

APPENDICES
TO THE
CODE OF REGULATIONS
FOR THE
PUBLIC WORKS DEPARTMENT
UNDER THE
LOCAL GOVERNMENTS OF
BENGAL,
THE NORTH WESTERN PROVINCES,
AND
THE PUNJAB;
AND FOR THE
MINOR ADMINISTRATIONS UNDER THE DIRECT CONTROL
OF THE
GOVERNMENT OF INDIA.

Published by Authority.

CALCUTTA:

PRINTED BY P. M. CRANENBURGH AT THE MILITARY ORPHAN PRESS.

1860.

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APPENDIX A.

Public Works Accounts.

RULES FOR CLASSIFICATION

AND FOR THE

PREPARATION OF RETURNS AND ACCOUNTS

FOR SUBMISSION TO THE GOVERNMENT OF INDIA.

I. CLASSIFICATION.

A. Of Works according to their objects.

1.—Public Works will be divided into two great classes, APP. A.
—the first to be called STATE WORKS ; the Second, WORKS Two great
OF INTERNAL IMPROVEMENT. classes.

2.—Under the head of STATE WORKS will be placed all State Works.
Works devoted to the use of the various Departments of
the Administration. This will consequently comprise all
buildings required for the use of the Military or Naval
Forces, and for the defence of the Country ; all buildings
for the Judicial Establishment and Police ; those for the
Officers employed in the collection of the Revenues ; all

APP. A. constructions connected with the functions of the Ecclesiastical Establishments ; all State Educational buildings ; and lastly, all structures required for the Departments of the General Administration, including those allotted to Charitable and Scientific Institutions, all Public Monuments, and such other miscellaneous buildings, &c., which it is commonly held to be among the duties of a Government to provide or maintain.

Generally unremunerative.

3.—These Works will be almost exclusively unremunerative. It is true that some among them will be found appertaining to the operations of Departments of the Administration, from which a distinct return is obtained. But the essential object of all these Departments is the performance of the duties of the *State* as distinguished from the advancement of the material prosperity of the *Public*.

Works of Internal Improvement.

4.—Under the title of **WORKS OF INTERNAL IMPROVEMENT** will be classed all Works designed for the furtherance of the material prosperity of the people. Such are all Municipal Improvements ; all Marine Works, such as Harbours or Light Houses ; all Works appertaining to Mines and Manufactures ; Engineering operations directed to the Agricultural wants of the community, whether Irrigation or Drainage Works, including also Plantations and Buildings required in connexion with the Administration of Forests ; the Public Internal Communications both by land and water ; Railways ; and lastly, the Electric Telegraph.

Generally remunerative.

5.—This Class will comprise Works which are nearly all remunerative in some form or other, or which should be capable of being made so.

Sub-divisions of State Works.

6.—**Class I. State Works**—Will be sub-divided into seven sections, *viz.* :

Military.

7.—**A. MILITARY**.—This section requires no special comment. Its sub-divisions are—

1. *Fortifications*—Including all defensive Works.

2. *Cantonments*—Roads, Plantations, Drainage, Clearance, &c. APP. A.
3. *Accommodation for Troops*—Barracks, Hospitals, Stables, Gun-sheds, &c. ; and all Buildings for the Personel of the Army.
4. *Ordnance*—Magazines, Arsenals, Foundries, Powder Works, &c. ; and all Works for Ordnance Stores, &c.
5. *Commissariat*—Buildings of all sorts appertaining to this Department.
6. *Stud*—Buildings of the Department.
7. *Staff*—Offices of the Military Staff, Clothing Agencies, &c.

8.—**B.** NAVAL.—This section is new ; it will comprise the Works connected with the Government Naval Establishments or Dock-yards, which are essentially different in their character from the other *Marine* Works with which they have hitherto been associated. It seems to call for no sub-division. Naval.

9.—**C.** JUDICIAL.—This section is as before. It will be divided into three sub-divisions— Judicial.

1. *Police*—Buildings of the Preventive or Detective Police.
2. *Court Houses*—For Civil or Criminal Justice.
3. *Jails*—Jails and Buildings attached to Penal Settlements.

10.—**D.** REVENUE.—This section will coincide with the old heading of *Revenue General*. The heading of *Revenue Irrigation* has been suppressed, and the Works under it will be found under the Section *Agricultural* of Class 2. The present section, as now restricted, will have four sub-divisions— Revenue.

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1. *Land and Miscellaneous*—including all Revenue Buildings occupied by Officers of Land Revenue, are not included below.
 2. *Customs.*
 3. *Opium.*
 4. *Salt.*
- Ecclesiastical. 11.—**E.** ECCLESIASTICAL.—This section will be divided as before into two—
1. *Churches and other Buildings.*
 2. *Burial Grounds.*
- Educational. 12.—**F.** EDUCATIONAL.—This section calls for no comment and requires no further sub-divisions.
- General. 13.—**G.** GENERAL.—This section will comprise all Works appertaining to the general or miscellaneous administrative functions of the Government. It will have seven sub-divisions—
1. *Government*—including all Government Houses, Residencies, Secretariat Offices, Legislative Chamber, and the like.
 2. *Public Works*—Office Buildings, Store-rooms, Work-shops for general use of the Department and not chargeable to particular Works.
 3. *Post Office.*
 4. *Mint.*
 5. *Charitable Institutions*—which will comprise Hospitals, Dispensaries, Asylums, &c.
 6. *Scientific Institutions*—including Observatories, Museums, Public Libraries, Botanical Gardens, &c.
 7. *Monuments and Antiquities.*
 8. *Miscellaneous*—This heading will probably be found necessary, though care must be taken to resort to it as seldom as possible.

14.—**Class II. Works of Internal Improvement**—This will be divided into seven sections.

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15.—**H. MUNICIPAL**.—This is a new section, which it has been thought necessary to introduce, although it is not one on which public money will commonly be spent. The sub-divisions are—

Internal Im-
provement.
Municipal.

1. *Town Buildings*—including Town Halls and Public Offices or Rooms, City Walls and Gates, &c.
2. *Markets*.
3. *Paving and Streets*.
4. *Lighting*.
5. *Water-supply*.
6. *Sewage*—including Drainage.

It is as well to point out that this heading is not equivalent to the old *Local*, which, as will presently be shown, is out of place in a classification of *Works* according to their objects, the term having reference to the sources from which the funds are obtained for the construction of the Works, and not, excepting indirectly, to the ultimate nature or object of the Works themselves.

16.—**I. MARINE**.—This section contains all that portion of the old *Marine* not devoted to the Government Naval Establishments. It is divided into—

Marine.

1. *Harbours and Navigation*—in which will be comprised Wharfs, Jetties, Docks, &c., improvements in Sea Navigation and Groins.
2. *Light-houses*—including Beacons.

17.—**J. INDUSTRIAL**.—This section is new, it is proposed to contain all Works appertaining to Mining or Manufacturing Industry, or designed to further the development of the manufacturing resources of the Country. Government **Manufactories** or **Work-shops** devoted to the special service

Industrial.

CLASSIFICATION

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of any Department of the Administration would *not* be placed in this section. Thus Powder Works are specially *Military*, and Steam Factories in the Government Dock-yards are specially *Naval*. So too the Work-shops at Roorkee and the Iron-yard at Kidderpoor, are designed to meet the special wants of the Department of Public Works; these, therefore, will be found under the head of *Public Works* in Section *General*. The Mint also at first appears to have affinities to this section, but coinage is a special function of the Executive Government, and the manufactory of money will stand under *State*, Section *General*.

There will be two sub-divisions to the present section—

1. *Mines*—excluding Salt Mines, which are an exceptional item of *Revenue*, Quarries, excluding those appertaining to the use of the Department of Public Works alone.
2. *Manufactures*—Flour-Mills, Iron-Works.

Agricultural.

18.—**K** AGRICULTURAL.—This section includes, as was before mentioned, but with some addition, the Works formerly put under *Revenue Irrigation*, it will be divided as follows :

1. *Irrigation Canals*—comprising all Canals or Water-courses designed for diverting a natural stream for purposes of Irrigation, with all their subsidiary Masonry Works.
2. *Tanks*—Works for storing water for purposes of Irrigation. Such Works for the provision of water for domestic purposes in Towns, &c., would fall under *Municipal, Water-supply*; if for Travellers, would be accessory to the last sub-division of the next section.
3. *Dykes*—Embankments to resist Inundations.

4. *Drainage*—Drainage of land for Agricultural purposes.
5. *Forests*—including Plantations, and all Works appertaining to Timber Agencies.

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19.—**L.** COMMUNICATIONS.—This section is here separated from the Government Departmental Works with which it was classed under the old head *Public*. It is now proposed to make seven sub-divisions—

Communications.

1. *Metalled Roads*—including all subsidiary Works, Drains or Culverts, Toll Houses, Chokies, &c., but excluding the larger Bridges, which will be exhibited separately.
2. *Unmetalled Roads*—These two sub-divisions seem preferable to those formerly made, of *Main* and *Secondary*, which are too indefinite.
3. *Bridges*—Such structures when built as separate Works, and all Bridges on lines of roads of which the aggregate water-way is more than 100 running feet.
4. *Boat-bridges and Ferries*—including the immediate approaches and planked cause-ways, &c.
5. *Navigable Canals*—with all their appurtenances.
6. *River Improvements*.
7. *Accommodation for Travellers*—Staging Bungalows, Serais, Encamping Grounds, and their accessories, such as Wells, Store-rooms, &c.

20.—**M.** RAILWAY.—This requires no further sub-division, being, perhaps, strictly speaking, a sub-division of Section **L**. The sub-divisions formerly introduced of *Land Compensation* and *Control*, which form the main elements of the

Railway.

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present State Outlay on Railways, are not analogous to the sub-divisions of our other sections, and have been struck out.

Electric Telegraph.

21.—**N. ELECTRIC TELEGRAPH.**—This is the last of the sections of our Second Class, and demands no special comments. Like the Post Office and other Departments, it is not under the control of the Public Works Department; but being evidently in the nature of a Public Work, the outlay upon it is naturally included in the Public Work Disbursements.

Definition of Public Works charges.

22.—The new classification being intended to have a practical character, it seems useless to make any attempt to define Public Works rigorously, or to distinguish with any nicety *a priori* those charges which should appear under this head from those which should be excluded from it. Such questions are better disposed of by authority or in detail as they arise. It will be sufficient to say that all fixed works or structures constructed at the expense of Government, and their repairs, should, as a general rule, be held to be Public Works; that those portions only of the subsidiary appliances or furniture appertaining to them which are provided or repaired by the Public Works Department should be included in Public Works charges, and that all other outlay, whether for maintenance or for subsidiary appliances, should appear as charges under the Departmental head to which they refer. Of course in case of Works maintained by the Public Works Department all these charges would appear against Public Works.

Illustrations of the definition.

23.—Thus while the buildings of an Arsenal or Dock-yard would appear as Public Works, all Tools, Engines, Machinery, &c., employed in them, but with which the Public Works Department has no concern, would be excluded. So also in a Light-house, the maintenance of which was provided by the Marine Department, the cost of the building

and its repairs would be held to be Public Work charges, but the maintenance of the Light a Marine charge. Such appliances as Moorings and Buoys, which are altogether out of the sphere of the Public Works Department, and are in truth part of the stock-in-trade of the Marine Department, should appear altogether as charges against the latter Department. The incidence of these views on the credit of receipts will be adverted to hereafter.

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24.—This opportunity may be taken to remark that rent of Office buildings, &c., will only appear as a Public Works charge when it is actually disbursed by Public Works Officers; and that the disbursements of rent will only be made by Public Works Officers, when these buildings are specifically under their charge, or for their own use. In all ordinary cases Office rent will be a contingent charge of the Department for which the Office is rented, and will be disbursed and adjusted accordingly.

Office rents.

25.—In Works that have a double object, as for instance Canals of Navigation and Irrigation, the expenditure must be distributed as fairly as possible between the several sections or sub-divisions under which the various objects of the works are classed. In some cases a somewhat arbitrary division may be necessary, but these will be few and quite the exception; and with a little care a very fair approximation to the truth may be made. Neither will the inaccuracies caused by such approximate entries seriously affect the general accuracy of the Returns.

Works of mixed character.

26.—The old headings formerly in use such as "Buildings," "Communications," "Irrigation Works," &c., which are not found in the present classification will henceforth be altogether discontinued, as likely to cause confusion.

Discontinuance of the old headings.

27.—The anomalous expenditure on account of Barrack Furniture, Conservancy, and Service of the Soldiers, which has hitherto been treated in the Bengal Presidency as

Military charges disbursed by Public Works Officers.

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Public Works outlay, has no connexion whatever with the legitimate operations of the Department of Public Works, and is excluded altogether from this classification. So long as this expenditure may pass through the hands of the Executive Engineers it will be altogether separated from the Public Works charges, and shown up by itself as a portion of Military *Departmental* outlay, which is disbursed as a matter of convenience by the Public Works Officers; and the charge will be ultimately transferred by the Accountant General, from the Public Works to the Military Department.

B. Of Outlay according to its character.

Character of the outlay.

28.—Irrespective of the objects of the Works, the expenditure on them resolves itself into three main categories,—outlay for the maintenance and repair of Works already in existence—outlay for new Works—and outlay that gives no equivalent in work done. These divisions are generally coincident with the *Ordinary*, *Extraordinary*, and *Profit and Loss*, of the present system of Account; the first of which heads is intended to comprise all expenditure which arises year by year in the ordinary course of the Administration of the Government, the second to include the outlay for all special objects beyond the regular and established condition of things, and the third all losses or irrecoverable or profitless payments.

Ordinary disbursements.

29.—ORDINARY Disbursements therefore are those for maintenance and repair.

Extraordinary disbursements.

30.—EXTRAORDINARY Disbursements are those for new Works, or for re-constructions extending beyond what may fairly be called a repair.

Subordinate heads.

31.—Subordinate to these two heads will be grouped the entire outlay of the Department of Public Works further sub-divided as follows: *1st*, DIRECTION; *2nd*, CONSTRUCTION; *3rd*, COLLECTION OF REVENUE AND POLICE.

32.—**DIRECTION** will again be divided into—

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Direction.

- a. *Secretariat*—with which should be classed any superior Accountant's Establishments which may be devoted to the requirements of the Public Works Department.
- b. *Chief Engineers*—with their Central Account and Correspondence Offices.
- c. *Superintending Engineers*—with the Branch Account Offices of their Circles, &c.

The whole of these charges being for Establishments or Contingencies, will be essentially *Ordinary*. They exhibit the outlay for the general *Direction* of the Department, which will be exhibited separately from the expenditure on the actual *Construction* of Works.

33.—**CONSTRUCTION** will fall partly under the head of *Ordinary*, partly under *Extraordinary*. It would have the following sub-heads,

Construction.

1. *Works*—including all charges for labor and materials, either for repair or new construction; also the cost of land in the case of new Works; or of rent where it was paid, this charge however being essentially *Ordinary*.
2. *Establishment and Contingencies*—to be charged *pro rata*, or according to their actual incidence, both on new Works and Repairs.

These sub-divisions will meet the useful requirements of all cases, including that of the Railway, to which allusion was before made as having been formerly improperly divided in the classified list of Works.

34.—It will be observed that the Establishments properly chargeable *pro rata* between *Ordinary* and *Extraordinary*, are exclusively of the class employed in the immediate

Establishments how charged off.

APP. A.

supervision or execution of Works, which would include the Executive Engineers and all functionaries subordinate to them.

Revenue and
Police.

35.—COLLECTION OF REVENUE AND POLICE will show the charges for the *Collection* of the Revenues of Public Works of a remunerative character, with which may be joined outlay for the special Police Establishments of certain classes of Works. It would evidently be divisible into *Revenue* and *Police*, which two sections would probably be sufficient for all purposes of analysis of the expenditure on such objects. This outlay, like that under the head Direction, is essentially *Ordinary*.

Profit and
Loss.

36.—PROFIT AND LOSS will require no further sub-division. It comprises that portion of the outlay which virtually gives no equivalent in work done, such as actual losses of cash or stores; irrecoverable payments in advance to work people or Contractors; Law charges, and all that class of expenditure now commonly charged in Bills to *Profit and Loss*. It must however be clearly understood that it is only on special authority that charges are admitted under this head. All losses connected with the usual operations of the Public Works Department, whether having reference to the direct execution of any Work, or to the preparation of custody of any Stock, should be charged to the Account of that Work or of that class of Stock. Irrecoverable advances to Contractors or work people for any Work on estimate should, as a general rule, be charged against the estimate, and so appear under the head of Construction as *Ordinary* or *Extraordinary*, according to circumstances. Losses of material must be charged against the Stock Account, and so raise the price of some one particular class of goods, or of the whole as the case may happen. In special cases only where the loss has no proper relation to the ordinary risks of Public Works Management, and cannot

be fairly charged to any particular Work or class of material, or where a heavy Item would tend to derange the general course of the Departmental Accounts and Rates, which would be inconvenient, should Bills be submitted to be written off to this head. Under ordinary circumstances, losses are in the nature of contingencies and should be charged to the Work, &c., on which they take place; and the difficulty of the derangement of the rates can, if necessary, be met by submitting a separate supplementary Bill for the unprofitable charge, as an annex to the usual Bill, under which the true cost of the Work would appear, as it would have been had the loss not happened.

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37.—It will be useful here to explain exactly the term **DEAD STOCK.**

Dead Stock.

In the ordinary language of Account, Dead Stock is that which is not affected by the operations of the concern to which it appertains, and the value of which is not liable to variation except from ordinary wear and tear, or extraordinary accident. In the case of Public Works the original debits, therefore, to this head, will exhibit the total prime cost of such Works, or their value in the first instance. This value, maintained for a longer or shorter period by the outlay on repairs, will gradually diminish by deterioration from wear and tear, and other incidental causes, until at length it may consist of nothing more than the mere value of the materials of which the work is composed. The Dead Stock Entries, if the Accounts were strictly kept, would hence be subject to correction, annually or at whatever intervals a re-adjustment of the Account be determined upon, according to the existing value as then ascertained; any deterioration being written off to Profit and Loss, or any incidental increase of value, (such for instance as might take place in house property), being in like manner debited to Dead Stock and credited to Profit and Loss; and any extraordi-

APP. A. nary outlay on Work in the nature of additions, or on absolute re-construction, being added to the Dead Stock debits at the time it is incurred. But practically these niceties of calculation need not be gone into, and so long as the Work is generally maintained in its original condition, the Dead Stock debits need not be corrected.

C. Of Works and Expenditure according to Locality.

Geographical
arrangement.

38.—For many purposes a Geographical arrangement of Works will be useful. The first natural sub-division in this point of view will be according to the Civil Administrations, under which all Public Works are placed by the new organization of the Department.

Classification
of Disbursing
authorities

39.—In taking the next step in a classification of this sort, it becomes necessary to introduce another idea, *viz.* that of the Departmental authority under which the actual disbursement takes place; for although the regular Public Works Department is entrusted with far the largest proportion of the State outlay on Public Works, a notable share is in the hands of other branches of the Administration. Subordinate to the main *Provincial Administrative* Divisions would therefore first be placed the *Departmental Disbursing Agencies*.

Public Works
Departmental
Officers.

40.—Commencing with the Public Works Department, properly so called, the further sub-divisions would be made to correspond with the charges of the several grades of the Engineering Staff, beginning with Chief Engineers, and descending to the circles of Superintending Engineers, and the divisions or districts of the Executives. In this classification, the Works should be made to appear, not distributed as before, purely according to their objects, but as *totalities*, in reference to their Geographical position, and their actual allocation among the Executive Officers of the Department.

41.—In a strictly analogous manner should be recorded, in a similar Geographical system, all Works executed under Civil District Officers, or any other functionaries to whom such duties were entrusted, taking them in any convenient order, (such for instance as that laid down in the classification of Class I., *State*), but being careful that the whole of the Public Works Charges of the Province appear in their proper places under one or other head of these Disbursing Agencies.

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Civil District
Officers and
others.

D. Of Charges according to their Incidence on the Revenues.

42.—The distribution of the charges for Public Works, lastly has to be considered in reference to their incidence on the Revenue, or to the sources from which the outlay is supplied.

Incidence of
charges on the
Revenues.

43.—Taking a first broad view, the Public Works outlay may be divided into that which is borne by the General Revenues of the British Provinces, and that which is defrayed from other funds. The first portion of the outlay from the British Revenues we may call *Imperial*. It is the sum annually devoted to Public Works from the general income of the Country by special order of the Government.

Imperial out-
lay.

44.—The Local Funds are the next source from which money is supplied for these objects. The income of these funds, it has been ruled, is, so far as Public Works are concerned, to be treated in the Public Accounts as though a portion of the General Revenue. The entire proceeds of those funds which are exclusively appropriated to Public Works are at once entered as elements of Revenue under the head of Public Works; while in those cases where a portion of the income only is devoted to such purposes, a transfer is made to Public Works from the Debt Account, (in which the income of these more general trust funds is

Local Funds.

APP. A.

first entered), of the sum thus expended, which consequently appears, as in the former case, as an item of Revenue under Public Works. The charges for Public Works defrayed from Local Funds, are in like manner entered as Charges upon the General Revenues under the head of Public Works. This outlay will be termed *Local*.

Outlay not forming a charge against the State Tuccavy advances.

45.—The next great section of the outlay on Public Works is that which does not constitute a charge on the Revenues. This may be separated into two main portions, which, though not very important in comparison with that before dealt with, yet must be provided for. The first of these sub-divisions will include all Public Work outlay of the nature of *Tuccavy Advances* of which it will be sufficient to give an instance in the Tuccavy Irrigation Works of the North-Western Provinces. The necessity for the separation of such outlay from that classed as *Imperial* will be understood, when it is remembered that the *Tuccavy Advances* being repayable, though at first disbursed from the Public Funds, are not a final *Charge* against the Revenue, while all *Imperial* outlay is essentially a final *Charge*.

Contributions of Foreign States.

46.—The last sub-division is that of outlay undertaken by the British Government in behalf of *Foreign States*. It is clearly analogous to the outlay above termed *Local*, excepting that the latter is included in the Accounts of the British Revenues while this is not. These sums are laid out in trust for the States from which they are received, and the Works constructed from them are clearly susceptible of classification on the same principles as that proposed for our own Public Works.

Sub-divisions of Imperial outlay.

47.—Of the outlay designated as *Imperial*, some further analysis will be found to be necessary. In general terms, the expenditure which takes place within the boundaries of each Province is charged against the Revenues of that Province. But there are important exceptions to this rule.

Thus while the Public Works outlay for *Local Troops* employed in any Province is charged against the Provincial Revenues, that for the *Regular Military Force* is charged against the Government to which the Province appertains. This, however, it must be explained, applies only to the *Public Work* Military charges, for the cost of the Troops themselves, wherever employed, is borne by the Presidency to which the Army belongs, of which those Troops form a part. In the case of the Bengal Presidency, the aggregate regular Military Public Works Charges of all its dependencies are shown under the head of the Government of India.

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 Incidence of
Military Out-
lay.

48.—Besides the Army, there are certain other Departments of the Administration, the charges for which are not localized, *viz.* Political (*i. e.* *Diplomatic*, a head which is included in the head *General*, Subordinate to Sub-division *Government*), Railway, and Electric Telegraph. Again, it happens at times that expenditure takes place in one Province which has to be debited as a charge to another, as in the case of the Opium buildings in the North-Western Provinces, which are charged against the Revenues of Bengal.

Of certain
other classes of
outlay.

49.—That portion of the outlay which is thus charged specially against the Revenues of any particular Province will be termed *Provincial*; that which is put down as a charge against the aggregate Revenues of a superior Government will be called *Central*.

Provincial and
Central.

50.—The expenditure on Public Works will therefore be divided into—

General
scheme of clas-
sification.

1. PUBLIC WORKS OUTLAY; restricting the term to that portion of the expenditure borne by the Public Revenues, and separating it into—

Main Divi-
sions.

- A. Imperial.
- B. Local.

APP. A. 2. TUCCAVY WORKS OUTLAY.

3. FOREIGN WORKS OUTLAY.

Imperial out-
lay.

51.—The *Imperial* outlay will further be classified as follows :

1. GOVERNMENT OF INDIA.

a. Central.

1. *Military.*
2. *General.*
3. *Railway.*
4. *Electric Telegraph.*

b. Provincial.

1. *Tenasserim and Martaban.*
2. *Pegu.*
3. *Nagpoor.*
4. *Oudh.*

2. GOVERNMENT OF BENGAL.

3. GOVERNMENT OF NORTH-WESTERN PROVINCES.

4. GOVERNMENT OF PUNJAB.

5. GOVERNMENT OF MADRAS.

(Further sub-divided under the proper heads.)

6. GOVERNMENT OF BOMBAY.

a. Central.

(Arranged under the proper heads.)

b. Provincial.

1. *Bombay.*
2. *Sattara.*
3. *Sindh.*

7. GOVERNMENT OF STRAITS SETTLEMENTS.

Local,—Tuc-
cavy,—Foreign
outlay.

52.—The *Local* outlay would only require to be sub-divided according to the Civil Administrations, and the same of the *Tuccavy Advances*. In respect to *Foreign* outlay no special remarks are called for.

E. Of Public Works Income.

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53.—The Classification of Income must of necessity follow the same general rules as that of Outlay, and the first arrangement will accordingly be under the classes and sections which have been designed to exhibit the *objects of the Works*. It follows, as a matter of course, too, that in works or operations the outlay on which is not looked upon as Public Works Expenditure, neither can the receipts be considered as Public Works Income.

Income.

54.—The next distinction will also be that of *Ordinary, Extraordinary, and Profit and Loss*, the first head including all income obtained in the common and regular course of events, year by year; the second applying only to receipts of an unusual and exceptional order, including refunds; the last comprising miscellaneous receipts not included in the other two, but still appertaining generally to Public Works operations.

Principal
sub-divisions.

55.—Under the head of *Ordinary*, the following sub-divisions will be made, analogous to those of Outlay, and intended to exhibit the character of the regular Public Works Income, as the classification by Works exhibits the objects from which it is derived:

Ordinary.

1. *Tolls, Dues, and Fees*—Money received for the *temporary use* of Roads, Bridges, Ferries, Canals, Wharfs, Light-houses, &c.
2. *Rents*—Money obtained for the *hire* of Buildings, Staging Bungalows, Store-rooms, from the *letting* of land, from the *sale* of the produce of Land, Plantations, Forests, &c.
3. *Rates*—Income derived from a *cess* on the extent or value of property improved or benefited by Public Works; as by Irrigation, by Embankments, by Drainage, &c.

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4. *Profits*.—Income, gross or not according to circumstances, from the working of Mills, Workshops, Mines, &c.

Extraordinary. 56.—The sub-divisions under *Extraordinary* would be—

1. *Sales*—Produce of sales of old buildings, materials, land given up, &c.

2. *Refunds*—Re-payments of Advances charged in Account, Wages short-paid, &c.

Profit and Loss.

57.—Under *Profit and Loss* will appear all receipts such as the following: Fines levied; Interest received; Surplus Cash brought to credit; Value of Cattle impounded and sold, &c.

Distinction of Public Works Income—Tuccavy Repayments—Foreign contributions.

58.—Public Works Income will likewise be treated according to its Geographical distribution, or shown in relation to the Revenues of Government and Provinces just as was explained in the case of outlay. Further as the term *Public Works Outlay* is to be restricted to that borne by the Public Revenues, so the term *Public Works Income* should be confined to that which falls into the Public Revenues. The Income on account of *Tuccavy Advances*, is in fact a mere *Re-payment*. In the case of *Foreign States Funds* supplied for the execution of Works will be in the nature of a *Contribution*, though where the State is administered by British Officers, the miscellaneous receipts may be classified as directed for *Public Works Income*.

Gross Income and gross Charges always to appear.

59.—It is clearly to be understood that the gross Income is invariably to be exhibited on the one side, and the gross Charges as invariably debited per Contra.

Cases where the Income does not all come under the head Public Works Income.

60.—But it must not be lost sight of that the whole gross Income derived from the use of a Work, will not always be fairly set down as a credit to *Public Works*, for there will often be a separate Departmental Administration among the charges for which some portion of the maintenance

APP. A.

charges of the Works may probably be included. In such cases the Public Works Income can only be taken as the net income after deducting all maintenance charges. Neither indeed can it be assumed that the Public Works Department has a right to claim the *whole* surplus income in such cases, for this income may represent the results of Departmental good management as well as the legitimate return from the structure provided by the Public Works Outlay. Again the line will have to be laid down in a somewhat arbitrary manner between the Works, the maintenance of which shall be treated as an exclusive Public Works charge, and those the maintenance of which shall appear in the Accounts of the Civil Department.

61.—All deductions made from Military Salaries on account of the use of Government quarters will henceforth be shown as a Public Works Credit, the saving to the State being in fact a set-off against the original cost of the barracks or quarters.

Rent of quarters.

62.—It is proposed to draw out hereafter, in connexion with this classification, a full Index of all known items of income or expenditure in the Department of Public Works, by help of which the Offices of Account, and all persons concerned in the preparation of Public Works Reports or Accounts, will be enabled to class Works, &c., with certainty according to one system. Such an Index will be revised periodically in the Public Works and Financial Departments, and will be made to contain a record of all important decisions as to items of income and charge.

Proposed Index of terms.

II. RETURNS FOR THE PUBLIC WORKS DEPARTMENT.

E. Of the Budget—Estimates and their sanction.

63.—It has been laid down as a fundamental rule, that no proposal for the execution of Public Works shall be

Estimates.

APP. A. entertained, unless it be accompanied by a properly detailed design and estimate.

Always necessary, except in cases of real emergency.

64.—A strict adherence to this maxim is an implied condition in all authority to sanction expenditure delegated to any functionary whatever his position ; in cases only of *real emergency*, immediately reported and duly explained to the next superior authority, may this injunction be allowed to be infringed upon, excepting as otherwise permitted in certain classes of Petty Works or Contingencies, for which special rules are provided.

Foreign Works. 65.—The operations of the Department of Public Works, in those cases where the charges are defrayed by Foreign States, and would therefore fall under the title of *Foreign*, would be commonly conducted with less formality than where the Works concerned were executed at the cost of the British Government, although the general principles should still be the same in both. Where a portion of Foreign Territory is administered by British Officers, exactly the same rules are to be held to apply as to outlay in our own Districts ; otherwise the peculiar circumstances of each case must decide the precise system to be followed.

Tuccavy. 66.—The expenditure which falls under the head of *Tuccavy Advances* will take place under whatever general restrictions are imposed upon the grant of such advances. Within the limits thus assigned, the Local Civil Administrations have entire freedom of action with respect to the sanction of such outlay, which in its nature is restricted to works of minor importance.

Local Funds. 67.—In accordance with existing usage, the *Local Funds* are also placed entirely under the direction of the Local Civil Governments, merely under such check as is necessary to ensure regularity in Account, and a proper carrying out of the objects of the funds.

68.—Over the outlay from *Imperial* sources, the Government of India will exercise a complete check in all its stages ; and it is to this class of expenditure that what follows will almost exclusively apply.

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Imperial outlay.

69.—The *Public Works Budget* is the annual estimate of the proposed expenditure on Public Works, for each part of the British Territory. It is laid before the Government of India at a certain fixed period, and then alone projects for the more important Public Works can be brought forward for sanction. Its great object is to ensure the general wants of the country at large being taken into consideration as a combined system, and thus, as far as possible, to secure the most beneficial application of the funds that can be devoted to Works of improvement.

The Budget.

70.—In considering the rules which should regulate the preparation of the Budget, it will first be convenient to analyse the expenditure on Public Works, according to the manner in which the various charges receive a preliminary sanction. The principal division is evidently that, between *Works* for all of which *Estimates* are requisite, and *Establishments* or *Contingencies* which are disbursed on a general *Authority*.

Sanction to expenditure either on Estimate, or on general authority.

71.—*Works* again will fall under the following classes :—*Original Works* and *Repairs*. Under the head of *Original Works* will be included all new constructions, and all restorations of Works fallen into such decay as to be disused. *Repairs* should be understood as applying exclusively to Works or Buildings in use, and the rule of the Madras Government will be generally adopted that when the cost of a proposed repair exceeds one-fourth of the *Dead Stock* value of a Work, it shall be held to be a restoration and be dealt with as an *Original Work*.

Original Works and Repairs.

72.—Projects for *Original Works* may be distinguished in two ways—*first*, with reference to their maturity, either as projects altogether new, or as projects already approved and

Projects for Original Works how sanctioned.

APP. A.

in course of execution; *secondly*, with reference to their importance, either as those for which the sanction of the Government of India or of the Home Government is required, or those which may be undertaken under the authority vested in the Local Administrations themselves.

Ordinarily
only by entry
in Budget.

73.—Of those Original Works which fall within the competency of the Local Administrations, there are again two main categories differing considerably in respect to the process by which sanction may be given to them. The first of these comprises all ordinary Works of improvement, which are brought forward without special claim to any character of emergency, and which at the same time are not of an entirely subordinate nature. To no such Works can sanction be accorded, excepting at the time of framing the Budget, and then only on a specific preliminary design and estimate for each.

Sanction to
certain special
classes of
works.

74.—The second class includes Works for which a general preliminary sanction is given by the Government of India, within the limits of which the Local Administrations are at liberty to sanction Works at any time of the year. This Class may be divided into three sections—

Minor Works.

75.—*1st, Minor Works*—Under which head are placed Works the cost of which is calculated not to exceed 10,000 Rupees, and having an isolated character; the necessity for which may arise during the year, after the Budget has been submitted, and the commencement of which it may be inconvenient to delay till they could be regularly brought forward in the next year's Budget. For such Works a certain fixed sum is annually allotted at the discretion of the Government of India, according to the supposed requirements of each Province.

Petty Works.

76.—*Petty Works*—By which are meant all Works, the separate cost of which is estimated not to exceed 1,000 Rupees. On this class of Works, no restriction is made by

the Government of India, either in respect to the period when sanction may be accorded, or to the aggregate amount that may be passed during the year.

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77.—*Emergent Works*—These are works which, being in excess of the limit placed on *Petty Works*, are from any unforeseen cause suddenly found to be requisite. But no work of improvement, however desirable in itself, can be held to be emergent, unless some sudden and unforeseen circumstances shall have arisen, which have either caused, or are likely to cause, some inconvenience or probable injury to the State or the Public, which it is necessary to meet at once, and the remedy of which it would be improper or unsafe to defer. Under these provisions, the Local Administrations have been authorized to sanction at once, and at any time of the year, all works, which are strictly speaking and *bond fide* emergent, making a special report on the subject to the Government of India. In the case of really urgent works, a preliminary sanction may be given without waiting for a formal estimate, but the Officer in charge of the work should be held to be responsible that this document is submitted at the earliest possible date. It must be repeated that a laxity is to be permitted in the interpretation of the words *Urgent* or *Emergent*. It must also be understood that no sanctions for sums under 1,000 Rs. or for *Repairs* of any sort, should be classed as *Emergent Works*.

Emergent Works

78.—Works of improvement, not having the characteristics of emergency, which from want of foresight have not been included in the Budget, but are found to be much required at any subsequent period of the year, can only be executed within the limits provided for Minor Works.

Works omitted in the Budget, and not emergent

79.—*Repairs* will be divided into two principal sections—first, *Current Repairs* to include all the usual periodical repairs of works and buildings maintained at the charge of Government. For this class of repairs a fair approximation

Repairs, current and special, how estimated.

APP. A.

to the annual outlay could always be given in anticipation, calculated on the known requirements of the various works. The second division of repairs will be called *Special Repairs*, by which would be understood those repairs arising from unforeseen casualties caused by fires, floods, &c., for estimating the cost of which in advance no precise data can exist, and which could only be so estimated on a general calculation of the outlay on work of a similar nature in past years.

Remark on technical terms.

80.—It is to be observed that the terms *Ordinary* and *Extraordinary* have purposely been rejected in speaking of repairs, in order to avoid a second use of these words, which have already had an arbitrary meaning applied to them of a different sort from that which would attach to them in relation to repairs. Attention is every where to be paid to the proper use of the technical expressions introduced in these Rules.

No restriction on the outlay on repairs.

81.—No restrictions are placed on the Local Administration by the Government of India in respect to the sanction of expenditure for necessary repairs.

Establishments.

82.—The charges for what are technically called *Establishments* are generally understood as including all regular salaries, or travelling allowances, to Public Servants employed in the Department. It will however be apparent, that the pay of all those persons chiefly employed under Departmental authority, the amount of which is included in the estimates for works, and charged accordingly, must of course be excluded from the separate Estimates for Establishments, which form part of the Budget. These estimates will consequently be restricted to the salaries of persons employed in *superintending* work or in some office or duty subsidiary to that superintendence, as distinguished from those who are employed in the actual *execution* of work, the whole charge for whom should be included in the estimates, and therefore entered under the preceding heads of *Original Works* or *Repairs*.

83.—In order to distinguish clearly between the different classes of Establishment, they will be termed—

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Classes of Establishments.

1st.—REGULAR ESTABLISHMENTS—the *permanent* scale authorized by Government for general purposes of supervision, &c.

2nd.—EXTRA ESTABLISHMENTS—any *temporary* additional Establishments under Government authority for like objects.

3rd.—WORK ESTABLISHMENTS—persons employed in the actual *execution of work*.

84.—The salaries of the two first of these classes appear as direct charges in the Accounts; the pay of the last, on the other hand, should be included in the Bills for the Works to which it belongs.

How chargeable.

85.—The regular and extra Establishments will further be susceptible of division, as before intimated in paragraph 31. into Establishments—1st, for, *Direction*; 2nd, for *Construction*; and 3rd, for *Collection and Police*.

Sub-divisions of these classes.

86.—It is not proposed to deal with the Military Allowances of Officers employed in the Department of Public Works in connexion with the Budget. These allowances, though all in excess of the Pay Proper is a Public Works charge, are at present drawn and checked in the Military Department, an arrangement which has its advantages, and which need cause no difficulty in adjusting the charges for Public Works Outlay, as the necessary transfer can easily be made in the Offices of Account. (*Vide* paragraph 187.)

Military Allowances.

87.—*Contingencies* are charges of a miscellaneous nature, subsidiary to the performance of the duties of the *Establishment*. There will naturally be contingent charges on account of Works of all sorts, but these must be written off to the *Works*, in the estimates for which they are supposed to be included, and not confused with the special *Contingencies* as restricted above.

Contingencies.

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Sundries of
other Depart-
ments.

88.—The anomalous expenditure on account of Barrack Furniture and Service—which strictly has no greater connexion with the legitimate operations of the Department of Public Works than the internal Departmental arrangements of the Post Office, the Commissariat, or the Ordnance, will, for the present, be placed by itself altogether apart from the legitimate Public Works Outlay. This outlay is partly sanctioned on estimate, partly in accordance with certain special rules provided for the purpose ; but it needs no further observations here.

Budget Rules.

Powers of
sanction—Go-
vernment of In-
dia and Home
Government.

89.—The Government of India has authority to sanction any project, the estimated cost of which does not exceed 1,00,000 Rupees. Works estimated to cost more than that sum must be reserved for the sanction of the Home Government.

Local Admi-
nistrations.

90.—The several Local Administrations subordinate to the Government of India have authority to sanction projects within the following limits :

The Governors of Madras, and Bombay ; and the Lieutenant-Governors of Bengal, and of the North-Western Provinces ...	... 25,000 Rupees.
The Chief Commissioner of the Punjab ...	10,000 ,,
The Governor of the Straits Settlements ...	5,000 ,,
The Chief Commissioner of Oudh ; the Com- missioners of Pegu, Tenasserim and Martaban, Nagpoor, and Mysore, and the Resident at Hyderabad ... ..	... 2,000 ,,
The Director General of Post Offices, for Works connected with his Department only ...	2,000 ,,

Annual Re-
view of project-
ed Works by
Local Adminis-
trations.

91.—The head of each Local Administration shall, at such time as may be thought most convenient, but not later than the 1st of December in each year, make a review of all pro-

jects for new Works proposed for execution within the territory under his control during the ensuing year. At this time he will determine what new Works to recommend to the Government of India from among those beyond his own competence; what new Works to sanction within the limits of his own authority, and what sums to ask for on account of new Works already sanctioned and in progress. The powers of the Local Administrations, as laid down in this and subsequent clauses, extend alike to all classes of Works, whether Civil or Military.

92.—Works, when thus sanctioned, either by the Local Governments directly, or on their recommendation, by the Government of India or the Home Government cannot be actually begun till the 1st May next ensuing after the submission of the Budget in which they have been set down for approval; nor can any fresh appropriation of funds for Works in progress claimed at the time of the Budget be taken advantage of, even when sanctioned, until the 1st May, *i. e.* till the actual beginning of the official year to which the Budget applies.

Limitation of appropriations of funds under Budget sanctions.

93.—The Local Administrations are enjoined not to accord a final approval to any project at the time of its receipt from the Departmental Officers, but strictly to defer all decisions to recommend or to sanction till the time of the review previous to the Budget, by which means alone can a comprehensive and connected view of the wants of their several Provinces be secured. The only exceptions to this rule that are permitted are those which may occur in reference to the Works described in paragraph 74.

No work to be approved except on the annual review—exceptions.

94.—In according sanction, or recommending Works to the Government of India, as well as in applying for appropriations of funds for the service of the year, due attention must be had to the means of supervision at the disposal of the Local Authorities; and proper provision should be

Means of supervision to be looked to.

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made in the estimates for all Works, for any extra expense that may be likely to arise from the employment of the necessary Work Establishments.

The sanctions of the Local Administrations will not be interfered with.

95.—The Government of India, without giving up the powers of general control which it must continue to possess, still has no desire to interfere in detail with the exercise of the authority to sanction Works which is conferred on the Local Administrations, beyond what may be found necessary in regulating the general expenditure of the Empire.

But brief explanations are required of all projects sanctioned.

96.—The Local Administrations in submitting the Annual Budget to the Government of India, are expected to furnish a succinct explanation of the nature of each project that has been approved on their own authority, and a brief record should be made that proper estimates and designs have been prepared.

Estimates, &c., of projects submitted to the Government of India, to be sent up in detail.

97.—In the case of projects which require the approval of the Government of India or the Home Government, the original detailed designs and estimates, accompanied by the reports of the local, professional, and other Officers, must be submitted with the Budget, and the Local Administration will be expected to give a complete explanation in reference to each project, of the grounds on which it has been proposed to them, as well as of the reasons which have weighed with them in recommending it for sanction.

Projects for Systems of Works how to be dealt with.

98.—Works of an isolated nature will naturally be discussed on their own merits alone, but those which involve the consideration of any general system of operations, such for instance as roads, and lines of navigation, or methodical arrangements for providing Irrigation Works for a large district, &c., should be treated in reference to the whole series of Works with which they stand in relation; and skeleton maps, showing the whole system of such Works, and colored so as to distinguish between those executed, in progress, or contemplated, should in these cases accompany the Budget.

99.—All projects approved by the Director General of Post Offices, for Works in connexion with his Department, required within the jurisdiction of any of the Local Administrations, are to be inserted by them in their Budgets, as sanctioned or for submission to the Government of India as the case may be. This will not interfere with the general control exercised by Local Governments over the operations of the whole of the Department of Public Works, but only gives authority to the Director General to sanction of himself Works within the limits assigned to him, or to have larger projects submitted to the Government of India without necessary reference to the Local Administration. The management of the subsequent details of execution will be left unaffected.

100.—At the time of the preliminary review, estimates must likewise be prepared of the probable sums required by each Administration for the following classes of Works, *viz.* :

MINOR WORKS.

PETTY WORKS.

EMERGENT WORKS.

REPAIRS.

101.—An approximate estimate, based on the wants of past years, would be required for *Minor Works* as before defined. Authority to sanction this class of Works has hitherto only been given to the Governments of Madras, Bombay, Bengal, and the North-Western Provinces, and to them only within a certain specified sum allotted to each by the Government of India at the time of considering the whole of the Budgets. This sum must not be exceeded.

102.—The Local Governments above-named, have further been empowered, out of the sum thus allotted to them for Minor Works, and within the limit of 10,000 Rupees, more than which may not be devoted under this rule to any one Work, to commence any Work not having the character of a *Minor Work*, after it shall have been approved

APP. A.

Powers of
Director General of Post
Offices.

General estimates for certain classes of Works.

Minor Works.

Surplus of the sum allotted to these may be disposed of otherwise.

APP. A.

on their annual review, but which they may wish to begin before the 1st May of the Official year to which the Budget appertains.

Petty Works. 103.—An approximate estimate of the outlay on *Petty Works* will also be formed from the experience of former years. The estimate should be prepared with as much care as possible, but it is not intended to restrict the expenditure on this class of Works, which may be sanctioned to any really necessary extent by Local Administrations, in excess of the approximate estimate, and at any time of the year.

Emergent Works.

104.—*Emergent Works*, in a similar manner, should be approximately estimated for in the gross at the time of the Budget; but they may be sanctioned at any time, and to any necessary extent, by Local Administrations, provided that a special report is made to the Government of India, explaining distinctly the nature of the emergency, and the probable outlay that will be incurred.

Current Repairs.

105.—*Current Repairs* should be approximately estimated also: detailed statements will be drawn up by the various Departmental Officers of the probable expense of the current repairs of all Works and buildings in their charge, from which a classified abstract will be made, showing the probable outlay in each Division or District, for each sub-division of the classified list of Works. This abstract will be submitted to the Government of India by the Local Administration as a part of the Annual Budget, the original detailed statements being kept for check and reference by the Departmental Authorities.

Special Repairs.

106.—*Special Repairs* will be estimated generally on the experience of past years, and exhibited in the Budget in abstract in a similar form to that ordered for Current Repairs.

Powers of Chief Engineers to sanc-

107.—Chief Engineers are authorized to pass all detailed estimates for repairs not including re-constructions or entire

restorations, provided the total sum sanctioned does not exceed the approximate sum set down under the sub-divisional heads in the estimates of the Budget.

APP. A.
tion estimates for repairs.

108.—For all *Repairs* Local Administrations can sanction expenditure which is necessary, at any time of the year, and irrespective of the sum set down in the annual estimates.

Supplementary sums required for repairs.

109.—In cases in which the estimated cost of the repairs to any Work or building exceeds 10,000 Rupees, they will be termed *Extensive*, and such items must be noted separately in the estimates of the Annual Budget.

Extensive repairs.

110.—The general authority given for the sanction by the Local Government at the time of the Budget, either of new Works or Repairs, under these approximate estimates, will not however supersede the necessity for exact preliminary estimates for each particular Work that is undertaken under that authority, and without such estimates, no special sanction should be given, and no operations should be begun, excepting in case of the special class of Petty Works and Repairs for which estimates are dispensed with, or of actual emergency.

Necessity for detailed estimates.

111.—To ensure regularity in this respect, every Local Administration will keep a record of the sanctions accorded to works under any of these general estimates, and a monthly extract from this record will be transmitted to the Government of India, for its information.

Record of sanctions.

112.—The estimate for *Establishment* will be confined to the *Regular* and *Extra Establishments*, the cost of which is not charged against any particular Work.

Establishments.

113.—The estimate for *Contingencies* in like manner, will be exclusively for those items which appear as a direct charge in connexion with the Establishments.

Contingencies.

114.—The charges for Military Contingencies or Current Barrack Expenses, managed by the Department of Public

Sundries of other Departments.

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Works, will form the last item of these estimates, and will be an approximate sum, based on previous experience.

Revised estimates.

115.—A *revised* estimate is to be understood as a new estimate, which it has been found necessary to substitute for the original from alterations in the rates or requisite quantities of work. A revised estimate may of course be less than the original estimate.

Supplementary estimates.

116.—A *supplementary* estimate is to be understood as an additional estimate for any extension of the first design or any alteration involving increase of expenditure.

Powers of Local Administrations to sanction revised and supplementary estimates.

117.—All Local Administrations are authorized to pass supplementary or revised estimates when they do not involve an additional charge of more than 10 per cent. on the original estimate, if that estimate was beyond their own power of sanction ; or in case of an estimate sanctioned on the authority of the Local Administration, if the additional charge is not more than one-tenth of the maximum amount which the Local Administration has power to sanction.

Such sanctions not limited as to time, but should appear in Budget in certain cases.

118.—Revised or supplementary estimates, if within the powers of the Local Administrations, may, if it is thought expedient, be passed by them at once, or if beyond those powers, may be specially referred to the Supreme Government for sanction at any period of the year ; and when the estimate is duly passed the Work may at once proceed. At the same time, all such revised or supplementary estimates having reference to Works that will probably still remain in course of construction during the current year, should be entered in the Budget, and appear among the new projects, classed according to circumstances among those within the powers of the Local Administrations, or with those requiring superior sanction.

Monthly Return of sanctions to be submitted.

119.—A monthly Return of supplementary or revised estimates passed on the authority of the Local Governments,

otherwise than in the Budget, will also be submitted for the information of the Supreme Government.

120.—Appendix No. IV. shows the form which is proposed for the return of estimates sanctioned by Local Administrations from month to month.

121.—Appropriations for Public Works Expenditure in the several Governments and Provinces, made on any Budget under the authority of the Government of India, are to be generally understood as available only within the year to which that Budget refers. The unspent balance of the appropriation of the preceding year will therefore be held to merge in the fresh appropriation for any Work ; and no mere transfer of cash in the Departmental Treasuries can be considered to constitute expenditure or a final realization of the grant, which will only be held to take place on the *boná fide* disbursement of the money on the Works.

122.—It must be most clearly understood that the Budget is to contain the entire estimated expenditure on Public Works in each Government or Province, whether under the immediate control of the Engineer Department, or of other branches of the Administration, in accordance with the views expressed in paras. 39-41.

123.—In order to give a complete estimate of the Public Works Expenditure under any Administration, it would be necessary to exhibit the outlay not only on Imperial Works, but on the other classes also, *viz.* Local, Tuccavy, and Foreign. As regards Local Outlay, its entire management being left to the Local Administrations, no details need be called for ; but for financial purposes a statement of the probable gross outlay should be given, arranged, as far as possible, so as to fall into the shape in which the Imperial Expenditure is exhibited. The Tuccavy Outlay dealt with in the Public Works Department would be solely that which

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Appropriations of money under sanctions in the Budget how to be understood.

The Budget to be a complete estimate of all Public Works expenditure.

Local, Tuccavy, and Foreign Works how to be included.

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took place under the Public Works Officers, (see Para. 161.) and any such items might be inserted without objection in the regular Budget, a distinct note being made of what items were Tuccavy Works. Foreign Outlay would rarely fall within any Budget except in the case of Foreign States administered by British Officers. Here the Imperial items of expenditure would usually be comparatively few in number and should be specially noted, the Budget otherwise being drawn out in the regular prescribed form. The exceptional and isolated items of Foreign Outlay that had to be dealt with in the Public Works Returns of ordinary Administrations, might be treated in the manner just explained for Tuccavy Works.

Form of Budget.

124.—The proposed form of Budget is shown in Appendix No. V.

Part 1.

Projects that require Superior sanction.

125.—Part 1 will include all those projects which require the sanction of the Government of India or the Home Government.

Part 2.

Projects finally sanctioned.

126.—Part 2 will contain all projects finally sanctioned, whether not yet begun or in course of execution.

a. New projects.

Section (a) comprising new projects sanctioned under the powers of the Local Administration at the time of preparing the Budget.

b. Projects already begun.

Section (b) including those which had been previously sanctioned and commenced, for which an appropriation of funds is required. In this last section will be entered all original Works likely to remain unfinished on the 1st May following, however they have been sanctioned, whether on entry in former Budgets, or by special order of the Government of India, or under the general powers of the Local Administrations with respect to minor or emergent Works.

Projects to be entered separately.

In these parts of the Budget, each separate project will be entered separately, whatever be its amount.

127.—Projects for Works originally estimated to cost less than 1,000 Rupees, will be excluded from Part 2 of the Budget, and will be set down only in total under the several sub-divisional head of Petty Works in Part 3.

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 Petty Works.

128.—All Works originally estimated to cost more than 1,000 Rupees, will, in the event of their construction extending into two years, appear in the second year in Part 2 of the Budget, although the sum required for their completion is then less than 1,000 Rupees.

Works not
 petty.

129.—So any supplementary estimate for less than 1,000 Rupees, for a Work originally sanctioned for more than that sum, would fall within the scope of Part 2.

Supplemen-
 tary estimates.

130.—Projects for Works of a composite character should be entered in the Budget, sub-divided under the several classified heads to which they appertain; a memorandum being made opposite to each such entry, to explain clearly that it is a portion of some general project and estimate to which reference should be made. The project would best be dealt with as a whole, in the special report of the Local Administration which accompanies the Budget, under that head of the classified arrangement which takes in the principal object of the Works; such explanatory remarks being made in reference to any other headings under which portions of the expenditure would be classed as would generally elucidate the special fitness of any particular parts of the projected Works, to the ends to which they were to be devoted. Such composite projects would however be quite exceptional.

Works of
 composite cha-
 racter.

131.—Part 3 exhibits the estimated outlay under the heads of Minor, Petty, and Emergent Works. As before intimated, all Works estimated below 1,000 Rupees, whether brought forward and specifically sanctioned at the time of the annual review, or generally estimated in the gross on the experience of the past, will be accounted for under the

Part 3.
 Minor, Petty,
 and Emergent
 Works.

APP. A.

head of Petty Works. Works, too, which in their character would otherwise be classed as emergent, will, notwithstanding if they cost less than 1,000 Rupees, be held to be Petty Works, and allowance must be made for them accordingly. At first there may be difficulty in finding data for the classified division of the estimates for such outlay as this, and until such data are obtained by experience the distribution must be made as well as possible, though perhaps in a somewhat arbitrary manner.

Part 4.
Repairs.

132. Part 4 contains the estimates for repairs. The records already existing will probably enable this to be prepared with sufficient accuracy. Where the outlay on any individual building or work is more than 10,000 Rupees, it will be exhibited separately, otherwise a sub-divisional total will be all that is required. The estimate for Current Repairs will be an abstract drawn up from carefully prepared detailed statements of every separate work which will be retained in the Departmental Offices for record. The Special Repairs must be estimated for on such data as exist.

Part 5.
Establishments and Contingencies.

133. Part 5 shows the probable charges for establishments and contingencies. It will be understood to have reference only to salaries and travelling allowances, &c., drawn in the Public Works Department; all Pay and Allowances drawn in the Military Department being excluded.

Part 6.
General Abstract.

134. Part 6 is a general abstract of the five preceding parts.

Part 7.
Divisional Abstract.

135. Part 7 is an abstract arranged according to localities or departments, and showing the elements of the outlay in each Division or District.

Part 8.
Classified Abstract.

136. Part 8 is a complete classified abstract of the probable outlay, divided so as to show the distribution of the expenditure according to the objects of the works, according to the character of the outlay, and according to the nature of the funds or incidence of the charge on the Provincial Revenues.

137. Part 9 is an abstract showing in a more concise form the outlay for each Division of the Territories of the whole of British India, distinguishing the two great classes of Works, State and Public, and the two great categories of outlay, Ordinary and Extraordinary.

APP. A.
Part 9.
Territorial
Abstract.

138. It will be seen that no entries of *Profit and Loss* appear in the Budget ; it is not expedient to notice such items of charge in an Estimate.

Profit and
loss not shown.

139. Further, it is well to explain that the above forms of Estimates and Abstracts have been arranged so as to be applicable both to the Budget and the Progress Report. Also, that they represent what might be considered a complete series of documents in illustration of the proposed expenditure on Public Works, and that in the present condition of the Accounts of the Department, their preparation in so complete a state could hardly be hoped for.

General ar-
rangement of
Budget and
Progress Re-
port alike.

140. Of the parts of the Budget detailed in paragraph 107, Parts 1 and 2 for new works, and part 4 for repairs, should be looked upon as essential, and they should be transmitted with the greatest possible punctuality, and without waiting for the completion of the other parts. They should be dispatched so as to reach the Secretary to the Government of India in the Public Works Department before the end of January in each year. Parts 7, 8, and 9 will perhaps at first occasion some difficulty, but they contain information which ought to be before the Government at the time of the general review of the finances of the country at the commencement of the official year ; and though their submission be not rigidly insisted upon at present, the Accounts should at the earliest possible period be put into such a condition as to render their compilation practicable. The preparation of these three abstracts may, if it is desired, be deferred till the orders of the Government of India are passed upon the Budget ; and if the information

Essential parts
of the Budget
and date of
submission.

APP. A.

is submitted by the Local Authorities in a complete form, with reference to the distinctions pointed out in paragraph 50 and paragraph 123, they might probably be drawn out in the Office of the Secretary to Government in the Department of Public Works.

• F. *Of the Progress Report.*

The Progress Report.

141. The Annual Progress Report is designed to bring periodically under review, the actual results of the operations of the Department of Public Works. As the Budget should exhibit, in a succinct and comprehensive form, the estimated expenditure for any year, the Progress Report should show in like manner, and so as to be easily comparable with the Budget, the actual progress made at the close of the year in carrying out the works which were projected at its commencement.

When to be submitted.

142. The Progress Report is to be submitted by the end of August, that is, three months after the end of each official year, a delay which should allow of all the Accounts and Returns for that year being closed and put into proper form.

Arrangement of Progress Report to follow exactly that of the Budget.

143. The sub-divisions of the Progress Report ought to be the same as those of the Budget, and the same order, both in the classification and in the enumeration of the works, should be carefully preserved in both.

To contain a concise view of the year's work.

144. Besides the elements of cost, which are provided for in the established form of the Report, details of the date of commencement and of completion and of the progress of each work will be given. The state of each work will be briefly described in general terms, so that a clear idea may be obtained of what has been done during the year. Any important circumstances connected with the prosecution of the works, any considerable alterations that may have been found necessary in the design, or any difficulties that may

have prevented the progress being such as had been anticipated, should be explained.

145. It should be understood that, as the entire estimated outlay on Public Works by whomsoever executed is to be entered in the Budget, so the entire actual outlay and work done is to be detailed in the Progress Report. Works, though not specially provided for in the Budget, will therefore still be entered in the Progress Report, in accordance with the Rules which will be found further on.

146. A Special Report from the Local Government is to accompany the Progress Report, in which a general review should be taken of the operations of the Department during the past year, and the names of such Officers as may have distinguished themselves by skill and care in design, or by vigour and economy in execution, should be brought forward.

147. In connection with the Progress Report, the economical working of the Department may also conveniently be brought under consideration. A series of comparisons should be made of the actual cost of works executed, as contrasted with the estimates first submitted—of the rates for original works and for repairs under different circumstances—of the charges for Establishments and Contingencies in relation to the extent of the operations carried on—of the expenditure of the last year with previous years,—and generally such an analysis of the outlay as may be practicable or useful.

148. At this time likewise may be laid before Government, the description of any works of more than usual interest in an engineering point of view, which have been carried out during the year.

149. Of directly remunerative works, such as Irrigation Works, Navigable Canals, Roads supported by Tolls, &c., separate Statements will be prepared to accompany the Progress Report, showing the financial results, the charges for

APP. A.

All work done to be entered whether it was estimated for in Budget or not.

Special report of operations and of Officers.

Comparison of actual with estimated cost.

Engineering Works of interest.

Financial results of remunerative works.

APP. A. maintenance, their income, and the profit or loss they bring to the State.

Account of this description formerly rendered in the N. W. P.

150. An Account such as this has been drawn out for the exhibition of the operations of the Canal Department, North-Western Provinces, for many years past, but in a somewhat defective form. According to the existing practice, the whole expenditure on the works under consideration, from their first commencement up to date, including maintenance, is collected on one side of the Account, and the whole income from the commencement is collected on the other side. The Account is made up from year to year with interest, on both sides. But such a mass of figures of necessity fails to convey any satisfactory or definite conclusions to the mind, neither is the principle on which the Account is kept such as it should be.

Other returns of a like character defective.

151. The system followed in some of the Madras Returns appears still more defective. In these, the gross increase of Revenue produced by any Irrigation Work is claimed as profit realized on the original outlay on account of that work. But in this way no cognizance seems to be taken of the cost of maintenance or of collection ; and it is evidently quite possible, that with a large gross increase of Revenue there might be a decided net loss on the works. Neither can it be admitted that the entire gross increase of Revenue, which is coincident in point of time with the construction of Irrigation Works in a District, should, as a matter of course, be set down as fairly due to the direct operation of those works ; for this is all that such calculations as these can pretend to give.

