

**ADMINISTRATION
OF
PUBLIC WORKS DEPARTMENT IN ASSAM,
SINCE 1874**

**A THESIS SUBMITTED
FOR THE DEGREE OF DOCTOR OF PHILOSOPHY
OF GAUHATI UNIVERSITY**

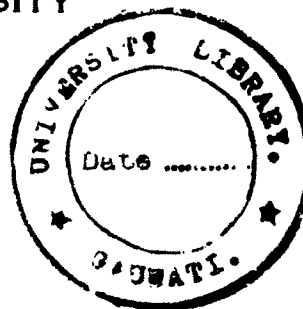
**BY
DHARANI DHAR GOSWAMI, Lecturer
IN POLITICAL SCIENCE
BARBHAG COLLEGE, KALAG**

**GAUHATI UNIVERSITY
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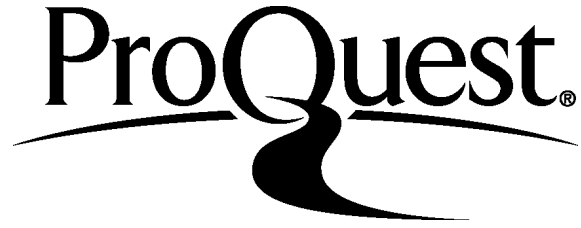
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Date 15.12.93.

This is to certify that Sri Dharani Dhar
Goswami prepared the thesis on "Administration of Public
Works Department in Assam since 1874", under my supervision.
He has conformed to the rules and regulations relating to
the preparation of the Ph.D. thesis of Gauhati University.
The thesis as a whole or any part thereof has not been
submitted to any other University for any research degree.

A handwritten signature in black ink, appearing to read 'N. Hazarika'.

(N. Hazarika)
Reader in Political Science,
Gauhati University.

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P R E F A C E

This thesis traces the origin and growth of the P.W.D. during the period 1874-1983 chronologically. The period of 1874-1983 has been chosen because in 1874 a new era began in Assam which was called an era of provincial administration. It was in 1874 when Assam was separated from Bengal and constituted into a Chief Commissionership. Since then P.W.D. in Assam functioned as a provincial department. Although Assam was amalgamated with Eastern Bengal in 1905 yet after a short period of seven years it was again restored to her former position in 1912. During this period a good number of rules and regulations were made concerning P.W.D. administration. In this study, an attempt has been made to survey critically the executions of these rules and regulations and the working of the department.

This thesis is divided into nine chapters. The first chapter deals with introduction containing the purpose and methodology of this study. Besides, it contains origin and growth, the award of title, diary system, financial and staff position of the department.

The second chapter describes the organisational development which is divided into two : secretariat organisation and field organisation.

In chapter three, the functions of the P.W.D. and its method of execution is analysed. An attempt has been made to show whether the method of execution is efficient.

The fourth and fifth chapters deal with personnel administration. Here emphasis is laid only on the engineering and accounts staff of the department.

Chapter sixth deals with the financial administration. In it, an attempt has been made to analyse the budget making procedure, accounting and audit system of the department.

Chapter seven deals with corruption of P.W.D. and the measures adopted so far by the Government of Assam for its prevention.

In chapter eight the various means of the control of P.W.D. is analysed.

The final chapter contains conclusion arrived at different places in the text of the thesis.

In the preparation of the thesis, I incurred a number of obligations. First, I acknowledge my indebtedness to my guide, Dr Niru Hazarika, Reader, Department of Political Science, Gauhati University, under whose able guidance I completed my research work. I am extremely grateful to Dr V.V. Rao, M.A. (AND) M.A.(ALLB), M.Litt., Ph.D., D.Litt., Professor Emeritus, Gauhati University, Hony. Visiting Professor, North Eastern Hill University, Visiting Professor, J.N.U. Centre, Imphal (1978-79), for the valuable instruction and advice which I received from him.

I must also express my sincere gratitude to the Librarians and staff of the National Library, Calcutta, High Court Library, Gauhati, Assembly Library, Dispur, Gauhati University Library, Gauhati, Barbhag College Library, Kalag and the Keeper of Records , Assam, Shillong. I am also thankful to Sri B. Barman who has typed the work with all possible care and attention.

Date : 15.12.83

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LIST OF ABBREVIATIONS :

1. A.E.S. : Assam Engineering Service.
2. A.P.S.C. : Assam Public Service Commission.
3. A.M.I.C.E. : Associate Member of the Institution of Civil Engineering.
4. A.M.I.E.E. (Brit): Associate Member of the Institute of Electrical Engineering (Britain).
5. A.M.I.E. (Ind) : Associate Member of the Institution of Engineers (India).
6. A.G. : Accountant General.
7. A.S.E.S. : Assam Subordinate Engineering Service.
8. B.A. : Bachelor of Arts.
9. B.E. : Bachelor of Engineering.
10. B.Sc. : Bachelor of Science
11. C.I.D. : Criminal Investigation Department
12. Cr.P.C. : Criminal Procedure Code.
13. C.C. : Chief Commissioner
14. C.E. : Chief Engineer
15. D.C. : Deputy Commissioner
16. D.E. : Divisional Engineer.
17. D.A. : Dearness Allowance
18. E.E. : Executive Engineer.
19. E & D. : Embankment and Drainage.
20. G.U. : Gauhati University
21. I.S.E. : Indian Service of Engineers.
22. I.P.C. : Indian Penal Code
23. L.C.E. : Licentiate of Civil Engineering.
24. L.M.E. : Licentiate of Mechanical Engineering
25. L.S. : Lower Subordinate.

- 26. L.D.A. : Lower Division Assistant.
- 27. M.I.E.E. : Member of the Institute of Electrical Engineering.
- 28. M.I.M.E. : Member of the Institution of Mechanical Engineers.
- 29. N.A. : Not Available.
- 30. P.W.D. : Public Works Department.
- 31. P.A.C. : Public Accounts Committee.
- 32. R & B. : Road and Building.
- 33. S.D.O. : Sub-Divisional Officer.
- 34. S.E. : Superintending Engineer.
- 35. S.A. : Special Allowance.
- 36. U.S. : Upper Subordinate.
- 37. U.D.A. : Upper Division Assistant.

CHAPTER I

INTRODUCTION

I began the investigation of the subject in April, 1979. But the heavy schedule of teaching in my college in all the four classes including Honours classes and the prolonged agitation launched by All Assam Students Union and All Assam Gana Sangram Parishad hampered my progress.

Factors which induced me to take up the subject :

When I decided to do research I approached Dr. Niru Hazarika, Reader, Department of Political Science, Gauhati University to guide me. She gracefully consented and advised me to go through some theses in the reference section of Library, Gauhati University before selecting a subject. Immediately I went to the reference section and consulted some theses of the department of Political Science. Of the theses there "the Secretariat Administration in North East Region" had drawn my attention, as it was mentioned that P.W.D. had a separate secretariat of its own from its very inception. Why this special status was given to this department is not known to the writer. This point drew my attention

and I selected the P.W.D. administration in Assam since 1874 as my research subject.

2. The popular belief is that P.W.D. is the most revenue consuming and corrupt department in Assam. I wished to examine whether this belief has any foundation. So I selected the subject.

3. The Bombay Administrative Enquiry Committee, 1948, examined the question of the appointment of Heads of the department and technical or professional officers as secretaries to Government and concluded that all secretaries to Government including the P.W.D. should be drawn from Indian Civil or administrative service. In Assam the Secretary of the P.W.D. is drawn from technical service. This point drew my attention and I decided to examine whether the Secretary of the P.W.D. should be a specialist or a generalist.

METHODOLOGY :

I have adopted the historical, analytical and critical method in preparing the thesis. To study a subject like the P.W.D. one method alone is not sufficient. The historical method had to be adopted to trace the development of the

department. Analytical method had to be adopted to understand the working of the department. This method automatically brings into existence the criticism of the several facets of the subject. It enables one to know what is relevant and what is irrelevant; what is transient and permanent; what is good and what is bad. It also indicates the intellectual abilities of the researcher.

PURPOSE :

The object of this study is to trace the origin of the department in the light of the original sources and to provide a narrative not merely of the successive stages of the organisational development but also to make a critical analysis of the personnel and financial administration of the department and thereby examine whether the various principles of personnel and financial administration have been observed and to what extent.

REVIEW OF THE EXISTING LITERATURE ON THE SUBJECT :

There is no published literature on this subject based on original sources excepting one viz. P.W.D. Manual by Vijay Kumar Dewan and published by G.D. Kataria, for ^{Law} Orients/ House,

Allahabad- 3, in 1979. This book contains 290 P.W.D. Rules which are exact reproduction of the Assam financial rules. This book does not deal with the organisation, functions, personnel administration and control of the department nor with the execution of the rules contained in the book. No assessment can be made from this book regarding the origin, evolution and the working of the department.

SOURCES FROM WHICH I SECURED THE MATERIALS :

• My study on the subject is based on original sources. These sources have not been consulted by any one so far I know. The material was collected from (a) Letters issued to miscellaneous quarters and letters received from miscellaneous quarters; (b) Letters issued to Deputy Commissioners, and letters received from the Deputy Commissioners; (c) Files relating to information of P.W.D. of the Government of Assam since 1874, available with the Keeper of Records, Civil Secretariat, Shillong.

The Assam Gazettee from 1874 to 1921 were consulted in the High Court Library, Gauhati.

(1) The Assam Gazettes since 1922; (2) The Assam Pay Commissions Reports, 1948, ^{1956,} 1964, 1973; (3) The classified list of officers of the Government of Assam from 1930 to 1952; (4) P.W.D. Code, Government of Assam; (5) Handbook of General Circulars, Government of Assam 1968; (6) P.W.D. budget of the Government of Assam since 1961; (7) the Assam Secretariat. Manuel, provisional issue, 1939; (8) Secretariat organisation and functions, Government of Assam 1968, issued from the organisation method division; and some of the books mentioned in the Secondary sources were consulted in the Assembly Library, Dispur.

The Administrative Report, P.W.D. Assam from 1874 to 1952; the Administrative Reports, Assam from 1874 to 1937; and some of the secondary sources were consulted in the library, Gauhati University.

The P.W.D. progress report from 1874 to 1884; the classified list of Officers' of the Government of Assam from 1874 to 1929 and other secondary sources were consulted in the National Library, Calcutta.

HISTORY OF THE ESTABLISHMENTS OF P.W.D. IN ASSAM :

Before 1838 the public works in Assam were divided into two categories, viz., works of national importance and works of local importance. The works of national importance were executed with the approval of the Military Board, works of local importance were executed with the approval of the Commissioner. All the works were executed by a non-technical man who was designated as supervisor. J.N. Martin was the first supervisor in Assam who was a non-technical man. The Military Board felt the necessity of a technical man and in 1838 it proposed for the establishment of a separate department of public works under a qualified Engineer. The proposal was approved by the Supreme Government, but it could not be carried out for want of a suitable candidate.¹

In 1839, the Governor-General-in-Council deputed Major Garstin, the Superintending Engineer, to suggest measures for the improvement of the lines of communications leading to the strategic out post. The comprehensive scheme which Garstin submitted after a survey of the existing works envisaged the construction of a number of necessary forts, blockhouses, public buildings besides repair and reconstruction of several

1. A Hand Book to the old records of the Assam Civil Secretariat by Dutt K.N, p. 170; 1959

roads and embankments in Upper Assam. In August, 1840, the Supreme Government accorded their approval to the Military constructions for their speedy execution. Lieutnant Spilta was appointed as the Executive Engineer, Upper Assam. Martin, the local supervisor, from then designated as the Executive Officer and had to act under the orders of the Executive Engineer. It was a great problem to the Executive Engineers to construct the lines of communications in an alluvial soil which subjected to the floods and inundations of the hill streams. Therefore, the officers-in-charge should not only be provided with adequate funds, but freed from dilatory official procedures so as to enable them to avail the most favourable moment for recommending their operations after rains, when the service of local labourers were, easily procurable. Unfortunately, it was after the most tortuous procedure and inordinate delays that the Executive Officers could procure the sanction. As a result, constructions were delayed, repairs hastily done before they were again washed away. Thus, most of the lines of communications remained incomplete and almost impossible during monsoons.²

All these conditions led to the establishment of a full fledged P.W.D. in 1868, when Assam was erected into a separate

2. Assam, in the days of company, 1826-1850, By- Barpujari H.K., pp. 197-200 1963.

circle under a Superintending Engineer with three divisions under him. The Superintending Engineer was at that time vested with the powers of a Chief Engineer, and was appointed Secretary to the Commissioner in the P.W.D.³ On the creation of Assam, into a Chief Commissionership, in 1874, the organisation of the P.W.D. was already adopted in some measure for separate Administration. The transfer of Sylhet and Cachar to the Assam Administration added one executive charge to the province in the valley of the Surma. The number of Executive Divisions previously existing in Assam proper was three. The only other change in the organisation of the P.W.D. that resulted from the separation of Assam was the transfer of the office of the Superintending Engineer and Secretary, and of the Deputy Examiner of Public Works Accounts, from Gauhati to Shillong, and the creation of a new Executive Engineer's charge at Shillong.

STRENGTH OF THE P.W.D. BEFORE AND AFTER THE SEPARATION OF ASSAM FROM BENGAL :

The strength of the P.W.D. establishment, before and after the separation of Assam from Bengal in 1874, and its

3. Letter No. 99 addressed to the Secretary, Govt. of Bengal by the agent of the Commissioner of Assam, Henry Hopkinson.

cost is shown in the following table⁴.

Table 1

Establishment	1873-74		1875-76	
	Number	Cost	Number	Cost
Direction :				
S.E. & Secy., including Office establishment.	1	33,937	1	36,513
Construction :-				
Executive Divisions, including Engineer, Subordinate, and Office establishment	3	1,22,923	5	2,10,770
Accounts :-				
Deputy Examiner, including office establishment	1	10,359	1	26,046
Total :		1,67,219		2,73,329

The table indicate that within two years, after the separation of Assam from Bengal, the cost of P.W.D. establishment increased nearly by one lacs and six thousands. Although the increase took place, under all the three heads, viz., direction, construction and Accounts, the maximum increase was on construction which may be attributed to the creation

4. P.W.D. progress report Assam for 1874-75.

of two more divisions.

Further, the establishment cost of the department in proportion to the cost on works and repairs was higher prior to 1874. The following table will give us a clear picture of the establishment cost in proportion to the cost on works and repairs before and after the formation of Assam into a Chief Commissionership.⁵

Table 2

Years	Works & Repairs	Establishment Cost	Percentage
1864-65	2,36,150	95,041	40.24
1865-66	3,76,397	1,46,838	39.01
1866-67	5,20,316	1,61,589	31.05
1867-68	7,41,268	1,81,583	24.49
1868-69	7,55,259	2,16,864	28.71
1869-70	4,78,130	2,27,799	47.65
1870-71	3,05,913	1,76,907	57.85
1871-72	2,43,207	1,79,109	73.64
1872-73	3,85,982	1,60,253	41.52
1873-74	3,81,788	1,67,219	43.22
1874-75	6,14,398	2,20,848	35.97
1875-76	7,34,057	2,73,329	37.23
1876-77	5,41,331	2,63,472	48.67

5. P.W.D. progress report Assam for 1875-76, 1876-77.

The above table indicates that the average cost of establishment for ten years immediately preceding the formation of Assam into a separate local administration was 42.74 per cent of the expenditure on works and repairs, whereas for the three years subsequent there to the cost on establishment was reduced to 40.6 per cent. Thus, there was a diminishing trend in the establishment cost after 1874, which came down to 29.30 per cent in 1891-92; 29.5 per cent in 1911-12; 20.67 per cent in 1921-22; 17.37 per cent in 1931-32; 15.47 per cent in 1941-42. However, the things changed rapidly after Independence. The cost on establishment in proportion to cost on works and repairs further reduced being the cost of establishment to 9.09 per cent in 1951-52; 10.36 per cent in 1961-62; 17.46 per cent in 1971-72.

So far as the total outlay of the P.W.D. was concerned the major portion was spent on the construction and repairs of roads and buildings. Certain percentage of the total outlay was also spent in the purchase and repairs of the tools and plants and still some percent on establishment. With the gradual expansion of the department the total outlay also increased proportionately. The following table gives us a

comprehensive view of the rate of increase of the total outlay from time to time and the actual collection of the total revenue with proportion it bears to the total outlay.⁶

Table 3

Year	Total outlay	Rate of increase in a decade	Actual collection revenue	Rate of increase	Percentage of revenue of the total outlay
1874-75	9,90,000	86.88%	6,366	125.4%	64%
1884-85	18,49,255	62.1%	14,349	N.A.	78%
1894-95	29,97,656	1.2%	N.A.	87.78%	N.A.
1904-05	30,33,773	66.9%	70,228	338.86%	2.31%
1914-15	50,65,185	33.4% decreased	1,31,876	13.69% decreased	2.60%
1924-25	37,98,835	19.4%	5,78,754	48.28%	15.24%
1934-35	45,33,373	720.8%	4,99,485	109.02%	11.02%
1944-45	3,72,08,242	32.6% decreased	7,40,668	215.05%	1.99%
1951-52	2,80,55,175	263.6%	9,93,874		3.54%
1961-62	10,20,12,242	123.9%	20,26,889		1.99%
1971-72	22,84,72,090	59.6%	63,83,896	N.A.	12.7%
1981-82	36,47,52,000		1,69,00,000		4.63%

6. Administrative report P.W.D. Assam from 1874 to 1961.

The above table indicates that although there was gradual increase in the total outlay since 1874-75 yet in two decades from 1914-15 to 1924-25 and from 1944-45 to 1951-52 the total outlay decreased by 33.4 percent and 32.6 per cent. The highest rate of increased took place from 1934-35 to 1944-45 which may be attributed to the creation ^{of} embankment and crainage division and adoption of some important development schemes by the road development board.

So far as revenue was concerned rents, ferry receipts motor permits, sales of old materials and buildings, unserviceable tools and plant etc. were the main sources of P.W.D. revenue. The above table gives us a clear picture of the total revenue from time to time and its increasing trend. The highest percentage of increase took place from 1914-15 to 1924-25 which stood at 338.86 per cent. In one decade from 1924-25 to 1934-1935 there was a decrease in the actual realisation of revenue by 13.69 per cent, which may be attributed to the reduced receipts of motor permits. This reduced receipts of motor permits caused due to a rebate sanctioned for fitting all lorries with pneumatic tyres. However, things changed rapidly during the last twenty years after Independence. After

Independence the rate of increase in each decade of the actual realisation of revenues was 109.02 and 215.05 per cent respectively. These rates of increase lead to the budget estimate of P.W.D. revenue in 1981-82 at Rs. 1,69,00,000.⁷ From the above it is clear that the realisation of revenue was quite negligible. Thus the highest proportion of the total outlay of this department had to be met from some other sources. There is a popular belief that the P.W.D. is the most revenue consuming department in Assam which is proved to be a fact.

ENGINEERING SERVICES :

In 1874, there were mainly two Engineering services, viz. Imperial Engineering service and Provincial Engineering service. Besides, there were upper and lower subordinates. In 1920, on the recommendation of the Public Service Commission and the P.W.D. Re-organisation Committee, a Provincial Engineering Service, known as the Assam Engineering Service, was created. Recruits for this new services were mainly drawn from the Engineering classes of the Indian Engineering College.⁸ In 1921, the Assam Sub-ordinate Engineering

7. P.W.D. Budget, Government of Assam from 1971-72 to 1981-82.

8. The Assam Gazette, 1920, Part-IIA, Notification No. 87 G/Estt.

Service was created which replaced the existing upper and lower sub-ordinates.⁹

With the creation of these two services, the P.W.D. in Assam, was organised into three Engineering services :

1) The Indian service of Engineers : It comprised all the members of the former Provincial Engineering Services which was in existence from 1874. All the divisional charges including the higher Administrative posts of the P.W.D. were held by the members of this service.

2) The Assam Engineering Services : This was a new service created in 1920. The sub-divisional charges of the P.W.D. in Assam were held by the member of this service. In 1938, this service was divided into two classes I and II service.

The Class I service was created gradually replacing for the Indian Engineering Service. The Class II service had to provide for the post of sub-divisional officers (excluding three to be reserved for members of the sub-ordinate engineering service).¹⁰ At present all the administrative posts and other

9. The Assam Gazettee 1921, Part IIA Notification No. 87 G/Estt.

10. The Assam Gazettee 1958 Part IIA Notification No. 122 Estt.

higher executive posts of the P.W.D. are held by the members of the Assam Engineering Service Class I.

Field Establishment : The entire function of the P.W.D. is not confined in the capital of the state. For administrative convenience, the establishments are created throughout the length and breadth of the state. In short, field establishments are those which work in the field away from the headquarters.

Table 4

Year	Zones	Circles	Divisions	Sub-divisions
1868-69		1	3	N.A.
1874-75		1	4	N.A.
1884-85		2	11 Districts	N.A.
1894-95		2	4 Divisions	N.A.
1904-05		2	4 Divisions	N.A.
1914-15		1	7 "	N.A.
1924-25		1	7 "	N.A.
1934-35		2	7 "	18
1944-45		2	11 "	30
1954-55		5	31 "	N.A.
1964-65	2	17	77 "	251
1974-75	4	21	75 "	216

From the above it is clear that in the beginning the P.W.D. in Assam had one circle and three divisions only. Even after three decade the number of circles remained the same. The number of divisions was increased by one.

In 1881, the public works executive divisions were made conterminous with the civil districts of the province. The Executive Engineers were made advisers to Deputy Commissioners in all technical and non-technical matters. Besides they were made the professional advisers to the District Fund Committee for carrying out their works. Accordingly in 1884-85, the field organisation consisted of two circles and eleven districts.

After Independence, things changed rapidly. Five Year Plans were launched for the development of the country at an accelerated pace which lead to the heavy expansion of the field establishment of the P.W.D. In 1954-55 the number of circles stood at five and the number of divisions at thirty one. In the next decade i. e. from 1954 to 1964-65 the P.W.D. in Assam was bifurcated into two wings with two zones, seventeen circles and seventy seven divisions including two

hundred and fifty one sub-divisions. During the period from 1964-65 to 1974-75 the two wings were converted into two separate departments and the field establishment in 1974-75 stood at four zones, twenty one circles, seventy five divisions and two hundred and sixteen sub-divisions.

The Structure of the Executive Staff, P.W.D. Assam : In 1874, when Assam was constituted into a Chief Commissioner's province one Superintending Engineer, four Executives, four Assistant Engineers and three Sub-ordinates were transferred from the Bengal P.W.D. establishment. At that time there were no Chief Engineer and Additional Chief Engineer. In 1901, one Chief Engineer was appointed to the P.W.D., Assam but there was no Additional Chief Engineer. The number of Superintending Engineers remained the same as before. In case of Executive Engineers it was increased to 11 and the Assistant Engineers to six. The number of Subordinates increased to twenty one against three in 1874.

After Independence the executive staff increased enormously. In 1971, the total number of Chief Engineers were 2,

Table 5

Year	Chief Engineer	Chief Engineer	Chief Engineer	Chief Engineer	Superintending Engineer	Executive & Addl. Executive Engineer	Asstt. Engineer	Subordinate
1874	-	-	-	-	1	4	4	3
1901	1	-	-	-	1	11	6	21
1930	1	-	-	-	2	14	20	79
1940	1	-	-	-	2	14	21	79
1951	1	1	1	1	3	11	22	79
1961	1	1	1	1	7	23	26	79
1971	2	4	4	4	20	95	168	141
1981	2	4	4	4	21	85	172	215

Additional Chief Engineers 4, Superintending Engineers 20, Executive Engineers 95, Assistant^{ant} Engineers 168 and the Sub-ordinates were 141. The increase was necessitated because of the heavy expansion of the P.W.D. after Independence which may be attributed to the launching of several five year plans for the development of the state. In 1981, there was no increase in the Chief and Additional Chief Engineers. The number of Superintending Engineers was increased from 20 to 21. But in the case of Executive Engineers the total number decreased to eighty five as against 95 in 1971. The number of Assistant Engineers and Sub-ordinates was increased to 172 and 215 in 1981 as against 168 and 141 in 1971 respectively.

From the above we come to the conclusion that the Executive staff improved enormously from 1961 onwards. During the first two plan periods, commencing from 1951, the P.W.D. had to face serious difficulties due to acute shortage of technical personnel. In 1961, although there were still some shortage of technical personnel at certain levels, the position had improved to a considerable extent.¹¹ Since 1971, the technical personnel became surplus which may be attributed to

11. A short account on Assam P.W.D. (Road & Building) Wing issued by Assam P.W.D. on 14th January, 1965.

the establishment of some Engineering Colleges and Technical Institutes in the state during the third Plan period.

Introduction of diary system : In 1882, a new system viz. maintenance of diary was introduced in Assam. The diaries contained details of the activities of the Executive, Assistant and District Engineers and Sub-Divisional Officers. These diaries had to be submitted monthly by Assistant Engineers and Sub-Divisional Officers to the Executive Engineers, and Executive Engineers to the Superintending Engineers and District Engineer to the Deputy Commissioner. The Superintending Engineers and the Deputy Commissioner submitted to the Chief Commissioner any diary which they considered specially interesting as containing a record of specially meritorious works.¹²

The maintenance of diary system is still in vogue with only modification that the Superintending Engineer and Chief Engineer must submit any diary which they considered interesting to the Chief Engineer and Secretary, P.W.D. instead to the Chief Commissioner.

12. The Assam Gazettee 1882, Part II Notification No. 7.

Award of Title : In 1887 to attract the native gentleman to the P.W.D. the Governor-General-in Council sanctioned the grant of the Title of Rai Bahadur, Rao Bahadur, or Khan Bahadur, Ex-officio to all native gentlemen in the P.W.D. holding the substantive rank of Executive Engineers. Assistant Engineers and upper sub-ordinates who had attain the rank of Honorary Assistant-Engineer could receive ex-officio, the title of Rai Sahib, Rao Sahib, or Khan Sahib and they were eligible for the title of Rai Bahadur, Rao Bahadur or Khan Bahadur on the recommendation of the local Government. Other sub-ordinates of higher rank, other than overseer, were eligible for the title of Rai Sahib, Rao Sahib, or Khan Sahib, if they had held with credit for five years the charge of an important sub-division and were recommended for the distinction by the Local Government.

Titles were conferred on the following officers of the P.W.D.¹³

Rai Bahadur ex-officio :

1. Babu Bholanath Das, Executive Engineer, 1st grade, Cachar.
2. Babu Preonath Banerji, Executive Engineer, 3rd grade, Sylhet.

13. The Assam Gazettee, 1887, Part II, Notification No. 4.

Rai Bahadur ex-officio :

3. Babu Durga Das, Sub-Engineer, 1st grade.
4. Babu Gopal Ch. Chattopadhyaya, B.A. Assistant Engineer, 1st grade, Sylhet.
5. Babu Dalla Brij Mohan Lal, B.A. Assistant Engineer, 2nd grade, Sylhet.
6. Pandit Matadin - Sukul, M.A. Engineer Apprentice, Cachar in 1905, with the amalgamation of Assam with Eastern Bengal, the award of titles were stopped for ever.

SPECIAL STATUS ENJOYED BY THE P.W.D. SECRETARIAT :

The P.W.D. Secretariat was kept separate from the Civil Secretariat. The reasons for this are not clear. Before the formation of Assam into Chief Commissionership the P.W.D. was a separate organization. This practice was continued even after the formation of Assam into a separate Province. Further, in the Civil Secretariat the Secretaries were generalists. The Chief Engineer who was the head of the department was appointed Secretary of the Department. Naturally, there might have been an apprehension that if the P.W.D. Secretariat was amalgamated with the Civil Secretariat the generalist would certainly demand the post of Secretary of this department also.

Although, these arguments may be advanced to justify the special status given to the P.W.D. Secretariat yet there

was a demand for its amalgamation with the Civil Secretariat. Although this demand was nullified yet the ministerial establishment of the P.W.D. Secretariat was amalgamated with Civil Secretariat in 1931 as one cadre for the purpose of recruitment, promotion and transfer.¹⁴ It was only after Independence that both Secretariats were amalgamated into one.

14. Estt. B., March 1934, No. 29-33.

CHAPTER II.

ORGANISATION OF PUBLIC WORKS DEPARTMENT:

The administration in Assam is split up into a number of departments. Some of these departments are organised according to certain principles, some are on process principle, a few others according to the clientele and still a few other according to the Geographical area principle. But, a large number of them are organised according to the unfunctional principle. The public works department is one of the departments which was organised and reorganised from time to time mostly on functional basis and in some levels on geographical area and process basis. This department was divided into number of zones, circles and divisions. At the top there is the Minister who is the political head; at the middle level is the Secretariat headed by the Secretary and assisted by Under and Deputy Secretaries; at the lowest level is the Executive wing consisting of the Directorate whose head is called the Chief Engineer.

ORGANISATION OF PUBLIC WORKS DEPARTMENT SECRETARIAT :

In 1874, the Organisation of the P.W.D. at the head quarter was a combined one of Secretariat and Directorate, i.e. the functions of the Secretariat and that of the Directorate were performed by one and the

same officer. The Superintending Engineer who was vested with the powers of a Chief Engineer was also the Secretary to the Chief Commissioner in the P.W.D. The P.W.D. Secretariat was organised into two branches.

- (i) Establishment and Communication branch,
- (ii) Accounts and Building branch.

Each branch was manned by some Upper and Lower Division Assistants.¹ In 1876, the staff of the Secretary to the Chief Commissioner was strengthened by the addition of an Assistant Secretary, as a consequence of the increase of work caused by the transfer to the P.W.D. of the administration of the several local funds of the province, and also because it was desirable to have a responsible officer at the head-quarters to look after the current duties while the Secretary was absent on his tour of inspection.²

In 1901, the post of Assistant Secretary was upgraded to Under Secretary.³ In 1905, the post of Under Secretary was abolished and in its place the post of Assistant Secretary was again created.⁴ In 1914, the post of Under Secretary was again created in lieu of the Assistant Secretary and in 1917 the post of Registrar was created.⁵ From 1917 to 1937 P.W.D. expanded tremendously,

1. Assam P.W.D. Progress Report for the year 1874-75.
 2. Assam P.W.D. Progress Report for the year 1876-77.
 3. Administrative Report, P.W.D., Assam for 1901.
 4. Ibid. 1905
 5. Ibid. 1914

due to the heavy expansion of activities of the Secretariat , P.W.D. As a result, it was reorganised into the following branches :

- 1) Establishment and Communication branch.
- 2) Accounts and Building branch.
- 3) Record and Recording branch.
- 4) Issue branch.
- 5) General branch.

Ordinarily, the head assistants or the lower division assistants were in charge of branches. In 1939, the staff of the P.W.D. Secretariat consisted of one Secretary as the Administrative head, one Under Secretary who had to assist the Secretary in his secretariat work and one Registrar who was in charge of ministerial establishment.⁶ The following table shows the distribution of ministerial establishment of the P.W.D. Secretariat .

^{Assam}
6./ Secretariat Manual, 1939, provisional issue.

TABLE No.1.

²
Distribution of ministerial establishment :

Branches or Sections	Head Assistant	Other Assistant		Miscellaneous
		Upper Division	Lower Division	
1. Establishment and Communication Branch	1	4	5	-
2. Accounts and Building Branch	1	4	6	-
3. Record and Recording Branch	-	-	2	-
4. Issue Branch	-	-	24 3 (Including Typists)	-
5. General Branch	-	-	1	-
6. Stenographer	-	-	-	1
7. Leave Reserve	-	-	3	-
GRAND TOTAL =	2	8	10 + 3	1 = 33

In 1940, the Embankment and Drainage organisation of the department came into being. The department had undergone considerable expansion, specially after Independence, and in 1956, it was bifurcated into two wings, one

named as Roads and Buildings wing and the other as Flood Control and Irrigation wing. These two wings were converted into full-fledged independent departments, in August 1965. After the conversion of Flood Control and Irrigation wing into an independent department, the P.W.D. (Roads and Buildings) Secretariat was reorganised. The Chief Engineer continued to be the Secretary to the Government, P.W.D. (Roads and Buildings). The Secretary was assisted in the Secretariat by two Additional Secretaries, one ex-officio Deputy Secretary and Seven Under Secretaries (including one for hills).

On the 1st April, 1968 the P.W.D. Secretariat was organised into 13 branches (excluding the technical branches), placed under the direct charge of the seven Under Secretaries, and with a staff shown against each. The table given below gives an idea of the total number of branches under the charge of an Under Secretary and the total number of Superintendents, Assistant Superintendents, Upper Division Assistants, Lower Division Assistants and Typists in each branch.

TABLE NO.2.

Designation of Branch Office	Name of the Branch	Superintendents	Assistant Superintendents.	J.D. Asstt. Asstt.	Lower Divin. Asstt.	Typist
1	2	3	4	5	6	7
1. The Under Secretary and Additional Chief Engineer.	1. Budget branch 2. Development (A) Branch 3. Establishment (B) Branch.	1 1 1	- - -	6 5 4	5 4 5	3 3 2
2. Under Secretary and Assistant Chief Engineer	4. Boarder Roads Branch 5. Building Branch 6. Developments (B) Branch	1 1 1	- - -	4 4 3	6 6 5	2 2 2

	1	2	3	4	5	6	7
3. Under Secretary and Assistant Chief Engineer	1	1	1	1	1	1	1
7. Communication Branch							
8. General Branch							
4. Under Secretary and Assistant Chief Engineer	1	1	1	1	1	1	1
9. Hills Development Branch							
5. Under Secretary	1	1	1	1	1	1	1
10.(a) Establishment (A) Branch							
(b) Pay Committee Cell							
6. Under Secretary	1	1	1	1	1	1	1
11. Audit Branch							
12. Bill and Cash Branch							

1	2	3	4	5	6	7
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7. Under Secretary 13.(a) Issue * Assistant in-charge 1

Branch Despatcher 5

(b) Nazarat* Nazir 1

Section of Assistant 1

Bill and Nazir

Cash Branch

There were ten technical branches each under the charge of an Executive Engineer to assist the Chief Engineer. The Technical Branches were for Roads, Buildings, Building Design, Statistic and Metric, Bridge, Architecture, National Highway, Border Roads, Hill Roads and Hill Bridges. Besides, there was a Registrar of Gazetted Rank drawn from non-technical Services. He was the channel of communication between the branches and the Under Secretaries in all matters affecting office management, procedure and routine works.

The organisation of the P.W.D. Secretariat into 13 branches was based on functions. The following functions were allotted to each of 13 branches.

(1) Budget Branch : This branch was created to deal with matters relating to the preparation of budget and control over expenditure. The Audit section was also attached to this branch. But in 1950 the Audit section was separated and an Audit branch was created.

The subjects dealt with in this branch were as follows :-

1) Compilation and preparation of detailed budget estimates under (a) 50 public works, (b) 103 capital outlay on public works, (c) 30 public health and (d) 37 public works ;

2) Matters relating to (a) 50 public works central and (b) 103 capital outlay on roads (National Highways) ;

3) Appropriation accounts under (1) and (2) above ;

4) Supplementary demands and resolutions ;

5) Re-appropriations ;

6) Centrally assisted schemes- submission of budget and revised estimates to government of India ;

7) Reserve stock limit of divisional officers;
8) Control of expenditure incurred by divisions;
9) Allotment and withdrawal of funds;
10) Matters relating to administrative approval, technical sanction, appropriation, surrender of savings etc. (ii) re-conciliation of expenditure with Accountant General.

(2) Development 'A' Branch : The development branch was created in 1954 by separating a part of the functions of the communications branch. It was subsequently bifurcated into development (A) and development (B) branches in 1956. The development (A) branch deals with road development programmes and building schemes under the plan in the plain districts. It includes construction of roads financed out of allocations from Central Road Funds and improvement of existing low standard roads and ferries. Besides, this branch dealt with the following functions :-

Establishment of road research station, Establishment of work shops, Re-construction of bridges and culverts, Metalling and surfacing of roads, Construction and improvement of town and construction of foot paths, and provision for P.W.D. Inspection Bungalows including the construction and repairs.

(3) Establishment (B) Branch: There was previously only one branch dealing with establishment matters. The branch was split up into two branches, viz; Establishment (A) and Establishment (B) which respectively dealt with non-gazetted and gazetted staff under the Roads and Buildings department.

The subjects dealt with under this branch were as follows :-

All matters relating to Gazetted Engineers; creation and abolition of circles, divisions, and sub-divisions and their jurisdiction, work load of divisions, service rules of engineering establishment under the department; annual confidential reports of engineering officers, and all confidential matter of the department.

(4) Border Roads Branch : This branch was created in June 1962. Its main functions were to look after the construction of border roads especially Pakistan and China border.

The details of the subjects dealt with in this branch were as follows :-

Construction of border roads including those on Indo-Pakistan border; land acquisition for roads; construction of buildings for the border security force and border out-post buildings; construction of bridges and culverts and Chief Engineer's Conference.

(5) Building Branch: This branch was created in 1974. This branch dealt with building projects under the normal budget and was concerned with any project under the plan. The main functions of this branch were as follows :-

Valuation of government buildings, matters relating to rent of government buildings and matters relating to the establishment of the Estate Officer. Besides, the following subjects were also dealt with in this branch, all normal building construction works; matters relating to explosive magazines, fire fighting equipment, pinewood hotel, service taxes on government buildings, Insurance of government buildings, Flood damage to government buildings, Rent cases of private houses hired for government purposes, Establishment of the Estate Officer and valuation of government buildings.

(6) Development (B) Branch : This branch was originally created to deal with roads and building scheme under Article 275 of the Constitution in the autonomous district and plains tribal areas. Subsequently, some other subjects like buildings for medical colleges and public works department Civil works buildings were also entrusted to this branch. Besides, road projects like Jowai-Badarour road which were fully financed by Government of India/^{as}an interstate road of economic importance were also dealt with in this branch.

(7) Communication branch : This branch was created some-time in 1942-43 to deal with the Construction of roads, bridges and buildings. In 1954, the schemes under five year plan were transferred to a newly created branch known as development branch. This branch administers the following Acts and Rules :-

(1) National Highway Act, 1956 and Assam Highway Act, 1928 and rules framed there under ;

(2) Northern Indian Ferry Act, 1878 and Ferry Rules framed under section 12 of the Act;

(3) Indian tolls Act, and rules framed thereunder;

The subjects dealt with in this branch were as follows :-

National Highways, bridges and culverts, construction and all matters relating thereto; Ferries, Mar-boats and all bridges and matters relating thereto; state roads, bridges and culverts; Indo-Pak boundary pillars and matters relating to the Indian road congress.

(8) General Branch : This branch was constituted in 1954 by taking out some of the subjects of Audit, building and N.E.D. branches. Confidential branch was also made a part of this branch but subsequently it was separated and tagged to establishment (B) branch.

The subjects dealt with in this branch were as follows :-

Matters relating to purchase of stores for construction work of the department; purchase of Typewriters, books, duplicators, forms, iron sheets, cycles, for the offices of the Chief Engineers and the subordinate officers; Indent and supply of explosives; advertisement bills, supply of measurement books, note books, P.W.D. general specifications etc. matters relating to indent and supply of forms and stationary to divisional offices, Renewal of licenses of explosives; supply of liveries to divisional offices, purchases, transfer and allotment of plant machinery; purchase, transfer, allotment and disposal of vehicles; matter relating to tents and tarpaulins, matters relating to maintenance of vehicles and machinery; matters relating to metric system except those - concerning roads and communications; matters relating to Indian standard institutions; matters relating to rain gauge; schedule of rates; arrangement of wagons for despatch of materials; appointment of handling agents and appointment of carriers; Loan, transfer and diversion of steel materials; settlement of rate contract for purchase of fans, cables, G.I. pipes, copper winding wire expanded metal and asbestos, cement product etc. Besides, this branch dealt with the explosive rules 1940 framed under the explosive Act, 1884.

(9) Development (Hill) Branch : For the speedy execution of all development schemes in the hill areas, a separate branch was created in April 1967 bifurcating the development (B) branch. This branch came to be called as development (Hill) branch. It deals with all development schemes under P.W.D. for the autonomous hill districts of the state.

The subjects dealt with under this branch are as follows :-

All matters relating to hill roads under plan and matters relating to development schemes under P.W.D. for hill districts.

(10) Establishment (A) Branch : The main functions of this branch were the administration of service matters relating to the non-gazetted engineers (civil, mechanical and electrical) computers, draftsman, overseers Grade II and III, tracers, stenographers and the ministerial staff in the Chief Engineers Office besides, organisation and method of work of the department.

The subjects dealt with under this branch were as follows :-

All establishment matters relating to subordinate engineers, computers, draftsman, overseers grade II and III assistants Chief Engineer's establishment, traders and stenographers, establishment of divisional officers and

and superintending Engineers, workcharged establishment and accounts staff in divisional offices. Besides, organisation and method of work^{at} the department, census of Government employees of the P.W.D. and Muharrirs and their training are also entrusted to this branch.

(11) Audit Branch : This branch was created sometime in 1950 by bifurcation of the budget branch which until then used to deal with all matters relating to audit. Its main functions were to watch the expeditious disposal of audit objections, audit reports, draft paragraphs of Accountant General and also timely submission of the schedule and returns to the Accountant General by the P.W.D. divisional Officers. It also dealt with pension, gratuity, compassionate fund, general allowance bills, contractor's claims, civil suits etc.

This branch administers the following Acts, Rules and Codes.

(1) The Assam Shramic Bahini Act 1959 and rules framed thereunder.

(2) The Assam P.W.D. Code.

(3) Accounts Code.

(4) Rules regarding registration of contractors (non-statutory).

(12) Bill and Cash branch (including Nazarat) : This branch was formerly a part of the establishment (B) branch. From 1968 this branch was functioning as a separate branch and dealt with all matters of accounts pay bills and travelling allowance bills of officers of the P.W.D. Secretariat. The Nazarat section attached to this branch was responsible etc. to all the branches of both wings of P.W.D. The subjects dealt under this branch were as follows :-

Bill and Cash : All matters relating to pay travelling allowances bills of officers and staff of the P.W.D. Secretariat and accounts matters.

Nazarat : All matters relating to indendent and supply of stationery, forms, drawing materials, furnitures etc. purchase of lamp coal and charcoal and burning of chimneys and emquities, repairs and maintenance of type writess, duplicators, payment of bills for telephones and electricity, receipt of postal dak and parcels including moss-papers and journals for officers, printing of non-scheduled forms, maters relating to the grade IV establishment of the office of the Chief Engineer and Secretary, cleanliness in the office.

(13) Issue Branch : This branch is responsible for despatch of outgoing communications issued by various branches of the department.⁷

7. Secretariat organisation, Government of Assam, 1968.P.94. Printed at the Assam Govt. Press, Shillong, published by Director, O.M.Division.

Since 1968, the P.W.D. Secretariat had undergone many changes. In 1970, in accordance with the Assam Re-organisation (Meghalaya) Act 1969, the executive power of the Government of Assam (R&B) department ceased in respect of those circles, divisions and subdivisional falling within the area constituting the Autonomous state of Meghalaya.⁸ In 1971, the P.W.D. Secretariat was separated from the Directorate Office and the Secretariat was reorganised.⁹ In this reorganisation a Secretary without the charge of a Chief Engineer was appointed from the technical (Assam Engineering Class I) service. He was assisted by four Deputy Secretaries, all of them drawn from Assam Engineering Service and eight under Secretaries. Of the eight under Secretaries except one all of them were appointed from Assam Engineering Class I service. The remaining one was appointed by promotion from non-technical service from Superintendants.

