

(1) Number of pages _____

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MADRAS RECORD OFFICE.

Government of Madras.

Public works. DEPARTMENT.

G.O. No. 876	Press
580-81	~~Mis.~~
Dated 23-3-1871	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
23rd March 1871.*

No. 580. Read again letters from the Superintending Engineer of the 3rd Division, and Captain J. HUNTER, R.E., dated 19th December and 17th January 1871, Nos. 1,904 and 1,889:—

Read also the following letter from the Superintending Engineer, 3rd Division.

(Here enter No. 2,473, dated 3rd March 1871.)

No. 581. ORDER THEREON, 23rd March-1871, No. 876.

ESTABLISHMENT, No. 51.

It appears from these papers that the Superintending Engineer of the 3rd Division received in May last a

petition in which one Kasavaloo Naidoo, while complaining that certain works on the Nundikotkoor and Bairlooty Road were taken from him and given to other contractors, charged the Overseer, Mr. Quinn, with having paid one Moteram for 9 inches of gravel while 4 inches only had been spread over the road, thereby defrauding the Government to a considerable extent. This petition was referred to the Range Officer, Mr. Executive Engineer Fraser, for investigation. Mr. Fraser about the same time also received a petition from Contractor Moteram in which the latter complained among other things that Mr. Quinn retained a portion of the money which had been authorized to be disbursed, and declined to grant certificates for work which had been executed.

2. Mr. Fraser appears to have instituted very strict enquiries into the matter, and to have verified the quantities by check measurements taken under his personal supervision. The results of the investigation were forwarded to the Superintending Engineer, who submitted the matter for the orders of Government. In the absence of the explanations of the Range Officer and those of the Overseer, His Excellency the Governor in Council was not prepared to form a definite opinion on the case. The papers were accordingly referred to Captain Hunter for such observations as he had to offer, while Mr. Quinn was allowed an opportunity of replying through the Superintending Engineer to the various charges preferred against him. The Government have these explanations now before them.

3. After a careful consideration of the whole correspondence, His Excellency the Governor in Council regrets that he can come to no other conclusion than that large payments, estimated by Mr. Fraser at from Rupees 4,758 to Rupees 6,095, have been made to Contractor Moteram for which no corresponding value has been received, and His Excellency sees little reason to doubt that Mr. Overseer Quinn, who, without measuring up the work, granted certificates of its having been performed, was either in collusion with the contractor or was careless and neglectful of his duty to such an extent as to show that he is totally untrustworthy and unfitted for employment in the department. The Government were much disposed to prosecute Mr. Quinn criminally but, as, in the opinion of the Superintending Engineer, a legal conviction is not likely to be obtained, His Excellency the Governor in Council will not do more than direct the Overseer's dismissal. These Proceedings will accordingly be communicated to the Military Department with a view to the services of Serjeant Quinn being replaced at the disposal of His Excellency the Commander-in-Chief.

Proceedings of the Madras Government, Public Works Department,
23rd March 1871.

4. The Government cannot close these Proceedings without noticing with extreme displeasure the lax manner in which Captain Hunter seems to have conducted his duties. Making the fullest allowances for the difficulties under which Captain Hunter shows that he laboured, the Government are nevertheless of opinion that he failed to exercise a proper degree of control over the proceedings of his subordinates as exemplified in the case of the road in question. He appears to have permitted the Talook Overseer to enter into an agreement for the formation of certain portions of the road without taking the trouble to ascertain whether the rates to be paid were not more than necessarily high, and he is shown to have granted cheques in payment of bills without taking any precautions, by making pit or check measurements, to satisfy himself that the work represented to have been done had really been executed. Where an important duty of this kind is so entirely neglected as it would seem to have been by Captain Hunter, direct encouragement is given to fraud, and is sooner or later certain to lead to the discreditable results which have now occurred, in the loss of a large sum of public money and the disgrace, as well as probable ruin of a European subordinate, who, it is not impossible might have done well had a more direct supervision been exercised over him.

