[L. & M. 2,000-8-95.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 260 L.

DATED 9th Feby 1895.

[Despatch Abstract.]

Petition.

Informing, with remark, the President, District Board, Tinnevelly, that G. Mallatambi's appeal should be placed before the District Board for consideration.

BACK PAPERS.

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

FURTHER PAPERS.

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

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.
G.O., DATED 9-2-95
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INDEXED.

When given for copying.

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BACK PAPER, No.

OF 189

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No. , MISCELLANEOUS.

FURTHER PAPER, No.

OF 189

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).

N.B.—
A = Copy in full.
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Copied by

Examined by

Proceedings of the President District Board Tinnevelly.

dated 18th July 1894.

Read journal of Nallathamby Supervisor, Tuticorin Range for the month of January 1894, and remarks thereon dated 29th March 94, of the District Board President Mr. G. S. Forbes.

The Supervisor checked the measurements made by Tenkarai Taluq Overseer Daivasikamoney Mudaliar as to the work of mile coolies executed in October and November 1893, only on 23rd January, and found that the maistry had overmeasured the work and that the Overseer had accepted it. The Supervisor was called on to explain why he exercised no check for 3 months also to explain why the repair pits of Komanery tank were not measured before the supply of water came in.

2. The Supervisor explained on 30th April 1894, that he had other work in Ottapidaram Taluq and confesses that he knew nothing of the date September (1893) when the tank repairs were begun and blames the same Overseer Daivasikamoney Mudaliar who did not measure accurately or in proper time.

3. On this the District Engineer Mr. D. P. Chester remarks on 2nd July 1894, that the Supervisor makes wanton remarks as to the Overseer not measuring mile coolies work in November and December 1893 as the Overseer's diary shows that it was done. It is impossible for Supervisor after 3 months to properly checkmeasure spreading work. The Supervisor is more to blame than the Overseer, but both have been very casual. It is pointed out that a Range Officer must be truthful and reliable. The work in Ottapidaram Taluq was no sufficient excuse for the Supervisor neglecting his work in Tenkarai.

4. The Engineer further points out that once before the Supervisor was left off with a warning for not check-measuring for nearly a year a large supply of Road materials on the Palamcottah Nagalapuram Road during 1893. The Engineer then though degradation as too severe punishment and recommended a fine of ten rupees. However he said he previous conduct was good and the result was merely a warning conveyed in letter No. 442 dated 24th December 93 from the President District Board to the District Engineer.

5. As to Supervisor Nallathamby it seems clear that he has been guilty of laziness and that his failure to take prompt measurements shews, his incapacity to supervise his subordinates, unless he is himself zealous in such work he cannot be held free from blame. He will be reduced to 1st Grade Overseer.

6. 2nd Grade Overseer Daivasikamoney Mudaliar has also been guilty of want of zeal but in a less degree and he is warned that any further neglect will be severely noticed.

(Signed) Bannatyne Macleod,
President.

(True copy)

(Signed) C. Subramania Aiyar,
for President.
19—7—94.

Exhibit II

To,

The Honourable Members
of the District Board
TINNEVELLY.

The humble appeal petition of G. Nallathamby late Supervisor in charge of Srivilliputur Local Fund Range.

Móst Respectfully Showeth,

I. That your honours' petitioner was reduced from Supervisor's Grade to 1st Grade Overseer by the Proceedings of the President District Board Tinnevelly dated 18th July 1894 a copy of which is annexed to this petition as Exhibit I.

II. That the said order of degradation by the President District Board was passed in consequence of the remarks of the District Board Engineer Mr. D. P Chester.

III. That the remarks of the Engineer on which the said order of the President was based are not entitled to any weight when all the circumstances of the case are considered.

IV. That the petitioner begs to bring to your honours' notice, the following facts which would enable your honours' to see what weight should be attached to the opinion of the District Board Engineer.

(a) When the petitioner was in charge of Tuticorin Senior Assistant Engineer's Range and inspecting works in Ottapidaram Taluq, the District Board Engineer visited Kurukusalai in the above Taluq on the 12th November 1893, and ordered the petitioner in his No. A dated 18th November 1893, that the petitioner must supervise the renewal spreading work on Road No. XXIV personally and that he should in addition checkmeasure and make payments for works done by mile coolies on Roads Nos. II, III, III A and XXIV in the same Ottapidaram Taluq.

