1 Number of pages 48
2 Date of repair, 12-5-37
3 Initials of Reference
M.R.O. 1—22-400—25-11-30

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

Ger. 2-6-57

G.O. No. 1030 Press Mis.

Dated 30-5-1857

Not to be folded or roughly handled

No. 41. Read the following Extract from the Proceedings of the Chief Engineer, dated 23rd April 1857, No. 11982.

Read the following letter from the District Engineer of Nellore.

Reports that his draftsman named Ignatio, having obtained leave of absence under false pretences, has written to resign his appointment, and refuses to rejoin it. } (Here enter No. 532, dated 6th April 1857.)

Resolved to circulate the above and that all District Engineers be informed that Mr. Ignatio is, from having deserted his appointment, disqualified for the public service.

(Signed) C. E. FABER, Colonel,
Chief Engineer.

No. 42. Read the following Extract from the Proceedings of the Chief Engineer, dated 1st May 1857, No. 13.

Read the following letter from Lieutenant J. G. RYVES, District Engineer; to Colonel C. E. FABER, Chief Engineer, dated Trichinopoly, 17th April 1857, No. 1056.

SIR,

Captain Crewe, Executive Engineer in charge of the 1st Circle of this District, having reported to me in a letter, copy of which is enclosed, the desertion of Lutchmanah Naik lately appointed Sub Overseer of the 3rd Grade 2nd Class, I have the honor to bring the case to your notice, in order, that the individuals name may be published in the Fort Saint George Gazette, as a person not to be hereafter entertained in the D. P. W.

Resolved to forward to Government for information and early orders, copy of the foregoing letter No. 1056, dated 17th April 1857, with its enclosure from the District Engineer of Trichinopoly, reporting the desertion of Lutchmanah Naik, recently appointed Sub Overseer of 3rd Grade 2nd Class, and to recommend that his name be published in G. O. G. as a deserter, and disqualified for future employ under Government.

2. Resolved also to acquaint the Civil Auditor that Lutchmanah Naik, Sub Overseer, deserted on the 11th April 1857.

(Signed) C. E. FABER, Colonel,
Chief Engineer.

No. 43. Read the following letter from Mr. R. Ignatio, a Draftsman on the Establishment of the District Engineer of Nellore; to H. FORBES, Esq., Acting Secretary to Government Fort St. George, dated 18th May 1857.

SIR,

I beg you will kindly do me the favor of laying the enclosed papers before the Right Honorable the Governor in Council for their disposal.

P. S.—Please address to Mr. R. Ignatio near the Pursewalkum Burial Ground.

From Mr. R. IGNATIO, late Draftsman on the Establishment of the District Engineer of Nellore; to the Right Honorable G. F. R. LORD HARRIS, Governor in Council, Fort Saint George, dated 18th May 1857.

MY LORD,

I trust I shall be kindly pardoned for intruding on your Lordship's time, but failing to obtain that equity and Justice from the channel that I hoped to obtain redress, I have no alternative left but to lay my case before your Lordship for kind and favorable consideration.

I beg to inform your Lordship that observing in the Official Gazette last October an advertisement that the District Engineer of Nellore, required a draughtsman and that application should be made to the Assistant to the Chief Engineer I accordingly offered my services as a candidate for the same when I was desired by Lieutenant O'Connell to give him a specimen of my drawing on a reduced scale from a plan that that gentleman gave me which on completion was certified by the Assistant to the Chief Engineer that it had been drawn by me in the Central Office of Public Works and was directed to forward it to the District Engineer Nellore, with a written application for the appointment in reply to which I received the letter marked A which accompanies this. Finding it impracticable without funds to meet the wishes of the District Engineer Nellore, I wrote and requested that I might be granted the indulgence of an advance, in reply to which I received the letter marked B and accordingly by the assistance rendered to me by some friends I proceeded to Nellore and took up my appointment last November. In March last finding it necessary that I should bring my wife down to Madras, for her confinement I as was constantly on the move, and she being left alone in Nellore and anxious to be near her parents I obtained fortnight's leave to escort her to Madras, fully intending on the expiration of my leave to resume my duties, but circumstances over which I could exercise no controul and my salary being inadequate to maintain two establishments and a marching equipment besides I intimated the same to Lieutenant Mullins and tendered my resignation naming a person equally competent as myself whom I would send to Nellore to avoid any inconvenience if the District Engineer had no objection to my doing so, to which I received the letter marked C to which I replied that however willing to co mply with the instructions of the District Engineer still the want of funds precluded my doing so and requested that my pay up to the end of March may be forwarded to me and reiterated my willingness to send up a person in my stead if that Gentleman approved of it, upon this I heard nothing further than a rumour that Lieutenant Mullins had addressed the Chief Engineer stating that I had obtained leave under false pretences and declined returning and therefore requested that I might be declared disqualified for employment in the D. P. W., a few days after which I received the letter marked D considering that I was not justly dealt with I submitted the case for the decision of the Chief Engineer. A copy of my letter to that Gentleman marked E accompanies this. In reply to which I received an Extract from that Officers Proceedings which also accompanies this letter marked F. I have therefore no alternative left but to trouble the Government with a detail of my case which I consider unjustly hard upon the following grounds.