How now to be rendered.

152. In place therefore of either of these, will be substituted an Account of the following description : (Appendix No. VII.) It will be divided into two parts:—*1st. The Statement of Capital,—and 2nd. The Statement of Revenue.*

153. The Statement of Capital will show the Dead Stock value of the works. To the old Balance brought forward from the past year all outlay for altogether new or additional works, or for the rebuilding of those that require total restoration, will be added from year to year as the expenditure takes place. On the other hand all deterioration either from gradual decay, from accidental, destruction, or from change of design of the works must be deducted.

App. A.
Statement of
Capital

154. The Statement of Revenue will show the gross Charges set off against the gross Income. The Charges will consist of Interest on the Capital; Maintenance, including all outlay on Repairs; the *pro rata* share of Establishments for such Repairs, and the entire cost of Collection and Police. The gross proceeds of all sorts will appear as Income. A Balance will be struck between the corresponding columns under the head of Charges and under the head of Income.

Statement of
Revenue.

155. In both of these Statements, the aggregate amount should be carried on from year to year, so that they may show at a glance, all the material facts of the case.

Aggregate
sums to be
carried on from
year to year.

156. It must be remarked that it is perhaps questionable to what extent Interest should continue to be charged upon the entire original cost of the works, which goes on continually accumulating, without making any allowance for the deterioration by wear and tear, or any set off for accumulations of surplus Income. To carry out an exact calculation of this sort would be a complicated task, and after all would hardly repay the trouble it gave. It will therefore be held that if the Balance of the Revenue Statement from the commencement up to date be on the side of Income, the amount of such Balance may be allowed, in the calculation of interest on Capital, as a deduction from the gross first cost of the works, to the extent of their deterioration from wear and tear. Thus in the case shown, (Appendix VII) the net Balance of Profit on the whole period during which the work

Interest on
first cost how
to be charged.

APP. A.

is supposed to have been in operation being 29,000 Rupees, the gross outlay on works, 12,60,000 Rupees, might be diminished to that extent in calculating the next year's Interest, which would thus be charged on 12,31,000 Rupees. But the reduction will not be allowed to go beyond the entire amount of the deterioration, 70,000 Rupees, however great the amount of the clear profit ; so that the charge for Interest will never be on a less sum than the Dead Stock value of the works, in the present case supposed to be 11,90,000 Rupees.

Roads how to
be dealt with.

157. In dealing with Roads on which Tolls are levied the same return may be employed, but with the omission of all charge for interest in the Statement of Revenue. No actual return of Profit can be looked for on the outlay, but the Government has a right to expect that the annual cost of maintenance shall as far as possible be defrayed by those who make use of the Roads constructed at the cost of the State. The receipts from the Tolls will in these cases be shown as a direct set off against the charges for maintenance.

Reports of
working expenses.

158. In connexion with these Returns of remunerative works, Special Reports might advantageously be prepared, showing the elements of the working expenses and an analysis of the receipts.

Ultimate
combination of
these Returns
to be in view.

159. It should be looked forward to as an end to be arrived at, to combine into one the isolated Returns of all remunerative works under Government control. But in the existing condition of things, this cannot be attempted. For the present the rule now in force may be continued, that the separate account of remunerative works is only required when the original outlay has exceeded 10,000 Rupees.

Works from
Local funds.

160. Reports of the progress of works executed from the Local Funds should likewise be drawn out annually as a supplement to the more formal Progress Report of the regu-

lar operations of the Department of Public Works. Such a Report has already been commenced in the Punjab. It should be drawn out in such a form as to be readily amalgamated with the general Returns of the regular Department.

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161. So too works constructed from Tuccavy Advances have a certain claim to be dealt with in the Progress Report, and a Return of such works would be a contribution to the statistics of the country, not without considerable interest. Still it will be necessary to draw an arbitrary line in works of this description, between those which are essentially private and those which have more or less of a public character, with a view to excluding the former from the Public Works Returns. This distinction will be made by considering all Tuccavy Works, the superintendence of which is undertaken by Government Officers to be public, and by inserting them in a Supplementary Return with the Progress Report. All other Tuccavy Works will be considered to be private and will not be included in the Returns.

Works from
Tuccavy ad-
vances.

162. The operations carried on under Officers of the British Government at the expense of Foreign States, should also be brought into relation with the general Public Works Returns of this description; the degree of strictness with which the rules and forms here laid down can be followed being dependent on the general system under which the operations in question were carried out, whether there was a decidedly English Administration or not.

Works from
Foreign con-
tributions.

163. Every private Company engaged in the construction of Railways, or other works on guaranteed Capital under Government control, is required to submit an Annual Report, describing briefly the operations of the year and the appropriation of the money expended. When any part of the Railway has been opened to the public, it is also ordered, that a detailed statement of the traffic and an analysis of the receipts and working expenses shall be furnished.

Works of
Companies under
guarantee
of Government.

APP. A.

Works under
Municipal Bo-
dies.

164. All municipal bodies, who are entrusted under local or general Acts of the Legislature with the expenditure of funds levied from the public, might also be invited to send in Annual Returns of their Public Work operations to be incorporated in a general Statement by the Local Government. This would complete the record of all Public Works of any importance throughout the Provinces of British India and though of course it would be a matter of some difficulty to bring so large a number of independent bodies into proper order, and to get from them the Returns with due regularity, still the thing seems possible, and the idea may be adopted as one to be acted up to as opportunity offered.

Form of Pro-
gress Report.

165. The forms to be adopted for the Progress Report are given in Appendix No. VI.

Parts 1, 2,
and 3.
New Works.

166. Parts 1, 2, and 3 will be prepared in the same general form. They will contain a detail of the expenditure on every new work that has been in progress during the year with the exception of those Petty Works which cost less than 1,000 Rupees. With this restriction, a separate entry will be made for each work executed on a separate estimate. The expenditure on Petty Works costing less than 1,000 Rupees each, will be entered in the aggregate in abstract under the several sub-divisional heads, with a brief enumeration of the principal objects on which the outlay has taken place.

How to be
arranged.

167. The same order will be followed in the arrangement of Parts 1 and 2, of the Progress Report, as of those parts of the Budget of the year in hand ; the division of Part 2 into two sections will also be preserved ; and the same numbers will be attached to the projects both in the Progress Report and Budget. Works executed on supplementary estimates will be placed in immediate succession to the entry of the original estimate, in whichever part of the Report that may be classed. In case of a revised estimate,

the amended amount will be substituted for that first sanctioned, with a distinct explanation of the authority on which the change has been made. Any work executed under special sanction of the Government of India, which was not entered in the Budget, and which does not fall under the heads of Minor, Petty, or Emergent Works, is to be classed in Part 1, of the Progress Report.

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168. In Part 3, the sub-division into the three sections of Minor Works, Petty Works, and Emergent Works, will also be kept. Under the heads of Minor and Emergent Works, separate entries will be made for each separate estimate that has been sanctioned. Under Petty Works, a sub-divisional total will be given for each division or district of Public Works, such further short enumeration of the works executed being given as may be thought desirable. In every case, however, in which the actual cost of a work sanctioned as a Petty Work proves to be more than 1,000 Rupees, the legitimate limit of such works, a separate entry will be made of the work in question.

Part 3 how to be dealt with.

169. The special sanctions for the whole of the works entered in Part 3 of the Progress Report, should be found in the Returns of sanctions which are submitted from month to month. (Appendix No. V.)

Sanctions in Part 3 should correspond with the monthly returns.

170. Part 4 will exhibit the work executed in repairs, sub-divided under the same heads as in the Budget, with such further general explanations as may be thought suitable. The rule regarding the separate entry of any repair costing more than 10,000 Rupees is to apply to the Progress Report, as well as to the Budget. In the section of special repairs, the works which have been carried on should be briefly enumerated, though a separate entry need not be made unless as above explained. The remaining parts of the Progress Report will show the actual expenditure during the year for the several purposes named in each,

Part 4, Repairs.

Remaining parts.

APP. A. drawn out in a form precisely similar to that of the estimated expenditure of the Budget. These Returns will require no special comment.

Forms of analysis of rates, &c., left to discretion of Local Governments.

171. The forms to be followed in the analysis of rates, &c., alluded to in paras. 147 and 160 to 164, must be left for future determination; but until some final conclusion shall be come to as to the shape in which such Returns should be submitted to the Supreme Government, the attention of the Local and Departmental Authorities will be generally directed to the subject with a view to the preparation of what appears to them possible or expedient.

G. *Of Departmental Accounts.*

What part of Public Works Accounts here considered.

172. The general system of Accounts to be adopted in the transactions of the disbursing Officers of the Department of Public Works, and the method to be followed in checking and adjusting these Accounts, is fully detailed in the body of the P. W. Code, and in the forms that are annexed to it. It is here only proposed to give a complete view of the ultimate demands which the Government of India makes upon the local Offices of Account, in order to obtain a satisfactory record of the entire expenditure on Public Works throughout the British Provinces.

General uniformity of system essential.

173. It is essential, that one uniform system should be followed in the chief account offices of the Department. It is hardly possible to exaggerate the confusion and waste of time caused in any Central Department Office by the Accounts which are rendered from the several dependencies of the Empire being drawn out on different systems. In the Accounts of a country so large, and consisting of so many distinct Provinces as British India, punctuality, accuracy, precision, and clearness can only be ensured by uniformity. This is no doubt true in respect to all Accounts; but of all others, it is most essential in the Accounts of the De-

partment of Public Works, for they are exceedingly complicated, as well as exceedingly heavy; and any disorder in their preparation almost inevitably leads to waste, confusion, and stagnation in the prosecution of the works themselves.

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174. The first return of this nature will be a final general Account at the end of each year, to bring into an exact and concise shape the whole of the transactions of the Department.

Annual General Account of Public Works outlay.

175. It will probably not have escaped notice, that the record of the expenditure on Public Works, which accompanies and forms part of the Progress Report, is not, strictly speaking, an Account of all the operations of the Department, but only an Account of those operations which have been completed during the year. Thus the outlay for the purchase of materials is only exhibited to the extent to which those materials have been used on works in progress. Neither, in the event of expenditure not being checked and classified in the Central Offices, or accounted for by the Disbursing Officers, would the charge be properly shown in the Progress Report Statements; for these Returns are specially intended to exhibit the actual work known to be done, and the exact outlay ascertained to have taken place on that work. Neither, of course, do the Returns annexed to the Progress Report show, in a connected form, the cash balances remaining in the hands of the Officers of the Department, nor the value of stores, nor the receipts of cash, nor the manner in which any of these items has been modified in the course of the year under review.

How to be framed.

176. For these objects a special Account is necessary. The form fixed for it is shown in Appendix No. VIII. A somewhat similar Account was directed to be prepared in the Orders of Government in the Department Public Works, No. 2011, dated 12th October 1855; but the process indicated for its compilation was only intended as a temporary

Similar Account before ordered.

APP. A. expedient for obtaining the desired information in the most perfect form practicable under the circumstances of the Department, which at that time was in a state of transition.

The new form
of this Account.

177. The Account now under consideration will be called the *Account of Total Outlay*. On the debtor side will be entered, under the proper heads, and in the regular classified order, so far as it is applicable, all the receipts, whether of cash, of stores, or of sums transferred from the outlay of other Departments, which are properly debited to Public Works.

Receipts of
Cash.

178. The receipts will be divided as follows:—

1. *Cash Remittances*—Sums issued to Disbursing Officers from Government Treasuries; these it will be convenient to keep separate.
2. *Public Works Income*—Under which will be shown all direct receipts by Officers of the Department of Public Works classified as already laid down (*Vide paras. 55-57.*)
3. *Tuccavy Advances*—Repayments.
4. *Foreign States*—Contributions or Appropriations for expenditure under Public Works Officers.

Transfers of
Stores, &c.

The transfers from other Departments, excluding the cash which has been dealt with above, will be included under the head of

5. *Supplies*—These will be arranged according to the usual order of the classification of Departments, but it will chiefly consist of transfers of Ordnance Stores, Instruments, &c., and of the Military allowances of Officers employed in the Department of Public Works.

Outlay.

179. On the credit side of the Account, the first entry will be *Public Works Outlay*. This will comprise, in the first

place the entire outlay, whether of cash, stores, or allowances paid in the Military Department, the equivalent of which is given by the works executed during the year and shown up in the Progress Report. In addition, however, will have to be set down all items of Profit and Loss charges, which are not included in Establishment or Contingent Bills, or in charges for work on estimate. The outlay under the heads of *Tuccavy Works* and *Foreign Works* will follow in like manner.

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180. The *Balance*—will be divided into

1. *Cash*—Which will show the actual cash balances in hand.
2. *Unclassified Outlay*—Being the sums alleged to have been spent by the disbursing Officers, pending the check of their Accounts.
 - A sum disallowed by the Office of Audit will, if summarily retrenched, be at once brought forward again as cash, or if permitted to be re-submitted with further explanation, will remain among the unclassified advances.
3. *Stock*—Exhibiting the value of all stock or stores in the custody of the Officers of the Department of Public Works, however obtained, whether by purchase, or by transfer from other Departments.

Balance.

181. The *Abstract of Outlay* at the foot of the Account requires no particular comment. *The Memorandum of all Outgoings* is intended to show, in one sum, the amount of all the transactions of the year, including not only the outlay on works executed and reported, but the unclassified outlay and the sum devoted to the collection of stock over and above the amount charged off on this account under the head of Works. It will at times, no doubt, happen that there will

Abstract of
Outlay & Memorandum of all
outgoings.

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be a *decrease* of the Unclassified disbursements and that more Stock will be written off in the year's Accounts of work than was really purchased during the same interval. In these cases, the *Total Outlay* will have to be reduced, *pro tanto* to show the true amount of the transactions of the year.

Adjustment
of Public Work
expenditure.

182. The next Account relating to the transactions of the Department which will be submitted to the Supreme Government is one designed to exhibit the Progress of the Adjustment of the expenditure. The account of total outlay shows the transactions of the Department for each official year, considered in reference to the works executed, or the outlay incurred during that one year alone. The account of Adjustment will deal with the unadjusted expenditure of all past years, and its special object will be to show that the whole of the outlay has been duly covered by Bills passed under competent authority, for works on Estimate, for Establishments and Contingencies, or for Profit and Loss, before it is finally written off in the Public Accounts. The importance of bringing a periodical check to bear upon the operations of the Offices entrusted with the audit of Public Works Accounts cannot be overrated. A special Report will be submitted at the end of each year on the progress of the adjustment, and a detailed explanation will be required of the whole of the unadjusted balance of more than one year's standing in every Office of Account, so that no old unexplained outstanding claims should be permitted to exist.

Account of
Adjustment.

183. *The Account of Adjustment* (Appendix No. IX.) will be exhibited in the form of an Account Current, commencing on the debtor side with the *Balance* remaining unadjusted at the end of last year.

Balance.

184. The Balance will be divided between,—*Public Works Outlay*, distinguishing *Imperial* and *Local—Tuccavy Works*—and *Foreign Works*. Under each of these heads will

be indicated the proportions of the unadjusted outlay that were originally *Cash Disbursements* and *Value of stock issues*.

APP. A.

185. Next will follow the outlay of the past year brought forward for adjustment. This will be arranged generally in the same order as the Balance, but with the addition of a head to show the proportion of *Military Allowances* transferred from the Military Department, and made a charge against the Public Works Department. Separate heads will likewise here be introduced to show how much of the entire sum brought forward belongs to the outlay of each year.

Outlay
brought
forward for
adjustment.

186. The credits in this Account will primarily be distributed under the principal heads of *Public Works*, *Tuccavy Works*, and *Foreign Works charges*. They will be the amounts of the several Bills passed. The Public Works charges will be divided first into *Imperial charges* and *Local charges*, and then arranged in order according to the authority by which they have been passed. Under each authority, Bills will be distinguished, as those for

Credits by
Bills passed.

Original Works,
Repairs,
Establishments and Contingencies,
Profit and Loss.

At the same time the portion of the charge in each Bill originally disbursed in cash, and that which represents the value of stock issued, will be separately exhibited also.

187. Under the head of *Military Auditor General*, among the authorities by whom charges have been admitted, will be entered the entire amount (brought forward per contra as a transfer from the Military Department) of the Military Allowances of the Officers employed in the Public Works Department. The details of the adjustment of these allowances is given in the Military Accounts and will not be wanted here; all that is required being a corresponding

Military al-
lowances how
adjusted.

APP. A.

credit on this side of the Account to cover the debit made on the other. It may be explained that the Military Allowances appear to be most conveniently dealt with in this manner; they might indeed be altogether left out of this account, but in that case the total outlay brought forward for adjustment would not be entire amount devoted to Public Works, nor would it agree with the sum set down in the Account of Total outlay which of necessity includes the Military Allowances. The form in which the Account is prepared will provide ample protection against any error in these entries passing unnoticed.

Expenditure
written back.

188. Next after the credits on Bills passed, will follow credits arising from Expenditure written back, or transferred to other Departments for adjustment. In the former case a corresponding Cash receipt would be found under the head of Public Works Income, in the Account of Total Outlay as well as in the Statement of Receipts and Disbursements. It is necessary to provide for such transactions though little likely to occur.

Balance.

189. The Balance will follow in the form before explained for the debit side.

Arrangement
proposed.

190. It may here be pointed out that the arrangement of the adjusted charges is better made according to the authorities by whom the Bills are passed, than in the regular classified order of the works according to their objects. The intention of the arrangement of the expenditure under the classified heads is mainly to give an idea of the relative sums spent from year to year on the various classes of works. Now, as the execution of large works extends into several years, while the adjustment of the expenditure they have entailed takes place in the year when the Accounts are closed, quite irrespective of when the work was done, no real comparison could be got by such a classification of adjusted charges, nor indeed would any useful result be attained by

it. The adjustment has for its aim, the proof that the expenditure is all duly authorized, and it appears on the whole that the most convenient way of primarily arranging the Passed Bills is according to the Officers by whom they have been passed.

APP. A.

191. In reference to this part of the subject, it has to be observed that some specific course must be laid down for the recovery of retrenchments from the expenditure of Officers of the Department of Public Works, and that a summary process of realization should be adopted in cases in which the audit was held to be final. The details of such a process would however be altogether dependent on the system of Account in force, and thus they belong rather to the internal economy of the Central Offices of Public Works Account than to the subjects now in hand.

Recovery of
retrenchments.

192. In order to complete the series of accounts of the transactions of the Public Works Department, a few Accounts of details would still be requisite; of these the first is the Account of the actual Cash Disbursements, Appendix No. X, this however will more conveniently be explained among the Financial Returns, and so needs no further comment here. (*Vide* Para, 199.)

Cash Ac-
count.

193. *The Account of Stock* is the next in importance. It will be prepared in such a form as is given in Appendix No. XI. It would show on one side all receipts of stock or stores from whatever sources, whether purchased or obtained by transfer, classified as;

Stock Ac-
count.

1. Tools and Stores.
2. Instruments.
3. Furniture and Camp Equipage.

Each of these heads being sub-divided if necessary, as *Departmental* and *Ordinance*.

On the other side all issues would appear whether to Works, or Profit and Loss, or whether the articles were

APP. A.

sold. In the latter case a corresponding Cash receipt would be found in the Public Works Income Account.

Unclassified
outlay.

194. *The Account of Unclassified Outlay*, would exhibit these transactions in detail, showing the progress made from year to year in classifying the former outlay of this nature, and the fresh sums entered under the head for the year in hand. It has been thought right in the form of this Account given in Appendix No. XII. to make an entry of *Proportion of Military Allowances transferred*. The necessity for doing this would however depend on the amount standing on the books as unclassified, for if the sum were trifling, which it should be under proper management, it might not be worth while to go to this trouble of apportioning a separate share of the Military Allowances to the unclassified outlay, as sufficient practical accuracy might be attained by making the whole of those allowances a charge against the classified outlay.

Tuccavy and
Foreign Ac-
counts.

195. Accounts will also be necessary to show the transactions under the heads *Tuccavy Advances* and *Foreign States*; such are the two forms, Appendix No. XIII. and No. XIV., but they require no particular observation.

III. RETURNS FOR THE FINANCIAL DEPARTMENT.

Financial Re-
turns.

196.—The last class of Public Works Returns to be spoken of are those demanded by the Financial Department. These refer entirely to the Receipts and Disbursements of Cash, either past or prospective.

Actual Re-
ceipts and Dis-
bursements.

H. *Statement of Actual Receipts and Disbursements.*

197.—This Statement, technically termed *The Actuals*, contains the account of the actual cash transactions of the Department, and is the first and most important of the Financial Returns. The great principle to be attended to

in its compilation is that all direct Receipts and Expenditure should appear in it once, and once only. In this, it will be seen to differ materially from the Accounts before spoken of, in which the charges are arranged with different objects, namely, to show either the ultimate cost of each class of work executed during the year, the whole of the transactions of the Department, or the final adjustment of the expenditure, and the amount still remaining to be adjusted at the end of each year.

APP. A.

198. It may here be pointed out that, inasmuch as the Statements of Actual Receipts and Disbursements of all Departments of the State are ultimately combined, in order to show the entire Income and Outlay of the country, it is important that no double charges should be allowed to enter this Account. By this is meant that mere transfers of sums from one side of the Departmental Books to the other, though they are of course essential in the adjustment of the Accounts, should not be permitted to appear here. The same remark applies to transactions between different Government Departments. Thus, if stores are purchased for Government by one Department, say the Ordnance, the original payment for them will appear as a charge against that Department. If a transfer of those stores is made from the Ordnance to the Public Works Department, it is clear that, were the Public Works Officer to pay cash to the Ordnance, the Stores in question would appear as a charge against the State *twice*, once when first bought by the Ordnance, and again on the payment by the Public Works to the Ordnance Department. The practice of effecting the adjustment of Accounts between different Departments, by the payment of cash, has often been advocated, and is, it is believed, followed in some parts of India; but for the reasons above given, such transfers ought, as a general rule, to be made on the Books of the Departments only, and cash ought

Double charges
not to be made.

APP. A.

not to pass between them. A little care will suffice to separate such transfer operations from those constituting actual expenditure. The importance of proper attention to this point cannot be too strongly urged, for on it depends the entire value of these Statements as records of the true Income and Expenditure of the country.

Form of Account.

199. The form of the Statement of Receipts and Disbursements is given in Appendix No. X.

Expenditure how entered.

200. The expenditure to be entered on the credit side of the Account under the headings of Disbursements for Public Works, Tuccavy Works, Foreign Works, or Stock, will be the direct actual cash outlay under each of these heads that has been passed by the Offices of Check or Audit. Where separate Stock Accounts are kept, as under the new system of Account in Bengal, the Disbursements for Stock will be altogether excluded from the expenditure entered under the head of Works, and will appear entirely under the head of Stock as a direct charge.

Expenditure disallowed how dealt with.

201. The entries being for the outlay *admitted*, they will to a certain extent not exhibit the exact original expenditure as *charged* by the Executive Engineer; they will, however, show that portion of the expenditure which is susceptible of adjustment, and any difference which is disallowed in the Office of Audit or Check, and directed to be made good by the Disbursing Officer, or to be brought forward again as a new charge, virtually may be considered never to have been expended.

Expenditure not checked how dealt with.

202. If the Accounts are properly brought up, the whole expenditure for the year might easily be checked and classified within three months after the 30th April. Still it is necessary to provide for delays beyond the period which is allowed by the date on which this Return has to be submitted, and any outlay which then remains unchecked and undistributed must be entered under the head of *Unclassified Disbursements*.

203. The outlay will be entered in this Statement in total only for each subdivisional heading of the classified list, excepting in cases where upwards of 10,000 Rupees has been expended on any individual work, and for these distinct entries of each will be required; the sums for the separate works above 10,000 Rupees under any head being first set down, one after the other, and afterwards the total expenditure on account of the remaining works under the head costing individually less than 10,000 Rupees.

APP. A.

Degree of detail required.

204. The exhibition of the Income will be similarly treated, sums above 10,000 Rupees being shown separately, minor sums being lumped together, under the several heads.

Income.

205. Further, it may be noticed, that the whole expenditure will ultimately be divided for the purposes of the Financial Department into Ordinary and Extraordinary, and that the outlay on Stock and the Unclassified Disbursements, the exact distribution of which of course cannot be known beforehand, will be proportionately divided between these two classes of outlay. But this operation will be performed in the Offices of the Civil Accountants, and the Public Works Offices of Account have no concern in it.

Ratable division of charges for stock, &c., between ordinary and extraordinary.

206. The Statement of Receipts and Disbursements should be received in the Office of the Accountant General by the 15th September; and there can be no reason why the submission of the Accounts of the various subordinate Offices of the Department of Public Works should be delayed after the end of August, for this would allow those Offices four months for closing the Accounts of the preceding official year.

Date of submission.

I. *Financial Estimates of Receipts and Expenditure.*

207. The Finance Department calls for Estimates of the Receipts and Expenditure of each Department at three several periods in every year. Forms of these returns are given in Appendices XV, XVI, and XVII.

Financial estimates.

- APP. A.** 208. *1st. The Anticipative Sketch Estimate.*—This is required by the 15th January of each year. It is altogether an Estimate having reference to the financial year that commences with the 1st May next succeeding.
- Anticipative sketch.**
- Sketch.** 209. *2nd. The Sketch Estimate.*—This has to be submitted on the 1st August of each year. It embodies the actual Receipts and Expenditure of the first three months of the financial year, and estimates for the remaining nine months.
- Regular.** 210. *3rd. The Regular Estimate.*—This is to be prepared by the 15th December. It is based on the actual transactions of the first six months of the financial year, those of the remaining six being calculated on Estimate.
- Form of financial estimates.** 211. The form of these documents should be identical in every respect with that laid down for the Statement of Actual Receipts and Disbursements. The Sketch and Regular Estimates are, it will be observed, nothing but revised Estimates, in which the actual transactions up to date are made to replace the corresponding portion of the amounts first set down altogether on Estimate; and a gradual transition thus takes place from the first Anticipative Sketch to the Actual Statement of Receipts and Disbursements.
- Preparation of anticipative sketch.** 212. If the Public Works Budget is submitted in the complete form laid down, the Anticipative Sketch Estimate of Public Works outlay could be readily prepared in the Office of the Secretary to the Government of India, in the Department of Public Works, after the allocation of the Funds for the service of the year had taken place. Of course far greater punctuality in the submission of all Provincial Returns must be secured, to enable the Public Works Secretariat to complete the Estimate of outlay within the period allowed for it, that is, before the 15th January; but there seems no good reason for thinking that this degree of punctuality may not be ultimately attained.

213. In one respect the Estimates of the Public Works Department will differ from those of the other Departments ; the distinction between charges for the current year and those for past years will not be made. There is nothing in the nature of Public Works which makes them belong to one year rather than another, excepting inasmuch as the actual outlay takes place in the one year or the other ; and all expenditure will therefore be held to appertain to the year in which the money is paid, not to that in which the liability was incurred.

APP. A.
—
Distinction
of charges for
past years not
required.

This rule will apply to every class of the Expenditure, including Establishments.

214. As regards Public Works Receipts, the distinction between the Income of successive years rests on a very different basis ; it is of course proper and should be retained.

For income
this distinction
is necessary.

J. Comparison of the Statement of actual Receipts and Expenditure with the Estimate and the Statement of previous years.

215. The information required by the Financial Department in explanation of the comparison between the estimated and actual transactions could be furnished from the Public Works Secretariat from the data that would have been provided in connexion with the Progress Reports and Budgets, and these returns need no longer be submitted from the local Public Works Offices of Account, after the Progress Report and Budget shall have been brought forward in the forms and with the details which we have proposed. The form in which this Comparison is to be given is shown in Appendix No. XVIII.

Comparison
of Actual Ex-
penditure with
the past and es-
timated outlay.

N. B.—The documents referred to as Appendices in the foregoing will be found in the Book of Forms, numbered from 138 to 155.

APPENDIX B.

Government Civil Engineering Colleges.

THOMASON COLLEGE.

NOTIFICATION, 1855.

THE following Prospectus of the Thomason College for Civil Engineers at Roorkee, is published with the sanction of the Hon'ble the Lieutenant Governor, North Western Provinces, in supersession of the previous Notifications by Government on this subject.

Senior Department.

Commissioned
Officers.

The Senior Department of the College consists of Commissioned Officers of Her Majesty's and the Honorable Company's Services. General Orders by the Governor General in Council, No. 585 of 1852, published in G. O. C. C. 6th October 1852, are referred to for the rules of admission to this Department. The ability of candidates to enter upon a course of Surveying, and Constructive and Mechanical Engineering, will be previously tested by an examination into their knowledge of Arithmetic, of Geometry to the extent of

the first four Books of Euclid, and of Algebra to Quadratic Equations inclusive.

Besides this, there are three Departments in the College, in each of which are a certain number of stipendiary students, for whom quarters are provided.

No student in any Department will be admitted, unless he can furnish satisfactory testimonials of character. He should likewise be of good constitution and capable of undergoing fatigue and exposure in field work.

First Department.

Candidates for admission as stipendiaries to the first Department must be under the age of 22. They must be well acquainted with the English language, able to read and write it with ease and accuracy. They will likewise be required to read and write Oordoo correctly, and to translate into that language from English, a passage from some work on Engineering subjects, which is tolerably free from technical expressions. All are required to pass an examination in Arithmetic, Algebra, Geometry, Mensuration, Plane Trigonometry, and Mechanics. They must also be able to draw simple plans correctly to scale. Candidates, on furnishing testimonials of good conduct and probable fitness for the profession of a Civil Engineer, will be examined by means of written questions to be sent by the Principal and worked out by the candidate, in the presence of some responsible person whose nomination must be approved by the Principal.

The extent to which the examination in the subjects above enumerated will be carried, is as follows:—

Arithmetic.—In full.

Algebra.—To Quadratic Equations, including the Binomial Theorem and Surds with elementary application to Geometry.

APP. B.

Stipendiary and other students.

Character.

Native students for the Engineer Department.

Examination prior to admission.

APP. B. *Geometry*.—Euclid the first 6 and 11th and 12th Books, with deductions.

Mensuration of Planes and Solids.

Trigonometry.—Including the nature and use of Logarithms,

Mechanics.—Including the principles of Statics and Dynamics, Hydrostatics and Hydro-dynamics, with their elementary application.

Map and Plan Drawing.—Elementary.

Literature.—The reading prescribed for holders of third year junior scholarships in Government Colleges for 1855, as the test for senior scholarships, or the equivalent in other educational institutions, forms the standard of qualification for admission into the First Department of the Thomason College.

The books noted in the margin are named as text books from

LITERATURE.		MATHEMATICS.	which the re-
Goldsmith's Traveller	} From Richard- son's Selections.	Snowball's Algebra.	quisite degree of proficiency on the subjects
Campbell's Pleasures of Hope		Snowball's Trigonometry.	
Goldsmith's Essays—Calcutta edition.		Snowball's Mechanics.	
Keightley's England and corresponding Geography.		Webster's Hydrostatics.	

to which they relate is attainable.

Stipendiary
Student.

The number of stipendiary students in this Department is limited to 10. They will receive, whilst attached to the College, a subsistence allowance of Rs. 30 per mensem and free quarters.

Object of this
Department.

Their instruction at the College is designed to qualify them for the appointment of Sub-Assistant Civil Engineer, and generally for employment in connection with engineering works, and other departments of scientific labor.

Certificates.

Certificates will be granted to them only after the Annual Examination of each year, and to those only who have completed the College course laid down for their department satisfactorily.

Second Department.

APP. B.

European Non-Commissioned Officers and Soldiers. They are required, previous to admission, to prove by examination, conducted in communication with the Principal of the College, their proficiency in Reading and Writing, Arithmetic inclusive of Vulgar and Decimal Fractions, Elementary Geometry, Mensuration, and Simple Plan Drawing. They must be well recommended by their Commanding Officer, and by the Executive Engineer of the Division in which they may be stationed, and furnish a certificate from a Medical Officer of unimpaired constitution, also a certificate that they have not been at any former time dismissed from staff employment. Passed candidates will be nominated about the month of August in each year, and will join the College on the 1st of November following.

Military Students for the Subordinate grades of the P. W. Dept.

The men of this Department will be considered as doing duty at the College, and will remain on the strength of their respective Regiments, until appointed to the Department of Public Works, and brought on the strength of the Town Major's List. Whilst at the College they will wear the undress or fatigue uniform of their rank and Regiment, with forage cap and cap cover, and will be under the command of the Principal, and in his absence of the Senior Officer of the College who may be present.

Military control.

They should be furnished on joining the College with a record of service and certificates of the last pay, rations or batta, clothing and bedding, received by them with their regiments, also of the nature of the carriage furnished to them at Govt. expense on their leaving their regiments. They will receive whilst at the College the same pay as with their regiments, including good conduct pay when entitled thereto, together with dry batta or ration money, and 10 Rupees College allowance, which is intended to cover the cost of books and other extra expenses. When not furnished with

Papers to be brought from their corps, and expense of joining the college.

APP. B.

carriage, either for tent or baggage, to enable them to join, they will receive travelling allowance, at the rate of one anna per mile; and if furnished with carriage for tents only, but not for baggage, the allowance will be half an anna per mile. In either case a double allowance will be granted to married men.

Progress expected of the men, and joining the P. W. Dept.

They will be examined from time to time; and if they make insufficient progress and are not steady and industrious, they will be remanded to their regiments. After the final examination at the close of each season, those who are found fit, will be recommended for appointment as Assistant Overseers, and be brought on the Town Major's List from the date on which the results of the Examination are declared.* They will, however, not be entitled to their full pay as Assistant Overseers until they shall have joined their appointments, but will receive up to that time the same pay as at the College, together with 1 anna per mile for the distance travelled by them in joining. This amount will be advanced to them by the Principal of the College on their leaving but is to be paid by the Executive officer under whom the Assistant Overseer is directed to serve.

Number.

The number of students in this Department is limited to 30, of whom 3 may be married men, whose wives must be furnished with certificates of good character as well as themselves.

Applications for this Dept.

N. B. Applications to the Principal for the examination of candidates for the 2nd Department should be accompanied by a descriptive Long Roll and extracts of Court Martial and Defaulter's Books from the date of the candidate's entrance into the service.

Exhibitions.

Stipendiary Non-Military Students of 2nd Department.

The Hon'ble the Lieutenant-Governor, North Western Provinces, has been pleased to authorize the experimental

* Since modified, see chap. 2, para. 24.

establishment, for a term of the cessation of which the one year's previous notice will be given, of 12 Exhibitions, of 20 rupees each per mensem, with free quarters, in the 2nd Department of the Thomason Civil Engineering College at Roorkee—the Exhibitions to be awarded upon a general examination of all candidates, who may produce certificates of good character from the directors of educational institutions of known respectability, or whose fitness to be admitted for examination may be otherwise shown to the satisfaction of the Principal of the College.

APP B.

2nd.—The tests, now in force for the entrance of Non-Stipendiary students to this Department, shall be the minimum qualification required for admission to the benefits of an Exhibition.

Tests.

3rd.—The age of candidates shall be not less than 16, more than 20 years.

4th.—The Exhibitions shall be assigned to the candidates possessing the highest qualifications beyond the minimum standard, in the order of their passing the examinations.

5th.—No Exhibition shall be held for more than 2 years, and every one holding an Exhibition shall be at any time liable to lose it, in the discretion of the Principal, with the concurrence of the Visitor of the College, for misconduct or insufficient progress.

Limit of duration.

6th.—The usual time for the admission of candidates shall be on the 1st November of each year, at which date the examinations will be ordinarily held in the manner, and under the precautions, to be notified by the Principal of the College; but the names of candidates will be recorded, and examination papers may be sent to them under the like precautions, whenever the Principal of the College may find that provision needs to be made for the supply of any vacant Exhibitions.

Period of admission.

A. P. B

Non-stipendiary Students.

7th.—Non-Stipendiary students admitted on the existing rules for that class, may within a year from the date of such admission, take part in the competition, and be eligible for an Exhibition.

Third Department.

Native Students for lower subordinate departments P. W. Department. Senior division.

Native students, in number 50, to whom instruction is conveyed through the medium of their own language. In this department are two divisions.

The *Senior Division* consists of ten students, being those who without having completed their course of instruction stand highest at the annual College examination. They will receive, whilst attached to the College, a subsistence allowance of 10 rupees per mensem and free quarters, except in September and October, during which months they will be allowed to visit their homes.

Junior division.

Junior Division.—The lowest attainments qualifying for admission to the Junior Division will be a fair acquaintance with Arithmetic including Vulgar and Decimal Fractions, Algebra to simple Equations, Geometry to the extent of four Books of Euclid, and an ability to read and write Oordoo in the Persian character, correctly and clearly from dictation.

Additional acquirements recommended

The above to be considered the minimum standard of qualification for entry into the Third Department, but it is strongly recommended that some knowledge be acquired of Mensuration of Planes and Solids, and of Surveying by Chain and with the Plane Table, and also of English arithmetical figures as elementary acquirements in these branches of knowledge will be of essential service to the students on entry into the Third Department, and will render their course of College instruction more easy and expeditious.

The number of Stipendiary Students in this Division is 40 who receive a monthly allowance of five rupees and free quarters during ten months of the year as above. Students of this Division will, on being found qualified, be transferred to the Senior Division, provided the prescribed number of the latter be not thereby exceeded.

APP. B.
Five Rs. a month.

The Students of the 3rd Department will not be allowed to stay at College more than 3 years, and may be dismissed at any time for ill conduct or insufficient progress; during the first year those of the Junior division will be expected, in surveying, to carry the chain and instruments, measure offsets, and assist generally in the surveys performed by their seniors in this Department.

Duration of salary, and duties.

The practical instruction of students of the 3rd Department in both Divisions is regulated with a view to their employment as Surveyors, Draftsmen, Assistants in Public Works, &c., according to their several abilities.

Object of this department.

Students of the 3rd Department on obtaining employment are entitled to a travelling allowance of one anna per mile from Roorkee to the place of their destination, in addition to their College pay during the journey. The travelling allowance must be sent as an advance by the persons applying for their services. The distance should be calculated by the Post Office Polymetrical tables either to Meerut or Suharunpore, which are respectively 62 and 22 miles distant from Roorkee.

Travelling allowance to join.

Admissions into the 3rd Department will take place usually after the examination occurring in August. Candidates may at this season be examined at any of the Government Colleges, at the Central School of the Vernacular School system of the Upper Provinces at the principal vernacular schools, by arrangement with Visitors General and at Roorkee; where promising students will be entered at all times as non-stipendiaries, to study with a view to qualifying themselves for admission as stipendiaries.

Admissions to this department.

APP. B.

Non Stipendiary Students.

Rules for admission, &c.

Properly qualified candidates coming to Roorkee and supporting themselves there at their own cost, are permitted to study with either of the Departments, except the Senior, so far as means may be available for their instruction. Should the number of such applicants hereafter become numerous, moderate fees will be demanded for admission to the benefits of the Institution. Instruction will continue for the present to be gratuitous, and no payments will be demanded, without previous notice of one year.

Europeans.

The European Non-stipendiary students are divided into two Classes ; for the 1st Class the preliminary examination will be the same as that for candidates for the 1st Department, as far as Plane Trigonometry ; for the 2nd Class, the examination will be similar to that for the 2nd Department.

Quarters.

Quarters for both these classes are, to a limited extent, provided in Government buildings, on a payment of rent varying from Rs. 12-8 to 5 per mensem.

The subsidiary rules for admission and examination will be furnished to all applicants by the Principal.

Annual examinations.

Annual Examinations are held, whereby the students are classed according to their proficiency, and prizes are awarded to the most successful.

Course of Study.—Senior and First Departments.

Roorkee, November 1856.

Course of study, senior and first departments.

The course of study, extending over two sessions, comprises the subjects undermentioned, to which are attached the respective numerical values here set down.

Mathematics,	Full marks,	600
Mechanics,	„	250

Civil Engineering,—Theory,	Full marks, 300
Do. Preparation of Designs and Projects, ..	300
Estimating,	200
Book keeping,	100
Surveying,	300
Drawing,	300
Geology,	200
Technical Oordoo,	100
<hr/>	
Total,	2,650

APP. B.

 Course of
 study, senior
 and first de-
 partments.

The student's proficiency is indicated by the number of marks gained in each subject. To entitle to a certificate of qualification, the total number of marks gained in all the subjects must be not less than one half the sum of their total values, and in each not less than one third of the value assigned to that subject.

An annual examination will be held in the month of August, and periodical examinations during the session as below.

DETAIL OF THE COURSE.

1. *Mathematics.*

Arithmetic,	Cape's Mathematics, Vol. i. to page 76.
Algebra,	Do. part i. (omitting chapter vi.; chapter vii. from paras. 194 to 200, and from paras. 207 to 209; chapter viii., to para. 216; and chapter xi.)
Geometry,	Do. Vol. i. chapters i. ii. iii. iv. and Problems.
Plane Trigonometry,	Do. Chapters i. and ii.
Mensuration,	Do.
Analytical Trigonome- try,	Do. Chapter iii.
Conic Sections,	Goodwin's Conic Sec- tions, Ellipse and Parabola.

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2. Mechanics.

Course of
study, senior
and first de-
partments.

Statics,	Cape's Mathematics, Chapters, i. ii. to para. 34; iii. iv. v. to para. 163; vi. from para. 211 to end. Tate's Exercises on Mechanics.
Dynamics,	Cape, Chapters i. ii. iii and iv.
Hydrostatics,	Do. .. Vol. ii. Part iii. of Mechanics
Hydrodynamics,	Do. .. Do. ,, iv. of ditto.

The Student will pass an examination in each subject before proceeding to the next.

3. Civil Engineering.

Building Materials, ..	Roorkee College Papers, Nos. I. and V. Mahan's Civil Engineering, Chapter i. Tredgold's Carpentry, Section x.
Masonry,	College Papers, No. VI. to page 74. Mahan, Chapter iii. Weale's Rudimentary series,—Foundations.
Earthwork,	College Papers, Nos. III. and IV.
Strength of Materials,	College Papers No. II. Mahan, Chapter ii.
Stability of Structures,	Tredgold. Sect. i. Weisbach's Mechanics of Engineering, Vol. ii. to page 64.
Carpentry,	Tredgold, Sections iii. iv. vi. and ix.
Bridges,	College Papers. No. VI. from page 74 to end. Mahan, Chapter vi. Col. Abbott's Treatise on Bridges. Col. Cautley's Notes on Well Foundations, Capt. Thompson's Lectures on Suspension Bridges. Tredgold, Sections vii. and viii.
Roads and Railroads, ..	Mahan, Chapters v. and vii. Dempsey's Practial Railway Engineer.
Machinery,	Tate's Elements of Mechanism.

Hydraulic works, ..	Mahan, Chapters ix. and x. Roorkee Prof. Papers, No. I. Doab and Dehra Dhoon Canals. Roorkee Prof. Papers, No. II. Rajbuhas. Ganges Canal Report, No. 2 ; pp. 1 to 32, 60 to 64, and Appendix A. C. and E.
Hydraulic Machines,..	Weisbach, Vol. i. portions of Chapters IV. and V.
Architecture,	Hosking's Architecture. Weale's Rud. Series—Principles of design.

APP. B.
Course of
study, senior
and first de-
partments.

In addition to the text-books here enumerated, a selection will be made each session of ten or twelve articles from works in the library describing special engineering constructions or operations, which will be considered to form a part of the course for that session, and will be included in the subjects for the annual examination.

Periodical Examinations.

	<i>First year.</i>	<i>Second year.</i>
March, ...	Building Materials.	Bridges.
April, ...	Masonry,	Roads and Railroads.
May, ...	Earthwork,	Machinery.
June, ...	Strength of Materials,	Hydraulic works.
July, ...	Stability of Structures,	Hydraulic Machines.
August, ...	Carpentry,	Architecture,

The full value assigned to the monthly examinations will be 60 marks, leaving 240 to be assigned to that at the end of the session.

4. Estimating.

A course of twelve lessons, for students of the first year, commencing in April. After every four lessons, an exercise in estimating will be prescribed as an examination. The value assigned to these exercises will be 75 marks, leaving

APP. B. 125 for the annual examination at the end of the session.
 Course of study, senior and first departments. Students of the second year will take up these exercises, though not required to attend the course a second time.

5. *Designs and Projects.*

ELEMENTARY COURSE.

- 2 Designs for simple buildings.
- 2 Do. small drain bridges, one masonry, one timber.
- 2 Do. larger bridges, one masonry, one timber.
- 1 Project for a line of road or railroad.
- 1 Do. do. canal.

After the completion of the above course under instruction, the student will be required to prepare three original designs, viz:—

- 1. A building of a specified nature for a stated purpose, with complete plan and rough estimate.
- 2. A bridge over a river of given section with other requisite data, complete with plans, sections, detail drawings, specification and estimate.
- 3. A road, railroad, or branch canal of irrigation, with a description of the ground, an account of the method of determining the line and the reasons of selection, specification, general plan, details and estimates of the requisite bridges, drains, &c.

6. *Book-keeping.*

Course of book-keeping and accounts connected with the Public Works Department, for students of the second year, commencing in May.

7. *Surveying.*APP. B.

After a sufficient theoretical knowledge has been gained, and the use of the requisite instruments learned, a small preliminary survey will be made under instruction; after which an area of six square miles will be surveyed independently, the principal roads and [boundaries traversed, and the minor details filled in, the ground sketched in the field and a fair map executed of the whole.

Course of study, senior and first departments.

Of the 300 marks assigned, 200 are given to surveys executed, and 100 to the annual examination.

8. *Drawing.*

The whole number assigned to Drawing in the valuation of the subjects of study is 300; 240 being given to the work of the session and 60 to the drawings executed at the examination; the 240 for the whole course being thus apportioned.

1. Architectural and Engineering drawing, .. 100
2. Topographical do., 80
3. Perspective, Isometrical perspective, and sketching, 60

9. *Geology.*

Course of lectures commencing the first Saturday of May.

10. *Technical Oordoo.*

Examination in the Technical Dialogues printed at the College, and in translation.

APP. B.

Hours of attendance and arrangement of studies.

Course of
study, senior
and first de-
partments.

	10 A. M. to 1 P. M.	1½ P. M. to 4.
Monday,	Mathematics.	Drawing.
Tuesday,	Civil Engineering.	Drawing.
Wednesday, ..	Mathematics.	Drawing.
Thursday, ...	Mathematics.	Civil Engineering.
Friday,	Civil Engineering.	Drawing.
Saturday, ...	Mathematics.	

This arrangement being subject to the following modifications :—

1. The Surveying course for students of the 2nd year commences in October and continues uninterruptedly until completed.

2. Estimating course for students of the 1st year, commences on the first Tuesday in April, and continues every Tuesday and Thursday, till completed, from 1½ to 4 P. M.

3. Book-keeping course, for the students of the 2nd year commences on the termination of the Estimating course, and continues during the same days and hours as the latter.

4. The examinations in Civil Engineering noted above on the first Friday of every month, from 1½ to 4 P. M.

5. Class for perspective and sketching, Wednesdays from 6 to 8 A. M.

6. Lectures, 6 A. M. during May, June, and July.

Rules for the admission of Officers of H. M.'s and the Hon'ble Company's Armies, to the Senior Department of the Thomason Civil Engineering College at Roorkee.

Admission of
Officers.

G. O. No. 585 of 1852—The Most Noble the Governor General of India in Council is pleased to publish, for general information, the undermentioned rules for the admission of Officers to the Roorkee College, as sanctioned in a despatch

from the Honorable the Court of Directors to the Government of India in the public department, No. 23, dated the 2nd of June 1852.

APP. B.

Admission of
Officers.

1. European Commissioned Officers of the Army, under the rank of a Field Officer, will be permitted to study at the Civil Engineering College at Roorkee on the following terms :—

2. The candidate for admission must be qualified by acquaintance with his military duties, and by having passed the examination in the vernacular languages, to have charge of a company.

3. His application is to be addressed through his Commanding Officer to the Principal of the College, who after satisfying himself that the candidate is likely to profit by the course of study, will forward the application for the approval of His Excellency the Commander-in-Chief.

4. Admissions to the College will take place from the commencement of March to the end of June. Applications should be forwarded so as to permit of the candidates joining not later than June 30th, after leave formally granted in General Orders.

5. The duration of the first permission to study at the College will be till November 1st of the same year; but if the progress of the students is satisfactory, and his conduct otherwise exemplary, the Principal will be at liberty to forward his application to Head Quarters for permission to remain another year at the College, with the sanction of the Governor General in Council. No student will be allowed to remain longer than the November year after his first admission, unless on special sanction, granted under peculiar circumstances.

6. The Principal of the College may at any time recommend to His Excellency the Commander-in-Chief that an Officer be remanded to his regiment.

AFF. B. 7. Officers studying at Roorkee under these rules will be required to pay (10) ten rupees a month to the College Library Fund.

Admission of
Officers.

8. Officers who obtain permission to study at Roorkee College will be considered "absent on duty," and will be so reported in the regimental returns.

(Signed) R. J. H. BIRCH, *Lieut. Colonel,*
Offg. Secy. to the Govt. of India, Mily. Dept.

N. B. With reference to para. 3 of the foregoing General Order the ability of the candidates to enter upon a course of Surveying, and Constructive and Mechanical Engineering, will be previously tested by an examination into their knowledge of Arithmetic, of Geometry to the extent of the first four Books of Euclid, and of Algebra to Quadratic Equations inclusive.

*Rules for the admission of Students to the Thomason
College at Roorkee.*

Admission of
Students.

1. The application to the Principal should be accompanied by a statement of

The age of the Candidate.

The nature of the education he has received.

The school or schools at which he has been educated.

The profession, situation and residence of his parents or next of kin, by whom, ordinarily, and not by the Candidate himself, the application for admission should be made.

2. Should the statements thus made be satisfactory and a vacancy exist, the Candidate will, if the son of Christian parents, be further called upon to produce a certificate from a Minister stating that he has been well instructed in the

Christian religion, or of his having been confirmed as a member of the Church of England.

APP. B.

Admission of
Students.

3. Every Candidate will be required to produce testimonials of good moral conduct under the hand of the instructor under whom he has been educated, or of some other superior, under whom he may have been employed or brought up; and these testimonials should have reference to his conduct during the two years immediately preceding his presentation for admission.

4. A Medical or other sufficient certificate should be furnished, stating that the eyesight of the Candidate is perfect, and that he appears to have a sound constitution such as will enable him to undertake the duties of a Surveyor or Engineer should he eventually prove qualified for either of these professions.

5. The Candidate's qualifications for admission will be tested by examination conducted in writing, according to established rules,—

For the First Department,—in Arithmetic, Algebra, Geometry, Plane Trigonometry and Mensuration.

For the Second Department,—in Arithmetic, (comprising Vulgar and Decimal Fractions,) Elementary Geometry, and Mensuration.

6. On the admission of a Candidate, he must pay, if to the First Department Rs. 100, if to the Second Department Rs. 30, for the purchase of books and instruments for his own use. The books and instruments thus furnished to the Student are to be his own property, and any balance of cash remaining on this account at the time of his leaving the College will be repaid to him.

N. B. Quarters are provided to a limited extent; for the 1st Department, at a rent of Rupees 12-8 per mensem, and for the 2nd Department free.

Notification, Head-Quarters,—Nynnee Tal, the 17th April 1856.

APP. B.

Officers' Prize.

No. 192 A.—The Officers who have studied at the Senior Department of the Thomason College, Roorkee, have instituted as a testimonial to the College, a Prize in the form of one or more scholarships, to be given annually in connection with the Vernacular Departments.

Scholarships
termed the Officers'
prize.

The Prize is to be called the *Officers' Prize*.

The competition is limited to the first ten students of the Departments in connection with which the Prize is offered.

The subject is to be a survey and complete project of a line of road between two given places to be fixed by the Principal ; with the necessary levels, plans and estimates of bridges, drains, &c. The work to be executed immediately after the Annual College Examination.

The scholarships will vary in number according to circumstances, and in value from Rs. 10 to 25 per mensem, to be given on the successful competitor's leaving the College; and to be held for one year. The number and value of the Scholarships on each occasion will be announced the previous year.

On this first occasion the notice is unavoidably shorter. The first *Officers' Prize* will be given after the Annual Examination in August next : one Scholarship, value Rs. 12 per mensem, from 1st September 1856 to 1st September 1857.

The details of the arrangements for the competition will be made known in due course in the College.

R. MACLAGAN, *Captain, Engineers,*
Offg. Principal, Thomason C. E. College.

Published with the approval and by order of the Hon'ble the Lieutenant Governor of the North Western Provinces.

W. MUIR,
Secy. to Govt. N. W. P.

COLLEGE OF CIVIL ENGINEERING
FORT WILLIAM.

[At Present located in Writer's Buildings, Tank Square,
Calcutta.]

Course of Instruction.

English Lan-
guage—Extent
of Course.

The Course of Instruction, which, for the present at least, will be entirely conducted in the English language, is adapted to meet the wants of each grade of the Profession, and includes the special requirements of those who aspire to the Degree of "Master of Civil Engineering" in the University of Calcutta.

Rules for Admission.

Applications
for admission.

Candidates must be over 16 years of age at the time of Admission and must produce satisfactory testimony of good moral Character.

Forms of application for admission will be supplied on reference to the Principal.

A Candidate's application being found satisfactory, he will be eligible for Admission, provided he can produce a Certificate from the Registrar of having passed the Entrance Examination of the Calcutta University, or provided he pass a successful Examination in that standard, or provided he be a Student of any Government College for General Education.

Sessions, Vacations and Duration of Attendance.

Sessions.

The Session commences on the 1st June of each year, on which date Students should join, but they are admitted, subject to the previous conditions, whenever they may present themselves. The Vacations are the same as in the other Government Colleges.

The period during which a Student may continue in the College depends entirely on himself. It is considered that, with ordinary diligence, a Student who joins the College immediately after entering the Calcutta University will be able to get through, in the 1st year, so much of the course as would qualify him for the class of subordinates employed on public works as Overseers—in the 2nd year, so much as would qualify him, as a Sub-Engineer—and in the 3rd year, the whole course. If unable to accomplish this, he may, with the consent of the Principal, be permitted to continue his Studies for a longer period. Students, who join prepared to a higher standard than is contemplated by the Entrance test, will be classified accordingly.

APP. B.

 Period of attendance at college.

Examinations and Rewards.

Public Examinations will be held at the close of each Session at which the whole of the regular Students in College will be allowed to compete together, and Certificates of Professional qualifications, as evinced by the results of these Examinations, will be granted to all who have passed one entire Session in College. Prizes will also be awarded.

Examinations and prizes.

The different classes of Certificates are enumerated hereafter.

The Government of India is prepared to give and for the present guarantees employment, within the following limits yearly, to such Students as pass the tests for the Department of Public Works, laid down in the Public Works Code Chapter II. viz. :

Government employment.

5 Appointments With salary from 100 to 200 Rs. per mensem.	}	2 Uncovenanted Europeans—3 Natives in the Engineer Branch.
13 With salary of Rs. 60 per mensem.	}	5 Do. Do. 8 Do in the Upper Subordinate Branch.
30 With salary from 15 to 40 Rs. per mensem.	}	Do. Do. 30 Do. in the Lower employment.

APP. B. These appointments may be competed for by all Students that have passed one year in College, and when the number of those that qualify exceeds the limits specified, will be awarded to the most distinguished. All are "Probationary" for one year (as laid down in the Public Works Code, and the acceptance of them is optional.

Scholarships.

Ordinary
Scholarships.

Holders of Government Scholarships are permitted to retain them in the C. E. College for the same time as they would have been entitled to keep them had they remained at their original Schools or Colleges, subject to the same conditions as regards progress in their Studies. They are exempt from Fees, so long as they retain their Scholarships.

"Forbes"
Scholarships.

At present there are two "FORBES" Scholarships (instituted to perpetuate the memory of Major General W. N. FORBES of the Bcngal Engineers, late Master of the Calcutta Mint) each of Co.'s Rs. Ten (10) per mensem in value, tenable for one year, subject to progress.

Limitation of
competition.

All Prizes are awarded on the same conditions that obtain in the other Government Colleges—that is—no Student over 21 years of age can receive a Scholarship, nor, if over 23 years, a prize.

Fees.

Entrance fees
and monthly
fees.

On joining the College, an Entrance Fee of Rs. 10 will be levied from each Student in consideration of the use of the Library, &c. and a Monthly Fee during the 1st year of Rs. 3, during the second of Rs. 4, and during the third and following years of Rs. 5 will be demanded. But, in order to encourage candidates, who in the outset aspire to the higher classes of Certificates, to qualify themselves in the General

Branches of Education, as far as possible, before joining this College the nature of which is purely special, a Monthly Fee as above during the 1st and 2nd years, but of Rs. 4 only during the 3rd year will be demanded from those who join qualified up to the 1st year's course of Government Colleges, and of Rs. 3 throughout the first three years of their attendance from those qualified up to the 2nd year's course of the same or Senior Scholarship Standard.

The Monthly Fees are due on the 15th of each month.

A Candidate, having already paid an Entrance Fee in any Government College, will only have to pay the difference (if any) between that Fee and Rs. 10 the Entrance Fee to the C. E. College, provided he still be a Student at some Government College.

APP. B

Students from other colleges.

Out-Students.

Out-Students will be permitted to attend College on payment (in advance) of a Fee of Rs. 15 each Session for each branch of study they desire instruction in. They are not required to undergo any Entrance Examination but must produce satisfactory testimony of good moral Character, and must in every way conform to the Regulations of the College. They are not permitted to compete with the regular Students at the Public Examinations for Prizes or Scholarships. In the prosecution of their Studies, they have the same advantages as the regular Students, but the College is not responsible for their progress or attendance. An Out-Student joining after the commencement of a Session must pay the full Fees for that Session.

Fees and rules.

Military Students.

Five Officers of the Army under the rank of Field-Officer will be admitted annually to study at the College. The Regulations for their admission will be found annexed.

Officers of the Army.

APP. B.

Discipline, &c.

Principal's
authority.

The Executive Control of the College is vested in the Principal. He is responsible for the progress of the Students in their Studies and for their general good Conduct. Discipline is maintained by means of fines and temporary or permanent removal, according to the gravity of the offence.

Books, &c.,
be provided by
Students.

All Students must provide themselves with the Text Books in use; also with Drawing or Mathematical Instruments and Marquois' Scales.

The Students are all non-resident.

Library and Museum.

Library.

The Library is open to all Students, subject to certain Regulations.

Museum and
Model Room.

A Museum and Model Room is being gradually established.

Branches of
Study.

Instruction will eventually be afforded in the following branches—

<i>Mathematics,</i>	}	During all 3 years.
<i>Civil Engineering, ..</i>		
<i>Geodesy,</i>		
<i>Drawing,</i>		
<i>Mechanical Engi- neering,</i>	}	During the 2nd and 3rd years.
<i>Architecture,</i>		
<i>Descriptive Geography,</i>	,,	3rd year.
<i>Physics, (including)</i>	,,	1st year.
<i>Heat, Steam, Fuel,</i>	,,	1st year.
<i>Electricity,</i>	}	2nd year.
<i>Chemistry,</i>		

<i>Mineralogy,</i>	} During the 3rd year.
<i>Physical Geography</i>	
<i>Geology,</i>	
<i>Photography</i>	} A special class during the 2nd & 3rd years.

APP. B.

Detail of Course.*Mathematics.*

1ST YEAR.

<i>Arithmetic,.....</i>	In full, as in Cape, Vol. I.	} Mathematical Course.
<i>Algebra,.....</i>	To Simple Equations as in do. to p. 123.	
<i>Geometry,.....</i>	{ 1st, 2nd 3rd and 4th Books of Euclid or the equivalent in Cape, with practical Geometry.	
<i>Logarithms,.....</i>	{ Cape, Vol. I. pp. 77 to 81 and general use of the Tables.	
<i>Plane Trigonometry,</i>	Part I. Trigonometry, Cape Vol. I.	
<i>Mensuration,</i>	{ Cape Vol. I. Chapter I. with Timber measuring and Cast-gauging as in Chapter II.	
<i>Mechanics—Statics.</i>	As in Galbraith and Haughton's Manual.	

Text Book.