(b) The Overseer of Ottapidaram Taluq was ordered to carry out the renewal spreading work on Kalugumalai road only. In obedience to the above order, the petitioner was personally carrying out the spreading work on Road No. XXIV checking and making payments for works done by mile coolies during the months of November and December 1893, and a portion of January 94. On the 31st December 1893, when the petioner was at Tuticorin in Ottapidaram Taluq, he received a complaint petition in a registered cover from Sevalai village mile coolies, on Road No. XXIII in Tenkarai Taluq. The subject of the complaint was that the Tenkarai Taluq Overseer V. Daivasikamoney Mudaliar and Maistry Chithambaram Pillai conjointly misappropriated the Local Fund money due to coolies by preparing false accounts, and incorrect Nominal Rolls with fictitious names during the months of September and October 1893 on seven road's namely,

1. Road from Srivaikuntam to Vagaikulam.
2. Road No. XXIII A.
3. Kuriampatchery branch road.
4. Mukani branch road.
5. Valavellan branch road.
6. Road from Sawyerpuram to Palayakoyal.
7. Road from Arumugamangalam to Maramangalam.

On the receipt of the complaint, the petitioner sent a notice to the complainants (mile coolies) informing them that the petitioner would enquire into their complaints when he comes to Tenkarai Taluq from Ottapidaram and that if the complaint be false the Overseer would be authorized to prosecute them.

(c) The petitioner completed the necessary works in renewal spreading in the whole of 8 miles of road No. XXIV, as per written order of the District Board Engineer and proceeded to Srivaikuntam in Tenkari Taluq to enquire into the case brought by mile coolies. As soon as the petitioner entered Tenkarai Taluq, the District Board Engineer sent to the petitioner on the 11th January 1894 a written order, on the Telegram received by him from the Union Chairman at Tiruchendore, directing the petitioner to proceed to Tiruchendore and to carry out the spreading work of materials although the Overseer V. Daivasikamoney Mudaliar was in charge of the works in that Tenkarai Taluq. In accordance with the order the petitioner proceeded to Tiruchendore, engaged a new contractor and carried out the spreading there, and inspected all the works near Tiruchendore in the southern part of Tenkarai Taluq and returned to Srivaikuntam about the 20th January 1894. On the 23rd January 94 he (petitioner) began to enquire into the complaints of mile coolies. To satisfy himself as to whether the mile coolies' complaints were true or not, the petitioner first checked the works done by them on road from Srivaikuntam to Vagaikulam durir ; October and November 1893, (no work being done in December) in the presence of the maistry, and recorded the actual measurement in the maistry's measurement book now kept up in the Tenkarai Overseer's office. The maistry's measurements for the two months were altogether wrong and prepared at random without any reference whatever to the actual work done by coolies on the road. In this connection, if a reference be made by the Honorable Members of the Board to the maistry's measurement book now in the Tenkarai Local Fund Overeer's office the petitioner's statement will be found true. After satisfying himself as to the incorrect and excess measurement, the petitioner went to the village of Sevalai which was said to be the residence of fictitious coolies named 1. Nagappa Naick, 2. Gurusamy, 3. Vala Naicken and 4. Sudalaimtuhu, as falsely entered in the Nominal Roll for October 93 and made enquiries in the presence of the Village Munsiff and took depositions from the party concerned.

(d) The first man cooly named Nagappa Naick son of Shunmugam stated in his deposition that he was a boy cooly four or five years ago, and that since then he is attending to his own cultivation and that he did not at all work as a mile cooly in October 1893.

(e) The Village Munsiff stated in his athachi that man cooly Gurusamy (No. 2) went to Ceylon 3 years ago, man cooly Valan No. 3 was not present in the

village, and that man cooly Sudalaimuthu No. 4 stated that he worked as a boy cooly some 6 months ago and did not work as a man cooly during the month of October 93 on the road.

(f) On veryfing the names referred to in the complaint with those in the Nominal Roll of coolies on road from Srivaikuntam to Vagaikulam for October 1893, the petitioner was fully convinced that the complaint of the mile coolies was quite true and borne out by records, especially by the false Nominal Roll prepared by maistry Chithambaram Pillai and treated as having been paid by the Overseer. This is a clear case of misappropriation of Local Fund money by the Local Fund Overseer Mr. V. Daivasikamoney Mudaliar of Tenkarai Taluq. These facts the petitioner reported to the District Board Engineer in his No. $\frac{204}{E\ 73}$ dated 26—2—24. What became of this report during the last 6 months, is to be noticed by the Honorable Members of the Board. Under the above circumstances, the petitioner begs to inform the Board, that he took prompt measures at his first opportunity, and was not delaying measuring mile coolies works as stated by the District Board Engineer who wants to save the Overseer from the charge of misappropriation by framing false accounts and Nominal Rolls of fictitious names reported in the above No. $\frac{204}{E\ 73}$ dated 26—2—1894.

(g) Mr. Pogson the Senior Assistant Engineer who relieved the petitioner from Tuticorin Range charge also seems to have enquired into the same complaint of mile coolies, submitted depositions taken by him, with the result of his enquiry to the District Board Engineer.

