

Ecclesiastical (1896) Department.

ORDINARY PRINTED.

G.O.; No. 91

DATED 4-12-96

INDEXED.

36-37

[Despatch Abstract.]

Site for the Kuruvool Cemetery. Agreeing with the Collector, with remarks that the spot ^{deputed by him} between the lot gate on the foot road and the land on which the new Taluk Catching is to be built should be utilized for the purpose of a Cemetery, the Budhavasapet site being objectionable ^{the other} on sanitary grounds; and requesting the P.W.D. to direct ^{the} all its officers to the pecuniary responsibility they incur in respect of public money unnecessarily expended owing to carelessness.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
c no 159 of 1897 =			R 75-39-7-97				

Government {1896} of Madras. ECCLESIASTICAL.

Recd.

Regd.

1896.

Enclosures

Spare copies

G.O., No. 91, 4th December 1896.

DECEMBER.

Site for the Kurnool Cemetery.

Agreeing with the Collector, with remarks, that the spot selected by him between the toll-gate on the Gooty road and the land on which the new taluk catcherry is to be built should be utilized for the purposes of a cemetery, the Budhavarapet site being objectionable on sanitary grounds; and requesting the Public Works Department to direct the attention of all its officers to the pecuniary responsibility they incur in respect of public money unnecessarily expended owing to carelessness.

GOVERNMENT OF MADRAS.

ECCLESIASTICAL DEPARTMENT.

READ—again G.O., No. 88, Ecclesiastical, dated 23rd November 1895.

READ—also the following papers:—

From the Public Works Department, No. 985 C., dated 19th February 1896.

ABSTRACT.—Transferring a letter from the Superintending Engineer, V Circle, forwarding a report from the Executive Engineer, Tanjore Division, explaining the extent to which he was concerned in the selection of a site for the Kurnool cemetery.

From the Collector of Kurnool, No. 637, dated 8th June 1896.

From C. M. MULLALY, Esq., Collector of Kurnool, to the Chief Secretary to Government, dated 30th June 1896, Dis. No. 887-Eng.

In reply to Government memorandum, No. 763, dated 6th April 1896, I have the honour to state that an experimental grave measuring 7' x 3' was dug on the site recently walled in at a cost of Rs. 10-12-5. The excavation was carried to a depth of 6 feet, the upper half of which has been found to be earth and the lower half rock. A copy of the Executive Engineer's report is enclosed, from which it will be seen that it takes ten days to dig a grave. The Executive Engineer does not condemn the old site altogether, but recommends a small, new graveyard in addition, to meet possible emergencies.

2. As directed in G.O., No. 88, Ecclesiastical, dated 23rd November 1895, I, in company with Mr. Thorburn, the District Judge and Senior Lay Trustee, inspected two sites; the first is an extension of the existing cemetery at Budhavarpet and the other a spot between the toll-gate and the site for the new taluk cutcherry.

3. The accompanying plan drawn to scale clearly shows the proposed extension. The Judge, the present District Medical and Sanitary Officer, the Divisional officer and the Tahsildar are all in favour of this extension, but the inhabitants of Budhavarpet object and have presented a mahazar which is enclosed for perusal and return.

4. The first objection of the petitioners is that the extension will bring the cemetery close to their houses and block up their way. It is true that the extension will bring the cemetery somewhat close to their houses, but it will not block up the way, for a space of 25 feet in width at the narrowest point will be left for the road.

5. The next objection is that the proposal is objectionable on sanitary grounds. As stated above, the present District Medical and Sanitary Officer is in favour of the proposal, but as the site lies within municipal limits the opinion of the council was invited, and the Chairman refers to Dr. King's objections on sanitary grounds, raised when he was in medical charge of this district—*vide* his letters, Nos. 908 and 2, dated 7th December 1889 and 2nd January 1890, respectively, copies of which are enclosed. As the opinions of the two District Medical and Sanitary Officers clashed with each other, I sent Dr. King's letters for the remarks of Dr. Patch, but he still adheres to his former opinion and states that, as it would be futile now to refer the matter to Dr. King again, the proposal had better be abandoned.

6. The last objection of the petitioners is that the extension is objectionable because it will interfere with the temple of Sunkalamma, which is situated at the south-eastern corner. The so-called temple is only a heap of stones, and a glance at the plan shows that it will be excluded.

7. Thus, it will be seen that the extension is wanted by both the Lay Trustees (the District Judge and the District Medical and Sanitary Officer) and they are supported by the Divisional officer and the Tahsildar. There are several considerations in favour of this proposal. It is an extension of the cemetery now in use; it will be very convenient; the cost will be slight, and it will be easy to keep in order; but, on the other hand, it has been condemned by Dr. King and is objected to by the adjacent house-holders.

8. The other site is situated between the toll-gate on the Gooty road and the site selected for the new Ramallakot taluk cutcherry. The Assistant Sanitary Engineer now here is in favour of this site, and the two Lay Trustees consider it the best alternative site. I have asked the Executive Engineer to test its suitability by digging trial graves, and I will submit a further report as soon as I hear from him.

9. I request that the enclosed bill of costs (Rs. 10-12-5) incurred in digging the trial grave may be sanctioned.

10. On the 29th instant, I showed all the three sites to Mr. Keeling, Acting Chaplain of Bellary. He is of opinion that the site recently walled in is unsuitable and that either of the remaining will do. Of these last two, he gives preference to the last, viz., the one between the toll-gate and the new taluk cutcherry site, and I agree with him provided the soil is sufficiently deep.

From C. M. MULLALY, Esq., Collector of Kurnool, to the Chief Secretary to Government, dated 23rd July 1896, Dis. No. 1033-Eng.

In continuation of paragraph 8 of my letter, Dis. No. 837-Eng. of 1896, dated 30th June 1896, I have the honour to report that field, No. 884-B, of Kallur village, situated near the Gooty road toll-gate and measuring 2.15 acres, has been selected. A trial pit dug shows the surface soil to be clayey to a depth of five feet and the next foot is gravel. The Public Works Department Sub-divisional officer under whose instructions the pit was dug states that the site is suitable for a cemetery, and myself and the Divisional officer are of the same opinion after a personal inspection of it.

2. I enclose a rough sketch of the site and its surroundings submitted by the Divisional officer. From this it will be seen that it is proposed to have the cemetery not quite close to the new taluk cutcherry which has been proposed to be built on field, No. 883-A, but at a short distance from it, with two fields intervening.

3. The bill of costs referred to in paragraph 9 of my report is now submitted for early sanction.

From the Collector of Kurnool, No. 1812, dated 26th August 1896.

" " " " 1812 " 16th October "

" Public Works Dept. " 3828 C. " 30th " "

ORDER—No. 91, Ecclesiastical, dated 4th December 1896.

After a careful review of all the circumstances of the case, His Excellency the Governor in Council is of opinion that Mr. Johnston committed a grave error of judgment in not reporting at once the unsuitability of the site selected by Mr. Kough for the cemetery. Mr. Johnston was well aware that there was rock near the surface of the site, and it was his duty to report the fact. The direct result of his omission

to do this has been the useless expenditure of Rs. 1,700. His Excellency the Governor in Council, therefore, while acquitting Mr. Johnston of such gross carelessness as would justify the recovery from him of the money uselessly expended, considers that his conduct cannot be allowed to pass without reprimand, and directs that he be censured accordingly.