Cape's Mathematics Vol. I., Price 8 Rs.
Galbraith and Haughton's Manual of Mechanics. Price 1 Re.

2ND YEAR.

<i>Algebra,</i>	{ Remainder of Part I. omitting Articles 192 to 196.
	{ Part II. from Articles 298 to 305, from 350 to 355 and 361, 362.
	{ Part III. Articles 375 to 391, Cape Vol.

APP. B.

Mathematical
Course.

<i>Geometry,</i>	}	1, 6th and to Prop. XXI. of 11th Book with definitions of 5th Book— or Cape Vol. I. Chaps. 1, 2, 3, 4, 5, 7, 8, and 9 with Definitions of Chap. 6.
<i>Analytical Trigonometry,</i>		Part II. Trigonometry Cape Vol. I., omitting from Article 86 to end of Chapter IV.

<i>Mechanics—Statics, and Dynamics.....</i>	}	Cape Vol. II. Mechanics Part I. Chapters I. to VII. inclusive, omitting from Article 164 to 210. Part II. Chapters I. II. and III. (but those who contemplate leaving the College at the end of the 2nd year may read from Galbraith and Haughton's Manual of Mechanics instead of Cape.)
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Text Books.

Cape's Mathematics Vol. I.

Do. do. Vol. II, or Galbraith and Haughton's Manual of Mechanics.

3RD YEAR.

<i>Analytical Geometry of two dimensions,.....</i>	}	Cape Vol. II., omitting from Article 132 to end of Chapter IV. and Chapter VIII.
<i>Spherical Trigonometry.</i>		Cape Vol. I. Trigonometry Part III.
<i>Astronomy & Geodesy,</i>	}	Cape Vol. II. Astronomy and Geodesy as far as Article 156.

<i>Mechanics—Dynamics,</i>	}	Cape Vol. II. Mechanics Part II. Chapter IV. to Article 319 of Chapter V. and Chapters VI. and VIII.	APP. B. Mathematical Course.
<i>Mechanics—Hydrostatics, Hydraulics & Pneumatics,</i>		Ditto ditto ditto. Parts III. and IV.	

Optional.

<i>Differential Calculus,</i>	}	Cape Vol. II. omitting from Article 100 to 125 or end.	} May be taken up after Analytical Geometry — at the option of the Student.
<i>Integral Calculus, ...</i>		Omitting Chapter II. also Articles 267 to 271— from 299 to 305, and from 316 to 324.	
<i>Optics,</i>	}	Laws of Refraction and Reflection. Formation of images by simple lenses.	

Text Books.

Cape's Mathematics. Vols. I. and II., Price 16 Rs.

Books for Consultation.

- Salmon's Conic Sections.
- Carpenter's Mechanical Philosophy.
- Jamieson's Mechanics of Fluids.
- Tate's Exercises in Mechanics.
- Wrigley's Examples.
- Todhunter on the Differential and Integral Calculus.
- Ditto on the Integral Calculus.
- Herschell's Astronomy.
- Brinkley's ,,
- Hymer's ,,

APP. B.
Mathematical
Course.

Students are not confined to the subjects detailed for each year only, but may proceed with the course, independent of the periodical divisions indicated, though in the order specified, as quickly as they can; and will, at the close of a session, be entitled to be examined in all subjects they may have previously read within the College, quite independent of the period passed within its walls.

On joining the College, each Student will be called on to revise, subject by subject—commencing with the lowest, Arithmetic—let his attainments be what they may, and no Student shall be permitted to proceed to a higher subject until he shall have passed a satisfactory examination in the subject under study or revision.

In the 2nd and 3rd years, Mechanics are read simultaneously with the other Mathematical subjects.

Civil Engineering.

1ST YEAR.

Civil Engi-
 neering Course.

SIMPLE CONSTRUCTION.

<i>Materials</i> - (bricks, tiles, stone, lime cements, wood, metals, paints, &c.) their nature, preparation and use.	} Roorkee Manuals, Nos. I. and V. Weale's Rudimentary Series, " Brick and Tile making." Tredgold's Carpentry, Section X.
<i>Masonry</i> ,	} Construction (Roorkee Manual, No. VI.) to Page 74.
<i>Earthwork</i> ,	} Roorkee Manuals, Nos. IV. and III.
<i>Tracing.</i>	
<i>Strength of Materials (Rudiments)</i> , }	} Roorkee Manuals, Nos. II. and VII.
<i>Estimating.</i>	
<i>Book-keeping</i> ,	} Roorkee Manual.

*Accounts, Forms and Regulations of the Public Works' Department.*APP. B.
Civil Engineering Course.

Drawing, { Scales, Geometrical Figures, Simple buildings—plans, elevations, right and oblique sections.

*Technical Vernacular.**Text Books.*

	<i>Price.</i>
	Rs. As.
Brick & Tile making. (Weale's Rudy. Series).	1 0
Materials, (Roorkee Manual, No. I)	0 4
Calcareous Cements, (" " No. V)	1 0
Construction, (" " No. VI)	1 8
Earthwork, (" " Nos. III. & IV)	0 8 each,
Strength of Materials, (" " No. II)	0 8
Scantling of Beams, (" " No. VII)	0 4
Book-keeping, (" "	

Consultation Books.

Goodwyn's Manual. Part I. (Materials).
 Tredgold's Carpentry. Section X (Timber).
 Dictionary of Terms in Art. (Weale's Rudimentary Series).
 Mahan's Civil Engineering. (Amer. Edn. 1855).
 Millington's ditto Ditto.
 Vicat on Cements, (translated by Col. Smith).
 Totten on Mortars.
 Huntington's Tables of Earthwork.
 McNeill's ditto ditto
 Cresy's Encyclopædia of Civil Engineering.
 Gwilt's " of Architecture.

2ND YEAR.

SPECIAL CONSTRUCTION.

Dams—Coffer Dams— { Weale's Rudimentary Series—"Foundations."
Artificial Foundations, { Mahan—"Masonry."

APP. B.
Civil Engineering Course.

<i>Carpentry</i>	{ Mahan—"Framing." Tredgold Sections III. IV. VI. and IX.
<i>Bridges and Centres.</i>	{ Construction (Roorkee Manual No. VI). Mahan. "Bridges." Tredgold. Sections VII. and VIII. Thompson on Suspension Bridges.
<i>Strength & Stress of Material,</i>	{ Mahan. Tredgold. Section II. Moseley. Part V.
<i>Stability of Structure</i>	{ Tredgold. Section I. Wiesbach Vol. II. to Page 64. Moseley Part IV.

Specifications and Contracts.

Designs of Buildings and Bridges.

Drawing. Buildings and Bridges.

Accounts, Forms and Regulations of the Public Works Department.

Technical Vernacular.

Text Books.

Mahan's Civil Engineering (Amer. Edn. 1855). Price 9 Rs.

Construction (Roorkee Manual No. VI.) Price 1-8

Foundations and Concrete Works. (Weale's Rudimentary Series). Price 8 Annas.

Abbot on Bridges and Well Foundations. Price 8 Annas.

Rules for Velocity and Discharge of rivers, &c., by Lalla Kunhya Lall. 8 Annas.

Consultation Books.

Dictionary of Terms in Art. (Weale's Rudimentary Series).

Millington's Civil Engineering.

Cresy's Encyclopædia of ditto ditto.

Gwilt's Ditto. of Architecture.

Nicholson's Practical Builder, Vol. II (Masonry).

Tredgold's Carpentry.

Barlow's Strength of Materials.

Tredgold on Strength of Cast Iron and other Metals.
Parts I. and II.

Report of the Commissioners on the application of Iron to
Railway structures.

Conway and Menai Tubular Bridges. (Fairbairn).

Ditto ditto ditto (E. Clark).

Wiesbach's Mechanics of Engineering, Vol. II.

Moseley's Engineering and Architecture.

Weale's papers on Bridges.

Howard Douglas on military Bridges.

3RD YEAR.

Roads. Mahan "Roads."

Railroads. Mahan "Railways."

Hydraulic Works.

Drainage—Supply of water— flow of water in pipes, in open canals, over weirs—Waterworks, Reservoirs, Tanks, Irrigation, Canals, Aqueducts, Locks, Wa- tergates, Sluices, Improve- ment of Rivers, Harbours, Docks, Sea Walls, Piers, Break- waters, Light Houses.	}	Mahan, "Canals"—"Ri- vers," "Sea-coast Improve- ments." Roorkee Manuals, Doab and Dehra Dhoon canals, No. I. Do. do. Rajbuhars. No. II. Downing's Practical Hy- draulics.
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Architecture.

The Classic orders, their parts,
and application, principles of
composition.

Different Styles, their peculi-
arities, principles which regulate
their adoption.

}	Principles of Design. Styles and Orders. (Weale's Rudy Series.) Hosking's Architecture.
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APP. B.

Civil Engi-
neering Course.

APP. B.

General Designs.

Civil Engineering Course.

Projects for Roads, Railroads and Canals.

Drawing. Architectural—Sciography.

		<i>Price.</i>
<i>Text Books.</i>		<i>Rs. As.</i>
Mahan's Civil Engineering,		9 0
Downing's Practical Hydraulics,.....		3 0
Doab and Dehra Dhoon Canals, (Roorkee } Manual No. I),.....		2 0
Rajbhuas or Irrigation Channels, (Roorkee } Manual No. II),		0 8
Principles of Design, Weale's Rudimentary Series,		1 0
Styles	Ditto ditto,	0 8
Orders	Ditto ditto,	0 8

Consultation Books.

<i>General,.....</i>	{	Millington's Civil Engineering.
		Cresy's Encyclopædia of ditto.
		Gwilt's ditto of Architecture.
		Dictionary of Terms in Art. (Weale's Rud. Series).
		Roads—Article in "Aide Memoire to the Military Sciences."
<i>Railways,.....</i>	{	Railroads—Woods.
		" Whishaw.
		Dempsey's Practical Railway Engineer
		Brees' Railway Practice.
		Haskoll's Railway Construction.
		Simms on Tunnelling.
<i>Railways & Canals,</i>	{	Simms on setting out ground for Canals and railroads.
		Huntington's Tables of Earthwork.
		McNeill's ditto ditto.

	{	Foundations and Concrete Works.	APP. B.
		(Weale's Rudimentary Series).	Civil Engi- neering Course.
<i>Hydraulic Works,...</i>		Drainage of Districts and Lands. (ditto)	
		Ditto of Towns. (ditto)	
		Light houses. (ditto)	
		Wiesbach's Mechanics of Engineering.	
		Vol. II.	
		Neville's Hydraulic Tables.	
		Dwyers Hydraulic Engineering.	
		D'Aubuisson's Hydraulics.	
	Calver on Tidal Rivers.		
	Sir J. Rennie on Harbours.		
<i>Architecture,</i>	{	Hosking's Architecture.	
		Encyclopædia Britannica, article "Architecture,"	
		Stuart's Dictionary of Architecture.	

Geodesy.

1ST YEAR.

<i>Drawing,</i>	{	Practical Geometry.	Surveying Course.
		Calculating Areas.	
		Construction of Simple, Diagonal and and Vernier Scales, Protractors and Chords.	
		Printing.	
		Shading in Indian Ink and Sepia. Flat-tinting.	
		Plotting and Simple Plans.	
		Reducing and Enlarging Plans.	

APP. B.

Surveying
Course.

- | | | |
|---|---|--|
| <i>Instruments,—their
construction, ad-
justment and use.</i> | { | Marquois' Scales, Protractors and
Mathematical or Drawing instru-
ments. Pentagraph.
Perambulator, Chain, Offset-rod.
Prismatic Compass.
Levelling instrument and Staves. |
| <i>Surveying,</i> | { | Problems on the ground.
Measurement of Heights and Distances.
Without angular Instruments.
With Compass and Chain or Peram-
bulator (for route and area). |
| <i>Levelling,.....</i> | { | Datum.
Levels and Check-Levels. |

Text Books.

The Construction of Scales, &c. (College Manual), Price 8 as.
 Practical Geometry, &c., (ditto)..... , ,

Consultation Book.

Smyth and Thuillier's Manual of Survey for India.

2ND YEAR.

- | | | |
|--|---|--|
| <i>Drawing,.....</i> | { | Printing, Plotting.
Shading in Indian Ink and Sepia.
Shading with pen or pencil (contour
system).
Topographical drawing.
„ Items and Orthography. |
| <i>Instruments,— their
construction, ad-
justment and use.</i> | { | Plane Table.
Theodolite.
Box Sextant. |

	{	With Compass or box-Sextant, by triangulation.	<div style="text-align: right; border-top: 1px solid black; padding-top: 2px;"> APP. B. Surveying Course. </div>
		With Theodolite (traverse system and triangulation).	
<i>Surveying,</i>		Sketching ground,	
		Taking heights with box-Sextant.	
		Measurement of Heights and Distances.	
<i>Levelling,</i>	{	Mean level of the sea.	
		Contouring.	

Text Book.

Heather on Mathematical Instruments. Price 8 As.

Consultation Books.

Smyth and Thuillier's Manual of Surveying for India.

Frome's Outline of a Trigonometrical Survey.

Waugh's Instructions for Topographical Surveying.

3RD YEAR.

Drawing, { Mapping including, Projections.
 Light and Shade.

Instruments,—their construction, adjustment and use. { Sextant and Reflecting Circle.
 Artificial Horizon.
 Transit.
 Chronometer.
 Micrometer.
 Reading Microscope.
 Compensating Measuring Apparatus.

App. B.
Surveying
 Course.

Surveying,	}	Railway Surveying, including the setting out of Curves.
		River Surveying, including Sections Longitudinal and Transverse, of rivers and the measurement of the mean velocity of streams.
		Principles and general idea of maritime Surveying.
		Tide Gauges.
		Heights by Barometer and Thermometer
		Elementary Astronomy.
		Methods of ascertaining Latitude, Time and Azimuth.
		Differences of Longitude.
		Consideration of the Spherical Excess in large triangles.
		Dialling.

Text Books.

Heather on Mathematical Instruments, Price 8 As.
 Astronomical Memoranda. (College Manual), Price 2 Rs.
 Practical Geometry, &c., including Railway Curves. (College Manual), Price

Consultation Books.

Smyth and Thuillier's Manual of Surveying for India.
 Butler Williams' Geodesy.
 Hughes' Mathematical Geography.
 Waugh's Instructions for Topographical Surveying.

Practical Instruction will be given in the Field when sufficient theoretical knowledge has been gained; after which independent surveys of a prescribed extent will be made.

Drawing.

APP. B.
Drawing
Course.

<i>Geometrical,</i>	{	Engineering, .....1st & 2nd Years.	
		Mechanical, .....2nd & 3rd	„
		Architectural includ- ing Sciography, }	3rd „
<i>Topographical includ- ing Projections of the Sphere.</i>	}	During all 3 Years	
<i>Perspective & Sketch- ing,</i>	}	Ditto ditto ditto.	
<i>Isometrical,</i>		Ditto the 3rd Year.	

Mechanical Engineering.

During the 2nd year.	{	<i>Mechanical Powers.</i>	Mechanical Engineering Course.
		<i>Motion</i> uniform, accelerated, retarded—Vis-Viva.	
		<i>Uses and Parts of a Machine.</i>	
		<i>Forms of Mechanism</i> for communicating motion, viz.	
		<i>Link-work.</i> Levers, cranks, &c.	
		<i>Wrapping Connectors.</i> Pullies, Bands and Chains.	
		<i>Rolling Contact.</i> Including teeth of wheels.	
		<i>Sliding ditto.</i> Wedges—Screws—Combs, &c.	
		<i>Motion.</i> Variable intermittent and reciprocating.	
		<i>Ditto.</i> Its regulation and modification.	
		<i>Work.</i> Its accumulation—useful and prejudicial work—friction.	
		<i>Centrifugal and Centripetal Forces.</i>	
<i>Moving Powers of Machines.</i>			
<i>Animals.</i>			
<i>Descent of weights.</i>			

APP. B.

Mechanical
Engineering
Course.

	}	Water.
		Wind.
		Heat acting by the Expansion of elastic fluids.
		Springs.
During the		Electro-Magnetism.
2nd year.		<i>Machines</i> , Used in the arts of construction, &c.
		<i>Hydraulic Machines</i> . Pumps—Hydrostatic Press.
		<i>Steam Engines</i> .
		<i>Mechanical Drawing</i> .
During the	}	<i>Hydraulic Machines (continued)</i> . Water-wheels.
3rd year.		Turbines—Paddle-wheels—Screw Propellers, &c.
		<i>Wind-mills</i> .

. *Text Book*.

Tate's Elements of Mechanism.

Consultation Books.

Willis' Mechanism.

Wiesbach's Mechanics of Engineering, Vol. II.

Moseley's Engineering and Architecture.

Buchanan on Mill-work, &c.

Engineer and Machinist's Assistant.

Elements of Mechanism. Weale's Rudimentary Series.

Descriptive Geometry. (Ditto ditto).

Cranes. (Ditto ditto).

Power of Water. (Ditto ditto).

Lowell Hydraulic Experiments.

Bourne on the Screw Propeller.

Physical Sciences.

1ST YEAR.

Physical
Course.

HEAT ; natural and artificial sources—how propagated—
convection.

Specific, sensible and latent heat.

Its effects,—change of temperature, of volume, of form, of strength, liquifaction and solidification, vaporisation and condensation, conduction, radiation, absorption, combustion.

Dilatation of Gases, law of variation, pressure of vapours, relation between volume, temperature and pressure.

Boiling point, variable with pressure, effect of radiation, phenomena of dew, freezing mixtures.

Measures of heat. Thermometers, their construction, thermometric unit, different scales—Fahrenheit, Centigrade, Reaumur—comparison one with the other, various kinds of thermometers, mercurial, spirits of wine, air, self-registering, pyrometers.

Applications of heat—distillation, drying, ventilation, warming, cooling.

Relation between heat and mechanical force, mechanical equivalent of heat.

STEAM, its power, properties and various applications.

FUEL of various kinds, properties, estimation of calorific power.

Consultation Books.

Dixon on Heat.

Traité de la chaleur considérée dans ses applications
(Péclet.)

 2ND YEAR.

PHOTOGRAPHY.

ELECTRICITY, and the various applications for making it economically useful.

Chemistry.

Of Inorganic substances.

Powers of matter ; aggregation, crystallization, affinity equivalents.

APP. B.
Physical
Course.

The principal metalloids, such as Oxygen, Hydrogen, Nitrogen, Carbon, Silicon, Sulphur, Phosphorus, Chlorine, Iodine.

Atmospheric air—water—combustion.

Acids.

Alkalies, earths, oxides generally.

Metals generally—iron, copper, lead, tin, zinc, gold, silver platinum, mercury—their principal alloys, economic applications, &c.

Salts generally.

Analysis of inorganic substances.

Chemistry as applicable to cements and other building materials; conditions and effects of fermentation, causes of decay and preservatory processes.

Preparation and dressing of ores, and the more common metallurgical processes.

Text Book.

Consultation Books.

Solly's Chemical Syllabus.

Graham's Elements of Chemistry.

Gregory's Hand Book of Do.

3RD YEAR.

PHOTOGRAPHY.

Mineralogy and Geology.

Crystallography.

Physical characteristics of minerals.

Minerals composing Rocks.

„ occurring principally in veins.

Blowpipe analysis.

PHYSICAL GEOGRAPHY, especially of India—the earth—air—water—land—atmospheric, igneous and volcanic action—Climatology—general *distribution of Fauna and Flora.

APP. B.

Physical
Course.

Text Book.

Hughes' Physical Geography.

Short description of Geological Fauna and Flora and their distribution in time and space.

Descriptive Geology.

Rocks, their superposition stratification and classification.

Economic Geology—the nature of soils and earths, the selection of building and road materials, influence of Geological structure on drainage, on cuttings, on embankments; quarrying and mining.

Text Book.

Consultation Books.

Ansted's Elementary Course of Geology.

Blanford on the Blowpipe.

BOTANY—Vegetable products—timber. fibres, oils, gums, resins.

APP. B.

VALUES OF THE DIFFERENT SUBJECTS COMPOSING THE COLLEGE COURSE.

Estimation of merit in examinations.

SUBJECTS IN DETAIL.		1ST YEAR.		2ND YEAR.		3RD YEAR.		
		Value.	Total.	Value.	Total.	Value.	Total.	
Mathematics.	Essentials.	Arithmetic,	100	...	100	...	100	...
		Algebra,	50	...	100	...	100	...
		Geometry,	75	...	125	...	125	...
		Plane Trigonometry, ...	100	...	100	...	100	...
		Mensuration,	125	...	125	...	125	...
		Analytical Trigonometry, Analytical Geometry of two dimensions, ... ..	...	...	50	...	75	...
	Mechs. Opt.	Spherical Trigonometry, Astronomy and Geodesy, Differential Calculus, .....	...	450	...	600	150	900
		Integral ditto, ... ..	...	...	...	...	100	...
		Optics, ... ..	...	...	...	...	150	...
		Statics,	50	...	75	...	50	300
		Dynamics, ... ..	...	...	23	...	75	...
		Hydraulics, ... ..	...	50	...	100	100	250
Engineering.	Applied Mechanics, viz. Strength and Stress of materials,	Stability of Structures, ...	25	...	50	...	50	...
		Mechanical Engineering, Materials & Construction, Tracing,	100	50	175	200	125	250
		Designs—Dwelling house, " Bridge, " Road, Railroad or Canal,	25	125	25	200	25	325
		Estimating,	150	...	150	...	150	...
		Specifications & Contracts, Forms & Accounts P W D, Architecture,	25	175	50	250	50	250
		Compass Survey,	75	...	...	...	...	...
		Theodolite, " ... ..	...	...	125	...	...	...
		Railway, " ... ..	...	...	...	...	100	...
		River, ... ..	...	...	...	...	75	...
		Levelling,	75	...	...	...	...	...
Geology.	Contouring, ... ..	...	...	25	...	...	...
	Questions,	50	200	100	250	150	325	
	Drawing.	Scales & Outline figures, ...	50	...	50	...	50	...
		Engineering,	100	...	100	...	...	...
Architectural, ... ..		...	...	...	...	100	...	
Mechanical,		50	...	50	...	50	...	
Drawing.	Topographical,	50	...	75	...	75	...	
	Perspective and Sketching, Isometrical,	50	...	50	...	50	...	
	Isometrical, ... ..	...	250	...	325	25	350	
Carried Over, ...		...	1300	...	2075	...	3325	

APP. B.

Estimation of
merit in exam-
ination.

SUBJECTS IN DETAIL.	1ST YEAR.		2ND YEAR.		3RD YEAR.	
	Value.	Total.	Value.	Total.	Value.	Total.
Brought forward, .....	...	1300	...	2075	...	3325
Physical Sciences.	Heat, Steam, Fuel,	75	...	75	...	75
	Electricity and Chemistry, Mineralogy, Physical, Geo- graphy and Geology, ... ..	...	...	150	...	150
	Botany, ... ..	...	...	...	200	...
	Photography, ... ..	...	75	75	300	75
	...	...	...	...	50	...
Native Languages,	50	50	50	50	50	50
Descriptive Geography,	75	75	75	75	75	75
Total, ... ..	...	1500	...	2500	...	4000
ABSTRACT.						
Mathematics,	500	...	700	...	*1450	...
Engineering,	350	...	800	...	1200	...
Geodesy,	200	...	250	...	325	...
Drawing,	250	...	325	...	350	...
Physical Sciences,	75	...	300	...	550	...
Native Languages,	50	...	50	...	50	...
Geography,	75	1500	75	2500	75	4000

To pass "successfully,"	$\left\{ \begin{array}{l} \frac{1}{5} \text{ of the marks on each paper and } \frac{1}{5} \\ \text{ of the aggregate number of marks} \\ \text{ on all the subjects must be obtained.} \end{array} \right.$
• "with great credit," ..	
• "highly distinguished," ..	

Where the same subject has a higher value affixed to it in the subsequent years, it is to be understood that while the marks are proportioned to the extent of the subject laid down in the course for each year, the higher mark always includes

* Includes optional subjects valued at 300.

APP. B.
 Estimation of
 merit in ex-
 aminations.

the lower—excepting in the case of the different Surveys which are executed in the field during each separate year.

To those who pass successful Examinations in the subjects embraced by the College Course or any part thereof, "College" Certificates will be granted—specifying the position which those who obtain them are qualified to fill, and denoting by the distinctive title that the holder has attended the College regularly during a certain and specified period.

REGULATIONS
 AS TO
 THE ENTRANCE EXAMINATION
 OF THE
 Calcutta University
 AND
 C. E. COLLEGE.

- Period.** 1. THE Entrance Examination shall take place once a year, and shall commence on the first Monday in March
- Places.** 2. The chief Examination will be held in Calcutta; but Candidates may be examined at any of the under-mentioned places, viz. Berhampore, Kishnagur, Dacca, Chittagong, Cuttack, Bhaugulpore, Patna, Benares, Agra, Delhi, Bareilly, Ajmere, Lahore, and any other places hereinafter to be appointed by the Syndicate.
- Age of candidates.** 3. No Candidate shall be admitted to the Entrance Examination, unless he shall have completed his sixteenth year, but any one above the age of sixteen may be a Candidate wherever he may have been educated.

4. Every Candidate must apply, either to the Registrar at least fourteen days, or to the Secretary to the Local Committee of Public Instruction at any of the places above-mentioned, at least two months before the Examination begins, and, with his application, must produce satisfactory testimony that he is at least sixteen years old and of good moral character. He must also give notice in writing of the languages in which he wishes to be examined.

APP. B.
Application
and testimoni-
als.

5. A fee of five Rupees shall be paid by each Candidate, and no Candidate shall be examined unless he have previously paid this fee either to the Registrar, or to the Secretary to the Local Committee at one of the above-mentioned places. If a Candidate fail to pass the Examination, the fee shall not be returned to him. He may be admitted to any one or more subsequent Entrance Examinations on payment of a like fee of five Rupees on each occasion.

Fee.

6. The Examination shall be conducted by means of printed papers, which shall be the same for all places in the interior as for Calcutta, and the papers in Languages shall contain questions to be asked and answered, and sentences to be read and explained, orally.

Mode of con-
ducting ex-
amination.

7. Candidates for Entrance shall be examined in the following subjects:—

Subjects.

I. LANGUAGES.

Two of the following Languages of which English must be one, viz. :—

ENGLISH.

Greek.	Bengali.
Latin.	Oorya.
Arabic.	Hindi.
Persian.	Urdu.
Hebrew.	Burmese.
Sanskrit.	

APP. B.

Subjects.

Candidates shall be examined in each of the Languages in both Prose and Poetry the subjects being selected by the Senate at least one year and a half previous to the Examination from any approved classical or standard Works or Authors, such as the following:—

ENGLISH.

Pope, Cowper, Scott, Campbell, Addison, Johnson, Goldsmith, Southey, DeFoe.

GREEK.

Homer, Xenophon.

LATIN.

Horace, Virgil, Sallust, Cæsar, Livy, Cicero.

HEBREW.

Book of Genesis.

ARABIC.

Alif Lailah, Nafhat-al-Yaman.

PERSIAN.

Gulistan, Bostan, Yusuf-o-Zulaikha, Akhlah-i-Muhsini, Anvari, Suqoili.

SANSKRIT.

Rahuvansa Kumaru Sumbhava.

BENGALI.

Tota Itihas, Life of Raja Krisna Chunder Roy, Arabian Nights, Ramayan.

OORYA.

HINDI.

The Ramayan.

URDU.

Bagh-o-Bahari and Gul-i-Bakawali.

The papers in each Language shall include Questions in Grammar and Idiom.

Easy sentences in each of the Languages in which the Candidate is examined shall be given for translation into the other Languages.

II. HISTORY AND GEOGRAPHY.

APP. B.

The outlines of General History as contained in Marsh-
man's Brief Survey or other similar works, and the outlines
of Indian History as contained in Murray's History of India
or other similar works.

Subjects.

A general knowledge of Geography, and a more detailed
knowledge of the Geography of India.

III. MATHEMATICS AND NATURAL PHILOSOPHY.**ARITHMETIC AND ALGEBRA.**

The ordinary Rules of Arithmetic Vulgar and Decimal
Fractions, Extraction of the Square-root

Addition, Subtraction, Multiplication, and Division of
Algebraical Quantities.

Proportion.

Simple Equations.

GEOMETRY.

The first three Books of Euclid.

MECHANICS.*

Composition and Resolution of Forces.

The Simple Mechanical Powers, with the ratio of Power
to Weight in each.

Centre of Gravity.

REGULATIONS AS TO DEGREES IN CIVIL ENGINEERING.**MASTER OF CIVIL ENGINEERING.**

1. The Examination for the Degree of Master of Civil
Engineering shall take place once a year, shall commence
on the first Monday in March, and shall be held only in
Calcutta.

Period of
examination.

* Only a popular knowledge of Mechanics will be required.

- APP. B.**
- Preliminary qualifications.** 2. No Candidate shall be admitted to the Examination for the Degree of M. C. E. until after the expiration of one academical year from the time of his obtaining the Degree of B. A. in one or other of the Indian or European Universities, and until he produce Certificates of having passed four years in the study and practice of the profession, and that of such four years two have been passed in actual professional practice under an Engineer in charge of works.
- Application.** 3. Every Candidate must apply to the Registrar at least fourteen days before the Examination begins, and with his application must produce the Certificates aforesaid.
- Fees.** 4. A fee of twenty-five Rupees shall be paid by each Candidate, and no Candidate shall be admitted to the Examination unless he have previously paid this fee to the Registrar. If a Candidate fail to pass the Examination, the fee shall not be returned to him. He may be admitted to any one or more subsequent Examinations on payment of a like fee of twenty-five Rupees on each occasion.
- Mode of examination.** 5. The Examination shall be conducted chiefly by means of printed papers.
- Subjects.** 6. Candidates for the Degree of Master of Civil Engineering shall be examined in the following subjects :—

MATHEMATICS.

Spherical Trigonometry, as applied to Geodesy.
 Composition and Resolution of Forces.
 Equilibrium of Arches.
 Strength and Stress of Materials.

NATURAL PHILOSOPHY.

Steam, its power, properties, and various applications.
 Fuel of various kinds, estimation of calorific power; Electricity, and the various appliances for making it economically useful.

Meteorology, } especially of India.
 Physical Geography,..... }

Chemistry, as applicable to Cements and other materials; conditions and effects of fermentation, causes of decay, and preservatory processes.

Geology, ... { The nature of soils and earths, the selection of building and road materials, influence of Geological structure on drainage on cuttings, on embankments, &c.
 Mineralogy, {

Botany—vegetable products, timber, fibres, oils.
 Hydrodynamics and Theory of Rivers.

APP. B.
 Subjects.

ARCHITECTURE.

The Classic orders and their parts, their applications, principles of composition.

Styles,..... { Peculiarities of different styles and the principles which regulate their adoption.

PRACTICAL SCIENCE.

Drawing in all its branches, geometrical, perspective and isometrical.

Hydrography.

Machinery and Mill-work.

Animal power.

Various Mechanical Arts, viz. carpentry, building, smith-work, iron-founding and forging.

Preparation of material.

Brick-making.

Lime-burning.

Pottery.

Modelling.

Timber-cutting.

Artificial Foundations.

Specifications, Contracts, &c.

-
7. There shall be Eight Papers of questions, *namely* :— Number of papers.
- Two papers* on Mathematics.
- Two papers* on Natural Philosophy.
- One paper* on Architecture.
- Two papers* on Practical Science.
- One General paper* on all the subjects of Examination.
-

8. The Examination of the Candidates shall extend over Duration of the examination.
 four days and shall be held in the morning from 10 to 1½,
 and in the afternoon from 2 to 5½.

APP. B.

Lists of successful candidates.

9. On the morning of the second Monday after the commencement of the Examination, the Examiners shall arrange in two divisions, each in alphabetical order, such of the Candidates as shall have passed.

EXAMINATION FOR HONORS.

1st Division eligible to compete for honors.

10. Any Candidate who has been placed in the first of the two divisions, may be examined for Honors.

Examination for honors.

11. The Examination shall commence in the morning of the third Monday after the commencement of the ordinary Examination.

Subjects.

12. Candidates for Honors shall be examined in the same subjects as those for the ordinary Examination, but with a view to test their higher proficiency in them.

Papers.

13. There shall be four papers of Questions, and the Examination shall extend over two days, being held in the morning from 10 to 1½, and in the afternoon from 2 to 5½.

Lists of successful candidates.

14. On the morning of the second Monday after the commencement of the Examination, the Examiners shall arrange in three divisions, each in the order of merit, such of the Candidates as shall have passed.

**RULES FOR THE ADMISSION OF OFFICERS OF H. M.'S AND
THE HON'BLE COMPANY'S ARMIES TO THE CIVIL
ENGINEERING COLLEGE OF FORT WILLIAM.**

No. 1004 of 1857.—The Right Hon'ble the Governor General of India in Council is pleased to publish, for general information, the under-mentioned Rules for the admission of Officers to the Civil Engineering College of Fort William:—

What officers eligible.

1. European Commissioned Officers, of Her Majesty's or the Hon'ble Company's Armies, under the rank of a

Field Officer, will be permitted to study at the Civil Engineering College of Fort William, on the following terms.

APP. B.

2. Candidates must be qualified by acquaintance with their Military duties, and by having passed the examination in the Hindoostanee language, contemplated by G. O. G. G. of the 9th January 1837.

Preliminary qualifications.

3. Applications should be addressed through Commanding Officers of Regiments to the Principal of the College, who, after satisfying himself that the Candidates are likely to profit by the course of study, will forward the applications for the approval of His Excellency the Commander-in-Chief, and this being obtained, the fitness of the Candidates will be tested by written Examination in the following subjects:—

Application and preliminary examination.

Arithmetic.

Algebra to Quadratic Equations included.

Geometry, I. to IV. Books Euclid inclusive.

In the case of Officers not at the Presidency, Examination Papers will be forwarded to the Executive Engineers of Stations, or, in their absence, to Officers Commanding the Corps to which the Candidates belong, and they will be requested to have the answers written in their presence, and to transmit them to the Principal, with as little delay as possible.

4. Admissions to the College will take place on the 1st June of each year. Applications should be forwarded so as to permit of Candidates joining not later than that date, after leave formally granted in General Orders.

Period of admissions.

5. The number of yearly admissions is limited to (5) five. In the event of more than five Candidates reaching the standard prescribed, those who have passed the best Examination will be recommended to be permitted to study at the College; the remainder will have the option of joining the College as vacancies occur.

Number of admissions.

- APP. B.**
- Duration of study.** 6. The duration of the first permission to study at the College will be till the 31st October following admission: but, if the progress of the Student be satisfactory, and his conduct exemplary, the Principal will forward his application to Head Quarters for permission to remain at the College and complete the course, with the sanction of the Governor General in Council.
- Remand to corps.** 7. The Principal of the College may, at any time, recommend to His Excellency the Commander-in-Chief that an Officer be remanded to his Regiment.
- Subscription.** 8. Officers studying at the College under these Rules will be required to pay Rupees (16) sixteen a month to the College Library Fund.
- Students considered absent on duty.** 9. Officers who obtain permission to study at the College will be considered "absent on duty," and will be so reported in the Regimental Returns. They will obtain Quarters in Fort William, if available, Company's Rupees (25) twenty-five per mensem being deducted from their pay on account of House Rent.
- House rent.**

APPENDIX C.

Tests of General Education.

See pages 17 and 18 of the Code.

EXTRACT G. O. P. C., NO. 244, OF 19TH APRIL 1851.

Memorandum of the points upon which Candidates for direct appointments are to be examined before they are passed as Cadets

1. Each Candidate will be required to write English correctly from dictation. Writing from dictation.
2. He should possess a competent knowledge of the ordinary Rules of Arithmetic, including the Rule of Three, Compound Proportion, Simple and Compound Interest, Vulgar and Decimal Fractions, and the Extraction of the Square Root. He should also have read the first three Books of Euclid. Arithmetic & Geometry.
3. In languages, he should be able to translate into English passages from Cæsar's Commentaries, or from the first four Books of Virgil's Æneid, and he will be further expected to parse, and show his knowledge of Grammar and Syntax. Latin.

APP. C.
 French or
 Hindustani.

The Candidate will be required to translate from French into English an extract from one of the following works, *viz.* Telemachus, Voltaire's Charles the 12th and Peter the Great. But the Candidate will have the option of being examined in the Hindoostanee, in lieu of the French language, and, in that case, he will be required to translate from Hindoostanee into English, an extract from one of the following works, *viz.* Bagh-o-Bahar, Tota Kuhanee.

History. 4. In History, he should be prepared to pass an examination in Keightley's Histories of Greece and Rome, in Gleig's History of England, and in the History of British India contained in vols. I and II of the Edinburgh Cabinet Library.

Geography. 5. In Geography, he should possess a competent knowledge of the modern divisions of the world; the principal Nations in Europe and Asia; the names of the capital of each Nation of Europe, and in the chief cities of Hindoostan and the names and situations of the principal Rivers and Mountains in the world.

APPENDIX D.

Examinations in Native Languages.

See pages 19 and 252 of the Code.

G. O. G. G., 7TH JULY 1851.

1. The Most Noble the Governor General having had under consideration the system now pursued in the periodical examination of Military Officers in the native languages by Station Committees, and being of opinion that it is open to objection, His Lordship, with a view to insure a more uniform and satisfactory test of proficiency, is pleased to direct that the examinations shall hereafter be conducted under the following Rules.

Preamble.

2. Examining Committees will be assembled, annually on the 10th of January and 10th of July, at the several Stations of the Army as at present, and will be composed, when practicable, of one Officer of the Civil Service and of two or more Military Officers.

Periodical Examination.

3. The Committees will meet and conduct the examinations as at present; but instead of passing an opinion as to the qualifications of the Candidate, they are to transmit their proceedings, which are to be fully recorded, together with the translations, exercises, written questions and answers, and their opinion on the manner in which the Candidate has passed the *visa voce* examination, to the Secretary to the

Mode of examining.

APP. D. College of Fort William, to be laid before the College Examiners, by whom the decision on the Candidate's proficiency will be pronounced.

**Distinguish-
ing marks.** 4. In transmitting their proceedings, Committees are to make up each Candidate's papers separately, designating them by a figure or some distinctive mark, and not by his name.

**Instructions
to Committees.** 5. Detailed instructions, for the guidance of Station examining Committees, will be prepared by the Examiners of the College of Fort William.

6. Under this system, the same standard will be applied, by the same judges, to all who submit themselves to the test of examination.

General Orders by the Most Noble the Governor General of India, Simla, 3rd October, 1851.

**Supplemen-
tary Rules.** IN continuation of General Orders by the Governor General, of the 7th of July last, the following supplementary rules for the examination of Candidates desirous of passing the Interpreter's and Hindoostanee tests, are published for the information and guidance of parties concerned.

Test Books. Three copies of the Test Books of the same editions as those used at the College, will be furnished to the Staff Officer of every station where a Committee is to assemble. These are to be sent at the appointed time to the place directed for the meeting of the Committee, and delivered into their hands.

**Exercises
&c., on printed
papers.** The Exercises intended for the written examination will be printed in the Parlour Printing Press, belonging to the College, and the College Examiners will fix the Exercises for the Oral Examination. The printed papers accompanied by lists of Exercises according to the Forms A. and C. accompanying, will be forwarded under the College Seal to the

Staff Officer of the station, the papers for the Interpreter's and Hindoostanee examination being made up in separate envelopes.

APP. D.

These envelopes are to remain in the hands of the Station Staff Officer, with the seals unbroken, till the day and hour of the examination, when they are to be delivered by the Staff Officer into the hands of the Committee at the appointed place of examination, in order to their being then opened and given to the Candidates.

Custody of these papers.

The College Examiners, in forwarding the papers, will address to the Staff Officer a letter containing instructions and explanations. A copy of this letter is to be furnished to the Station Examination Committee, in order that they may have an idea of the nature of the arrangements made for the examination.

Instructions FROM the College.

The examinations are to be held at all stations at which Committees are authorized to be assembled, on the same day.

Days of examination.

The Interpreter's examination will be held on the first day of the assembly of the Committee, and the Hindoostanee examination on the day following.

The Reports of the Committees are to be prepared in duplicate, according to the Forms annexed B. and D. One copy is to be forwarded to the Examiners of the College of Fort William, and the other in which the Candidates' names is to be entered under the distinctive marks will be sent to the Adjutant General of the Army.

Reports.

FORM A.

List of Exercises to be performed by each Candidate for passing the Military Interpreter's examination.

Interpreter's examination papers.

Oral.

No. 1. Persian, "Gulistan," page * * *, line * * *, commencing at the words * * *, and ending at the words * * *, being * * * lines, or

APP D. "Anwari Soheelie," page * * *, line * * *, commencing at the words * * *, and ending at the words * * *, being * * * lines.

Interpreter's
examination pa-
pers.

No. 2. Hindoostanee, "Bagh-o-Bahar," page * * *, line * * *, commencing at the words * * *, and ending at the words * * *, being * * * lines.

No. 3. Hindee, "Prem Sagur," page * * *, line * * *, commencing at the words * * *, and ending at the words * * *, being * * * lines.

No. 4. A Hindoostanee manuscript in Persian character, forwarded herewith.

No. 5. A Hindoostanee manuscript in the Nagree character, forwarded herewith.

No. 6. Colloquial sentences to be read out one by one by the Committee, and translated at once *visd voce* by each Candidate forwarded herewith.

Written.

No. 1. Grammar questions, forwarded herewith.

No. 2. English into Hindoostanee in the Persian character, forwarded herewith.

No. 3. English into Hindoostanee in the Nagree character, to contain as many Hindee words as can with propriety be introduced, forwarded herewith.

(Signed) A. B. }
 " C. D. } *Examiners.*

Care is to be taken that the Oral examination of one Candidate is not overheard by another. They are to be placed as far apart from each other and from the Committee as the size of the room will admit.

FORM B.

Report on the Oral examination of Candidates for passing the Military Interpreter's examination.

(Place and Date.)

Distinctive Marks.	No. 1. Gulistan.	No. 2. Bagh-o-Bahar.	No. 3. Prem Sagur.	No. 4. Manuscript, Persian character.	No. 5. Manuscript, Persian character.	No. 6. Colloquial Sentences.	Remarks on Pronunciation.
A.	Read and translated with great accuracy, made a few errors, but not serious.	Read with fluency and translated with general accuracy. No serious errors.	Read and translated fluently and with much accuracy, very few errors.	Read fluently and correctly, gave the meaning with some hesitation, but correctly.	Read with hesitation, but gave the meaning accurately.	Fluent and intelligible, some errors in Grammar, but not important.	Pronunciation generally clear and intelligible, sometimes slips the long vowels and confounds the hard and soft letters.

We, the undersigned, do hereby solemnly declare, that the above is a fair and impartial Report on the Oral examination of Candidates, and that the written Exercises were performed in our presence on the * * day of * * 185*, between the hours of * * and * *, without the aid of Dictionary or other book, and without the assistance of a Moonshee or any other person.

(Signed) A. B. }
 " C. D. } *Examiners.*
 " E. F. }

APP. D.

APP. D.

FORM C.

Hindoostanee
examination
papers.

List of Exercises to be performed by each Candidate for passing the Military Hindoostanee examination.

Oral.

No. 1. "Bagh-o-Bahar," page * * *, line * * *, commencing at the words * * *, and ending at the words * * *, being * * * lines.

No. 2. "Bytal Pucheese," page * * *, line * * *, commencing at the words * * *, and ending at the words * * *, being * * * lines.

No. 3. Colloquial sentences to be read out one by one to each Candidate, and translated at once *visd voce*, forwarded herewith.

Written.

English into Hindoostanee in Persian and Nagree characters, (one and the same translation written out in both characters,) forwarded herewith.

(Signed) A. B. }
 " C. D. } *Examiners.*

Care is to be taken that the Oral examination of one Candidate is not overheard by another. They are to be placed as far apart from each other and from the Committee as the size of the room will admit.

FORM D.

Report on the Oral examination of Candidates for passing the Military Hindoostanee examination.
(Place and Date.)

Distinctive Marks.	No. 1. Bagh-o-Bahar.	No. 2. Bytal Pucheesee.	No. 3. Colloquial Sentences.	Remarks on Pronunciation.
A.	Read and translated with much readiness and accuracy.	Read with ease and accuracy, and gave the general meaning correctly.	Translated with some hesitation, but mostly with accuracy and intelligibly.	Intelligible, but not always clear. Passable on the whole.

We, the undersigned, do hereby solemnly declare that the above is a fair and impartial Report on the Oral examination of Candidates, and that the written Exercises performed in our presence on the * * day of * * 185*, between the hours of * * and * *, without the aid of Dictionary or other book, and without the assistance of a Moonshee or any other person.

(Signed) A. B. }
 " C. D. } *Examiners.*
 " E. F. }

APP. D.

G. O. C. C., 14TH DECEMBER 1853.

Importance
of correct idi-
oms in speak-
ing.

1. The Committee of Examiners in the College of Fort William having represented to the Commander-in-Chief that, with reference to the reports of the oral examinations as well as the written exercises which passed under their review last July, "it is their opinion very much greater attention should be paid to the correct and idiomatic rendering of English into Hindoostanee by Candidates for passing the Military Interpreter's test," Sir W. Gomm desires to call the attention of future Candidates for this examination to the subject, and to express his concurrence in the views of the College Committee to the effect, that it is indispensably necessary Candidates shall prove themselves to have acquired a thorough proficiency in the above particular, before they be pronounced qualified to perform the important duties of the office of Military Interpreter, and that not even the highest qualifications in book learning can compensate for deficiency in colloquial knowledge or their written exercises.

Committees
required to be
strict.

2. His Excellency, under this view, calls on Station Committees of examination to perform conscientiously and impartially their duty to the State, towards ensuring competency on the part of Officers who desire to fill the situation of Interpreter,—as from their reports on the oral examinations must the College Committee be to a considerable extent guided in forming the final opinion they are called upon to give as to the fitness or otherwise of the Candidates for passing this test.

Personal su-
pervision
of
Candidates.

3. The Commander-in-Chief regrets that the experience of last year renders it necessary to take this opportunity to enjoin upon these Committees a more strict observance of the orders of Government, which require their personal supervision of the Candidates while performing their exer-

cises. This rule admits of no modification ; and in future all reports which do not contain an explicit declaration that the exercises have been performed actually in the presence of the Committee, will be considered incomplete and returned accordingly.

APP. D.

4. The College Committee having resolved that they will consider as vitiated the examination of any Candidate whose exercises afford evidence of his having communicated in any way with another Candidate, or otherwise improperly obtained aid, this resolution is now notified for general information, and his Excellency cautions those who may be found to have had recourse to any such disingenuous measures, and thus endeavoured to impose upon the authorities appointed to pronounce upon their qualifications, that they will incur such further penalty as may be deemed adequate for such improper and derogatory conduct.

Communication between examinees.

5. The attention of Officers commanding divisions and Stations is called to the 6th paragraph of the General Order by the Governor General of 3rd October 1851, which directs that the Half-yearly Committees of Examination shall be assembled at all stations on the same day, and the Commander-in-Chief desires that, for the future, whenever circumstances may render it impracticable to convene these Committees on the prescribed dates, *viz.*, the 10th January and 10th July, a report, explaining the reasons for the deviation shall invariably be made to Head Quarters, for his information and eventually that of Government.

Periods of examinations.

COLLOQUIAL EXAMINATION.

Extract from the Military Regulations, Section XXXIV.

9. Committees will be convened on the 15th of each month, for the Vernacular Examination of Officers at all stations where two passed Officers are available as Examiners ;

Constitution of Committees.

APP. D.

the third, when no other Officer thus qualified is present, being selected for his known Colloquial knowledge of the language.

**Constitution
of Committees
for Assistant
Surgeons.**

10. For the examination of Assistant Surgeons, the Committee will be composed of two Officers who have passed an examination, and a Medical Officer of experience and standing in the Service.

Questions.

11. The Committee being assembled, will prepare two papers, each containing fifteen or sixteen sentences, one as a test for Subalterns and the other for Assistant Surgeons: the former will consist of subjects likely to occur in various forms of Military duty, including those of discipline, the instruction, pay, dress, &c., of a Troop or Company, the latter, for Assistant Surgeons, will embrace all points likely to occur in their particular intercourse with the Natives, and for this purpose, a Medical Officer is appointed a Member of the Committee that he may assist in framing them.

**Specimens of
Ditto.**

12. The following sentences are given to illustrate what may be considered a sufficient test of an Officer's Colloquial powers, and his fitness to be placed in charge of a Troop or Company, as well as to ensure uniformity of tests at different stations.

(1.) I wish the Company to be paraded for inspection of arms, accoutrements at 6 o'clock to-morrow morning.

(2.) Last month's pay will be distributed at my Quarters at 11 o'clock to-morrow morning.

(3.) If a fire or any thing extraordinary happen in the lines, take care it is immediately reported to me.

(4.) That Sepoy is dressed in a very slovenly manner.

(5.) Where is the Jemadar who wished to make a family remittance, and so on for the remainder of the sentences.

**Mode of ex-
amination.**

13. The several sentences being prepared, a Candidate will be called in, and whilst one of the Committee reads slow-

ly to him the sentences in succession, another Member will take down the translation as he goes on.'

APP. D.

14. The Candidate will be expected to translate these efficiently with correctness of idiom, and tolerable accuracy of grammar.

15. The sentences prepared for one day's examination ought never to be used on a second. The Committee is to record in its report the sentences which have been used in the examination of each Officer, and his replies. This done, he is to retire and another Candidate is to be called in.

Record of answers.

16. The Committees are to give their opinions on the qualifications of Officers in the following form :

Report.

" We have examined Lieutenant A. B. as to his Colloquial knowledge of the language, and declare that we consider, from the manner in which he translated the above sentences into Hindoostanee, *vivâ voce*, that he has acquired that Colloquial proficiency in the Vernacular language of the men, which is contemplated in General Orders by the Commander-in-Chief of the 20th April 1844."

Extract of letter, No. 2571 of 23rd November, 1856, from the Secretary to Government of India, Public Works Department, relating to the Civil Engineers, appointed from England to serve in the Public Works Department.

Para. 7. It appears to the President in Council very desirable to require a certain knowledge of the Native language from the Civil Engineers, and to encourage their acquiring it. For some little time after they arrive in the country, a knowledge of the Native language must not, of course, be expected from them. But in the completion of nine months from the date of their arrival, each Civil Engineer will be expected to stand a colloquial examination in the language

Reward to English Civil Engineers for proficiency in the Native language.

APP. D.

Remuneration will be granted according to the following scale for different degrees of proficiency in the Native language.

For the colloquial examination described in G. O. if passed within 12 months,	}	Rs. ...	270	0	0
For the examination described in G. O. as a qualification for Staff employ,		Rs. ...	540	0	0
	}	or Rs.	270	in	ad-
For the Interpreter's examination described in G. O.,		Rs. ...	810	0	0
	}	or Rs.	270	in	ad-
					dition	to
				the	above.


of the District in which he may be employed, and His Honor in Council directs that no Civil Engineer shall obtain a separate charge,* or promotion from one grade to another, unless he shall possess a competent knowledge of the Vernacular. Great or rapid proficiency in the Native language might, the President in Council considers, with much advantage be rewarded by a grant of money, as is now done in other branches of the service.

* For the rules now in force See page 252 P. W. Code.

APPENDIX E.

Law Suits.

SEE THE CODE, PAGE 39.

 *Every Executive Engineer should purchase and keep in his office a copy of Act VIII of 1859.*

N. B.—The following Rules are applicable to the Regulation Provinces of Bengal, only. In other Provinces, pending the issue of special orders, the Superintending and Chief Engineers, under the orders of the Local Administrations, must take such steps as may be necessary to preserve a proper control over this portion of the duties of the Executive Engineers.

Application of
the Rules.

RULE 1.

Clause I.—Whenever an action is brought against Government, the Judge presiding in such Court will cause a summons to be served upon the Government Pleader, requiring that an appearance and answer should be made to the claim on a day to be therein specified. The summons may also require that the pleader, appointed to appear and answer the claim, should be duly instructed, and able to answer all material questions relating to the suit, or that he should

Actions
against Go-
vernment.

APP. E.

be accompanied by some other person able to answer all such questions. The Government Pleader shall immediately submit this summons with a copy of the plaint to the Executive Engineer of the Division, if it concerns the department of Public Works.

Actions
against officers
of the Public
Works Depart-
ment.

Clause II.—If the suit be against an Officer of the Public Works Department, for an act which the plaintiff alleges to have been done by such Officer in his official capacity, the judge presiding in such Court will cause the summons to be served upon such Officer to appear and answer the claim, on a day to be therein specified, in person, or by a pleader of the Court duly instructed and able to answer all material questions relating to the suit, or by a pleader accompanied by some other person able to answer all such questions. On receipt of this summons the Officer will instruct the Government Pleader to procure a copy of the plaint, and will consult him regarding the measures to be adopted.

RULE 2.

Compromis-
ing.

If the Executive Engineer shall be of opinion that the suit should be compromised, he shall forward a copy of the summons and plaint, with a circumstantial report of the facts of the case, to the Superintending Engineer; by whom they shall be transmitted, with his opinion regarding the course to be pursued, to the Legal Remembrancer. If the Superintending Engineer and Remembrancer concur in the opinion that the suit should not be defended, the matter shall be at once adjudged by the Officer who is competent to grant the required redress.

RULE 3.

Defending the
suit.

Clause I.—If the Executive Engineer shall be of opinion that the suit should be defended, he shall submit to the Superintending Engineer, in addition to the papers enjoined in Rule

2, a draft of the proposed answer, which he shall prepare with the aid of the Government Pleader. The former shall be responsible for the facts of the pleadings, the latter for the law. The Executive Engineer will also submit copies or the originals of all papers which have a material bearing on the points at issue in the suit, or which may be necessary to elucidate the case.

APP. E.

Duty of Executive Engineer.

Clause II.—The Superintending Engineer shall forward the papers of the case to the Legal Remembrancer with his own opinion regarding the course to be adopted; and, if the latter should concur therein, the necessary instructions will be transmitted by the former to the Executive Engineer.

Duty of Superintending Engineer.

Clause III.—Should the Superintending Engineer be of opinion that the Public Officer, against whom the suit may be instituted, should be left to defend it in his individual capacity, the papers shall be submitted to the Legal Remembrancer, and on his concurrence being obtained the papers shall be returned with an intimation to that effect to the Executive Engineer concerned.

If the action be against the Officer in his individual capacity.

Clause IV.—The opinion of the Legal Remembrancer will rule the proceedings of the Public Works Officers, but the Superintending Engineer may refer any case to the Local Administration through the Chief Engineer, if he thinks proper; or the Chief Engineer may do so, at his discretion.

If the Superintending Engineer and Legal Remembrancer do not agree.

RULE 4.

The Executive Engineer will instruct the Government Pleader, immediately on the receipt of the summons, to apply for such extension of the period specified therein, as may be necessary for ascertaining fully the circumstances of the case and for obtaining the opinion of the Legal Remembrancer through the Superintending Engineer; and, if it should be ultimately found that the period so allowed is insufficient for

Application for extension of period to defend.

APP. E.

Neglect to furnish clear and full report, or to conduct the case.

Proceeding if further period not allowed.

the purpose, he will instruct the Government Pleader to make fresh applications from time to time for such further extension of the time allowed as may appear necessary. But he must be careful that no unnecessary delay occurs in reporting the case, and that the report is so full as to enable the Superintending Engineer and Legal Remembrancer to form an opinion on the merits of the case; and he will be held personally responsible for any failure or loss arising from any neglect in this respect, or from any want of due attention to the case in its subsequent stages. In the event of the court refusing to extend the period allowed, the Executive Engineer must file such written statement as may appear to him best calculated to defend the suit; and in such case he will forward a copy of such statement with an immediate report to the Superintending Engineer.

RULE 5.

Authority to be given to the Government Pleader.

As soon as the Executive Engineer is informed that the Superintending Engineer and Remembrancer have determined to defend the suit, he will furnish the Government Pleader with authority to appear and answer to the plaint; and the Pleader will immediately move the court to enter a note to that effect in the register.

RULE 6.

Suits instituted by Government:—draft and report.

Whenever an Executive Engineer or other Officer of the Public Works Department proposes to file a suit in the Civil Court on behalf of Government, he shall, in concert with the Government Pleader of the District, prepare a draft of the plaint and forward it with an English Report and the papers of the case to the Superintending Engineer of his circle, who will afterwards submit the papers, with his own opinion thereon, to the Legal Remembrancer.

RULE 7.

APP. E.

If the Legal Remembrancer concur in the sufficiency of the proposed plaint, he shall communicate his concurrence to the Superintending Engineer, and the plaint shall at once be filed in the Civil Court by the Executive Engineer.

Plaint to be filed after approval by the Legal Remembrancer.

RULE 8.

If the Legal Remembrancer shall be of opinion that a proposed plaint or answer, as the case may be, has not been sufficiently drawn up, he shall draw up a revised draft, and return the same to the Superintending Engineer for his concurrence; and, if the Superintending Engineer concurs in the revised pleading, it shall be filed in the Civil Court by the Executive Engineer.

Revision by the Legal Remembrancer.

RULE 9.

In preparing the draft of a plaint or answer the Executive Engineer and Government Pleader will pay due attention to the rules laid down in Sections 26, 27, and 123 of Act VIII. 1859; and will take care that all such pleadings are subscribed and verified as required therein, before they are filed in court.

Rules for drawing up pleadings.

Subscription and verification.

RULE 10.

When the Executive Engineer submits such written statement for the sanction of the Superintending Engineer and Legal Remembrancer, he will at the same time forward an abstract of the argument by which he proposes to support it with specific reference to the documentary and oral evidence which he is able to adduce. The Legal Remembrancer will notify his approval of the argument, or will draw up a revised abstract, which will be furnished to the Government Pleader as his instruction for conducting the case.

Detail of instruction to Government Pleader.

APP. E.

RULE 11.

Filing documents.

Whenever the Executive Engineer may institute a suit on the part of Government, he will produce in court, at the time when he presents the plaint, any document on which he may rely, under the rules contained in Section 39, Act VIII. 1859. And similarly whenever a suit is instituted against Government, he will be prepared to file all documentary evidence at the first hearing of the suit under Section 128.

RULE 12.

Cases when translations in full are required.

In all cases in which the Government is materially concerned, the original plaints and answers and memoranda of the pleadings and evidence shall be correctly translated into English, either by the Executive Engineer or his Assistant, for transmission to the Superintending Engineer and Legal Remembrancer.

RULE 13.

Cases in which abstracts only are required in English.

In all cases in which the Government is merely a defendant *pro forma*, a lengthy translation is not necessary: a abstract of the plaint and proposed answer will be sufficient.

RULE 14.

Final orders of the Courts of Law.

Copy to be sent to Legal Remembrancer. Report to Superintending Engineer.

Whenever the Executive Engineer receives from the Government Pleader copy of a final order, which has been passed in any regular suit, miscellaneous proceeding, or appeal case, he shall ascertain that a copy of such decision has been forwarded by the Government Pleader to the Legal Remembrancer in accordance with Rule 30, and shall, with as little delay as possible, report upon the merits of the decision to the Superintending Engineer; who shall forward the decision of the Lower Court, and all other papers that may be necessary,

to the Legal Remembrancer, with his opinion as to whether an appeal shall be preferred or not.

APP. E.

RULE 15.

Clause I.—If a decision, the appeal from which lies to the District Court, appears to the Executive Engineer to be adverse to the interests of Government, he shall prepare a memorandum of appeal, comprehending all the grounds on which he would prefer an appeal; and he shall file such petition in the Judge's Court on the 30th day from the date on which such judgment was pronounced (exclusive of such time as may be requisite for obtaining a copy of the decree appealed against), unless he shall receive in the interval special instructions from the Superintending Engineer. Copy of such memorandum of appeal shall also be forwarded to the Superintending Engineer without delay as soon as it is filed, if it has not been already forwarded with the report required by the preceding rule.

If appeal lies to the District Court.

Clause II.—If a decision, the appeal from which lies to the Sudder Court, appears to the Executive Engineer to be adverse to the interests of Government, he shall forward a memorandum of appeal to the Superintending Engineer, who shall transmit it to the Legal Remembrancer with his opinion; and the Remembrancer shall determine whether an appeal shall be preferred or not. The same course shall be pursued whenever it appears to the Executive Engineer advisable to prefer a special appeal.*

If appeal lies to the Sudder Court.