(h) Whei the petitioner was about to find out the frauds committed in the other 6 roads, as complained of by mile coolies, the District Board Engineer issued an order dated 1—2—94, to proceed at once to Ottapidaram Taluq under the plea that the petitioner's supervision was much needed there.

V. With regard to the remark that the petitioner failed to take measurements of pits in Komaneri tank bed, before the supply of water came into the tank, the petitioner begs to submit the following:—

(a) An Overseer is appointed to be in charge of all works in a Taluq. His duty is to measure up contractor's work as soon as it is done in that Taluq.

A Supervisor is placed in charge of 2 or 3 Taluqs. His duty is t o checkmeasure contractor's works in the 2 or 3 Taluqs only after the work is *first* measured and bill submitted by the Overseer for the same to him (the Supervisor). The Overseer who executed Komanery tank repair work, and who perfectly knew that the pits would be filled in with water in the rainy season i. e. November and December 1893, *failed* to take measurements of pits in the tank bed before water came in but measured the bund of the tank after water came in. So the *failure* in *measuring up* the pits before water came in, is owing to the negligence on the part of the Overseer who was in direct charge of the work and not to any remissness on the part of the Supervisor the petitioner, who was on special duty in Otta-

pidaram Taluq as per District Board Engineer's written order No. A dated 18—11—93. The Overseer's measurement of the bund was checkmeasured by the petitioner. Finding that the Overseer's method of measuring up the bund was inaccurate, the petitioner ordered the Overseer to remeasure it by means of levelling instrument taking cross sections of the bund.

(b) The petitioner begs to submit that he was engaged in the months of September and October 1893, in checkmeasuring maintenance works on all roads in Tenkarai and Ottapidaram Taluqs, for which measurements had been received by the petitioner from the Overseers of the two Taluqs in order to admit of road repairs being done by mile coolies with the materials in the months of November and December 1893 taking advantage of the rains.

VI. As to the remarks of the District Board Engineer to the President District Board dated 2nd July 1894, alluded to in para 3 of the Proceedings dated 18th July 1894 of the President, I beg to submit the following explanation which will go to prove that the remarks do not hold any water.

(a) That the Supervisor makes wanton remarks.

This remark is only vague and not based upon any foundation.

(b) It is impossible for Supervisor after 3 months to properly checkmeasure spreading work.

The road referred to is the road from Srivaikuntam to Vagaikulam, via Mulakarai. The portion of the road on which the work was done passes through nunjah lands and has no traffic. The road is intended to take manure to fields by carts. The fields along the side of the road were cultivated before the month of October 93 as Srivaikuntam Periakulam received its supply of water at the commencement of September 1893. The spreading of gravel made by mile coolies in October and November 1893 was not disfigured by bandies and was perceptible for checkmeasurement. The formation soil of the road is black, and the gravel spread over is red in colour. Therefore the portion of road where gravel was spread could be easily made out even after 6 months in such roads. Petitioners measurements of mile coolies works for October and November 1893 in this road, and for December in road No. X and in some other two branch roads were recorded in the maistry's measurement book opposite to maistry's measurements which had been prepared by him from his house without any reference whatever to the actual spreading done by mile coolies. It has also been observed by the petitioner and brought to the notice of the District Board Engineer that all the accounts of the maistry Chithambaram Pillai have been so invariably prepared by him, as to arrive at certain square feet at the rate of 6 square feet for every cubic feet that is spent on the road.

Even granting that the descrepancy in the measurements of works done in October and November is owing to the length of time, the measurements of the maistry of the work for December 93 on three other roads meet with the same, although they were checkmeasured as usual in the subsequent month of January 1894. This fact evidently proves that the maistry has been in the habit of preparing accounts at random without any reference to the actual work done by coolies as stated above. A reference to the Maistry's measurement book kept up by maistry Chithambaram Pillai will prove the petitioner's statement.

(c) The Supervisor is more to blame than the Overseer.

The mile coolies works are usually measured by maistries; the Overseers checkmeasure their measurements and make payments to coolies and the Supervisors or Range Officers are to see that all coolies Maistries, and Overseers under them do their duties properly without complaints. The mile coolies complaint received by the petitioner on 31st December 1893 when he was in Ottapidaram Taluq was attended to by the petitioner on 23rd January 94 after obeying the orders of the District Board Engineer conveyed in No. A dated 18—11—93 and his endorsement order on Trichendore Union Chairman's telegram as shown in C under main head IV.

This remark is wantonly made by the District Board Engineer for saving the Overseer at the petitioner's risk.

(d) It is pointed out that a Range Officer must be truthful & reliable.

