

(1) Number of pages 12(2) Date of repair 14-11-40

(3) Initials of the Referencer \_\_\_\_\_

**MADRAS RECORD OFFICE.****Government of Madras.***Public Works* **DEPARTMENT.**

G.O. No. 1031

Press  
Mis.

281-282.

Dated 19-4-

1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,  
19th April 1865.*

No. 281. Read the following letter from Major W. FAREWELL, Executive Engineer in charge of 7th Division, to Colonel C. A. ORR, R. E., Secretary to Government, Department Public Works, dated Ootacamund, 22nd March 1865, No. 292 :—

SIR,

1. In the Return of public servants dismissed from employment in the Department Public Works, during the half-year ending 30th September 1864, is entered the name of A. M. Aaron, Draughtsman, whose offence was disobedience of orders, *i. e.*, submitting his resignation in order to evade duty in South Wynad.

2. As Colonel Walker dismissed this man for no actual crime, but simply with the view of making an example of him so as to maintain that discipline necessary for the proper working of the Department, on Mr. Aaron expressing contrition for his offence, and soliciting re-employment in his former post, I interceded in his behalf with Colonel Walker, now absent on privilege leave, and that Officer having acceded to my representation, I have the honor to solicit permission to re-employ Mr. Aaron in his former post, giving him the benefit of his former long service, provided after certain probation his conduct is such as to satisfy Colonel Walker that he is deserving of the indulgence now solicited. The man has suffered severely already, inasmuch as he has been out of employment for six months; he is a good Draughtsman, and a steady man, and I trust the lesson he has received is such as will tend to make him in future a useful servant of Government.

No. 282. ORDER THEREON, 19th April 1865, No. 1,031.

ESTABLISHMENT, No. 23.

Under the circumstances brought to notice in this letter, the Government have no objection to Mr. Aaron's re-instatement; and to his being allowed to reckon his previous service for pension, provided after certain probation his conduct is such as to satisfy Colonel Walker that he is deserving of the indulgence now solicited.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,  
Secretary to Government.

To the Superintending Engineer, 7th Division.  
,, Controller of Public Works Accounts.

N<sup>o</sup> 292.

Superintending Engineer's Office  
Pobacumund 22<sup>nd</sup> March 1865.

From

Major W. Forewell

Executive Engineer in Charge

To

Colonel Charles A. Orr R. E.

Secretary to Government P. P. W.

Madras.

Sir,

In the Return of Public Servants dismissed from employment in the Department Public Works during the half year ending 30<sup>th</sup> September 1864, is taken the name of A. M. Aaron Draftsman whose offence was disobedience of orders i.e. Submitting his resignation in order to evade duty in South Wynad.

2

As Colonel Walter dismissed this man for no actual crime, but simply with the view of making an example of him so as to maintain the discipline necessary for the proper working of the Department. On Mr Aaron expressing contrition for his offence, and soliciting re-employment in his former post I interceded in his behalf with Colonel Walter now absent on privilege leave, and that officer having acceded to my representation I have the honor to solicit permission to re-employ Mr Aaron in his former post giving him the benefit of his former long Service, provided after certain probation his conduct is such as to satisfy Colonel Walter that he is deserving of the indulgence now solicited. The man has suffered severely already in as much as he has been out of employment for six months, he is a good draftsman

draftsman, and a steady man, and I trust the  
lesson he has received is such as will tend to  
make him in future a useful servant of Government.

I have the honor to be

Sir  
Your most Obedt Servant

W. H. M. Major  
Executive Engineer (Charge) D.D.

Public Works Department.

Very impure in that I should have  
dismissed Mr. Aaron under the circumstances  
a tour of duty of an unpleasant kind,  
with the chance of fever, was assigned  
to him in September last. In order to shield  
him, he came in his resignation which Col.  
Walker, being unwell properly, refused to  
accept, preferring to dismiss Mr. Aaron.  
Col. Walker is now absent, but on Captain  
Forewell's intervention he has consented  
that steps may be taken for securing his  
employment to reemploy Mr. Aaron.

W. H. M.

The rule laid down by the Govt was to the effect that heads of  
Departments should not exercise their power of dismissing their  
subordinates in the loose manner in which Col. Walker seems  
to have acted with regard to Mr. Aaron. Dismissal should be  
resorted to only in cases in which a man is not fit to serve the  
Govt. here it has been used as an engine for inflicting punishment  
upon an efficient  
servant of the Govt.

I do not object to the reinstatement of Mr. Aaron, but he must  
be told that his duty is to obey orders, and that he must  
be prepared to accept the consequences of his actions.

Col. Walker should be told that he is not to dismiss his  
subordinates without having a cause assigned, and that he  
must be prepared to accept the consequences of his actions.  
as well as issue a general order to the effect that  
no officer or subordinate is to be allowed to  
resign without the sanction of the Govt. without  
special reference to the Govt. Council.

W. H. M.

In clause 42 - 2nd Edition in  
the Manual of Instructions for  
the use of the Govt. Council  
it is stated that

draftsman, and a steady man, and I trust the  
lepen he has received is such as will tend to in-  
crease his Government.

