies are correctly transcribed from the original and should sign them himself. Similarly, originals of the tenders and the agreements approved by the Subdivisional officers should be kept in their personal custody and they are responsible for their safe preservation. Copies made for submission to the Executive Engineer or for issue to contractors should be signed by the Subdivisional Officer

At the time of transfer of charge, a written statement of original tenders and agreements handed over and taken over should be made out and signed by the relieved and relieving Accountants or Subdivisional officers as the case may be.

## VI—OFFICERS EMPOWERED TO EXECUTE CONTRACTS AND RULES ON CONTRACT.

159. No authority lower than the Officer in-charge of a Subdivision can accept any tender or make a contract for public works. The Officers legally empowered to execute on behalf of the Governor of Tamil Nadu, the different classes of deeds, contracts and other instruments are detailed in Appendix III. This power is, however, in each case, subject to the departmental rules laying down the powers of officers, to enter into contracts.

160. An officer empowered to enter into contracts may, after the estimate has been duly sanctioned, give out to different contractors a number of contracts relating to one work, eventhough the estimated cost of the work may exceed the amount upto which he is empowered to accept tenders, provided there are no special orders to the contrary, and the amount of each contract is within the limit of the Officer's power to accept tenders. But no contract may be entered into with any individual contractor in excess of this limit nor may a second contract be entered into with a contractor, who has already received a contract in connection with the same work, which is still in force, if the sum of the contracts exceeds the power of acceptance of tenders of the authority concerned.

NOTE.—The restrictions in the second sentence of this paragraph do not apply to sub-works in irrigation maintenance scheme estimates, provided the sub-works are independent works unconnected with each other.

161. The following rules must be carefully noted:—

1. No officer may enter into a contract into which he is not empowered to enter under the provisions of paragraph 159 and Appendix III to this Code.

2. The limitations defined in paragraph 415 (v), 416 (iv), 422, 431 or 436 (*d*) shall not be exceeded.

3. No authority may accept any contract for a work until an assurance has been received from the authority competent to provide funds for the same, that such funds will be allotted before the liability matures-vide the last sentence of paragraph 173:

4. On no account, should rates in excess of those provided in the agreement be paid, as the payment of such rates which are not due would nullify the contract.

5. Duplication of agreements should in no case be required, that is to say, authority who has concluded an agreement should not be required to draw up and sign again an agreement already executed–vide also rule 2 under paragraph 95, Tamil Nadu Public Works Account Code.

6. No authority subordinate to the Government may waive the provisions of the stores purchase rules in articles 125 to the Tamil Nadu Financial Code (Volume I).

161-A. If under clause 3 of the articles of agreement (Form PWD V 53) for execution of a work on lumpsum tender system, a dispute arises between the department and the Contractor, and is proposed to be referred to arbitration the procedure laid down in clause 69-1 of the preliminaries specification to TNBP shall be followed. Further the rules framed in appendix XXIII under the "Indian Arbitration Act of 1940 (Act X of 1940)" for the guidance of the arbitrators coming under the purview of note 1 under paragraph 73 of this code and also for the Executive Engineers in regard to action to be taken after the award is passed shall be strictly adhered to.

## G.—SALE, ACQUISITION AND LEASE OF LAND

### I—SALE OF GOVERNMENT LAND AND IMMOVABLE PROPERTY.

162. All land, the property of Government should ordinarily be sold through the Revenue Department.

163. The sale of land or buildings with the site on which they stand is generally left to the Collector of the district but it is at the same time open to the Public Works Department to apply for permission to sell, land, etc., themselves when they see cause to recommend such a measure.

164. Collectors have powers to sell buildings with their sites and attached lands if the combined value does not exceed Rs. 5,000. The Board of Revenue exercise similar

powers up to a limit not exceeding Rs. 10,000. The sanction of Government is necessary when the value exceeds Rs. 10,000.

NOTE.—Lands in-charge of the Public Works Department which are no longer required by the department for some administrative purpose or for some sanctioned scheme, which has to be executed in the near future, should be handed over to the Collector of the district.

165. When any immovable public property is made over to a local authority for public religious, educational or any other purposes, the grant should be made expressly on the conditions, in addition to others, that may be settled, that the property shall be liable to be resumed by Government, if used for other than the specific purposes for which it is granted and that, should the property be at any time resumed by Government, the compensation payable therefor, shall in no case exceed the amount (if any) paid to Government for the grant together with the cost of their present value whichever may be less, of any buildings errected or other works executed on the land by the local authority.

## II—ACQUISITION OF LAND.

### (a) GENERAL.

166. When land which is not already in the possession of the Government is permanently required for the purpose of the Government it should be acquired through the agency of the Land Acquisition Act (Act I of 1894) as amended by Act XXXVIII of 1923, which alone can confer an indefeasible title. The officer concerned should, in the first instance, consult the Revenue Divisional Officer and obtain from him the fullest possible information as to the probable cost of the land per acre or otherwise, together with the value of buildings etc., situated on the property, for which compensation will have to be paid and a draft notification under section 4 (1) of the Land Acquisition Act. Upon the information thus obtained, an estimate should be framed by the Public Works Officer and submitted for sanction. The draft notification should be submitted with the estimate for the approval of Government and publication in the *Fort. St. George Gazette.*

In cases in which the owner of a land about to be acquired is willing to make a free gift of the land required, a deed of gift should not be executed in favour of Government but the procedure prescribed by the Land Acquisition Act should be followed and an award should be passed under section 11 of the Act for the full market value of the land and not for a nominal amount. The owner who is willing to make a free gift of the land should receede the compensation awarded and may make a gift of the amount of the compensation to Government to be utilised or the public purpose for which the land is acquired.

There is, however, no objection to local officers negotiating with the owners of land with the object of coming to an amicable agreement with them to the price to be paid previous to the initiation of the proceedings under the Land Acquisition Act, with a view to guard against subsequent exorbitant demands or awards, provided that this procedure will result in economy. Any settlement thus arrived at should immediately be communicated to the Land Acquisition Officer. The settlement must take the forms of an agreement that the owner is willing to sell for a certain specified sum plus 15 per cent of that sum for compensation, the total of the two sums being the actual price agreed on.

167. In cases of urgency, acquisition should be made under section 17 of the Act, possession is then obtainable fifteen days after publication of notice under section 9 (1) of the Land Acquisition Act. When possession has once been taken under section 16 or 17 of the Act, Government cannot withdraw from its acquisition, therefore when the claim is in large excess of the award, possession should not be taken without a reference to the authority sanctioning the work.

168. When sanction to an estimate framed as above directed has been obtained and when the draft notification referred to in paragraph 166 has been published, the Executive Engineer should make over the matter to the Revenue Divisional Officer who will take the necessary steps for the acquisition and transfer of the land, subject to the instructions which he may receive from the Revenue authorities to whom he is subordinate. These instructions provide that if the estimate originally framed and sanctioned is likely, when the land comes to be acquired, to be materially exceeded, the Revenue Officer making the award should give sufficient notice to the Public Works Officer and should take into

consideration any representation which such officer may make; whether it is made orally or by letter. More especially he should, before making the award, allow such an officer an opportunity of appearing in person or by agent and of producing evidence as to the value of the land. When such a reference is made, the Public Works Officer should, if it is found impossible to obtain the land required without materially exceeding the estimate, or to obtain some other plot of land in lieu of that originally proposed submit a revised estimate for sanction. When possession has once been taken under section 16 or 17 of the Act, Government cannot withdraw from the acquisition of the land. In cases, therefore, where the amount claimed in pursuance of a notice under the Act is largely in excess of the amount subsequently awarded by the Collector and the acquisition of the land is not absolutely necessary, possession should not be taken without a reference to the authority sanctioning the work until the time within which an application for a reference to the Court must be made under section 18 of the Act has elapsed without such application being made.

169. The arrangements between the office of the department and the Revenue Officers to determine as to which land should be taken up should, where practicable, be made without divulging the intentions of the Government, in order to prevent the prices being put up and to render private bargaining possible.

170. After the preliminary arrangements described in the preceding paragraphs have been duly carried out, the land will be taken under the Act either by the Collector or by a Special Officer placed at the disposal of the Public Works Department and invested with the powers of a Collector under the Act. The procedure in the two cases is described in the Civil Account Code, Volume I, Appendix 7.

(*b*) Land held for Military purposes.

171. No Land, whether—

(*a*) within cantonment limits;

(*b*) forming part of an encamping ground; or

(*c*) otherwise held for military purposes;

should be taken up or occupied for any purpose whatever, either by contractors or any other persons (Official or non-Official) acting under the orders of any Civil department of the State until the sanction of the Government of India in the Army Department to the occupation or use of the land has first been obtained and communicated to the General Officer Commanding the Division or Independent Brigade. In all such cases, the sanction of the Government of India should be obtained by the General Officer Commanding the Division or Independent Brigade through the Quartermaster-General in India.

Application for such land when within cantonment limits should be made by the officer in-charge of the works to the cantonment authority, and by the latter to the superior military authority, but in the case of military encamping ground application should be made to the General Officer commanding the Division or Independent Brigade. The Military authorities will then take the necessary steps to obtain (i) the opinion of the State Government, which should invariably be recorded upon all applications, and (ii) the sanction of the Government of India to the occupation of the required land. The foregoing procedure will apply in cases where it is proposed to purchase, or otherwise acquire permanently, any building situated on military land for the use of a civil department.

## III.—LEASE OF LANDS IN-CHARGE OF THE PUBLIC WORKS DEPARTMENT.

172 (i) Lands in-charges of the Public Works Department are of two kinds:—

(1) Lands acquired by the Public Works Department for the construction of buildings but not immediately used for the purpose; and

(2) Lands in-charge of Public Works Department for administrative purposes, e. g. lands in berms of canals, drains, channels, etc. and at wharfs.

(ii) The procedure of grant under Board's Standing Orders should be adopted for grants of these lands for temporary occupation for agricultural and non-agricultural purposes. Grants for such occupation may be made in favour of individuals, private bodies, companies, or associations and local bodies.

(iii) The grants will be made in consultation with the Revenue Department where necessary. Rents should be collected departmentally in the case of grants.

(iv) The period for which temporary occupation of the lands in-charge of the Public Works Department may be sanctioned must be determined carefully in each case with reference to the nature of the property and the consideration whether and when the property is likely to be required by Government for any other purpose.

(v) The grant in each case, after sanction by competent authority, should be embodied in an order in the form given in Appendix XIII-B in the case of grants for agricultural purposes and in Appendix XIII-C in the case of grants for non-agricultural purposes, with suitable modifications, where necessary, by the Executive Engineer concerned, as the assigning authority and delivered to the party. The items enumerated below by way of illustration will be cases for such grants for non-agricultural purposes:—

(*a*) Recreation purposes with or without a pavilion or club house.

(*b*) Bridges and culverts, whether permanent or temporary.

(*c*) Banks (for trade purposes).

(*d*) Timber and firewood depots.

(*e*) Laying pipe lines.

(*f*) Unobjectionable sub-soil encroachments on road margins and other Government porambokes.

(*g*) Temporary occupation of Government lands for performances by a touring cinema, circus or dramatic company.

The itmes enumerated below will be cases for grants for agricultural purposes.—

(*a*) Growing of grass or other fodder.

(*b*) Raising flower gardens

(*c*) Planting casuarina

(*d*) Cultivation of plantation products

(*e*) Cultivation of paddy, pulses and other foodgrains or commercial crops like tobacco, cashew, ground-nut. etc.

(vi) These grants need not be registered-vide section 90 (1) (d) of the Indian Registration Act. The orders embodying such grants are also not liable to stamp duty-vide item 4 of Notification No. 13, dated 17th December 1938.

(vii) The orders of Government must be obtained in every case of grant in which the value of the property exceeds Rs. 1,00,000. The Chief Engineer may sanction grants in all cases in which the value of the property exceeds Rs. 50,000 but does not exceed Rs. 1,00,000 up to a period of five years. The Superintending Engineers may sanction grants in cases in which the value of property exceeds Rs. 10,000 but does not exceed Rs. 50,000 up to a period of five years, subject to any administrative instruction issued by the Chief Engineer. Similarly, the Executive Engineers may sanction grants in cases in which the value of the property is Rs. 10,000 or less upto a period of five years, subject to any administrative instructions issued by the Superintending Engineer or higher authority.

(viii) In all these grants, the period of notice to be given under condition 21 in Appendix XIII-B or condition 19 in Appendix XIII-C by the assigning authority or by the grantee should be fixed carefully with reference to all the relevant circumstances and specified in the order. This period should not exceed the period of grant and subject to this, may normally be one month for periods of grants up to three months, two months for periods of grants up to six months, three months for periods up to a year and six months for longer periods of grants.

(ix) When it is proposed to grant to a club land within the compound of a Government office or a residence, the site as well the plans and estimates relating to any buildings, structures, Badminton or tennis courts, etc., which the club proposes to erect should be approved by the Executive Engineer in order to ensure that such buildings, structurers or courts etc. are in keeping with the layout of the Government buildings. Copies of the plans of the site, buildings, etc., as approved by the Executive Engineer should be submitted with the proposals for the grant. It should be made clear in the order of the grant that the grant will be revocable at 2 hours notice.

(x) Renewal of grants can be sanctioned only by the authority competent to sanction the grant in the first instance.

(xi) No attempt can be made to prescribe standard rates for the various purposes for which land may be granted. The determination of the charge is therefore left to the discretion of the

authorities who are competent to sanction the grant. The following general principles should, however, be observed in fixing the rates of charge as far as possible:—

(a) *Recreation purposes.*—In the case of clubs consisting entirely for non-gazetted officers and play grounds required for educational institutions, nominal charges may be levied. In other cases except in Municipalities and in the City of Madras the terrain assessment or ground-rent on the site, or, if the land has not been assessed, the land revenue that is being levied on similar ryotwari land in the village or its neighbourhood should be charged. Special reasons should be given if any concessional treatment is recommended. Subject to the general concession indicated in favour of non-gazetted officers and educational institutions, a suitable charge should be levied in respect of each grant in municipalities and in the Madras City.

(b) *Trade purposes.*—The full competitive rent should be levied as the charge for the occupation. By full competitive rent is mean the rent which the site would fetch in the open market if offered subject to the conditions stipulated by Government.

(c) *Touring cinimas, circuses or dramatic companies.*—A reasonable fixed daily charge should be levied in accordance with the rates to be prescribed by the Collector. Collectors should fix for each village and town in their districts the rates of charge per square metre or ground or cent, that should be levied. The rates will depend upon the importance of the village or town and the situation of the land. There are, in each village or town particular sites in which entertainments are usually held. The Collector will fix the rates for each of these sites. When other sites are applied for, the Collector should be addressed for orders as to the rate to be levied.

(d) *Laying of pipe lines.*—A tract rent should be levied on the scale specified below.—

| | Rate | Minimum Rs. |
|---|---|---|
| Major municipalities | Rs. 110 per mile or one anna per yard. | 3 |
| Minor municipalities | Rs. 82·50 p. per mile or 5 P. per yard. | 2 |
| Other towns | Rs. 55 per mile or 3 p. per yard. | 1 |
| Rural areas | Rs. 41·25 p. per mile or 2½ p. per yard. | 1 |

In Madras City, however, tract rent should be levied at the rate of Rs. 500 per mile, except in cases of renewal of existing grants for which the old rates of Rs. 400 or Rs. 500 per mile as the case may be should be charged.

(e) *Occupation of lands for unremunerative public or private purposes.*—The annual charge should be fixed at an amount not lower than the assessment or ground-rent leviable on the land, subject to a minimum of Re. 1.

*Municipal taxes.*—In Madras City and in mufassal municipalities, the charge for occupation will consist of two parts· the first part will be specified sum fixed with reference to the instructions in sub-paragraph (i) above, while the second part will consist of another specified sum to be levied on account of the municipal taxes payable by the Government in respect of the property covered by the grant. In the event of the Corporation or the Municipality concerned varying its demand, the right to revise the second part of the charge and to collect any further sum due as a result of such revision should be reserved in the order of grant. The two parts of the charge will payable by the grantee simultaneously either in a lump sum or in instalments as may be specified in the order of grant.

*Levy of assessment and water-cess.*—The annual charge for the occupation shall be the assessment fixed already in the case of assessed land. If it is not an assessed land, it should bear the same assessment as is borne by similar land in the vicinity. Such assessment shall be liable to revision from time to time in accordance with the rules in force at the time of such provision. Water-cess will be leviable in addition in accordance with the Madras Irrigation Cess Act (Act VII of 1865) and the rules framed thereunder.

(xii) Any modifications in the form of grant should be made in consultation with the local Government pleaders.

(xiii) Immediately the grants are sanctioned the period of grant and the rent to be recovered should be noted in the Miscellaneous Property Register maintained by the Sub-Divisional Officers in all cases.

## H.—EXECUTION OF WORKS

### 1.—STARTING WORKS

173. It is fundamental rule that no work shall begun unless a properly detailed design and estimate have been sanctioned allotment of funds made, and orders to begin issued by competent authority. Provisions in the budget conveys no authority for outlay. The exceptions are petty works (see paragraph 108) repairs of the nature described in paragraphs 110 (iii) and 147 and cases of real emergency which must be reported immediately to the authorities competent to accord administrative approval and technical sanction. Similarly, the sanction of a design and estimate by any authority, whatever, conveys no permission to start expenditure unless funds have been provided for the expenditure by a competent authority.

Further, no liability may be incurred and no officer may accept a contract for any work untill an assurance has been received from the authority competent to provide funds that such funds will be allotted before the liability matures.

174. Ordinarily no work executed by method (ii) or method (iii) described in paragraph 150 should be started without formal agreement or contract sanctioned by a competent authority. The procedure to be followed in emergent works is described in paragraph 178.

175. No formal agreement is necessary in regard to petty works and repairs' the estimated cost of which is Rs. 5,000 or less but even in these cases there should be some written understanding though not in any prescribed form specifying prices and rates.

NOTE 1.—No formal agreements are necessary in cases involving 'first and final' payments which do not exceed Rs. 1,000. But some written understanding specifying prices and rates will still be necessary, except in cases, when the 'first and final' payments do not exceed Rs. 500.

NOTE 2.—Rates and taxes and watchmen's wages provided for in annual maintenance estimates should be excluded from the total amount of estimates for the purpose of deciding whether an agreement should be taken in the case of repair estimates for buildings.

176. (*a*) When a contractor refuses to execute work at the rates provided in his piece-work agreement then the agreement should be terminated and the work measured up and paid for at the rates in the sanctioned agreement enforcing or not as the case may be the forfeiture of the security deposit. The work should not then be given out at higher rates, unless open tenders have been called for, and the most favourable rates obtained.

NOTE 1.—If, however, it is found necessary in any case to give the balance of work at higher rates to another contractor without calling for open tenders, whether on account of urgency or any other reasons, the previous approval of the next higher authority above that which accepted the original cancelled agreement should be obtained.

NOTE 2.—The procedure outlined in Note (1) would also apply to cases of termination of piece work agreement for any other reason to, with reference to the relevant clauses of the general conditions of contract to the Tamil Nadu Building Practice, applicable to piece-work agreement.

(*b*) Revision of rates in accepted agreements of any kind, during the currency of such agreements is normally prohibited. In cases however, where the Executive Engineer considers there are sufficient reasons to revise rates in current agreements, then the sanction of the authority above that which accepted the agreements should be obtained, placing on record with the agreement the reasons for such revision and the effect of the same on the total amount of work to be done under the agreement. Whenever revised rates in any agreement are sanctioned, the increased rates will have effect only from the date of sanction of such revised rates, unless it is specially stated by the sanctioning authority that they shoul have retrospective effect.

(*c*) In all cases, as in (*a*) and (*b*) it must be observed that the Code rules governing such estimate revisions as may be involved, are complied with.

(*d*) The corrections in agreements should be attested under dated initials by the accepting authority also, not only to indicate his acceptance of the altered rates but also to prevent any Tampering with agreements after approval.

(e) In all cases in which work not covered by the original agreement is ordered the rates for such items of work should be settled as laid down in clause 7 of the conditions printed in the form of piece-work agreement or clause 59 of the general conditions to contract of the Tamil Nadu Building Practice. Such extra items of work should not be ordered by the Executive Engineer on his own responsibility. If the revised estimate or deviation statement providing for them requires the sanction of a higher authority.

(f) In respect of fines or forfeiture of deposit ordered by an authority with reference to the relevant conditions in the forms of agreement or relevant clauses of the general conditions to contract to the Tamil Nadu Building Practice in an agreement in use in the Public Works Department, any authority higher than the one who has ordered the fine or forfeiture may in his absolute discretion waive or modify the fine or forfeiture imposed by a lower authority.

177. If in any case, whether on grounds of urgency or otherwise, an executive officer is required to carryout a work for which no estimates have been sanctioned or for which no financial provision exists (whether estimates have been sanctioned or not) the orders of the officer authorizing the work should be conveyed in writing. On receipt of such written orders the officer who is directed to carryout the work should immediately intimate to the Audit Officer concerned that he is incurring a liability for which there is no provision or inadequate provision of funds and should at the same time, state approximately the amount of the liability which it is likely he will incur by compliance with the written orders which he has received. The Audit Officer will then be responsible for bringing the facts instantly to the notice of the Chief Engineer concerned, except the irregularities committed by a Chief Engineer himself, which should be reported direct to Government. The Chief Engineer will report to Government any cases that call for disciplinary action or failure to comply with the code. The Accountant-General should also report to Government any cases in which he considers the action taken by the Chief Engineer inadequate. There will be no hesititation on the part of Government in forcing disciplinary action against any officer administrative or executive who may fail, or delay to comply with these orders.

Note.—The provisions of the above paragraph will be relaxed in the case of the famine relief works, but this does not relieve officers from the responsibility of obtaining the necessary sanction to a revised estimate an additional appropriation as soon as they can foresee how far an estimate is likely to be exceeded.

178. If in the case of work executed on the contract or piecework system, the circumstances are so emergent that it is impossible to enter into a formal contract or agreement the officer on the spot who starts the work should enter into a piece work agreement at least in the first instance. This form of agreement is particularly suitable as it is terminable in case the higher authorities, who are competent to sanction the proper agreement in the standard form, disapprove. When the circumstances are so emergent that even a piece work agreement cannot be signed, it will be sufficient to have a written order for the work signed both by the piece worker or the contractor and the officer on the spot. There should however, be no avoidable delay in preparing a proper estimate and an agreement in the standard form and in obtaining the sanction of the competent authority. The detailed procedure to be followed in such cases is indicated in Appendix XI to this Code.

179. When any new building is about to be commenced or any alteration, addition or repairs executed to any building, due intimation of such intention must be given to the local head of the department, military or civil concerned.

180. Except in the case of emergency work such as rapair of breaches, etc, no work should be started on land which has not been duly made over by the responsible civil officers.

181. The Rules in this section regarding the existence of a sanctioned estimate and the allotment of funds in the budget are applicable even in the case of civil works in charge of civil officers acting as public works disburses. When an estimate has been sanctioned and funds have been allotted, a civil officer may arrange for the execution of the work.

Works executed by Civil Officers acting as public works disburses are generally likely to be of a petty nature and constructed on standard designs, Civil officers may, however

apply to the Superintending Engineer of the Circle to depute an officer to examine any work when in progress or when completed and to make a general report as to whether the work is being satisfactorily carried out or has been completed in accordance with the estimate.

## II—SCOPE OF SANCTION

182. The sanctions to an estimate must on all occasions be looked upon as strictly limited to the precise objects for which the estimate was intended to provide. Accordingly any anticipated or actual savings on a sanctioned estimate for a definite work should not, without special authority, be applied to carryout additional work not contemplated in the original project or fairly contingent on its actual execution.

Savings due to the abandonment of a substantial section of any project sanctioned by any authority are not to be considered as available for work on other sections without the further sanction of that authority.

A substantial section of a project shall be considered to have been abandoned, if the estimated cost of the works in such section is not less than 5 per cent of the total sanctioned cost of the project excluding in the case of irrigation projects, the estimated cost of the head works, as originally approved.

## III—COMMENCEMENT OF WORKS IN ANTICIPATION OF DETAILED ESTIMATES OF THE COMPLETE PROJECT.

183. In exceptional cases where it is desirable to begin work on a project which has been administratively approved, before the detailed estimate for the whole project has been prepared it is permissible for the authority competent to sanction the final technical estimates as a whole to accord sanction to detailed estimates for component parts of the project, subject to the following conditions.—

(1) For each such work or component part there must be a fully prepared detailed estimate and, in the administrative approval as a whole, there must be a clear and specific amount corresponding to the work or component part in question.

(2) The amount of the detailed estimate must not exceed the amount included in the administrative approval by more than 10 per cent.

(3) The sanctioning authority must be satisfied, before according sanction, that the amount of the technical sanction for the whole project is not likely to exceed the amount of the administrative approval and that the work or component part in question can be appropriately commenced without affecting or being affected by any other part of the project financially or otherwise.

Note.—This rules does not apply to estimates for parts of individual buildings unless the preliminary estimates for administrative approval have been similarly prepared.

184. To obviate delay in commencing work on a detailed estimate for a complete sanction, but which requires minor amendments in the design or estimate, the sanctioning authority should adopt one or other of the following courses.—

(1) Amend the design or estimate in his own office and sanction it; or

(2) Sanction the parts of the estimate which are approved subject to conditions (2) and (3) specified in paragraph 183 and call for amended detailed estimates for the other portions of the project.

185. In communicating the sanctions to parts of projects accorded under the provisions of paragraphs 183 and 184 the sanctioning authority should also intimate to the Audit Officer the amount administratively approved for the whole project.

## IV—LAPSE OF SANCTION

186. The approval or sanction to an estimate for any public work other than annual repairs will, unless, such work has been commenced, cease to operate after a period of five years from the date upon which it was accorded

## V—ALTERATIONS IN DESIGN DURING CONSTRUCTION

187. Where important structural alterations are contemplated though not necessarily involving an increased outlay, orders of the original sanctioning authority should be obtained. A revised estimate should be submitted for technical sanction should the alterations involve any substantial change in the cost of the work.

188. eleted.

## VI—MISCELLANEOUS RULES FOR THE EXECUTION OF WORKS.

189. In the execution of works, every care should be taken that the safety and convenience of the public are duly attended to and that all operations are carried on in such a manner as to interfere as little as possible with the traffic or ordinary pursuits of the people. Temporary roads, bridges, lights and barriers should, when necessary, be provided and the occupation of land, when practicable, be so timed as not to lead to the destruction of standing crops. Brick and lime kilns should not be erected so close to the inhabited part of any town on cantonment as to be a nuisance.

190. Any reasonable outlay for temporary accommodation for work people, and for entertaining temporary establishment for the purpose of security, sanitation, or temporary hospitals, may be authorized as part of the contingent outlay on works.

191. No religious edifice should be destroyed or injured in the execution of works without the full and free consent of the persons interested in it, nor without the concurrence of the principal, civil or political authority on the spot, unless under the orders of Government see also paragraph 248.

192. All interruptions of large works in progress should be immediately reported to the Superintending Engineer, the causes and probable duration of such interruptions being duly explained.

193. All unusual losses in the manufacture of materials must on their concurrence, be reported to the Superintending Engineer.

194. Executive Engineers and other officers or subordinate in charge of works should furnish immediately information to the proper civil authorities on the occasion of every serious accident, and in the case of death on the spot, they should not allow the body to be removed till an inquiry has been held see also paragraph 29 of this code and article 299 of the Tamil Nadu Financial Code, Volume I.

195. The employment of female labourers on works in the neighbourhood of soldier's barracks or a jail should be avoided as far as possible.

## VII—WATER SUPPLY TO GOVERNMENT BUILDINGS.

196. (*a*) The connection to the water main in the street and the pipe leading therefrom to the building together with the stop cock, meter and a sufficient length of pipe to lead the water through the outer wall of the building to the interior thereof should be laid and constructed entirely by municipal agency at the cost of the Government. The point at which the supply is to be taken into the building and the place where the meter house box or cupboard should be constructed, should be determined by the local Public Works Department officers subject to the approval of the Municipal Chairman. All works within the house should be carried out by the Public Works Department.

Note.—In cases where the by-laws relating to water supply in Municipality stipulate provision of meters at the cost of that body and the payment by the owner or occupier of the house of meter-hire alone or of meter hire and the cost of fixing the meters, those provisions should be followed in respect of Government buildings also.

(*b*) The cost of the works which are executed by Municipal agencies in accordance with the above instructions shall not be generally payable in advance to the municipa agencies concerned, unless otherwise such advance payment are expressly required under the bye-laws as framed by th Municipal authority concerned and sanctioned by Government

## VIII—ADVANCES TO CONTRACTORS.

197. Advances to contractors are as a rule prohibited and every endeavour should be made to maintain a system under which no payments are made except for work actually done, exceptions are however, permitted in the following cases:—

(*a*) Cases in which, in the interest of work, it is absolutely necessary to make petty advances see paragraph 315 Tamil Nadu Publie Works Account Code. In such cases, subordinates in charge of works, Sub divisional officers and Executive Engineers authorised to make advances upto a limit of Rs. 50, Rs. 100 and Rs. 250 respectively. They should, however take the necessary precautions to secure the Government against loss.

NOTE.—The limits referred to above apply to each work and not to each individual workman employed on a work.

(*b*) *Electrical works* [illegible] *on contract*.—The Electrical Engineer may sanction an advance of eighty per cent on the value as certified by him, according to the terms of clause 20 of the general conditions of contract printed in Publie Works Department Form No. II-20.

(c) In all other cases the State Government, may in exceptional circumstances authorise such advances as may be deemed indispensable, but the local officers must take the necessary precautions for securing Government against loss and for preventing the system from becoming general or continuing longer than is absolutely essential.

## IX—SANITARY RULES ON EXTENSIVE WORKS.

198. A set of special rules framed by the Director of Medical Services is printed in Appendix XII. It is the duty of the Superintending Engineer to see that these rules are carried out Any reasonable outlay connected with sheds for work people water-supply drainage, conservancy, hospital or police may be authorised as forming part of the contingent out-lay on a work under execution.

## X—INFORMATION FOR THE SURVEY OF INDIA

199. To enable the Survey of India to keep the map of India upto date in respect of new canals, embankments. roads, etc., an index record map from original surveys, on a scale not less than 1 cm to 500 meters, should be sent to the Survey of India Office, Calcutta, on completion of the work. The topography adjoining the alignment. such as village sites, trijunction boundary pillars, other permanent objects and the crossing of roads and streams, should be accurately shown, and it should be stated on the maps supplied whether the information has been derived from actual survey or otherwise.

## XI—CONSTRUCTION AND MAINTENANCE OF MORTUARIES IN SECTION-H OF THE CHAPTER.

200. The construction and maintenance of all mortuaries will be undertaken by the Public Works Department and charged to state revenues. The District Medical Officer/Dean Superintendent will be resposible for reporting to the Public Works Department whether the mortuaries in his jurisdiction require repairs.

## I—DEPOSIT WORKS

### I. GENERAL.

201. The department may occasionally execute work provided wholly or partly from.—

(*a*) Funds of a public nature such as local or municipal or similar funds.

(*b*) Public contributions

(*c*) Loans from Government to a local body.

NOTE.—Estate works under the Court of wards should be treated as deposit works.

202. Where a work is financed partly from the funds in paragraph 201 above and partly from Government grants in aid, the procedure prescribed in rule 1 under paragraph 470 of the Tamil Nadu Public Works Account Code for the payment of grants-in-aid should be observed.

203. Contributions should be realised before any liability is incurred on account of the work. No interest will be allowed on the contributions.

NOTE :—Superintending Engineers are empowered to recover contributions by suitable instalments on fixed dates, if they are satisfied that the money will be forthcoming when required. The Executive Engineer may exercise similar powers for works within his powers of sanction. No advance of Government money is permissible in the case of work wholly financed from sources mentioned in paragraph 201 and if the payments are made by instalments, the Public Works Department will not be responsible for damages or additional cost due to suspension of work for want of funds. *See* rule 1 under paragraph 470 of the Tamil Nadu Public Works Account Code.

204. Provision must be made to cover the cost of establishment tools and plant at percentages prescribed in paragraph 6 of Appendix 7 to the Tamil Nadu Public Works Account Code. No reduction of these charges may be made in the case of works costing Rs. 10,000 or more but when the cost of the work is less than Rs. 10,000 these charges may be remitted with the sanction of the Government *See* also paragraph 9 of Appendix 7 to the Tamil Nadu Public Works Account Code.

NOTE 1.—When lump-sum contributions are received towards Government works from local bodies or private persons or bodies, they should be divided into two parts as laid down in paragraph 477 of the Tamil Nadu Public Works Account Code, the one representing a share of works expenditure and the other the amount chargeable on that share for establishment and tools and plant charges calculated according to the percentage fixed in sub-clause (iv) (a) of rule 6 of Appendix 7 of the Tamil Nadu Public Works Account Code. No charges for audit and accounts should be levied in such cases.

NOTE 2.—For every non-Government work, there must be duly sanctioned detailed estimate or requisition as the case may be in the same way as for the Government work.

205. Deposits on account of one work cannot, in any circumstances be utilized for another.

## II—SPECIAL RULES FOR WORKS WHOLLY FINANCED FROM NON-GOVERNMENT FUNDS.

206. Besides the rules in paragraphs 201 to 205, the following are specially applicable for works financed wholly from non-Government funds:—

(1) the design and estimate must be drawn up in consultation with the authorities administering the funds, and must be approved by the Public Works Department authorities like any ordinary public work.

(2) A written approval to the estimate and design as well as an understanding that the Public Works Department does not accept any responsibility for unavoidable and reasonable excesses caused by any rise in prices, authorized deviations losses by fire or theft or other unforeseen factors, should be obtained from the administrators of the funds before starting work. Alterations in design should be similarly dealt with.

(3) The officer-in-charge of the work should report at once to his superiors and to the contributors, any anticipated excesses and give full information regarding the progress of expenditure, so that there may be no responsibility for Government if the work has to be stopped later on for want of funds.

(4) The authorities undertaking such works should see that both parties understand clearly their mutual responsibilities.

(5) Where the work is of such magnitude or there are special circumstances justifying it an agreement should be drawn up under legal advice.

## III.—RULES RELATING TO PREPARATION OF ESTIMATES FOR CONSTRUCTION OF IRRIGATION AND SUBSIDIARY WORKS.

207. (1) These orders and rules apply only to the construction and maintenance of new works in connection with a Government irrigation system, the cost of which works is defrayed in whole or in part by the voluntary contributions of interested parties. They do not apply to works done by a private person at his own expense in connection with any field channel which is private property.

(2) No works in connection with Government Irrigation system will be undertaken save with the previous sanction in writing of the Government or of an officer of the Public Works Department authorized as shown in rule (5) below and except on the conditions mentioned in rules (6) and (7).

(3) The actual execution of such works except those mentioned in rule (4) below, when sanctioned will be under taken by the Public Works Department as contribution works (vide rule 1 under paragraph 470, Tamil Nadu Public Works Account Code) and all such works inclusive of those mentioned in rule (4) below when constructed shall be deemed to be works constructed by and belonging to Government.

(4) In the case of bridges, culverts, bathing ghats or ramps required by municipalities, local boards or village panchayats constituted under the Village Panchayats Act, 1920 the design and location of each work require the approval of the officer of the Public Works Department authorized to accord technical sanction to an estimate for a Government work of a similar nature and estimated cost. The agency by which the work will be executed will be the Public Works Department or Engineering Staff of the local body concerned according as the Superintending Engineer or in cases beyond the Superintending Engineer's powers, the Chief Engineer may decide. If the local body has borne the entire cost of construction it will also bear the full cost of maintenance.

NOTE.—Local bodies may be allowed to execute such work costing Rs. 2,500 and less provided that the execution is supervised by the Public Works Department or by the Engineering staff of the district board or municipality as the case may be.

(5) The Chief Engineer and Superintending and Executive Engineers are authorized to accord both administrative and technical sanction to all estimates for contribution works for irrigation and subsidiary purposes to be executed by the Public Works Department upto the limits of their powers laid down in paragraphs 416, 420 and 430 of the Tamil Nadu Public Works Department Code, subject to the condition that the construction of the proposed works has been previously approved by the Collector of the district.

(6) Before sanction is accorded to the carrying out of any contribution works, other than those referred to in rule (4) the contributors or their authorized representative must sign an agreement duly stamped in the prescribed form-vide Appendix VIII-A of the Tamil Nadu Public Works Department Code.

NOTE.—All such agreements should be registered and sent to the Curator, Madras Record Office, for safe custody.

(7) Superintending and Executive Engineers are permitted to undertake the maintenance of contribution works subject to the limit of their powers to sanction similar repair or maintenance estimate in respect of ordinary works and subject to the following conditions:—

(a) In the case of contribution works for which the Goverment have not contributed as much as a half of the original cost of construction, the repair works may if the sanctioning officer considers it desirable be carried out at public cost if the amount does not exceed Rs. 500 in each case in any one year.

(b) In the case of works for which Government have contributed half or more than half the original cost, the works of maintenance and repairs may similarly be carried out at public cost without any specified limit.

Sanction to carryout works of maintenance under this rule should be given only when the necessity for such works arises and not when the original contribution works themselves are sanctioned.

Where the cost of maintenance is to be recovered in part or in whole from the interested parties the amount required should be recovered before any repairs or works of maintenance are commenced.

(8) A deposit of Rs. 300 will be recovered from the contribution before plans and estimates for any contribution works are prepared by the officers of the public works department. In cases where the Executive Engineer considers this amount unsuitable he will address the Superintending Engineer. An agreement duly stamped will be obtained from the applicants in the prescribed form (vide Appendix VIII B of the Tamil Nadu Public Works Department Code) to the effect that unless the work is dropped owing to the objection of third parties the deposit will be forfeited if the applicants withdraw after the preparation of plans and estimates. This rule does not apply to works asked for by local bodies. In such cases when the Public Works Department prepare plans and estimates for works to which a local body has agreed to contribute that body should pay 24 per cent of the estimated cost of work (subject to a minimum of Rs. 100) for the preparation of plans and estimates and 1

percent of the estimated cost of the work (subject to a minimum of Rs. 50) for their scrutiny. If the works are eventually executed by the Public Works Department the fees levied on this scale will be adjusted towards centage charges. The fees will not be refunded under any circumstances.

(9) In the case of other works i. e. works which are not required in the interests of Government, but are carried out on behalf of private individuals or bodies Panchayat Unions or Panchayats constituted under the Tamil Nadu Panchayats Act, 1958, and also works which are in the nature of maintenance of existing works, percentage charges as shown below will be levied where the cost amounts to Rs. 10,000 or over:—

Ten percent on works outlay for establishment one per cent on works outlay for audit and Accounts Establishment one and a half per cent on works outlay for pensionary charges. Percentage charges will also be levied on such works costing less than Rs. 10,000 unless the levy is specifically remitted by the State Government.

208. (1) The following rules will apply to works for which contributions are recoverable on account of the joint ownership or interest possessed by the Government and other concerned parties. A list of the irrigation or navigation works which serve more than one interest e. g. Government, private persons or local bodies and showing the various irrigation systems and the shares of contribution payable by the various interested parties towards the maintenance charges of such system will be issued periodically by the Chief Engineer for irrigation.

(2) In these cases centage charges should be recovered on the amounts of contribution at the rates specified in the sub-paragraph under rule 9 of paragraph 207.

(3) When an estimate for a contribution work included in the list is framed the contributors should be furnished with copies of the abstract estimate and the report showing the need for the work and they should be asked to pay their shares together with centage charges thereon in advance, a reasonable time being allowed for offering their remarks before the work is commenced. In the event of their refusing to pay the amount the works should be carried out by the Government if it seems expedient to do so. In such case a separate account should be maintained

showing the items which are covered by centage charges, for the purpose of production in Court if recovery by civil suit is necessary. On the completion of the work a second notice demanding payment of the appropriate contributions together with interest thereon from the date of that notice till the date of payment should be issued immediately after the works are completed and paid for. If the contributions are not paid before a specified date the amount should be recovered by a Civil suit.

(4) The cases of other contribution works not included in the list of contribution works but for which land holders are by equity bound to pay should be decided on their merits and the works should not be put in hand untl necessary agreements are concluded with them and the contributions are recovered.

(5) Urgent contribution works such as repairs of damages caused by floods may after due notices to the contributors be carried out to the extent absolutely necessary immediate steps being taken to recover the contribution in consultation with the Collector of the district. The authority sanctioning the works should satisfy himself that the repairs are urgent and essential and should record his opinion in writing to that effect. Any work that can safely be postponed should not be carried out before contributions are recovered.

(6) In the case of works for which Government have agreed to contribute and which other interested parties carry-out the parties should be required to give atleast a fortnight's intimation in advance of the commencement of the work and in the case of really urgent works to inform the Executive Engineer and the Sub-Divisional Officer within three days of the commencement of the work.

NOTE.—The recovery of contribution in the case of certain tanks in the Periyar system will be made under the provisions of the Periyar (Irrigation) tanks Preservation Act, 1934 under specific orders of Government.

208-A. The construction and maintenance of local board and municipal roads on the banks of Government irrigation works are governed by the rules in Appendix XX of this code.

## IV—GOVERNMENT WORKS PARTLY CONTRIBUTED FOR BY LOCAL BODIES AND PRIVATE PARTIES.

209. There are certain works which are the property of Government for which a share of the cost is recoverable by mutual arrangement between Government and the local bodies or private parties concerned either as in proportion of the cost of the work or in fixed lump sums (e. g.) maintenance of certain roads, bridges and hospitals, certain tank restoration works etc. The procedure for watching recoveries and adjusting them in the accounts is contained in paragraph 393-A of the Tamil Nadu Public Works "Account" Code.

## V.—CLEARANCE OF PRICKLY—PEAR.

210. Under the kudimaramat rules, when ryots who are responsible for the clearance of prickly-pear from tank bunds and channel banks fail to do so, the procedure to be followed should be—

(1) To call on the villagers concerned to do the works as laid down in Board's Standing Order No. 86, paragraph 6;

(2); toget a report of their failure to do it if they decline;

(3) to hold an auction in the village itself for the lowest bid for the work and to get the village panchayat to accept the sum; and

(4) to follow the procedure prescribed in Local Ruling 3 under Article 45 of the Tamil Nadu Account Code, Volume III, for the accounting of expenditure incurred by the Public Works Department in such cases.

The form of agreement for adoption in cases where prickly-pear-bushes, trees, etc., have to be cleared from Government irrigation sources, is given in Appendix XVI.

NOTE 1.—Estimate for removal of prickly-pear wil be sanctioned under "ordinary repairs" the countersignature of the Collector of the district being obtained in cases where the amount has to be recovered from the ryots under "kudimaramat".

NOTE. 2—In villages where panchayats do not exist. the procedure indicated in Board's Standing Order No. 86, paragraph 6, should be followed and the auction conducted if necessary with the help of the village officials.

## J—DISPOSAL OF ESTIMATES

### I—OFFICE OF RECORD FOR ESTIMATES.

211. Estimates, after being sanctioned by proper authority, should be returned to the Executive Engineer for record in his office.

### II—COMMUNICATIONS OF SANCTION TO ESTIMATE TO THE AUDIT OFFICER.

212. A return of all estimates sanctioned by the Executive Engineer should be sent monthly to the Superintending Engineer, serial numbers being given for the estimates of the division, and a copy of the return should simultaneously be forwarded to the Audit office not later than the 5th of the month following the month of sanction. A similar return should be furnished to the Audit office by the same date by the Superintending Engineer in respect of estimates sanctioned by him.

Advices of all detailed estimates sanctioned by an authority higher than a Superintending Engineer should be communicated to the Audit officer, monthly atleast.

Extract from these returns as regards major original works relating to the Roads and Buildings Branch should be sent to the Chief Engineer so as to reach his office not later than the 10th of each month.

NOTE.—The Superintending Engineer is responsible that in cases where a substantial section of a project sanctioned by higher authority has been abandoned, eventhough provisionally the aggregate assumed cost (including contingencies) of the work included in that section is intimated to the Audit officer for exclusion from the total sanctioned estimate of the project see also paragraph 182.

### III—SUPPLEMENTARY ESTIMATES.

213. Any development of a project thought necessary while a work is in progress which is not fairly contingent on the proper execution of the work as first sanctioned, must be covered by a supplementary estimate, accompanied by a full report of the circumstances which render it necessary.

The following particulars should invariably be furnished when submitting supplementary estimates for sanction:—

(1) Every supplementary estimate should be numbered consecutively as first supplementary estimate, second supplementary estimate' third supplementary estimate and so on;

(2) The application for sanction to supplementary estimates should show the amount of the original estimate and the total amount including the supplementary estimates for which sanction is sought and also of the supplementary estimates sanctioned previously.

## IV—REVISED ESTIMATES.

214. A revised estimate must be submitted when the sanctioned estimate is likely to be exceeded by more than 5 per cent for any cause whatever, or when material developments or deviations have necessiated revised administrative approval. It must be accompanied by a report showing the progress made to date and explaining fully the cause of the revision. The revised estimate need not contain detail of items which are not altered, but merely a note to this effect; but the altered items should be shown in a comparative statement, P. W. D. Forms V. 17 and 18. The sanctioned estimate must accompany a revised estimate. It is the duty of the Executive Engineer to see that a revised estimate is prepared and disposed of directly. the necessity arises.

## V—UTILISATION OF COMPLETION REPORT AS REVISED ESTIMATE.

215. When excess occur at such an advanced period in the construction of work as to render the submission of a revised estimate purposeless, the excesses if beyond the power of the Executive Engineer to pass, must be explained in a completion report.

## K—COMPLETION REPORTS, CERTIFICATES AND PLANS

### I. GENERAL

216. (*a*) A consolidated completion report in P. W. A. Form No. 45 (Public Works Department VI/94) should be prepared monthly of all completed works other than those referred to in clause by the actual expenditure on which is in excess of the sanctioned estimate (vide paragraph 182) by an amount greater than that which the Executive Engineer is empowered to pass. This report should show for each work or group of works the estimated cost, the outlay and the excess.

When the completion report is utilised instead of a revised estimate under paragraph 215, sufficient details must be given if the excess is more than 5 per cent to satisfy the authority whose sanction is necessary.

(b) A detailed completion report in P. W. A. form No. 44 (P.W.D. VI/93) need only be prepared in respect of works on which the outlay has been recorded by sub-heads.—

(1) When, if the work has sanctioned by higher authority the total estimate has been exceeded by more than 5 per cent and

(2) When, if the work was sanctioned by the Executive Engineer the total etimate has been exceeded by an amount greater than that which he is empowered to pass.

This report should give a comparision and explanation of differences between the quantity, rate and cost of the work executed and those entered in the estimate. See also paragraph 182 of the code and paragraph 378 of the Tamil Nadu Public Works Account Code.

NOTE:—The Superintending Engineer, may if he so desires require a detailed completion report to be prepared on the completion of any other work.

NOTE—(2) Special rules for the preparation of completion reports of Irrigation Projects are given in paragraph 401 and rule 33 of the rules issued by the Government of India in their No. IR 39, dated 6th July 1929.

217. It is left to Superintending Engineers when starting the execution of work to decide whether intermediate completion report may be submitted for important component works forming part of a large scheme.

218. In all cases of submission of revised completion reports full particulars should be furnished as regards the excesses incurred and the circumstances under which the revision of the original completion report has become necessary.

219. Completion statements or reports should not be delayed for want of a completion certificate.

220. When the settlement of compensation claims is unavoidably delayed, the completion report should not be held back on this account but the estimated amount of compensation for land should be recorded therein as andistinct item in order that the total cost of the work including liabilities may be brought out in the completion report, so as to admit of administrative check being exercise over the total outlay as compared with the sanctioned estimate.

## II—WORKS EXECUTED ON BEHALF OF OTHER DEPARTMENTS.

221. On the completion of a work in accordence with the sanction and approval, executed on behalf of another department the local head of that department will be informed in writing by the Executive Engineer to that effect. Such formal notification will constitute the handing over of the work to the department for whom it was carried out. Reasonable warning of the imminence of such notification must of course be given.

222. Civil and military officers are required to fill up and sign all authorised forms and requisitions concerning the execution of any original work affecting their department.

## III—RECORD DRAWINGS.

223. Record drawings, showing the work as actually constructed, should be completed as soon as possible by the officer in immediate charge of every new work or alteration of an existing work, for approval and record by the Executive Engineer (vide paragraphs 85 and 262) completion plans, consisting copies of the record plans of the most important works and alterations, should if required to elucidate the report or if othrwise so directed by the Superintending Engineer, be prepared in the Executive Engineer's Office to accompany the completion report.

## IV—OFFICE OF THE RECORD.

224. On the completion of any work in respect of which a completion report or statement is required under rule, such report or statement should be forwarded by the Executive Engineer to the Audit Officer who should after verification of the figures, transmit it to the Superintending Engineer. That officer should forward it to the Chief Engineer if he is not

himself empowered to deal with the excess. After disposal by the authority concerned it should be returned to the divisional office, or such other office as the Local Government may decide on as the office of final records.

Completion certificate if any, shoul not be sent to the audit office but should be forwarded direct to the Superintending Engineer who should attach them to the completion report on its receipt.

Completion plans, if any should not be sent to the audit office but should ordinarily be retained in the divisional office, but in the event of unfavourable remarks having been recorded upon such a certificate by any civil or military officer, it should be submitted for the orders of the Superintending Engineer with the explanation of the Executive Engineer and on account of any aetion he may have taken.

# CHAPTER III

## PUBLIC BUILDINGS.

### A—GENERAL

### I—GENERAL RULES.

225. The officer in charge of each building should make some person of his establishment answerable for its general condition.

226. No Government building in which stores or Government property is kept or in which naked lights are used should be used for the atricle purposes. By 'Naked Lights' is meant all lights requiring air for their burning.

227. Insurances of Government buildings are not to be effected except in the case of specially valuable property liable to special risks. In the latter cases the sanction of Government should be obtained.

228. The initial supply of fire buckets and fire extinguishers together with other appurtenances, such as, stands brackets, etc., as all renewals of, and repairs, to the fire buckets and the fire extinguishers shall be made by the heads of the officers concerned, such works being treated as assigned to the departments concerned. If, in any case professional skill or assistance is considered necessary, the Executive Engineer or the subdivisional officer shall be consulted.

When a building is occupied by more than one department the "Department" for the purpose of this rule shall be the Revenue Department if it be one of the occupants and if not the State Government Department occupying the major portion of the building, to be decided in each case by the Superintending Engineer concerned. If in such cases, the Forest Department or a department of the Union Government happens to be one of the occupants, the cost of the fire appliances supplied or of the repairs thereto in respect of the portion of the building occupied by such department shall be recovered from that Department.

NOTE.—(i) Detailed rules for protection of Government Buildings against fire will be found in Appendix XXI.

(ii) Fire buckets shall not be supplied to residential buildings or inspection [bungalows. But in cases where a building (whethers owned by Government or hired) is used partly as an office and partly as a residence for a Government Officer, both the office and residential portion shall be provided with fire protection appliances by the Departments occupying such buildings.

## II—FIXTURES, FURNITURE AND FITTINGS.

### (a) Fixtures

229. Every Public Building should be provided with all necessary fixtures by the Public Works Department which should also repair these fixtures periodicaly, the estimate for new building scheme shall include the cost of spec'al furniture and fittings also besides the cost of electrical and sanitary works. (See paragraph 102) The Public Works Department shall arrange for procuring furniture which are of the nature of fixtures that form an integral part for the buildings. Provision of permanent fixtures like was basins, tables for anatomy, physiology, or other laboratories etc., will also be undertaken by the Public Works Department for which a seperate working estimate shall be prepared in close consultation with the occupying department which will do a considerable volume of forward planning to synchronise with the building programme. The occupying department shall furnish a complete list of special furniture and fittings required to the Public Works Department even in the first instance while forwarding their building requirements. All petty repairs of fixtures and replacement of broken glass in doors and windows required in the intervals between the periodical repairs should be carried out by the officer in-charge of the building (See paras 95—97).

NOTE,—(1) All the Principals of Government Arts Colleges in the State are empowered to carry out improvements and repairs departmentally upto a limit of Rs. 250 to the fixtures in the College buildings such as **revewals** of locks window panes, polts, etc. which require no technical skill, on supervision by the officers of Public Works Department.

NOTE 2.—Matting for floors, rattan blinds or chicks, locks for outside doors, etc. will not be treated as fixtures to be provided by the Public Works Department

except in the case of residential buildings, for which plain, and inexpensive matting, such as ordinary coir matting etc. will be treated as fixtures to be provided by the Public Works Department.

NOTE 3.—In the case of those non-residential buildings, however, in which petty works of construction and repair are now attached to by the Public Works Department under paragraph 97 of this code, that department will undertake the supply and renewal of and repairs to chicks

NOTE 4.—No pandals may be erected or maintained for residential buildings at State Expense, except for the receiption of the Governor in which case the charges are debitable to civil estimates.

NOTE 5.—Pumps should not be installed at public expense on wells attached to residences.

NOTE 6.—(i) Flags will be provided by Executive Engineers of Divisions in consultation with the Collectors concerned, for public buildings in charge of the Public Works Depart ment.

Where a group of buildings contains a number of offices, it is sufficient, if one flag is provided for the whole group.

(ii) Flag staffs, blocks and ropes may be provided by the Public Works Department for all Public buildings in charge of that department for which flags have been supplied under rule (i) above.

(iii) The initial supply of flags, flag staffs, blocks and ropes for buildings in charge of the Public Works Department will be met from "259 Public Works" and the estimates for their provision will be classed as "Original Works" Renewals and repairs of flags, flag staffs, etc., will be attended to by heads of offices occupying the buildings, the charges being debited in the same way as repairs to the buildings.

NOTE 7:—De leted.

## (b) FURNITURE

### (i) *General*:

### (c) FITTINGS (ELECTRICAL).

230. Ordinarily the Executive Engineer will not supply nor repair furniture, screens, purdahs, or tattis, nor will be perform any of the duties specified in paragraph 229 as devolving on the departmental officer in-charge. The occupying department shall furnish a complete list of special furniture and fittings required to the Public Works Department even in the first instance while forwarding their building requirements. Special type of furniture and ordinary movable furniture required for office use shall be estimated for by the occupying department and got administratively approved under departmental head of account. Procurement of certain special types of fixtures such as Dental chairs etc., shall be arranged by the occupying department. Furniture for new offices may, however be supplied by the Executive Engineer, and charged in his accounts provided, the Government authorise the inclusion of the cost of such furniture in the estimate of the offices concerned. This rule does not apply to the supply and repair of furniture of any of the Government Travellers Bungalows in-charge of the Public Works Department, the cost of these will be borne by the Public Works Department. The first supply of Government Traveller's furniture, crockery, cutlery, etc., and canal dispensary furniture should be charged to the estimate of the building for which they are required and subsequent repairs and renewals should be treated as "Bungalow Repairs".

NOTE.—Government Travellers Bungalows, should not ordinarily be furnished with cutlery and crockery and the sanction of Government should be obtained in each case to the provision of them.

231. A Superintending Engineer, may accord sanction for the provision of furniture for cutlery and crockery and otherrs items for Gavernment Traveller's Bungalows

The Executive Engineer Can sanction estimates for subsequent repairs and renewals. In according sanction to renewals, he should see that the number and cost of the articles renewed does not exceed the number and cost of those replaced.

232. The following scale of furniture is laid down for Government Travellers Bungalows. The list is not exhaustive and the Chief Engineer is empowered to vary the number of any article or sanction any article or sanction any additional new articles required provided the total cost does not exceed Rs. 1,500 (One thousand and five hundred only) for a bungalow with double accommodation and Rs. 1,000 (Rupees one thousand only) for a bungalow with single accommodation:—

Two iron bed steads with wire mattresses and complete mosquito curtain arrangements.

Two wash hand stands with basins.

Two Galvanised iron bath tubs.

One combined meat safe and drawer (Common to both rooms).

Two sanitary commodes with tripod stands.

One dining table, 120 cm. by 120 cm. (Common to both rooms).

Two medium size office tables.

Two small size dressing tables.

Two clothes stands (horse with pegs 6).

Four Arm chairs.

Two Easy chairs.

Two box patent mirrors.

Two kitchen tables 120 cm by 60 cm with 25 mm mango top.

Two matty tables 120 cm by 60 cm polished top.

Two teakwood towel racks, ordinary.

Two teakwood stools, small round top, 33 cm. diameter.

Two teakwood ordinary teapoys

Two galvanized iron buckets.

(ii) *Residences of High Officials*

233. (*a*) The administration of the furniture fund of the official residences of the Governor including the upkeep of stock list and the purchase, repair and maintenance of furniture will be conducted by the Military Secretary under the rules issued by the Union Government in the Ministry of Home Affairs. The Private Secretary to the Governor will furnish to the Audit Officer an annual certificate of verification in respect of Government House furniture on or before 31st July, each year stating that all furniture has been inspected and checked with the stock lists maintained and that he is satisfied:—

(i) That all new supplies up-to-date have been correctly brought on to the inventories;

(ii) that the inventories are correct in all respects;

(iii) that the articles in stocks agree with the inventories;

(iv) that sale proceeds have been properly accounted for;

(v) that sanctions of competent authority exist for all articles written off the inventory; and also

(vi) that the articles of furniture are being properly, maintained and are kept in serviceable order.

It is important that the furniture should not be allowed to deteriorate to an extent that will give rise to large demands for renewals on any change of incumbents.

NOTE 1—Chicks (Rattan or Bamboo) are different from blinds and are not debitable to "furniture grant" but to state civil repairs.

NOTE 2—The cost of supply and repair of furniture to the following quarters attached to the Government Houses, is debitable to the Public Works grant:—

(i) Clerk's and Bandman's Quarters, Government Houses, Madras and Ootacamund.

(ii) The Governor's Body Guard lines, Madras and Ootacamund.

(iii) Quarters of the Manager, M.S.G.S.'s Office, Madras, Guindy and Ootacamund.

(iv) The Servant's Lines (218 Servants' Godown), C.I.D. Inspectors Quarters, Superior servants' quarters and the Hospital and Dispensary attached to the Government House, Ootacamund.

NOTE 3.—All charges connected with maintenance and working of the pump and engine for the water supply of Government House, Guindy, are debitable to the Public Works—Appropriation for repairs—Buildings.

(*b*) The Executive Engineer, South Presidency Division will be in-charge of the furniture supplied to the residences of Ministers and will be responsible for keeping proper accounts of the furniture. He will furnish to the Audit Officer an annual certificate of verification of furniture in the residences of Ministers on or before 31st July each year, on the lines mentioned in paragraph 235 (a) in respect of furniture in Raj Bhavan.

(*c*) *Fittings - Electricals*—(i) *Non-Residential Buildings*—The Chief Engineers of the different branches of the Public Works Department shall without any reference to Government, sanction the provision of the fans according to the scale prescribed in Appendix XXII to this Code in all Government non-residential buildings, including Inspection Bungalows and Government Hostels borne on the register of Public Buildings of the respective branches of the P.W.D. subject to the preparation of estimate and availability of funds in the civil works budget. Where the scales prescribed in Appendix-XXII to this Code is to be departed from in any manner, specific approval of Government should be obtained.

(ii) *Residential Buildings*.—The Chief Engineers of different branches of Public Works Department shall sanction the provision upto the bearest minimum fans as per the scale prescribed in Appendix XXII in all Government Residential Buildings, subject to the availablility of approved estimates and budget provisions without reference to Government. Where the scale prescribed in Appendix XXII to this Code is to be departed from any manner, leading to increased number of fans, specific approval of Government should be obtained.

*Scale of prescribed.*—Ceiling fans of 1·22m sweep or 1·42 m. sweep on the basis of the number of bed rooms and living rooms subject to a ceiling of three.

## III—PURCHASE, SALE AND TRANSFER OF GOVERNMENT BUILDINGS.

### (a) PURCHASE OF BUILDINGS.

234. No building may be purchased for public purposes without the order of Government to whom a survey and valuation report by the Executive Engineer of the Division should in all cases, be submitted (see also paragraph 264).

### (b) SALE AND DISMANTLEMENT OF BUILDINGS.

235. *Buildings in-charge of Public Works Department.*—Chief, Superintending and Executive Engineers have power to sanction the sale or dismantlement of "State Government Buildings", in-charge of Public Works Department when the book value of buildings does not exceed Rs. 10,000, Rs. 5,000, Rs. 1,000 respectively. As however they have no power to sell land, whenever they sanction the sale of building, they should communicate their order to the Collector who will then take the necessary steps to sell both the buildings and land together.

NOTE 1.—No buildings should be sold unless it has been previously ascertained that it is not required by any Department of Government and the approval of the Collector should be obtained before any building is ordered to be sold.

NOTE 2.—No building should be demolished unless it is in a dangerous condition or past repair.

NOTE 3.—The powers will not extend to the sale or dismantlement of several individual buildings situated in a compound, the total cost of which exceed Rs. 10,000, Rs. 5,000 or Rs. 1,000 as the case may be.

NOTE 4.—When it is proposed to sell or dismantle a portion of the buildings the value of the entire building and not of the portion shall be taken for the purpose of determining the authority competent to sanction it.

236. Temporary buildings erected during the construction of a work may, under the sanction of the Executive Engineer, be sold or dismantled on the completion of the work or when the purpose for which they were erected has been served. It is the duty of the Executive Engineer to report when, in his opinion, any other building or property of Government in his charge ought to be sold or dismantled.

237. *Buildings in-charge of Revenue Department.*—(i) It should have been previously ascertained that any building to be sold is not required for the use of any department of Government.

(ii) The Executive Engineer concerned should have certified that any building proposed to be demolished is dangerous or past repair.

238. The sale proceeds of Public Works Department Buildings including the actual area occupied by or auxiliary to a building should be apportioned as follows.—

(*a*) When the cost of the building was originally debited to the Capital account or the Revenue account of a Project for which regular capital and Revenue accounts are kept or to a capital Expenditure head, outside the Revenue accounts even though no regular capital and Revenue accounts are kept for the work covered by the capital expenditure, the sale proceeds should be credited to the Capital or Revenue Account of the project or to the capital expenditure head originally debited, as the case may be as recoveries of expenditure.

(*b*) When the sale affects Irrigation, Navigation, Drainage and Flood Control Works, for which capital accounts are not kept the amount should be credited to "133. Irrigation, Navigation, and Flood Control works. A. Irrigation".

(*c*) When the sale is of building the cost of which was originally debited to "259. Public Works" the amount should be credited to "059. Public Works".

(*d*) In all other cases.—

(i) If sold in the Public Works Department (but see paragraph 235) the amount should be credited to "059. Public Works"; and

(ii) If sold by Civil Agency, to "068. Miscellaneous General Services-other receipts".

(c) TRANSFER OF BUILDINGS.

239. (1) Collectors, Conservators of Forests, the Chief Conservator of forests and the Board of Revenue are empowered to transfer buildings in their charge for occupations as offices from one department to another when they have been vacated by the former in consultation with the heads of departments but without reference to Government, subject to the condition that the book value of the building transferred does not exceed Rs. 2,500 in the case of Collectors and Conservators and Rs. 5,000 in the case of the Chief Conservator and the Commissioner for Land Revenue.

(2) Superintending Engineers are empowered to sanction in consultation with the Collector of the District and the Heads of Departments concerned, the occupation as an office by one department of Government of a building in charge of the Public Works Department after it is vacated by another department for which it was originally constructed or provided.

(3) But the orders of Government should be obtained by the authorities concerned before the transfer is made—

(i) When it is proposed to transfer a building to Panchayat Union Councils or private bodies (vide paragraph 165) or to any department of the Union Government.

(ii) When the building belongs to Union Government.

(iii) When two or more departments ask for the same buildings.

NOTE 1.—The discretion in regard to the transfer of Government buildings (which though not immediately required for Government purposes, it is not considered desirable to dismantle) to local bodies on terms which will ensure the buildings being kept in proper repair and to secure the right of reentry after reasonable notice, will be exercised by Government.

NOTE 2.—When any building constructed by the Public Works Department from the Public Works Department budget is transferred to any other Department of the State Government, Capital cost of the building and centage charges at the prescribed

rates on the capital cost shall be credited to the Public Works Department under relevant budget head of account and the buildings deleted from the Public Works Department Register of buildings.

## IV—HIRE OF OFFICE ACCOMMODATION FOR OFFICERS OF THE PUBLIC WORKS DEPARTMENT.

240. When a portion of a building rented for office accommodation is used as a residence, the renting or leasing of the building and the allocation of rent between the residential and non-residential portions shall be governed by the following conditions:—

(i) When a private building is taken up, its suitability so far as accommodation and rent are concerned for the location of the office and occupation by the officer should first be considered.

(ii) Occupation of a portion of the building as residence should not be detrimental to the conduct of the office in the remaining portion.

(iii) It should not endanger the preservation of records.

(iv) Having taken the building, it should be suitably allocated to the office and residence and rent for the two portions divided on plinth area basis as fixed by the P. W. D. This is, however, subject to the condition that, the officers occupying a portion of the private building hired by Government Departments for office accommodation, should forego House Rent Allowance. If the proportionate rent is less than 10 per cent of their pay, they will have to pay that proportionate rent and if it is more than 10 per cent of their pay, they will have to pay 10 per cent of their pay.

(v) Once the allocation is made the officer concerned should be made liable to pay the full rent for the residential portion from the date it is occupied by him till the date, he vacates it in the manner indicated in clause (iv) above, and he should not be allowed to change the allocation unless there is an expansion or contraction of the office.

(vi) When an officer to whom a portion of the building is allotted as residence, is transferred out of the station and the portion of the building becomes vacant it should be allotted to his successor.

(vii) It there is no officer occupying the post for which the portion is allotted and if it cannot be assigned to any other officer or office during such period, the portion of the building in question should be immediately released to the owner, if the latter is agreeble to such a course.

(viii) If the residential portion of the building is occupied by the family of an officer, even after his transfer from the station or if the officer stores his personal effects on the portion, even after his transfer he is liable to pay the full rent for the portion of the building till it is completely vacated by him.

NOTE—All heads of Departments have been authorised to permit where it is absolutely necessary, the officers under them to occupy as residence a portion of the building already taken solely for office accommodation, if they are not able to find suitable accommodation elsewhere, subject to the condition that, such occupation is temporary and does not exceed six months and that the terms of lease with the owner should be such as to all the use of the building for any purpose and not solely for office purposes. Such occupation of a portion of a building shall in addition be subject generally to conditions (ii), (iii), (iv), (v) and (viii) prescribed for the taking for a building for both office and residential purposes.

If for any reason occupation of the portion of the building as residence exceeds six months, the entire building should be deemed to have been taken even at the first instance for location of both office and residence, and it should be seen that the conditions prescribed therefor are satisfied.

240-A. (*a*) Office accommodation may be hired for the Public Works Department if no Government building is available. In the case of office accommodation for his office or for any of the subordinate officers of his department, the Chief Engineer can sanction rent up to Rs. 1,000 per mensem in each case when accommodation is provided in a separate building. In the case of office accommodation for Superintending Engineers, the Chief Engineer can also sanction rent up to Rs. 1,000 per mensem in each case, any higher rent being sanctioned by Government. In the case of accommodation for executive Engineer's office, Assistant Executive Engineer's office and A. E./J. E's Office the Superintending Engineer may sanction the renting of a building up to Rs. 400, Rs. 150 and Rs. 60 per mensem

respectively any higher rent being sanctioned by the Chief Engineer or Government as the case may be. An Executive Engineer may sanction the hiring of office accommodation for an Assistant Executive Engineer upto the limit of a monthly rent of Rs. 100 in each case any higher rent being sanctioned by the Superintending Engineer or the Chief Engineer as the case may be. The specific approval of Government is necessary where the period of lease exceeds a period of three years in all cases.

(*b*) When an Executive Engineer or an Assistant Executive Engineer, for whose office no accommodation is provided in Buildings owned or leased by Government, provides office accommodation in a privately rented residence, he may, under the orders of the Superintending Engineer, in the case of an Executive Engineer and of the Executive Engineer in the case of an Assistant Executive Engineer draw in his contigent bills office rent proportionately, to the extent of the main building set aside solely for office use not exceeding half the rent of the house. This is further subject to a maximum of Rs. 100 in the case of an Executive Engineer and Rs. 60 in the case of an Assistant Executive Engineer. In according such sanctions, the Superintending Engineer or the Executive Engineer, as the case may be, must certify that no Government building is available and that no suitable separate building can be hired for the purpose at a lower cost.

(*c*) If the house is a Government Building, the rent to be paid by the occupant should be calculated under paragraph 263.

(*d*) In the case of the leased buildings, the lease should distinctly show that the Municipal Tax as defined in the relevant sections of the Municipal Act is payable by the lessor.

(*e*) In the case of an Assistant Executive Engineer's Office, the following conditions also apply.—

(i) In calculating the accommodation set apart for office purposes, no allowance should be made for a separate room, apart from the office, to be occupied by the Assistant Executive Engineer

(ii) The Assistant Executive Engineer's immediate superior must certify both as to the adequacy of the accommodation provided for the office and its suitability.

NOTE.—The rules in paragraph 240A shall apply to the hiring of accommodation for the storage of Government materials obtained for the execution of specific work. For renting lands and buildings leased by the Government in the City or Mofussial for public purposes other than the provision of office or residential accommodation the Chief Engineer may sanction expenditure upto Rs. 1,000 per mensem the Superintending Engineer may sanction expenditure upto Rs. 400 per month and the Executive Engineer may sanction expenditure upto Rs. 100 per mensem Such expenditure on rent provided in the estimate of the specific works shall be incurred after the payment of rent is sanctioned by the competent sanctioning authority.

241. Executive Engineers are authorised to sanction the renting of ordinary office accommodation for officers in charge of sections, the amount of rent being limited to Rs. 30 per mensem.

242. In cases where office accommodation is to be provided in a building partly used as the A.E.'s/J.E.'s residence conditions similar to those in clauses (b) and (e) under paragraph 240-A will apply and the rent to be paid by Government will be limited to half the actual rent of the building subject ta a maximum Rs. 30.

242-A. (*a*) No private building or building belonging to another Government may be rented, if any suitable building belonging to the Government is available for the purpose for which a building is required.

[*See* also instruction 7 under T.R. (16).]

(*b*) Heads of Departments are permitted to lease buildings to the extent of their powers upto a period of three years.

(*c*) When a private building is rented it should be rented on the condition that the rent will be paid in arrear on the first working day after each month's occupation and the renr should invariably be paid accordingly.

(*d*) Insurance against fire of pivate buildings rented by the Government is left to the option of the owner. If he insures the building, he should pay the premia out of the rent. The lease deed for any such building should make it clear that the Government are not liable for damage caused by fire.

(e) Certificates regarding non-availability of Government buildings and reasonableness of rent should be obtained from the Executive Engineer, P.W.D. concerned upto a period not exceeding three years at a time.

NOTE:--In all the cases of renting of private buildings for Government officers of various departments in Madras City and Coimbatore Town where carpet area of the building to be taken on lease exceeds 1,000 S.ft. the certificate regarding the reasonableness of rent will be issued by the Superintending Engineer P.W.D. Madras Circle; Coimbatore—Nilgiris Circle as the case may be. The certificate regarding the non-availability of Government building will, however, be issued by the Executive Engineer, P.W.D. concerned.

(f) In every case where a private building is taken on lease, a condition shall be embodied in the lease deed reserving to Government the right to terminate the tenancy at one month's notice.

NOTE.—The Heads of Offices who actually arrange for the renting of private building for Government purposes while applying for the certificate of reasonableness of rent should furnish in duplicate the information required in the proforma as shown in Annexure II to the appendix of Tamil Nadu Financial Code Volum II to the Executive Engineer, P.W.D. concerned or the Superintending Engineer, P.W.D., Madras—Circle, Coimbatore—Nilgiris circle as the case may be, who should furnish the required certificate, with a copy of the proforma duly filling in the items thereon relating to him to the indenting officer retaining one copy of the proforma in his office. The Heads of Offices who submit proposals for renting of private buildings for the sanction of Government or by the competent authority as the case may be, should enclose the above certificate with the proforma received from the P.W.D. Officers.

(g) The authorities competent to rent private buildings may sanction an amount not exceeding a month's rent by way of advance rent for the building, if such advance rent is stipulated by the land-lord under the proviso to section 7 (1) (a) of Tamil Nadu Act 18/1960 (Tamil Nadu Buildings Lease and Rent Control Act/1960). At the termination of

the tenancy the amount of advance rent shall be refunded or adjusted by the land-lord of the building to whom the advance rent was paid and a condition to that effect shall be embodied in the tenancy agreement.

(As per 1 General principle (S. No. 44) of Tamil Nadu Financial Code, Volume II.)

All initial rent sanctioning authorities may accord renewal sanction for the payment of rent without the certificate of reasonableness of rent and non-availability of Government buildings from the P.W.D. authorities and if there is no reduction in the space requirement and if there is no enhancement of rent.

Rent Certificates from the Public Works Department shall not be insisted upon when premises owned by Housing Board, Slum Clearance and Tamil Nadu Tourism Development Corporation are taken on rent by Government departments so long as economic rent is charged.

For taking up private buildings belonging to state Government Servants on lease for Government purposes (official) residential reasonable lease rent be fixed by the authorities of Central Public Works Department on payment of centage charges prescribed by the Government of India in addition to the production of certificate from the P.W.D. regarding non-availability of Public Buildings on P.W.D. Register.

## V.—RENTING OF BUILDINGS.

243. It is the duty of the Executive Engineer to get tenants for public buildings not immediately required for Government use. They should generally be let from month to month, but lease may be given with the Chief Engineer's sanction. A clause in the agreement should be added, when necessary, to enable the Executive Engineer to terminate the lease at short notice in case the building is required by Government.

244. Rent should be recovered from local bodies provided with office accommodation in Government Buildings (*See* paragraph 275).

A panchayat Union occupying a Government building must provide its own record racks at its own cost, but may ask the Superintending Engineer concerned to render it any necessary assistance.

NOTE.— (1) Expenditure on addition and alterations to buildings occupied by local bodies should not be incurred without the specific sanction of Government.

(2) Panchayat Union which have not exercised the option of buying up record racks, formerly fixed in such buildings by Government, are required to pay rent, the cost of the racks being included in the capital cost of the building or the portion there of occupied by the Panchayat Union.

(3) It is not necessary to sanction data statements for calculating the rent of buildings not immediately required for Government use and let to local bodies or private persons under paragraphs 243 and 244.

245. Rent should be recovered from Commercial Departments and from departments of the Central Government for State Government buildings occupied by them wholly or partly for non-residential purposes as below:—

Rent should be charged at 7 per cent on the capital cost which represent.—

(i) Replacement cost of the building that is, the present value of the building including sanitary, water supply and electric installations and fittings in the building plus.

(ii) Current value of the land.—

(*a*) Market value of land be taken into account, subject to the condition that the maximum extent of land should be restricted to 1½ times, the built up area (or the actual extent of the built up area) or to the actual extent which ever is less.

(*b*) where more than one building has been put up in the compound, the available land shall be divided by the mumber of separate buildings and adopted for calculations, subject to the maximum of 1½ times the built up area.

(*c*) The current market value of land be fixed in consultation with the Revenue Department (not below the rank of Tahsildar.)

Municipal or Union Taxes should be paid by the occupying departments direct to the authorities concerned, except in the case of a Commercial Department or a department of the Central Government which occupies only a part of the building. In such cases the procedure laid down in Rule (i) (b) in Article 120, Tamil Nadu Financial Code, Volume I, should be followed.

Superintending Engineers of Circles are empowered to approve finally on the certificate of the audit officer data statements for calculating the rents of such buildings provided the rent is fixed strictly in accordance with the above rule and notes hereunder.

NOTE 1:—In the case of residential buildings occupied by officers of Commercial Departments, rents will be fixed and recovered by the Public Works Department in accordance with the rules in Section B of this Chapter as may be modified from time to time.

NOTE 2:—When buildings borne on the accounts of Irrigation, Navigation, Drainage or Flood Control Works for which capital and Revenue Accounts are kept are used for general purposes by other departments of Government, rent in accordance with the above rule shall be recovered from the department using the building.

246. Public Buildings let to private individuals should not be altered or enlarged at Government expense to suit the tenant, and persons occupying public buildings on rent are prohibited from making any alterations even at their own expense, except with the express concurrence of the Executive Engineer. The fact of any additions or alterations being made by the tenant confers no right of ownership on him, nor can the fact of the occupant having made additions or alterations at his own expense be considered as giving him any claim to a set of against or diminution of, rent, These conditions should be entered in the agreement or lease, vide Appendix XIII.

NOTE 1—The agreement form is a general one and does not preclude Superintending Engineers from inserting any special considerations which may be found desirable in the case of particular, buildings or individuals. Such conditions should be inserted in consultation with the Government Pleader.

NOTE 2.—In cases in which the rent proposed to be recovered inclusive of Municipal or other taxes, which are payable in respect of the premises and which will be borne by the Lessor (i.e.) the Government; Clause (2) in paragraph 2 of the standard form should be omitted.

NOTE 3.—The lease agreement referred to above should be written on a stamped paper and the cost of the stamp be borne by the lessee. The agreement need not be registered

247. No public building in the charge of the Executive Engineer may be occupied as a private residence without his consent except under the orders of his departmental superiors or of the State Government.

"In cases where it is absolutely necessary the heads of departments may permit Gazetted and Non-gazetted officers under them to occupy the building or a portion of the building used as their office, as residence, if they are not able to find suitable accommodation elsewhere for a period not exceeding six months subject to the following conditions:—

Item (i) Full standard rent of the building or proportionate rent for the portion occupied as fixed by the Public Works Department should be recovered.

(ii) The occupation is not deterimental to the conduct of the office in the remaining portion.

(iii) the preservation of records is not endangered

(iv) the terms of the lease with the owner should be such to allow the use of the buildings for any purpose and not solely for office purpose;

If any case such temporary occupation is expected to exceed six months, the Executive Engineer concerned should certify that the building or the portion of the building so occupied for residential purposes will not be required by the occupying department and cannot be utilised for accommodating other state Government offices in the locality housed in rented buildings. The occupying department should then obtain the sanction of the Government for such continued occupation of the non-residential building or portion of the building as residence beyond six months.

248. On no account is any church, chapel, mosque, temple tomb or other building devoted to religious use, to be occupied as a dwelling house or for any other purpose, without the consent of the persons interested and the sanction of the principal, Civil or Political authority on the spot *see* also paragraph 191.

## VI.—CUSTODY OF VACANT BUILDINGS

249. Whenever a public building which is not borne on the registers of the Public Works Department falls vacant it should be handed over to custody of the Revenue Department by the occupying Department. If it is considered desirable, for any special reasons, to transfer the building to the charge of the Public Works Department, orders of Government should be obtained. Public buildings borne on the register of Public Works Department should be handed over to the respective department when vacated.

## VII.—TAXES

250. The rules for the payment of Municipal and local taxes on buildings in the occupation of departments of the Government of Tamil Nadu or of Government Servants under the admininistrative controle of that Government are given in Article 120 of the Tamil Nadu Financial Code Volume I.

Provision for the payment of Municipal or other taxes on Public buildings should be made in the annual repair estimates in the cases indicated in Article 120 of the Tamil Nadu Financial Code, Volume I.

251. The Postmaster-General, Madras Circle, is responsible for the proper assessment, recovery and accounting of rents on residential buildings of the Posts and Telegraphs Department borne on the Registers of the Tamil Nadu Public Works Department and the claims and recovery of rents from occupants of such building will be audited and accounted for by the Deputy Accountant General, Posts and Telegraphs.

## VIII.—REMISSION OF MUNICIPAL TAX FOR VACANT BUILDINGS AND FOR BUILDINGS WHOLLY OR PARTLY DEMOLISHED.

252. (i) Whenever a Government Building (Residential and non-residential) is likely to fall vacant the occupant of the building immediately before the actual vacancy occurs or the head of the office to which the occupant belongs, should on

the date of which the buildings falls vacant give notice of the vacancy direct to the Executive Authority of the Municipality concerned or the commissioner of the corporation concerned or the Executive authority of the panchayat concerned, as the case may be, a copy of such notice being simultaneously sent to the Executive Engineer of the Division concerned to enable him to claim remission. The head of the office mentioned above shall take similar action on the first day of every succeeding half-year, if the building continued to be vacant even then. The Executive Engineer shall thereafter in due course, claim remission of Municipal property tax or Panchayat house tax in cases when the vacancy lasted for thirty or more consecutive days under section 87 of the Tamil Nadu District Municipalities Act, 1920, or section 105 of the Madras City Municipal Act, 1919, or for one hundred and twenty or more consecutive days under sub-rule (1) of rule 5 of the rules issued in Notification No. 40 in G. O. Ms. No. 1248, Rural Development and Local Administration Department, dated 26th April 1961 as the case may be The Officer paying the tax for a vacant building should ascertain that remission of tax has been claimed for the period that the building was vacant.

(ii) In the case of vacant buildings which are taken over by the Public Works Department from other departments and which continue to remain in charge of the Public Works Department it shall be the duty of the Section Officer concerned to give the necessary notice of the vacancy of the building to the local body concerned immediately they are taken over and thereafter on the first day of every half year, if the building continue to be vacant then, a copy of such notice being simultaneously sent to the Executive Engineer concerned.

(iii) When a Government building (whole or part) is demolished or destroyed, the Executive Engineer concerned should immediately give the requisite notice to the Municipality, village or town panchayat concerned and obtain remission of property tax under Section (89) (2) of the Tamil Nadu District Municipalities Act, 1920, or section 107 (2) of the Madras City Municipal Act 1919, or sub-rule (2) of the rule 5 of the rules issued in Notification No. 40 of G. O. Ms. No. 1248, Rural Development and Local Administration, dated 26th April 1961, as subsequently amended.

## VIII-A. TAXES ON NEW BUILDINGS.

253. (i) Under section 107 of the Madras City Municipal Act section (89) (i) (a) of the Tamil Nadu District Municipalities Act and Rule 5 (i) (a) of Notification No. 40 issued in G. O. Ms. No. 1248, Rural Development and Local Administration, dated 26th April 1961, intimation should be given to the local body concerned about the construction of a new building or the reconstruction of a building within fifteen days from dates of completion or occupation whichever is earlier. This intimation shall in the case of buildings (residential and non-residential) on which the Public Works Department will have to pay the property tax, be given by the Executive Engineer concerned. In the case of other buildings, on which the Public Works Department will not have to pay the property tax, the intimation to the local body shall be given by the occupants or the heads of offices who will have to pay the tax on the buildings.

(ii) In order to avoid delays in the assessment and payment of Municipal Taxes on new buildings constructed by the Public Works Department, the corporation or the local body as the case may be shall be informed by the Executive Engineer of the cost of a new building within six months of its completion. In case where it is not possible to close the account of a work within six months of its completion provisional figures of cost so for as can be made out at the time, shall be given by the Executive Engineer so that the assessment may be calculated on these figures subject to revision when the final figures of cost are available.

## IX.—SANITARY AND WATER SUPPLY INSTALLATIONS

254. All works and repairs in connection with sanitary installations and water supply to Government buildings should be carried out by, or through the agency of the Public Works Department except in special cases under the orders of the state Government.

## X.—ELECTRICAL AND SANITARY WORKS.

255. Whenever a new building is constructed or an existing building is extended or improved in a place where there is public supply of electricity available and it is tentemplated to provide an electric installation in the building, the estimate should provide for it.