As to the truthfulness and reliability of the petitioner he most submissively begs to draw the attention of the Honorable Board of the high opinions recorded by the late District Board Engineer R. C. Lowry Esquire in office No. $\frac{473}{2—9—86}$ to the Local Fund Engineer Madura, and No. $\frac{378}{9—5—88}$ to the President District Board Tinnevelly. The Engineer certifies that the petitioner is energetic and pains taking and has always satisfied him in his work; that the petitioner is thoroughly reliable and honest and qualified for Supervisor's post.

(2) In letter No. 48 dated 21st February 86 Mr. Lowry has written to the President District Board that in connection with the construction of girder bridge over Srivaikuntam anicut, in the executive branch, the petitioner is the only subordinate in Tinnevelly District physically fit for the work on whom he could place any reliance.

(3) The petitioner was holding the charge of Senior Assistant Engineer of Tuticorin Range for 8 months at the recommendation of the President District Board Engineer Mr. D. P. Chester.

(4) The present District Board Engineer himself has in one of his letters to Mr. Forbes the then President stated that the estimate for the construction of the road from Ettiapuram to Vilathikulam could not have been prepared had it not been for the petitioner's hard work and diligence. It must be noticed here that the work was out of the petitioner's range and because Mr. Donovan the Senior Assistant Engineer disobeyed the reapeated orders of the President and Engineer calling for the submission of the estimate the petitioner was deputed to do the work specially.

(5) The petitioner's action in matter of bringing forward the Overseer Rama Row's false personification in the interests of the Board, and his prompt measures taken in securing the imprest advances from the same Overseer who deceived the President District Board in the year 1891 and was arrested and imprisoned, are evidences of the petitioner's integrity, activity and honesty.

(6) The very fact that the petitioner brought to the notice of the District Board Engineer in his No. 204/E 73 dated 26—2—94 the falsification in the Nominal Roll, and misappropriation of Local Fund money by Tenkarai Overseer, V. Daivasikamoney Mudaliar also tells of the integrity and reliability of the petitioner.

(e) The work in Ottapidaram is no sufficient excuse for Supervisor to neglect his work in Tenkarai.

Of this remark the petitioner begs to submit that the petitioner was explicitly ordered to do works paying special and personal supervision in Ottapidaram Taluq in November and December 93 as per District Board Engineer's No. A dated 18—11—1893. A reference to the petitioner's journals for November and December 1893 and to the daily progress reports submitted to the District Board Engineer in obedience to his express written orders of the renewal spreading work in the whole of 8 miles of Road No. XXIV, clearly proves the absolute necessity of the petitioner's presence at Ottapidaram during those months. Even if the petitioner had left works in Ottapidaram Taluq and come to Tenkarai the same District Board Engineer would have blamed him for disobedience of special and express orders, and with all that the petitioner with the greatest difficulty had checkmeasured almost all the works in Tenkarai Taluq.

Furtther the petitioner begs to add that the District Board Engineer who visited Tenkarai Taluq. about 4 times just before the petitioner checkmeasured the Komenery Tank, work in January 1894 could have very easily inspected and checkmeasured the same work as it is a special work above Rs 500 in accordance with the standing circular in this department, and as the Engineer himself very well knew that the petitioner was obliged to attend to more important special works personally in Ottapidaram Taluq in obedience to his written orders.

VII. As to para 4 in exhibit I the petitioner begs to state that the measurement of materials on Road No. II referred to was not checkmeasured for about 6 months from the date it was received by the petitioner and not for one year as stated by the District Board Engineer. During those 6 months the petitioner was specially engaged in Kalugumalai road for starting the remetalling work departmentally, and in doing the duties of an Overseer in Srivilliputur Taluq as no Overseer had been appointed to it, in obedience to the express and written orders of the District Board Engineer conveyed in Nos. 2190/F 248 dated 13—6—1892 2746/F 303 dated 20—7—92, and 3138/F 355 dated 20—8—92.

(a) Repeated cries were made by the petitioner in 4 non-inspection statements that accompanied journals for the months of June, August, September and October 92, to the District Board Engineer, and President District Board, that the work in question on Road No. II, and works in Ottapidaram Taluq were not checked owing to the petitioner's having been required to have the charge of Srivilliputur Taluq directly under him, doing the duties of an Overseer in measuring up contractor's works mile coolies works and in making payments to them. Likewise two letters also were written to the Ditrict Board Engineer to the same

effect requesting to relieve the petitioner from Srivilliputur Taluq charge to enable him to checkmeasure works in Ottapidaram Taluq.