* In the case of an appeal from the decree of a Moonsiff, of a Sudder Ameen, or of a Principal Sudder Ameen (if the suit be for less than 5,000 Rupees), the period allowed for appeal is 30 days from the date of decision, exclusive of such time as may be requisite for obtaining a copy of the decree appealed against, that is the interval between presenting the stamped paper and obtaining the copy. The foregoing appeals lie to the Zillah Court.—In the case of an appeal from the decree of a Principal Sudder Ameen when the suit be for 5,000 Rupees or upwards, or of a Zillah Judge, the appeal lies to the Sudder Court; and the petition of appeal must be filed within 90 days from the date of decision exclusive of the time required as above for

APP. E.

RULE 16.

Drafting the memoranda of appeal and of instruction to pleader.

All memoranda of appeal shall be prepared by the Executive Engineer with due regard to the rules contained in Sections 334, 335, and 350, Act VIII. 1859; and the argument by which it is proposed to support the appeal shall be prepared separately, and shall when duly sanctioned be given to the Government Pleader as his instruction for conducting the appeal.

RULE 17.

Execution of decrees in favor of Government when opposite party does not appeal.

Whenever a regular suit is decided in the Lower Court in favor of Government, if the party cast do not, within the period fixed by law, prefer an appeal to the higher tribunal, the Executive Engineer shall, at the expiry of the term so allowed, move the Court in execution of the decree obtained by Government.

RULE 18.

Appeals to Zillah Judge preferred by the opposite party.

Whenever an appeal is preferred to the Zillah Judge against a decision passed by a lower tribunal in favor of Government, and the Government as respondent is summoned by the Court to answer the appeal, the Executive Engineer shall immediately report on the appeal to the Superintending Engineer, submitting a draft of the instructions with which he proposes to furnish the Government Pleader for defending the appeal. The Superintending Engineer shall afterwards submit the papers to the Legal Remembrancer, with his opinion as to whether the

taking a copy of the decree. A special appeal lies to the Sudder Court from all decisions passed in regular appeal by the courts subordinate to the Sudder Court, on the ground of the decision being contrary to some law or usage having the force of law, or of a substantive error or defect in law in the procedure or investigation of the case which may have produced error or defect in the decision of the case upon the merits, and no other ground; and it must be presented within the same period as is allowed for regular appeals.

appeal should be defended or not; or whether any objection should be preferred to the decision of the lower court.

APP E

RULE 19.

If the Legal Remembrancer shall agree as to the necessity of prosecuting or defending an appeal, the necessary instructions shall be furnished to the Government Pleader through the regular channel. If the Legal Remembrancer does not concur, he will advise the Superintending Engineer as to the course which should be pursued, and the Superintending Engineer will act accordingly.

Orders as to prosecuting or defending appeals.

RULE 20.

Whenever the Legal Remembrancer shall receive notice of an appeal having been preferred to the Sudder Dewanny Adawlut against Government, he shall call upon the Superintending Engineer for a report upon the merits of the case, as well as for a memorandum of the argument by which the Executive Engineer may propose to defend the appeal. On receipt of the papers, the Legal Remembrancer shall decide whether the appeal shall be defended or not; or any objection preferred to the decision of the lower court.

Appeals against Government to Sudder Court.

RULE 21.

Whenever it may be determined by the Superintendent and Remembrancer of Legal affairs to prefer a special appeal to the Sudder Court against any decree or order passed against Government, it will be the duty of the Executive Engineer immediately to direct the Government Pleader to apply for authenticated copies of the decrees or orders of the lower courts, furnishing him at the same time with the necessary stamp paper for the purpose of having them engrossed.

Special Appeals to the Sudder Court by Government.

APP. B.

RULE 22.

Responsibility for delay.

In the event of any unnecessary delay occurring in obtaining copies under these orders, the Executive Engineer or the Government Pleader, whichever may be in fault, will be held strictly responsible for the consequences.

RULE 23.

Suits in the Sudder Court.

All suits and proceedings in the Sudder Dewanny Adawlut shall be conducted by the Legal Remembrancer.

RULE 24.

Interlocutory orders and conduct of cases.

During the progress of a suit or an appeal in any of the Zillah Courts, the Superintending Engineer will advise with the Legal Remembrancer in regard to all interlocutory orders which may be passed, or any petition which it may be deemed advisable to file or to answer, and shall be guided by his instructions on such occasions as well as in the conduct of the suit or appeal generally.

RULE 25.

Miscellaneous petitions in execution of decree.

All miscellaneous petitions which it is proposed to file regarding matters connected with the execution of decrees shall be reported on by the Executive Engineer through the Superintending Engineer for his and the Legal Remembrancer's approval, and the latter officer's decision shall be carried into effect.

RULE 26.

If Government will not appeal, amount of decree and costs to be paid into court at once.

When a suit has been decided against Government, and it has been determined that the decree shall not be further contested, the Superintending Engineer shall immediately inform the Executive Engineer, and the latter shall *at once* pay into Court the amount of the decree with interest up to date, and

the costs of suit which may have been decreed against Government. Any delay in making this payment will entail the loss of additional interest, for which the Executive Engineer will be held responsible.

APP. E.

RULE 27.

The Executive Engineer shall in no case grant authenticated copies of correspondence between the several Officers of Government on the subject of suits pending in Courts of Justice without, in the first instance, referring to the Superintending Engineer, and that officer to the Legal Remembrancer.

Copies of
correspondence.

Government Pleaders.

RULE 28.

The Executive Engineer after advising with the Collector shall appoint a Vakeel temporarily to conduct suits on the part of Government in the room of the proper Government Pleader, whenever it shall appear that the latter is disqualified, either from being himself interested in the suit, or being a connection of one or other of the parties to it, or from having previously accepted a vakalutnamah from the opposite party. Due notice of such an arrangement to be immediately given to the Legal Remembrancer.

Cases when
the Govern-
ment pleader
is disqualified.

RULE 29.

The Government Pleader at each Zillah Court shall engage, on his own responsibility, the ablest and most respectable Pleader at each Moonsiff's Court, for the conduct of Government suits, and the Pleader so engaged shall be under the control of the Government Pleader at the sudder station.

Suits in the
Moonsiff's
Court.

RULE 30.

The Government Pleader at the several Zillah Courts shall report to the Executive Engineer the nature of the

Government
Pleader's Re-

APP. H.
 ports of final
 orders.

final order passed in every case within 24 hours after it has been given out by the Court, in the case of suits determined at the Sudder Station ; and, in the case of suits determined by a mofussil Moonsiff's Court, immediately on receipt of the information. He shall also forward one copy of the decree or miscellaneous order to the Executive Engineer and another copy to the Legal Remembrancer within 24 hours after receiving it from the Court.

Law Charges.

RULE 31.

Expenses of
 suits.

The several Executive Engineers shall enter all receipts and disbursements on account of expenses in Civil suits under the heading of " Law Charges."

RULE 32.

Items of expense exceeding or short of 50 Rupees.

For items of expense exceeding Rupees 50, the Executive Engineer will apply separately for the Superintending Engineer's sanction. All items not exceeding Rupees 50 will be included in a separate account to be forwarded each month for the Superintending Engineer's examination and counter-signature. Expenses passed by the Superintending Engineer will be charged in the accounts prepared in the Central Office under the head of " Law Charges," and the Superintending Engineer's letter authorising items of expense exceeding Rupees 50, and the countersigned accounts of items not exceeding Rupees 50, will be forwarded by Executive Engineers with their other monthly accounts.

RULE 33.

Chief Engineer empowered to sanction disbursements.

The Chief Engineers are competent to sanction the disbursement of all sums payable on account of suits or claims compromised by the authority of the Local Administration, or

on the joint opinion of the Superintending Engineer and APP. E.
 Legal Remembrancer.

RULE 34.

A Register, in the form No. 156, is to be kept, in the offices **Register.**
 of the several Executive Engineers, of all cases decreed, with
 costs and damages, in favor of Government.

RULE 35.

Each Executive Engineer shall forward monthly to the **Monthly ex-**
 Legal Remembrancer a transcript of the entries made in this **tract of ditto**
 Register during the month, and these entries shall again be **to be sent to**
 brought on a General Register kept in the Legal Remem- **Legal Remem-**
 brancer's Office. **brancer.**

RULE 36.

Each Executive Engineer shall also forward quarterly to **Quarterly**
 the Legal Remembrancer a statement showing the sums **statement of**
 realized and remitted during the quarter, and shall state in **sums realized**
 the column of remarks opposite to each case the measures **and remitted**
 adopted for the recovery of the balance outstanding. **to be sent to**
ditto.

RULE 37.

All delay in the adjustment of items in the Public Works **Delay in ad-**
 Department is at first to be brought to the notice of the **justing items.**
 Superintending Engineer by the Legal Remembrancer; and,
 if this be ineffectual, to that of the Chief Engineer and finally
 of the Local Administration.

RULE 38.

The Legal Remembrancer shall forward to the Accountant **Legal Re-**
 an Abstract of the Quarterly Statements showing the sums **membrancer's**
 recovered in each district during the quarter, to enable the **report to the**
 Accountant to ascertain that such sums have been duly cre- **Accountant.**
 dited under "Law Charges" by the respective Officers.

APP R.

RULE 39.

Reward
for recovery
of outstanding
dues.

Whenever it may appear to the Superintending Engineer that the outstanding dues of Government in any special case, or cases, have been recovered through the exertions of the Government Pleader or any Member of the Public Works Department, it shall be competent to the Superintending Engineer to award to them a percentage not exceeding Rupees 10 per cent. on the amount realized, to be paid by the Executive Engineer, being distributed by him amongst the persons concerned with reference to the share taken by each in effecting the realization, with the proviso that not more than Rupees 1000 shall be thus distributed in any one case.

RULE 40.

Half yearly
returns of ditto.

The Superintending Engineer shall submit to the Chief Engineer a Half-yearly Return, form No. 158, showing the number of cases in which a percentage has been granted, with a note against each case, specifying the grounds on which the percentage may have been granted.

RULE 41.

List of re-
turns.

The several Executive Engineers will submit through the Superintending and Chief Engineer to the Legal Remembrancer the following Periodical Statements:—

- | | |
|---|-------------------------|
| Extract Register of sums decreed in favor of Government, (form No. 156), | } Monthly. |
| Detailed Statement, showing the amounts decreed in favor of Government in each case realized and outstanding, (form No. 157), | |
| Statement showing the amount expended in litigation, as contrasted with the sums actually realized by Government under decrees of Government, (form No. 159), | } Annually,
1st May, |
| | |

<p>Abstract Statement of outstanding decrees passed in favor of Government, (form No. 160), </p>	}	<p>Annually, 1st May,</p>	<p><u>APP E.</u></p>
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No blank Statements are required, but the returns must be forwarded without fail when there are any legal transactions pending or any legal claims unadjusted.

APPENDIX F.

Rules Regarding Road and Ferry Funds.

Rules for the future appropriation of the Surplus Ferry Collections.

IN BENGAL.

Committees
formed and the
object.

1. Committees shall be formed in each District for the management of the surplus Ferry Funds collected under Regulation VI. 1819, and applicable under Clause II. Section VII. of that enactment, for the promotion of the convenience and safety of travellers and the facility of commercial intercourse.

Of what per-
sons compos-
ed.

2. Each District Committee shall consist of not more than nine persons. The Magistrate of the District and the Executive Officer of the Division, shall be ex-Officio Members of the Committee. The remainder shall in the first instance, be appointed by Government upon the recommendation of the Superintendent of Police, and shall consist as well of persons out of the service, Natives and Europeans, as of those who are connected with it, future Vacancies to be filled up by the Superintendent of Police, subject to the approbation of Government.

Supt. of
Police, [now
Commissioner
of Division.]

3. The Superintendent of Police shall be a Member of the Local Committees, and preside at the Meetings whenever he is present. He shall also have a Casting Vote whether absent or present when opinions are divided.

Convening
Committees.

4. The Magistrate will from time to time convene Meetings of the Committee for the transaction of business, giving due notice to the Members.

5. No Meeting of the Committee shall be held in the absence of the Magistrate, but the Magistrate and one other Member, or the Magistrate singly, may transact the business of the Committee if other Members after due notice fail to attend.

APP F.
Meetings.

6. The Magistrate may at his discretion undertake any business which may be of such a nature as not to bear the delay of a reference to a Meeting of the Committee. He will on all such occasions report his proceedings at the next Meeting.

Magistrate's powers.

7. The whole Country is divided into Unions, the surplus Ferry Funds in these are to be thrown together and divided between the several Districts which compose them.

Unions.

8. The Unions shall be as follows:

<i>1st Union.</i>	<i>4th Union.</i>
Sarun.	Dinagepore.
Champarun.	Rajshahye.
Tirhoot.	Pubnah.
	Rungpore.
<i>2nd Union.</i>	Bograh.
Shahabad.	<i>5th Union.</i>
Patna.	Mymensing.
Behar.	Sylhet.
<i>3rd Union.</i>	Dacca.
Monghyr.	<i>6th Union.</i>
Bhaugulpore.	Chittagong.
Purneah.	Tipperah.
Maldah.	Noacolly.

APP. F.

7th Union.

Furreedpore.
Backergunge.
Jessore.

8th Union.

Nuddeah.
Moorshedabad.
24-Pergunnahs.
Barrasut.

9th Union.

Beerbhoom.
Burdwan.
Bancoorah.
Midnapore.
Hooghly.
Howrah.

Distribution
of funds.

9. At the close of each Official year the Accountant will ascertain what is the amount of the surplus Ferry Funds in each Union during the preceding year, and distribute the total equally amongst the several Districts comprised in it, the Government reserving to itself the power of making a different allotment of the Funds should such alteration hereafter appear expedient.

Minute
book.

10. Each Committee will keep a Book in which will be entered Minutes of all its proceedings and resolutions. The proceedings of each meeting shall be attested by the Members present.

Objects to
which the
funds are to be
applied.

11. Each Committee will apply the Funds assigned to it to the completion of new, and the repair of old public works in such manner as it may think fit, reporting at the close of each year the manner in which its funds have been applied, and stating the works to which its attention will be directed in the year ensuing.

Sanction of
Superinten-
dent of Police,
[now Commis-
sioner]

12. Provided that no *new* work estimated at more than Rs. 1,000 shall be commenced without the sanction of Government, obtained through the Superintendent of Police, who is empowered when he may see fit, to authorize the commencement of any proposed work in anticipation of the Government orders.

13. Provided also that no part of the funds shall be expended on station roads or station improvements without the sanction of Government.

APP. F.
Station
Roads.

14. Each Committee is authorized to entertain Executive Establishments for carrying on public works, but not to a greater extent than one-fifth of its annual assignment of funds, without the sanction of the Superintendent of Police.

Establish-
ments

15. These Rules relate exclusively to surplus Funds accruing after the 30th April 1840. No surplus which may have accrued in any District before that date can be expended without the express sanction of Government.

Old Surplus
funds.

(Signed) W. GREY,
Offg. Under Secy. to the Govt. of Bengal.

No. 912.

From the Under-Secretary to the Government of Bengal, to the Officiating Accountant to the Government of Bengal, Dated Fort William, the 22nd April, 1854,

SIR,

I AM directed by the Most Noble the Governor of Bengal to inform you that, with reference to the recent orders of Government, whereby the Commissioners of Revenue have been invested with the powers of Superintendents of Police, within the limits of their respective divisions, and have consequently the duty of supervising the administration of the Ferry Funds in the districts of which their divisions are composed, His Lordship is of opinion that it is desirable to recast the present Ferry Fund Unions, and to allow the Ferry Funds, collected in each division, to be spent within the limits of that division at the discretion of the Commissioner, within certain limits.

Commissi-
oners of Re-
venue.

APP. F.
 Divisions,
 instead of
 unions.

2nd.—With this object, therefore, His Lordship is pleased to direct that the annual allotment of Funds to each district shall, in future, be based on the average amount of the collection in the *Division*, and not the *Union* to which that district belongs; and that, in fact, the present Revenue divisions shall take the place of the Unions for all purposes connected with the administration of Ferry Funds. These orders you will be good enough to carry into effect when making the usual allotment on the 30th of this month.

Transfer of
 funds by the
 Commissioner.

3rd.—His Lordship further directs that if the allotted funds of any one district are not spent, or appropriated, for the accomplishment of specific and approved objects, within a year from the date of allotment, the Commissioner may take the whole, or any part of the unexpended or unappropriated balance at credit of any particular district, and place it at the disposal of the Ferry Fund Committee of any other district of the division where it appears to be more wanted, or likely to be more beneficially applied; reporting the circumstance in each instance for the information of Government.

4th.—A copy of this letter will be sent to each Commissioner of Circuit for his information and guidance.

I have, &c.,

(Signed,)

HODGSON PRATT,

Under Secretary to the Government of Bengal.

No. 965

*Patna, Bhaugulpore, Rajshahye, Dacca, Chittagong, Nuddea, Bardwan and Cuttack.

Ordered, that a copy of the above letter be forwarded to each Commissioner* of Circuit for his information

and guidance.

North Western Provinces.

APP. F.

No. 1052A of 1854.

From William Muir, Esquire, Secretary to Government of the N. W. P. to C. Allen, Esquire, President of Committee for framing a Code of Regulations for the Department Public Works, dated Head Quarters, the 21st September 1854.

SIR,

I AM directed by the Honorable the Lieutenant Governor to acknowledge the receipt of your letter No. 96, dated the 21st ultimo, communicating the intention of the Committee to add as an appendix to the Code of Regulations for the Department Public Works the Regulation in force under the three Local Governments for the guidance of the Committees for the administration of the Ferry Funds and the one per Cent. Road Funds, and suggesting that one uniform set of rules might be adopted by all the Governments subordinate to the Presidency of Bengal.

Introductory.

Resolution and Notification, dated 10th February 1841.

Circular to Commissioners of Divisions No. 229B., dated 3rd March 1854.

2nd.—In reply, the Lieutenant Governor desires me to forward, for the information of your Committee, the accompanying copy of the rules noted in the margin,* by which the

proceedings of the Local Committees in these Provinces are guided.

3rd.—With reference to the rule adopted in Bengal of substituting the Divisions for the Unions according to which the Ferry Fund income was formerly distributed, I am directed to observe that the Unions in these Provinces having been arranged with special reference to the nature of the

Unions retained.

APP. F.

country and its communications, so as to give a fair portion of the Ferry income to all the districts across which certain main routes of transit pass, and this appearing to be the most sound and correct principle of distribution, the Lieutenant Governor thinks it undesirable to alter the practice which is established under this Government in that respect.

Powers of
Commissioners increas-
ed.

4th.—The Lieutenant Governor has, however, adopted the larger limit of Rupees 1,000 as that of the authority of the Commissioners in sanctioning outlays from the Ferry Funds, and a notification, to this effect, has this day been issued.

Reference to
rules.

5th.—You will observe that the Circular of the 3rd March last, lays down rules, intended to secure a more careful and systematic conduct of the duties of the Local Committees in the selection and execution of the Public Works of their several districts.

HEAD QUARTERS, }
21st September 1854. }

I have, &c.,
W. MUIR,
Secy. to Govt. of the N. W. P.

No. 2 in No. 1052A of 1854.

NOTIFICATION.

JUDICIAL DEPARTMENT,

The 10th February 1841.

The Honorable the Lieutenant Governor directs that on the appearance of this notification in the *Gazette*, the several District Committees proceed to form themselves in the manner herein prescribed.

Formation of
Committees.

1st. Committees shall be formed in each district, for the management of the Surplus Ferry Funds collected under Regulation VI. 1819, and applicable under Clause 2, Section VII. of that enactment, to the promotion of the convenience

and safety of travellers, and the facility of Commercial intercourse.

APP. F.

2nd. These Committees shall consist of the Magistrate and Collector, the Joint Magistrate and Deputy Collector, the Executive Engineer, the Civil Surgeon, and any other number of persons whom they may associate with themselves, subject to the confirmation of the Commissioner of the Division, whose approval is necessary. When once so appointed, they are only removable by the Government. Three Members shall constitute a quorum for the transaction of business.

Persons of which composed.

3rd. The Commissioner of the Division shall be a Member of the Local Committee, and preside at the Meetings whenever he is present. He shall also have a casting vote, whether absent or present, when opinions are divided.

The Commissioner.

4th. The whole country is divided into Unions, each of which is supposed to contain within itself, great lines of Commercial intercourse, crossing the country from East to West. The Surplus Ferry Funds in these, are to be thrown together, and divided between the several districts which compose them.

Unions.

The first Union will consist of the districts of Bijnour, Moradabad, Saharunpore, Moozuffernuggur, Meerut, and the Delhie territory.

The second Union will comprise the districts of Bareilly, Pillibheet, Shahjehanpore, Budaon, Furruckabad, Mynpoo-ry, Allyghur, Boolundshuhur, Muttra and Agra.

The third Union will comprise the districts of Etawah, Cawnpore, Futteh-pore, Allahabad, Hameerpore and Banda.

The fourth union will consist of the districts of Goruck-pore, Azimghur, Jounpore, Mirzapore, Benares and Ghazee-pore.

5th. At the close of each official year, the Accountant will ascertain what is the amount of the Surplus Ferry Funds in each Union during the preceding year, and distribute the total equally amongst the several districts comprised in it:

Allotment of funds.

APP. F. though the Government reserves to itself the power of making a different allotment of the funds, should such alteration hereafter appear expedient. The Delhie territory, for this purpose should be considered as comprising four districts. Rohtuck being united with Paneeput and Hureeanah with the Bhutte territory. The adjustment for the year ending with April 30th, 1840, including the amounts accrued in former years, will be made immediately, and the result communicated by the Accountant to the several Magistrates.

Minute books 6th. Each Committee will keep a book, in which will be entered minutes of all its proceedings and resolutions. The proceedings of each Meeting will be attested by the Members who are present. Appointments to be Members of the Committee, must be entered on the proceedings. This book shall always be open to the inspection of any persons who are desirous to peruse it.

Reference to Government. 7th. Any Member of a Committee shall have the power to demand a reference to the Government, through the Commissioner, on any point on which he may differ from the majority.

Establishments and estimates. 8th. The Commissioner on the recommendation of the Committee, is competent to sanction establishments to the amount of Rupees 150 per mensem and estimates for works to the extent of Rupees 500 on any one work. Larger undertakings than the above must be submitted to the Government for approval.

Accounts 9th. The disbursements will be exhibited as heretofore in the Magistrate's accounts and passed under the rules applicable to such cases. The Magistrates will pay on an order signed by three Members of the Committee, and the authority of the Commissioner.

One percent. road fund. 10th. The same Committee, constituted as above, will administer the 1 per cent. road fund, but, without the restrictions on the disbursements contained in para. 8.

11th. The district Committees will understand, that the following roads are exempted from their control, and are entirely under the charge of the Military Board.

APP. F.

Roads under
P. W. Depart-
ment.

The Grand Trunk Road from the banks of the Carrumnessa to Delhie, with branches from Goorshaigunge to Furruckabad and Gazeeooddeenugger to Meerut.

The road from Mirzapore to Saugor.

Due information will hereafter be given of any other roads which may be similarly exempted from their supervision.

12th. The attention of the several Commissioners and District Committees is directed to the early completion of the lines of road, detailed in the following extract (paras. 12 to 21) of a letter from the Sudder Board of Revenue to Government, dated October 6th last. The Committees will be careful to act in combination with each other along these lines.

Co-operation
of Commit-
tees.

Extract of a letter from the Secretary to the Sudder Board of Revenue, N. W. P. No. 412, dated 6th October 1840.

Para: 12th. Commencing from the North and West, the first union should consist of the Districts of Bijnour, Moradabad, Saharunpore, Moozuffernuggur, Meerut and the Delhie territory. The sugar of Bijnour and Moradabad, the spices, metals, minerals and drugs of the Hills, pass through these districts by the following lines.

Main Roads.

From Nujeebabad and Nugeena, through Saharunpore and Umballa to Jughadree and Umritsur.

From the same origin through Deobund and Gungoh to Thunesur, Umballah, Putteala, &c.

From the same quarter through Bhookurberee and Moozuffernuggur to Shamlee, and thence to the Delhie territory and protected Sikh States.

Through Meranpore, Neloba, Meerut, and Moradnugger to Delhie. Thence of course to all Rajpootana and every other Southern, Western and North-Western country, to Lahore, Bahawalpore, Scinde and Surat.

APP. F. From the marts of Chandpore and Sherkote in Moradabad through Meerut, Bhagput and Shahderah to Delhie.

Main roads. From Umroha in Moradabad *viâ* Meerut and Bhagput and also *viâ* Hapur and Dasuah to Delhe.

Para. 13th. The trade on the two upper lines is of less importance, but the trade in all the remaining lines, is immense in quantity and value. By these the rice and sugar of Rohilcund, and the various articles of Hill produce are conveyed through the numerous marts in the upper Doab to Lahore, the protected Sikh States and upper Rajpootana, as far as the banks of the Indus, and an immense return trade in salt is maintained. The funds of all the Ferries crossed by these lines of trade cannot, in the Board's opinion, be more equitably used for the benefit of those from whom they are received, than by facilitating communication on these lines.

Para. 14th. The second Union the Board observe, should be formed from the districts of Bareilly, Pillibheet, Shajehanpore, Budaon, Furruckabad, Mynpoory, Allyghur, Boolundshuhur, Muttra and Agra.

15th. The lines of trade from Central and lower Rohilcund pass through these districts, in the following directions :

From Chundowsee in Rohilcund, by Onoopshahur and Coel to Hatrass, and thence to Muttra and Agra.

From Beesulpore, Ounlah and Suheswan, in Rohilcund, by Ramghat, Atroulee and Coel, to Hatrass, and thence as before.

From Shahjehanpore and Budaon in Rohilcund, by Soran, Khasgunge, Marherah and Secundra Rao, to Hatrass, and thence as before.

From Shahjehanpore, Furreedpore, Beejehra, Imrutpore and other marts in lower Rohilcund, by Furruckabad, through Ulleegunge, Etah and Hatrass, to Muttra and Agra.

From the same quarter through Etah and Julleyser to Agra.

From Furruckabad through Mynpoory and Shekoabad and Ferozabad, to Agra.

APP. F.

Para. 16th. The 3rd Union, the Board remark, should consist of the district of Etayeh and those of the 4th Division, namely, Cawnpore, Futtehpore, Allahabad, Humeerpore and Banda.

Main roads.

Para. 17th. The whole trade of the Oudh country, with the Southward and *vice versa*, is carried on through these districts.

18th. The lines are from Cawnpore through Ukberpoor, and Bhogneepoor to Calpee.

From ditto through Korah Jehanabad to Humeerpore, and by Ghatimpore, to the same place.

From Cawnpore through Kudgewa and Bindkee, to Banda, and

From Futtehpore to Banda, and of course from all the points to the numerous marts in Bundlecund, and onward to the South.

19th. These tracts are however all of less consequence than those above described, and the most important in this Union are from Allahabad *via* the Sohagee pass to Mougawah and Rewah, and from Allahabad *via* Mirzapore to Chunar and Moghul Surai, on the high road from Calcutta to Benares.

Para. 20th. The 4th Union, in the Board's opinion, should consist of the districts of the 5th division, which, being divided off from the rest of the provinces by the territory of Oudh, form a distinct tract :

Para. 21st. The principle lines of land carriage in that division, are as follows :

From Goruckpore through Azimghur, Jounpore, and Phoolpore, to Allahabad. On this line a considerable trade is carried on of cotton imported to the Northward, and Hill products sent Southward.

From Goruckpore through Dohree Ghosee, Kapa and Mow to Ghazeepore.

APP. F.

From Goruckpore through Toortepore, Secunderpore, and Kasimabad, to Ghazeepore, and by Russeerah, a large inland and very wealthy mart, to Bulleah and other ports on the Ganges.

Main roads.

From Azimghur through Mahomedabad and Mow, to Ghazeepore.

From the Southward through Cheriakote.

A road is also much required from Azimghur through Deogaon and Keerakut or through Cheriakote and Syedpore Bhittree to Benares.

(Signed) J. THOMASON,
Secretary to Government, N. W. P.

No. 1 in No. 1052A of 1854.

JUDICIAL DEPARTMENT N. W. P.

Agra, the 10th February 1841.

RESOLUTION.

Ferry, and one per cent. road funds.

1st.—THE Honorable the Lieutenant Governor has attentively considered the subject of the present disposal of the Ferry Funds, with which is connected the administration of the one per cent. fund

Expenditure of the latter fund left to the Local Committees.

2nd.—With respect to the latter, His Honor concurs in the views of the Board, that it should be considered as a voluntary contribution on the part of the Zemindars, should be spent within, and managed by the people and Officers of the district. It is only necessary that the Government be kept duly informed of the administration of the fund, and have it in its power to interfere, if the Managers neglect their duties, or divert from the proper purpose, the means at their disposal.

Classification of roads.

3rd.—The Sudder Board of Revenue propose, that the disposal of the Ferry Fund should be kept still in the hands

the Government; that the provinces should be divided into four Unions, each Union containing within itself a few main lines of Commercial intercourse, and that the surplus funds in these circles should be appropriated to the formation of Roads along the lines of road, either to the Government, where the object is of Military or political importance; or to the landed proprietors from the one per cent. fund, where it is of local consequence. The classification of road which this arrangement assumes, according to their political, commercial, or local importance is just, but His Honor apprehends that great practical difficulty would be experienced in working out the plan. The formation of great lines of Military communication does not rest with the local Government, whilst great injury and inconvenience would be experienced, if, by the failure of the Supreme to adopt the views of the local Government, these important thoroughfares were left altogether neglected. All that can now be done in this respect, is to declare what roads are at present so maintained by the Government, and as others are hereafter added to the list, to exempt them from local control and place them in charge of the Executive Department. At present, the Grand Trunk Road from the bank of the Carumnassa to Delhi with its branches from Goorsahaigunge to Furruckabad, and from Ghazeeooddeennugur to Meerut, and the road from Jubbulpore to Mirzapore, are the only ones under the entire care of the Government. With these then the local authorities have no concern.

4th.—Again, there would be much practical difficulty in keeping separate the management of the one per cent. Fund, and the Ferry Fund; in drawing the precise line between the sphere of operations assigned to the Managers of the two Funds; and in making the operations of each always advance together as they ought to do. The Government cannot also efficiently and carefully superintend extended operations over

Difficulty of separating the ferry and one per cent road funds.

*

Arr. F. a large expanse of country. The welfare of each district will be better minded by the Residents within it, whose comforts and interests are concerned in the faithful appropriation of the available funds.

Both to be managed by one Committee.

5th.—His Honor, therefore, resolves to throw the surplus proceeds of the Ferry Fund and the one per cent. fund together, and to hold both disposable for the same purposes, under the same agency. To effect this, it is only necessary to determine what sums from the Ferry Funds are fairly available in each district. For this purpose, the division of the country into Unions, as proposed by the Board, is most appropriate. All surplus funds in those Unions, will be distributed equally amongst the several districts comprising them. The accountant, at the close of each official year, will adjust the accounts of the preceding year on this principle, and assign to each district its dividend; which is to be expended in the ensuing year.

Primary thoroughfares.

6th.—At the same time, His Honor feels strongly the importance of paying primary attention to the improvement of the great commercial thoroughfares noticed by the Sudder Board of Revenue, in Paras. 12 to 21, of their letter No. 412, dated October 6th, 1840; and, with this view, will call the attention of the district Committees particularly to this subject.

7th.—The annexed rules will be published, for general information, in the *Government Gazette*.

(Signed) J. THOMASON,

Secretary to Government, N. W. P.

No. 3 in No. 1052A of 1854. Circular No. 229B of APP. F.
 1854. From William Muir, Esquire, Secretary to Govt.
 of the N. W. P., to the Commissioners of divisions,
 dated Camp Mozuffernuggur, the 3rd March 1854.

SIR,

It being desirable that Commissioners should exercise more efficient control over the proceedings of the Road and Ferry Fund Committees, and that the business of such Committees should be conducted upon a systematic and well considered plan, the Hon'ble the Lieutenant Governor has been pleased to issue the following orders, which you will communicate to the several Committees for their information and guidance.

Commissioners to exercise more efficient control.

2nd.—In the latter fortnight of every August, there should be a Special Meeting of the Committee, at which a general review shall be held, of all that has been effected during the past season with a careful record and consideration of all projects for the coming year with reference to the funds at the disposal of the Committee.

Annual Meetings of Committees

3rd.—At this Meeting the Committee will consider to which of the projected works its efforts ought, on a careful regard to their relative importance and urgency to be directed during the approaching season. And a statement of these, with a general estimate of their expense and of the disbursements that will probably be necessary for the repair or preservation of existing roads and works, will then be immediately forwarded, together with an account of the funds up to that date to the Commissioner for his examination and approval. This report should reach the Commissioner before the close of the month of August.

to take measures of the next working season.

4th.—The Commissioner will preside at the Committee of the station where he may be at the time resident, and will

Commissioner to give his

APP F. lose no time in considering the merits of all the proposed undertakings and their practicability with reference to the funds in hand, and he will signify his assent or otherwise without delay to the Committee.

And the Committee then to proceed to execute them.

5th.—The Committee upon receiving the Commissioner's sanction, will proceed to the execution of the several projects.

References to Government.

6th.—Should the Committee see urgent cause to recommend any work, which may not be authorized by the Commissioner, they will be at liberty to request a reference to the Government, which the Commissioner will forthwith transmit with his own remarks.

Commissioner's sanction necessary to disbursements from the one per cent. fund.

7th. In modification of Rule 10 of the Notification dated 10th February 1841, it is hereby provided that the rule in para. 8 of that Notification, requiring the previous sanction of the Commissioner to all works, executed at the charge of the Ferry Funds shall be equally applicable to disbursements from the one per cent. Fund; but the Commissioner's sanction will be sufficient without the necessity of a preliminary approval by the Government for all outlay without limit of amount from the latter fund.

Co-operation between Committees.

8th. As much inconvenience has arisen from the want of a proper understanding and co-operation between the road-fund Committees of neighbouring districts, the Lieutenant Governor desires that it may be a standing rule that whenever a Committee may desire to run a road to the boundary of its own district, the proposed line, and the point at which it will touch the neighbouring district, should be communicated to the local Committee of that district, so that the precise direction may be determined with a view to unite the lines, which the several district Committees may have in view, on a connected and uniform system.

Commissioner's report to Government.

9th. It shall be the duty of the Commissioner, to submit as soon after the 1st of January in every year as possible, an an-

nual report together with a sketch map, stating what may have been effected, and at what expense, by each of the Road and Ferry Fund Committees in the Division during the previous year, and detailing the projects, the execution of which may have been sanctioned in conformity with the recommendation of the Committees after the season then current, and the estimated expense of each with a memorandum of the aggregate proposed outlay as compared with the resources at the disposal of both funds.

APP. F.

I have, &c.

(Signed) W. MUIR,
Secy. to Govt. of the N. W. P.

CAMP MOZUFFERNUGGUR, }
The 3rd March, 1854. }

Punjab.

No. 2227.

From R. Temple, Esq., Secretary to the Chief Commissioner for the Punjaub, to C. Allen, Esq., President of Committee for framing a Code of Regulations for the Department Public Works, Fort William, dated Lahore, 14th October 1854.

SIR,

I AM directed to reply to your letter No. 97, of the 25th August last. On receipt of that letter with its enclosures, the Chief Commissioner consulted the Judicial Commissioner (to whose Department all matters relating to Local Agencies belong) regarding the rules suggested by you for the future administration of the one per cent and Ferry Funds.

Draft of rules
sent.

APP. F.

I am now instructed to forward for your consideration, copies of Mr. Montgomery's reply and of the rules which he has drafted, as applicable to the Punjab Territories, and as based on the rules forwarded with your letter under acknowledgment.

Applicable to
ferry as well
as one per cent.
road funds.

2. These draft Rules, the Chief Commissioner would recommend for adoption. It is to be observed that they would seem to read as if concerning the *Ferry Funds alone*, having been drawn up in this respect after the model of the Rules which you enclosed. But in point of fact, they will equally hold good as regards the *one per cent Fund also*: excepting such clauses as pertain to the expenditure of Ferry Funds in districts, other than that in which they had accumulated but belonging to the same union. This rule would not be appropriate for the one per cent Fund. That is to say, while the Ferry Funds of one district may be spent in another district of the same union; on the other hand, the one per cent Fund can be appropriated only for that district in which the collection is made.

I have, &c.,

R. TEMPLE,

*Secy. to the Chief Commissioner
for the Punjab.*

LAHORE }
14th October 1854. }

(COPIES)

No. 294

From R. Montgomery, Esq., Judicial Commissioner for the Punjab, to R. Temple, Esq., Secretary to the Chief Commissioner for the Punjab, dated Lahore, the 5th October, 1854.

SIR,

I HAVE the honor to acknowledge the receipt of your letter, No. 2123, dated the 23rd ultimo, forwarding an

original communication from the Department of Public Works' Committee, and requesting my opinion of the applicability of the Committee's draft rules to the Punjab Territories.

APP F.

2. The rules, with a few modifications, will, I think, answer well for the Punjab. I have drawn out and submit a draft containing the rules I propose.

Submits draft for Punjab.

3. The proposed draft which I send, contains some verbal alterations regarding the designation of Officers, the authority of the Judicial Commissioner to sanction sums not exceeding 10,000 Rupees, where he has already power to sanction that amount, and the substitution in other places, of the Judicial Commissioner and Chief Commissioner for that of "Government" as entered in the Bengal rules.

Judicial Commissioner's power.

4. I have also divided the Punjab into unions which correspond with the Judicial and Revenue Divisions. This, I think, is the best arrangement.

Unions.

5. Hitherto in the Punjab proper, the surplus Funds which accumulated in each District have been spent there. In the Cis-Sutlej States, the accountant distributes annually the surplus collections, amongst the several districts comprised in the Division; and in the Trans-Sutlej States, the Commissioner has hitherto done this himself, without referring to the accountant.

Previous arrangements.

I have, &c.,

(Signed) R. MONTGOMERY,
Judicial Commissioner for the Punjab.

LAHORE,
The 5th October. 1854. }

RULES FOR THE FUTURE APPROPRIATION OF THE SURPLUS FERRY COLLECTION IN THE PUNJAB TERRITORIES.

1. Committees shall be formed in each District, for the management of the Surplus Ferry Fund, collected under Re-

Formation of Committees.

APP. F.

regulation VI. of 1819, and applicable under Clause II, Section VII. of that enactment, for the promotion of the convenience and safety of travellers, and the facility of Commercial intercourse.

Persons Com-
posing them.

2. Each District Committee shall consist of not more than nine persons. The Deputy Commissioner of the District, and the Executive [Engineer] Officer of the Division shall be Ex-officio Members of the Committee, the remainder shall, in the first instance be appointed by the Judicial Commissioner, on the recommendation of the Commissioner and Superintendent of the Division, and shall consist as well of persons out of the the service. Natives and Europeans, as of those, who are connected with it. Future vacancies to be filled up by the Commissioner and Superintendent of the Division, subject to the approbation of the Judicial Commissioner.

Commis-
sioner.

3. The Commissioner and Superintendent of the Division shall be an Ex-officio President of the Committee, he shall also have a casting vote whether absent or present, when opinions are divided.

Deputy
Commissioner

4. The Deputy Commissioner will, from time to time, convene Meetings of the Committee for the transaction of business, giving due notice to the Members.

to convene
meetings, and
to act alone if
necessary

5. No Meeting of the Committee shall be held in the absence of the Deputy Commissioner, but the Deputy Commissioner and one Member, or the Deputy Commissioner singly, may transact the business of the Committee, if other Members, after due notice, fail to attend.

Deputy Com-
missioner's
power to act
without calling
the committee.

6. The Deputy Commissioner may at his discretion, undertake any business which may be of such a nature as not to bear the delay of a reference to a Meeting of the Committee. He will, on all such occasions, report his proceedings at the next Meeting.

Unions.

7. The whole country shall be divided into Unions. Each Judicial and Revenue Division is to form a Union, and the

Ferry Funds collected in each Division, will be spent within its limits.

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The Unions shall be as follows:—

1st Union.

Ferozepore,
Loodhiana,
Thanessur,
Umballah,
Simlah.

4th Union.

Jheelum,
Rawul Pindiee,
Shahpoor,
Goojrat,

2nd Union.

Jullundur,
Hooshiarpoor.
Kangra.

5th Union,

Leia,
Khanghur,
Dehra Gazee Khan,
Dehra Ismael Khan,

3rd Union.

Lahore,
Umritsur,
Goordaspoor,
Sealkote,
Gojranwalla.

6th Union,

Mooltan,
Jhung,
Gogairah,

7th Union,

Peshawur,
Kohat,
Huzara.

8. At the close of each year, the Accountant will ascertain what is the amount of the Surplus Ferry Funds in each Union, during the preceding year, and distribute the total equally amongst the several Districts comprised in it, the Chief Commissioner, on the recommendation of the Judicial Commissioner, reserving to himself the power of making a different allotment of the Funds, should such alteration hereafter appear expedient.

Allotment of funds.

- APP. F.** 9. Should the allotted funds of any one District, be not spent or appropriated for the accomplishment of specific and approved objects within a year, from the date of allotment, the Commissioner may take the whole, or any part, of the unexpended or unappropriated balance at credit of any particular district, and place it at the disposal of the Ferry Fund Committee of any other district of the Division, where it appears to be more wanted, or is likely to be more beneficially applied; reporting the circumstance in each instance for the information of the Judicial Commissioner.
- Transfer of funds.**
- Minute book** 10. Each Committee will keep a book, in which will be entered minutes of all proceedings and Resolutions. The proceedings of each meeting shall be attested by the members present, each Committee will apply the Funds assigned to it, to the completion of new and the repair of old public works in such manner as it may think fit, reporting at the close of each year, the manner in which its funds have been applied, and stating the work to which its attention will be directed in the year ensuing.
- Reports.**
- Powers of sanction.** 11. Provided, that no new work estimated at more than 1,000 Rupees shall be commenced without the sanction of the Judicial Commissioner, and when the estimate shall exceed 10,000 Rupees, the sanction of Government shall be required.
- Limitations** 12. Provided also, that no part of the Ferry Fund shall be expended on station roads, or station improvements, without the sanction of the Judicial Commissioner, each Committee is, with the sanction of the Commissioner, and Superintendent of the Division, authorized to entertain executive establishments for carrying on public works; but not to a greater extent, than one-fifth of its annual assignment of funds.

(Signed) R. MONTGOMERY,

Judicial Commissioner for the Punjab

Outlay by Civil Officers on Public Works.

APP. F.

CIRCULAR.

From Colonel W. E. Baker, Secretary to the Government of India, dated the 17th July 1857.

SIR,

THE Governor General in Council has observed that, until the present time, no sufficient check appears to have been brought to bear upon that portion of the expenditure of Government money on Public Works which takes place under the immediate control of Officers not in the regular Department of Public Works.

Check required on funds expended not under P. W. Officers.

2. The professional examination of the outlay and the comparison of the work done with the money spent is a point of importance in respect to all such expenditure, and every argument that applies to the check and review of outlay under the professional Engineers, holds with equal, if not greater, force in respect to the outlay which takes place under all other Officers of the Government.

Professional examination of the outlay desirable.

3. The sums which are thus spent under the Civil District Officers from the Public Revenues, quite irrespective of the Local Funds, must amount to several lakhs of Rupees every year, and the institution of a proper check upon this outlay, before it is allowed to appear as a charge in the Public Accounts, is most necessary.

Not applicable to road and ferry funds.

4. His Lordship in Council further considers, that the Chief Engineers are the functionaries under whom the professional scrutiny of this outlay should take place, although it will be expedient to entrust to the Commissioners of Civil Divisions or the Officers holding analogous posts, the power of passing all minor charges of this nature.

Minor charges to be passed by Commissioners.

5. It will be apparent that too great strictness must not be attempted in first introducing this system, and it will be

Demands for details to be moderate.

APP. F.

the duty of the Local Governments to see that it is done judiciously, and that the standard of the demand for Plans, Measurements and Accounts is raised by degrees, as it is practicable, so as to avoid making requisitions with which it would be impossible to comply under existing circumstances.

Audit of larger sums entrusted to chief Engineers.

6. The exhibition of the charges of Public Works in the Accounts of Civil Officers will not be affected by this; the only change that will be introduced being the necessity for supporting all such charges by Bills properly audited—for minor sums, by the Divisional Commissioner—for larger items, by the Chief Engineer of the District.

Limit of the Commissioner's powers of audit.

7. The discretionary power of a District Commissioner being fixed at 500 Rupees in relation to the audit of other charges, the Governor General in Council is pleased to fix that sum as the limit of his authority in passing Public Works charges also. Any expenditure exceeding this, must be submitted for audit to the Chief Engineer.

I have the honor to be,

SIR,

Your most obedient Servant,

FORT WILLIAM, }
The 17th July, 1857. }

W. E. BAKER,
Secretary to the Government India.

Government Contributions to Local Works.

CIRCULAR.

From Colonel W. E. Baker, Secretary to the Government of India, dated the 7th August 1857.

SIR,

Works carried on by private contributions

I AM instructed to convey to you the following directions as to the grant of sums of public money for the construction of works of general utility or improvement, funds for which have been partly provided by means of private subscriptions.

2. The Right Hon'ble the Governor General in Council has observed with much satisfaction, that many public-spirited persons in various parts of the country have subscribed sums of money for the promotion of public works of general utility. It is most desirable that every encouragement should be given to so laudable a practice; but in aiding such efforts with grants of public money, some care is necessary or an effect is likely to be produced, which will, in the end, be far from beneficial.

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Care necessary in aiding them by public grants.

3. A system of grants like this would, in the first place, tend to generate carelessness both in the preparation of designs, in the execution of the work, and in the outlay of the money. The Government would be less critical in respect to the design, considering that the Public would obtain the whole advantage of the work at a greatly diminished cost. The Officers concerned in its execution would be conscious that in case of failure, no pressing calls for explanation would be made. The people who contributed the funds, would look to the Government as responsible for the result; and having paid the money, would take no more concern in the matter.

Evils to be apprehended.

4. There would be a constant risk, too, of grants being made for objects which were not really public works, and there can be no doubt that it is only for such works that grants should be made from the public revenues.

The grants should not be made for works not really public.

5. The importance of the principal of drawing a clear line of demarcation between works carried out by public money, and those provided for by the local funds, has been recognized by the Government of India, and there would, in like manner, appear to be every reason for avoiding, as far as possible, any joint operations carried on partly at the risk of Government partly at that of private persons.

Joint operations of public and private funds to be avoided if possible.

6. The offer of a contribution by an individual or a section of a community towards the execution of a work of public utility would, no doubt, often affect, in an important degree,

Contributions to public works.

APP. F.

the question of its being undertaken. But if public money be given, the sanction to the work and its execution should proceed in the regular course, just as though the entire cost were borne by the Government. The contributions should be set down as a portion of Public Works Income, and the entire expenditure should appear in the Public Accounts as the cost of the work.

The private contributions to be regarded as an aid to the public grant.

7. In short, where a work is to be executed, partly from public and partly from private funds, it must always be, in its nature, wholly a public work, the private contribution being regarded as an aid to the public work, not the public grant an aid to the private undertaking.

Cautions.

8. It will rest with the local Administrations to guard against any infringement of this principle, bearing in mind that, while it is not easy to define very precisely how the term "Public Work" should be limited, it is doubtful whether a grant of Government money should be made for any work which the State is not prepared to maintain at the public expense.

Aid from local Funds may be granted more freely.

9. The restrictions on the grant of local funds to assist in carrying out local objects could be fairly made less stringent, and it is indeed rather from these funds than from the public revenues that assistance should be given to local efforts. Where local funds exist, the grant of assistance in carrying out local works of improvement should be made to fall entirely on them, and grants from the public revenues should as a general rule, be systematically refused and prohibited.

Demands on the public revenues for the purpose to be avoided.

10. The demands on the public revenues for works of really imperial interest are so heavy, and the means of meeting those demands so limited, that the wants of the smaller sections of the community should, as far as possible, be provided for from local sources.

When unavoidable they

11. Where local funds do not exist, from which grants such as these could be obtained, it is desirable that the pro-

visions under which grants from the public revenues are made, should be fixed and distinctly understood. It is worthy of consideration also, whether, in the presence of so many other claims, such grants should not be restricted to some fixed annual allowance. APP. F.
should be re-
stricted.

12. I am directed to request _____'s attention to the general views here expressed, and to beg that you will report how far the existing practice in the _____ is in conformity with them. Report re-
quired.

I have the honor to be,

SIR,

Your most obedient Servant.

W. E BAKER,

Secretary to the Government of India.

FORT WILLIAM, }
The 7th August 1857. }

A P P E N D I X G.

Rules for taking up Land for Public Purposes.

ACT NO. VI OF 1857.

An Act for the acquisition of land for public purposes.

Preamble. WHEREAS it is expedient to make better provision for the acquisition of land needed for public purposes within the territories in the possession and under the Government of the East India Company, and for the determination of the amount of compensation to be made for the same: It is enacted as follows:—

Laws repealed.

I. Sections I to VII inclusive,* Regulation I, 1824 of the Bengal Code; so much of Act XXVIII of 1839 as is in force; Act I of 1850; Act XVII of 1850; Act XLII of 1850; Act XX of 1852; and Act I of 1854—are hereby repealed, except so far as they repeal the whole or any part of any other Regulation or Act, and except as to suits or proceedings commenced, contracts made, acts done, and liabilities incurred before the passing of this Act.

Land may be taken by Government under the provisions of this Act after declaration made that it is required for a public purpose.

II. Whenever it appears to the local Government that any land is required to be taken by Government at the public expense for a public purpose, a declaration shall be made to that effect under the signature of a Secretary to the Government or of some Officer duly authorized to certify the orders of the Government, and such declaration shall be conclusive evidence that the purpose for which the land is needed is a

* This is all that refers to taking up land for public works

public purpose; and after making such declaration, the Government may take any such land in the manner hereinafter provided.

App. G.

III. Whenever any land shall have been declared to be so required for a public purpose, the Government shall direct the Collector of the District or some other Officer specially appointed in that behalf, to take order for the acquisition of the land in the manner hereinafter provided.

After declaration, Collector shall be directed to take order for acquisition of land as hereinafter provided.

IV. The Collector or other Officer shall thereupon cause the land to be marked out and measured, and a plan to be made of the same. After the land has been so marked out and measured, he shall cause a notice to be affixed in some conspicuous place upon the land, and published by proclamation in the neighbouring bazars and villages, to the effect that the land is about to be taken by Government for a public purpose; and shall also give notice to the same effect to the occupier (if any) of such land, and to all such persons known or believed to be interested therein or to be entitled by Section XXXVIII of this Act to act for persons so interested as shall reside or have agents within the Collectorate or other Revenue District in which the land is situate by serving such notice on such persons or their agents. Such notice shall contain a citation calling on all persons interested in the land to appear personally or by agent at a time and place therein mentioned, such time not being less than fifteen days after the date of publication of the notice, and to state the nature of their interests in the land and the amount and particulars of their claims to compensation for the same.

Collector shall cause the land to be marked out and measured, and a plan to be made of the same; and give notice to all persons interested in the land.

V. On the day fixed, the Collector or other Officer shall proceed to enquire summarily into the value of the land and the amount of compensation to be awarded: and if he and all the persons interested who have attended in pursuance of the notice agree as to the amount of compensation to be allowed, shall make an award for the same; and if the said persons

Collector to enquire into the value of the land, and the amount of compensation to be awarded.

APP. G.

Collector to make award which shall be conclusive.

agree also in the apportionment of the compensation, such apportionment shall be specified in the award. The award shall be final and conclusive in regard to the value of the land and the amount of compensation for the same; and also in regard to the apportionment (if any) of the compensation among the persons who have agreed thereto. The Collector or other Officer may, if no claimant shall attend pursuant to the notice, or if he shall think fit for any other cause, postpone the enquiry to a day to be fixed by him and notified in the manner provided in the preceding Section.

Postponement of enquiry.

If no claimant attends, or if Collector and persons interested are unable to agree as to the amount of compensation, the dispute shall be referred to arbitrators.

VI. When the Collector or other Officer proceeds to make the enquiry as aforesaid, whether on the day originally fixed for the enquiry or on the day to which the enquiry may have been postponed, if no claimant shall attend, or if the said Collector or other Officer shall be unable to agree with the persons interested who have attended in pursuance of the notice as to the amount of compensation to be allowed, the matter shall be referred to the determination of arbitrators to be appointed in the manner hereinafter provided.

Who shall be deemed to be interested in the land in cases of conflicting claims.

VII. If upon the said enquiry any question arise, respecting the title to the land or any rights or interests therein, between two or more persons making conflicting claims in respect thereof, the person deemed by the Collector or other Officer to be in possession as owner, or in receipt of the rents as being entitled thereto, shall, for the purpose only of taking such measures as may be necessary for fixing the value of the land and the amount of compensation to be allowed for the same, be held as between such persons to be the person interested in the land.

After Collector's award or reference to arbitration, possession may be taken and the land shall be vested absolutely in the Government.

VIII. When the Collector or other Officer has made an award or directed a reference to arbitration, he may take immediate possession of the land which shall thenceforward be vested absolutely in the Government, free from all other estates, rights, titles, and interests.

IX. If the Collector or other Officer is opposed or impeded in taking possession of such land, he shall apply to the Magistrate who shall enforce the surrender of the land.

X. Clause 1. When any case is referred to arbitration, the Collector or other Officer, and the person interested in the land, shall unless they concur in the appointment of a single arbitrator, each appoint one arbitrator; if there be several persons having a joint interest in the land, and they cannot agree in the appointment of an arbitrator, such disagreement shall be deemed a refusal to appoint within the meaning of the next following Section.

Clause 2. If there be several persons having distinct and separate interests in the land, and they cannot agree in the appointment of an arbitrator on their behalf, it shall be competent to the Collector or other Officer (subject to the orders of the Commissioner or other superior Revenue authority) to refer the question of the compensation to be allowed for each of such distinct and separate interests to a separate arbitration, or to select any one of the persons interested whose interest appears to him to qualify such person to represent the others; and the person so selected shall appoint an arbitrator on behalf of all the persons interested.

In every case the appointment shall be in writing, and neither of the parties to the arbitration shall have power to revoke the same without the consent of the other.

XI. If no claimant shall have attended, or if the persons interested in the matter in dispute or authorized to act in that behalf, refuse or neglect for the period of fifteen days to appoint an arbitrator, then a single arbitrator, appointed by the Collector or other Officer shall arbitrate the matter. Provided that the person so appointed shall not be an Officer of Government.

XII. When more than one arbitrator shall be appointed, the arbitrators shall, before they enter upon the matter

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Magistrate to enforce surrender of land.

Appointment of arbitrators.

If no claimant attends, or if no arbitrator is appointed by the persons interested, the arbitrator appointed by the Collector shall proceed to arbitrate.
Proviso.

Appointment of a third arbitrator.

APP. G.

referred to them, nominate and appoint by writing a third person to act with them as arbitrator; and in case the arbitrators shall neglect to appoint such third person for a period of one week after having been required to do so, the Collector or other Officer shall appoint a third arbitrator.

Arbitrator refusing or becoming incapable to act, &c.

XIII. If any person, on being appointed an arbitrator, shall refuse to act, or, after accepting the appointment, shall die or become incapable of acting, another person shall be appointed in his stead, in the same manner in which the first person was appointed.

The arbitrators may by consent determine the proportions in which the persons interested are entitled to share in the amount of compensation awarded.

XIV. When the amount of compensation is referred to arbitration, it shall be competent to the Collector or other Officer, with the written consent of all the persons interested, to require the arbitrators to determine the proportions in which all such persons are entitled to share in the amount awarded.

Appointment of arbitrators by consent to apportion the compensation in cases where the amount thereof has been agreed upon or has been settled by arbitration.

XV. When the Collector or other Officer and the persons interested in the land agree as to the amount of compensation, or when such amount shall have been settled by arbitration, if any dispute shall arise as to the apportionment of the same or any part thereof, it shall be competent to the Collector or other Officer, with the written consent of all persons interested in the matter in dispute, to refer the same to arbitration. If the parties cannot agree with respect to the nomination of the arbitrators, or if the persons nominated by them shall refuse to accept the arbitration, or, having accepted it, shall refuse to act and the parties are desirous that the nomination shall be made; by the Collector or other Officer, he shall appoint some proper person or persons to arbitrate the matter. The provisions of this Act relating to arbitrators appointed under Sections X and XI and to the proceedings of such arbitrators shall be applicable to persons appointed arbitrators under this Section.

Collector to exercise certain powers for se-

XVI. After the arbitrators have accepted the appointment, the Collector or other Officer shall be competent to exercise

towards them such powers and authority for securing their attendance and the due completion of their award, as the Collector may legally exercise towards witnesses summoned before him when acting judicially for the purpose of compelling them to attend and give evidence.

App. G.
 curing attendance of arbitrators and completion of award.

XVII. If no award be made within a period to be fixed for that purpose by the Collector or other Officer, he may order that the matter shall be referred to another arbitrator or other arbitrators to be chosen in the same manner and subject to the same rules as the first.

In default of award within a specified period other arbitrators may be chosen.

XVIII. The Collector or other Officer shall furnish the arbitrators, or so far as may be in his power procure for them, any information which his records or those of any public department may afford connected with the subject of enquiry. He shall, on the application of the arbitrators, summon any witnesses whom the arbitrators may call for and whom the parties may not be able to produce before them without such process, and require the persons so summoned to bring and produce before them all such books, papers, deeds, writings, maps, and plans as they shall require. Persons so summoned shall be subject to all the provisions of the laws in force regarding persons summoned as witnesses before the Collector when acting judicially.

Collector to furnish information to the arbitrators, and to enforce the attendance and examination of witnesses, &c.

XIX. Every witness examined before the arbitrators shall be examined upon oath or affirmation to be administered by or made before the said arbitrators.

Witnesses to be examined upon oath, &c. before arbitrators.

XX. On the close of the enquiry, the arbitrators or a majority of them shall deliver a full and complete award in respect of the matter referred to them, and shall therein specify (as the nature of the case may require the amount and particulars of compensation awarded by them, the persons entitled to compensation, and the proportions in which they are so entitled.

Award of the arbitrators.

XXI. The arbitrators on making their award shall be

Remunera-

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tion of arbitra-
tors.

entitled to reasonable fees for their services, the amount of which shall be fixed by the Collector or other Officer subject to the orders of the Commissioner or other superior Revenue authority.

Costs,

XXII. The award shall declare the costs of the arbitration and by whom and in what proportion they shall be paid. All costs, including the fees of the arbitrators, incurred for the purpose only of determining the amount of compensation to be allowed for the land, shall be charged to the Government, unless the arbitrators shall award as compensation the same or a less sum than shall have been offered by the Collector or other Officer, in which case each party shall bear his own costs so incurred and shall also pay a moiety of the fees of the arbitrators. Costs incurred for determining the apportionment of the compensation among the persons interested shall be paid by such persons in such proportions as the arbitrators shall direct.

Proceedings of
the arbitration
to be deposited
in the Collect-
or's office.

XXIII. The proceedings of the arbitration shall be deposited in the office of the Collector or other Officer and every person interested therein shall be entitled to a copy of the award on plain paper under the seal and signature of the Collector or other Officer, which copy shall be *prima facie* evidence thereof.

Compensation
to include dam-
age done to ad-
joining land.

XXIV. When any land is taken under the provisions of this Act, the amount of compensation to be awarded shall include any damage which may be sustained by any of the persons interested therein in respect of any adjoining land held therewith.

If compensa-
tion be awarded
for damage the
value of the
land and the
amount of dam-
age to be speci-
fied separately.

XXV. If any compensation beyond the value of the land be awarded on account of any damage which may be sustained by any person interested in the land, the award shall specify the value of the land and the amount of such damage separately, and also the name of the person to whom compensation for damage is awarded.