As on 1st January 1983, the organisational pattern of the P.W.D. Secretariat is as follows :-

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8. The Assam Gazette, 1970, Part IIA. Notification No. R.B.&(B)6A/2/70/Part I/8.
 9. The Assam Pay Commission Report 1964, 1973.

Secretariat Organisation 1983

Secretary

Deputy Secretary	Under Secretary	Name of Branches	Superin - tendent	UDA	LDA	Typist
1	2	3	4	5	6	7
	1. Under Secretary	1. Establishment Branch.	1	4	5	3
		2. Budget Branch.	1	6	3	3
	2. Deputy Secretary.	3. Bill branch	Nil	3	5	2
		5. Miscellaneous branch .				
	2. Deputy Secretary.	6. Development A I branch.	1	5	6	3
		6. Planning branch.				
		7. Development A II branch.	1	3	4	2
	4. Under Secretary.	8. Building branch	1	4	6	2
		9. Development B.	1	3	5	2

1	2	3	4	5	6	7
3. Deputy Secretary.	5. Under Secretary.	10. Audit branch	1	7	3	3
6. Under Secretary.	11. General branch.		1	4	8	3
4. Deputy Secretary.	7. Under Secretary.	12. Highway branch.				
		13. Border Road Development.	Nil	5	3	1
	8. Under Secretary.	14. Communication branch.	1	5	8	2
		15. Nazarat branch	1 Nazir	1	1	-

The ministerial establishment and the services of the Superintendent were under the control of the Secretary.

The subjects, to be dealt with by the P.W.D. Secretariat, are distributed among the various branches as given below.

1. Establishment Branch :- This branch is entrusted with the following functions :-

All establishment matters relating to officers and staff under the control of the P.W.D. creation and abolition of circles, divisions and sub-divisions under P.W.D. service rules of Engineering establishment under the department; annual and confidential report and confidential matters of P.W.D.; Annual confidential report in respect of gazetted and non-gazetted officials under the department; temporary and permanent retention of gazetted and non-gazetted post under the department; Assam Public Works Department Code and subordinate organisation of Chief Engineer, P.W.D.

2. Budget Branch :- This branch is entrusted to deal with the following subjects-

Compilation and preparation of detailed budget estimates in respect of concerned head of accounts; appropriation accounts; supplementary demands and resolution; reappropriation, reserved stock limit of Divisional Officers; Control of expenditure through letter of credit system, allotment and withdrawal of funds; appropriation and surrender of savings and reconciliation of expenditure with Accountant General.

3. Bill Branch:- This branch is allotted to deal with the following subjects :-

Leave, Service-Book, establishment matters transfer and posting of assistants within P.W.D.; preparation of pay bills, T.A. bills, telephone bills, telegram bills and other office contingency bills; preparation of house building advance, motor cycle advance, bicycle advance etc. bills.

4. Planning Branch :- This branch is entrusted with the responsibility of dealing with the following subjects :-

Formulation of five year and annual plan to the department, work out of quarterly progress report, World Bank assistance, review of plan, approval of scheme of the department, sponsoring the meeting of Assam Road Communication Board, maintenance of sub-divisional Road Communication board meeting for the approval of minimum need road programme.

5. Development A I Branch:- It deals with the following subjects. All works including general plan, Agricultural plan, Industrial plan, Advance from Central Assistance, boarders Road of security importance, municipal roads, major bridges, improvement of low standard P.W.D. Roads, metalling and black topping; roads of turist importance; self help basis works; land acquisition cases, new roads etc. relating to Cachar, Karimganj, Hailakandi, Nowgong east, Nowgong west, Jorhat road, Golaghat, Sibsagar, Dibrugarh, North Lakhimpur, Ghilamara, Charali, Tezour, Mangaldoi, Dhubri, Kokrajhar, Goalpara, Barpeta, Nalbari, and Gauhati Road Division.

6. Development A II Branch:- The following subjects are dealt with by this branch.

Plan works of general areas, advance from Central assistance budget estimate, A.R.C.B. matters, Mahkuma Parisad matters, etc. relating to plain districts; Plan works of general plan, advance from Central Assistance, District Council, Grants-in-aid etc. relating to hill areas etc. C.R.F. allocation, C.R.F. ordinary reserve, works relating to Tribal sub-plan and other works of T.A. and W.B.C. Department, monitoring and servicing cell, quarterly progress report, action calendar, works programme, Secretaries meeting, Chief Engineer, Additional Chief Engineer, Superintending Engineer, Executive Engineers monthly and periodical conference etc.

7. Building grants :- This branch dealt with the following subjects :-

Building construction works under non-plan general areas department, Revenue, Education, Judicial, Home etc. Departments; works relating to temporary capital construction at Dispur under non-plan works relating to Execution of Deposit works and other matters relating to realisation of House rent, Service Taxes, Allotment of Quarter and assesment of rent for haired buildings etc. construction works of Agriculture Department under World Bank project; Scheduled of rate of construction by the agencies.

8. Development B Branch : The following subjects are allotted to this branch to deal with :

Departmental building works, (Plan); Building works (Plan) exclusively falling under five years plan of both hill and general areas; Building works of semi-Government undertaking; subordinate organisation— (a) Chief Engineer, P.W.D.

9. Audit Branch : This branch is entrusted with sixteen subjects to deal with. These subjects are : Accountant General's Inspection Report and audit objections, Draft paragraph, audit reports, public Accounts Committee and its recommendations; discrepancies, write off etc. matters relating to pension and gratuity; advances to officers staff, House Building, conveyance, G.P.F. Advance, etc. Muster Roll labourers, works charged staff and section assistants; pre-audit, travelling allowances bill, etc. withdrawal of general fund; registration and classification of contractor and contractor's claims.

Besides, pre-registration training scheme for unemployed educated youth and unemployed artisan stipendary training-cum-temporary employment scheme, notice under eighty C.P.C. and Court cases; matters relating to Assam Government. Construction corporation limited, job programme and Assam Sramik Bahini Act 1959 and rules framed there under are also entrusted to this branch.

10. General Branch :- This branch is entrusted with the responsibility of the following subjects :-

All matters relating to procurement, Indent, Transfer, etc. of various kinds of machinery and vehicles; claims relating to assurance committee; procurement of steel, G.P.sheets, G.C.I. sheets, and allied matters; compilation of administrative reports Pleader's notice, Inspection reports of Officers; Asbestos sheets, disposal of surplus stock, sanction of repair charge for tools and plants and electrical goods, procurement and distributions of cement; bitumen and allied matters; maintenance of indent register, claim cases with railways regarding steel.wire, ropes etc. ~~in~~ liveries to divisional offices, advertisement bills etc. besides, matter relating to official language Act, reports and returns of steel and machineries; type-writers, books, duplicators and office stores; tents, tarpauline, schedule of rates and general specifications, forms and stationery articles for divisions; printing and supply of forms; loan and P.W.D. stores purchase board are also entrusted to this branch.

11. Highway Branch:- The following subjects are entrusted to this branch ;

Construction and Maintenance of national highway, acquisition of land for national highways, erection of check gates, transport development council meeting, export bridge

meeting, export bridge committee, construction of major bridges over the river Brahmaputra (Jogighopa). Levy of tolls on bridges, construction of Inspection Bungalows by the side of national high way, construction of central work-shops for repair and maintenance of central machinery, national high ways Act, permission and licence for crossing the pipe lines by various authority, construction of weigh bridge and all matters relating to rules and regulations of national high ways.

12. Border Road Development Branch : This branch is in existence since 1962. The main functions of this branch are to look after the construction and improvement of border roads out of fund received from the Government of India for this purpose. Besides, the construction and maintenance of National High way 52, land acquisition for approved border roads, construction of bridges and culverts are also entrusted to this branch.

13. Communication Branch : This branch is a very old one. It is in existence since 1874, and is entrusted to deal with as more as twenty subjects. The subjects are :

Repair work of P.W.D. roads and bridges, construction and repairs of railway overbridges, railway level crossing , miscellaneous works concerning P.W.D. for construction of B.G. lines, north eastern council matters

relating to road and bridges in Assam ferries, marboat; plantation of trees on the P.W.D. road side signboard on P.W.D. road side, construction of speedbreaker, construction of guard-shed for bridges (30 metres) on the state highway, encroachment of P.W.D. road side land and khash land etc. Besides, food work programme, repair of flood damages, installation of telephone in P.W.D. offices and residences; test relief, maintenance and repair of Inspection Bungalows, rest house, boulder pillars, construction of Kalie Bhomara Bridge, installation of petrol pump of P.W.D. road side land, traffic census sluice gate are also entrusted to this branch.

14. Nazarat Branch:- This branch is entrusted with the following subjects to dealt with :-

Supervision and control of the forth grade employees of all branches of the P.W.D. Secretariat; all matters relating to indent and supply of stationary, forms, drawing, materials, furniture etc. repairs and maintenance of Type - writers and duplicators; receipt and despatch of postal dak and parcels including newspaper and journals for officers and cleanliness in the office.

We have so far considered the organisation of the Secretariat at the head quarters. During the period stretching over one hundred and nine years, it has grown up enormously. Necessary changes were introduced when ever necessary. At the

beginning, the P.W.D. Secretariat worked with only two branches. In 1939, the numbers of branches grown up to seven. After Independence, the things changed rapidly and the number of branches of this secretariat came up to thirteen in 1968 and fourteen in 1983.

Further, in 1874, the officers staff of this secretariat consisted for only one secretary. In 1939, the officers staff consisted of one secretary, one under secretary and one Registrar. In 1968, it was consisted of one secretary, two additional secretaries, one ex-officio deputy Secretary, 7 Under secretary and one Registrar. In 1983, the officer staff consisted of one secretary independent of the change of Chief Engineer, 4 Deputy Secretaries, 8 Under Secretaries . From the above figures we may conclude that so long the state was a police state the P.W.D. Secretariat remained a mini-secretariat. After the conversion of police state into a welfare state it grown up in all proportion and it has become one of the major secretariat in the state.

P.W.D. Field Organisation in Assam.

In 1868, when Assam circle came into being, the field organisation was based on functional and territorial basis. The Assam circle was divided into three divisions, viz. (1) Lower Assam Division, (2) Central Assam Division and (3) Upper Assam Division. Each division was placed in charge of Executive Engineer with two or three upper and lower subordinates. The upper and lower subordinates were under the control of Executive Engineers who were in turn placed under the control of the Superintending Engineer who was in-charge of the Assam Circle.

In 1974, when Assam was separated from Bengal and constituted into a Chief Commissioner province the field organisation of the public work department was re-organised in the following manner :

(1) The Lower Assam Division was comprised of the executive charges of the Goalpara, Kamrup, Caro and Khasia and Jaintia Hills districts.

(2) The Central Assam Division was consisted of two districts viz. the Darrang and the Nowgong Districts.

(3) The Upper Assam Division was comprised of the charges of Sibsagar, Lakhimpur and Naga Hills districts.

(4) The Sylhet and Cachar division comprised of the charges of Sylhet and Cachar district only.¹⁰

10. The administrative report P.W.D., Assam for 1974-75.

This organisation was made on the basis of territory and functions. This organisational pattern continued upto 1880.

In 1881, with the sanction of the Government of India, the public works executive changes were made co-terminous with the civil districts of the province. The engineers establishment of the public works department was distributed in eleven districts, viz-Khasia and Jaintia Hills, Garo Hills, Naga Hills, Goalpara, Kamrup, Darrang, Nowgong, Sibsagar, Lakhimpur, Sylhet and Cachar districts.¹¹

In 1884, the Assam circle was reorganised into two circles viz- the Northern and Southern Circles. The Northern Circle comprises of the six districts in the Brahmaputra Valley, together with the Naga and Tura Hills districts. The Southern Circle was comprised of the Sylhet, Cachar and Khasia and Jaintia Hills districts.

The General Administration of public works in both circles devolved upon the Superintending Engineer of the province who had also hold direct charge of the Northern Circle.

The Southern circle was administered directly by a Superintendent of works under the order of the Superintending Engineer. He had also retained the executive charge of the Khasia and Jaintia Hills Division.¹²

11. The Assam Gazettee, 1882 Part-II, Notification No.13.

12. The Assam Gazettee, 1884,Part-II, Notification No.106-07.

The basis of this reorganisation was territory. In 1891, the Nichuguard-Manipur road circle was constituted for the purpose of the construction of the bridle paths roads and cart road from Nichuguard to Kohima and from Kohima to Mao and the extension road from Manipur to Kendat. This circle was placed in charge of an Executive Engineer with the designation of Superintendent of works. It consisted of two divisions only. With the completion of the purpose for which it was created it was abolished in 1895.¹³

In 1905, when Assam was tagged to Eastern Bengal and formed into a new province of Eastern Bengal and Assam, the P.W.D. was again reorganised. At the head quarter, a Chief Engineer was appointed as the Head of the P.W.D. with two circles. The old Assam Province formed one circle with five divisions, viz. the Upper Assam, the Lower Assam the Cachar, the Khasia & Jaintia Hills and the Naga Hills divisions. The headquarter of the Assam circle was at Tezpur.

The second circle was known as Eastern Bengal circle with headquarter at Dacca. It had three divisions, the Rajshahi the Dacca and the Chittagam divisions.¹⁴ In addition, two special divisions were created, one at Dacca and the other at Jorhat. The Dacca division was

13. The Assam Gazette, 1891, Part-II, Notification No.45.

14. The Assam Gazette, 1905, Part-II, Notification No.6.

placed under the Eastern Bengal Circle, and the Jorhat Division under the Assam Circle.

During the period 1905, to 1909, due to increase in the constructional activities, a good number of divisions and sub-divisions were created which led to confusion in the administration of the department. In 1909, the whole field organisation of the department was reorganised into three circles, viz- (a) the Southern Circle, (b) the Western Circle and (c) the Assam Circle.

(a) The Southern Circle : The Southern Circle with head-quarter at Dacca was consisted of four division, viz -the Dacca, the Dacca special works, the Chittagong and the Bakargonj division.

(b) The Western Circle :- It was consisted of three divisions, viz- Rajshahi, Jalapaiguri and the Lower Assam Division. The headquarter of this circle was at Jalpaiguri.

(c) The Assam Circle :- This circle was consisted of six divisions, the Khasi & Jaintia Hills, the Central Assam, The Lakhimpur, the Sibsagar, the Sylhet and the Cachar divisions.¹⁵

In 1912, when Assam was separated from Eastern Bengal and formed into a separate Chief Commissioner's

15. The Assam Gazettee, 1909, Part-II, Notification No.151.

province, the Assam circle was placed under Assam Province and the lower Assam division which was formerly under the western circle was included in the Assam Circle. With the addition of this division the Assam circle had seven divisions.¹⁶

In 1918, the Assam circle was again reorganised on territorial and functional bases. It consisted of the following divisional charges, viz- (1) the Central Assam division, (2) the Sibsagar division, (3) the Lakhimour division, (4) the Cachar division, (5) the Sylhet division (6) Eastern Frontier division and (7) the public works under the Deputy Commissioner, Cachar. This circle was placed in-charge of a Superintending Engineer. But the public works of Khashi & Jaintia Hills, the lower Assam division, the public works under the political officer Sadiya, the Superintendent of Lushai Hills, Naga Hills and Garo Hills were placed under the direct control of the Chief Engineer.¹⁷

In 1928, a provincial "communication Board" was constituted. The function of the board was to advise the provincial Government in matters relating to the selection of schemes to be undertaken for the improvement of road communications.¹⁸

16. The Administrative Report, P.W.D., Assam for 1914-15.

17. The Assam Gazettee, 1915, Part- II, Notification No. Est.18.

18. The Assam Gazettee, 1928, Part-II, Notification No. Est.129.

In 1928, there was increase in the number of activities of the P.W.D. To cope with the increased works, the whole province was divided into two circles on territorial basis for P.W.D. purposes, viz- (A) the Northern circle and (B) the Southern Circle.

The Northern Circle consisted of four divisions, the Lower Assam, the Central Assam, the Sibsagar and the Lakhimpur divisions.

The Southern Circle consisted of three divisions, the Khasia & Jaintia Hills, the Sylhet and the Cachar divisions. But the headquarters of both the circles was at Shillong.¹⁹

During the period from 1930 to 1932 there was great financial depression all over the country. Therefore the Government of India directed the Assam Government to take measures to reduce the establishment cost of all the departments including the P.W.D. As a measure of economy the Government amalgamated the existing two circles and formed a new one known as Assam Circle.²⁰

In 1936, when the general financial depression was over, the two circles were again restored. The Northern circle comprises three divisional charges and four Civil Officers acting as P.W.D. disbursers charges. The

19. The Assam Gazettee, 1928 Part-II, Notification No. 131.

20. The administrative Report, P.W.D. Assam, for 1931-32.

The Southern Circle comprised four divisional charges and three Civil Officers acting as P.W.D. disbursers charges.²¹

In 1937, the communication Board was reconstituted in a new model. The main function of the Board was to advise the Government on all improvement schemes relating to the development of the communications in the province.²²

During the period from 1940 to 1947, the P.W.D. in Assam was expanded tremendously. In 1940, a new division known as "Embankment & Drainage division" was organised on functional basis. It was divided into two subdivisions, the Assam Valley and the Surama Valley, subdivisions. All the flood control works including construction of embankments, drainage and irrigation which were formerly looked after by all the P.W.D. divisions within their jurisdictions were withdrawn and entrusted to this division.²³

In 1934, for the construction and repair works of the trunk road, a new circle known as the Assam Trunk Road Circle was created which was later on designated as special circle. It was also organised on functional basis.²⁴

21. The Administrative Report, P.W.D. Assam for 1935-36.

22. The Assam Gazettee, 1937 Part-IIA, Notification No.133.

23. The Assam Gazettee, 1940 Part-IIA, Notification No.125.Est.

24. The Administrative Report, P.W.D. Assam for 1943-44.

In 1944, to repair and reconstruct the damages by the second world war two new divisions were organised on functional and territorial basis, viz- planning division/South and Planning division, North. Each was divided into three sub-divisions.²⁵

In 1944, the whole province was divided into two areas for the effective supervision of the public works the northern area and the southern area. Each was entrusted to a Chief Engineers. All the divisional charges of the existing Northern Circle were included in the Northern Area while the divisional charges of the southern circle were included in the Southern Area. The basis of this organisation was territory.

The works of the Embankment and Drainage divisions and the post war planning divisions were placed under the control of the Chief Engineer and the Superintending Engineer concerned.²⁶

From 1944 to 1946, a good number of divisions and sub-divisions were created which led to conflict and overlapping of jurisdictions. To avoid conflict and overlapping the Government of Assam divided the circles of the Superintendence into four, Upper Assam, Lower Assam and E&D Circles.

25. The Administrative Report, P.W.D. Assam for 1944-45.

26. The Assam Gazette, 1944, Part-IIA. Notification No. 292. Estt.

The Upper Assam circle consisted of seven divisional charges comprising northern Assam area. The Southern Circle consisted of seven divisional charges. It comprised southern Assam area. The Lower Assam circle consisted of six divisional charges of which two were within the Northern Assam area and four within the Southern Assam area. The embankment and drainage circle consisted of three divisions, of which the first one was placed within the jurisdiction of the Northern Assam area and the later two divisions were included within the southern Assam area.²⁷

In 1948, for the construction of Tripura Kurti Road a new circle known as Tripura Kurti Road Project Circle was organised on functional basis. The headquarter of this circle was at Tripura. This circle comprised of two divisions and six sub-divisions.²⁸

In 1951, for the construction of Assam Agartala Road, the Assam Agartala Road circle was organised on functional basis. This circle consisted of seven divisions.²⁹

In 1952, the field organisation was reorganised on territorial and functional bases as follows :-

27. The Assam Gazettee, 1946, Part IIA, Notification No.367.Estt

28. The Assam Gazettee, 1951, Part IIA, Notification No.110.Estt

29. The Assam Gazettee, 1951, Part IIA, Notification No. Estt/2F/4/51/137.

TABLE NO.4.

Name of circles	Name of divisions
1. Eastern Assam Circle.	1. North Lakhimpur division, 2. Central Assam division, 3. M.P.B.C., 4. Lakhimpur division, 5. Jorhat division, 6. Sibsagar division, 7. Naga Hills (P.W.D?) 8. Mechanical Engineer, Jorhat.
2. Western Assam Circle.	1. Lower Assam Division (including North Kamrup), 2. Relief & Rehabilitation division, 3. Western Assam Division, 4. Tura Division, 5. Nowgong Division, 6. Mechanical Engineer, Gauhati, 7. Mikir & North Cachar Hills, (PWD).
3. Southern Assam Circle.	1. Jowai-Badarpur Road Communication Division, 2. Khasia & Jaintia Hills Division, 3. Haflong Division, 4. Cachar Division, 5. Assam Agartala Road Division No. I 6. Assam Agartala Road Division No. II. 7. Lushai Hills? (PWD), S. Khasia & Jaintia Hills, (PWD).

Name of Circles	Name of Divisions
4. E & D Circle	1. Lower Assam E & D Division, 2. Tezpur E & D Division, 3. Upper Assam E & D Division, 4. Cachar E & D Division.

Further, 1952, a state level E & D advisory committee was organised to advise the government in implementing some effective flood protective measures. In the same year, the Road Communication Board which was already in existence was reconstituted in a new model with P.W.D. Minister as Chairman and three Superintending Engineers of Eastern Circle, Western Circle and Southern Circle as Joint Secretaries.³⁰

In 1954, to advise and assist the Government in undertaking some flood control schemes a state level flood control Board was constituted.³¹

During the period from 1950 to 1954, there was a heavy increase of the flood control activities which led to the creation of good number of E & D divisions and sub-divisions. In 1954, for the effective supervision of these

30. The Assam Gazettee, 1952, Part-IIA, Notification No. 62F/6/52/214.

31. The Assam Gazettee, 1954, Part-IIA, Notification No. 352/54/4.

E & D division the existing E & D circle was divided into two the Eastern E & D circle and western E & D circle. The headquarter of the former was at Nowgong while the later was at Shillong.

The Eastern E & D circle consisted of five E & D divisions, viz - Nowgong, Upper Assam, Sibsagar, North Lakhimpur and Tezpur E&D divisions. The Western E.& D. circle also consisted of five E.& D. divisions, such as - Cachar, Lower Assam, Goalpara division, Planning E.& D. division and flood control E.& D. division. This reorganisation was done on the bases of functional as well as territorial.³²

In 1956, the P.W.D. in Assam was bifurcated into two wings, Roads and Building wing and flood control and Irrigation wing. The Roads and Building wing was under the administrative control of the Chief Engineer and Secretary and the Additional Chief Engineer and Ex-Officio Secretary (Roads and Building).

The flood control and irrigation wing was placed under that of the Chief Engineer and Secretary and the Additional Chief Engineer and Ex-Officio Secretary (Flood Control and Irrigation). The Chief Engineers and Secretaries of both the wings could also exercise the powers and functions of a head of the department and

32. The Assam Gazettee, 1954, Part &IIA, Notification No.Estt/2T/1/54/980.

Secretary to the Government in respect of all works in their respective wings of the Assam, P.W.D. The head quarters of both the officers was at Shillong.³³

After the bifurcation of the P.W.D. into two wings, two more circles under flood control and Irrigation wing were organised for the effective supervision of the increasing number of divisions and sub-divisions. These two circles were the Central E.& D. circle and the Planning E. & D. circle. With the creation of these two circles the whole field organisation of the flood control and Irrigation wing was re-organised as given below.³⁴

TABLE NO.5.

Circles	Head quarter	Divisions
1. Eastern E. & D. circle.	Dibrugarh	1.North Lakhimpur & E.& D. Division. 2.Dibrugarh E.& D.Division. 3.Sibsagar E.& D.Division. 4.Jorhat E.& D.Division.
2. Central E.& D. Nowgong circle.		1.Nowgong E.& D.Division. 2.Tezipur E.& D.Division. 3.Cachar E.& D.Division.

33. The Assam Gasettee, 1956, Part-IIA, Notification No. Estt/3M/87/48/35.

34. The Assam Gazettee, 1956, Part-IIA, Notification No. 1-2/10/56/138.

Circle	Head quarter	Divisions
3. Western E.& D. Circle.	Shillong	1. Goalpara E.& D. Division. 2. Kamrup E.& D. Division. 3. Mechanical E. & D. Division.
4. Planning E. & D. Circle.		1. Untru Hyde Division. 2. River Research Division. 3. Hydro Electric Project.

After bifurcation, the Roads and Building wing expanded considerably. During the period from 1956 to 1958, three more circles under this wing were created, such as, Central Assam, ^{circle,} Northern Assam Circle, and Gauhati Circle. With the creation of these three circles the total number of circles under this wing rose upto six.

In 1958, the duties and jurisdictions of the Chief Engineer and Secretary, and the Additional Chief Engineer and Secretary, P.W.D. Assam (Roads and Buildings) wing were divided. The Eastern Assam Circle, Central Assam

circle and the Northern Assam Circle were entrusted to the Chief Engineer and Secretary and the remaining three circles, such as - Gauhati Circle, Western Assam Circle and Southern Assam Circle were entrusted to the Additional Chief Engineer and Secretary.³⁵

In 1964, for the purpose of Irrigation, the whole province was organised into two zones : the Brahmaputra Valley and the North and the Barak Valley in the South. These two zones were placed under the supervision of Chief Engineer and Additional Chief Engineer of the Flood Control and Irrigation wing respectively.³⁶

For the execution and supervision of the various works, the staff composition of the Flood Control and Irrigation wing, in 1964, was as shown in the table given below :-

TABLE NO.6.

Officers	Numbers
Chief Engineer	1
Additional Chief Engineer	1
Superintending Engineers	5
Executive Engineers	19
Assistant Engineers	72

35. The Assam Gazettee, 1958, Part IIA, Notification No. E.5L.29/55/23.

36. Booklete issued by Flood Control and Irrigation Wing, P.W.D., Assam, 1964.

Further, there was a Directorate of River Research for undertaking river research work in this wing. This river research directorate was under one Director who was assisted by one Research Officer, one Assistant Research Officer and one Research Assistant, besides some other lower categories of staff.³⁷

This arrangement continued upto 1965 when both the wings were converted into two full fledged independent departments, viz - the public works department (Roads & Buildings) and the Flood Control and Irrigation Department.³⁸

So far mechanical side of the department was concerned, in 1958, there were two mechanical divisions under P.W.D. (Roads and Buildings) wing. In 1963, with the creation of a number of mechanical divisions the number rose to six. In 1964, for the effective supervision of the mechanical divisions a mechanical circle was created with headquarter at Gauhati. This circle was placed under the administrative control of the Chief Engineer and Secretary, P.W.D. Roads and Buildings wing. This circle comprised of Gauhati, Jorhat, Malbari and Abhayapuri mechanical divisions. The remaining two mechanical divisions, one at Tezpur and the other at

37. The Assam Pay Committee Report, 1964, Page-129.

38. Secretariat organisation and functions, 1968, Government of Assam, Page-24, By Trivedi, Director of Organisation and Method division.

Silchar continued to function under the supervision of the Superintending Engineers of Northern Assam Circle and the Southern Assam Circle, respectively.³⁹

After the conversion of both the wing into two separate departments, in 1966, within the P.W.D. (Roads and Buildings) a separate "Building wing" was created on functional basis and it was placed under the charge of an Additional Chief Engineer with headquarters at Shillong. The jurisdiction of this wing was the whole state of Assam and also the Assam Houses at Calcutta and Delhi.⁴⁰

For the execution of the various building projects under this wing a Building circle was organised on functional basis with headquarters at Shillong. Besides, the existing Central Assam Circle was brought under this wing exclusively for building works and it was renamed as building circle, Nowgong. With the creation of these two circles there was overlapping of jurisdiction between the two circles. As a result, the jurisdictions between the two circles were reorganised as follows :

Building Circles: Nowgong : All building projects under implementation and repair works falling within the area

39. The Assam Gazettee, 1964, Part-IIA, Notification No. 6(B)E-30/63/3.

40. The Assam Gazettee, 1966, Part-IIA, Notification No. E(B)6A/1/66/14.

of North Bank of the Brahmaputra and South Bank of Brahmaputra of Lakhimpur district, Sibsagar District and the whole of Nowgong district.

Building Circle ; Shillong ; The rest of the Building Projects including the repair works.⁴¹

41. The Assam Gazettee, 1966, Part-IIA,
Notification No.E(B) 6A/1/66/14.

In 1967, under the Fourth Five Year Plan, the hill development plan was undertaken in Assam. For the implementation of this plan the whole of Assam province was organised into two areas, viz - Hill areas and General areas, for P.W.D. purpose.

The Hill areas comprises four hill districts, viz - (1) Mizo Hill district, (2) Garo Hill district, (3) United K.& J. Hills district, (4) Mikir and North Cachar Hills district.

For the implementation of the various schemes within these areas of the P.W.D. (R.& B.) a Chief Engineer and Additional Secretary was appointed and he was placed in-charge of all the circles with divisions and sub-divisions within these areas. The following circles were included within these areas, viz -

- (1) Shillong Circle, (2) Diphu Circle, (3) Tura Circle, (4) Aijal Circle.

The General Areas were organised into three zones on territorial basis - (A) North West Zone, comprising four circles, (B) South West Zone, comprising three circles and (C) Eastern Zone with two circles. The General Areas were placed under the charge of the Chief Engineer and Secretary, P.W.D. (R.& B.) while each zone was placed under the charge of an additional Chief

Engineer. However, the charge of the North West Zone was held by the Chief Engineer. The circles were placed in -charge of a Superintending Engineer. Each circle comprised of three to eight divisions. Each division was placed in-charge of an Executive Engineer. Each division comprises three to four sub-divisions, each under the charge of a sub-divisional officer. A sub-division was further sub-divided into sections, each under a Sectional Officer.

In addition to the civil division, there were mechanical divisions for maintenance and repairs of machinery. Besides, for looking after electrical installations there were electrical sub-divisions, each under the charge of a Sub-divisional Officer (Electrical) who had to function under the Civil Engineering Division. The following table shows the organisation of the P.W.D. (R. & B.) on 1st April, 1968.⁴²

TABLE NO.7.

(A) General Areas				
Name of organisation	Number of Zones.	Number of Circle.	Number of Division	Number of Sub-Division.
1. Civil Engineering	3	8	29	131
2. Electrical Engineering.	Nil	Nil	Nil	3
3. Mechanical Organisation.	Nil	1	6	14

42. Secretariat Organisation and functions - 1968, Government of Assam, Page-95.

(B) Hill Areas				
Name of organisation	No. of Zones	No. of circles	No. of Division	No. of Sub-division
1. Civil Engineering Organisation.	Nil	4	12	39
2. Mechanical Engineering Organisation	Nil	Nil	1	4

In 1970, in accordance with the Assam reorganisation (Meghalaya) Act 1969, the executive power of the Government of Assam, P.W.D. (R. & B.) department had ceased in two circles, 9 divisions and 26 Sub-divisions falling within the area constituting the autonomous state of Meghalaya.⁴³

In 1971, on the cessation of certain territories to Meghalaya the existing Zones of the P.W.D. (R. & B.), were reorganised on territorial basis as given in the sub-join table.

43. The Assam Gazettee, 1970, Part-I IA, Notification No. R.B.E.(B)6A/2/70 Part 1/8.

TABLE NO.8.

General or plain Areas (Chief Engineer as in-charge)		
Name of Zones	Jurisdiction	Headquarters
1. North West Zone.	Goalpara district, Kamrup District and P.W. of the Govt. of Assam under the Shillong Division.	Shillong
2. North East Zone.	Darrang District, North Lakhimpur subdivision (North bank of Brahmaputra from Charali to Jowai.	Shillong
Hill Areas (Chief Engineer as in-charge)		
1. Eastern Zone	Nowgong district, Sibsagar district and Dibrugarh subdivision excluding North Bank of Brahmaputra.	Dibrugarh

2. Hills Zone	Cachar district, Mikir Hills, North Cachar Hills, Mizo Hills and worked under J.B.R.C. division P.W.D.	Shillong
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Each zone was entrusted to an Additional Chief Engineer.⁴⁴

In 1973, for the effective functioning of the department the work of the Roads and Building upto divisional level were separated. But the establishment of Chief Engineer (Plains and Chief Engineer, Hills) were merged into one Head of the department with headquarter at Gauhati. The Chief Engineer or the head of the department was in-charge of both General and Hills areas.⁴⁵

In 1977, another post of Chief Engineer (Building) was created and he was entrusted with all the building works of the P.W.D., Assam. The existing Chief Engineer was in-charge of Roads.⁴⁶ During the period from 1970 to 1977 the Building wing of the P.W.D.(R.& B.) Assam expanded tremendously.

44. The Assam Gazettee, 1971, Part-IIA, Notification No. E(B) 6A/45/59/Part 11/6.

45. The Assam Pay Commission Report, 1973.

46. The Assam Gazettee, 1973, Part-II, Notification No.R.B.E.B. 103/73.

In 1977 two building circles under building wing were created, viz - Gauhati building circle I & II. Each circle was placed in charge of a Superintending Engineer. The Gauhati Building Circle I & II comprise of the following building divisions with jurisdictions given below :

TABLE NO.9.

Circle	Division	Jurisdiction
Gauhati Building Circle I with Superintending Engineer as In-charge	1.Gauhati Building division	Kamrup District
	2.M.C.C., division, Gauhati.	-do-
	3.Megazine Division Gauhati.	-do-
	4.T.C.C. Division, Dispur.	-do-
	5.Goalpara Building Division.	Goalpara District.
Gauhati Building Circle II with Superintending Engineer as in-charge.	6.Dibrugarh Building Division.	Dibrugarh District.
	7. Jorhat Building Division.	Sibsagar District.
	8.M.C.C. Division, Silchar.	Cadhar District.

However, the Tezpur Division, North Lakhimour Division, Ghilamara Division, Mangaldoi Division, Nowgong East & West Division, in so far as building works were concerned, were placed under the control of the Gauhati Building Circle II. The above divisions were responsible to both the Chief Engineers, i.e. Chief Engineer (Roads) and Chief Engingger (Buildings) in respect of Roads and Buildings works respectively.⁴⁷

Further, after creation of the post of Chief Engineer (Buildings) all the divisions of the Hills district and the two circles of hill district viz - Haflong Circle and Diphu Circle were made combined divisions and circles of Roads and Buildings. These divisions and circle were made responsible to both Chief Engineers viz - Chief Engineer (Roads) and Chief Engineer (Buildings) for the Roads and Buildings.

During the year 1978-79 a good number of building divisions and two building circles viz - Jorhat building circle and Tezpur Building circle were organised. With the creation of these two building circles the number of circles under building wing rose upto 4. In 1979, the jurisdiction of the circles over the divisions and the jurisdiction of the divisions over sub-divisions under the building wing were redistributed as given below :

47. The Assam Gazettee, 1977, Part-IIA, Notification No. RBEB.57/77/6

TABLE NO.10.

Name of circle	Jurisdiction over divisions	Jurisdiction over sub-divisions
1. Jorhat building circle.	1. Tinsukia Building division	1. Tinsukia building Sub-division.
	2. Makum building sub-division.	
	2. Dibrugarh building division	1. M.C.B.C. sub-division.
	2. Dibrugarh building sub-division.	
	3. Sibsagar building division	1. Sibsagar building sub-division.
	2. Ligir Pukhuri Boldg sub-division.	
	4. Jorhat Electrical division	1. Jorhat Electrical sub-division.
	2. Dibrugarh Electrical sub-division.	
	5. Jorhat building division	1. Jorhat (C) sub-division.
	2. E.C.B.C. sub-division.	
	3. Titabar building sub-division.	
	6. Golaghat building division	1. Golaghat building sub-division.
	2. Dergon building sub-division.	

Name of circle	Jurisdiction over division	Jurisdiction over sub-divisions
2. Tezpur building circle .	1. Tezpur building division	1. Mangaldoi building sub-division. 2. Tezpur (A) sub-division.
	2. North Lakhimpur building division	1. North Lakhimpur Boidy sub-division. 2. Jonai building sub-division.
	3. Marigaon building division.	3. Demaji building sub-division. 1. Marigaon building sub-division. 2. Newgong building sub-division.
3. Gauhati building circle.	1. M.C.C. division.	1. M.C.C. sub-division-I. 2. M.C.C. sub-division-II.
	2. M.C.C. division, Silchar.	1. M.C.C. sub-division. 2. Silchar building sub-division. 3. R.E.C. sub-division-I. 4. Karimganj building sub-division. 5. R.E.C. sub-division-II. 6. Tailakandi building sub-division.
	3. Gauhati Electrical division.	1. Gauhati Electrical sub-division.

Name of circle	Jurisdiction over division	Jurisdiction over sub-division.
4. Gauhati building	1.Dhubri building division	1.Dhubri building sub-division.
Circle.		2.Chapaguri store sub-division.
		3.Kokrajhar building sub-division.
	2.Nalbari building division	1.Nalbari building sub-division.
		2.Barpeta building sub-division.
	3.Gauhati building division	1.Gauhati building sub-division.
		2.Gauhati South East sub-division.
		3.A.C.E.I. sub-division.
	4.T.C.C.Division	1.T.C.C. sub-division,I.
		2.T.C.C. sub-division-II.
		3.T.C.C.Electrical sub-division.
	5.Magazine division	1.J.R.E. sub-division.
		2.Jalukbari sub-division.

This arrangement is still in vogue. On 12th December, 1979, the Chief Engineer, (Buildings) P.W.D. Assam was declared as the Head of the Department of all purposes.⁴⁸ So far road wing^{was} concerned, there was a gradual expansion of this wing since 1973 onwards because of the undertaking of a large number of road projects. To advise and assist the Government on important schemes relating to road development under State Plan in the plains districts a state level road communication board was constituted in 1978 and a sub-divisional road communication board for each sub-division was constituted as per decision of the state level board.⁴⁹ In 1980, to cope with the increase works the field organisation of this wing was reorganised on territorial as well as functional basis into four zones, seventeen circles, fifty divisions and one hundred and seventy two sub-division.

The present organisation of the department is as follows :

There is one Secretary who is the administrative head of the P.W.D. (R. & B.). He is assisted by four Deputy Secretaries and eight Under Secretaries. In the executive side, there are two Chief Engineers, one for Road wing and the other for building wing.

48. The Assam Gazettee,¹⁹⁷⁹ Part-IIA, Notification No. R.B.E.B. 201/79/3. ^

49. The Assam Gazettee, 1978, Part-IIA., Notification No. R.B.E.B./63/79-Part/5C.

Under the Chief Engineer of Roads, there are four Additional Chief Engineers who are incharge of zones, The total number of zones are four. There are seventeen circles under this wing and each circle is incharge of a Superintending Engineer. Besides, there are fifty six divisions under this wing and each of these divisions is placed incharge of an Executive Engineer. These divisions are further subdivided into one hundred and seventy two sub-divisions and each of these sub-divisions are incharge of a sub-divisional officer.

The building wing is divided into four circles under the charge of four Superintending Engineers. Each circle is divided into three to six divisions, which are incharge of Executive Engineers. The total number of divisions under this wing are seventeen. Each division is further sub divided into two to six sub-divisions. The total number of sub-divisions are forty six under the charge of forty six sub-divisional officers.

The P.W.D. organisation is hierarchical in structure which is shown in the diagram given below :

Secretary

Road wing	Building wing
Four Zones	Four Circles
17 Circles	17 Divisions
56 Divisions	46 Sub-divisions
172 Sub-Divisions	

We have so far studied the organisational development of the P.W.D. during the period 1974 to 1983. The P.W.D. was organised and reorganised from time to time. The head of the P.W.D. was a specialist. For some time the Superintending Engineer was the Ex-officio Secretary to Government in the P.W.D. Assam. But later on the Chief Engineer was the ex-officio Secretary. In 1964, the Assam Pay Commission recommended for the separation of the two offices. Accordingly, in 1971, the two offices were separated and the senior-most Chief Engineer was appointed Secretary to Government in the P.W.D. This arrangement was good in the sense that final decision is made by a person who did not formulated a proposal. The separation of the two offices Secretaryship and Engineership brings into

existence objective consideration of all fundamental matters. It results in the formulation and scrutiny of proposals with care. It economises expenditures. It brings into existence efficiency and expertise.

Now the question is whether a Generalist or Specialist should be the Secretary of the Department. There are two views, According to some the Generalist should be the Secretary. They assign the following reasons in support of their arguments.

First—A Specialist, because of his pre-occupation with single problem or activity, is likely to press for the adoption of his own technical schemes, without considering the repercussions or financial implications, which is not conducive for efficient administration.

(2) The Specialist may be a man of stereotyped mentality which is not helpful in a democratic state.

(3) A Generalist is a man of broad vision having imagination, drive, initiative and enterprise for quick decision. Thus he is the fitman to advise the minister in the political aspects of a plan, the technical aspects of which have already been taken care of at the level of the Head of the Department.

(4) The Specialist, having a special knowledge in a particular field, may not be co-operative with his political boss which might effect the efficiency of administration.

(5) The Generalist suits a democratic setun. He is more co-operative with the minister and accepts the superiority of the political boss. These two virtues are most essential to the administrative head which the specialist lack.

According to some others the Specialist should be the Secretary. They put forward the following arguments in support of their contention.

First, appointment of Generalist as the Secretary of a Government Department like P.W.D. which is a technical subject, to assist a minister who himself is a layman is like the blind leading the blind.

Secondly, It is not acceptable that the Generalist alone can look financial and political aspects of problems. The political aspect of a problem is not the concern of administrative leadership. It is to fall in the domain of political leadership, i.e. the ministers. The financial aspect can be looked into better by a financial expert rather than by layman a Generalist whose only claim to expertise is inflated ego.

Third, The adherents of "cult of Specialists" contended that the Specialist who trains himself to deal with his specialisation in depth and has more interest in the art of analysis and synthesis should not be relegated to the position of comparative inferiority in the policy making hierarchy. He should be assigned a role commensurate with his function.

Fourth, Specialist as an adviser to a lay politician may prove better. He may not be a suppliant tool and a mere yesman. On account of his expertise and professional training he may succeed in convincing the political chief and thus follow a correct line of action. Such an ideal combination of layman and experts may make the working of democracy possible.

After considering all the arguments on both sides we may conclude that the existence of a Secretariat in P.W.D. arises from the need for an independent Scrutiny of the technical proposal of an expert by an experienced administrator who can be expected to take a broad and general view. For the accomplishment of this purpose a Generalist will be more suitable rather than a Specialist.

In some states a Generalist is the Secretary to the Government in P.W.D., But in places like U.P. the Specialist is the Secretary. The arrangement made in

Assam is better than the first two. If the two offices Secretaryship and Chief Engineership are combined in one and the same person, there will be tyranny and mischief. In Assam since these two offices are in the hands of two person, there is less scope for mischief and distatorship of one man.

CHAPTER III

FUNCTIONS

The functions of the P.W.D. varied from time to time. The trend is to increase the functions of the P.W.D. As long as the state was a police state, The functions of the P.W.D. were few. When the state became a welfare state the functions of the P.W.D. increased enormously. We shall therefore consider the functions of the P.W.D. from time to time.