(b) Nothing was done by the Engineer till the middle of November 1892 when the petitioner was ordered to be relieved of Srivilliputur Taluq charge by Ottapidaram Overseer, and to have the Ottapidaram Taluq charge directly under the petitioner, and to checkmeasure works there. So the work referred to was checkmeasured soon after the petitioner returned to Ottapidaram at the end of November 1892. If the above arrangement had been made soon after the submission of the petitioner's non-inspection statements for August and September 92 &c. the work in question could have been checkmeasured in due time.

(c) Further the petitioner begs to bring the Honourable Board's notice, that upon the petitioner's representation in his above statements and letters the then President considering the difficulty in the Range Officer's work in the three Taluqs of Satur, Ottapidaram, and Srivilliputur, ordered the appointment of another Additional Supervisor and framed a new Range i. e. (Tuticorin Range) consisting of Ottapidaram and Tenkarai Taluqs.

(d) Under the above circumstances the Honourable Members of the Board will clearly see that the petitioner was not to be blamed in this respect and that therefore the remarks of the District Board Engineer are uncalled for.

VIII. With regard to the motive for the District Board Engineer to misrepresent matters to the President Ditrict Board the petitioner begs to submit the following.

(a) V. Daivasikamoney Mudaliar was brought to this District by the District Board Engineer Mr. D. P. Chester, as soon as he took charge of this District. The Engineer got this Overseer confirmed within about two months from the time of his appointment. This Overseer was brought to the District Board Engineer's notice by the petitioner in his letter No. 204/E 73 dated 26—2—94 about the fraud committed by the Overseer in the matter of making payments to mile coolies.

(b) Mr. Forbes the then President it appears having being convinced of the malpractices of the Overseer as brought forward by Sevalai mile coolies of Tenkarai Taluq, ordered the District Board Engineer to immediately transfer the Overseer from Tenkarai Taluq and directed him to submit a report on the result of his enquiry into the complaints of which the petitioner had already submitted his report No. 204/E 73 dated 26—2—94. Mr. Pogson the Senior Assistant Engineer had also enquired into the complaint and submitted his report. What became of the said reports the petitioner leaves to the Honourable Members of the Board as the District Board Engineer had taken little or no action on the matter.

(c) The renewal materials supplied by contractor Sunthramoorthia Pillai to portions of the 20th and 23rd miles of Road No. IV Tenkarai Taluq had been overmeasured by the Overseer and they were checkmeasured by the petitioner in

October 1893; the Oveseer's measurement was corrected to a great extent by the petitioner as will be seen from the first 3 or 4 measurement sheets relating to renewal work of Road No. IV for 1893-94.

(d) The Overseer and the contractor being offended at my strict checkmeasurement, which was prejudicial to their views, requested the District Board Engineer to checkmeasure the Overseer's measurement of renewal materials supplied subsequently to the 13th, 20th, 21st and 23rd miles of Road No. IV, and he the District Board Engineer accordingly checkmeasured them.

(e) It appears that a neighbour of Tenkarai Overseer at Srivaikuntam presented a petition to the Sub-Collector that the Overseer overmeasured the work and the Engineer checkmeasued it as measured by the Overseer; he also presented a similar petition to a District Board Member at Thenthiruperi. The District Board Member, as the meterials were within his limits, actually measured in company with 2 or 3 Village Munsiffs of surrounding villages, the heaps of materials in some portions of miles, and submitted his measurement of heaps of metal and gravel which were 1 foot, $1\frac{1}{3}$, $1\frac{1}{4}$, and so on in height instead of $1\frac{1}{2}$ feet as measured by the Overseer, along with report to the President District Board. The District Board Engineer is labouring under the mistaken impression that the petitioner might have been the cause of above, where as the petitioner had no concern at all.

(f) The fact that petitioner brought to light (in his No. $\frac{204}{E\ 73}$ dated 26-2—94) the Overseer V. Daivasikamoney Mudaliar's malpractice in misappropriating the Local Fund money, by preparation of false accounts and Nominal Rolls of fictitious names for the month of October 93 on the road from Srivaikuntam to Vagaikulam as stated by the petitioner in his journal for January 1894, was the cause of the District Board Engineer misrepresenting facts to the President District Board.

(g) The above facts would clearly show that the District Board Engineer has misrepresented facts in such a way as to prejudice the President District Board against the petitioner with a full view of protecting the Overseer V. Daivasikamoney Mudaliar from the complaints and charges brought against him.

IX. The petitioner craves permission to bring to the Honorable Board's notice his good sevices.

(a) He has served in the Local Fund Department as 2nd Grade Overseer for 2 years, as 1st Grade Overseer for $7\frac{1}{2}$ years and as permanent Supervisor for the last $3\frac{1}{2}$ years, thus altogether he has put in a service of 13 years. He is senior to all in the executive branch.

(b) He has always worked hard brought many irregularities to the notice of his superiors and won the good opinion of all his superiors.