2. The Public Works Department will be requested to direct the attention of all its officers to the pecuniary responsibility they incur in respect of public money unnecessarily expended owing to carelessness.

3. His Excellency the Governor in Council recognizes the sanitary objections that exist to the Budhavarapet site for a new cemetery and agrees with the Collector land on which the new taluk cutcherry is to be built, should be utilized for the purpose. The Executive Engineer should satisfy himself and the Collector that there is sufficient depth of soil in the proposed site. The Collector will then take steps in view to the submission of the requisite plan and estimate for enclosing and laying out the ground.

4. The bill for Rs. 10-12-5 for excavating a grave in the condemned site was prepared and signed by the Executive Engineer of the Kurnool district and will be transferred to the Public Works Department for adjustment.

(True Extract.)

A. T. ARUNDEL,
Ag. Chief Secretary.

To the Public Works Department.
" Collector of Kurnool.

Exd. A. Raiff.

No. 427

Tanjore Division Office
31st January 1896

From

J. C. Johnston Esq. M. A.
Executive Engineer, Tanjore Div.

To

The Superintending Engineer
Civil - Madras

Sir,

With reference to G.O. No. 65 W dated
9-1-96 forwarded with your endorsement
No. 4 J. J. 12-1-96, I have the honor to explain
as follows:—

2.

The question of a new burial
ground for Kurnool had been under
consideration for some length of time
without any decision having been arrived
at as to the site, and when I was asked
by Mr. Hough the Collector, whether the
locality on the Mid-Nur Road near an
old burial ground in which Europeans
had been buried, would not be suitable,
I said that it might be made to answer.
The ground as chosen by Mr. Hough was
set out - I forget by whom - but I did
not approve of it and though I felt
bound to the locality I did not feel
I was obliged to keep to the exact position
chosen by Mr. Hough. I therefore turned
the

the position found and secured very much deeper soil, much deeper in fact than that near the old graves where the soil was only about 2 feet in depth. The question I had to settle was the extension of an existing Cemetery in the best way possible under the circumstances, and not the choice of a site for a new cemetery altogether.

3. The plans and estimates submitted were framed in relation to the position as altered by me, and they gave correct information as to the depths of soil all along the line of the enclosing wall; the information was sufficient to enable the sanctioning authorities to form their own opinion as to the suitability of the site or otherwise. No work was commenced till after sanction had been received, and the land had been handed over by the Revenue Department. There was not the slightest necessity or any motive for hurrying on with the work in anticipation of sanction.

4. The rock below the soil is what is known as 'Cuddapah Slabs' which is easily

easily removable with Crowbars and the deaths among Europeans are not so frequent but that a few graves might easily be prepared and kept ready against eventualities. I cannot speak with certainty but I have heard that the natives of Kurnool prepare graves by excavating into the rock. At all events the graves of the Europeans already existing must have been made out of the rock, and what was found suitable then can be made suitable now.

5. No site in Kurnool can be obtained which is not open to some objection.

Shamra
Signed J. C. Johnston
Executive Engineer

Copy 1

N^o 4 W
C

To The Chief Engineer, P.W.D., with reference to G.O. N^o 65 W of 9-1-96.

As per
10/2/96 Lt. Col. R. C.
Superintending Engineer
5th Circle.

10 February 1906

From
The Chief Engineer
Fifth Circle.

To
The Chief Engineer
P.W. Department.

Dated 10th } February 1896.
Recd.

Encl.



No 4 B
C

Occurring at Kurnool

Forwarding copy of
Report from the Executive
Engineer Tanyon Division
how far he is concerned in
the selection of site for
the construction of a -

P. W. CURRENT No. 138/
Ecc. No 88 of 28.11.96

Recd. 11.2.96
CURRENT No. 41 Ecc.
Recd. 21.2.96

No. 985 of 19th February
1896

Transferred to the
Ecclesiastical Department
with reference to para
5 of G.O. No. 88 Eccles.
dated 23rd November
1895.

Mr. Campbell Col. Rto

Jt. Secy. to Govt. N.D.

Copy
14.2.96

Recd. 21/3/96

For orders.

The explanation is I think unsatisfactory. In abandoning the first site & selecting the second & condemned site, if as he admits, he had a discussion, it was his duty to put the site to a full & complete test. This he clearly did not do before commencing operations, & the responsibility is his.

It is not quite clear whether, after all, the site had as it is stated, need be actually abandoned for a good many years. On this perhaps the Supt. Engr. might report
S.D.F. 14/2/96

vide also Mr. Mullaly's letter of 7.2.94
in G.O. 27 of 4-4-94

But so far as I can see he did not give the requisite information to enable the sanctioning authorities to form their opinion as to its suitability & otherwise & that no work was begun until sanction had been received & the land had been handed over by the Revenue Dept.
Note: As to this the evidence is conflicting. In para 2 of his letter of 7.3.94 in reel No 27 of 94 the Engineer says the land was handed over to his Dept. a Revenue Inspector "as reported by the Sub-divisional officer". But in para 3 Mr. Mullaly's letter of 10.10.

This letter is also to be found in the G.O. 88 of 11.95
of 23.11.95

For orders

In G.O. No. 88 Ecc. of 23.11.95 the P.W.D. was requested to call upon the Executive Engineer to show cause why he should not make good the public funds which had been unnecessarily expended owing to his want of due care in selecting a suitable site for the Kurnool Cemetery.

Mr. Johnston's explanation is now submitted. He states - i That he had to settle - not the choice of a site for a new cemetery - but the extension of an existing one in the best way possible, and that he did so. (Please see Mr. Hough's letter in G.O. No. 59 Ecc. of 27.1.94 & Mr. Johnston's letter in G.O. No. 27 Ecc. of 18.9.90) ii That the information he afforded regarding the site was sufficient to enable the sanctioning authorities to form their opinion as to its suitability & otherwise & that no work was begun until sanction had been received & the land had been handed over by the Revenue Dept.

Note: As to this the evidence is conflicting. In para 2 of his letter of 7.3.94 in reel No 27 of 94 the Engineer says the land was handed over to his Dept. a Revenue Inspector "as reported by the Sub-divisional officer". But in para 3 Mr. Mullaly's letter of 10.10.

2. The Court of Kurusol
in the Circuit } Depts
7/4/96

Ecol. Dept

Current N° 41

10776
7-4-96
Official memorandum

With reference to its
Endt N° 985 Cd/19 February
last the Public Works
Dept is requested to ~~obtain~~
~~purvisish for reference~~ the original
Estimate sanctioned in
Co. 92 Ecol. ~~as at that time~~
4/17.12.92, ~~Johnston's~~ ~~in defense~~,
and the plans connected
therewith, ~~as in the above~~
of these it is not possible
to decide how far the sanction-
ing authorities must share
with him the blame of having
~~spent money, on apparently~~
~~side.~~

from Orders

The PWD dated
7/4/96

7013.
11/4/96
60
31.3.96

6 p 2/6/4.

W.3
1/4

No. 554

Superintending Engineer's Office,

3RD CIRCLE.

Bellary 19th May 1896.

FROM

W. B. de Winton Esquire

Executive

SUPERINTENDING ENGINEER,

IIIRD CIRCLE,

To

THE

Chief Engineer

P. W. D.
Madras.

Sir,

Enclosures, 4

1 Detailed estimate

1 Abstract do

2 Plans.

With reference to your
Memo No. 1976 C dated 20th April/96,
I have the honour to forward
herewith the original plan and
estimate for constructing a new
Cemetery at Kurnool.

