

(1) Number of pages_____

(2) Date of repair_____

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No.	1855	Press
81-82		Mis.
Dated	6- 8-	1872 .

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
6th August 1872.*

No. 81. Read the following petition from Mr. O. H. COWLEY, late Supervisor,
Public Works Department.—
(Here enter No.—, dated 27th June 1872.)

No. 82. ORDER THEREON, 6th August 1872, No. 1,855.

ESTABLISHMENT, No. 7.

THE Government observe that the grounds upon which Mr. Cowley petitions against the decision conveyed in

their Order No. 1,376, dated 3rd June 1872, are as follow —

- (1.) The inexperience of Serjeant Ward.
- (2) That he had misplaced his confidence in the Overseer under his orders.
- (3) That he was not furnished with a copy of the Superintending Engineer's charges against him.

(4.) That the order of Government was passed without reference to his explanations.

2. The Government after due consideration of Mr. Cowley's explanation and the grounds advanced by him above, see no reason whatever to modify their previous decision.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To Mr. O. H. Cowley.

Edw. E. C. Shanker.

No. 1

*Extract from Proceedings of Madras Government,
P. W. D. No. 22 dated 7th May 1864.*

—*—

MR COWLEY is exempted from the operation of the Departmental examination rules in consideration of his having served in the Corps of Royal Engineers for a period of 12 years with so much satisfaction as to have obtained from the Officers under whom he has been employed in several responsible and arduous posts testimonials of the highest character.

No. 13

*Coimbatore Collector's Office
Circular at Coimbatore, 19th
February 1872*

From

W. D. HORSLEY, Esq.

Collector of Coimbatore

To

MR O. H. COWLEY,

Secretary, P. W. D.

SIR,

In reply to your letter I regret to state that my limited acquaintance with the manner in which you have performed your official duties prevents me giving you a certificate on the subject. I can only say that you appeared to me to take a great interest in everything connected with Local Fund matters, and you seemed anxious to give the Board the benefit of your local knowledge and experience.

I have the honor to be

Sr

Your most obedient servant

(Signed) W. D. HORSLEY,
Collector.

EXTRACTS FROM THE SERVICE REGISTER &c. OF
MR O H COWLEY D P W

No 1

A very energetic and able Supervisor thoroughly understands building and road making. He has had charge of the Mount Range for 3 months during the time I was on privilege leave and conducted the duties of Range Officer to the unqualified satisfaction of all his superiors.

MOUNT RANGE OFFICE, } (Signed) H T ROGERS, CAPT R E
12th April 1867 } Executive Eng Mount Range.

No 2

While in charge of Roofing Mercara Palace gave great satisfaction vide G O No 1701, 15th July 1870

BANGALORE, } (Signed) H W WOOD, CAPT R E,
20th September 1870 } Executive Eng Bangalore.

No 3

Proceedings of the Madras Government, P W D 15th July 1870

No 232 Read the following letter from the Acting Superintending Engineer 5th Division to the Secretary to Government P W. D dated Camp Sooramungalum 5th July 1870 No 66

In reference to G O dated 14th June 1870, No 70 transferring Mr Supervisor Cowley to Cuddapah, I have the honor to report that it is not expedient that Mr Cowley should be withdrawn from Mercara until the Roof recently constructed there under his superintendence has been so tested by the Monsoon as to assure us that nothing further is required.

2 On my recent visit to Mercara (25th to 28th May last) I examined most carefully the whole of the work lately executed to the Palace Roof and I think that Government have every reason to be satisfied with the manner in which these repairs have been carried out. Mr. Cowley has had a difficult task to perform and

I am of opinion that on the whole he has executed it most creditably

No 233 ORDER THEREON, 15th July 1870, No 1701

Military Works No 7

In the present weak state of the Public Works Establishment it is not possible without the greatest inconvenience to spare the services of any one who holding the position of a Supervisor, is qualified for the charge of a Range. His Excellency the Governor in Council therefore regrets that he is unable to accede to the proposal of the Acting Superintending Engineer of the 5th Division to retain Mr. Cowley at Mercara for duty of the nature of that stated, and His Excellency accordingly desires that the Supervisor be at once directed to proceed with all due despatch to join the district to which he stands transferred.

(True Extract)

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

No 4

MERCARA, 13th August, 1870

MR. COWLEY,

Sir,—I am sorry the Government are sending you away but trust when the department is increased you will be allowed to return and complete the alterations and repairs for which you have sent in estimates. I beg you will accept my thanks for the kind manner in which you have carried out all our numerous little wants. Wishing you success in your new sphere of work.

I remain,

Yours faithfully,

A. STEVENS, Lt Col.
Commanding Mercara.

No 5

Extract from the Proceedings of a Meeting of the Municipal Commissioners for the Town of Madras under date the 5th September 1867

Read Minute by the President dated 5th Instant laying before the Board a letter from Mr O H Cowley containing information on the formation, construction and repair of Roads, and making certain

suggestions as to the advisability of procuring Iron rollers, having European superintendence, &c

Resolution—The Board tender their thanks to Mr O H Cowley for his interesting and valuable Memo which will be forwarded to the Civil Engineer for his information

(True Extract.)