(c) The petitioner did meritorious services to the Board as detailed in 1, 2, 3, 4, 5 and 6 under d of main head VI.

X. The petitioner therefore humbly prays that taking into consideration,

(1) the facts above mentioned,

(2) the fact that the petitioner was not guilty as remarked by the District Board Engineer,

(3) the petitioner's long and faithful service.

Your honours may be pleased to set aside the order of the President District Board Tinnevelly dated 18th July 1894 and reinstate the petitioner in his former appointment.

For which act of charity the petitioner as in duty bound will ever pray.

S Muthathumbiyan

29—8—94

Local & Municipal Dept.
CURRENT No. 3832 L

To

His Excellency the Right Honourable
The Governor in Council
Fort St George
Madras

CHIEF SECRETARY
19 DEC 1894
GOVERNMENT OF MADRAS

The humble appeal
petition of G. Nullathamby late Supervisor
Srivilliputur L. F,
Range Tinnevelly
District.

Most respectfully showeth,

That the petition was reduced from Supervisor's grade to 1st Grade Overseer by the President of L. F. Board Tinnevelly by his proceedings dated 18th July 1894, a copy of which is annexed to this petition as Exhibit I.

2. The said reduction is based on the remarks of the District Board Engineer ~~1st~~ D. P. Chester Esqre on the petitioner's report and on the remarks in the petitioner's Journel for January 1894,
(1) on the overmeasurement

through some influential
men of Tenkarai, dissuaded
the plaintiffs who put in
the suit from appearing
before the court on the day
of Enquiry by giving
them Rs 80 to cover up their
wages of Rs 43-12 as and
other court expenses, so that
the case might be dissmissed
by the Munshiff for the
non-appearance of the mile
coolies - the plaintiffs in
the court: and the case
was dissmissed as the plain-
tiffs did not appear in the
court on the day fixed by
the Munshiff for Enquiry.

This complaint together
with some other 12 serious
charges against the Overseer,
V. Davasigamoney Muddeliar,
Arunachalam Pillai and
Local Fund Engineer
seem to have been brought
in a petition, by a resident
of Srivikundam, to the
notice of the President &c
Board Tinnevelly.

We the subscribers that be-

The vice President under the orders of the President has issued summons to the parties concerned, and as one of the defendants, the late head clerk was absent on the 4th Instant, the Enquiry was postponed to the 2nd January 1896.

3. The appeal petition (Exhibit II) to the Members of the District Board Tinnevelly was made and 30 printed copies of the petition submitted through the President District Board with letter dated 29-8-94 requesting to distribute the copies among the Members of the Board and permit the petitioner to attend the subsquent meeting to personally represent the petitioner's grievances to the Board

4. The District Board that President ordered this appeal petition meeting, expressed the subsequent that he

consequently, in the list of subjects to be discussed in the meeting to be held on the 20th September 94 sent to all the Members of the Board, it was stated by the President that the petitioner's appeal was the fifth subject.

The petitioner on 15-8-94 before the commencement of of the meeting again requested the President to kindly distribute the copies of the appeal among the Members and to permit the petitioner to attend the meeting to personally represent his grievances to the Board. The President in reply sent No 46 dated 19-9-94 stating that he declined to comply with the request.

In the meeting held on the 20-9-94 at Ambasamudram, the President anticipating that his proceedings order appealed against would be greatly opposed by the Members in the meeting, expressed to the Members that he will

he placed the petitioner's appeal before the Board; and withdrew it and informed the petitioner in his No 29P dated 27-9-94 that, on the matter of reduction, there lies no appeal.

5. From the facts stated in paragraph 4, any one would be undoubtedly led to think that the President Dt. Board has intentionally reduced the petitioner by his proceedings to cause a vacancy of a Supervisor's post for providing his friend Mr. Wilson who came to this district with the President in the month of Jun 94. Mr. Wilson who is an unqualified person and has no professional knowledge had been, it appears, first nominated as 2nd Grade Overseer in Tenkari Taluq.

When considering that Rs 45, the pay of a 2nd Grade Overseer are not

Sufficient for the maintenance
of Mr Wilson's family,
the petitioner has been
purposely degraded to make
room for Mr Wilson; for,
if the petitioner had been
really found fault with,
one of the four first class
experienced Overseers who
have long served in this
department could have
been promoted to the
Supervisor's Grade.

D. P. Chester Esq. the L.
F. Engineer had sent in
his resignation giving 6
months' notice in the time of
Forbes Esq, the predecessor of
the present President, as
he was rather forced by
him to resign on account of
reasons best known to him.

Accordingly, an advert-
isement in the Fort St
George Gazette inviting
applications for the post of
District Board Engineer
appeared in several issues.

But somehow or other

Chester Esq withdrew his resignation after Macleod Esq came to this District and continues in the appointment.