The P.W.D. was entrusted with the construction and maintenance of the main lines of communications and the erection and repair of all Government buildings. It was also entrusted with agency functions such as the construction of roads and bridges of the Imperial Government. Local works involving engineering skill were usually handed over to the Executive Engineer. Estimates exceeding Rs. 500 in value required professional approval.¹

Under the Government of India Act, 1919 the following works were entrusted to the P.W.D. for execution :

Central subjects : (a) Railways and municipal tram ways in so far as they are not classified as provincial subjects.

1. Gazetter of Bengal and North East India by Allen B.C., 1979
p. 110.

(b) Air craft and all matters connected there with.

(c) Inland waterways or shipping and navigation including shipping and navigation on inland water ways.

(d) posts, telegraphs and telephones, including wireless installations.

Provincial subjects : (a) Construction and maintenance of provincial buildings used or intended for any purpose in connection with the administration of the province and care of historical monuments with the exception of ancient monuments as defined in section 2(i) of the Ancient Monuments Preservation Act 1904, which were for the time being declared to be protected monuments under section 3(i) of that Act, provided that the Governor General in council may, by notification in the Gazettee of India, remove any such monuments from the operation of this exception.

(b) Roads, bridges, ferries tunnels ropeways and cause ways and other means of communication declared by the Governor General in council to be of military importance and as regards incidence of special expenditure connected there with as the Governor General in council may prescribe.

(c) Tramways within the municipal areas.

(d) Light and feeder railways, and extra-municipal tramways and water supplies, irrigation and canals, drainage and embankments, water storage and water power.²

The Government of India Act, 1935 entrusted the P.W.D. Assam with dual functions, viz., one as agent of the Federal Government and the other as the executive of the provincial Government.

As an agent of the Federal Government it was entrusted with the functions given in (list 1. Federal legislative list) post and telegraphs, including telephones wireless, broadcasting, and other like forms of communication. Works, lands and building vested in, or in the possession of His Majesty for the purposes of the Federation.

Federal railways, Air craft and air navigation, the provision of aerodromes regulation and organisation of air, traffic and of aerodromes.

Light houses including light ships, beacons and other provisions for the safety of shipping and air craft carriage of passengers and goods by sea or by air.

2. Appointment & Pol. B. Dec. 1928 No. 714 to 722.

The P.W.D. as an executive of the provincial Government was entrusted with functions enumerated in list II (provincial legislative list). Works, lands and buildings vested in or in the possession of his majesty for the purpose of the province.

Communications, that is roads, bridges, ferries and other means of communication not specified in list I; minor railways, municipal tramways, rope ways, inland waterways and traffic thereon subject to the provision of list III with regard to such waterways; ports, subject to the provisions in list I with regard to major ports; vehicles other than mechanically propelled vehicles; water, that is to say water supplies, irrigation and canals, drainage; gas and gas-works; Dues on passengers and goods carried on inland water ways; tolls etc.³

After 1952, many new departments were created like Irrigation and flood control, Brahmaputra flood control and public Health Engineering. Functions which were formerly with the P.W.D. were taken away from it and entrusted to the newly

3. The Assam secretariat Manual provisional issue published under the authority of the Government of Assam, Published at the Assam Government Press, Shillong, 1939.

created departments. At present the construction and maintenance of roads and bridges; maintenance of ferries; construction and maintenance of the buildings of the State Government are the main functions of this department. Further, the Central Government entrusted certain construction and repairing of roads, bridges and buildings to the P.W.D.

Method of working : Prior to 1916, public works were carried out by the department itself. In 1916, the Governor General in council reviewed the method of working of the P.W.D. with the object of deciding whether it can be improved and rendered more economic and efficient. In the Council there was a considerable body of opinion that much of the work which was carried out by the P.W.D. could be entrusted to private agency and local bodies. By that time some of the local bodies employed skilled public works agency and much work of simple and unimportant character which was then undertaken and supervised by the highly salaried officers of Government could be carried out at reduced cost under contract basis subject to Government inspection.

For the purpose of examining these matters the Governor General in Council appointed a committee to inquire and report among other things the method to be adopted by the department for the execution of public works.⁴ The recommendation of the committee was accepted by the P.W.D. in toto. The contract method for carrying out the public works, with some exceptions was adopted. Since then the P.W.D. execute its constructional and repairing works on the basis of contract method excepting petty works which are executed departmentally.

Classification of works : For execution, the public works are divided into two classes — "Original works" and "repairs"

Original works : The following classes of works are treated as original works :

(a) All new constructions which are not included under repair works.

(b) Addition and alterations to, remodelling and replacement of, existing structures provided the work is not included under repairs and the change represents a genuine increase in

4) The Assam Gazettee, 1916, Part- IIA. Notification No. 114 G-Estt.

the value of the property.

(c) All works to newly purchased or previously abandoned structures for bringing them into use.

Repairs works : The following classes of work are to be treated as repairs :

(a) work undertaken to maintain in proper condition all structures; the construction of protective works necessary to maintain roads and embankments in proper order.

(b) Minor additions and alterations to buildings up to a limit of Rs. 500 in each case, may be classed as petty works expenditure and debited to repairs.

(c) All surface painting of roads, gravelling and sanding, but not including asphaltic concrete, premix asphalt macadam, bitumen group, bitumen semi-group, mix-in-place, cement concrete or cement macadam.

(d) Super-elevation of curves.

(e) Widening the formation or carriageway of a road widening a drain, or cutting back a hill-side to improve vision at curves provided that the acquisition of land is not involved

in any case.

(f) Improvements of alignment or gradients or changes of grade at Irish bridges or dips carried out at the time of renewing a surface, provided that the acquisition of land is not involved in any case.

(g) Improvements to or reconstruction of the surface of a road.

(h) The construction or reconstruction of road surface in different materials for the purposes of experiment.

(i) The reconstruction and remodelling of bridges-culverts causeway-Ferry approaches-boats and other apparatus connected with ferries embankments-protective or training works in connection with a road.⁵

Administrative approval & technical sanction : For every work, except petty works and repairs the cost of which does not exceed Rs. 1,000 and repairs for which lump sum provision has been sanctioned a detailed estimate must be prepared for the sanction of competent authority; this sanction is known as the "technical

5. P.W.D. Manual by Dewan Vijay Kumar, Advocate, Gauhati High Court, 1979, pp. 78-80.

sanction". Except where definite provision is made in the P.W.D. code to the contrary, technical sanction can only be accorded by Government in the P.W.D. or by officers of that department to whom power has been delegated.

For every work, other than petty works, it is necessary to obtain the concurrence of the department concerned to the proposal before technical sanction is accorded. The formal acceptance by the department concerned is termed "administrative approval" and is in effect, an order to the P.W.D. to execute certain specified works with a stated sum, to meet the administrative needs of the department. The accord of administrative approval in no way dispenses with the necessity for technical sanction, which must be obtained before the construction is commenced. Administrative approval should not be accorded until the professional authorities have intimated that the proposals are structurally sound and that the preliminary estimate is sufficiently correct for the purpose and, in the case of works costing over Rs. 5,000, until the concurrence of the finance department has been obtained. A similar procedure should be followed in the case of works requiring

the administrative needs of the P.W.D. both the administrative approval and the technical sanction being accorded in the P.W.D.

An application for administrative approval should be accompanied by a preliminary report, an approximate estimate and by such preliminary plans, information as to the site, and other details as may be necessary to elucidate the proposals. The approximate estimate and preliminary plans will be furnished by the P.W.D.

When owing to modification or deviations from the original proposals, or in the course of execution, it becomes apparent that the cost of the work will exceed the amount administratively approved by more than 10 per cent, revised administrative approval to the increased expenditure must be obtained. Similar steps must be taken if the original proposals are materially departed from, even if no increased cost is thereby incurred.⁶

Demand by civil officers : Applications for new buildings and for additions or alterations to the existing buildings, should be made by the officer of the department concerned, in

6. Assam Financial Rules, 1978 by Bhatnagar, J.P., pp.89-90.

communication with the Executive Engineer. It is the duty of the Executive Engineer, which giving due weight to the opinions of the department concerned to oppose any application for works of real necessity for which he is not satisfied. Whenever he is unable to recommend the execution of a work, he should explain his objections to the officer concerned, and, if he fails to convince him, he should refer the matter to the Superintending Engineer. The actual execution of works must in every case be undertaken only when funds are available.

The local head of a civil department may call upon the Executive Engineer to report on proposals for additions or alterations to the buildings in his use and to state the probable cost; but Executive Engineers cannot be required, except by their departmental superiors, to prepare the detailed designs and estimates necessary for technical sanction.

Procedure in obtaining administrative approval : When a proposal is made by an initiating authority, the Executive Engineer concerned will prepare a rough plan and an approximate estimate of the work proposed, but if the initiating authority is not himself the head of the department, he will explain the

proposals to the head of his department and must obtain his concurrence to a request for rough plans and estimates being made. The object of this provision is that the P.W.D. shall not be called upon to prepare plans and estimates for works without an assurance that the necessity of the work and the accommodation required have been carefully considered and that there is reasonable probability of the work being undertaken in the near future. The Executive Engineer should indicate clearly the style of execution proposed and should give the information and data on which he bases his rates. He should include an approximate valuation of any land required and of any building etc. which may stand upon it. Information for the framing of this valuation should be supplied by the Deputy Commissioner of the district, with the least possible delay.

When administrative approval has been accorded to a final project, the work will be taken in hand as soon as funds are placed at the disposal of the Executive Engineer.

Procedure in obtaining Technical sanction : Projects estimated to cost up to Rs. 5,000/- for which administrative approval have been accorded, will be technically sanctioned by the Executive Engineer as soon as funds are placed at his disposal for carrying out the work.

Projects costing over Rs. 5,000/- which have received the administrative approval of Government, will be forwarded by the Executive Engineer to the Chief Engineer, after obtaining the counter signature of local officers concerned and technical sanction, will be given after consulting the department concerned.

Executive Engineer should take every opportunity to consult the Superintending Engineer when on tour in respect to the larger projects which may be within their powers of technical sanction.

A similar procedure will be applicable for works required for the P.W.D. except that both the administrative approval and technical sanction will be accorded in the same department.⁷

7. Assam P.W.D. Manual by Dewan Uijay Kumar, 1979, Published by G.D. Kataria for Orient Law House, Allahabad.

Departmental construction : Without the previous approval of Government in the P.W.D. no alterations in or additions to building or structures which are on the books of the P.W.D. may be made and no structures may be created in the premises appertaining to such buildings or other land in charge of the P.W.D. Divisional Officers can allow the construction of purely temporary structures by the occupants beyond 50 feet of any permanent structure.

Before any addition, alteration or new creation the conditions on which the work is permitted should be clearly stated in a proper signed agreement when the party undertaking them is not a department of Government.

Works will normally be carried out by public works agency. But there are two exceptions of this general rule :

(a) Construction by departmental agency out of P.W.D. Departmental funds and (b) construction by departmental agency out of funds other than P.W.D.

Procedure for (a) : Heads of departments may with the previous sanction of Government in the P.W.D. undertake the construction by departmental agency, of buildings, the cost of which is not

from the public works budget. But departmental officer charged with the execution of such works must act as public works disbursers and will conform to the P.W.D. rules.

Procedure for (b) : When funds are provided, not from the public works budget but from a grant for petty construction and repairs included in the departmental budget, heads of departments may undertake the execution of works treating the outlay as contingent expenditure provided that the outlay does not exceed Rs. 10,000/- and is not expended on buildings for which capital and revenue accounts are kept.

Preparation of projects : The papers that to be submitted along with the project are a report, a specification, a detailed statement of measurements, quantities and rates, and an abstract showing the total estimated cost of each item. These documents are collectively called "the estimate". To facilitate the preparation of estimates, a schedule of rates for each kind of work commonly executed should be kept in each division. The estimated rates should generally agree with the schedule of rates. If for any reason there is a difference between the two, a detailed statement must be annexed to the

estimate indicating the reasons for the difference and the manner in which the rates used in the estimate are arrived at. It should be prepared on the basis of the rates prevailing in each locality and necessary analysis of the rates for each description of work and for the varying conditions thereof should, as far as practicable, be recorded. The same rule will hold good with regard to any rates differing from those formerly in force in the division, when no standard schedule exists, or when any work of a description not previously executed in it is estimated for.⁸

Contracts : The recognised system for carrying out work and supplying or carrying materials otherwise than by the employment of daily labour, are "piece work" and "contract work."

Piece work is that for which a rate only is agreed upon without reference to the total quantity or the quantity to be done within a given period. The term "Contract" does not include agreements for the execution of work by piece work nor does it include ordinary purchases of materials. All other work, done under agreement, is termed "Contract work" and agreement for

8. Assam Financial Rules, 1978 by Bhatnagar, J.P., Advocate, pp. 90-91.

such work, which should invariably be in writing and should be precisely and definitely expressed should state the quality and quantity of the work to be done, the specifications to be completed, the conditions to be observed the security to be deposited and the terms upon which the payments will be made and penalties exacted with any provisions necessary for safeguarding the property entrusted to the contractor.

Kinds of contract : Contract may be of three kinds, viz., lump-sum, schedule and a combination of these two.

In a lump-sum contract, the contractor engages to execute the work with all its contingencies for a fixed sum.

Schedule contract are those in which the contractor undertakes to execute the work at fixed rates, the sum he is to receive depending on the quantities and kind of work done or materials supplied.

The third kind of contract is a combination of both these. Thus a fixed sum is proposed for the completion of the work as specified and a schedule of rates is agreed upon by which to regulate the price to be paid or to be deducted for additions and alterations.

Engineers and their subordinates are responsible that the terms of contracts are strictly enforced, and that no act is done tending to nullify or vitiate a contract. All contract deeds must be executed on one or other of the standard forms, but they may be modified to suit local requirements after consultation with the legal advisers of Government. The terms of a contract once entered into should not be materially varied without the previous consent of the officer competent to enter into the contract. All agreements or security bonds entered into with the P.W.D. by contractors for the execution of work or for securing the due performance of contracts are exempt from stamp duty.

Any modification in contract deeds required the previous approval of the chief Engineer. It is the duty of the officer or subordinate in immediate charge of any work carried out under contract to bring promptly to notice or take immediate action on any dilatoriness, bad work or anything militating against the interest of Government on the part of the contractor; he will be responsible for any neglect in this respect.

Contract documents : Before a work is given out on contract, The Executive Engineer prepares the necessary "contract documents" such as —

(1) A set of drawing the general dimensions of the proposed work, and as far as necessary, details of the various parts;

(2) A specification of the work to be done and of the materials to be used;

(3) A schedule of quantities; and

(4) A set of "conditions of contract" to be complied with by the person whose tender is accepted.

If the tender is of a peculiar character, it is desirable for officers to submit the contract documents to their departmental superiors before acceptance. In works of great magnitude, contract deeds should be specially prepared by the Government law officers.

Tenders : Sealed tenders should invariably be invited in the most open and public manner possible, by advertisement in the Government gazette or the press, or by public notice in English and the vernacular; tenders should have free access to the

contract documents. The notice should state —

(1) The place where, and the time when, the contract documents can be seen, and blank forms of tender obtained,

(2) The place where, and the time and date on which, tenders are to be submitted and are to be opened,

(3) The amount of earnest money to accompany the tenders and the amount and nature of the security deposit required in the case of the accepted tender. The earnest money required should either be forwarded with the tender to currency notes or deposited in the treasury, the duplicate copy of the chalan being attached to the tender^l; cheques on Banks should not be accepted for this purpose.

National savings certificates standing in the name of the tenderer and duly endorsed in favour of the competent authority for acceptance of tender may be accepted as earnest money,

(4) With whom, or with what authority, the acceptance of the tender will rest,

In case of emergency, works can be carried out without calling for tenders.

Original as well as repair work upto a limit of Rs. 10,000/- in each case may be allowed to local people of the district

or region, affected by flood at scheduled or estimated rate without calling for tenders.

The amount of earnest money to be deposited should be sufficiently large to be a security against loss, in case of the contractor failing to furnish the required security within the appointed time after the acceptance of his tender, or until the sum due to him forms a sufficient guarantee as the case may be. In the event, however of materials being supplied by the contractor, no earnest money or security deposit is required.

Selection of tender : Usually the lowest tender should be accepted, unless there be some objection to the capability of the contractor, the security offered by him, or his execution of former works. In selecting the tender the financial status of the individuals and firms tendering should be taken into consideration in addition to all other relevant factors. At the same time the acceptance or rejection of tenders is left entirely to the discretion of the officer to whom the duty is entrusted, and no explanation can be demanded of the cause of the rejection of his offer by any person making a tender. Such

an explanation may be called for by superior authority if considered necessary.

In this connection it may be noted that it is the definite policy of Government to encourage the natives of the province to take up contract work. Subject always to the recognition of the fundamental principle that contracts are accepted in the interest of efficient and economical work, a native of the province should; other things being equal, be given preference provided the difference between his tender and the lowest satisfactory tender submitted by an outsider does not exceed by five per cent of the amount of the lowest tender. When, however the competition is amongst the natives of the province, the principles laid down in the former para should be followed and no distinction made between them in respect of valleys of origin.

In cases where the lowest tender is not accepted reasons should be recorded confidentially except when the value of the tenders does not exceed Rs. 500/- and the rates do not exceed the sanctioned schedule rates of the division.

Authority should always be reserved to reject any or all of the tenders received, without the assignment of a reason,

and this should be expressly stated in the advertisement. All tenders received for the same contract should be opened by the Executive Engineer or other officer in person, in the presence of the tenderers or their agents as may choose to attend. No tender should be accepted from any person directly or indirectly connected with Government service, or which involves an uncertain or indefinite liability or any condition of an unusual character.

When tenders are opened in the presence of contractors, the name of all tendering contractors and the amount of their tenders should be announced.

Security : Security should in all cases be taken for the due fulfilment of contract. This security may be :

(a) A deposit of cash, Government securities, Municipal debentures, part Trust bonds and deposit receipts of recognised banks approved by Government.

(b) Post-Office 5 year cash certificates for the amount at which the certificates were purchased but not for their face value.

(c) A deduction of 10 per cent from the monthly payment to be made on account of work done.

(d) Personal security of two persons of known probity and substance.

(e) A guarantee bond from a recognised bank approved by Government.

In cases of percentage deductions on account of security made from payment in the contractors running account bills, each deduction should be accounted for by credit to "Deposit" only when in excess of Rs. 500/- in each case and when below that amount they should be treated as "balance due to contractor", but in the case of final bills the full amount of the security deposit deducting from the running account bill, as well from the final bill, if any, should irrespective of any money limit be credited to deposit.

In cases in which the percentage deduction is waived in the case of piece work agreement in exercise of the divisional officers discretion under the agreement, the reason therefor should be noted on the voucher.

Provision for stores : In all contracts care should be taken to retain for Government the right to supply the contractor,

from any source, with imported or other materials to the extent deemed necessary.

Officers empowered to execute : No authority lower than the officer in charge of a sub-division can accept any tender or make a contract for public work. The officer legally empowered to execute on behalf of the Government of Assam the different classes of deeds, contract and other instruments are detailed in appendix- 1 of the delegation of financial powers, rules 1360.⁹

No officer may accept any contract for a work or operation until an assurance has been received in writing from the authority competent to provide funds for the same, that such funds will be allotted before the liability matures.

Commencement of work : It is a fundamental rule that no work shall be commenced unless a detailed design and estimate have been sanctioned, allotment of funds made and orders for its commencement issued by competent authority. Not only do these three conditions, apply, even though the work is included in the

9. P.W.D. Manual by Dewan Ujjay Kumar, Advocate, Gauhati High Court, 1979, pp. 92-103.

budget for the year; but sanction to the estimate does not itself convey authority to commence a work, unless the other two conditions are also fulfilled.

The provincial Government is the only authority empowered to order an executive officer to carry out an original work for which no estimates have been prepared, or for which no financial provision exists. But the order must be conveyed in writing. On receipt of such orders the officer who is directed to carry out the work will immediately intimate to the audit officer concerned that he is incurring a liability without due provision of funds stating the approximate amount involved and furnishing at the same time a copy of the orders under which he has acted.¹⁰

So far we have examined the functions and the method of working of the P.W.D. in Assam. The system or the method of working of the P.W.D. was quite sound. Rules and procedures are all comprehensive. But in actual practice some irregularities were committed. Of the various irregularities the following are some samples.

10. P.W.D. Manual, by Dewan Vijay Kumar, 1979, Advocate, Gauhati High Court, pp. 108-109.

(1) In February, 1962 the lowest tenderer for the work "Construction of B.K.K. Road section (17th to 26th miles) in Diphu Division quoted rates "2½ per cent below the schedule of rates for the current year". This tender was rejected on the ground that the contractor did not mention specifically that the schedule referred to by him was the one for hill roads. The ground of rejection had no justification, as the work was to be undertaken in the hill area and as there was a separate schedule of rates for the hill roads. The work was allotted to some other contractors allowing them rates at 10 per cent above the schedule of rates for hill roads. The extra expenditure over the lowest tendered rates amounted to rs. 23,490. This was a clear case of violation of the P.W.D. rules.

(2) In 1952, the Public Accounts Committee reported that works were executed without administrative approval and technical sanction. This was also the violation of P.W.D. rules.

These cases indicates that sometimes the officers adopt corrupt methods. These are not the only cases. There may be other cases also. The popular belief is that the P.W.D. like the Police is one of the most corrupt departments. Corruption

takes place in the execution. of schemes. We shall consider
this in chapter ..VII..

CHAPTER IV

PERSONNEL ADMINISTRATION-I

Classification, Qualification and Salary :

Of the various problems of administration "Personnel administration" is more important and very complex. It is more important because the actual work is done by the men and women who hold various posts, high and low, in the organisation. It is very much complex as it is concerned not only the employer but equally with the employ^es and public. The general public is concerned in the sense that it wants a system of personnel wherein all citizens will have an equal opportunity to enter the Government service and rise to higher grades on the basis of talent and qualifications. The Government as an employer is interested in securing efficient personnel and in getting the maximum work for a minimum expenditure. The employee is interested in getting a good pay, proper work conditions, security of job and a handsome pension on retirement.

We shall make an attempt to discuss all aspects of personnel administration of P.W.D. in Assam : Classification, Qualification, Salary, recruitment, Probation, promotion, training and retirement.

Classification :

In 1874, there were mainly three services in the Assam P.W.D., Engineering service, Sub-ordinate Engineering Service and Accounts services. Besides, these three there were some office assistants.

The members of the Engineering service were classified into two — Royal and Provincial Engineers. The Royal Engineers were those who were sent to India under the conditions laid down for employment by the Secretary of state in India. All other Engineers who were appointed either by the Local Government or by the Government of India were called Provincial Engineers. The higher administrative posts like Superintending and Executive Engineers were generally filled up by the Royal Engineers. The Provincial Engineers were at first appointed as Assistant Engineers. The Superintending Engineers were classified into three grades on the basis of their scales of pay as given below :

Grade I ...	1,600/- per mensem
Grade II ...	1,532/- " "
Grade III ...	1,400/- " "

The Executive Engineers were classified into four grades such as :

Grade I	with the scale of pay	Rs. 1,250/-	per mensam
Grade II	" "	Rs. 940/-	" "
Grade III	" "	Rs. 650/-	" "
Grade IV	" "	Rs. 550/-	" "

The Assistant Engineers were also classified into three grade on the basis of their scale of pay as noted below :

Grade I	with the scale of pay	Rs. 450/-	per mensam
Grade II	" "	Rs. 350/-	" "
Grade III	" "	Rs. 250/-	" "

The Sub-ordinate Engineering service was classified into Upper and Lower Sub-ordinates. The Upper Sub-ordinates were further classified into three grades on the basis of their pay scale as given below :

Grade I	Rs. 400/-	per mensam
Grade II	Rs. 300/-	" "
Grade III	Rs. 250/-	" "

The lower Sub-ordinates also were classified into three grades on the same basis is noted below.¹

1. Classified list of Assam Government Officers, 1874.

Grade I	Rs. 100 per mensam
Grade II	Rs. 80/- " "
Grade III	Rs. 60/- " "

The Accounts service also was classified into Upper and Lower Accountants. Those Accountants whose scale of pay was Rs. 250/- or more per mensam were regarded as Upper grade Accountants and whose scale of pay was less than Rs. 250/- per mensam were regarded as lower grade Accountants.²

In 1888, the ministerial service for Divisional and Directorate office was constituted with Rs. 40/- as the scale of pay who were classified as ministerial service.³

Prior to 1899, there was no post of Chief Engineer. In 1899, the post of Chief Engineer was created. During the period from 1899 to 1908, the Chief Engineers were classified into three grade on the basis of their scale of pay as noted below :

Grade I	with the scale of pay Rs. 2,500/- per mensam.
Grade II	with the scale of pay Rs. 2,150/- per mensam.
Grade III	with the scale of pay Rs. 1,800/- per mensam.

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2. The Assam Gazettee 1874, Part II, Notification No.1565-83.
 3. The Assam Gazettee 1884, Part II, Notification No. 11.

In 1912, the former Accounts service was replaced by constituting the Divisional Accounts service which was classified into Class I and II.⁴

In 1920, the Engineering services were Re-classified into (1) Indian service of Engineers, (2) Assam Engineering service and (3) Sub-ordinate Engineering service. All the Engineers-in-charge of a division and above were classified as Indian Service of Engineers which replaced the former Royal Engineers. The Engineers-in-Charge of Sub-divisions were classified as Assam Engineering service. This service replaced the former Provincial Engineering service. All the diploma holders were classified as Sub-ordinate Engineering service which replaced the former upper and lower sub-ordinates.⁵

The Accounts and Ministerial services remained as before.

In 1931, the ministerial service of the P.W.D. was amalgamated with other departments as one cadre for the all purposes. Naturally, its classification was the same with other departments which deserve no special mention.⁶

4. Fin, A, January, 1918 No. 1-3

5. The Assam Gazettee, 1920, Part IIA, Notification No.122 Estt.

6. Estt.B. March 1931, No. 24-33.

In 1938, the Assam Engineering service was classified into Class I and Class II. The Class I Assam Engineering Service was constituted by replacing the Indian Service of Engineers. All the Engineers holding the charge of a division and above and under Secretaries, excepting one, were from Class I Assam Engineering service. The Class II service was constituted to correspond to the existing Assam Provincial Engineering service holding the charge of sub-divisions.⁷

In 1948, on the recommendation of the Assam Pay Commission a general classification was made to all the services of the P.W.D. According to this classification there were four classes of services.

All posts which carried a maximum pay not exceeding Rs. 45/- were included in Class IV services which comprises the unskilled and illiterate employees. The Class III service comprises two different categories of posts : the sub-ordinate Executive from technical services and ministerial from non-technical services. The ministerial service was classified into Upper Division Assistant and Lower Division Assistants.

7. The Assam Gazette, 1938, Part IIA. Notification No. 122 Estt.

The Sub-ordinate Executive Service had two broad categories of posts : Upper and Lower Sub-ordinates. Overseers were included in the Upper category in which Moherrirs were included in the Lower category. On the whole, all grades of posts which carried a maximum pay not exceeding Rs. 350/- were included in Class III.

The gazetted posts were divided into two classes ; class I & II. All the Executive posts holding the charge of a Sub-division were classified as Class II and the Executive posts holding the charge of division and above and all administrative posts were classified as Class I.⁸

In 1964, as per recommendation of the Assam Pay Commission, the P.W.D. employees were classified as follows :

(1) Senior grade with the scale of pay Rs. 1,000/- and above per mensem.

(2) First grade with the scale of pay of Rs. 700/- to Rs. 999/- per month.

(3) Second grade, from Rs. 301/- to Rs. 699/-.

8. Report of the Assam Pay Commission, 1948.

(4) Third grade from Rs. 126/- to Rs. 300/- per month.

(5) 4th grade, from Rs. 125/- and below.⁹

In 1973, the Assam Pay Commission recommended the following re-classification of services which was accepted by the Government.

Class I service : All Gazetted posts on the revised time scales, the maximum of which was Rs. 1,325/- and above.

Class II service : All other Gazetted posts on the revised time scales the maximum of which is Rs. 900/- and above but below Rs. 1,325/-.

Class III service : All other posts or services Gazetted or non-Gazetted excepting those classified in class IV service.

Class IV service : All posts in the revised time scales the maximum of which is Rs. 300/- or below.¹⁰ This classification is still in vogue.

9. Report of the Assam Pay Commission, 1964.

10. Report of the Assam Pay Commission, 1973.

Qualifications :

The most important problem of personnel administration is qualification of the employees. In every services, some qualifications are laid down which are of two types :

i) Special and ii) General. In the former personal qualifications like education, experience and technical knowledge are included. In the latter are included Nationality, Age, character and health etc. We shall consider each qualification on each service separately.

Special qualifications :

Engineering Service : In 1874, for the Provincial Engineering service the following special qualifications were prescribed.

Passed certificate examination from the Cooper's Hill Engineering College and the Thomason and Presidency Civil Engineering College except the officers of Royal Engineers and the supernumerary officers.¹¹

In 1892, all the Bachelors in Engineering of the Indian Universities who obtained the Engineering College Certificate after satisfactorily undergoing a course of practical work were

11. The Assam Gazettee 1874, Part-II, Notification No. 15655 - 83 E. G.

also recognised as requisite qualification.

In 1920, with the advent of the Indian Service of Engineers and Assam Engineering Service the following special qualifications were prescribed.

For the Indian Service of Engineers (ISE) the requisite qualifications were : Bachelor of Engineering or its equivalent degree from the Universities recognised by the Government. (for details see Appendix V) or passed sections A & B of the A.M.I.C.E. examination. Or obtained such other diploma or distinction in Engineering as the Secretary of State may decide to accept in any particular case.

In addition, the candidate should have had at least one full years practical experience of Civil Engineering under a qualified Civil Engineer. Those candidates whose qualifying diploma had been obtained without a college course should have had a full three years practical experience.¹²

For the Assam Engineering Service the prescribed special qualifications were as follows : the Bachelor's degree from a recognised Engineering Colleges.¹³

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12. The Assam Gazettee 1924, Part-IIA, Notification No. 20 Estt.
 13. The Assam Gazettee 1929, Part-IIA, Notification No. 122 Estt.

In 1938, when the Assam Engineering Service was divided into two class I and class II services the following qualifications were prescribed. For class I service, the candidate had to possess an exceptionally good Engineering Degrees from recognised foreign Universities. (For details see Appendix VI). For the class II service the requisite special qualifications were passed B.E. examination of Indian Universities who had completed practical training and the qualified Engineers holding degree from recognised Foreign Universities.¹⁴

In 1941, some changes were made regarding the special qualifications of the class I and class II services. For class I service the candidate should possess good Civil Engineering Degree from an Indian University. (For details see Appendix VIII). The Engineering degree holders of recognised foreign Universities were also eligible for this service. (See Appendix VII). But such candidates should have secured at least 60 per cent of the aggregate marks in the degree examination. Moreover, the candidates having honours diploma in Civil Engineering or a First class degree from the Thomason Civil Engineering college, Roorke, were also eligible for the class I service.

14. The Assam Gazettee, 1938, Part-IIA, Notification No. 122 Estt.

For class II service, the following special qualifications were prescribed :

(1) The Civil Engineering Degrees of Indian or foreign Universities. (For details see Appendix VIII & VII).

(2) Diplomas in Civil Engineering from the Thomason Civil Engineering College, Roorke;

- a) Honours Diploma 1st or second class;
- b) Pass diploma;
- c) Higher certificate as Assistant Engineers;
- d) Ordinary certificate as Assistant Engineers;¹⁵

In 1978, the candidate, for direct recruitment to the class II Assam Engineering Service must possess (1) a Degree in the respective branch of Engineering, namely — Civil, Mechanical, and Electrical of an Indian or Foreign Universities recognised by the Government.

Or

The candidate must have passed part A and B of the Associate Membership Examination of the Institution of Engineers (India) and possessing a certificate to that effect from the

15. The Gazettee 1941, Part I IA, Notification No.212 Estt.

Institution of Engineers (India).¹⁶ (For details see Appendix IX).

Subordinate Engineering Service : In 1974, the requisite special qualification for the upper subordinates was, except the men of Royal Engineers and other subordinates occasionally obtained from Europe, the passed subordinate certificate of the Civil Engineering College in India. For the lower subordinates a sub-overseer certificate from any joint technical examination Board in India was the requisite qualification.

The Assam P.W.D. resolutions adopted in 1904 and in 1914 provided some changes and the following special qualifications were prescribed for this service:

(a) A Bachelor in Engineering of the Indian Universities, who had obtained the Engineering College certificates after satisfactorily undergoing a course of practical work, were eligible for upper subordinates.

(b) Failing candidates of superior qualification, the Sibpur College final certificate in the Engineer department unaccompanied by the university degree were also accepted for

16. The Assam Gazettee 1978, Part IIA, Notification No. E(B) 4R/1/68/pt-II.

upper subordinates.

(c) The Bengal Joint Technical Examination Board's third grade overseer certificate supplemented by a year's satisfactory practical training was also considered to be qualified for upper subordinates.

For the lower subordinates, a sub-overseer certificate granted by the Joint Technical Examination Board Bengal, was accepted as a special qualification for lower subordinates.¹⁷

In 1921, the subordinate Engineering Service was replaced by the Assam Subordinate Engineering Service. The special qualifications prescribed for this service were the same as these prescribed for the upper subordinates by the Assam P.W.D. resolution 1914.¹⁸

In 1973, the special qualifications prescribed for this service were as follows : A. Candidate must have had passed the three years diploma course in the respective branch of Engineering from any Engineering Institute recognised by the Government of Assam from time to time.

17. The Assam Gazettee 1914, Part IIA, Notification No. 76 Estt.

18. The Assam Gazettee 1921, Part IIA, Notification No. 87 G Estt.

Accounts Service :

In 1874, the special qualification for upper grade Accountants were graduate from a recognised university. For the lower grade Accountants the under graduate or the passed certificate of I.A. examination from any recognised university were prescribed.¹⁹

In 1912, when the provincial Divisional Accountants service came into being the minimum special qualification for direct recruitment to this service was graduate from a recognised university.²⁰

The Divisional Accountants service was replaced by the subordinate Accounts service. In 1963, the minimum special qualification prescribed for this service was a degree in Arts, Science or Commerce of a recognised university.²¹

This special qualification is still in vogue for this service.

Assistant Secretary, Registrar and Superintendents : The

Assistant secretary. Registrar and superintendent who are drawn

19. The Assam Gazettee 1874, Part-II, Notification No. 15655-83-E.G.

20. Fin. A. January 1918, Nov. 1-3.

21. The Assam Gazettee, 1963, Part-IIA, Notification No. FED.49/60/1.

from non-technical service are appointed by promotion from Upper Divisional Assistants. Thus, the special qualifications prescribed for U.D. Assistants were also applicable to Assistant secretary, Registrar and superintendents. In 1963, although the post of Assistant Secretary was upgraded to under Secretary yet it remained as the promotion post.

The minimum special qualifications required for U.D. Assistant were a Degree of a University recognised for the purpose by the Governor.²²

Ministri^l Establishment in the Directorate and other Divisional Offices : In 1888, for clerkships in the Directorate and in other Divisional officers of the P.W.D. the special qualifications were prescribed :

In those posts where literary knowledge was required the candidate had to be educated in, and received a certificate of proficiency from a Government or Aided School.

No one who had not atleast studied in the first class of a high school was eligible for English clerkship, and no

22. The Assam Gazettee, 1951, Part-IIA, Notification No. AAP-31/51/14.

one who had not at least passed the middle vernacular scholarship examination was eligible for a vernacular clerkship.²³

In 1931, the ministerial establishment of the P.W.D. was amalgamated with other departments as one cadre for the purpose of recruitment. Thus, same special qualifications were set forth as in other departments for clerkships.

GENERAL QUALIFICATIONS :

Nationality : From 1874 to 1947, for all the services of the P.W.D. the candidates must be British subject or the subjects of a state in India. Further, the Indian candidates must be native of or domiciled in Assam. If they are European or Anglo-Indians, they should be domiciled in India. But if such a candidate was not available this restriction was dispensed with.

A person ordinarily was considered to be domiciled in Assam only when he had become the owner of a homestead in Assam, had lived for ten years in a homestead owned by him in Assam and intends to live in such a homestead until his death. However, the local Government could, in special cases,

23. The Assam Gazette 1888, Part-II, Notification No. 11 Estt.

relax these conditions. The children of a man, who domiciled in Assam automatically domiciled in Assam unless and until they had shown their intention of leaving Assam.

Since Independence, the candidates for all the services must be a citizen of India.

Age : Engineering Service : In 1874, the minimum and the maximum age limits for this service were 21 and 24 respectively. On the 1st January of the year in which the notification for appointment was published, except for the men of Royal Engineers and Supernumerary Engineers.

In 1920, when the Indian Service of Engineers was constituted the minimum and the maximum age limits remained the same.

For the Assam Engineering Service, in 1929, the minimum and the maximum age limit were 21 and 30 years respectively on the 1st January of the year in which the notification for appointment were published.

In 1938, when the Assam Engineering service was divided into class I and II, for the direct recruits of the class II

service the minimum and maximum age limits remained 21 and 30 respectively. The class I service was recruited by promotion. So there was no maximum age limit to this class of service.

In 1952, although no change was made regarding the minimum and maximum age limit yet relaxation was given in case of maximum age limit for candidates belonging to special categories like scheduled castes, scheduled tribes or any other categories as laid down by Government in accordance with the general orders of the Government in force. This age limit is still in force for this service.

Subordinate Engineering Service :

In 1874, for the direct recruits of the upper and lower subordinates the minimum and the maximum age limit were 21 and 24 respectively. In 1921, with the constitution of the subordinate Engineering Service although minimum age remained 21 yet the maximum age limit was raised upto 31 on the 1st January of the year in which the notification for appointment were published.

In 1952, the minimum age was reduced to 18 while the maximum age remained 31 with relaxation in case of candidates belonging to special categories like scheduled castes, scheduled tribes or any other category as laid down by Government in accordance with the general orders of the Government in force. This age limit is still in force for this service.

Accounts service : In 1874 for the direct recruits of the upper and lower grade accountants the minimum and maximum age limits were 21 and 24 respectively. In 1912, with the constitution of the provincial Divisional Accountants Service, although the minimum age limit remained at 21 yet the maximum age limit was raised upto 30.

With the constitution of Subordinate Accounts Service, in 1963, the minimum and the maximum age limit were fixed at 21 and 35 respectively for the Divisional Accountants, and 21 and 25 respectively for Assistant Divisional Accountants on the first day of January of the year in which recruitment was made. However relaxation was given to candidates belonging to the special categories in accordance with general orders issued from time to time by the Government of Assam. In case

of Government servants the maximum age limit was relaxable upto 40 and 30 years to the Divisional Assistants, Divisional Accountants respectively. This age limit is still in vogue for this service.

Assistant Secretary, Registrar and Superintendents :

The post of Assistant Secretary, Registrar and Superintendents belonging to non-technical service of the P.W.D. Secretariat were all promotion post. Naturally, no age bar was there for these posts.

Minist^rial Establishment in Directorate and other Divisional Offices :

In 1880, the minimum and the maximum age limit for minist^rial establishment in Directorate and other Divisional Offices were fixed at 18 and 25 respectively.

In 1931, when minist^rial establishment of the P.W.D. was amalgamated with other departments, this general qualification was governed by the same rule like other departments which deserve no special mention.

Character and Health :

Engineering Services :

In 1874, men of good character, sound health, good physique and active habits and able to undertake long journey on horse back and free from organic defects or bodily infirmity were recruited.

In 1924, for the Indian Services of Engineers, the candidates should possess good moral character and sound health and in the opinion of the Secretary of State for India in Council, in all respects, suitable to hold an appointment in the P.W.D.

For the Assam Engineering Service in 1929, it was prescribed that the candidates must be of good moral character, sound health, good physique and active habits, able to undertake long journey on horse back and free from organic defect or bodily infirmity.

In 1938, when this service was divided into class I and II, no change was made regarding this general qualification.

In 1978, a little change was made to this general qualification, It was prescribed that the candidate for this service was to be man of good character and sound health both mentally

and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his duties.

Subordinate Engineering Service :

In 1874, for both the upper and lower subordinates, the candidates should have good character and sound health and be able to undertake the arduous task.

In 1921, for the subordinate Engineering service, it was prescribed that the candidate might be of good character, sound health, good physique and active habits and fit for undertaking long journey on horse back.

In 1973, a minor change was made to this qualification. It was provided that the candidate for this service should have good character and sound health both mentally and physically and free from organic defect or bodily infirmity likely to interfere with the efficient performance of his duties.

Accounts Service :

In 1974, for both the upper and lower grade Accountants, the candidates must be men of good character and active habits.

In 1912, for the provincial Divisional Accounts Service little more was added. It was provided that the candidate for this service should have had good character, sound health, good physique and active habits.

In 1963, for the then subordinate Accounts service, it was provided that the candidates were to be of good character, sound health both mentally and physically and free from organic defects or bodily infirmity likely to interfere with efficient performance of his duties. Further, it was provided that the candidate must not have more ^{than} one wife living, provided that the Governor may, if he is satisfied that there are special grounds for doing so, exempt any person from the operation of this rule.

Assistant Secretary, Registrar and Superintendants :

In 1951, it was provided that the candidate for these posts must be a man of good character, sound health and free from any mental or physical defect.

In 1963, although new service rules were made yet no change was made to this general qualification which is still in vogue.

Ministerial Establishment in Directorate and other Divisional Offices :

In 1888, it was mentioned that the candidates for this service must be honest, sober and truthful, and should have had good character and physique.

In 1931, this service was amalgamated with other departments and was governed by the same general rules for which no special mention deserves.

Salary :

In 1874, when Assam was separated from Bengal and constituted into a separate Chief Commissioner's province, the Bengal rates of graded pay, was adopted in Assam with some minor alterations.²⁴ The scale of pay of the different categories of employees of the P.W.D. were as given below :

24. Assam Pay Commission's Report, 1964.

Superintending Engineer :

Grade I ...	Rs. 1600/-	per mensum.
Grade II ...	Rs. 1532/-	" "
Grade III...	Rs. 1400/-	" "

Executive Engineer :

Grade I ...	Rs. 1,250/-	per mensum.
Grade II ...	Rs. 940/-	" "
Grade III ..	Rs. 650/-	" "
Grade IV ...	Rs. 550/-	" "

Assistant Engineers :

Grade I ...	Rs. 450/-	per mensum.
Grade II ...	Rs. 350/-	" "
Grade III ..	Rs. 250/-	" "

Under Subordinates :

Grade I ...	Rs. 400/-	per mensum.
Grade II ...	Rs. 300/-	" "
Grade III ..	Rs. 250/-	" "

Lower Subordinates :

Grade I ...	Rs. 100/-	per mensum.
Grade II ..	Rs. 80/-	" "
Grade III..	Rs. 60/-	" "

Accounts service :

Upper grade Accountants Rs. 250/- per month

Lower grade Accountants less than Rs. 250/- per month.²⁵

In 1888, the ministerial service was constituted with Rs. 40/- as the salary per month.²⁶

In 1899, the post of Chief Engineer was created with the graded rates of pay.

Chief Engineer :

Grade I ... Rs. 2,500/- per mensem.