XXVI. When any land taken under this Act forms part of an estate paying revenue to Government, the award shall specify the net rent of the land including the Government Revenue, and the computed value of such rent; and it shall be at the discretion of the Revenue authorities either to pay over the whole of such value to the owner of the estate on the condition of his continuing to pay the jumma thereof without abatement; or to determine what proportion of the net rent shall be allowed as a remission of revenue, in which case a deduction shall be made from the said value proportionate to the value of such remission.

XXVII. When the amount of compensation to be paid for land taken under the provisions of this Act is determined by the award of the Collector or other Officer under Section V, he shall pay the amount awarded at the time when possession is taken of the land on account of Government. When the compensation is determined by the award of arbitrators under Section XX, the Collector or other Officer shall pay the amount awarded with interest at the rate of six per centum per annum from the time when possession was taken of the land on account of Government.

XXVIII. Except, as provided in the next following Section, payment of the compensation shall be made, according to the award, to the persons named therein. Provided always that nothing in this Act contained shall affect the liability of any person who may receive the compensation awarded for any land or any portion of such compensation to pay the same to the person lawfully entitled thereto.

XXIX. If there exist any ground which, in the judgment of the Collector or other Officer, renders it improper to make immediate payment of the compensation, or of any portion thereof, to any of the persons having or claiming any interest in the land or in the compensation awarded in respect thereof, the amount, or such portion of the amount as he may deem

APP. G.

Proceeding where land paying revenue to Government is taken.

Amount of compensation when and how to be paid.

Payment of compensation to whom to be made.

Proviso.

Payment of compensation may in certain cases be deferred.

Amount to be held in deposit

Art. G. sufficient, shall be invested in Government Securities, and held in deposit until an order of Court shall be obtained for the payment thereof. Such order shall be obtained in the Court which would have had jurisdiction in respect of the land taken.

In certain cases the Small Cause Court may order payment.

XXX. If the land taken be within the local limits of any of Her Majesty's Supreme Courts of Judicature, and the amount of compensation awarded do not exceed five hundred Rupees, the order may be made by the Court of Small Causes.

Reversal or alteration of award.

XXXI. No award of arbitrators made in accordance with the provisions of this Act, shall be liable to be reversed or altered, except by the decision of a Civil Court on the ground of corruption or misconduct of the arbitrators. In case the award shall be so reversed, the matter shall be referred to another arbitrator or other arbitrators to be appointed in the same manner as the first. All suits to set aside an award under this Act shall be instituted within three months from the date of the award.

A part of a house or building not to be taken.

XXXII. The provisions of this Act shall not be put in force for the purpose of acquiring a part only of any house or other building or manufactory, if the owner desire that the whole of such house, building, or manufactory shall be taken.

When land is needed for a road, canal, &c, the general direction of the line shall be declared.

XXXIII. Whenever any land is needed for a road, canal, railway, or the like, and the local Government makes the declaration provided in Section II, it shall not be necessary to specify the extent limits, or position of the land, but it shall be sufficient to declare the general direction of the line of the work and the average breadth of the land required for the same.

After declaration, persons authorized may enter upon the land and make a survey.

XXXIV. When any declaration has been made under the provisions of Section II of this Act, the Collector or other Officer may authorize any person, with his servants and workmen, to enter upon the land for the purpose of making a

survey thereof; and in the case of a road, canal, or railway, to set out the intended line thereof, and to mark such line by cutting a trench or placing land-marks; and where otherwise the survey cannot be completed, and the line marked, to cut down and clear away any part of any jungle or tops of trees in the direction of the intended line. Provided that no person shall enter into any house or building or upon the curtilage of any house or any enclosed garden (unless with the consent of the occupier thereof) without previously giving the said occupier twenty four hours' notice of his intention to do so.

APR. G.

Line of road may be marked out.

Land may be cleared.

Previous notice of entry to be given to occupiers of houses, &c.

XXXV. It shall be the duty of the Collector or other Officer to take account of all necessary damage done as aforesaid, and forthwith to offer payment for the same to the persons interested. In case the offer is not accepted, the damage shall be allowed for in the compensation to be awarded.

Account of damage to be taken and payment to be offered.

XXXVI. Whoever wilfully obstructs any person in lawfully setting out the line of any road, canal, or railway, or wilfully destroys, damages or displaces any landmark, or effaces or fills any trench intended to mark such line, shall, on conviction, be liable to be imprisoned for any term not exceeding six months, or to fine not exceeding two hundred Rupees, or to both.

Obstruction to setting out line of works, &c.

XXXVII. The powers of this Act shall extend, in the case of any road, canal, or railway, to authorize the temporary occupation of any land not more than one hundred yards from the centre line of the road, canal, or railway, as marked on the ground, for taking earth or other materials for making or repairing the road, canal, or railway, or for depositing thereon superfluous earth or other materials, or erecting temporary buildings and workshops thereon, and of any land which may be needed for making temporary roads, from any public road to the intended line of railway; and for the temporary occupation of any such land, and for any perma-

Temporary occupation of adjacent land.

Art. G.
Compensation
for temporary
occupation.

ment damage done by such occupation and use of the land, including the full value of all clay, stone, gravel, sand, and other materials taken thence, compensation shall be paid to and among all persons having an interest therein, to be ascertained, in case of disagreement, in the same manner as compensation for land permanently taken.

Trustees,
Committees of
lunatics, &c.
empowered to
act.

XXXVIII. In any proceedings under this Act the following persons shall be deemed persons entitled to act as and to the extent hereinafter provided, (that is to say)—a trustee or trustees for other persons beneficially interested shall in all cases be deemed the person or persons entitled to act with reference to any such proceedings, and that to the same extent as the persons beneficially interested could have acted if free from disability. A married woman, in cases to which the English law is applicable, shall be deemed the person so entitled to act, and, whether of full age or not, to the same extent as if she were unmarried and of full age. The guardians of minors and the Committees of lunatics or idiots shall be deemed respectively the persons so entitled to act to the same extent as the minors, lunatics, or idiots themselves, if free from disability, could have acted.

Interpretation.

XXXIX. The following words and expressions in this Act shall have the several meanings hereby assigned to them, unless there be something either in the subject or context repugnant to such construction (that is to say)—

The words "the local Government" shall mean the person or persons for the time being immediately administering the Executive Government of that portion of the territories in the possession and under the Government of the East India Company in which the land in question is situate; and shall include any Chief Commissioner or other Chief Civil Officer of a Province whom the Governor General in Council may authorize to exercise the powers vested by this Act in the local Government.

The word "land" shall extend to tenements and hereditaments of any tenure, and all houses, buildings, trees, or appurtenances thereupon, as well as land.

The expression "person interested in the land" shall include all persons interested in the land either for life or for years, or in remainder, reversion, or succession, and all mortgagees, leaseholders, or tenants, not being tenants by the month or at will, of such land.

Words importing the singular number only shall include the plural, and words importing the plural number only shall include the singular.

Words importing the masculine gender only shall include females.

The word "person" shall include a corporation.

LAND FOR DIGGING KUNKUR, &C.

Military Board's Circular, No 523 of 3rd April 1852.

The Military Board circulate for general information and guidance of Executive Officers, &c., the following copy of correspondence, noted in the margin, received with letter No. 728, dated 19th March 1852, from the Secretary to Government, North Western Provinces, having reference to remuneration claimed for kunkur in the Mynpoory district and communicating the decision of the Honorable the Lieutenant Governor, that kunkur found on any land is the property of the owners of that land, and that all operations connected with quarrying it for use in the Department, should be carried on with the consent of the proprietor first obtained.

Kunkur belongs to the land owners in N. W. P.

2nd. The present circular is issued with the concurrence of the Most Noble the Governor of Bengal as communicated in Mr. Under-Secretary Dalrymple's letter No. 461, dated, 22nd April 1852.

and Bengal.

APP. G. *Secretary to Government, N. W. Provinces, No. 730 of 1852, dated 19th February 1852, to the Director Ganges Canal Works.*

Kunkur and
kooora.

I am desired to acknowledge the receipt of your letter No. 2273, dated 29th January 1852, on the subject of remuneration claimed for kunkur in the Mynpoory district. The same subject is discussed in para. 75th of your Inspection Report on the 4th Division, Ganges Canal for 1851-52, forwarded through me to the Military Board. In that passage you also refer to the somewhat parallel case of *kooora* or refuse used in burning bricks.

Kunkur be-
longs to land
owners—

2nd. The Lieutenant Governor observes that there can be no question that kunkur found on any estate belongs to the proprietor of that estate.

their power to
prevent its be-
ing quarried.

It is a manorial right included under the head of *Sayer* as an item in the contract between the Government and the proprietor at the time of settlement. Every proprietor has a right to quarry the kunkur himself and to use it or sell it. He has also a right to prevent others, except under certain circumstances, from quarrying the kunkur without his consent.

Kooora also
private prop-
erty.

3rd. In the same way *kooora* is private property belonging according to custom, either to the person in whose yard it is found, or to the community in whose village it is collected. The proprietors are at liberty to use or sell this *kooora* as they please, no one can remove it without their consent.

Executive
Engineers not
empowered to
take letter.

4th. Executive Officers are therefore not justified in assuming the right of the Government either to kunkur or to *kooora* and in removing them without the consent of the parties. By doing so of their own authority, they lay themselves open to prosecution in the criminal courts for trespass, and in the civil courts for damages.

5th. If kunkur is required for public purposes and the proprietor will not voluntarily suffer its removal, the land where it is produced can be taken possession of under Regulation I, 1824, [now Act VI. of 1857] and the kunkur can then be removed. When this has been done, the land may be restored to the proprietor.

6th. There is no law which compels the proprietor of *koora* to surrender that, any more than other personal property. A supply of *koora* can only be obtained by fair competition in the market on the ordinary principles of supply and demand.

7th. Neither kunkur or *koora* have hitherto been the subject of sale or purchase. These articles are found in abundance, they have hitherto been in small demand and the people are little acquainted with the rights conveyed to them by the present system of Land Revenue administration. It is natural to suppose that the large demand lately created for both these articles, more especially in the formation of the Ganges Canal, gave a value to them which they did not before possess. Instances in Europe of a similar rise in value of articles which were formerly worthless must be familiar to you. It is a result to be proud of, that the rise in value of all kinds of property consequent on the operations on the Ganges Canal is one of the best indications of the benefit you are conferring on the country.

8th. Evidently this will add to the cost of that work perhaps even more than has yet been anticipated. You have but to state the circumstances and the reasonableness of the increased charge will be considered sufficient warrant for incurring it. The great object of every well regulated Government is to render all property secure and valuable. The Government will not shrink from the acknowledgment of a result at which it uniformly aims.

APP. G.

If leave to quarry is refused the land must be taken over by Govt.

Koora cannot be taken without consent of the owners.

The fact of these articles coming to have a value shows the increased prosperity of the country.

The Government is willing to pay the increased cost of the works.

APP. G.

Permission to quarry Kunkur will probably generally be given without payment.

9th. It does not, however, necessarily follow that the recognition of these principles will cause any very great enhancement of the rates of the Ganges Canal works: there being but few competitors in the market for kunkur, it is hoped it will not be found necessary often to have recourse to Regulation I, 1824, [now Act VI. of 1857] in order to procure a supply of the article. The landed proprietors take great interest in the work and are not likely to afford factious opposition to the proceedings. They should always be consulted and their permission solicited before the quarries are opened. They will generally be ready to accede to any reasonable offer which may be made to them, and the Civil Officers will be found prepared to mediate and effect a composition. But Executive Officers should be prohibited from hasty and violent proceedings, which will only irritate the people and produce the bad feeling which you should be anxious to avoid.

Koora must be purchased or contracted for.

10th. *Koora* has been hitherto often considered worthless litter, the removal of which would be a benefit rather than otherwise to a village. Where such is the case, the proprietors will probably assent immediately to an application for permission to remove it. But when the koora is valuable as manure, Executive Officers cannot be permitted to remove it except with the consent of the proprietors for such consideration as they may choose to demand. Probably Contractors may be found willing to furnish koora at brickkilns at a certain rate, which would cover the payment of the proprietor as well as the cost of carriage. In this negotiation, the Civil Officers may assist by their mediation and influence, but these will not be effectual unless Executive Officers second their efforts by considerate and conciliatory proceedings on their own part towards the people.

Military Board's Circular, No. 543, of 14th April 1852.

APP. G.

In continuation of their Circular No. 523, dated the 30th of April 1852, the Military Board forward the following Extract from a letter No. 1283, dated the 6th July 1852, from the Secretary to Government, N. W. Provinces, to the Superintendent of the G. T. Road regarding the mode of procedure in searching for kunkur, when the owners of land raise objections to the same: and under authority of the Most Noble the Governor of Bengal, the Military Board requests that all Executive Officers be instructed to observe the rules therein laid down, in searching for kunkur or other material:

Transmits further instructions on searching for Kunkur,

Extract from a letter No. 1283, dated 6th July 1852, from the Secretary to Government, N. W. Provinces, to the Officiating Superintendent, Grand Trunk Road.

Para. 2nd. The Executive Engineer certainly cannot search the ground without taking it for one year at least, and must make his arrangements as he best can. The least expensive plan would probably be to engage the land immediately after the crop is cleared off from the ground, and if it be found unsuitable for the purpose, it can be sub-let when the season arrives for sowing; or when the land is vacant, leave could possibly be obtained to search for kunkur on consideration that higher rent than ordinary will be paid if the search be successful. There is no power by which the proprietor can be compelled to allow search.

How best to arrange for land to search.

Extract of letter from the Secretary to the Government, North-Western Provinces, to the Commissioners of Divisions, dated 29th June 1854.

4th. No land should be occupied for any District Road until the measure shall have been approved by a vote of the Road Fund Committee, recorded on their proceedings and

Land for District Roads.

APP. G. specially reported for the confirmation of the Commissioner of the Division.

Possession not to be taken except under regular authority.

5th. When sanction has been given by the Commissioner, the Collector will be applied to by the Secretary to the Committee, in order that the amount of compensation or remission of land revenue due to all parties interested may be determined according to the rules laid down in the Revenue Department on that subject; and until these have been fixed and agreed to by those parties or otherwise settled under Regulation I of 1824 [new Act VI of 1857] possession shall not be taken by the Magistrate and Collector or by the Committee.

In emergencies the Commissioner may authorize it.

6th. Where from any emergent circumstances greater expedition than the above course will admit of, may be absolutely necessary, special sanction to proceed to immediate* occupation under the law must previously be obtained from the Commissioner.

Circular order Sudder Board of Revenue promised.

7th. A Circular Order by the Sudder Board of Revenue under the approval of the Government is about to be issued explaining more fully the nature of the rules now prescribed, with a view to the proper adjustment of the amount of compensation and remission in all cases of land required for public purposes.

* Sections 2 and 5, Act XLII 1850. [new Act VI of 1857.]

LAND FOR THE GANGES CANAL.

APP. G.

The following orders are inserted in illustration of the system, as applied to the Canals in the North-Western Provinces,—but they are not authoritative elsewhere, and are in some respects superseded in the N. W. P. by the foregoing Act.

Extract (paras. 5 and 6,) of a letter from the Secretary to Government in the N. W. P., to the Secretary, Sudder Board of Revenue, N. W. Provinces, dated Agra, the 27th January 1845, No. 360.

Para. 5. The Canal Officers shall settle all compensation regarding houses, trees, crops, wells and buildings, and shall pay the money from their own Treasury, taking receipts as vouchers, and acquittances from the owners*. The Revenue Officers are always at liberty to represent any case, in which they find the compensation awarded to be inadequate, or the proceedings to have been conducted in any objectionable way.

P. W. Officers to settle compensation for destruction of property.

Para. 6. The Collector shall settle compensation regarding land however occupied, whether by crops or gardens, whether cultivated, culturable or barren, whether khaliseh or lakhiraj. In such cases, the canal Officer as soon as he has laid down his line (*dag bel*) should give certificates to the Tuhseeldar and Collector, stating the quantity of land he requires, and which he has marked off, and the dates on which he requires that it be vacated. This date should generally be that on which all the standing crops will be cut at the termination of the current Fuslee year. It will then rest with the Tuhseeldar immediately to ascertain and report to the Collector how and by whom the land is occupied, and on what terms remission of jumma or compensation should be

Civil Officers to settle compensation for Land in co-operation with the P. W. Officers.

* This rule is modified by the new Act ; see the second Clause of Section XXV at the top of page 183.

APP. G.

given under existing rules. It will rest with the Collector to provide that the terms be definitively settled by the time, when the land is required by the Canal Officers, or as soon as after as possible, and that no unnecessary demand is made on the Zemindars for the land thus taken. The Collector when reporting to the Commissioner his proposed remission for the confirmation of Government, will furnish a copy of his report to the Director of the Canal, in order that an opportunity may be afforded to that Officer, of offering any remarks on the transaction that may occur to him as affecting the charge on his works.

Letter No. 566 of 1848 from the Secretary to Government N. W. P., to the Secretary to the Sudder Board of Revenue, N. W. P., dated Agra 15th February 1848.

SIR,

Further instruction necessary

IT has been brought to the notice of the Lieutenant Governor that the arrangements made in para. 6 of my letter to your predecessor, dated January 27th, 1845, have not been carried out in all cases, with that promptitude which is necessary for the avoidance of hardship and injustice to the proprietors, whose land may be occupied by the Canal.

to obviate harassing delay to land owners.

2nd. It is evident that, unless the suspension of the Government demand on the land that may be occupied is made to have effect, from the time that the land is so occupied, the proprietors are unjustly harassed by a demand, which must ultimately be remitted. In order to insure promptitude in this respect, the following instructions should be observed.

Proceeding in the case of growing crops.

3rd. The suspension, consequent on the occupation of the land, will have effect for the kists due on the crop, the growth of which may be prohibited in consequence of the intended occupation of the land. With good management on the part of the Canal Officers, it should never be necessary to remove

a growing crop, but if such necessity should arise, they must themselves give a compensation, which shall cover the price of the standing crop, and consequently satisfy the Government demand on the crop. No claim, however, will be admitted for crops grown notwithstanding warning given by the Canal Officers.

APP. G.

4th. When the Canal Officers determine on the occupation of land, they will measure its extent, and mark off on the ground the limits of the land they require. So far as may be in their power, they will mention the villages, within which the land lies and the names of the proprietors. They will immediately forward to the Tuhseeldar a memorandum in the vernacular, stating these particulars, and will, at the same time, transmit to the Collector a copy of the memorandum. They will also warn the proprietors of their intentions, and on giving this warning will be at liberty to enter on occupation of the land.

Measurement
of land and
warning to
land-holders.

5th. The Tuhseeldar will immediately serve written notices on the proprietors, taking their receipts for such notices. He will also ascertain from the proprietors or the village putwarrees the proximate amount of the remission, which will have to be granted under existing rules, and, if he be able, will take from the proprietors a razeenamah, intimating their acquiescence in the proposed terms. He will forward to the Collector his report, to this effect, within one week from the receipt of the Canal Officer's memorandum, and will abstain till further orders from making any demand for the amount thus recommended for remission.

Instructions to
Tuhseeldars.

6th. The Collector on the receipt of the Tuhseeldar's report will immediately examine the account and check it by such information as his office furnishes. He will then issue his orders to the Tuhseeldar correcting or confirming the adjustment, but always directing the suspension till further orders of such amount of the Government demand as he may

Dirto Col-
lectors.

APP. G.

consider just. He will at the same time report the transaction in the usual manner through the Commissioner to the Sudder Board of Revenue for confirmation. This report should be made within one month from the date on which the Tuhseeldar's communication was received.

**P. W. Of-
ficer's weekly
memorandum
to Collector.**

7th. The claims should be taken up as quickly as the ground is appropriated. If the appropriation of the ground be continually going on, the Canal Officer should, at the close of each week, send to the Collector and Tuhseeldar his memorandum of the land, which has determined on appropriating within the preceding week. He should never occupy the land till he has sent in the memorandum, and given warning to the proprietors, nor should he delay the transmission from uncertainty as to the quantity of land which he may eventually require. He should take whatever he immediately requires, and can subsequently take more, if he then require it. The memorandum should never be delayed on account of the smallness of the quantity of the land to which it relates. If land, which has once been taken, be no longer required, it can be immediately relinquished to the proprietors, and the relinquishment notified to the Collector and Tuhseeldar in order that it may be brought again on the rent roll.

**P. W. Of-
ficers prohibi-
ted from taking
up land till they
have measured
and marked it
off, and sent
their memoran-
dum to the Col-
lector, &c.**

8th. The Lieutenant Governor trusts that all officers, both in the Land Revenue and Canal Departments, will co-operate in punctually carrying out these instructions. The Director of the canal will positively prohibit the Executive Officers from occupying land till they have measured it and marked it off, and till they have sent in the memorandum to the Collector and Tuhseeldar, and warned the proprietors; and the Commissioner will provide that no delay take place on the part of the Collector and Tuhseeldar in acting with the required promptitude on the information that may be afforded them. The Commissioner and Director should freely communicate and bring to each other's notice any instance of

neglect of these instructions, which they may discover on the part of the Officers of either department. The most effectual means of preventing omissions of this duty will consist in the opening of check Registers by Executive Officers, Tuhseeldars and Collectors, in which the date of each step of every transaction of this nature should be shown in a tabular form. The Register may easily be kept in the Vernacular language, but as the operation will quickly come to a termination, it does not seem necessary to prescribe any particular form.

APP. G.

9th. Collector of land revenue will need to bear in mind, that the occupation of land for Government purposes in this manner tends in most coparcenary villages to disturb the existing relations amongst the several sharers and to give rise to disputes, which may be detrimental to the prosperity of the whole proprietary body. Whenever the land is divided and separately possessed by the several coparceners, the party whose land is taken will be entitled either to the possession of other land in the village or to the benefit of the entire remission on his own holding. It will be requisite therefore in such cases not only to remit a certain amount of the Government demand, but also to declare in what way the particular individual or puttee is to be compensated for the land which has been occupied. Whenever the rights in a village are according to ancestral shares, it may possibly happen that the occupation of any considerable portion of the cultivated lands of a village will involve the partition and re-allotment of the whole land. The Collector should be required to state in his report that he has adverted to this particular feature of each case, and has made provision for it.

Effects on
Village copart-
nerships.

APPENDIX H.

Tolls on High Roads, &c.

ACT NO. VIII OF 1851.

An Act for enabling Government to levy Tolls on Public Roads and Bridges.

Whereas it is expedient to enable Government to levy tolls upon Roads and Bridges. It is enacted as follows:--

I. Act II 1837 and VIII 1838 are repealed, but not so as to revive any Regulation or Act thereby repealed.

Local Govern-
ments empow-
ered to levy
tolls.

II. The Governor of the Presidency of Fort William in Bengal, the Lieutenant Governor of the North-Western Provinces of Bengal, the Governor of the Presidency of Fort St. George in Council, and the Governor of the Presidency of Bombay in Council, may cause such rates of toll, not exceeding the rates mentioned in the Schedule annexed to this Act, as they respectively think fit, to be levied upon any road or bridge which has been, or shall hereafter be made or repaired at the expense of the Government; and may place the collection of such tolls under the management of such persons as may appear to them proper, and all persons employed in the management and collection of such tolls shall be liable to the same responsibilities, as would belong to them, if employed in the collection of the Land Revenue.

Procedure to
enforce pay-
ment,

III. In case of non-payment of any such toll on demand, the officers appointed to collect the same may seize any of the carriages or animals on which it is chargeable, or any part or their burden of sufficient value to defray the toll,

and, if any toll remains undischarged for twenty-four hours, with the cost arising from such seizure, the case shall be brought before the officer appointed to superintend the collection of the said toll, who may sell the property seized for discharge of the toll and all expenses occasioned by such non-payment, seizure, and sale, and cause any balance that may remain to be returned, on demand, to the owner of the property ; and the said officer, on receipt of the property, shall forthwith issue a notice that, at noon of the next day, exclusive of Sunday, or any close holiday, he will sell the property by auction. Provided that if, at any time before the sale has actually begun, the person whose property has been seized, shall render the amount of all the expenses incurred, and of double the toll payable by him, the said officer shall forthwith release the property seized.

APP. H.

IV. No tolls shall be paid for the passage of troops and Military Stores and equipages on their march, or of Police Officers on duty, or of any person or property in their custody ; but no other exemption from payment of the tolls levied under this Act shall be allowed.

Exemptions.

V. All Police Officers shall be bound to assist the Toll Collectors, when required, in the execution of this Act ; and, for that purpose, shall have the same power which they have in the exercise of their common Police duties.

Police to render assistance

VI. Every person, other than the persons appointed to collect the tolls under this Act, who shall levy or demand any toll on any public road or bridge, or for passing through any bazar situated thereon, and also every person who shall, unlawfully and extortionately demand, or take any other or higher toll than the lawful toll, or under colour of this Act seize or sell any property, knowing such seizure or sale to be unlawful, or in any manner unlawfully extort money, or any valuable thing from any person under colour of this Act, shall be liable on conviction before a Magistrate to

Penalties for collecting unauthorized tolls.

Art. H.

imprisonment for any term not exceeding six calendar months or to fine not exceeding two hundred rupees, any part of which fine may be forwarded by the Magistrate to the person aggrieved ; but this remedy shall not be deemed ~~to~~ bar, or affect his right to have redress by suit in the Civil Court of the Zillah.

Publication
of rates of tolls
enjoined.

VII. A table of the tolls authorized to be taken at any toll-gate or station shall be put up in a conspicuous place near such gate or station legibly written or printed in English words and figures, and also in those of the Vernacular language of the district to which shall be annexed written or printed in like manner, a statement of the penalties for refusing to pay the tolls and for taking any unlawful toll.

The tolls to
be deemed pub-
lic revenue.

VIII. The tolls, levied under this Act shall be deemed public revenue ; but the net proceeds thereof shall be applied wholly to the construction, repair and maintenance of roads and bridges, within the presidency in which they are levied.

SCHEDULE.

	Rs.	As
On every four wheeled carriage on springs, ...	2	0
On every two wheeled carriage on springs, } (except native Hackeries,) }	1	0
On every native Hackery on springs, ...	0	2
On every four wheeled carriage without springs,	0	6
On every two wheeled carriage without ditto,	0	4
On every cart and Hackery not on springs, } and having wheels of less diameter than } three feet six inches and tyres less in breadth } than three inches, }	0	8
On every Cart and Hackery not on springs } and not having wheels of less diameter } than three feet six inches and tyres less in } breadth than three inches, }	0	2

Maximum au-
thorized rates
of tolls.

Buffalos or Bullocks, per head,	...	6	Pie.	<u>APP. H.</u>
On every Elephant,	...	1	Re.	
On every Camel,	...	4	As.	
On every Horse,	...	1	„	
On every Tattoo,	...	6	Pie.	
On every score of Sheep or Goats,	...	2	As.	
On every herd of Swine, per hundred,	...	4	„	
On every Mule,	...	3	Pie.	
On every Ass,	...	2	„	
On every Palanquin or Tonjon with Bearers, ...		1	Re.	
On every Palna or small native Palanquin, } with Bearers, }		4	As.	
On every native Dooly with Bearers,	...	2	„	
On every person carrying a load for Hire,	...	2	Pie.	

N. B.—Animals drawing any Vehicle for which toll can be demanded are not to be also charged with toll.

*From Colonel W. E. Baker, Secretary to Government of India,
Public Works Department, dated the 10th April 1857.*

SIR,

It having been brought to the notice of the Governor General in Council, that a practice existed in some Districts of carrying to the credit of the local Funds the entire income of Ferries and Boat Bridges, which had been provided at a large expense from the Public Revenues, the following Rules are laid down for general guidance.

2. The whole of the Tolls levied on Ferries and Bridges of Boats, which have been constructed at the expense of the State, or are maintained by grants of public money, shall be carried to the credit of the General Revenues.

3. Where the Boats and Bridges have hitherto been kept in efficient order without assistance from Government, the

Local Funds
not always to
have the reve-
nue from tolls.

When the
works are
maintained at
the public ex-
pense the tolls
are public re-
venue.

If at the ex-
pense of local
Funds the re-

APP. H. Local Funds may still continue to receive the income, but not otherwise.

venue may be local.

They must be either entirely Government or entirely local.

On Imperial Lines of Road the management and revenue will be Imperial, not local.

Toll Funds of Imperial Roads

to which the tolls will be credited and the expenses charged.

Gross income and gross expenditure to be entered in the accounts of these funds.

The charges must not be disbursed at the pleasure of the local officer out of the income, but must be formally sanctioned.

4. The maintenance of Bridges or Ferries of a mixed character that is partly supported by grants from Government and partly from the local Funds, is considered objectionable, and the practice will henceforth be discontinued.

5. On Imperial Lines of Road, therefore, where the local Funds are not in a position to undertake the entire management of the Bridges or Ferries, the duty will wholly devolve on the Government, and the Tolls will be all credited to the Government Revenues.

6. In furtherance of these views, and at the same time to meet the circumstances of those lines of Road on which the collection of Tolls has been established, a special Fund will be constituted for each principal line of Imperial Road, or for the several sections of such Roads, which shall be called the Toll Fund of that Road.

7. The whole of the Tolls collected on that Road, whether at Ferries, Bridges, or Toll-houses wherever they may be established, shall be credited to the Toll Fund, and all outlay for repairs, charges of collection, &c., will, on the other hand, be debited to it.

8. The gross income of the Toll Funds will be added to the General Revenues, and the gross expenditure, in like manner, will be a charge against the General Revenues, the Fund being instituted for purposes of account only, and not with the object of placing the surplus assets, should there be any, at the unrestricted disposal of the local Administration, as is now the case with the local Funds.

9. The entire income will therefore be accounted for in full in the Receipts of these Funds, and the entire outlay, whether for the works on the Road, the Bridges, the Boats, or the Toll-houses, as well as the whole charge for the Establishments, for supervision and collections, will be set down in

full, and the expenditure will take place under the same rules and restrictions in every respect, as are in force for all other Public Works expenditure. The practice of making the income from the Tolls directly available for alterations or additions to Toll-houses, or for increase to Establishments, if it any where exists, is to be entirely given up.

10. The Accounts of the several Toll Funds established under each local Administration will be submitted annually, with a suitable Report, for the information of the Government of India, in connexion with the Progress Reports of the Department of Public Works. These Accounts will form a part of the Returns of Remunerative Works already ordered to be prepared.

APP. H.

The Accounts
to be rendered
annually [by
Central Office]
to Government.

Note to the foregoing Circular.

Executive Engineers have merely to debit themselves with the amount of Toll collections monthly ; submitting an Abstract Report, (Form No. 160) of the tolls collected at each gate.

Instructions
for Executive
Engineers.

The expenditure to be charged against the Toll Funds will consist in the first place of the collecting establishment, which will be drawn for in Establishment Bills like any other Establishment, but under the head "Toll collection of———": and secondly of work done in ferrying passengers, providing boats, and in the repairs and construction of temporary roads and bridges, toll houses and gates, and so forth ; which will be accounted for in the usual way in Figured Abstracts, sanction for the expenditure being obtained on annual or special estimates according to the usual rules.

[The regulations as to the levy of tolls on the Nuddea Rivers* Calcutta Canals †, &c. &c. are not given here, being special rules applicable to those divisions only, and not necessary for the information of public works officers generally.]

* Regulation VIII of 1824, Government Bengal letter No. 1354 of 22nd October 1851.

† Act XXII of 1836 ; Bengal Notification No. 1902 of 28th November 1839 ; Ditto No. 2898 of 22nd September 1858

APP. H.

CIRCULAR

No. 4370.—Extract from the Proceedings of the Honourable the President, of the Council of India in Council. Public Works Department, Fort William, 3rd September 1858.

Read the following reply to a letter No. 2473, dated 31st August 1857, from the Secretary to Government of Bombay, on the subject of Tolls and Ferries :

No. 4370.—From Major R. Strachey, Offg. to the Govt. of India, to W. Hart, Esquire, Secy. to the Govt. of Bombay. Public Works Department, Fort William, 3rd September 1858.

SIR,

Preamble.

I AM directed to acknowledge the receipt of your letter No. 2473, dated 31st August 1857, with its enclosure, from the Chief Engineer (which unfortunately has been overlooked till now) requesting instructions on certain points relative to the orders of the Government of India, communicated in the Secretary Department of Public Works, Lieutenant-Colonel Baker's letter No. 1638, dated 10th April 1857, on the subject of Tolls and Ferries, and having reference to the existing system of management of the income of Tolls and Ferries on Imperial lines of Road in the Bombay Presidency.

2. I am directed by the Hon'ble the President in Council to explain, that the true principle which should be regarded in this matter, and the principle which the Government of India desire should be adhered to and carried out every where as soon as possible, is that the gross proceeds of all Tolls and Ferries on lines of Road constructed and maintained from the Public Revenues should be deemed a portion of the Revenue of the State. The charges for the maintenance of such Tolls and Ferries should, in like manner, be a debit against the Public Revenues, and should be dealt with in every respect under the Rules in force for other Public Works' expenditure.

General principle laid down as to tolls on Imperial lines of Road.

3. The concession granted in rule 3 of Lieutenant-Colonel Baker's letter No. 1638, was made, in the first instance, to a particular Province (the Punjab) where a too sudden and general interference with the existing system would have caused a serious derangement of the finances of the local Funds; and it was made general in the Circular Orders above alluded to, lest the contemplated alterations might, in like manner, have proved inconvenient if introduced without preparation in other Provinces of the Empire.

4. But it does not appear to the Hon'ble the President in Council from the correspondence now laid before him, that there is any reason why the true principle, as above explained, should not be carried into effect universally and at once in the Bombay Presidency; and he therefore requests that the Right Hon'ble the Governor in Council will be pleased to issue orders with that view.

5. As regards the system to be observed in the collection of Tolls on Imperial lines of Road, I am desired to say, that this is a matter of detail, that the Government of Bombay will deal with as it thinks fit. The alteration of the disposal of the proceeds of these Tolls, by no means involves any necessary alteration in the system of collection; and it was not intended that any alteration should on this account be made.

I have the honor to be, &c.,

R. STRACHEY, *Major,*
Offg. Secy. to the Govt. of India.

ORDERED, that copy of the above letter be sent to all Governments and Administrations, with a view to their acting in the spirit of the orders issued to the Government of Bombay in the Provinces under their Administration, at as early a date as possible.

PUBLIC WORKS DEPART. }
The 3rd September 1858.

R. STRACHEY, *Major,*
Offg. Secy. to the Govt. of India.

APP. H.

Para 3 of the foregoing letter is a temporary concession to Local Funds.

The general principle should be carried out in full in Bombay.

System of collection not necessarily to be changed.

The above made applicable to all Local Governments.

APPENDIX I.

Advocate General's Opinion on Contract Deeds.

OPINION.

Contract deeds not necessary in all cases.

I am of opinion that it is by no means necessary that a formal deed or instrument should be drawn up and executed in respect of every contract which an Executive Engineer enters into for the execution of work for the Government by private persons or firms. In the great majority of cases, an engagement signed by the Contractor to abide by certain conditions will in the event be sufficient to bind the Contractor, while the acceptance of the tender by an Executive Officer acting within the scope of his authority will bind the East India Company so as to constitute a complete contract between it and the Contractor. But in some instances in consequence of the position of the East India Company as a Corporation, the engagement thus signed may be insufficient to constitute such a contract as legally to bind either party. The law on the subject is at present in a state of uncertainty, there being a difference of opinion between two of the Courts* in Westminster Hall which has led to conflicting decisions. It therefore is extremely difficult to lay down before hand any rule that shall exactly distinguish between the class of cases in which a formal instrument under seal is necessary, and the class in which it may be prudently dispensed with. But the following rules may, I think, be safely followed.

Some uncertainty on the subject.

* The Queen's Bench and the Exchequer

The general rule is that a Corporation like the East India Company cannot enter into a contract, binding either on itself or on the other party to the contract otherwise than under Seal. To this rule there are several exceptions, the principal of which are; first, that where the subject matter of the contract is small in value and of frequent recurrence, so as to render it unreasonable that the Corporate Seal should be affixed; second, that where it is matter of immediate necessity to the interests of the Corporation so as not to admit of time to affix the Corporate Seal, such Seal may be dispensed with, and a contract in any form which would be binding between private individuals will suffice. By far the greater number of contracts which are entered into by Executive Officers at some distance from Calcutta must range themselves within one or the other of these exceptions, and in such contracts consequently the proposed form of tender and acceptance, dispensing with any execution under Seal or formal instrument, will suffice. The only precaution to be taken with respect to contracts thus constituted is that the acceptance be a simple and unqualified acceptance of the terms proposed by the tender, or that if, in accepting generally these terms, any exception, addition or modification be introduced, a fresh assent in writing to the terms, as thereby qualified, be obtained from the Contractors. But in some contracts either the subject matter may be so extensive or important: or may be of a nature so special, and so unlikely to recur: or the facilities for obtaining the sanction of the Government and the execution at the Presidency of a formal instrument under the Company's Seal may be so great, and the propriety of obtaining such sanction and executing a formal instrument so obvious that the case may not fall within the exception. In all such cases, and indeed in all cases in which the Executive Officer feels that a doubt may arise whether they may not fall within one of these several categories, it will be safer not to trust to a contract in terms

APP. I.

A deed under seal necessary to bind a corporation.

Exceptions.

The exceptions generally apply to the cases which Executive Engineers have to deal with.

APP. I. of tender and acceptance alone, but to provide for the case by an instrument of some kind under Seal.

In special or important cases a deed or bond is necessary. The latter will generally suffice.

Even in such cases however I do not think that it will be necessary except in some very special cases (where the works to be done are on a very large scale, or the contract of an extraordinary character) and except also in cases where the other contracting party desires it for his own security, that a formal deed between the Company and the Contractor be prepared and executed—except in such cases, I think it will suffice, even where a simple contract not under seal cannot be relied on, to take from the other contracting party a bond under seal conditioned for the performance of all the terms of the contract specification or tender. He will thus be bound in any event from the time of his executing the Bond, and as the East India Company in case of his suing it for an alleged breach of contract on their part would not of course set up any objection on the ground of the contract not being under the Corporate Seal, no real inconvenience can ensue from the absence of a formal instrument under such seal.

Case when the contractor objects to a bond

When the Contractor objects to bind himself by Bond unless the East India Company is also legally bound by an instrument, one should be prepared and executed, but in the mean time and in order to secure performance by the contract, or of what he is required to do before it can be executed, the Bond should be taken from him, which may be cancelled upon his executing under seal the formal agreement with the East India Company.

Case when the work must be begun at once, without waiting for the completion of the deed.

With reference to the last question in Colonel Baker's letter para. 2, I think that in almost every case in which it is necessary to set about the work at once before a deed can be prepared, a formal deed under seal may be dispensed with and the Contractor may be proceeded against in case of breach of the condition of the tender, upon the tender and acceptance alone, treating them as constituting a complete

contract. Where however it is not necessary to commence the work until a formal deed can have been prepared, although the work may have been actually commenced in the exercise of a fair discretion, the commencement of the work under the simple contract will not of itself remove the objection arising from the absence of a deed under seal if the case be one in which such a deed would otherwise be requisite: and the Contractor cannot be sued for breach of the conditions of the tender in any of the cases above described in which a deed under seal is necessary. In all such cases therefore, it is desirable that before the work is commenced, the Contractor should have executed either a contract under seal with the East India Company to be afterwards executed by the Company at the Presidency under its corporate Seal, or a Bond conditioned to perform the terms of the tender, as above pointed out.

APP. I.

(Signed) W. RITCHIE.

31st August 1857.

I have prepared a form of Bond which may be found useful. [See Form 21.]

Form
Bond.

(True Copy.

(Signed) F. C. SANDES,

Solr. to East India Company.

APPENDIX K.

Ordnance Department Rules.

*Ordnance Department, Circular No. 137, dated Fort William,
Military Board Office, 20th February, 1844.*

**Demands on
Magazines for
articles of sup-
ply in the
market.**

I am directed by the Military Board to inform you that the practice of Executive Officers indenting on magazines for bamboos has been discountenanced by the Department of Public Works, and parties are desired to provide their own materials for the purpose.

2. This rule is only to be deviated from in cases of great emergency or where bamboos are not procurable on the spot, which must be especially stated.

Circular No. 454, dated 2nd September 1851.

**Return in-
voices to shew
when and
whence the
Stores were
received.**

To facilitate the adjustment of accounts in the Office of the Military Accountant and in this Department, I am directed by the Military Board to direct for general information and guidance, that on the return of Ordnance Stores, Instruments, &c. into Magazines from Departments and individuals who are held accountable for their disposal by debit, the Invoices, or other documents of advice relative thereto, shall invariably shew when and from whence the return Stores were originally issued or received, with all other information that may appear necessary.

General Order, No. 511, Fort William 3rd October, 1851.

APP K.

His Excellency the Commander-in-Chief having brought to the notice of Government that inconvenience results from the working of the rules now in force, regarding the return of condemned arms, equipments, and stores to magazines, and the provision of carriage for this purpose, the Honorable the President in Council, with the concurrence of the Most Noble the Governor General is pleased to publish the following regulations in supersession of existing orders upon these subjects :

Rules regarding unserviceable stores and package articles.

1. Corps cantoned at stations where magazines or depôts exist, will return thereto all condemned arms, equipments and stores, and all package articles, with the following exceptions, viz.

Buff accoutrements, which may be retained for conversion into great coat or knapsack straps, &c.

Colors—For the retention for condemned colors, the sanction of Government must be obtained.

2. Corps located at stations less than 100 miles from the nearest magazine depôt, will return into store the following articles when condemned.

Arms, all descriptions, leaden balls, also serviceable arm chests or cases, pawlins, ammunition boxes, camel or bullock ; slings, camel or bullock, received with new stores, or accumulated in Regimental store rooms above the complement required for the corps. Condemned buff accoutrements and colors may be retained as in Rule 1.

With the above exceptions, all condemned stores, and all articles of package, with exception to what may be required for the return of condemned arms, &c., to magazines are to be sold by public auction, under the orders of the Regimental authorities ; hoops of powder barrels, condemned copper caps, and all other brass or copper articles being sold by weight, and tents being sold with all their component parts.

Sales by auction of unserviceable magazine stores and package.

APP. K.

3. When corps are cantoned above 100 miles from magazines or depôts, condemned arms will in all cases be returned into store, irrespectively of distance. Condemned buff accoutrements and colors may be retained as in para 1; but all other condemned equipments, stores, &c., and all package, except what it may be necessary to bring into use in packing the condemned stores returned to magazines, will be sold under the orders of Regimental authorities, by public auction, as above laid down.

4. In all cases of such sale by auction, the proceeds will be lodged to the credit of Government in the nearest treasury. Detailed account sales and treasury receipts for the proceeds will be furnished to the Military Board.

5. The supply of carriage for the return of condemned and other stores from corps to the nearest magazines, or depôts, will be arranged by the Commissariat Department, under the authority of Station orders, subject, as now, to confirmation.

Commanding Officers will be good enough to bear in mind the necessity for making available for this purpose, return carriage on which new stores may have been sent from magazines for corps, and the return of condemned articles will, save under emergency, be held over till such opportunities offer.

Ordnance Department Circular No. 664 of 29th August 1854.

(To Executive Engineers.)

Adjustment of
value of articles
issued from and
returned to
magazines.

I am directed by the Military Board to inform you that under the authority of Government, the Rate Book of Military stores, Ordnance Department, has been printed for distribution to Departmental Officers as an aid in the simplification of Accounts with the Magazines, and in order to the introduction of an improved system of adjustment of Debits and Credits for stores issued from and received into, the several Magazines on account of the Department Public Works.

2nd. Magazine Officers have been supplied with copies of the Rate Book, and instructed to enter the prices of all articles issued to Departments in the Invoices, and to furnish to delivering parties priced detailed statements of all articles received into Magazines, according to their conditions, the detailed statements forwarded to this Office for adjustment in the Board's Books &c. being in both cases exact copies of these documents.

APP. K.
Valuation in-voices.

3rd. Debits and Credits in future will be entered in the Board's Books to the following heads of Accounts, namely:—

Debits and credits, under what heads.

Engineer (now Public Works) Department, Bengal.

„ „ North-Western Provinces.

„ „ Punjaub, &c &c.

[Irrigation Department North-Western Provinces.

„ „ Punjab.

P. W. Department Nagpore.

Ditto Saugur and Nerbudda Territories.

Ditto Pegu and Tenasserim Provinces.

Ditto Straits Settlements.]

4th. The name of the party on whose Indent the stores are issued, or of the party who may grant receipts for them according to the circumstances of each case, will also be entered to facilitate references, when necessary, to the parties immediately concerned.

Names of receiving officers.

5th. Debits will be made and Credits afforded, as follows:—
For Serviceable Articles ... Full price according to Rate book.

Rates.

„ Repairable Articles ... Two-thirds of full price.

„ Unserviceable Articles ... One-tenth of full price.

6th. Package articles should be immediately disposed of according to the provision of Government General Order No. 511 of 3rd October, 1851, except in cases where they may be required for the protection of valuable stores, but in all cases of retention, of sale, or return of package or other stores to

Package.

APP. K. Magazine, early and correct advice should be given by the Officer himself to this Office.

7th. Unless strict attention be paid to these rules, it will be impossible to adjust the Accounts between the Departments satisfactorily.

Stores belonging to Ordnance Department in charge of Public Works Department.

8th. The Military Board, [now Military Auditor General, Ordnance Department,] will require a Memorandum from the Central Offices of Account by the 1st June of each year, showing the value of Barrack Furniture, Engines, colors &c. with each Government Circle on the 1st May, the total amount being given in one brief entry of Ordnance Stores with the Department Public Works, thus:—

“Engineer Department [now Public Works] Bengal, Rupees.”

9. This information has to be entered into the stock List of Military Stores furnished annually to Government for transmission to the Honorable the Court of Directors.

Rate books.

10. A sufficient number of the Rate Books will be furnished for distribution to the Officers of the Department Public Works from the Offices of the Chief Engineers.

Ordnance Department, Circular No. 666, dated 29th August, 1854.

(To Commissaries of Ordnance.)

Forwards Rate book.

I have the honor by direction of the Military Board, to advice you, that two copies of the Ordnance Department's printed Rate Book of Military Stores, have been this day despatched to your address by Bangy Dak.

With the view to simplifying adjustments.

2. The Rate Lists have been printed under the orders of Government, in view to the introduction of a simple and prompt system of adjustment between the Ordnance Department and the Department of Public Works, and the Commissariat Department, on account of stores issued from and received into magazines, in connection with these Departments.

3. In future all invoices of stores issued from the magazine under your charge, to Officers of the Department of Public Works, and of the Commissariat Department, are to show in detail the prices of the Articles entered from the Rate Book, when any article is issued, the price of which is not obtainable from the Rate Book, advice is to be given to this Office with any information on the subject that can be ascertained on the spot.

A.F.F. K.

Valuation of statements of issues ordered to be made out by Commissaries of Ordnance.

4. When stores are received or returned into magazine by these Departments, priced detailed statements will be furnished to the delivering parties from the magazine, according to the condition of the articles, as early as practicable, the detailed statements furnished to this Office for adjustment in the Board's Book, &c. being in both cases exact copies of the documents given to departments, &c.

Ditto of receipts.

5. Invoices are to be sent by Dak to parties concerned, and rough copies to be taken by parties who proceed in charge of stores, or to be sent with the Invoices in the Package when they are despatched by Bullock Train &c.

Transmission of the invoices.

6. Debits will be made, and credits afforded as follows. For serviceable articles, full price according to Rate book; for repairable articles, two thirds of full price; and for unserviceable articles, one tenth of full price.

Rates for repairable and unserviceable stores.

7. Magazine officers are requested to carry out these instructions strictly in every case which will prevent any difficulty or delay arising in adjusting transactions between the Ordnance and other Departments.

8. Extracts from Circular letters (Nos. 664 and 665,) to Chief Engineers, Department Public Works, and Commissary General are appended for your information.

Circular No. 706, dated 8th December, 1854.

THE Military Board (now Inspector General of Ordnance) publish the following rules for guidance, with reference to Indents on Magazines by the Engineer Department.

Emergent Indents on Magazines.

APP. K.

2nd All "Emergent" Indents, under the countersignature of Chief Engineers, to be complied with at once; submitting the Indent to this Department, with the usual statement of Articles supplied, for adjustment.

3rd. All "Emergent" Indents from Executive Engineers, not countersigned by the Chief Engineer, will, when the demand is urgent, be also complied with at once, on the responsibility of the Indenting Officer; after compliance, the Indents will be submitted to this Department, through the Chief Engineer, for that Officer's countersignature, and to admit of his exercising check over such demands.

Indents not emergent.

4th. All Indents not Emergent, must bear the countersignature of the Chief Engineer; without it, they will be returned unpassed by this Department.

5th. The value of all articles, supplied on Indent from the Ordnance to the Engineers' Department, not allowed by the Regulations of the service, nor issued on Government Authority, will be recovered from the parties obtaining them through the Accountant Military Department.

Circular No. 747, dated 6th June, 1855.

Indents only to be complied with to the extent of the Magazine stock.

I HAVE the honor to intimate that Indents on Magazines from the Department Public Works, when sanctioned under competent authority are to be complied with, only to the extent which the Magazine stock will admit.

2nd. Articles are not to be obtained from Contractors or by purchase to meet such demands.

3rd. In all cases when articles cannot be supplied from Magazine stock, early intimation should be given to Indenting Officers, in order to their taking measures to supply themselves from other sources.

G. O. No. 559 of 4th April, 1856.

New system of Ordnance accounts.

The Right Honorable the Governor General in Council having been pleased to sanction a revised system of accounts

for the Ordnance department, the following rules, in supersession of all former orders on the subject, are published for the information and guidance of the departments and individuals concerned.

APP. K.

2nd. In all accounts connected with Ordnance stock in hand, and in transit to and from departments, the money value of such stocks will continue to be exhibited.

Money value of stores to be exhibited.

3rd. The value of all ordnance stores issued or received, will be primarily and finally adjusted between the Military Auditor General and departments or individuals, without the intervention of the Government Accountants, except in the cases hereinafter noted (*vide* paras 5 to 9) Ledgers will be kept in the Ordnance Commissariat department of the audit office, and departments or individuals having accounts for ordnance stores, will submit to that office half-yearly returns in the form A, annexed.

Ledgers.

Half yearly returns.

4th. These returns should be despatched within ten days after the 30th April and 31st October of each year.

5th. Ordnance stores of less value than five rupees, supplied on competent authority for the public service to departments and individuals (except those noted in paras 6 to 9) are to be delivered from magazines on payment. Purchasers will draw for such disbursements in contingent bills to be submitted to the Military Auditor General, Ordnance department with magazine receipts, and ordnance officers will remit such payments by Treasury Paymaster's receipts to the same department for adjustment.

Issues of stores on payment.

6. Adjustments with the *Marine department* to remain as at present.

Marine Department.

7. Adjustments with the department of Public Works will invariably be made through the Central offices of Account; and all returns and accounts required in the ordnance department will be called for through these offices, and not direct from Executive Engineers. Debit and credit valuation statements will

Adjustments with the Public Works Department.

APP. K.

only be sent from the Military Auditor General to the Government Accountants and not to the Central offices of the Public Works department, in which the ordnance accounts will be framed from the priced magazine invoices and receipts, in communication with the Government Accountants when necessary.

Supplies to
Public Works
Department.

8. Supplies from magazines to the *Department of Public Works* will be limited to articles that cannot be purchased in the market, or manufactured by the latter department.

Accounts
current from
Public Works
Department,
Central of-
fices.

9. Accounts current with the ordnance department will be rendered half-yearly to the Military Auditor General from the Central offices of Account in the Public Works department, in which articles supplied by the Public Works department will be charged, and all stores in charge of that department, which require to be accounted for in the ordnance accounts, such as surveying instruments, barrack and hospital furniture, water engines and their equipments, flags and their staves &c. will be accounted for thus:

Public Works Department in Bengal in Account Current with the Ordnance Department for the year 18—

Dr. Side.— Value of Ordnance stores* in hand on the commencement of each official year, and of articles received by transfer or manufacture during the year. *

Cr. Side.— Cost of manufacture of articles for the ordnance departments, and value of stores condemned as unserviceable or transferred during the year, and the value of stock in hand at the close of each year.

Commissariat
Department.

10. Adjustments with the commissariat department for ordnance stores will remain as at present, except that debit and credit valuation statements will be sent by the Military Audi-

* N. B.—“Ordnance stores” does not here mean stores supplied by the Ordnance Department which after supply belong to the Public Works Department, but stores belonging to the Ordnance Department, such as those specified, and which are not part of the Public Works Department Stock. Surveying instruments are now Public Works Stock, and not Ordnance stores.

tor General to the Accountant General only, and not to individuals, who will prepare their ordnance accounts from priced magazine invoices and receipts and in communication with the Accountant General when necessary.

APP. K.

11. Adjustment in the case of the following items will remain undisturbed:—

Other Departments.

Transactions with other Presidencies and settlements.

Transactions with Contractors.

Sales of stores on competent authority, and of condemned stores and packages articles by public auction.

Recoveries for articles lost and damaged wilfully or by carelessness.

Accounts of ordnance stores to be kept distinct.

12. To ensure correctness, and to prevent confusion, accounts of ordnance stores will be kept by departments and individuals distinct from all other public accounts.

13. No-demand certificates from the Accountant General's office will not be granted to any officer, civil or military, unless he produces a no-demand certificate from the Military Auditor General in respect of ordnance stores.

No-demand certificate.

14. The operation of the above new system of ordnance accounts will commence from the 1st May 1856.

FORM A.

Half-yearly Return of Ordnance stores attached to—.

Form of return.

Names of Stores	In hand on the 30th April 1856.	Received during the half-year.	Transferred, become unserviceable or returned to store during the half year	In hand on the 31st October 1856.	Remarks.

N. B.—Transfers and returns into store must be supported by receipts as vouchers; unserviceable stores must be supported by survey reports when practicable, or otherwise by a declaration that the articles have become so by fair wear and tear in the public service.

APP. K.*General Order No. 125 of 22nd January 1856.***Tools from
Arsenal.**

To enable the Officer in charge of the Arsenal of Fort William to provide the means of meeting demands for Tools, such as Mamooties, Khodallies, Pick-axes, &c, the M. N. the G. G. in C. is pleased to direct that all Officers, whether Civil or Military, who depend upon the Arsenal for supplies of such Tools, shall send to the office of the Inspector General of Ordnance and Magazines, yearly, as soon as possible after 1st January, a Statement of the number that they will probably require in the course of the year.

[N. B. Public Works Officers should do this through the Chief Engineer.]

**Khodallies &
Mamooties.**

2. Care should be taken to distinguish Khodallies, which are generally used in Bengal, from Mamooties, which are always used in the Upper Provinces.

APPENDIX L.

Rules relating to Passengers in Government Steamers and other Vessels.

G. O. P. C. No. 251, Fort William, 14th July 1849.

THE Honorable the President in Council, with the concurrence of the Right Honorable the Governor General, is pleased to modify the following paragraphs of Section VII, page 67, Bengal Pay and Audit Regulations.

* * * * *

PARA. 55. The Table Money of Officers and others ordered on duty on board of River Steamers is to be adjusted as follows:—

Table Money on River Steamers.

	Charge by the Com-mander.			Payable by the Passenger.			Payable by Govern-ment.		
General and Field Officers and all Officers in receipt of a Staff salary,.....	8	0	0	8	0	0	0	0	0
Captains and Surgeons, Adjutants and Quarter Masters,	8	0	0	2	0	0	1	0	0
Lieutenants, Ensigns, Assistant and Veterinary Surgeons,	8	0	0	1	8	0	1	8	0
Warrant Officers, and Subordinate Medical Officers,	2	0	0	0	8	0	1	8	0
Assistants attached to public Military Offices in receipt of 800 Rs. and upwards,	3	0	0	1	8	0	1	8	0
Assistants on less than 800 Rs.,.....	8	0	0	1	0	0	2	0	0

When young Officers, or Officers on duty, are messed in steam or cargo boats, instead of accommodation boats, the

APP. L. extra Rupee per diem allowed to be charged by the Commanders, is payable by the State.

G. O. G. G. No. 443, 16th July 1852.

Table Money
on Indian Navy
Steamers.

The Most Noble the Governor General of India in Council is pleased to establish the following rates of Table Money on account of European Commissioned Officers, Warrant Officers, Non-Commissioned Officers attached to departments or public offices, and clerks being European or Anglo-Indians of departments or public offices who are ordered on duty from port to port within the possessions of the Honorable East India Company, or when conveyed on the public service to places beyond those possessions on board ships or steamers of war, or Government sailing vessels or steamers or other sea-going vessels hired by Government.

2. For European Commissioned Officers of whatever rank the sum of (8) eight rupees each per diem will be allowed by the Government to the Commander of the vessel, or to the Officer of the vessel by whom they be may messed.

This sum is intended to cover all charges for messing, wine, liquors and beer being included.

Of the (8) eight rupees allowed by Government, the following proportions will be recovered from the Officers through the pay department on account of Government :—

From General Officers or Officers of similar rank, ... }	Rs. 5 per diem.
Field Officers Ditto,	4 ..
Captains Ditto,	3 ..
Subalterns Ditto,	2 ..

3. For the families of European Commissioned Officers so conveyed, the Commander of the vessel or other appropriate Officer is entitled to charge as follows :—

For each Lady,	Rs. 6 per diem.
„ Child above 7 and under 16 years old, }	„ 4 „
„ „ above 2 and under 7 do.	„ 2 „
„ „ under 2 years, ...	no charge,

APP. L

Table Money
on Indian Navy
Steamers.

the whole expense being borne by the Officers themselves.

4. For Warrant Officers of every grade, Overseers, European Non-Commissioned Officers attached to Departments or public offices, and clerks of Departments or public offices, and for the families of any of these classes, the following rates are allowed, the whole being paid by Government:—

For Warrant Officers of every grade, Non-Commissioned Officers or Clerks of departments or public offices,	} Rs. 3 per diem.
--	-------------------

For Wives of any of the foregoing class, „	3 „
Children over 7 but under 16 years old, „	2 „
„ „ 2 but under 7 „ „	1 „
„ „ 2 but under 2 years old, no charge.	

5. These rules, which are the same as those now obtaining at Bombay, are applicable to the three Presidencies.

N. B.—The above order continues to be applicable to the Indian Navy.

NOTIFICATION.

Fort William, Home Department, 14th March 1856.

The Right Honorable the Governor General of India in Council is pleased, in supersession of former orders, to establish the following rates of Table Money to be charged on board Government sea-going Vessels employed under the Bengal Presidency, and on board the Vessels of the Irrawaddy Flotilla.

Table Money
on sea-going
vessels (not be-
longing to the
Indian Navy)
and on vessels
of the Irrawad-
dy Flotilla.

APP. L.

Table Money
on sea-going
vessels (not be-
longing to the
Indian Navy)
and on vessels
of the Irrawaddy
Flotilla.

For every Adult Cabin or Quarter deck Passenger, the Commander of the Vessel, or the Officer charged with the purveyance of the Vessel, is allowed to charge the sum of Four (4) Rupees a day.

For every Child above 7 and under 14 years of age, who does not come to the table, the sum of Two (2) Rupees a day.

For every Child under 7 years of age, and for every Christian Servant, the sum of one (1) Rupee a day. *

No charge is to be made for Children in arms.

The above named charges do not include Wine, Beer, Spirits, or Soda Water, or Refreshments required at other than the ordinary meal times.—These must be paid for separately by those who may order them.

For European Commissioned Officers of whatever rank, and Uncovenanted Civil Officers, (not being of the rank of Clerks) when ordered a free passage on duty, the sum of Four (4) Rupees each per diem will be allowed by Government to the Commander of the Vessel, or to the Officer of the Vessel by whom they may be messaged; but the whole expense of messing the families of such Officers will be borne by the Officers themselves.

Of the Four (4) Rupees allowed by Government, the following proportions will be recovered from the Officers, through the pay Department on account of Government :—

From General Officers, Rs. 2-8 per diem

From Field Officers, and from Military and

Medical and Uncovenanted Officers (not being of the rank of the Clerks) in Civil employ, on salaries not exceeding Rs. 600

a month, Rs. 2-0 „ „

From Captains, „ 1-0 „ „

The whole of the Table Money charge (Rs. 4) for Subalterns will be borne by the Government.

The whole of the Table Money charge for Military, Medical and Uncovenanted Officers in Civil employ on salaries exceeding Rs. 600 a month will be recovered from those Officers on account of Government.