I have the honour to be,

Sir,

Yours most obedt. servt.

W. B. de Winton

Executive Engineer,

in charge of III Circle.

From

The Superintending Engineer,
IIIrd Circle,
Bellary.

To

The Chief Engineer
P. W. D.
Madras.

Dated 19 } May 1896.
Received }

Enclosures. 4

No. 554

Subject.

10826
W. CURRENT No. 4643

Ends 4 (2 plans)

Recd. 20-5-96

CURRENT No. 139
Recd. 20-5-96
No. 255 d/28 May 1896

Forwarded to the
Ecclesiastical Department
with reference to its memo
No. 446 dated 7th
April 1896.

J. S. P. S. Colone. R. S.
Joint Secy. Govt.
P. W. D.

Recd. 28/5/96
Encls. 4

aca
28/5/96

Recd. 27.5.96

O. L. S. 125

Urgent

Om. No. 1115
27-6-96

The Collector of Karnool
is requested to submit
an early reply
to Official Memorandum
No. 763 d/6th April
1896.

Ans.
mcs
26.96

Ans.
2/6/96

To
The Collr of Karnool

2/6/96

New cemetery at Karnool -
Forwarding the original plan
and estimate for constructing a -

No. 1976 d/20-4-96
985 d/19-2-96
556 d/31-1-96
65 d/9-1-96
264 d/24-1-95
1074 d/27-4-94
63 d/14-1-93

No 2.

Camp. Jatur.

9th June

Recd.

Ref. No. 637 of 96
ENCLOSURES.

CURRENT No. 152
Kurnool Collector's Office
KURNOOL, DATED 8th June 1896.

From

C. M. Mulla Rao

COLLECTOR OF KURNOOL.

To

Chief
THE SECRETARY TO Government

Ecclesiastical Department

Ota caumud

Sir,

In reply to Government Memorandum
No. 1115 dated 2nd Instant, I have the
honor to state that the matter is pending
with the Executive Engineer who has been
requested to have an actual grave
dug for inspection. I am sending a
2nd urgent reminder to him to-day
and will submit the report to Govern-
ment immediately on receiving
information from him.

I have the honor to be,

Sir,

Your most obedient servant.

Enclosed.

Collector

R. M.

CURRENT No. 152
1896. *Encl Dept*
Correspondence Department.

FROM *C. M. Chudat, Esq.*
COLLECTOR OF
CHIEF SECRETARY
13 JUN 1896
GOVERNMENT OF MADRAS
To *Chief Government
Sec. Department
Of Revenue*

DATED *13 June* 1896.
RECEIVED *13*
Ref. Ref. on C. No. 637 of 96
ENCLOSURES.
Subject.

*Stating that reply to
G. N. no 763 of 4-96.
regarding excavation of
grave/sacred site therein referred to
will be furnished on
receipt of information
from the Executive Engineer.*

*For home
ca. & days
Am I to
please?*

no 2.

Camp. Jatur.

Secd. Public DEPARTMENT.



Memorandum.

*No 1303
30. 8. 96*

READ the following
C. N. 152

*The Collector of
Kurnool is requested
to submit a very
early reply to O. N.
No. 763 of 6th Apr
1896*

*Cw. mcs
29. 6. 96*

*Cw.
29. 6. 96*

To The collector of Kurnool Dated 30/6.

In re the Kurmod Cemetery

Answer

No 2.

Camp. Jatur.

9nd 188

No 908.

Kurmod

7th December 188

From

Surgeon-Major W. G. King M.

Dt Medical and Sanitary
officer

Kurmod

To

The Chairman

Municipal Council

Kurmod.

Sir,

I have the honor to state
that your letter to me on the
subject of the graveyard for
the Europeans has been mis-
laid. As far as I remember
the words used therein, you
requested information as to
whether I consider it sani-
tarily advisable "to extend
the present graveyard to the
East".

2. I have to state that I

think as

Collector

graveyard would be sanitarily
erroneous—having regard to the
proximity of inhabited
dwellings. It is most desirable
as I have frequently represented
to the Council, that no graves
shall be permitted within the
inhabited area of the Town.

I have the honor to be,

Sir,

Your most obedient Servant

(Signed) W. G. King M.B.

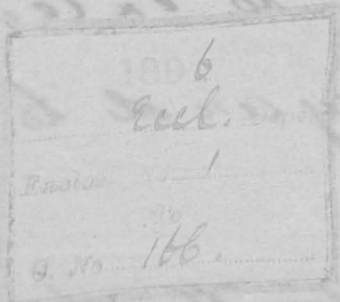
Surgeon-Major

Dt. Med. Sanit. Officer.

(True Copy)

W. G. King M.B.

For Collector



No 2.

Camp. Jatur.

2nd January 1889

From

Surgeon-Major W. G. King M.B.

District Sanitary Officer

Kurnool

To

The Collector of

Kurnool.

Sir, with reference to your letter
no. 3691 of the 17th December 1889,
I have the honor to state that
whilst recognizing fully that
sanitary effort should be looked
for not only from the Christian
Community but also from persons
of other religions, I fail to see
that the principle you advance
is correct. You will, I hope, not
think me ~~at~~ not discourteous if
I remind you of the Proverb "Two
wrongs cannot make one right."

I fully sympathize with the feeling
that there exists here an incipient
but the advice, it is my duty to
give

by 3 ft. broad and is 6 ft. deep. The upper

W. G. King

Collector

June - without regret. No objection
in this instance - is self-evident.
2. I would take this opportunity
of pointing out to you that it is
not impossible for the Municipality
to direct extramural burial;
the Act they administer provides
full powers. I have for several
years urged the subject upon
their attention, and I think you
will find in the Review by Govern-
ment of the Municipal Admini-
stration report for last year,
that the attention of the Council
has been specially directed to
the matter. You could, I have
no doubt in your function of
Collector, at once cause the
Municipality to expedite the
report of the Committee which
they sometime back appointed
to consider the question.

I have the honor to be, Sir,
your most obedient servant.
(Sd) W. G. King. Surgeon Major
D. Sanitary Officer

(True copy)

For collector

D. P. W

No 1256

From M. K. By

S. A. Inbramany a Iyer Avargal
Rai Sahib B.A. B.C.E.

Executive Engineer
Kurnool division

To The Collector of
Kurnool.

Station or camp - Kurnool
Dated - 16th June 1896.
Enclosure - nil

Sir,

With reference to your No. $\frac{637}{\text{Eng}}$ dated
29th ultimo, I have the honor to report
that the digging of the trial grave in
the cemetery has been completed.

Enclosed please find the bill of costs
Rs 10-12-5 payment for which kindly
send.

The grave dug measures 7' long
by 3 ft. broad and is 6 ft. deep. The upper

fine - without regard to creek
in this instance - is self-evident.

is rock cutting.

The grave took about 16 days to dig as the men had to work in a very confined position. The cemetery cannot be entirely depended on without a few graves dug and kept ready for possible emergencies. It need not however be abolished or condemned altogether. The other new cemetery recently proposed in your letter no 637 dated 8th June /96 may be made a small one so as to save cost and can be used on emergencies whenever ready made graves may not at once be available in the present cemetery under report.

I would therefore recommend a small cemetery being made in a more suitable place as per your recent proposal.

I have &c

(Signed) S. R. Subramanyam
16.6.96

Executive Engineer.

(True copy)

[G]
[25 A.]

1,000-21-3-96.