1st. That I am fully entitled to pay up to the end of March the period of which my leave expired as I had actually incurred the expense of maintaining two establishments as well as a marching equipment in the discharge of my Public duties.

2nd. That the District Engineer is only justified to make such stoppages from my pay as I had requested him to do.

3rd. That the District Engineer had no right to interfere with my private transactions. I not being a Military man and pay any debts that I might have contracted as there is a Court of Justice open to any of my creditors desirous of seeking redress.

Having laid the particulars of my case before your Lordship I respectfully solicit that taking into consideration the circumstances of the Chief Engineer having issued a Public circular condemnatory to my future prospects in life and my actually having maintained a marching equipment that Justice may be tempered with mercy and that your Lordship in Council will be pleased to direct that my pay up to the end of March the day on which my leave expired or to the period at which the leave commenced, may be paid to me without any stoppages whatever leaving me to make my own arrangements for the satisfaction of my creditors.

A.

Letter from Lieutenant JOHN MULLINS, Assistant Civil Engineer, in charge of Nellore District; to Mr. IGNATIO, dated 17th October 1856, No. 1115.

The application contained in your letter of the 15th Instant is granted, and you will be appointed Draftsman in my office from the date on which you may join the District at Aurumbauk.

B.

Letter from Lieutenant JOHN MULLINS, Assistant Civil Engineer in charge of Nellore District; to Mr. R. IGNATIO, dated Camp Kistnapatam, 23rd October 1856, No. 1137.

In reply to your letter of the 20th Instant, I beg to inform you that I have no funds from which I can make you an advance and moreover I have no means of transmitting money to you except by an Accountant General's bill which will take some days to procure and which would not be payable until 10 days after its receipt and I am unable therefore to accord to your request.

After you have joined your appointment you can have a small advance (half a month's pay) which I will myself bring to you, but not before you have taken up your appointment.

If you have not entered the limits of the Nellore District, prior to the 1st November and reported your having done so to me I shall be obliged to consider that you have vacated the appointment and to proceed to make arrangements for refilling it.

C.

Letter from Lieutenant JOHN MULLINS, Assistant Civil Engineer, in charge of Nellore District; to Mr. IGNATIO, dated 25th March 1857.

I have received your note of the 27th Instant. You left Nellore on 14 days leave promising to take your family to Madras and then return. I cannot allow you to resign your appointment without any notice and you must therefore return immediately to your work. You will lose pay from Monday the 30th the date on which your leave expired and should you not return all pay due to you will be forfeited and the Chief Engineer will be requested to take such steps as may be necessary to punish you for absenting yourself without leave and I have no doubt at all events your employment under Government will be prohibited.

You can on returning to your work tender your resignation, and you will be allowed to leave as soon as a competent Draftsman can be procured.

D.

Letter from Lieutenant JOHN MULLINS, Assistant Civil Engineer, in charge of Nellore District; to Mr. R. IGNATIO, dated Camp Goodoor, 18th April 1857, No. 626.