5. The circumstances brought to light by Mr. Fraser are, the Government are constrained to say, little favourable to the character of Colonel Moberly's administration of the 3rd Division. The Government must necessarily look to Superintending Engineers for the exercise of such an effective control over the operations of all their subordinates as should prevent the occurrence of irregularities of the serious nature of those which the Government have now had the painful duty of commenting on. The Superintending Engineer is furnished with regular returns of progress and expenditure on every work in his division, and he has as regularly before him the Inspection Reports of his Executive Agents. By a comparison of these Colonel Moberly ought to have seen that monies were being paid away by Mr. Quinn without check by the Range Officer, and it was his duty to interfere even if he could not personally visit the locality.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Military Department.

„ Superintending Engineer, 3rd Division.

„ „ „ 4th „ for communication to Captain Hunter.
„ Controller of Public Works Accounts.

Exd. S. T. Augustin.

No. 2473.

Superintending Engineer's Office.

3rd Division.

Bellary 3rd March 1871.

From,

The Superintending Engineer
3rd Division.

To,

The Secretary to Government

Public Works Department

Fort Saint George

osures. 15.

Sir,

With reference to G.O. No. 209 of 24th January 1871, I have the honor to forward Mr. Overseer Quinn's letter of explanation with the Range Officer's remarks thereon. In my letter No. 1904 of 19th December 1870, I, by an oversight, forgot to state, that I had personally read out to Lieutenant Quinn the whole of Mr. Fraser's report, and enquired if he had any explanation to offer - to which he then stated that he had no explanation to give.

2. A

2. As regards that part of para. 2 of the Government Order, requesting me to report what "evidence there is of the monies said to have been withheld by Sergeant Quinn having been permanently retained by him or ultimately refunded," I have the honor to inform that there was no proof brought forward of the monies having been held back by Mr Quinn (vide Volume IV, para. 5 of Mr Fraser's letter No 286 of 16 October 1870).

3. With reference to the last part of the Government Order, I beg to say that, in my opinion, it would be of no use instituting a criminal prosecution against Sergeant Quinn, as we should not be able to prove that the measurements made by Mr Quinn were made with any criminal intent of breach of trust, or that he, in any way, would benefit.

by the over-payments made. 50

I have the honor to be,
Sir,

Your most obed^t servant.

A. H. B. Lieut. Col. R. B.
Superintending Engineer.
3rd Division.

Proceedings of the Madras Government
Under date the 1st Jan'y 1871

Read the following -

From the S. Engr
of the 3rd Div

(H. & Co. 1904 of 19th Dec 1900)

I think that Luis should
be tried under the charge
which gives him the best prospect
of bringing him to justice, as
that Mr. Fraser's report
should be referred to the
Capt. Hunter for explanation
It Capt. Hunter deserves to be
retrieved by deservng the
removal from the Dept. or that
Council.

It appears from these
papers that the Sup Engineer
of the 3rd Division received
in May last a petition in
which one Navavaloo Indoo,
while complaining
that certain works on the
Mundikothoor and Bairlooty
road were taken from him
and given to other contrac-
tors, charged the Overseer,
Mr. Quinn with having
paid one Moteram for 9
inches of gravel while 4
inches only had been spread
over

Pro 24 January 1871

From,

The Superintending Engineer

3rd Division.

To,

The Secretary to Government.

Public Works Department.

Fort Saint George.

No. 4643.

Dated

Received

By M. Marshall 1871

Recd. 13

Checkered by

Commissary General

of the 3rd Division

the charges of

being subjected to

a Commisary General

being committed to

the 3rd Division

to 13 March 1871

over the road, thereby de-
frauding the Govt. to a
considerable extent. This
petition was referred to the
Range Officer, Mr. Executive
Engineer Fraser, for investi-
gation. Mr. Fraser about
the same time also received
a petition from Contractor
Inotram in which the latter
complained among other
things that Mr. Quinn
retained a portion of the
money which had been
authorized to be disbursed
and declined to grant
certificates for work which
had been executed.

Mr. Fraser appears to
have instituted very strict
enquiries into the matter
and verified the quantities
by

98
by check measurements
taken under his personal
supervision. The results of
the investigation having
been placed before the
Supt Engineer, that Officer
now submits the whole
subject for the consideration
and order of Government.