Grade II ... Rs. 2,150/- " "

Grade III .. Rs. 1,800/- " "

In 1912, for the reorganisation of the Engineering establishment of the P.W.D. the Governor-General-in-Council introduced a new scheme from 1st April 1911, which substituted the time scale of pay for the existing graded system of pay. The rates of pay given to the Executive and Assistant Engineer were as follows :

Assistant Engineer-	1st year of service	pay	Rs. 250/-	per	mensem.
"	"	2nd year	"	"	Rs. 275/- " "
"	"	3rd year	"	"	Rs. 300/- " "

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25. Classified list of Assam Government Officers from 1874 to 1884.
26. The Assam Gazettee 1884 Part- II, Notification No. 11.

Assistant Engineer- 4th year of service pay Rs. 325/- per
month.

"	"	5th year	"	"	Rs. 350/-	"	"
"	"	6th year	"	"	Rs. 375/-	"	"
"	"	7th year	"	"	Rs. 400/-	"	"
"	"	8th year	"	"	Rs. 425/-	"	"
"	"	9th year	"	"	Rs. 450/-	"	"
"	"	10th year	"	"	Rs. 475/-	"	"
Executive Engineer-11th year			"	"	Rs. 535/-	"	"
"	"	12th year	"	"	Rs. 570/-	"	"
"	"	13th year	"	"	Rs. 605/-	"	"
"	"	14th year	"	"	Rs. 640/-	"	"
"	"	15th year	"	"	Rs. 675/-	"	"
"	"	16th year	"	"	Rs. 710/-	"	"
"	"	17th year	"	"	Rs. 745/-	"	"
"	"	18th year	"	"	Rs. 780/-	"	"
"	"	19th year	"	"	Rs. 815/-	"	"
"	"	20th year	"	"	Rs. 850/-	"	"

However, in case of Superintending and Chief Engineers the
graded system of pay remained in force.

Superintending Engineer :

Class I	...	Rs. 1600/-
Class II	...	Rs. 1532/-
Class III	...	Rs. 1400/-

Chief Engineer :

Class I	...	Rs. 2,500/-
Class II	...	Rs. 2,150/-
Class III	...	Rs. 1,800/-

For the upper and lower subordinates also the old graded system of pay remained in force.²⁷ In 1920, an inferior Engineering service called the Assam Engineering service was constituted to comprise the bulk of the officers of the P.W.D. required for the charge of subdivisions. The pay of this service was fixed on a continuous time scale of Rs. 250-20-750/-, with an efficiency bar at Rs. 550/-.²⁸

In 1921, the Assam Subordinate Engineering service was constituted and to this service also an improved time scale of pay was given at the rate as noted below :

Rs. 150/-	1st year	- Probationers.
Rs. 175/-	2nd year	"
Rs. 200 - $\frac{25}{3}$	- 250	- 3rd to 11th year. (Efficiency bar)
Rs. 275 - $\frac{25}{3}$	- 325	- 12th to 20th year.
Rs. 350 - $\frac{25}{3}$	- 400	- 21st to 25th year.

27. The Assam Gazettee 1912, Part-II, Notification No.31.E.G.

28. The Assam Gazettee 1920, Part-IIA, Notification No.6/G/Estt.

In addition to this rate of pay, there was a selection grade on Rs. 450/- per mensem for those members of the service who were not selected for promotion to Assistant Engineers.²⁹

The Indian Service of Engineers, which was created in 1920, was also given the improved time scale of pay. In 1924, the time scale of the Indian service of Engineers, were classified as junior and senior scales as given below :

<u>Junior</u>				
<u>Year</u>	<u>Pay</u>	<u>Technical pay</u>	<u>Over seas pay</u>	<u>Total</u>
1st year	300	75	150	525/-
2nd year	350	75	150	575/-
3rd year	400	75	150	625/-
4th year	450	75	150	675/-
5th year	450	75	150	675/-
6th year	500	75	150	725/-
7th year	550	75	150	775/-
8th year	550	75	200	825/-
9th year	600	75	200	875/-
<u>Efficiency bar here</u>				
10th year	650	75	200	925/-
11th year	700	75	250	1,025/-
12th year	750	75	250	1,075/-

29. The Assam Gazettee, 1921, Part-IIA. Notification No.87/G/E.stt.

Efficiency bar here

<u>Year</u>	<u>Pay</u>	<u>Technical pay</u>	<u>Over seas pay</u>	<u>Total</u>
13th year	800	75	250	1,125/-
14th year	850	75	250	1,175/-
15th year	900	75	250	1,225/-

Senior

4th year	550	75	150	775/-
5th year	550	75	150	775/-
6th year	600	75	150	825/-
7th year	650	75	150	875/-
8th year	650	75	200	925/-
9th year	700	75	200	975/-

Efficiency bar here

10th year	750	75	200	1,025/-
11th year	800	75	250	1,125/-
12th year	850	75	250	1,175/-
13th year	900	75	250	1,225/-
14th year	950	75	250	1,275/-
15th year	950	75	250	1,275/-
16th year	1000	75	250	1,325/-
17th year	1050	75	250	1,375/-
18th year	1100	75	250	1,425/-

<u>Year</u>	<u>Pay</u>	<u>Technical Pay</u>	<u>Over sea's pay</u>	<u>Total</u>
19th year	1150	75	250	1475/-
20th year	1200	75	250	1525/-
21st year	1200	75	250	1525/-
22nd year	1250	75	250	1575/-
23rd year	1250	75	250	1575/-
24th year	1300	75	250	1625/-

Superintending Engineers Rs. 1750/- rising by annual increments of Rs. 100/- a month to Rs. 2150/- a month.

Chief Engineers : Rs. 2750/- rising by annual increments of Rs. 125/- a month to Rs. 3000/- a month. The increments were given for approved service only.

Pay on the junior scale were drawn by officers holding charges of less importance than a Divisional charge, but no such officer were allowed to draw more than the pay of the ninth year of service on the junior scale unless he was exported to be fully qualified for the charge of a Division.

Pay on the senior scale were drawn by officers holding charges of not less importance than the charge of a division.³⁰

30. The Assam Gazettee 1924, Part-IIA, Notification No. 20 Estt.

In 1931, the ministerial establishment of the P.W.D. was amalgamated with other departments. As a result common pay scales was introduced to the members of the ministerial establishment of P.W.D.

The next general revision can only in 1932 following the economic depression when prices of essential commodities went down considerably. The administration also faced with an acute financial crisis and Government had, therefore set up a Retrenchment Committee in 1931, and the revised pay scales were introduced from 1st January, 1932, as noted below :

Chief Engineer and Secretary : Rs. 1250-100-1750.

Superintending Engineers : 1000-50-1200.

Executive Engineers : 375-400-425-450-475-500-(E.B.)-525-550-575-600-625-650-675-700-(E.B.)-725-775-800.

Assistant Engineers : 175-200-(Confirmed)-15-320-(E.B.)-20-480-(E.B.)-500-20-600.

Subordinate Engineering Service (Selection grade who were entitled to the charge of a Sub-division : Rs. 450 (Fixed) with Rs. 50 as charge allowance.

S.E.S. (Ordinary Grade) : Rs. 80-250 (new)

Rs. 150-400 (Old)

Assistant Secretary drawn from technical service : Rs. 600-50-900.

Accountants : Rs. 80-8-200- $\frac{25}{5}$ - 250.

Assistant Accountants : Rs. 70-3-85-3-100.

Registrar : Rs. 400-20-500.

The revised scales were made applicable to Government employees entering service on or after the 20th August, 1931 while persons appointed before that date were allowed to retain their old scales so long as they remained in specified groups of services. Owing to the rising trend of prices brought about by the impact of the second world war, dearness allowance at percentage rates and free-ration and rice commission for Government servants in the lower groups were sanctioned in the early 1940's. The Government finally decided to set up a Pay Committee in 1947 to examine, inter alia, the inadequacy or otherwise of the then existing emoluments.

The report of the Commission was submitted in March, 1948. On the suggestion of the Committee revised scales were introduced from 1st April, 1948. The 1948 Pay Committee made a detailed examination of the entire structure of Pay scales of various categories of employees. In respect of the minimum pay, the committee decided that this should not be less than Rs. 40/-. For the ministerial staff, the minimum emoluments considered necessary was about Rs. 70/-. The upper limit was fixed at Rs. 1,500/-.

In the matter of dearness allowance and other allowances of this nature, the Committee suggested that a system of consolidated dearness allowance variable according to the cost of living index should be introduced. This was not, however, accepted by the Government and the old system continued to be in vogue. In this course of this revision, an allowance of Rs. 4/- per month sanctioned during the war period drawing pay upto Rs. 150/- per month as interim relief was merged in pay.

The revised scale of pay given to different categories of employee are noted below :

Chief Engineer & Secretary - Rs. 1200-50-1500

Superintending Engineer - Rs. 800-50-1100

Executive Engineers - Rs. 600-25-750-EB-25-900

Assistant Engineers - Rs. 200-200-240-(Confirmed)-20-400-(EB)-25-600

Subordinate Engineering : Rs. 200-15-275-(EB)-20-375-25-400

Service (Selection grade) holding the charge of a subdivision. } with Rs. 50 as charge allowance.

Subordinate Engineering : Rs. 150 to 400 (old)

Service (ordinary grade) } Rs. 80 to 250 (New)

Assistant Secretary : Rs. 600-50-900

Accountants : Rs. 100(Probation)-120-10-250-15-355.

Assistant Accountants: Rs. 80-5-100(E.B)-6-130-10-150

Registrar : Rs. 400-20-600

Besides these scales of pay the employees discharging additional responsibility were given special pay and compensatory allowances.³¹ After 1948, a partial revision of pay scales of the low paid employees took place in 1954 when those employees whose pay scales did not exceed Rs. 100 were given an initial benefit of Rs. 3 per month in the case of class IV employees and Rs. 5 per month in the case of others. From the 1st January 1955 rice concession and free ration sanctioned for government employees drawing pay upto Rs. 300 per month was substituted by a cash allowance of Rs. 13.50 per month. Despite the above limited revision made in 1954 and 1955, the post war upward trend of prices of essential commodities continued to exhibit a progressive rise and the question of further review was considered. With the transport difficulties and various other problems facing Assam after partition, the price increase was greater than other parts of the country and continued to show a substantial upward trend right through the years after Independence. In 1956, the state Government constituted another pay Commission to make a detailed enquiry into, among other

31. Assam Pay Commission Report 1948.

things, the scales of pay and allowances of all the employees of the Government with a view to their revision to ensure rationalisation, simplification and uniformity. The pay Committees report was submitted in 1956.

The revised scales recommended by the committee was accepted by the Government in toto and was given effect to from the 1st October 1956. The 1956 Committee recommended the minimum pay for the lowest paid employees at Rs. 28 per month, together with Rs. 30-50 N.P. per month as dearness and other allowances. For the benefit of existing employees, advance increments subject to a minimum of Rs. 5 were recommended. The maximum salary on the other hand was kept at Rs. 1500 as existed at that time and the ratio of income at the lowest level and the highest level minus taxes was kept at 1 : 23. It was also recommended that a portion of the dearness allowance drawn by Government servants should be merged in pay. Accordingly dearness allowances of employees drawing pay upto Rs. 450 per month was merged with basic pay. The following was the scales of pay given to the different categories of employees. Chief Engineer : 1200-50-1500

Additional Chief Engineer : Rs. 1000-60-1300 (E.B)-50-1500.

Superintending Engineer : No. 800-50-1000-(E.B)-50-1150.

Executive Engineer : No. 600-35-810-(E.B)-45-900-Selection grade
on No. 1000

Assistant Engineer : No. 225-20-425-(E.B)-25-600 (Higher initial
pay for specialised practical training was
given).

Subordinate Engineering Service : No. 225-20-425-(E.B)-25-600
holding the charge of a
Sub-division.

Subordinate Engineering service : No. 125-7½-155-9-245-(E.B)-
Grade I. 10-275.

S.E.S. Grade II : No. 100-6-160-(E.B)-8-200

S.E.S. Grade III : No. 50-2-78-(E.B)-3-90.

Divisional Accountant: No. 175-15-280-(E.B)-15-340-(E.B.)-15-
430-20-450.

Junior Divisional Accountant : No. 150-7½-180-9-270-(E.B)-10-300.

Assistant Divisional Accountant : (a) No. 125-7½-155-9-(E.B)-10-
175(For trained graduates only).

(b) No. 100-6-160-(E.B)-8-200
(for intermediate trained only).³²

In 1964, on the recommendation of the third Assam Pay
Committee, the Pay scales of the employees were again revised
as noted below :

Chief Engineer : No. 1400-50-1500-60-1620-(E.B)-60-1800.

Additional Chief Engineer : No. 1300-60-1480-(E.B)-60-1600

32. The Pay Committee Report, 1956.

Superintending Engineer : Rs. 1000-50-1150-(E.B.)-50-1300

Executive Engineer : Rs. 750-50-950-(E.B.)-50-1200

Under Secretary : Rs. 750-50-950-(E.B.)-50-1200

Assistant Engineer : 350-30-500-(E.B.)-30-680-(E.B.)-35-925.

S.E. Service holding the charge of a Sub-division : Rs. 350-40-500-(E.B.)-30-680-(E.B.)-35-925.

S.E.S. grade I : Rs. 200-12.50-250-(E.B.)-12.50-275-15-350-(E.B.)-15-500

S.E.S. Grade II : Rs. 175-10-225-(E.B.)-12.50-400

S.E.S. Grade III: Rs. 140-6-170-(E.B.)-7-205-(E.B.)-7-275.

Divisional Accountant : Rs. 250-20-350-(E.B.)-20-450-(E.B.)-25-700

Junior Divisional Accountant : Rs. 225-15-285-(E.B.)-15-360-(E.B.)-20-600.

Assistant Divisional Accountant : Rs. 200-12.50-250-(E.B.)-12.50-275-15-350-(E.B.)-15-500.³³

In 1973, due to the gradual increase of the price index, the scales of pay of the employees were again revised as given below :

Secretary : Rs. 1600-60-1840-(E.B.)-65-2100

Deputy Secretary : Rs. 1200-55-1365-(E.B.)-60-1725

Under Secretary : Rs. 900-55-1285-(E.B.)-60-1325.

33. The Pay Committee Report, 1964.

Chief Engineer : n. 1600-60-1840-(E.B)-65-2100

Additional Chief Engineer : n. 1400-60-1640-(E.B)-65-1900.

Superintending Engineer : n. 1200-55-1365-(E.B)-60-1725

Executive Engineer : 900-55-1285-(E.B)-60-1525

Assistant Engineer : n. 600-35-745-(E.B)-35-1025-(E.B)-40-1225

S.E.S. holding the charge of a Sub-division : n. 500-35-745-
(E.B)-35-1025-(E.B)-40-1225.

S.E.S. Grade I : n. 325-15-400-(E.B.)-16-560-(E.B.)-18-650

S.E.S. Grade II : n. 300-12-350-(E.B.)-14-500-(E.B)-15-575.

S.E.S. Grade III : n. 260-7-295-(E.B)-8-375-(E.B)-10-425.

Divisional Accountant : n. 600-25-800-(E.B)-30-950

Junior Divisional Accountant : n. 350-15-425-(E.B)-20-625-
(E.B)-30-950.

Assistant Divisional Accountant: n. 325-15-400-(E.B.)-16-560-
(E.B)-18-650.³⁴

CHAPTER- V

PERSONNEL ADMINISTRATION- II

A. Recruitment : Probation, Promotion :

Engineering Service :

In 1874, when Assam was separated from Bengal, for maintaining a high standard of qualification and for ensuring uniformity, all first appointments to the Engineering service were made by the Government of India. No appointment with a salary of more than Rs. 250 a month was made by the Local Administration without the sanction of the Government of India. In other words, all appointments with a salary of Rs. 250 and more a month were made by the Local Government with the previous sanction of the Government of India. All other appointments were made by the Local Government without the previous sanction of the Government of India.¹ During the period 1874 to 1920, no definite procedure was observed in making appointments to the Engineering service. Applications were called for, and on the basis of qualifications appointments were made by the appointing authority.

In 1920, the Imperial Engineering Service was replaced by the Indian service of Engineers. The Secretary of state for India was the recruiting authority to this service. In making appoint-

1. The Assam Gazettee, 1874, Part-II, Notification No. 1565-83
E. G.

ments to this service, the secretary of state had to act on the advice of a selection committee consisting of some three members including at least one eminent representative of the Engineering profession. For this service, the candidates had to apply in the prescribed form. It must reach the India office not later than 1st August of the year. The selection Committee selected the candidates from among the applications. The selected candidates had to undergo the training on works in India for a period of at least one year. During this period the trainees were placed on probation and their final appointment was made depending upon the result of such probation.² In 1920 Provincial Engineering Service was replaced by the Assam Engineering service. Appointment to this service was made by the Governor-in-council either by promotion from the Assam Subordinate Engineering service or by direct recruitment through open competition after consulting a permanent Board of selection.

The Board of selection consisted of the Chief Engineer, the Director of Public Instruction, Assam and four non-official members to be nominated by the Governor. The Chief Engineer was the President of the Board. A candidate for direct recruitment to this service had to submit his application in duplicate, in

2. The Assam Gazettee, 1924, Part-IIA, Notification No. 20 Estt.

the prescribed form (See Appendix X).

The Board of selection met at such time and place as directed by the Governor-in-Council. The Governor-in-Council placed before the Board, a list of candidates with the copies of their applications and informed the Board of the total number of appointments that were to be made. Further, the Governor-in-Council, with a view to securing a fair share of appointments to each of the principal communities of the province, indicated the number of appointments to be allotted to any community and directed the Board to submit their recommendations accordingly.

On the date fixed, the Board interviewed personally the candidates selected by it. The president ascertained the opinion of each member of the Board and submitted a full report to the Governor-in-Council embodying the recommendations of the Board, along with the applications of the candidates.

The Governor-in-Council appointed the candidates selected for the purpose.³

After the introduction of Provincial Autonomy a new procedure was adopted for the recruitment of candidates. In

3. The Assam Gazette, 1929, Part-IIA, Notification No. 167 Estt.

1938, appointments to the Assam Engineering service Class I & II were made by the Governor-in-collaboration with the Assam Public Service Commission. Appointment to Class I Service was made by the Governor in two ways :

- (i) by promotion of selected officers of the Assam Engineering service Class II;
- (ii) by direct recruitment of Engineers holding exceptionally good Engineering degrees from recognised Foreign Universities. (See Appendix VI).

Appointment to Class II service was also made by the Governor in two ways :

- (i) by direct recruitment of passed B.E. students of the Indian Universities who had completed the prescribed period of practical training.
- (ii) by direct recruitment of qualified Engineers holding B.E. or its equivalent degrees.⁴ (See Appendix VI).

In 1941, little changes were made in the appointment to Class I service by direct recruitment by recognising the B.E. degrees of the Indian Universities obtaining at least 60 per cent out of the aggregate marks (See Appendix VIII).

4. The Assam Gazettee, 1938, Part-IIA, Notification No. 122 Bstt.

In case of appointment to Class II service B.E. degree or its equivalent degrees of foreign as well as Indian Universities was recognised. Further, in the case of promotion to Class II service from the subordinate Engineering service, a selective list was prepared for the purpose in consultation with the Assam Public Service Commission.⁵ Candidates were selected from the list for appointment. ^{This} procedure continued upto 1978.

In 1978, the following procedure was prescribed for recruitment to Class I and Class II services. Recruitment to Class II service was direct on the basis of selection made by the Commission and by promotion.

Direct recruitment :

Before the end of each year the Government made an assessment regarding the likely number of vacancies to be filled up by direct recruitment in the next year and intimated the same to the Commission together with the details about reservation for candidates belonging to the Scheduled Castes, the Scheduled Tribes, or any other category determined by the Government. The Government simultaneously requested the Commission to recommend

5. The Assam Gazette, 1941, Part-IIA, Notification No. 212 Estt.

a list of candidates for direct recruitment in order of preference.

The Commission made the selection in accordance with the schemes of selection prescribed by the Government. The Commission could hold such tests or interviews and undertake scrutiny of unpublished articles or thesis of the candidates, if any, and the certificates and other documents, as may be considered necessary.

The Commission furnished Government with a list of candidates recommended by it in order of preference found suitable for direct recruitment. The number of candidates in such a list may be approximately double the number of vacancies.

The list was valid for 12 calendar months from the date of recommendation. Within this time limit, the appointing authority made the appointments.

Recruitment to Class II service was also made by promotion in the manner which is described under the heading promotion

Recruitment to Class I (Selection grade) and Class I (ordinary grade) was made by promotion only in the manner given under the heading promotion. However, the Government could for

good and sufficient reasons fill up any of the posts in Class I (senior grade) for specialised investigation, design and research posts temporarily or on tenure by transfer or deputation from outside the service, if it is satisfied that there is no suitable officer in the service available for filling the vacancy.⁶

This procedure of recruitment in the Assam Engineering ^{service} is still in vogue.

Subordinate Engineering Service :

In 1874, there were upper and lower subordinates in the P.W.D. The lower subordinates were recruited by the local Government. In case of upper subordinates although local Government was the recruiting authority yet reference had to be made to the Government of India.⁷

During the period from 1874 to 1918 no definite procedure was laid down for the recruitment of upper and lower subordinates.

In 1918, the following procedure was prescribed for the recruitment of upper and lower subordinates :

All fresh candidates for the subordinate service were not made permanent until they had completed two years service.

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6. The Assam Gazette, 1978, Part-IIA, Notification No. E(B)4R/1/68/Pt-11.
 7. The Assam Gazette, 1974, Part-II, Notification No. 1565-83-E. G.

The upper subordinates were recruited in two ways : by promotion from the ranks of lower subordinates with experience of not less than five years and by direct recruitment from those candidates having qualifications prescribed by the Assam P.W.D. resolutions 1904 and 1914. The recruiting authority for both the services was local Government, if their monthly salary was less than Rs. 250. If their monthly salary was Rs. 250 or more the local Government still remained to be the recruiting authority with the prior permission of the Government of India.⁸

In 1921, the upper and lower subordinates were replaced by the newly constituted Assam Subordinate Engineering service. The members of this service were recruited from the former upper and lower subordinates by the local Government without prior permission of the Government of India.⁹

In 1937, with the constitution of Assam Public Service Commission, recruitment to the Assam Subordinate Engineering Service was made by the Head of the Department in consultation with the Commission.

In 1973, a Selection Board was constituted for selecting

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8. The Assam Gazette, 1918, Part-IIA, Notification No. 57 Estt.
 9. The Assam Gazette, 1921, Part-IIA, Notification No. 87 G.Estt.

candidates. The Board consisted of the Chief Engineer, P.W.D. as Chairman, Deputy Chief Engineer, P.W.D., Member Secretary and Deputy Secretary, P.W.D. as member. The following procedure was adopted in making selection to this service.

Before the end of each year the appointing authority made an assessment regarding the number of vacancies to be filled up by direct recruitment during the next year and intimate the same to the Board together with the details about reservation for candidates belonging to Scheduled Castes, Scheduled Tribes or any other category determined by the Government from time to time. The appointing authority then invited applications through advertisement in accordance with the general instructions in force.

On the receipt of applications in response to the advertisement, the appointing authority prepared a statement of the candidates and forwarded it to the Board together with the following documents and informations :

- i) Copies of advertisement;
- ii) Original applications;
- iii) Informations about the probable numbers of vacancies;

- iv) Details about reservation for candidates belonging to Schedule Caste, Scheduled Tribes or any other category as laid down by Government;
- v) Any other information as may be considered necessary by the appointing authority or as may be required by the Board.

The appointing authority then requested the Board to recommend a list of candidates for direct recruitment in order of preference.

The Board made the selection and furnished the appointing authority with a list of candidates, in order of preference, for recruitment. The list recommended by the Board remained valid for 12 months only. The appointing authority, who is the Head of the Department must accept the list and make appointments from it. This procedure for direct recruitment is still in vogue.¹⁰

Accounts Service :

In 1874, the upper grade Accountants, whose salary was Rs. 250 per mensem, were recruited by promotion by the Government of India. The lower grade Accountants with a salary

10. The Assam Gazette, 1874, Part-II, Notification No. 1565-83 E. G.

of less than Rs. 250 per mensem were recruited by the local Government directly.

In 1912, the upper and the lower grade Accountants were replaced by the Provincial Divisional Accountants Service. The members of this service were recruited by the Comptroller of Assam with the sanction of the Government of India.¹¹

In 1954, this service was transferred from the control of Accountant General to the Finance Department and the Director of Accounts was made the recruiting authority to this service in collaboration with the Assam Public Service Commission.¹²

In 1964, the Accounts Service was reconstituted as the Assam Subordinate Accounts Service consisting of three categories of posts : Divisional Accountants, Junior Divisional Accountants and Assistant Divisional Accountants. The Divisional Accountants were recruited in two ways : by promotion and by direct recruitment. Ordinarily 75 per cent of the vacancies in a year were filled by promotion and 25 per cent by open competition. The recruitment by promotion is given under the heading promotion. The procedure for direct recruitment was as follows: A competitive examination called the Assam Subordinate Accounts

11. Fin, A, January, 1918, Nov. 1-3.

12. By Dhar Suresh Chandra, Practical P.W. Accounts, 1st edition. 1969

Service (recruitment) examination, in accordance with rules and syllabus prescribed for the purpose, was held by the Assam Public Service Commission for filling up 25 per cent of the vacancies in a year. On the basis of the competitive examination the Commission forwarded to the Appointing Authority a list of successful candidates in the order of merit. The Appointing Authority recruited the candidates from this list as Divisional Accountants. The Junior Divisional Accountants were recruited only by promotion from Assistant Divisional Accountants on the basis of seniority. The procedure for recruitment by promotion as junior Divisional Accountant from Assistant Divisional Accountant is given in promotion. The Assistant Divisional Accountant were recruited by open competition through Selection Board in accordance with rules and syllabus prescribed for the purpose (See Appendix XI).

The Selection Board recommended to the Appointing Authority a list of candidates eligible for appointment to the cadre of Assistant Divisional Accountants in order of preference which was determined by the Selection Board in accordance with the general suitability of the candidates to the post. The Appointing Authority made the appointments from the list.¹³

13. The Assam Gazette, 1963, Part-IIA, Notification No. FED.49/60/1.

Non-technical Assistant Secretary and Registrar :

In the P.W.D. there was only one Assistant Secretary and one Registrar in the non-technical services. In 1951, recruitment to the post of Assistant Secretary and Registrar was made by selection strictly on merit from Superintendants who were eligible for promotion. The following procedure was adopted in making such appointments.

When a permanent vacancy occurred, a preliminary selection was made by a selection Committee consisting of the Chief Secretary to Government, the Finance Secretary or Revenue Secretary and the P.W.D. Secretary. The Committee examined the character rolls of the candidates and their personal files, if any, and interviewed them.

The Government then forwarded the names of the candidates selected by the Committee together with their character rolls and personal files to the Assam Public Service Commission for advice on their suitability for appointment. The Commission had power to suggest amendments to the list.¹⁴

In 1963, the post of Assistant Secretary was upgraded to that of under Secretary. The recruitment to this post was made

14. The Assam Gazette, 1951, Part-IIA, Notification No. AAP.31/51/14.

in two ways: (a) by promotion from the select list prepared for the purpose; or (b) by selection from amongst persons serving in connection with the affairs of the Government who were of outstanding merit and ability and who had completed not less than five years continuous service under the Government in a post involving duties and responsibilities comparable to that of the Assam Civil Service, Class- I.¹⁵

Superintendents :

The Superintendents of the P.W.D. Secretariat belonged to the ministerial service of gazetted rank. These posts were created in 1948. The recruitment to this service was made by selection strictly on the basis of merit from the upper division assistants of the Secretariat. In 1963, this procedure was modified according to which recruitment were made by promotion from the list prepared for the purpose from amongst the members of the Assam Secretariat Subordinate Service and recruited in the manner prescribed for the recruitment of under Secretary.¹⁶

Ministerial Service :

In 1888, the Chief Commissioner of Assam prescribed the following procedure for the recruitment of clerks in Divisional and Directorate office.

16. The Assam Gazettee, 1963, Part-IIA, Notification No. ABP/128/61/228.

When a vacancy occurred, the particulars of the office, the address to which candidates should send the application and the date on and the place at which the vacancy would be filled up should be published at the Head quarters of the district, and also in the office to which the vacant post belongs, at least fifteen days before the date fixed for filling up the vacancy. But in the case of a vacancy in clerkship, carrying a salary of more than Rs. 40 a month, the occurrence of such vacancy was to be published in the Assam Gazettee and in one local newspaper, English or vernacular, in either the Surma or the Brahmaputra valley, according to the locality in which the vacancy occurred. The officer who had notified the vacancy, may select any candidate and appoint him.¹⁷

In 1931, the ministerial service of the P.W.D. was amalgamated with other departments as one cadre for all purposes. Naturally the same procedure was adopted in the recruitment of ministerial services with other departments.¹⁸

B. Probation :

Probation is a method or process of testing or putting to the proff, trial, experiment, investigation etc. regarding

17. The Assam Gazettee, 1888, Part-II, Notification No. II. Estt.

18. Estt; B, March 1934, No. 29-33.

a person's conduct, character or moral qualification etc.¹⁹

In 1874, there were mainly three services in the P.W.D. For all these three services, nothing was mentioned regarding the Probationary period in the resolutions adopted by the Governor-General-in-Council in 1874 which regulated the appointment, probation, qualifications, etc. of all the services. In the revised scheme also introduced by the Governor-General-in-Council, for the reorganisation of the Engineering service in 1912, no provision was made for the probation of the members of this Engineering service; nor anything was mentioned regarding probation in the resolution by which the Divisional Accountant service was constituted in 1912.

It was only in 1918 when certain rules were made for regulating the appointment and promotion of upper and lower subordinates. In these rules it was mentioned that any person appointed as lower subordinates was put on probation for a period of two years. After completion of the probationary period to the satisfaction of the Appointing Authority, he was made permanent. The candidates who were appointed as upper subordinate by direct recruitment were also put on probation for a period of

19. The compact edition of the Oxford English Dictionary, Volume- 2.

two years. After satisfactory completion of two years period the candidate was confirmed in the post.²⁰

In 1921, when the Assam Subordinate Engineering service was constituted, the candidate appointed against a permanent vacancy in this service was put on probation for a period of two years. If the Appointing Authority was satisfied with the performance of the candidate during his probationary period he was confirmed against the permanent vacancy. However, the period of probation could be extended for good and sufficient reasons by the Appointing Authority beyond the specified period not exceeding two years.²¹

In 1929, for the direct recruits of the Assam Engineering Service the probationary period was fixed at one year. After the completion of this one year period, if the candidate secured good reports, he was confirmed.²²

In 1934, the probationary period of this service was extended from one to two years.²³

In 1938, although the Assam Engineering service was divided into Class I and II, yet the probationary period for direct

20. The Assam Gazettee 1918, Part-IIA, Notification No. 57 Estt.

21. The Assam Gazettee 1921, Part-IIA, Notification No. 87 G.Estt.

22. The Assam Gazettee 1929, Part-IIA, Notification No.270 Estt

23. The Assam Gazettee 1934, Part-IIA, Notification No.100Estt.

recruits of both the classes remained two years.²⁴

In 1941, although no change was made regarding the probationary period for a direct recruit to class- I and II service, yet in case of promotion probation was for the first time, introduced and was fixed at one year. After satisfactory completion of the probationary period the candidates were confirmed in the new assignment.²⁵

In 1951, the probationary period, of the Assistant Secretary, Registrar, and Superintendents who were from non-technical service, was fixed at six months which could be extended by the Governor and Chief Secretary for sufficient reasons. A probationer was confirmed as Registrar or Assistant Secretary as the case may be, at the end of the probationary period if he was found fit for confirmation. If he failed to give satisfaction to the Appointing Authority he was sent back to his original post.²⁶ In 1963, the probationary period was extended to one year for all these posts.

A probationer who had completed his period of probation to the satisfaction of the Appointing Authority was confirmed in his post. However, the period of probation could be extended

24. The Assam Gazettee, 1938, Part-IIA, Notification No.122 Estt.

25. The Assam Gazettee, 1941, Part-IIA, Notification No.212 Estt

26. The Assam Gazettee, 1941, Part-IIA, Notification No.212 Estt.

by the Appointing Authority by a period not exceeding one year.²⁷

In case of subordinate Accounts Service which was constituted in 1963, the period of probation of a person directly recruited to this service was fixed at two years.

However, the Appointing Authority could extend the period of probation for a further period not exceeding two years in any individual case.²⁸

In 1973, the probationary period of the subordinate Engineering service was fixed at two years which could be extended by the Appointing Authority in individual cases not exceeding two years. After the successful completion of the probationary period the candidates were confirmed to this service.

In 1978, the members of the Assam Engineering service of both the classes were placed on probation according to seniority against the permanent vacancy for a period of two years before he was confirmed against the permanent vacancy.

However, the Appointing Authority could extend the period of probation for any specified period not exceeding two years.

27. The Assam Gazettee 1963, Part-IIA, Notification No. ABM.172/61/72

28. The Assam Gazettee 1963, Part-IIA, Notification No. FED.49/60/1.

Further, the period of probation could be curtailed or dispensed with in any case for good and sufficient reasons by the Appointing Authority.²⁹ All these rules are still in force.

C. Promotions :

In 1874, when Assam was constituted into a Chief Commissioner's province, the Governor-General-in-Council made certain new arrangements for promotions in the P.W.D. in connection with the formation of provincial services.

According to the new arrangements the promotion to the rank of Chief Engineer was to be made by the Supreme Government from the department at large. Local Governments were invited to make their recommendations and the Government of India was guided thereby as far as possible. Thus, it was necessary for local Government to submit the names of Superintending Engineers recommended for Chief Engineership. When suitable candidate was not available to fill up a vacancy, the Government of India filled it up by nomination.

In case of Superintending, Executive and Assistant Engineers promotions could be made by the Local Government within their own establishment. However, there were discrimination in making

29. The Assam Gazettee, 1978, Part-IIA, Notification No. E(B)4R/1/68/pt-11.

promotion of Royal and Provincial Engineers. Royal Assistant Engineers were promoted to the Executive rank in 9th year of service while provincial Assistant Engineers were promoted to Executive rank in 11th years of service. In case of promotion to Superintending and Chief Engineer only the Royal Engineers were preferred.

In the case of Subordinates, the lower subordinates who were qualified to be upper subordinates were promoted to it by the local Government with an information communicated to the supreme Government.

In the Accounts service the lower grade Accountants were promoted to upper grade Accountants by the Local Government, on the basis of experience-cum-merit, with the prior permission of the Supreme Government.³⁰

In 1912, a new scheme was introduced which provided for the equalisation of the period for promotion to Executive in both Royal and provincial Engineers. The revised scheme provided that the future entrants of the Royal Engineers would attain Executive rank in the 11th year instead of in the 9th year of service. In the case of Provincial Engineers the Assistant Engineers were allowed to attain the Executive rank in the 11th

30. The Assam Gazettee, 1874, Part-II, Notification No. 1565-83.E. G.

year of service. Thus, in both services promotion to Executive rank took place at the same period, and was subject only to the condition that the officers concerned were considered by the Local Government to be fully qualified for the charge of a division.

In the cases of promotions to the administrative class the Executive Engineer could be promoted to the Superintending Engineer and the Superintending Engineer to the Chief Engineer, subject to the condition that the officer concerned was considered to be fit for such promotion.³¹

In the case of Accounts service, in 1912 the Divisional Accounts service was constituted consisting of Class- I and II Accountants. The Class II Accountants were promoted to the Class I accountant after a minimum five years qualifying service. The class I Accountants were promoted to the all India list of Accountants.³²

In 1918, rules were framed for the promotion of upper and lower subordinates. The candidates of the subordinate service were at first appointed as temporary lower subordinates who were made permanent after the completion of their two year's

31. The Assam Gazette, 1912, Part-II, Notification No.31 E. G.

32. Fin, A, January, 1918. Nov. 1-3.

service. The permanent lower subordinates were promoted to upper subordinates after completion of five years service.

In 1924, regulations were made for the promotion of the Indian Service of Engineers. Fresh candidates of this service were appointed as Assistant Executive Engineers and were placed in-charge of less important than a divisional charge. They were promoted to a divisional charge as soon as they were certified to be fit for divisional charge by the Local Government.

Promotions above the grade of Executive Engineers were dependent on the occurrence of vacancies and were made wholly by selection Board consisting of at least one eminent representative of the profession. Seniority could confer no claim to promotion.³⁴

In 1929, the members of the Assam Engineering service were made eligible for advancement or promotion to the Indian service of Engineers and 20% were allotted to Assam to be filled in by the members of the Assam Engineering Service.

As regards the Assam Subordinate Engineering Service 20%^{percent} were appointed by promotion from amongst the members of the Assam subordinate Engineering service.³⁵

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34. The Assam Gazettee, 1924, Part-IIA, Notification No.20 Estt
35. The Assam Gazettee, 1929, Part-IIA, Notification No.167/
Estt.

In 1938, the Assam Engineering service was classified into class I and II. Appointment to class II service was made partly by open competition and partly by promotion from the members of the Assam subordinate Engineering service, Of the total number of vacancies of class II service 20 per cent were reserved for the members of the Assam Subordinate Engineering Service.

The members of class II service who were designated as Assistant Engineers were promoted to class I service. The members of the class I service were designated as Assistant Executive Engineer. The Assistant Executive Engineer of class I service were promoted to the rank of Executive Engineer only when they were declared fit, by the Governor, for the charge of a division. The Executive Engineers were promoted to administrative grade, viz. to the Chief and Superintending Engineers. These promotions were made by selection. Seniority conferred no claim. Selection for promotion were made by the appointing authority in consultation with the Assam Public Service Commission.³⁶

In the P.W.D. there was only one Assistant Secretary who was appointed by promotion from non-technical Secretariat service. He had no further promotion in this department. The

36. The Assam Gazettee, 1938, Part-IIA, Notification No. 122 Estt.

Registrar was also appointed by promotion from Superintendents. The Registrar could further be promoted to the Assistant Secretary in the same procedure by which Assistant Secretary was appointed.³⁷

In 1963, the post of Assistant Secretary was upgraded to Under Secretary. The Under Secretary could further be promoted to the post of Deputy Secretary in the same procedure as is adopted for the recruitment of Deputy Secretary.³⁸ As regards Superintendents, it was a ministerial service of Gazetted rank since 1951. They^{were} recruited by promotion from the Secretariat ministerial service and were promoted to the Registrar and Assistant Secretary in the same procedure as was adopted for the recruitment of Registrar and Assistant Secretary.

In 1963, the Superintendents service was brought under the Assam Secretariat Service and placed in category III. They were promoted to the Under Secretary in the same procedure as was adopted for the recruitment of Under Secretary.

In 1963, the Assam Subordinate Accounts Service was constituted consisting of three categories of posts :

(1) Divisional Accountants, (2) Junior Divisional Accountants and (3) Assistant Divisional Accountants. Of these three

37. The Assam Gazettee, 1951, Part-IIA, Notification No. AAP.31/51/14.

38. The Assam Gazettee, 1963, Part-IIA, Notification No. ABM.172/61/71.

categories of posts 75 per cent of the vacancies of Divisional Accountants in a year were filled by promotion from Junior Divisional Accounts who qualified in a departmental examination called the "Assam Subordinate Accounts Service (promotion) Examination."

The Assam Subordinate Accounts service (promotion) Examination was conducted by the Assam Public Service Commission in accordance with rules and syllabus prescribed for the purpose. (See Appendix XII). The examination was held at such intervals as the appointing authority, in consultation with the Commission, from time to time determined it. A list of candidates who qualified themselves in the said examination were prepared by the Commission in order of merit and forwarded it to the appointing authority. Promotions were made from this list subject to the availability of vacancies.

In the case of Junior Divisional Accounts, all vacancies were filled in by promotion from Assistant Divisional Accountant; according to seniority provided that an Assistant Divisional Accountant could satisfy the following conditions for promotion: (1) that he had successfully completed the training as prescribed; (2) that his work conduct was satisfactory.³⁹

39. The Assam Gazettee 1963, Part-III A, Notification No. FED.49/60/1.

In 1973, a new arrangement was made in case of promotion of the Assam Subordinate Engineering Service and Assam Engineering Service Class I & II. According to this arrangements 30 per cent of the total strength of the permanent and temporary Assam Engineering Class II service were to be recruited by promotion from the Assam Subordinate Engineering service. The Governor of Assam, in consultation with the selection Board, constituted for the purpose, and the Public Service Commission had to make these promotions.

Certain conditions were laid down to make the members of the Assam Subordinate Engineering Service eligible for promotion to Assam Engineering Class II Service. The conditions were as follows :

- (1) He has rendered a minimum of 8 years service as a Subordinate Engineer on the first January of the year of promotion.
- (2) He has successfully undergone the training and passed the departmental examination prescribed by Government from time to time.

Further, an arrangement was made for the reservation of 14 per cent of the total number of posts of Executive Engineers, as on 1st January 1973 and there after 20 per cent of the number of vacancies occurring in a year in the cadre of Executive Engineers

for filling up by promotion of S.E.S. Subdivisional officers encadared as Assistant Engineers.

For this purpose, a separate seniority list of S.E.S. Subdivisional officers encadared as Assistant Engineers on 1st January 1973, promoted from the cadre of Subordinate Engineers grade I was maintained. Such a seniority list continued till the list was exhausted. This arrangement is still in vogue.

In 1978, the Assam Engineering Service rules were modified in regard to promotion. For the A.E.S. Class II service it was provided that 30 per cent of the total strength of this service was to be recruited by promotion from the members of the A.S.E. service who were eligible for promotion subject to the conditions as laid down in 1973 as mentioned earlier.

All vacancies in class I cadre of this service were to be filled up by promotion subject to suitability as may be decided by the selection Board and by the appointing authority and also subject to possession of such qualification and experience as may be prescribed by the Governor from time to time. In the class I service the promotions were made in the following manner:

- (1) From Assistant Engineer to Executive Engineer.
- (2) From Executive Engineer to Superintending Engineer.

(3) From Superintending Engineer to Additional Chief Engineer.

(4) From Additional Chief Engineer to Chief Engineer.

However, provision was made for the reservation of the 20 per cent of the total number of vacancies to be filled in by promotion from the S.E.S. subdivisional officers encadred as Assistant Engineers.

For promotion to the cadre of Executive Engineer, an officer was eligible, if:

(a) He had rendered the minimum continuous service in the cadre of Assistant Engineer for a period of 5 years on the first January of the year of promotion, and

(b) He had successfully undergone the training and has passed the departmental examination, as may be prescribed by the Government. For promotion from Executive Engineer to Superintending Engineer and for further promotion an officer had to possess the same academic qualifications as were prescribed for direct recruitment for Assistant Engineer.

General procedure for promotion :

Before the end of each year the Government makes an assessment of the likely number of vacancies to be filled up by promotion in the next year in each cadre of Engineering service.

The appointing authority then furnished to the selection Board the following documents and information with regard to as many officers in order of seniority as 4 times the number of vacancies, as assessed by the Government.

(a) Information about the number of vacancies.

(b) List of officers in order of seniority eligible for promotion (Separate list for promotion to different cadres should be furnished indicating the cadre to which the case of promotion was to be considered.

