1. Number of pages. 14
2. Date of repair. 2.7.37
3. Initials of Reference. F

M.R.O. 1—22-600—23-11-29

MADRAS RECORD OFFICE.

Government of Madras.

Political & Public DEPARTMENT.

Cons. 16-6-57

G.O. No. 1133. Press Mis.

5-6-57

Dated 12-6- 1857

Not to be folded or roughly handled

Fort Saint George, Public Works Consultation of 16th June 1857.

No. 51. Read the following letter from Colonel C. E. FABER, Chief Engineer; to H. FORBES, Esq., Acting Secretary to Government, dated 16th May 1857, No. 398.

SIR,

With reference to Extract Minutes Consultation 16th March 1857, No. 485, wherein Government have called upon me to report, as to what has been the practice hitherto in punishing servants of the Department for misconduct, and also under what restrictions, and subject to what control, fines have been imposed upon those servants whenever such punishment has been inflicted. I have the honor to submit the following observations in reply.

2. Under the old system, there existed a rule sanctioned by Government in 1832, by which Civil Engineers were authorized to punish Surveyors for common cases of misconduct, by fine to the extent of ten Rupees. This Rule, however, was superseded by the Circular of the Board of Revenue Department Public Works, dated 30th September 1844, by para. 2 of which, Civil Engineer were permitted to strike out as many days tentage as they thought fit, in order that such deduction might operate as a fine (even to the full amount of the tentage,) upon any one of their subordinates with whose performance of duty they were not satisfied.

3. Subsequently, under the sanction of Government, dated 5th August 1847, No. 155, Rules were promulgated by the Board in a Circular, dated 9th August 1847, for the due control of Non Commissioned Officers of the Sappers and Miners employed as Overseers. By these rules Civil Engineer's were authorized to fine any Overseer to the extent of one fourth of his monthly salary for neglect of duty, or other serious fault and to suspend him from employment for drunkenness. The *Board* were permitted to fine to the *full* extent of the monthly salary, or to recommend the remand of the Overseer, in case of the minor punishment being found or considered ineffectual.

4. The above appear to be the principal rules of practice hitherto observed in the Department in respect to the punishment of subordinates for misconduct, but it is obvious, that they are intended for common cases only, and not for those of a more serious character involving moral turpitude, such as are referred to in the order of Government now under reply.

5. It is my opinion, that cases of the latter description should be visited with summary dismissal, accompanied by a prohibition against the future employment of the delinquents in the public service whenever the offence has been of a disqualifying kind in itself, or of a kind that makes reformation unlikely.

No. 52. ORDER THEREON, No. 1133; dated 12th June 1857.

The Government remark that in Chapter IX. of the Penal Code full provision is made for the punishment of all classes of public servants for corruption in the discharge of their duty.

2. It will however be necessary to give District and Executive Engineers authority to mark with displeasure, acts of carelessness and disobedience on the part of their subordinates, and Government therefore empower those officers to fine those in the lower subordinate establishment, or the servants on their office establishment, any sum that they may consider the occasion to call for, not exceeding ten Rupees.

3. Fines of the nature referred to are not required for punishment so much as for warning, it is not requisite that they should be heavy, and it is not wished that they should be frequent.

4. Grave offences, requiring severe notice will as heretofore, be brought to the notice of the Chief Engineer, who will exercise his discretion in laying the matter before Government, and habits of carelessness or disobedience which have not been checked by fine, will in like manner be reported, the number and amount of fines inflicted, being at the same time noted.

(Signed) H. FORBES,
Acting Secretary to Government.

in respect to the punishment of subordinates for misconduct, but it is obvious that they are intended for common cases only, and not for those of a more serious character involving moral turpitude, such as are referred to in the order of Government now under reply.—

5. It is my opinion that cases of the latter description should be visited with summary dismissal accompanied by a prohibition against the future employment of the delinquents in the public service whenever the offence has been of a disqualifying kind in itself, or of a kind that makes reformation unlikely.—

I have the honor to be,
Sir,
Your most Obedient Servant
A. Wm. Tabor Colonel
Chief Engineer

Office of P.W.
Fort George.
May 1857.

Pub. Works Dept.

No 11823

Extract from the Minutes of Consulting
Under date the 12th June 18

Read the following
from the Chief Engineer

(Rec'd 16th May 1857)

Mr Commissioner

I have the honor to call your attention to the Penal Code for the
of the Penal Code for the
= view is made for the
= ment of all classes
remarks for carrying
directions of the

2 I am
necessary to
and Executive

= duty to

Dft to Govt 17th April 57 ff 62163
" 10th Augt 1852 - 1872
" 22nd July 1851 - 28729

No 57.

Pub. Works 1857. Department
Dft to Govt 16th June.
No 1006

From The Chief Engineer
To The Secretary to Govt
P.W.D.

Dated 16th
Rec'd 18th May 1857

No 398

E. No 1133 - 12th June

Affording the information
called for by Govt in Extract
from Govt No 485 of 16th March
57. regarding the punishment
Subordinate Servants in the
P.W. for misconduct.

16th June R 10th

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Government therefore empower
those officers to fine those in
the lower subordinate Establish
ment, or the servants on their
office Establishment any sum
that they may consider the
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of carelessness or disobedien
which cannot be checke
by fine, will in like manne
be reported, the number and
amount of fines inflicted
being at the same time note

324

by Copies to the Chief Engr. Dist. 15

Public Works 1857 Dept.
Do to Ans 16th June.

No 1133.

Extract Minute of Ans.
12th June 57.

Passing orders on a letter from the Chief Engr. dated 16th May 57 regarding the punishment of subordinate servants in the D.P.W. for misconduct

No 51+52.