In reply to your note of the 13th Instant, I have to inform you, that pay has been drawn for you up to the 16th March 1857, the day on which you left for Madras, and that it is not my intention to recommend that pay for any additional period should be granted to you. It appears that you have left behind your debts amounting, without some in the bazar, to Rupees 34 and the amount of pay drawn for you Rupees 30-15-5, has been handed over to Managie Row in liquidation of the following claims viz., Managie Row, Rupees 11, Ettiragooloo Rupees 13, Lascar Amriah Rupees 4 Dhoby Lutchmiah Rupees 2-15-5, (being part of Rupees 6 due by you) any ulterior measures, which you may think it advisable to adopt, you are perfectly at liberty to take and I beg to inform you that I shall not reply to any other letter from you on this subject.

P. S.—Rupees 15-14-0, I learn is due to Sugnum Lutchmiah Chetty.

„ 10-0-0 to a Mussulman in the bazaar.

and that you owe a great deal besides all this.

E.

Letter from Mr. R. IGNATIO; to Colonel C. E. FABER, Chief Engineer, dated 13th May 1857.

Sir,

I beg to lay my case before you for your kind consideration and disposal and am sure that I will meet with justice at your hands. Last November I obtained employment as draftsman

under the District Engineer Nellore, and in March last attained a fortnight's leave to bring my Wife down to Madras for her confinement fully intending to return to my duty on the expiration of the leave granted to me but circumstances of a purely private nature rendered it necessary to tender my resignation to Lieutenant Mullins, and naming a person who was willing to become my successor if the District Engineer were pleased to accept of his services but in reply I received a letter from Lieutenant Mullins, declining to accept of my resignation unless I first rejoined the District, when I wrote and told him that for the want of funds I was unable to do so but that the person whom I named as my successor would do so if he were directed to do so, and requested that my pay up to the end of March might be sent to me as I conceive I was fully entitled to it as I had obtained leave for that period, but in reply I received the enclosed (to be kindly returned) I therefore beg that with the exception of the 11 Rupees paid by Lieutenant Mullins, at my request to Managie Row that the balance of my pay may be ordered to be paid to me as the District Engineer is not justified in paying any of my creditors without my consent, if any one has claims on me a Court of justice is open for redress I therefore beg your kind interposition in the matter.

F.

Extract from the Proceedings of the Chief Engineer, dated 15th May 1857, No. 365.

Read the following letter from Mr. R. IGNATIO.

Requesting that Lieutenant Mullins may be instructed to remit to him the balance of his pay up to the date he was on leave of absence. } (Here enter 13th May 1857.)

Resolved to inform Mr. R. Ignatio, that the Chief Engineer declines to comply with his request contained in the foregoing letter dated 13th Instant, and that the enclosure received therewith be returned.

(Signed) G. COLLYER, Captain,
Superintending Engineer Central Circle.

No. 44. ORDER THEREON, No. 1030; dated 30th May 1857.

1. In the Circular above recorded, the Chief Engineer declares Ignatio, a draftsman, disqualified for the Public service, for having obtained leave of absence under false pretences from his employer, the District Engineer of Nellore, and having then sent in a resignation of his appointment. With his Proceedings of the 1st Instant, Colonel Faber submits for the orders of Government, a letter* from the District Engineer of Trichinopoly, reporting the desertion of Lutchmana Naick, Sub Overseer, and he recommends that he be declared in the Gazette to be unfit for future employment under Government.

* Dated 17th April, 1857.

2. The Government are not informed why Colonel Faber should make such a material distinction in the cases of the two individuals. He himself declares Ignatio unfit for further service, and requests the Government to do the same in regard to Lutchmana. It has always been usual for the several Departments to request Government to pronounce such disqualification, and the reasons for such a measure are obvious. First, no authority below that of the Government should have the power to inflict so heavy a penalty on their servants; and secondly, no order by the head of one Department of the service, is binding on other Departments. To make the disqualification a bonâ fide penalty, the order must proceed from the Government.

3. Under these circumstances, the Right Honorable the Governor in Council resolves to direct the Chief Engineer to cancel his Circular above recorded.