(c) Character rolls and personal files of the officers concerned together with all papers showing that any adverse remark recorded in the character rolls had been duly communicated to the person concerned and any representation against such adverse remark had been disposed of after due consideration.

(d) Details about reservation in case of promotion to class II of the service.

(e) Any other documents and information as may be considered necessary by the appointing authority as required by the Board.

The Appointing Authority request the Selection Board to recommend within one month a list of officers, found suitable for promotion in order of preference, in respect of promotion to each of the cadres in which recruitment is to be made by

promotion.

The Selection for promotion to the following cadres were made on the following basis :

- (a) Assistant Engineer : Merit-cum-seniority.
- (b) Executive Engineer : Merit-cum-seniority.
- (c) All other promotions to the rank of Superintending Engineer and above on merit only.

The Selection Board, after examination of the information furnished by the Appointing Authority recommended to the latter a list of officers about double the probable number of vacancies in order of preference, found suitable for promotion. In case the Board does not consider an officer suitable for promotion it should record the reasons there of in writing and forward the same to the Appointing Authority together with the list of candidates selected.

The Appointing Authority should consider the list prepared by the Board along with character rolls and personal files of the employees and approve the list unless it considers any change necessary. If the Appointing Authority considers it necessary to make any change in the list received from the Board, he should inform the Board of the changes proposed and after taking into

account the comments, if any, of the Board may approve the list finally with such modifications, if any, as may, in his opinion, be just and proper.

The inclusion of the name of a candidate in a list, however conferred no right to promotion unless the Appointing Authority is satisfied after such enquiry as may be considered necessary that a candidate was suitable for promotion. The list remained valid for 12 months from the date of approval by the Commission in case of Assistant Engineers and for 12 months from the date of approval by the Selection Board in other case.

The promotions were made in accordance with the list finally approved by the Appointing Authority.

Special procedure for promotion as Assistant Engineers :

In 1978, a special procedure was prescribed for promotion as Assistant Engineer from the Assam Subordinate Engineering service as given below :

On receipt of the list for the post of Assistant Engineers from the Selection Board, the Appointing Authority forwarded it to the Commission together with the information and documents as required by the Commission with a request to approve the list.

The Commission then considered the list recommended by the Selection Board together with the informations and documents as may be required by the Commission and obtained from the Appointing Authority. The Commission then finally approved the list with such modification as it considered just and proper.

The Appointing Authority finally approved the select list forwarded by the Commission within 15 days from the date of receipt from the Commission. If, however, the Appointing Authority considered necessary any modifications in the list it should record the reasons in writing and approved the list with modifications. The select list as finally approved was published by the Appointing Authority in the Assam Gazettee within 15 days from the date of approval.

Appointment was made by the Governor in accordance with the order of preference determined in the list as published by the Appointing Authority in the Assam Gazettee.⁴⁰

TRAINING :

What is Training :

The dictionary meaning of Training is practical education in a particular art, profession or occupation. Training is a

40. The Assam Gazettee, 1978, Part-IIA, Notification No. E.(2) 4B/1/68/Pt-11.

Conscious effort made to improve or increase an employee's skill, powers or intelligence and to develop his aptitude and scheme of values in a desired direction. William G. Torrey had defined training as "the process of developing skills, habits, knowledge and attitudes in employees for the purpose of increasing the effectiveness of employees in their present positions as well as preparing employees for future Government positions".

In fact Training begins, in its broadcast sense, from early childhood and continues throughout life. This training is, unconsciously and informally, imparted under the influence of the family and other social groups to which we belong. However, in the case of public employees it is quite different. It is not unconscious and informal, rather conscious and formal effort directed towards the achievement of some specific purpose or purposes.

Thus, there is a distinction between education and training. The scope of training is narrower and more specific than that of education. Training is rather specific and vocational, intended to increase a person's skill in some particular kind of work, while education is general and aims at the broadening of the mind. It must, however, be admitted that training is a continuous process which goes on all the time, both on training

courses and in the place of work.

Type of Training :

Training may be divided into two types - formal and informal. Informal training is learning by experience or training by doing the work in the field. The ultimate success of informal training however, depends upon the experience and seniority of the superior officer and his interest in the new entrant.

Formal training purports to inculcate administrative skill by well-defined courses at proper stages in the man's career. Formal training may be divided into the following four categories: (1) Pre-entry training, (2) Orientation training, (3) In-service training, and (4) Post-entry training.

In 1874, of the three main services for the first two-viz-Engineering and Subordinate services the pre-entry or the vocational training was mostly prevalent, while for the last one i.e., for the Accounts Service the in-service training was prevalent.

For the Engineering and Subordinate service the following vocational training institutions were recognised : the Cooper's Hills College, the Thomason and Presidency Civil Engineering College. In the case of Accounts Service the lower grade

Accountants were posted in the Central Office for taking in-service training from their senior colleagues and upper grade Accounts. After getting necessary training they were posted in divisions with the responsibility of keeping the accounts of a division.⁴¹

In 1912, the Divisional Accounts service was created. The members of this service also were imparted in-service training by their senior experienced colleagues.⁴²

In 1914, the Sibpur Engineering College under Calcutta University and the Ahsann Ullah School of Engineering, Dacca were recognised for the training of the Assamese Youth to be appointed as Assistant Engineer in the Engineering Service.

For the upper and lower subordinates the Bengal Joint Technical Examination Board was selected as a Centre of pre-entry training.⁴³

In 1924, as many as twenty five centres of pre-entry training were recognised for the Indian Service of Engineers. (For details see Appendix V). The regulation, however, provided that the selected candidates, after securing Engineering degrees

41. The Assam Gazettee, 1874, Part-II, Notification No. 1565-83 Etc.

42. Fin, A, January, 1918, 1-3.

43. The Assam Gazettee, 1914, Part-II, Notification No. 7-L.

from any one of the twenty five centres of vocational training, had to undergo further training on works ⁱⁿ India for a period of at least one year before the final appointment was made. This training was a kind of apprenticeship training which was imparted by the Engineer to whom the candidate was attached.⁴⁴

In 1929, for the Assam Engineering Service as many as eleven vocational centres were recognised for imparting pre-entry training. (For details see Appendix VI). The candidates who secured Engineering degrees from any one of the eleven centres was appointed as Assistant Engineer on probation. Besides, an arrangement was also made for imparting in-service training by their senior colleagues. At the three years of their service from the date of joining a professional examination was held. An officer who failed to pass this examination was liable to be removed from service.⁴⁵

In 1938, as many as sixteen foreign Universities were recognised as the centres of vocational training for Class I Assam Engineering service and for the Class II of this service the Engineering College under Indian Universities as well as the foreign Universities, as prescribed for Class I service, were

44. The Assam Gazettee 1924, Part-IIA, Notification No. 20 Estt.

45. The Assam Gazettee 1929, Part-IIA, Notification No. 167 Estt.

recognised.

Further, the candidates had to be prepared for departmental examination after three years from the date of joining by acquiring experience in the field by doing the actual work. So, this was also a kind of inservice training to the Assam Engineering Service Class I & II.⁴⁶

In 1941, eighteen foreign Universities and seven Indian Universities were recognised as the centres of pre-entry training for the Assam Engineering Service Class I and Class II. Besides, similar in-service training were imparted as in 1938 for both the classes of service and departmental examination was held in the 3rd year of their service.⁴⁷

In 1951, for the post of Assistant Secretary, Registrar and Superintendents of the P.W.D. Secretariat who were drawn from the non-technical secretariat services were imparted job training. They had to learn their official duties by doing the work.

In 1963, the post of Assistant Secretary was upgraded to Deputy Secretary. For the post of Deputy Secretary also there was no separate training. He had to learn his official duties

46. The Assam Gazettee 1938, Part-IIA, Notification No.122 Estt.

47. The Assam Gazettee, 1941, Part-IIA, Notification No.212 Estt.

by doing the job.⁴⁸

In the same year, for the direct recruits to the cadre of Divisional Accountants and Assistant Divisional Accountants one year course of in-service training was imparted by the Director of Accounts and a departmental examination was held. The candidates were given three consecutive chances to sit for the departmental examination. If any candidate or trainee does not pass this examination in any of the chances he was liable to be discharged from service.⁴⁹

In 1973, the Indian Engineering Institutes were recognised as the centres of training for Subordinate Engineering service. Besides, job training were prescribed for one year. During this period the members of this service were imparted training in doing their actual work in the field which was also called practical training. After completion of his practical training a departmental examination was held. Successful candidates were confirmed in their service while failed candidates were liable to be discharged from their service.

In 1978, the Indian as well as foreign Universities were regarded as the vocational training centres for Assam Engineering

48. The Assam Gazette, 1963, Part-IIA, Notification No. ABM.172/6/71.

49. The Assam Gazette, 1963, Part-IIA, Notification No. FED.49/60/1.

service Class I & II. Besides, Institution of Engineers (India) were also recognised for the purpose.

Further, a job training was also imparted for two years. After undergoing this course of training a departmental examination was held which was a yardstick for confirmation.⁵⁰

Superannuation and Retirement Benefits :

The Need for retirement :

Public officials can work effectively and efficiently upto a certain age after which they are too old and weak and need rest. Thus, the need to fix the age of superannuation for P.W.D. employees arises, both in the interest of efficiency of the services and in their own interest. Retirement of old employees is also necessary to make room for the promotion of the younger men in the service to the higher posts and the recruitment of persons from outside to fill up the vacancies thus created.⁵¹

Historical Background of Superannuation and retirement benefits:

In 1874, when Assam was separated from Bengal, there were mainly three services in the P.W.D. in addition to clerkships.

50. The Assam Gazette, 1978, Part-IIA, Notification No. E(B) 4R/1/68/

51. Report of the Meghalaya Pay Commission, 1979.

These three services were Engineering, Subordinate, and Accounts service. For the purposes of superannuation and retirement benefits, all the members of these services were classified into ministerial and non-ministerial services. For the non-ministerial services the superannuation or retirement age was fixed at 55. In the case of ministerial services it was 60. The comparative low age of retirement in comparison to other countries, which were 65 to 70 in U.S.A., 60 to 65 in Britain, for the non-ministerial services was due to the European element who found the climate of the country irksome. The retirement age of ministerial service, which was mostly held by natives, was a bit higher.⁵²

In 1887, the Governor General-in-Council decided, that any civil Engineer of the P.W.D. who on reaching the age of 50 years could not attain the rank of superintending Engineer, was liable to be called upon to retire with the exceptions:

(1) that no officer having less than 20 years service to his credit for pension could be called upon to retire within three years;

(2) that no officer having less than 25 years service to his credit for pension could be called upon to retire within two

52. Public Administration in theory and practice by Sharma M.P. p. 422, Seventh Edition, 1973.

years;

(3) than an officer called upon to retire was allowed to take furlough before his retirement.⁵³

The regulations published in 1924, fixed the retirement age at 55 for the members of the Indian services of Engineers. However, before completing this period of service an officer was allowed to retire voluntarily after the completion of 20 years or more qualifying service.⁵⁴

With the departure of the European element, the propriety of still keeping the retirement age at 55 had been questioned. Some Associations of some services argued that at the age of 55, most people remain in good physical and mental health, and their accumulated experience makes them valuable assets to the state. Their retirement was therefore a loss to the efficiency of the service and unfair to the tax payer.

The 1st and 2nd Assam Pay Committee was convinced with these arguments for raising the retirement age. At the recommendation of the Assam Pay Committee, the Government of Assam fixed the retirement age at 58 for all classes of employees with the exception of class IV employees whose retirement age

53. The Assam Gazette, 1887, Part-IIA, Notification No.1884G.

54. The Assam Gazette, 1924, Part-II, Notification No. 20 Estt.

was fixed at 60.⁵⁵ So far retirement benefit were concerned prior to 1920, all the employees of the P.W.D. were given pension at the rate of 1/60 sixtieths of average emoluments per year of service after reaching the age of 55 or 60 as the case may be. Although retirement age was fixed at 55 and 60 yet, in order to earn a pension, an employee must have put in a minimum qualifying period of not less than 10 years.

Those who were superannuated before putting in this minimum period were not entitled to pensions, but were given a gratuity of a month's pay per year of service.⁵⁶

In 1888, Governor-General-in-Council decided that a special additional pension of Rs. 2,000/- and Rs. 1,000/- respectively should be given as rewards for approved service of Civil Engineers who rendered three years service as Chief or Superintending Engineer. However, the special additional pensions could not be claimed as a matter of right. It was granted at the discretion of the Government as rewards of approved services.⁵⁷

In 1924 the conditions under which the members of the Indian service of Engineers were given retiring pensions were:

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55. Report of the Meghalaya Pay Commission, 1979.
 56. Public Administration in Theory and Practice by Sharma M.P., p. 428, Seventh Edition, 1973.
 57. The Assam Gazette, 1888, Part-II, Notification No.4047 Estt.

(1) An Officer was entitled, on his resignation being accepted to a retiring pension after completing qualifying service of not less than 20 years.

(2) An officer becomes eligible for full retiring pension on completing 30 years qualifying service.

(3) If before completing this period of service an officer was permitted to retire voluntarily after the completion of 20 or more years qualifying service or was compelled to retire on attaining the age of 55, he was eligible for pension on the following scale.

<u>Years of completed service</u>		<u>Maximum limit of pension</u>	
20	4,000 per annum.
25	5,000 " "
26	5,200 " "
27	5,400 " "
28	5,600 " "
29	5,800 " "
30	6,000 " "

An officer who was compelled to retire through ill-health or intemperate habits were eligible for gratuity or pension as follows :

(1) After a service of less than 10 years a gratuity not exceeding one month's emoluments for each completed year of service.

(2) After a service of not less than 10 years, a pension not exceeding the following amounts.

<u>Year of completed service</u>	<u>Scale of pension</u>	<u>Maximum</u>
10	10 sixtieths of average emolument	2,000 per annum
11	11	2,200 "
12	12	2,400 "
13	13	2,600 "
14	14	2,800 "
15	15	3,000 "
16	16	3,200 "
17	17	3,400 "
18	18	3,600 "
19	19	3,800 "
20	20	4,000 "
21	21	4,200 "
22	22	4,400 "
23	23	4,600 "
24	24	4,800 "
25	25	5,000 "
26	26	5,200 "
27	27	5,400 "
28	28	5,600 "
29	29	5,800 "
30	30	6,000 "

Further, under these regulations, Additional pensions were given to certain high officers , who had given proof of special energy and efficiency with a condition that the officer concerned had not taken voluntary retirement before the age of 55 with less than 28 years service.

The high appointments were of two grades, the lower comprising those posts which involved high but intermediate responsibility, viz., Superintending Engineer; the higher consisting of those which required a marked degree of independence, administrative and professional capacity, viz., Chief Engineer. Officers belonging to lower grade were entitled to an additional pension at the rate of Rs. 300 per year for each completed year of effective service with maximum limit of Rs. 1,500/-. Officers belonging to the upper grade were given additional pension at the rate of Rs. 500/- for each completed year of effective service with a maximum limit of Rs. 2,500/-.

Besides, the benefit of general provident fund was also provided to the members of the Indian Service of Engineers. The contribution to this fund was compulsory up to 6½ per cent of the salaries, with voluntary contributions of not more than a further 9½ per cent. Subscriptions on leave were optional.⁵⁸

58. The Assam Gazettee, 1924, Part-II, Notification No. 20 Estt.

The Indian service of Engineers were replaced by Assam Engineering service Class I gradually from 1938. In 1938 the following services were to be found in P.W.D.

- (1) Assam Engineering service Class I and Class II.
- (2) Assam Subordinate Engineering Service.
- (3) Divisional Accountant Service, and
- (4) Ministerial Service.

The retirement benefits of the above mentioned services of the P.W.D. were governed by the Assam service (Pension) rules 1939, as modified from time to time. The latest modification in the Assam service (pension) rules were made in 1969 to give effect to the recommendations of the Assam Pay Committee 1964.

Under the above rules the following types of retirement benefits are available to the members of all the services of the P.W.D. as mentioned above : (1) Pension, (2) Family pension, (3) Extraordinary pension, (4) Service Gratuity, and (5) Death-cum-Retirement Gratuity.⁵⁹

(1) Pension : All the classes of the P.W.D. employees, other than the grade IV employees, retire on attaining the superannuation age of 58 years. The minimum and maximum service qualifying for pension are fixed at 36 years and 59 years respectively.

59. Assam and Meghalaya Pension Code by Ansari M.S., Third Edition, 1979, p. 32.

Pension is calculated at the rate of $\frac{1}{80}$ -th of the average emoluments for every completed year of service subject to a maximum of $\frac{30}{80}$ -th and further subject to a monetary limit of Rs. 775 per mensem or Rs. 9,300 per annum. The minimum pension admissible is Rs. 25 per mensem or Rs. 300 per annum.

Under the Assam Service (Commutation of pension) rules, the P.W.D. employees can commute for lumpsum payment any portion, not exceeding one third, of his pension subject to the condition that the uncommuted residue of his pension shall not be less than Rs. 240/- per annum.

Further, the special Additional pension is also admissible to the Chief Engineer, Additional Chief Engineer and Superintending Engineers at the rate of Rs. 300 for each completed year of effective service in any post upto a maximum of Rs. 1,500/- per annum.

This Additional pension is to be given not as a matter of course but only where the service rendered is approved as satisfying the standard of work and conduct required in the special conditions of the post.

Family pension : Under the family pension scheme, family pension is admissible in the case of death of a P.W.D. employees while in service or even after retirement and is granted only if the

employee had completed a minimum of one year service or had retired on pension. The following is the rates of family pension,

<u>Pay range</u>	<u>Amount of monthly family pension</u>
Below Rs. 200.00	30 per cent of pay subject to a minimum of Rs. 40.00
Rs. 200.00 and above but below Rs. 800.00	15 per cent of pay subject to a minimum of Rs. 60.00
Rs. 800.00 and above	12 per cent of pay subject to a minimum of Rs. 120.00 and maximum of Rs. 200.00

(3)Extraordinary pension : Extraordinary pensions are either in the form of injury pension payable to a Government servant himself for injury received in the course of duty, or family pension payable to the widow or minor children, or in certain exceptional cases, to the parents of an employee killed in the course of the discharge of his duties.

<u>Pay range</u>	<u>Gratuity</u>	<u>Monthly pension Higher scale</u>	<u>Monthly pension Lower scale.</u>
1. Rs. 2,000 and over		Rs. 300	Rs. 225
2. Rs. 1,500 and over but under Rs.2,000		Rs. 275	Rs. 200
3. Rs.1,000 and over but under Rs. 1,500	3 months pay subject to a minimum of Rs. 800	Rs. 200	Rs. 150

<u>Pay range</u>	<u>Gratuity</u>	<u>Monthly pension Higher scale</u>	<u>Monthly pension Lower scale</u>
4. Rs. 900 and over but under Rs. 1,000		Rs. 150	Rs. 125
5. Rs. 400 and over but under Rs. 900		Rs. 100	Rs. 84
6. Rs. 350 and over but under Rs. 400		Rs. 85	Rs. 70
7. Rs. 200 and over but under Rs. 350		Rs. 67	Rs. 50
8. Under Rs. 200	4 months pay	$\frac{1}{5}$ of pay subject to a minimum of Rs. 8 per mensem.	Rs. $\frac{1}{5}$ of pay subject to a minimum of Rs. 4/- per mensem.

FAMILY GRATUITY AND PENSION WIDOW AND CHILDREN

<u>Pay of Govt. servant on the date of death</u>	<u>Gratuity payable to widow</u>	<u>Monthly pension of the widow</u>	<u>Monthly pension of children having mother</u>	<u>Monthly pension of mother less children</u>
1. Above Rs. 800	4 months pay	3% of pay subject to a minimum of Rs. 320 and maximum of Rs. 300	10% of the monthly pension payable to the widow subject to the condition that the total pension payable on account of the children shall not exceed 40% of the widow's monthly pension.	A monthly pension shall be given at the rate of 40% of the pension that would have been payable to the mother had she survived the father to

Pay of Govt. servant on the date of death	Gratuity payable to widow	Monthly pension of the widow	Monthly pension of children having mother	Monthly pension of mother less children
				the first child and 25% of such pension for each additional child.
2. Above Rs. 300, below Rs. 800/-	4 months pay	40% of pay subject to a minimum of Rs. 180	-Do-	-Do-
3. Not excluding Rs. 300/-	-Do-	6% of pay subject to a minimum of Rs. 120/-	-Do-	-Do-

4. Service Gratuity : The minimum service qualifying for pension is 10 years. For those Government employees who retire before completing the minimum qualifying service of 10 years, service gratuity, at the following rates is admissible :

Service Gratuity :

Completed 6 monthly period of qualifying service

Scale of Gratuity

1	‡ month's emoluments
2	1 " "
3	1‡ " "

<u>Completed 6 monthly period of qualifying service</u>	<u>Scale of Gratuity</u>
4	2 month's emoluments
5	2½ " "
6	3 " "
7	3½ " "
8	4 " "
9	4½ " "
10	4¾ " "
11	5½ " "
12	5½ " "
13	5¾ " "
14	6¼ " "
15	6½ " "
16	7 " "
17	7¾ " "
18	7¾ " "
19	8½ " "

5. Death-cum-Retirement Gratuity :

Death-cum-Retirement Gratuity is granted in addition to pension or service gratuity and is admissible to employees who have completed five years or more of qualifying service

both in the event of death or retirement as follows :

(a) A P.W.D. employee who has completed five year's qualifying service and has become eligible for service gratuity or pension is, on his retirement, granted Death-cum-Retirement Gratuity equal to one fourth of his emoluments for each completed six monthly period of qualifying service subject to a maximum of 15 times the emoluments.

(b) In respect of a P.W.D. employees who dies while in service the amount of Death-cum-Retirement gratuity is calculated on the same basis as above subject to a minimum of 12 times and maximum of 15 times the emoluments.

(c) The maximum amount of Death-cum-Retirement Gratuity admissible is fixed at Rs. 24,000.¹⁰

Thus the retirement provisions are adequate and generous.

10. Report of the Meghalaya Pay Commission, 1979.

CHAPTER-VI.

FINANCIAL ADMINISTRATION

Financial administration is a chain with several links, commencing with budgeting and ending with audit. The successful working of any organisation depends on the efficient financial administration. Failure of any organisation is due to ineffective financial planning. The first link in the chain of financial administration is budget.

WHAT IS BUDGET: Budget is one of the principal instruments of financial administration, through which all the financial affairs of the department are regulated. It is through budget that the government forecasts and plans its revenues and expenditures for the ensuing year. It is through budget that the government exercises an effective control over administrative organisation and by the legislature over the executive branch of the government.

The term budget is commonly used for a financial statement prepared and presented by the executive branch of the government for an approval of the legislature.

According to Willsughby "It is, or should be; at once a report, an estimate and a proposal. It is a document through which the Chief Executive comes before the fund raising and fund-granting authority and makes full report regarding the manner in which he or his subordinates

have administered affairs during the last completed year, in which he exhibits the present condition of the public treasury and on the basis of such information sets forth his programme of work for the year to come and the manner in which he proposes that such work shall be financed".¹

Thus budget is a proposed work programme with estimates of the funds necessary to execute it. It is a plan of action.

PREPARATION OF BUDGET: The responsibility for the preparation of the budget rests with the executive. However, the Ministry of Finance dealing with the financial business of Government undertakes the overall responsibility for framing the budget on behalf of the executive.

The P.W.D. has no separate budget of its own. The P.W.D. budget is a part of the budget of the state which is prepared by the finance department in collaboration with all the departments of the States. Under paragraph 34 (viii) on the Assam Rules of Executive Business framed under article 166 of the Constitution empowered the finance department to obtain from all departments including P.W.D. information as regards requirements to prepare its estimates. Thus, the finance department follows the procedure given below :-

1. Willoughby W.F. "Principle of public administration" p.399, 1927.

PREPARATION OF ESTIMATES : Not later than the 1st June in each year the finance department arranges to supply to the controlling officer of the P.W.D. for the distribution to the estimating officers, blank forms requiring him to furnish information showing the -

- a) actuals of the previous year,
- b) original sanction estimates of the current year,
- c) revised estimates of the current year,
- d) proposed estimates for the coming year.

The estimating officer must fill up the forms and send them to the controlling officer. The estimating officer must show in the estimates of expenditure under column (a) and (c) in prescribed form the figure by sub-heads of appropriation only; under column (b) and (d) he must show the figures by the detailed heads. He must add an explanatory note whenever necessary.

By the first week of August, the finance department sends the controlling officer blank form for preparing consolidated estimates. This forms must show -

- a) actuals of the previous year,
- b) original sanctioned estimates of the current year,
- c) actuals for six months of the current year,
- d) actuals for six months of the last year,

- e) revised estimates for the current year,
- f) budget figure proposed for the coming year,
- g) budget figure proposed by the administrative department,
- h) budget figure proposed by the finance department.

On receipt of the estimates, the controlling officer must scrutinise and consolidate them, together, with his own estimates for items with which he is concerned, into a self-contained budget for each major head or the several minor heads for which he is responsible.

The controlling officer must furnish information required of him and must forward the estimates with an explanatory Memorandum to the administrative departments not later than 13th September of the year, and a duplicate copy of the estimates and of explanatory memorandum to the finance department. The memorandum must explained the differences between proposed figures for the coming financial year and the sanctioned estimates of the current financial year.

In respect of the estimates of receipts and expenditures in the six districts of the sixth scheduled to the constitution, the controlling officer instead of incorporating the estimates of these districts in the consolidated estimates forward each of the estimates under each major heads of accounts concerned to the finance department and the

prescribed form for consolidated estimates together with the explanatory memorandum.

As soon as the departmental estimates are received, the finance department must scrutinise them and after consultation with the administrative department enter the figures which is accepted for the revised and budget estimates.

Not later than the 1st week of December, the finance department must prepare an abstract of the expenditure and receipts for the coming year and place it before a meeting of the council of ministers, together with the schedule of new expenditure.

On January 15, the finance department consolidated the estimates received from various departments and prepares the financial statements for the whole state. Then the finance department sends the budget again to the administrative departments for any criticism they may have to make on the figures finally adopted.

Immediately, on the receipt of comments from the administrative departments, the finance department after making necessary amendments, send the detailed estimates to the press for final printing. The finance department also prepared explanatory memoranda which deals separately with such item of new expenditure. The detailed estimates,

statements, statements of receipts and expenditure, schedule of demands and explanatory memoranda are finally printed by the middle of February and hand over to the finance Minister for presentation in the Legislative Assembly.²

ENACTMENT OF BUDGET: Under Section 3(ii) of the Government of India Act 1919, the financial statement was to be laid in the form of a statement before the council and the proposals of the local government for the appropriation of provincial, revenues and other moneys in any year were submitted to the vote of the council in the form of demands for grants. The council could assent, or refuse its assent to a demand or may reduce the amount therein referred to either by a reduction of the whole grant or by the omission or reduction of any of the items of expenditure of which the grant is composed.

It was also provided in the Act that no proposal for the appropriation of any revenues or other moneys for any purpose could be made except on the recommendation of the Governor in-Council.³

Section 78 of the Government of India Act, 1935, provided that the Governor had to place before the

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2. Budget manual of the Government of Assam, 3rd edition, 1960. Pp.17-18.
 3. Government of India Act 1919 (a collection of statute relating to India Vol.III. P.375.

legislature a statement of the estimated receipts and expenditure of the province of Assam which was known as Annual financial statement.

The estimates of expenditure embodied in the annual financial statement shows separately -

- (a) the sums required to meet expenditure charged upon the revenue of the province; and
- (b) the sums required to meet other expenditure proposed to be made from the revenues of the province.

The estimates of expenditures charged upon the revenues of the province were not submitted to the vote of the legislative assembly. The estimates of other expenditures were submitted in the form of demands for grants to the legislative Assembly which had the power to give assent or to refuse assent to any demand, subject to a reduction of the amount specified therein.

It was also provided in the Act, that no demand for grant was to be made except on the recommendation of the Governors. However, in respect of any financial year, further expenditure from the revenues of the province becomes necessary over and above the expenditure authorised for that year, the Governor should lay before the legislature a supplementary

statement showing the estimated amount of that expenditure under the same procedure as was prescribed in relation to the Annual Financial Statement.⁴

Under the present constitution it is laid down in Article 202 that the Annual Financial Statement in respect of every financial year of the state must be laid before the legislative Assembly. The Annual Financial Statement must contain the estimated receipts and expenditures of the States.

The estimates of expenditure embodied in the Annual Financial Statement should show the following separately -

- (a) the sums required to meet expenditures described by the Constitution as expenditure charged upon the consolidated fund of the state and,
- (b) the sums required to meet other expenditures proposed to be made from the consolidated fund of the state.

The estimates related to expenditure charged upon consolidated fund of the state need not^{be} submitted to the vote of the Legislative Assembly. The estimates relating to other expenditures should be submitted in the form of demands for

4. Government of India Act, 1935 - Published by the Manager, of the Government of India press, New Delhi, 1935.

grants to the legislative Assembly. The Legislative Assembly has the power to give assent or to refuse assent, to any demand or to assent to any demand, or to assent to any demand subject to a reduction of the amount specified therein. It is also provided in the constitution that no demand for grant is to be made except on the recommendation of the Governor.

Article 204 of our Constitution provided that as soon as the grants are voted by the Assembly a Bill should be introduced to provide for appropriation out of the consolidated fund of the state as ~~21~~ moneys required to meet -

- (a) the grants so made by the Assembly, and
- (b) the expenditures charged on the consolidated fund of the state but not exceeding in any case the amount shown in the statement previously laid before the Assembly.

Under article 205 of the Constitution,

- a) if the amount authorised by any law made in accordance with the provisions of article 204 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current

financial year for supplementary or additional expenditures upon some new services not contemplated in the Annual Financial Statement for that year, or

- b) if any money has been spent on any service during a financial year in excess of the amount granted for that services and for that year, the Governor shall caused to be laid before the Legislative Assembly another statement showing the estimated amount of that expenditure and presented a fresh demand for such excesses.

The provisions of article 202, 203 and 204 shall have the effect in relation to any such statement.⁵

The execution of the Budget :

COMMUNICATION AND DISTRIBUTION OF GRANTS : When the demand for grants for a year and the appropriation act have been passed, the work of distributing the grants among the various disbursing and controlling officers is taken up. The finance department must communicate the budget allotment to the controlling officer by the 15th April, a copy of the communication must be send to the Administrative department concerned.

5. Lal Jagadish, B.A., LL.B. "Constitution of India, Pp.88-90.

In communicating grants the finance department must specify the sub-heads of appropriation and detailed heads, if any, in respect of which the budget estimate laid before the legislature has been reduced, or in the case of charged expenditure, in respect of which the Government has specifically decided that the budget estimates of the controlling officer must be reduced. Expenditure in excess of the provision under such head on units must not be incurred, without the approval of the financial department as the provision cannot be increased by reappropriation also.

DISBRIBUTION OF GRANTS AMONGST DISBURSING OFFICERS : Out of the supply communicated to him the controlling officer must retain a portion of the grant in his own heads as a reserve and distribute among the disbursing officers concerned who are subordinate to him in such a manner as he may deem fit :-

- (a) the grant under the sub-heads of appropriation "Allowances and Honoraria" and "Contingencies";
- (b) the grant under the sub-heads of appropriation "Pay of establishment" to meet the cost of temporary establishment to be entertained under his sanction;
- (c) in case of the P.W.D. the grant under the sub-heads of appropriation under the minor heads "original works Buildings and communication", Repairs "Tools and Plants" and suspense".

In case of "regrant of lapses" the P.W.D. has been authorised to allot funds to finance original works remaining in complete at the end of the previous year on condition that the entire provision under this head is ultimately the same form other heads within the minor head "original works".⁶

RE-APPROPRIATION : Re-appropriation means the transfer of funds from one primary unit of appropriation to another such unit within a grant. It is only permissible when it is known or anticipated that the appropriation on the unit from which funds are to^{by} diverted will not be utilised in full, on that savings can be effected in the appropriation for that unit.

POWERS OF RE-APPROPRIATION : The rule 35(i) of the Assam rules of Executive business gives the power to the finance department to sanction re-appropriation from one major, minor or sub-heads to another; and to Minister to sanction re-appropriation between heads subordinate to minor head, if this does not involve the undertaking of a recurring liability. Again under rule 35(ii) of the said rules the finance department has power to sanction the delegation of this power by a Minister to any officer or class of officers.

6. Assam Government Budget Manual, 1960, p.32.

POWERS OF SUBORDINATE AUTHORITIES : The officers mentioned below have been authorised in the P.W.D. to sanction re-appropriation within heads subordinate to a minor head subject to the condition laid down below :-

- (i) Head of the department,
- (ii) P.W.D. Divisional Officers.

- (1) That funds must not be re-appropriated to meet an item of expenditure which has not been sanctioned by proper authority.
- (2) That funds provided for general areas should not be re-appropriated to provision for sixth schedule (Part A) Areas and vice-versa ;
- (3) That the re-appropriation does not involve the undertaking of a liability which is likely to extend beyond the financial year in question.
- (4) That no re-appropriation shall be made from savings under "Pay of Officers or Pay of establishment";
- (5) That no re-appropriation shall be made from or to the head "contract contingencies";
- (6) that all re-appropriation made by officers named above shall be in respect of the grants placed at their disposal;

(7) that the re-appropriation is not made for a new service not contemplated in the budget for the year more for an object not specifically included in that estimates and which no provision has been made;

(8) that the re-appropriation has not the effect of incurring the expenditure on an item the provision for which has been specifically reduced by a vote of the Assembly ;

CONDITIONS UNDER WHICH RE-APPROPRIATION MAY BE MADE : The following conditions must be observed for re-appropriation in the P.W.D. budget.

(1) The Minister-in-charge of the P.W.D. may re-appropriate between items included in any one of the minor heads. The finance department can re-appropriate from one minor head to another. Savings under the "original works" minor heads may be freely re-appropriated by the finance department to meet urgent demand under another such minor head.

(2) Ordinarily re-appropriation may be made from savings on works only for works in progress and works which can be completed within the year.

Exception to this rule may be made in certain cases; e.g. where a building has been burnt down and obviously must be rebuilt without delay. In such cases re-

re-appropriation from savings may be allowed even though the work cannot be completed within the year.

(3) The general reserve should be utilized for incomplete works of the previous year, works in progress; when more than the appropriation for the work can be spent during the year, unforeseen work of every kind provided for a new service is not involved and additions to the repairs grant for the year.

The copies of orders sanctioning any re-appropriation should immediately be communicated to the Accountant General and the Finance Department.⁷

WATCHING THE PROGRESS OF REVENUE :

CONTROLLING OFFICERS RESPONSIBILITY IN REGARD TO REVENUE RECEIPTS AND THEIR CHECK :

The controlling officer of the department should see that all sums due to Government are regularly received and checked against demands and that these are paid in time at to the Treasury. They should accordingly arrange to receive from their subordinates accounts and returns claiming credit for so much paid to the Treasury, and compare with these the figures recorded in the books of the Accountant General-in-charge of the accounts, if those are supplied to them under an arrangement between the Controller and Auditor General and the Government.⁸

7. Assam Government Budget Manual, 1960. P.42.

8. Rule No.471 of the Assam P.W.D. Manual, 1979. p.177.

REVENUE RECEIPTS OF THE P.W.D.: Divisional officers of the P.W.D. are responsible that the demands are made as revenue falls due, that steps are taken with a view to affect prompt realisation of all revenues regular or occasional, and that proper records are kept to show in respect of all items of revenue, recurring or non-recurring, the assessments made, the progress of recovery and the outstanding debts due to Government.

The object of this rules is that all classes of revenue whether accruing from property of any kind, from leases of rights and concessions and from any other source are property watched.

The recovery of all debts due to Government should receive the special attention of the Divisional Officers, and no debts should be remitted or written off except under the orders of the competent authority.⁹

WATCHING THE PROGRESS OF EXPENDITURE : After the grants have been distributed amongst the various disbursing officers, the controlling officer must maintain a register, showing the sums allotted to each officer and the expenditure incurred against the allotment made.

PROCEDURE OF DISBURSING OFFICERS : The disbursing officers must maintain an account of grants allotted to them under

9. Assam P.W.D. Manual, 1979. P.78.

each minor or sub-head or section of the accounts, additions made to such allotments, the date and number of the order sanctioning such additions, reductions made from such allotments by re-distributions or re-appropriation and the date and number of the order sanctioning such reductions.

REGISTER OF EXPENDITURE : On receipts of the intimation of supply from the controlling officer, the disbursing officer must open registers of expenditure under each minor head of sub-head, if any. The disbursing officers must enter the appropriation made for each detailed head under the sub-head of appropriation, as intimated, or any secondary sub-division thereof. Any expenditure which does not fall under one of these heads must necessarily be expenditure which was not contemplated in the budget and should not be incurred without special order.

RETURN OF EXPENDITURE : At the end of the month all the columns of the Register are to be totalled and a return in the same form, in which register was opened must be prepared and forwarded to the controlling officer by the 3rd of the following month.

RECEIPT OF RETURN IN THE CONTROLLING OFFICER : On receipt of the returns the controlling officer must examine them carefully to see whether the account classification had been

correctly given; that the appropriations and available balance agree with the ledger of the controlling officer; that expenditure is within the appropriation and that this is not likely to be exceeded; that the returns have been signed by the proper officers; and that the extract have been stamped with treasury seal and cover all entries.

CONTROLLING OFFICERS STATEMENT OF EXPENDITURE : Then the controlling officer must consolidated the returns received from disbursing officers. The figures under the head "Pay of officers" and "Pay of establishments" and allowances drawn with pay should be obtained by the controlling officer from the office of the Accountant General.

For comparison of these figures with the departmental figures the controlling officer should also obtain from disbursing officers the total expenditures under these heads. The disbursing officers should maintain a register in which pay bills should be noted as soon as they are drawn, to facilitate their sending in the pay heads figures to the controlling officer.

CONTROLLING OFFICERS CONSOLIDATED ACCOUNT : After comparison is done the controlling officer must transfer the figures to a consolidated account under the minor head or sub-head to a separate form, adding the figures obtained from the Accountant

General under "Pay of officers", "Pay of establishment". If any discrepancy arises it is the joint responsibility of the Accountant General and the controlling officers for their reconciliation.¹⁰

This procedure for the verification of the departmental accounts with those of the Accountant General Office was in vogue from 1919 upto 1953. In 1952 it was brought to the notice of Government that varification of departmental accounts with the figures in Accountant General's Office was not done expeditiously as a very long time was taken in reconciling discrepancies by carrying on correspondence. The Government had therefore, adopted temporarily as an experimental measures the following procedure for the varification of departmental accounts with the figures booked in the Accountant General's Officer from 1953. According to the revised procedure the reconciliation of controlling officer's figures of expenditure with those of the accounts office was to be done in personal collaboration between the clerks concerned of the departmental controlling officers and the staff of the Audit office. The controlling officers should send their accounts clerks with their departmental registers every month to the Audit Office on the specified dates which was to be drawn up in the Accountant General's Office in consultation with the controlling officers. The figures should be compared with those of the accounts office and any discrepancy discovered in the course of comparison should be noted in a statement, which should exhibit separately the mistakes and omissions

10. Assam Government Budget Manual, 1960. P.45-49.

on the part of the departmental officers and those of the accounts office. A copy of the statement so prepared should be given to the clerks of the departmental officers endorsed by a Gazetted Officer of the Audit Department to the effect that the mistake on the part of the departmental officers may be corrected, on the authority of the statement the controlling officers will correct their statements and registers and direct the disbursing officers concerned to make necessary corrections. Such corrections should be intimated to the accounts officer within a fortnight of the receipt of the statement endorsed by a Gazetted officer of the Audit Department. The mistake in the account office, if any, should be rectified by that office.¹¹

In 1957, the existing procedure was slightly changed. The departmental officer must contact Accountant General Office and ascertain whether the relevant records are available there. If available, the departmental assistant must immediately contact Accountant General Office with necessary and complete records for verification; If however, the relevant records are not available there on the first day, arrangements is to be made in Accountant General's Office to make them available on the second day of the prescribed dates and the departmental assistants should go on the second day with all materials available with them.¹²

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11. Letter from finance Deptt. (Deputy Secretary) to all controlling officers. Letter No. BB.62-53/3 dated Shillong, the 7th April, 1953.
 12. Letter from Under Secretary, Finance, to all Heads of Deptt.s and controlling officers, Letter No. BB.60/56/86 dated Shillong, the 11th June, 1957.

ACCOUNTING

WHAT IS ACCOUNTING : Accounting means keeping a systematic record of financial transactions of any organisation. It has a dual function to perform.- (a) First, determination of the fidelity of all officers who handle the fund, and (b) Second, furnishing of information needed regarding financial condition of and operations for policy determining and administrative purposes.¹³

PURPOSE OF ACCOUNTING ; The purpose of Governmental accounting differs from that of business and commercial accounts. Business and commercial accounts must be as to facilitate the preparation of balance sheet, showing profit or loss, assets and liabilities. On the other hand, the purpose of Governmental accounting is to furnish data to show whether the budget as voted by the legislature have been observed.

ACCOUNTING OF P.W.D. IN ASSAM : Generally speaking accounting is an executive/function and naturally this function should be discharged by the department itself. But the peculiarity in our country is that, accounting has not been made the responsibility of the department. It is vested in a separate department known as the Accounts and Audit Department.

There are four stages of accounting in the P.W.D.
These four stages are :-

13. Public Administration by Bhagwan vidya Bhushan, P.570-571, (1979)

(1) INITIAL ENTRY : The Treasury is the basic unit of accounting where receipts and payments are made. The initial accounts are kept by the treasuries. In each district, there is a government Treasury in charge of a Treasury Officer. Where, there are branches of the Reserve Bank or the State Bank of India, they perform the cash duties of the Government. In the initial accounts of the treasury, every financial transaction, revenue and expenditure is recorded. The Treasuries submit their monthly cash accounts and fortnightly lists of payments to the Accountant General's Office ~~and~~ together with concerning vouchers. Separate schedules are prepared for items falling under Department deposits, Remittance and Receipts and Payments for service. The P.W.D. generally draw from treasuries in lump sums and , at the end of each month, render a classified account to the Accountant General.

(11) CLASSIFICATIONS OF ACCOUNTS BY THE ACCOUNTANT GENERAL:

All accounts of the previous month of the treasuries and of P.W.D. Officers reach the Accountant General's Office by the 1st of the next month. This office classifies these accounts i.e. marks each item of receipt of payment according to the head of the account. Each one of these accounts is divided into major heads which constitutes the main units of classification. The major heads are further sub-divided into minor heads which

in turn are further divided into detailed heads. It may be mentioned that the treasuries in India are working under dual control. They are staffed by the state Government, but have to function strictly in accordance with the instructions given by the Accountant General of the State. As a result, the employees of the treasuries are not always prompt responsive to the directions of the Accountant General.

(iii) COMPILATION : The next stage is compilation. Before compilation the accounts are audited by the auditors. Then they go to the accounts office who compiles them every month and submit them to the Government by the end of the following month.

(iv) ANNUAL COMPILATION : Lastly comes the annual compilation which is done by the comptroller and Auditor General of India from the records of the Accountant General. He compiles two types of accounts. The finance accounts, bringing together all the receipts and expenditure and the appropriation accounts, showing the actual expenditure against the grant voted by the legislature. He also prepares a general financial statement which shows, apart from the receipts and disbursements, the outstanding liability and assets of the Government. The Accounts prepared by the comptroller and Auditor General are submitted to the Governor sometime in January or February of the following year.