Mr. Johnston's second explanation is even more unsatisfactory than his first. He says (1) that the site chosen by him is suitable by better than the site of

the old burials, (2) that graves can be dug easily as the rock consists of thin slabs of Chidambaram Slate, (3) that the estimate of the work was sanctioned to the sanctioning authorities gave information about the depth of the soil. The papers show (1) that the site is quite unsuitable, (2) that graves can only be dug after many days of ^{the} M. expense & labour, & (3) that no information was given in the estimate about the depth of the soil (they show the depth of foundations but this is not on plan) however, needless, I think that the circumstances are such as to make it undesirable to call on Mr. Johnston to pay up the wasted money. He was expended 13 years ago. The Govt. approved of the work after it was executed. I think they should be warned when

FOR ORDERS.

Attention is solicited to the note for orders with C. 41, in which Mr. Johnston, the Executive Engineer, Tanjore Division, submitted his explanation in the matter of the Kurnool Cemetery.

In his note thereon of 31.3.96 the Hon Mr. Bliss remarked that Mr. Johnston based his defence on the estimate sanctioned inf. O. ^{4.92 Eccl} ^{21.12.92} in the absence of which and the connected papers it was not possible to say how far the sanctioning authorities must share with him the blame of spending money on a useless site.

The estimate & connected papers were therefore called for and were submitted with C. 139. Please see papers flagged & the papers were submitted with the information in the

by the Hon Mr Grose in his note
 of 27.3.96 ^{advised} whether graves
 can be made in the site in
 question as easily as Mr.
 Johnston thinks. This in-
 formation was called for in
 Edt N^o 763 of 6.4.96, and
 two reminders subsequently
 issued. The reply now
 recd (C 166) the Collector
 states that an Experimental
 grave 7 by 3' was dug on the
 site recently walled in, at a cost
 of Rs 10. 12. 5, and requested
 sanction for the payment of
 the same. The grave dug is
 six feet deep, the upper three
 ft earth and the lower rock
 cutting; and occupied
 ten days in the digging
 as the men had to work in
 a very confined position.
 The En. Engineer does not condemn
 the old site altogether but states
 that the cemetery cannot be
 entirely depended on ^{without}
 a few graves being dug and
 + Stanford recommends a small new
 kept ready for possible emer-
 gencies

be more careful in future.
 As regards the site when
 chosen now, I don't think we
 can approve of the proposed
 extension of the existing cemetery
 in Kumool. It is within the limits
FOR ORDERS.

of the Municipality, & Mr. Kough
 * J. told us that the Municipal
 Commission will not allow

H. E. THE GOVERNOR.

THE HON'BLE MR. H. W. BLISS, C.I.E.

THE HON'BLE MR. J. GROSE, C.I.E.

of any extension. The Sanitary
 objections are obvious. We must
 await the Comm's further report
 about the other site when he
 mentions.

The cost of digging the
 trial grave must be sanctioned

JG
 11/7/96

"13" in the Hon Mr. Grose's note
 is apparently an error for "3".
 It is not however, as much as even
 3 years ago that Mr. Johnston wanted
 the money he is now called on to
 show reason for not refunding, for
 (vide para 3 of Mr. Mullaly's letter
 on p. 5 of S.O. ⁸⁸
 23-11-95) it was in
 Decr 1893, that it was found that the
 P.W.D. had occupied the ground to
 build walls. That was under 2
 years from the issue of the S.O. - I
 don't however, see what the length
 of the intervening period has to do
 with the matter. Mr. Johnston has
 clearly wanted a considerable sum

[G.]
 25 A.
 1,000-21-3-96.

DEPARTMENT.

C. No.

of public money owing to that
 may be called culpable indiffer-
 ence & the poor performance
 of his duty; and that sum he
 should be made to refund. His
 death helps to improve the
 administration of the cases
FOR ORDERS.
 of destruction of duty are to escape,
 as they almost invariably do, without
 punishment - That almost said
 without notice.

As to the other matters the Comm's
 further report must be awaited.

JG
 13/7/96

My "13" was a mistake for "3".
 When Col. Rawson forwarded his
 supplemental estimate for Rs 3392
 in Dec. '94, he stated that the
 work of the original estimate had
 been completed for Rs 1578, & I
 suppose this is all that Mr. Johnston
 is responsible for. I know of no
 precedent, however, for making an
 Engineer pay up under such cir-
 cumstances; & I think it wd be
 best to issue a general order
 that Engineers will be held personally
 responsible in such circumstances
 in future.

JG
 21/7/96

Secy to Govt: P.W. Dept
 Please say whether there is
 any precedent for the course
 proposed by the Hon. Mr. Bliss.

JG
 22.7.96.

The two sites were inspected by Mr.
 Mullaly the Senior City Trustee Mr.
 Thorburn who is also the District
 Judge. The new site lies between
 the Toll Gate ^{on the Gooly Road} & the site for the new
 Taling Cutcherry. The first site,
 the extension of the old cemetery ^{at Badkharpet}
 is shown clearly in the plan
 with C. 166. The Judge, the present
 Dist. Med. & San. Officer, the Divisional
 Officer and the Tahsildar are all
 in favour of the extension. But
 the inhabitants of Badkharpet
 have presented a Mahazar, ob-
 jecting to it -

- (1) on the ground that the extension will
 bring the cemetery close up to their
 houses and block up their way;
- (2) on sanitary grounds; and
- (3) because it will interfere with
 the temple of San Kalamma
 situated

Collector

Situated at the South Eastern corner.

As to these objections the Collector remarks that (1) a space of 25 ft ^{at the narrowest point} in width will be left for the road (2) the site lying within Municipal limits, he referred the matter to the Municipal Council who reply that D. King in 1889 & 1890 objected on sanitary grounds "to extend the present graveyard to the East". D. Patch the present D.M. & S.O. is of a diff. opinion but in deference to that of D. King advises the abandonment of the extension. (3) The temple is on a heap of stones and, as shown in the plan shows, will be excluded.

After referring to the pros & cons of the various ^{sites} the Collector comes to the conclusion finally that that between the old site & the new Talang Cutcherry site is the best provided the soil is sufficiently deep. He has asked the Ex. Engineer to dig trial

FOR ORDERS.

H. E. THE GOVERNOR.

THE HON'BLE MR. H. W. BLISS, C.I.E.

THE HON'BLE MR. J. GROSE, C.I.E.

[G.]
[25 A.]
1,000-21-3-26.

DEPARTMENT.

C. No.

FOR ORDERS.

trial pits and will report the result as soon as he hears from him. It is submitted that nothing further can be settled until the result of the trial pits has been reported.

The C.I.E. further reports may be awaited and the bill for sinking the trial grave passed?

12

8/11/96.

24.
2.54
79.96

Collector

The Kurnool Cemetery

FOR ORDERS.

~~H. E. THE GOVERNOR.~~

~~THE HON'BLE MR. H. W. BLISS, C.I.E. (2)~~

~~THE HON'BLE MR. J. GROSE, C.I.E. (1)~~

Resubmitted with
ref: to the Hon. Mr
Bliss' note of the
13th inst.

J.B.
14/7/6

18/7/96

Crop 22/7

O. H. Cammud
3rd August 1896

Office No. 1529

From
The Chief Secretary to Govt
To
The Secretary to Govt
P. W. Department

With reference to Ecclesiastical
Circular 166 and attached papers
(and to G.O. No. 88 Eccl
dated 23rd November 1895) kindly
let me know whether there is any
precedent for an officer of the
Public Works Department being
required to make good public
money expended without due care
and caution as in the case of
Mr Johnston.