4. The Government will now enter into the merits of the two cases under notice. The ground on which Ignatio was declared unfit for future service is, that he obtained leave under false pretences, and afterwards sent in his resignation. There is nothing to shew what led the District Engineer to convict the man of having made use of false pretences to obtain leave, and there is nothing wrong in his having sent in his resignation. The Honorable Court have, in their Despatch to the Government of India, dated 6th August 1851 No. 42, deprecated in very strong terms, the dismissal of Public servants upon light grounds, and in para. 6 of the same Despatch, they have ruled in clear terms that, "fraud and dishonesty; continued and wilful negligence, and all offences involving moral disgrace, meet with their appropriate punishment in dismissal." Ignatio's conduct does not therefore seem to deserve the severity with which it has been treated. His resignation should be accepted, but if Colonel Faber should be of opinion that there is sufficient evidence to convict him of having made use of false pretences to obtain leave, he can order his dismissal from his employment. As regards Ignatio's claim to pay for the time he was on leave, the Government remark that such allowances are considered to be forfeited in all branches of the Civil service, and his request cannot be complied with.

NOTE.—This Despatch was printed and circulated to all Departments with Extract Minutes of Consultation Public Department dated 18th November 1851, No. 1064.

5. Ignatio further complains of his debts having been discharged by the District Engineer from the pay due to him up to the time of his taking leave, and the Government consider that 'the step was ill-advised on the part of Lieutenant Mullins. It is very possible that the man might have denied some of the claims discharged, and at all events he should have been left to make his own terms with his creditors.

6. Lieutenant Mullins will now remit to Ignatio the balance of his pay to the time of leaving the District Engineer's office, less the sum which in his letter to the Chief Engineer, he admits that he requested might be paid to one Manajee Row.

7. Lutchmana Naick also does not deserve the punishment recommended viz., utter exclusion from the Public service. He is charged with desertion, but the case is not one of such an aggravated nature as the word desertion implies. Lutchmana informed the Executive Engineer in writing, that he had received some information regarding employment in Palamcottah, and he requested that that writing of his might be considered as his resignation of the employment he then held. He was no doubt hasty in not having waited for a reply, accepting his resignation, but the Government are of opinion that he will be adequately punished for this irregularity by the removal of his name from the list of the Public Works Establishment, and that it is not necessary to pronounce him disqualified for the Public service by a publication in the Gazette.

Ordered that paras. 4, 5 and 6 of this order be communicated to R. Ignatio, in reply to his address of the 18th Instant.

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

Chief Engineer's Office

7

Circular. No. 1982

Extract from the Proceedings of the Chief Engineer.

Under date the 23rd April, 1857.

Read the following letter from the District Engineer of Nellore.-

Reports that his draftsman named Ignatio having obtained leave of absence under false pretenses, has written to resign his appointment, and refuses to rejoin it.- (H.E. No. 532 dated 6th April, 1857)

Resolved to circulate the above and that all District Engineers be informed that Mr. Ignatio is, from having deserted his appointment, disqualified for the public service.-

A true Extract

Lt. Colonel,
Chief Engineer.-

To

All District Engineers.
Supt. Eastern Coast Canal.
Civil Archt., and Garrison Engr.-

No 42 Read the following

No 13

Extract from the Proceedings of the Chief Engineer in the Department of Public Works Fort St. Geo.

Under date the 1st May 1857

Read the following Letter

No 1056

From Lieut. J. G. Ryves

To Colonel &c &c &c

The Chief Engineer &c &c &c

Sir

Captain Crewe &c &c &c in charge of the 1st Circle of the Peatrick having reported to me in a letter, Copy of which I have enclosed, the desertion of Lutchmanah Naik lately appointed Sub Overseer of the 3rd Grade 2nd Class, I have the honor to bring the Case to your notice, in order that the individuals name may be published in the Fort St. George Gazette, as a person not to be hereafter entertained in the D.P.W.

Trichinopoly
17th April 57

I have &c
Sd J. G. Ryves
Lieut
Engrs

Received

Fort St. George
Dy Sec. to Govt
Pl. 2 June 1857
No 1106

Engineer
From Mr. Ryves Lt.
Dy Engr Oct 57
Pl 30 Aug
No 11952

Ordering that all
Subordinate Engineers be informed that it is requisite to have
having deserted his post
-ment of disqualified for the
Public Service.

Resolved, to forward to Govern-
ment for information, and early orders, Copy
of the foregoing letter No 1858 of 17th April 57,
with the enclosure from the District
Engineer of Trichinopoly, reporting the
desertion of Sutchmanah Naik, recently
appointed Sub Overseer of 3rd Grade
3rd Class, and to recommend that his
name be published in G. G. G. as a
deserter, and disqualified for future
employ under Government.—

2.— Resolved also to acquaint the
Civil Auditor, that Sutchmanah Naik
Sub Overseer, deserted on the 11th April 57.