These reports are laid before the legislature.¹⁴

AUDIT :

MEANING OF AUDIT : Audit means the examination of accounts with a view to determine their correctness. According to James C.Charlesworth, "Audit means to process of ascertaining whether the administration has spent or is spending its funds in accordance with the terms of the legislative instrument which appropriated the money".¹⁵

TYPES OF AUDIT : Audit may be of two types - pre-audit and post-audit. Pre-audit is conducted before payment is made and post-audit after payment is made. Thus, post-audit is just like locking the door after the theft has been committed. Again, audit may be either a detailed audit or a test audit. A test audit is one which scrutinises a part rather than the entire financial transaction. It is satisfied if the portion selected for examination results no irregularities. The basis of Test audit is confidence in the administration. Of the two kinds of audit, pre-audit is more effective. Where Pre-audit exists expenditures will be according to rules. But pre-audit is comber some and costly and therefore it was not adopted in this state. The system of audit that was adopted in the P.W.D. was post-audit.¹⁶

OBJECTS OF AUDIT : The main objects of audit are to ensure -

14. Government Budgetting with special reference to India by Gupta B.N. P.151, 1967

15. Charlesworth C.J. "Governmental Administration". P.344.

16. A hundred years of local self Government by Dr.V.V.Rao,P.420,1965

(a) That there is provision of funds for the expenditure duly authorised by competent authority;

(b) that the expenditure is in accordance with a sanction properly accorded and is incurred by an officer competent to incur it;

(c) that the payment has been made to the proper person, and that it has been so acknowledged and recorded that a second claim against Government on the said account is impossible;

(d) that the charge is correctly classified, and that if a charge is debitable to the personal account of a contractor, employee or other individual or is re-coverable from him under any rule or order, it is recorded as such in a prescribed account;

(e) that in the case of audit of receipts, (i) sums due are regularly recovered and checked against demand and (ii) sums received are duly brought to credit in accounts;

(f) that in the case of audit of stores and stock, where a priced account is maintained, stores are priced with reasonable accuracy and that the rates initially fixed are reviewed from time to time, correlated with market rates and revised when necessary;

(g) that the articles are counted periodically and otherwise examined for verification of the accuracy of the

quality balances in the books and that the total of the valued accounts taking with the outstanding amount in the general accounts and that the numerical balance of stock materials is reconcilable with the total of value balance in the account at the rate applicable to the various classes of stores; and

(h) that expenditure conforms to the following general principles which have for long been recognised as standards of financial propriety, namely -

(1) that the expenditure is not prime-facie more than the occasion demands, and that every Government servant exercises the said vigilance in respect of expenditure incurred from public money as a person of ordinary prudence would exercise in respect of expenditure of his own money ;

(2) That no authority exercises its powers of sanctioning expenditure to pass an order which will be directly or indirectly to its own advantage;

(3) That public moneys are not utilised for the benefit of a particular person or section of the community;

(4) That the amount of allowances such as travelling allowance granted to meet expenditure of a particular type is so regulated that the allowances are not on the whole sources of profit to the recipients.¹⁷

HISTORICAL BACKGROUND : Prior to 1868-69, the accounting and auditing functions of the P.W.D. in Assam were dealt with from

17. Public Administration by Vishnoo Bhagwan and Vidya Bhushan, pp. 574-575, 1979

the office of the Comptroller of Public Work Accounts, Bengal. The office of the Comptroller of Public Works Accounts was established in Assam in 1868-69 who had to function under the direction and control of the Accountant General.¹⁸

Under the controller of public works accounts there was a Deputy-Examineer of public works accounts in Assam who was directly responsible for auditing the accounts of the public works department. Under this system, the disbursing officers of the P.W.D. had to submit their accounts to the Deputy Examineer for audit. The report of such audit had to be submitted by the Deputy Examineer to Accountant General through the Comptroller of Public Works Accounts.¹⁹ This system continued upto 1919.

In 1919, under the Montagu-Chelmsford Reforms Act, Audit was made a central subject and it was provided in section 39(1) that there shall be one Auditor General in India as the head of the Indian Audit and Accounts Department. Under the Auditor General in India, there was a comptroller in Assam, who had to audit the accounts of all the departments of the province including the P.W.D. Department.²⁰

Section 166(i) of the Government of India Act, 1935 also provided for an Auditor General of India whose duties regarding the auditing function of the province were given in the Audit and Accounts order, 1936 of the Govt. of India.

18. Para 34 of the Memorandum submitted by Deputy Examineer, P.W.D. Accounts in Assam in 1876-77.

19. P.W.D. Administration Report Assam for 1884-85.

20. Government of India Act, 1919. p.377.

(1) It was the duty of the Auditor General -

(a) To audit all expenditures from the revenues of the province and to ascertain whether moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged and whether the expenditure conforms to the authority which governs it;

(b) To audit all transactions of the province relating to debt, deposits, sinking funds, advances, suspense accounts and remittance business;

(c) To audit all trading, manufacturing and profit and loss accounts and balance sheets kept by order of the Governor of the province in the Department; He has to report in each cash on the expenditure, transactions on Accounts so audited by him.

(2) The Auditor General also with the approval of the Governor of any province, audit and report on -

(a) The receipts of any department of the province;

(b) The accounts of stores and stock kept in any office or department of the province. The Governor of a province could, after consultation with the Auditor General, made regulations with respect to the conduct of audits.²¹

Accordingly, in 1937, the Governor of Assam, after consultation with the Auditor General of India made the

21. Assam Financial Rule, 1978. pp.219-221.

regulation for the conduct of audit on all such receipts and accounts of stores and of the different departments of the Government of Assam. The Auditor General of India could also continue to conduct such audits in accordance with such rules and principles as were in force by that time.²²

In Assam there was a Comptroller who had to work under the direction and control of the Auditor General of India.

The Government of India Audit and Accounts order 1936 was adopted by the Indian (Provisional constitution) order of 1947.²³

The new constitution also, under Article 148, makes provisions for the post of the Comptroller and Auditor General who is the head of the Indian Audit Department. In Assam also there is a Civil Accounts and Audit Office headed by the Accountant General who must function under the direction and control of the Comptroller Auditor General of India.

Under the new constitution until provision is made regulating the duties and powers of the Comptroller he had to discharge those functions in regards of state audit as were bestowed by the executive order, 1936 (Appendix XIII).

In 1971, an Act was passed by the Parliament which prescribed his duties and powers regarding the conduct of

22. Assam Gazettee, 1937. N.1035-F(a) dated the 1st April, 1937.

23. Public Administration by Vishnu Bhagwan and Vidya Bhushan. p.576, 1979.

of audit in States. According to this Act the following powers and duties were bestowed to the Comptroller and Auditor General of India relating to audit in states.

DUTIES :

(1) To audit all expenditure from the consolidated fund of states having a legislative Assembly and to ascertain whether the money shown in the accounts as having been disbursed were legally available for and applicable to the service or purposes to which they have been applied or charged and whether the expenditure conforms to the authority which govern it;

(2) to audit all transactions of the states relating to contingency funds and public accounts;

(3) to audit all trading manufacturing profit and loss accounts and balance sheet and other subsidiary accounts kept in any department, so credited by him.

(4) to audit all receipts which are payable to the Consolidated Fund of state having a legislative assembly and to satisfy himself that the rules and procedures in that behalf are designed to secure an effective check on the assessment, collection and proper allocation of revenues and are being duly observed and to make for this purpose such examination of the accounts as he thinks fit and report thereon.

(5) to audit and report on the accounts of stores and stock kept in any office or department of states.

POWERS :

(1) He had the power to inspect any office of accounts under the control of a state, including ~~trans~~ treasuries and such offices responsible for the keeping of initial or subsidiary accounts.

(2) to require that any accounts books, papers and other documents which deal with or form the basis of or are otherwise relevant to the transactions to which his duties in respect of audit extend, shall be sent to such place as he may appoint for his inspection;

(3) to put such questions or make such observations as he may consider necessary to the person in charge of the office and to call for such information as he may require for the preparation of any account or report which it is his duty to prepare.

(4) the person in-charge of any office or department, the account of which is to be inspected and audited by the Comptroller and Auditor General, shall afford all facilities for such inspection and comply with requests for information in as complete a form as possible and with all reasonable explanation.

Under this act, any power exercisable by the Comptroller and Auditor General may be exercised by such offices of his department as may be authorised by him in his behalf by General on special order except the submission of report to the Governor of a State having legislative Assembly.²⁴ Thus, in Assam, the Accountant General audit the accounts of all the departments including the P.W.D. under the procedure given below -

The Accountant General arranges for the periodical test audit and local inspection of the accounts of divisional and sub-divisional offices, and the Divisional Officer is responsible for the initial accounts and making other connected records available for inspection. Inspecting Officers are required, if possible, to discuss the drafts of their reports with the head of the office inspected before submitting them to the Comptroller and for this purpose, it is desirable that the head of the office should be present at the inspection unless his presence is urgently required elsewhere.

The results of audit are communicated to the Divisional Officer in the form of Audit Notes, objection statements, Inspection Reports, Letters or Memoranda. These should receive prompt attention and the replies of the Divisional Officer should be based, as far as possible,

24. The Assam Financial Rules, 1978 by J.P.Bhatnagar.Pp.213-217.

on his own knowledge. It is not enough to pass on the explanation of a subordinate, reports prepared in this manner have more than once, by lulling suspicion led to greater irregularity afterwards.

Objection statements and Inspection Reports should be returned through the Superintending Engineer after the Divisional Officer has recorded his replies thereon. The Superintending Engineer will pass orders in respect of matters in which he is competent to deal with finally and recovered his remarks (with a note of the action taken) on all other points, before returning the documents to the Accountant General.

Preliminary objection statement forms are used in the inspection of accounts of the public works divisional offices. The Divisional Officers should attend to these statements as soon as they are used and return them to the Inspecting Officer with the least possible delay and, in any case, before the conclusion of the inspection so that the Inspecting Officer may select points which are really important and to which no satisfactory explanation is forthcoming for discussion with the Divisional Officer, and complete his report before he leaves the Divisional headquarters.²⁵

25. The P.W.D. Manual, 1979 by Vijay Kumar Dewan.Pp.57-58.

On receipts of the reports from the Inspecting Officer, the Accountant General, Assam, prepares the Appropriation Accounts under the direction of Comptroller and Auditor General of India and in accordance with the provision of the Government of India (Audit and Accounts) order, 1936, as adapted under India (Provisional Constitution) order 1947, read with Article 149 of the Constitution of India. On the basis of the information and explanation, that the officer have obtained, the Comptroller and Auditor General of India certify that these Accounts are correct, subject to the observation in the Audit Report of the following year.²⁶

ACHIEVEMENT OF THE AUDIT OBJECTS IN THE P.W.D.:

If we examine the appropriation Accounts and the Ad Audit Reports of the P.W.D. we will find that the Accountant General arranges for the periodical test audit of accounts of divisional and sub-divisional offices for the accomplishment of the Audit objects. The Audit Reports of 1935 and 1954, after conducting test audit in 27 divisional offices, revealed the following types of irregularities of the P.W.D. in Assam.

- (1) Execution of works without administrative approval and technical sanction.
- (2) Check measurement by superior officers were not carried out to the extent required.

26. Appropriation on Accounts 1961-62 and the Audit Report 1963, issued by the Comptroller and Auditor General of India.

- (3) Irregular payment of advances to contractors.
- (4) Annual verification of stores were not carried out in many cases.
- (5) Accumulation of reserve stock in excess of sanctioned limit.
- (6) Register of works not maintained properly.
- (7) Defective maintenance of initial accounts records as noted below :-
 - (a) Works abstracts and register of works had not been maintained by subheads of estimates and quantities of work done had not been recorded in many cases. The register of works was not reviewed regularly.
 - (b) The liabilities against contractors in respect of the issues of stock materials to them had not been posted in the ledger as soon as the transactions took place.
 - (c) Physical verification of stock and tools and plant had not been carried out and the stock and tools and plant returns were not compiled regularly.²⁷

So far we have studied the financial administration of P.W.D. in Assam. Rules framed for the purpose are comprehensive and detailed. Financial administration of the P.W.D. was in the hands of experts.

However, there was one defect in the accounting system. The Treasury, which is the basic unit of accounting, are staffed

27. Appropriation Accounts 1951-52 and the Audit report 1953 and Appropriation Accounts 1952-53 and the Audit Report 1954.

by the State Government, but professionally responsible to the Accountant General. This is quite against the principle of unity of command. Excepting this defect, the financial administration of the P.W.D. was by and large efficient.

CHAPTER- VII

CORRUPTION

Anthony remarked in the Lok Sabha debate on the Anti Corruption Laws (amendment) Bill, that corruption in Public services was the greatest single thread to Democracy in India.¹

This remark proved beyond doubt the comprehensiveness of corruption in Public administration. It is all the more in P.W.D.

What Corruption is : Corruption may assume several forms. It may merely mean the exertion of some undue influence, political or otherwise on the public functionary or it may be consequence of some invisible family or caste bonds or it may be the result of some financial inducements. Whatever the shape it takes, the essential element is the attempt to influence from outside the operations of the due process, it being of little consequence whether that influence is towards correction, expedition or deprivation.² Whatever the purpose may be, all these forms of undue influence can be regarded as corruption.

Forms of corruption : Corruption may be of several forms. It may be sociological, economic, administrative, juristic and political.

About the magnitude of corruption in public servants in our state, although it is not possible to give any exact figures yet the reports of the Santhanam Committee, on the prevent-

1. The statesman, Sept., 16, 1964.

2. Corruption in the public services in India, By P.S. Muhar, M.A., Ph-D., pp. 1-5, 1964

ior of corruption early in 1964, made it quite clear that corruption is not confined to lower ranks of public servants only. The number of gazetted officers whose cases had to be investigated were disturbingly large.³

Causes of corruption : It is very much difficult to explore the causes of corruption. Because corruption is a very complex phenomenon in the public services. However, the causes of corruption can be attributed to five aspects, viz.; (i) Sociological, (ii) Economic, (iii) Administrative, (iv) Juristic and (v) Political.

(i) Sociological : Corruption, in public services, is a natural consequence of the way of life in our society. In our society people are judged by what they have rather than by what they are. The possession of wealth has become the sine-qua-non of so called good life or what is called rather valuable life which has encouraged people in the society for the acquisition of wealth, irrespective of the means adopted. Some people, in our society, living a very luxurious life beyond their means by resorting to unsocial modes of acquiring wealth. Society does not look down upon them. Very often, we find in our society at the time of negotiation of matrimonial alliances, the bride's representatives besides enquiring the official salary of the prospective bridegroom or his father, frequently ask the supplementary but necessary question, "but how much from above?" In socialistic countries, no one would dare to ask such a

3. Corruption in the Public Services in India, By P.S. Muhar, pp. , 1964.

question nor any one would care to answer it. Because both would be ashamed of asking or answering such a question. Thus in our society, lack of strong public opinion against corruption is the main cause of corruption.

(ii) Economic : Besides the sociological bases, corruption has some economic bases also. In early days of the East India Company, its servants in India were notoriously corrupt. Because, the company was much more concerned in making profit in India rather than looking after their servants. The servants were given very low salaries which were quite insufficient to earn their livelihood. So, these servants resorted to corruption to earn their livelihood. It was the reforms of Lord Cornwallis which by giving the civil personnel attractive salaries, ultimately succeeded in weaning them away from the corrupt modes of acquiring wealth.⁴ But after Independence it is found that corruption is committed not only due to the necessities but also to cater to the luxuries of public servants. The corruption in the higher official hierarchy can be said due to luxuries. This fact had been revealed in the report of the Santhanam Committee for prevention of corruption. However, in most cases corruption was to be found in the lower strata of official hierarchy. These public servants take recourse to corruption to meet the basic needs of their life. Thus general poverty and low salary are the causes of corruption.

4. Corruption in the public services in India by P.S. Muhar, M.A., Ph.D., Head of the Department of Political Science, Kurukshetra University, 1964

(iii) Administrative : There is a saying that inefficient administration and corruption go hand in hand. The classical illustrations of this were the Chinese Imperial and Czarist Government. A corrupt officer himself may be efficient but he fishes in the inefficient and slow processes of the Government around him. If we examine we will find that most of the corrupt inducements aimed not so much to alter administrative decisions in their favour rather to expedite them. In a majority of the cases, the anxiety to avoid delay has encouraged the growth of dishonest practices like the system of "speed money" which has become a common type of corrupt practices particularly in matters relating to the award of contracts etc. Thus undue delay in the transaction of official business is the cause of "speed money".

Another cause of corruption in administration, is the undue secrecy in the transaction of business in the department. This undue secrecy induced the public servant in the lower strata to the "sale on information" and in case of public to the "purchase of information."

The most fundamental cause of corruption, in the administration, is the growth of discretion vested in officials in consequence of the induction of the welfare state. From the time of Plato and Aristotle, political philosophers had discussed the perennial question as to whether there should be a Government of laws or a Government of knowledge. At bottom there is no need of the sovereignty of knowledge. But at upper

level there is a *administrative discretion* which has become the fundamental cause of administrative corruption.

(iv) Juristic : The most important aspects of corruption is the juristic aspect. It may be taken as axiomatic that greater the gap between public opinion and legislations the greater will be infractions of law and hence resorts to corruption. It is a matter of general belief that the principal source of corruption lies in the regulation of public morals. The administration of legislation against prostitution, gambling and liquor traffic etc. has offered opportunities to the politically controlled police to levy tribute upon the so-called under world. Another important cause of corruption is that in the eye of law the accused is always supposed to be honest. Naturally, the burden of proof is on the prosecution side. Some events or some incidents although known to all to be true may be very difficult to prove in the court. The corrupted officials always take this opportunity without any fear or favour to the law or to the court.

(v) Political : The most important aspect of corruption is political. One of the peculiarities of the problem of corruption in our country particularly in Assam is that it has penetrated even to the politicians and members of the legislatures. Very often, the Chief Engineer, the Superintending Engineer or the Officer-in-charge of particular project are given some personal but confidential letter or even asked over telephone by some minister to give a particular contract to a particular

firm without any regard to merit or to appoint some one to some particular post without any consideration of merit. This behaviour on the part of the minister or the legislature induce the officers of administration to take recourse to corruption. According to the law of social imitation the lower classes always imitate the higher. So, if we are to control corruption of the lower classes we must first be able to eliminate it from the higher classes. Walter Bagehot pointed out over a hundred years ago in his book "Physics and Politics" that we cannot control corruption in the lower strata of official unless and until we mitigate it in the higher.

Public Works Department is nick named as "Plunder without Danger". A generalist has no say as the so-called technocrats, through the jugglery of their technical knowledge, hoodwink the Government and easily escape with their booty. They prepare ambitious estimates, provide funds and make sufficient provisions under different heads with an intention to get a huge sum for their remuneration. In execution of works, they connive with the contractors right from the moment tenders are called and finalised. At different stages, they are supposed to inspect the work to see that the work is being executed as per approved plan and estimate, and good building materials as per approved specification and proportion is being used. But despite that, in majority cases, the works are never executed as per the specification and hence the Engineers-in-charge of supervision, exhibit their in fulfilling only the paper requirement and divide the spoils according to the deter-

mined percentage among various officers from top to bottom. As a result, the contractor performs his works using sub-standard materials, deviates from the approved specification, uses of steel, cement, chips in lesser proportion and sells the ~~scarce~~ materials in black market, gets his full bill and pays the percentage to the officials. False claims of dishonest contractors are entertained, huge amount is paid to them out of which a sizeable percentage is deducted from the bills at the time of payment and divide among the officials for sharing such illegal favour. Sometimes, funds are allotted on the works which are already of good condition and the contractor does little patch work here and there and appropriates the entire money. Under the maintenance and repairs head, with or without a work, the contractor and the Engineer appropriate huge amounts. Fifty percent of the building materials, like steel, cement, asbestos sheets, carrugated sheets, paints and other valuable things supplied from the store, find their way into the black market before the eyes of the supervising officers. Thousands of roads, buildings and other projects are now found damaged, with cracks, poorly done, left half-done and completely abandoned due to heart-throbbing sabotages from within. In order to hide the bad-workmanship, they immediately provide huge sums for their maintenance and repairs.

Bribing of the Engineering staff has become a convention. Several enquiries, investigations have been conducted but because of its peculiar nature of work, it becomes difficult to pin-point and establish the charges, unless the lapses are

extremely glaring. The bad workmanship is covered by good painting, colouring and white-washing. Few months' delay makes it difficult to find a trace of the bad-workmanship. Since works of all nature do not show up defects immediately, the executors complete the guarantee period safely. Further, there is no organisation equipped with scientific machinery to cross-check the works immediately after execution. The officers-in-charge of supervision are the departmental officers, who, as stated earlier, are the worst guardians.

Measures for the prevention of corruption in Assam :

Before the passage of the prevention of corruption Act, 1947, there was no special legislation against corruption either in the state Assembly or in the Parliament. The cases of corruption were dealt with under sections 161 to 165 (A) of the Indian Penal code.

The section 161 of the I.P.C. provides that the public servant taking gratification other than legal remuneration in respect of an official act is to be punished with imprisonment for a term which may be extend to three years or with fine or with both. The section read as "whoever, being or expecting to be a public servant, accepts or obtains, or agrees to accept, or attempts to obtain from any person for himself or for any other person, any gratification whatever, other than legal remuneration, as a motive or reward for doing or for-bearing to do any official act or for showing or forbearing to show in

the exercise of his official functions, favour or disfavour to any person, or for rendering or attempting to render any service or disservice to any person, with the central or any state Government or Parliament or the legislature of any state or with any public servant, as such, shall be punished with imprisonment of either description for a term which may be extend to three year or with fine or with both."

Illustration :

Supposing - A, a public servant of the P.W.D. induces Z, a contractor, erroneously to believe that - A's influence in the P.W.L. has obtained a contract for Z and thus induces Z to give A money as a reward for this service. Thus A has committed the offence define in the section.

Section 165 of the I.P.C. deals with public servant obtaining valuable thing with consideration, from person concerned in proceeding of business transacted by such public servant. Under this section whoever, being a public servant, accepts or obtain or agrees to accept or attempts to obtain for himself, or for any other person, any valuable thing without consideration, or for a consideration which he knows to be inadequate, from any person whom he knows to have been, or to be, or to be likely to be concerned in any proceeding or business transacted or about to be transacted by such public servant, or having any connection with the official functions of himself or of any public servant to whom he is subordinate, or from any person whom he knows to be interested in or related to the persons so concerned, shall be punished with imprisonment of

either description for a term which may extend to three years or with fine, or with both.

Section 165-(A) deals with punishment for abetment of offences defined in section 161 or section 165. Whoever abets any offence punishable under section 161 or section 165, whether or not that offence is committed in consequent of the abetment shall be punished with imprisonment of either description for a term which may extend to three years or with fine or with both.

But these three sections of the I.P.C. are not sufficient for the prevention of corruption of the public servants for the reasons given below :

1. The I.P.C. which is regarded as the great classics on law, is the handiwork of Lord Macaulay and Sir Henry Maine, was enacted in 1860. It is dominated by the notion that almost all major crimes consists of offences against person, property and state. Therefore, it does not deal in any satisfactory manner with, what the Santhanam Committee turns "Social offences" such as misuse of their position by public servants in awarding contract, disposal of public property, misappropriation of public property and funds etc.

2. Under this sections the corruption cases of the Government servant can be tried in the court. But court itself will not take the initiative for the trial of those Government servants who committed corruption. When somebody will take the

initiative and complain in the court against the Government servants then only the court can deal with such corruption cases.

3. In the eye of law the accused are always supposed to be honest. So, if anybody complaint in the court against any Government servant for committing corruption the complainant is to take all the burden of proof which is very much difficult and complicated.

4. In dealing with the cases the court adopt a very lengthy procedure for which there is unnecessary delay in the delivery of judgement. There is saying that justice delayed is justice denied. Thus the very purpose of these section of I.P.C. failed.

5. Prosecution in the court is a very expensive business for which people of lower income group donot dare to take recourse in the court.

In 1947, an Act was passed for the more effective prevention of bribery and corruption. This Act was called the prevention of corruption Act, 1947. The jurisdiction of the Act was the whole of India and it applies also to all citizens of India outside India. Section 5 of the said Act deal with corruption of public servant. The section read as follows :

Criminal misconduct in discharge of official duty --

(1) A public servant is said to commit the offence of criminal misconduct- (a) if he habitually accepts or obtains or agree to

accept or attempts to obtain from any person for himself or for any other person, any gratification (other than legal remuneration) as a motive or reward such as is mentioned in section 161 of the Indian Penal Code, or

(b) If he habitually accepts or obtains or agrees to accept or attempts to obtain for himself or for any other person, any valuable thing without consideration or for a consideration which he knows to be unadequate, from any person whom he knows to have been, or to be, or to be likely to be concerned in any proceeding or business transacted or about to be transacted by him or having any connection with the official functions of himself or of any public servants to whom he is subordinate, or any person whom he knows to be interested in or related to the person so concerned, or

(c) if he dishonestly or fraudulently misappropriates or otherwise converts for his own use any property entrusted to him or under his control as a public servant or allows any other person to do, or

(d) if he, by corrupt or illegal means or by otherwise abusing his position as a public servant, obtains for himself or for any other person any valuable thing or pecuniary advantage, or

(e) if he or any person on his behalf is in possession or has, at any time during the period of his office been in

possession for which the public servant cannot satisfactorily account, of pecuniary resources or property disproportionate to his known sources of income.

(2) Any public servant who comit misconduct is punishable with imprisonment for a term which is not less than one year but which may be extended to seven years and is liable to fine.

Investigation of corruption cases : Notwithstanding any procedure contained in the court of criminal procedure, no police officer below the rank of a Deputy Superintendent of Police can investigate any offence punishable under sections 161, 165, 165(A) of the I.P.C. or under section 5 of the prevention of corruption Act, 1947 without the order of the 1st class Magistrate and can make arrest without warrient.

However, if a police officer not below the rank of a Inspector of Police is authorised by the State Government by general or special order, he can investigate any such offence without the order of the 1st class Magistrate or could make arrest without a warrant.⁶

Beside these Acts as early as in 1937 Government of Assam made certain rules for prevention of corruption and to regulate the conduct of the Government servants. These rules were called the Assam Government servants conduct rules, 1937 which were made under the Government Act 1935.

6. Prevention of corruption Act No. 11 of 1947, p. 4.

Under rule 3 of the Government Servants Conduct Rules 1937, the Government servants were, without the previous sanction of the provincial Government, debarred from accepting directly or indirectly on his own behalf or on behalf of any other person or permitting any member of his family to accept, any gift or reward from any person who was not related to him. But in case of a wedding ceremony the Government servant or any member of his family could accept from a personal friend a wedding gift not exceeding Rs. 200/-. This rule was made to prevent Government servant from taking indirect bribe.

Under rule 2 of the Government Servants Conduct Rules, 1937, every Government servant or candidate for Government service had to make to the Government through the usual channel a declaration of all movable property in India from time to time held or acquired by him or by his wife or by any member of his family living with, or in any way dependent upon him. The declaration had to state the district or the state in India within which the property is situated and had contain such further information as the provincial Government may by general or special order required.⁷ Thus, this rule was made to prevent the Government's servants from acquiring immovable property by corruption. But no restriction was imposed so far as movable property was concerned.

7. The Assam Gazette 1938, Part-II. A Notification No. 216-H.

In 1952, with the adoption of the new constitution the Government of Assam, under the provision to Article 309 of the constitution, made an amendment to rule 2 of the Assam Government Servant's Conduct Rule 1937. Under this amended rule, the Government servant had to make a declaration of immoveable as well as movable property held or acquired by him or his wife or by any member of his family depending on him. Any Government servant concealing any of his assets which he was liable to declare was considered liable to such disciplinary action as the Government may deem proper.

Further, if any Government servant was found in possession of pecuniary property which appeared to the Government to be disproportionate to his known sources of income, the Government could presume, unless the contrary was proved, that the Government servant acquired such property by dishonest means and the Government could take such action as it deems necessary.⁸

Anti corruption machinery : Over and above these general measures the Government of Assam, by an executive order in 1946, created an Anti corruption Branch of the Assam Police (C.I.D.) to fight against corruption of public servants.⁹ The jurisdiction, powers and authority entrusted to this branch were modified in 1959 by a new executive order.

8. The Assam Gazettee, 1952, Part-IIA. Notification No. AAP/4/47.

9. The Assam Gazettee, 1946, Part-IIA. Notification No. C.157/45/32.

According to the new executive order of 1959 the officers of the Anti-corruption Branch of the Assam Police (C.I.D.), had jurisdiction over the whole of Assam. The officers of the said Branch who were above the rank of an officer-in-charge of a police station were by reason of section 551 Cr.P.C. 1898 competent to exercise the powers of an officer-in-charge of a police station within their local area which was extended to the whole of Assam. The officers below the rank of an officer-in-charge of a police station could exercise the powers under section 157, 161, 165 of the criminal procedure code (Act V of 1898) only when deputed for investigation into a cognizable offence by an officer-in-charge of a police station or by a Superior officer.¹⁰

In spite of the existence of all these measures corruption of public servants could not be prevented. Rather it increased beyond all proportion which became a threat to democracy. With the ever increasing corruption, parliament got alarmed and a committee was constituted in 1962 consisting of seven members with K. Santhanam as Chairman. It was authorised to review existing instruments for combating corruption and advising on practical steps to make anti-corruption measures more vigorous in centre as well as in states.

The Committee produced a very elaborate report which was published in 1964. The following were the important suggestions of the Committee.

(10) The Assam Gazette 1959, Part-IIA. Notification No. C.431/59/2.

(a) Article 311 of the constitution may be amended in order to make the judicial process in corruption cases easy and speedy.

(b) Vigilance Commission should be created with autonomous powers.

(c) The Government servant's conduct rules may be amended so as to restrict the re-employment of retired Government employees by private businessman.

(d) Public opinion should be mobilised against corruption. People in the society should be saturated with the idea that those who offer and take bribes were committing a sin both against society and God. Sin should be defined as an offence not only against God but also against society. This would help the essential building up of a strong public opinion against accumulation of wealth through unsocial means. However, people in the society are to be encouraged for simple living instead of luxurious living.

(e) The officials who exercise discretionary powers in matters relating to award of contracts, issue of valuable permits and licenses, or otherwise deal with matters which require a high degree of integrity. These officials should be given special attention regarding status and emoluments and adequate medical, educational and housing facilities. The provision of housing in colonies, wherever possible, would be a valuable aid in the promotion of integrity.

(f) The transaction of Government business should be open and in accordance declared principles and procedures and that there should not be any undue secrecy. In matters of giving contracts for construction and supplies, the decision, should be taken by a committee or board and not by individuals if the amount involved is large.

(g) A code of conduct for legislators be framed by a special committee of the parliament and the state legislatures nominated by speakers and chairman. In suggesting the code of conduct for the politicians it was said that the acceptance of hospitality by the ministers or the legislators is not conducive to the maintenance of political verginity which should be debarred by the code of conduct.¹¹

As per suggestion of the committee the following measures were adopted for the eradication of corruption.

(1) The Government of Assam constituted a state vigilance commission in 1964. This commission was headed by a state vigilance commissioner who was given the status of a High Court Judge. The commission had to submit an annual report to the State Government about its findings which was to be laid before the state legislature. But, it remained defunct upto 1981.¹²

11. Public Administration by Vishnoo Bhagwan and Vidya Bhushan, p. 463, 1979

12. The Assam Gazettee, 1964, Part-IIA, Notification No. P.L.A.473/64.

At the district and sub-divisional level the Government of Assam constitute in 1964, committees which were initially called complaint committees. But their designation was later on changed to "Public Relations Committees". At the district level the Chairman of the Committee was the Deputy Commissioner while the sub-divisional officer was the chairman of the committee for independent sub-division. The district or the sub-divisional public relations officer was the Secretary of the committee concerned. In the plains district the other members of the committee were members of the parliament, members of the state legislature, chairman of Municipal Board, chairman of Town Committees and President of Anchalik Panchayats and in the Hill districts the members were members of the parliament members of state legislature Chief Executive member and members of district and Regional council.

The object of these Committees was to provide a forum for district relations of the public with the Government machinery and to focus attention of Government on public grievances regarding its general defects. The Committees deal with (1) all suggestions for improvement of the Administrative Machinery, (2) Any complaint of general nature against the Administrative machinery and (3) any defect in the Administration pointed out in any complaint against any Government office or Government servants. The Secretary of the Committee receives complaints against Government officers or individual

Government servants and forward them to superior officers concerned for disposal. An abstract regarding their disposal was placed before the committee for information and the committee could discuss defects in the Administrative Machinery spot lighted in the complaints. The suggestions and recommendations of the committee were submitted to Government in the respective department.¹³

So far the preparation of the code of conduct for legislators and ministers was concerned, the Central Government had responded by adopting a code of conduct for ministers. But in our state nothing has yet been done in this regard which is very urgent if the corruption of the politicians is to be prevented. So far Government servant's conduct rules were concerned, in modification of the earlier rules, the Government of Assam made the following rules which were called the Assam Civil Services (Conduct) Rules 1965. Under these rules the Government servants or any member of his family or any person acting on his behalf were forbidden to accept any gift with some exceptions which include free transport, boarding, lodging or other services or any other pecuniary advantages provided by any person other than a near relative or personal friend having no official dealings with the Government servant.

13. Assam Police Commission Questionnaire, 1964, p. 66.

Further, under these rules, every Government servant had to, on his first appointment to any service or post, submit a return of his assets and liabilities, in such form as was prescribed by the Government, giving the full particulars regarding the movable and immovable property held or acquired by him or on his behalf or any member of his family dependent on him.

If any Government servant or any other person on his behalf or any member of his family is found in possession of pecuniary resources or property which appear to the Government to be disproportionate to his known sources of income, the Government may presume, unless the contrary is proved, that the servant concerned has acquired such property by dishonest means and the Government may take such action against that servant as it deems necessary.¹⁴

In 1964, a joint conference of the Bharat Sadhu Samaj and Bharat Sevak Samaj organised by the Samyakta Sadachar Samiti was held in New Delhi. In that joint conference, Dr. Radha Krishnan remarked "corruption is an evil which is to be fought on all fronts and at all levels." In other words corruption has penetrated at all levels including politicians and ministers. Thus, if corruption can be eradicated in political level then only it will be possible to eradicate it at the official level.

14. The Assam Gazettee, 1965, Part-IIA. Notification No. AAP.77/65/35.

Accordingly, in 1966, the Administrative Reforms Commission recommended a two tier machinery of Lokpal and Lokayukta, Lokpal to deal with complaints against Ministers and Secretaries to Government at the centre and the states and Lokayukta to deal with complaints against officials. The Commission stated that these institutions must have certain characteristics.

- (1) They should be demonstrably independent and impartial.
- (2) Their investigations and proceedings should be conducted in private and should be informal.
- (3) Their appointment should, as far as possible, be non-political.
- (4) Their status should be compared with the highest judicial functioning in the country.
- (5) They should deal with matters in the discretionary field involving acts of injustice, corruption and favouritism.
- (6) Their proceedings should not be subject to judicial interference and they should have maximum powers in obtaining information relevant to their duties.
- (7) They should not look forward to any benefit or pecuniary advantage from the executive Government.

Appointment : Lokpal should be appointed by the President on the advice of the Prime Minister after consultation with the Chief Justice of India and the leader of the opposition. Lokayukta should be appointed by the President in consultation with Lokpal.

Lokpal will have the power to investigate an administrative act done by or with approval of a Minister or a Secretary to Government at the centre or in the States. Lokayukta will have jurisdiction over actions of public servants other than those within the purview of Lokpal.

But nothing has yet been done for the appointment of Lokpal and Lokayukta either in the centre or into states.

We have so far studied the corruption in Assam particularly in P.W.D. and the measures adopted from time to time for its prevention. The present state of affairs on the P.W.D. induced us to conclude that all the measures adopted so far failed. The society itself has become corrupted. If we are to get rid of this problem, besides the legal measures some social measures should also be taken as suggested by Santhaman Committee, people, in the society, should be educated with the idea that corruption is sin both against society and God which would help the building up of a strong public opinion against corruption.

CHAPTER VIII

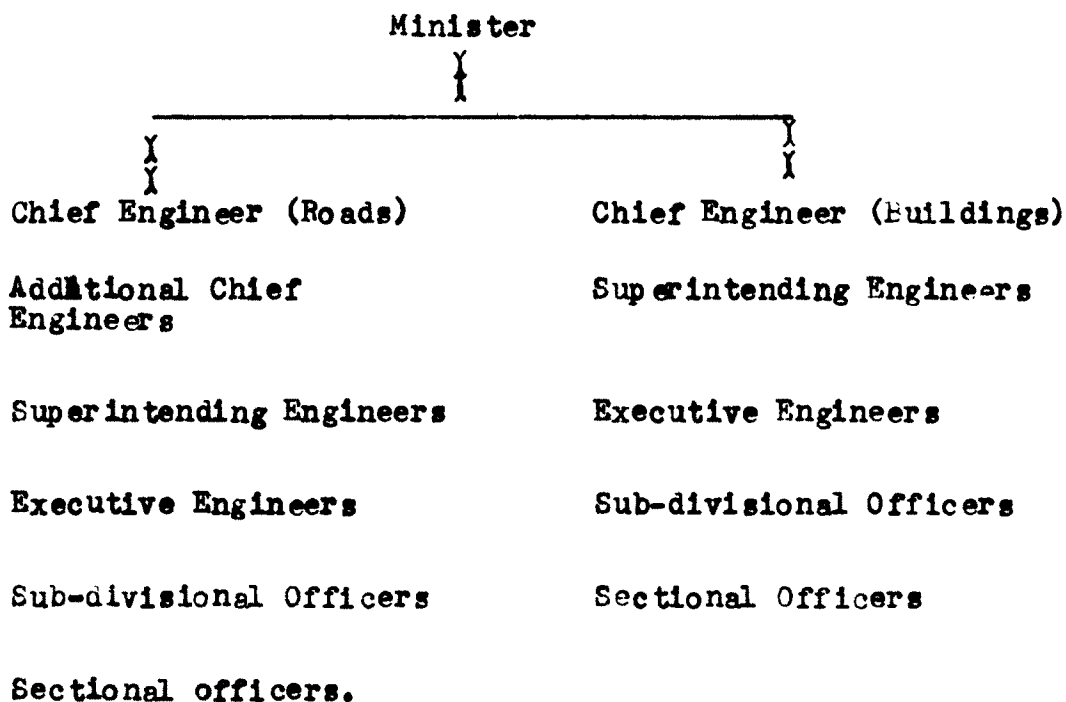
CONTROL OVER P.W.D. ADMINISTRATION

P.W.D. administration is a part of the state administration. Naturally, it is subject to control by the State Government.

Broadly speaking there are two types of controls, viz., (i) external and (ii) internal. The external control can be divided into -- (A) the executive control, (B) the legislative control, (C) the judicial control and (D) the community control. The internal control can also be divided into -- (i) finance and statistics, (ii) personnel management, (iii) efficiency survey, and (iv) professional standards.

First, we shall take up external controls.

(A) Executive control : Every official of public works department is responsible to and under the control of his administrative superior, in the administrative hierarchy of this department, and ultimately to the Minister who is in-charge of this department. The diagram given below indicates the administrative responsibility of the P.W.D. officers.



The minister in-charge of the department is responsible for all what goes on within his department. Thus the minister or the executive head of the department exercises control over administration through the following method.

(1) Political Direction : The minister or the political executive of the department has the power of direction, control and supervision. It is the minister who lays down the policy and issues directives to the departmental officials for its implementation. A power loving minister may even concentrate the entire authority in his hands and reduce the Secretary to a cipher. He may go round the department in order to supervise its working. He may transfer the officials from one ~~circle~~ to another circle or division. In short, the

departmental officials are directly or wholly responsible to him.

However, it may be mentioned that in actual practice it is not the minister who dictates the P.W.D. officers but it is the officers, being technically qualified, who lead and dictate the minister in policy formulation and in its execution. Moreover, the power of control of minister over his department depend upon his political position. If he enjoys the full confidence of the Chief minister and has a strong hold in the party, he can exercise effective control over the officials of his department. On the other hand, if he has no hold in the party, a strong-willed Chief minister may reduce him to non-entity.

Budgetary System : The P.W.D. is not the sole authority to prepare its own budget. The finance department prepares the budget for all departments in collaboration with other departments and place it before the Cabinet for discussion and approval. During this time each minister including the P.W.D. minister get sufficient scope to make proper scrutiny regarding the allocation of their own department and can make suggestions for the alteration or addition to their departments. After the approval of the budget by the Cabinet it is introduced by the finance Minister in the Legislature.

Thus, the budgetary system which determines the total financial resources which no department dare to exceed gives the executive an effective means of control over administration. The controlling officer of the department must see that the Disbursing Officers work within the budgetary allocation of the department. Therefore, it can be said that under an effective budgetary system, the administration is under the constant control of the executive.

(iii) Recruitment system : Recruitment is also one of the means of executive control. Although, recruitment of the officials of this department is entrusted to the Assam Public Service Commission, an independent body, yet the general rules of recruitment are laid down, in different service rules as mentioned in chapter IV by the executive. Sometimes, the Minister selects his own Secretary and Head of the department and through them exercises full control over the administration of the department.

(iv) Executive legislation : Although legislation is the function of legislature, yet sometimes the executive also exercises the powers of legislation which is called the delegated legislation. By exercising this power the executive fill in the details of an Act which is passed by the legislature in skeleton form. Besides, the executive made certain administrative rules, the code of conduct of the officials through which it exercises full control over the officials of the department.

Legislative control : In Assam, having a Parliamentary system of Government the control of the P.W.D. administration by the legislature is important. Because, it is the legislature from which the activities of the department emanate. However, it may be noted that the responsibility of the P.W.D. administration to the legislature is indirect, i.e., through the P.W.D. Minister. Because, no official of the department can be called to the floor of the House to explain his conduct.

The means through which the legislature exercises control over administration are given below.

(1) Law making process : The creation, organisation, functions, and procedures of departmental administration are all determined by law made by the legislature. Thus, the departments owe their origin to derive their rights wholly from the legislature. As it may create so it may abolish some of the existing departments with the completion of the purpose for which it was created. However, it may be noted that it is impossible for the legislature to lay down in detail the administrative procedures to be followed by the department. It is left to the executive which is done with the power of delegated legislation. Any way it may be said in general terms that the creation and organisation of a department depend upon the policy adopted by the legislature.

(11) Question Hour : In parliamentary system of Government there is the practice of setting apart one hour of legislatures meeting time for questions which is called "Question Hour". The members of the legislature may ask questions regarding any act or omission of administrative authorities of the department from the highest to the lowest. The Minister in-charge of the department who is also the member of the legislature, attend its sessions to reply to the questions put by the members of the legislature on the floor of the House. Thus, this practice play an important part in the mechanism of control over the departmental administration.