Division D.P.W. 1865  
Pro. of Govt for Chie.  
No. 1180  
From The Executive Engineer  
In Charge, D.

The Secretary to Government  
D.P.W.  
Madras.

Dated 22<sup>nd</sup>  
No. 273 March 1865.  
No. 292.

Solicits the sanction of  
Government for the re-employment of Mr.  
Baron as draftsman in  
his Office.

No. 281.

c. 29<sup>th</sup> March 1865. D. 3<sup>rd</sup> April - c. 1021 - 19<sup>th</sup> April 1865

Public Works Department.  
Proceedings of the Madras Govt.  
Under date the April 1865.

Read the following  
From The Executive Engineer  
In charge of Division  
Solicits the sanction of  
Government for the re-employ-  
ment of Mr. Baron as drafts-  
man in his Office.

No. 22<sup>nd</sup> March 1865-  
No. 292.

Under the circumstances  
brought to notice in this letter,  
the Government have no objection  
to Mr. Baron's reinstatement  
& to his being allowed to  
reckon his previous service for  
pension; but he will be  
informed that it is the duty  
of every public servant to  
obey the orders of his superiors,  
and if these lead to unpleasant  
results, an appeal may  
be made to higher authority.

The Govt are of opinion  
that in dealing with Mr. Baron  
I do not concern in  
this and the next part or in the  
repetition on Col. Wallis.

proceedings which they involve. See R H H M  
 further of which he was Plaintiff now on Major  
 quality. The Supy Engineer Farnelli letter in which  
 should have taken into con- sideration his efficiency, standing of orders - or  
 sideration his efficiency, standing of orders - or  
 & previous long service. Para 38 Sec: 2 of the Uncovenanted  
 Servants' Vade Mecum provides that dismissal should be reserved  
 to only in Cases of "fraud & dishonesty, Continued &  
 wilful negligence, & offences involving moral disgrace &  
 proved incompetency." It is evident that Mr. Aaron's offences  
 did not come within this category.

The Government resolve to call the particular attention of Supy Engineers to the Para of the & S. Vade Mecum above cited, & to inform them that in exercising the powers of dismissal with which they are vested, they should take especial care that in every case the character of the person is properly considered. In the packet, I enclose the foot-  
 note on Mr. Aaron's petition against his removal. The whole matter is there treated as if Mr. A. - had been displaced for "disobedience of orders". It will be awkward under these circumstances to let the present draft pass: - but as I have already remarked, I think Colonel Walker acted properly in dismissing Mr. A. -  
 I shall be also awkward to place on record a censure of Colonel W. - in this matter, when we have before us only what his

Subordinate Officer (Captain Farnelli) has ventured to say were (Colonel Walker's) motives -  
 It would be well I consider to reply to Captain Farnelli's com- by leaving as they are, the first line of his draft & adding after the word "reason" in the 7th line "provided after certain probation his conduct is such as to satisfy Colonel Walker that he is deserving of the indulgence now solicited". This (Captain Farnelli's) proposal in the return of the draft, as Aaron's offence is intended as "Disobedience of orders".  
 10.4.65 W.D.

This should not be admitted as a proved dismissal -  
 W.D.

I do not see that this was the case in Mr. Aaron's instance. He was ordered to go to Wyndham - He would not go - but to avoid joining London his resignation which was not accepted & he was then dismissed - His dismissal was on no more than a bare to his employment in any other form of office - but that was his fault and not Col Walker's object in dismissing him.  
 The Supy Engrs & Co  
 All other Supy Engrs  
 The Comd of PW Accs.

of the offence is such as to unfit the individual concerned for further employment under the Govt; for any person so dismissed is not eligible for re-employment except with the special permission of Govt. - When, as in the case of Mr. Aaron, dismissal is thought to be necessary not as a punishment for misconduct, but for the purpose of disqualifying him for a Govt. situation which he preferred in another Dept. to the one which he held in the D. P. W., the permission of Govt. ought first to be obtained.  
 C.B.

Establich

1031

Public Works Department

Proceedings of the Madras Government under  
date the 19<sup>th</sup> April 1865.

Read the following.

From

The Executive Engineer  
In charge of 7<sup>th</sup> Division.

Requests sanction for  
the reemployment of Mr. Aaron  
as Draughtsman in his Office.

M. C. 22<sup>d</sup> March 1865  
No. 292.

Under the circumstances  
brought to notice in this letter,  
the Government have no objection  
to Mr. Aaron's reinstatement;  
and to his being allowed to  
reckon his previous service, for  
pension, provided after certain  
probation his conduct is such  
as to satisfy Col. Walker  
that he is deserving of the in-  
dulgence now solicited.

*[Signature]*

*[Signature]*

*[Signature]*

To The Supty Engr & Co  
" Cont. of M<sup>rs</sup> Accounts

Decr. 20<sup>th</sup> April.

Pt. 1875 Depo  
Pro: of Govt for April

No 1121  
Pro: of the M. Court  
D/19 April 1875

The Supt. Engr. J. D. D.  
informed that there is no ob-  
jection to Mr. Nason's re-  
statement as Draughtsman  
and to his being allowed to  
reckon his previous service  
for pension, provided after  
certain probation his con-  
duct is satisfactory.

N. 281. 282