/True Extract/

Lt Colonel
Chief Secy

To
The Secy to Govt
P.W.D.

Minutes —1.

1. Original copy of letter No 1858 dated 17th April 57 from Capt Crewe Sub Engr of Trichy

No 1115

To A 13

Mr. Ignatius
Dated 17th Oct 1856

The application contained in your letter of the 15th Instant is Granted, and you will be appointed Draftsman in my Office from the date on which you may join the District at Aurumbank

John Goodwin Lt

Asst Civil Engr the Ch. R. Dt

Nellore
17th Oct 1856

[illegible] not entered the limits of the

to,

man in the District Engineer's Office
at Nellore

Copy of Order to Lieut Goodwin 2 Asst Engr Chief Engineer's Office Fort St George the 15th Oct 1856

Copy to Lieut Goodwin 2 Asst Engr

Dated 16th Oct 1856
Rec'd 17th "
1 Enclosure

Copy
No 1030. 30th May

A
Commander in Chief's Order

Commander in Chief's Order

Public Works Department
Chief Engineer's Office
Fort St George 15th October 1856

Memorandum

Mr Ignatius is appointed a Draftsman in the Public Works Department and will be employed in the Office of the Chief Engineer.

He will draw the usual Subsistence Allowance of Rupees Sixty per mensem.

By Order of the Right Honble the Governor in Council

(Signed) H. D. Love
Secy to Govt

C229/Thiry

No 42.

A

Letter from Lieut. Col. [illegible] Engineers
Civil Engineer [illegible]

15

To Rev. R. Ignatio

In reply to your letter of the 20 Instant
I beg to inform you that I have no funds
from which I can make you an advance
& moreover I have no means of transmitting
money to you except by an Accl. Pay'ms
Bill which will take some days to procure
which would not be payable until 10 days
after its receipt and I am unable therefore
to accede to your request.
After you have joined your appointment
you can have a small advance (half
a months pay) which I will myself hand
to you, but not before you have taken up
your appointment
If you have not received the Circular of the

[illegible]

[illegible] main in the District Engineer's Office
at Nellore

Nellore District [illegible] to the [illegible] Nominal
and reported yesterday. I have to inform
[illegible] should [illegible] consider that
you have accepted the appointment
and to proceed [illegible] to make arrangements
for [illegible] it

[illegible]

Asst. Civil Engr. Nellore District

Camp Kistapuram
[illegible] 23rd October 1855

[illegible]

[illegible]

[illegible] 16

[illegible] Chief
[illegible] your appointment
to the Public Works Department
[illegible] after 29 instant. You will [illegible]
in 14 days hence proceeding to take your
family to Madras and then return.
I cannot allow you to [illegible] this
appointment without any notice and
you must therefore return immediately
to your work. You will be pay from
yesterday to the 30th the date on which
you leave Kistapuram and should you
not return all pay due to you will
be forfeited and the Chief Engineer
will be requested to take such steps

[illegible]

[illegible]

[illegible] Nellore

Letter Public Works

Lieut. R. Spratt

Draughtsman District Engineer's Office

Lieut. Col. Engineers Executive Officer

Nellore

Dated 15th Nov 1876

Received 21st Nov 1876

No. 626

From Lieut R. Spratt, Draughtsman

To Lieut Col. Engineers Executive Officer

Nellore

Dated 15th Nov 1876

Received 21st Nov 1876

In reply to your note of the 13th inst. I have to inform you, that I have drawn for you upto the 16th inst. the day on which you left for Kandlur, and that it is not my intention to recommend that I may for any additional period should be granted to you

It appears that you have left behind you debts amounting, with that due in the bazaar, to Rs. 34.-.- and the amount of my drawn progress has been handed over to Messrs Rose in liquidation of the following claims. Messrs Rose Rs 11. Ettiappa Rs 13 Lascar Ammah Rs 4. Chetty Lakshmiah Rs 2.15.5 (this part of Rs 6 due by you)

Ignatio,

Draughtsman in the District Engineer's Office

at Nellore

25

P.S. Rs 15.14.0 Sum is due to Superannuation Contribution Charity

" 10.0.0 to a Superannuation Fund

and trust you can grant me this

To,

Mr. R. Ignatius,

late Draughtsman in the District Engineer's Office

at Nellore

15th May 1867.