As soon as administrative approval to a building is obtained and the detailed building plans are approved, the Executive Engineer should communicate a copy of the approved plans to the Electrical Engineers, P.W.D. The Electrical Engineer (P.W.D.) should without delay and in consultation with the Head of the Department concerned prepare detailed estimates and plans for the full electrical equipment required and obtain the counter signature of the Head of the Department to plans and estimates. The Electrical Engineer, P.W.D. should then obtain technical sanction of the higher authority, if and where such technical sanction is necessary. A copy of the approved plans and estimates should then be sent to the Executive Engineer in-charge of the construction work.

NOTE.—The Executive Engineers of Divisions can prepare detailed plans and estimates and also accord technical sanctions to estimates for electrical installations (new work, extensions and improvements) in Government Buildings in their charge up to a limit of Rs. 15,000.

Similarly, the Executive Engineer concerned will have detailed designs and estimates prepared in consultation with the Head of the Department and also where necesary with engineering specialist firms, for all construction, connections and fittings in connection with water-supply, sanitation and drainage required.

The detailed plans and estimates for sanitary and water supply installations are to be counter signed by the Head of the Department who will be at liberty to consult any officer of his department and who may send a representative to the office of the Electrical Engineer P.W.D and to the Office of the Executive Engineer respectively to scrutinise the plans during preparation.

After such detailed plans and estimates for the electrical and sanitary installations are obtained the Executive Engineer should incorporate them in the detailed plan for the building work and obtain competent technical sanction. The actual construction work need not wait until this final sanction is ready. It should be started as soon as technical sanction to the building work is obtained.

As soon as the final plans and estimates, incorporating details of electrical and sanitary installations are ready, copies thereof should be sent to the Electrical Engineer, who will, in cases where tenders have to be called for, take necessary action in close consultation with the Executive Engineer as regards the time when he should call for tenders and start the electrical work. The EE should similarly settle at an early date the time when work on sanitary installations should be commenced. Tenders for the building, sanitary and electrical installations should also be called for in proper order in a co-ordinated programme, which should be settled by the Executive Engineer at the commencement of execution of the work to ensure that the use of the building is not delayed on account of failure of the sanitary and electrical contractors to complete their works in time.

It is imperative that there should be close co-ordination between the work of the Government servants concerned so that at no time is any delay allowed to occur in the preparation of plans and estimates, in obtaining technical sanction, in calling for tenders and in the actual execution of the works concerned. The Superintending Engineer of the Circle in which the building is situated will be responsible for seeing that the various works are carried out at the proper time and that unnecessary delay is avoided, and he will be held personally responsible for seeing that the above instructions are carried out.

*Execution :—Original Works*:—Private agency should be employed wherever possible for the carrying out all original works including minor works. Departmental construction which involves the accumulation of stores and the employment of special establishment should be avoided. Tenders should invariably be invited when the amount involved in a particular contract is Rs 2,000 or more.

*Repairs* : (*Maintenance*).—Wherever private agency is available, it should be emloyed. Tenders should be invited, for the purpose when the cost of repair is Rs. 2,000 or more. Departmental maintenance should be resorted to only when no reliable firm tender or where their tenders are excessive, Departmental repairs should be as a rule be confined to small items.

In all cases, the contractors should be required, to base their tenders on proper specification etc. of the department.

In places where electric supply is available to the public, payments may be made in advance for service connections to Government buildings, if the supply agencies demand such advance payment.

255–A. The Executive Engineers, Public Works Department are empowered to prepare in consultation with the Heads of Occupying Department plans and estimates for electrical works (both original and repair works), not exceeding Rs. 15,000 from out of allotment made in the original estimate, for electrical installations, not requiring any special technical specifications or scrutiny such as wiring provision of lights, fans and geysers, technically sanction the estimate, accept tenders for contracts and execute the works.

In the case of specialised works either by themselves such as provision of lifts, connecting high voltage lines, setting up of transformers. air-conditioning units etc. or combined with ordinary works, the works should be executed under the responsibility and supervision of Electrical Engineers and the procedure indicated in paragraph 255 of this code should be followed.

256. In cases, where heads of departments desire to carry out electrical works departmentally, the previous approval of Government should be obtained. In the case of State Transport Department such approval has been obtained in G.O. Ms. No. 31, Public Works dated, 4th January 1954. After such approval has been accorded they may have detailed plans and estimates prepared through any competent agency and may themselves call for tenders and have the works executed by suitable agency Technical advice required or assistance needed in the execution of the works will be given by the Electrical Engineer.

The expenditure in connection with Electrical works executed through private agency by heads of departments should be borne by the departments concerned-*see* paragraph 95-97 (ibid) Heads or Departments should, however, intimate to the Executive Engineer concerned the charges incurred in the civil department on account of original works, extensions and improvements and repairs separately in order that he may maintain his capital accounts correctly.

NOTE 1—(1) As a General Rule, the Executive Engineers concerned shall have charge of the electrical installations in all Government Buildings whether borne on the Public Works Department boks roo

not (except those which are maintained under the control of the Electrical Engineer, Public Works Department concerned and Superintendents of Jails and Borstal Schools and certified Schools) and shall carry out the repairs and small extensions thereto with the help of the electricians or wiremen employed under them. The expenditure on works executed in any buildings by Executive Engineers should be met from funds provided in the Public Works Department Budget.

(2) The replacement of bulbs and fluarescent tubes and other bulbs of special types only in non-ressdential buildings, in cases of failure of the lights due to defects in the bulbs and fluarescent tubes and other bulbs of special types themselves should be attended to by the occupying departments except in the case of the electrical installation under the control of the Electrical Engineer Public Works Department concerned which are dealt with in (3) below.

(2) (*a*) Departments of Government occupying non-residential buildings can also purchase electric bulbs and fluarescent tubes and other bulbs of special types locally if the number required for replacement or stock is below a dozen. The expenditure on the purchase of electric bulbs and fluarescent tubes and other bulbs of special types should be debited to the budget of the department occupying the building.

(3) With a view to avoid inconvenience to several offices and to centralise the procurement of lamps in an economical and efficient manner, the supply and stock of bulbs and fluarescent tubes and other special types of bulbs will be made by the Electrical Engineer Public Works Department concerned in respect of the installation, under his control. These lamps will be handed over to the departments as and when demanded and their cost debited to the budgets of the respective departments. In respect of the Installations in the Raj Bhavan at Guindy and Ootacamund and the Legislators Hostel, however, the Electrical Engineer, Public works Department concerned will himself prepare the indents and supply the bulbs and fluarescent tubes and other special types of bulbs debiting their cost to the Public Works Department budget.

(4) Whenever any building is taken over by this Government from another Government or a private party or from another Department of the Government an inventory of all fixtures, electric and sanitary fittings, furniture, etc. should be prepared at once and it should be got signed both by the Officer handing over charge of the building and the officer taking charge of it. The same procedure should be followed whenever any building of the Government is handed over to another Government private party or to another department of this Government.

(5) A list of all fixtures, electric and sanitary fittings, furniture etc., in each non-residential building owned, leased or rented by Government will be maintained by the Officer who is occupying the building. The fixtures and fittings etc. should be verified with the list at least once in a year by the officer occupying the building and if he notices any loss or damage during such verification, he will take requisite action for the recovery of the cost of the articles lost or damaged from the party responsible. The Officer will also sign the list with date in token of such verification. If and when there is a change in the officer occupying the buildings the outgoing officer should obtain from the incoming officer a certificate that all the fittings, fixtures, etc. noted in the list are in good order shortages or damages, if any, should be brought at once to the notice of the officers concerned for necessary action.

(6) The instructions in note (5) above will be applicable also to residential buildings leased or rented by the Government.

## XI.—BUILDINGS OF HISTORICAL INTEREST.

257. Buildings and ancient monuments of historical or archaeological interest will be borne on two lists.—

(i) Those that are declared protected under the Ancient Monuments Preservation Act, maintained from Union Revenues and.

(ii) Those maintained from state sources.

258. It is the duty of Executive Engineers to arrange for a systematic inspection of all such buildings and monuments in their divisions and to frame estimates for their repair. Archaeological Officers will advice on the proposals submitted by Officers of the Department, will recommend the order of precedence, will themselves suggest work of restoration, and will pass the plans of all work estimated for before they are carried out by the Public Works Department. During the execution of a work, the Archaeological Officers will assist the department by their advice.

"Alterations to or destruction of the old and historical structures, if necessary, should not be carried out without prior consultation with Archaeological experts or the Superintendent of the Union Department of Archaeology within whose area the monument lies"

NOTE 1—The cost of providing and maintaining approach roads to ancient monuments should be a State Charge'

NOTE 2—Repairs to ancient monuments and temples not included in the standard list should not be carried out without the prior sanction of Government being obtained thereto.

NOTE 3.—In the case of repairs to ancient monuments it is not necessary to obtain the specific sanction of Government and the custodians of the temples or monuments but it is sufficient if the amounts to be sent on such work from Government funds are shown in the budget submitted by the Superintending Engineer to the Chief Engineer and are approved by the Government.

NOTE 4.—The Superintendent, Archaeological Survey of India Southern Circle/The Director or Archaeology, Tamil Nadu is empowered to sanction reappropriations of funds between all conservation works against sanctioned estimates not exceeding Rs. 5,000 whether for special repairs or annual repairs and maintenance subject to the condition that no reappropriation should be made in respect of any work to be executed by the Public Works Department without previously obtaining the consent of that Department.

## XII.—USE OF GOVERNMENT BUILDINGS BY AUXILIARY FORCES.

259. The arrangements made with the concurrence of the Union Government under which Auxiliary forces are allowed to occupy buildings on the condition of keeping them in repair, or to make additions and alterations to buildings on which Government retain a lien, need not be disturbed.

## XIII—INSPECTION OF PUBLIC BUILDINGS.

260. (*a*) Every public buildings borne on the Public Works Department Registers should be carefully examined once in every year by the officers of the Public Works Department as indicated below such inspections being made in respect of the soundness or otherwise of the roof and floor timbers in the buildings and in respect of their general conditions, as laid down in Chief Engineer's Circular No. 1737/AC/37-CP, dated, 31st August 1937, which is reproduced at the end of this paragraph.

(i) Section Officers are to inspect once in every year all buildings (residential and non-residential) in their jurisdiction costing up to Rs 5,000 constructed prior to 1st January 1946 and costing up to Rs. 10,000 for buildings constructed after that date.

(ii) Sub Divisional Officers are to inspect every year, all buildings (residential and non-residential) in their jurisdiction costing above Rs. 5,000 and up to Rs. 25,000 for buildings constructed prior to 1st January 1946 and costing from Rs. 10,000 up to Rs. 50,000 for buildings constructed after that date.

(iii) Executive Engineers are to inspect every year, all buildings in their divisions costing Rs. 25,000 to Rs. 2 lakhs for buildings constructed prior to 1st January 1946 and costing from Rs. 50,000 to Rs. 5 lakhs for buildings constructed after that date.

(iv) Deleted.

(v) The Superintending Engineers are to inspect every year all buildings in the circle costing above Rs. 2 lakhs for buildings constructed prior 1st January 1946 and over Rs. 5 lakhs for buildings constructed after that date.

NOTE 1.—The class of officer who is competent to inspect public buildings should be determined with reference to the cost of each individual buildings and in doing so, each of the subsidiary buildings appended to a main building in a compound should be taken into consideration separately.

NOTE 2.—A certificate of inspection should be obtained from all field officers and filed in the office of Chief Engineer (Buildings.)

NOTE 3.—The Chief Engineer should submit to Government every year a certificate of having filed the certificates of inspection by field officers as also all copies of all certificatec by Superintending Engineers.

(b) Every Public building not borne on the Public Works Department register costing Rs. 10,000 for buildings constructed prior to 1—1—1946 and Rs. 20,000 or more for buildings constructed after that date should also be inspected by the Public Works Department officers in the prescribed

manner once in three years. In the case of such buildings costing less than Rs. 10,000 for buildings constructed prior to 1--1—1946 and Rs. 20,000 for buildings constructed after that date arrangements for their inspection will be made by the head of the department concerned. If for any reason an officer of a civil department considers after inspection of a building that investigation by an Engineer is necessary, he will move the Executive Engineer of the Public Works Department division to depute a suitable officer to inspect the buildings.

(c) The Executive Engineers, the sub Divisional Officers and the Section Officers should record notes of their inspections in separate registers to be maintained by each of them.

All these registers should be shown to the Superintending Engineer during his annual inspection of Division Offices.

(d) Executive Engineers should inspect, as often as possible, buildings which show cracks or definite signs of deterioration and take early steps to effect the necessary improvements thereto.

*Chief Engineer's circular memorandum No.* 1737, AC/37-CP, *dated* 31*st August* 1937.

A case has recently occurred in which a Government building in Madras over 75 years old suddenly collapsed resulting in the loss of five lives, After careful enquiry and examination it was found that the collapse was not due to defective roof or floor timbers (they were all in good condition), but must have been due to the fact that some of the masonry piers supporting the roof and floor were carrying a weight greater than bad brick work could be expected to carry. Calculations of the loads carried by these piers showed that they were in excess of what is allowed now-a-days on brick masonry. Though they exceeded the safe working load now allowed the piers could have borne the loads without crushing if the brick-work was good. Examinations of the portions of the piers left standing showed that the brick work was very poor, the bricks were bad and were badly laid in poor mortar. The piers must have suddenly collapsed by crushing and this collapse brought down the floors and roofs, they were supporting and the fall of these in turn brought down other portions of the building. There was no indication that the piers were unduly stressed. There were no cracks or any other indications and the piers looked quite sound. There was no reason whatever for suspecting that they were overloaded.

2. Cases of collapse of Government buildings, as described above, are very rare. But this case forcibly illustrates the necessity for periodic and close examinations of building especially old ones. The existing orders require the regular inspection of buildings by officers and subordinates of this department with reference to their safety as affected by the condition of roof and floor timbers-vide Chief Engineer's Memoranda No. 3038-C dated 2nd July 1898, 3156-C dated 15th July, 1899, 304-C, dated 12th January 1926, 3236-Wks/28/CP/ dated 1st September, 1928 and 1738-A D/32-37 dated 6th October, 1932. This is ordinarily a sufficient and reasonable precaution. But the officers of this department should in addition also examine the buildings carefully. They should be on the look out for cracks, even slight ones or other signs of failure; and if any such are noticed, they should forthwith investigate the causes and take sufficient precautionary measures, wherever necessary to ensure the safety of the buildings.

They should investigate any cases of overloading of pillars and walls that they notice and should be on the look for such. In many buildings posts are overloaded and anybody of experience who keeps his eyes open should be able to detect such. The Chief Engineer realizes that it is not economically practicable to examine all old building in detail as to theoretical stability of the various parts of their masonry structures, but still considers it necessary to impress upon all ranks of the department the imperative necessity of poriodic inspection of all Government buildings with reference to the instructions laid down in the abovementioned circular and particularly to the instructions given below.

3. The Chief Engineer hereby also directs that in future, whenever, it is proposed to acquire a private building for Government purposes, the stability of the masonry of the building should be especially examined as well as that of its timbers. A report of this examination and the results thereof should always be sent with the proposals for the acquisition of the building. Generally it is a bad policy to acquire old or indeed any private buildings badly built as most of them are.

## XIV.—REGISTER AND PLANS OF BUILDINGS

### (a) REGISTER OF BUILDINGS

261. Each Superintending Engineer will keep a register (in Public Works Department Form No. 136) of all buildings in-charge of the Department within his circle and each Executive Engineer

a simalar register of all the buildings within his division. In these registers the value of the land comprised in a property will be shown separately from the values of the building or buildings thereon, the value of each separate structure being also shown separately. In the case of purchased property the price will be apportioned between the various items comprising the property e.g. land main buildings, servant quarters, compound wall, well etc. The registers will also show whether the building is to be maintained at the cost of Union or State Funds.

(b) PLANS OF BUILDINGS.

262. In the case of buildings and works borne on the Registers of the Public Works Department, the Executive Engineer will be held responsible that plans of such buildings are corrected on completion of any alterations.

B—Residences for Government officials.—

263. The rule regulating the provision of residences for Government officials are laid down in Fundamental Rules, 45, 45A, and 45C and rules thereunder which are reproduced below for conveniences of references. These rules apply to residences leased requisitioned acquired or constructed at the expenses of the Government and supplied to an officer under its administrative control They apply also to residences belonging to the Union Government but under the control of the State Government acting as agent to the President of India which are supplied by the Government to Government servants under its administrative ontrol but paid from Union Revenues.

FUNDAMENTAL RULES 45

45. The following rules shall govern the Allotment of building owned or leased by Government of such portions thereof to officers for use by them as residences and circumstances in which an officer shall be considered to be in occupation of a residence.

RULES

1. *Allotment of Residences*—(i) Buildings acquired, constructed, or leased, by Government for the occupants of particular posts shall ordinarily be occupied by the officers holding those posts.

(ii) Where any question is raised as to which officer has the prior title to occupy a particular house, or if no officer wishes to occupy a house, as to which officer shall be required to pay rent for it, the question shall be decided by the Collector and the Superintending Engineer sitting together.

When there is any difference of opinion between the Superintending Engineer and the Collector in the matter of allotment of quarters, the question shall be submitted to the Government for orders.

(iii) In the city of Madras, houses will be alloted to applicants in consideration of the general public convenience and priority of application by the Secretary to Government, Public Works Department, and the Chief Secretary sitting together.

Provided that nothing contained in this sub rule shall apply to the allotment of the official residence "Brodie Castle".

(iv) It will be the duty of the Executive Engineer to report every case of vacancy as soon as it is known that it is likely to arise and to take prompt steps to ensure that no house is allowed to remain vacant for a day longer than is unavoidable.

2. *Exchange of Residential Buildings by Officers of the Same Station* Any two officers at a station may exchange the buildings allotted to them with each other as a purely private arrangement, but each officer will continue to be responsible for the rent of the building assigned to him.

3. *Sub-Letting of Residences*—The sub-letting of an official residence may be permitted only under the following conditions.—

(i) The previous sanction of Government should be obtained for sub-letting;

(ii) The officer will still remain, personally responsible for the rent and for any damage caused to the building beyond fair wear and tear;

(iii) Government will not recognize the sub tenancy;

(iv) The rent to be charged by the Officer to his tenant should not, except with the sanction of the State Government in special circumstances exceed the rent paid by the officer to Government.

(v) Sub tenancy should continue only for so long as the officer who makes the arrangement holds the appointment for which the official residence is provided.

4. OFFICERS ON LEAVE– An officer who goes on leave should be held to have ceased to be in occupation of the building from the date of commencement of leave, unless, for any reason, a competent authority decides otherwise.

NOTE 1—The local administrative head of the department may grant permission to occupy Government quarters to officers proceeding on leave on average pay not exceeding six months; in other cases the permission of Government is necessary.

A Government servant in last grade service, whether permanent or not, proceeding on leave without allowance for a period not exceeding one month, may be permitted to occupy Government quarters during the period of leave on payment of rent at concessional rates. Such permission will be granted by the authority competent to make a permanent appointment to the post held by the Government servant.

NOTE 2--Omitted.

NOTE 3—The Director of Agriculture may permit Government Servants on transfer to retain upto a maximum period of one month the Government quarters allotted to them in their previous posts.

NOTE 4--The Collector of the Nilgiris may sanction the retention of Government quarters by Government Servants on transfer at their old station for a period not exceeding three months.

5. An incumbent, whether permanent or temporary of an appointment, for whose benefit a house has been constructed purchased or leased by Government under the conditions specified in paragraphs 265 and 266 of the Tamil Nadu Public Works Department Code will be held responsible for the prescribed rent during his tenure of the appointment. In the following cases, however, no rent will be recovered, provided that the head of the department or the authority competent to make a permanent appointment to the post for the incumbent of which the house is intended furnishes a certificate to the officer responsible for the recovery of rents that the conditions laid down are satisfied --

(i) When an officer is holding as a temporary measure under F.R. 49, an appointment to which a Government residence is attached, in addition to his substantive appointment and does not actually occupy the house.

(ii) When an officer in addition to the duties of such an appointment carries on the duties of another appointment which preclude him from occupying the house.

(iii) When an officer is officiating in an appointment for a period not exceeding one month and does not wish to occupy the house; and

(iv) When an officer is officiating in an appointment for a period not exceeding two months and the circumstances are such as to preclude him from occupying the house.

NOTE.—An officer who is merely discharging the current or routine duties of an appointment to which an official residence is attached is not bound to occupy it and should not be considered as incumbent of the appointment for purposes of recovery of rent.

*Delegation.*—The Collector of Districts are empowered to furnish a certificate for the non-recovery of the rent in respect of officers of he Revenue Department. In the case of other departments, the District Officers and the Regional Officers are empowered to issue such certificates.

*Rulings*--Convention regarding reimbursement by the Government of India to State Governments and *vice versa* of the difference between the standard rent of buildings and rent actually recovered from their officers occupying them.

I (a)The Government of India and the Governments of Tamil Nadu, Uttar Pradesh, East Punjab, Madhya Pradesh and Assam have mutually agreed that when an officer of one of these Governments occupies by official arrangements a residence provided by another of these Governments, the latter Government will claim no more than the rent which would be recoverable from the officer if he were serving under its administrative control. In other words, neither Government will be called upon to make good to the other the difference between the standard rent and the rent actually recovered.

(b) The Governments of Maharashtra, West Bengal, Bihar and Orisa having finally expressed their inability to accept a corresponding convention, the position in the case of these Governments as between themselves as well as between them and the Governments mentioned in clause (a) above will be that the Government providing the residence will claim from the officer the rent which would be recoverable from him, if he were serving under its

administrative control; and will be paid by the Government under whose administrative control he his serving the difference, if any, between the rent recoverable from him and the standard rent calculated for the residence under rule.

*Recovery of rent in excess of 10 per cent emoluments.*

(2) Under Clause IV (c) (ii) of rule 45-A Government may recover rent in excess of 10 per cent of a Government Servant's emoluments, but not in excess of the standard rent as defined in Clause III of the rules.

(3) A Government servant who at his own request is supplied with the residence owned or leased by Government of a class higher than that for which he is eligible when a house of his class is available for him, shall be charged the full standard rent and shall not be given the benefit of 10 per cent concession granted by clause IV B (b) of rule 45A.

(4) All District Magistrates having been provided with armed guards for their protection, it was found necessary in some cases to erect quarters for them within the compound of the residences allotted to the officers. As the cost of housing of these guards is to be borne by the Police Department the question arose whether the cost of erection of these quarters could not be excluded from the Capital cost of the residences for the purpose of calculating the standard rent to be recovered from the officer concerned. Government shall have, under rule 45, the power to exclude the cost of quarters under reference from the capital cost of the residences for the purposes of fixing standard rent.

(5) When a Government servant is permitted to occupy Government quarters during leave, rent should be recovered from him at the rate at which he is allowed to pay while on duty.

(6) The term The Local Administrative head of the department occuring in the Note below rule 4 under Rule 45 includes heads of offices also.

(7): (i) When residential buildings owned, leased or requisitioned by Government are allotted to Union Government servants at their own request, full rent of the buildings should be charged from them, If, however, the accommodation is provided at the official request of the appropriate authority, rent should be recovered at 10 per cent of the emoluments of the person concerned.

(ii) The residential accommodation provided to Union Government Servants in accordance with instructions in sub-paragraph (1) above, should conform to the standards of accommodation laid down by Government for their own officers. In cases of officers who are allotted accommodation of a higher class at their own request than that to which they are entitled, according to the standards, full rent of the buildings should be recovered from them eventhough the accommodation may have been procured under official arrangements.

NOTE.—The term 'iull rent of the buildings' occurring in sub-paragraph (i) and (ii) will mean the standard rent in the case of buildings owned by Government and the actual rent payable plus incidential charges in the case of leased requisitioned buildings.

## FUNDAMENTAL RULE 45-A I AND II.

45-A. I. This rule applies to member of the State and Subordinate Services, Members of work—charged Establishments and Menials paid from contingencies, Holders of Special posts and the Members of all India Services under the Administrative control of Government.

II. For the purpose of the assessment of rent, the capital cost of a residence owned by Government shall include the cost or value of sanitary, water-supply and Electric installations and fittings and the cost or value or the site (including expenditure on its preparation) and shall be either,

(a) The cost of acquiring or constructing the residence any capital expenditure incurred after acquisition or construction or when this is not known,

(b) The present value of the residence—

NOTE—The cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work by work of a more expensive character.

*Illustrations*– The cost of replacing palmyrah rafters by Karimarudu or bamboo hurdling by teak wood reepers or lime plastering by cement plastering should not be added to the capital cost of building. The cost of deepening a well in order to restore the normal water-supply should not be added to the capital cost of a building. But the cost of replacing country tiles

by Mangalore tiles or mud compound wall by a wall of brick in mortar plastered with cement or a cement floor by tiles should be dealt with in accordance with clauses (a) and (b) of paragraph 93 of the Tamil Nadu Public Works Department Code.

NOTE.—Deleted.

Provided that—

(i) Government may make rules providing the manner in which the present value of residences shall be determined;

(ii) For purposes of sub clause (a) above, the expenditure incurred on such works as.—

(*a*) Raising, levelling and dressing sites.

(*b*) Construction of revetments, retaining walls; and

(*c*) Storm water drainage shall be regarded as expenditure upon the preparation of sites.

(iii) Government may, for reasons which should be recorded authorize a revaluation of all residences of a specified class or classes within a specified area to be conducted under the rules referred to in proviso (i) above, and may revise the capital cost of any or all such residences on the basis of such revaluation.

(iv) The captital cost, howsoever calculated, shall, not take into consideration (1) any charges on account of establishment and tools and plant other than such as were actually charged direct to the work in cases in which the residence was constructed by Government or (2) in other cases, the estimated amount of such charges.

(v) Government may for reasons which should be recorded write off a specified portion of the capital cost of a residence—

(*a*) When a portion of the residence must be set aside by the officer to whom the residence is allotted, for the reception of official and non-official visitors visiting him on business or.

(*b*) When it is satisfied that the capital cost, as determined under the above rules, would be greatly in excess of the proper avlue of the accommodation provided.

(*c*) In assessing the cost or value of the sanitary, water-supply and electric installations and fittings Government may by rules determine what are to be regarded as fittings for this purpose.

## FUNDAMENTAL RULE 45-A III.

45-A III—The Standard rent of a residence shall be calculated as follows:—

(*a*) (i) In the case of a leased residence, the sum paid to the lessor.

(ii) In the case of a requisitioned residence the standard rent shall be the compensation payable to the owner of the building, plus in either case an addition determined under instructions given below, for meeting during the period of lease or requisition, as the case may be, such charges for both ordinary and special maintenance and repairs and for capital expenditure on additions or alterations as may be charged on the Government and for the interest on such capital expenditure as also for municipal and other taxes in the nature of house or property tax, payable by the Government in respect of such residence.

NOTE.—For the purpose of this clause, the additions for both the ordinary and special maintenance and repairs shall not include anything for the establishment and tools and plant charges except to the extent allowed under proviso (iv) to clause II.

### INSTRUCTIONS.

*Additions and alteations to leased residences*

In the event of any addition or alteration to the building being made with the consent of the owner subsequent to the signing of the lease at the request of the occupant and at Government expense, the following rules should govern the recovery of rent.

(i) If the lessor agrees to take over the work done on the expiry of the lease and to pay to Government the original cost of that work less an allowance for deterioration, which should be fixed before the work is done, the standard rent will be raised so as to cover.

(*a*) Such percentage rate as may be prescribed from time to time as the standard of return on productive irrigation works on the capital cost of additional work;

(*b*) the percentage or amount fixed for deterioration,

(*c*) the annual estimated charges for maintenance and repairs of the additional work (if repairs are executed by Government.)

OR

(ii) If the landlord refuses to accept any liability for the additional work, the standard rent will be raised so as to cover during the period of the lease,—

(*a*) the capital sum expended, including interest at such percentage rate as may be prescribed from time to time as the standard of return on productive irrigation works;

(*b*) the annual estimated charges for maintenance and repairs of the additional work.

NOTE—The standard rent should be fixed when the work is completed. In case (i) the capital cost will be held to be the total expenditure less half the amount which will be recovered on account of deterioration.

In the case (ii) interest will be calculated on half the amount of the outlay,

(*b*) In the case of residential buildings owned by Government the standard rent shall be calculated at 7 per cent per annum on the capital cost of the buildings.

NOTE.—Government may by rule permit minor additions and alterations, the cost of which does not exceed a prescribed percentage of the capital cost of the residence to be made during such period as the rules may determine without the rent of the residence being increased.

(*c*) In both cases, standard rent shall be expressed as standard for a calendar month and shall be equal to one twelfth of the annual rent as calculated above.

The standard rate of rent of a building shall be fixed at the nearest half-rupee or rupee as indicated below—

In regard to rents of Rs. 5 and above, fractions of 50 paise and over shall be treated as one rupee, those below 50 paise being ignored, In regard to rent below Rs. 5 fractions of 25 paise and above but below 75 paise shall be taken as 50 paise ignoring the fractions below 25 paise and fractions of 75 paise and above shall be rounded off as one rupee.

## FUNDAMENTAL RULE 45-A. IV

IV. When Government supplies an officer with a residence leased or requisitioned or owned by Government, the following conditions shall be observed--

(*a*) The scale of accommodation supplied shall not except at the officer's own request, exceed that which is appropriate to the status of the occupant.

(b) Unless, in any case, it be otherwise expressly provided in these rules, he shall pay (i) rent for the residence at 10 per cent of his monthly emoluments irrespective of the Standard rent except in cases where a higher rate of rent has been fixed and shall forego the house rent allowance and

(ii) Municipal and other taxes payable by Government in respect of the residence not being in the nature of house or property tax.

NOTE—For the purposes of clauses III and IV (b) (ii) of rule 45-A, the portions of property tax levied on Government buildings by local bodies representing water, drainage, lighting and scavenging taxes shall be trated as being not in the nature of house or property tax.

(c) Notwithstanding any thing contained in sub clause (b) above Government may.—

(i) at any time, after the standard rents have been calculated under the provisions of clause III above, group a number of residences whether in a particular area or of a particular class or classes; for the purpose of assessment of rent, subject to the following conditions being fulfilled.—

(1) That the basis of assessment is uniform; and

(2) That the amount taken from any officer shall not exceed 10 per cent of his monthly emoluments;

(ii) By general or special order, provide for taking a rent in excess of that prescribed in sub-clause (b) above from an officer—

(1) Who is not required or permitted to reside on duty at the station at which the residence is supplied to him or

(2) Who, at his own request, is supplied with accommodation which exceeds that which is appropriate to the status of the post held by him or.

(3) Who is in receipt of a compensatory allowances granted on account of dearness of living or.

(4) Who is permitted to sub-let the residence supplied to him or.

(5) Who sub-lets without permission the residence supplied to him or.

(6) Who does not vacate the residence after the cancellation of allotment.

*Instructions under rule 45A IV (c) (ii) (1) and (2)*

When a Government servent who is provided by Government with a residence attached to the post held by him occupies for his own convenience, an additional residence either at or outside the headquarters or, occupies accommodation at the headquarters in excess of that appropriate to his status, the standard rent as defined in rule 45A III (b) or 10 per cent of salary or the concessional rate that may be applicable to him, whichever is least, should be recovered for the residenee attached to the post held by him. The full standard rent as defined in rule 45A (iii) (b) should be recovered, for the additional residence or the additional accommodation occupied by the Government servent at or outside his headquarters, irrespective of his salary or of the recovery of rent for the residence attached to the post held by him.

2. When a building is leased by Government for an officer who is not entitled to rent free quarters the full rent which the Government will have to pay for the building as well as any other incidental expenditure involved in securing a residence for him should be recovered in all cases from the officer occupying the building.

(*d*) When rent has been recovered short through an error in calculation of standard rent or through mistake or inadvertance, the Government servent shall pay the deficiency on demand made within twelve months from the date on which the short recovery was made in such number of instalments as the Government may direct.

(*e*) (i) Where the standard rent of a residence cannot be determined for reasons to be recorded in writing at the time of its allotment the Government servant shall pay such rent as may be fixed by the Government on the basis of the actual expenditure on the construction or the cost of acquisition of the building the cost of fittings therein and the known and anticipated liabilities relating thereto plus 10 per cent of the amount so arrived at or 10 per cent of his monthly emoluments, whichever is less.

(ii) The rent so fixed shall remain effective until the last date of the calendar month in which the standard rent for the residence is determined.

(iii) In addition to the rent referred to in sub-clause (*e*) (i) a Government servent shall pay municipal and other taxes payable by the Government in respect of the residence not being in the nature of house or property tax and compensation for the charges, payable by the Government in respect of the services provided for the residence.

(*f*) Notwithstanding anything contained in Sub-clause (*e*) (i) if recovery for rent is made from a Government servant in respect of the residence allotted to him in accordance with that sub-clause or on any other basis adopted before the 6th January 1964, in respect of that residence and the standard rent for that residence has not been determined, the rent so recovered shall be deemed to be the rent for that residence recoverable under the rules.

*Instructions.*

In the case of Government servants occupying Government residential buildings, rent shall be recovered from them for the period of their occupation during joining time on transfer at the rates at which they are payable before their transfer.

Rent shall be recovered at the same rates from Government servants on transfer who are allowed to occupy Government residential buildings beyond their joining time, because neither, the Government servants holding additional charge of the posts nor the incoming regular incumbents of the posts for whom the said buildings are intended are in need of them for the period of such extended occupation, provided that the new posts to which the Government servants are transferred do not carry higher scales of pay. In cases where the new posts to which the Government servants are transferred carry higher scales of pay their enhanced rates of pay shall be taken into consideration for calculating rent at 10 per cent of their emoluments from the actual dates of their joining the new posts.

Rent shall also be recovered at the rates specified in the first paragraph from Government servants on transfer, proceeding to new stations during their joining time and occupying the Government residential buildings attached to such posts, if vacant earliar that actually taking over charge of the new posts, for the period of such occupation during joining time.

## FUNDAMENTAL RULE-A. V.

V. In special circumstances, for reasons which should be recorded, Government—

(*a*) may, by general or special order, grant rent free accommodation to any officer or class of officers; or

(*b*) may, by special order, waive or reduce the amount of rent to be recovered from any officer; or

(*c*) may by general or special order, waive or reduce the amount of municipal and other taxes, not being in the nature of house or property tax, to be recovered from any officer or class of officers.

NOTE 1—A sanction accorded under clause V (a) of F. R. 45-A will not exempt the occupant from liability for payment of rent for water supply sanitary and electric installations and fittings which will be charged on the basis of 7 per cent on their capital cost except in the case of the following officers who have been exempted from the payment of such rent.—

(*a*) Government servants drawing a pay of less than Rs. 90 a month.

(*b*) Nursing staff, House-surgeons and House Physicians in Hospital.

*Explanation*

The term "Nursing Staff" shsell include matrons, ward sisters, staff nurses, pupil nurses, midwives, house-keepers, Government stipended pupil, midwives trained in English or in the languages of the State, female nursing orderlies and female attendants in mental hospitals, when they are provided with rent free quarters.

(*c*) To the staff of the Raj Bhavans establishment

(*d*) Assistant Sub-Inspectors, Reserve Assistant Sub-Inspectors, Head Constables and Police Constables drawing a pay of Rs. 70 and above.

(*e*) All members of the Tamil Nadu Fire Subordinate Service below the category of sub officers.

NOTE 2 –In the case of Buildings, rented by Government rent for water supply, sanitary and electric installations should be based on the cost of the installations as estimated by the Public Works Department officers.

The orders in sub-paragraph (1) above shall apply also to private buildings taken on the rent by Government servants of other departments who are in receipt of house-rent allowance in lieu of free quarters.

In the case of Police officers in the Madras City who occupy buildings rented by the Government and who are in receipt of house rent allowance in lieu of free quarters rent for water supply and electric installations shall be recovered at the following rates:—

| | | *Rent for water supply installation.* | *Rent for electric installations.* |
|---|---|---|---|
| 1. | Inspectors and Reserve Inspectors (Sergeants Major). | Rs. 2·00 per mensem. | Rs. 2·50 per mensem. |
| 2. | Sub-Inspectors and Sergeants. | Re. 1·00 per mensem. | Rs. 1·50 per mensem. |
| 3. | Special Branch Clerks (including Manager, Assistant Manager, Special Branch Clerks, Special Branch Clerks working in 'X' Branch CID, Assistant Manager and Clerks in the intelligence section, Madras) and CID Photographers. | | Rs. 4·00 per mensem. (Rent for both water supply and electric installations). |

The rates indicated against items (1) and (2) above shall apply to the rooms taken in the hotels also.

The above rates shall apply also to buildings taken on rent by Police officers themselves.

The above rates apply to inspectors, Reserve Inspectors, Sub-Inspectors and Reserve Sub-Inspectors in the districts also.

In the case of the officers of the Fire Service, 'X' Branch who are in receipt of house rent allowance in lieu of rent free quarters, rent for water supply and electric installations shall be recovered at the rates shown below:—

| *Rank of the officers in the Fire Service Branch.* | *Rent at flat rate to be recovered for month.* | |
|---|---|---|
| | *For water supply installation.* | *For electric installation.* |
| (1) | (2) | (3) |
| | Rs. P. | Rs. P. |
| 1. Station Officer (including Engineering Station Officer). | 1 00 | 1 25 |
| 2. Sub-Officer (including Engineer Sub-Officer). | 0 50 | 0 75 |

The rates specified above will apply both in the case of private buildings rented by the Government for the Fire Service Officer as well as buildings rented by the Fire Service Officers themselves.

In the case of Ministerial staff of the Special Branch, C.I.D, Madras (viz. Manager, Assistant Manager and Clerks) and the Photographer attached to the C.I.D., Madras, who are occupying Government quarters or private buildings either rented by the Government for occupations by the staff or rented by the staff themselves, rent for water supply and electric installation shall be recovered at the rate of Rs. 2 per mensem each.

*Instructions under rule 45-A. V*

Exemptions from payment of rent may be sanctioned with the previous approval of Government, when a building is rendered uninhabitable by reason of extensive repairs or for any other cause and is so certified by the Executive Engineer. The latter should forward his certificate to the Superintending Engineer who will report to Government whether partial or total remission of rent should be allowed and for what period.

When only a portion of a Government residence becomes uninhabitable, the occupant will be allowed the benefit of remission of rent, only if the standard of the building excluding the proportionate rent of the portion rendered uninhabitable falls below 10 per cent of the occupant's emoluments.

Inconvenience caused by petty or ordinary annual repairs is insufficient to warrant a remission of rent.

The total amount of rent and service taxes recoverable from any Government servant in respect of a Government residential building owned by Government shall not exceed 10 per cent of his emoluments Government servants entitled to rent free quarters will be exempted from the payment of service taxes. The concessional rates of rent fixed for certain Government servants under clause VII (2) of the Tamil Nadu Manual of Special Pay and Allowances Part I, shall be treated as the limits in force for the total of rent and service taxes, i.e. service taxes shall not be recovered from the occupant in addition to the rent at the concessional rate.

NOTE 1.—Heads of departments may sanction remission of rent under the above instructions up to a limit of Rs. 100 in each case.

NOTE 2.—A Government servant provided with free quarters may continue to occupy them free of rent when he proceeds on leave for a period not exceeding four months, or 120 days as the case may be provided no substitute is appointed in his place or if a substitute is appointed in his place, quarters are available for the substitute without any extra expense to Government. But the members of the Tamil Nadu Police Subordinate Service and the Tamil Nadu Fire Subordinate Service and who are entitled to rent free quarters as a condition of their service shall be allowed rent free quarters or house rent allowance in lieu thereof, during leave period not exceeding six months or 180 days as the case may be, irrespective of the fact whether substitute are posted in their place and extra expense is involved. If the leave is extended beyond the six months or 180 days limit, rent free occupation of the quarters must cease.

NOTE 3.—A permanent incumbent may, during absence on leave or on duty elsewhere, be permitted by the Superintending Engineer to store at his own risk, free of rent, his furniture and other belongings in his residence when both the condition specified below are fulfilled.—

(1) The temporary incumbent does not require the residence and is exempted from the payment of rent for it; and

(2) arrangements cannot be made to lease the house during the absence of the permanent incumbent.

The concession of storage of furniture and other belongings under this note, free of rent, is subject to the conditions that, if a claim for vacancy remission of property tax becomes in admissible consequent on such storage, an amount equal to the vacancy remission on tax that would otherwise have accrued is recovered from the Government servant concerned.

NOTE 4.—The consent of the Finance Department may be presumed to have been given to all sanctions accorded by Government under this instructions.

VI. If a residence is supplied with services other than water supply, sanitary or electric installations and fittings such as furniture, tennis court, or garden maintained at the cost of Government, rent shall be charged for these in addition to the rent payable under clause IV. The tenant will also be required to pay the cost of the water, electric energy, etc. consumed. The rules, prescribing as to how the additional rent and charges shall be determined and how the remission on reduction of the additional rent or charge in special circumstances shall be authorised, are given in the instructions below.

NOTE:—The value of the site should be excluded in calculating the additional rent to be charged for special services under this rule which involve the provision of additional site.

*Instructions.*

I. If in any case furniture is supplied to a residential building, a rent of 15 per cent per annum should be recovered on its capital cost.

*Exception* (1).

No rent shall be charged on the furniture supplied to the quarters and buildings attached to the Raj Bhavans at Madras and Udagamandalam.

(1) Clerk's and Bandmen's quarters—Madras and Udagamandalam.

(2) Quarters of the Manager, Office of the Private Secretary to the Governor Tamil Nadu—Guindy and Udagamandalam.

(3) The servant's lines (218 servant's godowns) CID Inspector's quarter's superior servant's quarter's and the hospital and dispensary attached to the Government House—Ootacamund.

*Exception* (2).

A rent of 7 per cent only will be charged on the furniture supplied already to the following quarters:—

| | | |
|---|---|---|
| 1. | Secretariat Clerks Quarters | At Udagamandalam |
| 2. | Non-Secretariat Clerks Quarters | |
| 3. | Surplus Secretariat Quarters | |
| 4. | Connemara Cottage, converted into Quarters for under Secretary, Public Department. | |
| 5. | Press Manager's Quarters | |
| 6. | Press Servants' Lines, 12 Quarters occupied by binders, copy-holders, etc. | |
| 7. | Pressmen Block I to XIV | |
| 8. | European Warder's cottage or eight clerk's quarters occupied by the Staff of the Head Quarters Hospital. | |
| 9. | Quarters of the Assistant Superintendent, Lady Willington Medical School, Madras. | |

Rent for additional furniture supplied to the above mentioned quarters either for the first time or in replacement of an old one shall be charged at 15 per cent.

2. State expenditure on the addition of tennis-courts, gardens, ball-rooms, floors, etc. should as a rule be limited to the residence of the Governor. The addition of cowsheds, fowl houses, etc. to Government residences should be very rare and they should not be provided without the special sanction of Government in each case. When such amenities are supplied, additional rent will be charged on the outlay thereon at 6 per cent of the capital cost independently of the rent of the residence.

3. The charges for current or for excess water consumption should be paid by the tenant unless specifically exempted under the above rule.

NOTE.—A sanction accorded under rule 5 under rule 45 will be held to exempt an officer from the liability for the charges mentioned in rule 45-A-VI also.

4. In the case of Government buildings providing combined office and residential accommodation, the charges on account of excess water should be borne by Government and the tenants in the proportion of the excess water actually consumed. Separate meters should be supplied to the residential and non-residential portion for this purpose.

VII. The Government may, by rule, prescribe that this rule shall apply to any Government servant or class of Government servants other than those mentioned in this rule.

VIII. Nothing contained in this rule shall so operate as to require payment of rent for the occupation of residences supplied by Government by those servants who have been specially exempted from such payments or to affect the amount of rent or charges payable by these servants in whose case the amount so payable is prescribed by Government.

*Rulings.*

1. Proviso (i) obviously does not more than supplement clause (*b*) by setting the manner in which the present value is to be determined in cases in which the factors specified in clause (a) are not known. Proviso (iii) which, unlike proviso (i), is a true proviso, the operation of the substantive part of the rule by empowering Government to substitute for the capital cost determined in accordance with clause (a) in a case where the factors specified in that clause are known, a new capital cost represented by the present value calculated in accordance with the rules made under proviso (i) for the primary purpose of determining the present value in cases to which clause (b) is applicable.

2. For the purposes of this rule the word emoluments' does not include pension drawn from sources other than the consolidated fund.

*Concession to low paid to Government Servants*

3. The concessional rates of rent prescribed in category (2) under clause VII Housing, Appendix I of the Manual of Special Pay and Allowance, volume II, apply to all Government Servants on duty whose average pay is less than Rs. 90 per mensem to whom quarters have been assigned by a general or special order, but when a Government servant is permitted to occupy Government quarters during leave rent should be recovered from him, at the rate at which he is allowed to pay while on duty i. e. at the concessional rate for those whose average pay is less then Rs. 90 per mensem.

*Continuance of rent free concession during leave.*

4. It will be for the authority granting the leave to decide in each case whether the concession contemplated in Note 2 to the instructions under rule 45-A-V may be granted or not. A subordinate who is granted leave for a period exceeding six months or 180 days in the first instance is ineligible for the concession.

NOTE.—On the analogy of the principle laid down in Note 2 to the instructions under Rule 45-A-V, occupation of Government quarters free of rent or house rent in lieu of free quarters is admissible during the first six months or 180 days of leave regardless of the nature of the leave taken and irrespective of whether the leave was sanctioned in one spell or different spells provided that no substitute is appointed in the place of the absentee or if a substitute is appointed quarters are available for the substitute without any extra expense to Government.

Provided that the members of the Tamil Nadu Police Subordinate Service and the Tamil Nadu Fire Subordinate Service who are entitled to rent free quarters as a condition of their service shall be allowed rent-free quarters or house-rent allowance in lieu thereof during leave period not exceeding six months or 180 days, as the case may be, irrespective of the fact whether substitutes are posted in their place and extra expense is involved.

5. The concession in Note 2 to the instructions under rule 45-A-V is not applicable to a Government servant who is absent from the station on tour or who is permitted to spend part of the summer at some hill station. In these circumstances the officer is still responsible for the full rent of the house.

This rule applies to all Government servants under administrative control of Government

*Recovery of rent from Madras City Police Subordinates who are eligible for the concession of free quarters.*

6. When subordinates of Madras City Police overstay their leave by short period and thereby exceed the limit of four months for which alone they are eligible for the concession of free quarters, rent for the period overstayed should be recovered. In the case of Government quarters the full standard rent should be levied whereas in the case of a hired house, rent charged should be

the hire paid for the house, together with the difference which the Government may have to pay in hiring a house for the substitute at a higher rate. Individual cases in which the application of this rule will cause hardship may be referred to Government for ordes.

7. Not only individuals but also a class of Government Servants can be dealt with under clause V (b) of rule 45-A.

*Rent free concession to House Surgeons and House Physicians.*

8. Unpaid House Surgeons and House Physicians employed in Government hospitals also fall under item 52 of the list of Government Servants entitled to rent free quarters given under Class VII-Housing-in-Appendix I of the Tamil Nadu Manual of Special Pay and Allowances, Volume II, but not honorary Medical Officers appointed in pursuance of the scheme of re-organisation of the Tamil Nadu Medical Services set out in G. O. Ms. No. 3600, Public Health, dated the 23rd December 1937.

9. Government have ordered that the tap rate fees levied by a Municipality for consumption of water should be borne by the tenants of Government residences under instructions rule 3 under rule 45-A-VI.

10. The occupants of the residential quarters in the following farms of the Animal Husbandry, Departments shall pay rent at concessional rate of five per cent of the emoluments instead of ten per cent subject to foregoing house rent allowance:—

(1) District Livestock Farm, Chettinad.
(2) District Livestock Farm, Orathanad.
(3) District Livestock Farm, Udhagamandalam.
(4) District Livestock Farm, Hosur.
(5) Salvage of Dry Cows Farm, Alamadhi (New quarters)
(6) District Livestock Farm, Tirunelveli.
(7) Sheep Breeding Research Station, Chinnasalem.
(8) District Livestock Farm, Pudukkottai.
(9) Sheep Farm, Kattupakkam.
(10) Poultry Farm, Kattupakkam.
(11) Livestock Farm, Korukkai.
(12) Institute of Veterinary Preventive Medicine, Ranipet

The amendment hereby shall be deemed to have come into force on the 22nd December 1975 in respect of item (11) and on the 1st April 1976 in respect of item (12)

(G. O. Ms. No. 1106 Finance (F. R. I.) dated 2nd November 1976)

(G. O. Ms. No. 1256 Finance (F. R. I) dated 24th September 1974.)

45-B. Omitted.

45-C. For the purpose of rules 45-A "emoluments" means--

(i) Pay.

(ii) Personal Pay.

(iii) Special Pay.

(iv) Omitted.

(v) Pension other than a pension drawn under the provisions of Chapter XXXVIII, Civil Service Regulations or compensation received under the Workmen's Compensation Act, 1923 as subsequently amended.

(vi) In the case of a Government Servant under suspension and in receipt of a subsistence grant the amount of the subsistance grant provided that, if such Government Servant is subsequently allowed to draw pay for the period of suspension the difference between the rent recovered on the basis of the subsistence grant and the rent due on the basis of the emoluments ultimately drawn shall be recovered from him.

It does not include allowances attached to the Victoria Cross, the Military Cross, the King's Police Medal, the Indian Police Medal, the order of British India or the Indian order of Merit.

NOTE 1.—The emoluments of a Government servant paid at piece work rates shall be the total emoluments actually earned by Government servant during the calendar month.

NOTE 2.—The emoluments of an officer on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.

NOTE 3.—In cases in which a portion of the pension has been commuted, the term 'Pension' occuring in the rules means the full sanctioned pension prior to commutation.

NOTE 4.—The amount of pension to be taken into account will be the amount originally sanctioned that is before commutation, if any and will also include the pension equivalent of death-cum-retirement gratuity and other forms of retirement benefits, if any etc. e. g. Government's contribution to a contributory Provident Fund, commuted, value of pension etc.

*Rulings.*

*Remuneration drawn by Veterinary Assistant Surgeons from Municipal Funds for meat inspection work,*

(i) The remuneration upto a maximum of Rs. 15, per mensem permitted to be drawn by the Veterinary Assistant Surgeons from Municipal funds for meat inspection work need not be taken into account as fixed addition to pay with reference to clause (ii) of rule 45-C in calculating the rent recoverable from the Assistant Surgeons for the Government Quarters occupied by them.

*Recovery of rent from a Government Servant under suspension who is subsequently reinstated.*

In the matter of calculation of emoluments under rule 45-C for the purposes of recovery of rent. a suspended Government Servent who is treated as on leave (either on average pay or on half average pay) subsequently reinstated and whose period of suspension is treated as leave (either on average pay or on

half average pay) should not be treated differently from a Government Servant who goes on leave in the usual course. Such cases should accordingly be dealt with under note 2 below rule 45C and note under clause (VI) under that rule.

2. "Dearness Pay" granted under rule 8 (v) of the Tamil Nadu Revised Scale of Pay Rules 1960 shall be treated as pay under clause (1) of rule 45C".

C.—Construction—Acquisition or Leasing of Residences for Government Officials.—I General.

264. Residences may be leased, built or purchased by Government.—

(i) When it is the recognized duty or established custom of the Government to provide quarters at Government expense.

(ii) When it is necessary on public grounds, for the officer to reside on or close to, the premises in which his duties have to be performed, such as jail, a police station, a school, a factory etc.,

(iii) When it is necessary to provide residences in parts of the country where no civil station or cantonment exsits, and where a lengthened term of residence would render camp accommodation unsuitable e. g. buildings along lines or roads or canals, for the housing of officials employed on their construction or maintenance.

(iv) When it is shown to the satisfaction of Government that suitable house accommodation for officers whose appointments are permanent in respect of locality is not available in a civil station or cantonment already in existence, or is available only under circumstances which will be likely to place such officers in an undesirable position in relation to house proprietors.

265. Before submitting a proposal to Government for the construction of a residence for a Government Official, the department concerned should consider whether the requisite accommodation cannot be more conveniently provided by taking an existing building on lease with the sanction of Government. Every such proposal for the leasing of such buildings should show clearly.—

(i) The sum payable annually to the lessor.

(ii) Whether all repairs will be executed by the lessor and if not.

(iii) the estimated anuual charges for maintenance and repairs if they are to be executed by the Government.

(iv) in cases in which Government is liable to pay the Municipal taxes, the amount of such taxes.

(v) the standard rent of the residence under F. R. 45-A-III; and

(vi) the average emoluments of the officer for whom the residence is proposed and the maximum rent recoverable from him.

The proposals should show distinctly that the scale of accommodation is not in excess of that which is appropriate to the status of the officer.

The lease should ordinarily provide that the lessor will execute all structural repairs before the building is occupied and will carryout all necessary additions, alterations and repairs.

266. All proposals to Government to construct or purchase a residential building for a Government servant when it is not possible to take an existing building on lease under the conditions of paragraph 265 should contain full information on the following points:—

(i) that the conditions of F. R. 45-A-IV (a) will be fulfilled;

(ii) the probable capital cost, the average annual cos of maintenance including taxes and the standard rent under F. R. 45A-III.

(iii) the average emoluments of the officer for whom the uarters are constructed.

267. As a rule no proposal should be made for the supply of accommodation in excess of scale approprite to the status of the occupant. Subject to this main principle, every proposal should as for as possible be so formulated that the standard rent does not exceed the maximum rent ordinarily recoverable from the occupant under the fundamental rules.

*II. Classification of residential buildings.*

268. For the purposes of the foregoing rules Government residential buildings will be divided into two classes.—

Class I—Buildings which will ordinarily be occupied by officers liable to pay the full standard rent subject to the limit of 10 per cent of their emoluments (see F. R. 45-A-IV.(b).

Class II.—Buildings from which recovery of the full standard rent is not expected, i.e. buildings which will ordinarily be occupied by officials who are entitled to accommodation rent free or at rates reduced under F. R. 45-A-V.

NOTE 1.—The fact that a building of class-I is occassionaly occupied by tenant who is entitled to accommodation rent-free, or at a reduced rent, will not justify its removal from Class I to Class II, and vice versa a building in Class II should not be transferred to class I. whenever it is occupied by a tenant who may be required to pay rent in accordance with the rules. Buildings should be transferred from one class to the other only when there is a permanent change in the conditions under which they will ordinarily be rented. Transfers should be made only under the orders of Government and should have effect in all cases from the commencement of a financial year.

NOTE 2.—Buildings for which rent is recovered for a season only, such as those meant for the migratory staff of Government should be shown under class I if they are allotted to Officers liable to pay the full standard rent (limited to 10 per cent of their emoluments). Such buildings may, however, be exhibited under a separate group of that class.

269. All buildings of class I may be kept on a single list for the purpose of this rule, or there may be separate lists for each circle of superintendence, as may be more convenient. Seperate lists are not required for buildings the rent proceeds of which are creditable to different services.

*D—Miscellaneous*

270. Procedure in the case of application for reduction of rent.—All applications for sanction to reduce the rents of Government buildings occupied as residences below the amounts which should be charged under the foregoing rules must be accompained by a tabular form in which should be shown the undermentioned particulars:—

(1) Value of building and site.

(2) Average annual charges for maintenance (a) Special and (b) ordinary.

(3) Rent assessed according to rules.

(4) Proportion of total area occupied by office (if any)

(5) Deduction on account of office rent (if any)

(6) Rent that would be payable by occupant.

(7) Rent that is proposed.

(8) Average emoluments of occupant

(9) Market rate for similar accommodation in the same station (to be given as far as practicable).

(10) Average rent chargeable under these rules for other Government buildings, with as nearly as may be, similar accommodation (to be given as far as practicable).

271. In all cases in which it is proposed to exempt an officer from the payment of rent, the undermentioned particulars should invariably accompany the application:—

(a) Actual or estimated value of the house and site.

(b) Rent chargeable under the rules.

(c) Emoluments of the official recommeded for the grant of free quarters.

(d) Date from which it is proposed to grant the privilege of free quarters

(e) Specific grounds on which the concession is recommended.

NOTE.—When a well in a Government residential building is dry or otherwise unfit for use, for a continuous period of not less than two months, the standard rent of the residence should be reduced with the sanction of Government, by an amount equal to the rent on the capital cost of the well

(if such cost is included in the capital cost of the building) for the period for which the well is dry or otherwise unfit for use. The occupant of the residence should pay either the reduced standard rent or 10 percent of his emoluments, whichever is less, for such periods.

272. Whenever a house is occupied free of rent, or at a reduced rent, by any Government official, the authority under which the exemption or reduction is made should in every case, be communicated to the Accountant General in order that he may enter it in the capital and Revenue Accounts of quarters.

273. Periodical review of concessions.—In cases in which the grant of free quarters or of quarters at reduced rent has been sanctioned. Heads of Departments and the Chief Engineer may, should such concession appear to them for any reason to be no longer necessary, review such cases and recommend to Government the withdrawal of the concessions accompanied by data statement for sanction to the recovery of rent.

274. The practice of allowing public officer and others to occupy Government buildings rent free on condition of keeping them in repair, is prohibited. A rent fixed with the reference to the value of the property should, in all cases, be demanded and the repairs should be executed through the agency of the Public Works Department.

275. *Rent recoverable from private persons*—

When any Government building is, under proper authority let to a private person, rent should be regularly recovered for the same at the rates prevailing in the locality for similar accommodation belonging to private owners; but without special permission of Government, the rents charged for the buildings thus let, in any stations, should not be less than the rent calculated by taking into account 7 per cent for interest on the capital cost of the building comprising of.

(i) Replacement cost of the building, that is the present value of the building including sanitary water supply and electric installations and fittings in the building, plus.

Current value of land.

(ii) (a) Market value of land be taken into account subject to the condition that the maximum extent of land should be restricted to 1½ times the built up area or the actual extent, the built up area whichever is less.

(b) Where more than one building has been put up in the same compound the available land shall be divided by the number of separate buildings and adopted for calculation subject to the maximum of 1½ times of the built up area.

(c) The current market value of land be fixed in consultation with the Revenue Department (not below the rank of Tahsildar).

Municipal or panchayat taxes, if any should be paid by the occupant direct to the authorities concerned.

NOTE 1.—The value of the site occupied by the Residential Buildings and vacant space around the building and within the compound wall or the barbed wire fencing shall be taken into account while arriving at the capital cost.

NOTE 2.—The Chief Engineer, is authorised to sanction renewal of leases of Government buildings let to private persons on the terms originally sanctioned by Government in cases where the rent does not exceed Rs. 200 per mensem.

NOTE 3.—In the case of Government buildings let out to private party or institution for which rent is recovered according to the above para a review shall be made by the Executive Engineer, PWD concerned once in 3 years and necessary charges in the rates effected based on the prevailing market rate of rents in the locality, where the buildings are situated.

NOTE 4.—" The period of lease in respect of Government Buildings given for commercial and other purposes at market rates of lease rent shall be restricted to a period not exceeding three years only".

275-A. In respect of Institutions/Associations engaged in recreational/Social Welfare activities to collect only a concessional rate of lease rent which could be just sufficient to defray the cost of annual maintenance expenses, like colour washing, white washing minor repairs etc.

Nominal (concessional) lease rent, which would cover the maintenance charges of the Government buildings be collected for the Government buildings occupied by the following Associations/Institutions:--

(i) Service Associations.

(ii) Recreation clubs run by Government Servants.

(iii) Social Welfare Organisations.

(iv) Canteen run by physically handicapped persons in Government Buildings.

(v) Kiosks put up by the National Association of Educated Self Employed Youths (NAESEY)

Market rate of lease rent be collected for the Government buildings occupied by the following:—

(i) Co-operative Stores and Socieites;

(ii) Canteens run by for the benefit of Government Servants.

(iii) Canteens run for the benefit of students in College/School Buildings.

(iv) Other Organisations run on commercial lines.

276. Improvements to residential buildings.—When estimates for improvements and additions to residential buildings are submitted for the sanction of the competent authority information as to.—

(*a*) the present capital cost of the site and building separtely;

(*b*) the standard rent of the quarters;

(*c*) the probable revised standard rent after completion of the works; and

(*d*) the probable actual rent likely to be recovered should be furnished along with the proposals.

277. Additions and improvements to buildings for which special reduced rents have been sanctioned by Government.—Proposals for additions and improvements to buildings for which special reduced rents have been sanctioned byGovernment under F.R.45-A-V (b) should be jealously scrutinised. Adequate additional rent in proportion to the further capital expenditure should, as a rule be recovered in all cases in which the reduced rent was fixed in consideration of certain defects as it would not be correct to reduce the rent of a house on account of defects and then to improve it without increasing the rent.

278. Liability to rent for new buildings and for additions and alterations.—(*a*) The Executive Engineer should fix under the provisions of F.R. 45-A-III (b) with reference to special orders, if any, passed by Government the approximate rate of rent to be recovered and should give notice thereof to the officer for whom the building is intended, one month in advance of its probable date of completion. Immediately the building is fit for occupation, the Executive Engineer or the Subdivisional Officer concerned should intimate the fact of its completion to the officer concerned. The liability to rent commences from a date one week after the date of receipt of the intimation by the officer and the rent should be recovered in accordance with rules, whether the building has been occupied within that time or not. The rent so fixed will be subject to adjustment later, should the rent finally sanctioned by the competent authority under F.R. 45-A-III (b) differ from that decided upon by the Executive Engineer.

(*b*) In the case of additions and alterations to a residential building which necessitate a revision of rent, the Executive Engineer will fix, in the first instance, the revised rate of rent to be recovered, subject to modification and the necessary adjustment after sanction of data statements by the competent authority, and will give notice thereof to the tenant within ten days after the completion of additions and alterations. The revised rate will have effect from the date of completion of the work.

(*c*) Revised data statement should be submitted to the competent authority immediately after the completion of each work involving an increase to the capital cost of the building without waiting for the completion of works subsequently sanctioned.

NOTE 1.—Superintending Engineers are empowered to approve finally, on the certificate of the Audit Officer of data state ments for calculating the standard rents of Goverment residential buildings except those which fall under F.R, 45-A-II (b) (v) (1) and (2) vide paragraph 263 provided the standard rent is fixed strictly in accordance with the instructions in F.R. 45-A-III (a) (b) and (c) and the subsidiary rules thereunder. Data statements in which the audit officer differs from the Superintending Engineer should be submitted to Government for orders.

NOTE 2.— Superintending Engineers are also empowered to approve finally, on the certificate of the Audit Officer of data statements for calculating the standard rents of Government residential buildings, the capital cost of which is not known. Standard rent will be calculated in the above cases by the Superintending Engineers as follows:—

When the value of the building is not known, the present value shall be assessed and rent at 7 per cent per annum of such value shall be calculated in accordance with the rules in F.R. 45-A-III (b).

279. Residences of the Governor—The sanctioned residences of the Governor will be occupied free of rent.

280. Damage to residential buildings by tenants.—Every officer for whom a Government residence has been provided is bound to leave it in a fit, state for occupation by his successor, and will be required to pay the cost of any special painting, white washing, cleaning or other repairs which may be rendered necessary by any improper use of the building. In order to give effect to this rule and to see that the quarters have been handedover for occupation in thoroughly good order, the Executive Engineer or the Subdivisional Officer should arrange to have each residential building inspected immediately after it is vacated. The incoming tenant will also be responsible for bringing to the notice of the Executive Engineer any special damage at the time he enters the building.

NOTE 1.— The intention of the rule is that, while repair occasioned by natural wear and tear should be carriedout at Government cost, damage to Government property which can be proved to be due to culpable carelessness on the part of tenants should be charged to them.

NOTE 2.— A notice to the above effect should be issued to occupants before they occupy their allotted quarters.

NOTE 3.— A list of fixtures in each residential building shall be maintained by Section Officer and in Subdivision and Division, Officers and a copy of it shall be hung in each building whenever a change in occupancy of a building occurs the outgoing officer should obtain from the incoming officer a receipt for the fixtures handedover and forward it to the P.W.Ds Section Officer in-charge of the building. If the building on

being vacated by one officer is not occupied immediately by another the outgoing tenant on vacating the building should obtain a certificate from the P.W.D. Section Officer that all the fixtures noted in the list are present and in good order and when the building is reoccupied, the Section Officer should obtain from the new tenant a receipt for the fixtures. If any of the fixtures are left in a damaged condition, the Section Officer should immediately report the fact through the Subdivisional Officer to the Executive Engineer who will recover the cost ofl the damaged articles from the outgoing tenant.

281. Use of vacant residential buildings as rest houses.—Vacant Government residential buildings should not be allowed to be used as rest houses, but officers on tour may be allowed to occupy temporarily such buildings with the previous permission of the Executive Engineer subject to the payment of rent at the rate of 0.50 paise a day in the case of officer under A and B group and 0.25 paise a day in the case of officers under C and D group for an occupation of twenty-four hours or a fraction thereof such occupation should not, however, be permitted of buildings which would otherwise be eligible for vacancy remission of tax under the provisions of the Tamil Nadu District Municipalities Act or the Tamil Nadu Panchayats Act, 1958, unless the rent payable is sufficient to cover the loss of he vacancy remission.

NOTE.—Officers on tour may also be permitted to occupy temporarily non-residential Government buildings partially or wholly vacant subject to the same conditions and rate of rent as in this paragraph.

282. *Care of vacant buildings.*–If an officer for whom a Goverment residence is provided with or without rent is allowed for his own convenience to reside elsewhere, he is expected to engage a watch man to take care of the building. Until a private watchman is employed, the public works department will employ one and recover the cost from the tenant, when however, a residence remains un-occupied not purely on account of personal reasons but because the post to which the residence is attached is vacant or its incumbent is exempted both from occupying it and from the liability to rent in the circumstances described in subsidiary Rule 5 to F.R. 45 the following arrangements should be made:—

(1) If the quarters are expected to be vacant for more than one month or less the officer on the spot discharging the duties of the permanent officer for whom the quarters were intended should arrange to depute a basic servant or other menials to look after the vacant building and garden attached to it.

(2) If the quarters are expected to be vacant for more than one month the department in-charge of the building will employ a watchman, at the cost of Government to look after the building as well as the garden.

NOTE 1.— The Executive Engineer is authorised to sanction the entertainment of a watchman or caretaker in the case of Government residences in his charge at minimum time scale of pay applicable.

NOTE 2.— A watchman employed for a vacant residential building need not be discharged when the building is temporarily used as rest house for touring officers for not more than 15 days vide also paragraph 281.

## E—UPKEEP OF THE COMPOUNDS ATTACHED TO PUBLIC BUILDINGS.

283. To ensure the proper upkeep of the compound attached to Government buildings including residences incharge of the P.W.D. the following rules should be observed:—

(1) The occupant of a Government building or residence shall be responsible for the proper care and upkeep of the trees, shrubs and hedges in the compound and will also see that the compound is kept in proper order.

(2) No tree or main branch of a tree shall be cut without the Executive Engineer's concurrence.

(3) The ground of the compound shall not, without the concurrence of the Executive Engineer, be broken for any purpose except that of 'gardening' in the ordinary sense of the word, and this sense shall not include the digging of pits, ponds or wells for watering purposes.

(4) Bushes and shrubs planted in the ground are the property of the Gnvernment and may not be cut down or removed from the compound without the concurrence of the Executive Engineer, but his concurrence shall not be required for such cutting down, uprooting or trimming of any bush or shrub or lopping of any tree as may be necessary for the proper maintenance of the garden.

(5). (*a*) the Executive Engineer will report to the Superintending Engineer any breach of the above rules which may come to his notice;

(*b*) the compound of jails and mental hospitals will be in sole charge of the Superintendents;

(*c*) these rules do not apply to the compounds of the three Government Houses.

284. Tenants of rented or rent-free residences may be allowed the enjoyment of the usufruct of trees, provided the compounds are maintained at their cost and the pay of the gardeners and all garden expenses are borne by them.

An officer occupying Government quarters has no right to the trees or branches blown down by the cyclone, as the term 'usufruct' is not meant to include them.

## F—GOVERNMENT TRAVELLERS BUNGALOWS.

285. All Government Travellers Bungalows are in-charge of the P. W. D· but Collectors will control the use of them in all cases except those for which officers of the P. W. D. have a preferential right of occuption such as Government Travellers Bungalows near anicut systems, etc. In the latter case the Collector's control will be exercised in consultation with the Superintending Engineer.

286. All Government Travellers Bungalows have been classified into two class, first and second according to the scale of accommodation, furniture and other conveniences. Those which are having the following amenities come under the Class I:—

(*a*) First Class construction with R. C. C. roof or Mangalore tiled roof over flat tiles.

(*b*) Rooms of size not less than 144 Sq. ft.(13.40 Sq. m.) each.

(*c*) Cot with mattresses, bedspreads and mosquito nets.

(*d*) Running water supply.

(*e*) Electric lights and fans.

(*f*) Modern sanitary facilities.

Others will come under Class II.

The rules regarding the condition of occupation, rent, etc., will be found in Appendix VI.

287. Every Executive Engineer should keep a register of Government Travellers Bungalows in his charge for each class.

## G. RYOTS' SHEDS

288. Proposals for the construction of ryots' sheds, should be submitted to Government for sanction.

## H. HOSTELS

289. The hostels attached to Schools and Colleges do not com under the class of residences for Government officials but they should be shown in the monthly return of residential buildings for purposes of watching the recovery of rents therefor. They should be treated as non-residential buildings for the purpose of determining the authority competent to accord administrative approval to additions and improvements thereto.

289-A: The estimates sent to Government for Building works excepting Womens' College, Women's Hostels and Jails, Borstal Schools, Maternity Hospitals and Institutions, specially intended for Women, should not include specific provision for construction of compound wall or wire fencing or both and the approval of the Government should be obtained seperately, for such construction. In respect of the above excepted categories of buildings, the Government will, before approving the main estimates consider in the initial stage itself, the necessity for the compound wall or wire fencing or both, taking into account, the factors like the location of the building, the extent of the proximity of the building to the developed areas etc., and the work for such construction should be taken up after the construction of the main building is over.

# CHAPTER IV

## MISCELLANEOUS RULES REGARDING OFFICE WORKS EXCLUDING ACCOUNTS PROCEDURE.

### A.—INITIAL RECORDS OF ACCOUNTS.

290. The initial records upon which the accounts of works are based are:—

(*a*) The Muster Roll (Form PWA XV-A and XV-B)

(*b*) The Casual Labour Roll (Form PWA XVI)

(*c*) The Measurement book (common Form No. 138)

For work done by daily labour the subordinate in charge of the work will prepare a muster or casual labour roll recording thereon when practicable the work done and the amount payabler. For piece work and for contract work generally, the measurement book will form the basis of account. From the muster rolls the subordinate will prepare the labour reports and from the measurement book he will check (or, if so arranged, prepare) the bills and accounts of contractors and suppliers.

NOTE.—"In the case of 'Stock' maintained, according to the 'Bin Card System' the goods received sheet will be the initial record vide also paragraph 186-A to 186-D of the Tamil Nadu Public Works Account Code."

### I—MUSTER ROLES.

291. The nominal muster roll Form No. PWA XV-A and XV-B or the casual labour roll, Form PWA-XVI is the initial record of the labour employed each day on a work, and must be written up daily by the subordinate deputed for the purpose. (See also paragraphs 290 and 291 of Tamil Nadu Public Works Account Code.)

### II.—MEASUREMENT BOOKS.

292. The measurement book, Common Form 138, is a most important record since it is the basis of all accounts of quantities whether of a work done by daily labour, piece work, schedule contract, deviations in a lump-sum contract, or of materials received. It is the original record of actual measurement or account. The

descriptions must be lucid so as to admit of easy identification and check. A reliable record is the object to be aimed at as it may have to be produced as evidence in a Court of Law. Rules regarding the maintenance of measurement books and the manner of making entries therein are found in the Tamil Nadu Public Works Account Code, Paragraphs 293 and 294.

NOTE.—Whenever measurement books change hands, even if it is only from one office to another situated in the same building, the receipts of the books should be acknowledged in writting by some responsible person of a grade not inferior to that of a Junior Assistant.

NOTE 2.—In the case of job works executed by piece workers in the Public Works Department Workshops at Madras, where piece workers are given the works for the amount of labour estimated for in the work order estimates and agreed to by the piece workers in the form of agreement printed in the work order form (P. W. D. IV-16), there is no need to record in a measurement book any measurement of the works done or the lump sum payments made against the agreed amounts. In cases however, where the job work is entrusted to the piece worker subject to payment to him at a rate agreed to with reference to weight or area of out-turn, it is necessary to record detailed measurements of job works in a measurement book to serve as a basis for making payment to the piece worker.

293. The conditions under which payments may be made wit out detailed measurements are given in paragraph 313 of the Tamil Nadu Public Works Account Code.

294. Subdivisional Officers are expected to check the calculations, etc., recorded in measurement books as laid down in paragraph 306 of the Tamil Nadu Public Works Account Code and to check measurement works as laid down in paragraph 297 Tamil Nadu Public Works Account Code. Executive Engineer will check measure the work done on not less than 24 of their important works in each year. The items in the measurement books actually check measured should, as a rule, be initialed by the Checking Officer.

295. A register of check measurements should be maintained in each division showing all check measurements made by the Divisional Officer and this register should be available for inspection by the Audit Officer during his inspection.

296. During their tours and inspections of Divisional Offices, Superintending Engineers should make it a special duty to see that measurement books are carefully kept, that measurements are properly recorded, and that the books are complete records of the actual measurements of each kind of work done and are maintained in accordance with the above rules.

NOTE.—Superintending Engineers are competent to deal with losses of measurement books, survey field books and levelling field books. All losses of these books should atonce be reported to the Superintending Engineer who will deal further in the matter. He will write off the loss and will take disciplinary action if necessary.

*III.—Progress reports of works*

297. Subdivisional Officers and Subordinates will furnish to the Executive Engineer such progress reports of works and at such intervals as may be prescribed. It is the duty of the official in charge of any work to bring to notice any dilatoriness, bad works, or anything militating against the interest of Government on the part of any contractor or piece worker.

B.—CUSTODY OF CASH

*I.—General*

298. Public money in the custody of the department should be kept in strong treasure chests and secured by two locks of different patterns. The duplicate keys of divisional and subdivisional cash chests should be placed, under the seal of the Executive Engineer, in the custody of the Treasury Officer in the jurisdiction of the division concerned. A duplicate key register should be maintained and once a year, in the month of April, the key should be kept apart from the key of the other lock and in a different person's register that, they have been found correct. The key of the one lock should be kept apart from the key of the other lock and in a different persons custody when practicable. When there is a police guard, the havildar or other petty officer of the guard, should usually be the custodian of one set of keys. The chest should never be opened without both custodians being present. The non-commissioner officer or daffadar or the guard should always be present when a treasure chest is opened and until it is again locked. Whenever a cashier is attached to a division or subdivision, the key of one of the locks of the treasure chest will necessarily remain in his possession.

NOTE.—The above rule should be strictly followed in offices where cashiers have been appointed under paragraph 300 and where Superintendents have been required to furnish security under note 3 to paragraph 303. In other offices, where iron safes and cash chests are embodied in masonary and the cash to be deposited does not ordinarily exceeded Rs. 500, a single lock is sufficient. Portable cash chests should always be provided with two locks.

*II. Precautions to be observed for cashing or remitting of Government money from one office to another.*

299. The following instructions are laid down for the guidance of all officers in cashing bills or in remitting money from one office to another. They embody the minimum precautions to be observed for safeguarding Government money outside a Government office in normal circumstances. If conditions are in anyway abnormal as when the general tranquillity is distrubed or when the money has to be transported along distance or when crimes against property have been unusually rife in any area, it is expected that officers will use their judgement as to the additional precautions that may be required.

*Instructions.*

(a) Sums below Rs. 1,000

(i) If the sum is below Rs. 500 a single Basic Servant may be employed.

(ii) If the sum is between Rs. 500 and Rs. 1,000 two Basic Servants atleast one of them being a permanent one or a Junior Assistant may be emplo ed.

NOTE.—In Section Office where two Basic Servents may not be available for amounts between Rs. 500 and Rs. 1,000 the Section Officer should telegraphically request the subdivision office to send a Basic Servant who should accompany his own Basic Servant with the remittance or in the alternative a Junior Assistant may be employed. When such a sum has to be brought from the subdivision office, the Subdivisional Officer should arrange to depute a Basic Servant to accompany the Basic Servant of the section office.

Officers must use their discretion as to the person employed. A Basic Servant recently entertained or a Basic Servant whose honesty has been suspected should not be employed alone.

(b) Sums between Rs. 1,000 and Rs. 5,000

A permanent Junior Assistant accompanied by a Basic Servant should be employed.

NOTE.—In the case of such remittances by section officers who have no permanent Junior Assistant, the section officer must remit the money himself, accompanied by a Basic Servant.

(c) Sums between Rs. 5,000 and Rs. 10,000

Two Junior Assistants or the Divisional Superintendent or Accountant or the Superintendent in the case of the Chief Engineer's Offices who hold substantive posts in Government Service and have rendered not less than ten year's service accompanied by one or two Basic servants should be employed.

(d) Sums above Rs. 20,000

Such transactions should not be common. A Divisional Superintendent or a Divisional Accountant or a Superintendent in the case of the Chief Engineer's Offices who holds a substantive post in Government service and has rendered not less than 10 years' service and a Junior Assistant who should be atleast an approved probationer should be employed with an escort of two Basic Servants.

For sum greatly in excess of Rs. 20,000 special arrangementl should be made. See also note (iii) under article 274 A of Tamis Nadu Financial Code Volume I.

(e) In respect of remittances made by section officers or Overseer sections, Lock and Wharf Superintendent, the following arrangements should be adopted:—

(i) If the sum is below Rs.100, a Basic Servant or single lascar or mazdoors with ten years service and of known realiability may be employed.

(ii) For sums between Rs. 100 and Rs. 250 two Basic Servants or lascars or mazdoors with the same service and character may be employed.

(iii) For sums between Rs. 250 and Rs. 500 one irrigation gumastah or wharf or Lock Superintendent or maistri of same service and one Lock Lascar or mazdoor may be employed.

(iv) For sums over Rs. 500 special arrangements should be made as indicated in rules.

## C.—CASHIERS

### *I.—General*

300. Cashiers may be appointed with the sanction of Government whenever the cash transactions of a division or subdivision are sufficiently extensive to require it.

301. One cashier may make the cash payments of two or more subdivisions, or throughout the whole of a division, whereever such an arrangement is found to be practicable.

302. The Executive Engineer will count the cash in the hands of each cashier atleast once a month; or in the case of out-stations, he or the Assistant Executive Engineer will count it whenever he may visit them. He will, on such occasions, record a note in the cash book showing date of the examination and the amount (in words) found.

### *II.—Security Deposits (Subordinates)*

303. Cashiers, whether appointed permanently or temporarily must furnish security, the amount being regulated according to circumstances and to local custom in each case, under the sanction of the Chief Engineer, Store-keepers, sub-store-keepers and also Superintendents of Superintending Engineer's Offices and other members of the clerical, petty, plantations and revenue establishments entrusted with the custody of cash or stores should subject to any general or special orders of Government on the subject be required to furnish security at the option of the Superintending Engineer of the circle in accordance with the rules in articles 276 and 277 of Chapter 12 of the Tamil Nadu Financial Code, volume I.

NOTE 1.—Deleted

NOTE 2.—Delta, anicut and channel superintendents on the permanent establishment will be exempted from furnishing security on account of imprests granted to them when the imprests do not exceed Rs. 100.

NOTE 3.—Superintendents of Executive Engineers' Office who may have charge of cash need not, except in special cases when large sums are in question, furnish any security. They may be made responsible imprest holders when this is considered necessary.

NOTE 4.—Irrigation Superintendents, toll-keepers, shroffs and wharf Superintendents on the permanent establishment, entrusted with the collection of tolls and licence fees, need not furnish security except under special orders. Men on temporary establishment should however, furnish security.

NOTE 5.—Subdivisional Junior Assistant may, at the discretion of the Executive Engineer, be allowed imprests without security, provided the amount does not exceed Rs. 15.

Executive Engineers may at their discretion, authorise subdivisional officers to entrust, during their absence from headquarters the custody of the Subdivisional cash chest to the subdivisional Assistant. Whether the assistants of Subdivisions should, in such cases, furnish any security or not may be decided by Executive Engineers, at their discrection.

## D.—STORES

### *I.—General*

304. The stores of the Public Works Department are divided into the following classes, viz. (i) Stock or general stores, (ii) tools and plant, (iii) road metal and (iv) materials charged direct to works. Unless there are orders to the contrary, the officer in charge of a subdivision will be responsible for all the store belonging to it.

Subject to the overall responsibility of the Subdivisional Officer, the Section Officer will be responsible for the stores belonging to his section as well as the stores, tools and plant and materials at site of any works which are under his direct charge.

NOTE.—A contractor should not be asked to take delivery direct from a firm of articles required for a work as it may lead to fraud.

305. An Executive Engineer is responsible that proper arrangements are made throughout his division for the custody of public property. He must be careful to keep all tools and implements in efficient order, must protect surplus stock from deterioration, and must take proper precautions to prevent the loss of public stores by fire.

NOTE.--Special pay is granted to Senior Assistant placed in charge of stores in certain divisional offices (See item 125 under clause I of Appendix I to the Tamil Nadu Manual of Special Pay and Allowanees, Volume (II). In all other divisions, the other

permanent Assistants and the head draughtsman should be made responsible for looking after the stores and instruments respectively without any extra allowance.

306. Every officer is bound to take charge of departmental stores which, from the death or departure of the person lately in charge, or from any other casue, may be left at or near his station without adequate protection.

## *II.—Acquisition of Stores*

### (a) PURCHASE OF STORES

#### (*i*) *Stores* (*other than Tools and Plant*).

307. Stock, road metal and other materials (not being articles of foreign manufacture), required in ordinary course for the execution of sanctioned works, may be procured on the responsibility of the Executive Engineer without special authority, but the Supeintending Engineer's approval should be obtained to the measures proposed for the purchase of stock in large quantities. If the stores are to be manufactured, a separate estimate for their preparation may be required, as laid down in paragraph 323.

NOTE.--Purchase of materials for in advance or excess of requirements results In both direct and indirect losses to Government and should be avoided.

308. Firewood should usually be measured by weight and cubic metre measurement should be adopted only in exceptional cases with the prior approval of the Executive Engineers when eheck measurement by weight would be impossible or disproportionately expensive. In such cases the cubic metre rate to be adopted should be ascertained by actual weighment of fair samples of the wood concerned.

#### (*ii*) *Tools and Plant*

309. "Tools and Plant" can only be purchased or manufactured on estimates sanctioned by competent authority, with the exception of purchases or manufactures not exceeding Rs. 500 for which estimates are not required.

310. The rules governing the initial supply, repair and renewal of bicycles are contained in Appendix 5 of the Tamil Nadu Financial Code, Volume II-Item 6.

311. Charges for new supplies of and repairs to bicycles, in the case of executive offices, should be classified under 'Tools and Plant" while those relating to typewriters, duplicators, cyclostyle machines etc., which are classed as 'Stationery" should be classified under 'Contingencies".

312. The Floating plant of a division consists of boats, punts, streamers or other vessels intended primarily for use in connection with the works of the division. The Floating Plant obtained in connection with large projects, is generally treated as 'Special' and charged to the works concerned. Other floating plant required in connection with general maintenance purposes is charged to the 'Tools and Plant' of the division. In the first case the cost of maintenance and repairs of the floating plant is debited to the work concerned and in the second to 'Tools and Plant'.

(b) INDENTS

*(i) On India Office*

313. The general rules for the supply of articles required for the Public Service, whether of indigenous origin or otherwise, will be found in articles 125 and 126 of Tamil Nadu Financial Code Volume, I, and instructions for the preparation of indents for stores of foreign manufacture and their examination when received, are given in Appendix IV. With regard to indents for stores obtainable from other departments, attention is invited to paragraphs 317 to 320.