His Excellency the
Governor in Council re-
grets that he ^{can} come to no
other conclusion than that
large payments, estimated
by Mr. Fraser at from
Rs 4758 to Rs 6095, have
been made to Contractor
Inotram for which no cor-
responding value has been
received, and His Excellency
has little reason to doubt
that Mr. Quencer Quinn,
who

or who, without measuring up
for the work, granted certificates
of its having been performed.
He was either in collusion with
the Contractor or was care-
less and neglectful of his
duty to such an extent
as to show that he is
a totally untrustworthy
man and unfitted for employ-
ment in the Department.
The Govt. accordingly direct
the dismissal of Mr. Lavinio
and resolve to communicate
these Proceedings to the
Military Department
with a view to the services
of the Sergeant being re-
placed at the disposal
of His Excellency the
Commander-in-Chief.
The Govt. cannot close

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these Proceedings without
noticing with extreme
displeasure the lax
manner in which Capt.
Hunter seems to have
exercised control over
the proceedings of his sub-
ordinates as exemplified
in the case of the road
in question. He appears
to have permitted the
Salooki Riverasser to enter
into an agreement for the
formation of certain portions
of the road without taking
the trouble to ascertain
whether the rates to be
paid were not more
than necessarily high
and he is shown to have
granted cheques in pay-
ment of bills without
taking

taking any precautions,
by making pit or check
measurements, to satisfy
himself that the work
represented to have been
done had really been
executed. Where an
important duty of this kind
is so entirely neglected as
it would seem to have been
by Capt. Hunter, direct
encouragement is given
to fraud and is sooner or
later certain to lead to the
discreditable results which
have now occurred, in the probable
loss of a large sum of
public money and the
disgrace, as well as pro-
bable ruin of a European
Subordinate, who it is
not impossible might
have

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have done well had a
more direct supervision
been exercised over him.
The circumstances brought
to light by Mr. Fraser,
are, the Govt. are con-
-strained to say, little
favorable to Capt. Hunter's
character for efficiency as a
departmental officer, and
His Excellency the Governor
in Council has had it
under his most serious
consideration whether that
officer should not be
held pecuniarily respon-
-sible for a portion at
least of the loss which
has been caused by his
reprehensible neglect of
the most obvious duty
of

of an officer in his position.



To. The mily: Depart.
" Supr Cong. 3? Summ 12/18
" do do do
for communication to Capt. Hunter

613. 1/11 R. 16.
11/11 R. 135

I am all

Cancelled draft

No 876 P. M. S. 17d
Proceedings of the Madras Government
Read again letters from the Sup^r Engr of the 3^d Divⁿ
and Captain J. Hunter P. E. dated 17th Dec^r and 17th June 1871
Dec^r 1904 and 1889.
Read also the following letter
From the Sup^r Engineer 3^d Divⁿ (H. E. Dec^r 24/73 & 3^d March 1871)

The excuse of Capt. Hunter
simply is that he had to
much to do that he could
not attend the work during
its execution. Personally
I much, I suppose, that
this is his aptitude. He
may have had too much to
do - he was somewhat of a
very unfortunate moment
the case then later the
in pity which exists for
District Engineers.
There seems hardly any
ground for the Dismissal
of Capt. Hunter. C. M. W.
says he is doing well
here. N.

It appears from these
papers that the Sup^r Engineer
of the 3^d Division received
in May last a petition in
which one Kavavaloo Naidoo
while complaining that
certain works on the
Mundikatthoor and Bairlooty
road were taken from him
and given to other contrac-
tors, charged the Overseer,
Mr. Quinn with having
paid one Moteram for 9
inches of gravel while 4
inches only had been spread
over the road, thereby de-
frauding the Government to

to a considerable extent. This petition was referred to the Range officer, Mr. Executive Engineer Fraser, for investigation. Mr. Fraser about the same time also received a petition from Contractor Motiram in which the latter complained among other things that Mr. Dinn retained a portion of the money which had been authorized to be disbursed, and declined to grant certificates for work which had been executed.