The Chief Engineer

&c &c &c

Fort St. George

Sir,

I beg to lay my case before you for favourable consideration and orders and trust I will meet with justice at your hands. Last November I obtained employment as Draughtsman under the District Engineer Nellore on Rs 75 per mensem but was informed at Jaggayapetta I was to receive Rs 100 per mensem. Rs 25 was deducted from my Bill for Establishment for Jaggayapetta and Nellore. Finding it was my duty to the Government to the best of my ability I performed the duties required of me but circumstances have lately rendered it necessary to tender my resignation to Lieut. Skelton and name a person who was willing to become my Surety if I was allowed to resign. This I accordingly did but received a letter from Lieut. Skelton declining to accept of his services but in reply to a letter from Lieut. Skelton declining to accept

I have the honor to be
Sir
Your most obedient servant
G. Wolfe Captain
Superintending Engineer
Central Circle.

True Extract

G. Wolfe Captain
Superintending Engineer
Central Circle.

To,
Mr. R. Ignatius,
late Draughtsman in the District Engineer's Office
at Nellore

of my resignation until I had obtained the
District when I wrote and told him that for
the want of funds I was unable to do so
but that the person whom I named as my
successor would do so if he were directed to
do so and requested that my pay up to the
end of March might be sent to me as
I conceive I was fully entitled to it as
I had obtained leave for that period
but in reply I received the enclosed (to be
kindly returned) I therefore beg that with
the exception of the 11 Rs pair by Lieut
Mullins at my request his Quarters on
that the balance of my pay may be ordered
to be paid to me as the District Engineer
is not justified in paying any of my creditors
without my consent & if any one has claims
on me a Court of Justice is open for redress
I therefore beg your kind interposition in the
matter.

I have &c
R Ignatio

F^v No. 365 27

Extract from the Proceedings of the Chief Engineer
in the Department of Public Works Fort Saint George
Under date the 15 May 1857

Read the following letter

From Mr R. Ignatio

Requesting that Lt. Mullins may be instructed to remit to him the balance of his pay up to the date he was on leave of absence. (Here Enter 13th May 1857.)

Resolved to inform Mr R. Ignatio that

Enclosure Ave Letter

the Chief Engineer declines to comply with his request contained in the foregoing letter dated 13th Instant and that the enclosure received therewith be returned.—

A True Extract

G Hollyer Captain
Superintending Engineer
Central Circle

To,
Mr R. Ignatio,
late Draughtsman in the District Engineer's Office
at Nellore

No 43 Rec'd the 18th May 1857
Ignatius Brazen Superintendent of the Establishment of the Bellevue for Indians

To

W. Forbes Esqre 29

Acting Secretary to Government &c &c &c
Fort St George

Sir

I beg you will kindly do me the favor of laying the enclosed papers before the Right Honorable the Governor in Council for their disposal

I remain
Sir
Your Most Obedient Servant
P. Ignatio

P.S. Please address to Wm P. Ignatio near the Pandemallium Burial Ground

P.M.O
Inclosure Mr Ignatius's Petition
Reply

Ent. 16. 1857 Pers.
Draftsman's Leave.

No 1105.

From R. Ignatius,
late a Draftsman
on the Establishment
of the District
Engr. of Nellore.

D/ 18th May 57.

Rect 2 Encls.
S.E 8:1030 30 May
Soliciting consideration to the circumstances of the Chief Engineer having issued a Public Circular Condemnatory of his future prospects in life and requesting that his pay to the end of March (the day on which his leave expired) or to the period at which the leave commenced, may be paid to him.

A 1-2

No 43.