APP. L.

Table Money on sea-going vessels (not belonging to the Indian Navy) and on vessels of the Irrawaddy Flotilla.

For persons messed at the Warrant Officers' or Engineers' Table, the following rates are allowed:—

For Adults, Rs. 2 0 0 daily .

For Children above 7, but under

14 years each ,, 1 8 0 ,,

For Children under 7 years old, each... ,, 1 0 0 ,,

No charge to be made for a Child in arms.

The above charge for Warrant Officers of every grade, Overseers, European Non-Commissioned Officers attached to Departments, or public offices, and Clerks of Departments or public offices, and for the families of any of these classes, will be paid by the Government.

These Rules will be in force under the Bengal Presidency from and after the 1st proximo.

To H. HOWE, Esq., *Officiating Superintendent of Marine, Home Department, No. 815, dated the 24th March 1858.*

SIR,—I am directed to acknowledge the receipt of your letters, as per margin, and to state that in consideration of the dearness of provisions of every kind, the Hon'ble the President in Council authorizes the charge for messing passengers on board the Government Inland Steamers to be raised for the present from Rupees 3 to 4 per diem, the additional Rupee in the case of Government servants proceeding on duty, to be charged to the Government.

River Steamers—rate of Table Money raised.

G. O. P. C. No. 775, of 18th May 1858.

The Honorable the President in Council is pleased to direct that when it may be absolutely necessary to send

Soldiers on board River Steamers.

APP. L.
 Soldiers on
 board river
 Steamers.

European Non-Commissioned Officers or Soldiers, not exceeding seven men, by river steamers, the men shall be subsisted for the period of their stay on board by the Commander or Engineer of the steamer, at a charge of (2) two Rupees per man per day.

2. This sum shall include all the charges for messing, rum and malt liquor being alone excepted. Of these a proper supply, with reference to the number of men and of the probable period of their stay on the steamer, shall be put on board by the Commissariat Department, and the same shall be retailed to the men by the Commander or Engineer, who shall be responsible to the Commissariat Department for the proceeds of sale, and for any surplus of the articles.

3. The whole charge of (2) two Rupees per man per day shall be payable by Government, and shall be paid by the Commissariat Department to the Commander or Engineer, on a bill, supported by a certificate from the Officer in charge of the men, stating the period for which they were subsisted.

4. For parties of more than (7) seven men, the Commissariat Department shall continue to ship provisions.

APPENDIX M.

Uncovenanted Service Rules.

Part I. Leave.

Extract from a Despatch from the Honorable the Court of Directors addressed to the Government of India in the Financial Department, No. 1, of 1854, dated 4th January, para. 15.

The principle that the State shall not suffer in consequence of the absence of its servants is applicable to all branches of the service, whether Covenanted or Uncovenanted; and we desire that in every case the practice be strictly conformed to the rule in future.

The State not to suffer on account of the absence of its officers.

Fort William, Financial Department, the 11th March 1854.

RESOLUTION.—Mr. Crommelin, Assistant Civil Engineer in the Pnnjab, an Uncovenanted Servant, was nominated to the Executive charge of the 1st Division, Baree Doab Canal, during the absence, on leave, of Lieutenant C. D. Home, Engineers; and the Civil Engineer of the Punjab states that Mr. Crommelin, while so acting, will receive, according to Article 271 of the "Agra Auditor's Manual," a moiety of the fixed salary of his own appointment (150 Rs.), and half of the Staff salary drawn by Lieutenant Home, (200 Rs.) that is to say, he will receive only 50 Rs. more than his own pay as Assistant Civil Engineer, although his duties were increased by a very heavy and responsible charge.

Case of an uncovenanted officer acting for a Military Officer.

APP. M.

Case of an
uncovenanted
officer acting
for a Military
Officer.

The Civil Engineer of the Punjab thereupon suggests the following as the Rule for the future in his Department. That an Uncovenanted Officer, acting for another in a higher appointment than his own, performing at the same time his own duties, shall receive half the salary of the former, together with the whole of his own, provided that the total amount shall not exceed the full Staff salary of the higher paid appointment of the two.

This proposition is recommended by the Chief Commissioner, in whose opinion this modification of the Rule will be equitable, as the Uncovenanted Officers in the Civil Engineer's Department received but small salaries; and as under the operation of the present Rule, when one of them acts in a grade superior to his own, his remuneration is very inadequate.

The Most Noble the Governor General in Council observes that there are two principles to be kept in view, when granting acting allowances. *First*, that the State shall not be put to extra expense consequent on the absence of an Officer. *Secondly*, that the Acting Officer shall never draw more than the full allowances of the highest paid appointment of those whose duties he is conducting; and as neither of these principles is contravened by the proposed modified Rule, His Lordship in Council is pleased to accord his sanction to it as applicable to Officers, both Covenanted and Uncovenanted, in the Civil Engineer's department in the Punjab.

This is now modified, see Public Works' Code, page 174.

Fort William, Financial Department, the 20th July 1854.

Higher rate
of salary not
claimable owing
to unavoidable
detention.

In the opinion of the Most Noble the Governor General in Council, Captain Tapley, is not on account of his unavoidable detention at Moulmein, entitled to the higher rate of

every instance by him during such detention, it being only intended that every public servant shall accommodate himself to the ordinary requirements of the public service.

No. 704.

Financial Department, the 14th February, 1855.

Read an Endorsement from the Home Department, No. 127 of the 24th ultimo, forwarding for consideration and orders a despatch, No. 6 of the 11th Idem, from the Government of Fort Saint George, enquiring on what terms permission has recently been granted to Uncovenanted Servants to visit England on urgent Medical Certificate without forfeiture of office, and whether that Government might not follow the same course subject to the orders of the Hon'ble the Court of Directors on each case.

Leave
England.

RESOLUTION.—The instances in which this Government has allowed Uncovenanted Servants to proceed to England on

Court's Despatch, 30th May, 1854.

S. G. Wyatt, Head Uncovenanted Assistant in the Office of the Accountant Government of Bengal allowed 12 months' leave on Medical Certificate to proceed to England on the understanding that an arrangement satisfactory to the head of the office in which he was an assistant should be made for the performance of his duties during absence and that no extra expense is incurred in consequence, and provided also that his allowance did not in any case exceed $\frac{1}{2}$ month's pay.

18th October, 1854.

Mr. Wylie, Chief Judge of the Small Causes Court, Calcutta, and G. Lewis, Principal of the Law College.

Both were allowed subject to the orders of the Court of Small Causes in a special case 15 months' leave on Medical Certificate on $\frac{1}{2}$ salary, provided the grant did not involve any additional expense to Government.

leave on Medical Certificate without loss of appointment, and the terms on which such leave has been granted are quoted in the margin. The Government of Bengal also has granted leave on similar terms to the 2nd Judge of the Court of Small Causes and to a Deputy Collector, and the Most

APP. M.

Leave to
England.

25th October, 1854.

G. P. Webb, Register of the Surveyor General's Office, was allowed to draw during his absence on Sick Leave to England for 12 months, half of his permanent salary without any portion of his travelling allowance.

18th January, 1855.

Mr. J. Rostan, Head Uncovenanted Assistant General Treasury, allowed 15 months' leave on Medical Certificate to proceed to England, drawing $\frac{1}{2}$ his salary and the whole of his personal allowance, no extra expense to the State being involved in the arrangement.

months, that it cannot be claimed as a matter of right, that proper arrangements can be made for the conduct of the Absentee's duties, and that the Government is not to be subjected to any additional expense by the grant of the leave.

Ordered, that a copy of the foregoing Resolution be forwarded to the Home Department for communication to the Government of Fort Saint George, and that a copy of the despatch noted in the margin

Order.

From Government Fort St. George to the Home Department, No. 6, dated 11th January 1855.

be returned.

No. 3360.

Financial Department, of the 1st September 1855.

Personal allowances while on leave.

I AM directed to acknowledge the receipt of your letter, No. 54, dated the 19th July last, requesting to be informed whether personal allowance is drawn by any of the Judges of the Court of Small Causes at Calcutta, and if so, whether, in the event of their being absent on sick certificate, they forfeit any portion of that allowance.

2. The Hon'ble the President in Council desires me to state in reply, that at present no Judge of the Calcutta Court of Small Causes draws a personal allowance. But on

Noble the Governor General in Council is pleased to authorize the Government of Madras to grant leave in like manner subject to the orders of the Court on the distinct understanding that no leave is to exceed 15

the abolition of the old Court of Requests and the appointment of the Commissioners of that Court as Judges of the new Court of Small Causes, personal allowances were granted to two of the Judges, in order to secure them from loss, their salaries as Judges of the new Court being less than the amount which they drew as Commissioners of the abolished Court. When these Judges were on leave, they were allowed to draw not only half of the salary of their new appointments, but also half of their personal allowances, and this principle appears to His Honor in Council to be correct. The personal allowance should be treated precisely the same as salary.

APP. M.
 Personal allowances while on leave.

Hon'ble Court's Despatch, of November 1855. Financial Department, No. 102 of 1855. To our Governor General of India in Council.

1. WITH the view of preventing the mistakes which may otherwise occur, we desire that, in future, every Civil Servant (Covenanted * or Uncovenanted,) who is granted a Sick Leave to Europe, be furnished with a Certificate of the amount of salary to which he is entitled under the Rules during his absence in this country, and be desired to forward it to us immediately upon his arrival.

Salary certificate in case of leave to England.

2. You will communicate this instruction to theseveral subordinate Governments.

We are, &c.,

No. 9.

Notification.—Fort William, Financial Department, the 22nd February 1856.

Read a Despatch from the Hon'ble the Court of Directors No. 107 of 1855, dated the 5th December.

APP. M.

Notification of Code of leave rules applicable to all Uncovenanted Servants in receipt of 100 Rs. a month or more.

RESOLUTION.—The Hon'ble the Court of Directors having approved, with certain modifications, of a Code of Rules recommended by this Government for regulating leave of absence and acting allowances to Public Officers in India not in the Covenanted Service of the East India Company, the Most Noble the Governor General in Council is pleased to resolve, that the following Rules, together with the Despatch above adverted to, be published in the *Official Gazette* for general information, and be held applicable, from the date of the publication of the Notification, to all Officers in the Uncovenanted Service of the Government who may be in the receipt of salaries of Rupees 100 a month and upwards.

Financial Department.

No. 107 of 1855.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Court of Directors's despatch on the subject.

1. We have carefully considered the papers accompanying your Letter noted in the margin, relative to the proposed enactment of Rules for the regulation of leave of absence, &c. to the large and increasing classes of Public Officers not in the Covenanted Service of the East India Company, but,

Letter from, Govt. India dated 28th July 1855, No. 101.
Forward the report of a special Committee (consisting of the Military Auditor General, the Secretary to the Government of Bengal and the Accountant to the Government of Bengal) which was appointed by the Government to consider the subject of framing a Code of Rules for the regulation of leave of absence and acting allowances for the Uncovenanted Service, and express an earnest hope that the proposed Code may receive the Court's sanction.

Liberal treatment desired.

nevertheless, in many cases performing duties of great importance and responsibility. It is scarcely necessary to observe that we desire to treat them in this, as in all other respects, with the utmost liberality and consideration that may be consistent with the interests of the Public Service.

2. Adopting as a principle to be inviolably maintained, that in each separate case of absence of an Uncovenanted Officer, the expense occasioned thereby is to be defrayed out of the Absentee's salary, we are prepared to concur in the grant to Uncovenanted Servants (receiving Rupees 100 per month and upwards,) of the advantages as respects sick leave and leave on private affairs proposed in the Code under consideration. The advantages may be concisely stated as follows:—

APP. M.

No extra expense to be incurred.

1st.—*Sick Leave*.—The grant of leave for three years altogether, during the entire period of service, of which two years only may be continuous or reckon as service for Pension. During one year of absence, the Absentee to be subjected to the deduction of half, and during the remaining period, of two-thirds, of his allowances, provided that he shall in no case draw a larger sum than Rupees 6,000 (£600) per annum.

Sick leave.

The maximum being thus fixed, we shall leave it to the Local Government, in the exercise of their discretion to determine in each case, how far the advantages of the Rules should be modified with reference to the length of service of the Applicant and other circumstances. We desire, however, that, after a continuous absence of two years on sick certificate an interval of two years shall elapse before further leave on that account is granted.

2nd.—*Leave on Private Affairs*.—The grant of leave for one month in each year without deduction; for six months on sufficient cause being shewn with deduction of half allowances provided the rate of Rupees 6,000 (£600) per annum be not exceeded, and under special circumstances, for twelve months without forfeiture of appointment, but without pay, and without the leave counting as service for Pension.

Leave on private affairs.

This latter advantage may, we think, be fairly conceded in special cases to Uncovenanted Servants, since a regular Fur-

APP. M. lough on Private Affairs cannot be granted to them, and the loss of their appointments involves practically the loss to them of the service. But it should not be allowed more than once during the period of service.

Short sick
leave.

3rd.—We accede to your suggestion that Heads of Offices in cases of urgency may be authorized to grant leave of absence on Medical Certificate to the extent of one month, provided the same be immediately reported for the sanction of Government.

Acting Offi-
cers.

4th.—The Rules proposed regarding the allowances of persons appointed to act for Absentees appear unobjectionable.

We are,

Your affectionate friends,

(Signed) E. MACNAGHTEN,

„ W. H. SYKES,

and eight other Directors.

LONDON ; }
The 5th December 1855. }

Rules for regulating Leave of Absence and Acting Allowances to Public Officers in India not in the Covenanted Service of the East India Company.

CHAPTER I.

Rules for Application of Leave of Absence.

Authority by
which leave may
be granted

Section I. Leave of absence to Officers not in the Covenanted Service of the East India Company, receiving their appointments direct from Government, will be granted by the Government only under which office is held, on application made publicly through the regular channel in the Depart-

ment to which the Applicant may belong ; but in respect of all other Officers, it will be optional with the Local Governments to delegate to heads of Offices or departments, power to act upon the Rules without special reference to higher authority

APP M.

Section II. Absence without leave will render the Absentee liable to loss of appointment, and will be attended with entire forfeiture of salary for the whole period of such absence.

Absence without leave.

Section III. No leave of absence shall have any retrospective effect, except in cases of severe illness to be attested by Medical Certificate conforming in every respect to the directions contained in Section IV.

Retrospective leave not allowable.

CHAPTER II.

Rules for Sick Leave.

Section IV. When an application for leave of absence is made on the ground of ill health, it must be accompanied by a statement of the case from the Medical man by whom the Applicant has been attended, distinctly stating from personal observation, the nature of the disease, the symptoms by which it is manifested, the causes by which it has been probably produced, and the period during which it has existed, so far as the knowledge of the Medical Officer extends ; and by a certificate from the Chief Medical Officer of the station or district, or if at a Presidency Town, from a Presidency, or other Official Surgeon, certifying after careful personal investigation, the necessity for temporary removal, and the period for which absence is, to the best of his judgment, absolutely requisite for restoration to health. If the requisite leave be for a longer period than six months, the certificate must in the first instance be countersigned by the Superintending

Medical certificate.

APP. M.
 Medical cer-
 tificate.

Surgeon of the division in which the applicant may be located; and in cases of leave beyond Sea, be afterwards submitted, with the statement of the case, for the consideration and countersignature of the Members of the Medical Board.

The certificate shall be given in the following form :—

I, A. B, Surgeon at, or of —, do hereby certify that E. F. (here enter designation of office) is in a bad state of health, and I solemnly and sincerely declare that according to the best of my judgment, a change of air is essentially necessary to his recovery ; and that the circumstances of his case are such as to render leave of absence for the period of— absolutely necessary (or highly desirable).

The following form shall be observed by the Superintending Surgeon and Members of the Medical Board in countersigning the certificate :—

I (or we) do hereby certify that according to the best of my (or our) professional judgment, after careful consideration of his case, I (or we) believe the state of health of E. F. to be such, as to render leave of absence for a period of—absolutely necessary (or highly desirable) for his recovery.

Extension of
 leave also re-
 quires a certifi-
 cate.

An application for extension of leave must, if the Applicant be in India, be accompanied by a certificate to a like effect from the Medical Officer by whom the Applicant is attended, together with a statement showing sufficient reason for the extension solicited ; and such certificate must be countersigned by the Members of the Medical Board, or by the Superintending Surgeon of the division in which the Applicant may be located. In like manner, if the Applicant shall have proceeded beyond the Territories under the Government of the East India Company, he must furnish a certificate and statement to the required effect from a Surgeon or Physician, at the place of his temporary residence, by whom he has been attended ; such attendance and the period of it to be stated, and the certificate to be countersigned by the

Examining Physician of the East India Company if the absentee is in Europe, or by the principal Medical Authority of the Colony or country to which the Absentee may have proceeded; or some sufficient reason stated for the want of such countersignature if not produced.

APP. M.

Extension of leave also require certificates.

The Officer countersigning must either personally examine the Applicant, or state some sufficient reason why he has been unable to do so, when any of the required particulars are neglected, leave will be refused.

Section V.—Leave of absence will be granted under the following limitations to Servants who may be declared by a sufficient Medical certificate to require leave for the restoration of their health:—

Limitations.

1. The limit to leave on Medical certificate is fixed at three years during the entire period of service, of which not more than two years may be continuous and two years only will be permitted to reckon as service qualifying for Pension.

Three years during entire service.

2. Leave of absence on Medical certificate will not be granted for a longer period than twelve months at any one time, which may however be extended if necessary under renewed Medical certificate, for periods not exceeding six months within the limit of two years continuously. After a continuous absence of two years on Medical certificate, an interval of two years shall elapse before further leave on that account is granted.

Two years continuously with not less than 2 years interval.

3. During one year of the entire period of absence under this Rule, the Absentee will be subjected to a deduction of one-half, and during the remainder to a deduction of two-thirds of his allowances, provided however that he shall in no case draw a larger sum than Rupees 6,000 (£600) per annum.

First six months on half pay, afterwards on one-third pay; but cannot draw more than £600 a year.

4. In cases of extreme urgency, the Heads of Offices are authorized to grant leave of absence on Medical certificate to the extent of one month, provided the same be immediately reported for the sanction of Government.

Emergent leave on medical certificate.

APP. M.

CHAPTER III.

Rules for Leave on Private Affairs.

One month's
leave per an-
num, on full
salary.

Section VI.—Leave of absence may be granted for one month in each year, or, to Judicial Officers, during the authorized closing of the Civil Courts, without deduction from salary.

Six months,
on half salary.

Section VII.—In addition to the above, and on sufficient cause being shewn, leave of absence may be granted on private affairs for not more than six months, one-half the Absentee's salary being deducted for such period of absence, provided the rate of Rupees 6,000 (£600) per annum be not exceeded.

But only once
in six years.

Clause 2. The leave granted under this Section will be computed from the date of the Absentee's quitting his post to the date of his return thereto. A second leave of the same description cannot be taken till the expiration of six years from the date of return to duty from a former leave. No portion of the salary allowed to be drawn will be claimable till the Absentee shall have returned to his duty.

This leave to
reckon as ser-
vice for pension

Clause 3. Leave taken under this and the preceding Section will reckon as service qualifying for Pension.

Leave with-
out pay.

Section VIII.—In addition to the leave which may be granted under the preceding Rules on Medical certificate or private affairs, Government may at any time under special circumstances and at its discretion, grant leave of absence once during the period of service not exceeding twelve months on private affairs, without forfeiture of appointment, but without pay; such period of absence not to account as service towards Pension.

Leave not
claimable as a
matter of right.

Section IX.—No leave of absence on private affairs shall be claimable by any party whatever under these Rules as a matter of right; such leave will be granted only at the pleasure of the Government or its authorized Officers when the

concession of the indulgence in no way interferes with the interests of the Public Service, and it shall be the duty of the Government in every instance (except in the case of leave granted under Section VI) to consider and determine whether the grounds of the application are sufficiently urgent to justify the concession of the leave.

APP. M.

Section X.—Parties who may desire to draw their allowances while absent on leave, will be required to give security in such amount and form, as may be fixed by Government for the refund of any excess that may be drawn in case of their coming under retrenchment.

Salary cannot be drawn during absence without security.

CHAPTER IV.

Rules for Allowances, &c.

Section XI.—No person appointed to a situation under the Government shall draw the salary of his appointment for any period prior to the date of his joining it.

No salary admissible before joining appointment.

Section XII.—An Officer holding a situation, appointed to one of equal or higher value, will until he joins, draw so much of the salary of his new Office as may be equal to the salary of his former situation; provided he does not exceed the time allowed for joining under the following Rules; should he do so, no salary will be passed to him for such period in excess.

Salary during transfer.

Section XIII.—The time ordinarily allowed for joining an appointment is to be calculated at the rate of fifteen miles a day (Sundays excepted) together with a week to prepare for the journey; but on occasions of emergency, it will be optional with the Government to prescribe the period within which any journey is to be performed.

Time allowed for joining.

Section XIV.—A person officiating temporarily in any situation will draw so much of the salary of such situation as may equal the sum deducted on account of absence from

Allowance for officiating.

APP. M. the real incumbent, and the substantive allowances of every Officer temporarily acting in a situation of superior emolument, will be subject to deduction at the same rate; *but no additional expense is on any account to be incurred by the absence of any Officer on leave.*

Allowance for
Officiating.

By Order of the Most Noble the Governor General in Council,

C. HUGH LUSHINGTON,

Secy. to the Govt. of India.

Fort William, Financial Department, the 30th May 1856.

RESOLUTION.—With reference to the latter part of Section

Authority to
grant leave de-
legated to heads
of Offices.

Section I—Leave of absence to Officers not in the Covenanted Service of the East India Company, receiving their appointments direct from Government, will be granted by the Government only under which office is held, on application made publicly through the regular channel in the Department to which the applicant may belong; but in respect of all other Officers, it will be optional with the Local Governments to delegate to Heads of Offices or Departments power to act upon the Rules, without special reference to higher authority.

I. of the Rules for regulating Leave of Absence to Uncovenanted Servants, the Right Hon'ble the Governor General in Council has been pleased to delegate to the Heads of Offices and Depart-

ments under the immediate control of the Government of India the power of acting upon the Rules, without special reference to the Government.

Fort William, Financial Department, the 20th June, 1856.

RESOLUTION.—The Right Hon'ble the Governor General in Council observes, that the points on which orders are solicited by the Chief Commissioner of the Punjab are these:—

First.—Whether privilege leave can be taken in broken periods of less than one month within the year ?

Second.—What is the minimum period which should intervene between the leave taken in one year, and the leave to be granted in the following year ?

As neither of these points is provided for in the existing Rules, His Lordship in Council directs that the provisions made for the Covenanted Service, as published in the *Calcutta Gazette* of the 14th ultimo, be applied to the Uncovenanted Service, *viz.* :

If the privilege leave be taken at one time, no second leave can be granted until the completion of eleven months from the expiration of the last leave, and if taken in broken periods, no second instalment can be taken until the completion of six months from the expiration of the previous instalment of leave.

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Broken periods of privilege leave and the intervals which must intervene.

No. 36.

Fort William, Financial Department, the 11th July, 1856.

NOTIFICATION.—It is hereby notified for general information, that the Right Hon'ble the Governor General of India in Council has been pleased to resolve, that in the case of an Uncovenanted Servant proceeding to Europe on leave on Medical Certificate, under Section V. of the Uncovenanted Service Absentee Rules, the leave shall be computed from the date of the sailing of the Vessel on which he may have embarked from any Port in India, which is not more distant from his Station than the Ports of his own Presidency, to the date of his arrival at any Port within the Presidency to which he belongs, or at any other Port which is not more distant from his Station than the Ports of his own Presidency.

Date of commencement of leave to Europe

APP. M.

Preparatory
leave.

His Lordship in Council is also pleased to resolve that, for the interval elapsing between departure from Station to the commencement of reckoning absence, or between the end of reckoning absence and re-arrival at Station, special leave shall be allowed, calculated at the rate of one day for every 15 miles of the distance to be travelled, provided that the total period of such special leave shall in no case exceed two months, and that the whole time claimed shall have been spent *bond fide* between the place of departure and the place of destination.*

The special leave thus granted will be allowed to count as service qualifying for Pension, and the absentee will during such leave be entitled to draw the same salary as is allowed by Clause 3 of Section V. of the Uncovenanted Service Absentee Rules.

May count
for pension.

Extract from a Despatch from the Hon'ble the Court of Directors addressed to the Government of India in the Financial Department, No. 38 of 1856, dated the 13th May.

Para. 43—The subject here reported upon has been decided in our Des-

Letter from, dated 10th September 1855, No. 123.

Report Proceedings in this Department for the 1st quarter of 1855.

123 and 126.—Forward Correspondence with the Government of Fort Saint George on the question whether Uncovenanted Servants should be allowed to count as service qualifying for Pension the periods of authorized absence.

patch in this Department, dated 5th December 1855, No. 107.

44.—It appears to have been the practice at Madras to permit all absence of Uncovenanted Servants on authorized leave to reckon as service for Pension. Although this has been put a stop to, we should not consider it just to allow

Past leave al-
lowed to count
as service, not
now to be re-
trouched.

those Uncovenanted Servants who may have enjoyed the advantage beyond the limit fixed by the new Rule to be now deprived of counting their past leave as service.

APP. M.

Published in the Calcutta Gazettee of the 16th July 1856, page 1186.

Fort William, Financial Department, the 25th July 1856.

RESOLUTION.—With a view to ensure a correct calculation of the periods of service entitling Uncovenanted Servants to Pension, the Right Hon'ble the Governor General in Council is pleased to direct that the Heads of Public Office, and Departments under the control of the several Governments be instructed to furnish, on the 1st May of each year to the Civil Auditors and Military Auditors General of the several Presidencies, an Annual Return showing the leave of absence granted during the year, under the new Uncovenanted Service Absentee Rules, to those Uncovenanted Servants whose leave may not have been notified in the *Gazette*.

Annual return
of leave to Un-
covenanted
Officers.

Fort William, Financial Department, the 29th August, 1856.

RESOLUTION.—The Government of Bombay having solicited orders with reference to the ruling of this Government dated the 20th June last, on certain points connected with Section VI. of the Uncovenanted Service Leave Rules, whether in the event of an Uncovenanted Servant taking Privilege Leave in one year by instalments, it is necessary before granting him leave in the following year (either by instalments, or for a whole month), that eleven months shall elapse after the termination of the last instalment taken by him in the previous year, the Right Hon'ble the Governor General in

Privilege
leave, the inter-
vals how reck-
oned from one
year to another

APP. M. Council is pleased to determine, that an Uncovenanted Servant taking Privilege Leave by instalments in one year may be allowed Privilege Leave in the following year, if for a whole month at the expiration of eleven months, or if by instalments after six months from the termination of the last instalment taken in the preceding year.

Financial Department, 14th November, 1856.

Half salary while on leave not permitted to be drawn until return.

I AM directed to acknowledge the receipt of your letter No. 1562 A., dated the 14th ultimo, submitting copy of a Correspondence with the Officiating Accountant, North-Western Provinces, relative to Clause 2, Section VII. of the Rules for Leave of Absence to Uncovenanted Servants, with the Hon'ble the Lieutenant-Governor's recommendation, that absentees, under the above-mentioned Rule, be allowed to draw a moiety of their salaries on tender of security for refund, in the event of not returning to duty, or otherwise forfeiting their claim.

2. In reply, I am desired to state, for His Honor's information, that the Right Hon'ble the Governor General in Council sees no sufficient reason for changing the Rule, which was introduced with reference to the provisions of the Rules for leave to Covenanted Servants, and was intended to act as a check on persons taking leave on private affairs.

3. With reference to the 2nd para. of your letter to the Officiating Accountant, No. 1563 A., dated 14th ultimo, I am desired to point out, that His Lordship in Council agrees with His Honor the Lieutenant-Governor in thinking, that the heirs or representatives of absentees who may die during their term of leave must be held to be entitled to any arrears of allowances due to the deceased.

The heirs of those who die absent can claim the arrears.

No. 5703.

APP. M.

Fort William, Financial Department, the 26th December, 1856.

READ an Extract from the Proceedings of this Government in the Military Department, No. 13, dated 1st instant, forwarding for consideration and orders copy of a letter from the Surveyor General of India with other papers relative to leave of absence to Civil Officers attached to the Great Trigonometrical Survey of India.

Uncovenanted Officers of the Great Trigonometrical Survey.

RESOLUTION.—The Right Hon'ble the Governor General in Council observes that before the promulgation of the present Absentee Rules for the Uncovenanted Service the following special rules passed in the Military Department on the 22nd August 1833, were in force for the better regulation of the Civil Establishment attached to the Great Trigonometrical Survey of India.

Special rules in the Military Department.

Rule XVI.—“ Any Sub-Assistant of the Great Trigonometrical Survey who shall quit his party in the Field without leave formally granted him by his superior shall receive no salary whatever during the period of such absence and the time so elapsed will not be reckoned as part of his period of service and he is liable in aggravated cases to be discharged.”

Rule XVII.—“ Any Sub-Assistant who in consequence of severe and certified sickness incurred in the execution of his duty shall obtain leave of absence from his superior will be entitled to draw his whole salary for three months, and the time of such absence will be allowed to reckon in the period of his service. The Superintendent may in the

APP. M.

case of very meritorious individuals recommend to Government to extend that period."

Rule XVIII.—"This privilege is not allowed to those who get sick in consequence of any manifest imprudence of their own and any individual obtaining leave from that cause will forfeit all but his net pay and the period so elapsed will not reckon in the time of service."

Rule XIX.—"Sub-Assistants obtaining leave of absence on their private affairs will only be entitled to their net pay during the time of such absence, but, the Superintendent may, in the case of very meritorious individuals and under circumstances peculiarly urgent, recommend to Government to grant a mitigation of this clause."

Surveyor General proposes to retain there.

The Surveyor General of India in submitting an application from Mr. J. O. Nicolson, Civil 2nd Assistant Great Trigonometrical Survey for one year's leave of absence to proceed to Europe under Medical Certificate, observes that if the Uncovenanted Service Absentee Rules are intended to supersede all others "they do not provide sufficiently for the terrible risk a Surveyor incurs by the zealous prosecution of his duties in a notoriously unhealthy and deadly climate," and he recommends that the provisions of the old rule "be retained as regards the concession of full salary for the first six months that $\frac{2}{3}$ of that salary be allowed for the next six months of furlough, and that if the Hon'ble the Court of Directors should see fit to extend such furlough while the Surveyor is in England that such extension should be on half salary."

The Governor General in Council is unable to allow any exception from the Uncovenanted Service Absentee Rules recently sanctioned by the Hon'ble the Court of Directors which apply equally to the Surveyor General's Establishment as to all other Establishments.

APP. M.
Government
unable to allow
it.

If the Surveyor General's Establishment runs more risk than others the proper plan His Lordship in Council thinks is to pay it in proportion to its risk and not to grant it special privileges. His Lordship in Council doubts however whether the pay of the Surveyors is generally speaking disproportionate to their risk and their work.

In the survey
Establishment
pay must be in
proportion to
the work and
risk.

The Governor General in Council further observes that Officers stationed in Sind, Arracan, parts of Pegu, the Khoond country and several other places, Peshawar included, run as much risk as the Surveyor General's subordinates who indeed have been in some of the best parts of India though possibly some of them are in less favorable situations now. They must, His Lordship in Council considers, take their chance of good and bad.

And in other
departments
and localities
Govt. Officers
also have great
risks.

Ordered, that a copy of the above Resolution be forwarded

ORDI R.
Consultation Military Department
Dated 22nd August 1833, Nos. 129 to 133.
Ditto, 19th September 1856, Nos. 282 to 285.
Ditto, 7th November 1856, Nos. 275 & 276.

to the Military Department and that the original papers noted in the margin

be returned.

Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council, in the Financial Department, under date the 23rd January 1857.

A subordinate in the Public Works Department in Sind, who obtained one month's privilege-leave had exceeded his leave by five days, owing to the steamer on which he embarked for Kurrachee having been detained in Bombay be-

Absence in
excess of privilege
leave not
allowed to
count as such
from whatever
cause.

APP. M.

yond the usual date of sailing and to the vessel having made an unusually long passage. The Government of Bombay was thereupon requested to allow the excess period to be regarded as leave on private affairs. But as such leave is not grant-

able, under the rule noted in the margin, in continuation of privilege-leave, there was no alternative but to treat the entire absence as on leave on private affairs.

The Government has nothing to do with the place to which a servant goes on privilege-leave; his duty being to return to his post at the end of his leave or to suffer the penalties enjoined by the Rules.

No allowances admissible for the period in excess, and if it exceeds one month the office becomes vacant.

As a general rule, however, His Lordship in Council prescribes that in cases when Uncovenanted Servants exceed by a few days the period of their privilege-leave, the Rule obtaining in the case of Covenanted Officers shall be applied, that is to say, if an Uncovenanted Servant shall not return at the expiration of his privilege-leave, he shall forfeit all Pay and Allowances during the time of his remaining so absent without leave; and if he shall so continue absent for more than one month, beyond the term granted, his Office shall become vacant.

No. 25.

Fort William, Financial Department, the 27th June 1857.

NOTIFICATION.—The following Extract from a Despatch from the Hon'ble the Court of Directors, addressed to the Government of India in the Financial Department, No. 28 of 1857, dated the 17th April, is published for general information :—

Para. 1.—We concur in your having ruled that leave

APP. M.

Letter from, dated 17th October 1856, No. 145.

o affairs cannot be taken
by Uncovenanted Servants in
continuation of privilege-leave.

Leave on pri-
vate affairs can-
not be taken in
continuation of
privilege leave.

Submit copy of a letter from the Government of Bengal, referring for decision two questions connected with the Uncovenanted Service Absentee Rules.

2. With regard to the revision of Section 6, Chapter III. of the Rules, we do not object to

Accumula-
tion of privilege
leave allowed
with restric-
tions.

allow the privilege-leave of Uncovenanted Servants to accumulate up to three months as a maximum period. But if the leave of one month in the year be not taken in one period, we cannot permit it to be divided into more than two instalments. We append the Rule in the shape in which we are prepared to sanction it, *viz.* :

Section 6, Clause 1 —“Leave of absence may be granted for one month in each calendar year without deduction from salary, provided that the indulgence can be granted without injury to the Public Service, or additional expense to Government. Those servants who may not have occasion to apply for the whole month's leave at once, may divide it into two instalments. No second leave shall be granted under this Rule, until the completion of eleven months from the expiration of the last leave, if taken at one time, or from the date of return from any sick leave or leave on private affairs, or if the leave be taken in instalments, until the completion of six months from the expiration of the last instalment. Uncovenanted Servants not availing themselves of the indulgence in any one year, may, at the option of the Local Government, obtain, under the like conditions, leave of absence for two successive months, to commence at or after the expiration of twenty-two months from the termination of their former leave, and if two years elapse without enjoyment of the privilege, leave for three months may, in like manner, at the option of the Local Government, be granted at the expiration of thirty-three months from the termination of the last preceding leave ;

Amended
rule on the sub-
ject.

APP. M.

but no leave shall be granted under this Rule for any period exceeding three months. If a servant shall not return at the expiration of the period of leave granted him under this Rule, he shall forfeit all pay and allowances during the time of his remaining so absent without leave, and if he shall so continue absent for more than one month beyond the term granted, his office shall become vacant."

Judicial Officers' holidays.

Clause 2.—"Officers of the Judicial Department taking leave during the authorized closing of the Civil Courts will be allowed to draw full salary during such leave, but will not be held entitled, in addition thereto to privilege leave under the 1st Clause of this Rule.

Letter No. 3194, of 31st July, 1857, Financial Department.

If privilege leave be extended on Medical certificate the whole period will be treated as if on medical certificate.

I AM directed to acknowledge the receipt of your letter, No. 3225, dated the 7th instant, submitting for consideration a proposal from the Government of Bombay for extending to Uncovenanted Civil Servants that part of Section XII. of the Covenanted Service Rules which provides that, if Civil Servants, while absent on privilege leave, be granted extended leave under Medical Certificate, they shall be considered liable to the Rules applicable to leave of absence, on Medical Certificate, for the whole period of their absence.

2. In reply, I am desired to state that the Right Hon'ble the Governor General in Council sees no objection to the application of this Rule to Uncovenanted Servants as proposed by the Government of Bombay.

No. 39A.

Extract from the Proceedings of the R. H. the G. G. in C. in the Financial Department, under date the 11th September, 1857.

Alteration in the number of

Section X. of the Uncovenanted Service Absentee Rules applies only to Absentees on Sick Leave, who, while absent

on Leave, may wish to draw their Allowances through their Agents ; and he therefore directs that the above Section be transferred from the head " Rules for Leave on Private Affairs" to the head " Rules for Sick Leave," and that it be numbered as Section VI., the four subsequent Sections at present numbered VI., VII., VIII. and IX. being numbered VII., VIII., IX. and X.

A. P. M.
the sections at
page

No. 40

Fort William Financial Department, the 25th September, 1857.

NOTIFICATION.—The Right Hon'ble the Governor General of India in Council has been pleased to direct that the provisions contained in the Financial Notification of the 5th December 1856, No. 55, whereby a Civil Servant can obtain Privilege Leave by instalments within six months from the expiration of the last instalment taken, provided the leave is granted in the same calendar year, shall be held applicable to Uncovenanted as well as to Covenanted Civil Servants.

Instalments
of privilege
leave.

No.

Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council in the Financial Department, under date the 14th October, 1857.

RESOLUTION.—The Right Hon'ble the Governor General of India in Council observes, that Clause 4 of Section VI. of the Absentee Rules for the Covenanted Civil Service allows, in cases of Sick Leave, Preparatory Leave for a period of one, two, or three months, according to the distance to be travelled, on half salary not exceeding 10,000 Rupees per annum.

Preparatory
leave.

APP. M.

On the 27th June 1856, it was notified that the Preparatory Leave allowed under the above Clause should, from that date, be calculated at the rate of one day for every ten miles of the distance to be travelled, provided that the limit of three months was not exceeded, and that the whole time claimed was spent *bond fide* between the place of departure and the place of destination.

A like provision was made in para. 2 of the Notification No. 36, dated 11th July 1856, for *Uncovenanted* Servants, with the following alterations, *viz.* that the time allowed to them should be calculated at the rate of one day for every *fifteen* miles of the distance travelled, and that the maximum limit of the Preparatory Leave should be two months.

New rule as to preparatory leave in cases of Medical certificate.

In lieu of the above rulings, the Hon'ble Court have now authorized this Government to grant as a general rule, to both Covenanted and Uncovenanted Officers proceeding *beyond Sea* on Medical Certificate, Special Leave for the interval elapsing between departure from Station and the commencement of reckoning absence, or between the end of reckoning absence and re-arrival at Station, for an additional period of four, six, or eight weeks, according

* In the case of Covenanted Servants, Clause 3 of Section VI. of the Absentee Rules for the Covenanted Service.

In the case of Uncovenanted Servants, Clause 3 of Section V. of the Absentee Rules for the Uncovenanted Service.

as the distance to be travelled shall not exceed 300 or 600 miles, or be in excess of the last-mentioned distance, on the condition that, during this additional period, the absentee shall be entitled to draw the same rates of allowances as are granted by the Clauses noted in the margin.* If the leave on Medical Certificate be taken *in India*, the Preparatory Leave to both Covenanted and Uncovenanted Servants is to be calculated at the rate of one day for every fifteen miles of the distance to be travelled to the Sanatorium.

No.

APP. M.

To W. P. PALMER, ESQUIRE, *Civil Auditor, Fort William,*
Financial Department, 9th November 1857.

SIR,

I AM directed to acknowledge the receipt of your Letter, No. 2173, dated the 21st Ultimo, on the subject of Notices of Leave of Absence granted to Uncovenanted Servants sent to your Office.

2. It appears that your Office makes deductions on account of Leave of Absence only from the Salaries of those Uncovenanted Servants who receive their appointments direct from Government, but that in all cases in which Clerks and other *Ministerial* Officers are allowed Leave of Absence, the Head of the Department or Office in which they are employed is left to make the deductions, your Office simply passing the Salary Abstract of such Establishment, without taking cognizance of the deductions made therein by the Head of the Department or Office, provided the Rule laid down in the Financial Resolution of the 8th December 1843 is not infringed.

Practice in
Civil Auditors'
Office as to un-
covenanted offi-
cers' leave

3. In reply, I am desired to inform you, that the Right Hon'ble the Governor General in Council is of opinion that the practice of your Office is incorrect. The Rules of the 22nd February 1856, he observes, are applicable to "All Officers in the Uncovenanted Service of the Government who may be in the receipt of Salaries of Rupees 100 a Month and upwards," and it seems to His Lordship in Council that your Office ought invariably to make the deductions provided for in the Rules, in every case in which Leave is granted to such Officers under the Rules, whether it be granted by Government, or by Officers to whom power to act upon the Rules may have been delegated by Government.

to be amend-
ed.

Deductions
from salaries of
100 Rupees and
upwards.

AFF. M.

Deductions
from salaries
under 100 Ru-
pees.

4. In respect to Officers drawing Salaries of less than 100 Rupees a Month, it has been ruled, in the Financial Resolution of the 6th February 1857, that the Heads of Offices should, in granting Leave, be guided by the spirit of the Rules prescribed for those Servants who are in the receipt of Salaries of Rupees 100 a Month and upwards, and that all cases in which Leave is so granted to Uncovenanted Servants whose Salaries are less than 100 Rupees per Month, shall be reported to the Civil Auditor and the Military Auditor General, respectively, in the manner prescribed in the Orders of the 25th July last; viz. that the Auditors should be furnished, on the 1st May in each year, with "An Annual Return showing the Leave of Absence granted during the year (preceding), under the new Uncovenanted Civil Service Absentee Rules, to those Uncovenanted Servants whose Leave might not have been notified in the *Gazette*."

Monthly Re-
turn of leave
prescribed.

5. But this arrangement seems to His Lordship in Council to be insufficient. It does not provide, as it ought to do, for deductions from Salary by the Offices of Audit, and His Lordship in Council therefore directs, that in future all cases, in which Leave not notified in the *Government Gazette* is granted to Uncovenanted Servants in excess of the few days provided for in the Financial Resolution, No. 2520, dated the 12th June 1857, shall be reported *Monthly* (instead of *Annually*) to the Civil Auditor or the Military Auditor General,

See form No. 126 P. as the case may be, in the Form entered in the margin; the Offices of Audit

being left to check the amounts entered in the Form at the time the Establishment Bills are sent in to be passed on the understanding that deductions are invariably to be made, in accordance with the Rules, from the pay of all Absentees whose names are entered in the Form (whether they may be in the receipt of 100 Rupees a Month or less), except when special directions are issued by the Heads of Offices to take

How to be
used in making
deductions from
absentees.

larger deductions, which may be necessary in cases of Officers drawing less than 100 Rupees, whose duties cannot otherwise be provided for without extra expense to Government.

APP. M.

Extract from the Proceedings of the Financial Department under date the 22nd January 1858.

LEAVE may be granted to Uncovenanted Servants preparatory to Furlough on private affairs, or for return to Station after the expiration of Furlough, only on the terms of Section VIII.* of the Uncovenanted Civil Service Absentee Rules, for the period specified in the Financial Notification of 14th October 1857, viz. four, six, or eight weeks, according as the distance to be travelled shall not exceed 300 or 600 miles, without forfeiture of appointment, but without pay; the period of absence not counting as service towards pension.

Preparatory leave, or leave to join, on return from furlough.

* Now altered to Section IX.

If the Furlough, however, be enjoyed in India, no preparatory leave is to be granted; the Furlough being reckoned from the date of the absentee's quitting his post to the date of his return thereto.

Financial Department, Notification.—No. 36, Fort William, the 29th April 1859. The following letter to the Civil Auditor, Fort William, is published for general information:—

TO THE CIVIL AUDITOR, *Fort William*, No. 3280, dated 29th April 1859.

SIR,—I am directed to acknowledge the receipt of your letter No. 844, dated the 21st ultimo, suggesting that one month's preparatory leave be granted on half-pay to Uncovenanted Servants desirous of retiring from the Service on Pension.

Leave preparatory to retirement.

APP. M.

In reply, I am desired to state that Uncovenanted Servants about to resign the Service, who are residents in India and have no voyage to prepare for, have not, in the opinion of the Governor General in Council, any reasonable claim to a month's "preparatory" leave; but he thinks that this indulgence, which is granted on half-pay to Covenanted Servants, may be extended to *European* Uncovenanted Servants, intending to proceed to Europe immediately on retirement, on the understanding, however, that it shall be subject to the same condition as the leave to Covenanted Officers, *viz.* that it shall be granted only in case it can be given without detriment to the Public Service.

*Financial Department RESOLUTION, No. 33, Fort William,
the 29th April 1859.*

His Excellency the Governor General in Council is pleased to pass, experimentally for one year, the following Rules in respect to the Deputation Allowance receivable by the Officers mentioned below :

Allowances of
acting incumbents.

When Covenanted Officers, Civil or Military, officiate for Uncovenanted Officers and when Uncovenanted Officers act for Covenanted Officers, Civil or Military, the Deputation Allowance in such cases will be regulated according to the principle laid down in Chapter VI. Sections 25, 26 and 27, of the Covenanted Civil Absentee Rules, it being understood however that Section 27 shall not apply to *Ministerial* Officers acting for Covenanted Officers, who are entitled to Acting Allowance from the date they commence to officiate and not after the expiration of one month as in the case of other Uncovenanted Officers of superior grade.

When an Officer of the Uncovenanted Service acts for another of the same Service or when a Military Officer acts for

another Military Officer, he shall be governed by the Rules of the respective Services to which he belongs.

APP. M.

In passing the foregoing Rules, the Governor General in Council directs that the Audit Offices in the several Presidencies and Governments, should submit, at the expiration of the experimental year for which the Rules are sanctioned, a Return showing in juxtaposition the amount forfeited by the Absentees of the Military (so far as it is concerned with the Civil Department) and Uncovenanted Services, as well as that defrayed in the remuneration of their Substitutes in the same manner as is done at present, with regard to the forfeited Salary and the Deputation Allowance of Covenanted Civil Servants.

Extract No. 825, from the Proceedings of the Government of India, in the Financial Department, dated 3rd June, 1859.

RESOLUTION.—The Government of Bombay enquires, whether an Uncovenanted Servant is at liberty to draw his salary while absent on *Privilege* leave, and remarks that the rule under which Covenanted Civil Servants are debarred from drawing their allowances until their return to duty, would, if held applicable to Uncovenanted Servants, occasion pecuniary embarrassment, if not entirely prevent the privilege being availed of.

Drawing salary while on privilege leave.

2. In this opinion, however, the Governor General in Council cannot agree. He finds that men are willing enough to avail themselves of *Privilege* leave, even under the restrictions at present in force, which do not permit of allowances being drawn by parties absent on *Privilege* leave, until they return to duty.

APP. M.

Drawing salary while on privilege leave.

No. 40 of 1856, para. 3.
 "A Civil Servant must return to his duty at the expiration of his Privilege leave to entitle him to the advantages thereof. His allowances will therefore not be payable till he shall have rejoined his appointment."

definite ruling against *Uncovenanted* Servants drawing their allowances during absence on Privilege leave.

4. But in the case of Private Affairs Leave, the *Uncovenanted* Rules distinctly provide that "no portion of the salary allowed to be drawn will be claimable till the Absentee shall have returned to his duty;" and in the case of *Sick* leave, (and *Sick* leave only) it is provided in Sec. X (now Sec. VI) "that parties who may desire to draw their allowances while absent on leave, will be required to give security in such amount and form as may be fixed by Government for the refund of any excess that may be drawn in case of their coming under retrenchment;" thereby implying that in cases of absence on other kinds of leave, allowances cannot be issued during such leave.

5. On these grounds, the Governor General in Council considers that an *Uncovenanted* Servant cannot draw his salary while absent on Privilege leave.

Extract No. 865, from the Proceedings of the Government of India, in the Financial Department, dated 8th June, 1859.

From A. R. YOUNG, ESQ., Secretary to the Government of Bengal, to the Civil Auditor, Fort William,—(No. 1104, dated 6th May, 1859.)

Claim of acting officers to forfeited allowances of incumbents.

SIR,—I am directed to acknowledge the receipt of your letter, No. 1180, dated the 21st ultimo, and, in reply, to observe that the rule cited by you is one which has reference to Military

3. These restrictions appear to be founded on the late Hon'ble Court's orders, dated 21st May 1856, as noted in the margin. There is, however, no express interdiction in the Rules nor any

Officers in Civil employ, and is of earlier date than the Uncovenanted Absentee Rules, which must govern the decision in the present case.

2. Rule 14 of the Code (Uncovenanted Absentee Rules) above referred to, sets forth that an officiating Officer is entitled to draw, viz., "so much of the salary of such situation as may be equal to the sum deducted on account of absence." There is nothing to prevent his drawing the whole salary when the whole is retrenched. He cannot, of course, draw more than the salary of the appointment, and therefore must relinquish the moiety of his own salary.

FINANCIAL DEPARTMENT, RESOLUTION. The Civil Auditor, Fort William, appears to the Governor General in Council to be mistaken. His Excellency thinks that the view taken by the Lieutenant Governor of Bengal is correct; and that the Rungpore Sudder Ameen is entitled to the full salary forfeited by the Nuddea incumbent, and that the Moonsiff of Borobaree should be allowed to draw the full salary forfeited, in like manner, by the Rungpore incumbent, receiving no portion of his own salary as Moonsiff.

Extract No 962, from the Proceedings of the Government of India, in the Financial Department, dated 15th July, 1859.

READ the following:—

From H. YOUNG, Esq., Chief Secretary to the Government of Bombay.

SIR,—I am directed by the Right Hon'ble the Governor in Council, to request that this Government may be favored with the instructions of the Government of India, as to whether leave of absence under Section IX of the Uncovenanted Absentee Rules can be granted to an Uncovenanted Servant in continuation of leave under Section VIII.

APP. M.

Claim of acting officers to forfeited allowances of incumbents.

Leave cannot be granted in continuation of privilege leave.

APP. M.

Leave cannot be granted in continuation of privilege leave.

FINANCIAL DEPARTMENT, RESOLUTION.—As Clause 2 of Section VIII of the Uncovenanted Service Absentee Rules prescribes that the leave granted under that Section “will be computed from the date of the absentee’s quitting his post to the date of his return thereto,” and as this Rule cannot be carried out if leave under Section IX is granted in continuation, the Governor General in Council directs that the question put by the Government of Bombay be answered in the negative, and that it be pointed out to that Government that the word “addition” in Section IX was never intended to mean “continuation.”

Extract No. 1091, from the Proceedings of the Government of India in the Financial Department, dated 19th August, 1859.

READ the following :—

From the ACTING CIVIL AUDITOR, Bombay.

Acting allowances when the permanent incumbent is not on leave.

SIR,—Referring to the resolution of the Government of India, quoted in the margin, allowing the full pay of a situation to be given to an acting officer when the actual incumbent is absent under Section IX of the Uncovenanted Service Rules, I beg that you will kindly inform me whether, by the orders of H. E. the G. G. in C. it is intended that this Rule is to be made applicable to all cases of acting appointments in the Uncovenanted Civil Service, from whatever cause arising, provided the full salary is available.

FINANCIAL DEPARTMENT, RESOLUTION.—The Governor General in Council directs that the question put by the Acting Civil Auditor, Bombay, be answered in the negative, and that it be intimated to him that the Rule of 8th June last, is intended to be held applicable only to cases in which the actual incumbent is absent on leave, granted under Section IX of the Uncovenanted Service Absentee Rules.

From the Secretary to the Government of India, Financial Department, to the Civil Auditor, Madras, No. 1129, dated Fort William, the 26th August, 1859.

SIR,

IN reply to your letter, No. 447, dated the 2nd ultimo, I am directed to annex the following memorandum containing the orders of this Government on the several points connected with the Uncovenanted Service Absentee Rules noticed in your letter, the rules obtaining in the Covenanted Service being set in juxtaposition against those points:—

COVENANTED CIVIL RULES	UNCOVENANTED CIVIL RULES	ORDERS OF THE GOVT OF INDIA.
<p>1 No provision being made, an answer to this question as respects Covenanted Officers, is requested.</p> <p>2. A period of 3 months is necessary from the date of return from privilege leave to the grant of furlough</p> <p>3 An interval of 6 years is necessary.</p> <p>4. No provision made</p>	<p><i>Questions put by the Madras Civil Auditor</i></p> <p>1 Privilege leave under Section VII, having been taken, what interval must elapse before special leave under section VIII, can be taken? Can special leave be granted a day or two after an Officer returns from privilege leave?</p> <p>2 Between the grant of privilege leave under Section VII, and furlough under Section IX, what time should elapse?</p> <p>3. What interval should elapse between the grant of sick leave under Sections IV and V, and furlough under Section IX?</p> <p>4. After return from special leave under Section VIII, what interval is necessary before a furlough under Section IX, can be granted?</p>	<p>1 No interval was proscribed by the late Hon'ble Court, nor does the Governor General in Council think that it is now called for, seeing that it is entirely within the option of Government to grant the special leave or not</p> <p>The general restriction that privilege and private affairs leave cannot be taken together, is, in his opinion, a sufficient protection against any abuse of the former leave.</p> <p>2 The Governor General in Council is pleased to extend, in this case to Uncovenanted servants, the rule which requires a Covenanted Civil servant to serve 3 months after return from privilege leave, before he can obtain furlough.</p> <p>3. Considering that the conditions laid down in Section IX, will prove a sufficient check against any abuse of the privilege of taking furlough, the Governor General in Council is unwilling to impose any further restriction in respect to the grant of this leave to Uncovenanted servants No specific interval is therefore required in this case.</p> <p>4. The Governor General in Council does not apprehend that either the indulgence provided in Section VIII or IX of the Uncovenanted rules, is likely to be abused by there</p>

UNCOVENANTED SERVICE RULES.

COVENANTED CIVIL RULES.	UNCOVENANTED CIVIL RULES.	ORDERS OF THE GOVT. OF INDIA.
5. Taken by instalments, may proceed to Europe or India.	5. Can furlough be granted by instalments, if so, at what intervals and for what periods; may it be take in India?	being no provision that any fixed interval should elapse between the expiration of one leave and the commencement of another. He thinks that the rule that the leaves cannot be continuous, is a sufficient restriction, and this rule is laid down in the orders passed in this Department, on the 16th July last.
6. Sick absentee allowance is payable to an Officer at the end of every month, on his signing a bill and submitting it for audit in India; but if absentee proceeds to England, his agents after tendering security draw the allowance monthly without production of a life certificate.	6. During any sick leave taken under the Regulations the Hon'ble Court have ruled, security should be taken before passing the allowances to which an Officer may be entitled. (<i>vide</i> Calcutta Gazette, page 891 of 1858.) Is this rule to be enforced if the leave is taken in India and the abstract be signed by the absentee? Is it applicable to the lower subordinate of an establishment as well as to the head, and those appointed by Government?	5. It is provided in section IX of the Uncovenanted rules that Government may, at any time, under special circumstances and at its discretion, grant leave of absence <i>once</i> during the period of service, not exceeding 12 months. This provision clearly shows that furlough cannot be taken in instalments by an Uncovenanted servant. It may, however, be taken any where in or out of India; but if taken in India, preparatory leave cannot be granted. 6. That security should be taken from parties who may desire to draw their allowances while absent on leave, is a provision which has been made with reference to the fact that most of the Officers remain in England while they draw their absentee allowance through their agents. Whenever, however, they may remain in India and draw their bills themselves, and attach to it a life certificate attested by a Deputy Magistrate, or a Covenanted district Officer, the Governor General in Council is of opinion that such security may be dispensed with. The rule respecting security shall be held applicable to all Uncovenanted servants, <i>viz.</i> ministerial officers as well as those appointed direct by Government.
	7. In the order of the Government of India, in the Financial Department, No 4484, dated 3rd June last, it is ruled that no salary or allowance should be passed to Uncovenanted servants while on privilege leave or on special private affairs leave, until return to duty; but if an officer was to resign during such leave, how are his allowances to be adjusted?	7. The Governor General in Council directs that a copy of the Financial resolution, dated 20th August, 1856, which proscribes that should an Officer absent on privilege or special leave not return on the expiration of such leave, but resign the service, he cannot be allowed to draw any portion of his absentee allowance, be sent to the Madras Civil Auditor, with reference to his seventh query

I have, &c.

Extract No. 131, from the Proceedings of the Government of India, in the Financial Department, dated 2nd September 1859.

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READ the following:—From the Chief Secretary to Government, Fort Saint George.

SIR,—With reference to an extract from the proceedings of the Government of India, Financial Department, 3rd June, 1859, No. 4879, I am directed to enquire whether the orders which prohibit Uncovenanted servants drawing their allowances during absence on privilege or private affairs leave, apply to servants in receipt of salaries under 100 Rupees per mensem, as well as to those whose pay is above that standard

Salaries while on leave of persons drawing less than 100 Rs. a month.

2. In the opinion of this Government, the application of the rule to servants in receipt of less than 100 Rupees a month, will be productive of much hardship.

FINANCIAL DEPARTMENT, RESOLUTION. The Governor General in Council remarks that the order of the 3rd June last, No. 4879, was intended to apply to all classes of Uncovenanted servants.

Part 2.—Pensions.

Proceedings of Government in the Territorial Department under date 4th January 1831, containing new rules for the grant of superannuation Pensions to Uncovenanted and other Servants in the Civil Departments and cancelling all others in force.

First.—Superannuation Pensions will be granted only to the superior classes of public servants, indicated in the annexed list. Inferior servants, Sowars armed or organized, Peons including Jamadars, and other ranks, Lascars* Boatmen, Artificers

Pensions restricted to certain classes of public servants.

* Native Seamen in the Marine or Pilot Establishments at this Presidency are not included within the provisions of these rules.

APP. M. labourers and menials, are to have no claim to such provision.

Least period of service for pension.

Second.—With the exception of Native Judges and Law Officers, the applicant must have been employed in the public service for a period of at least twenty years.

The claimant must be incapacitated for further service.

Third.—The public servant, whatever may have been the period of his service, must be incapacitated for further employment, by old age, protracted ill-health, loss of sight or other bodily or mental infirmity.

Character must be good.

Fourth.—The character, conduct, and past services of the public servant must be favorably certified by the Officer under whom he may have been employed, and must appear to be such as to entitle him to the favorable consideration of Government.

Amount of pension how calculated.

Fifth.—Whenever it may be judged expedient to grant a pension to a public Officer, whose case may come within the foregoing provisions, the amount of the Pension shall be limited as follows:—

1st.—If the period during which the individual, may have been actually employed in the public service shall be more than twenty years, but less than thirty years, the amount of the Pension shall not exceed one-third of the monthly salary or authorized official allowances of such individual, calculated on an average of five years previously to the date of application for such Pension.

2nd.—If the period of actual service shall have been thirty years or upwards, the amount of the Pension shall not exceed one-half of the salary or authorized allowances of the individual calculated in the manner above stated.

3rd.—For Law Officers and Native Judges, the period of 15 years shall be substituted for that specified in clause 1st, and 22 years for the term mentioned in the 2nd clause.

4th.—The rates of pension shall be fixed on a graduated scale, within the prescribed limitations, with reference to the

responsibility and arduousness of the employment, the degree of merit of the individual, and the nature and length of service.

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Sixth.—A pension will hereafter be granted by Government to the family, or any member of the family of a deceased public servant only, when such servant shall have been killed in the execution of his public duty, or shall have died in consequence of wounds or accidents sustained therein.

Family pensions.

Seventh.—Should cases arise which are not sufficiently provided for in these rules, or in which, from special circumstances, Government may be pleased to deviate from them in favor of a claimant to a Pension, such pension shall be considered only as a temporary and provisional until the grant shall have received the sanction of the Honorable the Court of Directors.

Special cases.

Eighth.—Whenever an application may be made to Government with a view of obtaining the grant of a Pension in favor of any officer employed in the public service, the application shall contain full and specific information on the following points :—

Information to be furnished with applications for pension.

1st.—The name, class or caste, age and proposed place of residence of the individual for whom the pension may be solicited, the situation in which he may be employed at the time when the application may be made, the total period during which the individual may have been employed in the public service, and the various official situations in which he may from time to time have been so employed.