(Sd) J. L. Price
Chief Secretary.

Ken
27/8/96

Collector

No 75 W, 7/11-1-89
-1870 W, 7/19-1-91

Office Note No 1529

From the Chief Secy
to Govt.

To the Secretary to
Govt, P. W. dept.

With reference
to G. C. C. Current 166
and attached papers
(and to G. O. No. 88. G. C. C.
of 23. Nov. 95) kindly
let me know whether
there is any precedent
for an officer of the
P. W. dept being re-
quired to make good
public money ^{expended} ~~without~~
by him ^{without due care and caution} as in the case
of Mr. Johnston.

Belknap

Chief Secretary

30 B
118196

Dothamund
3^d August 1896

05300 B

U 11/8

U 11/8
22896

Collector

Dr. Lyons Note of 25.9.96, it would be well
to issue such a J.O. But can we enforce the
Thrust?

Encls 1 file.

Dec: 7. 8. 96

P.W.D. 40 0075.W 011-1-89
 " " 170 - 19-1-91
 Eel 88 0123-11-95
 27 014-4-94
 77 018-9-93
 Furl 7 65 012-8-93
 Eel 92 017-2-92
 59 018-9-90

Reply

N. 1052 D., dated 13 August 1896

No cases can be traced exactly parallel to the present one, but the undermentioned orders, directing recovery of money from Gazetted officers of the P.W. Department are forwarded:

No 75 W., dated 11th Janu-
ary 1889 ordering the re-
covery from Mr Whiteley
Executive Engineer of Rs
25-6-11 paid without due
inquiry to a man not
entitled thereto.

A. 140 W., dated 19th Janu-
ary 1891. ordering the recovery
from Mr. Peters, Executive Engi-
neer of the 1168, misappro-
priated by his head Clerk.

J. H. E. Campbell Colonel R.E.
Joint Secretary W. G. F. P. W. D.
Recd 14/8/96
Encls. 166. i. k. 72 of 100

Submitted to His with reference to
the Act of 1788 the Gov. dated 7th Decr.
which apparently alludes to the Act
of the Honble H^o. House dated 25th Sept.
Judging from the analogy of Cases
where Gov. has recovered from Officers
money lost through Embezzlement Gov.
is quite competent to recover from
an Officers money ^{or} thrown away on
wages with regard to which there
has been gross Embezzlement on the
Part of the Officer concerned.
I however know of no case in
which this course has been followed
as regards officers of the Superior
rank.

20
8/5/56

I have no doubt we could "improve the format". If previous notice is not given I am afraid the "example" will not have much effect. The offender will be sympathized with.

29
12/9/96

FOR ORDERS:

FOR ORDERS

H. E. distinctly
mentions this note
DO
I regret that I am
unable to
H. M.
The Honble Mr. Justice C. J. E.
H. E. the Governor

There can be no doubt of the power of Genl. to make the recovery. The Examinr. W. D. D. could be instructed to recover the money in ordinary instalments out of the officer's pay.

If there is no precedent of the recovery of money, lost by the carelessness of officers of the superior ranks, it is time, I think, that one was made. The administration will never be improved by punishing petty officers for bad work to officers of inferior grades. What is wanted, and that in more depth than one is that superior officers shall be held responsible for carelessness & bad work - This seems a particularly bad case & I think an example should be made - I have no doubt that it will have an excellent effect. It may, however, be thought more suitable that, in the case of an Ex. or Sup. or other officer of superior rank, the displeasure of Genl. should be marked by reduction to a lower grade for a specified time, rather than by the recovery of so many robes - If so, I am quite ready to agree to that - But that mere censure is not enough, I am positive -

As to the General order which the Hon. Sec. has issued, it is hardly credible that no such order exists already. However this may be, I do not think that the issue of such a warning is likely to have ^{such} an immediate good effect on the action which I advise - An order of the kind is only too likely to be regarded as a mere brutum fulmen, by officers with a grain of the shrewdness of the Post that Street-Depts will not be the rule of the future; & they will so agree with some grounds.

BS
10/9/96

Resubmitted to the Gov. as this differs in
to the order to be paid 20

Yard, has stayed to Capt. Conant's house if he would mind the whole
case, & make an announcement before it. A. 3 H. 189.96

1827/8

C-99 R7/9 C9/9 R149

[G.
25 A.]

1,000-21-3-96.

DEPARTMENT

C. No.

FOR ORDERS.

As I said in my note of the 21st July I think it will be best to issue a circular order to the effect that the provisions will be held for currency by the firm or the firm's mistakes hereafter.

JG
25/8/96 D

I agree with the Hon. Mr. P. H. that Mr. Johnston should, if possible, be made to refund the money which was expended in consequence of his inadequate report. I think he should be called upon to show cause why he should not refund that money.

JG
29.96

My attention has been called to the fact that Mr. Johnston has already been called upon to show cause to, and his reply is contained in his letter of the 31st Jan. 1896, marked with a blank page. I have thought

In reference to the Hon. Mr. P. H. note dated 21st July. The full amount has been made of the fund with the result that no case of the nature referred to in this note is forthcoming.

The only case that I know of is that of Mr. C. H. Huddell, Coln. of Kurumool who was told in G.O. No

1342 dated 31/7/95. That if a certain road dam carried away within three years after construction he would be held personally responsible for the amount which had been spent in building it. This period is now up to: the expenses in June 1897

JG
24/8/96

think that any good purpose would be obtained by calling him to account again.

If there is any reason of referring the matter that would be conveyed in the G.O. proposed in the Hon. Mr. P. H. note.

Ecclesiastical (1896) Department.

CURRENT No. 217
30. AUG. 1896
GOVERNMENT OF MADRAS

Order.

From The Collector of Kurumool

C No. 18/2 of 96
Eng

Dated 26th August 1896

Received 30th do

Registered 31st do

Enclosures —

Spare copies —

SUBJECT.

Soliciting early orders of Government on the question of the selection of a site for a Christian Cemetery at Kurumool.

To be looked into
sent to C.S. with
file in its return
from G.O.

File subd to C.S. on 15 August
It is in circ. where? JG
31/8

JG
27/8
Kam 29/6

Collector

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT No. 217

C No. 1812
Aug 96

Kurnool Collector's Office.

KURNOOL, DATED 26th August 1896.

From W. M. Mulla Esquire

COLLECTOR OF KURNOOL.

To Chief
THE SECRETARY TO Government
Ecclesiastical Department

Sir,
I have the honor to request
that early orders may be passed
by Government on the question
of the selection of a site for a
Christian Cemetery at Kurnool
reported on in my letters Dis. no.
887 and 1033. Aug. of 96 dated
30-6-96 and 23-7-96.

I have the honor to be,

Sir,

Your most obedient Servant

28/8
W. M. Mulla
27-8-96

Collector

Correspondence Department.

FROM

COLLECTOR OF

KURNOOL.

TO

THE SECRETARY TO

DATED

189

RECEIVED

No.

ENCLOSURES.

Subject.

Ecclesiastical (1896) Department.

CURRENT No. 264



CS.