The restrictions imposed by the stores rules do one apply to purchases made by or on behalf of Port Trusts, Municipalities or Panchayat Unions, excepting when the stores purchased are paid for from Government revenues on behalf of Government or from funds advanced by Government. In the latter circumstances Government may however, direct that the provisions of the Stores rules need not apply. When a Public Works Department Officer carriesout a work for any of the local bodies referred to above the rules shall apply, except when the local body specially desires to have the stores purchased otherwise, and the Government have accorded its approval thereto. Such approval will ordinarily be granted only on the condition that the stores must be approved by the Officer carryingout the work before the purchase is concluded.

314. (1), (2), (3), (4), (5) and Note—Deleted.

315. It is the declared policy of Government to encourage the purchase in India or articles which are either produced or manufactured locally, and preference should be given to such articles when the quality is satisfactory and the prices not unfavourable. All indents for demands on the India office should accordingly be carefully scrutinized by the sanctioning authority with a view to judging whether articles are being indented for from other country which could equally, economically and satisfactorily be obtained from local manufacturers.

*(ii) On Other Departments*

316. Tents and other articles manufactured in jails should nvariable be purchased from the Jail Department unless the previous sanction of Government is obtained to their purchase elsewhere.

NOTE:—All proposals for the supply and disposal of tents should be sumitted to the Chief Engineer for sanction.

317. Indents on other departments in India, when not required to be prepared on special forms, may be prepared in duplicate in Common Form No. 274, Receipts in the forms supplied by the Ordinance, or other departments, must the granted for all stores obtained. In the absence of special instructions to the contrary, Executive Engineers are prohibited from resorting to the Ordinance Department, or to the supply and transport Corps, for the supply of any articles which can be produced in the local market, or madeup in their own workshop.

318. Such indents should be submitted through the Superintending Engineer, and, if approved, will be countersigned and passed on by him to the head of the department concerned, who on sanctioning the indent, will send it to the local officers of his own department for compliance giving notice to the indenting officer.

319. Receipts in the from supplied by Ordinance or other offices must be granted for all stores procured on indents from them; and generally, when the aid of another department is sought, in supply stores or otherwise, the transaction will be conducted so as to conform with the rules of that department,

320. Emergent indents on other departments in India may be submitted only in cases of actual necessity (which must be reported to the Superintending Engineer) when serious inconvenience would likely to arise from the submission of indents in the ordinary way. Emergent indents will nevertheless be complied with atonce on the responsibility of the indenting officer and, will then be submitted by the complying officer for the necessary countersignature, so that the Superintending Engineer may exercise a check over such demands.

321. Deleted.

(C) PURCHASE FROM GOVERNMENT WORKSHOP

322. All articles of iron work which have not to be obtained from other countries in accordance with the Stores Rules and which cannot be conveniently made up in Executive Engineers' workshops

may be procured on indent from any Government workshop authorised to undertake work for other departments. The orders in the stores rules regarding the Indian firms which orders may be given for articles to be manufactured out of important materials, should be closely followed.

(d) MANUFACTURE.

323. The manufacture or collection of material involving an outlay of Rs. 10,000 or upwards, must in all cases be covered by an estimate showing the proposed outlay and the material to be received. If the material be for a work already duly sanctioned or for reserve stock within the sanctioned limit for the division, the estimate will only require the approval of the competent authority but in all other cases the estimate must be duly sanctioned as for an original work.

NOTE.—Deparmental manufacture of bricks on Government land is permissible only if they cannot be purchased at a reasonable price. Such deparmental manufacture should be made only in properly arranged brick-kilns. Every endeavour should even then be made to secure a contractor to manufacture bricks of a special quality and size at an agreed rate.

(*vii*) *Reserve of stock*

324. Ordinarily, materials should be purchased only for works in progress, and petty stores obtained, if possible from a supplier who should enter into a contract for them at scheduled rates, and no reserve of stock shoud be kept. But in the case of any division in which, owing to its remoteness from markets or for any other reason, it may be considered absolutely necessary that a reserve should be maintained, the sanction of Government should be obtained for the maintenance of reserve stock up to a maximum value to be prescribed; and if this has been done, the Executive Engineer is authorised subject to the approval or sanction of the estimate there for where required by the provisions of paragraph 323 to purchase or manufacture to an extent sufficient to keep his stock up to that limit, the sanction of superior authority being required only when it is desired to exceed it. The fixed maximum should be kept at the lowest point compatible wtih efficiency and the stock returns of divisions shoud be carefully scrutinized by Superintending Engineers, from time to time, with reference to this point. As it is not known on which work these stores may be used, they are accounted for in a suspense account of stock (See paragraph 180 (d) of the Tamil Nadu Public Works Account Code).

Note.—The maximum sub-head limit of store under the Reserve stock limit sanctiond for the Public Works Workshops, Divisions, etc., will be fixed by the Chief Engineers. The Chief Engineers are also empowered to sanction excesses over these limits.

### (IV) *Stock taking*

325. Executive Engineers are to have all the stock in their divisions checked atleast once a year. It is not necessary that all the stores of a division or even of a sub-division should be checked and counted at the same time. All stores should be counted by an officer not below the rank of a Sub-divisional Officer (Tamil Nadu Public Works Account Code, Paragraphs 213, 215 and 337).

Besides the check prescribed above, surprise checks of stoks and stores should be undertaken by the superior officers at intervals of atleast once a year. Such surprise checks need not be thorough and complete. The inspection should be a surprise one and the check of some important items will do. The results of such surprise checks by inspecting officers should be reported to the Government (through the Chief Engineer General).

326. All articles of stock (but not tools and plant) which are not likely to be required during the following twelve months, should be reported to the Excutive Engineer who will, if necessary, take the Superintending Engineer's orders as to their disposal-vide also paragraphs 333—339 regarding surplus stores.

327. Reserves of rough stone and metal kept for irrigation works should be verified atleast annually the dimension of each stock should be painted on it and the stock spattered with paint or white wash.

328. Deleted.

### (V) *Farming tools—Deleted*

### (VI) *Disposal of stores*

#### (a) LOSS OF STORES

329. Executive Engineers should, in case of any robbery, loss or destruction by fire or otherwise, of public stores, submit a report to the Superintending Engineer, who will, if necessary, report the matter to Government for orders.

330. An immediate report of the loss of stores must also be made to the police, and all proper steps taken for the recovery of the property. When an enquiry if held either by the Police authorities or others, the Executive Engineer must, in cases where he is not himself authorised to write off the value of the property, obtain and forward, as soon as possible, to the Superintending Engineer, a copy of the proceedings.

Note.—When tools are lost by contractors, or departmental employees, the cost to be recovered should include centage charges.

(b) SALE OF STORES

(i) *General*

331. (*a*) When stock materials are sold to the Public or other departments including Railways are issued on account of any work: executed for them in workshops at their full value an addition of 10 per cent must be made to cover charges on account of supervision, over and above the rates fixed under paragraphs 198 and 200-A of Tamil Nadu Public Works Account Code. This addition may however, be waived by the Officer employed to sanction the same in the case of surplus stock which, in his opinion, would otherwise be unsaleble (see paragraph 328(c), Tamil Nadu Public Works Account Code.

NOTE.—The term 'other departments" includes also special divisions of the Public Works Department, the establishment of which is classified under major heads other than that to which the establishment of the supplying division relates.

(*b*) If it is proposed to grant a concession in regard to the disposal of any Government property or materials for use on a work on account of its charitable or philanthropic nature or in connection with any special calamity, such as that due to an out-break of fire, floods and earthquake the prior sanction of the Superintending Engineer of the Circle, who will consult the Collector of the district as to the nature and object of the undertaking and obtain his concurrence to the grant of the proposed concession, must be obtained. The main criterion is whether the public are benefited by the charity or only a few individuals and the concession should not be granted in the later case. The Superintending Engineer's powers of sanction in this respect are limited to the sale of materials, the value of which does not, at the booked value or market rate, exceed Rs. 300/-. In all cases where a larger sum is involved the sanction of Government must be obtained before the sale is effected.

332. Ordinance stores not required by Public Works Officers must be returned by them into nearest magazine.

(*ii*) *Surplus Stores.*

333. All surplus stores will be divided into two classes (i) serviceable and (ii) unserviceable. When stores (including tools and plant) of any kind become unserviceable, a report thereof must be made in the survey report from; this should be done atonce on discovery of facts; as it is desirable to avoid keeping worthless materials on stock. In the report all proper explanations must be given, and the period during which the articles have been in store or in use, and the cause of deterioration must be stated.

334. All unserviceable articles should be sold in public auction with the sanction of the competent authority.

If, for special reasons, the authority competent to sanction the disposal of the articles considers that it will be better in the interests of the Government to order the effective destruction of such articles he may do so.

335. All serviceable surplus materials at site of works, which have been completed, abandoned or stopped indefinitely should, if likely to be of use on other works within a reasonable time, be transferred to works in progress or brought to stock account.

336. (i) The Executive Engineer of a Division should prepare half-yearly a list in Form No. II 15-A of (1) the serviceable surplus materials brought on to stock account in his divisien and of (2) all other articles, which are already borne on stock and which are not likely to be required in his division during the following twelve months and circulate it among the neighbouring divisions only to which there are traffic facilities, although such neighbouring divisions may lie in other circles, eg. articles in Tiruchirappalli should be made known to Tirunelveli though they are in different circles. The list should be circulated to the Executive Engineer not later than 30th November and 31st May, respectively a copy thereof being also sent to the superintending Engineers concerned.

(ii) It will be the duty of the Executive Engineers and the Superintending Engineers to see that all the articles are shown in the surplus lists of the several divisions circulated as in clause (i) above, are used to the best advantage as early as possible on works in the divisions in which the articles are surplus or in the divisions to which the surplus lists have been circulated.

(iii) If use cannot be found for any of the articles shown in the surplus lists of the divisions within a period of one year from the date of they were first entered therein, then the Executive Engineers should take action immediately to have the articles sold by public auction with the sanction of the competent authority, except in the case of those which are not easily procurable and which cost Rs. 500 and more.

337. (i) A list of the articles, in every division which cost Rs. 500 and more and which are not easily procurable, should be prepared by the Executive Engineers concerned in the same form as the list mentioned above and forwarded to the General Superintendent, Public Works Stores, Madras, by Officers of the Public Works Department through the Superintending Engineers concerned so as to reach the former not later than the 31st December and 30th June respectively.

(ii) The General Superintendent, Public Works Stores, Madras will then prepare a consolidated list in the same form for the whole state, get it printed and circulate copies thereof to all Executive Engineers of Divisions half-yearly by the 1st February and 1st August respectively.

(iii) It will be the duty of the Officers of the department to see that the articles shown in the above list are used where practicable and thus minimize the loss to the department.

(iv) If within a further period of one year, no use is found for any of the articles shown in the State Surplus list, the Executive Engineers concerned should take necessary action to have them also s;old by public auction with the sanction of the competent authority.

338. When a building or a portion of a building or other work is dismantled, the dismantled materials made by be either:—

(*a*) Sold;

(*b*) Brought into stock at a valuation;

(*c*) utilised in the construction of new work in the same building; and

(*d*) utilised in the construction of new work in the different building.

The transaction shall be dealt within the accounts as described in the explanatory Local Ruling 3 under Article 22 of the Tamil Nadu Account Code, Volume III.

339. Except as provided in paragraph 432 (c) (ii), no public stores may be sold otherwise than by public auction, without the permission of the Superintending Engineer, Commission which should ordinarily not exceed 5 per cent, may be allowed to the auctioner not being a departmental subordinate, but no commission can be allowed on private sales.

## (VII) HIRE OF TOOLS AND PLANT

340. The following rules govern the hire of tools, plant and machinery in the Public Works Department stores, including Divisional stores to other divisions, Government Department, local bodies, contractors etc.,

These rules apply also to hire of tools, plant and machinery in the Public Works Stores Division, Madras to works outside the stores in the same division.

(1) Ordinarily heavy plant and machinery alone should be let out on hire. Light and petty tools such as carpenters', blacksmiths' or fitters' tools should not be hired out at all.

(2) Ordinarily, if plant and machinery are likely to be required for a continuous period of three years, the articles required should be purchased outright instead of being hired, and on completion of the work, if no longer required, may be offered to the officer in-charge of the stores, who after examination may, if they are still serviceable, take them over at a valuation.

(3) The hire charges payable under these rules should be recovered monthly in advance except in the case of Government Departments, local bodies and contractors doing Government work, in which cases they may be recovered monthly in arrears;

A deposit of the full market value or the full original cost of the tools and plant whichever is greater, should be taken in all cases from private individuals including contractors requiring them for use on non-government works.

Where tools, plant and machinery are hired to private parties including contractors for use on non-government works a deposit equal to 5 per cent of the full market value or the full original cost of the tools, plant and machinery which ever is higher shall be taken in advance subject to the following conditions:—

(*a*) that the machinery is handled by the departmental crew; and

(*b*) the department ensures that the private parties to whom the tools, plant and machinery are hired are men of sufficient means from whom the loss, if any, could be recovered:

NOTE.—Such deposit need not be taken in the case of public institutions like schools etc.,

(4) A formal agreement in the prescribed form-vide Appendix VII should be entered into by the officer in-charge of stores for all plant, machinery and tools hired out to local bodies, contractors and private parties.

(5) In addition to the rent payable under these rules, the person hiring the tools, plant and machinery should also pay:—

(i) all charges connected with packing, handling in the stores conveyance and other incidental expenses in connection with the despatch of the tools, plant and machinery from the stores and return thereto-including freight charges, if any—also erecting and dismantling charges.

(ii) the cost of replacing, missing or broken parts or of repairs necessitated by any definite or specific damage.

NOTE.—In cases where plant and machinery are hired out from the Excutive divisions of the department the articles should be handed over to the hirer at the place where they are stored by the department and he should be left to attend himself if to the packing, conveyance, etc., at his cost. If, in any case the department incurs any expenditure on behalf of the hirer by way of handling charges, etc., it should be recovered atonce from the hirer.

Sub paras 6A, B and C are deleted.

(7) The hire charges for heavy plant and machinery lent to other Public Works Divisions, Government departments, local bodies, and to contractors for use on Government works shall be fixed to cover interest, depreciation, repairs on return or overhauling, including operating cost comprising of charges for fuel and crew shall be fixed, and the method and principle are given in Appendix VII-A seperately.

Sub para 7A, 7B and 7C are deleted.

(8). The monthly rate shall be annual rate divided by the probable number of months the plant is likely to be out on hire during the year which should be fixed by estimating the average rate of wear of the plant after a repair and overhauling. The rent so arrived at shall be charged for each complete month. In case where a plant is required by the hirer for fractions of a month where the total period of hire is less than one month or is in excess of one or more complete months rent shall be charged for such fractions at 1/20 of the monthly rate per diem subject to the maximum of the monthly rate In all cases the period of hire shall count from the date the plant and machinery leave the stores to the date they are returned thereto. An exception to the general rule of charging rent may be allowed by the Executive Engineer of the division concerned or the General Superintendent, Public Works Workshops and stores Madras as the case may be, when the interval between two periods of hire is likely to exceed two clear months, and the hirer notifies the fact to the Executive Engineer of the division concerned or the General Superintendent Public Works Workshops and stores, Madras, as the case may be who if has no demand for the plant in question eleswhere may allow it to remain in the custody of the hirer for the period of idle time, free of rent. The total period of idle time permissible between two periods of hire should not exceed six months. No idle of less than two months duration shall be considered, except in cases where such small periods of idleness are due to the rectification of repairs caused by fair wear and tear or other defects or causes for which the hirer is not responsible. In such cases, the Executive Engineer of the division concerned or the General Superintendent Public works workshops and stores, Madras as the case may be may grant exemption from payment of rent. The actual idle time for which no rent charge will be made shall be definitely specified in the sanction and no extension of the period shall be allowed. The Executive Engineer of the division concerned or the General Superintendent, Public works workshops and Stores, Madras, as the case may be shall not be called upon to bear any charges for care taking or maintenance during the period of exemption from rent.

NOTE I.—In the case of tram lines which have been laid at the expense of the Government in connection with the execution of works and which a number of contractors are permitted to use at

a time for the purpose of conveyance of materials to the work site, hire charges shall be levied at a certain rate per unit of material conveyed, as indicated in the example given below:—

| | | |
|---|---|---|
| Total book value of the tram lines and trucks. | Rs. | 50,000 |
| Hire charges at 25 percent per annum | Rs. | 12,500 |
| Hire charges per month assuming that the plant can be used for only ten months in a year. | Rs. | 1,250 |
| Taking 25 working days a month, hire per day works out to | Rs. | 50 |
| Average number of trucks that work in a day. | | 60 Nos. |
| At six trucks a unit. 60 trucks can convey. | | 10 Units |
| Hence hire per unit works out to | Rs. | 50/10 or |
| | Rs. | 5. |

In cases where hauling is provided at Government expense, the recovery of charges therefor will be settled in each case as it arises.

NOTE 2.—In the case of hire of tools and plant by the sanitary Engineer's Department on water-supply and drainage investigations hire charges should be collected for the actual period of use of the articles and the Officer-in-charge of the investigation and other similar work should be responsible for fixing the period of levy of such charges in each case.

(9) When heavy plant and machinery is lent to private parties or to contractors for use on works other than Government works the rent charged shall be double the rate prescribed in rule (7) above except in the case of boring tools for which the ordinary rate of 31-2/3 per cent shall be charged.

NOTE.—Railway companies shall be treated as private parties for purposes of this rule.

(10) In cases of real emergency mamuties, crowbars, axes, baskets and other tools of like nature may be hired to a local body or to a contractor but such tools must be returned to the stores as soon as possible after the emergency ceases. The hire to be charged under this paragraph will be at the rate of 24 per cent per annum on the original cost of the tools.

NOTE 1.—No hire charges will be levied from district boards in respect of tools sent to those bodies from the reserve stock of famine tools in the Public Works Divisons, for use on works undertaken by them for the provision of employment for unskilled labour.

NOTE 2.– Government tools may be lent as a special case to piece workers in the Agency Tracts for the execution of Govmernent works in the Agency Tracts, free of hire charges of a deposit on the responsibility of the subdivision officers in charge of the works. If any of the tools lent be not returned full cost with centage should be recoverd from the piece-worker. The percentage deduction on intermediate bills should be sufficient to cover the value of all tools lent.

NOTE 3.—No hire charges will be levied when tents are lent to other Public Works divisions, Government Departments and local bodies for public and semi-public purposes. But any costs incurred on account of conveyance, pitching, etc., and of any damage caused to the tents should be collected from the local bodies or if the loan is to a Government Department it should be debited to the divisions or department concerned.

NOTE 4.—No hire charges shall be recovered for the workshops tools and plant used by the piece-workers on the workshop jobs entrusted to them.

(11) The Chief Engineer, General and establishment, Superintending Engineers and Executive Engineers are empowered to hire out tools and plant and machinery to local bodies and private parties for the periods specified below, subject to the conditions laid down in the above rules:—

| | |
|---|---|
| Executive Engineer .. .. | For a period not exceeding three months. |
| Superintending Engineer .. | For a period not exceeding two years. |
| Chief Engineer, General and Establishment. .. | For any period in excess of two years. |

(12). Jeeps, Vans, etc. , supplied to divisions are intended to be used for journeys undertaken for inspection purposes only, and their use for private purposes is prohibited. They should not be used for attending offices and for performing long journeys to division and circle headquarters for attending some conference or office work, which should ordinarily be performed by rail or buses,

341. Floating plant not actually required for departmental purposes may be let out on hire to private persons and occassionally to local bodies such as panchayat Unions, Municipalities at rates fixed by Government and on conditions laid down in the rules issued from time to time. Previous deposits should be demanded from outsiders hiring floating plant.

Government officers may use staff boats on the payment of rents fixed and on conditions laid down in each case—see paragraph 349.

## *VIII*. MATHEMATICAL INSTRUMENTS.

342. Both drawing and survey instruments are stocked in the Public Works Stores, Madras. The General Suprintendent, Public Works Stores, shall obtain new supplies, when necessary, by calling for tenders for the supply of the instruments required from reliable local firms dealing in such instruments and also for quotation from the mathematical Instruments office, Calcutta and by purchasing the articles from the agency which quotes the lowest rate, should he consider such tender articles suitable. Instruments requiring repairs should be sent to the General Suprintendent, Public Works Workshops, with instructions as to disposal after repair.

NOTE.—In the case of levelling instruments required for ordinary purposes, purchase should be made only from firms approved by the Chief Engineer.

The General Suprintendent, Public Works Stores, should see that instruments are not stocked in excess of requirements and that old or obsolete stock is disposed of to the best advantage of Government—vide also paragraphs 333 to 337.

## *IX*. INSURANCE OF GOVERNMENT PROPERTY.

343. *General*.—It is a general principle that Government bear their own risks and do not insure Government property. In the case of goods indented from aborad, insurance charges are payable by Government only when the purchase price includes cost, insurance and freight of the goods as delivered in Madras. If, however, the goods are delivered to a Government Officer in other countries and shipped by him to India, such goods become Government property as soon as they are taken delivery of and should not be insured.

Special goods such as mathematical and scientific instruments, articles made of glass and other fragile articles, should be consigned at railway risk and they should not be insured except in cases where railways insist on insurance as a condition of transport.

The following officers of the Public Works Departments are however, authorised to arrange for the insurance of goods against damage in transit by rail, provided the special nature of goods warrants it up to the limits mentioned against each:—

| | | |
|---|---|---|
| Chief Engineers | .. | Full powers. |
| Superintending Engineers | .. | Rs. 20,000. |

The reasons for the insurance sanctioned should be recorded by the sanctioning authority.

## E. DEPARTMENTAL REVENUE

### *I.—Sale of usufruct of Trees, etc.*

344. (1) Except in cases where the sale of fishery rights in inland waters specially entrusted to the Public Works Department, the fisheries in all Public inland waters shall be disposed of by the Revenue Department under B. S. O. No. 211. It is the duty of the Public Works Department Divisional Officers to see that the sales of miscellaneous properties such as usufruct of trees, grass, etc., are made periodically to the best advantage of the Government. The sales should be made by Public auction after due publicity has been given.

(2) It is also the duty of the Executive Engineers to arrange for the sale or proper utilisation on works of old and full grown fuel and timber trees on lands incharge of the Public Works Department

(3) Deleted.

(4) Executive Engineers are however authorised to grant without auction lease of usufruct of trees, grass, etc., to the village Panchayat and other bodies as specified in the rules in Appendix X. Such leases may be sold in public auction only after rule I, A and B of the said rules have been invoked and no grant of lease can be made thereunder.

(5) Deleted.

NOTE.—The lease of the usufructs of trees in the compounds of Inspection Bungalows, Circuit Houses, Project Houses, Head works etc., may be given to departmental watchman or lascars as the case may be in preference to outsiders. The local Executive Engineer should fix a reasonable amount in each case, based on the prevailing market conditions and lease them. If the trees are for away from the Inspection Bungalows, Circuit Houses, Project Houses etc., the Executive Engineer may, if he sees fit, lease them to outsiders according to the rules ensuring that no disturbances are caused to the occupants of the Inspection Bungalows, Circuit Houses, Project Houses etc.,

345. As soon as the bid is knocked down (i) 25 per cent of the purchase amount in the case of leases for one year or less or of leases for sums not exceeding Rs. 100 or (ii) 25 per cent of the propotrtionate purchase amount for the first year in the case of leases for more then one year and for sums exceeding Rs. 100 in aggregate should be collected. The balance of the purchase amount in the first case or the balance of the proportionate amout of the first year in the second case shall be recovered within one week from the date of receipt of the order of confirmation of the sale by the competent authority or in cases where agreement has to be taken within one week of the lessee singing the agreement which should be done ordinarily within one week from the date of receipt of the order of confirmation of the sale. In the second case, the amount due for each of the succeeding years of the lease shall be recovered within the first week of each year. Within the time specified in the second sentence above, a sum equal to 5 per cent of the total purchases amount for the entire period of the lease shall also be deposited as security for the due fulfilment of the conditions of the lease, by the successful bidder, except in cases (a) when the total purchase amount does not exceed Rs. 100 and (b) when the successful bidder in a village panchayat, who need not deposit any security in any case. If these payments are not made in due time, the right should be resold then and there or fresh tender notices issued. Failure to observe this rule may result in loss to Government, for which the officers concerned will be held primarily responsible.

NOTE (1).—Before confirming sales, the officers entering into agreements should make careful enquiries regarding the solvency of the sucessful bidder.

NOTE 2.— The Executive Engineer concerned may at his discretion extend upto a maximum of one month, the time limit of one week prescribed in the second sentence of this paragraph for payment of the balance subject to the following conditions:—

(i) The Executive Engineer is satisfied about the solvency of the sucessful bidder.

(ii) Such extension does not involve any risk to Government and

(iii) The successful bidder is not allowed to enjoy the usufruct untill he makes the payment.

346. (1) Agreements for the sale of grass and usufruct of trees shall be drawn up in the prescribed forms - vide Appendix X with necessary modifications, when the amount of the lease for the whole period covered by the agreement is more than Rs. 100 and the period exceeds one year; in the case of other such leases, no agreements need be taken and it will be sufficient if the conditions of the sale and of the enjoyment and the penalities for the infringement there of are published at the time of the sale and communicated to the successful bidders. For leases of grass and fruit trees to village panchayats, however, agreements in the forms referred to above shall be executed in all cases irrespective of the amount and the period of the lease, together with a supplemental agreement in the form given in the same appendix to this code.

(2) The agreements, except those taken in the cases noted in the margin should be stamped, under article 35 (a) (ii) or (iii), as the case may be, of schedule I of the Stamp Act, in respect of the amount of rent payable annually under the lease, and also under article 35 (c) in respect of the amount deposited by parties (other than the village panchayats) as security for the due fulfilment of the conditions of the lease, the amount of stamp duty being borne by the lessee.

(1) In the case of leases to Village Panchayats in which annual instalments to be collected is Rs. 100 or less or in which the period of lease is for one year or less, whatever the annual rental may be and.

(2) in the case of leases to other parties in which the annual instalment to be collected is Rs. 100 or less.

*II.—Rents of buildings and lands*

347. The rules relating to rents of public buildings and land will be found in Chapter III of this Code and paragraphs 261 to 273 of the Tamil Nadu Public Works Account Code.

*III.—Navigation Revenue*

348. The rules relating to the use of canals and public ferries and the scale of fees chargeable on account of registration, licences, wharfages, demurrages and others are contained in the notification and navigation rules framed under the Canals and Public Ferries Act of 1890, published separately and issued to the divisions, concerned vide also paragraph 254 of the Tamil Nadu Public Works Account Code.

*IV.—Rents and Freights of Boats and other Floating Plant*

349. The detailed rules relating to the assessment and recovery of the rents of boats and other floating plant in Public Works Divisions will be issued from time to time. It will be the duty of the Executive Engineer to see that the rents assessed are realized in accordance with those rules, vide paragraph 341.

*V.—Public Works Department Tool Gate.*

350 Deleted.

F. MISCELLANEOUS

*I.—Maintenance of ferry boats*

351. Deleted.

*I-A. Bridge over Irrigation Canals and Channels.*

352. If the construction of a new irrigation channel interferes with an existing public right of way the cost of construction and upkeep of the bridge to a standard adequate to the requirements of normal road traffic from time to time shall be met from irrigation funds. In cases where such bridges have to be improved or reconstructed in order to meet the requirements of increased traffic, the entire cost should be met by the Public Works (Irrigation) Department irrespective of the question whether the bridge is structurally sound or not, or whether the roadway interrupted is a maintained road, a puntha or a cart-track etc.' subject to the condition that the Public Works (Irrigation) Department is satisfied that reconstruction or improvement due to increased traffic is really necessary. The cost of the increased roadway over the bridge and its maintenance should be borne by the Highways and Rural Works Department or the local authority concerned. Railings, side walls and embankments upto the limits of the Public Works Department land on each side should be treated as appurtenances to the bridge and be constructed and maintained by the Public Works Department and those beyond the limits of the Public Works Department should be treated as part of the approach road and constructed and maintained by the Highways and Rural Works Department or local body concerned.

*II–Supply of Medicines.*

353. Indents for supplies of medical stores will usually be confined to the supply of one or the other of the medicine chests provided under the Civil Medical Code for issue in particular cases, e. g., "working parties" etc. They should be usually submitted through the District Medical Officer or the Director of Medical Services. They should be prepared in quadruplicate, by carbon paper on D. G. I. M. S. Form No. 4 (obtainable from the nearest Civil Hospital or from the Director of Medical Services) and must be legibly written. All columns in the indent must be properly filled in.

No indents must be submitted between the 10th February and 31st March as the Medical Stores Depot will then be engaged in stock taking.

*III–Store Keepers.*

354. When the stores are sufficiently extensive to require it, a store-keeper will be appointed to hold charge. The store-keeper will have nothing to do with the disbursement of cash, the supply of materials or the preparation of bills. His duties will be confined to the receipt, custody, preservation and issue of the stores under his charge, and to keeping the required returns relating to them.

G. RULES FOR DIVISIONAL WORKSHOPS.

355. The divisional workshops may be treated as a distinct subdivision, or they may form a portion of a subdivisional charge.

356. No work is to be undertaken in workshops of the department other than work required for the various branches of the department except under some general or special orders of Government.

357. No works should be undertaken for Panchayat Unions, Panchayats and Townships, Municipalities or private parties before the whole estimated cost, including all charges for supervision, profit etc., that may be leviable under the rules for the time being in force, has been paid to the Executive Engineer, or into a Government Treasury to the credit of the Public Works Department. This rule may be relaxed at the discretion of the Executive Engineer or Superintending Engineer in the case of Government officers where full recovery is not open to doubt. In such cases a rough estimate of the probable cost must be prepared in advance and the Officer concerned required to give an undertaking

that he agrees to pay the actual charges in full on completion of the works. The full expenditure incurred must be deducted from the officer's pay for the following month. In all cases, before starting work, an undertaking should be procured from the party concerned that it will not hold the department responsible for loss by fire or theft or any other factor which could not be foreseen when the estimate was prepared. In cases where it is found that the original estimate is likely to be appreciably exceeded, a revised estimate should be prepared and the procedure outlined above adopted.

## H. TRANSFERS OF CHARGE

### *I-General.*

358. An officer must not delay making over charge after the arrival of the relieving officer; nor must he without the permission of his immediate superior officer leave the station before the arrival of his successor. The relieving officer will take up the expenditure of cash and stores from and for the first day of the month during which the relief took place, and submit the next monthly account in the same manner as if he has been in charge during the whole month. But the relieved officer remain responsible that proper explanation is forthcoming for transactions during his incumbency.

359. A register of incumbents of charges should be kept in every divisional office showing the period of incumbency of each officer who has held charge of the division and of the several subdivisions and, in each subdivisional office, a similar register of the incumbents of that subdivision only.

### *II-Executive Engineers and Subdivisional officers.*

360. The cash book or imprest account should be closed on the date of transfer, and a note recorded on it, over the signature of both the relieved and relieving officers showing the cash and imprest balances and the number of unused cheques, made over and received in transfer by them respectively. A copy of this note, together with the following documents, should be forwarded the same day to the Superintending Engineer in the case of divisional or the Executive Engineer in the case of subdivisional charges:—

(1) Transfer reports Public Work Department Form No. 146 being used in the case of subdivisional charges.

(2) Receipt of stock, tools and plant and other stores under the immediate charge of the relieved officer, Forms A and B being used for divisional and subdivisional charges, respectively.

(3) A detailed report (Public Works Department Form No. 42 E) on the state of surveying and mathematical instruments. In the case of transfer of divisional charges this report should be in respect of instruments at the headquarters only.

The receipts of cash and stores balances should be prepared by the relieved officer, but the relieving officer should note any inaccuracies therein so that the Superintending Engineer or the Executive Engineer, as the case may be, may pass such orders in respect of any deficient articles as may be necessary. A copy of the receipts may be given to the relieved officer, if desired by him.

FORM A.

Received in transfer from A. B..... late Executive Engineer. ....Division, the stores in his personal charge as detailed in the annexed list.

The balance returns of the stock and tools and plant in-charge of all subdivisional officers for the half year and year ending respectively are on record and the divisional stock returns have been prepared to end of—

(Station and date) Executive Engineer. C. D.
Division.

FORM B.

Received in transfer from A. B.... late officer in charge....Subdivision, the stock and tools and plant which have been in his personal custody, as detailed in the last balance return and accounts of receipts and issues to date.

The returns for the year ended the half year ended
and for the month of for the

whole subdivision have been submitted to the Executive Engineer, and the account of daily receipts and issue for the current month has been written uptodate.

(Station and date) C. D.
Relieving subdivisional officer.

361. The relieved officer should further give the relieving officer a list and memorandum showing all the works in hand and the orders remaining to be complied with and of such matters as particularly require his attention, with full elucidation of any peculiarity of circumstances, or apprehended difficulties. He should also furnish the relieving officer with a complete statement of all unadjusted claims with the reasons for their not having been adjusted in due course and a report as to any complication likely to arise owing to the their non-adjustment.

362. On assuming charge, an Executive Engineer will make it his business to acquaint himself with the works in progress in the division; He will examine the state of the acccounts and inspect the stores. He should mention specially in his transfer report whether the account may be considered fairly to represent the progress of work. A subdivisional officer should in addition count, weigh or measure selected stores in order to test the accuracy of the returns, and should minutely examine the works in progress as to their quality and as to their accordance with the sanctioned plans and estimates. He will report to his superior anything irregular or objectionable that may come officially to his notice. In cases where the relieved and the relieving subdivisional officers or Executive Engineers are present to hand over and take over, the transfer of charge will be held out be complete only after all the stores and tools and plant in the personal custody of the relieved subdivisional officer or Executive Engineers are actually counted, handed over, and taken over. The Superintending Engineers concerned shall, under paragraph 513 of the Tamil Nadu Public Works Account Code, allow them such time as is reasonably necessary for such counting, handing and taking over. In a case, however where the relieved officer connot be present to hand over either by reason of serious illness or sudden death, an immediate verification of the stores in his personal custody should be arranged for by the officer taking over charge under paragraph 365 of the Tamil Nadu Public Works Department Code. If the relieved officer is unable to be present on account of serious illness, he shall be required to nominate a person who will represent him during such verification and sign for him for the correctness of the check. If, on such verification any deficiency is noticed, the officer who left the charge suddenly on account of illness, shall be held responsible for the deficiency, unless, after his recovery from illness, he is able to account for it from the accounts or other records maintained by him. If the charge taken over is that of a deceased officer, such deficiency if any, shall be written off by the competent authority.

363. In the case of the transfer of a division, the report of completion of transfer should, except in special circumstances, be submitted within a fortnight of such transfer. In the case of any disagreement between the relieved and relieving officer, a reference should be made to the Superintending Engineer.

364. The transfer report of a subdivisional charge should, on receipt by the Executive Engineer, be scrutinized by him, any remarks necessary being entered in the column provided for that purpose and returned to the subdivisional officer, who, after acting on the orders received, should return it to the Executive Engineer for record in the divisional office. The Executive Engineer is responsible for seeing that the transfer of charge is conducted properly and for reporting to the Superintending Engineer any points on which orders are required.

365. In the case of a divisional or subdivisional charge becoming vacant by the death or sudden departure of the officer in charge, the next senior officer of the department present should assume charge and take action as above prescribed forwarding to the Superintending Engineer or Executive Engineer, as the case may be the receipts which would otherwise be given to the relieved officer.

III-*Other officers.*

366. In the case of transfers of charges other than divisions and subdivisions the Executive Engineer should issue instructions as to the work to be jointly inspected by the relieved and relieving officer.

NOTE.--In the case of all transfers of charge of subdivision and sections detailed lists of the component parts of heavy plant and machinery and of tramway plant should always be included among the transfer papers, and that if. for any reason it is not possible to verify these lists at the actual time of transfer, they should be verified immediately afterwards by the relieving officer, who in case of any avoidable delay will be held responsible for any deficiencies.

# CHAPTER V

## SPECIAL RULES FOR IRRIGATION, NAVIGATION, DRAINAGE AND FLOOD CONTROL WORKS.

### A. INTRODUCTORY.

367. Under Article 246 of the Constitution of India, Water Supply, Irrigation and Canals, Drainage and Flood Control Water stroage and water power have been included as item 17 in list II (State list) in the 7th Schedule to the Constitution of India in respect of which, the State Legislature makes laws and subject to the provisions of entry 56 in list I of the said schedule in regard to regulation and development of Inter-State Rivers and River Valleys.

368. Large works are normally, financed from loan funds either raised by borrowing from the open market or made available by the Union Government.

*EXPLANATION*

According to Article 293 of the Constitution of India, the State has power to borrow money within the territory of India upon the Security of the Consolidated Fund of the State, within such limits, as may be fixed by the Legislature of the State. This power cannot be exercised, however without the consent of the Union Government, if there is still outstanding any part of a loan which has been given to the State by the Union Government or in respect of which a guarantee has been given to it by the Union Government.

369. The capital sums spent in the past by the Union Government on the construction of Irrigation, Navigation etc., works are treated as advances to the State Government, and some advances carry interest. In the light of this explanation, it will be clear, that the Union Government have a statutory responsibility in regard to and a very real interest in the major irrigation works in the various States. Subject to such rules and orders as may be issued by the Union Government, in regard to the works dealt with in this Chapter, the following rules are applicable.

## B. WORKS FOR WHICH CAPITAL AND REVENUE ACCOUNTS ARE KEPT.

### I. PRODUCTIVE AND UNPRODUCTIVE WORKS, DEFINITIONS.

370. Projects for Irrigation, Navigation, Drainage and Flood Control, for which Capital and Revenue Accounts are kept are of two classes: (1) Productive and (2) Unproductive—*see* Paragraph 383.

371. Productive Public Works are works of a remunerative character undertaken for the improvement of the country Their first cost is usually met from borrowed money and they are expected after a certain period to yield enough revenue to meet the interest charges on the capital and the cost of working and maintenance.

372. Unproductive Public Works are those which, although not directly remunerative to the extent of productive works, are calculated to guard against a probable future expenditure in relief of the population, or which are undertaken for the general improvement of the country, or for general administrative purposes.

### II. CONDTIONS RELATING TO PRODUCTIVE WORKS.

373. To admit of a new work being classed as productive the following conditions must be satisfied—

(*a*) There must be good reason to believe that the revenue derived from it will, within ten years after the probable date of its completion, repay the annual interest on the capital invested calculated at such rate as the State Government may fix from time to time, but in preparing a project for sanction no deduction is to be made from the total capital outlay on account of anticipated excess of revenue, over simple interest calculated at the rate for productivity mentioned above.

NOTE.—Capital invested includes (1) direct charges, (2) indirect charges and (3) all arrears of simple interest, if any, i. e., balance of total interest calculated at the rate for productivity, over total net revenue.

(*b*) It must be susceptible of having clear Capital and Revenue Accounts of it kept.

(*c*) Its classification as a productive work must be duly sanctioned by a competent authority.

## III. UNPRODUCTIVE WORKS.

374. Unproductive works have been defined in paragraph 372 Ordinarily there are works undertaken for the general improvements of the country and financed from general revenues. Unproductive works may also be financed from loan funds.

## IV. CLASSIFICATION.

375. The rules for determining (1) Whether a work which has been classed as productive shall continue to be so classed, and (2) whether an unproductive work may be, reclassed as productive are as follows, the percentage rates referred to being those prescribed for the time being and being subject to alteration at the discretion of the State Government.

(i) Every Irrigation, Navigation, Embankment or Drainage work for which capital accounts are kept should, until ten years after the date of the closure of its construction estimate, be classed as productive, if the net revenue anticipated from it appears likely to repay, on the expiry of that period the annual interest charges on the capital invested (including direct and indirect charges and arrears of simple interest) calculated at such rates as may be determined by the Government from time to time. Conversely, if it is not expected to yield the relevant return, it should be classed as unproductive. If, moreover, at any time during the period of construction, or within ten years of the date of the closure of its construction estimate, it becomes apparent that a work originally classed a productive will not actually be remunerative according to the criterion prescribed above, it should be transferred from the productive to the unproductive class, and similarly if it becomes obvious, during the same period, that a work sanctioned as unproductive will actually prove remunerative, the transfer of the work from the unproductive to the productive class may be effected.

(ii) Every work classified in accordance with rule (i) above will retain its classification unchanged during the eleventh, twelfth and thirteenth years after the closure of its construction estimate.

(iii) If any Irrigation, Navigation, Embankment or Drainage Werk for which a capital account is kept and which is classed as productive fails, at any time, after the expiry of ten years, from the date of the closure of its construction estimate, in three successive years to yield the relevant return prescribed in rule (i) above, it should be transferred to the productive class. A work

classed as unproductive which succeeds in yielding, in three successive years, the relevant return prescribed for a productive work may, on the same principle be transferred to the productive class.

(iv) If an existing Irrigation, Navigation, Drainage and Flood Control Work be extended or improved, the criterion of productivity prescribed in rules (i) to (iii) above shall be applied for the whole system, including such extension or improvement, as if the extension or improvement has been executed simultaneously with the original work, and the date of sanction referred to in those rules for the purpose of determining the percentage to be returned by the system as a whole, shall be that of the accord to sanction to the original project. As an exception to this rule, if any extension be, owing either to its nature or magnitude, such as may reasonably be considered to be a separate project and if it be susceptible of having Clear Capital and Revenue Accounts kept of it, as distinct from those of the project as a whole, it should be treated as a separate project and in that case, conditions relating to original projects and not those relating to extensions and improvement shall be applicable. In all such cases, seperate Capital and Revenue Accounts should be maintained for the extension in order to enable the productivity test to be periodically applied.

(v) Rules (i), (iii) and (iv) are, however, subject to the provision that the State Government may postpone the transfer of a work from one class to the other in cases in which it is satisfied that its success or failure is due to purely transient causes.

376. For the purposes of determining the productivity of an old work which has been developed by the Union Government, only the capital expenditure expended by that Government should be regarded as the capital at charge on which interest is chargeable.

377. The transfer of a work from the productive to unproductive category, or vice versa will affect the recording of all future transactions, in connection with it. No adjustment will be made in the general accounts in respect of past transactions but the necessary transfers will be effected by the Accountant-General in the proforma accounts of the work in question.

## V. PRINCIPLES FOR DETERMINING WHAT EXPENDITURE IS CHARGEABLE TO CAPITAL AND WHAT TO REVENUE.

378. The Irrigation and Navigation works are generally of a revenue producing character. Large works being usually financed from borrowed money, it is essential to see how they are working and for this purpose a Capital and Revenue Account has to be maintained showing the total cost of construction, extensions and improvements, as well as the gross revenue and the cost of working and of maintenance.

379. The principles to be observed in deciding whether an item of expenditure should be charged to Capital or to Revenue are as follows:—

(*a*) Capital bears all charges for the first construction and equipment of a project, as well as charges for maintenance on sections not opened for working and charges for such subsequent additions and improvements as may be sanctioned under the rules by competent authority.

(*b*) Revenue bears all charges for maintenance and working expenses, which embrace all expenditure for the working and upkeep of the project, as also for replacements and for minor additions and improvements as it may be considered desirable to charge to Revenue instead of increasing to capital cost of the undertaking.

(*c*) In the case of renewals and replacements of existing works, if the cost really represents an increase in the capital value of the system and exceeds the cost of the original work by Rs. 3,000 the cost of the new work should be divided between Capital and Revenue, the portion debited to the latter account being the cost of the original work, which should be estimated if the actual cost is not known and the balance charged to capital. In other cases, the whole cost of the new work should be charged to Revenue. Thus, a renewal which does not represent a substantial improvement of the original work, but which is in all material essentials the same as the latter, although it may exceed the cost of the work by more than Rs. 3,000 should not be charged to Capital but to Revenue Account.

(*d*) When the construction estimate of a project for which a separate Capital Account is kept is closed, the expenditure on works of extensions will be charged thus.

(i) Estimates exceeding Rs. 3,000 for (1) works which are in themselves directly remunerative, such as new distributaries or works for increasing the canal discharge, and (2) works which are necessary for the full development of a Project, but which are not in themselves directly remunerative, shall be charged to the Capital Account.

(ii) Estimate amounting to Rs 3,000 or under shall be charged to the Revenue Account under extensions and improvements.

(iii) All estimates for works which are neither remunerative in themselves nor considered necessary for the development of the project shall be charged to the Revenue Account under extensions and improvements.

(*e*) Where outlay is of a nature under these rules does not appertain to Capital, it is not, under any circumstances and whatever its magnitude, to be charged to Capital.

(*f*) The following specific criteria shall be adopted for classification of certain types of expenditure as Revenue or Capital.

(i) Any Project/Scheme, consisting of a number of works costing more than Rs. 5 lakhs as a whole shall be treated as capital expenditure. If there are individual works within this project costing less than Rs. 1 lakh, these shall also be debited to the Capital Account as minor works. The classification of individual works forming part of a project will depend only on whether the project itself is debitable to Capital or Revenue and not in the outaly on the individual works. If the scheme consists only of minor works e. g. annual lumpsum provision for minor works for each department then the entire amount irrespective of the total provision shall be debitable to Revenue Account.

(ii) In respect of individual works not forming part of a Project/Scheme the cost of which exceeds Rs. 1·00 lakh the expenditure shall be debited to the Capital Account. Individual works costing below Rs. 1·00 lakh shall be treated as minor works debitable to the Revenue Account.

(iii) In respect of purchase of cement and steel by Public Works Department the practice of debit to Revenue Account or capital account depending on the final debit shall be followed.

(iv) Purchase of new machinery costing individually more than Rs. 1·00 lakh shall be debited to Capital Account. Expenditure on a new arrangement of machinery costing totally more than Rs. 5·00 lakhs although individual items may cost less than Rs. 1·00 lakh may be debited to Capital Account.

(v) Whenever machinery is replaced costing individually more than Rs. 1·00 lakh the expenditure may be debited to Capital Account while replacing the machinery if total cost of the new arrangement is more than Rs. 5·00 lakhs although individual items may cost less than Rs. 1·00 lakh the entire expenditure should be shown under Capital Account.

## VI. WHEN CAPITAL AND REVENUE ACCOUNTS SHOULD BE KEPT.

380. Capital and Revenue Accounts should be kept of all new Irrigation and Navigation works, whether entirely constructed or merely remodelled and restored by Government, the estimated capital outlay on which is more than Rs. 1,00,000 inclusive of establishment and tools and plant charges, and of works costing less than Rs. 1,00,000 in case the Government specially order to the effect, provided there is good reason to anticipate that the revenue derived therefrom will more than cover the working expenses, direct and indirect.

381. If for any reason, a project of which the estimated capital outlay is over Rs. 1,00,000 is not considered to be sufficient importance to justify the maintenance of a Capital Account or if any difficulty be anticipated in ascertaining the correct revenue, it may, with the sanction of the Government, be classed as a work for which neither Capital nor Revenue Accounts are kept.

## C. WORKS FOR WHICH ONLY REVENUE ACCOUNTS ARE KEPT.

382. There are no works of this class in the Tamil Nadu State.

## D. WORKS FOR WHICH NEITHER CAPITAL NOR REVENUE ACCOUNTS ARE KEPT.

383. Under this "head", are grouped a large number of works, mostly, tanks, which while collectively of great importance, are individually too small to make it worthwhile to maintain separate accounts

for each work. All expenditure on such works whether on the construction of new works, extension and improvements or on repair and maintenance of existing works is booked under the head "333. Irrigation- Navigation, Drainage and Flood Control Projects". Such works cannot be classified as either productive or unproductive, in the absence of Capital and Revenue Accounts *see* Paragraph 370.

## E. MINOR IRRIGATION WORKS IRRIGATING LESS THAN 40 HECTARES.

384. All Minor Irrigation tanks, irrigating less than 40 hectares excepting those which do not form part of a river irrigation system and those which are for special reasons kept under the control of Public Works Department and all Minor Irrigation tanks not forming part of a chain of tanks shall rest with the Panchayat Union Council concerned.

## F. INVESTIGATION AND SANCTION OF NEW IRRIGATION PROJECTS.

385. *Deleted.*

386. (*a*) Investigation of an Irrigation Project (including famine relief work) the cost of which does not exceed Rs. 20,000 can be finalised by the Executive Engineer in consultation with the Collector concerned and the reports and estimates submitted to the competent authority for administrative approval.

(*b*) Reports on the preliminary investigation of any such project, the cost of which is likely to exceed Rs. 20,000 should before complete investigation is undertaken, be sent by the Executive Engineer to the Superintending Engineer, the complete investigation of any such project which is not expected to cost more than a lakh of rupees can be sanctioned by the Superintending Engineer, the complete investigation of any project of the cost of which exceeds Rs. 1 .00 lakh but does not exceed two lakhs of rupees requires the sanction of the Chief Engineer (Irrigation) and the complete investigation of any project the cost of which exceeds two lakhs of rupees requires the sanction of Government.

(*c*) All Projects likely to cost over Rs. 2,00,00 should be investigated simultaneously by the Executive Engineer, and the Collector concerned on the technical and revenue aspects respectively wherever feasible and the reports submitted to the Chief Engineer,

who in cases where he modifies the scheme, may obtain the views of the Collector on the modified scheme, Projects estimated to cost upto Rs. 1·00 lakh and requiring the sanction of the Government may be submitted to the Government by the Chief Engineer direct without reference to the Board of Revenue. Projects estimated to cost over Rs. 1·00 lakh will be submitted to the Government by the Chief Engineer through the Board of Revenue whose function will only be to go to the financial aspects and any other matter brought to notice by the Collector.

NOTE.—In all the above cases, the Collectors should particularly consider the point whether distribution of water or ryots' interests are affected by the scheme.

387. *Deleted.*

388. Superintending Engineer may deal finally with all repairs under Tank Restoration Schemes. Works of improvement nature which are calculated to raise the efficiency of the tanks by way of increasing the capacity or ayacut or both should be dealt with under the Paragraph 386 above.

## G. DEBIT OF EXPENDITURE OF INVESTIGATIONS.

389. Expenditure on the investigation of a New Irrigation Project—Productive or Unproductive—should be accounted for under the Minor Head 'Other charges', under the Major Head '333. Irrigation Works—Miscellaneous Expenditure'. The other minor heads 'Establishment and Tools and Plants' are intended for record of charges of the cost of establishment and tools and plants employed on such investigation. When the Projects are, actually, taken on hand, the Accountant-General makes the necessary adjustments to transfer such expenditure to the Capital Account if such account is kept for the work.

## H. PREPARATION OF PROJECTS-IRRIGATION WORKS.

### I. GENERAL.

390. The preliminary investigation of a project by the Public Works Department should be limited to the collection, by inspection, preliminary field work and enquiry, of the data required for arriving at an approximate estimate of cost and at a decision whether the project is likely to be feasible and should be further investigated with a view to its eventual execution. The report on the preliminary investigation should include a general description of the

proposed work and an approximate estimate of the cost of the project and if the complete investigation of the project is recommended a general description of the lines of the investigation to be made and an estimate of their cost considering the work to be done in all the departments concerned and not only in the Public Works Department.

The following points should be dealt with particularly in the reports:—

(*a*) The amount of water available, having regard, when necessary, to the possible claims of other States, to the interests of existing irrigation under the source proposed to be tapped whether in this or in other States, and to the rights of other riparian owners of lands irrigated lower down.

(*b*) The approximate extent of the ayacut of the project and its general location:

(*c*) The existing sources of irrigation in the proposed ayacut (e. g., tanks and wells), the suitability of the soil for irrigation.

(*d*) The rainfall and its distribution throughout the year.

(*e*) The level of sub-soil water at various seasons as indicated by wells in the proposed ayacut.

(*f*) The nature of the crops to be irrigated, the duty of water at the field and at the head works and the allowance made for seepage and evaporation in the channels.

(*g*) A description of the distributory channels which, in the case of larger works, should be accompanied by a longitudinal section;

(*h*) Any measures which may be necessary for the protection of the ayacut from floods from outside it, such as river flood banks;

(*i*) The existing drainage facilities in the ayacut and the works to be undertaken—

(1) To ensure that the drainage courses are made sufficient to carry off not only the floods which occur from time to time owing to local rainfall but also the additional water which will be placed on the land by the proposed project; and

(2) To enable the drainage water from the fields in the ayacet to reach the drainage courses without having to pass over cultivatud land for an undue length;

(*j*) The adequacy of the existing communications and the provision of additional communications and the agency by which they should be provided;

(*k*) A rough estimate of the cost of Special Staff in the various departments concerned:—

(1) for making a complete investigation,

(2) for carrying out the works, and

(3) for expediting the development of irrigation after the works are completed.

(*l*) The sources from which labour can be obtained.

(*m*) A description of the healthiness of the tract in which the works are to be carried out and the need for and cost of special measures to safeguard the health of those to be employed on the construction of the works, and of housing accommodation and other amenities for them.

In the case of a storage work, the report should include—

(n) a general description of the catchment;

(*o*) the run-off at the site of the proposed reservoir with data on which the available supplies are calculated;

(*p*) the approximate capacity of the reservoir;

(*q*) a general description of the soil and sub-soil of its bed and porosity of the bed;

(*r*) the materials of which it is proposed to construct dam;

(*s*) a longitudinal section and a few cross-sections of dam with sketches of the profiles proposed for adoption;

(*t*) A general description of the soil and sub-soil at the site of the proposed dam and their porosity, the suitability of the foundations of the proposed dam and the possibility of leakage under it or round its flanks;

(*u*) the proposed surplus works;

(*v*) the materials required and those available for the construction and the localities from which they can be obtained; and

(*w*) a recommendation whether an examination of the site by a geological expert is necessary or not.

The report should also include a preliminary financial forecast including an estimate of the rate of water-cess, which will have to be charged in order to make the project remunerative, provision being made for the acquisition of land and the excavation of channels at the cost of the Government for large blocks of land and for the acquisition of land alone for field channels to be excavated by ryots at their own cost within those blocks; and for any works that may be necessary to ensure adequate protection from floods and drainage of the land to be irrigated. The maximum area of a block to which the channels are, under the proposals made, to be excavated at the cost of the Government and the normal area to be served by a field channel should also be given. These should be estimated on the understanding that the Government will control the distribution of water only in and from the channels to be excavated and maintained at the cost of Government and not and from the field channels and that land for field channels is acquired by Government only to facilitate and expedite to the development of the project by mitigating the difficulty which ryots may have in obtaining permission from upper ryots to take water through or over their land. The preliminary investigation should be made in close collaboration with the local Revenue and Agricultural Officers. The opinion of the local Revenue Officers should particularly be obtained as to the desirability or necessity of the projected work, the fairness of the rate of water-cess proposed and the probability of the anticipated financial result being realised. The opinion of the local Agricultural Officers should be particularly obtained as to the kind of crops that are and could be raised in the area and the suitability of soils and the adequacy of their irrigation with the supplies that the project will make available as also on the question whether from an economic point of view the ryot could pay for such irrigation the rate of water-cess proposed; in this connection the cost of the ryot of preparing his land for irrigation should be considered. The question whether legislation would be necessary to ensure the realisation of the water-cess at the rate proposed should be examined and there should be definite recommendation on this question. The views of the ryots in general on the proposed work and on the proposed rate of water-cess should also be incorporated in the report. For this purpose, large meeting of the leading ryots concerned or representatives of them including village officers should be convened at central places in the project area, and the details of the benefits of the project should be explained by officers

of the three departments to the ryots of the area to be benefited by the project. If, at any stage of the investigation, it is considered that the work is not physically, or from an agricultural point of view, feasible or that its costs will be so high as to be unremunerative unless water-cess is levied at a prohibitive rate of that negotiations should be undertaken first with any other Government or that, for any other reasons, the orders of Government should be obtained before further expenditure is incurred, the investigation should be stopped and a report submitted to Government for orders, whether it should be proceeded with.

391. Should it be decided that a complete investigation should be undertaken, a fuller investigation of all the points mentioned in Paragraph 390 should be undertaken and reports, plan and estimates should be prepared with full details as required under Paragraphs 392, 393, 395 and 396 below. Levels must be taken in sufficient detail over the whole area. The ayacut should be definitely, fixed and delimited by the Public Works Department and Revenue Staff on the assumption that all the ryots concerned will agree to have their lands included in the ayacut after making due allowance for the reservation, if necessary of land for new roads, village sites or other public purposes. The main and minor distributory channels including field channels should be aligned; the concurrence of the ryots for the inclusion of their lands in the ayacut and the proposed rate of water-cess should be obtained in the form of written statements or agreements by the Revenue Divisional Officer or any other Revenue Officer deputed to work with the Public Works Department for this purpose the situation of the sluice or pipe through which it is proposed that water should be supplied by the Public Works Department for the irrigation of each field, the proposed alignment of the field channel and the level at which the water will be supplied must be indicated approximately to the ryot concerned. Several ryots may sign one statement relating to several fields in one village, provided it is made clear to which field or fields the signature of each ryot relates. Should a small group of ryots be, generally unwilling to have their lands included in the ayacut, the question of including another area in the ayacut instead, should be considered. Should there be a general unwillingness on the part of all or a great majority of the ryots in the proposed ayacut to agree to the inclusion of their lands in the ayacut and to the proposed rate of water-cess, the orders of Government should be obtained as to whether the investigation of the scheme should be proceeded with or not.

If there is a general desire on the part of the ryots, as evidenced by their written statements, that the project should be carriedout or should the Government order that the investigation be proceeded with, the ayacut should be definitely fixed by the Public Works Department Staff and marked in the Survey Plans with the land of ryots who have expressed unwillingness to have their land included in the ayacut being excluded as far as possible and ayacut registers being prepared together with arrangements for permanent permits to be tendered to the ryots by or in the presence of an officer of the Public Works or Revenue Department. When the ayacut is finally settled, the alignment of canals, channels and distributaries and field channels should be revised, if necessary, the cost of all main canals and branch channels exceeding 32 kilometres in length should be estimated in detail the cost of other typical branch channels and distributaries should be estimated so as to obtain an average rate per kilometre which can be applied to other branch channels and distributaries, the cost of which is not estimated in such detail. During the investigation, land plans and schedules for lands to be acquired for channels etc., may be prepared and preliminary notifications under the Land Acquisition Act may be issued, but care should be taken to see that no measures are adopted which would actually commit Government to the expenditure of money on the execution of the project. The sites of bridges over irrigation canals etc. should be settled in consultation with the Highways and Rural Works Department. The Chief Markets for the agricultural products of the district as well as the existing trade routes and Railways should be enumerated and definite proposals made as to the additional communications and facilities for marketing required as well as the agencies by which these should be provided. The report on the complete investigation should include a revised financial forecast.

It is very necessary that the local Public Works Department Officers should exercise very careful foresight in framing estimates of the cost of works. It is the duty of the Superintending Engineer and Executive Engineer in preparing or scrutinising an estimate to consider carefully the local conditions and the details of the methods by which it is proposed to carryout the work and to satisfy himself that the estimate makes adequate provision for all requirements which can be foreseen. The exercise of special care is necessary in the case of estimates for productive work since the decision to proceed with them or not most greatly depend on the estimates cost of carrying them out.

392. A general description of the proposed works should follow, including the sources from which the supply of water is to be drawn, the quantity of water available at different periods of the year, and the quantity it is proposed to utilise; also the charactor of the sediment brought down, whether likely to fertilize or the reverse, the area of land commanded, the average area usually cultivated, and the area probably irrigable; the lengths of main channels and distributaries and if navigation be also contemplated; the length of the navigable portion.

The quantity of water allotted to each main channel and the area irrigable there from in tabular form, the dimension of the channels and the work on each being entered in P.W.D. Form No. 155-A.

The reasons for the adoption of the particular scheme recommended in preference to any others and a full account of the bases on which the alignments of channels and other portions of the design have been projected with a careful analysis of any engineering questions involved.

The question of labour and the sources when it is obtainable, and the probable effects of the operations on the existing rates.

The localities whence materials are obtainable, and the facilities for manufacture, with probable rates; the results of any experiments on the quality of lime, the charactor of brick, clay etc.

The method proposed of carryingout the work, and the establishment probably required.

The executive divisions into which it is proposed that the works should be divided and the time which will probably be occupied in construction.

## II. PARTICULAR INSTRUCTIONS AS REGARDS STORAGE PROJECTS.

393. The report should, in addition to the formation specified in Paragraph 302, give the area of the tank, and contents when full, the area of land commanded and irricable, the length of the dam, its maximum height, materials of which it is proposed to construct it, form etc , length of surplus weir or weirs, and the mode in which the water is to be let off for irrigation. The questions of the

available water-supply number of times the reservoir will probably fill during the year, rainfall and proportion flowing off the catchment, charactor of soil and general slopes of the country losses by evaporation and absorption and issue of compensation, water, quality of the water, depreciation of storage capacity owing to silt, deposit etc, should be fully dealt with, as well as the quantity of flood water for which provision must be made and the water-ways of the escape weirs.

## III. IRRIGATION PROJECTS AFFECTING INDIAN STATES.

394. *Deleted.*

## IV. FLOOD CONTROL.

395. In the case of new flood control works, it is necessary that the report should show clearly the financial responsibilities of Government in connection therewith and the manner in which it is proposed that the outlay shall be recovered.

## V. PROJECT ESTIMATES.

396. The complete estimates for a project should include indirect as well as direct charges. The main headings are as follows.—

Direct charges—

(1) Works (including surveys and special tools and plant)

(2) Establishment (including leave allowances).

(3) Tools and Plant (Ordinary).

(4) Pensionary charges.

Indirect charges —

Capitalization of abatement of land revenue on area occupied by works calculated twenty-years purchase.

The items included under the head "Works" should be classified under the prescribed main and sub-head of account. The cost of surveys including expenditure incurred, prior to the submission of the project, should be included in the estimate.

Provision should be made in the estimate for establishment, tools and plant and pensionary charges as follows.—

*Establishment.*—(including leave allowances) 25 per cent on the estimated works outlay.

*Tools and Plant.*—Two per cent on the estimated works outlay (ordinary).

Pensionary charges—

(*a*) In the case of large projects for which special establishments are employed and charged to the projects, such percentage as may be fixed by the Government from time to time on the total salary and leave allowances of the pensionable establishment employed on the project, and

(*b*) In the case of small projects or open capital works which are carriedout by the regular Public Works Department Establishment and which in consequent are debited with the "*pro-rata*" charges for establishment calculated under the rules in Appendix 7 to the Tamil Nadu Public Works Account Code, such percentage as may be fixed by the Government from time to time on the gross establishment charges.

NOTE.—The term 'Pensionable Establishment' referred in (*a*) above also includes all temporary staff employed on emergency basis.

Provision should also be made in the project estimate for the levy of one per cent on the estimated works outlay for audit, although this levy is made only in the *proforma* accounts of the works and not in the regular accounts of the State.

NOTES.—(1) These orders will take effect from 1st April 1933.

(2) In the case of irrigation projects for which neither capital nor Revenue Accounts are kept, it is unnecessary, except in the case of large surveys, for new irrigation projects referred to in rule 13 of Appendix 7, Tamil Nadu Public Works Account Code, to enter provision for establishment and tools and plant in the estimate unless, for any reason, it may be deemed desirable to do so in order to forecast the ultimate result of the project.

(3) In respect of projects costing Rs. 10·00 crores and more a lesser percentage for levy of audit and accounts charges based on actuals may be adopted in consultation with the Accountant-General, Tamil Nadu.

## VI. SANCTION TO PROJECTS.

397. The powers of sanction of the State Government have been defined in Chapter VI. Projects beyond their power require the sanction of Union Government.

398. Superintending Engineers and Executive Engineers to the extent specified in Paragraphs 420 (*b*), 423 (*a*), 430 (*b*) and 432 (*a*) are authorised to sanction detailed working estimates against the provision under each head sanctioned in the project. For this purpose, ascertained savings in the provision for works may be transferred from one sub-head to another of the same main head under orders of the Superintending Engineer, and from one Main 'Head' to another under those of the State Government except that savings under the head 'Distributaries' may not be diverted to any other head.

NOTE.—As audit of the charges for establishment and tools and plant (ordinary) is not conducted against the provision made in project estimates such provision will not be available for transfer to other heads.

## VII. CLOSURE OF CONSTRUCTION ESTIMATE (PRODUCTIVE AND UNPRODUCTIVE).

399. It is not possible to define exactly the period at which the construction estimate of an 'Irrigation or Navigation' work for which capital accounts are kept should be closed; but unless specially ordered otherwise, it should be closed as soon as the project is practically in full operation, although there may be works such as drainage cuts, protective embankments, distributaries, etc., provided in the construction estimate, which it is not desirable or economical to construct at once.

A date for the completion of the construction, on which the sanction lapses, unless extended, must be assigned with each sanction.

NOTE.—Executive Engineers are empowered to sanction the extension of the dates of completion of works the estimates for which have been sanctioned by the State Government or the Chief Engineer for Irrigation, as the case may be, under the Open Capital Account Rules, a report of each such extension sanctioned by them being made to the Superintending Engineer.

400. For the purpose of providing for expenditure debitable to Capital after the closing of the construction estimate of an irrigation project such works will be classified into two classes.—

(i) Works which are necessary for the full development of the project but which are not in themselves directly remunerative, e.g., drainage cuts, protective embankments, overbridges, inspection houses, etc.

(ii) Works which are directly remunerative in themselves.

Examples.—New distributaries, facilities for navigation works to increase the canal discharge, etc.

## VIII. COMPLETION REPORTS.

401. When the construction estimate is closed, a completion report of the project should be submitted to Government within 12 months or such earlier period as the Chief Engineer may prescribe comprising the following documents:—

(*a*) A statement (Schedule A) showing, by main heads and sub-heads of the Capital Account, the actual expenditure on works completed upto the date of the closure of the construction estimate.

(*b*) A statement (Schedule B) of works which are within the scope of the sanctioned estimate and of which detailed estimates have been prepared and sanctioned by competent authority, but which were incomplete or had not been begun on the date of the closure of the construction estimate.

(*c*) A statement (Schedule C) of works sanctioned between the date of closing of the construction estimate and the time of submitting completion report.

(*d*) A statement (Schedule D) of works for which no estimates have been sanctioned upto the date of the submission of the completion report, but the probable expenditure on which can be foreseen and which are necessary to complete the project.

(*e*) A statement (Schedule E) complied as a combination of statements A, B, C and D showing revised forecast of expenditure. This statement should also show, for purposes of comparison the sanctioned estimate by main heads and sub-heads of the Capital Account.

(*f*) A report on the works executed upto the time of the closure of the construction estimate. This report will discuss the financial results already attained and expected in the future and the general prospects of the project and should be accompanied by forecast

financial statements I—IV in Public Works Department Form No. 155 based on Schedule E above, i.e. on the total anticipated ultimate expenditure on the project.

(*g*) An index map showing the canals and distributaries as completed.

NOTE.—It is essential that all important uncommenced works which are within the scope of the sanctioned estimate should be included in Schedule B, C or D, as the case may be, except that works included in a substantial section of project, which may have been abandoned eventhough provisionally, may be omitted provided that the total amount of the sanctioned estimate as entered in Schedule E is reduced by the aggregate assumed cost (including contingencies) of the works included in that section—*vide* Paragraph 182.

402. The Schedule E will be treated as revised forecast of expenditure against the sanctioned project. The completion report will be passed by the Government.

403. and 404. *Deleted.*

405. The State Government should maintain a register (Public Works Department—Form No. 154) with reference to each project showing the approval accorded by them and each subsequent sanction against capital and the date when each sanction lapses.

## IX, RULES GOVERNING THE SUBMISSION OF ESTIMATES FOR AND THE CONSTRUCTION OF IRRIGATION WORKS. THE COST OF WHICH EXCEEDS THE POWERS OF SANCTION OF PROVINCIAL GOVERNMENTS.

406. *Deleted.*

# CHAPTER VI.

## POWERS OF SANCTION.

### A—POWERS OF GOVERNMENT.

### I—FUNDAMENTAL CONDITIONS.

407. The powers of the Tamil Nadu Government and of authorities subordinate thereto, in respect of Public Works expenditure other than on establishment, are detailed in this chapter, subject to the provisions in Article 246 (3) of the Constitution of India. The State can exercise its powers with respect to any of the matters enumerated in list II in the seventh schedule as far as it relates to Public Works Department.

408. In all cases in which there is reason to doubt whether any expenditure is within its competence to sanction, the State Government should, before sanctioning the expenditure, invariably obtain a report from the Accountant-General showing whether the expenditure is within its powers of sanction. Any objection raised by the Audit Officer in this respect to any order issued by a State Government should be submitted for the orders of the Government of India, together with a copy of the Audit Officer's statement of objections.

409. A group of works which forms one project shall be considered as one work and the necessity for obtaining the sanction of higher authority to a project which consists of such a group of works is not avoided by the fact that the cost of each particular work in the project is within the powers of sanction of the State Government. But this restriction does not apply to the case of irrigation projects, the construction estimates of which have been closed and further Capital Outlay on which is being incurred under the rules for open Capital expenditure.

### II—REPORTS OF PROBABLE EXCESSES.

410. Whenever it is foreseen that an estimate sanctioned by the nment of India or by the Secretary of State is likely to be d, and that such excess will in all probability not be within the f sanction of the State Government, the anticipated excess atonce reported to the Government of India. An immediate Government of India is also required in those cases in l expenditure, including the actual or probable excess, on

an estimate sanctioned by the State Government within its powers, is likely to amount to a sum in excess of that which the State Government is empowered to sanction. *See* also Paragraph 182.

No excess over a revised estimate sanctioned by the Government of India can be sanctioned by any lower authority.

NOTE —The above paragraph applies only to Irrigation Works, the Governor's residences and Central works.

## III—REVISED STATE EXPENDITURE.

411. The expenditure relating to works and repairs on Governor's residences and the High Court is treated as "Charged on the Revenue of the State".

### Expenditure on Governor's Residences.

Except with the President's assent or Parliament sanction under Article 158 (3) of the Constitution of India, which must be obtained in advance, the amount of the expenditure incurred on the maintenance, improvement, renewal or replacement, of the official residences of the Governor shall not in any one year exceed the amount specified in the table below, provided that the Governor may, without exceeding the maximum specified in the said table, reappropriate, whenever necessary, from or to one sub-head of the said table to or from another sub-head thereof.—

| | | Rs. |
|---|---|---|
| (1) | Improvements .. .. | 50,000 |
| (2) | Maintenance and repairs .. .. | |
| | (a) Gardens .. .. | 49.000 |
| | (b) Electricity .. .. | 55,000 |
| | (c) Water .. .. | 18,000 |
| | (d) Taxes .. .. | 65,000 |
| | (e) Repairs .. .. | 1,03,000 |
| | Total .. | 3,40,000 |

NOTE.—The term "Expenditure" occurring in the last paragraph represents actual works expenditure only and does not include the overhead charges such as charges for establishment and tools and plant

## IV. TRANSFERRED EXPENDITURE

412. *Deleted.*

## V—FAMINE RELIEF WORKS.

413. *Famine Relief Works.*—(i) The State Government have issued Famine Code for the guidance of officers and others while employed on famine duty.

(ii) The fund may be utilized on—

(*a*) the relief of serious famine; and

(*b*) the relief of districts caused by serious drought, flood or other natural calamities, or when the fund exceeds Rs. 40 lakhs, the excess may be utilized to meet expenditure on protective irrigation works or other works for the prevention of famine.

## VI—POWERS OF REAPPROPRIATION.

414. After budget grants have been prepared under Article 202 of the Constitution of India and voted by the Legislature, any reappropriation is governed by Article 12 of the Madras (Tamil Nadu) Budget Manual which is reproduced below.—

*Reappropriation.*—The appropriation act is accompanied by detailed estimates, but the provision in these estimates are not so rigid as the Act itself. It is hardly possible in practice to adhere strictly to the estimates for every item in the Budget prepared some months before the commencement of the year and it may be necessary to spend more on one item and less on another. In such cases necessary transfer may be made within a grant whether out of sums charged on the revenues or out of the granted-voted by the Assembly, but not from one to other. Such transfers are known as reappropriations. Except in certain special cases in which reappropriation is not permissible (*See* paragraph 93 of the Madras Budget Manual), the Finance Department has full powers of reappropriations in this grant, while the Administrative Departments of the Secretariat and the heads of Departments exercises limited powers of reappropriations in accordance with rules framed by the Finance Department.

## B.—POWERS OF CHIEF ENGINEERS.

### ROADS AND BUILDINGS.

**415.** The following powers have been delegated to the Chief Engineer (Roads and Buildings) —

### I—SANCTION TO ESTIMATES.

(*a*) Administrative Approval.

| | | Limit of power. Rs |
|---|---|---|
| (i) | To accord administrative approval to estimates for works required for his department (other than residential buildings and electrical works). | 10,000 |
| (ii) | (*a*) To accord administrative approval to additions, improvements and alterations to electrical works in non-residential buildings | 1,000 |
| | (*b*) To accord administrative approval to additions, improvements and alterations to electrical works in residential buildings subject to conditions laid down in paragraph 445. | 550 |
| (iii) | Contribution work | 10,000 |
| (iv) | To sanction estimates for the purchase of "Tools and Plant" and "Livestock" within the limit of budget allotment. | Full powers |

(*b*) Technical Sanction.

| | | |
|---|---|---|
| (v) | To accord technical sanction to detailed estimates for works upto a limit of | Full powers |

(*c*) Excess over Estimates.

To deal with all excesses of not more than 5 per cent of the amounts of any sanctioned estimate, He may also pass excess expenditure upto a limit of Rs. 5,000 on all works, irrespective of the amounts of the sanctioned estimates. This delegation will apply to electrical works also.

(*d*) Electrical Maintenance Estimates.

To prescribe lump-sum provisions for the annual repairs to electrical installations in civil buildings upto a limit of Rs. 4,000 as paid down in paragraph 147.

## II.—REAPPROPRIATION OF FUNDS.

### VOTED EXPENDITURE.

To sanction reappropriation of funds from one Circle to another under the same minor head within a grant provided that.—

(1) Such reappropriation does not involve the undertaking of a recurring liability.

(2) The reappropriation is not made to a new service or subject not contemplated in the budget for the year.

NOTE .— Under the clause, the Chief Engineer may not reappropriate funds to a new major work or a new minor work costing over Rs. 2,500 which has not been mentioned in the budget.

(3) the reappropriation has not the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the council or by Government.

(4) the total budget provision for minor works under a minor or departmental head under "50 Civil Works" is not increased;

(5) the appropriation does not involve a transfer of funds between voted and non-voted heads;

(6) the reappropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of estimate, if technical sanction has been accorded;

(7) the amount reappropriated from or to a single major work does not exceed Rs. 10,000; and

(8) a copy of the order sanctioning the reappropriation shall be communicated to the Finance Department and to the Accountant-General as soon as it is passed.

### Non-voted Expenditure.

The consent of Finance Department may be presumed under Devolution Rule 45 to the exercise by the Chief Engineer of the same powers of reappropriation as in the case of voted expenditure excluding clause (3) above which has no application.

## III. SALE OF DISMANTLEMENT OR BUILDINGS.

(*See* paragraph 235)

## IV.—OFFICE FURNITURE

To sanction purchase of office furniture upto Rs. 2,000 subject to budget provision.

## V.—CONTRACTS

To accept any tender for execution of works, including those to be executed by the Electrical Engineer (General) by contract within the amount of the sanctioned estimate. He may invest individual Executive Engineers in-charge of Divisions with powers to enter into contracts based on the lump-sum tender system upto a limit of Rs. 25,000 subject to the condition that no additions or alterations in authorized standard forms are made by an Executive Engineer-*vide* paragraph 431.

## VI. (*a*)—WRITE-OFF

To write-off the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or other causes, unprofitable outlay on works and loss of revenue subject to a maximum limit of Rs. 500 in each case provided the loss does not disclose—

(i) a defect of system or in rules the amendment of which requires the order of a higher authority.

(ii) serious negligence on the part of some individual officer or officers, which might possibly call for disciplinary action requiring the orders of a higher authority.

NOTE :—All sanctions to write off under this rule should be communicated to the Accountant-General.

## VI. (b)—DEMURRAGE AND WHARFAGE CHARGES.

To sanction the payment of Demurrage and wharfage charges upto Rs. 100 at a time in cases where such charges cannot be recovered from the person or persons responsible.

NOTE :—All sanctions accorded under this should be communicated to the Accountant-General.

## VII. LAW SUITS

To Exercise all the powers exercised by the Board of Revenue in regard to according santion to the institution and defence of original suits and appeals, the money value of which does not exceed Rs. 10,000 in each case, unless they involve any important question of principle or are in the nature of test suits, in which case, irrespective of the money value, the orders of Government should be obtained.

NOTES :— (1) The point whether a case does or does not involve a question of principle shall be decided by the Chief Engineer.

(2) Before according such sanction, the Chief Engineer shall obtain the opinion of the Government Solicitor, Madras, in regard to litigation in the City and shall obtain or cause to be obtained, the opinion of the Local Government Pleader in regard to mufassal litigation, and follow the instructions in G. Os. No. 3470, Law (General), dated 12th September 1931 and No. 4100, Law (General), dated 6th November 1931.

(3) If the Chief Engineer finds himself unable to accept the legal advice obtained in any case, he should report it for the orders of Government.

(4) The Superintending Engineer or the Executive Engineer should, when he submits the records of a case in which in his opinion, a suit or appeal should or should not be filed, or the defence should or should not be undertaken, send along with the records—(*a*) the opinion of the Local Government Pleader and (*b*) the opinion of the Collector in suits and appeals affecting or likely to affect any department under his control as to the advisability or otherwise of filing or defending the suit or appeal.

**416.** The following powers have been delegated to the Chief Engineer (Irrigation) :—

## I. SANCTION OF ESTIMATES

### (*a*) Administrative Approval.

| | | Rs |
|---|---|---|
| (1) | 68. Works for which Capital and Revenue Accounts are kept - Works chargeable to capital account. The concurrence of the Board of Revenue should be obtained in the work in cases where distribution of water or ryots' interests are affected. Cases in which there is disagreement between the Chief Engineer and the Board of Revenue should be submitted by the Chief Engineer to Government through the Board of Revenue. | 10,000 |
| (2) | XVII, Works for which Capital and Revenue accounts are kept - Extension and improvements. | 10,000 |

| | Rs. |
|---|---|
| (3) 18. Works for which Capital and Revenue Accounts are not kept (i) Original works (works and extensions and improvements. | 10,000 |
| Works for which Capital and Revenue accounts are not kept (ii) Miscellaneous expenditure. "These powers should not be exercised unless there is budget provision specifically made for the purposes and expenditure is non-recurring". | 2,500 in each case. |
| (4) Full contribution - Original works. | Full powers. |
| (5) To sanction estimate for the purchase of tools and plant and livestock within the limits of the budget allotment. | Do |
| (6) Tank restoration scheme works - Extensions and improvements. | 10,000 |
| (7) Purchase of and improvements of floating plant for which no rent or hire is chargeable | 10,000 in each case. |
| (8) Purchase of and improvements to floating plant for which rent or hire is recoverable | 3,000 in each case. |

Note.—The limits fixed herein are for "works" only and are exclusive of centage charges for Establishment and Tools and Plant etc.,

(*b*) Technical sanction

*Original works.*—After administrative approval to a project has been accorded by the competent authority, the Chief Engineer can accord technical sanction to detailed working estimates against the sanctioned provision under each head provided that whenever any modification is proposed in the details of the scheme, involving a departure from the approved designs or the alteration of other parts of the scheme or affecting the standard or efficiency or stability of the whole work, he should move the local Government to accord or obtain fresh administrative approval.

Repairs—ordinary—Full powers within the limits of budget allotment.

Repairs—Special—Full powers.

Tools and plant estimates—Full powers.

(c) Excess over Estimates

(Same powers as those of Chief Engineer, Roads and Buildings).

## II. REAPPROPRIATION OF FUNDS

### Voted Expenditure

(i) To sanction reappropriation of funds from one circle to another under the same minor head within a grant provided that—

(1) Such reappropriation does not involve the undertaking of a recurring liability.

(2) the reappropriation is not made to a new service or object not contemplated in the budget for the year;

(3) the reappropriation has not the effect of increasing the expenditure on an item the provision for which has been specifically reduced by a vote of the Council;

(4) the reappropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of the estimate, if technical sanction has been accorded.

(5) the reappropriation does not involve the transfer of funds between voted and non-voted heads;

(6) as regards major original works, the amount reappropriated from one project or system to another does not exceed Rs. 10,000; and

(7) a copy of the order sanctioning the reappropriation shall be communicated to the Finance Department and to the Accountant-General as soon as it is passed.

(ii) To reappropriate funds to new works not provided for in the Budget under the head "68" when the cost of such a work does not exceed Rs. 2,500 and provided the work forms part of a system on which the expenditure of loan funds has been sanctioned.

Non-voted Expenditure

The consent of the Finance Department may be presumed under Devoluion Rule 45 to the exercise by the Chief Engineer of the same powers of reappropriation as in the case of voted expenditure excluding clause (3) above which has no application.

III. OFFICE FURNITURE

(Same powers as those of Chief Engineer, Roads and Buildings).

IV. CONTRACTS

(Same powers as those of Chief Engineer, Roads and Buildings).

V. (*a*) WRITE OFF

(Same powers as those of Chief Engineers, Roads and Buildings).

V. (*b*) DEMURRAGE AND WHARFAGE CHARGES

(Same powers as those of Chief Engineer, General and Building).

VI. LAW SUITS

(Same powers as those of Chief Engineer, Roads and Buildings).

C. POWERS OF SUPERINTENDING ENGINEERS

417. The following is a summary of the powers of a Superintending Engineer:—

I. ROADS AND BUILDINGS

A. Original Works

(*a*) *Administrative Approval.*—To approve administratively estimates upto Rs. 5,000 for works other than residential, electrical.

NOTES (1)—Superintending Engineers may sanction estimates administratively on electrical works in non-residential buildings upto a limit of Rs. 1,000 provided it is not first installation. All the estimates for improvements to a single building in regard to electrical works in any official year must be considered as one work, the first sanctioned being the original estimate and subsequent sanctions supplemental thereto.

(2)—Huts for watchers of inspection bungalows may be dealt with by Superintending Engineers under their powers of sanction for ordinary non-residential buildings.

(3)—The powers in Note (2) above can be exercised by the Superintending Engineers in respect of quarters for all employees in inferior service subject to the conditions specified in Note (2) under paragraph 426-I-A(c) introduced by G. O. No. 1281 W., dated 12th June 1934.

(b) *Contribution works*.—To sanction the undertaking of contribution works upto Rs. 5,000.

(c) *Technical sanction to estimates*.—Permanent and provisionally substantive Superintending Engineers and those holding officiating rank likely to last for atleast three months are empowered to accord final or technical sanction to detailed estimate for original works upto rupees one lakh excluding charges for establishment and tools and plants.

Where the detailed estimate is a working estimate for a work, or part of a work, included in a general estimate or in any subsidiary estimate subsequently sanctioned by, competent authority, the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded. A Superintending Engineer may transfer as certained savings from any one portion of the project to another within the sanctioned estimate.

(d) *Excesses over estimates*.—To deal finally with all excess of not more than 5 per cent of the amount of any sanctioned estimate provided that the total amount of the excess is within the limit of this powers to sanction estimates technically. He may also pass excess expenditure upto a limit of Rs. 1,500 on all works irrespective of the amounts of the sanctioned estimate. He has however no powers to sanction any excess over a revised estimate sanctioned by a higher authority. (*See* also paragraph 182).