18th May 1857

33

To

The Right Honorable G. F. R. Lord Harris
Governor in Council
Fort Saint George

My Lord

I trust I shall be kindly pardoned for intruding on your Lordships time but failing to obtain that equity and justice from the Chief to which I appeal to obtain redress I have no alternative left but to lay my case before your Lordship for kind and favorable consideration

I beg to inform your Lordship that observing in the Official Gazette last October an advertisement that the District Engineer of Nellore, required a Draughtsman and that application should be made to the Assistant to the Chief Engr I accordingly proffered my services as a Candidate for that same when I was desired by Lieut O'Connell to give him a specimen of my drawing on a reduced scale from a Plan that that Gentleman gave me which on completion was certified by the Assistant to the Chief Engr that it had been drawn by me in the Central Office of Public Works and was directed to forward it to the District Engineer Nellore with a written application for the appointment in reply to which I received the letter marked A which accompanies this finding it impracticable without funds to reach the limits of the District Engineer Nellore I wrote and requested that I might be granted the indulgence of an advance in reply which I received the letter marked B and accordingly

by the assistance rendered to me by some friends
I proceeded to Vellore and took up my appointment
last November— In March last finding it necessary
that I should bring my Wife down to Madras for her
Confinement as I was constantly on the move and she
being left alone in Vellore and anxious to be near her
parents I obtained a Fortnights leave to escort her to
Madras fully intending on the expiration of my leave to
resume my duties, But circumstances over which I can
exercise no Control and my Salary being inadequate
to maintain two establishments and a Marching—
equipment besides I intimated the same to Lieut. Mullins
and tendered my resignation, naming a Person equally
Competant as myself whom I would send to Vellore
to avoid any inconvenience if the District Engineer
had no objection to my doing so to which I received
the letter marked C to which I replied that however
willing to Comply with the instructions of the District Eng
still the want of Funds precluded my doing so and
requested that my pay up to the end of March may
be forwarded to me and reiterated my willingness to
send up a Peon in my stead if that Gentleman
approved of it— upon this I heard nothing further than
a rumour that Lieut. Mullins had addressed the Chief
Engineer stating that I had obtained leave under
false pretences and declined returning and therefore
requested A that I might be declared disqualified
for employment in the P.W.D. a few days after which
I received the letter marked D— Considering that I was
not justly dealt with I submitted the Case for the
decision of the Chief Engineer a Copy of my letter

that Gentleman marked E accompanys this in reply to which
I received an extract from that Officers proceedings which also
accompanys this letter marked F. I have therefore no alternative
left but to trouble the Government with a detail of my case
which I consider unjustly laid upon the following grounds—
1st That I am fully entitled to pay up to the end of March
the period of which my leave expired as I had actually incurred
the expense of maintaining two establishments as well as a
marching equipment in the discharge of my public duties—
2nd That the District Engineer is only justified to make due
stoppages from my pay as I had requested him to do—
3rd That the District Engineer had no right to interfere with
my private transactions, I not being a Military man and for
any debts that I might have contracted as there is a Court of
Justice open to any of my creditors desirous of seeking redress
Having laid the particulars of my case before your
Lordship I respectfully solicit that taking into consideration the
circumstances of the Chief Engineer having issued a Public Circular
condemnatory to my future prospects in life and my actually
having maintained a Marching equipment that Justice may
be tempered with mercy and that your Lordship in Council
will be pleased to direct that my pay up to the end of March
the day on which my leave expired or to the period at which the
leave commenced may be paid to me without any stoppages
whatever leaving me to make my own arrangements for the
satisfaction of my creditors—

I remain
My Lord
Your most Obedient Servant
R. Ignatius

Public Works 1857 Departt.

~~D.to Cus: 2. June.~~

~~No. 1105~~

From R. Ignatio late draftsman on the Establishment of the District Engineer of Nellore.

Dated 18th May 1857.
Recvd 30th May 1857.

~~With an Enclosure.~~

P. W. D.

In No 1105/57.

Soliciting consideration to the circumstance of the Chief Engineer having issued a Public Circular condemnatory of his future prospects in life and requesting that his pay up to the end of March (the day on which his leave expired) into the period at which the leave commenced, may be paid to him.

~~No. 45~~

No. 1630

Extract from the Minutes of Consultation

Under date the 30th May 1857.

Circular from the Chief Engineer (Here enter 23rd April/57 No. 11982.)

Ex: Pro: from the Chief Engineer (Here enter 1st May/57 No. 13.)

From R. Ignatio late draftsman on the Establishment of the District Engineer of Nellore ----- (Here enter 18th May 57.)