2nd.—The monthly amount of the salary or official allowances of the individual in question, on an average of five years previously to the date of the application.

3rd.—The causes by which the individual may have been rendered incapable of discharging any longer the duties of his office, whether by extreme old age, protracted illness, loss of sight, or other bodily or mental infirmity.

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4th.—His general character, conduct and past services in the official situations which he may have held.

Information to be supplied on oath or declaration, if not procurable in ordinary course.

Ninth.—If the officer making the application shall be unable from his personal or official knowledge to supply the whole of the specific information above required, he shall call upon the individual in whose favor the application may be made, to furnish a written statement, (to be verified by his oath or solemn declaration if required) on such of the points above noticed as may be necessary.

Medical certificate.

Tenth.—If the individual shall be rendered incapable to further service by protracted illness, loss of sight, or other bodily or mental infirmity, a medical certificate to that effect shall be also transmitted with the application.

Form of application.

Eleventh.—Each application for a pension under the foregoing rules shall be made by the head of the office under whom the individual recommended to be pensioned may be employed, in a letter addressed to Government and accompanied by a register on a separate sheet of paper in the form hereto annexed. [See Form No. 161.]

Lapses of pension.

Twelfth.—Lapses of pensions shall be communicated to the Civil Auditor as soon as possible after the occurrence, and it shall be the duty of the several Officers in charge of Treasuries from which persons are paid, to appoint a proper person of their establishment to report all lapses to them, and along with themselves be responsible to Government for the fulfilment of this rule.

Payment of arrears.

Thirteenth.—No Pension shall be payable in arrear for a period exceeding six months without the express sanction of Government obtained through the Civil Auditor, unless the cause of the suspension of payment shall have been the neglect, order or act of some public Officer, and beyond the control of the pensioner, when the Civil Auditor on a reference being made to him, shall exercise his discretion in passing arrears for payment, or submit a representation of the case

for the information and orders of Government, as he shall consider proper.

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Fourteenth.—It shall be the duty of the Civil Auditor to exercise a vigilant control over this class of pensions as over all others, and with that view to bring to the notice of Government all instances in which in the granting of superannuation pensions any of these rules may be departed from, unless he shall be distinctly informed that a special exception has been made in the individual instance.

Civil Auditor
to watch against
abuses.

Fifteenth.—It shall further be the duty of the Civil Auditor to lay before Government at the end of each official year, a statement exhibiting a comparison between the amount of pensions that have lapsed and the amount of pensions granted during the year, and as a check against the fraudulent continuance of pensions beyond the actual term of the pensioners' lives, that Officer shall from time to time compare the periodical decrement of life among the pensioners of each year with the usual duration of life, and where lapses do not occur in the proportion that might be anticipated, it shall be his business to institute such enquiries as may appear necessary to ascertain whether and in what particular instance fraud has actually been committed and to submit to Government the result of his investigation.

Returns to be
furnished by
Civil Auditor,
and enquiries
to be made by
him.

List of the several classes of subordinate Officers in the Civil Department who, under the foregoing rules, are considered to have eventual claims to superannuation pensions from Government.

Registers, Head Clerks, and Accountants.

Indexers, Examiners, Readers.

Librarians, Record Keepers.

Translators, Interpreters.

English and Native Writers, Moonshees, Jowabnuves.

English and Native Accountants, Mohurrirs.

List of persons
entitled to
pension.

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Mootusuddees, Gomastahs, Karkoons, if drawing more than
10 Rupees.

Head Treasurers.

Head Native Revenue Officers, Sherishtadars, Dewans.

Head Native District Revenue Officers.

Tushseeldars, Amildars, Peshcars, Ameens.

Head of Districts, Police Darogahs.

Law Officers, Mouluves, Cazees, Pundits, Mooftees.

Native Judges, Sudder Ameens, Moonsiffs.

Head Executive Officers of the Courts, Nazeers.

No. 1709.

*Extract from the Proceedings of the Hon. P. in C. Financial
Department, 25th April 1855.*

Amendment
of form of ap-
plication.

The Military Auditor General having reported that he has not the means of verifying the continuous service in an eligible grade of assistants in the various public offices in the Military Department, including the Departments of Stud, Public Works* and Commissariat, the Hon'ble the President in Council is pleased to rule that henceforth all officers, Civil as well as Military, shall, in submitting applications for pensions on behalf of Uncovenanted servants state, after an inspection of their establishment rolls, whether the service of each of the applicants was continuous or not, and if not, for how long he was unemployed, and under what circumstances. His Honor in Council further desires that the form of the pension roll be amended (as per form No. 161) so as to give the requisite information in additional columns in every instance.

* Not now Military.

No. 1943.

APP. M.

*Extract from the Proceedings of the Hon'ble the P. in C.,
Financial Department, 19th May 1855.*

Read a despatch from the Hon'ble the Court of Directors,
No. 21 of 1855, dated the 28th February.

RESOLUTION.—The Hon'ble the President in Council is pleased to resolve, that in accordance with the orders conveyed in the despatch above-mentioned such of the Uncovenanted Servants employed in the Public Works Department as receive above Rupees 10 per month of salary, shall be entitled to superannuation pension under the provisions of the Pension Rules of the 4th of January 1831, and that in no case (as respects persons hereafter appointed to the Uncovenanted Service) shall a larger pension than £400, or Rupees 4,000 per annum be granted to Uncovenanted Servants receiving salaries of 700 to 1,000 Rupees a month, nor a larger pension than £500, or Rupees 5,000 per annum to Uncovenanted Servants receiving salaries above that amount whether the retirement be from ill health (after either 20 or 30 years' service) or without a Medical Certificate after 35 years' service.

Limitation of
amount of pen-
sions.

Extract from a Despatch from the Hon'ble the Court of Directors addressed to the Government of India in the Financial Department, No. 38 of 1856, dated 13th May.

43. The subject here reported upon has been decided in our despatch in this Department, dated 5th December 1855, No. 107.

Computation
of service in
certain cases in
Madras allowed
to be made
specially on the
old system.

123 to 126. Forward correspondence with the Government of Fort St. George, on the question whether Uncovenanted Servants should be allowed to count as service qualifying for pension the periods of authorized absence.

44. It appears to have been the practice at Madras to permit all absence of Uncovenanted Ser-

APP. M. vants on authorized leave to reckon as service for pension. Although this has been put a stop to, we should not consider it just to allow those Uncovenanted Servants, who may have enjoyed the advantage beyond the limit fixed by the New Rule, to be now deprived of counting their past leave as service.

No.

Extract from the Proceedings of the Right Hon'ble the G. G. in C., Financial Department, 6th February 1857.

Service for pension of public servants whose salaries are under 100 Rs. a month.

Read an endorsement from the Home Department, No. 122, dated the 23rd ultimo, forwarding for consideration and orders a letter, No. 14, dated the 7th idem, from the Chief Secretary to the Government of Fort St. George, having reference to the absence of Uncovenanted Servants drawing salaries of less than 100 Rs. a month.

RESOLUTION.—On the 25th. July last, it was resolved by this Government, with a view to ensure a correct calculation of the periods of Service entitling Uncovenanted Servants to pension, that the Heads of Public Offices and Departments under the control of the several Governments should furnish, on the 1st May of each year, to the Civil Auditors and the Military Auditors General of the several Presidencies, an Annual Return showing the Leave of Absence granted during the year, (preceding), under the New Uncovenanted Civil Service Absentee Rules, to those Uncovenanted Servants whose leave might not have been notified in the Gazette.

Referring to this Resolution, the Government of Madras observes that, as the New Rules are restricted in their operation to Uncovenanted Servants in the receipt of salaries of Rupees 100 a month and upwards, the above orders would

not appear to apply to Uncovenanted Servants whose salaries are below that amount, and that if such be the intention of this Government, there is nothing to prevent the entire periods of absence of Uncovenanted Servants of the latter class counting as service towards pension. Definite orders, however, are solicited on this point, and also on a question raised by the Civil Auditor at Madras "whether it is not left optional with the Heads of Offices to grant leave of absence to persons whose salary is less than 100 Rupees a month, for a limited period, either on Sick Certificate or private affairs, making such stoppages as they may think proper, the stoppages thus made being paid to the individuals performing the duties of the absentee and no extra expense being incurred to the State."

On this solicitation of the Government of Madras, the Right Hon'ble the Governor General in Council is pleased to direct that, in granting leave of absence either on Medical Certificate or on private affairs to Uncovenanted Servants whose salaries are less than 100 Rupees per month, the Heads of Offices shall be guided by the spirit of the Rules prescribed for those servants who are in the receipt of salaries of Rupees 100 a month and upwards; that all cases in which leave is so granted to Uncovenanted Servants whose salaries are less than 100 Rupees per month, shall be reported to the Civil Auditor and the Military Auditor General respectively in the manner prescribed in the Orders of the 25th

Para. 44 of Court's Despatch, No. 38 of 1856, dated 13th May, published in the *Calcutta Gazette* of the 16th July last, page 1186.

July last; and that all *past* leave enjoyed by any such Uncovenanted Servant shall be counted as service under the orders of the Honorable the Court of Directors noted in the margin, although such leave may have exceeded the period allowed under the new Uncovenanted Civil Service Absentee Rules.

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Service for pension of public servants whose salaries are under 100 Rs. a month

AFF. M.

No. 36.

Fort William, Financial Department, 14th August 1857.

Special pen-
sions and gra-
tuities,

Notification.—The following Extract from a Despatch from the Hon'ble the Court of Directors, addressed to the Government of India, in the Financial Department, No. 43, of 1857, dated 24th June, is published for general information :—

Para. 11.—You specify six descriptions of cases in which applications for gratuities are now frequently made to the Government by classes who are not entitled by the Rules to any fixed pensionary grant. They are as follows, viz :—

Letter from, dated 19th December 1856, No 181.

Solicit the issue of general instructions for guidance in disposing of the applications which are submitted from time to time for the grant of gratuities to Un-covenanted Servants who have, from various causes, been thrown out of employment.

1st. Servants who have been thrown out of employment by the abolition of their offices.

2nd. Servants in grades entitling them to pension who are disabled by sickness from completing the periods of service prescribed in the Rules.

3rd. Servants in grades entitling them to pension who have served a portion of their time only in such grades, the rest of their service having been spent in situations not cognizable under the rules.

4th. Servants in grades not entitling them to pension under the Rules, but who have become unfit for further service from old age or sickness.

5th. Persons injured while in the execution of their public duty, and thereby disabled from earning their livelihood.

6th. The families of persons killed in the execution of public duty.*

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Special pensions and gratuities.

Para. 12. You suggest that you may be authorized to sanction, in all the above cases, the grant of gratuities, provided that the same shall in no case exceed six months' pay.

Para. 13. When the subject of the general grant of gratuities was brought before us in the year 1847, we objected to the proposition, because we preferred the plan of admitting to special pensions those servants who, though not entitled under the Rules, were nevertheless deemed deserving of consideration. The experience of the last ten years has, however, induced a modification of our sentiments, the special pension cases having proved more numerous than we anticipated, and the prospect for the future, in consequence of the rapidly

* *Extract from the Pay and Audit Code of 1845 page 524.*

Proceedings G. G. 14th May 1783.

Resolved, that a pension of 4 rupees per month be granted to the widows and children of men who have served at the Powder works, and who have been killed by explosion, upon the necessary certificate being produced.

Special pensions and gratuities.

Proceeding G. G. 11th June 1801.

The Governor General in Council referring to the proceedings in the department of Inspection of the 14th May 1783 establishing pensions for the families of men killed at the Powder works, observes that the pensions are confined to the women and children of such men.—The pensions, which are equal to the pay of the men killed are to be paid to widows during their widowhood, and to children until such time as they are capable of providing for themselves.—All future certificates are to be prepared according to the above explanation.

Proceedings G. G. 13th August 1801.

The Governor General in Council directs that the Regulation of 1783 regarding pension to the relatives of men killed at the Powder works be adhered to in future, conformably to the orders of 11th June 1801.—Children being entitled are to receive the pensions until they arrive at the age of 12 years excepting in the case of females marrying before that period, in which case such females are not to receive the pension after marriage. No children are to receive it after they shall have attained the age of 12 years.

APP. M. increasing growth of the Uncovenanted Service, leading us to expect a still greater augmentation of similar applications which it might become very difficult to admit with due regard to financial considerations.

Special pensions and gratuities,

Para. 14. In now acceding to your recommendation with the modifications which follow, we rely upon your exercising due discrimination in granting the gratuities, remembering that they are not to be given as a matter of course, nor the maximum to be granted in every case in which a gratuity is considered to be deserved. We cannot consent that the maximum of six months' pay shall be granted in any case unless the individual has served with unblemished character for at least five years, and we desire that these gratuities may be in future invariably substituted for the special pensions to persons not entitled under the Rules which have been hitherto granted.

C. HUGH LUSHINGTON,
Secy. to the Govt. of India.

Extract No. 9665 from the Proceedings of the Government of India in the Financial Department, under date the 15th November 1859.

Extract from a Despatch from the Right Hon'ble the Secretary of State for India, addressed to the Government of India in the Financial Department, No. 90 of 1859, dated 20th September.

On striking off applicants for pension on receipt of certificates of unfitness for further Service.

Para. 69. It appears from these papers that in a recent case where a Servant had submitted in support of his application to retire on a pension a Medical Certificate of his unfitness to continue to perform the duties of his Office, the Bombay Govern-

Letter dated 23rd February 1859, Nos. 29, 359 and 361 have informed the Government of Bombay that their ruling in respect to the grant of sick leave to servants who have applied for pensions under Medical Certificate is incorrect.

ment granted the applicant sick leave pending a reference to the Home Authorities.

Para. 70. This course your Government disapprove and have decided that "when a servant on application for pension has been declared by the Medical Officer to be unfit for further service" he should at once be discharged, and that if a pension be subsequently granted it should count from the dates specified in the Financial Resolution of the 21st February 1856, which laid down rules as to the commencement of pensionary allowances.

Para. 71. In cases in which a servant of Government may be discharged under the circumstances mentioned, Her Majesty's Government consider that even if it be necessary to refer the question Home for decision it will be proper to allow the pension to commence from the date on which he ceased to be borne on the effective establishment.

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On striking off applicants for pension on receipt of certificates of unfitness for further Service.

APPENDIX N.

Post Office Act and Rules.

ACT No. XVII. OF 1854.

An Act for the Management of the Post Office, for the Regulation of the Duties of Postage, and for the Punishment of Offences against the Post Office.

Repeal of former Acts. I. Act No. XVII. of 1837, Act No. XX. of 1838, and Act No. XVII of 1839 are hereby repealed, except so far as they repeal the whole, or any part of any other Act or Regulation, and except as to any act or offence which shall have been done or committed, or to any money which shall have become due, or to any fine or penalty which shall have been incurred, or to any proceedings which shall have been commenced, before this Act shall come into operation.

Exclusive privilege of carrying letters vested in the East India Company.

II. Wheresoever, within the territories under the Government of the East India Company, posts or post communications are, or shall be established by the East India Company, the said East India Company, shall have the exclusive privilege of conveying by post, from one place to another, all letters other than letters conveyed by Her Majesty's mails, except in the following cases, and shall also have the exclusive privilege of performing all the incidental services of receiving, collecting, sending, despatching, and delivering all letters, except in the following cases, that is to say :

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1. Letters sent by a private friend in his way, journey, or travel, so as such letters be delivered by such friend to the person to whom they shall be directed, without hire, reward or other profit or advantage, for receiving, carrying, or delivering the same.

2. Letters solely concerning the affairs of the sender or receiver thereof, sent by a messenger on purpose.

3. Letters solely concerning goods or other property sent either by sea or land, to be delivered with the goods or property which such letters concern, without hire, reward, or other profit or advantage, for receiving, carrying, or delivering such letters.

But nothing herein contained shall authorise any person to make a collection of such excepted letters for the purpose of sending them in the manner hereby authorized.

III. Wheresoever, within the said territories, posts or post communications are, or shall be established by the East India Company, the following persons are expressly forbidden to collect, carry, or deliver any letter or letters, or to receive any letter for the purpose of carrying or delivering the same, although they shall not receive hire or reward for so doing, that is to say :

Prohibitions.

1. Common carriers of passengers or goods, and their drivers, servants, or agents; except letters solely concerning goods in their carriages.

2. Owners and Commanders of ships, steam-boats, or other vessels passing on any river or canal, or to or from any port in the territories under the Government of the East India Company, and their servants, or agents; except letters solely concerning goods on board.

IV. Every person who shall convey otherwise than by the post a letter not excepted from the said exclusive privilege shall, for every letter so conveyed, forfeit a sum not exceeding fifty rupees; and every person who shall be in the

Penalties for breach of privilege.

Arr. N.
Penalties for
breach of privi-
lege.

practice of so conveying letters not so excepted shall, for every week during which the practice shall be continued, forfeit a further sum not exceeding five hundred rupees ; and every person who shall perform otherwise than by the post any services incidental to conveying letters from place to place, whether by receiving, taking up, ordering, collecting, carrying, or delivering a letter or letters not excepted from the said exclusive privilege, shall forfeit for every such letter a sum not exceeding fifty rupees : and every person who shall be in the practice of so performing any such incidental services shall, for every week during which the practice shall be continued, forfeit a further sum not exceeding five hundred rupees ; and every person who shall send a letter not excepted from the said exclusive privilege otherwise than by the post, or shall either tender or deliver a letter not so excepted in order to be sent otherwise than by the post, shall forfeit for every such letter a sum not exceeding fifty rupees ; and every person who shall be in the practice of committing any of the acts last mentioned shall, for every week during which the practice shall be continued, forfeit a further sum not exceeding five hundred rupees ; and every person who shall make a collection of excepted letters for the purpose of sending them otherwise than by the post shall forfeit for every such letter a sum not exceeding fifty rupees ; and every person who shall be in the practice of making a collection of excepted letters for such purpose shall forfeit, for every week during which the practice shall continue, a further sum not exceeding five hundred rupees. Every person who shall carry, receive, or deliver a letter, or collect letters contrary to the provisions of Section III. of this Act, shall forfeit for every such letter a sum not exceeding fifty rupees ; and every person who shall be in the practice of committing any of the acts last mentioned shall, for every week during which the practice shall be continued, forfeit a further sum not exceeding five hundred rupees.

V. For carrying on the service of the Post Office, it shall be lawful for the Governor General of India in Council to appoint, or to authorize the local Governments to appoint, such Officer or Officers, with such official styles or designations, and to vest them with, and delegate to them such powers not inconsistent with the provisions of this Act, as the said Governor General of India in Council may deem expedient.

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 Appointment
 of Officers.

VI. Wheresoever posts or post communications are, or shall be established by the East India Company, postage, if pre-paid by a stamp or stamps, as hereinafter provided, shall be charged by weight on letters transmitted by the letter post by sea or land, or partly by sea and partly by land, according to the following scale:

Postage rates
 on letters.

On every letter not exceeding a quarter of a tolah in weight six pies.

On every letter exceeding a quarter of a tolah, and not exceeding half a tolah in weight, one anna.

On every letter exceeding half a tolah, but not exceeding one tolah in weight, two annas.

On every letter exceeding one tolah, and not exceeding one tolah and a half in weight, three annas.

On every letter exceeding one tolah and a half, and not exceeding two tolahs in weight, four annas.

And for every tolah in weight above two tolahs, two additional annas; and every fraction of a tolah above two tolahs shall be charged as one additional tolah.

Every packet or other article transmitted by the letter post shall be deemed a letter within the meaning of this Section, unless it be a packet or other article on which a different rate of postage shall be chargeable under this Act.

The rates of postage specified in this and the following Section may be charged on all letters or other articles which shall pass through any Post Office, provided that such postage shall not be charged on letters or other articles received

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through Her Majesty's Mails, when such letters or articles are delivered at the place of receipt; nor on any letter or article transmitted by Her Majesty's Mails, when posted at the place of despatch of such Mails; nor on any newspaper received by sea otherwise than through the East India Company's post and delivered at the place of receipt; nor on any newspaper posted for despatch by sea or otherwise than through the East India Company's post, when posted at the place of despatch.

Postage rates
on newspapers
&c.

VII. Wheresoever posts or post communications are, or shall be established by the East India Company, postage on newspapers, pamphlets, and other printed or engraved papers transmitted by the letter post by sea or land, or partly by sea and partly by land, shall be charged by weight according to the following scale :

1. On every important newspaper, pamphlet, or other printed or engraved paper—

If the same shall not exceed six tolahs in weight, two annas.

If the same shall exceed six, but shall not exceed twelve tolahs in weight, four annas.

If the same shall exceed twelve tolahs in weight, there shall be charged and taken two additional annas for every six tolahs in weight above twelve tolahs; and every fraction of six tolahs above twelve tolahs shall be charged as six additional tolahs.

2. On every newspaper, pamphlet or other printed or engraved paper not imported—

If the same shall not exceed three and a half tolahs in weight two annas.

If the same shall exceed three and a half tolahs, and not exceed six tolahs in weight, four annas.

If the same shall exceed six tolahs in weight, there shall be charged and taken two additional annas for every three tolahs in weight above six tolahs; and every fraction of three tolahs above six tolahs in weight shall be charged as three additional tolahs.

An extra or supplement to any newspaper, bearing the same date as the newspaper and transmitted therewith under the same cover, shall be deemed part of the newspaper.

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Nothing contained in this Act shall be construed to oblige any person to send any newspaper, pamphlet, or other printed or engraved paper through the Post Office, but it shall be lawful for all persons to send the same in any other manner.

VIII. A newspaper, pamphlet, or other printed or engraved paper shall not be sent by the letter post at the rates prescribed in the preceding Section, unless the following conditions be observed, that is to say :

Newspapers,
&c., how to be
sent by post.

1. It shall be without a cover, or in a short cover open at both ends.

2. There shall be no word printed on such newspaper pamphlet, or other printed or engraved paper after its publication, or upon the cover thereof, nor any writing or mark upon it, or upon the cover of it, except the name and address of the person to whom it is sent, and the name and address of the sender.

3. There shall be no paper or thing enclosed in or with any such newspaper, pamphlet, or other printed or engraved paper.

IX. Any newspaper, pamphlet, or other printed or engraved paper sent by the letter post, in respect of which the above conditions shall not be observed, shall together with any thing enclosed in or with the same, be charged with postage at the rate which would be charged on an unstamped letter of equal weight.

When to be
charged with
letter postage.

X. Proof sheets marked as such may be sent by the letter post at the rates prescribed for newspapers, provided the contents be correctly certified on the cover by the signature in full of the sender, otherwise the same shall be charged with postage at the rate which would be charged on an unstamped letter of equal weight.

Proof sheets.

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Inland banghy postage.

XI. Inland banghy postage shall be charged by weight and distance, on parcels sent by the banghy post, according to the following scale :

FOR DISTANCES.		IF NOT EXCEEDING IN WEIGHT.						
		20 Tolabs.	100 Tolabs.	200 Tolabs.	300 Tolabs.	400 Tolabs.	500 Tolabs.	600 Tolabs.
	Miles.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.
Not exceeding,..	100	0 2	0 4	0 8	0 12	1 0	1 4	1 8
Not exceeding,..	300	0 6	0 12	1 8	2 4	3 0	3 12	4 8
Not exceeding,..	600	0 12	1 8	3 0	4 8	6 0	7 8	9 0
Not exceeding,..	900	1 2	2 4	4 8	6 12	9 0	11 4	13 8
Not exceeding,..	1200	1 8	3 0	6 0	9 0	12 0	15 0	18 0
Exceeding, ..	1200	1 14	3 12	7 8	11 4	15 0	18 12	22 8

Provided that several letters shall not be enclosed in a banghy parcel under a penalty not exceeding fifty rupees, and letter postage shall be chargeable on every letter contained therein.

Books, pamphlets, &c.

XII. Books, pamphlets, packets of newspapers, and of printed or engraved papers other than newspapers, provided they do not exceed one hundred and twenty tolabs in weight, and be sent without covers, or packed in short covers open at both ends, and provided the postage thereon be pre-paid by means of a proper stamp or stamps to be affixed thereon as hereinafter provided, shall, if sent by the banghy post, or by sea as banghy parcels, or partly by the banghy post and partly by sea be charged with the following rates of postage, without reference to the distance to which they may be carried :

If not exceeding twenty tolabs in weight, one anna.

If exceeding twenty tolabs, but not exceeding forty tolabs in weight, two annas.

And for every twenty tolabs in weight above forty tolabs, there shall be charged and taken one additional anna ; and

every fraction of twenty tolahs above forty tolahs shall be charged as twenty additional tolahs.

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If any such book, pamphlet, or packet exceed one hundred and twenty tolahs, or if the postage chargeable thereon be not pre-paid as aforesaid, it shall be subject to the rate of postage prescribed for banghy parcels in the preceding Section of this Act.

XIII. Banghy postage, when chargeable by distance under Section XI., shall be calculated and charged according to a Polymetrical Table of Distances, showing, as accurately as practicable, the distance by the nearest road between every two Post Office Stations in India, which Table shall be prepared by order of the Governor General of India in Council and corrected from time to time as need be. Each Post Master General shall prepare from the aforesaid Polymetrical Table, in the English and Vernacular languages, for the use of every Post Office under his control, a list of all the other Post Offices of India, arranged alphabetically and showing the distance of each of them from the Post Office for the use of which it is made; and such list shall be affixed in some conspicuous place in such Post Office.

Table of Distances.

XIV. Where there is a banghy post established on any line of road, no letter or other article exceeding twelve tolahs in weight shall be conveyed by the letter post on that line of road, except in such cases and under such restrictions as the Governor General of India in Council may direct; and every letter or other article not exceeding twelve tolahs in weight shall be conveyed by the letter post, unless expressly directed to be sent by the banghy post.

Limitation of weight of letters where there is a banghy post.

XV. Where there is no banghy post established on any line of road, letters, parcels, and packets exceeding twelve tolahs, and not exceeding forty tolahs in weight, shall be received and transmitted by the letter post. Letters shall be charged according to the scale in Section VI., and newspa-

Where there is no banghy post.

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Letters and other articles exceeding twelve tolahs, but not exceeding forty tolahs.

Certificate.

Parcels exceeding forty tolahs.

Where banghy parcels and letter mails are conveyed in the same carriage.

Ship postage on parcels.

pers, pamphlets, and other printed or engraved papers according to the scale in Section VII. of this Act, as the case may be; parcels and packets shall be charged with banghy postage according to the scale in Section XI. or Section XII. of this Act, as the case may be, if it be certified in writing on such parcel or packet, under the full signature and address of the sender, that it does not contain any letter or other written communication, or any newspaper, pamphlet, or other printed or engraved paper. If any such certificate be false, any such thing contained in such certified letter or other article shall be charged with postage according to the rates specified in Section VI. or Section VII. of this Act as if sent separately, and the sender will be subject to the penalty hereinafter provided. Parcels exceeding forty tolahs, and not exceeding six hundred tolahs in weight, shall be transmitted along any such line as banghy parcels; but it shall be in the discretion of the Post Master or Deputy Post Master, to whom such parcels are brought for despatch, to forward them at such times and in such manner as may be convenient.

XVI. Whenever the Post Master General of any Presidency shall have notified in the *Official Gazette*, that the banghy post is conveyed in the same carriage with the letter post along any line of road, it shall not be lawful to send by the banghy post any letter or written communication of less weight than twelve tolahs, or any packet of newspapers; and every person who shall knowingly send by the banghy post, along any such line of road, any such letter, written communication, or newspaper enclosed in in a parcel, shall forfeit for every such offence a sum not exceeding fifty rupees, and postage shall be charged for every such letter, packet, or newspaper, as if sent separately by the letter post.

XVII. On all parcels chargeable under Section XI. with banghy postage according to distance when conveyed by land, ship postage shall be charged when they are conveyed by

means of the East India Company's post by sea according to the following scale, viz. :

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On every parcel not exceeding one hundred tolahs in weight, eight annas.

And for every hundred tolahs in weight above one hundred tolahs, eight additional annas ; and every fraction of one hundred tolahs above one hundred tolahs shall be charged as one hundred additional tolahs ; and if such parcel be conveyed by the East India Company's post, partly by banghy and partly by sea, ship postage shall be charged in addition to inland banghy postage.

XVIII. No parcel exceeding six hundred tolahs in weight or three feet in length, or one foot in breadth, or one foot in depth, or two thousand five hundred and ninety-two cubic inches in bulk, shall be received at any Post Office for despatch either by ship or steam-boat, or by banghy post, except in such cases and under such restrictions as the Governor General of India in Council shall direct. On parcels exceeding six hundred tolahs in weight, when so forwarded, there shall be charged and taken an additional single rate of banghy postage according to distance for every hundred tolahs above six hundred tolahs ; and every fraction of one hundred tolahs above six hundred tolahs shall be charged as one hundred additional tolahs.

Limitation of weight and dimensions of parcels-

XIX. Letters and newspapers posted for despatch, either by Her Majesty's Mails or otherwise to Ceylon, or to any place to which a post communication shall not have been established by the East India Company, upon which the full amount of postage chargeable under this Act has not been pre-paid by a postage stamp or stamps, shall not be despatched, but shall be dealt with as unclaimed letters are hereinafter directed to be dealt with. No parcel shall be received for despatch as above to any such place, unless the full amount of postage chargeable thereon shall be pre-paid in money or by a

Ship and inland postage on foreign covers must be pre-paid.

APP. N.

postage stamp or stamps. Provided that nothing in this Section shall be construed to require the pre-payment of British postage on letters, parcels, or other articles, upon which the pre-payment of such postage has been left optional by Her Majesty's Post Master General.

Postage on letters, &c., not pre-paid.

XX. Subject to any alteration which may be made by virtue of the power hereinafter vested in the Governor General of India in Council, letters posted for despatch, either by sea or land, to any place to which a post communication is, or shall be established by the East India Company, upon which the postage chargeable under Section VI. of this Act has not been pre-paid by a postage stamp or stamps, shall be forwarded to their destination, and upon every such letter double postage shall be charged on delivery. Newspapers, pamphlets and other printed and engraved papers so posted, not pre-paid by a postage stamp or stamps, shall be forwarded to their destination and the postage chargeable on them shall be levied on delivery: but no money shall be received at any Post Office in pre-payment of postage on any letter, Newspaper, pamphlet, or other printed or engraved paper so posted. On parcels so posted, the postage chargeable according to Section XI. or Section XVII. may be pre-paid in money or by a postage stamp or stamps: when not pre-paid, they shall be forwarded to their destination, and the postage thereon shall be levied on delivery.

Governor General in Council may direct pre-payment of postage in all cases.

XXI. It shall be lawful for the Governor General of India in Council at any time to direct that all or any letters, packets, parcels, or other articles shall not be forwarded by post, unless the postage thereof shall be pre-paid by means of a proper stamp or stamps; or that on all or any letters packets, parcels or other articles on which the postage shall not be pre-paid by a stamp or stamps, or otherwise, as the said Governor General in Council shall direct, there shall be charged such higher rates of postage as from time to time may be deemed

expedient, not exceeding double the rate of postage hereinbefore specified.

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XXII. If any letter be posted, having affixed thereto a postage stamp or stamps, the value of which shall be less than the rate of postage to which such letter would be liable if duly and properly stamped when posted, there shall be charged on such letter a postage of double the amount of the difference between the value of the stamp affixed thereto and the postage to which such letter would be liable as aforesaid if duly and properly posted. If any parcel newspaper, pamphlet, or other printed or engraved paper shall be so posted, having affixed thereto any such stamp or stamps, the value of which shall be less than the rate of postage to which the same would be otherwise liable under this Act, there shall be charged thereon a postage equal to the amount of the difference between the value of the stamp or stamps affixed thereto, and the postage to which such parcel, newspaper, pamphlet or other printed or engraved paper shall be otherwise liable, as aforesaid.

Letters, &c., with insufficient stamps, how charged.

XXIII. On every letter or packet, which shall be re-directed and forwarded by the letter post, from any place to which it shall have been conveyed by the letter post, there shall be charged for the postage thereof from the place at which the same shall be re-directed, in addition to all other postage paid or due thereon, the rate of postage to which it would be liable, if posted and pre-paid by stamp at the place where it shall be re-directed.

Re-directed letters.

XXIV. No person shall knowingly post, or send, or tender, or deliver in order to be sent by the post, any letter, parcel, or packet containing any explosive or other dangerous material or substance; and any person contravening this prohibition shall forfeit for every such offence a sum not exceeding two hundred rupees.

No dangerous substance to be sent by post.

XXV. It shall be lawful for the Governor General of

Governor

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General of India in Council may alter the rates of postage.

India in Council at any time to authorize the levy of postage at rates different from those prescribed in this Act, provided there be no increase made thereby in any particular of the rates so prescribed, except as provided in Section XXI. of this Act.

Letters and packets once put into the Post Office.

XXVI. No person having delivered into any Post Office any letter, parcel, or packet shall be entitled to recall the same: but nothing in this Section shall prevent the re-delivery of any such letter, parcel, or packet to the sender thereof, subject to such rules and regulations, if any, as the Governor General of India in Council may direct; but newspapers, pamphlets, or other printed or engraved papers may be so re-called or restored, provided that the person claiming the same shall satisfy the Officer in charge of the Post Office that he was the sender thereof, and provided the amount of postage which would have been due thereon, if the same had been forwarded, be paid.

Steam postage.

XXVII. The postage charged on letters and packets by Her Majesty's Post Master General, under the name of Steamer or British packet postage, or by any other denomination, shall, after the rates of such postage have been published in the official *Gazette* of any Presidency, be recovered in the same manner as postage chargeable under this Act.

Postage stamps

XXVIII. All letters and other articles, having a stamp or stamps affixed thereto, (such stamp or stamps in every case being affixed on the outside and being equal in value to the rate or rates of postage to which such letters or articles are liable under this Act,) shall, provided the stamp or stamps shall not have been used before, be considered as pre-paid.

How to be provided.

XXIX. The Governor General of India in Council shall cause postage stamps to be provided, denoting such values as the said Governor General of India in Council may direct, and shall give such orders, and make such other regulations relative thereto, as may be deemed expedient.

XXX. Postage stamps provided as aforesaid shall be under the care and management of such Officer or Officers as the Governor General of India in Council shall direct; and all sums of money realized by the sale of postage stamps shall be carried in the public accounts to the credit of the Post Office.

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Postage stamps to be under management of any Officer to be appointed

XXXI. The Governor General of India in Council may make rules for the appointment and government of vendors of postage stamps, and thereby direct how and under what terms and conditions postage stamps may be supplied to them for sale; and whether any and what security shall be given by such vendors, and whether any and what remuneration or discount shall be allowed to them; and how and in what manner and at what time or times such vendors shall keep and render their accounts and pay over the proceeds of any sales made by them or re-deliver the stamps entrusted to them.

Vendors of postage stamps to be appointed.

XXXII. Government vendors of postage stamps shall be bound by such rules, and in case of any wilful breach thereof, shall be liable to a penalty not exceeding two hundred rupees, in addition to any other proceedings to which they may be liable.

Vendors to be bound by rules.

XXXIII. Any Government vendor of postage stamps, who shall be convicted of refusing or unnecessarily delaying, without reasonable excuse, to furnish postage stamps to any person desiring to purchase the same, and tendering in lawful currency the full value thereof, (the stamp vendor having in his possession for sale sufficient stamps of the description and value required,) shall be subject to a fine not exceeding one hundred rupees.

Penalty of vendor refusing to supply stamps.

XXXIV. Any Government vendor of postage stamps convicted of taking from a purchaser a higher price than the value denoted on the stamps sold, shall be deemed guilty of extortion, and shall be punished on conviction, with imprisonment, with or without hard labour, for any term not exceeding six months,

Penalty of vendor selling stamps for higher price than the value denoted there-by.

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or to a fine not exceeding one hundred rupees, and shall also be liable to refund to the purchaser the whole amount proved to have been taken in excess, which amount may be recovered by such purchaser before a Magistrate in the same manner as any penalty under this Act.

Penalties for
forging stamps,
&c.

XXXV. Clause 1.—If any person shall forge or counterfeit, or cause or procure to be forged or counterfeited, any die, plate, or other instrument used for the purpose of making postage stamps; or if any person shall forge or imitate, or cause to be forged or imitated, any postage stamp; or if any person shall knowingly, and without lawful excuse (the proof of which excuse shall lie on the person accused,) have in his possession any false, forged or counterfeited die, plate, or other instrument resembling, or intended to resemble, either wholly or in part, any die, plate, or instrument used for the purpose aforesaid; or if any person shall stamp or mark any paper or other substance with any such false, forged or counterfeit die, plate, or instrument as aforesaid; or if any person shall knowingly use, utter, sell, or expose for sale, or shall knowingly and without lawful excuse (the proof of which excuse shall lie on the person accused) have in his possession any paper or other substance having thereon the impression of any such false, forged, or counterfeit die, plate, or other instrument as aforesaid; or having thereon any counterfeit stamp resembling, or intended to resemble, or to be mistaken for a postage stamp, such person so offending, and every person knowingly aiding, abetting, or assisting such person in committing any such offence, shall be punished with imprisonment, with or without hard labour, for a term not exceeding seven years, and shall also be liable to fine.

Forged
stamps may be
seized.

Clause 2.—Any Officer of Police may seize and transmit to the Magistrate any such forged or counterfeit die, plate, or other instrument, or any such forged or counterfeit postage stamp.

Clause 3.—Any Officer of Police having power by law to search for stolen property may, subject to the provisions under which he is empowered to make such search, proceed to search houses or other places in which there may be reasonable cause to suspect that there is any such forged or counterfeit article, and shall seize and transmit to the Magistrate any such counterfeit article that may be found therein.

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And searched for.

XXXVI. If any person shall fraudulently remove any postage stamp from any letter or other thing to which such stamp shall have been affixed; or if any person shall knowingly use any such stamp or stamps so fraudulently removed or if any person shall fraudulently erase or remove, from any such stamp or stamps, any writing or other matter or thing thereon written or impressed, every person so offending shall forfeit a sum not exceeding two hundred rupees for every such offence.

Penalties for evading postage stamp duties.

XXXVII. The person to whom any letter or other article, the postage of which has not been paid, shall be delivered, shall not be bound to pay the postage if he forthwith return the same unopened; but if he open the same he shall be bound to pay the postage due thereon. If he forthwith return the same unopened, the sender of the letter or packet shall be bound to pay the postage thereof. If any person shall refuse to pay any postage which he is legally bound to pay for any letter or other article, the same may be recovered for the use of the East India Company by any Post Master General or by any Officer in charge of a Post Office, by order of a Post Master General in the same manner as a fine may be recovered under this Act; and it shall be lawful for the Officer in charge of any Post Office to withhold from the person so refusing, until such postage be paid, any other letter or packet addressed to that person, not being superscribed as on the public service. Provided always, that if a letter or other article shall appear to the satisfaction of the Post Master of the

Postage on under paid letters, &c., to be paid by the receiver.

APP. N. Office of delivery to have been maliciously sent for the purpose of annoying the person to whom it is addressed, the Post Master of the delivery Office may remit the postage.

Registered letters.

XXXVIII. Any person posting a letter or other article shall be entitled to require that it shall be registered at the receiving Post Office, and that a receipt shall be granted for such registered letter or article, and it shall be lawful for the Governor General in Council to direct, that, in addition to any rates of postage payable under this Act, a fee not exceeding four annas shall be charged on any letter or other article which the sender thereof shall require to be so registered, and such registration fee shall be paid on the letter or other article being delivered at the Post Office.

Expresses.

XXXIX. It shall be lawful for the Governor General of India in Council to fix and order any rate of postage to be charged for the conveyance of letters or other articles by express in addition to or instead of any other rates of postage chargeable on such letters and articles under this Act.

Commanders of inward bound vessels carrying mails, how to proceed.

Penalty.

XL. When any vessel arrives by sea at any place within the territories under the Government of the East India Company at which there is a Post Office, the Commander of such vessel shall, as speedily as possible, cause every letter and packet on board of such vessel, which is directed to that place, and not excepted from the exclusive privilege of the Post Office, to be delivered either at the Post Office or to some Officer of the Post Office authorized to receive the same; and if there be on board any letter or packet directed to any other place, and not excepted from the exclusive privilege aforesaid, the said Commander shall, as speedily as possible, report the same to the Post Master of the place at which he has arrived, and shall act according to the directions he may receive from such Post Master, and the receipt of such Post Master shall discharge such Commander from all responsibility in respect of such letter or packet.

Every Commander of a vessel who shall wilfully disobey any of the directions contained in this Section, shall be punished with a fine not exceeding one thousand rupees.

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XXI. Every person being either the Commander of a vessel inward-bound, or any one on board such vessel, who shall, within the said territories, knowingly have in his possession any letter not excepted from the privilege of the Post Office, after any part of the letters on board the said vessel shall have been sent to the Post Office, shall forfeit for every such letter a sum not exceeding fifty rupees whether the letter be in the baggage or on the person of the offender or otherwise in his custody; and every such person who shall detain any such letter after demand made for the same by an officer of the Post Office shall forfeit for every such letter a sum not exceeding one hundred rupees.

Detention of letters on board prohibited.

XXII. For every letter delivered by the Commander of any ship in conformity with the directions of Section XL. of this Act, the Officer in charge of the Post Office shall pay to the said Commander the sum of one anna; and the sum of one anna shall be chargeable as postage on such letter in addition to any other postage chargeable thereon under this Act. Provided that no payment shall be made to the Commander of any vessel on account of the delivery of any letter, unless the claim of such Commander shall be preferred before the vessel leaves the place at which the letter was delivered, or before the expiration of two months from the date of the arrival of such vessel. Provided also, that nothing contained in Sections XL., XXI. and XXII. of this Act shall extend to any letter or packet conveyed by Her Majesty's Mails.

Bounty money.

XXIII. The Commander of every vessel leaving any place in the said territories by sea shall receive on board of such vessel every letter and packet which he shall be required so to receive by any Officer of the Post Office, and shall give

Commanders of outward bound vessels to receive mails on board.

APP. N. a receipt for such letter or packet ; and every Commander of a vessel who shall wilfully disobey any direction contained in this Section shall be punished with a fine not exceeding one thousand rupees.

Unclaimed letters, &c.

XLIV. Clause 1.—A list of all letters, packets and parcels posted and addressed to persons who cannot be found, shall be prepared daily in every Post Office and exposed for not less than two weeks in the most conspicuous part of such Office ; and all such letters, packets and parcels, which shall have remained three weeks unclaimed in any Office, shall, if the sender's name and address are written on the cover, be returned to the Posting Office to be delivered to the sender free of all charge ; all letters, packets, and parcels, of which the sender's name and address cannot be ascertained, unless they be opened, shall, after remaining unclaimed for three weeks as above, be forwarded to the Office of the Post Master General of the Presidency.

To be opened, &c.

Clause 2.—The Post Master General, or some person duly appointed for the purpose and bound to secrecy, shall immediately open all such letters, packets, or parcels, and if the address of the sender can be discovered, shall enclose them in dead letter covers and return them to the sender. All letters, packets, and parcels, of which neither the person addressed nor the sender can be found, shall, after they have remained unclaimed in the Office of the Post Master General for one year, be destroyed.

Money, &c., found therein.

Clause 3.—All money found in any unclaimed letter, packet, or parcel shall be paid into the Public Treasury, and all other valuable property found as above shall be sold by the Post Master General of the Presidency, or by some one duly authorized by him for that purpose, and the proceeds of the sale shall be paid into the Public Treasury for the benefit of any person who may have a right thereto, after deducting all sums due from such person for postage.

XLV. Letters, parcels, or packets rejected unopened by the person to whom they are addressed shall be forthwith sent to the Office of the Post Master General of the Presidency, who shall open the letter, parcel, or packet, and take measures to recover the postage from the sender, or shall, at his discretion, destroy the letter, parcel, or packet; and all money, or other valuable property, which such letter, parcel, or packet may contain shall be disposed of in the manner prescribed in the preceding Section, with respect to such money or property contained in unclaimed letters.

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Refused letters, &c.

XLVI. On and after the passing of this Act, the privilege of sending and receiving letters and packets by the post, free of postage, whether official or otherwise, shall wholly cease; and all letters and packets, to which any such privilege now extends, shall henceforth be charged with the same rates of postage as any other letters sent by the post. Provided that letters and packets on the public service, certified to be such by the signature of any public officer, authorized in that behalf by the Governor General of India in Council, shall be forwarded by the post as if they were duly stamped, and the postage due thereon shall be charged to the several public departments, from which such letters or packets are sent, in such manner as the said Governor General of India in Council shall direct.

Franking abolished.

Letters on the public service duly certified as such, how to be charged.

XLVII. Every person who shall, for the purpose of defrauding the Post Office Revenue, wilfully certify, by writing, on any official or other letter or packet, delivered at any Post Office for conveyance by post, that which is not true in respect of such letter or packet, or in respect of the whole of its contents, or shall knowingly send, or deliver, or attempt to send or deliver, for conveyance by post, any letter or packet with any such false certificate thereon; and every person who shall knowingly send, or permit to be sent by post, under color or pretence of an official communica-

Penalty for false certificate.

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tion, any letter, paper, writing, or other enclosure of a private nature; and every person who shall aid, abet, or conceal any of the offences in this Section above-mentioned, shall, for every such offence, forfeit a sum not exceeding five hundred rupees.

Letters, &c., suspected to contain contraband articles, or writing in contravention, of this Act, how to be dealt with.

XLVIII. If any Officer in charge of a Post Office shall suspect that any letter, parcel, or packet, lying for delivery at his Office, contains any contraband article, or any article on which duty is owing to Government, or that any letter, parcel, or packet lying for delivery at the Post Office, contains any writing or enclosure in contravention of the provisions of Sections VIII., XV., XVI., or XLVII., of this Act, it shall be lawful for such Officer to summon the person to whom the letter, parcel, or packet, is directed, to attend at the Post Office by himself or agent, within forty-eight hours after the arrival thereof at the Post Office, and to open the same in the presence of the person to whom it is directed, or of that person's agent, and if that person shall not so attend by himself or agent, then to open it in the absence of that person. Provided that if the Officer in charge be under the rank of a Post Master, he shall call in two respectable persons as witnesses before he shall open a letter, parcel or packet in the absence of the person to whom it is addressed. Provided also, that in all cases the opened letter, parcel, or packet shall be subsequently delivered to the person to whom it is addressed, unless it be required for ulterior proceedings, and that the opening of the same and the circumstances connected therewith shall be immediately reported to the Post Master General. It shall also be lawful for any Officer in charge of a Post Office to refuse to forward any parcel or packet through the Post Office by sea to any foreign port or to any place not on the continent of India, unless such parcel be accompanied by a Custom House Pass.

Government XLIX. The Government shall not be responsible for any

loss or damage which may occur in respect of any thing entrusted to the Post Office for conveyance, and no person employed by the Government in the Post Office Department shall be responsible for any such loss or damage unless that person shall cause such loss* or damage negligently, maliciously, or fraudulently.

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not responsible for loss.

L. Whoever being in the employ of the Government in the Post Office Department shall fraudulently secrete, make away with, or appropriate any letter, parcel, or packet which may have been entrusted to him, or anything contained in any such letter, parcel or packet, or shall mutilate or break open any such letter, parcel or packet, or any banghy parcel or box, with the intention of fraudulently appropriating any thing therein contained, shall be punished with imprisonment, with or without hard labour, for a term not exceeding seven years, and shall also be liable to a fine.

Penalty for secreting, opening, or making away with letters, &c., by person employed in the Post Office.

LI. It shall not be lawful for any person unless acting by express order of the Government, to detain, except for a criminal offence, a Post Office messenger whilst carrying the mails, or to detain any carriage or horse upon which the mails are being carried, or on any pretence to open a packet in transit from one Post Office to another; and every person who shall be guilty of any of the above-mentioned offences shall be punished with a fine not exceeding five hundred rupees.

Penalty for detaining mails.

LII. Every person who shall fraudulently retain, or willfully secrete, or make away with, or keep or detain, or, being required to deliver up by an Officer of the Post Office, shall neglect or refuse to deliver up a post letter or other article which ought to have been delivered to any other person, or a post letter bag containing a letter or other article or packet which shall have been sent by the post, shall be punished, on conviction, before a Magistrate, with imprisonment, with or without hard labour, for a term not exceeding two years, and shall also be liable to a fine.

Penalty for retaining letters, &c., delivered by mistake.

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Penalty for neglect on the part of persons employed to carry mails.

LIII. Every person employed to convey or deliver any post-bag or any letter, parcel packet sent by post, who shall be guilty while so employed of any act of drunkenness, carelessness or other misconduct whereby the safety of any such bag or letter, parcel or packet, shall be endangered; or who shall loiter or make delay in the conveyance or delivery of any such bag, letter, parcel, or packet; or who shall not use proper care and diligence safely to convey or deliver any such bag, letter, parcel, or packet, shall be liable to a fine not exceeding fifty rupees; and any person employed to deliver a letter, parcel, or packet sent by the post, who shall not duly deliver the same, shall, within a reasonable time, not exceeding twenty-four hours, report the fact at the Post Office where he received such letter, parcel, or packet, and return the same; and if any such person shall wilfully make a false report, he shall be liable to a fine not exceeding fifty rupees.

Penalty for embezzlement by persons employed in the Post Office.

LIV. Whoever being in the employ of the Government in the Post Office Department, and being entrusted to receive money for postage duty or any other public purpose, shall fraudulently appropriate the same, shall be punished, on conviction before a Magistrate, with imprisonment, with or without hard labour, for a term not exceeding two years, and shall also be liable to a fine.

Penalty for fraudulently altering marks on letters &c., by persons employed in the Post Office.

LV. Whoever being in such employ as is described in Section LIV. shall fraudulently put any wrong mark on any letter, parcel, or packet, or shall fraudulently alter, remove, or cause to disappear, any mark or stamp which is on any letter or packet, or shall fraudulently use or place with or upon any letter or packet any stamp which shall have been removed from any other letter or cover, or shall aid, abet, or conceal any of the above-named acts, shall be punished, on conviction before a Magistrate, with imprisonment, with or

without hard labour, for a term not exceeding two years, and shall also be liable to fine.

LVI. Whoever being in such employ as is described in Section LIV; and being entrusted with the preparing or keeping of any document, shall, with a fraudulent intention, prepare that document incorrectly, or alter that document, or shall aid, abet, or conceal any of the above-named acts, or secrete or destroy that document, shall be punished, on conviction before a Magistrate, with imprisonment, with or without hard labour, for a term not exceeding two years, and shall also be liable to fine.

LVII. Whoever being in such employ as is described in Section LIV; shall send by the post, or put into any post-bag, any unstamped letter, parcel, or packet, upon which postage has been paid or charged in the manner prescribed in this Act, intending thereby to defraud the Government of the postage on such letter, parcel, or packet, or shall aid, abet, or conceal any such acts, shall be punished, on conviction before a Magistrate, with imprisonment, with or without hard labour, for a term not exceeding two years, and shall also be liable to fine.

LVIII. Any person, whether a European British subject or not, who shall be guilty of any offence for which, according to the provisions of this Act, he shall be liable to a fine only, shall be punishable, for such offence, by any Justice of the Peace for any of the Presidency Towns of Calcutta, Madras and Bombay, Magistrate, Joint Magistrate, or person lawfully exercising the powers of Magistrate; and any person hereby made punishable by a Justice of the Peace shall be punishable upon summary conviction.

LIX. No conviction, order, or judgment of any Justice of the Peace shall be quashed for error of form or procedure, but only on the merits, and it shall not be necessary to state on the face of the conviction, order or judgment, the evidence on which it proceeds, but the depositions taken, or a copy of

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Penalty for incorrectly preparing documents, or secreting documents by persons employed in the Post Office.

Penalty for sending letters without charging postage, by persons employed as above.

Fines how to be recovered.

Conviction to be quashed on merits only. Form of conviction, &c.

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them, shall be returned with the conviction, order, or judgment, in obedience to any writ of *certiorari*, and if no jurisdiction appears on the face of the conviction, order, or judgment, but the depositions taken supply that defect, the conviction order, or judgment shall be aided by what so appears, in such depositions.

Magistrate
may refer
charge to his
Assistant.

LX. A Magistrate may refer for trial and decision any charge of an offence hereby made punishable by fine only to any of his Assistants, or to any Deputy Magistrate lawfully appointed to exercise the powers of a Covenanted Assistant, and in such case every such Assistant or Deputy Magistrate may exercise all the powers vested in a Magistrate, subject to all the rules applicable to criminal cases deputed to such Assistants or Magistrates acting judicially.

Government
may authorise
Assistants and
Deputy Magis-
trates to exer-
cise certain
powers.

LXI. The local Government may give general authority to any such Assistant or Deputy Magistrate to exercise, without reference by a Magistrate, any of the powers which they are hereby rendered competent to exercise upon reference by a Magistrate, subject to appeal to the Magistrate from any conviction by such Assistant or Deputy Magistrate, within one month from the date of the conviction. Provided that a Magistrate may at any time call from any of his Assistants, or from any Deputy Magistrate subordinate to him, any case pending before such Assistant or Deputy Magistrate.

Fines how
levied.

LXII. All fines imposed under the authority of this Act, for offences punishable by fine only, by any Justice of the Peace, Magistrate, Joint Magistrate, or person lawfully exercising the powers of a Magistrate, or by any Assistant to a Magistrate or Deputy Magistrate, may in case of non-payment thereof, be levied by distress and sale of the goods and chattels of the offender, by warrant under the hand of any of the above-named Officers, and in case any such fine shall not be forthwith paid, any such Officer may order the offender to be apprehended and detained in safe custody until the

return can be conveniently made to such warrant of distress, unless such party shall give security to the satisfaction of such Officer for his appearance at such place and time as shall be appointed for the return of the warrant of distress, and such Officer may take such security by way of recognizance or otherwise; and if upon the return of such warrant, it shall appear that no sufficient distress can be had whereon to levy such fine, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of such Officer, by the confession of the party or otherwise, that he has not sufficient goods and chattels whereupon such fine or sum of money could be levied if a warrant of distress were issued, any such Officer, by warrant under his hand, may commit the offender to prison, there to be imprisoned only, or to be imprisoned and kept to hard labour, according to the discretion of such Officer, for any term not exceeding two calendar months, where the amount of the fine shall not exceed fifty rupees, and for any term not exceeding four calendar months where the amount shall not exceed one hundred rupees, and for any term not exceeding six calendar months in any other case: the commitment to be determinable in each of the cases aforesaid on payment of the amount.

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Imprisonment if no sufficient distress, &c.

LXIII. A share not exceeding one moiety of every fine imposed and recovered under this Act may be awarded to the informer.

Moiety of fines to Informer.

LXIV. No proceedings shall be taken for the recovery of any such fine without an order of Government, or an order in writing of the Director General of the Post Office, or of a Post Master General.

No proceedings to be taken without an order.

LXV. If any servant of the East India Company, who shall be employed by the said Company in the Post Office Department, or shall be appointed a vendor of postage stamps, or entrusted by the said Company or any of the said local Governments with the sale of postage stamps within the do-

Servants of East India Company committing offences in Foreign States in alliance.

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and the following Rules and Orders shall be substituted for the same, to be in force at all Post Office Stations in any of the Presidencies, Settlements, or Possessions of the East India Company, and to take effect from the above-mentioned date.

Receipt of letters, &c. for despatch by land or sea.

II. Letters, papers and parcels shall be received at every Post Office, for despatch by land or sea, to every part of India, to Ceylon, and to every other part of the world with which there is a Post Office communication. Unless specially super-scribed for first despatch by land or by sea, or by some particular ship, they shall be sent by such route as shall appear to the Post Master to afford the means of most speedy and secure transmission. Letters and papers not exceeding 12 tolahs in weight shall also be received at every receiving House or other place which the Post Master General may appoint. Letters, papers and parcels shall likewise be received for despatch by post as above at every thannah or District Dawk Office.

Receipt of letters for Foreign countries via Great Britain or Ireland,

III. Letters, papers or parcels required to be transmitted *via* Great Britain or Ireland to foreign countries must, unless the pro- payment of postage from the United Kingdom to such countries be optional, be addressed to the care of an agent or other person in the United Kingdom, by whom the foreign postage demand- able at the London General or other Post Office may be paid. Such postage cannot be received in this country, and unless it be paid through an agent as above described, the letters are liable to be returned to India.

Name of sender of any letter, &c., not to be demand- ed.

IV. The name of the sender of any letter, paper or parcel shall not be demanded in any Post Office, whether the postage be pre-paid or not.

Letters to be received at any station for de- livery at such station.

V. Letters, papers or parcels shall be received at any Presidency or Provincial Post Office, or Receiving House for delivery at the same station, within the ordinary range of delivery.

VI. Parcels exceeding 600 tolahs in weight may be received at the discretion of any Officer in charge of a Post Office for despatch along any line of road on which the banghy parcels are not carried by foot-runners ; but no parcel exceeding 2,000 tolahs in weight shall be received at any Post Office for despatch by banghy or letter mail under any circumstances whatever.

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Limitation as to weight of parcels.

VII. Parcels received by post from seaward, exceeding the maximum weight, which may be sent by banghy post, shall be made over to the Collector of Customs for publication in his lists of Unclaimed Packages.

Parcels received from seaward in excess of maximum weight how to be treated. *

VIII. Newspapers or other printed or engraved papers, packed in open covers, or letters certified to be on the Public Service, respecting any of which there is reason to believe that the provisions of the Post Office Act have been infringed, shall not be detained for examination at the Despatching Office, but shall be forwarded marked "Doubtful." The Post Master receiving such letters, &c., by the mail, shall then be guided by the instructions laid down in Section XLVIII of the Post Office Act ; but unless for the causes specified above, and in Sections XXXVII and XLVIII of the Post Office Act, all Post Office authorities are prohibited from detaining any letter, paper or packet received for delivery by post.

Newspapers, &c., not to be detained for examination, but to be forwarded marked "Doubtful."

IX. All letters, newspapers or other papers and packets received for despatch by post, or banghy post, shall be weighed at the Post Office of despatch, and shall be stamped with the office stamp, and marked single, double, &c., as the case may be ; and all letters, &c., the full postage on which has not been pre-paid by stamps, shall have the postage to which they are severally liable marked on them. Service letters shall never be re-weighed prior to delivery, nor newspapers, except in case of suspicion. Banghy parcels shall in all cases be re-weighed on delivery. The re-weighing of private letters shall be at the discretion of the Officer in charge.

Letters, papers and parcels to be weighed at Office of despatch.

APP. N.

Examination
of Post Office
records not
permitted to
the public.

X. Persons not belonging to the Department shall not be admitted into the interior, nor permitted to examine the records of any Post Office, without the special permission of the Post Master General, to whom, or to the Post Master, applications for information or redress must be made, either in person, or in writing, by the party requiring the same.

Hours of receipt
at Presidency
Post Offices.

XI. At each Presidency Post Office, banghy parcels will be received every day, Sundays excepted, for despatch, from 10 A. M. till 5 P. M., and newspapers and letters every day till 6 P. M., after which hours respectively, they will be received till 7 P. M., on payment of an extra half-rupee each, which shall be credited to Government.

At Receiving
Houses.

XII. At Receiving Houses and places where there are letter boxes, letters, papers and packets not exceeding 12 tolahs in weight will be received daily from 11 A. M. to 4 P. M., or at such other hours as may be determined by the Post Master General, provided that no Receiving House shall remain open for less than five hours daily, and that letter-boxes for letters unpaid and prepaid by stamps be kept open, day and night, except for a quarter of an hour subsequent to the time fixed for the closing of each mail.

At Provincial
Post Offices.

XIII. At Provincial Post Offices, banghy parcels will be received for despatch from 10 A. M. till 4 P. M., and letters and newspapers till 5 P. M., after which hours respectively, they will be received till 5½ P. M., on the sender paying an extra half-rupee each, to be appropriated as provided in Section XI.

Office hours
of reference

XIV. Although all Post Offices will be open for receipt of letters, papers and parcels as above, official references shall be made to Post Office authorities only between the hours of 11 and 5, Sundays excepted.

Delivery of
letters, &c, at
Presidency
Post Offices.