(111) Budgetary System : The budgetary system not only enables the executive to exercise control over administration but also the legislature to exercise control over the administration. When the budget is introduced in the legislature, during the 2nd reading the members get sufficient scope to review the functioning of administration of all departments. The members of the legislature not only criticise the policies of the Government but also the omissions and commissions of all departments and thus bring to light its failure. The minister in-charge of departments take note of such criticisms and make necessary changes in the departmental administration.

(IV) Audit and Report : The legislature being an unwieldy body, is not in a position to investigate in detail of the financial transaction of departments. This is done by the Auditor and Comptroller General who functions independently of the executive control and is for all intents and purpose, an officer of the legislature. The Comptroller arranges for the periodical test audit and local inspection of the accounts of Divisional and Sub-divisional offices of the P.W.D. The audits to ascertain, at the time of audit, whether moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or the purpose to which they have been applied or charged and whether the expenditure conforms to the authority who governs it. Further, it brings to notice procedural and technical irregularities and lapses on the part of administration. In every year, the Comptroller is to prepare an annual report of all the accounts already audited. The audit report contains the comments of Audit authority on the correctness or otherwise of the expenditure and other financial transactions. The report particularly points out the more important financial irregularities like cases of budgetary grants being exceeded, failure to obtain the necessary sanction for expenditure, non-compliance with rules and regulations, cases of improper and wasteful expenditure and of misappropriation and cases of ~~embezzlement~~bezzlement. He submits this report to the Governor who is required to lay it before

the legislature. The legislature refers the report to their Public Accounts Committee for examination and report.

(V) Debates and Discussions : Debates and discussions is an important means of legislative control over administration. By debates and discussions, the legislature examines and scrutinizes the activities of departments. The legislature gets this opportunity on various occasions, such as the inaugural address of the Governor, the budget speech of the Finance Minister, enactment of law, and the introduction of motions or resolutions. When the Governor opens the session of the legislative Assembly, the speech delivered by him is discussed before a vote of thanks is passed. In such discussion the members of the Legislative Assembly criticize the administration as a whole or the administration of a particular department for its lapses and failures. The Budget speech delivered by the Finance Minister provides another opportunity to the Legislature to review and criticise the functioning of administration. Particularly, the legislature gets an opportunity to examine and scrutinize the working of the departments. When they consider demands for grants. The enactment of a new law also provides an opportunity to the legislature to review the functioning of administration.

Besides, some other devices are there by which the attention of the Government may be drawn regarding the omissions and commissions of a particular department. Such devices are : no-confidence motion, adjournment motion,

censure motion and calling attention motion.

(VI) Appointment of committees : The Legislative Assembly being an unwieldy body neither has the time nor the scope to deal with the details of administration. That is why, the Assembly appoints some committees from its own membership to deal in detail with administration and to report to it. These committees are committee on Assurances, Public Accounts Committee, and Estimates Committee.

When the Minister makes some promises or assurances on the floor of the House in the course of debates, discussions and questions, it is the duty of the committee on assurances to see that the assurances are implemented by the Government.

The Public Accounts Committee examines the departmental accounts of the Government in the light of the audit report with the assistance of the Accountant General. When the accounts of the P.W.D. come up for examination, the official representative of the department appears before the committee to explain any points raised by it. The Committee is to draw the attention of the Assembly to cases of improper, wasteful or extravagant practices, and misappropriation. The Estimate Committee is created to scrutinise expenditure of each department of the Government and of the Government as a whole. The Committee must report what economies, improvements in organisation, efficiency or administrative reform, consistent with the policy underlying the estimates may be effected.

(2) What alternative policies are to be adopted in order to bring about efficiency and economy in administration;

(3) Whether the money is well-laid out within the limits of the policy implied in the estimates; (4) To suggest the forms in which the estimates shall be presented to legislature. The findings of the committee are submitted in the Assembly for information and necessary action.

In addition to the above, the Assembly appoints some special committees to make enquiry in some particular matters. The findings of the committees are discussed in the Assembly and thereby control the departmental administration.

Although, these methods are available into the legislature to exercise control over administration, yet it may be noted that the legislative control is ineffective for the following reasons. First, it is too large a body for which it is not in a position to exercise effective control over administration.

Judicial control over the P.W.D. Administration: Judicial, control over P.W.D. administration means the powers of the courts to examine the legality of the officials act and thereby to safeguard the rights of the citizens. In other words, it may be said as the right of an aggrieved citizen to bring a civil or criminal suit in a court of law against a departmental official for the wrong done to him in the course of discharge of his public duty. However, it may be noted that judicial intervention over the departmental

administration is restrictive in nature. Because, the courts cannot interfere in the administrative activities of the department without the initiative of any person, who feels that his rights have been infringed or are likely to be infringed as a result of some action of some officials of the department. Moreover, the courts cannot interfere in each and every administrative act. It can intervene only on the following grounds :

(1) Lack of jurisdiction : The officials of the department are to act within the limits of the authority given to him and also within a specified jurisdiction. If he acts beyond his authority or outside his jurisdiction, his acts will be declared by the court as inoperative. For example, under the Assam Shramik Bahini Act 1960, the Executive Engineers are empowered to register a Shramik Bahini but they have no power to cancel its registration which can only be done by the Chief Engineer. If a Executive Engineer cancels the registration of any Shramik Bahini registered by him the court may declare the order of cancellation as inoperative.

Error of Law : A departmental official may misinterpret the law and may impose upon the contract an obligation which are not required by law.

Error of fact-finding : An officer of the department may err in discovering facts or may wrongly interpret the facts and there by adversely affect a particular contractor and there may be a ground for bringing a case in a court of law.

Error of authority : The officials of the department are to act according to a certain procedure laid down by laws or administrative rules. If in any case they do not follow the prescribed procedure the courts have a right to question the legality of their action, on appeal from the party affected. For example, law requires that an employee of the department should be served with the notice of the charges before any action of suspending or dismissing him can be taken against that employee. Suppose, the Executive Engineer of a P.W.D. division takes the action against a Mohurer without serving a proper notice then his action shall be declared null and void by the court.

Abuse of Authority : If an official of the department abuses his authority vindictively to harm some person, the court can intervene and punish him if he is found guilty of abusing his authority to take a personal revenge.

Judicial Remedies for suing the Government : Judicial remedies are available against the departmental officials in the cases like the cancellation of the registration of the Shramik Bahini by the Executive Engineer, or the suspension

or dismissal of a Mohurer without serving a proper notice by the Executive Engineer. Thus, judicial control can be in the form of suing the department or the official concerned of the department for his wrongful act. This sort of judicial remedies can be secured by suing all the officials of the department. In our state excepting the Governor of the State who has been granted personal immunity from legal liability for any act done, exercise of his powers as laid down in the constitution. If any official of the department is to be sued in civil court for anything done in his official capacity, it can be done only after the expiry of two months notice. No such notice is necessary if the official does anything outside the scope of his official duties. But, if any official of the department of the state is to be sued in the criminal court for his acts done in his official capacity, previous sanction of the Governor of the state is to be obtained.

Extraordinary Judicial Remedies : In addition to the above mentioned judicial remedies of suing the department of its officials, citizens have the following extraordinary remedies against the excesses of the officials of the department.

(1) Writ of Mandamus : It is a mandate or a command issued from a common law court of competent jurisdiction directing any official of the department to do a thing which is a part of his official duty but which he has failed to do. It may,

however, be noted that this writ cannot be claimed as a matter of right but depends upon the discretion of the court. This writ is not granted if the court feels satisfied that there is an alternative remedy which is self-sufficient and convenient.

When the court is prayed for issuing this writ the petitioner must fulfil the following conditions :

(1) That he has a legal right to the performance of a legal duty by the respondent.

(2) That, the right is a public right and duly sought to be enforced as a public duty.

(3) That, the petitioner is the same person whose right is being infringed.

(4) That, the petitioner must prove that he had made a demand for the performance of duty relating to his right upon the public official and that the official had refused to perform it.

(2) Injunction : It is a writ issued by the court requiring a person to do or refrain from doing a thing. Injunction is of two kinds — mandatory and preventive, according as it requires the defendant to do a particular thing or refrain from doing it. Thus it seems to resemble with both mandamus and prohibition.

Mandatory injunction resembles with mandamus because both of them command the respondent to do a thing. The only difference between the two is that mandamus cannot be issued against a private person while injunction is usually directed to the parties in the dispute who so ever they may be.

Preventive injunction resembles with prohibition because both of them are issued by the court refraining the respondent from doing a thing. The difference between the two is that prohibition is issued against judicial authorities only, while injunction is issued against departmental officials.

Limitations of judicial control : The judicial remedies, mentioned above, although provides an effective control against the officials excesses of the department, yet it has certain limitations :

First : All the action of the officials are not subject to judicial control. Moreover, there is a tendency on the part of the legislature in our state to exclude certain administrative acts from the jurisdiction of the judiciary.

Second : The judiciary cannot by itself intervene. It can intervene only when a request is made by somebody who has already been affected by an official action.

Third : The judicial process is very slow and cumbersome which is beyond the comprehension of a layman. There is a saying that justice delayed is justice denied. Thus an

affected person cannot wait for the judicial remedy through a dilatory judicial procedure indefinitely.

Fourth : In some cases the remedies granted by the law courts to a person are deprived of by the department by changing the rules and regulations thereof. For example the existing rules provides that the lowest rate tenderers will get the contract in the P.W.D. If a contractor is deprived by this right he may resort to judicial remedy. By this time the department may change the existing rules and make new ones which provides that the lowest tenderer will get the contract if he has a good reputation. Thus, on the ground of good reputation he may be deprived of the contract.

Fifth : The judicial remedy is very expensive. Filing a suit means paying the court fee, fee of the lawyer and Muharir engaged etc. Due to the heavy expenditure to be incurred in getting the judicial remedies, it is of little advantage to the ordinary citizens.

Sixth : At last it may be said that the administrative actions of the department is very much technical in nature. The judges being the legal experts may have little knowledge of the technicalities of administrative problems. As a result they cannot arrive at a right decision. That is why the modern trend is towards the establishment of administrative Tribunals which consist of experts in technical matters.

(c) The community's control over administration : The P.W.D. headed by a minister who is the political head of the department is subject to the control of the community as a whole. The formal methods of community's control over the department are as follows :

(1) Election : The minister of the department is the member of the legislature and is elected by the electorate . The top administrative officials of the department are responsible to the minister, the political head of the department and through the minister to the legislature and through the legislature to the people. In other words, these officials become indirectly responsible to the people and come under their control.

(2) Pressure groups : Pressure group is an another method of public control over administration of the department. Generally, a pressure group is a vested group with a vested interest which brings pressure upon the minister through the legislature and upon the departmental officials through the minister.

The pressure group may be useful to the administration of the department which convey the reactions to administrative decisions in the time and there by enable the department to adjust its policy and activities. But sometimes these groups may adopt some illegitimate means to secure an official favour and thereby leads to corruption and favouritism and thus destroy the efficiency of the department.

(3) Advisory committees : The constitution of Advisory committees, councils or boards are another method of community control over the administration of the department. In the P.W.D. in Assam since 1928 various committees and boards were constituted to advise and assist the department in the selection of schemes for the improvement of road communication and for the effective control of the flood. In recent years these committees were constituted not only at the state level but also in sub-divisional level by the representatives of the special interests and representatives of the citizens besides the top officials of the department. Although these committees are advisory in nature yet its suggestions are binding because of the involvement of the top officials of the department. Very often, in the state level advisory committees, the minister in-charge of the department is appointed as the chairman of the committee who is the political head of the department.

(4) Public opinion : There is a saying that in democracy, eternal vigilance is the price of liberty. If the people are indifferent to what goes on in the administration, the officials of the department get the chance to be despotic. The enlightened public opinion make the officials of the department conscious of their duties and responsibilities towards the community. Thus, group public opinion is the most effective means of community control over administration of the department.

Internal controls : Internal controls are those which operate from within the administrative machinery of the department. The internal controls range from top to bottom and is designed heirarchical, in which the minister-in-charge of the department controls the Secretary and the Secretary control the Chief Engineers and so on upto the sectional officer.

The internal controls may be divided into :

- (1) Finance and statistics
- (2) Personnel management
- (3) Efficiency survey and
- (4) Professional standards.

(1) Finance and statistics : The Ministry of finance and the Controller and Auditor-General are the two main agencies which control the P.W.D. in regards to its finance. These two agencies prescribes the manner in which the department is to maintain the accounts. Various forms, proformas, returns, statements are prescribed by these two agencies which the department make use of while incurring any expenditure. Besides, rules are made by these two agencies which guide the officials in money matters of the department. Thus, these rules serve as a check upon the financial administration of the department against misappropriation or extravagant expenditure.

Besides accountancy check there are audit check to control department against misappropriation and excess

expenditure. The auditors audit the accounts maintained by the department in the prescribed form and bring to notice in the form of audit notes, objection, statements etc., any irregularity or excess of expenditure. The official concerned is asked to reply to audit objections. The Inspection officers required, if possible, to discuss the drafts of their reports with the head of the office inspected before submitting them to the Comptroller. The audit report is laid before the legislature which is in turn referred to the Public Accounts Committee for examination.

Thus, the accountancy and audit arrangements control the department in regard to their finance from within.

The quantitative measurement in the form of the supply of statistics also exercise internal control within the department. Certain minimum standards may be laid down to determine the quantity of work and each employee may be asked to produce regular statistics of their activities. Thus a comparison may be made among the different employees regarding their activities.

(2) Personnel management : The administrative machinery of a department is hierarchical in structure. Literally, hierarchy means the rule or control of the higher over the lower. Concretely, a hierarchy means a graded organisation of several successive steps or levels, in which each of the lower levels is immediately subordinate to the next higher one and through it to the other higher steps right up to

the top. Conversely, in such a departmental organisation authority, command and control descend from the top downwards step by step to the bottom. Thus, the hierarchical structure of administration provides for clear lines of responsibility and accountability.

Another device of control through personnel management is the standardization of recruitment and promotion system by leaving it in the hands of an independent body. In P.W.D. Assam, the recruitment and promotion are entrusted to the Assam Public Service Commission.

(3) Efficiency survey : Another methods of internal control is efficiency survey which may be divided into two inspection and efficiency audit.

The inspection is very important in a widespread department like P.W.D. The officers from the headquarters go on inspection to ensure that the minimum levels of efficiency are being achieved by the field establishments which are lying in a far off place from the headquarter. The inspecting officer must have wide knowledge and experience of work, and rules and regulations. During the time of inspection the inspecting officers are to be tactful and should be more suggestive rather than fault finding.

Efficiency audit is nothing but the application of standards of performance in order to judge, its effectiveness in terms of economy and efficiency. The efficiency auditor

concerns himself with such questions as whether each employee has full days work or more or less, whether the organisation is overstaffed or understaffed, whether the procedures are economical and expeditious.

(4) Professional standards : Every profession has its professional code or ethics to which the members following the profession adhere. In the public works department most of the employees belong to the engineering profession. Naturally they adhere to this professional code of ethics. Some other employees are there who belong to the accounts profession. So, they adhere to this professional code of ethics. Besides some other employees are there who have no professional code of ethics. But they are also public servant. For the public servants as a whole there is a code of ethics such as in-corruptible, loyal, humble, non-partisan, honest, efficient and of integrity. These code of ethics are adhered by all public servants including the Engineers and accounts officers.

Thus, these profession code of ethics and the public servants code of ethics are another means of internal control over the department.

CHAPTER IX

CONCLUSION

We have so far studied P.W.D. administration in Assam in detail since its formation of Assam as a Chief Commissioner's province in 1874. The establishment of P.W.D. in Assam was entirely a British affair. It was proposed to be established as early as in 1838. But for want of technical personnel it could not be established at that time. It was only in 1868 when a full fledged P.W.D. was established with a Superintending Engineer-in-charge of the department. Thus, we cannot agree with Dr. H.K. Barpujari that P.W.D. was established in Assam in 1880.

In 1874, when Assam was separated from Bengal there were only one Superintending Engineer, four Executive Engineers and four Assistant Engineers. With these few technical personnel it was not possible to carry on the public works in a large province like Assam. In 1887, to attract the native gentlemen to the P.W.D. the Governor General-in-Council sanctioned the grant of the title of Rai-Bahadur, Rao Bahadur and Khan Bahadur to all native gentlemen holding the rank of Executive Engineers, Assistant Engineers and Subordinate Engineers. This inducement, attracted the native gentlemen to a considerable extent. After a century of the separation of Assam from Bengal, the technical personnel of the P.W.D. became surplus.

Prior to the constitution of Assam into a Chief Commissioner's province, the establishment cost of the P.W.D. in proportion to the cost of works and repairs was higher. The average cost of establishment for ten years, immediately preceding the separation of Assam from Bengal, was 42.74 per cent of the expenditure on works and repairs, whereas for the three years subsequent thereto the establishment cost was reduced to 40.62 per cent. This diminishing trend of the establishment cost continued to a large extent upto the present which amounted to 17.46 per cent in 1971-72 and 15.42 per cent in 1981-82. The highest percentage of expenditure on establishment in comparison to works and repairs prior to 1874 and even after that may be partly due to the highest rate of salary given to the officers of the P.W.D. belonging to the Imperial service and partly due to the negligence of the Imperial Government on development works which became clear from the expenditure incurred on works and repairs as shown in chapter I. When the Imperial Government was dethrone and the state converted from police to a welfare state much stress was given to development works which is a very encouraging feature of this department.

So far revenue was concerned the rents, ferry receipts, motor permits, sales of old materials and buildings, unserviceable tools and plant etc. were the main sources. The actual realisation of revenue in proportion to the total outlay from its very inception was quite negligible. Thus, the highest portion of the total outlay of this department is being met

from other sources.

Prior to 1882, no diary was maintained by the officers of the P.W.D. which was reviewed by the then Chief Commissioner as the cause of inefficiency and extravagance. In 1882, the Commissioner directed the officers for the maintenance of diary containing details of the activities which were to be submitted monthly to their immediate superiors. This system facilitated the superior officers to consider and scrutinise the activities of each individual officers in their proper perspective. Further, from the very inception the P.W.D. Secretariat was kept separate from the Civil Secretariat and it was given a special status. The reasons for this are not clear. However, there was a demand for its amalgamation with the Civil Secretariat in 1931. Although this demand was not conceded yet the ministerial establishment of the P.W.D. Secretariat was amalgamated with Civil Secretariat as one cadre for recruitment, promotion and transfer. After Independence the demand for amalgamation became very acute and both the Secretariats were amalgamated into one.

The organisation of the P.W.D. at the headquarter, from its very inception, was a combined one of Secretariat and Directorate. It was only in 1971, when both the offices were separated. However, the practice of the appointment of the seniormost Chief Engineer as the Secretary developed. This practice is not favourable for the efficiency of the department. Thus, a Generalist should be appointed as the Secretary

for the reasons mentioned in chapter II.

Originally, the field organisation of the department consisted of one circle and three divisions. In 1881, the public works executive charges were made co^oterminous with the civil districts of the province and it was distributed in eleven districts. But it was done away with in 1905 when Assam was tagged to Eastern Bengal. From 1940, the field organisation of the department expanded tremendously. In 1956 it was bifurcated into two wings: the Roads and Building and the Flood control and Irrigation wing. In 1965, both the wings were converted into two full fledged departments. In 1977, the P.W.D. (R&B) was again bifurcated into two wings : P.W.D. (Roads) and P.W.D. (Buildings). The Road wing consisted of 4 zones, 17 circles, 56 divisions and 172 sub-divisions. The Building wing consisted of 4 circles, 17 divisions and 43 sub-divisions. The organisation was done mostly on functional basis, in some levels on territorial and still in some other levels on process basis.

Further, since 1928, in the organisation of the P.W.D. certain Advisory Boards and Committees were placed or tied into their hierarchical structure but not organically connected with the departmental machinery. These Boards and Committees were outside its structure and associated usually with its head only for the purposes of advice. Thus, in 1928, a provincial "Communication Board" was constituted to advise the department in matters relating to the selection of schemes to be under-

taken for the improvement of road communications. In 1952, an E & D. Advisory Committee was constituted to advise the department in implementing some effective flood protective measures. Thus, although it was organised on "Baruatype" yet it enjoyed all the advantages of "Board" type department because of the association of above mentioned Advisory Boards or Committees. This is a very healthy feature in a democratic state. The functions of the P.W.D. varied from time to time. The trend is to increase the functions of the P.W.D. So long the state was a police state, the functions of the P.W.D. were few, when the state became a welfare state the functions of this department increased enormously. It was the main agency of the provincial Government for the construction and repair of roads, bridges, buildings etc. Sometimes it had also to act as an agent of the Federal Government.

The method of working was quite sound. Rules and procedures are all comprehensive. There are mainly two methods—Departmental construction and contract. The later method is mostly prevalent. Although comprehensive rules and procedures were there yet in actual practice some irregularities were committed which were brought to the notice of the Legislative Assembly by the public Accounts committees. These irregularities can easily be removed if the care is taken by the Superior officers of the administrative hierarchy of the department. On the whole the method of working of the department is efficient.

The classification of services of the P.W.D. was made either on the basis of grade or on the basis of class. From 1874 upto 1938, almost all the services of the P.W.D. were classified into three or four grade either on the basis of the scale of pay or on the simplicity or complexity of works entrusted. Since 1938 onwards all the services of this department were classified into two or three classes even upto four classes on the basis of pay scale and authority the incumbents enjoyed. The classification was scientific which enabled the employer to eliminate the injustice of different rates of compensation for the same work of the department.

The qualifications prescribed for the various services of P.W.D. were mainly two; special and general. In the former category the academic and technical knowledge were included while in the later category— Nationality, Age, Character, Health etc. were included. Sometimes domicile is also included in later category. The technical qualifications varied with the positions to be filled; specially the posts in technical cadre such as Indian Engineering service, Assam Engineering Service, Assam Subordinate Engineering service etc. The general qualifications were more or less the same for all the positions to be filled in the P.W.D. The domicile qualifications which was prescribed for the lower technical services since 1882 to provide employment for the bonafide residents was highly essential for this backward province in technical education.

Although it is inconsistent with the merit principle and said to create provincialism and narrow outlook yet it is used more or less in all states in India. Moreover, some of the key posts are held by some non-Assamese who always try to provide employment to their fellow brothers of their own province. That is why Assam has become the hunting ground of non-Assamese. To check this tendency the domicile qualification is extremely necessary.

The salary of all the employees of the P.W.D. from 1874 to 1912 was given on the Bengal rates of graded pay. In 1912, the graded pay was replaced by the time scale of pay for Executive and Assistant Engineers only. In case of Superintending and Chief Engineers and for other employees the graded system of pay remained in force. From 1920, an improved time scale of pay was given to all services. However, the scales of pay were revised from time to time either because of diminishing or rising trend of prices.

The scale of pay given to the higher categories of employees during the period from 1874 to 1920 was much higher and comfortable. It was because of the fact that the higher administrative posts were held by Europeans. But the lower categories of employees were given lower pay scale, i.e., say Rs. 100/- per mensem for lower subordinates. Thus, the lower categories of employees were neglected, nay rather exploited. Further, if we examine the pay scale given to the

different categories of employees during the period from 1948 to 1956 with the pay scale from 1974 to 1982, according to the value of a rupee we find that the employees are being exploited to the fullest extent possible. For instance during the period from 1948 to 1956 the scale of pay of a Chief Engineer and a Superintending Engineer was Rs. 1200-50-1500, and Rs. 800-50-1100 per mensem respectively. During the period from 1974 to 1980 the pay scale of a Chief and a Superintending Engineer was fixed at Rs. 1600-50-2100, and Rs. 1200-55-1725 per mensem respectively. But the value of a rupee in 1980 has gone down to 17 per cent in comparison to the value of a rupee in 1948. Thus, according to money value, in 1980, the Chief and the Superintending Engineers are getting a approximately Rs. 300-10-350 and Rs. 220-9-300 per mensem respectively. Same thing we notice, if we compare the scale of pay given in 1948^{with} the scale of pay drawn in 1980, in case of other employees also. Thus, we may conclude that, after Independence, in a welfare state the employees are being exploited to the maximum which should immediately be rectified if the morale of the employees is to be raised. The scale of pay of the employees should be determined not only on the basis of the principle of adequacy but also on market value principle.

Prior to 1920, no definite recruitment procedure was laid down for the appointment of Engineering service, Subordinates and Accounts service. The higher appointments with a salary of Rs. 250 or more a month were made by the Government

of India, while the lower appointments with a salary of below Rs. 250 were made by the local Government. From 1921, recruitment to the Indian service of Engineers was made by the Secretary of state for India with the advice of a selection committee. The gazetted provincial services were recruited by Governor-in-council after consulting a permanent Board of selection. The non-gazetted provincial services were recruited by the Head of the department. In 1937, the A.P.S.C. an independent body, was constituted for the purpose. With the constitution of A.P.S.C., all provincial gazetted services were recruited by the Governor in collaboration with the A.P.S.C. while the non-gazetted services were recruited by the Head of the department in consultation with the A.P.S.C. Further, recruitment to the lower categories of services were made by open competition while the upper categories were made partly by open competition and partly by promotion. The administrative post like Chief Engineer, Superintending Engineer, Secretary, Under Secretary were recruited purely by promotion. On the whole, from 1920 onwards the recruitment procedure of the different services of P.W.D. was efficient.

Whatever may be the methods adopted for the recruitment of P.W.D. personnel, there would have been square pegs in round holes without probation. Therefore, since 1918, the principle of probation was rigidly enforced for all the services of P.W.D. It was two year for Subordinate Engineering service all through, one year for the direct recruits of the

Assam Engineering service all through. For the promotion posts in 1941, it was fixed at one year for the Assam Engineering Service. In 1978, it was fixed at two years. For the Assistant Secretary, Registrar and Superintendents, in 1951 the probationary period was six months only. It was extended to one year in 1963. In case of Accounts service, it was fixed at two years in 1963. Although the probationary period was fixed differently for different services yet it could be increased or decreased by the Appointing Authority for good and sufficient reasons.

The principle of promotion is indispensable to keep the employees efficient and contented. In P.W.D., since 1874, this principle existed to all the services. However, from 1874 to 1912, there was discrimination in promotion of Royal and Provincial Engineers. Royal Engineers were promoted to the Executive rank in 9th year of service, while provincial Engineers were promoted to the Executive rank in 11th year. Further, for administrative posts like Superintending and Chief Engineers only the Royal Engineers were preferred. In 1912, this discrimination was done away with. Another discrimination was found in the promotion of Assistant Engineers brought from Assam Subordinate Engineering service by promotion. A separate seniority list of the members of Subordinate Engineering Service who were promoted as Sub-divisional officers and encadred as Assistant Engineers was maintaining with effect from 1st January 1971, for further

promotion. Why the members of this service encadared as Assistant Engineers were not treated equally with members of the Assam Engineering service, appointed as Assistant Engineers, is not known, Once a Subordinate Engineer encadared as Assistant Engineer, should get equal in status with other Assistant Engineers appointed from Assam Engineering service. For this reason the members of this service feel that they are not getting justice. To avoid this discrepency a service rule regulating promotion for this service should be made immediately.

Further, seventy five per cent of the posts of Divisional Accountants are filled up by promotion from among the junior Divisional Accountant and the rest by direct recruitment. The junior Divisional Accountants are exclusively appointed by promotion from the Assistant Divisional Accountants and the Assistant Divisional Accountants are appointed by direct recruitment. By direct recruitment of twenty five per cent Divisional Accountants no better purpose can be served than by promotion of the already trained junior Divisional Accountants. Hence, the prevision of direct recruitment to Divisional Accountants should be abolished.

The training that was imparted to the P.W.D. personnel was mainly of two types, pre-entry or vocational training and in-service or the job-training. For the Engineering Service some vocational training institutes were recognised from time to time. The successful candidates of these institutes were

directly recruited to these services. In 1924, for the Indian service of Engineers, besides these vocational training a kind of apprenticeship training was also imparted for one year.

For the Accounts service, an in-service training is imparted in the A.G. Office, P.W.D. divisional accounts office and in the District Treasuries. For the Assistant Secretary, Under Secretary, Registrar and Superintendings, the job training is imparted in doing job under the guidance of their respective seniors in their own job.

Further, sometimes some officers belonging to the Assam Engineering service, Subordinate Engineering Service and the Secretariat services are deputed for training abroad, in specialized branches. The above mentioned arrangements of training for P.W.D. Officers are not at all adequate. The training at one stage of the employees career is not enough, but it must be a life-long process. Thus, refresher courses at suitable intervals should be provided to help the employees to bring his knowledge of the work up-to-date and adjust his attitude to the fast changing physical and human environment. The main emphasis in training should be to generate in the trainees an outlook of service devoid of any feelings of bossism or bureaucratic mentality.

For the purpose of superannuation, all the P.W.D. personnel were divided into two categories: ministerial and non-ministerial service. For the ministerial services the superannuative age was fixed at 60 and for the non-ministerial

services it was fixed at 55. In 1887, a provision was made under which any Civil Engineer who on reaching the age of 50 year could not attain the rank of Superintending Engineer was liable to be retired after acquiring qualifying years of service for pension. In 1956, the Government of Assam fixed the superannuation age at 58 for all the classes of employees excepting the class IV employees whose retirement age was fixed at 60. Thus the superannuation in the P.W.D. is quite in the interest of the efficiency of the services. So far retirement benefits were concerned all the personnel of the P.W.D. were given retiring pension at the rate of $\frac{1}{60}$ sixtieth of average emoluments per year of service after a minimum period of qualifying service of not less than 10 years. When the state was converted from police state to a welfare state the various types of retiring benefits were provided to the P.W.D. personnel such as pension, family pension, Extra-ordinary pension, Service gratuity, and Death-cum-retirement gratuity. These retirement benefits are quite sufficient to raise the morale of the P.W.D. personnel who are still in service. These benefits are given according to the prevailing theory that pensions have to be earned by approved service of which the Government is the final judge.

The financial administration of the P.W.D. consist of budget, accounting and auditing. For the preparation of budget the controlling officer of this department collect informations required for the purpose from the Estimating officer and

furnishes it to the finance department which bears the ultimate responsibility for framing the budget. The accounting function of this department is done by A. G. Office through its own staff. The treasury is the basic unit of accounting which furnishes accounts to the A. G. office. The P. W. D. officers also need to furnish its accounts to the A. G. The A. G. office compile the accounts submitted by the treasury and the P. W. D. officers after necessary comparison.

Prior to 1919, the auditing function of this department was done by the Deputy Examiner of Public Works Accounts. In 1919, audit was made a central subject and a central department known as Audit and Accounts department headed by the Auditor General was created. For Assam an Accountant General was appointed who was responsible for auditing the accounts of the P. W. D. also. The present Constitution also made provisions for this office. Thus, the financial administration of the P. W. D. was sound. Rules framed for the purpose are comprehensive and detailed. Financial administration of this department was in the hands of experts. In spite of detailed and comprehensive rules certain irregularities were committed by individual officers which were brought to the notice of the Legislative Assembly from time to time by Public Accounts Committee. These irregularities were partly due to the carelessness of the officers and partly due to the intension for the misappropriation of fund and materials which can be averted with strict supervision by the superior officers of the administrative hierarchy and also by raising the morale

of the officers by providing them with all the facilities due to them.

There is another defect in the financial administration. The treasury, which is the basic unit of accounting, are staffed by the state Government, but professionally responsible to the Accountant General. This is quite against the principle of unity of command. Thus treasury should be staffed by the Accountant General who are also professionally responsible to them.

Further, in our state, accounting and auditing functions is in the hands of one and the same person which is subject to severe criticism. The Comptroller and Auditor General Act 1976 separated Audit from Accounts both at the centre and in the states. In the P.W.D. Assam it has not yet been separated for want of fund and technical personnel which is not conducive for sound financial administration. Efficiency should not be surrendered in the name of economy. Thus, the Comptroller and Auditor General Act 1976 should immediately be implemented and the accounting function should be entrusted to the department itself.

It is an accepted fact that corruption is rampant in the whole administrative machinery of our state. It is all the more in P.W.D. The causes of corruption are many. The measures adopted for the prevention of corruption are comprehensive. In spite of the various measures adopted for the prevention of corruption the government failed in preventing it. Unless

and until private property ceases to be the symbol of status and power the corruption will remain. That is why, long ago Plato envisaged a scheme in which he wanted to deprive the public servants property and family. Of course, Plato's scheme is not practicable. However, we must admit, that for the total eradication of corruption the attitude of the society towards the institution of private property must be reformed. The acquisitive society must be replaced by a socialist society and private property must cease to be the symbol of status and power. Corruption must be regarded as sin not only against God but also against society. If this feeling is cultivated in the society then only it would be possible to eradicate corruption by the measures mentioned in chapter VII.

The system of controls that exist in P.W.D. are of two types : external and internal controls. The external control is a general control of the Government by executive, legislature and judiciary. But each one has certain limitations. Hence, external control is not effective. Besides, the community's control is also included in external control which exercises some sort of control over this department by various means particularly pressure groups, Advisory Committees, and Public opinion. This control is increasing day by day due to party politics. But this control is not at all desirable. The official cannot take directives from the people although he may be ultimately responsible to them. The official should be free from outside interference. Otherwise he will have to

serve two masters which is not conducive for efficient administration.

The internal control operate from within the administrative machinery of the department. It range from top to bottom which exist in every section, branch, subdivision, division, circle, zone upto the head of the department. The administrative machinery is so assigned hierarchically that one control the works of other effectively. But now a days the administrative machine has become a complex structure for which it has become necessary to supplement the internal controls by external control in order to make it more efficient.

From the above discussion we may conclude that the P.W.D. administration is by^{and} large efficient.

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APPENDIX- I

The Assam Gazettee 1882, Part II, Notification No. 13 dated the 11th May, 1882.

With reference to P.W.D. Notification No. 40 dated 27th October, 1881, and Resolution 5, dated 18th January 1882, and to carryout the orders contained in Chief Commissioner's resolution of 10th May, it is hereby notified that the existing executive divisions will now cease to exist and the following distribution of Engineer establishment will be made to the new districts as enumerated below :

1. Khasi & Jaintia Hills districts -

Major T.J. Williams, B.E., Executive Engineer first Grade, Executive Engineer.

Mr. H. Kunch, Assistant Engineer, Second Grade.

Mr. R.D. Buck, Ditto Ditto

2. Garo Hills districts -

Babu Preonath Banerjee, Assistant Engineer, First Grade, District Engineer.

3. Naga Hills District -

Mr. J.T. Rollo, Executive Engineer, Fourth Grade, District Engineer.

Mr. W.C. Lewis, Assistant Engineers, Second Grade.

Mr. W.MCM. Sweet, Ditto Ditto

4. Goalpara District -

Babu Doorga Das, Supervisor, Second Grade, District Engineer.

Mr. D.C. Clancy, Assistant Engineer, Third Grade, temporarily attached.

5. Goalpara District -

Mr. T.H. Jewett, Assistant Engineer, First Grade,
District Engineer.

6. Darrang District -

Mr. C.W. Wincaler, Executive Engineer, Fourth Grade,
District Engineer.

7. Nowgong District -

Mr. A.C. Newcombe, Assistant Engineer, First Grade,
District Engineer.

8. Dibsagar District -

Mr. J.M. Span, Executive Engineer, Second Grade,
District Engineer (on leave)

Mr. A.B. Todd, Assistant Engineer, Second Grade,
officiating District Engineer.

Mr. B. Binaryan Barraah, Assistant Engineer,
Second Grade, in-charge of Jorhat Sub-division.

Babu Briz Mohun Lall, Assistant Engineer, Third
Grade, in-charge of Golaghat Sub-division.

Babu Gopal Chundro Chattopadhyya, Assistant Engineer,
Third Grade, in-charge of Treasury Survey.

9. Lakhimpur District -

Mr. A. Sprunger, Executive Engineer, Second Grade,
District Engineer.

Mr. W.R. Roy, Assistant Engineer, Second Grade,
in-charge of Sadiya Sub-division.

10. Sylhet District -

Babu Bholanath Dass, Executive Engineer, Second
Grade, District Engineer.

- (I II) -

Munshree Kesar Ahmed, Assistant Engineer, Third Grade,
(on leave).

11. Cachar District -

Mr. J. , District Engineer.

The above distribution will come into force atonce, and detailed instructions will be sent by the Superintending regarding the distribution of subordinate and office establishment as stated in paragraph 16 of the Resolution noted above.

APPENDIX- II

(A) The Assam Gazette, 1978, Part-IIA. Dated 29th April
Notification No. D.A.-11/36/78/7.

In 1978, the Governor of Assam is pleased to constitute for the life-time of the present Legislative Assembly (1978-83), the Assam Road communication Board, consisting of the following members to advise and assist the Government on important schemes relating to road development under state plan in the plains districts of Assam.

1. Chairman : (1) Minister-in-charge of P.W.D. Assam.

2. Ex-officio members :

(1) Secretary to the Government of Assam, P.W.D.

(2) Chief Engineer, P.W.D. (Roads) Assam.

(3) Additional Chief Engineer, P.W.D.
(Eastern Zone, Dibrugarh).

(4) Additional Chief Engineer, P.W.D.,
(Western Zone, Gauhati-3).

(5) Additional Chief Engineer, P.W.D.
(Central Zone, Gauhati- 3).

3. Secretary to the Board :

(6) Deputy Secretary to the Government of
Assam, P.W.D., in-charge, Planning.

4. Members elected :

(1) Sri Dinananda Bora, M.L.A.

(2) Sri Afabuddin Ahmed, M.L.A.

(3) Sri Gauri Sankar Roy, M.L.A.

(4) Sri Kaliram Deka Raja, M.L.A.

(5) Sri Golok Kakoti, M.L.A.

(6) Sri Dewan Gynal Abedin, M.L.A.

(7) Sri Altaf Hussain Mazumdar, M.L.A.

- (8) Sri Nagen Barua, M.L.A.
- (9) Sri Panchanan Brahma, M.L.A.
- (10) Sri Jnan Jngoi, M.L.A.
- (11) Sri Bhadreswar Gogoi, M.L.A.
- (12) Sri Madhab Rajbangsi, M.B.A.
- (13) Sri Padum Bahadur Chouhan, M.L.A.
- (14) Sri Hiteswar Saikia, M.L.A.
- (15) Sri Pamandra De, M.L.A.
- (16) Sri A.N. Akram Hussain, M.L.A.
- (17) Sri Ibrahim Ali, M.L.A.
- (18) Sri Muzamil Ali Choudhury, M.L.A.
- (19) Sri Mathur Mohan Sinha, M.L.A.
- (20) Sri Lakhya Nath Doley, M.L.A.

**5. Members nominated by Government to represent Municipalities/
Town Committees and Mukuma Parishads :**

- (1) Sri Jiten Barua, Bokakhat
- (2) Sri Sidheswar Gogoi, North Lakhimpur
- (3) Sri Birash Misra, M.L.A.
- (4) Sri Atul Saikia, Gauhati
- (5) Srimati Tarulata Bora, Doom-Dooma Town.
- (6) Sri Sana Ram Das, Po- Srijangram,
Abhayapuri.
- (7) Srimati Narmada Choudhury, Gauhati.
- (8) Sri Dhan Bahadur Chetri, Parbatia,
Baligaon, Jorhat.
- (9) Sri Biren Bhuyan, Barpeta.
- (10) Srimati Parbati Dutta, Chairman,
Sibsagar, Municipality.

6. Members Co-Opted :

- (1) Sri Haren Bhumi, M.P., Loksabha.
- (2) Sri Ajit Sarma, M.P., Rajya Sabha.

7. Members :

- (1) Minister-in-charge, Transport, Assam.
- (2) Minister-in-Charge, Industries, Assam.
- (3) Minister-in-charge, The Department for
Welfare of Plain Tribes and Backward
Classes etc., Assam, Dispur.

- (VI) -

- (4) Secretary to the Govt. of Assam, Transport Deptt., Assam, Dispur.
- (5) Secretary to the Govt. of Assam, Industries.
- (6) Secretary to the Govt. of Assam, Deptt. of Welfare of Plains Tribes and B.C. etc., Assam, Dispur.

The Governor of Assam is further pleased to say that the Chairman may invite persons (including Ministers and others) other than members of the Board to attend the meeting of the Board to advise in the deliberations.

In pursuance of the decision arrived at the 17th meeting of the Assam Road Communication Board held on 15th and 16th May, 1978, the Governor of Assam is pleased to constitute the Sub-divisional Road Communication Board for all the Sub-divisions of Assam. The tenure of the Board was the life time of the Assam Road Communication Board. The terms of reference were :

The Sub-divisional Road communication board would :

1. Monthly review the progress of implementation of the plain schemes including continuing schemes for the Sub-division and submit reports.
2. Suggest suitable steps to remove the bottlenecks regarding making available of land required for M.N.P. road development.
3. Advise and fix up priority for construction of new roads including missing links to be taken up for the Sub-

division as per the guide lines of the department by July, 1978 for 1978-79.

4. The list of M.N.P. roads for 1978-79 would be finalised in the first sitting of the Board during the year.

5. The Board would arrange to organise labour for that i. e., Shramik Bahinies for generating public participation in the road development activities so that economic benefit can be given to the rural people and to some extent solve the unemployment problem.

6. The Board may form sub-committees for specific purposes as and when considered necessary under the supervision of the Board.

7. The Board would review the progress achieved in road development for the Sub-division till March, 1979 and for further development of the road network a modified plan for each sub-division would be prepared by August, 1979.

The sub-divisional road communication board would sit once in every month and report their recommendations and findings to the Chief Engineer (Roads) for further action and a copy sent to Secretary P.W.D. for follow up action.

Composition :

The Deputy Commissioner is the Chairman of the Board. All the M.L.A.'s within the area are the members. Besides, C.E.C. of the Mahkuma Parishad, Member of P.W.D., Mahkuma Parishad, Chairman Municipality, Chairman of Town Committee and some four to five members representing the public are

- (VIII) -

members of the board. The Ministers could represent the board by their representatives.

The Superintending Engineer, P.W.D., S.A.C. of the district were member/adviser. The Executive Engineer of the division within the area are the member/secretary and he was made the convenor of the board. Besides, a representative of Transport department, a representative of Revenue department, a representative of Forest department and a representative of Flood Control department are the members of the board.

APPENDIX- III

LIST OF ZONES, CIRCLES, DIVISIONS AND SUB-DIVISIONS UNDER P.W.D. IN 1981.