6. Before the receipt of the order no 29P dated 27-9-94 from the President Dt. Board stating that in the matter of reduction, there lies no appeal, the petitioner applied twice to the District Board Engineer, Chester Esq to grant him 3 months' leave on forfeiture of full pay with a view to enable him to appear in person before the meeting and to attend to household affairs which were very irregular owing to frequent deaths in his family. But the District Board Engineer refused to grant him leave

7. On the receipts of the order no 29P dated 27-9-94 from the District Board President that there lies no appeal in the matter of reduction,

petitioner again applied to the President Dt. Board to grant him 3 months' leave, on forfeiture of full pay or to accept his resignation if no leave was to be granted fully believing the President's order was in accordance with any Government order on the subject and being discouraged by the reply sent to him without considering in the least, the petitioner's long (13 years) service honorably and meritorious works done by him at times. The Ex. Engineer who was in earnest to get rid of the petitioner from the department, readily accepted his resignation instead of granting him leave.

8. After the petitioner was relieved from taluq charge and went to Palamcottah from Satur, he came to know all the injuries caused to him by the Ex

Bd Engineer and by the head clerk in the Dt Bd Office in hiding from the President, the G.O No 1150 L of June 1887 allowing an appeal for the reduction which is a dismissal from higher appointment within the meaning of section 72 quoted by the petitioner in his letter submitting the appeal to the Dt Board through the President.

9. Here the petitioner most submissively begs to state that the Presidents order no 29P dated 27th September 1894 which the petitioner now finds to be quite contrary to G.O no 1150 L. dated 18th June 1887 was the cause of the petitioner's repeated application for leave. If the President had not withdrawn the petitioner's appeal which he had first placed before the meeting and if

he had not issued to the petitioner, the order no 29 that no appeal lies in the matter of reduction, the petitioner would not have even applied for leave again to the President or to the Engineer.

10. That the petitioner is not guilty as misrepresented by the Dt Bd Engineer in his remarks which will be clearly seen from the petitioner's statements in paras a, b, c, d, e, f, g, and h of main head IV, in paras a and b of main head V in paras a, b, c, d and e of main head VI and in the whole of main head of VII in appeal petition to Dt Board (Exibit II)

11. "With regard to the motive of the Engineer misrepresenting matters to the President, the petitioner begs to refer to the paras a, b, c, d, e, f and g of main head VIII, supra

petition to the Dt. Board

Ex II

12. The petitioner is a native Christian and is one of the very few that succeeded in getting into Local Fund service.

As has been honest and straight forward in pointing out the irregularities of his subordinates to his immediate superiors all along his official career and won the good opinion of all his superiors. As to the good services of the petitioner, he most submissively begs to invite your attention to para(s) of main head IX and to paras 1, 2, 3, 4, 5 and 6 of sub-head d under main head VI of appeal petition to the District Board.

13. The petitioner, therefore, humbly prays that taking into consideration (1) the facts above mentioned (2) the fact that the petitione

was not guilty as remarked by the Dt. Board Engineer (3) the petitioner's long and faithful service.

Your Excellency may be pleased to set aside the order of the President Dt. Board Tinnevelly dated 18th July 1894 and reinstate the petitioner in his former appointment as Supervisor.

For which act of charity, the petitioner as in duty bound will, for ever, pray.

Petitioner begs to remain
your Excellency's
most obedient and
humble servant
Muttathumby
late Supervisor

Palamcottah
16th Dec 94

Local & Municipal Dept.
P.R. CURRENT No. 3832 L

From.

G. Nullathamby.
late Supervisor
in charge of the
Srivilliputtur L.F. Range

Date 16/12/94.

- In 2.

No 16 dy 11-1-95

Returned to the Petitioner
for want of the President's
order dy 27th September 1894
no 29. P.

(By order)
W Francis
Ag. Assistant Secretary

V.R.
8/1/95
Fort Saint George
16th January 1895

To the petitioner.

Praying for restoration to his post. Appealing against the order of the Presidt. Dist. Bd., Tinnevelly reducing the petitioner from a Supervisor to an overseer praying for restoration to his appoint.

Recd 18.1.95

Recommd
1/21

With endorsement

Local & Municipal Dept.
CURRENT No. 233 1

To

His Excellency the Right Honourable
The Governor in Council
Fort St. George
Madras

The humble petition of G. Nullatham late Supervisor, Srivilliputtur L. F. Range, Tinnevelly District.