It was agreed by Hms
that this bill shd. be paid.
H.E. desired Col. Campbell
to put up a note in regard
to the measure of blame
to be attached to the
Executive Engineer in the
Order. case of the Kurnool
Cemetery & the complete
file was sent to P.W.D.
and according to the
attached telephone is
now in circ. The amt
of the bill was Rs: 10 & odd.
Must the bill be awaited
or will you sanction
payment & say the bill
will follow. It can't hurt
them to wait a little
longer.

From A. F. W. Gillman Esq.

Acting Collector of
KurnoolRef. on C. No. 1812 of 96
EngDated 16th October 1896

Received 21 } - 10 - 96

Registered 22 }

Enclosures

Spare copies

SUBJECT.

Requesting early sanction
for the bill of costs incurred
in digging a trial grave
in the Kurnool Mass-Gravies
Cemetery submitted with
this office No. 1033 dated
23-7-96 for reasons stated
within. Reply from P.W.D.
recd. 26.10.96

30.10.96

Wait.
26.10.96

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Ref. C. No. 1812 of 96
Eng

ENCLOSURES.

KURNOOL COLLECTOR'S OFFICE,
KURNOOL,

Dated 16th October 1896.

FROM H. F. W. Gillman Esquire

Acting COLLECTOR OF KURNOOL,

To Chief
THE SECRETARY TO Government

Ecclesiastical Department
Madras.

SIR,

I have the honor to request
early sanction for the bill of costs
incurred in digging a trial
grave in the Kurnool Masa-
Masjid Cemetery Submitted
with this office Dis. no. 1033
Eng
dated 23-7-96 as the Executive
Engineer is reminding on the
Subject.

Ecc C no 191

File sent to
P.W.D with
office note
no 1895

21-9-95
for action being
taken with refce
to the Governor's
note as regards the
recovery of money
spent on the cemetery

I have the honor to be,
Sir,

Your most obedient Servant

H. F. W. Gillman
Acting Collector

Recd
19.10. 1896
19/10/

Code
Class.INDIAN TELEGRAPHS. Monthly
Number.

To

(Office)

From

(Office)

Words.

Day.

Hour.

Minute.

Official
Instructions.

To

(Person)

From

(Person)

The papers regarding the Kurnool Cemetery are at present in circulation. On their return the required bill will be taken out and sent to you.

23-10-96

F. C. 2.

Rec. from

L.N.

Sent to

L.N.

Hrs.

Mts. by

At

Hrs.

Mts. by

Telegraph Master.

G.P. No. 372 - 27 11 98 - 40,00000

Public Works Department.

Note in the Kurnool Cemetery.

In August 1890, Mr. King, the Collector of Kurnool, brought to the notice of Govt. the necessity for closing the existing cemetery at Kurnool and proposed that an old burial ground to the west of Kurnool containing a few tombs in a dilapidated condition might be converted into a new cemetery by being extended so as to comprise $\frac{1}{2}$ acres altogether. The Govt. approved of the Collector's proposal generally, and called for definite information in regard to details, viz., estimated cost of the project, land to be taken up, and mode of compensating the owners of such land. Mr. King obtained from the Executive Engineer, Mr. Johnston,

(1) vide G.O. no. 11-54 Eccl. dt/18.4.90.
Para 2 of G.O. No. 63 Wd/14.1.93. Signed
C.

16/10/96

an estimate for the proposed work,
amounting to Rs. 1700, and in
submitting the estimate to Govt.,
reported that the land to be
taken up lay in Fields Nos 211 &
212 in Mannidalpad village,
Ranavalla Kot taluk, and that
a payment in cash was necessary
for such land. The estimate was
approved by Government in the
Executive Council dept, and transferred
to the Public Works Dept in Dec^r
1892. In January 1893, the estimate
was passed on to the Supt.
Engineer White, Colonel H. J.
Raser, for sanction.

About December 1893, work
was commenced, not on the piece
of land which had been reported
to Government by Mr. Kingle
as the site of the new cemetery,
and which lay to the north and
west of the old burial ground,
in Fields Nos 211 & 212, but on the
land lying to the south and east
of the old burial ground, and
falling entirely within Field No
212. In reply to a reference
from the Collector, Mr. Mullaly,

(2) & (3) vide Govt. No 92 Exec. d/12.12.92
& Govt. No 63W d/14.1.93 respectively.
Flagged C.

(4) vide page 3 of Govt. No 88 Exec. d/23.11.95 (Govt. No 65W d/9.1.96)
Flagged B.

(5) vide page 1 of Govt. No 88 Exec. d/23.11.95 (Govt. No 65W d/9.1.96)
Flagged B.

as to the circumstances which
led to this change of site, it was
explained by the Executive Engineer
that the original site was one
actually selected by the Public
Works Dept. Subdivision Officer,
not by Mr. Kingle, that it was
discovered afterwards that
the land so selected was
quite unfit for a cemetery
on account of the shallow
nature of the soil, and that,
therefore, land better suited
for the purpose but in a
different direction, though
still adjoining the old
burial ground was chosen
by the Executive Engineer.

On receipt of this explanation,
the Collector satisfied himself
by personal inspection of the
propriety of what the Executive
Engineer had done. Owing to
the change of site, the land required
for the new cemetery had to
be acquired under the
Land Acquisition Act

(6) do — do —

and this was authorized in Co
N^o 27, ⁽⁷⁾ Ecclesiastical, dated 4
April 1894.

(7) ^{side} page 2 of Co. 88 Eccl. of 13.11.95
(Co. 65W of 9.1.96) flagged B

In December 1894, the
Supt. Engineer ⁽⁸⁾ W. L. L. L., Lt. Colonel
Rawson, submitted a supple-
mental estimate, amounting to

(8) - 80 - 20 -

R[£] 3392, for constructing
(1) a mortuary shed,
(2) a road to the cemetery
gate and

(3) pathways in the cemetery itself.

This estimate was referred to
the Collector, Mr. Tate. He

⁽⁹⁾ reported that he could not

(9) 30 - 20 -

recommend the expenditure

of any more money on the

cemetery, and that the place

was quite unsuitable for use

as a cemetery, being (1) a bed

of hard slate covered by black

clay soil to the depth of only

2 or 3 feet, (2) below the level

of the canal and surrounded

by wet fields, and consequently

likely to be very dry for a great

part of the year, and (3) out
of the way and sure to be
neglected. This report led
the Government to enquire
into the matter fully, with the
result that the Executive
Engineer, Mr. Johnston, was
called upon ⁽¹⁰⁾ to shew cause
why he should not make
good the public funds —
(R[£] 1712.9.3) which had been
unsuccessfully expended in
the cemetery owing to his want
of due care.

(10) ^{side} para 5 of Co. 88 Eccl.
of 13.11.95 (Co. 65W of 9.1.96)
flagged B.

(11) Flagged A.

⁽¹¹⁾ Mr. Johnston in his letter
N^o 427 dated 31 January 1896,
explains (1) that the Government
having approved of Mr. King's
proposal to convert the old
burial ground into a new
cemetery, it remained for
him only to carry out the
orders of Government in the
best manner possible,
(2) that he was precluded
from selecting a better site

(3) that the plans and estimates submitted by him were prepared with reference to the site selected by him, and contained sufficient information as to the depth of the soil all along the line of the enclosing wall to enable the sanctioning authorities to form their own opinion as to the suitability of the site or otherwise, and (4) that work was commenced only after the Supt Engineer's sanction to the estimate had been received, and also after (not before), as stated by the Collector, Mr. Mullaly, in his letter to Government dated 10 Oct 1895) the required land had been handed over by the Revenue Dept.