XV. At each Presidency Post Office, there shall be three deliveries daily, the first delivery not to be later than 7, the second at 11 A. M., and the third at 3 P. M., at which hours

respectively, the peons shall quit the Office with the letters &c., entrusted to them. All letters, papers and parcels received from 3 P. M. till 5 A. M. shall be sent out at the first delivery, all from 5 to 10 A. M. at the second delivery, and all from 10 A. M. to 3 P. M. at the third delivery, and mails received after 3 P. M. shall not ordinarily be opened till the following morning, except when received by Express or from seaward.

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XVI. At Provincial Post Offices the delivery of letters, papers and parcels must depend upon the hour of the arrival of the mails at each station, after which they shall be delivered with all possible despatch.

At Provincial Post Offices.

XVII. The delivering peons are prohibited from going out of their usual course to deliver letters, papers or parcels and from delivering them without immediate payment of the exact amount of postage; and they are not bound to give change. Should they be subject to detention, they are not to deliver the letters, papers or parcels, but to return them in the evening to the Post Office for delivery the following day.

Immediate Payment of postage required.

XVIII. Whatever postage is marked on a letter, paper or parcel must be paid at once on delivery, after which any complaint of over-charge will be duly attended to. In all complaints of over-charge or unnecessary delay in delivering letters, papers or parcels, the covers or envelopes bearing the Post Office stamp must be presented for inspection and when any complaints are preferred against any peon, the number on his badge should be specified.

Complaints how to be preferred.

XIX. From each Presidency Post Office the mails shall be despatched daily at 8 P. M. and the banghies as soon after as possible.

Despatch of mails from Presidency Post Offices.

XX. At Provincial Post Offices the packets for all mails to be despatched in the course of the night shall be finally closed at 6 P. M.; but for mails which usually pass in the course of the day, the packets shall be made up half an hour

From Provincial Offices. Provincial Post

APP. N.

before the time appointed for the arrival of such mails, which are in no case to be subjected to any detention beyond the regulated time. Notice of the hour at which such packet is closed shall be hung up outside the Office, both in English and the language of the district, after which hour, letters, papers or parcels received shall not be forwarded till the following day, unless such mails should not arrive until after 6 P. M., in which case a second packet shall be made up.

Letters, &c.
damaged, not
to be received.

XXI. The Post Master at any station, or person in charge of the Office, shall have power to refuse letters, papers or parcels bearing the appearance of having been opened and re-closed, or otherwise improperly dealt with, unless the writer or sender thereof shall attest with his full signature, that they were sent in that state.

Post Offices
not to receive
valuables for
despatch

XXII. In order to protect, as far as possible, the public mails from the chance of robbery, Officers in charge of Post Offices shall not knowingly receive coin, bullion, precious stones or jewels for despatch, either by letter or banghy post.

Post Office
prohibited from
giving change.

XXIII. The servants at the several Post Offices *are prohibited from giving* change to parties sending or receiving letters in any case.

Registered
letters,

XXIV. Letters will be registered on payment of a fee of 4 annas, and parties posting such letters will be furnished with a receipt bearing the address of the letter and the office stamp. The fee must in all cases be paid in money. On the delivery of a registered letter, a receipt for the same must be given to the delivery peon.

Receipts will
not be given
for letters, &c.

XXV. Receipts will not be granted for any letters or papers received at any Post Office for despatch, except in the case of registered letters; and will be granted for parcels only when presented ready written, either in books or on separate slips of paper along with the parcels. Receipts so presented will be duly stamped.

XXVI. On the arrival of any ship or vessel off any British Indian port, a printed notice, under the signature of the Post Master of the port or station, shall be delivered to the Commander by the first boat despatched to board the vessel, according to the requisition of which, the Commander shall proceed to dispose of such packets as he may have on board, as directed by Section XL. of the Post Office Act, a copy of which Clause shall be communicated to the said Commander.

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Notice to arriving vessels for disposal of packets.

XXVII. The Master Attendant of each Presidency port, or such other Officer as may be directed by Government, shall furnish the Post Master with early intimation of the intended departure of all vessels to any part of the world, and the Post Master shall cause a list of the vessels for which packets are open to be published weekly in the official *Gazette* of his own Presidency.

Master Attendant to notify intended departure of all vessels.

Post Master to publish weekly lists.

XXVIII. The Post Master shall also cause to be published weekly, in the official *Gazette* of the Presidency, a notice of the several dates up to which packets have been despatched by each vessel carrying a mail, that may have left the port.

Post Master to publish weekly notice of packets despatched.

XXIX. All public despatches are to be made up in the most compact form possible, and whenever two or more letters are despatched from any one Office to the same individual, by the same day's post, they are to be put up under one cover, provided they do not, in the aggregate, exceed 12 tolahs weight.

Public despatches to be compactly made up.

XXX. When the number of covers received at any Post Office shall cause the weight of the mail to exceed the regulated weight, the Post Master is authorised to keep back a portion of the heavier public despatches and imported newspapers till the following day, but private letters and public letters marked "Despatch" shall not be kept back.

When bulk of mails exceeds regulated weight how to be disposed of.

XXXI. Despatches to be transmitted by Express must bear

Expresses.

APP. N. on the face of them the words "By Express," and the signature in full of the Officer sending them.

Public Officers to employ them sparingly under a penalty.

XXXII. As the employment of Expresses interferes with the celerity and regularity of the ordinary mails, and is attended with expense, public Officers are enjoined to employ them as sparingly as possible, and any public Officer Despatching an Express, when the exigency of the Public service does not, in the opinion of the authority to whom he is subordinate, require it, will be held answerable for the expenses attending that method of transmission. Public Expresses from a presidency Post Office can only be ordered by a Secretary to Government.

Expresses for private persons.

XXXIII. Expresses may be employed by private individuals at the discretion of the Post Master applied to, on payment being made at the rate of 4 annas per mile in advance.

Commanding Officers may receive letters for their own Regiments

XXXIV. Letters directed to Native Officers, or men of their Regiments or Detachments, shall be delivered to an Orderly, or any other fit person, who shall be deputed by the Officer Commanding the Regiment or Detachment to receive the same; but letters on which postage may be due shall not be delivered to such person, unless the postage be first paid.

Letters addressed to public Officers on private affairs to be prepaid by stamps.

XXXV. Letters which individuals address on their private affairs to any Government Officer must be sent pre-paid by stamps; and this rule is to be understood to include letters transmitting Bills of Exchange, Promissory Notes, Receipts, Government Securities, &c., to the Accountant General, Government Agent, or any other public Officer. When public Officers write letters on such subjects to individuals, they shall subscribe on the envelopes, with their official signatures, the words "Bearing Postage."

Postage on letters on Public Service to be charged to the Department

XXXVI. The postage on letters and parcels sent on the Public Service, by the public Officers mentioned in the subjoined lists, shall be charged to the Departments to which

they severally belong; such letters must be addressed according to the subjoined form:—

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to which Officers signing them belong.

<p>ON THE PUBLIC SERVICE ONLY. <i>The Officer Commanding</i> <i>1st Regt. Lt. Cavalry,</i> CAWNPORE.</p> <p>JOHN SMITH, <i>Adjt. Genl.</i></p>
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Form of Address.

The signature and designation of the Officer signing the same being written in full.

LIST NO. I.

Parties authorised to send by post (without actual payment of postage) all letters, packets or parcels, *bond file* and exclusively on the Public Service, the same to be certified on each letter in the form above described:—

Civil.

- Her Majesty's Principal Secretaries of State.
- President and Secretaries of the Board of Control.
- Chairman and Deputy Chairman of the East India Company.
- Secretary, Deputy Secretary, and Assistant Secretary at the India House.
- The Governor General.
- The Governors of Bengal, Madras, and Bombay.
- The Lieutenant-Governors of the North-West Provinces and Bengal.
- Members of Council.
- Members of the Legislative Council.
- Accountant General or Deputy Accountant General.
- Accountant.
- Agents, Political, or to the Governor General.

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Civil Auditor.

Clerk of the Legislative Council.

Collectors, and Deputy Collectors of Customs.

Conservator of Forests, Bombay.

Collectors.

„ Sub, Deputy, or Assistant having special charge.

Commissioners and Deputy Commissioners.

Governor of the Straits' Settlements.

Judges of the Sudder Courts, when on Circuit or Deputation only.

Judges, Sessions and Zillah.

„ Subordinate and Assistant, having special charge.

Magistrates.

„ Joint, Deputy, and Assistant, having special charge.

Members of Boards and Commissions, when on Circuit, or Deputation only.

Mint Masters.

Opium Agents and Deputies.

Director General of the Post Office in India.

Post Master General.

Post Masters.

Private Secretary to Governor General, or to Governor, or to Lieutenant-Governor of any Presidency.

Registers of Sudder Courts.

Residents at Foreign Courts.

Resident Councillors in the Straits' Settlements.

Remembrancer of Legal Affairs.

Salt Agents.

Secretaries to Government.

„ Under, Deputy, and Assistant.

„ to all Boards, Commissions, and Committees, appointed by Government.

Sub-Treasurer.

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Superintendent or Chief Magistrate of Police.

„ of the Government Lithographic Press.

„ Stamps.

„ Stationery.

„ for Suppression of Thuggee, and Assistants

having special charge.

Superintendent of Electric Telegraph.

Marine.

Commander-in-Chief of Her Majesty's Naval Forces.

„ the Indian Navy.

Secretary to Her Majesty's Naval Commander-in-Chief.

„ to the Marine Board.

Superintendent of Marine.

Ecclesiastical.

Bishops of Calcutta, Madras, and Bombay.

Military.

Commander-in-Chief of the Army in India.

„ at Madras and Bombay.

Adjutants General, Assistants, and Deputy Assistants.

Agents for Army Clothing.

Auditor General.

Brigadiers.

Commandants of Forces, or Stations.

Commanding Officers of Corps or Detachments.

Commissary General, and Deputy.

Commissariat, Senior Executive Officer at the Presidency
or at Out-Stations.

Commissaries of Ordnance, and Deputies, being Commis-
sioned Officers.

Director of Artillery Depôt of Instruction.

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- Engineers, Chief.
 „ Civil, or Executive.
 „ Superintending.
 Fort or Town Major.
 General Officers on the Staff.
 Judge Advocate Generals, and Deputies of Divisions.
 Pay Masters, and Deputy Pay Masters.
 Quarter Masters General, Deputies, Assistants, and Deputy Assistants.
 Secretary, Military, to Governor General, or Governor.
 „ to Commander-in-Chief.
 „ to all Boards, Commissions, and Committees appointed by Government.
 Superintendent of Canals and Bridges.
 „ Family Payments and Pensions.
 „ Gun Carriages.
 „ Gunpowder.
 „ Roads.
 „ Trigonometrical and other Surveys.
 „ Stud.
 Surveyor General, Deputy, and Commissioned Assistants.

Medical.

- Apothecary to the Company, or Medical Storekeeper.
 Inspector, and Deputy Inspector General of Her Majesty's Hospitals.
 Superintending Surgeon.

LIST No. II.

Parties authorised to send letters and official *Gazettes*, *bond fide* and *exclusively* on the Public Service, relating to the business of their respective Departments, without actual pay-

ments without actual payment of postage, but only to the authorities hereinafter named:— APP. N.

Archdeacon, ————— To the Registrar and Clergy of the Diocese.

Accountant to Chief

Engineers, ————— To Superintending, Executive, Assistant Executive, and Civil Engineers.

Chaplains at Out-Station, —————

To Archdeacon or Registrar

Garrison Surgeons and Medical Officers attached to Regiments, Stations, or Depôts, —————

To Superintending Surgeons of their several Divisions.

Master Attendant, Calcutta, To Authorities at Diamond Harbour, Kedgeroo, and Stations down the River.

Controller of Government

Steam Vessels, ————— To the same, and to Steam Agents.

Subordinate Judicial, Revenue, Police, Engineer, and other Civil Officers, —————

To the Authorities with whom they may have to correspond on Public Service within their respective Districts.

Patrolling Officers of Customs, —————

To their immediate superior, or to the nearest Magistrate,

Revenue and other Surveyors, —————

To Surveyor General, Deputy Surveyor General, Collector of the District, or Pay Master of the Division.

APP. N. Steam Agents,————— To the Controller of Government Steamers, and to each other (their communications being sent in covers open at each end.)

Principal Sudder Ameens and Sudder Ameens,————— Within their respective districts and to their immediate superior.

Superintendent of Salt Chowkies,————— The same.

Superintendent of Government *Gazette* Press, ——— Official Gazetted to public Officers authorised to receive the same.

Assistants in the Telegraph Department,————— To their immediate superior.

Vaccinators ————— To the same.

Warrant and Non-Commissioned Officers of the Commissariat Department in charge of public cattle, when absent from stations only,————— To their immediate superior, or to the Quarter Master General or Assistant or Deputy Assistant Quarter Master General.

Warrant and Non-Commissioned Officers of the Ordnance Department in charge of stores, when absent from stations only,————— To their immediate superior, or to the Secretary to the Military Board.

Warrant and Non-Commissioned Officers of the Department of Public Works, when detached on such works, ——— To their immediate superiors.

Commanders of Government Steamers and Pilots, ——— To the Commander-in-Chief

of the Indian Navy, Master Attendant, or Secretary to the Marine Board. This privilege extends only to Shipping Reports, superscribed as such, and sent either open or in covers open at both ends.

Tide Waiters, ——— To Collector of Customs. This privilege extends only to Tide Waiters' Reports superscribed as such.

N. B.—The privilege of sending letters by post, without actual payment of postage, extends only to letters exclusively on the Public Service, and all Public Officers are prohibited from sending on service letters relating to the private concerns of individuals, though they may be in reply to communications addressed to them in their official capacity. Such letters must either be pre-paid by stamps, or sent bearing postage.

All Periodical Returns, and Reports, and all letters not of an important or confidential nature, are to be packed in covers open at each end.

Letters on the Public Service, not intended to be permanently retained on record, are to be written on paper of the smallest size (compatible with clear and legible writing.)

XXXVII. All letters, papers and packets whatever, received at any Post Office in India, for despatch by post, whe-

All letters
&c., received
for despatch,

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to be marked with the appropriate office stamp, and with the amount of postage.

ther paid, stamped, or liable to postage, as the case may be, are to be marked with the appropriate stamp, bearing the name of such Office of despatch; and when slide stamps, showing the date of the month and year, are not provided, the said date must be entered in writing across the middle of the face of the stamp. If the letter or packet received for despatch be bearing postage, the amount of postage due must be entered in writing on the face of the letter.

All letters, &c., received for delivery, to be stamped, but the postage, unless under-charged, not to be marked.

XXXVIII. All letters, papers and packets whatever, received at any Post Office, by post, for delivery at such Office, are in like manner to be stamped with the appropriate office stamp, and marked with the date of the month, and year; but the amount of postage paid or due is not to be marked, unless the letter has been under-charged with postage at the Despatching Office.

Obliterating stamp.

XXXIX. All postage stamps on letters, papers or parcels must be carefully obliterated with the stamp furnished for that object; and the black composition supplied for the purpose must be used in all cases. Letters bearing stamps, which have been previously obliterated or defaced, must be treated as unpaid letters.

Post Master not himself to affix a stamp on letters, &c.

Forward letters, &c., to be stamped and marked with additional postage.

XL. No Post Master is allowed to affix a postage stamp to a letter brought unstamped to his Office.

XLI. Forward letters, papers or packets, *i. e.*, those which follow a party addressed from station to station *are* to be stamped at each Office of fresh despatch, and marked with the additional postage due on such fresh despatch.

Extra weight of banghy parcels to be marked.

Other letters, &c., how to be stamped.

XLII. On banghy parcels the exact weight must in all cases be entered in writing on the face thereof.

XLIII. Supplementary rules, regarding the shape and size of the office stamps to be used on the several description of letters, shall be, when necessary, circulated by the Director General of the Post Office.

At such Post

XLV. At such Post Offices as have more than one deli-

very daily, all letters, papers and packets must be marked with a stamp, showing at which delivery they were distributed.

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Offices as have more than one delivery daily, letters, &c., to be stamped A. M. or P. M., according to time of delivery.

GENERAL RULES RELATING TO THE RECEIPT, DESPATCH AND DELIVERY OF LETTERS BY DISTRICT POSTS.

Approved of by the Governor General of India in Council, on the 12th August, 1854.

1. WHEREVER any local establishment may be maintained for the conveyance or delivery of the Police, Revenue or other official communications, it shall also be made use of for the conveyance and delivery of private correspondence, and be designated a District Post.

2. All Office or Road establishments, attached to any District Post will be under the control and management of the Officer to whom they may be entrusted by the Local Government.

3. Such Police Stations and other Public Offices, as may be selected by the Local Government shall be constituted District Post Offices, but this shall remain under the management and supervision of the same officials who are at present in charge of them.

4. A Letter Box, with a slit in the top or side, shall be fixed in a conspicuous place outside of every District Post Office. The words "Letter Box," in English and the Vernacular of the district shall be painted on each box in legible characters.

5. All letters (except those to be specially registered,) intended for despatch from any District Post Office, must be dropped into the Letter Box. No receipt will be given. Every

APP. N. letter posted at a District Post Office must have its proper postage stamp affixed to it.
District Post.

6. Any person wishing to post a registered letter at any District Post Office can do so on payment of a registry fee of four annas, in addition to the ordinary postage chargeable on the letter, according to its weight. A receipt in the proper form must, in all cases, be given to the poster of a registered letter, whether it be demanded or not. One anna of the registration fee will be allowed to the person registering the letter, the remaining three annas must be sent with the letter by the same day's despatch to the nearest Post Office.

7. Every District Post Office will be supplied by the Post Office Department with registered letter covers, forms of receipt and of register, and with the rules relating to registered letters.

8. Except when it may be opened for the purpose of taking out the letters preparatory to their despatch, the Letter Box shall remain locked, the key being in custody of the person in charge of the Office.

9. Fifteen minutes before the hour at which the despatches of the Office are usually made up, the Letter Box will be opened and the letters in it taken out. Those addressed to places to which there is a direct communication through the District Post will be separated from all other letters, sorted and packed in covers addressed to the Officers in charge of the District Post Office from which they will be delivered. The remaining letters will be made up into one packet and addressed to the nearest Post Office with which he has a communication.

10. A Chulan or Letter Bill in the Vernacular (Form 1*) will be sent with every packet despatched from a District Office to a Post Office. The Deputy Post Master or person in charge of the Post Office will, after satisfying himself

* Form 19 of Appendix.

that the contents of the packet agree with the Chulan, copy the entries into his register, sign, and by the next day's despatch return the Chulan. The receipted Chulans will be filed and form the only record in any District Post Office of the despatches made from it.

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District Post.

11. All Chulans are to be numbered consecutively in a series, commencing on the 1st of May; and if any District Post Office is in the habit of sending packets to more than one Post Office, the Chulans sent to each Post Office will be numbered in a separate series.

12. All letters sent from one District Post Office to another will be accompanied by a Chulan (Form 2*) which will be receipted and returned to the Despatching Office, to be filed as a record.

* Form 18 of Appendix.

13. All letters received at any Post Office, to the address of persons resident in the same district, but beyond the limits of any ordinary post delivery, will, if the Post Office be at the head-quarters of the district, be sent with a Chulan (Form 1†) to the Officer in charge of the District Post, to be by him sorted and forwarded to the District Post Offices of the several sub-divisions in which the residence of the addressees may be situated.

† Form 20 of Appendix.

14. Persons in charge of Post Offices in the interior of districts receiving letters for persons residing beyond the limits of their ordinary delivery, but within the sub-division of a District Post Office with which they have direct communication, will send them, if pre-paid, for delivery to that Office, with a Chulan (Form 1.‡) Letters for persons resident in the district, but within a sub-division with which the Receiving Office has no direct communication, must be sent to the Post Office of the head-quarters of the district. All letters bearing postage for delivery in the interior must be sent to the Post Office at the head-quarters of the district.

‡ Form 20 of Appendix.

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District Post. 15. Officers in charge of District Post Offices will carefully compare with the Chulan the contents of every packet received. If the Chulan is correct, it will be receipted and returned; if not correct, the discrepancies will be noted thereon.

* Form 21 of
 Appendix.

16. A Delivery Book (Form 3*), showing the names of persons entrusted with the delivery of letters, will be kept in every District Post Office, and be the only record of letters received for delivery.

17. Letters will be delivered by such persons and under such rules as the Local Government may from time to time determine. Every person, through whom any District Post letter may be delivered, is authorised to receive a fee of one pice (a fourth of an anna) for his own use, in addition to any unpaid postage which may be due on it.

† Form 22 of
 Appendix.

18. All postage realized on letters sent from any Post Office for delivery through the District Post will be remitted every Saturday to the Post Office at the head-quarters of the district with the Remittance Book (Form 4 †.) The person in charge of the Post Office will give a receipt for the amount in the opposite column and return the book by the first despatch. At the close of the month, a balance will be struck, showing the postage still due to the Post Office on letters which have been received; this balance will be brought forward and a new account commenced on the first of the following month.

19. All letters, which from any cause cannot be delivered, will be returned with as little delay as possible to the Post Office from which they were received, and if any unpaid postage be due on them, credit for the amount will be taken in the Remittance Book. Unpaid letters are never under any circumstances, to be sent from one District Post Office to another.

20. A monthly memorandum showing the number of letters received for delivery at each District Post Office, will

be prepared by the person in charge, and sent on the 2nd of the following month to the Officer in charge of the Post Office at the head-quarters of the District. Persons in charge of Post Offices will prepare similar memoranda, and send them to the Post Office at the head-quarters of the district. The Officer in charge will, before the 15th of each month, prepare a general statement showing the number of letters posted at, and delivered through the agency of the District Post Office in the preceding month.

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District Post.

N. B. The Forms noted in the margin are not printed in the Form Book of the P. W. Code.

RULES FOR REGISTRATION.

THE system of Registration is applicable to all descriptions of Letters without distinction, but in the case of Letters for foreign countries from India, extends only to the port of despatch.

Registration.

Post Masters, Deputy Post Masters, Receivers, or other Officers, on being applied to, to register a Letter, will demand a Register Fee of four annas, and will write distinctly on the front of the Letter "*Registered Letter*"; he will also stamp the Letter plainly, and enter the address and number of it on the left hand side of the Receipt Book with which he is furnished, giving the party applying the receipt which he will tear out of the book, and upon which he must also enter the address of the Letter, so as to correspond with the entry in the book; *the receipt must also bear the impression of the Office Stamp.*

Registration
Fee.

The Registration Fee of four annas must be paid before a receipt is given.

The full address of Registered Letters must be entered on the Letter Chulan, and the letter itself must be enclosed

APP. N. in one of the green printed covers that are furnished for the purpose.

This green cover, however, must not be sealed, so that each Post Master may satisfy himself that it contains the Registered Letter, and must be enclosed in the Mail Bag of packet addressed to the next *Transit* Office.

Time of their being received.

No letter can be received in order to be registered, unless it is brought to the Post Office half an hour before the closing of the box for the particular Mail or Bag by which it is to be despatched.

Forward Offices.

The Post Masters at Forward Offices must enter the address of Registered Letters on the Letter Chulan, and when re-directed, they must of course be carefully entered on the Letter Bill, with which they are forwarded to their new address.

Delivery of Registered Letter.

On the delivery of a Registered Letter to the party to whom it is addressed, a Receipt in duplicate must be taken by the Delivery Peon or Letter Carrier, one of which receipts must be returned to the Posting Office by the first post, the duplicate carefully preserved by the Post Master as the voucher for its safe delivery, since he will be held responsible for the letter, if he cannot produce the receipt, as proof of the delivery when applied to.

The portion of the cover returned to the chief Office, must bear a clear impression of the dated Office Stamp, showing the day on which the registered letter reached the Post Master's hands; and it may be sent open in the bag.

No letters can be refused to be registered.

No letters can be refused to be registered, provided they are posted in sufficient time, and the Registration Fee is paid in advance, and that the other Regulations in force with each class of letters, are duly complied with.

Any neglect of these Regulations, which shall involve the loss of a Registered Letter, will not only render the party liable to be called on to make good the amount of the loss

sustained in consequence, but will be punished by dismissal from the service.

That there may be no misconception as regards the course to be pursued with Registered Letters, it must be distinctly understood, *that the person to whose possession such Letter is last traced will be held responsible for it* as a matter of course, until he shall have discharged himself of the responsibility by a satisfactory explanation.

It will therefore be necessary for every Officer on opening a Bag or Packet, immediately to seek the Letter Bill, and in the event of a Registered Letter being entered on it, to certify its arrival, by attaching his initials to such entry; he will then place the letter in its proper channel for disposal, taking an acknowledgment, by initials or otherwise, from the person into whose hands it may be given for delivery or despatch; each Officer who may receive the Registered Letter pursuing the same course until it reaches the party for whom it is intended, when the usual Official Receipt is obtained on its delivery.

Should any entry be made on the Letter Bill of a Registered Letter, and such Letter (although it ought from its being separate from the others to be distinctly seen) cannot be found in the Bag, the opener of the Bag must immediately report the circumstance, calling in, if possible, another person to verify the fact, before he has touched the other Letters.

With regard to the despatch of Registered Letters, the same precautions must be observed, the Clerk who receives the Letter for despatch must obtain a discharge from the Officer to whom he delivers it, and this Officer, and all others through whose hands it may pass, must pursue the same course. The Despatching Clerk will enter the letter on the Bill, carefully checking it into the Bag, and will be only exonerated from his liability by the signature of the Receiving Clerk, at the Office to which the Bag is addressed.

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Caution to use care, and consequences attaching to the loss of a Registered Letter.

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Every irregularity connected with Registered Letters, must be instantly reported to the Post Master of the Station, and by that day's post to the Post Master General, in order that innocent parties may not be involved in heavy responsibilities, which in reality do not attach to them.

Each Post Master will be responsible that every party employed in his Office is made acquainted with these Regulations, and will take their signature that they have perused them.

Supplement to List No. 1 in the above Rules.

The designations of persons since authorized to send by Post (without actual payment of postage) all Letters, Packets or Parcels, *bond fide* and exclusively on the Public Service, the same to be certified on each Letter in the form prescribed in Rule 36.

Curator of Government Books, Agra, ...	} Home Dept., No. 1484, 3rd Oct. 1856.
Deputy Supdt. Electric Telegraph, ...	} Ditto, No. 1489, ditto.
Civil Auditor's Office, ...	Ditto, No. 1159, 25th July 1856.
Commissary General, ...	Ditto, No. 905, 20th ditto.
Commissioners of Rev., Ditto of Customs, ...	} Ditto, No. 1054, 4th ditto.
Register of the Calcutta University, ...	} Ditto, No. 2695, 16th Dec. 1857.
Commanders of the Indus Flotilla, ...	} Ditto, No. 497, 25th Mar. 1856.
Secy. to Commander-in- Chief of the Indian Navy, ...	} Ditto, No. 264, 11th Feb. 1858.
Secy. to all Boards, Commissions and Committees appointed by Govt., except Mu- nicipal Boards, Com- missions or Commit- tees, ...	} Ditto, No. 1348, 9th Sept. 1856.

Supplement to List No. 2 in the above Rules.

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Containing the designations of persons since authorized to send Letters and *Official Gazettes*, *bond fide* and exclusively on the Public Service, relating to the business of their respective Departments, without actual payment of Postage, but only to the Authorities hereinafter named :

THE HEAD ASSISTANTS OR CLERKS OF THE FOLLOWING OFFICES, viz. :

Political Agents, ..	Govt Order, 29th Sept 1854, <i>Cal. Gaz</i> 30th Sept 1854.	To the Officers to whom they are immediately subordinate, that is to say, each to the Head of the Office to which he belongs.
Post-Masters General, ..	.. " No. 1119, Oct 24, .. 26th Oct. "
Residents, ..	.. " " 1197, Nov. 10, .. 15th Nov. "
Superintending Engineers,	.. " " 1277, " 24, .. 2d Dec "	
Collectors, ..	.. " " 191, .. 3d Feb. 1855,
Commissary General, ..	.. " " 229, .. 7th " "
Commissioners of Revenue	.. " " 276, .. 14th " "	
Ditto of Customs, '	.. " " 331, .. 24th " "	
Deputy Commissioners, ..	.. " " 605, .. 9th May "
Inspectors of Jails, ..	.. " " 610, .. 16th " "
Ditto of Schools, ..	.. " " 678, .. 30th " "
Judges, ..		

APPENDIX O.

Embankment Act.

ACT NO. XXXII OF 1855.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

*(Received the assent of the Governor General on the 30th
November 1855.)*

An Act relating to Embankments.

Preamble. WHEREAS the Regulations now in force for the maintenance of embankments in the Territories under the Government of the Lieutenant-Governor of Bengal have been found ineffectual for the intended purposes thereof, and whereas it is desirable that provision should be made for the better supervision and protection of the same: It is enacted as follows:—

Regulations repealed.

I. Regulation VI of 1806 and Regulation XI of 1829, so far as they relate to the said Territories, are hereby repealed, except so far as they repeal the whole or part of any other Regulation, and except as to acts done, offences committed, and liabilities incurred before the passing of this Act.

What is a public embankment within this Act.

II. The word "embankment," in this Act means an embankment for the purpose of excluding or retaining water: and every embankment which is now kept up, or may hereafter be kept up, by the officers of Government, at the expense either of Government or of any private person, is a public embankment within the meaning hereof.

III. The superintendence of the public embankments shall be entrusted, subject to the general orders of Government, to an Officer who shall be called the Superintendent of Embankments.

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Who to have superintendence of public embankments.

IV. *Clause 1.*—The Superintendent of Embankments may cause any embankment which connects public embankments, or forms by junction with them part of a line of embankments, or is necessary for the protection of the neighbouring country, to be taken charge of and kept up by the officers of Government.

Superintendent may take charge of any embankment which connects public embankments, &c.

Clause 2.—He may also cause any private embankment, which endangers the stability of a public embankment, or obstructs the beneficial drainage of the country, to be removed.

And remove a private embankment endangering a public embankment.

Clause 3.—He may also, when necessary, change the line of any public embankment, or make a new embankment.

And change the line of any public embankment or make a new embankment.

Clause 4.—He may also enlarge any public embankment, and do all acts necessary and proper for the maintenance thereof.

And enlarge embankment, &c.

V. *Clause 1.*—Before the Superintendent shall cause any of the works mentioned in the first three Clauses of the next preceding Section to be executed, he shall give notice in writing to the Collector of the district of his intention so to do. Upon the receipt of such notice, the Collector shall cause a proclamation to be issued, incorporating the substance of the notice, and calling upon all persons interested, who may be desirous of showing cause against the execution of such works, to appear before him on a certain day to be named therein.

Before taking charge of private embankments, &c., Superintendent to give notice to Collector who shall issue a proclamation.

Clause 2.—The proclamation shall be published by affixing the same in the Cutcherry of the Collector, the Mal Cutcherry (if any) of the estate on which the works are intended to be executed, and on some conspicuous spot in the neighbourhood thereof. The proclamation shall be published not less than fifteen days before the day appointed for hearing the parties interested.

Publication of proclamation

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Procedure on
appearance of
parties.

Clause 3.—The Collector shall hear the objections of any parties who may appear, and, after recording any evidence which they may adduce, shall communicate the objections that may be made, together with his opinion thereon, to the Superintendent of Embankments. If the Superintendent agree in opinion with the Collector, he shall pass an order accordingly. If he differ from the Collector, the case shall be referred to the Commissioner of Revenue, who shall pass such orders thereon as he may deem fit.

Appeal from
orders of Su-
perintendent
and Commis-
sioner of Reve-
nue.

Clause 4.—Every such order passed by the Superintendent shall be appealable to the Commissioner of Revenue, and every order of the Commissioner shall be appealable to the Board of Revenue; but no appeal shall lie against any order passed under this Section, unless the same be presented within one month from the date of the order.

Orders not
open to revision
by the Civil
Court.

Clause 5.—Subject to the right of appeal above-mentioned, and to the orders and control of Government, every order passed under this Section shall be final, and shall not be open to revision by any Civil Court and shall be conclusive as to the necessity of any works ordered to be executed.

Maintenance
of private em-
bankments ta-
ken charge of
by the officers
of Government.

VI. Whenever the Superintendent of Embankments shall hereafter cause an embankment, which any person is bound to keep up, to be taken charge of by the officers of Government, the expense of keeping up such embankment shall be charged to such person. Provided that the amount so charged shall not exceed the reasonable expense of keeping up an embankment of the size and description which such person was bound to keep up, notwithstanding the embankment shall have been enlarged or improved by the officers of Government.

Proviso.

Compensation
for damages
sustained under
this Act.

VII. *Clause 1.*—When the Superintendent of Embankments shall enlarge or change the line of any embankment, or make a new embankment, or cause an embankment to be removed, any person sustaining damages thereby, who but for the passing of this Act, would be entitled to compensation, may

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prefer his claim for such compensation to the Collector of the District, at any time within twelve months after the execution of the work by which he is endamaged, and the Collector thereupon shall report the case for the orders of the superior Revenue authorities. If the claim be rejected, the claimant shall not be deprived, by reason of this Act, of any right which he might otherwise have had, to recover such compensation by a civil action; but such action shall not lie, unless the claimant shall have first preferred his claim to the Collector within the period above-mentioned, nor unless the suit be brought within a period of one year after notice to the claimant of its rejection. If the claim for compensation be admitted by the Revenue authorities, and the amount of compensation cannot be agreed upon, the same shall be settled by arbitration, in the manner hereinafter provided, and in no other manner, unless by the consent of the claimant and of the superior Revenue authorities.

Clause 2.—Unless the Collector and the claimant concur in the appointment of a single arbitrator, the Collector on the part of Government, and the claimant, shall each appoint an arbitrator. The appointment shall be in writing, and neither of the said parties shall have power to revoke the same without the consent of the other.

Appointment of arbitrators.

Clause 3.—If there be several claimants for compensation in respect to the same injury, and they cannot agree in the appointment of an arbitrator on their behalf, in that case each of them may nominate one person; and the Collector shall choose by lot out of the persons so nominated by the parties, or any of them, a person to act as arbitrator on behalf of the claimants. If only one person shall be so nominated, he shall be the arbitrator on behalf of the claimants.

Arbitrator how to be chosen when there are several claimants for compensation.

Clause 4.—When more than a single arbitrator shall be appointed, the arbitrators shall, before they enter upon the matters referred to them, nominate and appoint by writing a third

Appointment of a third arbitrator.

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person to act with them as arbitrator; and in case the arbitrators shall neglect to appoint such third arbitrator for a period of seven days after having been required so to do, the Collector may appoint such third arbitrator. If the arbitrators differ in opinion, or if one of them, having received due notice of a meeting of arbitrators, neglect to attend, any two arbitrators may make an award.

Arbitrator refusing or becoming incapable to act, &c.

Clause 5.—If any person on being appointed an arbitrator, shall refuse to act, or after accepting the appointment shall die or become incapable of acting, another person shall be appointed in his stead, in the same manner in which the first person was appointed.

Collector empowered to enforce attendance of arbitrators.

Clause 6.—After the arbitrators have accepted the appointment, the Collector shall be competent to exercise towards them such powers and authority, for securing their attendance and the due completion of their award, as the said Collector may legally exercise towards witnesses summoned before him when acting judicially for the purposes of compelling them to attend and give evidence.

In default of award within a specified period, fresh arbitrators may be chosen.

Clause 7.—If no award be made within a period to be fixed for that purpose by the Collector, he may order that the matter shall be referred to another arbitrator or other arbitrators, to be chosen in the same manner and subject to the same rules as the first.

Collector to furnish information to the arbitrators, and to enforce the attendance and examination of witnesses, &c.

Clause 8.—The Collector shall furnish to the arbitrators, or, so far as may be in his power, procure for them, any information which his records or those of any public department may afford connected with the subject of enquiry. He shall, on the application of the arbitrators, summon any witnesses whom the arbitrators may call for and whom the parties may not be able to produce before them without such process, and require the persons so summoned to bring and produce before them all such books, papers, deeds, writings, maps, and plans, as they shall require. He shall also cause the proper

affirmation to be made and signed by any witness whom the arbitrators may desire to examine upon affirmation, or he may empower the arbitrators to cause such affirmation to be made and signed before them. Any witness who shall refuse or omit to appear when duly summoned by the Collector, or who shall appear but shall refuse to make such affirmation, or who shall refuse to give evidence, shall be liable to the same punishment which would be incurred under the law by a witness refusing to appear or give evidence before the Collector when acting judicially. Any person giving intentionally and deliberately a false deposition, under an affirmation, in any case referred to arbitration as above, shall be held to be guilty of perjury, and shall be liable to the penalties prescribed for that offence by law.

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Clause 9.—On the close of the enquiry, the arbitrators shall deliver a full and complete award, which shall specify the amount of compensation and the party or parties entitled thereto. The proceedings of the arbitration shall be deposited in the Collector's office; and every party interested therein shall be entitled to a copy of the award on plain paper under the seal and signature of the Collector, which copy shall be *prima facie* evidence thereof.

Award of the arbitrators.

Clause 10.—If the right to the compensation awarded shall in any case be doubtful, or if there exist any ground which, in the judgment to the arbitrators or of the Collector, render it improper to make immediate payment thereof to any of the claimants, the amount shall be invested in Government securities, and held in deposit until one of the claimants shall obtain an order of Court for the payment thereof.

Payment of compensation may in certain cases be deferred.

Clause 11.—No award passed under this Section shall be liable to be reversed or altered, except by the decision of a Civil Court on the ground of corruption or misconduct of the arbitrators; and no suit to set aside such an award shall be entertained, unless it be instituted within three months from

Reversal or alteration of award.

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Suits and proceedings against Government, except suits for reversal of awards, to be dismissed with costs.

Proviso.

Estimated value of benefit to be set off against the compensation to be awarded.

The provisions of this Section not to apply to cases of compensation in respect to huts, trees, or crops.

Application by landholder to have a sluice made in a public embankment.

the date of the award. In case the award shall be so reversed, the matter shall be referred to another arbitrator or other arbitrators, to be appointed in the same manner as the first.

Clause 12.—All suits and proceedings instituted against Government in any case in which compensation has been awarded, except suits instituted for the reversal of awards as aforesaid, shall be dismissed with costs. But nothing herein contained shall affect the right of any party to recover the amount awarded from any person who may have received the same without any just title thereto.

Clause 13.—In fixing the amount of compensation to which any person may be entitled by reason of any of the acts mentioned in Clause 1 of this Section, the Court or arbitrators, as the case may be, shall take into consideration whether any party to the suit or arbitration has derived or will derive benefit from the act in respect of which the compensation is claimed, and shall set off the estimated value of such benefit, if any, against the compensation which would otherwise be decreed or awarded to that party.

Clause 14.—The provisions of this Section shall not be held applicable to cases in which the compensation to be made has reference only to huts, trees, or crops, which it may be necessary to remove or destroy in enlarging or changing the line of a public embankment. In all such cases the Officer in charge of the public embankments of the district shall report to the Collector, and the Collector shall thereupon proceed to value and make compensation for such huts, trees, and crops, in the manner prescribed in Section XII of this Act.

VIII. *Clause 1.*—If any landholder, farmer, or cultivator be desirous of having a sluice made in any public embankment for the purpose of drainage or irrigation, he shall make an application in writing to the Collector of the district in which such embankment is situate. The application shall contain such particulars of the land to be drained or irrigated

as may enable the officers of Government to judge of the advantage which may be derived from the work, and shall declare, as regards an embankment maintained at the expense of the State, whether the applicant is willing to bear such part, not exceeding half, of the cost thereof, as may be determined by Government—and, as regards any other public embankment, whether the applicant is willing to defray the whole or such part of the cost incident to, and attendant on, the proposed work, as may be determined as aforesaid.

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Clause 2.—The Collector shall transmit such application to the officer in charge of the embankments of the district, who shall report his opinion thereon to the Superintendent of Embankments, and, if he be of opinion that compliance with the application is unobjectionable, shall annex to his report a plan of the proposed work and an estimate of the expense of its construction. The Superintendent of Embankments shall pass such order thereon as he shall think fit, which order shall be final.

Officer in immediate charge of embankments to report on the proposed work.

Clause 3.—If the construction of the proposed sluice receive the approval of the Superintendent of Embankments, the Collector shall require the applicant to enter into a written agreement to defray the whole or half of the expense, or such portion thereof as may be determined under the provisions of Clause 1 of this Section, as the case may be; and upon such agreement being executed, shall issue a certificate to the Officer in charge of the public embankments of the district, to construct the sluice.

Upon the applicant engaging to defray the cost Collector may issue certificate.

IX. Sluices constructed in any public embankment shall be opened only by, or with the permission of, the Officer in the immediate charge of the embankment, under such orders, either general or special, as he may receive from the Officer in charge of the public embankments of the district or from the Superintendent of embankments.

Opening of sluices.

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Officer in immediate charge of embankments may authorize temporary water-course, &c. to be made.

X. Whenever any person is desirous that a temporary water-course should be made through, or that a temporary roadway should be made over, any public embankment, or that a temporary dam should be constructed in any embanked river, he shall apply to the nearest Officer of the Embankment Department, who shall communicate the application to the Officer in charge of the public embankments of the district, and that Officer shall pass such orders thereon as he shall think fit, subject to the control of the Superintendent of Embankments. If the proposed work is to be executed by an officer of Government, the applicant, before the commencement of the work, shall enter into a written agreement to defray the expenses of, and incident to, making such roadway, or of making and closing or removing such water-course or dam. In any case of emergency the Officer in immediate charge of an embankment, subject to such general instructions as he may receive from the Officer in charge of the embankments of the district, or from the Superintendent of Embankments, may cause a temporary water-course to be made through such embankment.

Specifications and estimates for maintaining or improving embankments kept up at the expense of Zemindars to be prepared annually, &c.

XI. *Clause 1.*—Specifications of the work and estimates of the expense which may be required for the maintenance or improvement of embankments kept up at the expense of Zemindars or others, shall be prepared as soon after the rains in each year as may be practicable. Copies of the specifications and estimates shall be transmitted to the office of the Collector, and may be examined by any person interested in the embankments. Notice of the receipt of the specifications and estimates shall be posted up in the Collector's office; and should any objection be preferred by any such person within a period of one month from the date of such notice, the Collector shall communicate the objection, with his own opinion thereupon, to the Superintendent of Embankments, who shall pass such orders as may appear to him reasonable and

proper. Provided, however, that if the objection refer to the construction of sluices or other new works, any person dissatisfied with the order of the Superintendent, may appeal to the Commissioner, who, subject to the orders of the Board of Revenue and of Government, may disallow the construction of the work.

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Clause 2.—The accounts of the actual expense incurred in maintaining or improving embankments kept up at the expense of Zemindars or others, and in constructing and repairing sluices and making temporary water-courses or roadways through or over any public embankment, or executing any other work, the expense of which may be chargeable to individuals, shall be prepared as soon as possible after the completion of such works, and shall, as soon as such accounts shall have received the sanction of the Superintendent of Embankments, be forwarded to the office of the Collector, and may be there examined by any person interested. Notice of the receipt of the accounts shall be posted up in the Collector's office; and if, within one month from the date of such notice, any interested person shall object to the accounts, on the ground either that the work charged for has not been performed, or that the whole sum charged has not been expended, or that the rates of charge are higher than the estimate, the Collector shall enquire into such objection, and, if the objection appear to be well founded, shall communicate the same, with his opinion thereon, to the Superintendent of Embankments. If the Superintendent concur with the Collector, he shall pass orders accordingly; if he differ, the case shall be reported to the Commissioner, whose decision shall be final. When the objection shall have been finally disposed of, or, if no objection be preferred, when a full month shall have elapsed from the date of notice, the Collector shall proceed to levy the amount from the parties liable to pay the same, by the process which is or may be in force for the recovery of arrears of Government Revenue.

Accounts to be forwarded to the Collector, who may recover the amount as arrears of Government revenue.

Act. Of

Superintend-
ent to report
to Collector as
to removal of
buildings, &c.

XII. Clause 1.—Whenever the Superintendent of Embankments shall be of opinion, that the removal of any houses, huts, or other buildings, situated between a public embankment and the river, is necessary, he shall make a report to that effect, accompanied by a detailed statement of the houses, huts, or other buildings to be removed, to the Collector of the district in whose jurisdiction the land on which such houses, huts, or other buildings stand, is situated.

Collector to
give notice to
claimants.

Clause 2.—When such report is received, the Collector shall cause a notice, containing a general description of the houses, huts, or other buildings proposed to be removed, to be affixed in some conspicuous place upon the land, and to be published by proclamation in the nearest bazar, calling on all persons claiming a right in such houses, huts, or other buildings, to appear in person or by authorized agent at a place to be specified in the notice, on or before a given date, not being less than fifteen days from the date of such proclamation, in order to make known the amount and particulars of their claim to compensation to a Jury to be appointed in the following manner.

Selection of
Jury.

Clause 3.—The Collector shall direct a deputy Collector or a principal officer of his establishment, to proceed to the spot, and there to select three respectable inhabitants of the neighbourhood, to form with himself a Jury for determining the value of the houses, huts, or buildings, and, if any dispute should arise, the rights of the claimants.

Proceedings
of Jury.

Clause 4.—The Jury shall assess the value of each house, hut, or building separately. If in any case they differ, the value shall be assessed according to the opinion of the majority; and if they be equally divided, the Deputy Collector, or other officer as aforesaid shall have a casting vote.

Award
of
Jury.

Clause 5.—Having completed their proceedings, the Jury shall make their award, which shall contain a schedule of the houses, huts, and buildings, the amount of value assessed on each, and the name of the person or persons entitled to receive the same. The award shall be final and conclusive, and not

open to question in the Civil Court. Provided always, that any person who was not present at the enquiry, or whose claim may have been set aside by the Jury, may institute a suit for the value of the property claimed by him against the person to whom payment may have been made under the award.

XIII. The Collector, on receiving the award, shall cause a notice to be affixed in some conspicuous place upon the land, with a citation calling on the parties to appear before him or the Deputy Collector or other officer aforesaid, in person or by authorized agent, at a certain time and place, and receive the amount so awarded, and warning them to remove their houses, huts, or other buildings within thirty days from the date of such notice.

XIV. If, on the expiration of the above stated period, the houses, huts, or other buildings shall have not been previously removed, the Collector shall cause the same to be removed or levelled; and if any expense be incurred in removing or levelling the same, the Collector may sell the materials at public auction in order to defray the charge, delivering any surplus that may remain to the owner.

XV. Whoever wilfully obstructs any duly authorized person in removing or levelling any embankment, house, hut, or other building, shall be liable to be imprisoned for any time not exceeding six months, with or without labor, at the discretion of the Magistrate, or to fine not exceeding two hundred rupees, commutable, if not paid, to a period of imprisonment not exceeding six months, or to both.

XVI. Whoever wilfully, and without due authority, cuts through or attempts to cut through, any embankment, whether public or private, or destroys or attempts to destroy, any such embankment, or opens any sluice or water-course in any such embankment, shall be liable, on conviction before a Magistrate, to be imprisoned for a term not exceeding one year, with or without labor, or to a fine not exceeding two

APP. O.

After award Collector to give notice of payment and to remove buildings, &c in 30 days.

Collector may remove buildings, &c. at the cost of the owners, in case they neglect to do so themselves.

Penalty for obstructing of fier or person in discharge of duty.

Penalty for wilful damage to embankment by cutting, &c.

APP. O.

hundred rupees, commutable, if not paid, to a period of imprisonment not exceeding one year, or to both; or, if the Magistrate be of opinion that such punishment is insufficient for the offence, he may commit the offender to the Sessions Court, in which case he shall be liable, on conviction, to imprisonment for a period not exceeding seven years, with or without labor, or to fine, or to both.

Penalty for
other wilful
damage.

XVII. Whoever damages any public embankment by making any dam or other obstruction for the purpose of diverting or opposing the current of an embanked river, without the permission of the Officer in immediate charge of the embankments, or by refusing or neglecting to remove any such dam or obstruction at the proper season, or by cutting or otherwise altering the banks of any embanked river, or by removing the earth from such embankment, or by grazing or tethering any cattle or other animals on any such embankment, or by driving stakes into, or cutting or rooting out grass growing on such embankment, or by any other wilful act destroys or diminishes the efficiency of such embankment shall be liable, on conviction before a Magistrate, to simple imprisonment for a term not exceeding six months, or to a fine not exceeding two hundred rupees, or to both.

Jurisdiction
of Deputy or
Assistant Magistrate
under
this Act.

XVIII. Any Deputy or Assistant Magistrate may take cognizance of offences under this Act, and may punish offenders to the extent of the power conferred upon him by the Regulations of the Bengal Code, and by the Acts of the Governor General of India in Council with respect to the punishment of misdemeanors.

Provision of
Section XIII
Regulation XX,
1817 extended
to this Act.

XIX. The provision of Section XIII Regulation XX of 1817 shall extend to any charge or information of the offences specified in Section XVI of this Act; and Darogahs and other Police Officers shall enquire into such offences in the mode and subject to the provisions therein prescribed.

Right of ap-
peals.

XX. All sentences and orders passed by a Magistrate,

Deputy Magistrate, or Assistant, under this Act, shall be appealable, subject to the general provisions which regulate appeals.

APP. O.

XXI. In the construction of this Act, words importing the singular number only shall include the plural, and words importing the plural number only shall include the singular; words importing the masculine gender only shall include females; the word "Collector" shall mean any Collector, Deputy Collector or Revenue Officer in independent charge of any district or portion of a district.

Interpreta-
tion.

APPENDIX P.

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## Laws relating to Workmen

ACT No. VI OF 1858.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA

*(Received the assent of the Governor General on the 29th  
January 1858.)*

AN ACT to authorize the impressment of artisans and laborers for the erection of Buildings for the European Troops in India, and for works urgently required for Military purposes.

Preamble.

WHEREAS, in consequence of the necessity which exists of completing without delay sufficient Buildings for the accommodation of the European Troops in India, and of the difficulty of procuring without compulsion a sufficient number of artisans and laborers for that purpose, it is expedient to authorize as a temporary measure the impressment of such artisans and laborers as may be necessary; and whereas it may be necessary to impress artisans and laborers for the performance of works urgently required for Military purposes or for the defence of public property; It is enacted as follows:—

Government  
may authorize  
Officers to im-  
press native  
artisans &c. in

1. In any District or place to which the provisions of this Act shall be extended by order of the Governor General in Council or of the Executive Government of any

Presidency or place, it shall be lawful for any Officer or Officers, authorized in that behalf by the Governor General in Council or by such Executive Government as aforesaid, to impress any native artisans and laborers who, in the judgment of such Officer or Officers, may be necessary for the erection, completion, alteration, or repair of any Building required for the accommodation of European Troops, or for the collection, preparation, or manufacture of materials for that purpose, or for any other work connected with the erection, completion, alteration, or repair of such Building; and also to impress such boats, carts, bullocks, or other animals as may be necessary in that behalf and any such artisan or laborer, boat, cart, bullock, or other animal may be so impressed, whether such artisan or laborer shall be under a contract to work for, or such boat, cart, bullock, or other animal shall have been previously let to hire to, any private person or not.

II. No action or other proceeding shall be commenced or prosecuted against the East India Company, or against Government, or against the Officer ordering the impressment, or against any person acting in his aid or under his orders, for any thing done in pursuance of this Act; nor shall any person who shall be impressed, or whose property shall be impressed, under the provisions of this Act, or any other person, be liable to any action or proceeding for the non-performance of any contract which he shall have entered into, and which he shall be prevented from completing, by reason of such impressment or of any thing done under the authority of this Act.

III. Every person impressed, or whose property shall be impressed, under this Act, shall be paid the full market-value of his labor, or of the hire of his property, as the case may be, according to such rules as shall from time to time be made by the Executive Government for securing

APP. P.

Districts or places to which this Act may be extended.

No action or other proceeding to be commenced or prosecuted against Government, or against the Officer ordering the impressment, for any thing done in pursuance of this Act,

Or against persons impressed, for breach of contract.

Full market-value of labor or hire to be paid in respect of the person or property impressed.

**Art. P.** the just and punctual payment thereof; the amount in case of dispute shall be settled by a Magistrate.

Compensation to be made for damage sustained by breach of contract occasioned by impressment.

IV. If any person with whom any contract shall have been entered into before the passing of this Act, for the personal labor or services of any person impressed under this Act, or for the hire of any boat, cart, bullock, or other animal which may be so impressed, shall sustain damage by reason of any breach of such contract occasioned by any such impressment, or of any thing done under the authority of this Act, he shall be entitled to full compensation for such damage, to be paid by the Government.

Claims for compensation to whom and how to be preferred.

V. The claimant shall send in to the Officer by whom or under whose orders the impressment shall be made, a written demand stating the terms of the contract for the breach of which he claims compensation, the date of the contract, the period for which the contract was entered into, the amount of advances (if any) made in pursuance of the contract, the nature of the damage sustained, and the amount of compensation claimed.

Declaration to accompany claim.

VI. A declaration in writing signed by the claimant shall be written on or annexed to the claim, and the claimant shall thereby declare that the statements contained in the claim are true in substance. If any person shall wilfully and corruptly make a false declaration, he shall be liable, upon conviction, to imprisonment, with or without hard labor, for a term not exceeding two years, and also to fine. Such conviction may be by a Magistrate, except in the case of European British subjects.

Punishment for false declaration.

Disputes as to amount of compensation how to be determined.

VII. In case any dispute shall arise as to the amount of such compensation, the same shall be determined in a summary way by the Zillah Judge or other Officer exercising the powers of a Judge on the petition of the claimant or of the Officer under whose authority the impressment was made; and the decision of the Judge or other Officer shall be final.

VIII. If any person impressed under this Act shall abscond or conceal himself, or endeavor to abscond or conceal himself; or shall without reasonable cause desert the work upon which he shall be employed by Government before the same shall have been completed; or shall refuse or wilfully neglect to bestow his labor upon such work to the best of his ability: or if any person shall be guilty of any device for the purpose of preventing the impressment of any boat, cart, bullock, or other animal—he shall be liable, upon conviction, before a Magistrate, to a fine not exceeding fifty Rupees, and, in case of non-payment of the fine, may be ordered by the Magistrate to suffer corporal punishment not exceeding fifteen stripes with a ratan. Every such conviction shall be final.

IX. Nothing in this Act shall be deemed to authorize the infliction of corporal punishment upon any European or upon any female.

X. No action or other proceeding shall be brought or prosecuted against the East India Company, or against Government, or against any person, for any impressment before the passing of this Act for any work or other matter for which impressment is authorized by this Act; nor against any person for the breach of any contract occasioned by any such impressment. Every person who shall have been impressed, or whose property shall have been impressed, before the passing of this Act, or who shall have sustained damage by reason of any breach of contract occasioned by such impressment, shall be entitled to the same payment or compensation, to be settled or ascertained in the the same manner, as if this Act had been in force at the time of such impressment.

XI. The provisions of this Act shall extend to any works urgently required for Military purposes or for the defence of public property.

#### Arr. P.

Penalty for absconding after impressment, refusing to work, &c.

Act not to authorize the corporal punishment of Europeans or females.

Impressments made prior to the passing of this Act.

Compensation.

Act to apply to performance of works urgently required for Military purposes &c.

APP. P.

Interpreta-  
tion of the word  
"Magistrate."

XII. The word "Magistrate" shall include every person exercising the full powers of a Magistrate, and every person authorized by the Executive Government to exercise the powers vested in a Magistrate by this Act.

Duration of  
Act.

XIII. This Act shall not authorize any impressment to be made after the expiration of six months from the passing of this Act.

No. 455 to 462.

CIRCULAR.

*From Captain H. Yule, Offg. Secretary to the Government of India, Public Works Department, dated the 28th January 1858.*

SIR,

\* To authorize the impressment of Artisans and Laborers for the erection of Buildings for the European Troops in India and for Works urgently required for Military purposes.

I AM directed by the Right Hon'ble the Governor General in Council to request that

will have the goodness carefully, and without loss of time, to impress upon the Officers of the Department, that the Act\* which was passed last Saturday, the 23rd instant, to legitimate the impressment of labor, is not to be resorted to except in real extremity.

2. The Government would much rather see the Workmen attracted to their employment on this emergency by fair inducement of increased wages, and great care in punctual payment.

3. If the powers of the Act be resorted to frequently, on trifling grounds, and before a fair trial has been made of other means, it is highly probable that its results will be detrimental to the progress of the works and to the objects of its enactment, by spreading popular alarm and dislike to the Government employ. And even when the powers of

the Act are unavoidably brought into action, greater care, if any thing, should be taken that the payment of wages be liberal and punctual.

APP. P.

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4. Where qualified Overseers are deficient, it may still be possible in this emergency to obtain the services of Europeans or East Indians to remain constantly on the works, and to see that the people do not idle. The free employment of such persons, when found to be useful, should be encouraged.

ACT No. XIII. OF 1859.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

*(Received the assent of the Governor General on the 4th  
May 1859.)*

*An Act to provide for the punishment of breaches of contract  
by Artificers, Workmen, and Laborers in certain cases.*

WHEREAS much loss and inconvenience are sustained by manufacturers, tradesmen and others in the several Presidency Towns of Calcutta, Madras, and Bombay, and in other places, from fraudulent breach of contract on the part of Artificers, Workmen, and Laborers who have received money in advance on account of work which they have contracted to perform; and whereas the remedy by suit in the Civil Courts for the recovery of damages is wholly insufficient, and it is just and proper that persons guilty of such fraudulent breach of contract should be subject to punishment; It is enacted as follows:—

Preamble

I. When any Artificer, Workman, or Laborer shall have received from any Master or Employer resident or carrying on business in any Presidency Town, or in any station of the Settlement of Prince of Wales' Island, Singapore, and

If Workman neglect to perform work on account of which he has received an ad-



**ART. 2.**  
 advance of money,  
 complaint may  
 be made to the  
 Magistrate.

Malacca, or from any person acting on behalf of such Master or Employer, an advance of money on account of any work which he shall have contracted to perform, or to get performed by any other Artificers, Workmen, or Laborers, if such Artificer, Workman, or Laborer shall wilfully and without lawful or reasonable excuse neglect or refuse to perform or get performed such work according to the terms of his contract, such Master or Employer or any such person as aforesaid may complain to a Magistrate of Police, and the Magistrate shall thereupon issue a summons or a warrant, as he shall think proper, for bringing before him such Artificer, Workman, or Laborer, and shall hear and determine the case.

Magistrate  
 may order re-  
 payment of ad-  
 vance or per-  
 formance of  
 contract.

II. If it shall be proved to the satisfaction of the Magistrate that such Artificer, Workman, or Laborer has received money in advance from the complainant on account of any work, and has wilfully and without lawful or reasonable excuse neglected or refused to perform or get performed the same according to the terms of his contract, the Magistrate shall, at the option of the complainant, either order such Artificer, Workman, or Laborer to re-pay the money advanced, or such part thereof as may seem to the Magistrate just and proper, or order him to perform or get performed, such work according to the terms of his contract; and if such Artificer, Workman, or Laborer shall fail to comply with the said order, the Magistrate may sentence him to be imprisoned with hard labor for a term not exceeding three months, or if the order be for the re-payment of a sum of money, for a term not exceeding three months or until such sum of money shall be sooner repaid; provided that no such order for the re-payment of any money shall, while the same remains unsatisfied, deprive the complainant of any Civil remedy by action or otherwise which he might have had but for this Act.

Penalty if  
 workman fail to  
 comply with the  
 order.

III. When the Magistrate shall order any Artificer, Workman, or Laborer to perform or get performed any work according to the terms of his contract, he may also at the request of the complainant require such Artificer, Workman, or Laborer to enter into a recognizance with sufficient security for the due performance of the order ; and in default of his entering into such recognizance or furnishing such security to the satisfaction of the Magistrate, may sentence him to be imprisoned with hard labor for a period not exceeding three months.

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Magistrate may require workman to give security for due performance of order.

IV. The word "contract," as used in this Act, shall extend to all contracts and agreements whether by deed, or written or verbal, and whether such contract be for a term certain, or for specified work, or otherwise.

To what contracts the Act extends.

V. This Act may be extended by the Governor General of India in Council, or by the Executive Government of any Presidency or place, to any place within the limits of their respective jurisdictions. In the event of this Act being so extended, the powers hereby vested in a Magistrate of Police shall be exercised by such Officer or Officers as shall be specially appointed by Government to exercise such powers.

Act may be extended by Government.

*FINIS.*



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