M.R.O. 1—77,006—8-6-37.

(1) Number of pages_____

(2) Date of repair 31 6 42

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Public works **DEPARTMENT.**

G.O. No. 2714	Press / Mis.
413-14	
Dated 24 10	1871.

Not to be folded or roughly handled

29

No. 413. Read the following letter from the Acting Superintending Engineer, 1st Division, to the Secretary to Government, Public Works Department, dated Dowlaishweram, 28th September 1871, No. 2,000:—

As Government have been pleased only to review the different charges brought by me against Mr. Supervisor Hamnett, in connection with the irregular expenditure on the road from Gajapatinagram to Parvatipur, and the inefficient administration of his range, and as a punishment have transferred him from this to the 2nd Division, I have now the honour to request the permission of Government to reinstate Local Fund Overseer M. Pudmanabhaswamy, who was suspended by me on receipt of G. O. of the 18th April 1871, No. 80, calling for certain explanations from the Collector of the district.

2. A short time ago the Collector furnished me with the enclosed copy of the Revenue Board's Proceedings, I did not, I beg to say, think it worthwhile to take up the time of Government by replying to this document; whatever exaggeration I may be guilty of is simply founded on the Magistrate's own calendar.

3. As Mr. Hamnett was far more responsible for the irregularities occurring in his range than the Local Fund Overseer, and has been merely removed from the division, I beg to solicit permission to reinstate Pudmanabhaswamy on full pay from date of his suspension.

No. 414. ORDER THEREON, 26th October 1871, No. 2,714.

ESTABLISHMENT, No. 34.

BEFORE passing final orders on this letter the Government resolve to await a report on the result of Serjeant Cormac's investigation into the claims for payment for work alleged to have been carried out to the road from Gajapatinagram to Parvatipur, and referred to in G. O. of the 6th September 1871, No. 2,268.

(True Extract.)

(Signed) J. CARPENDALE, Colonel, R.E.,
Secretary to Government.

To the Acting Superintending Engineer, 1st Division.

Exd. E. C. Shunker.

Proceedings of the Board of Revenue dated 23d June 1871

Read the following Letter from R. L. Melville, Esquire, Acting Collector of Vizagapatam, to the Acting Secretary to the Board of Revenue dated 29 April 1871. №408.

I have the honor to forward Copy of the Calendar called for in Miscellaneous Proceedings No 1318, dated 21st April 1871.

2. The Board will observe that the Local Fund Overseer referred to in Major Fischer's letter was tried and acquitted. Not as that Officer strangely states found guilty and the charge against him dismissed.

3 As in this letter Major Fischer makes assertions equally strange, some of which concern myself, I trust the Board will allow me to make a few observations and to enclose Copies of letters which will lay the whole matter before the Board and Government.

4 The case against the Overseer was disposed of early in May last year. On the 10th of that month I received a letter, dated May 6th, from Major Fischer, Superintending Engineer, asking me to call on the Magistrate who tried the case & have a balance due Government repaid & the Range Officer. In reply to this request, pointing out that as the Overseer charged had been tried and acquitted, the Magisterial authorities had no

power

power to recover Money from him. In Major Fischers Letter was enclosed one from Mr. Hammett Executive Agent in which much improper insinuations were made against the Magistrate who tried the case. These I requested Major Fischer to call upon his subordinate to retract and apologize for. This Mr. Hammett did by the Orders of his superior.

5 From May to September I heard nothing more on the subject. I own I was surprised to learn that the Overseer who had clearly been guilty of an open breach of departmental Rules was still in the same position in the department; that no departmental inquiry had been held, and in fact that nothing had been done; but I never supposed that the Executive Agent had neglected to see that the contractors, who in his presence had admitted the receipt of advances and their willingness to work them out, executed their contracts.

6 That any interference of mine in the matter of the spending of money, for the due spending of which Major Fischer and his departments were alone responsible or in the conduct of his subordinates would have been resented by that Officer, is abundantly clear from the tone of his letter recorded in Government Order, No. 1910 dated 11th August 1870.

7 At this time Mr. Hammett (the Executive Agent) seems to have enjoyed the entire confidence of his chief. We endorsed all his statements with but little enquiry as to their accuracy or otherwise. Vide my letter dated January 20th 1871, No 68 A, recorded in Government Proceedings, No 310 dated March 21st 1871.

8 On 10th September, I marched along the road from Vizianagaram to Parvatipore, and was met on all sides by petitioners complaining that they had not been paid cooly-hire for Road Works. From time to time as received I forwarded such petitions to the Superintending Engineer. I heard nothing on this matter till I received a letter from Major Fischer, dated March 9th 1871. This letter led to my referring the matter to the Board of Revenue. The letters on this subject will be found in Boards Proceedings No 1490 dated April 5th 1871.

9 From the last two of Major Fischer's letters therein recorded the Board will observe that at this point Major Fischer can hardly find language strong enough to express his opinion on the conduct of Mr.

Hammett, the Range Officer, an Officer in whom he formerly had implicit confidence and of whom he now writes to Government "that he does not wish to exonerate him from blame entirely" what has recently happened to change Major Fischer's strongly expressed opinion, I am of course unaware.

10 I have subsequently received three other letters from Major Fischer. To the first No. 11 dated March 17th I replied on (March 21st 1871) forwarding a copy of the Calendar to show him that it was our record that certain contractors had admitted in the presence of the Magistrate and Mr. Hammett that they had received advances and were willing to work them out; and expressing an opinion that it was to be regretted that no action had been taken on their admissions. In the two other letters Major Fischer commented in, what appears to me, a most unbecoming tone on the proceedings of the Magistracy. In my answer to both these letters I declined to discuss such matters with him.