(e) *Alterations of designs*.—To sanction necessary alterations in the constructive details of works during their execution provided that such alterations do not cause an increase of charges beyond the limit of his powers to deal finally with excesses over estimates—*Vide* (d) above.

(f) *Contingencies in the estimate for a work*.—To divert the provision for contingencies to new works or repairs which are not provided for in the estimate.

(g) *Unforeseen works in an estimate for a work*.—To divert the provision under this item for new works which are required by the administrative authority and which are essential for the due fulfilment of the precise object for which the estimate was intended. (*See* also paragraph 117-A.)

### B. Repairs

418. (*a*) To sanction estimates for annual and special repairs within the limits assigned for his circle in the budget estimate under each head of service, and to prescribe lumpsum provisions for the annual repairs to buildings as laid down in paragraph 147. In the case of roads the sum should be limited by the Superintending Engineer to a fixed amount per mile.

(*b*) *Periodical repairs.*—To authorise the commencement of urgent periodical repairs in anticipation of normal sanction to estimates—Vide paragraph 140.

(*c*) *Emergent repairs.*—To sanction emergent repairs to work to any reasonable and necessary amount in case of imminent danger to the structure.

(*d*) *Excesses over estimates.*—Same powers as under Original works, if a revised estimate is not prepared; if a revised estimate is prepared it may be dealt with under sub-paragraph (a) above.

### C. Tools and Plant

418-A To sanction detailed estimates for the purchase and manufacture of ordinary tools and plant upto Rs. 1,00,000.

419. In order that relief works may be started without delay in case of famine, Superintending Engineers are authorized to sanction and keep in readiness repair estimates for raising the bunds of tanks, but funds need not be provided until the works are actually repaired.

## II. IRRIGATION WORKS

420. The following is a summary of the powers of a Superintending Engineer with regard to Irrigation works.

### (*a*) Administrative Approval

| | | Rs. | P. |
|---|---|---|---|
| (1) | 68. Construction of Irrigation, Navigation, etc., works, works chargeable to capital accounts. | * 1,500 | 00 |
| (2) | XVII, Irrigation, Navigation etc., works—works for which capital accounts are kept—working expenses Extension and improvements. | * 7,500 | 00 |

(*) These powers should be exercised in consultation with the Collectors.

| | | Rs. | P. |
|---|---|---|---|
| (3) | 18. Irrigation other revenue expenditure financed from ordinary revenue—works for which no capital accounts are kept— | 7,500 | 00 |
| | (i) Original works (works and extensions and improvements) | | |
| | (ii) Miscellaneous expenditure—The power should not be exercised in any case unless there is specific budget appropriation for the purpose and the expenditure is non-recurring | * 1,500 in each case. | 00 |
| (4) | Full contribution works—Original works. .. | 7,500 | 00 |
| (5) | Tank restoration scheme works—Extension and improvements. | 15,000 | 00 |
| | (*b*) Technical Sanction | | |
| (1) | 68. Works for which Capital and Revenve accounts are kept—Works chargeable to account capital | 1,00,000 | 00 |
| (2) | XVII. Works for which capital/and Revenue Accounts are kept—Extensions and improvements | 1,00,000 | 00 |
| (3) | 18. Works for which capital and Revenue accounts are not kept—Original works (works and extensions and improvements and miscellaneous expenditure) | 1,00,000 | 00 |
| (4) | Full contribution works and repairs .. | 1,00,000 | 00 |
| (5) | XVII and 18 Maintenence and repairs— | | |
| | Ordinary repairs .. | Full powers | |
| | Special repairs .. | 1,00,000 | 00 |
| (6) | Tank Restoration Scheme works—Extensions and improvements | 1,00,000 | 00 |
| (7) | Tools and Plants estimate charged to irrigation heads of account. | 1,00,000 | 00 |

Note:—The limits fined in (1) to (6) above are for "works" only and are exclusive of centage charges for Establishment and Tools and Plant etc.,

* (†) These powers should not be execised unless there is budget provision specifically made for the purposes and expenditure is non-recurring.

(c) Excesses over estimates

Superintending Engineers may sanction excesses over estimates subject to the limits in paragraphs 417 (*d*) and 418 (*d*) subject also to the condition that in the case of Irrigation, Navigation, Embankment and Drainage works for which Capital and Revenue Accounts are kept, the power can be exercised only so long as the total project estimate is not exceeded—*Vide* paragraph 398 and rule 24 of the rules issued by the Government of India in their letter No. I.R/39, dated 6th July 1929. He may howver, transfer savings from any one portion of the project to another within rules issued by the Government of India in their letter No. I.R./39, dated 6th July 1929.

Note:—The actual expenditure in any particular year on sanctioned estimates, is, however, limited to the appropriation—*See* paragraph 101 (*a*) (ii) of the Tamilnadu Public Works Account Code.

## III. PHOTOGRAPHIC CHARGES

421. Superintending Engineer may sanction photograph charges within the limits of budget provision.

Note:—In cases where the photographs taken are for completed works and for general purposes and not in the interest, of the works themselves, the charge should be debited to Establishment Contingencies.

## IV. CONTRACTS

422. (i) To accept tenders for contracts for all original works and repairs upto the limit of the estimates sanctioned by competent authority plus such excess as he is competent to sanction under the provisions of paragraph 417(*d*). To execute contracts and piece-work agreement upto the same limit, provided they are drawn up in standard forms

(ii) To accept tenders for, contracts for Electrical Works.

(iii) To accept tenders for contracts for sanctioned original works and repairs upto the limit of the estimates sanctioned by the competent authority plus such excess as they are competent to sanction under paragraph 417 (*d*) of this code.

## V. STORES

### (a) Purchase, Manufacture and Repair.

**423.** (i) *General.*—To accord administrative approval to estimates for the purchase of tools and plant (not including livestock or office furniture) subject to a maximum expenditure of Rs. 5,000 for each estimate, and to order the purchase or manufacture of any stores required for the construction of a sanctioned work, subject to the conditions laid down in the Stores Rules.

Note:—Estimates for extensions and improvements and special repairs which owing to inclusion of items of substantial improvement would go either wholly or partly to increase the capital cost of staff boats, or boats for which rent or hire is payable should be submitted for sanction of Government irrespective of their cost but estimates for all other floating plant may be dealt with by the Superintending Engineers upto a limit of Rs. 1,000.

The term "floating plant" does not include motor or steam launches for the purposes of this note.

(ii) *Office furniture.*—To sanction purchase of office furniture within the budget allotment subject to a maximum expenditure of Rs. 500 or each estimate.

(iii) *Indents.*—To pass indents on other departments for articles required for sanctioned works, and to forward indents for European stores direct to the High Commissioner for India for any work within his powers of sanction. *See* the Stores Rules—Appendix 15 to the Madras Financial and Account Code, Volume II, issued by the Government of Madras.

(iv) *Repairs.*—To sanction estimates for repairs to tools and plant within the limits of the appropriation assigned to this circle.

### (b) Disposal of Stores.

(i) To issue orders for the disposal of all unserviceable or surplus stores including stock, tools and plant, materials at site of works and materials received from works dismantled or undergoing repair; to write off the loss due to disposal of such articles (i.e the difference between the book value of the articles and the amount realised by their disposal) when the total loss on all articles disposed of at a time and included in one survey report is Rs. 10,000 or less. Also to sanction the issue of any materials from store-yards to

private persons. Full value including storage charges, plus the usual charge of 10 per cent except when this charge is specially remitted under the provisions of paragraph 331 (*a*), when this can be done without inconvenience to the public service.

(ii) To writeoff famine tools that have been lost or become unserviceable.

(iii) A Superintending Engineer may deal finally with the disposal of any unserviceable floating plant subject to the proviso that the condemnation', sale or disposal otherwise of all staff boats, and of other vessels of which the original cost was Rs. 10,000 or more, should be made after the sanction of Government.

(*c*) Losses due to Depreciation.

To sanction estimate for losses due to depreciation of stock upto a limit of Rs. 10,000.

(*d*) Write off

To write off the irrecoverable value of stores or public money lost by fraud or the negligence of individuals or other causes, unprofitable-outlay on works and loss of revenue subject to a maximum limit of Rs. 300 in each case provided the loss does not disclose—

(i) A defect of system or in rules the amendment of which required the order of a higher authority; and

(ii) serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action requiring the orders of a higher authority.

NOTE.—All sanctions to write off under this rules should be communicated to the Accountant-General.

(*e*) Sale and Dismantlement of Public Buildings

(*See* paragraph 235)

(*f*) Lossess in Manufacture.

To adjust losses in manufacture upto a limit of Rs. 500 in each case.

## VI—POWERS OF RE-APPROPRIATION

424. The following are the powers of Superintending Engineers to re-appropriate funds—

I. Roads and Buildings 50 and 81. Civil Works—

(a) Original works—Buildings;

Original works—Communications; and

Original works—Miscellaneous.

A Superintending Engineer may, within the funds allotted to the Circle re-appropriate funds from one work to another subject to the following conditions—

(i) That the total of the amounts proposed to be re-appropriated from or to a single major work does not exceed Rs. 10;000;

(ii) that in the case of resumptions, the head of the department concerned is informed of the fact explaining why it was not possible to spend the appropriation on the work is question;

(iii) that no re-appropriation is made to a new major work or to a new minor work costing over Rs. 2,500 . not provided for in the budget.

(iv) that there appropriations are confined to works under the same minor head or department.

(v) the re-appropriation does not involve a transfer of funds to a work or project which has not received the requiste administrative approval and technical sanction under the rules in this code or does not involve an appropriation of funds in excess of the amount of the estimate if technical sanction has been accorded;

(vi) that the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority; and

(vii) that the re-appropriation has not the effect of increasing the total budget provision for minor works under a minor or department head under "50 Civil Works."

(b) "Repairs" and "Tools and Plant"—No powers.

NOTE.—Lumpsum will be allotted by the Chief Engineer for each circle under the primary units under those heads. The Superintending Engineer should re-distribute the amounts under each primary unit among the several divisions under him.

(a) *Establishments*—No power except under the heads "Non—contract contingencies" and "Supplies and Services". The exercise of the powers is subject to the condition that the re-appropriation does not involve the undertaking of a recurring liability.

(2) 68. Construction of irrigation, Navigations, Embankment and Drainage works for which Capital and Revenue accounts are kept and "Working expenses" under XVII—Irrigation, Navigation, Embankment and Drainage works for which capital accounts are kept—

A Superintending Engineer may re-appropriate funds within the same minor head provided that—

(i) the re-appropriation does not involve a transfer of funds from one project or system to another;

(ii) no re-appropriation of funds is made for the execution of any new work not provided for in the budget for the year;

(iii) the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of the estimate, if technical sanction has been accorded; and

(iv) that the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority.

(3) 18. Other revenue expenditure financed from ordinary revenue:—

A Superintending Engineer may sanction re-appropriation of funds within the circle provided—

(i) that no re-appropriation is sanctioned from one minor head to another;

(ii) that the re-appropriation does not involve expenditure on new major works not provided for in the budget;

(iii) that the re-appropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or does not involve an appropriation of funds in excess of the amount of the estimate, if technical sanction has been accorded; and

(iv) that the re-appropriation has not the effect of increasing the appropriation under a unit, which has been reduced by a higher authority.

(4) Copies of all orders of re-appropriations sanctioned by Superintending Engineer, should be forwarded to the Finance Department through the Chief Engineer, and to the Accountant-General.

## VII—MISCELLANEOUS POWERS

425. Rules and powers regarding the grant of advances of pay and travelling allowances, house-building advances, etc., and contingent expenditure will be found in the Tamil Nadu Financial Code Volume I.

426. Superintending Engineers of Circles are authorised to arrange with the Telegraph Engineering Department, on their own authority, for the establishment of telephone connections required as a temporary measure in connection with the execution of works, subject to the condition that the cost of the connections has been provided for in the sanctioned estimate for the works.

2. Superintending Engineers are authorised to incur expenditure in the employment of Watchman for supplying drinking water to this office staff from their office contingencies when the necessity for such expenditure arises.

427. Superintending Engineers may approve of alterations of the dates of birth entered in the service books of the non-gazetted establishments employed under them.

## D—POWERS OF EXECUTIVE ENGINEERS

428. The following is a summary of the powers of a permanent Executive Engineer in-charge of a division. Officiating Executive Engineers in-charge of divisions are also empowered to exercise these powers provided the officiating period is likely to exceed three months Once an officiating Executive Engineer has exercised these powers he will exercise them again whenever he acts as an Executive Engineer, whatever the period unless the powers have for any reason been expressly withdrawn.

## I—ROADS AND BUILDINGS

### A—Original works

(*a*) *Administrative approval.*—To accord administrative approval to estimates up to Rs. 500 for contribution works and for works executed for the Public Works Department other than residential or eclesiastical works.

NOTES.—(1) The above powers can be exercised by the Executive Engineers in regard to electrical works also subject to certain conditions--vide paragraph 441 and the note thereunder as introduced by G.O. No. Ms. 1281, W., dated 12th June 1934.

(2) The Executive Engineers of Divisions can accord administrtive aproval upto a limit of Rs. 100 in the case of small extensions to electrical installations in Government non-residential buildings in their charge.

(3) In the case of works connected with quarters for employees in inferior service, however, Executive Engineers can accord administrative approval upto a limit of Rs. 2,000 subject to the following conditions:—

(*a*) that the proposals are in accordance with the latest type-designs approved by Government and that outside works are limited to minor sanitary works, such as drains, latrines, wells and the like: and

(*b*) that an enhancement of the limit fixed for 'Minor works' is not asked for on this ground.

(*c*) Technical sanction to estimate--To accord final or technical sanction to detailed estimates or original works upto a maximum limit of Rs. 10,000 excluding charges for establishment and tools and plant.

(*b*) When the detailed estimate is a working estimate for a work, or part of a work, included in general estimate or in any subsidiary estimate subsequently sanctioned by competent authority, the sanction is subject to the condition that the provision for it in the general or subsidiary estimate is not exceeded.

NOTE--The Executive Engineers of Divisions can accord technical sanction to estimate for electric installations, new works, extensions and improvements in Government buildings in their charge upto a limit of Rs. 3,000.

(c) *Excesses over estimates.*—To deal finally with all excess of not more than 5 per cent of the amount of any sanctioned estimate provided that the total amount of the excess is within the limit of his powers to sanction estimates technically. He may also pass excess expenditure upto a limit of Rs. 750 on all works irrespective of the amounts of the sanctioned estimates. He has however no powers to sanction any excess over a revised estimate sanctioned by a higher authority.

(d) *Alterations of designs.*—To sanction alterations in the constructive details of works during their execution in cases of necessity, reporting as a general rule, his action to the Superintending Engineer, provided that such alterations do not cause an increase of charge on the work, beyond the limit of his powers to deal finally with excesses over estimates--vide (c) above. When however, such alterations affect the administrative side of the works, they should be effected only after consulting the administrative department concerned.

(e) *Contingencies in the estimate for a work.*—To divert the provision for contingencies to new works or repairs not provided for in the estimate upto a maximum of Rs. 2,500 for each item (Paragraph 117). The Executive Engineer can divert the provision in an estimate under "Contingencies" to meet excesses due to the increased rates or any cause whatever, provided the total amount of the estimate after revision does not exceed by more than 5 per cent of the sanctioned amount inclusive of contingencies and provided that the excess is within the Executive Engineer's powers of sanction.

(f) *Unforeseen works in an estimate for a work.*—To divert the provision under this item for new works which are required by the administrative authority and which are essential for the due fulfilment of the precise object for which the scheme was intended, upto a limit of Rs. 2,500 for each item.... *See* also paragraph **117A.**

B—Repairs

429. (a) (i) Ordinary and Special repairs—To sanction estimates for ordinary and special repairs within the limits of budget allotments and upto a limit of Rs. 10,000 for each work.

NOTE.—The limit of Rs. 10,000 does not apply to cases where lumpsum mileage rates are fixed by the Superintending Engineers for annual maintenance of roads under paragraph 418 (a). The limit in such cases is the amount for each road based on the mileage rate for each reach of that road fixed by the Superintending Engineer.

429 (*a*) (ii) Emergent repairs—To sanction emergent repairs to all works in-charge of the department to any necessary and reasonable amount, in case of imminent danger to the structure.

(iii) *Repairs to electrical installations*—To sanction estimate for ordinary or special repairs to electric installations in Government buildings in their charge upto a limit of Rs. 2,500.

(*b*) To prescribe lump-sum amounts on ordinary repairs under paragraph 147 upto Rs. 500 under the conditions laid down therein.

(*c*) Excesses over estimates—Same powers as under original works, if a revised estimate is not prepared; if a revised estimate is prepared, it may be dealt with under sub-paragraph (a) above.

C.—Tools and Plant.

429. A. Same powers as under, original works.

## II—IRRIGATION WORKS

### (*a*) Administrative Approval

| | | Rs. |
|---|---|---|
| 430. | (1) 68. Works for which Capital and Revenue Accounts are kept—Works chargeable to capital account. | |
| | (2) XVII. Works for which Capital and Revenue Accounts are kept--Extensions and improvements. | 500 |
| | (3) 18. Works for which Capital and Revenue Accounts are not kept--Original works (Works, Extensions and Improvements) | 500 |
| | (4) Full contributions works other than repairs | 500 |
| | (5) Tank Restoration scheme works--Extensions and Improvements. | 500 |

NOTE.—Executive Engineers who have put in a service of not less than 15 years in the department may accord administrative approval to departmental irrigation works--Extensions and Improvements, original works and Tank Restoration scheme works—Extensions and Improvements and full contribution works upto a limit of Rs. 1,000 for each work. The provious approval of the Collector should be obtained to all proposals for works estimated to cost more than Rs. 500. In these cases the Executive Engineer should send to the Superintending Engineer a copy of the report sent by

him to the Collector, and the Superintending Engineer may, if he desires it necessary, in any particular case, call on the Executive Engineer to submit the detailed estimates and plans for his approval.

(*b*) Technical sanction.

| | Rs. |
|---|---|
| (1) 68. Works for which capital and Revenue Accounts are kept—Works Chargeable to Capital Account. | 10,000 |
| (2) XVII. Works for which capital and Revenue Accounts are kept—Extensions and Improvements. | 10,000 |
| (3) 19. Works for which Capital and Revenue Accounts are not kept—Original works (Works, Extensions and Improvements and miscellaneous expenditure). | 10,000 |
| (4) Full contribution works and repairs. | 10,000 |
| (5) XVII. and 18. maintenance and repairs— | |
| (*a*) Ordinary repairs. | Full powers |
| (*b*) Special repairs—Include repairs under famine relief works. | 25,000 |
| (6) Tank Restoration Scheme Works—Extensions and Improvements. | 10,000 |
| (7) Tools and Plant estimate charged to irrigation heads of account. | 10,000 |

NOTE 1—The limits fixed in items (1) to (6) above are for "works" only and or exclusive of centage charges for Establishment and Tools and Plant etc.,

2—The actual expenditure in any particular year on sanctioned estimates is however limited by the appropriations—*See* paragraph 101 (a) (ii) of the Tamil Nadu Public Works Account Code.

(*c*) Excesses over estimates.

(Same powers as under paragraphs 428 (*a*) and 429 (*c*) but subject to the limitations in paragraph 420 (*c*).

## III—CONTRACTS

431. (i) To accept tenders for contracts for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of paragraph 428 (c) and subject to a limit of Rs. 10,000 or of any higher limit which may be authorised by the Chief Engineer under the provisions of the sub-paragraph below.

The Chief Engineer may, at his discretion, invest individual permanent Executive Engineer in-charge of division or officiating Executive Engineer in-charge of division who has officiated or is likely to officiate in such a charge for more than three months with powers to enter into contracts based on the lump-sum tender system upto a limit of Rs. 25,000 subject to the condition that no additions to, or alternations in, authorised standard forms are made by an Executive Engineer.

(ii) To accept tenders and contract for electrical works.—To accept tenders for contracts for sanctioned original works and repairs up to a limit of Rs. 3,000 and Rs. 5,000 respectively with such excess as they are competent under paragraph 428 (c).

NOTE.—In cases where materials are supplied by Government to the contractor, the amount of the contract should, for the purpose of determining the authority, competent to accept it, be taken to the net amount to be paid to the contractor, exclusive of the cost or value of the materials so supplied. Further the amount of the contract added to the cost of materials must not exceed the sanctioned estimates by an amount greater than that which the officer is empowered to sanction under the provisions of paragraph 428 (c)

## IV—STORES

### (a) Purchase, Manufacture and Repairs

432. (i) To accord administrative approval to estimates for the purchase or manufacture of tools and plant (not including livestock or office furniture) subject to a maximum of Rs. 500 each estimate and to sanction estimates for regular repairs of special tools and plant other than running or working expenses upto Rs. 500 for each estimate and for the maintenance of ordinary tools and plant upto Rs. 1,000 a year for the division limited to the appropriation allotted for the division. The divisional Engineers and Executive Engineers may sanction estimates technically for ordinary maintenance of special tools and plant like lorries, power rollers, etc., upto Rs. 10,000 per year for each such plant.

(ii) To accord administrative approval to the purchase o office furniture upto Rs. 100 for each estimate.

(iii) To order any stores required for the execution of a sanctioned work, subject to the condition laid down in the Stores Rules—Article 125 of Tamil Nadu Financial Code Volume I, and to provision in the sanctioned estimates—*See* paragraph 322.

(iv) To purchase or manufacture stock. sufficient to keep the stock of the division upto the reserve limit—Vice paragraphs 323 and 324.

(*b*) Write off

(i) To sanction the writing—off the returns of tools and plant of all tools and plant the full value of which has been recovered. In recovering the value of tools lost, centage charges must be recovered.

(ii) To write-off tools and plant in those cases where only part values has been recovered for causes which he considers reasonable.

(iii) To write—off unserviceable tools and plant and stores, the original cost of which did not exceed Rs. 100, when no value is recovered for causes which the Executive Engineer considers reasonable.

(iv) To write—off famine tools the full value of which has been recovered, subject to the proviso that if such write—off affects the authorized reserves, the orders of the Superintending Engineer concerned should be obtained.

(v) To write—off finally the irrecoverable value of stores or Public money lost by fraud or the negligence of individuals or other causes, unprofitable outly on works and loss of revenue subject to a maximum, limit of Rs. 100 in each case, provided that the loss does not disclose—

(1) a defect of the system the amendment of which requires the orders of higher authority. or

(2) serious negligence on the part of some individual officer or officers hich might possibly call for disciplinary action requiring the orders of higher authority.

(c) Disposal of Stores (Other than Tools and Plant)

(i) To issue orders for the disposal, by a sale or otherwise, of surplus stores at a rate not less than the prevailing market rate in the locality at the time of their disposal or at their full book value whichover is less, and of materials received from works dismantled or under going repairs at their estimated value upto a limit of Rs. 2,500 vide paragraph 336 (a) of the Tamil Nadu Public Works Account Code.

(ii) To sanction the sale of articles on the stock accounts to private persons, when it can be done without inconvenience to the public service, for full value including storage charges plus the usual charges of 10 per cent (except when this charge is specially remitted under the provisions of paragraph 331 (a) upto Rs. 1000.

(iii) To sanction the sale of unserviceable stores at less than heir full book value when the original purchase value of the articles does not exceed Rs. 2,500.

(d) Sale and Dismantlement of Public Buildings.

(*See* paragraph 235.)

## V—POWERS OF REAPPROPRIATION.

433. The following are the powers of Executive Engineers to appropriate funds :-

(1) 50 Public Work and 103 Capital outlay on Public Works Major Works—

Subject to the following conditions:—

(1) 60 that the total of the amounts proposed to be reappropriated from or to a single major work should not exceed Rs. 2,500;

(2) that in the case of resumption, the head of the department concerned should be informed of the fact, explaining why it was not possible to spend the grant on the work in question.

(3) that the amount resumed should on no account be diverted to new major works not provided for in the budget; and

(4) that the reappropriation are confined to works under the minor head or department.

(5) that the reappropriation does not involve a transfer of funds to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code or, does not involve an appropriation of funds in excess of the amount of the estimate, if technical sanction has been accorded; and

(6) that the reappropriation has not the effect of increasing the appropriation under a unit which has been reduced by a higher authority.

Minor works—

Executive Engineers have full powers to sanction transfer of funds between the minor works within the division subject to the following conditions:—

(1) no transfer should be made from one minor or departmental head to another;

(2) no transfer of funds shall be made to a new minor work costing over Rs. 2,500 not already included in the appendix to the State Public Works budget;

(3) no transfer should be made to a work or project which has not received the requisite administrative approval and technical sanction under the rules in this Code and then the amount so transferred involve sanction of grant in excess of the amount of the estimates if technical sanction has been accorded; and

(4) That the transfer has not the effect of increasing the total provision for minor works under a minor or departmental head under "259 Public Works".

(2) Copies of orders sanctioning any reappropriation should be communicated to the Finance Department through the proper channel and to the Accountant-General as soon as such orders are passed.

## VI—MISCELLANEOUS POWERS

434. Rules and powers regarding the grant of advances of pay and travelling allowances, house-building advances etc., and contingent expenditure will be found in the Tamil Nadu Finance Code Vol. I and the Tamil Nadu Treasury Code.

(a) Executive Engineers are authorised to incur expenditure in the employment of the watermen for supplying drinking water to their office staff from their office contingencies when

the necessity for such expenditure arises. The General Superintendent, P. W. Workshops & Stores, Madras may incur every year expenditure not exceeding Rs. 300 in connection with the "Ayudha Pooja" celebrations in the above workshop and stores, subject to necessary budget provision.

(b) The Executive Engineers of Division can accord sanction for the payment of compensation to workmen in connection with the accidents falling under section 4(1)(d) of the Workmen's Compensation Act, 1923, when there is an award passed by the Commissioner for Workmen's Compensation, The Executive Engineers of Divisions can also accord sanction for the payment of compensation to workmen in connection with the accidents falling under section 4-D of the Workmen's Compensation Act, 19_3 irrespective of whether the compensation was awarded by the Commissioner for workmen's compensation or not.

(c) The General Superintendent, P. W. Workshops and Stores, Madras can accord sanction for the payment of compensation to workmen in connection with the accidents falling under section 4(1)(d) of Workmen's Compensation Act, 1923 when there is an award passed by the commissioner for Workmen's compensation. The General Superintendent, P. W. Workshops can also accord sanction for the payment of compensation to workmen in connection with the accidents falling under section 4-D of the Workmen's Compensation Act, 1923, irrespective of whether the compensation was awarded by the Commissioner for workmen's compensation or not.

## B—ELECTRICAL ENGINEER'S POWERS OF SANCTION

### I—ORIGINAL WORKS

(a) Administrative Approval.

435. To accord administrative approval to proposals for electrical works upto a limit of Rs. 1,000 for each project, subject to the restriction that the powers will not apply to proposals for first installations to buildings or for electical works relating to residential buildings.

Note.—The powers of administrative approval are restricted to departmental works, i. e. purely Public Works Departmens Works unconnected with any other department.

To accept the execution of contribution works up to a limit of Rs. 200 for each work.

(b) Technical Sanction.

To sanction technically estimates upto a limit of Rs. 10,000

## II—ORDINARY REPAIRS.

(a) (i) *Ordinary and Special repairs.*—To sanction estimates for ordinary or special repairs to electric installations in Government buildings in his charge upto a limit of Rs. 10,000.

(ii) *Emergent repairs.*—To sanction emergent repairs to any necessary and reasonable amount in the case of imminent danger to the installation explaining immediately to the Chief Engineer the essential necessity to utilize the powers.

(b) To prescribe lump-sum amounts for ordinary repairs under paragraph 147 upto Rs. 500 under the conditions laid down therein.

## III—EXCESSES OVER ESTIMATES

[(Same powers as of Executive Engineers of divisions-vide paragraphs 428(c) and 429(c).]

## IV—TENDERS

To accept tenders for contracts for sanctioned original works and repairs provided that the amount of the tender does not exceed the amount of the sanctioned estimate plus such excess as he is competent to sanction under the provisions of paragraph 428(c) and subject to a limit of Rs. 15,000.

The Electrical Engineer who is competent to accept tenders upto Rs. 15,000 shall approve rates and agreement for additional items of work, fairly contingent on the main work and not susceptible of being seperated there from, to the main contractor, provided, the value of the original agreement for the main work accepted by him plus the value of additional items of work put together does not exceed Rs. 15,000.

Note.—(1) This applies to sub-works of major estimates or works sanctioned as supplementary to major estimates upto the same limit for such works.

## V—WRITE OFF

The Electrical Engineer to Government is empowered to sanction the write-off of the value of stores borne on stock accounts damaged or lost by fraud or negligence of the individuals or other causes upto a limit of Rs. 20 for each article of similar articles written-off at a time subject to the restrictions that the loss does not disclose—

(i) A defect of system, [the amendment of which requires the orders of higher authority; or

(ii) Serious negligence on the part of some individual officer or officers which might possibly call for disciplinary action requiring the orders of higher authority.

Survey reports of all such items written-off by the Electrical Engineer should be forwarded to the Accountant-General with the accounts.]

In cases of losses of materials which have already been delited to works viz. Government installation, the replacements should be charged to repair estimates direct and no write-off is necessary. The Electrical Engineer may deal with such cases upto a limit of Rs. 300 for each work or installation subject to the same conditions.

## VI—OTHER POWERS

In respect of other sanctions, the Electrical Engineer can exercise the same powers as of Executive Engineers of divisions.

## F—POWERS OF SUBDIVISIONAL OFFICERS

436. The powers specified in clauses (h), (i) and (j) below can be exercised by all subdivisional Officers (permanent and officiating) irrespective of the length of their service.

The powers specified in clauses (*a*) to (*e*) and (*g*) below can be exercised by—

(1) Permanent Assistant Engineers recruited from supervisors irrespective of the length of their service as Subdivisional Officers.

(2) Officiating Assistant Engineers recruited from supervisors with 3 years service as subdivisional Officer; and

(3) Direct recruited permanent Assistant Engineers with 3 years service as Subdivisional Officer.

The power specified in clause (*d*) can be exercised in full by all officiating Assistant Engineers recruited from supervisors irrespective of the length of their service.

(a) Technical sanction to estimate for works other than those relating to residential buildings and electrical works:—

| | Upto a limit of Rs. |
|---|---|
| 1. Buildings designed on standard plans .. | 1,000 |
| 2. Buildings not based on standard plans .. | 500 |
| 3. Irrigation | Nil |

NOTES.—(1) Subdivisional Officers should consult Executive Engineers in any case of doubt regarding foundations.

NOTE. (2) Selected Officers who have put in a service of not less than five years as Subdivisional Officers may, however, be recommended by Superintending Engineers to be invested with enhanced powers upto Rs. 2,500 and Rs. 1,500 under items (1) and (2) respectively.

(b) Sanction to estimates for special repairs except in the case of residential buildings and electrical works, subject to the following limits:—

| | Rs. |
|---|---|
| (1) Roads and Buildings .. .. | 500 00 |
| (2) Irrigation .. .. .. | Nil |

(c) Sanction to estimates for ordinary repairs:—

| | |
|---|---|
| 1. Roads and building excluding residential buildings and electrical works subject to the limits prescribed in paragraph 144. | 1,000 |
| 2. Irrigation limited to earthwork or repairs to bunds and channel banks and only in accordance with T. R. S. levels and sections No masonry work is to be included. | 1,000 |

NOTE—(I) This does not confer powers to sanction estimates containing provision for work—Establishment.

(2) By the works "T.R.S. levels and sections' is meant "approved standard sections such as those given in the revised list of minor works".

| | Rs. |
|---|---|
| (d) To accept tenders and to enter into piece work agreements on standard forms. | 2,500 |

(ii) To accept tenders and agreements for electrical works of ordinary and special repairs—Rs 3,000 subject to the condition laid down in the paragraph 255 A of this code.

NOTE.—(1) Direct recruited Assistant Engineers and officiating Assistant Engineers of less than three years service are empowered to accept piece work agreement upto a limit of Rs. 1,000 in the case of works connected with repairs and improvement to all canals, channels and tanks irrespective of whether they form part of irrigation systems or not and to accept written undertakings (for petty works) given by contractors under paragraph 175 of this Code.

NOTE —(2) Selected Officers who have put in a service of not less than five years as Subdivisional Officers may, however, be recommended by Superintending Engineers to be invested with enhanced powers upto Rs 10,000 in the matter of accepting tenders and entering into piece work agreements on standard forms.

NOTE:—(3) The above delegation in respect of "agreements" applies to piece work agreements only subject to the following conditions.—

(i) that the agreements containing lumpsum items, or items not included in the sanctioned estimate or rates in excess of those in the sanctioned estimate or addition to or alterations in the authorized form should be accepted by a higher authority that the Subdivisional Offieer; and

(ii) that for items for which lump sums are provided for in sanctioned estimates, the agreements should specify the rates with details and total amount for each of the items, according to the specified rate, should not exceed the lump-sum provision in the estimate. Provided that such specified rates are directly deducible from the accepted schedule of rates of the division and that, in cases where these rates are not so deducible, and where the total of the relevant lump sums in the estimate exceeds Rs. 50 data in support of these rates are got approved by the higher authority before the agreement is accepted.

| | Rs. |
|---|---|
| (e) Powers to purchase tools and plant forming part of a sanctioned estimate, but not including office furniture or livestock | 250 |

(f) Subdivisional Officers have no powers to sanction excesses over estimates sanctioned by higher authority, nor to approve deviation statements of workslips for estimates sanctioned by a higher authority.

(g) They can sanction urgent estimates for tank-bunds or channel banks which have breached but which have not been investigated by the T. R. S. This is applicable only in cases where the estimates referred to therein are classifiable under "ordinary repairs".

(h) Subdivisional Officers can approve of sales of dead and fallen trees in the compounds of public buildings or by the sides of roads in charge of the Public Works Department and on irrigation works upto a limit of Rs. 20 in each case subject to the following conditions.—

(1) that the sale are confined to trees fit for use as firewood only and to those which are less than 4 feet in girth in the case of timber trees used for building purposes.

(2) that wide publicity of the sales is given which must be certified to in the sale accounts submitted by the Subdivisional Officers; and

(3) that if any objections from the public to the notice or conduct of sales are received within a fortnight of the sales, the orders of the Executive Engineers should be taken, the sales in cases where there are no such objections being confirmed after a fortnight.

(i) Sub-divisional Officers are also invested with powers to approve of sales of materials of insignificant value received from works dismantled or undergoing repairs, such as brick debris, Cuddapah slab pieces, at their estimate value upto a limit of Rs. 20 subject to the condition that the articles are not required immediately for use on any works in the locality and subject also to conditions (2) and (3) in clause (j) above.

(j) Subdivisional Officers can approve of grass, fruit and ushery leases upto a limit of Rs. 20 in each case subject to the condition that the period of lease shall not exceed one year and that the sale amount shall not be less than the average of the prvieous three years.

(k) Under sections 55 and 59 (d) of the Madras Forest Act, 1882 (Madras Act V of 1882), Assistant Engineers are invested with powers of Forest Officers within their respective jurisdiction for the purpose of compounding of forest offences committed in relating to unreserved lands (other than tank bed lands) which are solely under the control of the Public Works Department.

## G—POWERS OF ASSISTANT SUPERINTENDENT, PUBLIC WORKS WORKSHOPS, MADRAS.

**437.** To approve work order estimates upto a limit of Rs. 200 in each case.

## H—POWERS OF CIVIL OFFICERS

## I—ACCORD ADMINISTRATIVE APPROVAL

## A—ORIGINAL WORKS OTHER THAN RESIDENTIAL BUILDINGS AND ELECTRICAL WORKS.

**438.** The following authorities, have been empowered to accord administrative approval to original works, other than residential buildings and electrical works the cost of which is debitable to the Public Works grant.—

| | Rs. |
|---|---|
| The Board of Revenue<br>The Commissioner of Excise<br>The Chief Conservator of Forests<br>The Director of Public Instruction | 10,000 |
| The Director of Industries<br>The Director of Agriculture<br>The Inspector-General of Prisons and Chief Inspector of Certified Schools<br>The Inspector-General of Police<br>The Inspector-General of Registration<br>The Commissioner of Labour<br>The Commissioner of Police<br>The Surgeon-General<br>The District Judges<br>The Registrar of Co-operative Societies<br>The Registrar, High Court<br>The Superintendent of Stationery<br>The Collectors and District Magistrates<br>The Agents to the Governor, Vishagapatnam and Godavari<br>The Chief Secretary to Government (in respect of Secretariat buildings at Madras and Ootacamund.) | 5,000 |
| The Director of Fisheries | 1,000 |
| The Director of Veterinary Service | 5,000 |
| The Chief Presidency Magistrate | 500 |
| The Superintendent, Government Press | 500 |
| The Chief Secretary to Government in regard to additions and improvements to Secretariat buildings at Madras and Ootacamund. | 5,000 |

| | Rs. |
|---|---|
| The Director of Public Health | 1,000 |
| The Superintendent, Government Musem | 500 |
| The Principal, Government School of Indian Medicine, Madras. | 500 |
| The Superintendent, Government General Hospital Madras.-1. | 1,000 |
| The Principal, Stanley Medical College, Madras. | 500 |
| The Superintendent, Government Tuberculosis Hospital, Madras. | 500 |
| The Superintendent Government Hospital for Women and Children, Madras. | 500 |
| The Superintendent, Government Royapettah Hospital, Madras. | 500 |
| The Superintendent, Government Opthalmic Hospital, Madras. | 500 |
| The Superintendent, Government Mental Hospital, Madras. | 500 |
| The Superintendent, Government Stanley Hospital, Madras. | 500 |
| The Superintendent, Government Kasturba Gandhi Hospital, Madras. | 500 |
| The Principal, Medical College, Madras. | 500 |
| The Librarian, Connemara Public Library. | 500 |

NOTE:—(1)—The administrative approval of the authorities empowered to accord such approval in paragraphs 438 to 443 is indicated by their countersignature on the plans and estimates. This delegation will also apply to all the second level officers and subordinate officers, who have been empowered by delegation to accord administrative approval. In all other cases, the authorities empowered to accord the administrative approval should themselves countersign the plans and estimates.

(2)—(i) In the case of works relating to Stationery Sub-Magistrates' Officers which are located in the same building as the Taluk Office, the Revenue Department shall be deemed to be incharge of the whole building; administrative approval to such works shall be accorded by the officers of that department up to the limit of their powers, the expenditure being met from funds provided under "General Administration",

(ii) Works relating to Stationery Sub-Magistrates' Offices which are located in separate or detached buildings even though situated in the same compound with other buildings, shall be deemed to be incharge of the Judicial Department, administrative approval to the proposal shall be accorded by that department up to the limit of their powers, the expenditure being met from funds provided under the head "Administration of Justice".

(3)—The Collector or the Board of Revenue, as the case may be should obtain the prior approval of Government to proposals for the provision of a third set of rooms to Inspection Bungalows with double accommodation.

## B—RESIDENTIAL BUILDINGS

439. The outlay chargeable to the capital account of Government residential buildings requires the sanction of Government subject to the following exceptions:—

(1) The Inspector-General of Police and the Inspector-General of Prisons may accord administrative approval to works connected with constables or jail warders' huts provided that—

(*a*) the amount of the estimate in each case does not exceed Rs. 5,000 (an estimate must provide for the whole scheme contemplated at the time of its preparation and may not be split up in order to keep the expenditure with in the Rs. 5,000 limit;

(*b*) the proposals are in accordance with the latest type designs approved by Government; and

(*c*) Outside woks are restricted to minor sanitary works such as drains, latrines and wells, the like.

Notes (1)—The above officers are also empowered to sanction finally the execution of the foregoing works departmentally subject to the same conditions and provided further the estimate is based on rates not exceeding those in the current schedules of the Public Works Department.

(2)—Under sub-clause (c) above, the officers concerned may accord administrative approval to works connected with water-supply from municipal mains to the police lines and jail warders' huts, but note 1 above will not apply to such works. They should be got executed by or through the agency of the Public Works Department with reference to paragraph 196 and 254 of this Code.

(3)—The barracks of constables in the camps of the Malabar Special Police are to be treated as constable's huts falling under exception (1) to the rule.

(2) The authorities mentioned in paragraphs 415, 417 and 438 may accord administrative approval to works connected with quarters for employees in inferior service up to the limit of the powers delegated to them in respect of non-residential buildings subject to provisions (b) and (c) in clause (1) of this paragraph. Executive Engineers in-charge of divisions can exercise similar powers—vide paragraph 428.

440. The following authorities may accord administrative approval to proposals for improving the existing residential buildings subject to the conditions that the additions to the capital cost does not exceed Rs. 500 in each case and that the standard rent of the buildings will not exceed 10 per cent of the average emoluments of the class of tenant for whom it is intended:—

The Board of Revenue

The Commissioner of Excise

The Chief Conservator of Forests

The Chief Engineers

The Collectors

The Director of Agriculture

The Director of Industries and Commerce

The Director of Fisheries.

The Inspector-General of Prisons and Chief Inspector of Certified Schools.

The Inspector-General of Registration.

The Inspector-General of Police.

The Registar, High Court.

The Commissioner of Police.

The Director of Public Instruction.

The Director of Medical Services.

The Registrar of Co-operative Societies.

The Director of Animal Husbandry.

TheDirector of Public Health.

The above delegation does not apply to rent-free quarters or to proposals for acquisition of land for additions to compounds of residences whatever the cost or value of the land may be.

NOTE (1)—The Director of Medical Services is empowered to accord administrative approval for estimate not exceeding Rs. 200 for improvement to rent-free quarters.

(2)—In the case of Law Chambers in the High Court, the Registrar, High Court, shall exercise the powers of administrative approval delegated to him upto a limit of Rs. 500 in each case subject to the conditions (1) that the improvements are limited to works of a minor character so as to keep the Chambers upto the standard ordinarily expected in the case of Chambers on a similar scale and (2) that the works sanctioned will not affect the prevailing market rate of rent, as to which the Registrar shall be the judge

## C.—ELECTRICAL WORKS

### (1) Non-residential Buildings

441. Outlay on the first installations of electrical works in a building requires the sanction of Government. The authorities mentioned below have, however been empowered to accord administrative approval for additions, improvements and alterations to existing electrical installations upto the limits specified against them:—

| Authority. | Limits of power- |
|---|---|
| Board of Revenue<br>Chief Conservator of Forests<br>Chief Engineer (General, Buildings and Roads)<br>Chief Engineer (Electricity)<br>Surgeon-General with the Government of Madras. | Upto Rs. 1,000 for each estimate. |
| Collectors<br>Commissioner of Labour<br>Commissioner of Police<br>Director of Agriculture<br>Director of Fisheries<br>Director of Industries and Commerce<br>Director of Public Instruction<br>Director of Veterinary Services | Upto Rs. 1,000 a year for each building including appurtenant buildings in the same compound |

| Authority. | Limits of Power. |
|---|---|
| District Judges<br>Inspector-General of Police<br>Inspector-General of Prisons and Chief Inspector of Certified Schools<br>Inspector-General of Registration<br>Registrar, High Court<br>Registrar of Co-operative Societies<br>Chief Secretary and other Secretaries to Government including Secretary to the Legislature.<br>Superintending Engineer<br>Superintendent of Stationery | Upto Rs. 1,000 a year for each building including appurtenant buildings in the same compound |
| Executive Engineer | (i) For works in buildings occupied by the Public Works Department upto Rs. 500 a year for each building including appurtenant buildings in the same compound. Vide Note 1 under Paragraph 428 I-A (a).<br>(ii) Upto a limit of Rs. 100 per year for each building in the case of small extension to electrical installations in buildings occupied by other department which are in charge of the Executive Engineers vide note 2 under paragraph 442, 42I-A (a) |

(2) Residential Buildings

442. Outlay on the first installation of electricl works in residential buildings requires the sanction of Government. The authorities mentioned below are however, empowered to accord administrative approval to additions, improvements and alterations to existing electrical installations in residential buildings upto a limit of Rs. 500 a year for each residence, including out-houses

subject to the conditions, (1) that the standard rent of the quarters does not exceed 10 percent of the average emoluments of the class of tenants for whom the quarters are intended, and (ii) that the current consumption charges are recovered from the tenants:—

The Board of Revenue

The Commissioner of Excise

The Chief Conservator of Forests

The Chief Engineer (Roads and Buildings) and Chief Engineer (Electricity).

The Collectors

The Director of Agriculture

The Director of Fisheries

The Inspector-General of Prisons and Chief Inspector of Certified Schools.

The Inspector-General of Registration

The Inspector-General of Police

The Registrar, High Court

The Commissioner of Police

The Director of Public Instruction

The Surgeon—General

The Registrar of Co-operative Societies

The Director of Veterinary Services

The above delegation does not apply to rent-free quarters

NOTE—(i) The Surgeon-General is empowered to accord administrative approval to additions, improvements and alterations to existing installations, in rent-free quarters up to a limit of Rs. 200 a year in each rent-free quarters including out-house.

NOTE—(ii) In the case of Law Chambers in the High Court, the Registrar, High Court, shall exercise the powers of administrative approval delegated to him up to a limit of Rs. 500 in each case, subject to the conditions (1) that the improvements are limited to works of a minor character so as to keep the Chambers up to the standard ordinarily expected in the case of Chambers on a similar scale and (2) that the works sanctioned will not affect the prevailing market rate of rent, as to which the Registrar shall be the judge.

## D.—POWERS OF THE PRIVATE SECRETARY TO HIS EXCELLENCY THE GOVERNOR

443. The Private Secretary to His Excellency the Governor has been authorised to accord administrative approval to works connected with the Government House as below:—

| | |
|---|---|
| (i) Ordinary original works relating to Governor's residences and non-residential buildings. | Up to Rs. 15,000 in each case. |
| (ii) Other residences in the Government House (Raj Bhavan) Compound. | Up to Rs. 4,500 in each case. |
| (iii) Improvements and additions to electrical works. | Up to Rs. 1,500 |

## II. TO ACCORD TECHNICAL SANCTION

**444, 445, 446, 447, 448—Deleted.**

## APPENDIX I AND I-A.

*Deleted.*

(G. O. Ms. No. 2083, P.W., dated 2nd December 1972)

## APPENDIX—II.

### CONTRACTS AND AGREEMENTS INVOLVING LIABILITIES ON THE PART OF THE STATE.

The following rules are laid down to regulate the powers of the Government of India and of the local Government and Administrations to enter into or sanction contracts and agreements involving liabnities on the part of the State. They are in force by virtue of section 130 of the Government of India Act, 1919.

**Statutory rules.**

The following provisions and restrictions are prescribed by the Secretary of State in Council in exercise of the powers reserved to him by Statutes 22 and 23 vict. Chap. 41 Section 1, and shall apply to all concessions, grants, leases and contracts (except such as may be made under any special legislative sanction) made or entered into the Government of India, or by a local Government or Administration or other authority in India, to or with any person, firm, company, syndicate, Municipality, or other Public body who or which has applied for the same for mining, milling or any other industrial or manufacturing purposes or for the purposes of any railway, tramway, water-works or other undertaking of a like nature, not being for ordinary agricultural or settlement purposes or for the purposes of securing the exploitation of forest produce from state forests:—

I. No concession, grant, or lease of land, of mineral or forest rights, or right of water power or of right of way or other easement or of any privilege in respect of land or mineral or forest rights, or right to water power, of an easement and no contract involving the execution or maintenance by Government of works, shall be made or entered into by the Government of India to with or in favour of any person, firm, syndicate, company, municipality or other public body for any of the purposes above mentioned without the express sanction of the Secretary of State in Council.—

If such concession, grant, lease or contract;

(a) is intended to endure for a period exceeding ten years and is not accompanied by an unconditional power of revocation or cancelment by the Government of India at any time during such period on the expiry of six months notice to that effect, and imposes on the revenue of India an annual liability in excess of fifty thousand rupees, or

(b) imposes on such revenues a charge or expenditure or liability to damage in excess of twelve lakhs of rupees; or

(c) involves the cession of property or rights of which the estimated value exceeds twelve lakhs of rupees.

II. No concession grant, or lease of land, or mineral or forest rights, or right to water power, or of right of way or other easement or of any privilege in respect of land of mineral or forest rights, or right to water power, or of an easement, and no contract involving the execution or maintenance by Government of works, shall be made or entered into by any local Government or Administration or other authority in India to, with or in favour of any person, firm, company, syndicate, municipality or other authority in India to with or in favour of any person firm, company, syndicate, municipality or other public body for any of the purposes abovementioned without the express sanction of the Government of India and of the Secretary of State in Council.

If such concession, grant, lease or contract;

(a) is intended to endure for a period exceeding ten years and is not accompanied by an unconditional power of revocation or cancelment by Government of India at any time during such period on the expiry of six months notice to that effect and imposes on the revenues of India an annual liability in excess of fifty thousand rupees; or

(b) imposes on such revenues a charge or expenditure or liability, to damages in excess of twelve lakhs of rupees; or

(c) involves the cession of property or rights of which the estimated value exceed twelve lakhs of rupees.

III. No such concession, grant, lease or contract shall be made by any State Government or Administration or other authority in India to with or in favour of any person, firm, company, municipality or other public body for any of the purposes above mentioned without the express sanction of the Government of India.

If such concession, grant, lease, or contract;

(a) is intended to endure for a period exceeding five years, and is not accompanied by an unconditional power of revocation by the Government at any time during such period on the expiry of six months notice to that effect and imposes on the revenue of India and annual liability in excess of five thousand rupees; or

(b) imposes on such revenues a charge or expenditure for liability to damages in excess of one lakh of rupees; or

(c) involves the cession of property or rights of which the estimated value exceeds one lakh of rupees.

IV. No transfer of any such concession, grant, lease or contract or of any part thereof, of any interest therein or any underletting, shall be recognized as valid except it be made with the express assent of—

(a) The Secretary of State in Council in cases falling within Rule I or II.

(b) The Government of India in cases falling within Rule I or II.

(c) The State Government or Administration in any other cases. And the Secretary of State in Council and the Government of India, as the case may be, may in his or their absolute discretion refuse such assent.

V. In every writing intended to express any concession, grant, lease or contract which fall within these rules, it shall be expressly declared that such concession, grant lease or contract is granted or made subject to them.

VI. When the assent of the Secretary of State in Council is rendered by these rules necessary, to the validity of any concession, grant, lease or contract, or to the transfer thereof, it shall be signified, under the hand of an Under Secretary of State; and when the assent of the Government of India is required, it shall be signified under the hand of Secretary of the Government.

VII. The foregoing rules 1 to VI inclusive, shall not apply, to any concession grant, lease or contract for any of the purposes mentioned in Rule I, if made under any special rule, issued or approved, by the Secretary of State in Council.

**Supplementary rules..**

Rule A.—In cases where it is considered expedient to grant concessions or to make agreements such as those contemplated in the statutory rules, the deed of concession or the agreements, if the rights under it are transferrable, must be so framed that it will be beyond the power of the Grantees or contractors to transfer their rights, or any part of them except with the sanction of the Government of India or State Government and Administration in cases coming within their cognizance.

B.—All such concessions and agreements will further be subject to any special provisions made by Government to meet particular cases or particular classes of cases.

C.—Before any concession or agreement of the class referred to, is submitted for the approval of the Government of India, its terms should be considered in the Law Department of the State Government and by the Highest legal adviser to that Government.

D.—The foregoing rules shall not apply to any concession grant, lease or contract for any of the purposes mentioned in the statutory rules, if made under any special rules isused or approved by the Secretary of State in Council.

## APPENDIX III.

STATEMENT SHOWING THE DIFFERENT CLASSES OF DEEDS, CONTRACTS AND OTHER INSTRUMENTS WHICH MAY BE EXECUTED BY THE PUBLIC WORKS DEPARTMENT AND THE AUTHORITIES EMPOWERED TO EXECUTE THEM.

(Vide paragraph 159 of this code)

Under Article 299 (1) of the Constitution of India, the Governor has directed the undermentioned classes of deeds, contracts and other instruments shall be executed as follows :—

| Number and class of deed, contracts etc. | Authorities empowered to execute. |
|---|---|
| 1. All instruments relating to purchase, supply and conveyance or carriage of materials, Stores machinery etc. | By Secretary to Government Chief Engineer, Superintending Engineers, Executive Engineers and Sub-Divisional Officers in the Public Works Department. |
| 2. All Instruments relating to the execution of Works of all kinds connected with buildings, including Electrical installation, bridges, roads, canals, tanks, reservoirs, docks, harbours and embankments and also instruments relating to the construction of water works sewage works, the errection of machinery and the working of coal mines. | Do. |
| 3. Bonds of auctioneers and security bonds for the due performance and completion of works. | Do. |
| 4. Security bonds for the due performance of their duties by Government servants whom the officers specified have power to appoint. | Do. |
| 5. Leases for grazing cattle, on canal banks or road sides, for fishing in a canal; for the cultivation of land under the Irrigation Departments; leases of water for irrigation and other purposes, and leases of water power and instruments relating to the sale of grass, trees or other produce on road sides or in plantations. | By Chief Engineers, Superintending Engineers and Executive Engineers. |

NOTE.—Subdivisional Officers are authorised to execute fishery leases and leases of grass and usufruct of trees of village panchayats up to limit of Rs. 50 on each case. subject to the conditions that the period of the lease does not exceed one year and that the amount of the lease is not less than the average of previous three years.

| | | |
|---|---|---|
| 6. | Leases of houses, land or other immovable property, provided that the rent reserved shall not exceed Rs .5,000 a month. | By Chief Engineers, Superintending Engineers, Executive Engineers |
| 7. | All instruments connected with the reconveyance of properties given as Security. | Do. |
| 8. | Instruments connected with the collection or farming of tolls at bridges ferries or other means of communication provided by the State Government. | By Chief Engineers, Superintending Engineers, Executive Engineers. |
| 9. | Agreements for the recovery of fines on account of drift wood or other timber passing into canal. | By Chief Engineers, Superintending Engineers, Executive Engineers. |
| 10. | Agreements relating to the loan of tools and plant to contractors and others. | By Executive Engineers. |
| 11. | All deeds and instruments relating to any matters other than those specified in heads 1 to 10. | By Secretary, Public Works Department. |

NOTE.—The power to execute instruments is of course limited by any of other existing order imposing restrictions on contracts to be entered into. For instance, no officer empowered under this Appendix, to execute an instrument can execute one, which he is prohibited to enter into by the rule in Appendix II. or by any other departments or local order; and no officer can execute a contract which under departmental or special orders is beyond his power to enter into. Vide paragraph 160, 415 V, 416 IV 422, 431 and 436 (d) Ibid.

## APPENDIX IV.

### INSTRUCTIONS REGARDING THE PREPARATION OF INDENTS AND THE EXAMINATION OF STORES PURCHASED FROM ABROAD.

(Vide paragraph 313 of this code)

A. *Introductory* :—

1. Subject to the restrictions imposed by Government of India, and in accordance with the rules laid down in paragraph 65 of chapter IV of the Manual of Office procedure for Supplies and Inspection and Disposals (1960 Edition) the State Government can obtain their requirement of 'Specialized Stores' by an indent direct on the Director-General, India Stores Department, London. In all other cases the indents must be forwarded through the Directorate-General Supplies and Disposals. The following rules shall be observed whenever indents are placed direct, on the Director-General, India Stores Department, London.

B. *Foreign Exchange*.

2. (a) Before placing an indent on the Director-General, India Stores Department, London, the prior sanction of Goverment of India, Ministry of Finance (Department of Economic Affairs) should be obtained for all foreign exchange expenditure and commitments. A reference should be made well in advance to the Ministry of Finance (Depatment of Economic Affairs) when State Government invite tenders and start negotiation with foreign suppliers involving expenditure in order to ensure that the necessary foreign exchange will be forthecoming. Proposals for sanction to the release of foreign exchange for purchase of requirements should give full and clear details of the project or any other purpose for which it is required With each proposal complete information as in the Proiforma that may be prescribed by the Government of India from time to time, should be furnised to Government of India.

(b) The application for proposals along with details of goods to be imported (all in 6 copies) should be sent to Government of India. When sending the application, the indenting officer should furnish a certificate that the quantity required is the bearest minimum and inescapable.

(c) The application for the release of foreign exchange so sent is examined in the Central Water and Power Commission, in the case of project requirements to see whether the whole or part of the demand can be met from the surplus available in the country at various project sites. The Ministry of Commerce and Industry departments wing, will examine whether the demand cannot be met from indegenous supplies.

(d) The foreign exchange will be sanctioned in consultation with the Ministry of Finance (Department of Economic Affairs) and on receipt of the clearances from the Central Water and Power Commission in the case of projects.

(e) If release of foreign exchange for the import of spares for maintenance of heavy machinery is required, full particulars regarding the number of machines, etc. should invariably be furnished. Every page of the list of spare parts schedule of goods sent along with the application should be signed by the intending officer. The minimum essential requirement and inescapable certificate should also be furnished along with the application.

C. *Import licence*:

3. (a) On receipt of sanction of foreign exchange application for granting 'Actual Users' or other kind of Import Licence must be sent to the Chief Controller of Imports and Exports for issue of licences.

(b) The import licence, when issued is valid for one year from the date of issue and can be got revalidated by an application to the Chief Controller of Imports and Exports routed through the Central Water and Power Commission if necessary in the case of projects.

D. *Preparation of Indents.*

4. After observing the formalities outlined in the previous paragraphs, an indent in form-Director-General, India Stores Department, No. 82' Indent Form-Civil' as reprinted in the Annexure should be carefully filled in as per instructions in the succeeding paragraphs and sent to the Director-General, India Stores Department, London for compliance.

5. Each indent should be confined to each class of stores to one financial year and to one head of Service (vide Instruction (2) of the printed instructions on the Indent).

6. On the first page of the indent the following information should be given—

(i) In clause 9 (a) one or more certificates, as the case may be on page 4 of the indent, will have to be signed by the indentor.

(ii) In clause 11, the Head of Service (Number and description e.g. 259. Public Works —Tamil Nadu State) should be furnished.

(iii) In clause 11 (b) whether the expenditure is 'Voted' or 'Charged' should be noted.

(iv) In clause 12 of the indent of the full particulars required therein should be furnished indicating the name of the department or the title of the officer and also the Indian Port of Landing.

In cases where, on account of emergency, plant and machinery or any other item will have to be ordered pending provision of funds in the budget the following certificates, in addition to those on page 4 of the indent should be recorded by the Indentor.

"I certify that sanction of the competent Financial Authority has been applied for, for the expenditure involved, which is being incurred in anticipation of sanction under paragraph 177 of the Tamil Nadu Public Works Department Code against estimate for the year....."

*Signature of Indentor.*

In filling up columns 2 and 4 of the Schedule of requirements in the indent the following instructions should be observed. The columns are.....

(2) Catalogue No.

(3) Drawing or specification No.

(4) Manufacturer's part No.

(a) (i) For main plant and machinery etc.

*Columns* 2 *and* 4.—The description of stores required should be self contained. It should be worded in such a way as to give clear indications of the stores required and should avoid reference to catalogues. But in the case of proprietory stores catalogue numbers must be furnished. If the stores required are such as cannot be fully described in detail, e.g. small articles of laboratory equipment, reference to catalogues of well known makers may be furnished in column (2) where absolutely unavoidable. In such cases it should be made clear by the use of an expression such as 'of the type described in Catalogue' that it is not intended to restrict the purchase to any particular make.

(ii) *Spare parts.*—Indents for spare parts should be compiled from makers, spare parts catalogues, where available, and care should be taken to quote the correct symbol number, type, model and nomenclature or code word applicable, to the particular type of engine or plant. The makers' number of the machine should also be stated. If the above particulars cannot be furnished, the date and source of supply should be indicated.

(b) *Drawing or specification.*—Tracings of drawings only should be sent, if in case, it is not possible, ferro or ozalid prints should be sent along with the indent.

8. In regard to column 5 of the indent the following instructions should be followed.—

(a) When indents are placed for plants and machinery required for a project, compressors, exhaustors and specialised equipment (including plant, machinery and scientific stores), electrical apparatus, the purpose for which it is required should be distinctly mentioned.

(b) In the case of multipurpose projects, when Heavy plant Machinery are indented, a tabulated statement should be attached as an appendix, to the schedule of requirements giving principal technical details such as loss of power, economy in maintenance etc. The indent should also specify whether.....

(i) A warranty certificate should be obtained from the suppliers; and

(ii) Test certificates should be obtained in the case of fragile, electrical and scientific stores.

(c) When proprietory stores are indented with the prior approval of the Head of the Department and when it is desired that supply should be restricted to a particular firm, a proprietory certificate as in the proforma in instruction (6) of instructions to indentors, which should clearly state that, no other make brand will be suitable should be furnished and the reason briefly stated for the information of the Director-General. As a general rule, there should be an element of competition in ordering for stores, and therefore the restriction should be exceptional.

(d) In the case of certain bulky articles such as cast iron pipes specials, asbestos, cement pipes they are sent out unpacked, percentage increase being made to the quantity actually required in order to cover possible damages in transit. The indent should specifiy whether such a margin for breakage, has been included or not.

(e) When drawings are asked for in indents, they are usually despatched immediately after the plant has been inspected and approved. When advance drawings are required for foundations or other reasons the demand should be noted accordingly. Instructional and erection drawings should always be asked for, when demanding unfamiliar or complicated plant and machinery.

9. (a)The column "Rate per Unit" under the sub-head "Estimated cost" in the percentage Schedule of requirements in pages 2 and 3 of the indent should be carefully filled in. Each item should be separately priced in pounds, sterlings, and additions should be made at the end of the indent for the estimated cost of freight and where applicable for departmental expenses etc. No item should be left unpriced, a rough estimate being inserted, where reliable information of the cost is not available.

(b) When sending indents, which are subject to financial limits, a separate limit should be shown for each item. In such cases, it is preferable to state the limit of the sum allotted for each item that should not be appreciably exceeded rather than to impose an absolute limit which must not be exceeded. It is advisable to leave it to the discretion of the Director-General, whether—

(i) any one item should be purchased upto the limit of the amount allotted against the item and the balance of the item referred to India for further instructions; or

(ii) the whole item should be referred to India before any order is placed: or

(iii) the item should be ordered in full when it is known that savings more than covering the excess have been effected in the purchase of other items in the same indent.

10. When correspondence has been exchanged between Indenting Officers and manufactures abroad or direct quotations obtained, it is essential that copies of such correspondence including their quotations and conditions of supply should accompany the indent.

11. The indent after filling in various columns as per instructions above should be sent in quadruplicate as incdiated therein, unless and otherwise expressed to the contrary.

*E. Period of delivery*

12. (a) Indent should be transmitted as early as possible in the financial year on which the funds are provided and wherever parcticable should be despatched from India so as to arrive in London, by at the latest, the 30th November. No useful purpose is serviced by certifying against the grant for a given financial year indents which are sent forward so late that they obviously cannot be complied with and paid for within the financial year.

(b) In the indents which are sent by the date as specified in the previous sub-clause the date or dates by which the stores are required to be landed in India should be stated definitely in the indent. As stated in instruction (2) in the instruction to Indentors on pages 2 to 3 of the indent the words 'immediately' as early as possible "Urgently requires" should be avoided. But a brief explanation of the urgency should however, be furnished in column 10 of the Indent especially in cases where the success or commissioning of a scheme depends upon the early arrival of stores. Delivery date or dates should be indicated in red ink in column 11 of the indent thus.

(i) .....(date) (meaning thereby the whole quantity is required by the stipulated date): if staggered supplies are required (vide instructions (3) of the indent) the following certificates must be furnished.

(ii) .....(quantity) by.....date reminder from or Nos..... (month) to.....(month) meaning that so much is required by a particular date and the balance is required by monthly quotas.

(iii) From.....(month) to.....(month) meaning that equal monthly quotas may be delivered as appropriate.

### F. *Inspection of Stores at Country of Origin.*

13. Inspection of imported stores in the country of origin during manufacture and before despatch will be arranged by the Director-General, Supplies and Disposals, London. However the following instructions are issued for the information of the departmental officers.

(a) In the case of certain standard stores of reputed make, inspection by Director-General, India Stores Department, London, is not necessary and works test certificate may be accepted. This procedure will apply only in the case of products of well established and reputed firm.

(b) Eventhough all the goods will be inspected by the Director-General, India Stores Department, London, certain items of electrical and mechanical equipment as per the list drawn up by the Director-General, Supplies and Disposals, New Delhi, from time to time must invariably be inspected during manufacture and before despatch.

(c) Inspection at the port of arrival by the Director-General, Supplies and Disposals, New Delhi may be indicated in the indent, should it be considered more effective and advantageous.

(d) Where there are agents of manufactures of the goods to be imported through the Director-General, Supplies and Disposals, London, in India inspection by him would be necessary only in the following cases:—

(i) Stores which have to be inspected during and where the inspection and test of raw materials used in manufacture are condsidered essential.

(ii) Where the nature of stores is such that full performance tests and thorough inspection has to be carried out at the maker's works.

(iii) Stores in respect of which the cost of Inspection in India to the Department on travelling and other expenses involved is expected to exceed the debit, if any, from the Director-General, India Stores Department, London, if inspection is carried out by him before despatch and the latter course is considered more economical than inspection in India.

### G. *Clearance of Shipments.*

14. Generally the clearance and forwarding of stores procured on c. i. f. basis, should be entrusted to the Director of Supplies and Disposals, Madras. The bill of loading and other shipping documents may be forwarded to him for necessary action. If for any reason the Regional Director does not undertake to clear the goods, the State Port Officer or the General-Superintendent, Public Works Workshops and Stores, Madras, should be entrusted with this work.

In case, the goods are to be forwarded to an Inland station the following particulars should be furnished to the clearing agency.

(1) Name and address of the consignee to whom stores should be despatched including the name of the Railway Station.

(2) Mode of despatch, i. e. whether by passenger train/Goods Train or freight to pay or freight paid.

(3) Whether under Railway risk or owner's risk and whether insurance is to be taken.

(4) Whether customs duty is payable and if at concessional rate, the duty concessional certificate should be forwarded to the clearing agency.

H. *Inspection of Stores on Arrival in India.*

15. The stores should be examined immediately on their receipt at destination, and whenever possible, under the personal supervision of a responsible officer.

16. Particular attention should be given to the instructions on the front of the packing Account, which should be in the hands of the Supervising Officer during the examination of the stores.

17. If the stores are found to be in accordance with the particulars in the Packing Account, a receipt should be furnished in the following terms :—

"Stores received.....(date) and examined.....(date) found to be correct as to quantity and in accordance with the particulars in this Packing Account".

18. All articles not enclosed in package, or loose bulk consignments, are held to have been counted or weighed by the master of the vessel on shipment; consequently, any discrepancy should first be referred to the Port Officer, with an enquiry whether the ship discharged the full quantity.

19. Should any articles appear to have original defects, samples upon which Judgment may be formed, should in all cases be sent to the Director-General, India Stores Deptartmen with the complaint whether they relate to quality or to pattern.

20. If any article not described in the packing account be received, full particulars thereof shold be entered in the packing account, and reported by letter to the Director—General India Stores Department.

21. The packing account should in all cases be signed by the senior officer of the department at the station to which the stores are consigned.

22. When any discrepancy, except as provided for in paragraph 23, is found on receipt of the stores, and especially where early replacement is required, it is requested that the earliest possible intimation may be made by letter addressed to the Director-General, India Stores Department, London (Lambeth) and refernce to this letter noted on the Packing Account. This letter should quote the Shipping number of packages and name of steamer by which the stores were shipped.

In the case of damage, the report should state whether it is considered to be due to defective packing or to rough handling in transit and in what condition the case containing the stores was received by the consignee. In the case of deficiency it should, in addition state whether the case show any indication of pilfering in transit and whether the weight on receipt agreed with the weight shown on the packing account.

23. When discrepancies are discovered and are cosnidered not of sufficient importance to be reported, having regard to the value, nature of the stores and percentage of loss, the receipt on the packing account should be qualified as follows:—

"Except for sundry triffling discrepancies on which no action is required" report of trivial discrepancies or breakages should be avoided, since correspondence with suppliers in cases in which the value involved is trivial is liable to prejudice the settlement of more important claims.

24. It should invariably be stated in reports and packing accounts whether replacement is required or not. In ordinary circumstances, replacement will not be made unless specially asked or.

## APPENDIX V

*Deleted.*

(G.O. Ms. No. 2083, P.W., dated 2nd December 1972)

## APPENDIX VI.

RULES FOR THE OCCUPATION OF GOVERNMENT TRAVELLERS BUNGALOWS.

(*Vide* Paragraph 286 of this code)

This appendix contains the following :—

Section A—Norms for classification of Government Traveller's Bungalows.

Section B—Rules applicable to Government Traveller's Bungalows

Section C—Rules applicable to Government Traveller's Bungalows to the use of which, officers of Public Works Department have no preferential right.

Section D—Rules applicable to Government Traveller's Bungalows, to the use of which, officers of Public Works Department have a preferential right.

Section E—Order of precedence for(the occupation of)the Government Traveller's Bungalows under the control of Public Works Department.

Section F—Rates of rent for occupation of Government Traveller's Bungalows in the State of Tamil Nadu.

Section G:—Rules for use of Telephones in Government Traveller's Bungalows

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Section A:—Norms for classification of Government Traveller's Bungalows.

All Government Traveller's Bungalows in the State of Tamil Nadu shall be grouped under two categories viz class I and class II.

(a) Class I, Bungalows are air conditioned Bungalows, and those among the non-air conditioned Bungalows, that have the following amenities :—

(i) First class construction with R. C. C. roof Mangalore tiled roof over flat tiles.

(ii) Rooms of size not less than 13.38m2 (144 sq. ft.) each.

(iii) Cot with mattresses, bed spreads and mosquito nets

(iv) Running Water Supply

(v) Electric lights and fans

(vi) Modern Sanitary facilities.

(b) Bungalows lacking, even one of the conditions mentioned under(a) and others will be grouped under class II.

## SECTION B.

### RULES APPLICABLE TO GOVERNMENT TRAVELLER'S BUNGALOWS.

1. The Government Traveller's Bungalows in the State shall be incharge of the Public Works Department Divisions concerned, but their use is subject to the control of the Collector of the district concerned.

2. The order of precedence for the occupation of the Government traveller's bungalows are contained in Section 'E' of this appendix.

(i) The Collector of the district concerned, in consultation with the Executive Engineer, Public Works Divisions, may forbid any person, to use the Government Traveller's Bungalows, if in his opinion, the occupant is not likely to use the Bungalow, in proper manner.

(ii) Members of general public shall not have precedence over officials and others entitled to occupy the Government Bungalows, under the above rules.

(iii) The Government reserve the right of accommodation at their discretion and the intending visitors shall not claim admission as a matter of right.

3. Accommodation should as far as possible be reserved by addressing the Collector of the district concerned in advance. A reply to the application will be sent only, if a stamped self addressed envelope is enclosed. Applications by telegrams will be replied, provided, telegraphic charges are prepaid.

4. Reservation on official duty, usually carries right to occupy. Such reservations can however be cancelled by the Collector of the district concerned, if accommodation is required by some other officer or a Minister with higher priority.

5. Accommodation to visitors, is subject to the availability, after meeting the requirements of the persons with higher priority or preference.

6. No reservation may extend beyond a period of three days except in the case of Ministers and Government Officers on duty. A visitor may however occupy the Government Traveller's Bungalows, beyond three days if there is no demand for occupation by any other visitors. Visitors, who have not reserved accommodation may also occupy the Government Traveller's Bungalows, if the suite of rooms have not been reserved for any other visitor for the period they wish to occupy.

NOTE.—One day's rent shall be remitted along with the application for reservation of accommodation, which should be adjusted towards the rent payable by the occupant for the period of occupation. This amount will not be refunded if be reservation is cancelled later on for any reason, by the applicant.

The State Government Servants are exempted from the above rule viz. collection of one day's rent for reservation of accommodation.

7. The rent for accommodation includes electric lights and fans and use of garage, if vacant. Charges for the use of telephones if any, should be paid separately.

NOTE.—No tent will be permitted to be fixed within the compound of the Government Traveller's Bungalows except in cases of security needed for the Ministers and other very important persons only under previous intimation to the Executive Engineer of the division concerned.

8. Luggage arriving in advance must be paid for, at half the rates specified above for single person, if stored in one of the suits of the rooms to the possible inclusion of other visitor's otherwise it may be stored elsewhere within the permises at owner's risk.

9. A book of suggestions shall be kept in the Government Traveller's Bungalows, is which all persons, stopping there shall be required to enter their names, time of arrival and departure and fees due paid. The person occupying the Government traveller's bungalows shall enter under column headed "name" his own name and below that state the particulars of the member or members of family, who accompanied him specifying merely the relationship and age in the case of children.

10. All persons occupying the Government Travellor's Bungalows shall be responsible for any damage, they or their servants and followers may cause to the buildings or to the fittings and furniture and other articles of the Government travellers' bungalows. Damages or losses or breakage caused either by occupants or their servants shall be compensated by the concerned occupants. The Executive Engineer concerned will be authority to decide on the amount to be recovered and his decision in the matter shall be final.

11. All persons occupying the Government Traveller's Bungalows are required to pay without fail, the rent due, before they vacate the Government Traveller's Bungalows

12. A list of furniture and fittings shall be displayed in each suite of the rooms.

13. A price list of utensils, etc., is maintained in the premises, and damages, loss or breakages must be paid before leaving the Government Traveller's Bungalows as per the cost noted therein.

14. Charges for all caterings, etc., provided by the Government Traveller's Bungalows steward, will be extra and will be according to the tariff rates displayed in each room of the Government Traveller's Bungalow.

15. A steward is in-charge of the Government Travellers' Bungalow. He will provide meals if required and ordered in advance. Vegetarian and non-vegetarian charges for meals, etc., are displayed on a seperate notice. Meals ordered through the steward must be paid for whether consumed or not, unless, atleast three hours of cancellation has been given. Unless, the steward has been notified in advance that, meals are required, he will prepare them only on receipt of orders on arrival of the visitors.

16. (i) When such lunch or dinner is served in Western style, full rates will be charged for single service meals and 2/3 rates for every additional service.

(ii) Charges will be only for meals actually taken by the occupant.

(iii) When meals are ordered as individual items in menu of service, the above concession is not permitted.

(iv) Any laxity on the part of the Government Travellers Bungalows servants and stewards, should be noted in the complaint book, that is maintained in the Taveller's Bungalow

(v) If any loss is incurred by the Government on account of changes in the programme of guest, which are not intimated atleast 12 hour earlier than the arrival of the guest, the guest will have to make good the loss.

(vi) Steward shall submit to the Executive Engineer concerned, afortnightly statement showing the details of the occupants and their parties, the extent of durations of stay and charges collected, including advance collection, etc.

17. The steward will arrange to supply lunch, dinner or tea to the visitors, who do not stay in the Government Travellers Bungalows, provided, sufficient advance intimation is given for the supply of dinner, lunch or tea at the charges specified in rule 14 subject to the condition that no disturbance is caused to the guest in the Government Travellers Bungalows.

## SECTION—C.

### RULES APPLICABLE TO GOVERNMENT TRAVELLER'S BUNGALOWS, TO THE USE OF WHICH OFFICERS OF THE PUBLIC WORKS DEPARTMENT HAVE NO PREFERENTIAL RIGHT.

1. Each Government Traveller's Bungalow is in-charge of the Executive Engineer of the division but its use is subject to the control of the Collector of the district.

2. In cases of emergency which render it imperatively necessary that accommodation should be reserved for officers of the Public Works Department, the Collector may in consultation with the Superintending Engineer, Public Works Department accord preferential right to the use of the Government Traveller's Bungalow to the officers of the Public Works Department as a temporary arrangement, subject to this limitation. Honourable Ministers of Government all Officers A and B Group of Government including Central Government, non-official Chairman of Panchayat Union Councils, District Health Officers and the Commissioner of Hindu Religious Endowment Board on tour in their official capacity, shall have the right to use the bungalow, but the Collector in concurrence with the Superintending Engineer may forbid any such officer, the use of the bungalow, if it is shown that he had used it improperly. Officers C and D Group of Government may not use the bungalow, unless they have special permission from the Collector. Members of the Public may use the bungalow with the previous permission of the Collector, but the Collector, after consulting the Superintending Engineer, may reserve it for the use of Government officers, non-official Chairman of Panchayat Union Councils, District Health Officer, and the Commissioner of Hindu Religious Endowment Board on tour in their official capacity, either temporarily or permanently.

The Collector of a district may accord general permission for the use of the Government Traveller's Bungalows in the district to members of the Legislative Council, the Legislative Assembly and the Chairman, Panchayat Union Council who may apply for it before undertaking a journey through the district. The Collector of a district may also accord general permission to Tahsildars, Inspecting Tahsildars and Deputy Tahsildars for the use of specified Government Traveller's Bungalows in the district, in places where no other suitable accommodation is available for them.

During emergency, the staff of the recruiting organisation while on duty in connection with the recruitment of Jawans for the armed forces, should be provided with rent free accommodation to the Government Travellers' Bungalows and the staff of recruiting organisation should be given the same priority, as applicable to Central Government Officers. The recruiting officers may also use the Government Travellers' Bungalows, having only one suite or room as venue for recruitment to the Defence forces and not, in other cases and that too when the only suite is occupied by the recruiting staff.

NOTE 1.—Members of State and Central Legislatures may be allowed to occupy the Public Works Department Government Travellers' Bungalows, without first obtaining the permission of the Collector concerned or of the officer in charge of the bungalow, subject to the following conditions:—

(1) That accommodation is actually available at the time.

(2) That they pay the stipulated fee.

(3) That they do not occupy the bungalow for more than 18 hours.

(4) That they shall vacate the bungalow immediately without dispute if accommodation is required for a Government official, even during the period of occupation.

(5) If they want to stay beyond 18 hours they should obtain the sanction of the competent authority, viz.,the Collector or the other officers in-charge of the bungalow in the usual course.

(6) If accommodation is already reserved, they should not occupy the Government Travellers' Bungalow on the days so reserved even if vacant, except for taking their meal which should not extend beyond the time when the persons for whom it is reserved is expected.

(7) Those who want to stay in the Government Travellers' Bungalows should reserve accommodation in advance, If any accommodation is vacant and unreserved, there is no objection to occupy the travellers bungalows, by those who have not made advance reservation but they will be required to vacate when the person who had already reserved it (Irrespective of the order of precedence) require accommodation.

NOTE 2.—In the case of Government Travellers' Bungalow at Mahabalipuram (Chengalpattu District) which is used frequently by tourists, no previous permission of the Collector, Chengalpattu District is necessary for occupation. The Collector, may however reserve accommodation for not more than one day at a time (from 6.00 a.m. to 6.00 p.m. the next day) in favour of any person. Applications for reservations should reach the Collector, Chengalpattu District atleast a week in advance and should always be accompanied by a day's fee. Applications will be considered in order of priority of receipt. If it is not possible to reserve accommodation the advance fee will be refunded. But fees will not be refunded if accommodation is reserved but not utilised. Those who do not reserve accommodation may occupy the bungalow if it is available on arrival and not reserved for anybody under proper authority. Whenever such a reservation is made, the Government Traveller's Bungalow should be vacated by any occupant, before the reservation begins to be operative.

The State Government Servants are exempted from the collection of one day's rent for reservations of accommodations.

NOTE 3.—Touring members of the Federated Association in the Eastern Touring Federation and foreign tourists, who possess the tourist introduction cards, issued by the Government of India are permitted to occupy the bungalow at any time, without first obtaining permission of the Collector concerned or of the other officers in whose charge the bungalow may be subject to the following conditions:—

(1) that accommodation is actually available at the time.

(2) that they pay the stipulated fee

(3) that they do not occupy the bungalow for more than 18 hours.

(4) that they vacate the bungalow immediately without dispute, if accommodation is wanted for a Government official even during the period of their occupation.

(5) that if they desire to extend the period of occupation beyond 18 hours they should obtain forth-with, the sanction of the competent authority in the normal course.

(6) that when accommodation has already been previously reserved by the Collector or under his order, the members of the Automobile Association and the Foreign Tourists, as such should not occupy the Government traveller's bungalow on any day, it is so reserved, even if, when they arrive, it is unoccupied, except for the purposes of taking a meal which will not involve their remaining in the bungalow after the time when the person for whom it is reserved is expected and

(7) that the members of the Automobile Association and Foreign Tourists show to the watchman of the bungalow their current Federated Association in the Eastern Tourist Federation membership cards, signed by the Secretary of the Association, bearing the Association seal and the tourists introduction cards issued by the Government of India respectively.

3. The order of precedence for the occupation of Government traveller's Bungalows will be as in "*Section E*" of this appendix.

A member of any of the above categories may be required to vacate after 24 hours occupation in favour of any other member of the same category as his, and after six hours occupation in favour of any member in any category higher than his own.

In cases of any emergency the District Magistrates will have discretion to waive the normal order of precedence in respect of the officers—A and B Group of the Police Department, provided the Honorable Ministers are not affected.

NOTE 1.—Officers of Army Service Corps, controller of Defence Accounts—Southern command and the Deputy and Assistant Controllers of Defence Accounts and Accounts Officers of Defence Accounts Department will be ranked among the "Officers—A and B Group" of the State for purposes of these rules.

NOTE 2.—The Controller of Defence Accounts (Factories), the Director, Geological survey of India and "Officers A and B Group" of their staffs will be ranked among the state "Officers—A and B Group", while the "Officers—C and D Group" of their staffs will be ranked amoung the state "Officers—C and D Group" for purposes of these rules.

4. Touring officers should give specific intimation to the subordinate in district or to Collectors or Revenue subordinates, whether Traveller's Bungalows should be reserved for them. If under their instruction bungalows are reserved, but are not occupied, rent should be recovered for the period of reservation, even if there were no applications from others for occupation during the period. But Collectors of districts are allowed to use their discretion and waive the recovery of rent in exceptional cases, due regard being given in the interest of Government. Parties of persons will be permitted to occupy the bungalows only, when the bungalows can be made wholly available for their use, but not when only one set of rooms therein is available. The previous permission of the Collector should be obtained in all such cases.

5. The Collector is authorirised to charge higher fees, whether temporarily or permanently, for special reasons.

No. VI) APPENDICES

## SECTION—D.

### RULES APPLICABLE TO GOVERNMENT TRAVELLER'S BUNGALOWS TO THE USE OF WHICH, OFFICERS OF PUBLIC WORKS DEPARTMENT HAVE A PREFERENTIAL RIGHT.

1. Each Government Traveller's Bungalow of this class is incharge of the Executive Engineer of the division, but its use is subject to the control of the Collector of the district.

2. Chief Minister, Chairman of the Tamil Nadu Legislative Council, Speaker of the Tamil Nadu Legislative Assembly, Ministers of Tamil Nadu Government and Officers of the P.W.D. have a preferential right to the use of the bungalows. Officers of other departments of Government, District Health Officers, Commissioners of the Hindu Religious and Charitable Endowment Board, Chairman of Panchayat Union Councils on tour, in their official capacity and members of general public may occupy the bungalow on the understanding that, they should vacate it at once. if required by a Minister or an Officer of Public Works Department. Officers C. and D. Group, other than those of the 'PW.D. and member of the general public should obtain special permission from the Collector for using the bungalow. The Collector of a district may also accord general permission to Tahsildars, Inspecting Tahsildars and Deputy Tahsildars for the use of specified Traveller's Bungalows in the district in places where no other suitable accommodation is available for them.