Total No. of Circles - 21

Total No. of Divisions-76

Total No. of Sub-Divisions- 215-43 = 172

Chief Engineer	Addl. C.E.	Circle	Division	Sub-Division
Chief Engineer (Roads)	Addl. Chief Engineer, Eastern Zone, H.Q. Dibrugarh Dibrugarh Dist. Sibsagar	Eastern Assam Circle Jorhat	Jorhat Road Division	<ol style="list-style-type: none"> 1. Titabar Sub-Division 2. Majuli Sub-Division 3. Jorhat East Sub-Divisions 4. Jorhat West Sub-Division 5. Nankachari Sub-Division.
			2. Colaghat Division	<ol style="list-style-type: none"> 1. Dergson Sub-Division 2. Golaghat South-Division
			3. Sibsagar Division	<ol style="list-style-type: none"> 1. Dimow Sub-Division 2. Nazira Sub-Division 3. Sonari Sub-Division 4. Sibsagar N.E. I Sub-Division 5. Sibsagar N.H. III Sub-Division 6. Sibsagar Road Sub-Division
			4. Dibrugarh Rd. Division	<ol style="list-style-type: none"> 1. Dibrugarh Road Subdivision 2. Naharkatia Sub-Division 3. Morah Sub-Division
			5. Tinsukia Industrial Pd. Division	<ol style="list-style-type: none"> 1. Naharkatia Industrial Road Sub-Division 2. Namrup Industrial Road Sub-Division 3. Tingkhang Industrial Road Sub-Division
			6. Tinsukia Pd. Division	<ol style="list-style-type: none"> 1. Wansukia Sub-Division 2. Margherita Rd. Sub-Division 3. Doom Dooms Sub-Division

Chief Engineer	Addl. C.E.	Circle	Division	Sub-Division
			7. Jorhat Mech. Division	<ol style="list-style-type: none"> 1. Mech. Sub-Division, Nowgong 2. Mech. Sub-Division, Dibrugarh 3. Mech. Sub-Division, Jorhat 4. Naharkatia Mech. Sub-Division. 5. Titabar Mech. Sub-Division
		2. Titabar	8. Sarupathar Division	<ol style="list-style-type: none"> 1. Shiladhar Sub-Division 2. Sarupathar Surv. Sub-Division. 3. Sarupathar Construction Sub-Division 4. Naozan Construction Sub-Division.
		2. x	9. Titabar Division	<ol style="list-style-type: none"> 1. Titabar Construction Sub-Division 2. Borpathar Survey-cum-Construction Sub-Division
			10. Sonari Division	<ol style="list-style-type: none"> 1. Sonari Construction Sub-Division 2. Nazira (A) Sub-Division 3. Sapakati Survey-cum-Construction Sub-Division.
		3. Gauhati Circle	11. Gauhati Rd. Division	<ol style="list-style-type: none"> 1. Boka Sub-Division. 2. Gauhati Magazine Sub-Division 3. Mirza Rd. Sub-Division.
Additional Chief Engr. Western Zone	H. G. Gauhati having jurisdiction over Karup Dist. Goalpara Dist. Cachar Dist.		12. N. K. Division Nalbari	<ol style="list-style-type: none"> 1. Nalbari Rd. Sub-Division 2. Khamdhama Sub-Division 3. Hajo Sub-Division 4. Goreswar Sub-Division 5. Panga Sub-Division 6. Barema Sub-Division
			13. Barpeta Division	<ol style="list-style-type: none"> 1. Barpeta East Sub-Division 2. Sorbhog Sub-Division 3. Pathsaia Sub-Division

Chief Engineer	Addl. C.F.	Circle	Division	Sub-Division
			14. Gauhati Mech. Division	1. Mech. Store-Sub-Division, Gauhati. 2. Mech. Sub-Division, Nalbari. 3. Mech. Sub-Division, Barpeta. 4. Mech. Sub-Division, Gauhati.
	4. Cachar Circle Silchar.		15. Silchar Rd. Division	1. Silchar (A) Sub-Division 2. Silchar (B) Sub-Division 3. Katigora Sub-Division
			16. Hallakandi Division	1. Hallakandi (A) Sub-Division 2. Hallakandi (B) Sub-Division 3. Hallakandi NCC Sub-Division
			17. Karimganj Division	1. Karimganj Sub-Division 2. Patharkandi Sub-Division 3. Nilam Bazar Sub-Division
			18. Mechanical Division, Silchar	1. Silchar Mech. Sub-Division
	5. Western Assam Circle, Goalpara.		19. Goalpara Division	1. Goalpara Sub-Division 2. Dudnoi Sub-Division
			20. Mubri Division	1. Mubri Sub-Division 2. Bilasipara Sub-Division 3. Gosalgaoon Sub-Division
			21. Kokrajhar Division	1. Abhayapuri Sub-Division 2. Gosalgaoon L.B. Sub-Division 3. Chapaguri L.P. Sub-Division 4. Kokrajhar Rd. Sub-Division
			22. Abhayapuri Mech. Divi.	1. Mech. Sub-Division, Golokganj 2. Mech. Sub-Division, Abhayapuri 3. Mech. Sub-Division, Goalpara.

Chief Engineer	Addl.C.E.	Circle	Division	Sub-Division
	6. Chief Engineer Central Zone H. Q. Gauhati	Central Assam Circle Assam	23. Nowong West Division	1. Marigeon Sub-Division 2. Kalangghat Sub-Division 3. Nowong West Sub-Division
	7. Nowong Distt. Darrang Distt. North Lakhimpur Distt.	North Assam Circle Tezpur	23(A) Nowong East Division	1. Nowong East Sub-Division 2. Loboka Sub-Division
			24. Tezpur Pd. Division	1. Tezpur Pd. Sub-Division 2. Tezpur (P) Sub-Division
			25. Mangaldol Pd. Division	1. Tongla Sub-Division 2. Mangaldol Sub-Division
			26. North Lakhimpur Pd. Division	1. Laluk Sub-Division 2. North Lakhimpur Pd. Sub-Division
			27. Guilamara Division	1. Guilamara Sub-Division 2. Dhamsaji Sub-Division
	8. N.T. Road Circle North Lakhimpur	Mech. Division, Tezpur	28. Mech. Division, Tezpur	1. Mech. Sub-Division, North Lakhimpur 2. Mech. Sub-Division, Tezpur
			29. Mangaldol N.T. Pd. Division	1. N.T. Pd. Sub-Division 2. Udalguri Sub-Division 3. Tezpur Border Pd. Sub-Division
			30. N.T. Rd. Division, Dnemsaji Chalkhowa Ghat.	1. Gogamukl. Sub-Division 2. Jonai Sub-Division 3. Dhamsaji N.T. Pd. Sub-Division 4. Silapathar Sub-Division 5. Narayanpur Sub-Division

Chief Engineer	Addl. C.E.	Circle	Division	Sub-Division
	Addl. Chief Engineer, Hills Zone H.4. Liphu	9. Liphu Circle	31. Lokmoka Division	<ol style="list-style-type: none"> 1. Lokmoka Sub-Division 2. Phulani Sub-Division 3. Lokmoka Survey Sub-Division 4. Diphu 'C' Sub-Division
			32. Barpathar Division	<ol style="list-style-type: none"> 1. Barpathar Sub-Division 2. Sarhanjan Sub-Division 3. Chakihali Sub-Division
			33. Diphu Division	<ol style="list-style-type: none"> 1. Diphu (A) Sub-Division 2. Diphu (B) Sub-Division 3. Diphu (C) Sub-Division 4. Hamren Bldg. Sub-Division 5. Diphu Construction Sub-Division
		10. Liphu Circle- II	34. Baithalangao Division	<ol style="list-style-type: none"> 1. Baithalangao Sub-Division 2. Kheroni Sub-Division
			35. Hamren Division	<ol style="list-style-type: none"> 1. Hamren P.O. Sub-Division 2. Umanani Sub-Division 3. Rangpang Sub-Division
			36. Mech. Divn. Diphu	<ol style="list-style-type: none"> 1. Mech. Sub-Division, Haflong 2. Mech. Sub-Division, Liphu 3. Mech. Sub-Division, Donkamokam.
		11. Haflong Circle	37. Haflong Division	<ol style="list-style-type: none"> 1. Haflong (C) Sub-Division 2. Layugnukh Sub-Division
			38. Haibong Division	<ol style="list-style-type: none"> 1. Haflong (B) Sub-Division 2. Haibong Sub-Division
			39. Haflong Bldg. Divn.	<ol style="list-style-type: none"> 1. Haflong Bldg. Sub-Division 2. Lumding Construction Sub-Division 3. Haibong Construction Sub-Division 4. Gunjung Sub-Division

Chief Engineer	Addl. C.E.	Circle	Division	Sub-Division
Chief Engineer (Roads)	12.	N.H. Circle, Dibrugarh	40. Dibrugarh N.H. Division.	1. Dibrugarh N.H. Sub-Division 2. Dibrugarh N.H.-I Sub-Division
			41. Jorhat N.H. Division	1. Jorhat N.H.-I Sub-Division 2. Jorhat N.H.-II, Sub-Division
	13.	N.H. Circle Gauhati	42. Gauhati N.H. Division	1. Gauhati NH-I Sub-Division 2. Gauhati NH-II Sub-Division
			43. Nowgong N.H. Division	1. Jagiroad NH Sub-Division 2. Nowgong NH-II Sub-Division 3. Nowgong NH-III Sub-Division 4. Bagori NH Sub-Division
			44. Nowgong N.H. S&I Division	1. N.H.S&I Sub-Division, Kathinotoli 2. N.H.S&I Sub-Division, Phulami. 3. N.H.S&I Sub-Division, Diphu
			45. Golaghat N.H. Division	1. Dolguring Sub-Division 2. Bokajan NH Sub-Division 3. N.H.S&I Sub-Division, Bokakhat. 4. Borpathar NH Sub-Division
	14.	N.H. Circle Halbari	46. Gauhati City Division	1. Gauhati City Division 2. Khanapara Sub-Division 3. Gauhati East Sub-Division
			47. Pangla Division	1. Tamulpur Sub-Division 2. Pangla NH Sub-Division 3. Halbari NH Sub-Division 4. Bhabanipur NH Sub-Division.

Chief Engineer	Addl. C.E.	Circle	Division	Sub-Division
		49. Abhayapuri Const. Division	1. Abhayapuri NH Sub-Division 2. Bilasipara NH Sub-Division 3. Goalpara NH Sub-Division 4. Balajan Soil Testing Sub-Division 5. Colokganj NH Sub-Division 6. Jambhoga Stores Sub-Division.	
	15. Gauhati N.F.C. Circle	50. Gauhati N.F.C. Division	1. Gauhati NEC Sub-Division	
	16. Jorhat N.F.C. Circle	51. Kempur NEC Division	1. Baitalangso NEC Sub-Division 2. Mahur NEC Sub-Division 3. Laisong NEC Sub-Division	
		52. Tingukia NEC Division	1. Margherita NEC Sub-Division 2. Margherita NEC Sub-Division	
		53. Jorhat NEC Division	1. Golaghat NEC Sub-Division 2. Dudhnoi NEC Sub-Division 3. Simaluguri NEC Sub-Division	
	17. Silghat NEC Circle headed by an Addl. C.E. H. V. Tezpur	54. Charali Division	1. Charali Sub-Division 2. Jhampur Sub-Division 3. Malem Sub-Division 4. Charali Border Pd. Sub-Division	
		55. Bhomoraguri NEC Division Silghat.	1. Bhomoraguri NEC Sub-Division I 2. Bhomoraguri NEC Sub-Division II Tezpur.	
		56. Silghat NEC Division	1. Silghat NEC Sub-Division- I 2. Silghat NEC Sub-Division- II, Nowaritol.	

Chief Engineer	Addl. C.E.	Circle	Division	Sub-Division	
Chief Engineer Building	1	1. Jorhat Bldg. Circle	1. Tinsukia Bldg. Division	1. Tinsukia Blding Sub-Division 2. Makum Building Sub-Division	
			2. Dibrugarh Bldg. Division	1. M.C.B.C. Sub-Division 2. Dibrugarh Bldg. Sub-Division	
			3. Sibsagar Bldg. Division	1. Sibsagar Bldg. Sub-Division 2. Ligiripukhuri Bldg. Sub-Division	
			4. Jorhat Bldg. Division	1. Jorhat Bldg. Division	1. Jorhat Electrical Sub-Division 2. Dibrugarh Elec. Sub-Division
			5. Jorhat Bldg. Division	1. Jorhat (C) Sub-Division 2. M.C.B.C. Sub-Division 3. Titabar Bldg. Sub-Division	
			6. Colaghat Bldg. Division	1. Colaghat Bldg. Sub-Division 2. Bargaon Bldg. Sub-Division	
2. Tezpur Bldg. Circle	1	1. Tezpur Bldg. Circle	1. Mangaldoi Bldg. Sub-Division Dumnichaki.	1. Mangaldoi Bldg. Sub-Division 2. Tezpur (A) Sub-Division	
			2. North Lakhimpur Bldg. Division	1. North Lakhimpur Bldg. Sub-Division 2. Jonai Bldg. Sub-Division 3. Dhamaaji Bldg. Sub-Division	
			3. Nowgong Bldg. Division	1. Moriseon Bldg. Sub-Division 2. Nowgong Bldg. Sub-Division	

Chief Engineer	Addl. C.E.	Circle	Division	Sub-Division
		3. Gauhati Bldg. Circle	1. Dhubri Bldg. Division	1. Dhubri Bldg. Sub-Division 2. Chapaguri Store Sub-Division 3. Kokrajhar Bldg. Sub-Division
			2. Nalbari Bldg. Division	1. Nalbari Bldg. Sub-Division 2. Barpeta Bldg. Sub-Division 3. Gauhati Bldg. Sub-Division
			3. Gauhati Bldg. Division	1. Gauhati S.E. Sub-Division 2. A.C.T.I. Sub-Division 3. Gauhati Store Transport Sub-Division
		4. T.C.C. Division Gauhati	1. T.C.C. Division	1. T.C.C. Sub-Division-I 2. T.C.C. Sub-Division-II
			5. Magazine Division, Gauhati.	1. J.E.C. Sub-Division 2. Jalukbari Sub-Division
		4. Gauhati Bldg. Circle	1. M.C.C. Division Gauhati.	1. M.C.C. Sub-Division-I 2. M.C.C. Sub-Division-II
			2. M.C.C. Division Silchar	1. M.C.C. Sub-Division. 2. Silchar Bldg. Sub-Division 3. P.T.C.C. Sub-Division-I 4. P.T.C.C. Sub-Division-II 5. Garbaganj Bldg. Sub-Division 6. Ballakandi Bldg. Sub-Division
			3. Gauhati Elec. Division.	1. Gauhati Elec. Sub-Division 2. T.C.C. Elec. Sub-Division, Gauhati.
			Assam House Bldg. Division, New Delhi.	

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APPENDIX- IV

The power delegated to the officers of the Government of Assam in relation to the various items of expenditure from the consolidated fund of the state have been given in the delegation of financial power rules, 1960. Specific powers delegated to the P.W.D. and Authorities subordinate to it, extracted from schedule III of the Delegation of Financial powers Rules, 1960 shown below :

Serial No.	Nature of power	Authority	Extent of power	General condition if any.
1	2	3	4	5

1 Local purchase of stationary in emergency cases.

P.M.D.

All articles of stationary which are supplied by the State Stationary Stores at Gauhati and Shillong must ordinarily be obtained from these stores in indent. When supply from these stores are not received due to some reasons or other and it is absolutely necessary to purchase the articles, local purchase may be resorted to by inviting tenders subject to the following scale.

Upto Rs.30 in each case subject to the annual limit of Rs.2000

1	2	3	4	5
2	Make lease of land P.W.D. and houses.	P.W.D.	Full power	Provided the lease is for a period of not exceeding one year.
3.	Remit charges for establishment tools and plant on non government work.	-do-		When works outlay does not exceed Rs.1,000.
4.	Sanction the sale or dismantlement of state buildings.	-do-		provided the books value does not exceed Rs.40,000.
5.	Sanction expenditure on works-original work.	-do-	Up to Rs.50,000 in each case.	subject to budget provision and rules relating to construction laid down in rules 240 and 243 of the Assam P.W.D. Code.
6.	Sanction expenditure under repairs and suspense.	-do-	Full power	
7.	Sanction the leasing of houses as residence for Government servants.	-do-	-do-	

1	2	3	4	5
8.	Sanction increase in the reserve stock of a Division.	P.W.D.	Full power	
9.	Undertake deposit work	-do-	-do-	
10.	Purchase manufacture and dispose of stores and tools and plant including liverstock.	-do-	-do-	Subject to provision in the stores rules.
11.	Payment of compensation to contractors for unforeseen losses due to Acts of God.	-do-	Upto Rs.2000 in any single case.	
12.	Writing off of the irrecoverable value of stores, live-stock or public money lost by fraud or the negligence of individuals or other causes.	-do-	Unto Rs.5000	provided that (1) the loss does not disclose (a) defect of system of amendment of which would require a reference to the finance department or (b) a serious negligence on the part of particular Government Servant which might call for disciplinary action requiring a reference to the finance department.

1	2	3	4	5
13	Classify as "Works" or temporary those establishments as to the correct classification of which there is doubt.	Chief Engineer	Full power	Provided the concurrence of the Accountant General, Assam is obtained.
14.	Waive the rule that works establishment must be employed upon a specific work and to determine the proportion in which the cost of such establishment shall be allocated between the works concerned.	-do-	-do-	
15.	Remission and refund of revenue and ferry tolls on roads and bridges.	-do-	-do-	Refund of revenue which have become due as a matter of right owing to mistake in collection. Collections being made twice over and to similar causes.

1	2	3	4	5
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16. Writing off of the value of any building (borne on the books of the P.W.D.) abandoned or dismantled. All public works of bursers including civil public works officers. Full power
17. Writing off of the value of unserviceable stores and tools and plants (including livestock). Executive Engineer. Within their powers of disposal of such articles. Subject to the approval of the Superintending Engineer, when an individual item costs over Rs.1,000.
18. Writing off of the irrecoverable value of stores.(including furniture) live-stock or public money lost by fraud or negligence of individuals or other causes. (a) Superintending Engineer. Upto Rs.1000 of Rs.1000 provided the loss does not disclose (1) a defect of system of amendment of which requires the order of higher authority or (2) a serious negligence on the part of some officer or officer which might possibly call for disciplinary action requiring the orders of higher authority. (b) Executive Engineer. Upto Rs.100

1	2	3	4	5
19.	Give technical sanction to original works and special repairs (exclusive of departmental charges)	(a) Chief Engineer (b) Superintending Engineer. (c) Executive Engineer.	Full power Upto Rs.4,00,000	5
20.		(d) Inspector of Local works. (e) Civil Public Works Officer.	Upto Rs.50,000 Upto Rs.20,000 Upto Rs.10,000	
20.	Entertain work charged establishment.	Executive Engineer.	Full power	
21.	Give technical sanction to repairs.	(a) Executive Engineer. (b) Superintending Engineer.	Full power Full power	within the limit of the approved lump sum or standard estimates.

1	2	3	4	5
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22 Sanction contri-
bution works. (a) Chief Engineer. Full power
(b) Superintending Upto
Engineer. Rs.100,000.
(c) Executive Upto
Engineer and Rs.25,000
Civil Public
works officers.

23. Sanction Excesses (a) Chief Engineer. Full power
over estimates. (b) Superintending Upto 5 per
Engineer. cent provided
that total of the
exceeded estimate
is within his
power of
sanction.

1	2	3	4	5
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24. Purchase and manufacture of stores and tools and plant including live-stock.

Executive Engineer.

Full power

(1) Subject to the provisions of stores Rules and the Rules in the Assam P.W.D.Code.

(2) The articles included in the sanctioned estimates or the value is within the reserve stock limit (except the plant and machinery which will be arranged by the Chief Engineer).

(3) To the approval of the Superintending Engineers when an individual item cost over Rs.4,000.

(b) Civil Public Works Disbursers.

Full power

Subject to the approval of the Superintending Engineer when an individual item costs Rs.1,000 or more.

1	2	3	4	5
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25. Disposal of stores Executive Full power Subjects to the following conditions :-
and tools and plant Engineer.

including live-
stock (both
serviceable).

(A) In the case of articles in use of officers and subordinates of the Department or lent to contractors for use of Government work which may be lost or damaged, full value is to be recovered or part value for causes which Executive Engineer may consider reasonable.

- (2) In the cases of articles of Pungalow furniture lost or damaged same as in(1).
- (3) In other cases, disposal is to be by auction or by calling for tenders as may be considered most suitable.
- (4) In all cases by book or, if not known, the estimated value of an individual item disposed of or written off at one and the same time must not exceed Rs.1000.
- (5) In cases not covered by the above the previous approval of the Superintending Engineers must be obtained and also when the Executive Engineers consider it

1	2	3	4	5
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<p>Executive Engineer.</p> <p>Civil public works Dis-bursers.</p>	<p>upto a limit of Rs.1,000</p> <p>-do-</p>	<p>it necessary in the public interest that certain articles of classes of articles should be destroyed and not made available to an outside party even on payment. On the same conditions.</p> <p>In their cases the total value of articles disposed of a written off at once and the same is limited to Rs.1,000.</p>
<p>26. Sanction local purchase of stationery.</p> <p>(a) Executive Engineer.</p> <p>(b) Deputy Commissioner, Mizo District.</p>	<p>Upto Rs.36 per sub-division annually.</p> <p>Upto Rs.90 annually for the same purpose.</p>	<p>For works establishment and upto a limit of Rs.20 in each case for office use.</p>

1	2	3	4	5
27.	Sanction all establishments for repairs and carriage of tools and plant.	(a) Chief Engineer. (b) Superintending Engineer. (c) Executive Engineer.	Full power. Rs. 1,00,000 Up to Rs. 20,000	
		(d) Inspector of local works.	Up to Rs. 20,000	
		(e) Civil Public Works officer.	Up to Rs. 5,000	
28.	Sell or dismantle temporary building erected during constructions of a work.	Executive Engineers and Civil Public Works officers.	Full power.	

1	2	3	4	5
29.	Sell or dismantle provincial buildings.	Superintending Engineer.	Upto Rs.5,000	
30.	Sell materials received from works dismantled or undergoing repairs at their estimated value.	(a) Executive Engineer.	Full power	Subject to the condition that serviceable stores, the book value of which exceeds Rs.1000 shall only be disposed of by auction or by calling for tenders. On the same condition.
31.	Accept tenders	(b) CIVIL Public Work Officer. (a) Chief Engineer.	Upto Rs.1000	
	(b) Superintending Engineer.		upto Rs.200,000	
	(e) Executive Engineer in-Charge of Division.		Upto Rs.15,000	

1	2	3	4	5
		(d) CIVIL Public Works Officers.	Upto Rs.15,000	
		(e) public works Sub-divisional Officers.	Upto Rs. 5,000	
		(f) Executive Engineer		
		(i) Additional Executive Engineer		
		(ii) Assistant Engineer.	Upto Rs.2,000	
		(iii) subordinate Engineering Service.	Upto Rs.1,000	
		(ff) Sub-Divisional Officer, P.W.D. Mizo District.	Upto Rs.5000	Subject to such conditions as the Deputy Commissioner concerned may direct.

1	2	3	4	5
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Sub-divisional Upto Rs.500 Subject to such conditions
Officer, P.W.D. as the Deputy Commissioner
Chapakhowa. concerned may direct.

Sub-Divisional Upto Rs.500 -do-
Officer, P.W.D.
Garo Hills.

(g) Sub-divisional Upto Rs.5,000
Officer, with
not less than
5 years
experience as
S.D.O.

(h) Sub-divisional Upto Rs. 2,000
Officer with
less than 5
years experience
as S.D.O.

1	2	3	4	5
32.	Purchase of spares and cost of petty repairs to the Departmental Vehicles.	Executive Engineer.		On the same conditions as in the case of the He-ads of Departments, upto Rs.250 in case of spares and Rs.100 for petty repairs in each case.

APPENDIX- V

List of Degrees prescribed for the appointment of Assistant Executive Engineers under regulations adopted by the Government of India, 1924.

LIST- A

Oxford : B.A. with honours in the Engineering Science final Honours School.

Cambridge : B.A. with honours in Mechanical Science.

St. Andrews : B.Sc. in Engineering.

Glasgow : B.Sc. in Engineering.

Edinburgh : B.Sc. in Engineering.

Dublin : B.A. with honours in Engineering.

Durham : B.Sc. with honours in Civil, Mechanical or Electrical Engineering, or Naval Architecture.

London : B.Sc. with honours in Civil and Mechanical or Electrical Engineering.

Victoria University (Manchester) B.Sc. with honours in Engineering.

Birmingham : B.Sc. with honours in Civil, Mechanical or Electrical Engineering.

Liverpool : B.E. with honours in Civil, Mechanical or Electrical Engineering or Naval Architecture.

Leeds : B.Sc. with honours in Civil, Mechanical or Electrical Engineering.

Sheffield : B.Eng. with honours in Civil, Mechanical or Electrical Engineering.

Bristol : B.Sc. with honours in Civil or Mechanical Engineering.

LIST- B

Durham : B.Sc. in Civil, Mechanical or Electrical Engineering
or in Naval Architecture.

London : B.Sc. (Engineering)

Victoria University (Manchester) : B.Sc. Tech. in Mechanical
or Electrical Engineering. (Honours in the final
Examination).

University of Wales : B.Sc. (in Civil, Mechanical, or
Electrical Engineering).

Birmingham : B.Sc. (Engineering)

Liverpool : B.Engineering.

Leeds : B.Sc. in Civil or Mechanical Engineering.

Sheffield : B.Eng. (First Class in the final Examination).

National University of Ireland : B.E.

Bristol : B.Sc. in Civil or Mechanical Engineering.

Note : The above Degrees in lists A & B are accepted only
if taken after three years study and the passing of the regular
examinations in the several Universities. The condition as to
three years study are not, however, apply to Indians who,
having taken an Indian Degree which exempts them from part
of the University Course, had to take one of the above
degrees in less than three years in accordance with the
regulations of the University concerned.

APPENDIX- VI

List of University Degrees recognised for admission to the Assam Engineering Service (Class I) under Assam Engineering Service Rules 1938.

- Oxford : B.A. with honours in the Engineering service honours school.
- St. Andrew : B.Sc. in Engineering
- Glasgow : B.Sc. in Engineering.
- Edinburgh : B.Sc. in Engineering.
- Dublin : B.A. I (ordinary or with honours in Engineering).
- Lurham : B.Sc. in Civil Engineering (Honours or ordinary Degree)
- London : B.Sc. (Internal Degree) in Engineering ordinary or with honours (not included the B.Sc. in Engineering (Mining or the B.Sc. in Engineering (Metallurgy) The external Degree is all accepted to the same extent provided it is recognised by the institution of Civil Engineers as exemption from Sections A & B of the A.M.I. C.E. examination.
- Victoria University (Manchester) : B.Sc. in Civil Engineering (Honours Degree or ordinary Degree from) 1920 onwards.
- Birmingham : B.Sc. in Civil Engineering (Honours or ordinary Degree).
- Leeds : B.Sc. in Civil Engineering (Honours or ordinary Degree).
- Liverpool : B.E. in Civil Engineering (Honours or ordinary Degree).

Sheffield : B.E. in Civil Engineering (Honours Degree or ordinary Degree with a first Class in the Final examination.

Bristol : B.Sc. in Civil Engineering (Honours of ordinary Degree) U

University of Wales : B.Sc. in Civil Engineering.

National University of Ireland : B.E.

Queens University, Belfast : B.Sc. in Engineering Hours of European (Non-British) or American University in Civil Engineering of Repute may be considered from time to time.

Note : The Degrees mentioned above were accepted only if taken after three Year's study and the passing of the regular examination in the several Universities. The conditions as three years study were not applicable to Indians who having taken an Indian Engineering Degree, which exempts them from part of the University course, had taken one of the above Degree in less than three years in accordance with the regulations of the University concerned.

APPENDIX- VII

List of University Degrees recognised for admission to the Assam Engineering Service (Class-1), and Assam Engineering Service (Class- 11) Under the Assam Engineering Service Rule 1941.

Foreign Universities :

- Aberdeen : B.Sc. in Engineering (Hons. or ordinary Degree)
- Birmingham : B.Sc. in Civil Engineering (Hons. or ordinary Degree).
- Bristol : B.Sc. in Civil Engineering (Hons. or ordinary Degree).
- Cambridge : B.A. with Hons. in Mechanical Science or ordinary Degree (B.A.) in Engineering provided the graduate has passed in the principal subjects, Engineering- I, Engineering- II, and Engineering- III.
- Dublin : B.A. I (ordinary or with Hons. in Engineering).
- Durham : B.Sc. in Civil Engineering (Hons or ordinary Degree).
- Edinburgh : B.Sc. in Civil Engineering (Hons. or ordinary Degree).
- Glasgow : B.Sc. in civil Engineering (Hons. or ordinary Degree).
- Leeds : B.Sc. in Civil Engineering (Hons. or ordinary Degree).
- Liverpool : B.Sc. in Civil Engineering (Hons. or ordinary Degree).
- London : B.Sc. (Internal Degree) in Engineering ordinary or with Hons. (not including the B.Sc. in Engineering (Mining) or the B.Sc. in Engineering

(Metallurgy). The external Degree was also accepted provided it was recognised by Institution of Civil Engineers as exempting from sections A & B. of the A.M.I.C.E. examination.

National University of Ireland : B.E.

Oxford : B.A. with Hons. in the Engineering Science final Hons. School.

Queen's University of Belfast : B.Sc. in Engineering.

St. Andrews : B.Sc. in Engineering (Hons. ordinary Degree).

Sheffield : B.E. in Civil Engineering (Hons. Degree or ordinary Degree with first Class in the final examination). A first class in the final examination was not required in the cases of Degrees obtained on or after June 1930

University of Wales : B.Sc. in Civil Engineering (Hons. or Ordinary Degree).

Victoria University (Manchester) : B.Sc. in Civil Engineering (Hons. or ordinary) obtained in or after 1920.

The Degrees mentioned above were acceptable only if taken after three years study and the passing of the regular examinations in the several Universities. The conditions as to three years Civil Engineering Degrees, which exempts them from part of the University Course, have taken one of the above Degrees in less than three years in accordance with the regulations of the University concerned.

APPENDIX- VIII

List of University degrees recognised for admission to the Assam Engineering Service Class- I and Class- II under Assam Engineering Service Rules 1941.

Indian Universities :

1. Benaras : B.Sc. Degree in Civil Engineering.
2. Bengal Civil Engineering College : B.E. Degree in Civil Engineering of the Calcutta University.
3. Lahor, MacLagan Engineering College, Moghalpura : B.Sc. Degree in Civil Engineering of the Punjab University.
4. Madrass Engineering College : B.E. Degree of the Madras University in Civil Engineering.
5. Patna : B.E. Degree in Civil Engineering.
6. Poona : B.E. Degree in Civil Engineering.
7. Rangoon : B.Sc. Degree in Civil Engineering.

In 1946, an amendment was made in the Assam Engineering Service (Class I & II) rules by which the B.Sc. Degree in Civil Engineering from Benaras University was derecognised.

APPENDIX- IX

Academic qualifications prescribed for direct recruitment to the cadres of Assistant Engineer and Assistant Architect and Assistant Research Officer, Road Research Laboratory under the Assam Engineering Service rules 1978.

1. A candidate for direct recruitment to the cadre of Assistant Engineer and of Assistant Architect must possess a Degree in the respective branch of Engineering/Architecture, namely, Civil, Mechanical and Electrical/Architecture of an Indian or foreign University recognised by the Government.

Or

A candidate must have passed parts A & B of the Associate Membership Examination of the Institution of Engineers (India) and possessing a certificate to that effect from the Institutions of Engineers (India).

- 2.(a) A candidate for direct recruitment to the cadre of Assistant Research Officer in the Road Research Laboratory must possess a Class I Degree in Civil Engineering.
 - (b) He must have undergone the training in the Road Research Laboratory successfully.
 - (c) He must have an aptitude ~~of~~ for the research work.

The above qualifications are prescribed in addition to the normal qualifications prescribed for direct recruitment to the cadre of Assistant Engineer.

APPENDIX- X

Form of applications for appointment in the Assam Engineering service as prescribed in Assam Engineering Service Rule 1929.

1. Name of applicant and caste :
2. Native (Village, Thana, and District) :-
3. Postal address to which communication should be sent :
4. Father's name & occupation :
5. Date of birth of applicant :
6. Educational qualification :
7. Schools and colleges where educated :
8. Special qualifications and claims to considerations :
9. Present occupation, if any, and previous appointment, if any, whether in public or in private service and reasons for leaving them :
10. Names of relations in Government Service now or in the past and the appointments held by them (the relationship should be stated only father, grand father, paternal and maternal uncles and brothers need be mentioned) :-
11. State of health, (The applicant should state whether he has ever been pronounced unfit for Government employment by any duly constituted medical authority) :
12. Ability to ride :
13. Recommendations of the District Magistrate :

In this form columns 1 to 10 should be filled in English by the nominee, columns 11 & 12 should be supported by certificates and column 12 should be filled in by the District Magistrate.

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APPENDIX- XI

Rules and syllabus for recruitment to the cadre of Assistant Divisional Accountants under the Assam Subordinate Accounts Service rules 1963.

Essay and precise writing	Time	Maximum marks	Percentage of pass marks.
1. Essay and precise writing	3 Hrs.	100	40%
2. Arithmetic	3 Hrs.	100	50%
3. General Knowledge	3 Hrs.	100	40%
Aggregate			300
			45%

The syllabus of the examination will be as follows :

1. Essay and precise writing : The standard will be similar to that of the essay and precise for a degree examination.
2. Arithmetic : The standard for this will be the same as that prescribed for the matriculation or school leaving certificate examination.
3. General knowledge : The standard will be similar to that of the general knowledge for a degree examination.

Rules and syllabus for the Assam Subordinate Accounts service (recruitment) examination.

Subject	Time	Maximum marks	Percentage of pass marks
1. Essay or precise & draft	2½ hours	100	40%
2. Elementary book keeping	3 hours	100	40%
3. Arithmetic & Mensurance (Elementary by practical)	3 hrs.	100	50%
Aggregate		300	45%

The syllabus of the examination will be as follows :

1. Essay or precise and draft : The standard will be similar to that of the Essays and precise for a degree examination.
2. Elementary Book Keeping : The paper in this subject will be offaitly elementary character. The students complete commercial book keeping.

Accounting and banking by Arthur Field house has been prescribed as the text book of the paper on this subject, but it should be supplemented by a knowledge of the following chapters in Advanced Accounts by R.N. Carter, third edition (Revised 1947).

Chapter- I : Book Keeping upto the trial balance.

Chapter- II: Trading and profit & loss Accounts and balance Sheet.

Chapter- V : Depreciation, Sinking funds, reserves funds, Secret reserves.

Chapter- VI: Bills of Exchange, promissary Notes, cheques.

Chapter- IX : Self-balancing ledgers.

Chapter- X : Capital and revenue Accounts, Receipts and payments Accounts, Income & expenditure Accounts.

Chapter- XVI: Manufacturing and working Accounts and cost book Mining company.

Chapter- XVIII : Double Account system.

Note : If there is any change in the subjects of these chapters in the subsequent editions of carter candidates should read the corresponding chapters in the latter edition.

3. Arithmetic and Mensuration : The standard for this will be the same as that prescribed for the Matriculation or the School Leaving Certificate Examination. The book "Mensuration for Indian School and Colleges, Part- I" "By pierpoint has been prescribed as representing the standard expected of the candidates in the subject.

Rules and syllabus for the Divisional Test Examinations:

Subject	Time	Maximum marks	Maximum marks required for passing	Percentage of exemption marks
1. Public works Accounts	3 Hrs.	150	40%	50%
2. Viva voce on (I) above	1½ Hrs.	150	40%	50%
3. General Accounts treasury and Financial rules (Both Central & State)	3 Hrs.	150	40%	50%

Fundamental rules and Subsidiary rules (State and Pension portion of C.S. Rs.

No book will be supplied for any paper. Any candidate filling in the examination but securing exemption marks in a subject will not be required to appear again in that subject. Paper 1 & 2 should be treated as separate subject or in other words only candidate who obtains 50% marks or above in each of these papers will become eligible for exemption.

P.W.Accounts and Procedure (Written) : The paper in this subject will be to test the candidates knowledge of the rules and process connected with (I) the preparation and examination of initial accounts stock and tools and plant returns, contractor's bill and other bills and vouchers, and (2) the classification and compilation of divisional accounts.

(II) P.W.Accounts and Procedure (Viva-Voce): This is intended to show whether the candidate can promptly give to the executive officers of public works department. Appropriate advice in matters concerning the accounts and financial arrangements of divisional and sub-divisional officers.

(III) This will comprise of simple questions of general nature code. volume I.

Assam Financial Rules,

State treasury rules and subsidiary orders, thereunder, state

Fundamental rules and Assam pension manual.

APPENDIX- XII

Rules and syllabus for the Assam Subordinate Accounts Service
(Promotion) Examination under the Assam Subordinate Accounts
Service rules 1963.

Subject	Time	Maximum marks	Minimum marks required for passing	Percentage of examination marks
1. Arithmetic & Mensuration (Elementary but practical)	3 hours	100	40%	45%
2. Elementary book keeping	3 hours	100	40%	50%
3. Public works accounts & procedure.	3 hours	100	40%	50%
4. Viva voce on (1) above	1½ hours	100	40%	50%
5. General accounts treasury & Financial rules both central & State 7 Rs and Srs. (state and pension portion of E.s. Rs. aggregate.			500	45%

No book will be supplied for any paper. Any candidate failing an examination but securing exemption work in a subject will not be required to appear again in that subject. Papers 3 and 4 should be treated as separate subjects or in other works only a candidate who obtains 50 per cent works or above in each of these papers will become eligible for exemption.

The syllabus of the subjects I to 5 will be as follows:

(1) Arithmetic and Mensuration : The standard for this will be the same as that prescribed for the Matriculation or the School Leaving Certificate Examination. The book "Mensuration for Indian School and Colleges, Part I" by pierpoint has been prescribed as representing the standard expected of the candidate in this subject.

(11) Elementary Book Keeping : The papers in this subject will be of a fairly elementary character. The "Students complete commercial book keeping, accounting and Banking by Arthur Fieldhouse has been prescribed as the text book for the paper on this subject, but it should be supplemented by a knowledge of the following chapters in "Advanced Accounts" by R.N. Carter (3rd edition Revised, 1949).

Chapter- I : Book Keeping up to the trial balance.

Chapter- II : Trading and Profit and loss accounts and balance sheet.

Chapter- V : Depreciation, Sinking Funds, Reserves, Reserve Funds.

Chapter- VI : Bills of Exchange, Promissary Cheques.

Chapter- IX : Self-Balancing ledgers.

Chapter- X : Capital and revenue Accounts, Receipt and payments Accounts, Income and Expenditure accounts.

Chapter- VI : Manufacturing and Working Accounts, and Cost book mining company.

Chapter- XVII: Cost Accounts.

Chapter - XVIII : Double Accounts system.

Note : If there is any change in the subjects of three chapters, in the subsequent edition of "Carter" candidates should read the corresponding chapters in the later edition.

(*111) P.W. Accounts and procedure (Written) : The paper in the subject will be to test the "candidate's knowledge of the rules and procedure connected with (1) the preparation and examination of initial Accounts, Stock and tool and plant returns, contractor's bill and other bills and vouchers and (2) the classification and compilation of Divisional Accounts.

(IV) P.W. Accounts and procedure (Viva-voce) : This is intended to test whether the candidate can promptly give to the Executive Officers of Public Works Department appropriate advice in matters concerning the accounts of Divisional and Sub-divisional Officers.

(V) This will comprise of simple questions of general nature from the following:

Account code- Volume I.

Assam Financial Rules,

State Treasury Rules & S. OS there under.

State Fundamental rules and Assam Pension Manual.

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APPENDIX- XII

Government of India (Audit & Account) order, 1936
regarding the duties and powers of Auditor General :-

1. (1) Subject to the provisions of this paragraph, the Auditor General shall be responsible for the keeping of the accounts of the Federation and of each province, other than accounts of the Federation relating to defence or railways and accounts relating to transactions in the United Kingdom.

(2) In respects of accounts of the Federation, the Governor General, exercising his individual judgement, and in respects of accounts of a province, the Governor, exercising his individual judgement, may, after consultation with the Auditor General make provision by rules for relieving the Auditor General from responsibility for the keeping of the accounts of any particular service or department.

(3) The Governor General, exercising his individual judgement, may, after consultation with the Auditor General make provision by rules relieving the Auditor General from responsibility for keeping accounts of any particular class or character.

(4) The Auditor General shall, from the accounts kept by him and by the other persons responsible for keeping public accounts, prepare in each year accounts (including, in the case of accounts kept by him appropriation accounts) showing the annual receipts and disbursements for the purposes the Federation and each province, distinguished under the respective heads thereof, and shall submit those accounts to the

Federal Government, or, as the case may be, to the Government of the province on such dates as he may, with the concurrence of the Government concerned, determine.

(5) Notwithstanding anything in this paragraph, the Auditor General shall comply with any general or special orders of the Governor General or, as the case may be, a Governor as the head of account under which any specified transaction or transactions of any specified class is, or are to be included.

In issuing any such order as aforesaid the Governor General or Governor shall exercise his individual judgement after consulting the Auditor General.

2. It shall be the duty of the Auditor General to prepare annually, in such form as he with the concurrence of the Governor General a General Financial Statement incorporating a summary of the Accounts of the Federation and of all the provinces for the last preceding year and particulars of their balances and outstanding liabilities, and containing such other information as to their financial position as the Governor General may direct to be included in the statement.

3. (1) It shall be the duty of the Auditor General :

(1) to audit all expenditure from the revenues of the Federation and of the provinces and to ascertain whether moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged and whether the expenditure conforms to the authority which governs it;

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(ii) to audit all transactions of the Federation and of the provinces relating to debt, deposits, sinking funds, advances, suspense accounts and remittance business;

(iii) to audit all trading, manufacturing and profit and loss accounts and balance sheets kept by order of the Governor General or of Governor of a province in any department of the Federation or of the province;

and in each case to report on the expenditure, transactions or accounts so audited by him.

(2) The Auditor General may with the approval of, and shall if so required by, the Governor General or the Governor of any province audit and report on :

(i) the receipts of any department of the Federation or as the case may be, of the province;

(ii) the accounts of stores and stock kept in any office or department of the Federation or, as the case may be, of the province.

The Governor General or the Governor of a province may after consultation with the Auditor General make regulations with respect to the conduct of audits under this sub-paragraph.

4. If the Governor General appoints an independent officer to audit sections to expenditure accorded by the Auditor General, the Auditor General shall produce for inspection by that officer all books and other documents relating thereto and give him such information as he may require for the purposes of his audit.

5. It shall be the duty of the Auditor General, so far as the accounts for the keeping of which he is responsible enable him so to do, to give to the Federal Government and to the Government of every province such information as they may from time to time require, and such assistance in the preparation of their annual financial statements as they may reasonably ask for.

6. The Federation and every province shall -

(i) supply to the Auditor General free of charge the annual Budget estimates of the Federation or of the province and any other publications issued by the Department of the Federation or of the province which he may require for purposes connected with his audit functions, and

(ii) give to him such information as he may require for the preparation of any account or report which it is his duty to prepare.

7. The Auditor General shall have authority to inspect any office of accounts in India which is under the control of the Federation or of a province, including treasuries and such offices responsible for the keeping of initial or subsidiary accounts as submit accounts to him.

8. The Auditor General shall have authority to require that any books and other documents relating to transactions to which his duties in respect of audit extend, other than books or documents which are in the United Kingdom, shall be sent to such place as he may appoint for inspection by him.

Provided that, if the Governor General or the Governor of a province certifies that any such book or document is a secret book or document, the Auditor-General shall accept as a correct statement of the facts stated in that book or document a statement certified as correct by the Governor-General or, as the case may be, by the Governor.

9. Anything which under this order is directed to be done by the Auditor-General may be done by an officer of his department authorised by him either generally or specially :

Provided that except during the absence of the Auditor General on leave or otherwise, an officer shall not be authorised to submit on his behalf any report which the Auditor General is required by the Act to submit to the Secretary of State, the Governor General or the Governor of a province.