The foregoing is a précis of the correspondence in the Kurnool cemetery and after

carefully perusing all the papers referred to I am bound to say that I think too serious a view has been taken of Mr. Johnston's conduct.

There was no neglect of duty on his part, he personally inspected the site selected by Mr. Kough and came to the conclusion ^{that} a slight alteration in the position was desirable as deeper soil could be got and the then Collector, Mr. Mullaly, satisfied himself by personal inspection of the propriety of what Mr. Johnston had done.

What Mr. Johnston was told to do was to extend an existing cemetery and he found on inspection that the extension in the direction proposed by Mr. Kough would not be so suitable as an extension in another direction, there was no question as to

the selection of an entirely new site.

Mr. Johnston seems to have been well aware that there was rock near the surface though not so near as in the piece of land selected by Mr. Kough and he no doubt committed an error of judgment in not reporting that both sites were unsuitable, but this error of judgment was to a certain extent excusable as in the cemetery in which Europeans had formerly been buried the soil was rocky and he did not see why what had been done before could not be done again. Mr. Johnston makes a misstatement when he says that the plans and estimates submitted by him gave correct information as to the depth of soil as this is not

the case, but his letter was written long after he had left the Kurnool District and several years after he had prepared the plan and estimate.

No work was commenced till after sanction had been obtained and the land handed over by the Revenue Department. I do not consider that Mr. Johnston has been guilty of gross carelessness or neglect of duty by which Government money has been wasted and I think that making him refund or reducing him would be too severe a punishment. His fault was an error of judgment and I think it will be sufficient punishment if he be reprimanded ^{perhaps} and not selected for promotion to the rank of Deputy Engineer when the time comes.

Think a reprimand I think a reprimand will be enough in this case will write the case.

To stop Mr. J's promotion to the rank of Capt & Lieut? would be to go much further than I should wish - But I don't think a mere reprimand suff.

RS
22/10/96

The difficulties of digging a grave in the site selected seem to me to be exaggerated, the grave dug was 7' x 3' x 6' and as the upper 3' was earth there

was $7 \times 3 \times 3 = 63$ cubic ft of granite
 and $7 \times 3 \times 3 = 63$ cubic ft of rock
 removed; at the rates in force
 in this Dept the entire work
 should have cost Rs 2 and
 blasting the rock $\frac{5.5}{100} \times 63 = 3.46$ the
 say the $\frac{3}{8}$ total cost Rs 3.10.0
 against Rs 10.12.5 actually paid,
 the reasons for the heavy cost
 is said to be the confined space.

No doubt this could add
 to the expenses but that the
 cost should be nearly treble seems
 extraordinary. and the sum taken 10 days it
 is correct

With reference to Honble
 Members' remarks on the note
 for orders dated 24th August 1896
 I would remark that I cannot
 see any object in introducing
 a rule that Engineers will be
 held pecuniarily responsible
 for mistakes that they may
 make. Government have now
 undoubted the power to make
 an officer refund public
 money that may have been
 lost owing to his carelessness

I am disposed to agree.

11.10.96

I think it is desirable
 to call the attention of
 Engineers to this point
 I know of no instance
 in which it has been
 exercised, & I believe
 it has been lost sight
 of. Weighs will of
 course be given to the
 consideration noticed
 by the C.E.

24/10/96

but I consider that no general
 rule is advisable, each case
 must be considered on its
 merits. No one is infallible,
 the ablest men may make
 mistakes not only in the
 construction of Engineering works,
 (though these are ^{almost} the only ones
 that are brought prominently
 before the public) but in
 other matters, and that a
 man should be severely punished
 for ^{a high} error of judgment even
 though it resulted in a loss
 to Government does not seem
 to be just. If the loss has
 been caused by gross carelessness
 or neglect of duty then by
 all means let him be
 made to pay up to the
 uttermost farthing.

2/10/96

W.

Cum
 3.10.96

[9 / 73]

500-1-8-96.

Public Works Department

OFFICE NOTE No. 1895

Dated 21st September 1896.

Current No 9875

Reg: 30-10-96.



From

THE CHIEF SECRETARY,

To

THE SECRETARY, *Public Works* DEPARTMENT.

I send you the
accompanying com-
-plate file regarding
the Kurnool Cemetery
with reference to H.E.
the Governor's note of
the 18th inst.

Respectfully

Chief Secretary

3513

18.9.6.

No. 3828 of 30th October 1896

TO THE CHIEF SECRETARY

I return the file
with my review of the
Case, & the notes thereon
by His Highness & Hon. Members.

Mr. Pambell Colonel R.E.

Regd 3-11-96

Encl - file

of papers forwarded with C. N. No. 1895 of 21-9-96

circ 20/10. R 26/10.

No. 1052 D 4/13-8-96 ✓
 " 320 D 3-6-96 ✓
 " 985 C 19-2-96 ✓
 " 1976 C 20-4-96 ✓
 " 255 D 28-5-96 ✓
 " 556 C 31-1-96 ✓
 " 65 W 9-1-96 ✓
 " 288 C 23-11-95 *Recd.* ✓
 " 1074 W 27-4-94 ✓
 " 92 17-12-92 *Recd.* ✓
 " 27 4-4-94 ✓
 " 77 18-9-93 ✓
 " 765 12-8-93 *Recd.* ✓
 " 63 W 14-1-93 ✓
 " 59 18-9-90 ✓
 " 2140 L 7-11-95 ✓
 " 1342 L 31-7-95 ✓
 " 1964 L 4-10-94 ✓
 " 170 W 19-1-91 ✓
 " 75 W 11-1-91 ✓

[25 A.]
 1,000-21-3-96.

Ecclesiastical DEPARTMENT
 C. No. 217 and file

KURNOOL CEMETERY

Hm. and circ

FOR ORDERS.

H.E. the Governor and the Hon'ble Mr. Grose are agreed that Mr. Johnston, the Executive Engineer, should be reprimanded for the error *of* judgment committed by him which led to the expenditure of Rs. 1712-9-3 in enclosing a portion of ground for use as ^a new cemetery which, on trial, was found to ^{have} ~~be~~ of an insufficient depth *of soil*.

Flag. G.

marked with red tape.

What may be called the personal portion of this file has now been disposed of, for the dissatisfaction of Govt. with Mr. Mulla's negligence in the matter in approving the useless cemetery has been recorded in para 5 of G.O. No. 88 Eccles., d/ 23rd November 1895, and the case of the other officer ^{concerned} has now been settled. Orders are requested in regard to a ~~new~~ ^{the new} site for Cemetery at Kurnool. The alternative sites submitted by the Collector were dealt with in the note for orders flagged J. They were (1) the extension of the old cemetery at Budhavarapet, which is shewn in the plan flagged L, and which was favoured by the Judge, the Medical Officer, the

Mr. Mulla's letter precedes the notes at flag. J.

c 13/11/94
 R 17/11/94

Issue orders regarding

the P.W. Officer and the Tahsildar, but which was objected to by the inhabitants of Budhavarapet, and by the Sanitary Commissioner ~~on~~ sanitary grounds;

(2) a site lying between the toll gate on the Gooty road and the land on which the new Taluk Outcherry is to be built.

The Collector favoured this ^{latter} site, provided the soil ^{was} sufficiently deep, and promised a further report.