The Collector of a district, may also accord general permission for use of the Travellors' Bungalwos in the district to the members of the Legislative Council, Legislative Assembly and the members of Lok Sabha and Rajya Sabha, who may apply for it before undertaking a journey through the district. The Executive Engineer concerned may reserve any such bungalow for the use of Government officers of departments other than the P.W.D. on tour in their official capacity, subject to the clear undertanding that they should vacate it, immediately if required for the use of the officers of the P.W.D.

NOTE 1.—Members of the state and Central Legislatures may be allowed to occupy the public Works Department Traveller's Bungalow, without first detaining the permission of the Collector concerned or the other officers in-charge of the bungalow subject to the following conditions :—

(1) That accommodation is actually available at the time.

(2) That they pay the stipulated fee

(3) That they do mot occupy the bungalow for more than 18 hours.

(4) That they shall vacate the bungalow immediately without dispute if accommodation is required for a Government officeial even during the period of occupation.

(5) If they want to stay beyond 18 hours, they should obtain the sanction of the competent authority viz., the Collector in the usual course; and

(6) If accommodation is already reserved, the member shall not occupy the Traveller's Bungalows on the days so reserved, even if vacant, except for taking their meal, which should not extend beyond the time, when the person for whom ti is reserved is expected.

NOTE.—Touring members of the Federated Association in the Eastern Touring Federation and Foreign Tourists, who possess the tourist introduction cards, issued by the Government of India, are permistted to occupy the bungalow at nay time, without first obtaining the permission of the Collector concerned or other officers in whose charge the bungalow may be, subject to the following conditions:—

(1) That accommodation is actually available at the time.

(2) That they pay the supulated fee

(3) That they do not occupy the bungalow for more than 18 hours.

(4) That they vacate the bungalow immediately without dispute if accommodation is wanted for a Goverment official, even during the period of occupation.

(5) That if they desire to extend the period of occupation beyond 18 hours they should obtain, forthwith the sanction of the competent authority in normal course.

(6) That, when accommodation has already been previously reserved by the Executive Engineer, or under his orders, the members of the Automabile Association, and the foreign tourists as such should not occupy the traveller's Bungalow On any day it is so reserved, even if, when they arrive, it is un occupied except for the purpose of taking a meal, which will not involve their remaining in the bungalow after the time when the person for whom it is reserved is expected; and

(7) That the member for the Automobile Association and the Foreign Tourists, show to the watchman of the bungalow, their current Federated Association in the Eastern Touring Federation membership cards signed by the Secretary of the Association and bearing the Association seal and the Tourist introduction card issued by the Govetnment of India respectively.

3. Pariies of persons will be permitted to occupy the buugalow only when the bungalows can be maae wholly available for their use but not when only one set of room therein is available. The previous permission of the Collector should be obtained in such case. The Collector of the district is authorised to charge higher rates. whether temporarily or permanently fot special reasons after consulting the Superlntending Engineer,

4. The order of the precedence for occupation of Government Traveller's Bungaiows will be as in 'SectionsE' of this appendix.

NOTE—A member of any of the above categories may be required to vacate after 24 hours' occupation in favour of any other member of the same category as his, and after six hours' occupation ln favour of any member in any eategory, higher tnau his own.

NOTE 2—Officers of Army Service corps, Controller of Defence Aecounts Southern Centre Command and the Deputy and Assistant Controller of Defence Accounts and Accounls Officers of Defence Accounis Departmcn[ will be ranked among the 'Officers of A and B Group " of the Stare for the purposas these rates.

No. VI (

APPENDICES

NOTE 3.—The controller of Defence Accounts (Factories) and Director, Geological Survey of India and the "Officers A and B Group" of their staff will be ranked among the state "Officers—A and B Group", while the "Officers—C and D Group of their staffs will be ranked among the state "Officers—C and D Group" for purposes of these rules.

NOTE 4.—As a reciprocal arrangement, the officers of the Irrigation branch of the Punjab Government, visiting the Tamil Nadu State may use these bungalow free of rent with the previous approval of the Chief Engineer (Irrigation).

LIST OF INSPECTION BUNGALOWS AND PROJECT HOUSES IN WHICH PREFERENTIAL RIGHTS MAY BE GIVEN TO P.W.D. OFFICIALS.

I *Chengalpattu District*—

1. Inspection Bungalow at Poondi (Poondi House)
2. Inspection Bungalow at Vallur Anicut.
3. Inspection Bungalow at Mahabalipuram.

II. *Coimbatore District*—

1. Inspection Bungalow at Amaravathi Nagar
2. Inspection Bungalow at Bhavani
3. Bhavani House at Bhavani Sagar Dam.
4. Inspection Bungalow at Dharapuram
5. Inspection Bungalow at Erode
6. Inspection Bungalow at Gobichettipalayam
7. Inspection Bungalow at Kodiveri
8. Inspection Bungalow at Kottur
9. Inspection Bungalow at Madathukulam
10. Inspection Bungalow at Pollachi
11. Inspection Bungalow at Udumalpet
12. Inspection Bungalow at Valparai

*Project Houses*

1. Project House at Erode.
2. Project House at Gobichettipalayam
3. Project House at Sathyamangalam

III. *Dharmapuri Distric—*

1. Inspection Bungalow at Dinnur near Hosur.
2. Project House at Krishnagiri Dam.

IV. *Kanyakumari District*

1. Inspection Bungalow at Pechiparai.
2. Inspection Bungalow at Perunchani

*Project Houses.*

1. Project House at Kuzhithurai
2. Kuzhithurai Project House at Kuzhithurai.

V. *Madurai District*

1. Inspection Bungalow at Andipatti
2. Inspection Bungalow at Edayapatti
3. Inspection Bungalow at Chittampatti
4. Inspection Bungalow at Gudalur
5. Inspection Bungalow at Melur
6. Inspection Bungalow at Mettupatti
7. Inspection Bungalow at Peranai.
8. Inspection Bungalow at Periakulam.
9. Inspection Bungalow at Periyar (I.B. Big and Small)
10 Inspection Bungalow at Thekkady (Big and Small)
11. Inspection Bungalow at Uthamapalayam
12. Inspection Bungalow at Veerapandi.
13. Vai-Ka-Si—Illam at Madurai
14. "Vaigai" Illam at Vaigai Dam Site.
15. Project House at Dindigul.

VI *Nilgiri District—*

1. Inspection Bungalow at Coonoor.
2. Inspection Bungalow at Gudalu
3. Westmere Inspection Bungalow at Uthagamandalam.

VII. *North Arcot District—*

1. Inspection Bungalow at Aliabad Anicut.
2. Inspection Bungalow at Cheyyar Anicut.
3. Inspection Bungalow at Palar Anicut.
4. Inspection Bungalow at Poiny Anicut.
5. Inspection Bungalow at Thiruppathur
6. Inspection Bungalow at Vaniyambadi.

*Project Houses.*

1. Project house at Sathanur Dam.
2. Project house at Thiruvannamalai

VIII. *Ramanathapuram District—*

1. Inspection Bungalow at Kamudhi.
2. Inspection Bungalow at Mandapam Camp.
3. Inspection Bungalow at Rajasinga Mangalam

IX. *Salem District—*

1. Inspection Bungalow at Mettur Dam (I Class)
2. Inspection Bungalow at Mettur Dam (II Class)

X. *South Arcot District —*

1. Inspection Bungalow at Eyyalur
2. Inspection Bungalow at Karupur
3. Inspection Bungalow at Lalpet
4. Inspection Bungalow at Mamathur Anicut.
5. Inspection Bungalow at Puliangudi
6. Inspection Bungalow at Pelandurai Anicut
7. Inspection Bungalow at Sathiathope
8. Inspection Bungalow at Thirukkoilur Anicut.
9. Inspection Bungalow at Thiruvedi Anicut.
10. Inspection Bungalow at Vanamadevi Anicut.
11. Inspection Bungalow at Virudhachalam Anicut.

*Project Houses.*

1. Project House at Gomukhi Nadhi Project Dam Site.
2. Project House at Kurichi
3. Project House at Manimuktha Nadhi Project Dam Site.

XI. *Thanjavur District* —

1. Inspection Bungalow at Aranthangi
2. Inspection Bungalow at Coleroon
3. Inspection Bungalow at Grand Anicut.
4. Inspection Bungalow at Kabisthalam
5. Inspection Bungalow at Kodavasal
6. Inspection Bungalow at Kospachikottai
7. Inspection Bungalow at Koradacheri
8. Inspection Bungalow at Koraiyar Head
9. Inspection Bungalow at Lower Anicut.
10. Inspection Bungalow at Muthupet
11. Inspection Bungalow at Naivasal Thinapattur
12. Inspection Bungalow at Papanasam
13. Inspection Bungalow at Peralam
14. Inspection Bungalow at Puduchattram (Thirukattupalli)
15. Inspection Bungalow at Talanayar
16. Inspection Bungalow at Thiruvonam
17. Inspection Bungalow at Tranquebar
18. Inspection Bungalow at Vennar Head
19. Inspection Bungalow at Vetticad.

XII. *Tiruchirappalli District* —

1. Inspection Bungalow at Mayanur
2. Inspection Bungalow at Nadiar Anicut
3. Inspection Bungalow at Pettavadhalai
4. Inspection Bungalow at Pillaiyarayan

5. Inspection Bungalow at Thaiyanur

6. Inspection Bungalow at Thirumanur

7. Inspection Bungalow at Upper Anicut.

*Project Houses.*

1. Project House at Kamarasha Valli

2. Project House at Tiruchirappalli

XIII. *Tirunelveli District* —

1. Inspection Bungalow at a Kannadian Anicut

2. Project House at Radhapuram

## SECTION—E.

### ORDER OF PRECEDENCE FOR THE OCCUPATION OF GOVERNMENT TRAVELLER'S BUNGALOWS UNDER THE CONTROL OF PUBLIC WORKS DEPARTMENT.

1. Chief Minister, Chairman of Tamil Nadu Legislative Council, Speaker of the Tamil Nadu Legislative Assembly, Ministers of Government of India, Ministers of Tamil Nadu State Government, Ministers of other State Governments and Judges of the High Court.

2. (a) Chief Secretary to Government and first member of Board of Revenue.

(b) Additional Chief Secretary to Government, other members of Board of Revenue, Special Secretaries to Government and other Secretaries to Government.

(c) Heads of departments having jurisdiction throughout the State.

3. District Collectors, District Judges, Deputy Inspector-General of Police, Superintending Engineer, Conservators of Forests and other "Officers of A and B Group" of Government who have jurisdiction over more than one Revenue District and Defence Force Officers (Rank of Lieut. Col. or equivalent rank in the Indian Navy and Indian Airforce.

(a) Members of State Legislature and Members of Lok Sabha and Rajya Sabha provided the abovementioned members who are the residents of the locality, where the Inspection Bungalows and Circuit Houses etc, are situated are not eligible for the occupation of the Inspection Bungalows, circuit Houses, etc. They shall not be eligible to reserve accommodation in their names, even for others.

(b) District Revenue Officers, District Magistrates, Executive Engineers of Public Works Department, Divisional Engineers of Highways and Rural Works Department, Executive Engineers of Tamil Nadu Water Supply and Drainage Board and Superintendents of Police.

(c) Other "A and B Group Officers" of Public Works Department, Highways and Rural Works Department and Tamil Nadu Water Supply and Drainage Board and Revenue Department.

4. "A and B Group Officers" of the rank of District Officers of other departments, Officers of the Indian Army, Air-Force and Navy including Defence Force Officers not coming under item (3) and other "A and B Group Officers" of the State and Central Governments and Reserve Bank of India, who draw a pay of Rs. 600 and above.

(a) Co-operative for American Relief Everywhere Officials.

5. Other "A and B Group Officers" of the State Government and Central Government and Commissioned Officers of the Defence Department.

(a) Class I Officers of the Life Insurance Corporation, the Hindustan Photo Films Manufacturing Company Ltd., the Neyveli Lignite Corporation Limited the National Sample Survey Organisation, Indian Council of Agricultural Research and Employees, State Insurance Corporation.

(b) The Scientists/Officials of Agricultural Universities of India.

(c) Detatchment Officers of Survey of India, Geodetic and Research Branch of Government of India, Ministry of Education.

6. Public Prosecutor, the Chairman of the South Arcot Groundnut Market Committee and chairman of Panchayat Unions.

7. Officers of Bharat Sevak Samaj.

8. "C and D Group Officers" of the Government and District Panchayat Officers including the Audit Parties from the Accountant-Generals' Office.

9. Class II Officers of the Life Insurance Corporation of India, the Hindustan Photo Films Manufacturing company Limited., the Neyveli Lignite Corporation Limited., the National Sample Survey Organisation, Indian Council of Agricultural Research and the Employees of State Insurance Corporation.

10. The teachers and Scholars of various Colleges and Universities.

11. Others, who do not fall under the above categories and members of general public.

## SECTION—F.

### RATES OF RENT FOR OCCUPATION OF GOVERNMENT TRAVELLER'S BUNGALOWS IN THE STATE OF TAMIL NADU.

Rent payable for the stay of 12 hours and above, but less than 24 hours.

| | | *Air conditioned* 1*st class.* (1) | *Non-Air conditioned.* 1*st class* (2) | *Non-Air conditioned.* II *class.* (3) |
|---|---|---|---|---|
| | | Rs. P. | Rs. P. | Rs. P. |
| A. Single Person | .. | 5 00 | 2 00 | 1 00 |
| B. For every additional member upto a limit of 4 additional members. | | 2 50 | 1 00 | 0 50 |

NOTE 1.—For stay less than 11 hours half the rates shall be charged.

NOTE 2.—If the air conditioner is out of order or if there is failure of powers for over 2 hours, rent for air conditioning accomodation, shall be collected as for the class I, non air conditioned one.

NOTE 3. (a)—The above rate shall be applicable to All Tamil Nadu State Government Servants (including deputation to Tamil Nadu State Government Service) employees of Tamil Nadu Government undertaking in the Public Sector (including deputationist to such undertakings), Members of the Tamil Nadu State Legislature, Members of Pariiament, State Government Servants of Gujarat and Rajasthan and Central Government Servants. Others shall be charged at double the above rates: "provided that the Government Officers otherwise than an official duty shall be treated on a par with members of public and charged at double the above rates.

NOTE 3 (b)—Public seetor undertaking of the Tamil Nadu Government are requested to make the Rest Houses under the control available to the Tamil Nadu State Government Servants (including deputationist to Tamil Nadu State Government Service) employees of Tamil Nadu Government undertakings in the Public Sector (including deputationist to such undertakings) and Central Government at the same rihts as given above.

NOTE 4—Ministers of Government of India, Minister of all State Government in India. Chairman and Deputy Chairman of the Tamil Nadu Legislative Council and Speaker and Deputy Speaker of the Tamil Nadu Legislative Assembly and High personages declared by Covernment as State Guests shall be exempted from payment of rent.

NOTE 5.—The staff of Tamil Nadu Water Supply and Drainage Board be treated on par with the Tamil Nadu State Government Officials and they will be assigns the same priority applicable to State Government Officials for oecupying Government Traveller's Bungalows and that they will be charged the same rate of rent as applicable to State Government Officials.

NOTE 6.—The teachers and scholars of various Universities be treated on par with the State Government Officials and that they will be charged the same rate of rent as applicable to the State Government Officials, subject to the following conditions,—

(i) That the occupation is only on professional excursion in connection with their studies and research work. and

(ii) that they should vacate whenever required by Ministers, Very Important Persons and other State Government Officials wtth higher priority.

NOTE 7.—Concessional rate of rent charged to Government Officials on duty in the various Government traveller's Bungalows may be made applicable to the Committe Members of the Tamil Nadu Consumers Co-operaiive Federation for their stay provided by Governuent in connection with their official work.

NOTE 8.—During emergency. the staff of the recruiting organisation, while on duty in connection with the recruitment of Jawans for the Armed Forces, should be provided with rent free accomodation in the Government Traveller's bungalows and the staff of the recruiting organisation shall be given the same priority as applicable to Central Government Officers.

NOTE 9.—The Detachment Officer of Survey of India, Geodetic and Research Branch, Government of India, Ministry of Education and the Scientists Officials if Agricultural University of India should be provided with accomodation facilities in the Government Traveller's Bungalows. Whenever they require accomodation facilities on payment of usual daily rent.

NOTE 10.—Parliamentary Secretaries when they are on tour on public business shall be exempted from the liability to pay rent.

NOTE 11.—The rent collected for the occupation of Government Traveller's Bungalows is crediable to the Head of account " 059. P.W.—23. Rent—D.P. Code No. AAAA 0007 .

## SECTION—G.

### RULES FOR THE USE OF TELEPHONE IN THE GOVERNMENT TRAVELLER'S BUNGALOWS.

1. Charges for the use of Telephone, if any should be paid.

2. In respect of official Trunk Calls, made by Goverment Servants and Trunk Calls made by private persons staying in the Government Travellers Bungalows, these shall be entered in addition in the register of Trunk Calls, giving also the full permanent address of the persons making the calls clearly. The caller shall ascertain from the Telephone Exchange the exact amount payable for the Trunk Calls and pay the same in cash immediately to the Watchman or Steward in-charge and make necessary entries to this effect in this register.

The executive Engineer of the Division concerned will credit the amount collected to the same head to which the charges on account of Telephone Call and rent for the Telephone installation in the Government Traveller's Bungalows are debited. The Government servants who pay the charges for official Telephone calls they make in the Government Traveller's Bungalows in cash to the watchman or Steward in-charge can get the amount reimbursed from their own offices by furnishing their own certificates of payment based on the receipt got from the watchman or steward in-charge wherever feasible.

3. The Head of State, Ministers and others treated as State Guests by the Government, staying in the Government Traveller's Bungalows are exempted from payment of charges on account of Trunk calls made by them. But in respect of Members of Parliament, members of Legislative Assembly, Members of Legislative Council staying in the Government Traveller's Bungalows, the above charges should not be waived. To ensure collection of charges' the watchman or steward in-charge shall keep the Telephone under lock and key, except when the Government Traveller's Bungalows are occupied by the Head of State, Ministers and State Guest and he shall be responsible for the collection of money immediately after the call is made.

4. The Press Reporters be permitted to use telephones for local calls for communicating the Messages to their dailies free of cost during the stay of Ministers at the Government Traveller's Bungalows. Trunk calls will not be permitted.

# APPENDIX VII

## AGREFMFNT FOR HIRING GOVFRNMENT TOOLS AND PLANT.

(Vide paragraphs 340 (4) of the Tamil Nadu Public Works Departmnt Code)

An agreement made the .....day of.....198 between the Governor of Tamil Nadu (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of one part and.....(hereinafter ealled the hirer which expression shall were the context so admits include his heirs, successors, administrators, legal representatives and assignes) of the other part.

Whereas the hirer has applied to the Government oi Tamil Nadu (hereinafter called the Government) for the hire of the tools and plant described in the Schedule hereto for use on *.....(and has deposited with the Government the sum of Rs.....as security for due performance and observance of the terms and conditions and stipulations herein contained).

Now it is hereby agreed as follows :

1. The Government shall let to the hirer and the hirer shall take and hire from the Government from the date hereof the tools and plant which are specified in the schedule hereto and which are hereinafter ealled the said tools and plant for the period of

months

——————————————from this day,

days are not exceeding one Calendar month

2. The Hirer shall pay in cash to the Government

an advance on the day of each month (the first of such payments to be

in arrears on the day of each month (the last of such payments to be

made on day of 198 .

made on the day following the last day of the hiring)

as rent for the hire of the said tools and plant at the rate of Rs.

each complete month and at the rate of Rs. per diem for a fraction of a month subject to the maximum of the monthly rent, during continuance of the hiring which will be from the time the said tools and plants leave Stores at till they are returned to the said stores.

If after the said tools and plant has been taken charges of by the Hirer any alterations or improvements are made at the cost of the Government the Hirer shall pay such enhanced monthly daily rent as may be fixed by the Executive Engineer of the division concerned or the General Superintendent, Public Works Works-shops and stores, Madras under the rule with reference to the enhanced value of the said tools and plant.

NOTE—If the hire is for a period less than one month, then for a portions of the above clause relating to the date of payment, the following should be entered.

In advance on day of 198 .

In arrears on day following the last day of hiring.

* Here enter the words "Government Works" or "Non.Government Works", or "Work of the Municipality" or "Works of the Panchayat union" as the case may be.

3. The hirer shall not use the said tools and plant on any non-Government works.

NOTE:—Strike out this clause if the tools and plant are issued on hire to Municipalities and local bodies for use on works of those bodies or to contractors specially for use on non-Government works.

4. The hirer shall keep the said tools and plant in good order and condition and make good all damage (fair wear and tear being excepted) whether by accident or fire or otherwise, and shall at the determination of the period of hiring pay to the Government the cost of replacing or repairing such of the said tools and plant or parts thereof as may be broken missing or specially damaged or lost during the continuance of the hiring as explained in clause 2 supra. The cost of repairing damages will be that actually incurred for the purpose by the workshops at.....including the usual indirect and centage charge, while the cost of replacement will be either the original book value or the current market value, whichever is higher.

It shall be lawful for the Government to reimburse the cost of replacing or repairing as aforesaid from and out of the said deposit and the balance thereof shall be returnable to the hirer on the due fulfilment of the terms of this agreement.

5. All repairs due to fair wear and tear during (the first *two years of) period of hire shall be borne by the Government (and thereafter *by the Hirer) The decision of the Excutive Engineer of the division concerned or of the General Superintendent, Public Works Workshops and Stores, Madras, for the time being shall be final as to what repairs should be borne by the Government.

6. The hirer shall bear all charges connected with packing, handling in the stores, conveyance and other incidental expenses in connection with the despatch, of the said tools and plant from the stores and return thereto including freight charges if any, and also erecting and dismandling charges.

If during the period of hire it is found necessary to send the said tools and plant to the Public Works Workshops and stores or Transport and Machinery Division, Madras for repairs, all conveyance and incidental charges to and fro shall be borne by the hirer.

7. It shall be lawful for officers authorized by the Government at all reasonable times to view the state and condition of the said tools and plant.

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* Strike out the words within brackets, in cases, where the period of hire is two years or less.

8. Officers authorized by the Government may, at any time by giving seven days notice in writing to the hirer, determine this agreement and may on the expiration of the said notice enter upon the premises where the said tools and plant or any of them may then be and remove and carry away the same and the hirer shall not claim compensation for such action (except the refund of the proportionate rent for the unexpired portion of the period for which rent has already * been recovered in advance).

9. Upon breach by the hirer of any of the stipulations in this agreement, the Government shall be at liberty without any previous notice to determine this agreement and take possession of the said tools and plant.

10. Upon the determination of this agreement, whether by efflux of time or otherwise, officers authorized by the Government shall be at liberty to enter any house, premises or place where the said tools and plant may have been lodged, remove and carry away the said tools and plant and for that purpose to do all things reasonably necessary for such removal without liability for any damage thereby caused and without prejudice to the rights of the Government in respect of any rent or sums of money accrued or accruing due from the hirer under this agreement.

Provided that in addition and without prejudice to the other rights and remedies of the Governor, the Government shall be entitled to recover any sums that may from time to time be due and payable by the hirer as if it were an arrear of land revenue.

In witness where of acting on behalf of and by the order and direction of the Governor of Tamil Nadu and the hirer have hereunto set their hands and seals the day and year first above written.

SCHEDULE.

Description of tools and plant hired.

Signed, sealed and delivered by the above named in the presence of

Signed, sealed and delivered by the above named in the presence of

NOTE.—When the tools and plant are hired out to local bodies and to contractors carrying out Government work, the portion enclosed within brackets in the preamble to the agreement and also last sub-paragraph of clause 4 of the agreement should be omitted.

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* Strike out the words in brackets in clause 8 if the hire is paid in arrears

# APPENDIX VII-A

## PRINCIPLE AND METHODS OF WORKING OUT HIRE CHARGES FOR TOOLS AND PLANT AND MACHINERY.

The hire charges for the use of vehicles and machinery, shall be fixed to cover interest, depreciation repairs on return or overhauling, including operating costs comprising of charges for fuel and crew shall be fixed in accordance with the principles and details enumerated below.

(i) The hire rate may be calculated either on hourly or linear (kilometre) basis whichever is suitable to the plant in question. The method of arriving at hourly rate is detailed below, and this will apply mutatis mutandis for the calculation of hire charges on linear basis also.

2. The hourly cost of working of machinery is made up of several components as under.—

| | |
|---|---|
| I. Capital Account : | (a) Depreciation.<br>(b) Interest charges. |
| II. Reserve fund : | (a) Major Overhauls and Repairs. |
| III Running account | (a) Field maintenance and repairs.<br>(b) Fuel lubricants, etc.<br>(c) Operating crew. |

Each of these components is explained below in detail.

I. (a) *Depreciation* :—Depreciation usually refers to the process of changing, into unit rates a fair amount of the "first cost" of construction plant to cover up the wear and tear and loss in value. It practically means that the "first cost" is transferred or debited to the various works on which the machinery has been used. Depreciation is strictly connected with the life of machines. The lives of various tools and plants are given in Annexure 'A' to these rules. Defining lives of plant in terms of hours is the best method as records of service hours are available generally and in projects in particular.

Note :—For purposes of calculations 95 per cent of the Capital cost, setting apart 5 per cent for scrap value, should be taken into account.

Tyres :—The cost of the tyres is a substantial part of the total price of a plant and their lives are not the same as those of the plant. Therefore, the cost of tyres shall be reated quite separately for the pro-rata cost in the unit rate. The average life of tyres of various types of equipment is given in annexure 'B' to this rules

If 'C' be the capital cost of machinery and 'N' the number of hours of life, then the rate of depreciation per hour will be Rs. C/N and this has to be calculated separately for—

(1) The cost of machinery excluding the cost of tyres;

(2) the cost of tyres independenty.

I (b) *Interest charges* :—Interest shall be computed on hourly basis and included in the 'HIRE RATE' The percentage of interest on the capital invested shall be taken 7 per cent per annum in the absence of orders to the contrary from Government. For purposes of assessing this rate the number of working hours of the machinery shall be taken as 2,000 hours per annum.

II. *Major overhauls and repairs* :—Under this head the cost of labour and the spare parts involved in overhauls as well as major repairs caused by accidents etc., are included. Expenditure on such items cannot confirm to any uniform pattern but the method as indicated below shall be followed.

In such repair, overhaul, replacement etc., shall be a percentage on purchase price. The percentage shall be 75 of the total cost towards this account. The recoveries effected on hourly basis for this purpose shall be kept as a "Reserve Fund" for the particular machinery and all charges as and when incurred shall be debited to this fund. The balance at credit of this fund shall be transferred along with the machine, when transfers are effected.

III. (a) *Field maintenance and repairs* —The normal day-to-day cost of maintenance of the machinery on the field and servicing charges etc., including sundry repairs shall be calculated under this item. Replacement cost of which does not exceed 1 percent of the initial cost of machine (items in excess of 1 percent shall be accounted or under the Head of II above) shall also be included under these charges. A provision of 25 of the depreciation of the machine less cost of tyres and 15 percent of depreciation of the tyres shall be made.

III (b) *Fuel lubricants etc (Propulsion charges)*—The fuel and lubricant consumption is dependant on the horse power of the equipment and its type. Expenditure on fuel lubricants and like consumables required for the propulsion and proper working of the machinery shall be computed.

(c) *Operation crew*:—The pay and allowances of the drivers, cleaners etc., who are employed in actually operating the machine on the works shall be included under this sub-head. The expenditure incurred on leave reserve personnel and incidentals like wages paid during non-working season and also provision for payment of retrenchment, compensation shall all be covered under this sub-head. The actual cost of such labour prevailing in the locality plus 25 percent to cover the incidentals mentioned above, shall be taken into account in working out the hourly cost of operation crew.

**2.** The charges under the head III Running Account' shall be borneby the suspense estimate sanctioned for each machinery every year and the cost adjusted promptly.

3. The Executive Engineer will be held responsible for the prompt and correct calculation of hire rate for each type of plant and machinery. The Hire Rate shall be reviewed each year. The Hire rate so computed shall be got approved by the Superintending Engineer and the Accountant-General, Madras.

4. The Hire rate approved by the Accountant-General, Madras shall be applicable to all works whether in the same division or in other divisions in the Public Works Department i. e. wherever the machinery is working, the concerned work on which the machinery is employed should bear the Hire Rate and necessary credit shall be afforded to Special Tools and Plant estimate in regard to the interests and depreciation charges the suspense estimated for the maintenance and of Machinery covering the field maintenance repairs, fuel and crew charges III (a), (b) and(c) should get credited correspondingly in respect of the maintenance items.

5. Should the machinery be hired out to a division outside the Public Works Department then the hire charges to be recovered shall be based on the Hire Rate and adjustment should be made only accordihgly. If the hiring Division incurred the expenditure on the fuels, and crew charges etc. or over any of the repair charges that may be found necessary during working of the machine then such costs will have to be debited by the hiring division to the owning Division duly supported by vouchers, for necessary payment.

6. Should the machinery be hired to private parties the Hire Rate plus centage charges shall be recovered.

NOTE —In case the fuel supplied by the hirer, hire charges after deducting the fuel charges shall be recovered from the hirer.

7. For areas, where extra percentages over Schedule of rates for works (Conveyance, labour and materials etc. are allowed, the hire charges of Tools and Plant as worked out by the above methods) be enhanced by the respective extra percentages.

NOTE 1 .—For working out the hire charges current market value instead of original capital cost, may be taken even for old machinery, Since, this will give uniform hire charges for each type of machinery.

NOTE 2 .—Hourly use rate does not include interest charges on capital outlay on the acquisition of Tools and Plant. Even when interest is charged on capital outlay on scheme interest charges on the cost of acquisition of machinery may not be included while arriving at the use rate only for purposes of adjustment of running and other expenses of the machinery for work done departmentally. This principle may also be applied to cases where the machinery is lent to the contractor for use on departmental works free of hire charges under the agreement

8. The minimum hours to be charged for different periods while giving on hire for private parties might be as below :—

| | |
|---|---|
| Annual Basis | 2,000 hours |
| Monthly basis | 250 hours |
| Weekly basis | 60 hours |
| Daily basis | 10 hours. |

ANNEXURE—A.

*Life and Repair Provision of Equipment.*

| Serial number. | Equipment Category. | Capacity. | Life of equipment. Years. | Life of equipment. Hours. | Repair provision (percentage of cost of equipment). | Remarks. |
|---|---|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| 1 | Excavators | Upto 1.5 cuyds | 10 | 12,000 | 150 | .. |
| | Strovels and Draglines. | 1.5 to 3·0" (Diesel) | 12 | 15,000 | 150 | .. |
| | | Above 3.0 cuyds (Diesel) | 15 | 25,000 | 150 | .. |
| | | 2.5 to 4 cuyds (Electric) | 15 | 25,000 | 150 | .. |
| | | 4 Cuyds and above (Electric) | 20 | 40,000 | 150 | .. |
| | Walking Draglines. | ... | 20 | 30,000 | 150 | .. |
| | Bucket Wheeled excavators. | .. | 20 | 30,000 | 150 | .. |
| | Dredger In fresh Water | Hull | 25 | .. | 60 | .. |
| | | Machine | 10 | .. | 60 | .. |
| | Barges | Hull | 16 | .. | 60 | .. |
| | | Machine | 10 | .. | 60 | .. |
| | Tugs | Hull | 16 | .. | 60 | .. |
| | | Machine | 10 | .. | 60 | .. |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
|---|---|---|---|---|---|---|
| 2 | Dumpers | Bottom upto 20 T | 8 | 10,000 | 140 | .. |
| | | Dumpers 20T to 50 T | 10 | 16,000 | 140 | .. |
| | | Above 50 T | 12 | 20,000 | 140 | .. |
| | | Rear Dumpers upto 15 T. | 8 | 10,000 | 140 | .. |
| | | 15 T to 35 T | 10 | 12,000 | 140 | .. |
| | | Above 35 T (Upto 50 T.) | 12 | 15,000 | 140 | .. |
| | | 50 T above | 15 | 20,000 | 140 | .. |
| | | Highway Dumpers | 8 | 10,000 | 140 | .. |
| 3 | Scrapers. | | | | | |
| | A.—Motorised Push Loaded | up to 10 cuyds | 8 | 9,000 | 150 | .. |
| | | Above 10 cuyds | 10 | 10,000 | 150 | .. |
| | Elevating and self loading. | | 10 | 10,000 | 150 | .. |
| | B. Towed | | 12 | 15,000 | 75 | .. |
| 4 | Tractors— | | | | | |
| | Crawler | Upto 100 H.P. | 8 | 9,000 | 200 | .. |
| | | Above 100 to 300 H.P. | 10 | 12,000 | 240 | .. |
| | | Above 300 H.P. | 12 | 16,000 | 240 | .. |
| | Wheeled | Upto 75 H.P. | 8 | 12,000 | 150 | .. |
| | | Above 75 H.P. | 10 | 15,000 | 150 | .. |
| 5 | Graders | | 10 | 12,000 | 150 | .. |
| 6 | Loaders— | | | | | |
| | Crawler | | 10 | 12,000 | 200 | .. |
| | Wheeled | | 10 | 15,000 | 150 | .. |
| | Belt loaders | | 16 | 20,000 | 70 | .. |
| | Reclaimers and stackers | | 20 | 30,000 | 70 | .. |
| 7 | Compactors— | | | | | |
| | Self propelled Sheep foot rollers | | 10 | 12,000 | 80 | .. |
| | Drawn sheep foot rollers | | 8 | 10,000 | 70 | .. |
| | Vibratory rollers | | 8 | 8,000 | 150 | .. |
| | Smooth drum rollers | | 8 | 10,000 | 80 | .. |
| | Smooth drum vibratory rollers | | 8 | 8,000 | 150 | .. |
| | Pnumatic tyred rollers | | 8 | 10,000 | 80 | .. |
| | Highspeed compactors | | 10 | 16,000 | 100 | .. |
| 8 | Water Sprinklers | | 10 | 16,000 | 100 | .. |
| | Canal Trimmer and Lining equipment above 200 cuyds/Hr. | | 16 | 20,000 | 100 | |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
|---|---|---|---|---|---|---|
| 10 | Drills— | | | | | |
| | Blast hole drills | | 10 | 10,000 | 80 | .. |
| | Core drills | | 8 | 8,000 | 80 | .. |
| | Wagon drills | | 8 | 8,000 | 80 | .. |
| | Tricone rotary drill | | 10 | 10,000 | 80 | .. |
| 11 | Compressors— | | | | | |
| | A—Diesel compressors— | | | | | |
| | (i) Portable upto 300 cfm. | | 8 | 10,000 | 100 | .. |
| | (ii) Portable above 300 cfm. | | 10 | 12,000 | 100 | .. |
| | B—Electric compressors— | | | | | |
| | (i) Portable upto 300 cfm. | | 10 | 16,000 | 80 | .. |
| | (ii) Portable above 300 cfm. | | 12 | 20,000 | 80 | .. |
| | (iii) Stationery | | 20 | 30,000 | 80 | .. |
| 12 | Blowers | | 12 | .. | 80 | .. |
| 13 | Cooling Plants— | | | | | |
| | (i) Aggregate cooling plant<br>(ii) Ice plant | | 20 | 40,000 | 75 | .. |
| 14 | Batching and Mixing Plant— | | | | | |
| | (i) Cement handling Batching and Mixing Plant. | | 18 | 30,000 | 75 | .. |
| | (ii) Transit Mixers<br>(iii) Agitating Cars | | 10 | 10,000 | 120 | .. |
| | (iv) Portable Concrete Mixers | | 5 | 6,000 | 80 | .. |
| 15 | Pumps— | | | | | |
| | (i) Diesel Engine driven above10 H.P. | | 8 | 10,000 | 100 | .. |
| | (ii) Electrical | | 12 | 20,000 | 70 | .. |
| 16 | Well Points | | 12 | 20,000 | 100 | .. |
| 17 | Cranes— | | | | | |
| | (i) Mobile (Pneumatic wheeled) | | | | | |
| | 4 to 6 tonnes<br>8 to 12 tonnes | | 10 | 12,000 | 120 | .. |
| | 15 to 25 tonnes | | 12 | 15,000 | 120 | .. |
| | 26 tonnes and above | | .. | .. | .. | .. |
| | (ii) Crawler mounter upto 3 tonnes<br>4 to 10 tonnes | | 10 | 12,000 | 120 | .. |
| | Over 10 tonnes | | 12 | 15,000 | 120 | .. |
| | (iii) Tower cranes | | 20 | 30,000 | 120 | .. |
| | (iv) Truck mounted | | 10 | 16,000 | 140 | .. |

| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
|---|---|---|---|---|---|---|
| 18 | Transport Equipment— | | | | | |
| | A—Heavy transport Vehicles— | | | | | |
| | (a) Trucks and Highway Dumpers— | | | | | |
| | (i) Diesel upto 3 tonnes | | 10 | 20,000 | 140 | .. |
| | Diesel 3 to 5 tonnes | | | | | |
| | 5 tonnes and above | | | | | |
| | (b) Tractor trailers upto 5 tonnes | | | | | |
| | 5 tones to 10 tonnes | | 10 | 25,000 | 140 | .. |
| | 10 tones and above | | 12 | 20,000 | 140 | .. |
| | B—Light transport vehicles | | | | | |
| | (i) Jeeps | | .. | 16,000 | 140 | .. |
| | (ii) Station wagons | | | | | |
| | (iii) Cars | | | | | |
| | (iv) Ambulance cars | | | | | |
| | C—Ariel Transport— | | | | | |
| | (i) Rope ways | | 20 | 40,000 | [illegible] | .. |
| | (ii) Cable ways | | | | | |
| | D—Rail Transport— | | | | | |
| | Locomotives Diesel | | 10 | 16,000 | 120 | .. |
| | Electrical wagons | | 22 | 40,000 | 100 | .. |
| | Rail cars | | 20 | 30,000 | 70 | .. |
| 19 | Diesel Generating Sets— | | | | | |
| | Upto 50 Kva. | | 10 | 20,000 | 100 | .. |
| | Above 50 Kva. | | 15 | 30,000 | 120 | .. |

ANNEXURE—B.

LIFE OF TYRES.

| *Equipment.* | *Life expectancy hours.* | |
|---|---|---|
| | *Average material.* (2) | *Abrasive material.* (3) |
| Scrapers | 3,000 | 2,500 |
| Dumpers—Bottem | 3,500 | 3,000 |
| Dumpers—End | 3,000 | 2,500 |
| Tractors | 2,500 | 2,000 |
| Rubber-Belt for loaders | 3,000 | 2,500 |
| Drawn scrapers | 4,000 | 3,500 |

Motor Vehicles 20,100 Kms. (vide G. O. Ms. No. 4035, Home Department, dated 26th December 1964.)

FACTORS AFFECTING EARTHMOVER TYRE LIFE.

| *Group I.* | *Maintenance includes inflaction.* |
|---|---|
| (1) | (2) |
| Excellent | 1.1 |
| Average | 1.0 |
| Poor | 0.7 |
| Very bad | 0.4 |
| *Group II* | *Maximum speeds.* |
| 15 kilometre per hour | 1,2 |
| 30 kilometre per hour | 1.0 |
| 45 kilometre per hour | 0.8 |
| 60 kilometre per hour | 0.5 |
| *Group III.* | *Curves.* |
| None | 1.1 |
| Moderate | 1.0 |
| Severe, Single wheels | 0.8 |
| Severe, Dual wheels | 0.7 |
| Severe tandom wheels | 0.6 |
| *Group IV.* | *Surface.* |
| Snow, packed, no road | .. |
| Exposed earth | 3.0 |
| Hard packed earth | 1.0 |
| Soft earth or sand maintained | 1.0 |
| Gravel road, well maintained | 0.9 |
| Soft earth, some rock | 0.8 |
| Mud, ordinary | 0.8 |
| Gravel road, poorly maintained | 0.7 |

| (1) | (2) |
|---|---|
| Mud, abrasive or with rock | 0·5 |
| *Blasted Rock.* | |
| Soft coal | 0·9 |
| Soft shale or limestone | 0·7 |
| Granite, Gneiss trap ba-salt. hard shale or limestones | 0·6 |
| Slate or schist | 0·6 |
| Lava, hard surface | 0·3 |
| Obsidian, Volcanic glass flin | 0·1 |
| *Black tcp* | |
| Clean wet | 1·4 |
| Cold weather | 1·2 |
| Hot weather 75° to 100° F | 0·8 |
| Very hot over 100° F | 0·5 |
| *Group V Loads* | |
| Recommended by Tyre and Rim Associations— | |
| Full load | 1.0 |
| 50 per cent under load | 1·2 |
| 20 per cent under load | 1·1 |
| 10 per cent over load | 1·0 |
| 20 per cent over load | 0·8 |
| 40 per cent over load | 0·5 |
| *Group VI.* | *Wheel position.* |
| Training | 1·0 |
| Front (non-driving) driving | 0·9 |
| Rear dump | 0·1 |
| Rear dump tandem | 0·7 |
| Bottom dump | 0·7 |
| Scraper, self propelled | 0·6 |

| *Group VII.* (1) | *Grades' Drive tyres only* (2) |
|---|---|
| Level firm surface | 1·0 |
| 6 per cent maximum | 0·9 |
| 10 per cent maximum | 0·8 |
| 15 per cent maximum | 0·7 |
| 25 per cent maximum | 0·4 |
| Loose or slippery surface— | |
| 6 per cent maximum | 0·6 |
| 10 per cent maximum | 0·6 |
| 15 per cent maximum | 0·4 |
| *Group* VIII | *Miscellaneous conditions and combination.* |
| Favourable or counteracting | 1·5 |
| None | 1·0 |
| Unfavourable | 0·8 |
| Very unfavourable | 0·6 |

Following is an example showing how the tyre life would be workedout realisation to particular factors chosen from the above table, as applicable for a particular job, where the tyres equipment may be in use.

Optimum tyre life 6,000 hrs or 1,00,000 kilometres.

Example—To determine the tyre life the following condition of working:—

| | |
|---|---|
| 1. Maintenance average | 1·0 |
| 2. Speed 45 kilometres (Maximum) | 0·8 |
| 3. Curves, moderate | 1·0 |
| 4. Surface soft earth, some rock | 0.8 |
| 5. Lead 20 per cent over load | 0·8 |
| 6. Wheel position driving bottom dump | 0·7 |
| 7. Grades 10 per cent maximum firm surfaee | 0·8 |
| 8. Miscellaneous condition, none | 1·0 |

Tyre life (6.000 hrs. or 1,00,000 kilometres)

8'0 x 0'8 x 1'0 x 0'8 x 0·8 x 0·7 x 0·8 x 1'0 . 1·720 hrs or 29,000 km.

## ANNEXURE C.

### MODEL CALCULATION FOR HIGHER RATE FOR PAY SCRAPER.

The overall cost of machinery Rs. 2,00,000
Cost of tyre is assumed as 1/6
of the overall cost of machinery 1/6 x 2,00,000 = Rs. 33,300

If the cost of tyres is not known cost of machinery
less cost of tyre .. .. .. Rs. 1,66,700

Life of machinery .. 15.000 Hours.

1. *Depreciation* —

(a) Cost of machine less cost of tyres Rs. 1,76,700

Life of machine 15,000 Hrs.

Depreciation per hour $\frac{1,66,700}{15,000}$ 11·1 or Rs. 11·1

(b) Cost of tyres Rs. 33,300

Life of tyres 3,000 hrs.

Depreciation per hour $\frac{33,300}{3,000}$ 11·1 or Rs. 11·1

(c) Interest Charges at 7 per cent of the
Capital cost — 7/100 x 2,00,000 — Rs. 14,000

Working hours per year 200 x 10 = 2,000 hrs.

Interest charges per hour $\frac{14,000}{2,000}$ = 7 or Rs, 7·00

(a+b+c) Total Rs. 29·2

II. *Major Repair and Overhaul* —

Of machine at 75 per cent of depreciation

75/100 x 11·1 = 8·3 or Rs. 8·3·

III. *Operating Cost* —

(a) Field maintenance and repairs

(b) Of machine at 25 per cent of depriciation

$\frac{25}{100}$ x 11·1 = 2·8

(ii) Of tyres 15 per cent of depreciation

$$\frac{15}{100} \times 11.1 = \frac{1.7}{4.5} \text{ or Rs. } 4.5$$

| | Rs. | P. |
|---|---|---|
| (b) Fuels and lubricants etc. 20 lts. of H.S.D. at Rs. 3.50 per litre .. .. .. .. .. | 70 | 00 |
| Lubricants, grease, cotton etc. 25 per cent of fuel cost extras for fluctuation in rates R.C. H.S.D. oil etc. 10 per cent of .. | 17 | 50 |
| the above .. .. .. .. .. | 8 | 70 |
| (c) Labour charges (wages of Driver and cleaner) L. S. (as per actual annual cost over the operational hours during the year) .. .. .. .. .. | 5 | 00 |
| (a+b+c) Total .. | 101 | 20 |

ABSTRACT.

| | Rs. | P. | | |
|---|---|---|---|---|
| I. Depreciation .. .. .. | 29 | 02 | | |
| II. Major Repairs overhaul .. | 8 | 03 | | |
| III. Operating cost etc. .. .. .. | 105 | 07 | | |
| | 143 | 03 | or 144 | 00 |

## APPENDIX VIII-A.

### AGREEMENT FOR DEPOSIT WORKS (IRRIGATION)

(*Vide* paragraph 207 (6) of this Code)

I/we of agree to pay into, Treasury to the credit of the Executive Engineer Divison, within such period as may be notified to me/us at my/our last known place of above by the said Executive Engineer the sum of Rs. * which together with the preliminary deposits of Rs. paid by me/us will amount to Rs.

the estimated cost of construction
being ——————————————————
part of the estimated cost of construction

of a located at and to further pay such in excess of the said Rupees*
amount / proportion contribution in excess of the said Rs.@as the work after construction may be found to have cost provided that if the work actually cost less than the said Rs.@

The savings
———————————————————————

A proportion share of the savings on the estimate shall be refunded to me/us.

I/We further agree to the following conditions:—

(1) that the execution of the work shall be carried out by the Public Works Department ;

(2) that the work on completion becomes the absolute property of the Government of Tamil Nadu.

(3) that the Government do not guarantee to defray the cost of upkeep of the work from public funds and that it is open to Government to remove the work at any time.

(4) that in the event of failure by me/us to further amount/proportionate contribution in excess of the said Rs. as the work after completion may be found to have cost, the amount / proportionate contribution so payable may be recovered by the Government as arrears of land revenue.

---

* Here enter the actual amount paid, i. e. an amount equal to the amount of the estimate minus Rs. (Preliminary deposits).

@ Here enter the amount of estimate.

## APPENDIX VIII-B

### AGREEMENT FOR DEPOSIT WORKS (IRRIGATION)

(*Vide* paragraph 207 (8) of the Code)

I/We of village in the taluk of of the district, having paid the sum of Rs. 30 (thirty only) into the Treasury to the credit of the Executive-Engineer, Division, as a deposit for the preparation of plans and estimates for the work of to be executed at my / our cost.

——————— do hereby agree as partly at my/our cost.

follows —

(1) that, after the preparation of the plans and estimates for the above work.

I / we shall, within a fortnight of notice to do so, from the Subdivisional Officer, Sub-division, enter into an agreement in the authorised form and abide by the terms of the same.

(2) that failing to comply with the above condition or with the terms of the agreement to be entered into will entail for feiture of the said deposit of Rs. 38 (thirty only) unless the work is dropped owing to the objections of third parties.

(Signature)

## APPENDIX-IX.

Deleted.

## APPENDIX X.

**SALE NOTICE FOR LEASE OF GRASS AND USUFRUCT OF TREES, ETC.**

Notice is hereby given that the right of.....in the sources described in the annexed schedule for a period of..... from.....will be sold in public auction by the at.....on the day of the at..... O'clock subject to the conditions hereinafter setforth.

*Conditions of sale.*

1. Any person or body intending to bid must deposit a sum of Rs..... as earnest money with the selling officer on or before the date of sale. Such of the persons as have not complied with this condition will not be permitted to bid at the auction.

2. No one will be allowed to bid for another person unless he holds a power of-attorney from him and produces the same for the inspection of the selling officers when damanded by him.

3. The sale will ordinarily be knocked down to the highest bidder, but the right is reserved to the officer coducting the sale to reject any bid without asigning any reasons therefor.

4. The earnest money deposited by unsuccessful bidders will be returned to them at the close of the sale and that of the successful bidder will be treated in the manner laid down in clause 9 below.

5. The sale will not be considered as completed unless it is confirmed by the .....who reserves the right to refuse to confirm the sale without assinging any reasons therefor.

6. The successful bidder will not be permitted to do any act under the lease until the sale is confirmed by the .....and until conditions 7 and 8 below are fulfilled.

7. Immediately after a bid is accepted by the officer conducting the sale, the successful bidder shall deposit on the spot a sum equal to—

(i) 25 per cent of the lease amount for one year, if the lease is for a period of more than one year and for a sum exceeding Rs. 100 on the whole, or.

(ii) 25 per cent of the total lease amount, if the lease is for one year or less or for a sum not exceeding Rs. 100.

8. (a) In the first case referred to in clause 7, the above successful bidder shall within one week of the date of receipt of the order of confirmation by the competent authority, execute at his own cost an agreement (duly stamped) in the annexed Form No. 1 Such successful bidder shall also pay the balance of 75 per cent of the lease amount for the first year within one week of his signing the agreement and the amount due for each of the succeeding years of the lease within the first week of each year.

(b) In the second case, the successful bidder shall pay the balance of 75 per cent of the total lease amount within one week of the date of receipt of the order of confirmation by the competent authority. The successful bidder need not, however, execute an agreement as in the first case but the enjoyment of the lease shall be on the terms laid down in the form of agreement applicable to the first case;

Provided howver, that if the successful bidder is a village panchayat such panchayat shall in all cases and irrespective of the duration of or the rent payable under the lease and within the time limited in sub-clause (a) above execute an agreement (duly stamped) in Form No. 1 annexed hereto with such modifications as may be necessary. Such panchayat shall also within such period execute a supplemental agreement in Form No. 2 annexed hereto. The balance of the lease amount due by the panchayat shall be paid within the period provided in sub-clause (a) or (b), as the case may be.

9. If the lease is for a sum exceeding' Rs. 100, the successful bidder shall also deposit as security for the due fulfilment of the conditions of the lease a sum equal to 5 per cent of the total lease amount for the entire period of the lease. The earnest money paid by the successful bidder at the time of the sale will be retained and credited towards the security deposit. It the earnest money is more than the required security deposit, the excess will be refunded to the successful bidder, after conditions 7 and 8 have been fulfilled. If, on the other hand the earnest money is less than the required security deposit, the difference shall be paid by him before his signing the agreement. The security deposit will be refunded to him on the expiry of the full period of the lease if the conditions of the lease have been duly fulfilled.

Provided, however, that if the successful bidder is a village panchayat no security deposit shall be demanded from or paid by such panchayat. The earnest money paid by such panchayat under the provisions of clause 1 above shall be returned to the panchayat after conditions 7 and 8 have been fulfilled.

10. In the event of failure on the part of the successful bidder to comply with conditions 7, 8 and 9 above or any of them, the sale stand cancelled and a resale held and the earnest money and other amounts, if any, already paid will be forfeited, It shall not be incumbent upon the selling officer to give notice of such cancellation or resale to the defaulting bidder Resales under this condition will be at the risk of the defaulting bidder who will have no claim to the profit, if any, on account of sum resale and who, in the event of loss, will be required to make good the difference between the total amount payable by him for the whole period under the terms of the original sale and the total amount payable by the successful bidder at the resale. In the later case, the forfeited amounts will be deducted from the amount of loss arising from the resale and the balance, if any, with interest at 12 per cent per annum will be recoverable from him as arrears of revenue under the provisions of the Revenue Recovery Act.

11. The conditions mentioned above are intended solely for the benefit of the Government of Tamil Nadu with a view to safeguard their interests and so any omission on the part of the officers acting on behalf of the Government to enforce them strictly and any indulgence or concession that may be granted to the licensee with or without notice shall not affect the rights of the Government to enforce them (the conditions) against the licensee and shall not afford the licensee a right to plead such omission, indulgence or concession as a bar to any action may be brought by the Government in respect thereof.

No. X ) APPENDICES

AGREEMENT FORM FOR LEASE OF GRASS ON GOVERNMENT LANDS OTHER THAN COMPOUNDS OF GOVERNMENT BUILDINGS.

This Indenture made the.....day of..... One thousand nine hundred and.....between the Governor of Tamil Nadu (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and .....son of.....residing at the village of.....taluk of in the district of.....(hereinafter called the licensee which expression shall where the context so admits include his heirs executors administrators and legal representatives) of the other part.

WHEREAS the ownership of the lands situated in Survey No.....in the village of.....in the registration district of .....and registration sub-district of..... more particularly described in the schedule thereto vests in Governor for the purposes of the Government of Tamil Nadu and WHEREAS the Governor has agreed to grant a licence and the licensee has agreed to accept the licence WHEREAS the licensee has paid the sum of Rs.....as and for security for the fulfilment and observance by him of the conditions covenants and stipulations contained in these presents.

NOW THIS INDENTURE WITNESSETH AS FOLLOWS:—

I. In pursuance of the said agreement and in consideration of the covenants and agreements on the part of the licensee hereinafter contained the Governor doth hereby grant unto the licensee the sole and exclusive right to cut all the grass now growing or that may hereafter during the period of this licence grow on all that piece or parcel of land more particularly described in the schedule hereto and delineated and marked on the map or paln hereto annexed and coloured .....thereon for the term of ..... years from the.....day of.....198 yielding and paying therefor yearly the sum of Rs.....

II. The licensee hereby agrees with the Governor.

(1) to pay to the Government of Tamil Nadu (hereinafter called the Government) the sum of Rs.....the balance due in respect of the first yearly payment on or before the.....day of..... .....198 ;

(2) to pay the subsequent yearly payments on or before the..... day of.....in each year. Provided however that if the

---

‡If the licensee is a village panchayat, the second party to the indenture should be mentioned as "the village panchayat of village in the taluk of..... in the district of.

(hereinafter called the licensee, which expression where the contoxt so admits shall include its successors and assigns) of the other part ".

The recital clause within brackets shouuld be omitted if the licensee i a village panchayat.

licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 per cent per annum on the such amounts from the dates on which they were so payable up till the date of payment to recovery;

(3) to permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence and cut and remove there from all such quantity of grass as may be required for use by any officer of the Public Works Department or dig and remove therefrom any earth or soil and the licensee shall not be entitled to any compensation inrespect of the grass or soil so removed;

(4) to use said lands only for the purposes aforesaid and not for any other purpose;

(5) to permit the officers and servants of the Government with or without workmen or others at all times to enter upon the lands aforesaid to view the condition and state thereof;

*(6) not to assign or underlet the benefits arising under the licence or any part thereof without first obtaining the written consent of;

(7) not to alllow cattle to grass on the said lands or dig up or allow to be dug up any grass by its roots;

(8) not to obstruct people or calltle from passing along the usual paths on the aid lands or any annoyance to same.;

(9) not to claim any refund of the money paid under these presents on account of earth being thrown on the banks or berms of pits dug and of materilas stacked on the said lands.

(10) to deliver up to the Government at the expiration or sooner determination of the said term of this licence the permises the subje t matter of the licence in all respects in such state and condition as shall be consistant with the due performance of the several covenants herein contained.

III. The Governor covenants with the licensee as follows:—

(1) To permit the licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them.

‡(2) to return to the licensee the sum of Rs.....deposited by the licensee as hereinbefore mentioned or such portion there of as may be returnable to him on the expiration or sooner determination of the term hereby created.

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* Clause 6 in paragraph II should be omitted (the subsequent clauses being renumbered) if the licensee is a village panchayat.

‡Clause 2 of paragraph III should be omitted if the licensee is a village panchayat

IV. It is hereby expressly agreed and declared—

(a) that should the licensee fail to pay the annual rent or be guilty of a breach or non-observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer..... .....Division, may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the licensee and shall be at liberty to sell by public auction or private sale the rights of the licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should, however, the same be less than the amounts payable by the licensee under terms of this agreement for the whole term thereof the Government shall be entitled (to make good the difference from the deposit made by the licensee and to recover any balance that there may be still remaining due from the licensee);

(b) that the annual rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(c) that in the event of the failure by the licensee to fulfil any of the terms of this agreement he shall * (forfeit the deposit made by him as security and will also) pay to the Government any damages occasioned to the Government by reason of any breach of the covenants and coditions herein contained;

(d) the officers and servants of the Government and any lessee from the Governor or person employed or authorized by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of this licence and to do such acts and things thereon as the Government or their duly authorized officers may think fit or authorize but without prejudice to the rights of the licensee under these presents and the licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer, .....Circle, considers that the same is payable;

(e) that if any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the licensee as to the rights duties or liabilities of either party in respect of any matter or thing relating to or arising out of these present or the construction or the meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to the arbitration of and his decision therein shall be final, provided that either party refer the dispute to the said arbitrator; provided also, that in cases where the Executive Engineer has entered into the contract on behalf of the Governor of Tamil Nadu, the dispute or difference shall be referred by the Executive Engineer,.....for the time being and in other cases by any officer authorised in this behalf by the Government of Tamil Nadu.

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* If the licensee is a village panchayat, then, for the words within brackets in clause (a) of paragraph 4, the words "to recover the difference from the licensee" should be substituted; and the words within brackets in clause (c) of the same paragraph should be omitted.

IN WITNESS WHERE OF

acting on behalf of and by the order and direction of Governor of Tamil Nadu and the licensee have hereunto set their hands and seals the day and year first written.

The Schedule above referred to.

SIGNED, sealed and delivered by the above named

in the

presence of

SIGNED, sealed and delivered by the abovenamed

in the

presence of

## AGREEMENT FORM FOR LEASE OF GRASS IN THE COMPOUNDING OF BUNGALOWS.

THIS INDENTURE made the.....day of..... One thousand nine hundred and.....BETWEEN THE GOVERNOR OF TAMIL NADU (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and *.....son of .....residing at the village of..... taluk of.....in the district of..... hereinafter called the licensee which expression shall where the context so admits include his heirs executors administrators and legal representstives) of the other part.

WHEREAS the ownership of the lands situated in Survey No..... in the village of.....in the Registration District of.....and Registration Sub-District of..... more particularly described in the schedule hereto vests in the Governor for the purpose of Government of Tamil Nadu AND WHEREAS the Governor has agreed to grant a licence and the licensee has agreed to accept the license hereinafter described on the terms and condition hereinafter contained † (AND WHEREAS the licensee has paid the sum of Rs..... as and for security for the fulfilment and obserbvance by him of the conditions covenants and stipulations contained in these presents).

NOW THIS INDENTURE WITNESSETH AS FOLLOWS—

I. In pursuance of the said agreement and in consideration of the covenants and agreement on the part of the Licensee hereinafter contained the Governor doth hereby grant unto the Licensee the sole and exclusive right to cut all the grass now growing or that may hereafter during the period of this licence grow on all that piece or parcel of land more particularly described in the schedule hereto and delineated and marked on the map or plan hereto annexed and coloured ..... .....thereon for the term of..... years from the.....day of.....198 yielding and paying there for yearly the sum of Rs.....

* If the licensee is a village panchayat, the second party to the indenture should be mentioned as "The Village panchayat of.....village in taluk of .....in the district of..... (hereinafter called the licensee, expression where the context so admits shall include its successors and assigns, which of the other part"

† The recital clause within brackets should be omitted if the Licensee is a village panchayat.

II. The Licensee hereby agrees with the Governor.—

(1) To pay to the Government of Tamil Nadu (hereinafter called the Government) the sum of Rs.....the balance due in respect of the first yearly payment on or before the.....day of..... .....198....

(2) To pay the subsequent yearly payment on or before the..... .....day of.....in each year. Provided however that if the Licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 per cent per annum on such amounts from the dates on which they were so payable up till the date of payment of recovery.

(3) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject matter of this licence and cut and remove there from all such quantity of grass that may be required for use by any officer of the Public Works Department or dig and remove there from any earth or soil and the Licensee shall not be entitled to any compensation in respect of the grass or soil so removed.

(4) To use the said lands only for the purposes aforesaid and not for any other purpose.

(5) To permit the officers and servants of the Government with or without workmen or others at all times to enter upon the lands aforesaid to view the condition and state thereof.

(6) To remove grass by moving only and only between the hours of 7 a.m. and 5 p. m. on each day.

(7) Not to remove grass from the garden area or use spades for scraping the grass.

(8) Not to allow cattle to graze in the compounds.

(9) * Not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent of.

(10) Not to allow cattle to graze on the said lands or dig up or allow to be dug up any grass by its roots.

(11) Not to obstruct people or cattle from passing along the usual paths on the said lands or cause any annoyance to same.

(12) Not to claim any refund of the money paid under these presents on account of earth being thrown on the banks or berms of pits dug and of materials stacked on the said lands.

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* Clause (9) in paragraph II should be omitted (the subsequent clauses being renumbered) if the Licence is a village panchayat,

(13) To deliver up to the Government for and on behalf of the Governor at the Expiration or sooner determination of the said term of the licence the premises the subject-matter of the licence in all respects in such state and condition as shall be consistent with the due performance of the several covenents herein contained.

III. The Governor covenants with the Licensee as follows:—

(1) To permit the Licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term year created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them.

(2) * To return to the licensee the sum of Rs.....deposited by the Licensee as hereinafter mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created.

IV. It is hereby expressed agreed and declared—

(a) that should the Licensee fail to pay the annual rent or be guilty of a breach or non-observance of the covenants, conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer... Division, may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writting addressed to the Licensee and shall be at liberty to sell by public auction or private sale the rights of the Licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should however the same be less than the amounts payable by the Licensee under the terms of this agreement for the whole term thereof the Government shall be entitled (†to make good the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee);

(b) that the annual rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(c) that in the event of the failure by the Licensee to fulfil any of the terms of this agreement he shall†(forfeit the deposit made by him as security and will also) pay to Government any damages occasioned to the Government by reason of any breach of the covenants and conditions herein contained;

(d) the officers and servants of the Government and any lessee from the Government of person employed or authorised by such lease shall have liberty and power to enter into and upon the said lands the subject - matter of this licence and to do such acts and things thereon as the Government or their duly authorized officers may think fit or authorize but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer Circle, considers that the same is payable;

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* Clause (2) of paragraph III should be omitted if the Licensee is a village panchayat

† If the Licensee is a village panchayat, then, for the words within brackets in clause (1) of paragraph IV the words "to recover the difference from the Licensee" should be substituted and the words within brackets in clause (3) of the same paragraph should be omitted.

(e) that in any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the Licensee of the other part as to the rights duties or liablities of either party in respect of any matter or thing relating to or arising out of these presents or the construction of meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to the arbitration of and his decision thereon shall be final, provided that either party may refer the dispute to the said arbitrator; provided also that in cases where the Executive Engineer has entered into the contract on behalf of the Governor of Tamil Nadu the dispute or difference shall be referred by the Executive Engineer for the time being and in other cases, by any officer authorized in his behalf by the Governor of Tamil Nadu.

IN WITNESS WHERE OF acting on behalf of and by the order and direction of the Governor of Tamil Nadu and the Licensee have hereunto set their hands and seals the day and year first written.

The first schedule above referred to

SIGNED, sealed and delivered by the abovenamed
in the presence of

SIGNED, sealed and delivered by the above named
in the presence of

AGREEMENT FORM FOR THE LEASE OF COCONUT TREES.

AGREEMENT made the day of One thousand nine hundred and BETWEEN THE GOVERNOR OF TAMIL NADU (hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and* residing at the village of in the taluk of in the district of (hereinafter called the Licensee which expression shall where the context so admits include his heirs executors administrators legal representatives and assigns) of the other part.

WHEREAS the Licensee was on the day of declared the purchaser at an auction sale held for the purpose of the sole right to enjoy the usufruct of the coconut trees standing on the land described in the schedule hereto (hereinafter referred to as the said trees) for the terms of years at the sum of Rs. per year.

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* If the licensee is a village panchayat the second party to the indenture should be mentioned as "The Village Panchayat of village in the taluk of..... ..... ....in the district of .....hereinafter called the Licensee, which expression, where the context so admits shall include its successorss and assigns of the other part".

* (AN WHEREAS the Licensee has deposited with the Executive Engineer of the Division hereinafter called the Executive Engineer the sum of Rs. as security for the due performance by him of the provision of this agreements) AND WHEREAS one of the conditions of such purchase was that the Licensee should enter into such an agreement as is hereinafter contained.

NOW IT IS HEREBY AGREED AND DECLARED as follows.—

I. The Governor hereby grants unto the Licensee the sole and exclusive right to gather, remove dispose of and otherwise enjoy the usufruct of the coconut trees standing on the piece or parcel of land situate at in the Registration District of in the Registration sub-district of and more particularly described in the schedule hereto and of which trees the total number is given in column 6 of the said schedule for the term of years from the day of paying therefor the annual rent of Rs.

II. The Licensee covenants with the Governor as follows.—

(1) To pay the Government of Tamil Nadu (hereinafter called the Government) the sum of Rs. the balance due in respect of the first yearly instalment on or before the day of 198 .

(2) To pay the subsequent yearly payment on or before the day of in each year. Provided, however, that if the Licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 per cent per annum on such amounts from the dates on which they were so payable up till the date of payment or recovery.

(3) To trim the trees standing on canal and channel banks so as to allow a clear headway of 3 metres above the top of the said banks.

(4) To dig round the bottom of each and every tree, to trim the roots thereof and to mannure them with cattle dung or other mannure once in every year during the rainy season.

(5) To have the last removal of ripe coconuts from any of the said trees made under the supervision of the nearest subordinate of the Public Works Department not below the rank of Lock Superintendent on the Licensee giving previous intimation to such subordinate in writing of his intention so to remove and the date and hour proposed for such purpose.

(6) To preserve the said trees and their foilage in a good state of cultivation and not except as hereinbefore provided permit the same to be cut damaged or injured in any way whoseoever provided however that the Licensee may collect use and dispose of all leaves that may have become ripe and detached from the said trees.

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* The recital clause within brackets should be omitted if the Licensee is a village panchayat.

(7) To permit the agents and the officers and servants of the Government together where necessary with workmen and applicances to enter upon the said lands the subject-matter of this licence, to view the state and conditions of the trees and to dig and remove therefrom any earth or soil and the Licensee shall not be entitled to any compensation in respect of the soil so removed.

(8) Not to remove or collect from any of the said trees any tender coconuts during the month preceding the expiry of the term hereby created.

(9) Not to extract toddy from the said trees or any of them and for such purpose tap the same or permit the same to be tapped.

* (10) Not to assign or underlet the benefits arising under this licence or any part thereof without first obtaining the written consent of.....

(11) To yield up and hand over the said trees at the determination of the term hereby created in a good and proper state of cultivation and order as shall be in compliance in all respects within the covenants herein before contained and the Licensee shall not be entitled to any allowance or compensation for any expenditure he may have incurred in respect of improvements or otherwise during the said term.

III. The Governor covenants with the Licensee as follows.—

(1) To permit the Licensee on his observing and performing the several covenants and stipulations on his part contained to peaceably and quietly hold and enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government or any person rightfully claiming under or in trust for them.

* (2) To return to the Licensee the sum of Rs. deposited by the Licensee as hereinbefore mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created.

IV. It is hereby expressly agreed and declared—

(1) that should the Licensee fail to pay the yearly rent or be guilty of a breach or non observance of the covenants conditions and stipulations on his part to be observed and performed then and in any such case the Executive Engineer may at any time thereafter in addition to any without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction or private sale the rights of the Licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should however the same be less than the amounts payable by the Licensee under the terms of this agreement for the whole term † thereof the Government shall be entitled † (to make good the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee);

(2) that the yearly rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act;

(3) that in the event of the failure by the Licensee to fulfil any of the terms of this agreement he shall † (forfeit the deposit made by him as security and will also) pay to the Government and damages occasioned to the Government by reason of any breach of the covenants and conditions herein contained;

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* Clause (10) in paragraph II and clause (2) under paragraph III should be omitted the subsequent clauses being renumbered if the Licensee is a village panchayat.

† If the Licensee is a village panchavat, then, for the words within brackets in clause (1) of paragraph IV, the words "to recover the difference from the Licensee" should be substituted and the words within brackets in clause (3) of the same paragraph should be omitted.

(4) that in the event of any of the said trees dying failing to produce fruit or becoming unprofitable or useless during the said period or being cut or otherwise damaged by earth being thrown pits being dug or materials being stacked by the officers and servants of the Government, the licensee shall not claim or be entitled to any compensation or reduction of rent for such failure or loss but shall continue to pay rent as if the said trees were alive productive and in full vigour nor shall the Licensee be entitled to any compensation or reduction in the rent payable by him by reason of the number of such trees being reduced by tempest floods, storm or otherwise howsoever ;

(5) that in the event of any of the said trees being cut down damaged or injured by the licensee his servants or workmen during the said term he shall pay to the Government and the Government shall be entitled to receive such compensation therefor as the..... .....may deem reasonable of which he shall be the sole judge ;

(6) that in the event of the Excise Department granting permission during the currency of this agreement to any toddy shop renter for tapping toddy from any of the trees included in this agreement after the prior consent of the Public Works Department authorities has been obtained, such trees will be excluded from the scope of this agreement for the period of the toddy tapping licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement. And the lease amounts payable by the Licensee for such periods shall be reduced by an amount calculated on the basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement ;

(7) the officers and servants of the Government and any lessee from the Governor of TamilNadu or person employed or authorised by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of this licence and to do such acts and things thereon as the Government or their duly authorised officers may think fit or authorise but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any compensation or abatement of the rent payable hereunder in respect thereto unless the Superintending Engineer,..... ..... Circle considers that the same is payable ;

(8) that if any dispute or difference shall, at any time hereafter arise between the Government or their officers on the one part and the licensee of the other part as to the rights duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provision herein contained the said dispute or difference shall be referred for settlement to the arbitration of.....and his decision thereon shall be final, provided that either party may refer the dispute to the said artibitrator, provided also that in cases where the Executive Engineer has entered into the contract on behalf of the Governor of Tamil Nadu the dispute or difference shall be referred by the Executive Engineer for the time being and in other cases by any officer authorised in this behalf by Government of Tamil Nadu.

IN WITNESS WHERE OF.....acting on behalf of and by the order and direction of the Governor of Tamil Nadu and the Licensee have here unto set their hands and seals the day and year first written.

The schedule above referred to.

| *Name, if any, of the property.* | *Survey number and extent.* | *Taluk in which situate.* | *Village in which situate.* | *Boundaries.* | *Number of trees.* |
|---|---|---|---|---|---|
| (1) | (2) A. CS. | (3) | (4) | (5) | (6) |
| SIGNED, sealed and delivered by the above-named in the presence of. | .. | .. | | .. | .. |
| SIGNED, sealed and delivered by the abovenamed in the presence of. | | | | | |

AGREEMENT FORM FOR THE LEASE OF PALMYRA, PUNGA AND OTHER FRUIT-BEARING TREES

AGREEMENT made this.....day of .....one thousand nine hundred and.....BETWEEN THE GOVERNOR OF TAMIL NADU

*(hereinafter called the Governor which expression shall where the context so admits include his successors in office and assigns) of the one part and * ..... .....son of..... residing at the.....village of .....in the taluk of .....in the district of.....(hereinafter called the licensee which expression shall where the context so admits include his heirs, executors, administrators, legal representatives and assigns) of the other part.

WHEREAS the Licensee was on the .....day of ..... .....declared the purchaser at an auction sale held for the purpose of the sole right to enjoy the usufruct of the trees standing on the land described in the schedule hereto (hereinafter referred to as the said trees) for the term of .....years at the sum of Rs..... per year † (AND WHEREAS the Licensee has deposited with the Executive Engineer of the .....Division (hereinafter called the Executive Engineer) the sum of Rs.....as security for the due performance by him of the provisions of this agreement.) And whereas one of the conditions of such purchase was that the Licensee should enter into such an agreement as is hereinafter contained.

NOW IT IS HEREBY AGREED AND DECLARED as follows :—

I. The Governor hereby grants unto the Licensee the sole and exclusive right to gather remove dispose of and otherwise enjoy the usufruct of the trees standing on the piece or parcel of land situate at..... in the Registration district of .....in the Registration sub-district of.....and more particularly described in the schedule hereto and of which trees the total number is given in column 6 of the said schedule for the term of.....years from the.....day .....of.....yielding and paying therefor the annual rent of Rs...

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*If the Licensee is a village panchayat, the second party to indenture should be mentioned as "The Village panchayat of .....village in the taluk of.....in the district of..... (hereinafter called the Licensee, which expression where the context so admits shall include its successors and assigns) of the other part."

† The recital clause within brackets should be omitted if the Licensee is a village panchayat.

II. The Licensee covenants with the Governor as follows.—

(1) To pay to the Government of Tamil Nadu hereinafter called the Government the sum of Rs.....the balance due in respect of the first yearly payment on or before the..... day of.....19

(2) To pay the susbsequent yearly payment on or before the ..... .....day of.....in each year. Provided, however, that if the Licensee shall fail to pay to the Government the rent and other amounts (if any) payable under these presents on the respective dates on which they are made payable hereunder the Licensee shall pay interest at 12 per cent per annum on such amounts from the dates on which they were so payable up till the date of payment or recovery.

(3) To use the said lands the subject-matter of this licence only for the purposes aforesaid and not for any other purpose.

(4) To preserve the said trees and their foliage in a good state of cultivation and not permit the same to be cut damaged or injured in any way howsoever provided however that the licensee may collect use and otherwise dispose of all leaves that may have become ripe and detached from the said trees.

(5) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said lands the subject-matter of this licence, to view the state and condition of the trees and to dig and remove therefrom any earth or soil and the Licensee shall not be entitled to any compensation in respect of the soil so removed.

(6) Not to tap palmyrah and other toddy yielding trees for toddy nor to assign the licence herein contained to any person save with the consent in writing of the Executive Engineer.

* (7) Not to asign or underlet the benefits arising under the licence or any part thereof without first obtaining the written consent of.

* (8) (a) Notwithstanding anything hereinbefore contained the Licensee shall be entitled from time to time and at any time to cut remove and dispose of leaves from the palmyrah trees the subject-matter of this licence provided, however that there shall be left on each such tree at any one time leaves not less than eight in number.

(b) To permit the agents and the officers and servants of the Government together where necessary with workmen and appliances to enter upon the said land the subject-matter of this licence and cut and remove from the trees thereon all such number of palmyrah leaves as may be required for use by the Public Works Department of the Government and in respect of the leaves so cut and removed the Licensee shall be entitled to compensation at the rate of Rs.....per thousand leaves and so in proportion for any smaller number of leaves.

(c) Not to cut more than once twigs of greater size than 1.27 cm diameter

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* Clause (7) in paragraph II should be omitted (the subsequent clauses being renumbered) if the Licensee is a village panchayat.

* In the case of ordinary fruit trees clauses 8 (a), 8 (b) and 8 (c) of paragraph II will he deleted.

(9) To yield up and hand over the said trees at the determination of the term hereby created in a good and proper state of cultivation and order as shall be in compliance in all respects with the covenants hereinbefore contained and the Licensee shall not be entitled to any allowance or compensation for any expenditure he may have incurred in respect of improvements or otherwise during the said term.

III. The Governor covenants with the Licensee as follows:—

*(1) To permit the Licensee on his observing and performing the severa covenants and stipulations on his part contained to peaceably and quality and hold enjoy the licence hereby granted during the term hereby created without any lawful interruption from the Government of any person rightfully claiming under or in trust for them.

(2) To return to the Licensee the sum of Rs.....deposited by the Licensee as hereinbefore mentioned or such portion thereof as may be returnable to him on the expiration or sooner determination of the term hereby created.

IV. It is hereby expressly agreed and declared.—

†(1) that should the Licensee fail to pay the yearly rent or be guilty of a breath or non-observance of the covenants conditions and stipulations on his par t to be observed and performed then and in any such case the Executive Engineer may at any time thereafter in addition to and without prejudice to his other rights and remedies determine this agreement by notice in writing addressed to the Licensee and shall be at liberty to sell by public auction or private sale the rights of the Licensee under this agreement and be entitled to and retain the whole amount for which the said rights shall be sold. Should however the same be less than the amount payable by the Licensee under the terms of this agreement for the whole term ther :of the Government shall be entitled † (to make good the difference from the deposit made by the Licensee and to recover any balance that there may be still remaining due from the Licensee).

(2) that the yearly rent and other amounts payable under this agreement may be recovered by the Government as arrears of Government revenue under the Revenue Recovery Act.

(3) that in the event of the failure by the Licensee to fulfil any of the terms of this agreement he shall † (forfeit the deposit amount made by him as security and will also pay to the Government any damages occasioned to the Government by reason of any breach of the covenants and conditions herein contained).

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*Clause (2) of paragraph III should be omitted sub sequent clause bei renumbered if the Licensee is a village panchayat.

† If the Licensee is the village panchayat, then, for the words within brackets in clause (1) of paragraph IV the words "to recover the difference from the Licensee" should be substituted and the words, within brackets in clause (3) of the same para. graph should be omitted.

(4) that in the event of any of the said trees dying, failing to produce fruit or becoming unprofitable or useless during the said period or being cut or otherwise damaged by earth being thrown pits being dug or materials being stacked by the officers of servants of the Government, the Licensee sahll not claim or be entitled to any compensation or reduction of rent for such failure or loss but shall continue to pay rent as if the said trees were alive productive and in full vigour nor shall the Licensee be entitled to any compensation or reduction in the rent payable by him by reason of the number of such trees being reduced by tempest floods strom or otherwise howsoever;

(5) that in the event of any of the said trees its branches or leaves being cu down damaged or injured by the Licensee his servants or workmen during the said term he shall pay to the Government and the Government shall be entitled to receive such compensation therefor as the.....may deem reasonable of which he shall be the sole judge;

(6) that in the event of the Excise Department granting permission during the currency of this agreement to any toddy shop renter for tapping toddy from any of the trees included in this agreement, after obtaining the prior consent of the Public Works Department authorities such trees will be excluded from the scope of this agreement for the period of the toddy tapping licence if that period fails within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement. And the lease amounts payable by the Licensee for such periods shall be reduced by an amount calculated on this basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement.

(7) the officers and servants of the Government and any lessee from the Governor or person employed or authorized by such lessee shall have liberty and power to enter into and upon the said lands the subject-matter of this licence and to do such acts and things thereon as the Government or their duly authorized officers may think fit or authorize but without prejudice to the rights of the Licensee under these presents and the Licensee shall not claim or be entitled to any Compensation or abatement of the rent payable hereunder in respect thereof unless the Superintending Engineer,.....Circle, considers that the same is payable.

(8) that if any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the Licensee as to the rights duties or liabilities of either party in respect of any matter or thing relating to or arising out of these presents or the construction or meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to the arbitration of.....and his decision thereon shall be final. provided that either party may refer the dispute to the said arbitrator provided also that in cases where the Executive Engineer has entered into the contract on behalf of the Governor of Tamil Nadu the dispute or difference shall be referred by the Executive Engineer for the time being and in other cases by any officer authorised in this behalf by the Government of Tamil Nadu.

IN WITNESS Whereof.....acting on behal of and by the order and direction of the Governor of Tamil Nadu and the Licensee have hereunto set their hands and seals the day and year first written.

The schedule above referred to:

| *Name if any. of the property.* | *Survey number and extent.* | *Taluk in which situate.* | *Village in which situate.* | *Boundaries.* | *Number of trees* | *Description o trees.* |
|---|---|---|---|---|---|---|
| (1) | (2) A. C'. | (3) | (4) | (5) | (6) | (7) |

SIGNED sealed and delivered by the abovenamed in the presence of

SIGNED sealed and delivered by the abovenamed in the presence of

AGREEMENT FORM FOR THE LEASE OF THE RIGHT TO PLANT AND MAINTAIN COCONUT TREES ON THE BANKS OF IRRIGATION WORKS (FOR ADOPTION WITH NECESSARY MODIFICATION, IF ANY).

AGREEMENT made the.....day of.....one thosuand nine hundred and.....between the Governor of Tamil Nadu (hereinafter called the Governor which expression shall where the context so admits include his successors in the office and assigns) of the one part and.....hereinafter called the Licensee (which Expression shall where the context so admits include his heirs, executors, administrators, and legal representatives) of the other part.

(1) The Licensee will within six months from the date hereof plant in such places as the Executive Engineer for the time being in charge of the..... Division (hereinfter called the Executive Engineer) may from time to time approve on the.....slopes of the bank on the..... side of the..... channel between the ..... .....kilometre.....and ..... .....kilometre.....coconut trees in manner hereinafter provided.

(2) The trees shall be planted at a minimum distance apart of 6 metres and so as not to interfere with the passing along the bank by the Inspecting Officer of the Public Works Department, and no tree shall be planted within 30 metres of any masonry work connected with said channel.

(3) The Licensee will maintain such trees and will replace any trees that may die within the period of two years from the date thereof by others so that at the expiration of such period of two years after which no fresh trees shall be replanted the full number of.....trees shall be growing on the said bank.

(4) All trees so planted shall be the property of the Governor of Tamil Nadu for the purposes of the Government of Tamil Nadu and any tree that shall be or become barren or die shall be reported by the Licensee to the Executive Engineer for the purposes of removal under the orders of the latter.

(5) The Licensee shall cultivate and maintain such trees so as to bring same into bearing at the usual period and as from the date of any tree commencing to bear fruit, the Licensee shall pay to the Executive Engineer, in the month of February of each year in advance, the sum of..... paise by way of tree tax for each such tree, failing which the tax due and payable to Government shall be recovered as if it were an arrear of land revenue Licensee have hereunto set their hands and seals the day and year first written.

(6) The Licensee shall be entitled in every year so long as the trees or any of them bear fruit, but subject to determination as hereinafter mentioned, together and remove the produce (i. e., the coconuts and leaves) of any tree in respect of which he may have paid such tree tax but the Licensee shall not be entitled to tap any tree for toddy nor shall the Licensee assign the licence herein contained to any person save with the consent in writing of the Executive Engineer.

(7) In the event of the Excise Department granting permission during the currency of this agreement to any toddy shop renter for tapping toddy from any of the trees included in this agreement, after obtaining the prior consent of the Public Works Department authorities, such trees will be excluded from the scope of this agreement for the period of the toddy tapping licence if that period falls within the period of this agreement or for the unexpired period of this agreement if that period extends beyond the date of the expiry of this agreement, and the lease amounts payable by the Licensee for such periods shall be reduced by an amount calculated on the basis of the ratio which the number of trees to be excluded bears to the total number of trees leased under this agreement.

(8) The Licensee will indemnify the Government of Tamil Nadu (hereinafter called the Government) in respect of any damage that may be caused to the said channel banks by reason of the planting maintenance or gathering the produce of the said trees or any of them and will on demand pay to the Executive Engineer the cost of all repairs or works required for the said banks by reason of the exercise of any rights under the terms hereof.

(9) If in the opinion of the Superintending Engineer,..... .....Circle, for the time being hereinafter referred to as the Superintending Engineer, it is desirable that all or any of the said trees shall any time or times hereafter be cut down such trees may after the expiry of one week from the service on the Licensee of notice of the intention to remove same be cut down and removed according to the directions of the Executive Engineer and the Licensee shall not be entitled to compensation in respect of the removal of all or any of such trees.

(10) In the event of the breach by the Licensee of any of the provisions of this agreement the Executive Engineer.