11

11 The Board have now before them a Statement of the whole matter with copies of the correspondence, and will be in a position to decide how far I am guilty in the words of Major Fischer "of making general charges against his department and never affording any assistance to it." As regards the first accusation, if I am the person meant, I made a particular and not a general charge when I remarked on the bad state of the road from Vizianagaram to Chittivalsa and that from Palcondah to Parvatipore. I made these remarks in the ordinary course of business and should have failed in my duty had I not made them. If the accusation refers to the remarks made in the Calendar (which was sent by me to Major Fischer as I thought it might be of assistance to him in forming an opinion of the conduct of his subordinates), I would state that many of the remarks are brought out by the circumstances of the case. The relevancy of others has been shewn by the late trials in Bombay and Tinnevelly. The facts which then came out were no news to any one who has been a year or two in the

to the Mofussil. As to the second ac-
cusation, I imagine Major Fischer means
that I did not recover money due to the
department as he requested me in the first
letter subsequent to the trial. I need scarcely
adduce that neither as Magistrate nor
as Collector had I the power to do anything
of the sort, that had the contractors been
made to work out their advances, no money
would have been look at all.

12 Finally, I request the Board will obtain
an expression of opinion from Government as
to how far an Officer of Government in Major
Fischer's position is justified in commenting
on the Proceedings of the Magistracy in the
manner and tone which he has made use
of both in his letter to Government and in
his letters to me.

Enclosure No I. Copy of Calendar

Enclosure No II. Copies of Correspondence

Submitted to Government, with reference
to Government Order, dated 15th April 1867 No.
667.

2 Pudmanabhaswamy Naidu was
acquitted

acquitted on the Criminal charges brought
against him under sections, 403 and 465
of the Penal code, but it seems to have been
shewn that he made irregular advances
to Contractors. This is probably what Major
Fischer meant when he said in an exaggera-
rated way that he had been released
"after being found guilty of illegal practices
with public funds".

3 It is to be regretted that Major Fischer
should have complained of "the Collector
and his subordinates" as he has done.

/A true Copy and Extract/
/sd/ J. Grose
Acting Secretary.

To The Acting Secretary to Government, Revenue Dept.
with two Original enclosures.

Copy to the Acting Collector of Vizagapatam.

/True Copy/

Wm. H. Irwin Major R.E.
Ag Superintending Engineer 1st Div

P. W. 4788/71.

Endorsement to Letter
No 2000 dated 28th Sept
from the Superintending
Engineer 1st Division
to the Secretary to
Government P. W. D.
Dated 30th Sept 1871.

No. 2000

From

Major P. T. Fischer R.E.
Acting Superintending Engineer
1st Division

To

Colonel J. Carpendale R.E.
Secretary to Government D. P. W.
MADRAS

SIR,

As Government have been pleased only to review the different charges brought by me against Mr Supervisor Hammett, in connection with the irregular expenditure on the Road from Gajapatynagrum to Purvatipur, and the inefficient administration of his Range, and as a punishment have transferred him from this, to the second Division, I have now the honor to request the permission of Government to re-instate Local Dt and Overseer M. Pudmanabhaswamy, who was suspended by me on receipt of G.O. of the 18th April 1871 No 80, calling for certain explanations from the Collector of the District.

2

2. A short time ago, the Collector furnished me with the enclosed Copy of the Revenue Board's proceedings, I did not, I beg to say, think it worth while to take up the time of Government by replying to this document, whatever exaggeration I may be guilty of, is simply founded on the Magistrates own Kalendar —

3. As Mr Bamett was far more responsible for the irregularities occurring in his Range than the Local Overseer, and has been merely removed from the Division, I beg to solicit permission to re-instate Pudmanabhaw any on full pay from date of his suspension

I have the honourable
Sir
Your Most Obed.t Servt.

Walter Smithers Majr R.E.
Acting Superintending Engineer
Pt. Division

15th April/71-809 Rs.

P. Dr. 1871 Sept

From

No. 4788.

The Agent Superintendent Engineer
1st Division

To

The Secretary to Government
Public Works Department

Madras

Dated 28th September 1871

Received 9th October/71

No 2000

Solicits permission of Government to reinstate Local Hind Overseer Padmanabhaswamy on full pay from date of suspension.

With the usual order of Govt

No 2714-26th Oct/71

Oct 16th Oct/71 Q. 25m

Ex 8

Ltr 27414.

Before passing final orders on this letter the Govt resolve to await a report on the result of Sergeant Carmac's investigation into the claims for payment for work alleged to have been carried out to the road from Gajapatinagram to Parvatipoor, and referred to in G. O. of the 6th September 1871, No 2268.

Fort St George
26th Oct 1871

To The Supdg Engineer 1st Div

Ltr S to Govt 26/10/71
Govt to S 2/11/71

C. No. 4788.

Govt. of Madras. 1871

PUBLIC WORKS.

To Head Superintending Engr 1st Circle

Dated.

Rcvd. Mad. 1

G. O. 26 April 1871, No. 2714.

Nos. 4131-4144

Claims for payment for work done by Kolundhu Dane

Orders Dismissing

Final orders regarding the [illegible] of Dikkers until the accounts of the respective Divisional Officers are submitted