Most respectfully showeth,

That with reference to your Excellency's order no 16 dated 11-1-95 upon his appeal petition, petitioner begs to resubmit his appeal along with the President's orders no 29P dated 27-9-94 & no 46P dated 19-9-94. Petitioner begs to state that the other records connected with his case are in the offices of the President District Board and of the L.F. Engineer

Petitioner begs to rema
your Excellency's most
obedient and humb
servant
Nulla Thumby &
late Supervis

Palamcottah
21st Jan 1895

~~Ex VIII~~ ~~VIII~~

DT BD

Endorsement Current No. 29 of 1894

Reference - Petition dated 29-8-94 from G. Vallatamby L.F. Overseer, Sattur taluk appealing against the order of the President District Board reducing him from the Supervisor's post.

29-9-94

Under rule 72, only orders of suspension or dismissal can be appealed against and no appeal lies on matters of promotion or reduction.

DT BD's office
Tinnevelly
27-9-94
27/9

The President

DT BD
DESPATCHED
28 SEP. 94

~~Ex VII~~

District Board
Tinnevelly

FROM,

The President

District Board

Tinnevelly.

To G. Vallatamby L.F. Overseer, Sattur Taluk

Dated ~~18th September~~ 1894.

DT BD

Current No. 46 of 1894

ENCLOSURE.

Reference— His letter

No. ——— dated 15-9-94 requesting that spare copies of his appeal petition may be distributed to the members of the Board and that he may be permitted to be present on the next meeting day.

The President declines

Petition from G. Nallathumby late Supervisor, Surulipatti L.F. Range, Tinnevelly Dt.

DATED 21st January 1895.

TRANSFERRED to the Chief Secretary to Government for disposal.

(By Order.)

Immediate

Private Secretary.

GOVERNMENT HOUSE,
Ootacamund
23rd January 1895.

With endorsement

Cur: Nos 3832 L/94 and 219 L/95

Loc. & ... (1895) Department.

CURRENT No. 219 L.

From C.J. Mac Carthy Esq. I.C.S.

~~The~~ Private Secretary to the

Right Honorable the Governor,

To

The Chief Secretary

to Government,

Department.

Dated 23rd January 1895.

Received

CHIEF SECRETARY'S 23 JAN 1895 GOVERNMENT OF MADRAS

Enclosures 5

Subject.

Transfers a petition from G. Nallathumby resubmitting his appeal petition along with the President's orders No 298 dated 27 September 1894 and No 268 dated 19 September 1894.

To

The President, District Board.

Tinnevelly

Petitioner No

Dupd. 11/2

(With order)

A.M. 8/2

Misc

Order 9.2.95 No 268

Who authorised?

The President's attention will be drawn to para. 1 of Go. dated 18th June 1887 No 1150 L, in which it has been held that the reduction of a Local Fund employé from one permanent appointment to another on lower pay is a dismissal from the higher appointment within the meaning of No 72 of the L.F. Rules; and he will be directed to place the petitioner's appeal before the District Board for consideration.

V.R. 6/2/95

W. 6.2.95

8/2/95

When given for copying ____
When copied ____
When examined ____
When signed ____
} 189.

Read again G.O., No. dated
189 ,

Current No.

Enclosures to C. No.

Order of Government	A	A	A	A	A	A	A	
Letter of Government.								
Statement with ditto.								
Papers not filed up, being meant for despatch in original.								

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

LOCAL & MUNICIPAL (1895) DEPARTMENT.

CURRENT No. 219.L.

From C.F. Mac Cartie Esq. I.C.S.

THE PRIVATE SECRETARY TO THE

RIGHT HONORABLE THE GOVERNOR,

To

THE CHIEF SECRETARY

TO GOVERNMENT,

DEPARTMENT.

CHIEF SECRETARY'S OFFICE
23 JAN 1895
GOVERNMENT OF MADRAS

Dated 23rd January 1895.
Received

ENCLOSURES 5

Subject.

TRANSFERS a petition from G. Nullathumby resubmitting his appeal petition along with the President's orders No 298 dated 27 September 1894 and No 468 dated 19 September 1894.

To

The President, District Board.
Tinnevelly

Petitioner's No

Dup. No 11/2

(With order)

Cor: Nos 3852/94 and 219/95

Order 9-2-95 No 260

The President's attention will be drawn to para. 1 of Go. dated 18th June 1887 No 1150 L, in which it has been held that the reduction of a local fund employé from one permanent appointment to another on lower pay is a dismissal from the higher appointment within the meaning of No 72 of the L.F. Rules; and he will be directed to place the petitioner's appeal before the District Board for consideration.

When given for ...
When copied ...
When ex...
Whe...

Comply with his request.

For President
18-9-94

DT. BP
DESPATCHED
19 SEP. 94

21-9-94

STATEMENT WI...

260 to 9-2-1895

30-10-47 Pensioner of Edward Fort

PAPERS NOT FILED U...
IN ORIGINAL

N.B.—
A
B
P
Q