.....may by notice in writing addressed to the Licensee at his last known place of above cancel this agreement and on the expiry of seven days from the date of such notice, this agreement shall stand cancelled and all the provisions hereof shall cease and determine and the Licensee shall forthwith hand over to the Executive Engineer, .....for and on behalf the Government the land in his occupation together with the trees thereon in good condition and the Licensee shall not be entitled to any compensation in respect of such cancellation of this licence or to a refund of all or any portion of the tree-tax already paid by him.

(11) In the event of any difference or dispute arising as to the meaning of any of the terms hereof or the breach by the Licensee of any of the conditions herein contained or as to any matter arising in connection herewith such difference or dispute shall be referred by the Executive Engineer for the time being and in other cases by any officer authorised in this behalf by the Government of Tamil Nadu.

(12) Nothing herein shall amount to or be construed as a demise or agreement to make a demise of or creating any interest in the land forming the said channel banks or any part thereof.

IN WITNESS whereof.....the Superintending Engineer of the.....Circle acting on behalf of and by the order and direction of the Governor of Tamil Nadu and the Licensee have hereunto set their respective hands, the day and year first above written.

SIGNED by the abovenamed
in the presence of

SIGNED by the abovenamed
in the presence of

FORM OF SUPPLEMENTAL AGREEMENT TO BE EXECUTED IN THE CASE OF LEASE OF GRASS AND OF FRUIT TREES TO VILLAGE PANCHAYATS.

AGREEMENT made the.....day of.....one thousand nine hundred and.....BETWEEN THE GOVERNOR OF TAMIL NADU (hereinafter called the Lessor which expression shall where context so admits include his successors-in-office and assigns) of the one part and THE VILLAGE PANCHAYAT..... village in the taluk of.....in the district of.. .....hereinafter called the lessee which expression shall where the context so admits include its successors and assigns) of the other part and supplemental to an agreement of lease dated the.....day of .....19 and made between the same parties as hereto (hereinafter referred to as the principal indenture) WITNESSETH ;

THAT the Lessor hereby gives and grants full and free consent and licence unto the Lessee to demise or underlet the rights privileges and benefits comprised in the principal INDENTURE:

PROVIDED ALWAYS that such demise or underlease shall contain nothing which may prejudice or affect any of the covenants conditions or provisisos contained in the principal indenture and on the part of the Lessee to be observed and performed and that the consent and licence hereby given is upon the exprese condition that the demise or under lease to be made under or by vitrue thereof shall contain a covenant by the underlease that such Lessee will not assign or underlet without the previous consent in writing of the Lessor and also a proviso for the re-entry and termination of the underlease or grant in case the underlessee shall admit any breach of such convenant.

AND THE LESSEE hereby covenant with the less or that the lessee will not. without the previous consent or licence in writing of the lessor release or waive the said covenant against assigning underletting or otherwise parting with the possession of the premisses to be comprised in the said demise or underlease or any part thereof but will in case of any breach of such covenant forthwith re-enter upon the same premises under the proviso in that behalf to be contained in the said demise, or under lease as hereinbefore provided unless the Lessor shall otherwise contract in writing:

PROVIDED ALWAYS that the proviso for re-entry by the Lessor contained in the principal indenture shall extend to and be exercisable in case of any breach by the Lessee of the covenants hereinbefore contained as well as the breach of any of the covenants contained in the principle indenture and on the part of the Lessee to be observed and performed AND that if any damage is caused by the underlessee to the said lands the assessed value of such damage shall be paid by the Lessee.

IN WITNESS whereof Subdivisional Officer, Public Works Department Subdivision Division acting on behalf of and by the order and direction of the Governor of Tamil Nadu and the acting for and on behalf of the Lessee have hereunto set their respective hands and seals the day and year first above written

SIGNED, sealed and delivered by the abovenamed
in the presence of

SIGNED, sealed and delivered by the abovenamed
in the presence of

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in the presence of

SIGNED, sealed and delivered by the abovenamed
in the presence of

## RULES.

### RULES RELATING TO THE LEASE OF GRASS, USUFRUCT OF TRESS ETC ON PUBLIC WORKS DEPARTMENT CANAL, CHANNEL, DRAIN ETC PORAMBOKES.

I-A Concessions to village panchayats—(i) (a) Executive Engineers are authorized to grant to village panchayats constituted under the Madras Panchayats Act, 1958 (Act XXXV of 1958) the lease of grass, usufruct of trees, etc., on Public Works Department canal, channel, drain and tank porambokes and flood banks, subject to the conditions mentioned below. Panchayats shall be preferred even if there are higher bids from other persons or bodies.

(1) The panchayats shall pay annually to the Government a sum equal to the average annual revenue realized during the preceding five years.

(2) The panchayats shall conform to the usual conditions imposed on individua lessess . The Executive Engineer concerned shall have the power to cancel the lease of grass, etc, flood banks, if in his opinion any damage is caused and the panchayat is responsible for it.

(3) Executive Engineers shall furnish to the panchayats a list of all leases which are open to the panchayats in their respective village limits in the form annexed to this appendix, shall add to the list new items of lease if any, as and when they arise and intimate the additions to the panchayats so that the panchayats may take upthe lease, if they so desire and remit the lease amount by the date fixed in each case. The areas included in the lease may not necessarily cover all the Public Works Department lands in panchayat limits and the areas not mentioned in the schedule or specifically excluded shall not be included in the lease. They will be usually of the nature of lock, inspection bungalows or office compound or of quarters of establishment. The panchayats should also be told that unless they offer to take up the lease by the date specified for the renewal of the respective leases and remit the lease amounts by that date, it will be assumed that the panchayats do not wish to take up the lease and action will be taken accordingly.

(ii) The panchayats will be allowed to appropriate the income from withered and windfallen trees on canal and drain porambokes (included in the areas leased) the right to cut grass and to enjoy the usufruct of trees on land which has been leased to them. Before such trees are removed by the panchayats the prior approval of the Subdivisional Officer should invariably be obtained. Trees wilfully damaged will not be included in this concession.

NOTE—Agreements shall be entered into with panchayats in the form prescribed in Appendix 'X' of the Tamil Nadu Public Works Department Code both principal and supplemental—subject to the following modifications.—

(a) Where, under paragrapjh 346 of the Tamil Nadu Public Works Department Code, the principal agreement is not in the prescribed form (Appendix 'X') the supplemental agreement shall with the assistance of the local Government Pleader, be suitably modified so as to indicate that the principal agreement is not in the prescribed form.

(b) Where the principal agreement is for a lease amount of Rs. 50 and less, the President of the Panchayat shall be required to execute the supplemental agreement which shall be modified by omitting the words "and..... a member" in the concluding portion of the supplemental form of agrreement.

(c) Where the principal agreement is for a lease amount of more than Rs 50 the officer empowered to approve such agreements should execute the supplementary agreement. This can be done by scoring out the words "Subdivisional Officer.... .....Subdivision" and entering "Executive Engineer" 'Superintending Engineer" as the case maty be in the concluding portion of the supplemental form of agreement.

I-B. Concession to socities of communities eligible for help by the Labour Department—(1) (a) If the panchayats do not want the lease or do not remit the lease amounts by the rates prescribed, the lease shall be granted to socities of communities eligible for help from the Labour Department in the order of preference given below, subject to the payment of the average rental for the preceding five years. Even in cases where a larger amount than the average rental may be realised by auction, the lease ould be granted to the said societies.

(1) If there is a registered co-operative society of the village in which the property s situated, the lease shall be granted to that society in preference to any other society.

(2) If there is no registered co-operative society the lease may be granted to any other registered society of the village, and, in its absence, to an unregistered society of the village.

(3) If there are more than one registered co-operative society, or registered (under Act XX of 1860) or unregistered society, the lease shall be auctioned among the competing societies of each class of the particular village in which the property s situated, the order of preference being as indicated above.

NOTE.—(1) Executive Engineers may in their discretion, grant the lease to societie outside the boundaries of a village in which the property to be leased lies, if there is no society in the village or the society of the village does not apply for the lease.

(2) Executive Engineers are authorized to grant without auction lease of the right to cut grass in lankas and river margins to societies of communities eligible for help from the Labour Department, subject to the conditions mentioned in rule (1) above.

*Exception.*—Trees on the beds of tanks incharge of Public Works Department (inclu ing those for the maintenance of which a special staff of watchman, etc., is employed by the Public Works Department) are under the control of the Revenue Department and the Collector should arrange for the disposal of the produce of such trees.

## ANNEXURE.

Form referred to in rule I-A (i) (b).

| *Name of the Village panchayat,* | *Description of property to be leased out entirely within* ***the limits of the panchayat*** *board concerned.* | *Date from which property is available for lease and period* ***of lease.*** | *Date by which intimation of willingness to take up lease or the contrary should be given to the Executive Engineer.* | *Last date by which lease amount should be paid.* | *Remarks if any* |
|---|---|---|---|---|---|
| (1 | (2) | | (4) | (5) | (6) |

## APPENDIX XI,

### PROCEDURE TO BE FOLLOWED IN THE CASE OF EMERGENT WORKS

(*Vide* paragraph 177 of this Code.)

Subject to clause 4 below, where an emergent work is done through a contractor or a piece-worker, a piece-work agreement should be entered into with him by the officer on the spot before work starts. This form of agreement is particularly suitable, as it is terminable in case the higher authorities, who are competent to sanction the proper agreement in the standard form in the particular case, disapprove of any of the terms. When the circumstances are so emergent that even a piece-work agreement cannot be signed, it will be sufficient to have a written order for the work signed by both the piece-worker or the contractor and the officer on the spot as indicated in clauses 2 and 3 below.

2. If the Local Public Works Department Official is unable to leave the spot to enrol labour, he will probably have to engage it through a contractor or piece-worker *vide* paragraph 292, Tamil Nadu Public Works Account Code. In such a case a written work order, which need not necessarily be on the printed form, should be signed on the lines indicated below :—

Breach at Kilometre 21/1, Main canal.

Agreement to supply daily so long as the Subdivisional Officer or his duly authorised representative may require :—

100 men (working 9 hours a day) at Rs. P. a day

40 women (working 9 hours a day) at Rs. P. a day

N. B.—Tools will be supplied departmentally contractors profit at 10 per cent on cost of labour.

(Signed) A. B., (Signed) C. D.

P. W. Officer. Contractor / Dated——————

3. When the emergent work is to be carried out by a piece-worker or a contractor and not departmentally by labour engaged through a contractor, a manuscript work order should be signed in the first inastance as indicated below:—

Breach at kilometre 21/1, Main canal.

Agreement to carry on the work at the following rates until terminated by the Subdivisional Officer or his duly authorised representative :—

| | Per 1 M3. |
|---|---|
| Earthwork—Closing breach including breaking clods and ramming in 20 cm. layers, initial rate. | |
| Extra lift (average 3 metres) .. .. | |
| Extra lead (average 30 metres) .. .. | |
| Total .. | |

(Signed) A. B. Signed) C.D.,

P W. Officer. Contractor / Dated ——————

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These work orders may be written in a note-book or on any available sheet of paper, but should no paper be available at the moment, the work may be started without it, but the order should be signed as soon as paper can be procured.

4. The object of these rules is to explain in what manner local officers and ubodinates should meet their responsibilities in emergent cases under paragraph 173. It is however most important that the first agreement shall not commit Government to any expenditure beyond what has to be incurred in an emergency at the discretion of the local officer and it is for this reason that the first agreement shall be only of the nature of a piece-work agreement. Ordinarly, such agreements should be signed only by officers not below the rank of a Subdivisional Officer, as those below that rank have no powers to sanction any works and connot consequently accept agreement, but in works of exceptional emergency, a Subordinate Officer may give a work order when, for example, the Subdivisional Officer is absent. Such action should, however, be reported as soon as practicable to the Subdivisional Officer or other senior officer, if possible by telegraph.

5. When steps as indicated in the preceding paragraphs have been taken to meet the emergency and the work has been started, there should be no avoidable delay in preparing a proper estimate and an agreement in the standard form and in obtaining the sanction of the competent authority. The rates agreed to in the emergency in accordance with the procedure indicated in the above paragraph cannot be revised by a higher authority for the portion of the work already done, There should be also no avoidable delay in liquidating a liability already incurred—vide Article 38 of Tamil Nadu Financial Code, Volumo I and paragraph 363 of. the Tamil Nadu Public Works Account Code.

6. In cases of real emergency and subject to the foregoing provisions, officers are empowered to pay such higher rates, as compared with normal, rates, as may be found absolutely necessary. Care should, however, be taken to see that the emergency rates are suitable to the circumstances and are not higher than are really necessary to get the emergent work done.

## APPENDIX XII.

### SANITATION OF CAMPS AND MAZDORS' LINES.

*Measure to be adopted for preserving the health of the workers.*

The essential requirements for the maintenance of the health of workers are housing and ventiltaion, food, water and conservancy.

2. *Housing and ventilation* :—In the first place the selection of a suitable site s of the greatest importance. This should always be done in consultation with the Director of Public Health. High and dry ground having a natural slope is the ideal site for houses and ought to be chosen wherever possible. The neighbourhood of jungle, rank grass or vegetation and places, having a high sub-soil water-level should particularly be avoided as they are likely to be malarious. When naturally high and dry ground cannot be procured, special attention should be paid to surface drainage, and if necessary, to the sub-soil drainage of the site.

After the site is selected, the lay-out should be prepared in consultation with the Director of Public Health. Roads and house-plots should be carefully marked out. Main roads should have a minimum width of 25 feet (7.5 m) at intervals of every 300 feet (90 m), secondary roads having a minimum width of 20 feet (6 m.) should be provided. The object of providing main and secondary roads is to secure free perflation of air. Stagnation of water should be prevented by providing drains of proper gradient on the sides of the roads. The waste water including sullage and sewage should be disposed of properly as for example, by irrigation on suitable land and then discharging the effluent if any, into a water course not used for drinking purposes.

Huts can easily be constructed at small expenses in most parts of the country and will be sufficient for the accommodation of the workers. They should be constructed in regular lines facing the main and secondary roads. Back-to-back huts must never be permitted. It is very important that there should be no overcrowding. As in large works of a permanent or semipermanent nature, the work people usually migrate with their families, the huts should be of a sufficient size for the occupation of a family. Ordinarily, a hut should consist of a room not less than 12 feet x 10 feet with a front and rear verandah having a minimum width of 5 feet, the eaves being not less than 5 feet from the level of the basement. A portion of the baek verandah may be partly enclosed by a honey-combed wall in order that it might be used as a kitchen. The main room should be provided with two windows not less than 3 feet x 2 feet each. It woulds be advantageous to have one or two cupboards in the walls for keeping articles of food; this will also help to keep the huts free from rats. In camps which are expected to be occupied for a considerable period, the structural detaile can be improved. Every possible care should be taken to see that the huts ars kept clean and in proper order.

In projects where large number of women labour are engaged crehes should be provided for the children of working women. Temporary buildings may be constructed at situable points in the work site. A female attendant is to be incharge of the creche and the Panchayat Union should see to the payment and upkeep of the creches.

3. *Food* .. In most parts of the State no difficulty will be experienced in getting a sufficient supply of good food. No special arrangements need be made in the case of camps where the workers can obtain their food supplies without difficulty from a neighbouring market. Where no such facilities exist, it is necessary to establish a bazaar and to provide for the sale of wholesome food in sufficient quantity. Besides the ordinary articles of diet such as rice dhall, oil, condiments, etc., a sufficient variety of other foodstuffs such as meat, flesh, eggs, milk and fresh vegitables should be available.

The croping up of mushroom tea stalls on the road side nearly the camd should not be allowed. Even while the layout of the camp is prepared arrangements should be made for locating hotels, tea stalls etc., for the selling of foodstuffs under hygenic conditions for the use of labourers within the easy approach and at the same time, the stall should be so iocated that they do not prove a nuisance to the residents of the camp. Type design buildings for such hotels and tea stalls may be built and leased out for carrying on such trades. A suitable number of such buildings at various points in the protected area to serve the needs of the labourers in different points of the camp should be thought of Fifteen metres alround eating establishments, should be kept scrupulously clean. This work and the supply of protected water supply to such establishment should be provided at the project.

4. *Water* : The provision of a good and pure drinking water-supply is of the utmost importnace in maintaining the health of the work people. All proposals and plans relating to drinking water-supplies should be submitted to the Director of Public Health and the works started only after his approval is obtained

The best sources of drinking water-supplies are deep wells. Failing these, tube-wells are next best. Shallow wells, tanks and rivers are dangerous sources on account of their liability to pollution and should as far as possible be avoided.

The sites for the sinking of wells should be selected with care. They should be kept free from any chance of contamination by sewage or other filth. The natural slope of the ground will assist in determining the sites for wells.

The sites having been chosen, the question whether the construction of a deep well, a tube-well or a shallow well is feasible and whether the soil yields portable water, should be decided by a preliminary inspection of existing wells in the locality or by boring operations ;

Provided conditions are favourable, preference should always be given to deep wells. If this is not possible, tube-wells should be sunk. Only when conditions for the sinking of deep wells or tube-wells are unfavourable should shallow wells be constructed. If on account of the saline nature of the soil, wells yielding fresh water cannot be constructed, tanks and rivers should be resorted to as the last alternative. Bathing or washing should be completely prohibited in the case of tanks set apart for drinking purposes. Where river water has to be used. tube-wells sunk in the banks are often successful. It must be recognized that river water is always polluted water and before using it some method of purification is essential

Wells, deep or shallow, should always be lined with masonry or cutstone and the inner surface of the lining should be impervious. The wells should have a parapet wall of not less than 3 feet in height and have a masonry cemented platform to a minimum width of 6 feet all round. Suitable drains with proper gradient for the disposal of waste water should also be provided, the spill water being disposed of in a garden laid out for the purpose in the neighbourhood of the well or in filter trenches situated at a distance of not less than 100 feets from the well. Bathing or washing should not be allowed in or near any drinking water well. A separate well may if necessary, be provided for these purpose In the case of tube-wells platforms and drains are also necessary. Directions given for the prevention of bathing and washing equally apply to tube-wells.

The best method of distributing drinking water from wells, tanks and rivers is to raise the water by means of pump driven by an oil engine, ga s engine, steam engine or electric motor, as may be most convenient, to a high level reservior or from tank of sufficient size from which pipes with delivery taps can be laid to all parts of the camp. The arrangements should be adopted especially in the case of large camps. The next best alternative for obtaining water from these sources is by means of hand pumps or water elevators similar to those described in G. O. Ms. No. 248, P. H., dated 5th February 1926. As a technical staff is always attached to works of any considerable size. skilled labour will always be available to look after the pumps, and no difficulty need therefore be anticipated about their upkeep and repair. If, for any reason, power pumps, hand pumps or water elevators cannot be used, the source must be chlorinated before water is distributed. Wells should be provided with pulleys and the water drawn by means of public buckets and ropes the use of private vessels being strictly prohibited. The removal of water by these method should be adopted even in the case of tanks and rivers; this may be done by constructing one or more revetments on which the pumping installation or scaffolsd ing for pulleys may be erected.

The object of these arrangements is to prevent as far as possible the contamination of drinking water and the spread of water borne disease.

As a general precaution the people living in the camps should be advised to boil all drinking water before it is used. This remarks applies with special force to water derived from tanks, rivers and shallow wells.

5. *Conservancy* —The camps and their vicinity should be kept clean at all times. For sweeping roads and pathways, menials should be employed at the rate of one sweeper for 750 people. In the case of larger camps, maistris should be employed to supervise the work of menials at the rate of one maistri for every 12 menials. For smaller caspm at least one maistri should be employed in any case. One Sanitary Inspector should be appointed for every 3,000 persons living in a camp.

Public dust-bins should be provided at intervals of every 300 feet for the temprary storage of road-sweepings and domestic rubbish pending their removal by conservancy carts. Hand-carts or bullock-carts should be employed for the removal of refuse to a central dumping ground. The best method of disposal of sweepings at the rubbish is by burning. Cheap incinerators similar in design to the ordinary lime kiln will serve this purpose. If incineration is not feasible and if there is a demand for refuse, it may be sold on condition that it is removed at once. Otherwise it should be covered over with a layer of 12-18 inches of dug earth in order to prevent nuisance and the breeding of flies. Promiscuous dumping of rubbish should not be permitted on any account.

Public latrines, should be of the sanitary type with water seal squatting slabs and pucca septic tank as far as possible. Separate latrine accommodation should be provided for two sexes. The minimum requirement is one each for every 25 people. Scavengers should be in constant attendance to keep the latrine clean. The filths and rubbish should be disposed of as far as possible by composting. If due to unavoidable reasons dry earth latrines have to be provided the filths should be desposed of only composting under proper supervision and in consultation with the District Health Officer.

Separate latrine accommodation should be provided for the two sexes. In the case of large camps where they are expected to be in existence for some years, permanent masonry type design sanded latrines should be built. The minimum requirement is one seat for every 25 people. Scavengers should be in onstant attendance to keep the atrine clean. In the case of permanent or semi-permanent latrines, hand-carts with metal drums should be provided for removing the excreta to a trenching ground. Trenching ground should be selected with care and in consultation with the District Health Officer and should be situated at a considerable distance from the camps. The trenches should not be more than 18 inches in depth 12 inches wide and the length of the trenches should be ordinarily be 20 feet. A distance of 2 feet should intervene between adjacent trenches. Nights oil should be deposited in the trenches to a depth of not more than 6 inches andit should be immediately covered over with the earth previously removed from the tench. The trenches should not be disturbed for atleast six months or until such time as is necessary for the complete disintergration of the faecal matter. Ground which has been once used for trenching should be-suitably cult ivated before being again brought into use. Approximately one acre is required for every thousand persons. In the case of less permanent camps, shallow trenches enclosed by thatti screens are the best. The remarks previously made regarding the distance of latrines from drinking water sources apply specially to this type. Every morning one or more fresh trenches should be dug according to requirements.

The trenches should not be more than 18 inches deep and every time the trench is used, a quantity of earth should be thrown over the stool. At the closs of each day. the trenches should be completely filled in. Used trenches should be suitably marked in order that the ground may not be again opened up before complete decomposition has taken place.

6. The provision of lighting arrangements should not be lost sight of in constructing workmen's camps.

7. Medical Relief—Wherever any large body of workmen is collected, g small dispensary manned by a medical unit consisting of a Civil Assistant Surgeon, a compounder, a ward-boty and a toti are necessary. In project areas where a large number of women are employed, a female nurse and a mid-wife would also be included in the Medical unit.

In most cases, however central establishment will be sufficient for several miles of work. The dispensary should ordinarily be reserved for treating accidents and cases of a trifling nature in which early recovery is expected. As a rule, it is advisable to transfer person suffering from any serious illness to the nearest station where there is a well-equipped hospital. In this connection a motor ambulance will be foun.l very useful especially when a large body of workers is employed.

8. The dispensary referred to in the previous paragraph is for the treatment of simple ailments. Diseases which are liable to become epdemic require separate and special consideration. Under this head, the following diseases have to be considered.

9. (i) *Cholera* :—The appearance of even a single case of cholera should receive immediat attention. The officer incharge should promptly notify the occurrence to the Health Officer. the Health Inspector and the Medical Officer. The following precautions should be taken in connection with the patient :—

(a) He should be removed without delay to the Infectiou Diseases or Isolation Hospital, If no such hospital exists the patient should be isolated. in a separate hut or preferably in a shed specially put up for the purpose, and communication with the rest of the camp should be forbidden.

(b) The germs of cholera are excreted in the stools and vomit of the patient and are also present in soiled clothing. The discharge should be received in paddy husk or saw dust mixed with kerosene oil or cresol and then burned. If the discharges be voided upon the ground, straw should burned on the spot and a strong solution of cresol (1 in 200) should be subsequently poured over it. The earth should then be dug up and removed and fresh earth provided.

(c) All soiled bedding and mats, rags and clothing should be burnt. If, on account of the cost of the articles, burning is objected to, they should be soaked in a solution of cresol (1 in 400) and subsequently boiled in water for 15 minutes.

(d) Vessels and other articles used by the patient should, before removal from the room, be soaked in disinfecting lotion and boiled in water for 15 minutes.

(e) The patient should be isolated for at least three weeks afterc con valescence, in the absence of proper bacteriological tests.

(f) Every infected hut and its contents should be treated with cresol

(g) No washing of clothes, utensils or persons, especially from a house in which a case of cholera has occurred should be allowed in or near any watter source or in any situation from which the washing water is likely to flow into such soureess.

(h) Care should be taken not to allow flies to settle upon the patient or his discharges as these insects readily convey the germs of cholera to milk and other foods, and spread infection.

(i) The number of attendants on the sick should be kept at a minimum. They should be very careful about their personal cleanliness. Their clothes whenever soiled with cholera discharges should be at once disinfected. When leaving the patient, they should wash their hands in cressol lotion and then with soap and watter. They should not be allowed to prepare food either for themselves or for others.

(j) No food should be part taken on the sick room either by the attendants or by any body else. Chewing of betel leaves there is also dangerous.

(k) Early treatment is of the greatest importance. The best modicine or this purposes are Mistura Pro Diarrhoea (10 to 15 drops every 15-30 minutes till the diarrhoea stops) and Sulphaguandine tablets. This treatment should be continued until the arrival of the Medical Officer.

(l) The bodies of persons who have died of cholera should be carefully and throughly burned. If they have to be buried, this should be done at a considerable distance from wells, tanks and steams. Burials should not be permitted in ground sloping towards water supplies. Then men engaged in the removal and disposal of the corpse should disinfect their hands and clothes mmediately after their work is finished and before they take any food.

(m) There must be no funeral feastin the hut in which a death from cholerra has occurred.

As soon as a case of cholera occurs, the Health Officer should institute without delay careful and exhaustive enquiries in order to determine the soure of infection and and prevent firuther infection from the same source.

The following facts regarding the origin and spread of cholera and the means of its prevention should be remembered :—

(1) Water is the most usual means by which infection is conveyed. If the outbreak is of explosive violence, it is certain that the infection has been conveyed by the general water-supply. If the outbreak persists, the indication is that more than a single pollution of the water has occured. If the outbreak is more limited, it may be due to some less general vehicle, such as dirty pool from which only a certain number have drunk, or some contaminated food of which only a certain number have partaken. But there is always urgent danger of a subsequent contaimination of the general water-supply.

(2) The most minute attention should there fore be paid to the purity of water-supply. All wells should be chlorinated or treated with potassium permanganate daily until all danger has disappeared.

(3) If a well of other source appeals to be in the origin of infection it should if possible, be put of use for the time being and for long as long as any known source of pollution continues to act. A polluted well should not be, naken into use again until it has been emptied, cleaned out, and chlorinated ar disinfected with potassium permanganate.

(4) When a pure or disinfected water has been provided, every effort should be made to see that it is alone issued. Dirty or suspected pools, tanks, wells, etc., should be filled up or rendered inaccessible: or the water in them may be rendered underinkable by adding coal-tar, kerosene, or any other similar odorous non-poisonous substance which impairs its palatability.

(5) Cholera germs are easily killed by bolling. People should be advised to drink nothing but boiled iwater.

(6) Vessels used for cooking, eating, and drinking should be throughly scrubbed and washed with clean boilerd water.

(7) Cholera is frequently conveyed by flies which carry infection from filth to food. The dangers, of fly infection should be pointed out to the people and they should be advised to keep all articles of food and drink properly covered up.

(8) All food should be eaten freshly cooked and hot and cold food cooked the previous day should be avoided. Such food is frequently very dangerous as flies may have carried cholera germs to it and infected it.

(9) Raw and unripe or over-ripe fruit predisposes to cholera and therefore should be avoided when cholera is present or thereatens to appear

(10) It is a good arrangement. if possible, to have a separate bazaar for the camp in order to have proper control over the articles sold therein.

(11) Every one should be warned to report at once any diarrhoea, however slight it may be, so that it can be promptly treated. Even if the attack does not happen to be actual cholera, it is the most frequent precurs or of the disease and demands immediate treatment. As persons with apparently slight ailments do not always realize the improtance of going to the Medical Officer, it is a good plan to have pre-diarrhoea mixture, cholera pills, etc., in the hands of the more intelligent overseers and contractors for distribution to those who need them. But these men should be definitely instructed to keep the Medical Officer informed of what is going on.

(12) Careful attention should be paid to the general sanitary arrangements of the camp and of the houses. The more perfect they are, the less the risk of spread of infection by flies.

(13) It is absolutely necessary to have suitable latrine arrangements, and to see that every one uses the latrine, and does not resort to the banks of the streams or tanks, etc., for purposes of nature. The latrine should be kept clean at all times and disinfected at least once in 24 hours with cresol solution. The staff of latrine sweepers should be sufficient to ensure that every motion is immediately covered up with dry earth or disinfected and that the latrines are always kept clean and tidy. These instructions should be carried out with method and intelligence.

(14) As fatigue lowers resistance to disease, people should be encouraged to take proper sleep and rest and not spend the nights in singing, tom-toming and so forth.

(15) Great care should be taken to prevent the importation of the diseases from neighbouring infected villages. If it can be arranged, no food supplies should be brought in from such villages. Any supplies so received should be boiled or cooked before use.

(16) All persons coming or returning from infected villages should be kept under surveillance for ten days.

(17) In cases of necessity, additional medical aid should be called for without delay.

(18) The officer incharge should by his example show his men that he himself believes in the measures that he recommends.

(19) Every attempt should be made to protect the workers and their families with anti-cholera vaccine. Inoculation causes practically no pain or discomfort and it protects the indivitual against infection for some months. The vaccine may be obtained from the King Institute of Preventive Medicine, Guindy. The District Health Officer will make arrangements for obtaining the vaccine and carry out of the inoculations.

(20) In seasons of the year when cholera may be expected to breakout, although no cases may have occurred, it is wise to anticipate possible outbreaks by attending to the sanitary rules mentioned in the above paragraphs.

(21) A daily report of cholera and other infections diseases should be submitted in the annexed form by the Officer incharge of the camp to the Health Inspector, Medical Officer, District Medical Officer, the Director of Public Health the Engineer superintending the works and the Chief Engineers.

Daily report of Cholera / Small pox / Plague / Relapsing fever — Camp / Village

| Date | Attacks | Deaths. | Up to date Attacks. | Up to date Deaths | Remarks as to source of infection, preventive measures adopted etc. |
|---|---|---|---|---|---|

Station ..

Dated ..

(Signature)

(Designation)

To

The Health Inspector.

The Medical Officer.

The District Health Officer.

The Director of Public Health, Madras

The Engineer incharge of the Works,.

The Chief Engineer.

(ii) *Small pox*:—As a rule, this does not occur in epidemic form among adult All new-comers to the camp should, however, be re-vaccinated without delay. When workmen bring their families with them, all children should be vaccinated or-re-vaccinated with as little delay as possible. On the appearance of a case of small-pox, no matter how slight it may be, the patient should be isolated in the manner indicated in the previous paragraph. All contacts should be re-vaccinated and kept under surveillance for a period of 14—18 days. Arrangements should be made for the attendance of the patients removed to the isolation shed. persons selected for this purpose should themselves be protected against small pox either by having had an attack of small pox previously or by recent re-vaccination. The Medical Officer of the camp should take all measures for the treatment of patients and the disinfection of infected materials. Conscents should be provided with new clothing. After convalescence or death, the patient's clothing and all other infected articles should be burnt. By strict attention to these instructions the changes of the disease assuming an epidemic form will be averted. In the event of an outbreak of small pox a vigorous vaccination and re-vaccination campaign should be undertaken under arrangements with the District Health Officer.

(iii) *Plague*.—The occurence of plague in human being is invariably preceded by rat-falls and excessive mortality among rats. This is due to the fact that plague is chiefly a disease of rats. The rat-falls leave the rat when it dies of the disease and may bite man and infect him.

The occurrence of any rat-fall or of a case of plague should be reported immediately to the Health Inspector, Medical Officer and Health Officer. Rats can be excluded from the house by strong food grains properly and keeping the house and surroundings free from refuse and remains of food. Rat traps and poison baits shoals also can be used barium carbonate in the form of pills being the most efficient poison be used, barium carbonate in the form of pills being the most efficient poison to use. The importation of food granis from plague-infected areas should as far as posible be avoided. If, however, there is no other source of supply the grain bags must be opened up and the grain exposed to the sun before it is taken into the camp. As soon as plague occurs every person should be inoculated with anti-plague vaccine as soon as possible. The Health Officer will arrange to get the vaccine from the King Institute, Guindy and carryout the inoculation. Such persons as refuse to be inoculated should be segregated in a health camp specially consturcted for the purpose.

When plague cases have occurred in small houses or huts, the roofs should be removed and the interious exposed to the sun. Any rats found should be killed and put in boiling water or burned in kerosene oil. In the case of pakka buildings, the roof of which cannot easily be dismantled disinfection should be carriedout with kerosene oil emulsion which will be prepared and supplied by the Officers of the Public Health Department

Detailed instructions for the prevention and control of plague will be found in the Madras Plague Regulations.

(iv) *Malaria.*—If the camp is situated in a water-logged area or any other locality where malaria is likely to be prevalent, special precautions are necessary to safeguard the health of the labourers, lest the efficiency of the operations in the works should suffer. Malaria is conveyed by mosquitoes which breed in the water of tanks and rivers and even in small collections such as are to be found in chattis, tins, old pots, etc., in and near the houses. Any tanks, wells, pools in or near the camps should be kept free from vegetation and should be oiled at least once a week. People should be instructed not allow water to collect in tins pots and such vessels in their huts or in the vicinity and any failure to carryout instructions should be severly dealt with.

When an undue prevalence of malaria is anticipated or is in existence a plentiful supply of quinine both for treatment and for prophylaxis should be maintained.

(v) *Relapsing fever*.—The germ which produces relapsing fever is spread by the bite of the louse. Personal cleanliness, especially that directed towards the destruction of lice, is the most important preventive measure. Persons barbouring lice should have their hair cropped. If there is any objection to cropping. kerosene oil or vinegar (kadi) should be rubbed into the hair, which should then be combed with a fine comb. The clothing should be immersed in boiling water for ten minutes and then dried in the sun. If an epidemic of relapsing fever occurs, a sufficient quantity of salvarsan should be obtained for the treatment of patients

10. The question of medical supervision has been referred to in paragraph 7 and 8 supra. It is advisable, as has already been stated, that a medical officer with a small dispensary should be attached to each large gang or set of gangs of workmen, A weekly report should be submitted by the Officer-incharge of the dispensary to the District Medical Officer who should effect regular supervision of the work done by the former.

11. Duties of the Superintending Engineer:—It will be the duty of the Superintending Engineer to see that all orders connected with the health of the camps are duly carried out. Contractors in charge of gangs of mazadoors should be compelled to see that all orders laid down by the Officers of the Medical and Public Health Departments are duly carriedout.

12. Cost of sanitary measures to be debited to Contingencies of Estimates:—Any reasonable outlay for such temporary shelter as may be needed for bodies of work people of considerable magnitude; and the marking out, clearing and draining of their temporary station; also for entertaining temporary establishments to lookafter the latrines, policemen and Hospital establishments, will be authorised by the State Government as forming part of the contingent outlay on the work under execution.

(*G. O. Ms. No.* 1333, *W., dated* 24*th September* 1926 *and No.* 129 *W., dated* 19*th January* 1927).

## APPENDIX XIII.

### FORM OF AGREEMENT FOR ADOPTION IN CASES IN WHICH GOVERNMENT BUILDINGS ARE LEASED OUT TO PRIVATE INDIVIDUALS

This Indenture made the.....day of.....19.... Between the Governor of Tamil Nadu hereinafter called the "Lessor" (which expression shall where the context so admits include his successors in office and assigns) of the one part and .....residing at..... .....and carrying on business as..... hereinafter called the "Lessee" (which expression shall where the context so admits, include his heirs, executors, administrators, legal representatives and assigns) of the other part witnesseth as follows:—

1. In consideration of the rent hereby reserved and of the covenants by the Lessee herein contained the lessor demises unto the lessee. All that piece or parcel of land together with the building and premises known as..... situate in the Registration sub-district of.....in the Registration District of.....bearing S. No..... for the term of.....years from the day of..... .....19.....Paying therefor in advance the monthly rent of Rs.....clear of all deductions the first of such payments to be made on the.....day.....of 19.....

2. The Lessee covenants with the Lessor as follows:—

(1) To pay the reserved rent on or before the 1st day of each month in advance and in manner aforesaid.

(2) To keep the exterior and the interior of the demised premises and all additions thereto and the boundary wall and fences thereof and the drains, soil and other pipes and sanitary and water apparatus and electric fittings and fixtures thereof in good and tenantable repair and condition.

(3) Not to make or permit to be made under any circumstances any alterations in or addition to the demised buildings without the previous consent in writting of the Lessor or by the Executive Engineer for the time being of..... .....division (hereinafter called the Executive Engineer) Provided always that if the lessee is permitted to make any alterations by the Lessor or the Executive Engineer the Lessee shall not claim nor will he be entitled to any set-off or diminution of the reserved rent therefor and he shall not be entitled to any compensation therefor.

(4) To permit the Lessor and his authorized officers or agents with or without workmen or others at all reasonable times on giving one day's previous notice to enter upon the demised premises and to view the condition thereof and upon notice being given by the Lessor or his authorised officers to repair within one month from the service of the notice in accordance therewith.

(5) To use the demised premises only as a.....and not for any purpose of trade.

(6) Not to assign underlet or part with the possession of the demised premises or any part thereof without first obtaining the written consent of the Lessor or his authorized officers.

(7) To yield up the demised premises with all fixtures and additions thereto at the determination of the tenancy in good and tenantable repair and condition in accordance with the covenants herein contained.

(8) To revise the rent as defined in Note 3 under paragraph 275 of Tamil Nadu Public Works Department Code.

To pay rent as revised by the Executive Engineer with reference to provisions of Note 3 below paragraph 275 of Tamil Nadu Public Works Department Code and with effect from the date from which such revision of rent is made.

3. The Lessor covenants with the Lessee as follows:—

(1) That the Lessee paying the rent hereby reserved and observing and performing the several covenants and stipulations herein on his part contained shall peace ably bold and enjoy the demined premises during the said term without any interruption by the Lessor or any person rightfully claiming under or in trust for him.

(2) To carryout all repairs to main walls, roof and foundations due to fair reasonable wear and tear and the decision of the Executive Engineer..... as to the necessity for such repairs shall be final.

(3) To bear, pay and discharge all existing and future taxes, charges, assessments and outgoings payable in respect of the said premises.

4. Provided always and it is hereby expressly agreed by and between the parties hereto as follows:—

(1) If the rent hereby reserved or any part thereof shall be unpaid for 14 days after becoming payable (whether formally demanded or not) or if any covenant on the Lessee's part herein contained shall not be performed or observed or if the lessee or other person in whom for the time being the term hereby created shall be vested shall become insolvent then and in any of the said cases it shall be lawful for the Lessor or his authorized officers at any time thereafter to re-enter upon the demised premises or any part thereof in the name of the whole and thereuopn this demise shall absolutely determine but without prejudice to the right of action of the Lessor in respect of the breach of any of the Lessees convenants herein contained.

(2) If either party shall desire to determine the present demise and shall give to the other party three calendar months, previous notice in writing of such his desire then immediately on the expiration of the three calendar months, the present demise and everything herein contained shall cease and be void but without prejudice to the remedies of either party against the other in respect of any antecedent claim or breach of covenant.

(3) Provided that in addition and without prejudice to the other rights and remedies of the Governor, the Government shall be entitled to recovery any sum that may from time to time be due and pavable by the lessee as if it were an arrears of land revenue.

**IN WITNESSETH** where of ..... ..... acting on behalf of and by the order and direction of the Governor of Tamil Nadu

and

hereunto set their hands and seal the day and year first above written

Signed and sealed and delivered by
the abovenamed in the presence of:

## APPENDIX XIII-A

FORM OF AGREEMENT FOR ADOPTION IN CASES IN WHICH BUILDINGS BELONGING TO PRIVATE PARTIES OR LOCAL BODIES ARE LEASED BY GOVERNMENT FOR OCCUPATION BY THEIR OFFICERS OR OFFICES.

This deed of Lease Agreement made this.....day of .....19 between.....son of .....residing at..... ..... ..... ..... .....(hereinafter called the lessor, which expression shall where the context so admits included his heirs, executors, administrators, legal representatives and assigns) of the one part and the Governor of Tamil Nadu (hereinafter called the Lessee which expression shall where the context so admits, include his successors in office and assigns) of the other part witnesseth as follows:—

WHEREAS the lessor who is the owner of the premises mentioned in the Schedule below agrees to let and the lessee agrees to take on lease the said premises on a monthly rent of Rs.....on and from the.....day of .....19.....for a period of..... years, it is hereby agreed between the lessor and lessee as follows:—

(1) The rent of Rs.....for each month shall be paid by the lessee to the lessor on or before the 15th of succeeding month.

(2) On payment of such rent the lessee shall have quiet possession of the demised premises without any let or hindrance from the lessor or persons claiming under him and without liablilty for delapidation or damage resulting from resonable wear and tear, accidental fire or the act of God or resulting directly or indirectly from the enemies of the State.

(3) The lessee shall permit the lessor or his agent to inspect the building and premises periodically without any hindrance or inconvenience to the occupier and to execute sundry repairs with his (Lessee's) concurrence, provided such inspection shall be done only after obtaining the prior permission of the office in occupation of the building permises.

(4) The lessee shall not sublet the permises without the previous concurrence of the lessor.

(5) The lessee shall not make any structural or major alretations to the building for the convenient enjoyment of the building having regard to the purpose of the lease.

(6) The lessor shall pay all taxes and outgoings in respect of the demised premises. In case the lessor defaults to make payment of taxes and outgoings, the lessee shall make payment and recover the amount so paid from the rent payable to the lessor.

(7) The lessor shall alwavs keep the building and all parts of the premises wind and water tight and in good tenantable repairs and condition and in particular white wash or colour wash once in each calendar year such parts of the premises as usually are intended to be so washed and on his default the Government (lessee) may incur the expenses of doing any of the aforesaid things not more than one twelth of the rent payable in respect of the building for that year after reasonable notice to the landlord and shall deduct the actual cost thereof from future rents apart from any other remedy for recovery.

(8) If the lessee desires to determine the lease he shall give three months notice of such intention to the lessor after which date the present lease shall cease to be valid.

(9) The leassor shall on the written request of the lessee made within three calendar months before the expiration of the period of the present lease, grant the lessee a lease for a further period of.....years on the same terms and conditions contained in this lease deed.

3. In case of private buildings occupied by Government departments through the Accommodation Controller or any other officers empowered by Government for this purpose, no lease deed need be executed.

THE SCHEDULE.

House and ground bearing Municipal Door No.

situated in bounded on the north by

on the East by

on the west by

and on the south by

comprised in Collector's No' Certificate No.

bearing old Survey No. 436 - area estimate papers of SDO

Resurvey No. 421 - photographic charges

263 - tree planting

Signed sealed and delivered by the a
named in the presence of 415 - Law suit

340 - Hire A Tools

First Witness:
Occupation :
Address :

260 - Inspection of public Buildings

191 - Protection Religious edifice

Second Witness :
Occupation :
Address :

186 - Copies of Sanction of Estimate

150 - Lump sum Agreement

Signed sealed and delivered by the
abovenamed in the presence of :

First Witness :

Occupation :

Address :

Second Witness :

Occupation :

Address :

IN WITNESSETH whereof acting on behalf of and by the order and direction of Governor of Tamil Nadu and hereunto set their hands and seal the day and year first above written.

Signed sealed and delivered by the above-named in the presence of :

Signed, sealed and delivered by the above-named in the presence of :

NOTE : 5 para 229 - pumps - Allowance to the Residence
para 352 - Bridges and Irrigation.
para 201 & 202 - Grants in Aids.
para 150 Execution of works & Art 163
294 - check Measurements.
201 to 205 - Deposit works
151 - contract Document
396 - Direct charge.
223 - Recording completion plan.
263 (R-3) - An officer sublet his Resident under circumstances.
178 - Executive of emergent work
76 procedure in regards to Lawsuits.
290-292 - Initial Record of accounts (minute, canal).
214 - Revised Estimate
352 - Bridges & Irrigation
158 - original of Tender & agreement for works
173 - It is fundamental rule that no work shall be began
116 - for day accompany the Schedule of rate for works
205 - deposit on account of one work
296 - SE are competent to deal with loss of MB
302 - EE or AEE in case of out of station shall cant - the
229 - pumps should not be installed at public Expense.
287 - EE should keep register of inspection Bungalow
334 - unserviceable article should be sold in public.
287 - insurance of civil buildings.
263 - cost of replacing lime plastering, cement plastering should not add
242(A) Rent - lease private building
466/1—43
256 - tubes - bridges - Non Residential building
211 - Estimate Returned - EE Office.
[illegible] - plaster [illegible]
197 - Advance contractor prestribited

## APPENDIX XIII-B

FORM OF ORDER OF GRANT OF ALL KINDS OF GOVERNMENT LANDS IN CHARGE OF THE PUBLIC WORKS DEPARTMENT FOR TEMPORARY OCCUPATION FOR AGRICULTURAL PURPOSES.

The land specified in the schedule is hereby granted to for temporary occupation for a period of years commencing from subject to the following conditions to which the aforesaid grantee has agreed.—

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of authority delegated to the officers sanctioning the grant or that there was an irregularity in procedure. Cancellation on any of these grounds may be ordered by any authority to whom the sanctioning authority is administratively subordinate.

(2) In the event of such cancellation of the grant the grantee shall not be entitled to compensation for any loss caused to him by the cancellation

(3) The grantee shall pay the sum or Rs.....equivalent to .....months' charge as and for security for the fulfilment and observance by him of the conditions contained in the grant. The sum so deposited shall be liable to be forfeited to the state govt. under the ordess of the said assigning authority in the event of failure by the grantee to fulfil and observe any of the conditions ofthe grant.

NOTE.—The amount of deposits should vary according to the period of the grant, one month's charge being demanded for a grant of three months, two months' charge for a grant for six months, three month's charge for a grant for one year and six month's charge for a grant exceeding one year.

(4) The grantee shall, so long as the grant be in force, pay clear of all deductions a sum of for credit to the general revenues of the state and a further sum of on account of rates, taxes assessments and outgoings payable by the Government to a municipality as a result of the occupation of the land. The consolidated charge shall be payable to the Government in advance annually/monthly the first of such payments to be made on the day and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(5) In the event of the municipality varying its demand, the assigning authority shall be at liberty to revise without notice, the second part of the charge referred to in condition (4) as the sum payable by the grantee on account of taxation by the municipality and on such revision and balance due shall become immediately payable by the grantee.

NOTE.—In the case of lands in non-municipal areas, conditions (4) and (5) should be replaced by the following conditions:—

"The grantee shall so long as the grant be in force pay in advance to the Government annually/monthly a sum of Rs. clear of all deductions, the first of such payments to be made on the day of and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(6) The grantee shall not use the lands or suffer it to be used except for the purpose for which it is granted.

(7) The land shall not be used for political meetings.

(8) The grantee shall permit the officers and servants of the Government with or without workmen at all times to enter upon the land aforesaid to view the condition and state thereof.

(9) The grantee shall not assign or underlet the benefits arising under this grant or any part thereof without the previous written permission of the assigning authority.

(10) (a) The Government reserves to themselves the right to all sandalwood trees and their branches and roots which exist at the time of the grant (which are described in the schedule attached)as well as those which may grow subsequently on the lands granted and the Government shall be at liberty to cut or dig out any such trees or their roots and branches and remove them from the land in question and dispose of them at their pleasure. The grantee shall not be entitled to cut or remove them or cause them to be cut or removal without the permission of the Executive Engineer.

(b) The grantee shall take all reasonable measures to the satisfaction of the assigning authority for the protection of the sandalwood trees from theft or damage and for the careful protection of the immature trees growing on the land.

(c) The grantee shall take steps to see that the remarks made by the officers of the Government on the sandalwood trees are preserved and are not tampered with; and

(d) in the event of the infringement of , or failure to observe any of the conditions mentioned in (a), (b) or (c) above, the grantee shall pay to the Government such compensation as is determined by the assigning authority for any loss or damages caused by such infringement or failure on his part. The Government shall also be at liberty to cancel the grant and re-enter on the land and the whole land shall thereupon vest absolutely in the Government. In that case the grantee shall not be entitled to any compensation whatever.

NOTE.—When lands are granted in the districts of Chengalpattu and Thanjavur the conditions (a) to (d) above relating to the reservation of sandalwood trees should be scored out.

(11) The grantee shall not erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority.

(12) The grantee shall not cut any live tree without the previous permission of the assigning authority. The withered and wind-fallen trees shall also be the property of the Government and shall be handed over to the section officer, Public Works Department.

(13) The sale proceeds of withered and wind-fallen trees and those cut under condition (15) shall be credited to the Government.

(14) The grantee shall have no rights whatsoever to any trees standing on the land or to their usufruct.

(15) The usufruct of the trees may be leased out in auction by the officers of the Government according to the practice obtaining in the district and the grantee shall allow the right of passage to persons to whom the usufruct of the trees is so granted by the Government.

(16) The grantee shall not without the previous written sanction of the assigning authority, permit any person to use the land except as provided in condition (6).

(17) The grantee shall on the termination or revocation of this grant restore the said land to the Government in as good a condition as is consistent with the foregoing conditions.

(18) The grantee shall be answerable to the Government of Tamil Nadu for all or any injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

(19) The Government may revoke the grant wholly or in parts if the sums speeified in condition (4) above or any part thereof shall remain unpaid for fifteen days after they have been repayable whether formally demanded or not, or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispose of all or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefor.

(20) If the amount specified in conditions (4) or (5) above or any part thereof is in arrear it shall also be competent for the assigning authority to recover the same from the grantee as an arrear of land revenue.

(21) The grant hereby given may be revoked by the assigning authority after giving months notice in writing and by the Government or Chief Engineer without notice in an emergency (the said Government or Chief Engineer being the sole judge of the emergency) and shall be terminable by the grantee by giving to the assigning authority months notice in writing but without prejudice to any right of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. The grantee shall not in case of such revocation or termination be entitled to any compensation in respect of any improvements effected by the grantee to the land or for the loss caused by the interruption of his occupation.

(22) In the event of termination of the grant under condition (19) or (21) the Government shall be at liberty to levy proportiona to rental up to the date of such termination.

(23) The sum of Rs. deposited by the grantee under condition (3) or such portion thereof as may be returnable to him shall be returned to him on the expiration or sooner termination of the grant.

(24) If any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the grantee of the other part as to the rights, duties or liabilities of either party in respect of any matter or things relating to or arising out of the grant or the construction or the meaning of all or any of the provisions herein contained, the said dispute or difference shall be referred for settlement to the arbitration of the Chief Engineer and his decision shall be final Provided also that in cases where the Executive Engineer has entered with the contract on behalf of the Governor of Tamil Nadu, the dispute or difference shall be referred by the Executive Engineer for the time being and in other cases, by any officer authorizes in this behalf by the Government of Tamil Nadu.

(25) The grant includes all rights, easements and appurtenance belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of Government and the public in roads and paths and rivers steams and channels running through or bounding the land and the right of Government to the mines and quarries, subjacent to the land are however reserved and are in no way affected by the grant.

SCHEDULE.

| *District.* | *Taluk.* | *Town or village.* | *Ward number and block number.* | *Serial number.* | *Area.* | *Boundaries.* |
|---|---|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | | | | | Acs. | North<br>South.<br>East.<br>West. |

In witness where of, I acting for and on behalf of and by the order and direction of the Governor of Tamil Nadu have hereunto set my hand this day of 19 .

Signature and designation of the assignin authority.

## APPENDIX XIII-C.

FORM OF ORDER OF GRANT OF ALL KINDS OF GOVERNMENT LANDS IN CHARGE OF THE PUBLIC WORKS DEPARTMENT FOR TEMPORARY OCCUPATION FOR NON AGRICULTURAL PURPOSES.

The land specified in the schedule is hereby granted to for temporary occupation for a period of years/months commencing from subject to the following conditions to which the aforesaid grantee has agreed —

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation of fraud or in excess of the limit of authority delegated to the officer sanctioning the grant or that there was an irregularity in the procedure. Cancellation of any of these grounds may be ordered by any authority to whom the sanctioning authority is administratively subordinate.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall not transfer to any other person the rights hereby conveyed to him without the previous sanction of the authority which has made the grant.

(4) The grantee shall pay the sum of Rs. equivalent to months charge as and for security for the due fulfilment and observance by him of the conditions contained in the grant The sum so deposited shall be liable to be forfeited to the State Government under the orders of the assigning authority in the event of failure by the grantee to fulfil and observe any of the conditions of the grant.

(5) The grantee shall so long as the grant be in force, pay clear of all deductions a sum of Rs for credit to the general revenues of the state and a further sum of Rs. on account of rates, taxes sasessments and outgoings, payable by the Government to the Corporation/Municipality as a result of his occupation of the land. The consolidated charge shall be payable to th Government in advance annually/monthly, the first of such payments to be made on the day of and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(6) In the event of the Corporation/Municipality varying its demand the assigning authority shall be at liberty to revise, without notice, the second part of the charge referred to in condition (5) as the sum payable by the grantee on account of taxation by the Corporation/Municipality and, on such revision, any balance due shall become immediately payable by the grantee.

NOTE.—In the case of grants in non-municipal areas, conditions (5) and (6) should be replaced by the following conditions.—

(i) The grantee shall, so long as the grant be in force, pay in advance to the Government annually/monthly a sum of Rs.....clear of all deductions the first of such payments to be made on the.....day of.....and subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(ii) The amount of deposit referred to in condition (4) should vary according to the period of the grant, one month's charge being demanded for a grant for three months, two months' charge for a grant for six months ,three months charge for a grant of one year and six months' charge for a grant exceeding one year.

The amount of deposit referred to in condition (4) should vary according to the period of grant one month's charge being demanded for a grant for 3 months, two months' charge for a grant of 6 months, three months' charge for a grant for 1 year and six months' charge for a grant exceeding one year.

(7) The grantee shall not use the land or suffer it to be used except for the purpose of the which are the following.

(8) The grantee may erect in accordance with the plan(s) annexed.

(9) The land and the buildings thereon shall not be used for political meetings.

(10) The grantee shall not except as provided in condition (8) erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority. The grantee shall permit the assigning authority or other officers or others authorized by him on his behalf with or without workmen at all reasonable times to enter upon the land and all sheds, buildings or other structures built or erected with reference to condition (8) above and to view the state and condition thereof and upon notice being given by the said assigning authority or other officer authorized on his behalf to repair in accordance therewith.

(11) The grantee shall maintain the said land in a clean and sanitary condition to the satisfaction of the assigning authority and shall also maintain the structures, if any, erected thereon as aforesaid, in good substantial repair to the satisfaction of the assigning authority.

(12) The grantee may uproot, cut down or destroy such trees, plants, groves or bushes, as in the opinion of the assigning authority it is necessary to uproot, cut down or destroy to make the land fit for the purposes of..... .....and may take them free of charge and dispose of them in any manner he likes. The grantee may level the ground by-removing embanked pathways and filling up low-lying places on the land so as to make the ground fit for the purposes of.....and may now and then cut the grass thereon and dispose of the same in any manner he likes and do any work on the land which in the opinion of the assigning authority is necessary for such purposes.

NOTE :—If the trees are valuable it may be stipulated that the tree growth cut should be handed over to the assigning authority or any officer deputed by him in this behalf for disposal.

(13) The grantee shall remove immediately any unauthorised building, fence or structure on receiving notice from the assigning authority and in default of immediate compliance with any such notice, the assigning authority shall have power to remove the same and the grantee shall, upon demand made by or on behalf of the assigning authority, pay the cost of removal and the cost of storing the materials removed and take delivery of the same. The grantee shall have no claim to any materials removed under this condition which shall not have been taken delivery of or the cost of removal and storage of which shall not have been paid by the grantee on demand made as aforesaid.

(14) The grantee shall not, without the previous written sanction o fthe assigning authority, permit any person to use the land or any structure thereon or any portion of the land or structure except as provided in condition (7).

(15) The grantee shall not, without the previous wrtitten sanction of the assigning authority, permit any person.

(15-A) The grantee shall on the termination or revocation of this grant, restore the said land to the assigning authority in as good a condition as is consistent with the foregoing conditions.

(16) The grantee shall be answerable to the Government of Tamil Nadu for all or any injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

(17) The assigning authority may revoke the grant wholly or in part if, the charge specified in condition (5) above or any part thereof shall remain uupaid for fifteen days after it has become payable whether formally demanded or not, or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispute of all or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefor.

(18) If the amount specified in condition (5) above or any part thereof is in arrear, it shall also be competent for the assigning authority to recover the same from the grantee as an arrear of land revenue.

(19) The grant hereby given may be revoked by the assigning authority after giving.....months' notice in writing and by the Government or the Chief Engineer without notice for emergent reasons (the said Government or the Chief Engineer being the sole judge of the emergency) and shall be terminable by the grantee by giving to the assigning authority..... months' notice in writing but without prejudice to any rights of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. The grantee shall not in case of such revocation or termination be entitled to any compensation in respect of any buildings, fences and structures on the land or of any other improvements effected by the grantee to the land but he may, before the revocation or termination of the grant takes effect or if the grant is revoked without notice, within such time as may be allowed by the assigning authority in that behalf, remove such buildings, fences and structures.

(20) The sum of Rupees.....deposited by the grantee under condition (4) of such portion thereof as may be returnable to him, shall be returned to him on the expiration or sooner termination of the grant.

(21) The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and cutsomary rights of Government and the public in roads and paths and irvers, streams and channels running through or bounding the land and the right of Government to the mines and quarries, subjacent to the said land are however, reserved and are in no way affected by the grant.

SCHEDULE.

| *District.* | *Taluk.* | *Town or village.* | *Ward number.* | *Survey number.* | *Area.* | *Boundaries* |
|---|---|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) | (6) | (7) North East South West. |

In witness whereof I (name and designation) acting for and on behalf of and by the order and direction of the Governor of Tamil Nadu have hereunto set my hand this.....day of.....19....

Place and date.

Signature and de iganation of the assign ng Autnority.

ANNEXURE.

Plan(s) if any (to be specified.)

## APPENDIX XIV.

Deleted.

## APPENDIX XV.

### DESTRUCTION OF RECORDS.

(*Vide* paragraph 84 of this Code)

*A. I—Rules.*

1. The Ellis-Tomkins stysem contemplates the maintenance of sub-files for papers which can suitably be delat with separately from the main file Sub-files should therefore be opened whenever possible and closed as soons as their particular subjects are disposed of. Main files should also be closed as soon as the main subject is disposed of. For example, the main file regarding the construction of a new work should be closed when the completion report is sent in. Matters not immediately connected with the construction of the works, which may arise for orders during construction, should be dealt with in the sub-files which should be closed when the side issues with which they deal are disposed of. Subsequent transactions with regard to the work which arise after the main file is closed should be dealt with in separate sub-files.

2. When a file or sub-file is closed, the Manager or the Accouuantio tehtH ead Draftsman or the Personal Assistant, as the case may be, should look through it and extract any papers which should be retained permanently when the main subject of the file or sub-files is not one for permanent retention. The papers so extracted will be made into a separate sub-file and retained as such.

3. Files which are to be retained permanently will be stamped "R." Files which are to be destroyed after a certain period of years will be stamped "D in ....." the year in which they are to be destroyed being specified. The year will be that in which the file will fall or destruction according to its main subject as classified in the list in Section B attached to these rules.

4. Files which were closed finally before the 1st of April 1921 will be marked for retention or destruction in accordance with their main subject. No attempt should be made to split up these files. They should be 'stacked separately' the Record-keepers in each office should prepare lists of them, as he can find time, in the form attached to these rules and submit the lists for approval to the head of the office.

5. Files should be arranged in the record-room as follows :—Files and sub-files bearing the same file number will be arranged together, those that ate to be retained being first and then in order chronologically according to the year of destruction those that are to be destroyed.

6. Regiters, statements, accounts, etc., which are closed should be scrutinzed by the heads of sections concerned and the period of their retention should be clearly marked on them in accordance with the list in section B and stamped "R" or "D" in ....." as directed in rule 3. In any case where the orders in the list B are not clear, the head of the section concerned should take the orders of the head of the office in regard to the peroid of their retention. The registers, statements, accounts, etc., should be kept separate in the record room and destroyed as they fall due for destruction.

7. The stamping of files, registers, etc., enjoined in rule 3 and 6 should be initialled and dated by the head of the section concerned.

8. In February each year the Record-keeper should pick out all the files, registers, statements, accounts etc., which are marked for destruction in that year and should prepare a list of them and sumbit it to the head of the office for approval through the Head Clerk who will be responsble for the proper scrutiny of the list. When the list is approved, the Record-keeper should destroy the files, registers, statements, accounts etc., and certify on the list that has been do so; The list should then be filed and kept permanently.

*A. II.—T ottehham's System.*

According to the Tottenham System, a section letter is assigned to each section and a number allotted to each group of subjects dealt with by an assistant.

2. *Different kinds of disposals* :—Disposals are of the following classes :—

R., D., K., L., N., and F., R (Retain), Disposals are those that are to be retained permanently, but reviewed after 30 years and destroyed, if not required. D (Destroy) Disposals are those that are to be destroyed after ten years (in e few cases after twenty) as classified in the list in Section B, attached to thes.. rules. K (Keep) Disposals are these that are to be destroyed after three yearsa

L (Lodge) Disposals are these that are to be destroyed after a year. N Disposals are those that are to be sent out in original (for example, when the disposal takes the form of an endorsement on a communication recived from outside which communication is returned, or forwaded, bearing such endorsement). F. Disposals are these that are filed (see section or Filling below) All R. D. and K. Disposals are indexed and therefore necessarily registered.

3. The class of disposal of the file should be fixed with great care by the Assistant and he should affix his initials as a token of having considered the proper method of disposal. The head of the section will also initial the entriesi in token that he agrees with the method of disposal suggested.

4. *Arrangement of files after disposal* :—After disposal (other than "N Disposal) has been despatched, the file will be sent to the subject Assistant by the despatcher. The subject Assistant will send the disposal direct to the Record Keeper who will acknowlege the receipt of the disposal in the personal register. He will also see that the files are in order properly arranged with their pages numbered the current file in red ink, and the note file in black ink), the pages will not be numbered after disposal in the continuous series of current and notes, the jackets if they are "R" or "D" Disposals properly marked on the outside and the back and forward numbers marked inside the jackets. He will then put the disposal away in proper order.

5. *Disposal of bundles* :—There will be separate erious of bundles for "R" "D" "K" and "L" disposals respectively and in these the fies or papers will benarranged in order of their current number. These will of course not form a cotinuous series in any one bundle, but that is qulte immaterial and will not rise to any difficulty in finding any particular paper or file if its number is known and it is in proper bundle and in the proper place in the bundle.

6. *Destruction of records* :—Records must be destroyed punctually after the periods prescribed for records as noted in the list in Section "B" below. "Lodged" papers will be destroyed after one year. No detailed list of these will be prepared, but a list of the classes of records to be destroyed. (Lodged disposals of 19, D. Dispoasls of except Nos. and so on) will be put up and approved by the Head of Department. The entry "D" before the disposal number will be altered by substituting "R" in the Jackets of the files ordered to be retained permanently by the Head of the Department. If the Head of the Departmenf orders that a "D" Disposal file should be retained not permanently, but till a certain year, the file will be transferred to the "D" Disposal bundle of papers ripe for destruction that year, the fact being noted on the jacket. atfer the papers have been destroyed the ection Head will certify at the foot of the list of records to be destroyed that the papers in list have been destroyed except such as have been ordered to be retained permanently or for a certain period, which files will be specified by their numbers. These lists will be carefully filed and preserved in the record room in a special bundle.

The class of disposal of the file should be fixed with grea t care by he Assistant and he should affix his initials as a token of having consideredthe proper method of disposal. he head of the section will also initia the entries in token thyt be agreec with method of disposal suggested.

B.—*List Showing the periods up to which records should be preserved.*

Circle and Divisional Offices.

A. B. C. Statement (anunal)—Three years.

Absentee statements (monthly)—To be retained permanently.

Acquittance rolls for pay and allowances (other than travelling allowance) when maintained separately from pay bills—Six years.

Administration reports—Three years.

Administrative accounts—Printed copies of—Three years.

Advances—Sanctioned to—One year.

Advances to construct buildings—Three years after the advance has been fully recovered.

Advance to purchase conveyances—One year after the advance is fully recovered.

Advertisment charges—Sanctioned to—One year.

Advertisement charges—Sanction to—One year.

Advices to transfer debit and credit—There years.

Agreement books—Three years after completion of work to which they relate.

Agreements relating to leases for cutting nanal, shrubs, gathering fruits from trees, etc.,—Twelve years from the date of their termination, if no suit is threatened or pending in connection therewith.

Agreements—Cases of delay of more than one month and more in the completion of—For works costing Rs. 10,000—Statement showing—One year.

Allotments—Applications for modfications of—One year.

Allowances—Subdivision allowances.—One year.

Amanath Register—Six years from the date of the last entry in the Register.

Appointments :—Three years.

Appropriations:—Register.—Three years.

Architectural remains—Report on.—To be retained permanently if on objects of interest; otherwise to be destroyed after three years.

Army list (quarterly), Indian—One year.

Arrears list.—One year.

Assignment deeds—Succession certificates—Powers of Attorney, etc., Generally connected with making payments for works done—Ten years.
Assumption of charge—Sanctions to—One year.

Attachment of salaries of the members of the Public Works Department —to be retained for one year after the decretal amounts have been paid up.

Attachment of bills of contractors.—To be retained for one year after the decretal amounts have been paid up.

Attendance register .—One year.

Audit notes.—Should be filed with the monthly accounts and destroyed with them.

Audit of amounts due to piece-Workers and others.—One year after the outstandings have been finally settled.

Audit slips and correspondence connected therewith—Three years after submission of the completion report of the work to which they relate.

Award statements—Correspondence regarding land—Three years.

Bill Registers showing progress in cheque and payment :—Three years.

Boats, punts, etc., register.—Three years.

Boat notes:—Counterfoils and triplicate copies to be preserved in the supplying division like measurement books, i.e., for ten yeats after the completion of the works for which supplies are recorded in the boat notes. Duplicate copies to be preserved in the receiving division for three years.

Boiler licences.—One yesr after the gran to ia fresh licence.

Breaches in canals and distributaries.—Five years.

Bridges and Roads—Important—Return of—Three years.

Budget appropriations and reappropriations.—One year.

Budget.—Three Years.

Budget estimate of an office—Detailed—Five years.

Budget—Office copies of—Sent by divisional office—Three years.

Building—Educational—Completion certificates for—Three years.

Buildings—Educational—Return of expenditure on—One year.

Buildings—non-residential and residential—Annual return of repairs—Estimates —Three years.

Buildings—Purchase and sanction to execution of works—To be retained permanently.

Buildings—Register of—To be retained permanently.

Buildings—Sale or demolition of—To be retained permanently.

Buildings—Rents of—Three years.

Buildings—Rents—Data statement of—To be retained permanently.

Buildings—Rents—Data statements—Correspondence relating to—Five years.

Building—Hire of—Three years.

Building—Transfer of—Three years.

Buildings—Certificate of absence—Three years.

Buildings—Occupation of rest houses and other—One year.

Buildings—Extracts of the register of—One year.

Buildings—Capital and Revenue accounts of buildings let.—To be retained permanently.

Camp Receipt Registers—Three years.

Camp Despatch Registers—Three years.

Camp—List of papers sent to—One year.

Canals—Closure of and correspondance relating thereto—To be retained perma nently.

Cash—Annual inspection of—One year.

Cash books of Executive Engineers and other issuing officers—Twenty years.

Cash abstract book—Three years.

Cash extracts—Twenty years.

Cash balance statement—Three years.

Casual leave—Corresponding regarding—One year.

Cattle—Impounding of—One year.

Cemeteries and tombs—Reports on the condition of—Three years.

Cemeteries—Erection and Endowment—To be retained permanently.

Census Correspondence—Three years.

Cheque—Indents—for books—One year.

Cheque—Register of—Drawn—Five years.

Cheque—Counterfoil—Book—Five years.

Cheque—Correspondence regarding dishonouring of—One year.

Circle Map—Corrected up to the end of—Return of—Three years.

Circulars—To be retained Permanently.—

Civil Service Regulations—To be sold as waste paper on receipt of new edition.

Classification of fields, dry and wet—To be retained permanently.

Clerks—Recommended for trial as Divisional Accounts—List of—Three years.

Codes—Public Works Department Codes—To be sold as waste paper on receipt of new edition.

Commander-in-Chief—General orders by—To be retained permanently.

Completion reports—Office copies—Three years.

Completion reports of works which are filed in the offices of final record—To be retained permanently.

Confidential sheets reports and records relating to officers and subordinates of the department after the date of their retirement, resignation, removal or dismissal —Five years.

Confidential sheets, reports and records relating to deceased Officers and subordinates of the department after the date of their death—One year.

Contingent bills and vouchers—Three years.

Contingent charges—Sanction to One year.

Contingent expenditure—Register of—Five years.

Contract agreements—Three years after final payment has been made and completion report sent.

Contractor's ledger—Five years after claims have been finally settled Contrator's ledger—Extracts from —One year, after final settlement.

Contractor's Complaints and Civil suits—Three years.

Contracts—Indian Stores Department—Annual rate contracts—Three years.

Contracts—Lump sum—Return of—Three years.

Conveyance allowances—Sanction to—One year.

Correspondence connected with the sale, audit, etc., of miscellaneous proper Five years after the Expiry of the concerned leases if no dispute is pending at the end of the period. If any dispute is pending at the end of the period the records will be kept for such longer period as may be necessary.

Credit—Applications for letters of—One year.

Criminal charges for injury to irrigation work, etc., —Three years.

Cultivation—Unauthorised—Ten years.

Day books—Three years.

Demarcation stones on channels—Payments for Three years.

Deposits—Register of security—Five years.

Despatch registers—Five years.

Despatch number books—Abstract—One year.

Descriptive memoirs—Correspondence regarding submission of—One year from the date fo publication of memoirs.

Diary books—Three years.

Dairy bundles, i. e., unimportant papers for which there is no file number—Three years.

Directories—To be sold as waste paper after three years.

Distribution returns division office copies—Three years.

Distribution returns classified list, etc.,—To be retained permanently in the Chief Engineer's Office and for five years in other offices.

Divisions—Creation and closing of—Three years.

Divisional accounts—Correspondence relating to—Three years.

Duplicate keys of cash chests—Deposit in Treasury correspondence—One year.

Electric Installations, etc., —Maintenance charges for return of—Three years

Embankments—Annual inspection note of river—Five years

Encroachments—Correspondence and B Memoranda—Ten years.

Endowed monuments—Report on—Three years.

Establishment—Annual Return—(Books of establishment)—Thirty five years.

Establishment—Retrenchment and Reduction of—To be retained permanently.

Establishment, temporary—Three years.

Establishment, works—Three years.

Establishment, changes in—Three years.

Establishment, suspension, dismissal, resignation, promotion and reversion—Ten years.

Establishment increments and fines—Three years.

Estimates—Original—Sanctioned—Of all works—To be retained permanently.

Estimates—Register of Sanctioned—To be retained permanently.

Estimates files—Ordinary and petty repairs—One year.

Estimates—Return of Sanctioned—One year.

Estimates special repairs—Three years.

Estimates—Court of Wards Works—Correspondence relating to the scrutiny of—Five years.

Estimates—District Board Works received from Presidents of District Boarsdn Correspondence relating to the scrutiny of—Five years.

Estimates—Minor Irrigation Works received from Collectors—Correspondence relating to the scrutiny of—Five years.

Estimates—Municipal Works received from Chairman, Municipal Councils—Correspondence relating to the scrutiny of—Five years.

Estimates—Repairs—Abstracts of—Ten years.

Estimates—School Buildings works received from the Director of Public Instruction—Correspondence relating to the scrutiny of—Five years.

Examinations—One year.

Exchange accounts with other departments, etc.,—One year.

Expenditure—Statements of monthly progressive expenditure and correspondence relating to any discrepancy in the figures—Two years.

Experimental cultivation—To be retained permanently

Explosives—Return of—Three years.

Famine correspondence—Three years.

Famine—Relief works—Board's and Collector's proceedings—Five years.

Fire—Desctruction of buildings, etc., —One year.

Forest Produce—Supply of—One year.

Forms—Accounts of—Three years.

Gate Pass books—One year.

Gazette—"Fort St. George"—Portions containing matters of general interest to be retained, others to be sold as waste paper after three years.

Gazette—District—Portions containing matters of general interest to be retained; others to be sold as waste paper—three years.

Gazetted officers—Weekly report of—One year

Gazetted officers—Statement showing the full names of—With information of the districts in which they own lands—Three years.

Gazetted Officers—Monthly list and History of Services—To be retained for five years.

Gazetted officers—Quarterly list—To be retained permanently in the office of the Chief Enginneer (General) and for five years in the Circle and Division Offices.

General charges—Account books of—Five years

General number books—One year.

Grant and outlay statements—One year.

Gratuities—Records relating to the grant of—To be retained till the date of which the gratuitants whould attain their 55th year, or to be destroyed earlier if the fact of gratuitant's death is known.

Guides—Postal and Telegraph—One year.

Guides—Railway—One year.

Heirs—Correspondence regarding payment of salary and travelling allowance to the—Of the deceased—Five years.

Imprest accounts—Three years.

Imprests—Sanction to drawing account and—One year.

Imprest—Extracts—Three years.

Income-tax—Three years.

Indents for stationery—Three years.

Indents for forms—Three years

Indents for measurement books—Three years.

Indents for postage labels—One year.

Inspection—Superintending Engineer's reports of—Of Divisional Offices—Five years.

Inspection—Executive Engineer's reports—Of subdivisional offices—Five years.

Inspection—Accountant-General's—Reports of divisional office and connected corresponcdence—Five years.

Inspection notes on works by Executive Engineer—Three years after completion of the work.

Inspection notes on works costing over Rs. 50,000 by Superintending and Chief Engineers—To be retained permanently.

Inspection notes on other works—Superintending and Chief Engineers—Three years after completion of the work.

Inspection notes of subordinates and sub-division officers—Five years.

Inspection notes—Lands vacant and is in charge of P.W.D.—Quarterly return—Three years.

Inspection bungalow—Correspondence regarding occupation of—One year.

Insurance—Postal—Fund correspondence—One year.

Investigation—T.R.S. Progress Reports—Monthly—Three years.

Investigation—T.R.S. Progress Reports—Half-yearly—To be retained permanently

Invoices of M. Books supplied to sub-divisional Officers—Three years.

Irrigation—General and important questions—To be retained permanently.

Irrigation—Application for supply of canal water—Three years.

Irrigation—Conferences—Paper relating to—Two years.

Irrigation—Important minor works handed over to the Revenue Department—Statement of—To be retained permanently.

Irrigation—Investigation of scheme—Quarterly progress reports—Five years.

Irrigation systems Statement of additions and alterations carried over Head Works—Correspondence, etc.,—To be retained permanently.

Jail labour—Supply of—One year.

Journals—Technicals—Ten years.

Kudimaramath works—Correspondence relating to recovery from ryots—Three years after the amount has been fully recovered.

Land Acquisition correspondence—To be retained permanently in the Division Office and for three years only in the Circle Office.

Land Registers—To be retained permanently.

Land—Sales of—To be retained permanently.

Land—Leasing out of Public Works Department land——To be retained permanently.

Land—Relinquishment of Public Works Department lands to Revenue Department—Five years.

Land—Temporary occupation of—Five years.

Lands—Assistant Engineers and officers of Indian Service of Engineers—Return of—To be retained till the retirement of officers to whom the individual returns relate.

Leave—List of officers requiring—One year.

Leave applications—Three years.

Letters issued by division officers to treasury officers fixing the limits up to which sub-divisional officers can draw on sub-treasuries—Two years.

Levelling books—May be destroyed after ten years from the date of the last entry on completion of the book.

Liabilities—Register of—Three years.

Licence forms and toll tickets—Three years.

Lightning conductors—Three years.

Locks—Daily Traffic Register—Five years.

Local purchase of European stores—Three years.

Losses—Write off of—Three years.

Materials accounts and 7-F accounts—Three years.

Materials supplied—Verified advices of—Three years.

*Measurement books—May be destroyed after ten years from the date of final record in the division office.

* Measurement books—Register of—To be retained permanently,

Measurement Books—Register of review of—Three years.

Measurement Books—Loss of—One year.

Measurement books—Correspondence relating to—Three years.

Medical establishment for projects—Five years.

Memorandum books—Form E. No. 184—One year.

Meterological results—To be retained permanently.

Miscellaneous objections statements—Should be filed with the monthly account and destroyed with them—i. e., three years.

Miscellaneous Returns—Register of—One year.

Modification statements—One year.

Monthly accounts, office copies—Three years.

Motor vehicles plying on Government Roads licensing of—Correspondence regarding—Three years.

Muchilikas—To be retained permanently.

Municipal tanks—Supply of Water—To be retained permanently.

Municipal taxes for Government Building—Three years.

Navigation receipt and charge—Three years.

Nil returns—One year.

Nominal Muster roll—Three years.

Non-Commissioned officers, birth, death and marriages, etc.,—Three years

Non-Gazetted Officers—Monthly report on—Three years.

Objection statement of items held under objection—Three years

Objection books—Five years.

Office furniture, tents—Sanctioned to purchase of—One year.

Officers—Weekly report—Three years.

Order books—One year.

Order communicating sanction to estimates under open capital account Irrigation systems—Till the completion report for the work is recorded.

Pass books—Three years.

Pay—Sanctions to transit—and allowances—One year.

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* G. O. No. 889, P. W., dated 21st March 1981.

Pay—Last pay Certificates—Three years.

Pay—Disallowance list of—Three years.

Pay bill of Government Servants for whom no establishment returns are submitted or no service books are maintained—Thirty five years.

Pay bills and acquittances rolls where they are maintained separately, of inferior Government servants—Forty five years.

Pay bills of other classes of Government servants—Six years

Pay Bill of Gazetted officers—Six years.

Pension papers—Till the pensioner dies and final payment is made on his behalf Office copies of pension papers in Divisional officers—Five years after retirement.

Pension cases (including the service books and leave accounts attached to them in which invalid or compensation pensions have been sanctioned—Twenty five years.

NOTE—Service books and other papers relating to a claim for a gratuity should be retained until the claimant attains 55 years of age or dies, whichever is earlier and also until final orders have been passed in the claim.

NOTE:—In regard to service books of Government servants who have been dismissed or discharged or have resigned or died whilst in service, see rules 14 to 16 of the subsidiary rules under Fundamental Rule 74 (a) (iv).

Pensioners' quarterly list—Specially recommended for employment—One year.

Personal files—Three years from the date of retirement or death (whichever is earlier) of the Government servant concerned.

Personal files of clerks,Draughtsmen etc., who have left service—Three years.

Personal register in C. F. 410—Five years from the date of the last entry in the register.

Petitions, unimportant—One year.

Piece—Work—Agreements—Three years.

Plans for earthwork and repairs to—

(a) Tanks—(i) completed plans five years, if the standards for repairs are he same as those laid down in the Tank Restoration Scheme memoirs.

(ii) Original plans prepared for sanctioning the Tank Restoration Scheme estimates and deviations from the standards in the Tank Restoration Scheme memoirs —To be retained permanently.

(iii) Tanks for which no Tank Restoration Scheme memoirs are yet prepared. The L. S. and other sheets except the corrections Slip sheets—To be retained until regular Tank Restoration Scheme investigation is completed.

(b) Channels and rivers (including modasal works)—Five years, provided the proposals do not involve any change in standards.

Postage—Account Books—One year.

Postal—Returns of and Telegraph buildings—One year.

Printing and other contingent charges—One year

Productive Public Works—Programme of—Five years.

Profession tax—One year

Progress Report—Monthly and individual—Five years.

Prosecuting of persons for breach of rules—Three years—Sanction for—Corre ponding regarding.

Provincial objectionable items—Statements and correspondence relating thereto —One year. after all the items in the statement have been adjusted.

Pumping installations in Irrigation—To be retained permanently—Works.

Qualified persons of the College of Engineering—Printed list of—One year.

Rain and Water Registers—To be retained Permanently.

Rainfall returns—Twenty four years.

Receipts Registers—To be retained permanently.

Receipts Registers of abolished subdivisions—Five year.

Receipts books—One year.

Receipt, hand receipt books—To be retained permanently.

Receipt counterfoils of temporary (P.W.D. III-15)—To be retained—Five years

Receipt counterfoils of (No. 20-E) books—To be retained—Ten years.

Recommendation rolls of clerks, draughtsmen, etc.,—So long as the men are in service.

Records—Carriage of office—One year.

Record Racks and Record rooms of Taluk And Divisional Offices—Three years —Report regarding

Reference—Unanswered—Lists—Three years.

Register of buildings—Extracts from—One year.

Register of service books—To be retained permanently.

Register of suspense transactions—Three years.

Remittance books—Three years.

Remittances—Memorandum of cash—Form F No. 267—One year.

Rent—Monthly return of rents recoverable other than from Government buildings—One year.

Rent—Register of buildings—Three years.

Reports—Transfers of Section Officers and Executive Engineers and of correspondence relating to additional charge held by them—Three years.

Requisitions—Counterfoils of —One year.

Rest-houses—Occupation of—One year.

Returns—Due from Executive Engineers, etc. to Superintending Engineers and from Superintending Engineers to Chief Engineer, etc., List of—One year.

Returns—Expenditure incurred on maintenance of buildings occupied by Civil departments—Three years.

Returns—Half-yearly—Showing the names of Supervisors who know Oriya—One year.

Returns—Periodical—Due from Subdivisional officers—One year.

Returns—Perodical—Additions and alterations in the list of component works of irrigation system during the year—To be retained permanently.

Revenue—Register of—To be retained permanently.

River diagrams and discharge calculations—To be retained permanently.

River diagrams and discharge calculations—Returns and correspondence relating to—One year.

River charts—Returns and correspondence relating to—One year.

Road—Half-yearly return—Three years.

Roads—Trunk-Inspection report of Superintending Engineers and correspondence relating to the maintenance estimates received from the Chairman, Municipal Councils and Presidents, District Boards—Five years.

Roads—New—Completed by Public Works Department—Report on—Three years

Routine matters generally—One year.

Run off observations—To be retained permanently.

Rushikulya—Poramboke lands commanded—To be retained permanently.

Rushikulya—Dry lands commanded—To be retained permanently.

Rushikulya project—Tank-beds and lands under—To be retained permanently.

Rushikulya—Monthly statement of area irrigated—To be retained permanently.

Savings Bank Pass Book—Three years.

Schedules of rates and data for different sort of sub-heads of works—Three years

Schedules of work done in workshops—Ten years.

Stationery accounts—Three years.

Stock—Daily records of the—Issues and receipts in the Public Works Stores—Five years.

Stocks—Reserve-limits—Three years.

Stock of stationery articles—To be retained permanently.

Stock accounts and abstract book—Three years.

Stores—Indents for English—Three years.

Stores—Indents for counterfoils—Three years.

Stores—Daily records of the stock issues and receipts in the Public Works Stores—Five years.

Stores—Return of iron works contracts given to private firms and correspondence—One year.

Stores—Return of expenditure on stores purchased in English and forecast expenditure—Five years.

Students—Engineer and Subordinate—Report on progress of—One year.

Students—Printed list of qualified—One year.

Sub-Jails—Certificates (annual) of Examination—One year or until the next Certificate is submitted.

Suits—Civil—Against Government—Three years from date of decision.

Summons—Service of—One year.

Sluices—Orders regarding opening of canal—Distribution of—To be retained permanently.