In the Circular abovementioned, recorded, the Chief Engineer declares Ignatio, a draftsman, disqualified for the Public service, for having obtained leave of absence under false pretences from his employer, the Distrct Engineer of Nellore, and having thereupon sent in a resignation of his appointment. With his Proceedings of the 1st Instant, Colonel Fraser submits for

for the orders of Government,
a letter from the District × 17th April 57
Engineer of Trichinopoly,
reporting the desertion of
Pitchmana Naick, Sub
Overseer, and he recommends
that he be declared in the
Gazette to be unfit for future
employment under Govern-
=ment.

2. The Government
are not informed why
Colonel Faber should make
such a material distinction
in the cases of the two individuals
He himself declares Ignatio
unfit for further service, and
requests the Government to
do the same in regard to
Pitchmana. It has always
been usual for the several
Departments to request
Government

Government to pronounce
such disqualification, and
the reasons for such a mea-
=sure are obvious. Firstly,
no authority below that of
the Government should have
the power to inflict so heavy
a penalty on their servants;
and secondly, no order by
the head of one Department
of the service, is binding on
other Departments. To
make the disqualification
a bonafide penalty, the or-
=der must proceed from the
Government.

3. Under these circum-
=stances the Right Hono-
=rable the Governor in Coun-
=cil resolves to direct the
Chief Engineer to cancel
his Circular above recited.

The

4..... The Government will now enter into the merits of the two cases under notice. The ground on which Ignatio was declared unfit for future service is, that he obtained leave under false pretences, and afterwards sent in his resignation. There is nothing to shew what led the District Enquirer to convict the man of having made use of false pretences to obtain leave, and there is nothing wrong in his having sent in his resignation. The Honorable Court have in their dispatch to the Govern: ment of India, dated 6th August 1851 No 42, deprecated in very strong terms the dismissal of Public Servants upon

Note. This dispatch was printed and circulated to all Depts with C Mins Com: Pub Depts d/18 November 1851 No 1064

upon light grounds, and in para 6 of the same despatch, they have ruled in clear terms that, "fraud and dishonesty; continued and wilful negligence, and all offences involving moral disgrace, meet with their appropriate punishment in dismissal." Ignatio's conduct does not therefore seem to deserve the severity with which it has been treated. His resignation should be accepted but if Colonel Faber should be of opinion that there is sufficient evidence to convict him of having made use of false pretences to obtain leave, he can order his dismissal from his employment. As regards Ignatio's claims to pay for the

the time he was on leave
the Government remark-
-ked that such allowances are
considered to be forfeited in
all branches of the Civil service,
and his request cannot be
complied with.

5 Ignatius further
complains of his debts hav-
-ing been discharged by
the District Engineer, from
the pay due to him up to the
time of his taking leave,
and the Government
considered that the step was
ill advised on the part of
Lieut Mullins. It is very
possible that the man might
have denied some of the claims
discharged, and at all events
he should have been left
to make his own terms with
his creditors.

Lieut

6 Lieutenant Mullins
will now remit to Ignatius
the balance of his pay to the
time of leaving the District
Engineer's office, less the sum
which in his letter to the
Chief Engineer he admits
that he requested might
be paid to one Manajee Rom
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7 Lutchmana Naick also
does not deserve the pun-
-ishment recommended
viz. utter exclusion from the
Public service. He is charged
with desertion, but the case is
not one of such an aggravated
nature, as the word desertion
implies. Lutchmana informa-
-ed the Executive Engineer in writing
that he had received some in-
-formation regarding employment
in Palmcottah and he requested
that that writing of his might
be considered as his resignation

of the employment he then held. He was no doubt hasty in not having waited for a reply, accepting this resignation, but the Government are of opinion that he will be adequately furnished for this irregularity by the removal of his name from the list of the Public Works Establishment, and that it is not necessary to pronounce him disqualified for the Public Service by a publication in the Gazette.

Ordered that para 546 of this order be communicated to M. Ignatio in reply to his address of the 4th Instant.

2 Copies to the Chief Engr
Dirn 1st Division
2-4-5-6 to Mr Ignatio

Public Works 1857 Dept.
Do to Ours 2. June.
No 1030.

Extract Mins: of Ours:
Of 30th May 57.

Defering orders on the
Conduct of Ignatio and
Lutchmana Naick, the former
a draftsman under the
District Engineer at Nellore &
the latter a Sub Overseer at
Erichinopoly.

No 41 at 44.