2. Mr. Fraser appears to have instituted very strict enquiries into the matter and ^{to have} verified the quantities by check measurements taken under his

19d
his personal supervision. The results of the investigation were forwarded to the Super Engineer, who submitted the matter for the orders of Government. In the absence of the explanations of the Range officer and those of the aversee, His Excellency the Governor in Council was not prepared to form a definite opinion on the case. The papers were accordingly referred to Capt. Hunter for such observations as he had to offer, while Mr. Dinn was allowed an opportunity of replying through the Super Engineer to the various charges preferred against him. He
Capt.

Government have these ex-
planations now before them.

3. After a careful con-
sideration of the whole cor-
respondence, His Excellency
the Governor in Council
regrets that he can come
to no other conclusion than
that large payments esti-
mated by Mr. Graver at
from Rs 4758 to Rs 6095,
have been made to Contractor
Motaram for which no cor-
responding value has been
received, and His Excellency
sees little reason to doubt
that Mr. Overseer Quinn,
who without measuring up
the work, granted certificates
of its having been performed,
was either in collusion
with the Contractor or was
careless.

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careless and neglectful of his
duty to such an extent
as to show that he is totally
untrustworthy and unfitted
for employment in the
Department. The Govt. were
much disposed to prosecute
Mr. Quinn criminally
but, as, in the opinion of
the Superintending Engineer, a legal
conviction is not likely
to be obtained, His Ex-
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Council will not do more
than direct the Overseer's
dismissal. These Proce-
dings will accordingly
be communicated to the
Military Department with
a view to the services of
Sergeant Quinn being
replaced at the disposal
of

of His Excellency the Com-
-mander-in-Chief.

4. The Govt. cannot
close these Proceedings
without noticing with
extreme displeasure the
low manner in which
Capt. Hunter seems to
have conducted his duties.
Making the fullest allowances
for the difficulties under which
Capt. Hunter shows that
he laboured, the Govt. are
nevertheless of opinion that
he has failed to exercise
a proper degree of control
over the proceedings of his
subordinates as exemplified
in the case of the road in
question. He appears to
have permitted the Talook
Overseer to enter into an
agreement

23d.
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of certain portions of the road
without taking the trouble
to ascertain whether the rates
to be paid were not more
than necessarily high, and
he is shown to have
granted cheques in pay-
-ment of bills without
taking any precautions
by making pit or check
measurements, to satisfy
himself that the work
represented to have been
done had really been
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important duty of this
kind is so entirely neglected
as it would seem to have
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direct encouragement is
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sooner or later certain to
lead to the discreditable
results which have now
occurred, in the loss of
a large sum of public
money and the disgrace,
as well as probable ruin
of a European subordinate,
who, it is not impossible
might have done well
had a more direct super-
-vision been exercised
over him.

The circumstances
brought to light by Mr.
Fraser are the Government
are constrained to say,
little favorable to the
character of Col. Ingerly's
administration of the 3^d
Division. The Government
must necessarily look to
Super

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Super Engineers for the
exercise of such an effective
control over the operations
of all their subordinates
as should prevent the
occurrence of irregularities
of the serious nature of
those which the Govt. have
now had the painful
duty of commenting on.
The Super Engineer is
furnished with regular
returns of progress and
expenditure on every work
in his Division, and
he has as regularly before
him the Inspection Reports
of his Executive Agents.
By a comparison of these
Col. Ingerly ought to
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not personally visit the
locality.

WJH

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The Daily. Dept.
15. Suppl. 3.00

Do Do & Do for commu-
-nication to Capt. Hunter
Controller P. Fr. Accto

1870/19
Govt. of Madras.

PUBLIC WORKS.

To The Military Department

Dated

Recd.

G. O. 23 March, No. 876.

Nos. 550/581

Sergeant Quinn. Piping
Orders in the letter from the
Inspector of the 3rd Bn. Sub.
with, remarks, the
explanation of Sergeant
Quinn, Overseer, on the
charges preferred
against him.