Survey reports—Sanctions of Superintening Engineer to—Three years.

Surveying and levelling operations—Correspondence—Three years.

Surveying books relating to periodical surveys of Lankas Governed by the Madras River Conservoney Act—To be retained permanently.

Surveying books not relating to Lontas—After completion of works.

Surveying books relating to periodical surveys of lankas Government by the Madras River Conservancy Act—To be retained permanently.

Tanks—Railway affecting—To be retained permanently.

Tanks on patta lands—To be retained permanently.

Tanks—Progress report on—Restoration Scheme works—Three years.

Tanks—Sale List of Waste and poramboke lands—To be retained permanently

Tappal books—One year.

Tappal chalan forms—One year.

Telephone lines—Canals—Return and correspondence relating to—To be retained permanently.

Tender—Copies of—One year.

Tent registers—To be retained permanently.

Tent—Purchase of—One year.

Tide Tables for Indian ports—Three years.

Toll cash extracts—Three years.

Toll Tickets Memorandum Book—Counter foil of—One year.

Tools and Plant—Daily receipt and issue of—Three years

Tools and Plant—Purchases and transfer of—Sanction to—One year.

Tools and Plant—Monthly receipts and issues and balances of—Three years.

Tools and Plant—Papers relating to—Lending of—To other departments One year.

Tools and Plant—Yearly returns—Three years.

Tour programmes—One year.

Traffic returns—Five years.

Transfer—Acceptance—of—Of books debit and credit—Three years

Transfer entry book—Three years.

Transfer entry orders (write-back orders)—Counterfoils of—Three years

Transfer Reports of Accountants—Three years.

Transfer Reports of Subdivisional officers—Three years

Travelling allowance bills—Disallowance list on—One year.

Travelling allowance—Bills and acquittance rolls relating thereto—Three years.

Travelling Allownace—Sanction of special—One year

Travelling journals of Superintending Engineers and Executive Engineers—Three years.

G. O. Ms. No. 595W, dated 14th January 1925.

Treasury Receipts for payments into—Three years.

Treasury—Examination of—And grant of certificates—One year.

Vouchers including those not submitted to the Accountant—General—Certified copies of—Ten years (or in the case of large projects until five years after the closing of the estimate, whichever is later.)

Sub vouchers—Three years.

Warm clothing—Correspondence—Six years after supply of clothing.

Water registers—Supply to municipal tanks and factories—To be retained permanently.

Watersupply (except annual applications which should be kept for three year —To be retained permanently.

Water daily returns—One year.

Water reports—Weekly and tri—Weekly—One year.

Weather telegrams—One year

Weather charts—Three years.

Work abstract except those for works in progress—Three years

Work books—To be retained permanently.

Work register—To be retained for ten years subsequent to the completion of the work the expenditure on which is recorded in it.

Works—Applications and orders of sanction for extension of the closing date of works under the old expenditure heads—"49" and "43" and under the present heads "68" "XVII" and "18".—To be retained permanently in the offices of final record and for one year in other offices.

Works—Check—Measured by Executive Engineers—List of—One year.

Works—Completed original works—Ordinary correspondence relating to—Five years from date of completion of works.

Works—Register of—Abstract—Three years.

Works—Estimate copies—Three years.

Works order and estimate books—Ten years.

Workshops—Correspondence with—Regarding repairs and supply of instruments —Three years.

Workshops—Outturn statements and accounts—Three years.

Workshops—Supply of materials from—Three years.

Workslips—Three years after completion of works to wh ch they relate.

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NOTE—The documents for permanent record in connection with a work under construction will be the original sanction and any revision thereof, the palns estimate and report and the completion report and the final completion plans, if any.

Ordinary annual and petty repairs estimates files may be destroyed after the year, subject to the retention of such information as may be necessary to check the average expenditure on repairs. Special repair estimate files may be destroyed after three years. The registers, statements etc., should be examined by the Accountant, if they relate to accounts matters and by the Head Clerk in other cases.

## APPENDIX XVI.

### DUTCH AUCTION SYSTEM

(*Vide* paragraph 210 o his code.

*Draft form of A r ment.*

Articles of agreement made this.....day of.....1 between the Governor of Tamil Nadu (hereinafter called the Governor which expression shall where the context so adm ts include his successors in office and assignes of the one part and.....of..... (hereinafter called "the Contractor which expression shall where the context so admits include his heirs, executors, administrators and legal representatives) of the other part.

Whereas it has been agrreed by and between the parties hereto that the Contractor shall effect the clearance of prickly-pear bushes, trees, etc., over the area and in accordance with the measurements setforth in Schedule "A" hereto in the manner set forth in Schedule B hereto such work to be carried out and completed in accordance with the conditions setforth in Schedule C hereto and to be paid for as therein provided, the terms and provisions contained in the said schedules hereto being read with and forming part of this cntract; and whereas the contractor has deposited with.....the sum of rupees..... equivalent to 5 per cent of the amount specified in the clause below as security for the due fulfilment of the conteract to the satisfaction of the Executive Engineer.

Now, it is hereby agreed that in consideration of the payment of the sum of Rs. .....).....the contractor will upon and subject to the conditions setforth in Schedule B and C hereto execute and complete the works entered in Schedule A.

In witness whereof the Contractor and the Officer-in-charge of..... ..... Division, Public Works Department acting on behalf of and by the order and direction of the Governor of Tamil Nadu have hereunto set their hands the day and the year first above written.

witnesses to the signature of the Contractors

Signature of the Contractor

Signature of the Officer in charge of Division

Witnesses to the signature of the officer in-charge of Division, Public Work Department.

## SCHEDULE A

| *Measurement of work to be done (to be signed by the contractor as well as the officer entering into the contract).* | | | | | *Supplimental list.* | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | *Measurement.* | | | | | *Measurement* | | | | |
| *Description of the locality.* | *length.* | *Breadth.* | *Area.* | *Total area.* | *Description of the locality.* | *Length.* | *Breadth.* | *Area.* | *Total area.* | *Description which the work was ordered.* |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) |

## SCHEDULE B.

Specification for the work and the Contractor's schedule of quantities and price.

Specification for the removal of bushes, trees, prickly-pear, etc., on the Dutch Auction system.

The prickly-pear shrubs, weeds and grass shall be cleared and the roots shall be throughly grubbed up. These shall be disposed of in one of the ways specified below as directed by the Division Office.—

(a) They may be removed to a convenient spot and shall be completely burnt, or

(b) They may be buried in pits with at least one foot depth or earth on the prickly-pear at ground level. These pits may be dug in the bed of the tank or at any place shown to him by the officer deputed by the Executive Engineer.

Under no circumstances shall cleared stuff be thrown by the side of or heaped on existing vegetation, without one of the aforesaid steps being taken for its construction.

## SCHEDULE C.

*Schedule of conditions of contract.*

1. Works referred to.—The measurements entered in detail in Schedule A show the area over which the clearance of prickly-pear bushes, trees, etc., has to be done and they shall be carefully followed.

2. Works and specifications.—The work shall be carriedout to the satisfaction of the Executive Engineer, Division (hereinafter called the Executive Engineer) in accordance with his directions and in copmliance with the said measurements, specification and written instructions in explanation of the same as may from time to time be given by the Executive Engineer or his authorised representatives at the spot.

3. Power of Executive Engineer to order removal of improper work.—In case of default on the part of the Contractor to carryout the work in accordance with the specifications, the Executive Engineer shall have power to employ and pay other persons to carry out the same at the Contractor's risk and all expenses consequent thereon or incidental thereto shall be borne by the contractor and shall be recoverable from him by the Government of Tamil Nadu (hereinafter called the Government) or may be deducted by the Government from the security deposits mentioned in clause 8 below or from any moneys due or that may become due to the Contractor.

4. Defects after completion—Any defects or other faults which may appear within one month after completion of the work shall upon the direction in writing of the Eexcutive Engineer, be amended and made good by the contractor at his own cost, failing which the Executive Engineer shall pay him such reduced amount as he thinks fit or deal with him as provided for under clause 8. The final payment for the work shall therefore be deferred for such period as herein mentioned after the date of completion.

5. Date of commencement and completion.—The Contractor shall forthwith commence work and complete the same within a period of calendar months after the date of commencement subject nevertheless to the provision for extension of time hereinafter contained. Time shall however be considered as of the essence of this agreement.

6. Extension of time.—If in the opinion of the Executive Engineer the works shall have been delayed on account of any reasonable casuse the Executive Engineer may grant in writing a fair extension of time for completion.

7. Payment and certificate.—The executive Engineer will cause only one final payment to be made to the Contractor if the total amount of the contract is Rs. 300 and less, but if the contract amount exceeds Rs. 300 he may cause intermediate payments to be made upon certificates to be issued at reasonably frequent intervals either by himself or by an officer of a rank not less than that of an Assistant Engineer to the extent of 75 percent of the value of work executed by the Contractor. The balance of 25 per cent will be dealt with as provided below. The contractor when applying for a certificate shall furnish to the Executive Engineer a statement of measurements of the work executed, based on the original detailed estimate of quantities included in Schedule D together with a bill,

In calculating the amount of each item due to the contractor in every bill submitted for payment under this contract, sums of less than 2.5 paise shall be omitted and sums of 2.5 paise and more but not exceeding five paise shall be reckoned as five paise. The amount shall be rounded to the nearest rupee, sums of less than fifty paise being omitted and sums of fifty paise and more being reckoned as one rupee.

8. Security deposits.—In cases where the contract amount exceeds Rs. 300 the 25 per cent of the value of the executed work, withheld from intermediate bills under clause 7 above, will be treated as further security in addtition to the security deposit mentioned in the agreement. These security deposits or so much thereof as may be returnable will be refunded after the expiration of the period fixed in clause 4 above. If the contractor fails to start the work forthwith or to execute the work within the period fixed in clause 4 or within such extended time as may be allowed under clause 6 or if the contractor shall be guilty of a breach or non-observance of any of the conditions herein contained and to be performed or observed by him it shall be lawful for the Executive Engineer, in addition and without prejudice to the other rights and remedies of the Government, to determine the contract and such determination shall carry with it the forfeiture of the security deposits mentioned above together with the value of such work as may have been executed and not paid for or such portion of such sums as may be decided by the Executive Engineer.

## APPENDIX XVII.

### RULES REGULATING THE PAYMENT OF BONUS TO CONTRACTORS.

(*Vide* note to paragraph 150 of this Code.)

1. In the case of work done on the contract based on the lump-sum tender system, see paragraph 150 of this code, or the contractor agrees to complete the work generally before a specified date. If the local administrative officer considers that the completion of the work before a certain date would be to the advantage and in the interests of Government but this could not be reasonably expected under normal conditions, it is permissible to offer the inducement of a bonus. The payment of a bonus should not be recommended if the date fixed for the completion of the work is not far in advance of what could be reasonably expected under normal conditions. The provision for bonuses in such cases should be included in the approximate estimates submitted for administrative approval. In submitting the approximate estimate for the approval of Government, the head of the department concerned should among other things explain his reason for recommending the provision of a bonus. It will then rest with Government to decide whether the clear provision should be allowed to stand.

2. When the sanction to an estimate provides for the payment of a bonus, the Chief Superintending or Executive Engineer should, when calling, for tenders notify the conditions which must be fulfilled in order to earn the bonus.

3. When a bonus is proposed, the terms shuld be specified in a separate bonus agreement in the form given below. The amount of the bonus paid should be sharged to the work.

4. (a) No bonus should ordinarily be provided for any work costing less than Rs. 5,000. This limit does not apply to irrigation works. Otherwise than with the sanction of Government in exceptional cases, the amount of bonus should not exceed 5 per cent of the total value of the work excluding the cost of materials supplied by Government.

(b) Bonus should never be sanctioned in the case of annual or in ordinary repair and maintenance works except with the special sanction of the Superintending Engineer.

NOTE.—Executive Engineers and Superintending Engineers are eompowerd to sanction the payment of bonuses and enter into bonus agreements in respect of parts of a work eventhough there is no provision for a bonus in the sanctioned estimate up to the limits of Rs. 50 and Rs. 250 respectively, provided the amount of bonus does not exceed 5 per cent of the value of the work forming the subject of the bonus agreement, less the cost of Government materials.

5. Executive Engineers should submit with their monthly accounts a statement showing the following details, so as to enable the Audit Office to carefully scrutinise payments of bonus made with reference to the above rules :—

(i) Number of voucher for the payment of bonus and schedule docket to which attached.

(ii) Amount of bonus.

(iii) Whether bonus is separately provided for in the estimate sanctioned by competent authority.

(iv) Date of completion of work.

(v) Whether any bonus agreement was duly signed by the contractor prior to his undertaking the work.

BONUS AGREEMENT.

Name of work— No. of 19

Name of $\frac{\text{piece worker}}{\text{contractor}}$

Agreement made the.....day of one thousand nine hundred and.....between the Governor of Tamil Nadu (which expression shall where the context so admits include his successors in office and assigns) of the one part and.....hereinafter called the piece worker/contractor (which expression shall where the context so admits include his heirs executors, administrators and legal representatives) of the other part.

It is hereby expressly agreed by and between the parties hereto as follows.—

(1) in the event of the piece worker/contractor fully completing the work (or the balance of the work or the items of work entrusted to him as per agreement No..... of.....) as detailed in the sanctioned estimate No..... and plans No.....and estimated to amount to a total cost of Rs..... (about) by the.....a bonus of Rs..... will be paid over and above the sums due on the rates at which he has contracted to do the work.

It is however, a condition that failure to so complete the work, due to any cause whatsoever entails forfeiture of all title to the above bonus or any part of it.

(2) It is open to the officer sanctioning the agreement for work to give and extension of time, as an act if grace, under exceptional circumstances, but it is to be clearly understood that extension cannot be claimed as a right on any ground whatever.

(3) Except, under the provisions of clause (5) below the bonus will under no circumstances be given in part: it must either be fully earned or no bonus will be given.

(4) This bonus agreement may be cancelled and terminated at any time by the Government of Tamil Nadu (hereinafter called the Government) if the value of the work turned out at the date of such cancelment bears a less proportion to the value of the whole work than the time which has passed since the execution of the bonus agreement bears to the whole time allowed for earning the bonus, (or) in the alternative, when the above is unsuitable).

(5) This bonus agreement may be cancelled and terminated at any time by the Government if the value of the work turned out at the date of such cancelment is less than that indicated below.—

| | | |
|---|---|---|
| (a) | Rupees | By date. |
| (b) | Do. | Do. |
| (c) | Do. | Do. |
| (d) | Do. | Do. |

(6) If it should be decided for no fault of the $\frac{\text{piece worker to}}{\text{contractor}}$ terminate the $\frac{\text{piece work agreement}}{\text{contract}}$ for the execution of the work forming the subject of this bonus agreemrent before its completion, the contractor will be entitled to the payment of such proportion and no more of the whole bonus as the value of the work turned out bears to the value of the whole work forming the subject to this bonus agreement.

In witness whereof the Superintending Engineer,.....Circle, Executive Engineer,.....Division, acting on behalf of and by the order and direction (of the Governor of Tamil Nadu) and the $\frac{\text{piece worker}}{\text{contractor}}$ have hereunto set their respective hands the day and year first above written.

Signed by the abovenamed in the presence of

Signed by the abovenamed in the presence of

(G. O. No. 254, Public Works, dated 9th February 1938).

## APPENDIX XVIII.

Deleted.

## APPENDIX XIX.

Deleted.

## APPENDIX XX.

(*Vide* paragraph 208-A of the Public Works Department Code.)

### RULES FOR THE CONSTRUCTION AND MAINTENANCE OF PANCHAYAT OR PANCHAYAT UNION AND MUNICIPAL ROADS ON CANAL AND CHANNEL BANKS.

NOTE.—These rules do not apply to roads on the banks of rivers or tanks.

A.—*Metalled Roads.*

No new roads shall be formed along any canal or channel bank in-charge of the Public Works Department without previous permission, in writing, of the Superintending Engineer of the circle, obtained through the immediate supervising authority and the Executive Engineer of the division concerned.

2. The minimum height of such roads above the canal or channel full supply level shall in each case be laid down by the Public Works Department.

3. No masonry or other works which will let water into or out of the canal or channel shall be constructed and no such existing work shall be altered, without the previous permission, in writing, of the Superintending Engineer of the circle and the approval by him of the plan of the proposed work.

4. The Public Works Department shall have the right at any time to build, in or under the road any sluice, culvert, bridge or other work, which may be required in connection with distribution from supply to, or surplus from, the canal or channel. While such work is under construction, the Public Works Department shall wherever possible, make a temporary diversion of the road at the places and on completion of the work, restore the disturbed portion of the road. The clear width of road way over such structures shall be that given by the Panchayat or Panchayat Union concerned to similar works on the same road or other roads of the same class.

5. The roadway over the masonry and other work which belong to the Public Works Department shall be in-charge of the Highways and Rural Works Department concerned, but the structures themselves will remain in-charge of the Public Works Department.

6. The surface of the road, the inner (canal) slope for one metre (vertical) down from top of the road, the outer slope of the bank with the reservation in rule 9 below and all ramps on the outer side of the road shall be in-charge of the Highways and Rural Works Department concerned. The inner slope (except the one meter down from the top of the road) and all ramps and "Cattle slopes" on that side shall be in-charge of the Public Works Department.

7. All trees, grass etc., growing on the outside edge and slope of the road shall belong to the Panchayat or Panchayat Union concerned. No trees shall be planted along the inner edge without special permission of the Public Works Department No trees shall be planted within 50 metres and no trees of the big family within 100 metres of any masonry work without the previous permission in writing, of the Superintending Engineer of the circle.

8. The carriage of slit from canal and channel clearances across the road and its deposit on or against the outer slope shall not be prevented, provided it does not interfere with the efficient drainage of the road surface, does not injure avenue trees, and is so placed that none of it can be washed on to the surface of the road.

9. Occupation or the Canal berms of slopes for deposit o materials or other purposes shall be regulated by the rules already in force.

10. Toll bars shall not be established on such roads without the approval of the Superintending Engineer of the circle.

11. In cases of disagreement between the Officers of the Public Works Department and of the Panchayat or Panchayat Union in the application of these rules or in carrying out by either department of any works in connection with roads to which these rules apply the decision of the Chief Engineer for Irrigation shall be final.

12. These rules shall apply "MUTATIS MUTANDIS" to the construction and maintenance of municipal roads.

(G.O. No. 3216, W., dated 4th December 1890; No. 423-I, dated 11th February 1929 and Ms. No. 77, W., dated 9th January 1931.)

B.—*Unmetalled roads and cart-tracks.*

1. *Formation of new roads.*—Panchayats or Panchayat Unions may prepare the plans and estimates for new earthern roads. These plans and estimates should be approved by the Public Works Department, who will see that the proposed works are generally suitable and that irrigation interests are adequately safeguarded. When the proposals have been approved, the Panchayat and Panchayat Union should pay the requisite amount to the Public Works Department—Irrigation who shall execute the work. When the works are completed they will be taken over by the Public Works Department and opened for traffic.

2. *Maintenance of Roads.*—As irrigation interests are mainly involved, the Public Works Department shall maintain the roads on canal and channel banks at the cost of Panchayats or Panchayat Unions as the case may be. Where such roads due to their importance and increased traffic can be progressively improved into metalled ones the agency for maintenance, will be changed from Public Works Department to Highways and Rural Works Department. Maintenance charges shall be fixed by the Superintending Engineer of the Circle at reasonable rates in consultation with the Divisional Engineer, Highways and Rural Works Department. Centage charges for the maintenance of earthern roads will not be levied. If Panchayats or Panchayat Unions do not pay the prescribed maintenance charges the Executive Engineer will carry out the repairs and recover the charges with interest from them.

3 These rules shall apply "MUTATIS MUTANDIS" to the construction and maintenance of municipal roads.

NOTE.—Where roads of channel banks are not maintained as thoroughfares by Panchayat or Panchayat Unions but merely as communications to the fields below the banks at Government cost, Superintending Engineers of circle are authorised to gravel them at Government expense where necessary for the preservation of the banks. The concession will apply only to such roads or cart-tracks which will be or immediate benefit to adjacent villages only (as distinct from roads likely to become thoroughfares).

*Not applicable to all districts.*—(i) In the case of rivers protected by bunds, which are required for the purposes of the irrigation system and also carry panchayat or Panchayat Union roads, the cost of repairs in case of scours or breaches in the bunds should be met in equal shares by the Public Works Department and Panchayat or Panchayat Unions centage charges payable being waived.

This will apply to all repairs or protective works above the berm or padugai level (or rear ground level where padugai or berm does not exist). The cost of all repairs or protective works below padugai or berm level (or rear ground level where padugai or berm does not exist) shall be borne by the Public Works Department.

(ii) In the case of bunds which are not required for the purposes of the irrigation system, but carry Panchayat or Panchayat Union roads the full cost of repairs caused by scours or breaches inclusive of the usual centage charges should be borne by the Panchayat or Panchayat Union concerned.

(iii) The Superintending Engineer concerned shall decide whether particular repairs are necessary and whether they fall under item (i) or item (ii) above; and in case where the Superintending Engineer differs from the President, Panchayat Board or Chairman, Panchayat Union in regard to the necessity for repairs or their classification, the matter should be referred to the Chief Engineer for Irrigation.

(iv) In regard to the repairs necessitated by erosion or scours to roads, formed by Panchayat or Panchayat Uoion on channel banks, the Panchayat or Panchayat Union concerned should bear the cost of protection to retain the margin required for the road, where the Public Works Department decide that such protection is not required in the interests of the channel. In the case of an existing road by the side of which a new channel is subsequently taken, a margin for the channel should be demarcated and the cost of protecting such margin should be borne by the Public Works Department.

(v) As regards the reponsibility of Government for the maintenance of banks, on which a right of way exsists but which have been abandoned by the Public Works Department as no longer required for their purposes, the Government are under no obligation to maintain the abandoned banks, but care should be taken that the Public Works Department do not by any possible act, e.g., by removal of earth, interfere with the bank. It will also be expedient in such causes for the Public Works Department to inform the local authority concerned of the abandonment of the flood bank and the desirability of transferring the flood bank to it, subject to such conditions as may be considered necessary, should be considered in such cases.

NOTE.—For purposes of these rules, the term "earthern road" includes gravelled roads and treated with quarry rubbish.

(G.O. Ms. No. 3504, P. W., dated 28th December 1944).

RULES FOR THE CONSTRUCTION AND MAINTENANCE OF PANCHAYAT OR PANCHAYAT UNION AND MUNICIPAL ROADS ON THE BUNDS OF TANKS IN CHARGE OF THE PUBLIC WORKS DEPARTMENT.

If the Panchayat or Panchayat Union or Municipal Council proposes to repair or construct any road which passes over the bund of a tank in charge of the Public Works Department, the previous permission of the Superintending Engineer of the Circle should be obtained in writing for carrying out the work as far as the tank bund is concerned . In the case of new roads, the Superintending Engineer of the Circle may impose such conditions with regard to the width of the road and class of surface he may deem necessary and these conditions shall be carried out by the Panchayat or Panchayat Union or Municipal Council at its own expense. These roads will be maintained by the Public Works Department at the cost of Panchayat or Panchayat Union or Municipal Councils as the case maybe, so long as they remain carthen roads. When they are metalled the agency for maintenance will be changed from the Public Works Department to Highways and Rural Works Department.

2. The Public Works Department shall have the right at any time to build, in or under the road, any sluice, escape, culvert, or other work which may be required in connection with distribution or surplus from the tank. While such work is under construction the Public Works Department shall wherever possible make a temporary diversion of the road at the place and on completion of the work, shall restore the disturbed portion of the road. The clear width of roadway over such structures shall be that given by the Panchayat or Panchayat Union or Municipal Council to similar works on the same road, or on other roads of the same class.

3. If at any time it is found necessary to raise the bund of the tank and thus interfere with the existing road over it, it shall be the duty of the Public Works Department to make the new surface of the road of the same width and material as before provided that in the top width of the bund over which the roadway ran exceeded 6.1 metres before raising the new top width of the bund need not exceed 6.1 metres.

4. The roadway over masonry and other works which belong to the Public Works Department shall be in charge of the Panchayat or Panchayat Union or Municipal Council but the structures themselves shall remain in charge of the department.

5. The surface of the road and the front and rear slope for one metre (vertical) down from the top of the road shall be in charge of the Panchayat or Panchayat Union or Municipal Council unless the M.W.L. of the tank is less than one metre (vertical) from the road surface, in which case the portion between the road surface and 0.3 metre above M.W.L. shall be in charge of the Panchayat or Panchayat Union or Municipal Council. The rest of the slopes of the bund, front and rear shall be under the charge of the Public Works Department. All traffic "ramps" in rear of the bund shall be in charge of the Panchayat or Panchayat Union or Municipal Council.

6. All trees, grass, etc., growing on the tank bund shall be in charge of the department which before the promulgation of these rules had charge of them. No trees shall be planted on the road or bund without the previous permission in writing of the Executive Engineer concerned.

7. No permanent occupation of the bund for the deposit of materials or other purpose shall be allowed and no materials shall be deposited even temporarily on the front or inner slope of the bund without the previous permission, in writing, of the Executive Engineer.

8. No toll bars shall hereafter be established on any tank bund without the approval of the Superintending Engineer of the circle.

9. In cases of disagreement between the Officers of the Public Works Department and of the Panchayat or Panchayat Union or Municipal Council in the application of these rules or in carrying out by either department of any works in connection, with roads to which these rules apply the decision of the Cheief Engineer for Irrigation shall be final.

NOTE. (1)—Where roads on tank bunds, are not maintained as thoroughfares by local bodies but merely as communications to the fields below the bund at Government cost. Superintending Ehgineers of circles are authorized to gravel them at Government expenses where necessary for the preservation of the bunds.

NOTE. (2)—Centage charges need not be levied from local bodies on the cost of maintenance of earthen roads on the tank bunds. For purposes of these rules the term "earth road" includes gravelled roads and roads treated with quarry rubbish.

RULES FOR THE CONSTRUCTION AND MAINTENANCE OF PANCHAYAT OR PANCHAYAT UNION AND MUNICIPAL ROADS ON THE BANKS OF DRAINS.

Ordinarily no road (metalled or unmetalled) or cart-tract shall be allowed to be formed along side drains or no banks of drains in-charge of Public Works Department as drainage from the adjacent lands should have free access to the drains. Occassionally, a road may have short a drain or have to be carried on the drain bank for short lengths to the consrruction and maintenance of roads or cart-tracks in such cases shall be governed by the rules contained in sections A and B above.

*A.—Rules for the construction and maintenance of panchayat or Panchayat Union roads on river enmbakments in districts other than Tanjore.*

(Charges to be provided for from the funds of Panchayat or Panchayat Union).

1. The cost of widening an existing or adding to the width of a proposed embankment to enable it to carry a road.

2. The cost of all ramps required to allow traffic to reach or leave the roadway on an embankment.

3. The cost of maintenance of the top surface of the embankment and of maintaining all ramps leading to or from, the roadway in connection with made or unmade roads carrying wheeled traffic. This excludes ramps for village crossings, which would have to be made and maintained where the embankment not used as a road.

4. New embankments constructed at the cost of Government, whether river, flood or canal, will not be available for wheeled traffic without the express permission of Government unless and until the maintenance of the top surface and of rampse has been provided for by Panchayat or Panchayat Union. Where there is no prescriptive right of way, other traffic will be admitted to or excluded from embankments not combined with roads at the discretion of the Panchayat Union Engineer or Executive Engineer in charge.

*B.—Rules for the construction and maintenance of Panchayat or Panchayat Union roads on river embankments in the Thanjavur district.*

1. No new road shall be formed along any river embankment without the previous permission, in writing, of the Superintending Engineer of the Circle obtained through the Collector of the district.

2. The minimum height of such roads above the M. F. L. of the river shall in each case be laid down by the Public Works Department.

3. No new masonry or other works on any such road shall be constructed by the Highways and Rural Works and no such existing work shall be altered without the previous permission in writing of Superintending Engineer and the approval by him of the plan of the proposed work.

4. The Public Works Department shall have the right at any time to build in or under the road any sluice, culvert, bridge, or other work which may be required in connection with distribution from or surplus to the river. Before beginning such work at least two weeks notice shall be given to the Highway and Rural Works Department. While such work is under construction, the Public Works Department shall, wherver possible, make a temporary diversion of the road at the place and on completien of the work shall restore the disturbed portion of the road. The clear width of roadway

over such structure shall be that given by Highways and Rural Works Department to similar works on the same road or other roads of the same class. When the level of the roadway over any such structure is altered from what it previously was new approaches shall be formed by the Public Works Department with gradients of not more than 1 in 25.

5. The roadway over the masonry and other works which belong to the Public Works Department shall be in charge of the Highways and Rural works Department, but the structure themselves shall remain in charge of the Public Works Department.

6. The surface of the road, the inner (river) slope for one metre vertical down from the top of the road, the outer slope and all ramps on the outerside of the road shall be in charge of Highways and Rural Works. The inner slope (except the one metre down from the top of the road) and all ramps and cattle slopes on that side shall be in charge of the Public Works Department.

7. All trees, grass, etc., growing on the edges and slopes shall be in charge of the department, which before the promulgation of these rules had charge of them. No trees shall be planted along the inner edge without the previous permission, in writing, of the Executive Engineer concerned. No trees shall be planted within 50 metres and no trees of the fig family within 100 metres, of any masonry work without the pevious permission, in writing of the Superintending Engineer.

8. Toll bars shall not be established on the roads without the approval of the Superintending Engineer.

9. The public Works Department may, with the approval of the Superintending Engineer, take charge of any of the roads and maintain them from funds provided by the Highways and Rural Works.

10. These rules shall apply mutatis mutandis to the construction and maintenance of municipal roads.

NOTE 1.—The Public Works Department shall continue to keep the maintenance of earthen roads at the cost of Panchayat or Panchayat Union. But the agency for the maintenance will be changed from Public Works Department (irrigation) to Highways and Rural Works Department if the earthen roads can be progressively improved into metalled ones. If this programme is to be entirely carriedout from Government funds the roads which are only internally important within the Panchayat or Panchayat Union, claim only low priority. Such of the Panchayats and Panchayat Union, as may be anxious to maintain these roads out of their own funds may place the funds required for such specific roads of purely internal significance at the disposal of the Highways and Rural Works Department which will do the maintenance work.

NOTE 2.—The contribution payable by the Highways and Rural Works Departments for the maintenance of roads or eart-tracts will be decided on the merits of each case.

*Note applicable to all districts.*-(i) in the case of rivers protected by bunds which are required for the purpose of the irrigation system and also carry Highways and Rural Works Department roads, the cost of repairs in cases of scours or breaches in the bunds should be met in equal share by the Public Works Department and Highways and Rural Works Department, centage charges payable by the Highways and Rural works Department being waived.

(ii) In the case of bunds which are not required for the purposes of the irrigation system, but carry Highways and Rural Works Department roads the full cost of repairs caused by scours or breaches inclusive of the usual centage charges should be borne by the Highways and Rural Works Department.

(iii) The Superintending Engineer concerned shall decide whether particular repairs are necessary and whether they fall under item (i) or item (ii) above and in cases where the Superintending Engineer differs from the Collector of district in regard to the necessity for repairs or their clasification, the matter should be refeeed to the Chief Enginer for irri gations.

(iv) As regards the responsibility of Government for the maintenance of banks on which a right of way exists but which have been abandoned by the Public Workds Department as no longer required for their purposes, the Government are under no obligation to maintain the abandoned banks, but care should be taken that the Public Works Department do not by any positive act, e.g., by removal of earth, interfere with the bank. It will also be expedient in such cases for the Public Works Department to inform the local authority concerned of the abandonment of the flood bank and the desirability of transferring the flood bank to it, subject to such conditions as may be considered necessary, should be considered in such cases.

(v) Centage charges need not be levied from Highways and Rural Works Department on the cost incurred for the maintenance of earthen roads on flood banks of rivers. For purposes of these rules, the term earthen road includes gravelled roads and treated with quarry rubbish.

# APPENDIX XXI.

## SECTION A—ORDINARY FIRE RULES FOR GOVERNMENT BUILDINGS.

*Non - Residential.*

## CHAPTER I.

1. *Classification of buildings.*—Chemical fire extinguishers and water or sand in buckets are first-aid applianees, to be used for tackling a fire at the outset to enable it to be put out immediately or at least to keep it under control until the arrival of the Fire Brigade. The type and scale of fire fighting appliances to be provided in a building will depend on the types of fires that are likely to be encountered in the building and this in turn depends to a large extent on the contents of the buildings. Government buildings can be broadly classified into two categories.

A. *Ordinary buildings.*—Where the hazard is caused by furniture, records, stores etc., stored in the building, fires encountered in such buildings usually involve paper, wood, cloth etc., all of which can be extinguished by application of water. The scale of fire fighting appliances for such buildings, will, however, depend upon the quantity of combustible materials in the buildings. On this basis ordinary buildings can be further sub-divided into two types.—

(i) Ordihary buildings with low fire hazard, e.g., offices.

(ii) Ordinary buildings with high fire hazard e.g., Record rooms, store rooms and godowns.

B. *Buildings involving special risk on account of storage of oil or chemical, or use of electrical equipment.*—The type of fires likely to occur in such buildings cannot be extinguished by application of water. Special types of fire extinguishers or dry sand will have to be used for fires in such buildings.

2. *Scale of fire fighting appliances.*—(i) *Ordinary buildings with low fire hazard.*—One 10 litre water bucket for every 100 square metre floor area or part thereof and one 9 litre soda Acid Extinguisher for every 6 buckets or part thereof with a minimum of 1 Extinguisher and two buckets per compartment of the building. The appliances shall be so distributed over the entire floor area that a person shall not have to travel more than 90 metres from any point to reach the nearest appliances. In special cases, approved by the local Fire Officer, buckets may be dispensed with, provided the supply of extinguishers is doubled

(ii) *Ordinary buildings with high fire hazard.*—One 10 litre water bucket for every 100 square metre of floor area or part thereof and one 9 litre soda Acid Extinguisher for every 6 buckets or part thereof with a minimum of 2 extinguishers and 4 buckets per compartment of the buildings. The appliances shall not have to travel more than 15 metres from any point to reach the nearest appliances. In special cases, approved by the local Fire Officer, buckets may be dispensed with, provided the supply of extinguishers is doubled.

(iii) *Building involving special risk.*—Where oils or chemicals are stored or electrical equipment is used, the number and type of fire appliances necessary for such buildings should be ascertained in consultation with the local fire officer to meet the special hazards involved in the buildings.

NOTE.—(a) In calculating the floor area, open verandahs, passages, terraces etc., where no combustible material is stored may be excluded. In the case of storied buildings the floor area of each floor shall be calculated separately for arriving at the scale of fire fighting appliances required for each floor.

(b) A list of suitable chemical fire extinguishers with the names of firms where they can be purchased should be obtained from the concerned Divisional Fire Officer.

3. Telephones—Where there is a non—automatic exchange telephone room a receiver will be fixed in a glass case out side the exchange room Where there is an automatic exchange the watchman should be trained to dial the fire station number. Incase of fire the watchmen detecting the fire will break open the glass case take the receives and call Fire. The telephone exchange will at once communicate to the nearest fire brigade station and inform them of the locality in danger. There will also be placed in a convenient place nearby a crowbar with which the watchman can force upon the door of any room inside which there is a fire In order to pud it out.

## CHAPTER II.

### PRECAUTIONS AGAINST FIRE.

(1) The erection of temporary structures made of combustible materials within 10 metres of a permanent Government Office building is prohibited. Prior permission of the Fire Service Department should be obtained for the erection of any temporary structure in the compound of a Government building, provided that in the case of temporary sheds made of combustible materials erected bv the Public Works Department or its Contractors for string building matreials or for any other purpose connected with their construction activities, the Executive Engineer may authorise the construction without prior permission of the Fire Service Department subject to the condition that the prescribed minimum safety distance of 10 metres from such shed to the nearest building is maintained.

The Executive Engineer may also authorise the erection of temporary structures by Public Works Department for the inaugural functions and ceremonial occasions without prior permission of the Fire Service Department.

(2) Galvanized iron buckets with water or sand and chemical fire extinguishers should be kept in easily accessible places in every building for use during fire. They should be located as far as possible at the top and bottom of stair cases or at the commencement of junctions of important corridors in each floor. The number of buckets and fire extinguishers to be provided should be as per scale separately fixed and the head of each office should ensure that his equipment which will already have been provided in most offices, is in good working condition. The Divisional Fire Officer may be consulted when required in connection with this initial supply. For buildings for which an adequate supply of water is not available within a convenient distance, water should be provided in covered tanks sufficiently large to fill the buckets ten times.

(3) When portable fire engines are provided, the engine, its hoses, other appurtenances and accessories should be complete and in working order. The hoses should be of sufficient length to reach top of the buildings. Certain important buildings such as the Secretariat buildings in Madras, are provided with hydrants and hoses and these are fixed in glass cases at convenient places. They should be periodically examined and kept complete and in working order.

4. All attenders and peon should be given a practice drill at least once a month in the use of fire appliances and the head of each office concerned should make arrangements for the proper conduct of these drills. Where a telephone exists, attenders and peons should be instructed in its use for the purpose o obtaining assistance.

5 The head of each office should see that the following precautions are carried out:—

(a) That before closing the office for the night the manager or head cleark or under his written authority a clerk named by him, visits each room and sees that all lights are put out; that in offices in which electric fans and lights are provided the switches are turned off; and that all waste paper has been removed, and that in hill stations where fire is kept in fire places to keep the room warm all fire is effectively extinguished.

(b) That none but safety matches are used in offices.

(c) That kerosene oil or any easily inflammable material is always stored in an out-building or godown.

(d) That the sealing of papers is always done under the direct supervision of a responsible clerk who should see that due care is taken.

(e) That no naked lights are used in any office, All candles or wicks must be protected by glass.

(f) That fire places for the preparation of pastes or glues are not allowed in or near any buildings.

(g) That waste paper is not allowed to accumulate in large quantities in any office. One or more receptancles is provided outside that building for waste paper and is sufficiently distant from the main building. Every evening the waste paper of the day is collected and put into one of the receptacles.

(h) That fire buckets are kept always full of sand or water or in some cases it may be found suitable to keep half the number of buckets filled with water and half with sand.

(i) That old furniture is not left lying about but disposed of at once.

(j) That smoking in record rooms is strictly prohibited.

(k) That dried leaves and other litter is removed from the top of terraces at intervals.

(l) That all restrictions and rules regarding lighting issued by the local, municipal or fire service authorities are stricly followed.

(m) That in hill stations where there are fire-places for warming officers, fire-gaurds of metal gauge or netting are provided in front of all fire places.

6. One bell gong or more according to the size of the buildings should be fixed in each building which should be sounded for giving fire-alarm. When this is sownded, it is the duty of the men listed for fire-fighting to rush up to the place of fire for fighting

## CHAPTER III.

### On The Outbreak Of Fire.

1. On the outbreak of fire, electric current should be switched off at the main

2. Fire caused by ignited oil slhould be smothered atonce by means of earth or sand kept in receptacles placed in suitable positions for the purpose; and water should on no account be used. If chemical extinguishers of the foam-type are available they can be used.

3. Immediately a fire is detected, the alarm must be given as explained in paragraph 6 of Chapter II and intimation also given to the nearest fire brigade and to the nearest police station by phone or otherwise as described in paragraph 3 of Chapter I.

4. Immediately on the alarm beingraised, every man should proceed to the post to which he is told off and make such effective efforts as he can to put out the fire, pending the arrival of the fire brigade. If buildings are equipped with fire-hoses and hydrants connected to the overhead tanks, they should be udsed to the best advantage, as it will be possible to put out major fires by a timely use of these appliances.

5. All movements should be carried out with silence and rapidity and special care must be taken to see that there is no crowding in passages and staircases.

6. As a draught of air will tend to increase the fire, all doors and windows which t is not necessary to use for ingress of egress, should be closed.

7. All inflammable materials near the fire should be collected and carried to a place of safety.

## CHAPTER IV.

### General Instructions.

1. The rules in chapter I to III ore applicable for ordinary Dovernment non-residential buildings. These rules should be pointe

2. As regards the applicanes to be provided for tne fire protection the Divisional Fire Officer having jurisdiction over the district will advice the head of the office of the number of fire buckets and chemical extinguishers required according to the scale fixed taking into constdideration the cost of the building and the super ficial area of each floor. The responsibility of seeing that equipment is according to scale and is kept in working trim is that of head of the of. ce.

3. In the case of important buildings where there is insufficient means of access to the roof, the Executive Engineer in consultation with the Divisional Fire Officer should consider the possibility of providing ladders of suitable length for gaining access to any part of the roof.

4. The initial supply of fire buckets and fire extinguishers together with other appurtenances such as stands, buckets, etc., as well as all renewals of, and repairs, to the fire buckets and fire extinguishers shall be made by the heads of the offices concerned—such as works being treated as assigned to the departments concerned. If any in case, professional skill or assistance is considered necessary, the Divisional Fire Officers shall be consulted.

5. When a building is occupied by more than one department the 'department for the purpose of this rule, shall be the Revenue Department if it is one of the occupants and if not the State Government departm entoccupying the major ortion tion of the building to be decided in each case, by the Superintending Engineer concerned. If, in such cases a department of the Union Government happens to be one of the occupants, the cost of the fire appliances supplied or of the repairs thereto in respect of the portion of the building occupied by such department shall be recovered from that department.

6. A building should be the unit for purposes of fire protection. In cases where a building (whether owned by Government or hired) is used partily as an officae and partly as a residence for a Government Officer the department to which the office belongs shall be responsible for the provisions of fire protection appliances for the entire building.

7. The supply of buckets and tanks, etc., to buildings rented as offices will be arranged for by the heads of offices, occupiyng the buildings.

8. Responsibility for fire protection for buildings not in charge of Public Works Department is that of the head of the office occupying it.

9. The main principle underlying the rules is that the head of the office should see that his office building is protected. On that principle, it is for him to supply the buckets and other appliances, for him to get the rules translated, printed and hung up, and for him to make good (with the assistance of the Divisional Fire officer having Jurisdiction over the district where necessary) any other defects.

## CHAPTER V.

### PRACTICE DRILL.

(1) The head of office should fix an officer who will be responsible for the training of the men to take part in putting out fires during day and night and conducting periodical drills. The Officer thus chosen for training the office staff and for conducting periodical fire drills, as may be got trained at the nearest fire station in the various aspects of his duties with reference to G. O. Ms. No. 1356 (Home) dated 16th April 1952. The practice must be as realistic as possible and should include re-laying of stand and water from a nearby source by forming a chain of all staff available.

(2) For day time the services of the several attenders and peons on duty should be utilized but for night, special watchmen should be engaged.

(3) Fire practices in the use of these appliances should be given by the officer appointed once a week until all the attenders peons and night watchmen have had sufficient practice in the use of the various appliances.

(4) After they have had sufficient practices, peroidical practice drills at intervals of one month should be conducted. Such practice drills should include the use of chemical fire extinguishers at least once in six months.

(5) A stock of refills for chemical fire extinguishers should always be kept. New refills should be loaded after each practice drill to ensure that the exisguihers are serviceable.

(6) A suitable day in the first week of every quarter should be selected for fire drill but the hour should not be fixed not intimated. On the day selected alarm should be given by the officer in charge of the arrangements at different part of the building each time and the practice drill with appliances gone through under the guidance of the officer in as orderly a manner as possible. This should be witnessed by the head of the office or his assistant deputed for the purpose Similar drill should be gone through during night time during the same week but on a diferent day.

(7) A register should be kept of all such exercises and of the defects noticed with any of the appliances. This register should be inspected by the head of the office on the same day or the day following and he should take action to set right the defects.

(8) A register should be kept showing the issue of the refills for the chemical fire extinguishers after each practice.

(9) Where special hydrants are fixed inside the building and fire-hoses are kept in glass cases, all the hydrants should be tested with the hoses on the drill day to ensure that they function all right and the men are fully acquainted with their use. On the morning of the practice, the glass cases should be kept open. After the practice is over the hoses should be claened aired and kept in the proper places and the glass cases closed.

## CHAPTER VI.

### NIGHT WATCHMAN

(1) The watchmen will be on duty from 6 p. m. to 6 a. m. every day. They will go round as soon as they come on duty to see that all doors have been locked. They will take turns (where there are more than one watchman on duty) in going round the offices and record the same at the tell tale clock (where these are provided every half an hour, patrolling only the verandahs and corridors round the office rooms. They will carry a whistle and a stout bamboo 1.5 metre long.

(2) Where there is a head watchman or superintendent, he will visit the watchmen at uncertain hours during the neight to see that they are doing their duty. During such visits he will carry on his person a set of duplicate keys of all the offices sealed in a bag. If there is only one watchman he will have these duplicates with him.

(3) Action to be taken in case of a fire:—Should a watchman on his rounds observe any outbreak of fire, he will at once whistle for the other watchman, and sound the fire alarm bell. He will act in accordance with paragraph 3 of Chapter I. The Telephone exchange will atonce communicate to the nearest fire station and inform them of the locality in danger. Where there are no telephones, information should be communicated to the nearest police station.

(4) If the fire is inside any one of the rooms, which cannot be readily opened, the watchman and the head watchmen or superintendents if available on the spot will immediately force open the door by means of crowbar (which will be kept the custoty of the watchman at an opproved location) and try to put out the f with the chemical fire extinguisher available. In the menatime the other wa man will get the fire buckets and pumps into operation. They will also wh and call the watchmen of the neighbouring offices, if any.

## CHAPTER VII

*Temporar: sheds constructed of combustible materials:—A. Scale of fire Fighting appliances* :—(i) One 9 litre soda acid extinguisher for every 50 square metres of floor area ɑi part thereof, provided that this equipment need not be installed in temporaiy sheds made of combustible materials erected by the Public Works Depart-et.'rfl or its contractions on work site in connection with their building activities.

(ii) One 1( litre fire bucket of water for every 10 square metres of floor area or part thereof.

(iii) One fire rake for every 20 square metres of floor area or part thereof.

(iv) One ceiling hook for every 20 square metres of floor area or part thereof.

(v) A static supply of atleast 500 litres of water for every 50 square metres of floor area of part thereof.

B. *Other precautions to be taken.*—(i) Temporary sheds made of combustible materials should be separated from each other by an open space of atleast 20 metres and from the nearest pucca building by an open space of atleast 10 metres so that these gaps may serve ss fire breaks.

(ii) The electrical wirings in the sheds should be protected with suitable onduit piping so as to prevent sparks due to any short circuit from worn out wiring !gniting the thatch and other easily combustible materials around.

(iii) The entire area of the sheds should not be cramped with furniture etc., leaving only the minimum space for passage. Over crowding of staff in the sheds should be avoided and more moving space within the sheds be allowed.

(iv) In the pandals put up for inaugural functions, meetings and cremonial occasions, there shall be one exit for every 200 persons and the exist shall not be less than 1.5 metre wide. The lay out of furniture shall be such that there shall be gang-ways to the exit. A 10 litre water bucket filled with sand or water for every 100 square metes of floor area shall be kept.

## APPENDIX XXII.

SCALE FOR THE PROVISION OF ELECTRICAL FITITNGS IN GOVERNMENT BUILDINGS.

1. *Non-Residential Buildings.*

| Provision of fans : | Description of buildings. |
|---|---|
| 1. *Office in General.—* | *Scale prescribed.* |
| (i) Office | One ceiling fan of 1.42 m. sweep for every 27.87 square metre. One ceiling fan of 1.22 m. sweep for every 18.58 square metre and one ceiling fan of 0.91 m. sweep for isolated area of less than 18.58 aqure metre irrespective of the number of persons working therein. |
| (ii) Gazetted Officer in his room | One ceiling fan of 1.22 m. or 1.42 m, m. sweep depending upon the size of the room. |
| 2. *Court Houses.—* | |
| (i) Dais | One ceiling fan of 1.22 m. sweep. |
| (ii) Bar table | One sceiling fan of 1.22m. sweep for every 4 persons, the fans being provided at not less than 2.438 m. centre to centre. |
| (iii) Presiding Officer's retiring room. | One ceiling fan of 1.22 m. or 1.42 m. sweep depending on the floor area. |
| (iv) Sheristadar's room or head clerk's room. | One ceiling fan of 1.22 m. sweep. |
| 3. *Hospitals.—* | |
| (i) Wards | One 1.42 m. sweep fan for every 4 beds. |
| (ii) Nurses' duty room | One ceiling fan 1.22 m. or 1.42 m. sweep depending on the floor area of the room. |
| (iii) Single bedded operation theatre. | Two ceiling fans of 1.22 m. sweep and two exhaust fans of .30 m. sweep. |
| (iv) X-ray room | One exhaust fan and one ceiling fan size depending on the floor area. |
| (v) Dark room | One exhaust fan and one ceiling fan size depending on the floor area. |
| (vi) Blood Bank | One ceiling fan size depending on the floor area. |
| (vii) Opthalmic and E.N.T. Dark room. | One ceiling fan size depending on the floor area. |
| (viii) Dining halls, dressing rooms, special ward with single bed, dispensary etc., | One ceiling fan of 1.22 m. sweep for every 18.58 square metre or one ceiling fan of 1.42 m. sweep for every 27.87 square metre. |

*Educational Technical or Research Institutions.*

| | |
|---|---|
| (i) An individual Gazetted Officer | One ceiling fan 1.22 m. or 1.42 m. sweep depending upon the size of the room. |
| (ii) Lecturer at Lecture Hall | One ceiling fan 1.42 m. sweep. |
| (iii) Common room of professors lecturers and Assistants. | One ceiling fan of 1.42 m. sweep for every 27.87 square metre of floor area. |
| (iv) Class rooms, lecture halls, demonstration halls etc., | One ceiling fan of 1.42 m. sweep for every 27.87 square metre floor area, or one ceiling fan of 1.22 m. sweep for every 18.58 square metre floor area. |
| (v) Laboratories, store room and workshops. | (a) One ceiling fan of 1.22 m. sweep or 1.42 m. sweep depending on the floor area.<br>(b) One exhaust fan of .45 m. sweep for every 18.58 square metre depending upon the cubical contents of air to be evacuated. |

4. *Hostels.*—

| | |
|---|---|
| (a) Dining hall | One ceiling fan of 1.42 m. sweep for every 10 persons or part thereof. |
| (b) Common room | One fan of 1.42 m. sweep for every 18.58 square metre of floor area. |
| (c) Warden's room | One ceiling fan of 1.22 m. sweep. |

5. *Laboratories or Workshops in general.*—

(a) One ceiling fan of 1.22 or 1.42 m. sweep depending on the floor area.

(b) One exhaust fan of .45 m. sweep for every 18.58 square metre depending upon the cubical contents of air to be evacuated.

6. *Inspection Bungalows.*—

| | |
|---|---|
| (i) Common room | One ceiling fan of 1.42 m. sweep. |
| (ii) Each suite | One ceiling fan of 1.42 m. sweep. |

7. *Police station.*—

| | |
|---|---|
| Room occupied by the Inspector of Police. | One ceiling fan of 1.22 m. sweep. |

*Jails.*—

| | |
|---|---|
| Office room of the Superintendent, Central Jail, District Jail or Borstal Institution or Superintendent of approved schools. | One ceiling fan of 1.22 m. or 1.42 m. sweep depending upon the floor area. |

2. *Residential Buildings.*

Scale prescribed.

Ceiling fans of 1.22 m. sweep or 1.42 m. sweep on the basis of the number of bed rooms and living rooms subject to a ceiling of three.

## APPENDIX XXII-A.

### NORMS FOR CARRYING OUT REPAIRS FOR GOVERNMENT BUILDINGS.

(*Vide* Paragraph 144, 144-A of Tamil Nadu Public Works Department Code.)

1. The Government direct that the norms based on the plinth area of the buildings as detailed under paragraph 2 below be adopted in respect of ordinary repairs and ceiling rates as detailed under paragraph 3 below be adopted for special repair works.

2. Plinth area rates for maintaienance (Ordinary Repair Works).

| *Serial number.* (1) | *Category.* (2) | *Plinth area rate per square metre* — *Civil.* (3) Rs. P. | *Electrical.* (4) Rs. P. |
|---|---|---|---|
| | *I. Residential* | | |
| (a) | Residential buildings in lines .. .. | 2 00 | 1 00 |
| (b) | Residential buildings scattered and independent .. | 3 00 | 1 00 |
| (c) | Residences of Ministers and High Court Judges | 5 50 | 2 00 |
| | II. *Non-Residential.* | | |
| (a) | Office buildings, hostels except Legislators' Hostels, Educational Buildings, Non-Hospital portion of medical buildings .. .. | 2 25 | 1 25 |
| (b) | Hospital buildings, Primary Health Centers .. | 5 40 | 3 00 |
| (c) | Secretariat-Fort St. George buildings including Legislative Assembly and Council—Secretariat New Multistoreyed buildings .. .. | Actuals. | 1 75 |
| (d) | Court Buildings .. .. .. | 3 75 | 1 75 |
| (e) | Jail Buildings .. .. .. | 2 75 | 1 25 |
| (f) | Places of Public Assembly like Kalaivanar Arangam and Museum .. .. .. | 5 00 | 3 00 |
| (g) | Inspection Bungalows and Circuit Houses .. | Actuals. | 2 25 |
| (h) | Legislators' Hostels .. .. .. | Actuals. | 1 75 |
| (i) | Monuments .. .. .. | Actuals. | Actuals. |

NOTE 1.—These rates do not include erstwhile work charged establishment charges which has been brought under regular establishment category and also property tax for the building.

NOTE.—2. The rates specified for the above Ordinary Repair Works for a year contain only proportionate amounts towards white-wash/ colour-wash painting with reference to the periodicities fixed for such main tenance works. In case of group of buildings and multistoreyed buildings, the ordinary repairs work can be judiciously divided into compartments and completed according to the periodicities and within the Ordinary Repairs rate permissible but in case of separate and small buildings this cannot be done effectively and the work like painting has to be done once in 6 years for the entire building and in such cases the rate allowed for a year may not be sufficient. In such cases it will be permissible for the Executive Engineer to carry over and accumulate the saving effected in the preceeding years and carryout the painting works. However, the total amount spent on ordinary Repairs during the specified period of 3/6 years shall be limited to 3 times the ordinary repairs rate or 6 times the ordinary repairs rate as the case may be.

NOTE 3.—Plinth area for a multistoreyed buildings will be the total of the plinth areas at all floor levels.

2. (1) The above plinth area rates do not cover the expenditure on the following items which will be allowed based on actual requirement

(i) *Civil works.*—

(a) Maintenance of roads, lawns and garden within the compound.

(b) Conservancy charges wherever payable.

(ii) *Electrical*—

(c) Maintenance of all Air—conditioning plants cold storage plants, etc.,

(d) Maintenance of lifts.

(e) Rewinding of pumpsets, fans, motors, etc.,

(f) Maintenance of High Tension Installation.

The items (c) to (f) will be carried out under Special Repairs estimates (Electrical).

(g) Current consumption charges will be paid as per actuals.

(2) Extra rates may be permitted for the following.—

(i) An extra of Rs. 1/m2 for buildings with Madras terraced roof sloping roof over wooden rafters beams, etc., for buildings with ceiling in excess of 3.3 meters from floor level.

(ii) Extras for hilly regions as permissible in the schedule of rates for different regions may be allowed over the plinth area maintenance rates.

3. Ceiling rates for special repair works.—

| *Serial number.* | *Age of the building.* | *Special Repairs ceiling rate in terms of ordinary repairs rates.* |
|---|---|---|
| (1) | (2) | (3) |
| | **A.** *Civil.* | |
| 1 | Less than 5 years | 2 times ordinary repairs rate. |
| 2 | 5 to 30 years | 5 times ordinary repairs rate. |
| 3 | More than 30 years | 10 times ordinary repairs rate. |
| | **B.** *Electrical.* | |
| 1 | Less than 5 years | 2 times ordinary repairs rate. |
| 2 | 5 to 15 years | 5 times ordinary repairs rate. |
| 3 | Above 15 years. | 10 times ordinary repairs rate. |

NOTE 1.—Only ceiling limit of total expenditure for a period of 5 years is fixed for Special Repairs expenditure on individual building based on plinth area. The work may be carried out once in 5 years or at intermediate periods according to the necessity but the total amount spent in a period of 5 years should not exceed the a mount as fixed.

NOTE 2.—Whenever the ceiling limit is exceeded applying the approved plinth area rates, the specific approval for carrying out such works will be obtained from Chief Engineer (Buildings).

NOTE 3.—(a) Within the ceiling limits prescribed, the Executive Engineer may carryout special repairs works on all individual building not exceeding Rs. 50,000.

(b) For special repair works costing more than Rs. 50,000 and up to Rs. 1 lakh the work can be carried out after obtaining specific approval of the Superintending Engineer of concerned circle.

(c) For special repair works costing more than Rs. 1.00 lakh the Cheif Engineer's (Buildings) approval may be obtained before carrying out the work.

NOTE 4.—Special Repairs to electrical equipments like pump, lifts, refrigerator, air-conditioners, High Tension Installations, Transformers, etc., will be as per actual requirements.

NOTE 5.—The Chief Engineer (Buildings) will review the rates for ordinary repairs and special repair works as and when found necessary and determine the rates with the approval of the Government.

4. In order to rationalise the maintenance efforts suitable maintenance materials and maintenance cycles have been given in the annexure. This contains the special treatment required for Hospitals and also Court Buildings etc, The field Officers are to follow the maintenance materials and periodicities as in the Annexure. The adoption of different periodicities suggested i.e. 3 years ,6 years etc. ,for white washing

colour washing, painting etc., may be done by judiciously dividing the buildings into separate compartments so that painting or white washing can be confined to the limited areas of compartments i. e. exterior doors and windows to be painted once in three years one third area comprising a wing will be covered each year etc.

5. A lumpsum provision is being made every year in the budget for carrying out the maintenance of the Public Buildings of the State Government other than residential buildings under the Head "259-A. Public Works Department and. Maintenance and Repairs—I. Non Plan A.C. buildings—Other Office buildings and Court buildings (Other than Technical Eeducation Department). The grant to be made available to the various beneficiary departments shall conform to the proportions indicated below.—

| *Department.* (1) | *Distribution pressed as Co-efficient (Ex-percentage).* (2) |
|---|---|
| General Administration .. .. .. .. | 7.328 |
| Justice .. .. .. .. | 3.248 |
| Registration .. .. .. .. | 1.379 |
| Education .. .. .. .. | 16.458 |
| Medical Public Health .. .. .. .. | 41.834 |
| Police .. .. .. .. | 5.944 |
| Animal Husbandry .. .. .. .. | 0.948 |
| Fisheries .. .. .. .. | 0.145 |
| Agriculture .. .. .. .. | 1.415 |
| Public Works .. .. .. .. | 6.043 |
| Other Departments (Forest, Fire Services, Treasuries and Accounts, Stationery and Printing, Social Welfare and Co-operation). | 15.758 |

NOTE.—The Heads of the Departments are directed to consult the Chief Engineer (Buildings) for the execution of the maintenance works of the buildings. No reappropriation of the grant made available to the various departments is permissible In Special circumstances the Chief Engineer (Buildings) may reappropriate the funds in consultation with the Heads of Departments concerned.

ANNEXURE.

Maintenance Materials and Maintenance periodicities for ordinary repairs.

I. *A. Non residential Buildings.*—(Office buildings, Educational buildings etc., including non hospital portion of buildings in Hospitals).

A. A.–*Interior.*—

A. a. 1. Colour washing/white washing shall be done up to 2.25 M once in a year for wall areas.

A.a. 2. White washing shall be done for wall area above 2.25 M. and ceiling once in three years.

A. a. 3. Where superior finish like Plastic Emulsion paint/Synthetic Enamel paint already in existence these items shall be done once in three years where they are marred by public use and in all other cases the superior finish shall be done once in six years.

A. a. 4. If the treatment is oil bound Distemper, the treatment shall be once in three years.

A. b. *Exterior.*—

A. b. 1. (**) Top areas of buildings above cornice, chajja or sunshade etc., shall be colour washed once in a year.

A. b. 2. The entire exterior shall be colour washed once in three years.

A. b. 3. (**) In case superior cement paint is already in use the treatment shall be done once in three years for top areas of buildings above cornice, chajja etc.,

A. b. 4. In case of Superior cement paint is already in use, the treatment shall be done for the entire exterior area once in six years.

(**) 10 per cent extra shall be provided for areas where patch works may occur.

A.C. *Toilets.*—White washing shall be done once in a year.

A. D. *Staircase, Handrails, Half Doors etc.,*—Varnishing with clear varnish shall be done once in a year and for other areas if varnishing required it shall be done once in three years.

(***) B. *Hospitals.*—(Only Hospital portions used for patients and treatment).

B. A. *Interior.*—

B. a. 1. For walls up to 2.25 M. Synthetic Enamel Paint/Plastic Emulsion paint shall be done once in three years including operation theatres. In case tetanus occurs painting shall be done for the entire operation theatre including Doors and Windows.

B. a. 2. For walls above 2.25 M. and ceiling white washing shall be done once in three years.

B. b. *Exterior.*—As applicable to other non residential buildings.

B. c. *Kitchen in Hospitals.*—Colour wahsing shall be done once in six months for the full portion of the interior.

B. d. *Toilet -in Hospitals.*—For walls up to 2.25M. white washing shall be done once in six months.

For wall area above 2.25 M. and ceiling white washing shall be done once in three years.

(**) The above provision shall not be applicable for the non Hospital portions i. e. Office, Officers room, Store, etc., and these portions have to be treated as that of other non residential buildings.

C. *Court Buildings.*—

C. a. High Court.

C. a. 1. *Interior.*—Synthetic Enamel Paint/Plastic Emulsion Paint shall be done once in three years for Judges Chambers, Court Hall and Corridors.

C. a. 2. *Exterior.*—As applicable to other non residential buildings.

C. b. *Court Halls of District Court*,—Oil bound distember shall be done once in three years for walls up to 2.25 M. and above 2.25 M. white washing shall be done once in three years.

C. c. *Varandahs, corridors and stair-cases etc.*,—Colour washing shall be done once in a year for walls up to 2.25 M. and white washing once in three years for walls above 2.25 M.

II. A. *Residential Buildings.*—

A. a. *Interior including Toilet Stores, etc.*,—White washing shall be done once in a year including ceiling.

A. b. *Kitchen*—Colour washing shall be done once in a year.

B. *Exterior.*—Colour washing shall be done once in three years.

C. Superior items like cement painting etc., shall not be done except in the case of residences of Ministers and Circuit Houses/Inspection Bungalows. In such cases the treatment shall be done once in three years or every time there is a change in incumbency in Very Important Persons or when Circuit Houses are to be occupied by the President/Prime Ministers and Head of other Countries.

III. A. *Doors and windows*:—

A. a. *Interior Doors and Windows*:—Painting shall be done once in six years.

A. b. *Exterior Doors and Windows*—Painting shall be done once in three years in the case of Hospitals and other important bulldings according to the decision of Superintending Engineer concerned.

A. c. *Doors in important locations exposed to Sun*—The treatment with lac warnishing shall be done once in a year wherever such doors are having varnish finish.

IV. *Iron Gates and Steel Windows*—The Iron Gates and steel Windows in all buildings situated within 2 kms. of the Sea Coast shall be treated with economical type of Anti Corrosive Black painting once in a year.

For other buildings the painting shall be done once in six years.

V. *Over Head tanks*—White washing shall be done once in three months for interior portion.

## APPENDIX XXIII.

### RULES FOR REGISTRATION OF CONTRACTORS FOR GOVERNMENT WORKS.

*Rule* 1.—No contractor shall normally be allowed to undertake Government works either in the Public Works Department or in the Highways and Rural Works Department of the Tamil Nadu State including the construction btanch of the Industries Department unless he is registered as a contractor in the department concerned according to the rules hereunder.

NOTE.—Interested ayacutdars and beneficiaries proposed to be entrusted with local works involving no high technical skill shall be examined from such registration, for works up to Rs. 10,000 in the case of Irrigation and Rs. 5,000 in the case of building or road works.

*Rule* 2:—*Application for Registration*—A contractor shall first apply for registration in the prescribed form annexed to these rules to the appropriate authority viz., the Executive Engineer or the Superintending Engineer of the Public Works Department in charge of the regular or special Divisions and Circles or the Divisional Engineer or the Superintending Engineer of the Highways and Rurals Works Department or the Executive Engineer or the Superintending Engineer construction Branch of the Industries Department, as the case may with reference to the class and jurisdiction of works for which he is eligible under rules 3 and 4.

*Rule* 3.—*Classification of contractors*—A contractor who has applied for registration to any one of the Registration authorities shall be classified under the following heads according to his normal financial capacity.

| | | | |
|---|---|---|---|
| Class | I | above | Rs. 10 lakhe |
| Class | IA | up to | Rs. 10 lakhs |
| Class | II | up to | Rs. 5 lakhs |
| Class | III | up to | Rs. 2 lakhs |
| Class | IV | up to | Rs. 40,000 |
| Class | V | up to | Rs. 10,000 |

Before awarding contracts costing over Rs. 10 lakhs to a Class I Contractor his financial capacity shall be specially enquired into every time.

*Rule* 4: *Fees for Application and registration* —1. Normally contractors of Class I, I-A, and II will be registered for works throughout the State, Class III for a Public Works Circle, Classes IV to V for P. W. D. Division.

2. The Executive Engineer of the Public Works Department or the Divisional Engineer of the Highways and Rural Works Department of the Executive Engineer or the Industries Department Shall register contractors for works in their jurisdiction.

3. The Superintending Engineer of the Public Works Department or the Highways and Rural Works Department or the constructions branch of the industries department shall register contractors for works either in his circle or for works pertaining to the department throughout the state.

4. Every application for registration shall be accompanied by a chalan for Rs. 2 towards application fee in case of registration for the division, Rs. 5 in case of registration for circle and Rs. 10 in case of registration for the State. The application fee will not be refunded under any circumstances. The amount shall be remitted into the Government Treasury under the head "059 *Public Works*—(*d*)

—*other receipts*; 03 *Miscellaneous—(i) Miscellaneous receipts.* Application fee for registration as contractor in *Public Works Department*", or under the head "137, *Roads and Bridges* (*b*) *other receipts*—05. *Miscellaneous* (*iii*) *other receipts—Application fee for registration as contractor in Highways and Rural Works Department*", or under the head "121—*Village and Small Industries*—(i) *other receipts* 01. *Miscellaneous receipts*, Application fee for registration as contractor in the construction branch of the Industries Department", as the case may be; and

5. Another chalan for Rs. 25 in case of registration for the division, Rs. 50 in case of registration for the Circle and Rs. 100 in case of registration for the State shall be remitted into the treasury under the head "059. *Public Works* (*d*) *Other receipts* 03, *Miscellaneous—(i) Miscellaneous receipts* registration fee for registration as contractor in *Public Works Department*" *or under the head* "137, *Roads and Bridges—(b) other Receipts*—05. *Miscellaneous—(iii) other receipts—Registration fee for registration as contractor in Highways and rural Works Department*, or under the head "121 *Village and Small Industries* (i) *other receipts*—01. *Miscellaneous receipts*—Registration fee for registration as contractor in the construction branch of the Industries Department" as the case may be to the credit of the appropriate registering authority within 15 days of the receipt of intimation of the approval of his application by the registering authority and the chalan sent to the registering authority.

*Rule* 5: *Considering of application* :—The Divisional Officer or the Circle Officer shall have such enquiries made in connection with the application as he considers necessary and call for any further particulars from the applicants before finanlly disposing of the application.

The applicant shall provide necessary facilities for verification of particulars in the application by the enquiry officer.

*Rule* 6—*Rejection of application* :—The appropriate registering authority shall have full powers to reject any application for registration but before doing so it shall issue a show cause notice to the applicant setting out briefly the reasons for the proposed rejection and giving him seven days time to make any representation. The said authority shall then proceed to pass orders after taking into consideration any representation that may be received within the aforesaid period. The order shall contain brief statement of the reasons for the rejection of the application.

*Rule* 7 : *Approval of application and Registration* —In the case of application which is found to be satisfactory the Officer accepting the application shall intimate the applicant in writing the fact of his application having been accepted giving him the class, area and other particulars as may be fixed by rules.

2. The applicant within 15 days of the receipt of information, shall remit into the Government Treasury the prescribed fee for registration to the credit of the intimating Officer as indicated in sub-rule 5 of rule 4 above and send the chalan to the Officer accepting the application· The Officer, on the receipt of the chalan shall finally enlist the applicant in the register of contractor and inform the applicant accordingly.

3. The registration fees will not be refunded under any circumstances to the registered contractor.

4. The Registration Officer shall be required to intimate the Officers of the Departments about the registration of the contractors for their information.

*Rule* 8: *Registration for Special Divisions and Circles.*—The registration of a contractor for works in a division or a Circle of one Department (Public Works Department or Highways and Rural Works Department) or the construction branch of the Indurtries Department) is on a territorial basis and as such separate registration is not necessary in a special division or special circle of the same department for taking up works lying the territorial area covered by the first registration. For taking up special works in places outside the area of his registration, the contractor should get himself registered in special division or special circle in charge of the special work.

*Rule* 9: *Application of registration over territorial regions of other Departments*:—(1) Contractors will be registered separately under each department Public Works Department or Highways and Rural Works Department or the construction Branch of the Industries Department) Registration in one department will not be taken note of by the other departments except to the following extent :

(a) Contractor registered for works in the territorial Unit of Division or Circle of the Public Works Department may without further registration fee, register himself for taking up works in one Division or one Circle of the Highways and Rural Works Department or the Construction branch of the Industries Department if found suitable, provided there is overlapping of territorial area of registration at the corresponding level. This arrangements shall be mutual between the Public Works Department and the Highways and Rural Works Department and the construction branch of the Industries Department.

(9) (1) (b)—A contractor registered for worksi n a territorial unit of a division or a Circle of the Technical Education Department Public Health Engineering and Municipal Works Department, Railways, Tamil Nadu Electricity Board, Central Public Works Department, Local Bodies of the Tamil Nadu State and other Tamil Nadu State Government Department, may register himself, after paying the registration fee for taking up works in this Public Works Department in the appropriate classes of registration according to the rules in force, if found suitable provided there is overlapping of territorial area of registration at corresponding level.

9. (1) (c) Contractors may register themselves in more than one territorial unit of Division or a Circle of the same department after payment of the requisite application and registration fees in each case. However registration in a particular territorial unit shall not entitle him for registration in another territorial unit of the same department as a matter of right.

9 (2) Supply of tender schedule to registered contractors to tender for works in the Public Works Department.

In accordance with the orders n' orce, contractors registered in the Public Works Department shall be eligible to obtain tender schedule and to tender for works in the Public Works Department.

"Contractors registered in Highways and Rural Works Department Construction Branch of Industries Department/Technical Education/Public Health Engineering and Municipal Works Department/Railways/Military Engineering Service/Central Public Works Department/Local Bodies/other Departments of Tamil Nadu Government shall also be eligible to obtain tender schedules and to tender for works in the Public Works Department

*Rule* 10 : *Demotion, Reinstatement etc.*—The Contractor's application for a higher classification or sanction for re-instatements to original classification in the case of a demoted contractor, or resumption to the original category after removal of or suspension shall be made a fresh for registration in the particula r grade and the application shall be considered on its merits.

*Rule* 11 : *Demotion*:—Provision for the demotion of a contractor to a lower class exists in the Standardised code for enlistment/blacklisting of works contractors issued by Government. This provision will apply in regard to demotion. The registering authorities should comply with the procedure prescribed therein.

*Rule* 12 : *Removal of the name of the contractor from the Register* .—(a) Provision for the removal of a contractor's name from the approved list is contained in the Standardised Code for enlistment/Blacklisting of work contractors issued by the Government in their secret *Memorandum No. S*/3222/15-58, *Public (SC.) dated* 11*th May* 1960 *and W*8/2596-7/76, *dated* 30*th June* 1977—

(b) Removal of a name from registration office does not necessarily imply removal of the name from the other registers: but the fact of removal from any register shall be entered in the registers of all offices which have registered the name in their registers. Such Officers, if they so desire, can also without further enquiry remove the name of the contractor from their register.

B. *Blacklisting* —(a) Blacklisting is a punishment which is distinct from the other forms of punishment viz., demotion, removal from the approved list, and suspension of business.

(b) Since it is an extreme punishment involving cessation of business dealing by all departments of the Government, both State and Central, only the Government are authorised to issue blacklisting orders.

(c) The standard code for the Enlistment/Blacklisting of works contractors, issued by the Government in their Memo. No. S. 3222-15/58 Public (SC.) dated 11th May 1960 and W8/2596-7/76, dated 30th June 1977, provides for blacklisting of contractor for specific reasons and registering authorities should comply strictly with the procedure prescribed therein. The above provision apply for the removal of the name of the contractor from the register.

*Rule* 13.—*Reinstatement of contractors* .—A contractor whose name has been removed from the register once may for valid reasons be reinstated after a period of one year by the authority competent to remove him from the register, with the prior approval of the next higher authority Provision for the upgrading of a "Demoted" contractor lifting the ban on business etc., is contained in the standardised code for the enlistment/blacklisting of works contractors issued by Government. This provision will apply for reinstatement of contractors.

*Rule* 14. *General*—Income tax and salestax clearance certificate shall be furnished to the authority or authorities with whom the contractor is registered, failing which the contractor shall be liable to be prevented from tendering for works till such times as the certificates are furnished inspite of the registration

*Rule* 15.—No contractor shall be permitted to get himself registered under more han one name in the same territorial area.

## ANNEXURE.

### FORM 1.

*Form of application.*

From Department

To

The Executive Superintending Engineer,

Sir,

I herewith submit my application for registering my name in your register of Contractors in Classification for works in State/Circle/Division.

A chalan for Rs. 10, Rs. 5, Rs. 2, towards application fees for registration of contractors is enclosed.

Signature of the applicant.

Enc :—Chalan for Rs.
Details of the Firm's Certificates.
Details of Machinery etc.,
List of works under taken in the past.

### FORM 2.

I. *General.*

1. Name of the applicant.—

(State whether the registration sought for is for an individual or joint Stock Company or undivided Hindu Family or registered partnership firm. If a corporate firm, the name of the partners together with details of financial and other business interests of the partners should be separately furnished (attested copies of Articles of Association of Partnership deeds etc., to be enclosed). If a joint Stock Company, the name of the Director(s) should be furnished.

2. Name of the Registered office of the individual or company and place of business.

3. Permanent address to which all communications should be sent.

4. Does the individual or company do any business other than the contract work or supplies ?

5. Name of the Treasury in which the prescribed fees have been remitted (the number and date of chalan to be furnished).

6. Has the applicant applied previously for registration and if so with what result ?

7. Has the applicant or any one of his partners been *removed* from the list of contractors or blacklisted any where at any time ? And if so, for what reasons (here give full details.)

8. Class and territorial unit in which enlistment is sought.

9. Has the applicant registered himself as a contractor with any other registering Officer to this and other Departments. If so, full details to be furnished.

II. *Details of experience.*

10. Whether the applicant is a shareholder or partner of any firm already registered in the department.

11. Is the applicant or any of the partners or shareholders of his firm or any employee, of his firm a Government Servant (past or present) of this Department? If so, particulars to be furnished.

12. The nature of work the applicant propose to undertake (whether road works, building works, Public Health Works, Irrigation Works, Civil Works of the Electricity of the Public Works Department) etc.,

13. Experience of the applicant in the line (testimonials if any and list of works with total value should be separately enclosed.)

III. *Technical personnel and resources.*

14. Name or names of technically qualified and other persons employed together with their qualifications and experience.

15. Does the applicant maintain an office for preparing designs drawings, estimates, tender documents, bills etc.,

16. Does the applicant own a workshop for structural fabrication work and if so, furnish details thereof.

17. State particulars of construction machinery and tools and plant owned by the applicant.

18. Does the applicant own a plumbing or any other licence connected with his business.

19. Name or names of the banker(s) with whom the applicant maintains accounts.

20. Name of the persons holding the power of attorney in the case of partnership firm.

21. Paid up capital and dividend declared if a joint company.

22. Average cash deposits during the last one year (Certificate of the bank to produced).

23. Value of property owned (A certificate to be produced from the Revenue Department.

24. Name and designation of the Officer of the Revenue Department (Person) ssuing the property certificate.

25. Whether the applicant has enclosed the Income-tax verification certificate and Sales-Tax Clearance Certificate.

26. Annual turn-over of the applicant.

27. Money limits of contractors upto which the applicant will be able to undertake work.

I/We declare that the particulars furnished above are true to the best of my/our knowledge.

Signature of the Applicant.

Place :

Date : Sea· of the Company in the case of a firm

*Special Instruction to the Applicant.*

1. Complete particulars should be furnished against each tem.

2. Applications received without the treasury receipt specified in rule 4 of the rules for registration of Contractors and other documents will not be considered.

3. A copy of the rules for registration can be had from any Circle, Division or Sub-Division Office on payment of cash.

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This Index deals only with the rule in the several chapters and does not cover the Appendices. It has been complied solely for the purpose of references and no expression used in it should be considered as in any way interpreting the rules.

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—x—x—

# MEMORANDUM SHOWING THE RELATION BETWEEN THE RULES IN THE TAMIL NADU PUBLIC WORKS DEPARTMENT CODE WITH THOSE IN THE PUBLIC WORKS DEPARTMENT CODE' 10th EDITION AND WORKS AUDIT DEPARTMENT MANUAL, ETC.

Except in cases where the sanction or the concurrence of Government of India, the Auditor-General, or other authority is stated to be required in remarks column, rules in this Code can be amended by the State Government provided they are not repugnant to any of the provisions of the Government of India Act Devolution Rules, the Fundamental Rules, the Audit Research and other Statutory Rules and Orders issued by the Secretary of State Government of India. Financial Rules may he altered only by. or with the concurrence of the Finance Department. In interpreting the rules in this Code, it should not be assumed that they are mere compilations from the sources indicated column 2 of this memorandum, as the rules in column 1 contain such from modifications as Government may have deemed fit to make at the time of framing these rules.

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, etc | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| | CHAPTER I | |
| | *Establishment and Organization of the Department.* | |
| 1. | This is re -draft of paragraph 1 of the Public Works Department Code 10th Edition necessiated by the enlarged powers of the Local Government after the Reforms .Reference to the rules regarding leave all allowances he has been omitted, as they are found in the Fundamental Rules and Subsidiary Rules thereto G. O. No. 1153 W, dated 27th April 1928 | |
| 2 | The paragraph reproduces from the Devolution rules the various item of public works declared to be provincial subjects and those transfer the control of the Governor or acting with the Minister. | |
| 4 | This is a new paragraph stating the agency functions of the Public Works Department in connection with the execution of Public Works of the Central Government. | |

| | | |
|---|---|---|
| 5 | This is self-explanatory G. O. Ms. No. 303 W, dated 5th February 1935. | |
| 6 | This is paragraph 58 of the old Code revised with reference to the separation of the Public Works Department Secretariate from the Office Chief Engineer. G. O. No. 2650, L, dated 17th September 1929. | |
| 7 | This is paragraph 59 of the Public Works Department Code, 10th Edition, amplified and states the duties and powers of the Chief Engineer regarding postings, tranfers, etc., of their subordinates No. 1797, W, dated 25th November 1926 and No. 2327, PW, dated 24th September 1941. | |
| 8 | This is the same as paragraph 60 of the old Code and deals With the control of the Chief Engineer over the subordinate offices in all matters relating to accounts and finance. | Any modification in the rules concerning the duties and functions of the audit officers will require the approval of the Auditor-General. |
| 9 | This is a re-draft of paragraph 61 of the Public Works Department Code, 10th Edition necessiated by the fact that in Tamil Nadu, the Chief Engineer is responsible for the control and assessment of such irrigation and navigation revenue as is collected in the Public Works Department only-vide paragraphs 254 and 256 of the Tamil Nadu Public Works Account Code. | |
| 10 and 11 | These paragraphs are the same as paragraphs 62 and 63 of the old Code | |
| 12 | This is new and is based on the orders passed on the recommendations of the Public Works Inquiry Committee. | |
| 13 and 14 | These paragraphs are the same as paragraphs 64 and 65 of the old Code except for a slight verbal modification of the latter. G. O. Ms. No. 2928, P.W. dated Ist December 1941 | |

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, etc. (2) | Remarks (3) |
|---|---|---|
| 15 to 17 | These paragraphs are based on paragraphs 66 and 67 of the Public Works Department Code, 10th Edition | Any modifications in the rules concerning the duties and functions of the Audit Officers will require the approval of the Auditor-General. |
| 18 to 20 | These are administrative point. Paragraph 18 is a reproduction of paragraph 68 of the old Code. Paragraphs 19 and 20 are new G. O. No. 2609, P.W., dated 11th November 1936 and No. 1915, P.W., dated 17th August 1936. | |
| 21 | This is a re-draft of old paragraph 69 - vide also explanation under paragraph 9. | |
| 22 | Repeats paragraph 70 of the old Code. | |
| 23 | This is new paragraph modifying the duties and powers of the Superintending Engineers in regard to Local Fund and Municipal Public Works and the inspection of trunk roads. | |
| | This is the same as old paragraph 70, with the reference to local allowances deleted, as the grant of the same is regulated under the Fundamental Rules. | |
| 25 | Is reproduction of the first sentence of old paragraph 72. The reference in the old Code to the powers of the local Government to create additional temporary divisions has been omitted, as their powers are now subject to the limits laid down in schedule III to the Devolution Rules. | |
| 26 | This paragraph is merely a reproduction of paragraph 73 of the old Code. | The portion relating to the execution of military works can be amended by the local Government only in consultation with the Government of India. |

| | | |
|---|---|---|
| 27 | Reproduces paragraph 74 of the old Code with slight verbal changes. | |
| 28 | Deals with care of vacant lands and codified local orders. | |
| 29 | G. O. Ms. No. 70, W, dated 11th January 1929. | |
| 30 | Repeats paragraph 76 of the old Code. | |
| 31 | Is a financial rule taken from old paragraph 77. | |
| 32 | Repeats old paragraph 78. | |
| 33 | Is based on pragraphs 79 and 80 of the old Code and defines the division of responsibility between the Executive Engineer and the Divisional Accountant. | This paragraph may be amended only with the concurrence of the Auditor-General. |
| 34 and 35 | Are account and audit rules and reproduce paragraphs 97 and 103 of the Government of India, Public Works Account Code. These paragraphs have been embodied inthe Department Code also in order to bring together all the duties of the Executive Engineer in one place. | These may be amended only by the Auditor-General. |
| 36 | This paragraph and note 1 thereunder reproduce the substance of paragraph 82 of the Public Works Department Code, 10th Edition. G. O. No. 2198, W,. dated 29th August 1931. Note 2 codifies (the principle in paragraph 142 of the Works Audit Department Manuel, Note 3 codifies) and order of the local Government exempting famine relief works from the operation of the general rule in this paragraph. | |
| 37 | Contains the substance of old paragraph 81. | |
| 38 | Is the same as paragraph 83 of the old Code. | |
| 39 | This is a new paragraph fixing on the Executive Engineer the responsibility for the purchase, manufacture, care and disposal of stores in, or required for, his division. The necessity for the rule is obvious. G. O. No. 1153, W., dated 27th April 1928. | |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| 40 | Contains merely a delegation of powers. | |
| 41 | Defines the control of the Executive Engineer over his non-gazetted subordinates. G. Os. No. 2383, W., dated 14th November 1932 and No. 2609 P. W., dated 11th November 1936. | |
| 42 | Is the same as paragraph 84 of the old Code and is based on a rule in the Resource Manual. | The Controller of the Currency. |
| 43 | Same as paragraph 85 of the old Government of India Code revised with reference to item 6, Part II, Schedule I of the Devolution Rules. The second sub-paragraph contains an Agency rule. | |
| 44 | This is a re-draft of paragraph 86 of the old Code. | |
| 45 | Codifies the Executive Engineer's responsibility in technical matters. | |
| 46–48 | Re-produce paragraphs 87 to 89 of old Code and contain administrative instructions of the Government of India. | Government of India. |
| 49 | Repeats paragraph 90 of the old Code. G. Os. N. 2383, W., dated 14th November 1932, Ms. No. 1924, P. W., dated 14th September 1933 and No. 2609, P. W., dated 11th November 1936. | |
| 50 | This is a new paragraph stating a fact. | |
| 51 | Is re-draft of paragraph 107 of the old Code, but the restrictions in the latter have been deleted, as they are no longer binding on the local Government. | |

52 and 53 — Contain the substance of paragraphs 127 to 135 of the old Code revised with reference to the Fundamental Rules.