H. M.

The Hon'ble Mr. Grose in his note of the 11th July, flagged J, was opposed to the extension; and both the Hon'ble Member and the Hon'ble Mr. Bliss decided to await the Collector's report. *His Excellency agreed.*

C.No. 191 is this report, and attached to ^{it} ~~the current~~ will be found a plan shewing exactly the site proposed. The Collector states that the trial ^{pit} dug shews the surface soil to be clay to a depth of five feet followed by a foot of gravel. The Collector and the P.W. Divisional Officer consider the site suitable, after personal inspection of it.

After recent experiences it is submitted that ^{it} would be better to have more trial pits dug in various parts of the site before expenditure is incurred on ^{enclosing} ~~increasing~~ it.

One point still remains for orders, and that is payment of the bill amounting to Rs. 10-12-5 sent in by the P.W.D. for digging the grave in the condemned site. This bill is attached

FOR ORDERS.

to the current flagged K. In his note dated 11th July flagged J, the Hon'ble Mr. Grose said "The cost of digging the trial grave must be sanctioned." Since then however the Chief Engineer, P.W.D. has in his note flagged C drawn attention to the amount of the bill. According to ordinary rates he says it should be Rs. 3-10-0. He does not consider that the confined space in which the men had to work is sufficient to account for the bill being nearly treble of what it would be under ordinary circumstances. As the bill is prepared and signed by the Ex-Engineer of the Kurnool district, it is submitted that it may be transferred to the P.W.D. to be settled.

Attention is invited to the Hon'ble Mr. Grose's note of the 24th October flagged C and Orders are solicited whether the P.W.D. should be requested to issue a general circular to all its officers directing their attention to the pecuniary responsibility they incur in respect of public money unnecessarily expended owing to their carelessness.

30.11.96. The facts of the case are contained in P.O. No. 92. 17. Decr. 92. See. (Flag C) & P.O. No. 88. 23. Nov. 95. Pcc. (Red taped). In the last mentioned P.O. Mr. Mullaly, the Collr of Kurnool, was censured for his part in the affair, and directed to select a new site for the Cemetery. Mr. Mullaly's report is dealt with in the note above. 2. If still remains (1) to issue orders regarding Mr. John

- through the D.P.W. ~~order~~
- (2) to issue a general order to the effect that Engineers will be held pecuniarily responsible for monies lost through their carelessness
- (3) to decide which of the 2 sites now proposed is to be accepted as the site for the new cemetery.

This should issue in the P.W.D. & not in Ecclesiastical.
MA JG

A.54

As regards (1) H.E. the former & the Hon. Mr. Prose are agreed that it will be sufficient to recommend the situation. (Flag. 9)

As regards (2) please see the note at Flag. M. & G. (back)
As regards (3) it is submitted that as there are sanitary objections to the Dudhavarpet site, the proposal to make it the new cemetery should be rejected, and the site favoured by the Comm. approved. It seems hardly likely that the mistake owing to which this correspondence has arisen in ref. to the original site, can have been repeated in selecting the new one, and therefore the suggestion made in the note that further trial pits should be dug is, it is submitted, unnecessary. The D.P.W. may, it is thought, be asked to deal with the matter of the No. 10-12-5. speak in digging of the condemned site, a grave on the site as proposed in the note

As this refers to the special case under reference it may issue under Eccles. MA JG

A.54

The Engineer should satisfy himself & the Comm. as to the depth of soil.
MA JG

A.54

MA 2.11.96

JG

14/11/96

A.54

18.11.96

NOTE FOR THE C.S.

with ref. to para 2 of this order;

At Flag M. the Hon. Mr. Prose made a remark to the effect that a general order should issue holding Engineers pecuniarily responsible for ^{their} mistakes.

H.E. the former remarked that it would be well to issue such an order if the threat it conveyed could be enforced.

H.E. were in no doubt as to the power of Govt. in this respect, & the Hon. Mr. Prose considered it hardly credible that no such order already existed.

H.E. then asked Col. Campbell for a review of the case.

In his review Col. Campbell remarked (at Flag E) that he could see any object in introducing such an order as that proposed.

H.E. ^{thereon} wrote to "I am disposed to agree". The Hon. Mr. Prose modifies his original proposal to issue an order & suggests that the attention of Engineers should be drawn to the power of Govt. to

Flag. M.

d.

Flag. G.

Flag. 9.

Papers to be read in proceedings:--

3

Again G.O., dated 23rd November 1895, No. 88 (Printed)

Again G.O., dated 189, No.

Current No.	of 1896, dated	19/2, from	the P.W.D.
41	of 1896	8/6	the Collector of Kurnool
152	" 1896,	30/6	" " " "
166	" "	23/7	" " " "
191	" "	26/8	" " " "
217	" "	30/10	" " " "
285	" "		" " " "

Encl. C. 264 d/16.10.96 from the Colly, Kurnool (quote)

ORDER. No 9174-12-96.

Secretary to Govt., P.W.D. for
favour of counterinitials.

After a careful review of all the circumstances of the case, His Excellency the Governor in Council is of opinion that Mr. Johnston committed a grave error of judgment in not reporting at once the unsuitability of the site selected by Mr. Kough for the cemetery. Mr. Johnston was well aware that there was rock near the surface of the site, and it was his duty to report the fact. The direct result of his omission to do this has been the useless expenditure of Rs. 1,700. His Excellency the Governor in Council therefore while acquitting Mr. Johnston of such gross carelessness as would justify the recovery from him of the money uselessly expended, considers that his conduct cannot be allowed to pass without reprimand, and directs that he be censured accordingly.

2. The P.W.D. will be requested to direct the attention of all its officers to the pecuniary responsibility they incur in respect of public money

unnecessarily

recor from this money washed & show.

The Hon Mr. Bliss has not asked in this.

I regret that I overlooked H. Es. to the Hon Mr. Prosser's best mentioned notes in the order for orders, in which it is decided that a general order should issue through the D.P.O. The drafts have been prepared in accordance with the latest notes of H. Es. to the Hon Mr. Prosser. As the Hon Mr. Bliss has not asked in these, I submit the drafts to be circulated to him.

yes.

27.11.96

21/12/96

22/12

22/12

unnecessarily expended owing to carelessness.

3. His Excellency the Governor in Council recognizes the sanitary objections that exist to the Budhavarapet site for a new cemetery and agrees with the Collector that the spot selected by him lying between the toll-gate on the Gooty road and the land on which the new Taluk Cutcherry is to be built, should be utilized for the purpose. The Executive Engineer should satisfy himself and the Collector that there is sufficient depth of soil in the proposed site. The Collector will then take steps in view to the submission of the requisite plan and estimate for enclosing and laying out the ground.

4. The bill for Rs.10-12-5 for excavating a grave in the condemned site was prepared and signed by the Executive Engineer of the Kurnool District and will be transferred to the Public Works Department for adjustment.

A.L.H.

29/11/56

MA 27.11.56

30/11/56

Note for C.O. Please see note on the original draft in refce to para 2 (see para 2)

A.L.H.

To the P. W. D. (with 3 enclos. & 1 bill)

Collector of Kurnool (with 3 enclos.)

Dec 4/1/57

at copy sent to Press.

turned for signature. 26/12

spatched in print.

AGAIN G.O., No. 189

DATED

AGENT No.

ENCLOSURES TO C. No.

OF GOVERNMENT

OF GOVERNMENT

WITH DITO.

NOT FILLED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

7 copies

N.B. -

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

NUMBER OF COPIES REQUIRED.

Order complete. 40
Letter only.
Order complete with letter.