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(2) Date of repair 10-9-38

(3) Initials of the Referencer 47

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Cor. 10/6/39

G.O. No. <i>1416</i>	<u>Press</u> <u>Mis.</u>
<i>177-78</i>	
Dated <i>10-6-</i>	<i>18 59</i>

Not to be folded or roughly handled

24
19/9/38

*Proceedings of the Madras Government, Public Works Department,
from 1st to 10th June 1859.*

No. 177. Read the following letter from Lieutenant-Colonel J. H. BELL, Chief Engineer; to J. D. BOURDILLON, Esq., Secretary to Government, dated 26th May 1859, No. 885.

Adverting to Proceedings of Government No. 1065, under date the 5th May 1859, I do myself the honor to submit for their information, letters as per margin, from the District Engineer of Bellary reporting that, agreeably to instructions from Government, he had dismissed Sub-Overseers Yagambarum Moodelly and Kistnapah Moodelly from the service.

1 Letter from the District Engineer Bellary No. 3, dated 4th May 1859.
1 Do. No. 8, dated 7th May 1859, with enclosure.
1 Do. No. 21, dated 11th May 1859.

2. It will be observed from the papers now forwarded that, although in the opinion of the Magistrate of Bellary the facts of the case fully warrant the conclusion that much culpable remissness and irregularity had been practised, and that the parties are totally unworthy of future confidence, yet in a legal point of view the evidence is not sufficiently clear to convict Yagambarum of any criminal offence, since the expenditure, for which the vouchers are supposed to have been made away with by him, is duly entered in his accounts current and tallies with his progress reports.

3. The District Engineer seems to have instituted proceedings against Yagambarum rather hastily, and having abandoned them under the advice of the Magistrate, I trust the Government will approve of his having done so.

No. 178. ORDER THEREON, 10th June 1859, No. 1416.

The Chief Engineer reports the result of the deliberations of the District Engineer of Bellary respecting the prosecution of Sub-Overseers Yagambarum and Kistnapah.

2. It appears that further proceedings against these two persons would be useless.

3. There is one matter, however, yet unexplained in connection with this case. Mr. Ross was acquitted of the main charge against him because on examining his cash-chest in Court certain vouchers were found which the District Engineer maintains not to have been there when the chest was previously examined by himself. The Judge, too, though admitting these papers as good evidence, expressed the opinion that they were "very suspicious."* The chest appears from the papers to have been in possession first of Captain Syme and afterwards of Mr. Powell from the time when it was first examined to its production in Court, but the Judge says "freely accessible to many."† The Governor in Council desires that the District Engineer shall be called on to explain in detail in whose charge the chest was from the first detection of the deficit up to its final production in Court; and the parties in whose charge it so was will be required to explain what means they took to keep its contents from being tampered with, and who had access to it.

* Sentence para. 8.
† Ibid.

4. The Governor in Council must observe lastly that the whole of these proceedings go to indicate the need of greater care as to the accounts of the subordinates on the part of the District Engineer and Executive Engineer in Bellary, and particularly in the range under Captain Syme.

(Signed) J. D. BOURDILLON,
Secretary to Government.

12/11/59
N^o 885

3
Central Office of P. Works,
Fort St. George,
26 May, 1859.

Public.

From, The Chief Engineer.
To, The Secretary to Government.
Public Works Department.
26 May 1859.

- Enclosures 4 in all -
1 Letter from the District Engineer Bellary, dated 5 May 59.
1 D^o N^o 885 of 11 May 59, with enclosure.
1 D^o N^o 219 of 11 May 59.
3 copies of instructions from Government.

Adverting to Proceedings of Government N^o 1065 under date the 5 May 1859, I do, myself the honor to submit for their information, Letters as per Margin, from the District Engineer of Bellary reporting that agreeably to instructions from Government he had dismissed Sub Overseers Yacambaram Moodelly and Kristnapah Moodelly from the Service.

2. It will be observed from the papers now forwarded that, although in the opinion of the Magistrate of Bellary the facts of the case fully warrant the conclusion that much culpable remissness and irregularity had been practised, and that the parties are totally unworthy of future confidence, yet in a legal point of view the evidence is not sufficiently clear to convict Yacambaram of any criminal offence, since the expenditure, for which the Tondars are supposed to have been made away with by him, is duly entered

entered in his Account's Current and series with
his Progress Reports.

3 The District Engineer seems to
have instituted proceedings against J. J. J. J. J.
rather hastily, and having abandoned them
under the advice of the Magistrate & others.
The government will approve of his having done
so.

Central Office B. N.
For the same
26 May 1859

I have the honor to be.

Yours, Sir, &c.

H. Bell

Chief Engineer

S. J. J.

To
The Secretary of Government.

1416

Proceedings of the Madras Government
Under date the 10th June 1859

Read the following
letter from the Chief
Engineer.

(Here enter 26th May 1859
1859)

The Chief Engineer
reports the result of the
deliberations of the District
Engineer of Bellary
respecting the prosecution
of Sri Overseers Yagambha
rao and Kishnapah.

2 It appears that
further Proceedings against
these two persons would
be useless.

3 There is one matter,
however, yet unexplained
in connection with this

Case

Mr. C. W. 10th May/59 1430-31

Mr. C. W. 10th May/59 1430-31

Chief Engineer
to the Secretary to Govt.
of Madras

26th May 1859
1859

10th June 1859

Grounds, correspondence
from the District Engineer
of Bellary, respecting the
prosecution of Sri Overseers
Yagambha rao and Kishnapah
and under the
circumstances referred to
regarding the Criminal
Proceedings against Yagambha
rao may be abandoned.

23 June 1859

case. Mr. Rofs was acquitted of the main charge against him because on examining his cash chest in Court certain vouchers were found which the District Engineer maintains not to have been there when the chest was previously examined by himself. The Judge, too, though admitting these papers as good evidence, expressed the opinion that they were "very suspicious". The chest appears from the papers to have been in possession first of Captain Syme and afterwards of Mr. Powell from the time when it was first examined to its production in Court, but

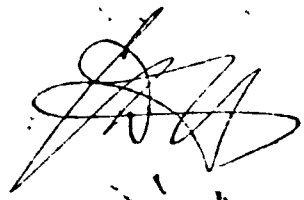
* Sentence Para. 8.

* Ibid

but the Judge says is "freely accessible to many". The Governor in Council desires that the District Engineer shall be called on to explain in detail in whose charge the chest was from the first detection of the deficit up to its final production in Court, and the parties in whose charge it so was will be required to explain what means they took to keep its contents from being tampered with, and who had access to it.

4. The Governor in Council must observe lastly that the whole of these Proceedings go to indicate the need of

of greater care as to
the accounts of the
subordinates on the part
of the District Engineer
and Executive Engineer
in Bellary, and par-
ticularly in the range
under Captain Syme.



10 Copies to the Chief Engr. Dispt IInd

23 June 1891

Pr. Com: 10th Aug/59 & 30th 31. Public Works 1859-20/10
Com & 10th June.

No. 1416.

P. 170: of the Llandudno.

27th 10th June 1859.

From the 6th of Aug 1859. P. 171.
12th June 1859. L. 1859. 2927. 1859.
From the 12th of Aug 1859. P. 171.
2927. 1859. L. 1859. 2927. 1859.

Looking upon the Dist.
of 11th of Aug 1859. to explain
in detail, in which change
the Cash Chest, was from
the first detection of the deficit
up to its final production
in Court, and the parties in
whose change it was, to
explain what means they
took to keep its contents
from being tampered with,
and who had access to it.

29/7 & 1/8