54–57 — These contain a re-draft of paragraphs 139 and 140 of the Public Works Department Code, 10th Edition, amplified, with reference to local orders. G. Os. No. 1311, W., dated 16th June 1927, No. 1751, W, dated 13th August 1927, No. 8, dated 5th January 1928, No. 3354, W. dated 19th November 1929 and No. 2149, W., dated 15th October 1932.

58 — Is based on paragraph 141 of the old Code and notes 6 (c) and 9 under paragraph 122 of the Works Audit Manual.

59 — Based on paragraphs 142-143 of the old Code and codifies an existing delegation.

60 — Is based on paragraph 99 of the Public Works Department Code, 10th Edition, and note 7 (iv) (a) under paragraph 122 of the Works Audit Manual and merely codifies existing delegations.

61 — Based on note 2 under paragraph 122, Works Audit Department Manual. G. O. Ms. No. 1028, W., dated 11th May 1933, No. 2447, W., dated 10th November 1933 and No. 406, W,. dated 16th February 1934.

62 — This is a re-production of paragraph 301 of the Public Works Account Code, Slightly modified with reference to be the subsidiary rules under rule 44 of the Fundamental Rules, note 4 under paragraph 122 of the Works Audit Manual, and G. Os. No. 1970, W., dated 23rd December 1925, No. 1485, W., dated 12th October 1926, R. No. 1222, W. dated 26th November 1926, No. 988, W., dated 4th May 1927, No. 3176, W., dated 15th December 1928, No. 3296, W. dated 13th November 1926, No. 2548, W., dated 9th October 1931, Ms. No. 116 W., dated 16th January 1933, No. 1506, W., dated 11th July 1933, No. 1234, P. W., dated 17th June 1938 and Ms. No. 729 P. W. dated 22nd March 1941.

62–B — G O No. 4219 P. W. dated 18th October 1951.

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, etc. (2) | Remarks. (3) |
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| 63 and 64 | Are the same as paragraphs 144 and 145, Public Works Department Code, 10th Edition. | |
| 65—70 | Replace paragraphs 146 to 153 of the old Code and contain administrative and financial rules of the Local Govermnent regarding medical establishments for the Public Works Department. | |
| 71 | Is taken from paragraph 145 of the Public Works Department Code, 10th Edition, and states one of the conditions of service of an All India Service Officer laid down by the Government of India with the approval of the Secretary of State. | |
| 72 | Is the same as paragraph 155 of the old Code and may be amended by the Local Government only to the extent it dose not conflict with the Government Servants Conduct Rules. | |
| 73 | Contains the substance of paragraph 156 of the old Code and reiterates the substance of Fundamental Rules II and 46 to 48 Gos. No. 1241, W., dated 13th September 1926, No. 2204, P. W., dated 9th September 1939, No. 2248, P. W., dated 9th June 1950 and No. 2644, P. W., dated 11th July 1950. | The paragraph may not be amended by the Local Governments so as to conflict with the Fundamental Rules. |
| 74 and 75 | Are the same as paragraphs 157 and 158 of the old Code. | |
| 76 and 77 | Reproduce paragraphs 159 and 160 of the Public Works Department Code 10th Edition, G. O. Ms. No. 194, Finance, dated 21st July 1941. | These paragraphs may be revised by the local Government subject to the provisions in the canons of financial propriety. |
| 78 | Contains the substance of paragraph 162 of the old Code. | |

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| 79 | This is a new paragraph based on the Government of India Public Works letter No. 605 A. G. dated 9th December 1919 and G.O. No. 666, Finance, dated 21st July 1920. | |
| 80 | This is a statement of facts. | Stationery required for use by the local Government being a provincial subject, it is open to the local Government to frame any rules they like on the supply of stationery and printing and supply of forms subject to the condition that no account forms may be altered without the concurrence of the Auditor-General. |
| 81 to 83 | Reproduce old paragraphs 163, 166 and 168, respectively. G. O. No. 1413, W., dated 7th October 1926. | |
| 84 | Is based on paragraph 169 of the old Code and the Auditor-General's letter No. 798, Adm. 429-24, dated 8th June 1925. | The Auditor-General should be consulted in regard to account records and the law Officers in regard to the destruction of particular documents. |
| 85 to 87 | Are the same as paragraphs 170, 171 and 173 of the Public Works Department Code, 10th Edition. G.O. No. 2756, P.W., dated 30th November 1936. | |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| | CHAPTER II | |
| | *Works.* | |
| 88–93 | These paragraphs describe the classification of the operations of the Public Works Department and are in substitution of paragraphs 174 to 177 of the Public Works Department Code, 10th Edition. G. O. No. 1878, W., dated 4th December 1925, issued with the concurrence of the Accountant- General on behalf of the Auditor-General, G. Os. No. 1589, W., dated 28th May 1930, 2812, W., dated 4th October 1930, 1665, Ms. W., dated 27th June 1931, 2575, I., dated 13th October 1931, 2675, W., dated 26 th October 1931, 45, W., dated 6th January 1932, 613, W., dated 12th March 1934, 1656, W., dated Ist August 1934, 419, W., dated 17th February 1936, 2265, P.W. dated 28th September 1936 and 1676, P. W., dated 7th July 1939. | No charges can be made in the classification of works as "Original works, or Repairs" without the concurrence of the Auditor-General, as they affect to Finance and Revenue account of the Government of India. |
| 49 | G. Os. No. 2314, W., dated 15th September 1928 and Ms. No. 2356, W., dated 30th October 1934. | |
| 95–97 | These deal with works in charge of Civil Officers and codify the orders of His Excellency the Governor under item 6 (a) of Schedule II of the Devolution Rules and the Financial Rules issued in connection there with G. Os. Nos. 1470, W., dated 16th September 1925, 1427, W., dated 11th September 1925, 816, W., dated 18th July 1924, 633, Finance, dated 23rd July 1925, 1985, W., dated 20th December 1926, 1178 W., dated 27th May 1927, 727, W., dated 10th March 1928 Ms. 866 W., dated 14th March 1929. 1408, W., dated 29th June 1927 | |

1730, W., dated 12th July 1928, 2924, W., dated 16th October 1929, 3050, W., dated 26th October 1929, 3174, W., dated 10th November 1930, 393, W., dated 15 th February 1932, 1117, W., dated 23rd May 1932, 2078, W., dated 21st September 1933, Govermnent Memo. No. 3263-C-1, dated 7th October 1933, 388, W., dated 15th February 1934, 691, W., dated 19th March 1935, 1029, W., dated 29th April 1935, 87, W., dated 10th January 2909, P. W., dated 17th December 1936, 151, P. W. dated 25th January 1937, 10. P. M. dated 4th January 1938, 541, P. W., dated 17th March 1938, 984, P. W., dated 19th April 1939, 1122, P. W. dated 4th May 1939, 2839, P. W. dated 12th December 1939, Chief Engineer's No. 4265, Works-39 C. P. dated 20th December 1939, G.Os. Nos. 812, P. W., dated 22nd April 1940 292, P. W., dated 10th February 1940, 2551, P. W. dated 20th November 1940, Ms. 2803, W., dated 14th December and Ms. 1288, P. W., dated 23rd May 1941, G. O. No. 4597, P. W., dated 12th November 1952.

98 Details cases of Civil Officers executing civil works as Public Works Disbursers G. Os. No. 1470, W., dated 16th September 1925, 1431, W., dated 12th September 1925, 453, W., dated 13th February 1929, 1717, W., dated 10th June 1939 and 2814, P. W., dated 14th December 1940.

99 to 102 Contains the substance of paragraphs 178 to 183 of the Public Works Department Code 10th Edition and the local orders regarding the preparation of rough plans and estimates. G. O. No. 12, W., dated 4th January 1923, Government P. W. D. Memo. No. 233-C. dated 10th January 1923, G. O. No. 3107, W., dated 5th November 1930, Chief Engineer's memo No. 1805, W., Ks 31 C. P. dated 26th June 1931. G. Os. Nos. 3202, W., dated 21st December 1931, 867, W., dated 14th April 1932 and Ms. 2928, P. W., dated Ist December 1941.

103 This is a new paragraph and contains the substance of paragraph 382 of the Madras Treasury Manual Volume I, G. O. No. 1470, W., dated 16th September 1925.

104 Needs no comment.

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Dwepartment Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks. (3) |
|---|---|---|
| 105 to 107 | Codify the substance of paragraphs 184 to 187 of the Public Works Department Code, 10th Edition as modified by the ordres of Government contained in G.os. Nos. 183, W., dated 12th February 1924 and 1388, W., dated 9th December 1924. | |
| 108 | Deals with petty original works costing less than Rs. 1,000. This codifies the substance of paragraph 188, Public Works Department Code, 10th Edition. | |
| 109 | This is in revision of paragraph 189, Public Works Department Code, 10th Edition to avoid needless repetition. | |
| 110 and 111 | Contain the substance of paragraphs 190 and 191 of the old Code. | |
| 112 | Is based on paragraph 192 of the old Code and paragraph 330 of the Public Works Account Code. | |
| 113 to 116 | Codify the substance of rules in paragraph 193 of the Public Works Department Code, 10th Edition, paragraph 133 of the Works Audit Manual and paragraph 366 of Public Works Account Code, G.Os. Nos, 1942, W., dated 4th September 1934 and 2426, W., dated 8th November 1934.. | |
| 117 | Contains the substance of paragraph 196 of the Public Woiks Account Code, 10th Edition and paragraph 141-B of the Works Audit Manual. G. Os. No. 183, W., dated 12th February 1924, 1806, W., dated 19th August 1927 and Ms. 3387, P. W., dated 18th September 1942. | |
| 118 | Needs no comment. G. O. No. 1153, W., dated 27th April 1928 | |
| 119 | Same as paragraph 198 of the Public Works Department Code 10th Edition. | |

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| 120 | This is a new paragraph regarding the responsibility of Public Works Officers for the preparation of structural designs. G. O. No. 1022, W., dated 13th September 1924. | |
| 121 | This is a new paragraph and codifies an obviously necessary adiministrative instruction G. O. No. 384, P. W., dated 26th February 1940. | |
| 122-124 | Reproduce the executive instructions in paragraphs 805 to 205 of the Public Works Department Code, 10th Edition, G. O. No. 3169 W., dated 16th December 1931. | The instructions in the latter part of paragraphs 122 and 123 may not be amended without the concurrence of the Government of India. |
| 125 | Contains the substance of paragraph 111 of the Works Audit Department Manual. | |
| 126 | Reproduces the substance of the Government of India order contained in paragraph 211 of the old Code and follows from rule 12-A of the Devolution Rules. | The substance of this may not be altered without the concurrence of the Government of India. |
| 127 .. .. | Is the same as paragraph 209 of the Public Works Department Code, 10th Edition, codifying the procedure laid down by the Government of India for submission to them of project requiring their sanction. | This paragraph can be amended only under the orders of the Government of India. |
| 128-130 .. .. | Contain the procedure laid down for the preparation of estimates for new lines of roads and bridges. Paragraph 128 is taken from paragraph 210 of the Public Works Department Code, 10th Edition, G. O. No. 2543, P. W., dated 26th October 1939. | |
| 131 and 132 .. | Codify with slight alterations the executive instructions in paragraphs 218 and 219 of the old Code, for the preparation of estimates for town supply projects. | |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| 133—135 .. .. | Define the terms "Special" and "Ordinary repairs" and codify the order in G. O. No. 1878, W,. dated 4th December 1925, issued in consultation with the Accountant-General on behalf of the Auditor-General. They replace the rules in paragraphs 220 to 222 of the Public Works Department Code, 10th Edition. G. Os. Nos. 1776, W., dated 16th August 1927, Ms. 1589, W., dated 28th May 1930 and 2575, I,. dated 13th October 1931. | This rule is issuable by the Auditor-General. |
| 136—146 .. .. | Embody the substance of paragraphs 223 to 232, Public Works Department Code, 10th Edition, after revision with reference to the orders of the Local Government in regard to the preparation sanction and lapse of repair estimates. G. Os. Nos.1878, W., dated 4th December 1925, 496, I., dated 28th Septe mber 1925, 133, I., dated 4th March 1926, 96, W., dated 20th January 1926, 169, W., dated 9th February 1926, 1009, W., dated 12th August 1926, 1560, W., dated 22nd October 1926, 1270, I., dated 10th June 1927, 1776, W., dated 16th August 1927, 1788, I., dated 6th November 1928, 1397, W., dated 28th September 1928, 1293, W., dated 26th April 1929. Public Works and Labour Department Memo No. 18831-B-I., dated 15th October 1929, G. Os. Nos. 167, I., dated 21st January 1930 (2075. I. dated 22nd October 1930, 3446, I. dated 8th December 1930) 1608, W., dated 19th June 1931, 1026, I., dated Ist May 1934, 20.I., dated 3rd January 1935, 2546, P. W., dated 2nd November 1936, 2011, P. W., dated 5th October 1937, 2408, P. W., dated 13th 1936, 885, P. W., dated 2nd May 1940, 2478, P. W., dated 14th November 1940., Ms. 1995, P. W., dated 3rd June 1948, 4656, P. W., dated Ist December 1948 and G. O. No. 703, P. H., dated 22nd February 1952. | The rules are mostly financial and paragraph 745 in so far as it relates to central Civil and Military works may not be amended without the concurrence of the Government of India. |
| 147 .. .. | Is based on paragraph 233 of the old Code, modified with reference to the G. Os. Nos. 1022, W., dated 13th September 1924, 96, W., dated 20th January 1926, 169, W., dated 9th February 1926 and 2160, P. W., dated 15th September 1936. | |

148 .. .. Contains a general principle contained in note (e) to paragraph 79 (3) of the Works Audit Department Manual.

149 .. .. Same as paragraph 234 of the old Code.

150 ... .. This is a combination of paragraphs 148 and 152 and 152-A to 152-D of the 1929 (Reprint) Edition of the Madras Public Works Department Code with the exception of the portions pertaining to the schedule contract (K-I) system, which has been abolished.

The definition of the piece work system (Method II) in the revised paragraph is simplified by giving reference to the conditions ,etc., in the piece work contract form P.W.D. V-51. A sentence has been added under "method (ii)" laying it down that this method should be ordinarily confined to cases of original works and improvements and reparis costing Rs. 2,500 or less. This follows the proposal made to Government in this office letter No. 766-Wks. 32-2, dated 3rd July 1933. Provision is also made for the adoption of this system even for original works costing above Rs.2,500 in the Agency or similar tracts, were good contractors are not normally available. The last sentence under method (ii) in the revised paragraphs is a reproduction of clause (f) of paragraph 182 of the 1929 (Reprint) Edition of this Code. Method (iii) in the revised paragraph is the new contract system approved in G. O. No. 1661, W., dated 24th June 1931. The details of this system are explained in the preliminary specification of the Madras Detailed Standard Specifications, the connected forms of articles of agreement, tender notice and tender and the bill forms. Reference to these documents is given in the revised paragraph to avoid useless repetition without defining there in the system as in paragraphs 152 to 152-Dof the 1929 (Reprint) Edition of this Code.

In the revised paragraph 150, the provisions of paragraphs 162 and 163 of the 1929 (Reprint) Edition of this Code have been incorporated with one modification, viz.,that even in the case of piece work contracts the contract accepting authority may allow the contractor to supply the imported articles required for the works subject to certain conditions. This is done in view of the orders in paragraph 7 of G. O.

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks (3) |
|---|---|---|
| | No. 2777, W., dated 20th December 1933. Further in view of the large facilities (now available for the purchase of imported articles) in the market, it is not necessary that Government should reserve the supply of such articles in their hands provided the (pieceworkers are made to agree to supply for use on the works the) "specified kinds of articles". G. Os. Nos. 1981, W., dated 10th September 1934 and 1956, P. W., dated 13th August 1941. | |
| 151 .. .. | This follows paragraph 154 of the 1929 (Reprint) Edition of this Code with additional instructions considered necessary. The note under paragraph 154 of the 1929 (Reprint) Edition of this Code has been omitted as the specification for doors, etc., are given in the Madras Detailed standard Specifications. G. Os. Nos. 1981, W., dated 10th September 1934 and 1915, P. W., dated 17th August 1936. | |
| 152 .. .. | This is reproduction of paragraph 155 of the 1929 (Reprint) Edition of this Code as amended by G. Os. Nos. 901, W., dated Ist March 1930, 1981, W., dated 10th September 1934 and 1915, P. W., dated 17th August 1936. | |
| 153 .. .. | This is a combination of paragraph 156, the first three sentences of paragraph 164 and paragraph 153 of the 1919 (Reprint) Edition of this Code in a revised form G. O. No. 1981, W., dated 10th September 1934. | |
| 154 .. .. | This is a combination of paragraphs 157 and 158 of the 1929 (Reprint) Edition of this Code with certain omissions and additions. The last sub-paragraph of the revised paragraph 154 has been put into avoide the risk of having tenders tampered with after opening. | |

NOTE.—1. Follows G.O. No. 468, W., dated 23rd February 1934. It is stated in the revised note2 that the rule in note 1 is applicable to contracts for the supply of road quarry materials, as the stores Rules in Appendix15 to the Madras Financial and Account Code cannot be applied to such Materials. G.Os. Nos. 1981, W., dated 10th September 1934,2 612, W., dated 28th November 1934, 2749, W., dated 14th December 1934, 2327, W., dated 29th October 1935, P. W., dated 20th November 1936, 1993, P. W., dated 25th August 1936, 797,P. W., dated 15th April 1937, 1757, P.W, dated 14th July 1939, 316, P. W., dated 14th February 1940 and G.O. No. 586, P. W.,dated 13th February 1953.

155 .. .. This is paragraph 159 of the 1929 (Reprint) Edition of this Code in slightly modified form G. Os. Nos. 1981, W., dated 10th September 1934, 1944, W., dated 3rd September 1934 and 2689, P. W., dated 20th November 1936.

156 .. .. Same as paragraph 160 of the 1919 (Reprint) Edition of this Code, amended by G. O. No. 901, W., dated 18th March 1930 with the addition thereto of the orders in paragraph 2(c) of G. Os. Nos. 468, W., dated 23rd February 1934 and 1981, W., dated 10th September 1934.

157 .. .. This takes the place of paragraph 161 of the 1929 (Reprint) Edition of this Code in a simplified form as the necessary details can be found in the contract forms. G. O. No. 1981, W., dated 10th September 1934

158 – 160 .. Same as paragraph 164-A, 165 and 166 of the 1929 (Reprint) Edition of this Code G. Os. Nos. 1981, W., dated 10th September 1934, 2612, W., dated 28th November 1934 and 914, P.W., dated 1st May 1937

161 .. .. This follows paragraph 167 of the 1929 (Reprint) Edition of this Code with the following modifications:

(*a*) Clause (ii) has been re-worded.

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| | (*b*) Clause (iv) which is newly put in here is a reproduction of clause (d) Code of paragraph 182 of the 1929 (Reprint) Edition of this G. Os. Nos. 1791, W., dated 10th September 1934 and 934, P. W., dated 10th May 1938. | |
| 162—164 | Codify the financial rules contained in paragraph 250 of the Public Works Department Code, 10th Edition and the administrative and financial rules of the Local Government regarding the sale of Government land and immovable property contained in paragraph 63(a) (1) (2) and note (1) under paragraph 108 of the Works Audit Department Manual. G.O. No. 546, W., dated 23rd February 1928. | |
| 165 | Same as paragraph 251 of the old Code. | |
| 166—168 | Are based on paragraphs 252 and 253 of the old Code after revision G. O. Ms. No. 682, dated 19th March 1934. | |
| 169—172 | These embody paragraphs 254 to 257 of the old Code with slight alterations. The reference to the procedure applicable in the case of land taken up for military works in paragraph 255 of the old Code has been deleted, G. O. Ms. Nos. 682, W., dated 19th March 1934, 1375, P. W., dated 13th July 1943 and G. O. No. 137, P. W., dated 10th January 1950. | Paragraph 171 can be revised only by the Government of India. |
| 173 | Contains the substance of the first portion of paragraph 258 of the old Code. See also paragraph 177 of this Code. G. O. Nos. 2377, Revenue, dated 12th November 1929 and 1097, Revenue, dated 21st May 1931. | |
| 174 and 175 | These embody the main principal contained in paragraph 145 of the Works Audit Department Manual after suitable corrections so as to avoid repetition, and G. O. Nos. 362, W., dated 10th March | |

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| | 1925, 1252, W., dated 18th August 1925, 1776, W., dated 16th August 1927, 2323, W., dated 19th September 1928, 2377, Revenue, dated 12 th November 1929 Chief Engineer's Memo No. 3360-A.C/30, C. P., dated 17th November 1930, G. O. Nos. 1097, Revenue, dated 21st May 1931, 1660, Revenue. dated 4th August 1931, 2356, W., dated 16th September 1931 and 1981, W., dated 10th September 1934. | |
| 176 .. .. | Is based on paragraphs 140 and 146 of the Works Audit Department Manual revised with reference to G. Os. Nos. 1286, W., dated 11th November 1924, 2006, W., dated 14th August 1928, 2569, W., dated 11th September 1930, 198, W.. dated 10th September 1934, 4676, P. W., dated 14th December 1949 and G. O. No. 4249, P. W., dated 18th November 1950. | |
| 177 .. .. | Codifies the substance of the latter portion of paragraph 258 of the old Code and the orders of Government contained in G. Os. No. 858, W., dated 22nd June 1925, and Ms. No. 779, W., dated 11th June 1925. | |
| 178 .. .. | This is based on paragraph 147 of the Works Audit Department Manual and G. Os. Nos. 856, W., dated 5th August 1924 and 363, W., dated 11th March 1925. | |
| 179 and 180 .. | Same as paragraphs 260 and 261 of the old Code. | |
| 181 .. .. | Based on paragraph 382 of the Madras Treasury Manual, Vol. I, G. O. No. 1470, W., dated 16th September 1925. | |
| 182—186 .. | Codify the substance of paragraphs 262 ,424 to 426 and 263 of the Public Works Department Code, 10th Edition G. O. No. 1293, W., dated 26th April 1929. | Paragraph 182 in so far as it concerns projects sanctioned by the Secretary of State can be amended only by that authority. |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| 187 and 188 .. | Contain the substance of paragraphs 264 to 266 of the Public Works Department Code, 10th Edition. | Paragraph 188 may not be amended without the sanction of the Government of India. |
| 189 .. .. | Same as paragraph 267 of the old Code. | |
| 190 .. .. | Is based on paragraph 277 of the old Code. | |
| 191—195 .. | These are the same as paragraphs 268 to 272 of the old Code, G. O. Ms. No. 70, W., dated 11th January 1929. | |
| 196 .. .. | Is a new paragraph embodying the substance of G. Os. Nos. 597, P. H., dated 9th April 1923, 126, P. H. (L. S. G.) dated 28th January 1924, and 1654, W., dated 29th July 1933. | |
| 197 .. .. | Is based on paragraph 275 of the old Code Note 1 under paragraph 83 and sub-paragraph (15-A) under paragraph 103 of the Works Audit Department Manual and G. O. No. 308, W., dated 16th March 1926, P. W. D. Memorandum No. 1339-C/23, dated 6th March 1926 G. Os. Nos. 1198, W., dated 6th September 1926, 2377, Revenue, dated 12th November 1929, 1185, Revenue, dated 25th June 1930, 2262, W., dated 31st October 1932 and 1981, W., dated 10th September 1934. | |
| 198 .. .. | Based on paragraphs 276 and 277 of the old Code. | |
| 199 .. .. | Contains the substance of paragraph 278 of the old Code. | This patragraph can be amended only by the Government of India, as the survey of India is under their control. |

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| 200 .. .. | G. O. No. 2444, W., dated 30th August 1930. | |
| 201—208 .. | These relate to contribution or deposit works and incorporate, after simplification the rules in paragraphs 280 to 284 of the old Code and paragraphs 59 and 86 of Works Audit Department Manual and G. Os. Nos. 68, I., dated 10th January 1927, 2074, W., dated 21st September 1927, 1011, I., dated 11th April 1928, 454, I., dated 5th November 1917, 7-I, dated 7th January 1921, 2213, W., dated 5th September 1928, 2620, I., dated 19th October 1928, 208, I., dated 25th January 1929, 135, W., dated 16th January 1930, 1870, W dated 27th June 1930, 2528, W., dated 6th September 1930, 3003, I., dated 24th October 1930 1159 W., dated 30th April 1931, 1473, W., dated 11th July 1932, 1126, I., dated 11th May 1936, 1613, I dated 11th July 1936, 837, P. W., dated 26th April 1938, 675, P. W., dated 31st March 1938, 2192, P. W., dated 12th October 1938, 2127, P. W., (Irrigation), dated 5th October 1940 and 491, P. W., (Irrigation), dated 28th February 1941 and Memorandum No. 1182/D/41-2, P. W., dated 21st April 1941. | Subject to the due observance of the rules (see paragraph 474 of the Madras Public Works Account Code) regarding transaction falling under the head "Deposits" which is central, it is open to the Local Government to amend these rules regarding the procedure to be adopted etc. |
| 209 .. .. | Is based on notes (11) to (13) under paragraph 86 of the Works Audit Department Manual, after simplification. | |
| 210 .. .. | Based on paragraph 134-C of the Works Audit Department Manual and G.Os. Nos. 560, I., dated 26th October 1925, 1776, W., dated 16th August 1927, and 459, I., dated 14th February 1923, and Memorandum No. 3919, V/42-I, P. W., dated 30th October 1942. | |
| 211 | Reproduces paragraph 285 of the old Code | |
| 212 .. .. | This is based on paragraph 286 of the Code and Government Public Works Department Memoranda Nos. 635-Wks. A 24-C, P., dated 10th April 1924 and 2834 Wks. A. 24, C. P., dated 28th November 1924, issued with the concurrence of the Accountant General. See remarks. | As this paragraph deals with communication of sanction to the Audit Office it can be amendment only with concurrence of Auditor-General. |
| 213 .. .. | Same as paragraph 287 of the old Code. G. Os. No. 1691, W., dated 8th June 1929 and 2008, W., dated 15th July 1929. | |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| 214 .. .. | Contains the substance of paragraphs 288 to 290 of the old Code. G. O. Ms. No. 3086, P. W., dated 21st July 1953. | |
| 215 .. .. | Contains the substance of paragraph 291 of the old Code. | |
| 216—220 .. | Contians the substance of paragraphs 292 of the old Code and 129 of the Works Audit Department Manual and G.O. No. 2974, W., dated 21st September 1927, | Any modification of these rules should be subject to observance of instructions issued by the Auditor-General regarding submission of complete Reports. |
| 221 and 222 .. | Are based on paragraphs 293 and 294 of the old Code. Paragraph 295 of the old Code has been deleted as Superflous. | |
| 223 and 224 .. | Reproduce paragraphs 296 and 297 of the old Code with slight verbal alterations. | |

## CHAPTER III

### Public Buildings.

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| 225—227 .. | These are based on paragraphs 298 to 300 of the Public Works Department Code 10th Edition. | |

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| 228 .. .. | Is based on paragraph 20 of the Works Audit Department Manual as amended by G. O. Nos. 1165, W., dated 15th October 1924, 3441, W., dated 25th November 1929 and 2136, W., dated 13th October 1932 and G.O. Ms. No. 2532, P. W., dated 22nd August 1947. | |
| 229 .. .. | Is based on paragraph 301 of the old Code and paragraph 11 of the Works Audit Department Manual and G. O. Nos. 1776, W, dated 16th August 1927, 1849, W, dated 25th August 1927, 2074, W., dated 1st September 1927, 2924, W., dated 16th October 1929 2626, W., dated 16th September 1930, 363, W., dated 15th February 1932, 541, P. W., dated 17th March 1918 and 1237, P. W., dated 16th May 1939. | |
| 230 .. .. | This is based on paragraph 302 of the Public Works Department Code 10th Edition, revised with reference to note (1) under paragraph 4 (h) of the Works Audit Department Manual, G. O. No. 2406, W., dated 22nd September 1931. | |
| 231 and 232 .. | These codify notes (ii) and (iii) under paragraph 4 (h) of the Works Audit Department Manual and P.W.D. Memo No.1671-Wks, A. 24 C. P. dated 13th September 1924, G. O. Nos. 2306, W., dated 14th August 1929, Ms. 1518, P. W., dated 23rd June 1941 and 4662, P. W., dated 2nd December 1948. | |
| 233 .. .. | This is based on paragraph 303 of the Public Works Department Code 10th Edition, and paragraph 116 of the works Audit Department Manual, G. O. Nos. 798, P. W., dated 21st April 1938, 1589, P. W. dated 3rd August 1937 and 1583, P.W., dated 26th June 1939, G. O. Ms. No. 2986, P. W., dated 11th July 1953. | The revision of the rules in this paragraph will be subject to the condition that the furniture grant of His Excellency the Governor is not increased. |
| 234 .. .. | Codifies paragraph 304 of the Public Works Department Code, 10th Edition. | |
| 235—238.. .. | These paragraphs deal with sale and dismantlement of provincial buildings. They are based on paragraph 305 of the Public Works Department Code 10th Edition, and paragraph 63 (a) (3) to (5) of the Works Audit Department Manual G. O. Nos. 1235, W., dated | |

| Paragraph number of the Tamil Nadu Puplic Works Department Code, (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks (3) |
|---|---|---|
| | 5th November1924 and 1976, W., dated 31st December 1925, Public Works Department Memo. 9319, C-26. 1, dated 27th August 1926 G. O. Nos. 1631. W., dated 2nd July 1928, 3115, W., dated 5th November 1930, 832, W., dated 24th March 1931 and 1281 W., dated 12th June 1924. | |
| 239 .. .. | This is based on notes (2) and (3) under paragraph 64 of the Works Audit Department Manual and note under rule XII to paragraph 325 of the Public Works Department Code, 10th Edition. G. O. No. 1366, W., dated 24th June 1927. | |
| 240—242 .. | These paragraphs deal with the hire of Office accommodation for Public Works Department and are based on paragraph 306 of the old Code and notes (3) and (4) under paragraph 60 of the Works Audit Department Manual with some slight modification, G. O. Nos. 1369, W., dated 23rd June 1933 and 2043, P. W., dated 3rd June 1949. | |
| 240-A .. .. | G. O. No. 1483, P. W.,dated 11th April 1951 | |
| 243 .. .. | Same as paragraph 307 of the Public Works Department Code, 10th Edition. | |
| 244 .. .. | This deals with the recovery of rent from local bodies provided with Office accommodation in Government buildings and is based on the orders contained in note (21) under paragraph 87 and paragraph 15-B of the Works Audit Department Manual. G. O. Nos. 1178, W., dated 27th May 1927, 1540, W., dated 9th June 1931, 2626, W., dated 20th October 1931, 3202, W., dated 21st December 1931 and 991, W., dated 3rd May 1932. | |

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| 245 .. .. .. .. | G. O. Nos. 1178, W., dated 27th May 1927, 2363, W., dated 18th October 1927, 2488, W. dated 2nd September 1929, 3050, W., dated 26th October 1929, 3401, W., dated 21st November 1929, 3555, W., dated 5th December 1929, 805, W., dated 3rd April 1933, 2263, W., dated 19th October 1933 26., W., dated 28th November 1934, 2688, P. W., dated 24th December 1937, 1757, P. W., dated 27th August 1937, 2870, P. W., dated 26th November 1941 and 1663, P. W. (Irrigation), dated 7th July 1941. |
| 246 .. .. | Codifies the substance of parapraph 308, Public Works Department Code, 10th Edition and note (10) under paragraph 62 of the Works Audit Department Manual. |
| 247 and 248 .. | These reproduce paragraphs 309-310 of the old Code. |
| 249 .. .. | Codifies the orders of Government regarding the custody of vacant Government buildings contained in rule (2) under paragraph 113 of the Works Audit Department Manual. |
| 250 .. .. | G. O. No. 2260, W., dated 11th September 1928 |
| 251 .. .. | G. O. No. 2260, W., dated 11th September 1928 |
| 252 .. .. | Codifies the principle in paragraph 113 (1) of the Works Audit Department Manual, G. O. Nos. 1117, W., dated 17th May 1927 3080, W., dated 29th October 1929, 731 W., dated 28th February 1930, 187, W., dated 23rd January 1933, Chief Engineer's Memo No. 435/Rk. 33 C. P., dated 1st November 1933, G. O. Nos. 1934, W., dated 3rd Septenber 1934 and 161, P. W. dated 24th January 1940. |
| 253 .. .. | G. O. Nos. 1691, W., dated 8th June 1929, 56 W., dated 6th January 1933, 1769, W., dated 12th August 1933 and Chief Engineer's Memo. No. 435/Rk. 33, C. P. dated 1st November 1933. |
| 254 .. .. | Contians the substance of paragraph 313 of the old Code so far as provincial works are concerned. |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | 3) |
| 255 .. .. | G. O. Nos. 1686 W., dated 9th July 1928, 1896, W., dated 17th June 1931 2312, P. W., dated 10th November 1937, 1628, P. W., dated 2nd August 1940, 2530, P, W., dated 19th November 1940 and 2928 P. W., dated 1st December 1941. | |
| 256 .. .. | Embodies paragraph 26-B of the Works Audit Department Manual, G. O. Mis. No. 1180, W., dated 8th August 1925, with slight modifications, No. 866, P. W., dated 26th April 1937, G. O. Ms. No. 2565, P. W., dated 28th October 1939 and 2078, P. W., dated 27th August 1941. G. O. Ms. No. 3675, P. W., dated 2nd September 1952. | |
| 257 and 258 .. | Are based on paragraph 314 of the Public Works Department Code, 10th Edition and paragraphs 8, 9, 9-A and 9-B of the Works Audit Department Manual affter revision with reference to item (6) (a) of Part II of Schedule 1 of the Devolution Rules in consultation with Superintendent, Archaeological Survey, Southern Circle, G. O. Nos. 1776, W., dated 16th August 1927, 112, W., dated 17th January 1928 and 1182, P. W., dated 23rd December 1937. | These paragraphs may not be amended except by or with the concurrence of theGoverner-General in Council so far as protected monuments are concerned. |
| 259 .. .. | Reproduces paragraph 316 of the Public Works Department Code, 10th Edition and codified the existing arrangement. | |
| 260 .. . | This contains a revision of paragraph 317 of the Public Works Department Code,10th Edition. Annual inspection on public buildings by the Superintending Engineer has not been prescribed in Madras as owing to the extensive limits of his Jurisdiction, it is almost impossible for the superintending Engineer to inspect esch building once a year G. O. Nos. 2211, P. W., dated 15th October 1938, 2665, P. W. dated 28th October 1938 and Ms. No. 2748, P. W., dated 11th November 1941. | |

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| 261 and 262 | .. | Reproduce paragraphs 318 and 319 of the old Code, G. O. No. 3898, P. W. dated 28th Sepember 1948 and 608, P. W. dated 21st February 1949. |
| 263-282.. | .. | G.O. Nos. 2026, W., dated 23rd December 1926, 1178, W., dated 27th May 1927, 1391, W, dated 26th May 1928, 499, Finance, dated 16th July 1928, 1929, W., dated 7th August 1928, 2535, W., dated 15th October 1928, 774, Finance, dated 2nd November 1928, 2306, W., dated 8th November 1928, 3092 W., dated 8th December 1928. Mis. 167, Finance, dated 27th February 1929, 178, Finance, dated 4th March 1929, 183, Finance, dated 26th February 1926, 220, Finance, dated 9th March 1929, 2445, W., dated 30th August 1929, 1558, W, dated 28th May 1929, 2488, W., dated 2nd September 1929, 459, Finance, dated17th June 1929, Public Works and Labour Department Memo No. 18831-B-I, dated 15th October 1929, G. O. Nos. 3050, W., dated 26th October 1929, 3401, W., dated 21st November 1929,, 838, Finance, dated 28th November 1929, 3555, W., dated 5th December 1929, Government of India, Finance Department, Notification No. F-3 (57) R.1-29 dated 25th February 1930, G. O. Nos. 979, W.. dated 25th March 1930, 382, Finance, dated 9th June 1930, 419, Finance, dated 24th June 1930, 482, Finance, dated 21st July 1930, R.. 1611, W., dated 23rd July 1930,R. 1850, W., dated 26th August 1930, 657, Finance, dated 14th October 1930, 769, Finance, dated 2nd December 1930, 3443, W., dated 8th December 1930, 899, W., dated 31st Mareh 1931,134, Finance, dated 8th May 1931, 1290, W., dated 11th May 1931, 361, Finance, dated 4th June 1931, 445, Finance, dated 8th July 1931, 1953, W., dated Ist August 1931, 2320, W., dated 21st December 1931, 239, W., dated 28th January 1932, 1147, W., dated 28th May 1932, 1961, W., dated 16th September 1932, 2135, W., dated 13th October 1932, 543, Finance dated 31st July 1932, 93, Finance, dated 16th February 1934, 97, Finance, dated 23rd February 1934, 441, Finance, dated 12th July 1934, 108, Finance, dated 26th February 1936, 45, Finance, dated Ist February 1936, 301, Finance, dated 15th June 1936, 500, Finance, dated 20th November 1936, 187, Finance dated 25th May 1937, 184, Finance, dated, 21st May 1937, 354, |

| Paragraph number of the Tamil Nadu Public Works Department Code, | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| | Finance, dated 28th September 1937, 280, Finance, dated 27th July 1937, 294, Finance, dated 10th August 1937, 107, Finance, dated 23rd March 1938, 144, Finance, dated 11th April 1938, 184, Finance, dated 16th May 1938, 209, Finance, dated 6th June 1938, 405,, Finance, dated 8th December 1938, 23, Finance, dated 28th January 1939, and 24, Finance, dated 30th January 1939, 168-F Finance, dated 1st June 1939, 203, Finance, dated 19th June 1939, 231, Finance, dated 10th July 1939, 244, Finance, dated 18th July 1939, 2023, P. W., dated 17th August 1909,850, P. W., dated 26th April 1940, 2445, P. W., dated 11th November 1940, 3898, P. W., dated 28th September 1948 and 608, P. W., dated 21st February 1949, 1509, P. W.., dated 24th July 1940, 803, P. W., dated 27th March 1941, 1142, P. W., dated 8th May 1941, 149, Finance, dated 2nd June 1941, 1663, P, W., dated, 7th July 1941, Ms. No. 3073, P. W., dated 18th December 1941. Ms. No. 441, P. W., dated 12th February 1942, 1180, P. W., dated 17th March 1943, 380, Finance, dated 15th March 1943,Memo. No. 9023, C. S. R. I. Finance, dated 4th May 1943, 3898, P. W., dated 28th September 1948, 608, P. W., dated 21st February 1949, Ms. No. 854, P. W., dated 2nd March 1953, Ms. No. 1934, P. W. dated 1st May 1953, Ms. No. 5194, P.W., dated 19th December 1952. | |
| 283 .. .. | This paragraph deals with the upkeep of the compounds attached to public buildings and is a reproduction of paragraph 126 of the Works Audit Department Manual with slight verbal alterations. G. O. No. 183, Finance, dated 26th February 1926. | |
| 284 .. .. | This is a new paragraph ragarding the enjoyment of the usufruct of trees situate in the compounds of Government residential buildings and is based on note (f) (1) and (2) under paragraph 78 (vii) (5) of the works Audit Departmental Manual. | |

285—287 .. These paragraphs deal with the maintenance of inspection bunglows and the recovery of casual rents therefor and are based on paragraphs 88 and 89 of the Works Audit Department Manual and G. O. Nos. 1790, W., dated 29th November 1912, and 196, W., dated 23rd February 1922.

288 .. .. This paragraph deals with the construction of ryots' sheds and is based on paragraph 12 of the Works Audit Department Manual (Public Works Department Memo. No. 638-Wks. A., 24/C.P., dated 5th November 1924).

289 .. .. This paragraph is based on note (35) under paragraph 87 of the Works Audit Department Manual, G. O. No. 1323, W., dated 20th November 1924 and 2625, P. W., dated 16th December 1937.

## CHAPTER IV.

*Miscellaneous rules regarding Office works excluding Accounts Procedure.*

290 and 291 .. These are based on paragraphs 331 and 332 of the Public Works Department Code, 10th Edition, with slight modifications due to the Casual Labour-roll being a regognized account in Madras G. O. No. 2507, W., dated 13th December 1933.

292—296 .. These relate to measurement books and are based on paragraphs 334 to 337 of the Public Works Department Code, 10th Edition and Chief Engineer's Circular Memo. No. 940-D, dated 22nd July 1904 paragraphs 132 and 135 to 138, Works Audit Department Manual, G. O. No. 1253, W., dated 18th August 1925; some of the connected rules have, however, been approriately incorporated in the Madras Public Works Account Code(*See* Paragraphs 293 to 297; G. O. Nos. 866, W., dated 27th March 1928, 2231, P. W., dated Ist November 1937 and 2838, P. W., dated 9th December 1936).

297 .. .. Is a re-draft of paragraph 338 of the old Code.

298 .. .. Is based on paragraph 339 of the old Code amended with reference to the note under paragraph 283 of the Madras Treasury Manual, Volume I, G. O. No. 1952, W., dated 4th July 1930.

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks. (3) |
|---|---|---|
| 299 .. .. | Contains the Local Government's orders regarding the responsbility of Government in respect of bills and cheques of officers and is based on paragraph 340 of the old Code and paragraph 50 of the Madras Treasury Manual, Volume I. G. O. No. 57, P. W., dated 6th January 1949, ,Memo. No. 2605-G. 149-2, P. W. dated 9th June 1949 and G. O. Ms. No. 70. P. W., dated 6th January 1950. | |
| 300—302 .. | Reproduce paragraphs 341 to 343 of the old Code with slight verbal changes. | |
| 303 .. | Is based on paragraph 161 of the Public Works Department Code, 10th Edition and the Local Government's orders in Notes (1) to (5) under paragraph 95 of the Works Audit Department Manual. G. O. No. 1337, W., dated 22nd June 1932 and 778, W., dated 28th March 1934. | |
| 304 .. .. | Is based on paragraph 344 of the Public Works Department Code, 10th Edition and paragraph 100 of the Works Audit Department Manual, G. O. Ms. No. 4136, P. W., dated 13th October 1951. | |
| 305 and 306 .. | Reproduce paragraphs 345 and 346 of the Code G. O. No. 1201, W., dated 12th April 1930. | |
| 307 .. .. | Embodies paragraph 347 of the old Code. The note under the paragraph contains an obvious financial principle. | |
| 308 .. .. | Codifies paragraph 137-A of the Works Audit Department Manual. | |
| 309 .. .. | Reproduces paragraph 348 of the old Code. | |
| 310 .. .. | G. O. No. 2115, W., dated 24th September 1927. | |

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| 311 .. .. | Is based on Instruction issed by the Accountant-General. | This rule is issueable by the Auditor-General. |
| 312 .. .. | This deals with the insidence of charges for the purchase and repair of the floating plant. | May be amended only with the concurrence of the Auditor-General. |
| 313 .. | Is based on paragraph 340 of the old Code and Public Works Department Memo. No. 4595 Ac. 24-C. P. , dated 2nd December 1924, G. O. No. 1153, W., dated 27th April 1928. | |
| 314 . .. | This deals with the insurance of English Stores and is based on paragraph 105-A of the Works Audit Department Manual and G. O. No. 71, Finance (Marine), dated 5th February 1923, G. O. Nos. 2419, W., dated 22nd October 1927 and 1153, W., dated 27th April 1928. | |
| 315 .. .. | Is a reproduction of paragraph 350 of the Public Works Department Code, 10th Edition. | |
| 316 .. .. | Is based on paragraph 4 (k) of the Works Audit Department Manual | |
| 317—320 .. | These are based on paragraphs 351 to 355 of the old Code. | |
| 321 .. .. | Is based on paragraph 130 (4) of the Works Audit Department Manual. | |
| 322 .. .. | Same as paragraph 356 of the old Code. | |
| 323 .. .. | Is based on paragraphs 357 and 358 of the old Code and 157-A of the Works Audit Department Manual. | |
| 324 .. .. | Is based on paragraph 360, Public Works Department Code, 10th Edition'. | |
| 325 and 326 .. | Are based on paragraphs 361 to 364 of the old Code. | |
| 327 .. .. | Is based on the note to paragraph 156 of the Works Audit Department Manual. | |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks |
|---|---|---|
| (1) | (2) | (3) |
| 328 .. | Is based on paragraph 30 of the Famine Code and paragraph 130 (3) and note (3) under paragraph 78 (vii) (2) of the Works Audit Department Manual, G. O. No. 728, W., dated 31st March 1927. | |
| 329 and 330 .. | Are based on paragraphs 365 and 366 of the Public Works Department Code, 10th Edition and noted under paragraph 92 of the Works Audit Department Manual, G. O. No. 2077, W., dated 21st September 1927. | |
| 331(a) .. .. | Reproduces paragraph 267 of the Public Works Department Code, 10th Edition G. O. No. 3566., W., dated 17th December 1929 and G. O. Ms. No. 1638, P. W. dated 14th July 1936. | |
| 331 (b) .. .. | Based on paragraph 78(11) (ii) of the Works Audit Department Manual as amended by G. Os. Nos. 700, W., dated 16th June 1924 and 983, W., dated 4th September 1924, G. O. No. 10, P. W., dated 3rd January 1950. | |
| 332 .. .. | Reproduces paragraph 271 of the Public Works Department Code, 10th Edition. | |
| 333—337 .. | These are based on paragraphs 361 and 369 of the Public Work Department Code, 10th Edition G. Os. Nos. 1197, W., dated 11th August 1925 and 301, W., dated 6th February 1936. | |
| 338 .. .. | No comment. This is based on paragraph 1267 of the Public Works Department Code, 9th Edition, Volume I., | |
| 339 .. .. | Embodies paragraph 370 of the old Code. | |

340 .. .. Codifies the rules regarding the hire of tools and plant. G. Os. Nos. 169, W., dated 9th February 1923, 627, W., dated 27th May 1924 1418, W., dated 11th September 1925, 909, W., dated 25th April 1927, 177 W., dated 16th August 1927; 1353, W., dated 23rd June 1927; P. W., and L. Department Memo No. 20354-C-28-2, dated 29th November 1928; G. Os. Nos. 3050, W., dated 5th December 1928; 2119, W., dated 27th August 1928; 3204, W., dated 19th December 1928 2372 W., dated 27th September 1928; 1795, W., dated 23rd July 1928 875, W., dated 27th March 1928, 3127, W., dated 6th November 1929; 2377, Revenue, dated 12th November 1929; 342, W., dated 4th February 1930,; 1511, W., dated 21st May 1930; 3204, W., dated 13th November 1930; 1475, W., dated 2nd June 1931; 1436, W., dated 6th July 1932; 2019, W., dated 14th September 1933; 2417, W., dated 7th November 1933; 1690, W., dated 4th August 1934; 1120, W., dated 14th May 1935; 2585, P. W., dated 12th December 1938 and 3045, P. W., dated 15th December 1941.

341 .. .. No. comment.

342 .. .. This is in substitution of paragraph 372 of the old Code. G.Os. Nos. 2616, W., dated 14th September 1929 and 1199, W., dated 12th May 1931.

343 .. .. G. O. Nos. 656, W., dated 16th March 1933; 1352, W., dated 16th May 1933 and C. E.'s Memo No. 435-RK. 33., C.P., dated Ist November 1933, G. O. No. 178, P. W., dated 22nd January 1941.

344—346 .. These are based on paragraphs 134-A and 134-B of the Works Audit Department Manual and G. Os.Nos. 10, I., dated 12th January 1919, 177, I., dated 2nd June 1920; 125, I., dated 12th April 1922; 2500, I., dated Ist November 1927; 1240, Revenue, dated 13th August 1927, 302, W., dated 10th February 1927; 1555, I., dated 21st October 1926, 793, W., dated 2nd July 1926 1023 ,W., dated 13th August 1926; 2479, I., dated 2nd September 1929; C. E's Memo No. 2575 Ac/29-C,.P., dated 29th August 1929; G. Os. Nos. 2554, I., dated 9th September 1929; 1645, I., dated 4th June 1930; 3200., I., dated 21st December 1931; 592. I., dated 8th March 1932, 1280, I., dated 12th June 1933; 191 I., dated 23rd January 1935; 2436, P. W., dated 9th October 1939 and 1713, P. W., dated 11th July 1941, G. O. Ms. No. 2571, P. W., dated 15th June 1953.

| Paragraph number of the Tamil Nadu Public Works Department Code, (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks. (3) |
|---|---|---|
| 347 and 348 .. | No comment. | |
| 349 .. .. | The detailed rules referred to in this paragraph have not been codified, as they will be required for application only in a few divisions. | |
| 350 .. .. | G. Os. Nos. 1776, W., dated 16th August 1937 and 1525, W., dated 21st May 1929. | |
| 351 .. .. | This reproduces the orders in paragraph 25 of the Works Audit Department Manual. | |
| 352 .. .. | G. Os. Nos. 1776, W., dated 16th August 1927; 1287, I., dated 15th June 1932; 646, W., dated 15th March 1933 and 17, P. W., dated 4th January 1940. | |
| 353 .. .. | This is based on G.Os. No. 553, L. & M. dated 6th October 1920. | |
| 354—361 .. | These are based on paragraphs 373 to 378, 381 383 and 385 of the Public Works Department Code, 10th Edition G. Os. Nos. 3276, W., dated 12th November 1929 and 3416 W., dated 22nd November 1929. | |
| 362 .. .. | Is a re-draft of the substance of paragraphs 384, 386 and 387 of the Public Works Department Code, 10th Edition. G.Os. No. 1392, P. W., dated 6th June 1941. | |
| 363 .. .. | Same as paragraph 388 of the old Code. | |
| 364 .. .. | Based on paragraph 389 of the Public Works Department Code, 10th Edition, as amended with reference to paragraph 12 of G.Os. No. 1022, W., dated 13th September 1934. | |

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| 365 and 366 .. | These are based on paragraphs 390 and 391 of the old Code and note 5 to paragraph 67 (iv) of the Works Audit Department Manual. | |

## CHAPTER V.

*Special rules for irrigation, navigation embankment and drainage works.*

This chapter is an entire re-draft of Chapter V of the Public Works Department Code 10th Edition with many changes consequent on the fact that the subject is a provincial reserved one and the powers of the Local Government have been considerly enlarged under the Devolution Rules. The revision is based mainly on the Government of India, Public Works Department, letter No. 3., P. W., dated 24th September 1921.

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition Works Audit Department Manual, etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| 367—369 .. | These are introductory and describe the statutory position together with the limitations on the powers of the Local Government (Government of India, Department of Industries and Labour, Public Works Branch letter No. I-22/I, dated 6th August 1926). G.O. No. 1153, W., dated 27th April 1928. | |
| 370—372 .. | These describe the terms "productive" and "unproductive" Works. | |
| 373 .. .. | Reproduces paragraphs 1 and 2 of State ment A of Appendix 4 to the Government of India, Public Works Account Code. G. O. No. 1938, W., dated 25th September 1937. | Governor-General in Council and the Auditor-General-*See* paragraphs 5 to 7 of the Government of India letter No. 3., P. W., , dated 24th September 1921. |

| Paragraph number of the Tamil Nadu Public Works Department Code, (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks. (3) |
|---|---|---|
| 373 (a) .. .. | G. O. No. 1164, P. W, (Irrigation), dated 12th May 1941: G. O. No. 1553, P. W., dated 3rd May 1948. | |
| 374 .. .. | This is in revision of paragraphs 405 to 408, Public Works Department Code, 10th Edition (*See* paragraph 10 of the Government of India letter No. 3, P. W., dated 25th September 1921). | |
| 375 (i) .. | G. Os. Nos. 2622, P. W., (Irrigation), dated 27th November 1940 and 803, P. W., dated 27th March 1941. | |
| 375—377 .. | Embody rules 3 to 5 of statement A of Appendix 4 of the Government of India, Public Works Account Code and G. O. No. 1938, P. W., dated 25th September 1937. | |
| 378 and 379 .. | These are based on paragraph 6 of Statement A of Appendix 4 of the Government of India, Public Works Account Code G.O. No. 2575, I., dated 13th October 1931. | These can be revised only with the concurrence of the Auditor-General. |
| 380 and 381 .. | These embody paragraphs 412 to 414 of the Public Works Department Code, 10th Edition, after suitable modification. | |
| 382 .. .. | No comment. | |
| 383 .. .. | This is based on paragraph 19 of the Government of India letter No. 3, P. W., dated 24th September 1921. | |
| 384 .. .. | Codifies the Local Government's rules and orders (Board's Standing Order No. 87 and G.O. No. 1566, Revenue, dated 17th October 1923). | |

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| 385—388 .. | These relate to insvestigation of new irrigation schemes and are based on G. Os. Nos. 518, I., dated 9th October 1925 and 1482, I., dated 11th July 1934, G. O. Ms. No. 1173, P. W., dated 25th March 1950. | |
| 389 .. .. | G. O. No. 1482, I., dated 11th July 1934. | |
| 390—395 .. | These are based on paragraphs 213, 214, 216, 217 and 212, respectively of the Public Works Department Code, 10th Edition, G. Os. Nos. 2857, I., dated 16th January 1931 and 1482 I., dated 11th July 1934. | |
| 396 .. .. | This is based on paragraph 215 of the Public Works Department Code, 10th Edition. Modified with reference to the fact that the rules regarding tools and plant have been revised. (*See* Appendix 7 to the Madras Public Works Account Code.) G. Os. Nos., 1153 W., datted 27th April 1928; 899, W., dated 31st March 1931; 1209, I., dated 6th June 1932; 2772, I., dated 19th December 1933; 2529,I., dated 20th November 1934; 1172, I., dated 20th May 1935 and 1176, P. W., dated 15th May 1936. | This can be revised only with the concurrence of the Auditor-General. |
| 397 .. .. | No Comment (Government of India, Department of Industries and Labour, Public Works Branch ,letter No. I-22/I., dated 6th August 1923) and G. O. No. 1153 W., dated 27th April 1928. | |
| 398 .. .. | This is based on paragraph 398 of the Public Works Department Code, 10th Edition, G.O. No. 2259, I., dated 31st October 1932. | |
| 399 .. .. | This is based on paragraph 400 of the old Code and 79 (8) of the Works Audit Department Manual. G. O. Ms. No. 1784, I., dated 15th August 1933. | |
| 400 .. .. | This is based on paragraph 401-II of the Public Works Department Code, 10th Edition. | |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition ,Works Audit Department Manual ,Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| 401 and 402 .. | These relate to the completion reports of projects sanctioned by the local Government and are based on paragraph 401-III and IV of the Public Works Department Code, 10th Edition, revised in consultation with the Accountant-General with reference to the enlarged powers of the local Government after the Reforms. G. O. No. 1482, I., dated 11th July 1934. | |
| 403 and 404 .. | Are in explanation of the rule1 (6) of the Provincial Audit Resolution (Auditor-General's Audit Instruction No. 58). | These rules have been issued with the concurrence of the Accountant-General. |
| 405 .. .. | This based on paragraph 401-VII of the Public Works Department Code, 10th Edition, G. O. No. 1153, W., dated 27th April 1928. | As this is based on a rule binding on the local Government it may not be modified except with the authority of the Government of India. |
| 406 .. .. | G. O. No. 2741, I., dated 30th September 1929. | |
| | CHAPTER VI | |
| | **Powers of Sanction.** | |
| | Prefatory: This chapter is the result of almost complete recasting of Chapter VI of the Public Works Department Code, 10th Edition See paragraph 407 bid. | |
| 407 .. .. | No Remarks | |
| 408 .. .. | Is paragraph 423 of the old Code with the last two sentences omitted as being out of date. | |

409 .. .. Is the same as paragraph 434 (c) of the old Code and Audit Instruction No. 58.

410 .. .. Embodies the substance of paragraphs 430 and 443 of the Public Works Department Code, 10th Edition, Vide also rule 1 (6) (d) of the provincial Audit Resolution the note has been inserted to make the application of the rule clear.

411 .. .. This deals with the powers of the local Government for expenditure on Provincial Reserved subjects and is based on Government of India. Finance Department Resolution No. 1449, E.A. dated 29th September 1922. G. Os. Nos. 573. W., dated 14th March 1927, 1776 W., dated 16th August 1927, 1545 W., dated 22nd May 1929 and 1873 I., dated 26th June 1930. Memo. No. 1767-G-41, 2., P. W. dated 10th May 1941.

412 .. .. Reproduces rules 27 and 28 of the Devolution Rules for information.

G. O. No. 2859, Public Works dated 15th December 1939.

413 .. .. Contains the substance of the rules 1. 2, 5 and 7 of schedule IV to the Devolution Rules. G. Os. Nos. 1907 W., dated 29th July 1931 and 2859, P. W., dated 15th December 1939.

414 .. .. Reproduces rule 38 of the Devolution Rules for information.

415 .. .. This paragraph deals with the financial powers of the Chief Engineer (Roads and Buildings) and is based on G. Os. Nos. 1146 W., dated 3rd August 1925, 1673 W., dated 27th October 1925, and 118, Finance dated 6th February 1926, paragraph 457 of the Public Works Department Code, 10th Edition, and note 5 (a) under paragraph 86 of the works Audit Department Manual. G. Os. Nos. 793 W., dated 15th July 1926., 1023 W., dated 13th August 1926, 1776 W., dated 16th August 1927, 302, W., dated 10th February 1927, 2507 W., dated 5th September 1930, 3556 W., dated 19th December 1930, 1940 W.,dated 31st July 1931, 2501 W., dated 3rd October 1931, 1950 I., dated 14th September 1932, 1228, W., dated 2nd June 1934, 1281 W., dated 12th June 1934, 1981 W., dated 10th September 1934 1003 W., dated 24th April 1935, 2076, P. W. (Irrigation), dated 13th October 1937, 999, P. W., dated 17th May 1930 and G. O. Ms. No. 1268, P. W., dated 8th May 1942.

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks |
|---|---|---|
| (1) | (2) | (3) |
| 416 .. .. | This paragraph deals with the financial powers of the Chief Engineer (Irrigation) and based on G. Os. Nos. 1147 W., dated 3rd August 1925, 1673 W., dated 27th October 1925, and 118, Finance dated 6th February 1926, and paragraph 457 of the Public Works Department Code, 10th Edition. G. Os. Nos. 793., W., dated 15th July 1926, 1023W, dated 13th August 1926, 1032 I., dated 14th August 1926, 49 I., dated 13th February 1911, 518 I., dated 9th October 1935, and 842-I., dated 23rd March 1928. Chief Engineer's Memo. No. 3328, A. C. C. P., dated 12th November 1930, G. O No. 287-I. dated 3r February 1931. Government Memorandum No. 7739 D., 31-2, dated 6th May 1931, G. Os. Nos. 1940 W., dated 31st July 1931, 218 I., dated 26th January 1932, 2268 I., dated 19th October 1933, 2599 I., dated 27th November 1934, 2076, P. W., (Irrigation), dated 13th October 1937, 2787, P. W., dated Ist December 1939 and G. O. Ms. No. 1173, P. W., dated 25th March 1950. | |
| 417 .. .. | This paragraph deals with the powers of the Superintending Engineer's (Roads and Buildings)- Clause (a) is based on G. O. No. 1638 W., dated 22nd October 1920 The note is based on G. O. No. 40 W., dated 8th January 1920. and the note under paragraph 48 (a) of the Works Audit Department Manual. G. O. No. 1880 W., dated 6th December 1926. Clause (b) is based on paragraph 59, note B of the works Audit Department Manual. Clause (c) codifies paragraph 459 (a) of the PublicWorks Department Code, 10th Edition, modified with reference to G. Os. Nos. 397 W., dated 25th March 1919 and 1022 W., dated 13th September 1924. The reference to irrigation works in paragraph 459, Public Works Department Code 10th Edition has been deleted and dealt with separately in paragraph 420. | |

Clauses (d) (e) and (f) embody paragraph 459 (b), (c) and (d) of the old Code after transferring the portion relating to irrigation works else where, G. Os. No. 2259 I., dated 31st October 1932, 1281 W., dated 12th June 1934 and 999, P. W., I., dated 17th May 1940, Ms. No. 3387 P. W., dated 18th September 1942.

418 .. .. Based on paragraph 460, Public Works Department Code, 10th Edition, and the principles contained in the Government of India, P. W., letter No. 586 A. G., dated 28th November 1919, to the Madras Government (paragraph 7 of Appendix 4-1, Works Audit Department Manual) and 2787, P. W., dated 1st December 1939.

419 .. .. Is a redraft of paragraph 44 of the Works Audit Department Manual.

420 .. .. Is based on the note under paragraph 459 (b) of the old Code, and G. O. No. 92 I., dated 28th March 1924, G. Os. Nos. 854 I., dated 12th April 1927, 49 I., dated 13th February 1911, 518 I dated 9th October 1925, 842 I., dated 23rd March 1928, 218 I., dated 26th January 1932, 2268 I., dated 19th October 1933, 2787, P. W., dated 1st December 939, Ms. No. 417, P. W., dated 20th February 1941, and Ms. No. 4445, P. W., dated 17th November 1948.

421 .. .. Is a redraft of paragraph 115 of the Works Audit Department Manual. G. O. No. 1916 W., dated 9th December 1926.

422 .. .. Codifies paragraph 461 of the Public Works Departmrnt Code, 10th Edition modified with reference to G. Os. Nos. 996 W., dated 16th July 1921 and 1022 W., dated 13th September 1924.

423 .. .. G. O. Ms. No. 1638, P. W., (General) dated 14th July 1936, G. O. No. 1016, P.W. dated 23rd May 1938 and Chief Engineer's Endt. No. 1116 wks. 40 C. R dated 18th April 1940.

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks. (3) |
|---|---|---|
| 423 (a) (i) .. | Codifies paragraph 462 (a) (i) of the old Code modified with reference to G. O. No. 1022 W., dated 13th September 1924, paragraph 46 of the Works Audit Department Manual and G. O. No. 2787, P. W., dated 1st December 1939. | |
| 423 (a) (ii) and (iii) | Based on paragraph 462 (a) (ii) and (iii) of the Public Works Department Code, 10th Edition. G.O. No. 537, W., dated 2nd March 1934. | |
| 423 (a) (iv) .. | Codifies paragraph 462 (a) (v) of the old Code with modification due to the full powers conferred on the local Government to frame their own stores rules. G. O. No. 1153, W., dated 27th April 1928. | |
| 423 (a) (v) .. | Based on paragraph 462 (a) (v) of the old Code | |
| 423 (b) (i) .. | Same as paragraph 462 (b) (i) of the Public Works Department Code 10th Edition, G. O. No. 382, W., dated 15th February 1934. | |
| 423(b) (ii) and (iii).. | Codify note 3 under paragraph 78 (vii) (2). of the Works Audit Department Manual and G. O. Nos. 21, I., dated 17th January 1912 and 1899, I., dated 7th September 1932. | |
| 423 (c) .. | Embodies paragraph 462 (c) of the Public Works Department Code, 10th Edition. | |
| 423 (d) .. | Is based on paragraph 462 (d) of the old Code mofified by note 4 under paragraph 67 of the Works Audit Department Manual and paragraph 6 (c) of G. O. Nos. 1022, W., dated 13th September 1924, 1776, W., dated 16th August 1927, 2501, W., dated 3rd October 1931 and 1228, W., dated 2nd June 1934. | |

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| 423 (e) .. | Is self-explanatory. |
| 423 (f) .. | G. O. No. 2074, W., dated 21st September 1927. |
| 424 .. .. | Reproduces Appendix IV to G. O. No. 118, Finance, dated 6th February 1920, G. O. Nos. 2074, W., dated 21st September 1927 and 1940, W., dated 31st July 1931. |
| 425–427 and 434 .. | Are in substitution of paragraphs 463 and 468 of the old Code, G. O. Nos. 1997, W., dated 8th september 1927 and 1956, W., dated 5th September 1927. |
| 428 .. .. | Codifies paragraph 464 of the old Code modified with reference to G.O. Nos. 378, W., dated 12th March 1917, 1022, W., dated 13th September 1924, and paragraph 141 of the Works Audit Department Manual, G. O. Ms. Nos. 1277, W., dated 16th September 1926, R. 939, W., dated 11th October 1926, 2259 I., dated 31st October 1942, 1281. W., dated 12th June 1934, 866, P. W., dated 26th April 1937, Ms. 2253, P. W., dated 16th September 1941 and Ms. 3033, P. W., dated 15th December 1941 and 3087, P. W., dated 18th September 1941. |
| 429 .. .. | Is based on paragraph 465 of the Public Works Department Code, 10th Edition. G. O. No. 1022, W., dated 13th September 1924 and Appendix 4 to the Works Audit Department Manual. G. O. Nos. 21, W., dated 5th January 1932 and 866, P. W dated 26th April 1937, 2565, P. W., dated 28th October 1939 and 2787, P. W., dated Ist December 1939. |
| 430 .. .. | Is based on G. O. Nos. 92, I., dated 28th March 1924, 257, I., dated 22nd June 1925 and paragraphs 464 and 465 (b) of the old Code, G. O. Nos. 1708, I., dated 12th November 1926, 49, I., dated 13th February 1917, 854, I, dated 12th April 1921, 518, I., dated 9th October 1925, 842, I., dated 23rd March 1928, 1351 I., dated 1st May 1928, 112, I., dated 15th January 1931, 1697, I., dated 3rd July 1931, 269, I., dated 26th October 1931, 2268, I., dated 10th October 1933 and 21599, I., dated 27th November 1934, 112, P. W., dated 19th January 1937, 2787, P. W., dated 1st December 1929, Ms. No. 1028, P. W., dated 25th April 1941 and Ms. No. 4445, P. W., dated 17th November 1948. |

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| 431 .. .. | This is based on paragraph 466 of the old Code modified with reference to G. O. Nos. 1022, W., dated 13th September 1924, 2196, W., dated 29th September 1927, 302, W., dated 10th February 1927, 854, I., dated 12th April 1927, 2178, W., dated 26th July 1930, 1866, W., dated 25th August 1934 and 1981, W., dated 10th September 1934. | |
| 432 .. .. | Codifies paragraph 467 of the old Code modified with reference to G. O. Nos. 1054, W., dated 14th August 1919, 1022, W., dated 13th September 1924 and 1542, W., dated 30th September 1925, Clause (b) (iii) of the new paragraph is based on note (1) to paragraph 78 (vii) (2) of the Works Audit Department Manual, clauses (b) (iii) and (d) of paragraph 467 of the old Code have been deleted as no such powers have been delegated to Executive Engineers in Madras G. O. Nos. 2074, W., dated 21st September 1937, 1153, W., dated 27th April 1928, 3199, W., dated 18th December 1928, 3489, W., dated 12th December 1930, 364, W., dated 14th February 1934, 1228, W., dated 2nd June 1934, 1281, W., dated 12th June 1934 and 1638, P. W., (Gl), dated 14th July 1936, 2787, P. W., dated 1st December 1939 and Chief Engineer End. No. 1716, Wks-40-C. R., dated 18th April 1940 and Ms. No. 513, P. W., dated 15th February 1944. | |
| 433 .. .. | This is based on Appendix V to G. O. No. 118, Finance, dated 6th February 1926, G. O. Nos. 2074, W., dated 21st September 1927 and 1940, W., dated 31st July 1931. | |
| 434 .. .. | Vide remarks against paragraph 425. | |

435 .. .. Codifies delegations made to the Electrical Engineer (paragraphs 8, 10 and 11 of Appendix 4 to Works Audit Dapartment Manual, G. O. Nos. 1334, W., dated 11th November 1918, 1130, W., dated 18th November 1922) and 4765, P. W., dated 23rd December 1942.

435 (iv) .. G. O. Ms. No. 342, P. W., dated 28th January 1952.

436 .. .. Codifies item 3 in Appendix 4 to the Works Audit Department Manual, G. O. Nos. 1211, W., dated 8th September 1926, 1499, W., dated 13th October 1926, 401, W., dated 24th February 1927, 765, W., dated 5th April 1927, 855, W., dated 12th April 1927, 1107, W., dated 16th May 1927, 285 W., dated 30th November 1927, 777, W., dated 5th March 1929, 650, W., dated 22nd February 1930, 952, W., dated 8th April 1931, 1807, W., dated 16th July 1931, 2402, W., dated 22nd September 1931, 2921, W., dated 23rd November 1931, 1022, I., dated 7th May 1932, Chief Engineers Memorandum No. 1936, Wks.-33 C. P., dated 7th July 1933, G. O. Ms. No. 684, W., dated 19th March 1934, G. O. Nos. 1116 W. dated 14th May 1935, 1330, P. W., dated 28th June 1940, 2393, P. W., dated 3rd October 1939 and Ms. 2441, P. W., dated 9th October 1941.

437 .. .. G. O. Nos. 1499, W., dated 13th October,1926 and 2145, W., dated 31st July 1929.

438 .. .. Is based on paragraph 4 of Appendix 6 to the Works Audit Department Manual, G. O., Nos. 1172, W., dated 7th August 1925, 86, W., dated 19th January 1921, 1518, W., dated 20th October 1921, 1942, W., dated 14th October 1921, 79, W., dated 12th January 1927, 1776, W., dated 16th August 1927, 3080, W., dated 20th December 1927, 1792, W., dated 18th August 1927, 381, W., dated Ist April 1926, 2308, W., dated 14th August 1929, 826, W., dated 12th March1930, 1229, W., dated 15th April 1930,

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. | Remarks. |
|---|---|---|
| (1) | (2) | (3) |
| | 2465 W., dated 2nd September 1930, 480, W., dated 24th February 1931, 2422, W., dated 24th September 1931, 147, W., dated 18th January 1933, 694, P. W., dated 21st March 1939, 691, W., dated 19th March 1935, 1029. W., dated 29th April 1935, 1560, P, W., dated 30th July 1937, 2642, P. W., dated 17th December 1938, 7 P. W., dated 3rd January 1940, Ms. 1906, P. W., dated 8th August 1941 and 3224, P. W., dated 12th December 1946. | |
| 439 .. .. | Is basesd on paragraph 6 of Appendix 6 to the Works Audit Department Manual G. O. Nos. 727, W., dated 10th March 1928, 1281, W., dated 12th June 1934, 922, P. W., dated 3rd May 1937 and Ms. 1722, P. W., dated 14th July 1941. | |
| 440 .. .. | Is based on G. O. Nos. 1574, W., dated 5th October 1925, 1792, W., dated 18th August 1927, 3080 W., dated 20th December 1927, 905, W., dated 19th March 1929, 1456, W., dated 9th July 1934, 901, W., dated 8th April 1935, 1482, P. W., dated 26th June 1936, 2133, P. W., dated 9th December 1936, 694, P. W., dated 21st March 1939 and Ms. 3735, P. W., dated 14th September 1948. | |
| 441 .. .. | This is based on G. O. Nos. 40. W., dated 8th January 1920, 393, W., dated 19th March 1925, 1752, W., dated 10th November 1925, Memo. No. 1571, C., dated 26th February 1920, and G. O. Nos. 1441 W., dated 7th October 1926, 1792, W., dated 18th August 1927, 2645, W., dated 21st October 1931, 1281, W., dated 12th June 1934, 792, W., dated 27th March 1935, 694, P. W., dated 21st March 1939 and 999, P. W., dated 17th May 1940. | |
| 442 .. .. | This is based on G. O. Nos. 1310, W., dated 27th April 1929, 1971, W., dated 20th September 1932, 2833, P. W., dated 9th December 1936, 694, P. W., dated 21st March 1939, 999, P. W., dated 17th May 1940 and Ms. No. 3735, P. W., dated 14th September 1948. | |

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| 443 .. .. | G. O. Nos. 1776, W., dated 16th August 1927 and 1142, P. W., dated 8th May 1941. | |
| 444 and 445 .. | Are based on G. O. No. 78 W., dated 18th January 1926. | |
| 446 .. .. | Is based on G. O. No. 557 W., dated 22nd May 1926. | |
| 447 .. .. | G. O. No. 1776 W., dated 16th August 1927. | |
| 448 .. .. | G. O. No. 612 W., dated 28th February 1928. | |

APPENDICES TO THE MADRAS PUBLIC WORKS DEPARTMENT CODE.

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| Appendix I. | The various orders on which Appendix I is based are given in the Appendix itself. G. O. Nos. 1700 W, dated 10th June 1929, 487 W., dated 13th February 1930, 3194 W., dated 12th November 1930, 2501 W., dated 3rd October 1931, 3169 W., dated 16th December 1931, Ms. 918 W., dated 24th April 1933, 2356 W., dated 30th October 1933, 231 W., dated 26th January 1934, Ms. 2346 W., dated 29th October 1934, 1264 W., dated 27th May 1936, 2418 P. W., dated 22nd November 1937, 2307, P. W., dated Ist October 1936 and 2317, P. W., dated 2nd October 1936. | |
| Appendix I-A. | G. O. No. 3169 W., dated 16th December 1931. | |
| Appendix II | Embodies Appendix II of the Old Code. | Changes can be made only on the authority of the Governor-General in Council. |
| Appendix III | Reproduces II Appendix of the old code G.O.No. 2472, Law (General), dated 15th July 1929; Public Works and Labour Endt. No. 129-20/B/29-1, dated 23rd July 1929, G. O. Nos. 223, Law (General), dated 20th January 1931, 1022 I., dated 7th May 1932, 1981 W., dated 10th September 1934 and Ms. No. 2617, P. W. dated 24th July 1942, Ms. No. 1387 P. W., dated 5th April 1951. | The rules in this Appendix, are those made by the Governor-General in Council under section 30 (2) of the Act. |
| Appendix IV | Codifies the instructions of the Director-General, Indian Store Department, London, Communicated with G. O. No. 642, Finance, dated 28th July 1925. | |

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks. (3) |
|---|---|---|
| Appendix V | Codifies Appendix V of the old Code, the last sub-paragraph having been revised in view of the fact that the Indian Stores Department now arranges for the inspection of structural work undertaken on behalf of the Government by the Engineering firms in Calcutta and Bombay. | |
| Appendix VI | Codifies the local Government's rules for the occupation of inspection bungalows, G. O. Nos. 1767 W., dated 17th July 1928, 2566 W., dated 7th November 1927, 47 W., dated 6th January 1930, 2241 W., dated 3rd September 1931, C. E's No. 3081 A. C./C. P., dated 20th October 1931, G. O. Nos. 1041 W., dated 10th May 1932, 2310 W., dated 6th November 1932, 516 W., dated Ist March 1933, 359 W., dated 14th February 1934, 1935 W., dated 3rd September 1934, 2527, P. W., dated Ist December 1938, 2253, P. W., dated 19th October 1938, 1190, P. W., dated 10th May 1939, 1287, P. W., dated 23rd May 1939, 1258, P. W., dated 19th May 1939, 1657 W., dated 25th July 1935, 1557, P. W., dated 4th July 1936, 1943, P. W., dated 19th August 1936, 88 W., dated 10th January 1936, 1365, P. W., dated 29th June 1938, 489, P. W., dated 25th February 1939, 1680, P. W., dated 7th July 1939, 1650 P. W., dated 4th July 1939, 818, P. W., dated 23rd April 1940, 684, P. W., dated 2nd April 1940, 492, P. W., dated 28th February 1941, Ms. 2264, P. W., dated 17th September 1941, 2107, P. W., dated 29th August 1941 and Ms. No. 847, P. W., dated 4th March 1950. | |
| Appendix VI-A | G. O. Nos. 410, P. W., dated 1st March 1937, 561, P. W., dated 16th March 1937, 2049, P. W., dated 22nd September 1938, Ms. No. 925, P. W., dated 2nd June 1943 and Ms. No. 2440, P. W., dated 8th July 1948. | |

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| Appendix VI-B | G. O. Nos. 410, P. W., dated 1st March 1937, 561, P. W., dated 16th March 1937, 2583, P. W., dated 12th December 1938 and 198, P. W., dated 24th January 1941. |
| Appendix VII. | Embodies the agreement from introduced in G. O. R. No. 627 W., dated 27th May 1924, G. O. Nos. 2741, I., dated 30th September 1929, 3020 W., dated 27th October 1930, C. E's. Letter No. 480 Ac/31 'C.R., dated 19th February 1931, G. O. Nos. 2019 W. dated 14th September 1933, 1690 W., dated 4th August 1934, 1794, W., dated 16th August 1934, 1994 W., dated 10th September 1935, 1488 W., dated 28th June 1935, 852, P. W., dated 28th April 1937 and 254, P. W., (General), dated 9th February 1938, Ms. No. 4457 P. W., dated 4th December 1950. |
| Appendix VIII-A and B. | This codifies the Appendix to G. O. Nos. 454 I., dated 5th November 1917 as modified by G. O. No. 386 I., dated 14th August 1925, 2620 I., dated 19th October 1928, 208 I., dated 25th January 1929, 852, P. W., dated 23rd April 1937 and 2437, P. W., dated 17th October 1936, Ms. No. 4457, P. W., dated 4th December 1950. |
| Appendix IX. | Codifies the Appendix to G. O. No. 1760, L. and M., dated 7th September 1921. |
| Appendix X | Embodies the annexures to G. O. Nos. 10 I., dated 15th January 1919, 2500 I., dated Ist November 1927, 898, Development, dated 18th May 1928, C. E's Memo. No. 2575, Ac./29-C.P., dated 29th August 1929, G. O. Nos. 2554 I., dated 9th September 1929, 1540, Development, dated 9th September 1929, 1645 I., dated 4th June 1930, 953, I., dated 27th April 1932, 1671 I., dated 31st July 1933, 838 I., dated 6th April 1934, 1654, I., dated Ist August 1934, 191 I., dated 23rd January 1935, 852. P. W., dated 23rd April 1937, 407, P. W., dated 1st March 1937, 254, P. W., (General), dated 9th February 1938, 5088, P. W., dated 16th January 1943, Ms. No. 3153, P. W., dated 2nd September 1948 and Ms. No. 4286, P. W., dated 3rd November 1948, Ms. No. 4457, P. W., dated 4th December 1950. |

| Paragraph number of the Tamil Nadu Public Works Department Code. (1) | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual, Etc. (2) | Remarks (3) |
|---|---|---|
| Appendix XI. | Codifies the annexure to G. O. No. 366 W., dated 11th March 1925. | |
| Appendix XII | Prescribes sanitary rules | |
| Appendix XIII | Codifies annexure to G. O. Nos. 149 W., dated 3rd February 1919, 852, P. W. dated 23rd April 1937, and 254, P. W., dated 9th February 1938, Ms. No. 4457, P. W., dated 4th December 1950. | |
| Appendix XIII-A | G. O. Nos. 915 W., dated 19th March 1929, 482, P. W., dated 6th March 1937, 852, P. W., dated 23rd April 1937, 254, P. W., dated 9th February 1938, 852, P. W., dated 27th April 1940, and Ms. 2785, P. W., dated 15th November 1941 and Ms. 1375, P. W., dated 13th July 1943. | |
| Appendix XIV. | Codifies the rules regarding European cemetries and tombs issued in G. O. Nos. 1790 W., dated 17th November 1925, 1776 W., dated 16th August 1927 and 1246 W., dated 6th May 1931. | |
| Appendix XV. | Codifies the instructions issued for maintenance and periodical destruction of records in Appendices I and II to G. O. No. 1113 W., dated 28th July 1925, G. O. Nos. 660 Wl., dated 22nd June 1926, 595 W., dated 4th June 1926, 2245 W., dated 5th August 1930, 899,W., dated 31st March 1931, 1297W., dated 12th May 1931,2643,W., dated 20th October 1931,3202W.,dated 21st December 1931,33 W.,dated 5th January 1932, Public Works and Labour Department Memo. No. 2379 B/32-1, dated 27th July 1932, G. O. Nos. 188 W., dated 22nd January 1934, Ms. 2457 W., dated 12th November 1934, Public Works and Labour Department Memo. No. 379 B I., dated 15th February 1935, G. O. Nos. 442, W., dated 19th February 1935, 2527 W., dated 22nd November 1935, 219 W., dated 29th | |

January 1936, 503, Finance, dated 24th November 1936, 915, P. W., (General), dated 1st May 1937, 2231 P. W., dated Ist November 1937, 1287, P. W., dated 24th June 1938, 2540, P. W., dated 5th December 1938, 778, P. W., (General), dated 20th April 1938, 1278 P. W., dated 2nd July 1937, 2002, P. W., dated 15th August 1939, 2745, P. W., dated 25th November 1939, 1976, P. W., dated 9th August 1939, 222 P. W., dated 31st January 1940, Ms. 1877, P. W., dated 9th August 1941, Ms. 1897, P. W., dated 6th August 1941, Ms. 2925, P. W., dated 1st December 1941, Ms. 19, P. W., (Irrigation), dated 3rd January 1941, Ms. 386, P. W., dated 7th February 1942, Ms. 538, P. W., dated 9th February 1942, Ms. 2047, P. W., dated 19th June 1942.

**Appendix XV-B** G. O. No. 2443, P. W. (General), dated 24th November 1937, Ms. No. 3278, P. W., dated Ist September 1950, and Ms. No. 2729, P. W., dated 26th June 1952.

**Appendix XVI** Codifies the Appendix to G. O. Nos. 560, I., dated 26th October 1925, 1305, I., dated 28th April 1930, 852, P. W., dated 23rd April 1937, 799 I., dated 28th March 1935, and 254, P. W., (General), dated 9th February 1938, C. E., No. 4765 Ac./42-C. R., dated 23rd September 1942.

**Appendix XVII** Is a redraft of paragraph 80 of the Works Audit Department Manual modified with reference to G. O. Nos. 132 W., dated Ist February 1926, 1981 W., dated 10th September 1934, 852, P. W., dated 23rd April 1937 and 254, P. W., dated 9th February 1938.

**Appendix XVIII** G. O. Nos. 2377, Revenue, dated 12th November 1929 and 39, Revenue dated 8th January 1931.

**Appendix XIX** G. O. 2056, W., dated 17th September 1934 and 2087 W., dated 17th November 1934.

| Paragraph number of the Tamil Nadu Public Works Department Code. | Relation to Public Works Department Code, 10th Edition, Works Audit Department Manual Etc. | Remarks. |
|---|---|---|
| (1 | (2) | (3) |
| Appendix XX | G. O. No. 2127, P. W., (Irrigation), dated 5th October 1940, Ms. 2539, P. W., dated 21st October 1941, 2116, P. W., dated 30th August 1941, 2697, P. W., (Irrigation), dated 6th November 1941, Ms. 4361, P. W., dated 28th November 1942 and Ms. 5562, P. W., dated 9th April 1943. | |
| Appendix XXI. | G. O. No. 2532, P. W., dated 22nd August 1947. | |

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