(Signed) B CARDOZO,
Municipal Commissioner.

No 6

ROADS—Mr O H Cowley, a Supervisor in the P W Dept, who had for nearly 3 years charge of the whole of the Roads in the Mount Range has written to the Board offering a few suggestions and observations on the maintenance of the Town Roads. He was induced to write to the Board on seeing in the journals Colonel Denison's remarks regarding the condition of the Sydapet Road.

The Board considered the letter a very interesting one, and Colonel Denison thinks that no time should be lost in procuring 2 Iron rollers similar to the one in use on the Mount Roads

From the *Athenaeum and Daily News* of the 6th September 1867.

No 7

Extract from the Proceedings of a Meeting of the Local Fund Board Cuddapah Circle held October 4th 1871

Read Estimates of Works required in No 3 Range and statement of traffic on Madras Road during July and August. Recorded. The thanks of the Board are due to Mr Cowley for the information he has afforded.

(True Extract)

(Signed) O H COWLEY,
Supervisor D. P. W.

The Right Honorable LORD HOBART,

Governor in Council,

Fort Saint George,

MADRAS.

THE PETITION OF O H COWLEY, *with 2 Sues*
LATE A SUPERVISOR OF THE DEPARTMENT
PUBLIC WORKS, IN THE PRESIDENCY OF
MADRAS

SHEWETH,

That your Petitioner after having served for 10 years in the Corps of (British) Royal Engineers, which he left with an exemplary character, was entertained in the service of this Government in the department above mentioned, under the auspices of Sir Wm. Denison, late Governor of Madras, and was employed therein from 7th May 1864. The testimonials herewith submitted will shew in what manner his services were appreciated by the several Officers under whom it was his privilege to serve, before his appointment to the 3rd Division.

That in the month of October last, the Superintending Engineer of this division ordered the suspension of your Petitioner, on charges of dereliction of duty, connected with the carrying out of certain Public Works within the limits of his Range, and that it has now been intimated to him that his services have been dispensed with by your Lordship's Government.

In the order of Government conveying this intimation it is remarked that your Petitioner has been guilty of such neglect as would have led to nearly Rupees 6 000 being spent on one fictitious work (by which is apparently meant the work of repair proposed to the Genga Reddy and Cota channel-) and that the presumption is that similar large sums have been thrown away on other works of the same nature.

With reference to the first of these undertakings, your Petitioner begs to state, that it was one which appeared in the list of "requirements" furnished by the Re-

P. W. 3722/72

*Sub. to No. 119
L.R. 1861.*

venue Department and, that when the estimate was prepared which had relation thereto, it was an existent item of work to be attended to by the P. D. W. That estimate provided for the deepening and otherwise improving the channels referred to — and had the work been carried out as contemplated, the expense would have probably equalled, if not exceeded the estimate, though probably also it might have fallen much short of it. That the recently appointed Overseer of the Pullampet Talook, Mr. Ward, believes that the channels did not require deepening, and that the repairs to them could be effected at much less expense, is, your Petitioner respectfully submits, not to the point, because it not only involves a question of purely professional opinion, which the very limited experience of Mr. Ward, who has only recently joined the Department, when compared with that of your Petitioner, extending as it does over a period of 20 years under various Engineer Officers, both at home and abroad, or even of the late Overseer cannot enable him to decide (and your Lordship is aware of the fact that the Superintending Engineer has never visited the site of the works) but also that it is not improbable when Mr. Ward inspected the channels, that they might have borne an altered appearance, through the efforts of the Ryots themselves, failing those of the P. W. D., to make them serviceable for irrigation. Moreover it does not follow, in every case, as experience shows, that the actual expenditure on a work equals the amount of its estimate, — and it is respectfully submitted that the term 'fictitious' used in Mr. Overseer Ward's letter cannot have any application in the present case, for it will be seen that though he takes exception to the figures shown in the estimate (whether rightly or wrongly has not been determined by competent authorities) he states that the channel is in need of repair, and that the estimate which he condemns had reference to these repair works.

Your Petitioner begs to state that he himself visited the channels before the estimate was prepared, that he instructed the Overseer as to what was necessary to be done and to associate himself with the village Reddy in ascertaining and providing for actual requirements. If, therefore, there has been any remissness in the framing of the estimates, your Petitioner begs to claim indulgence on the following grounds, — when your Petitioner took charge of the Range, Col. Moberly spoke to him in the highest terms of commendation of Mr. Overseer Wade's abilities and integrity, and further made mention of the circumstance that, having great confidence in him, although only an Overseer of about 2 years standing, he, Col. Moberly, had once sent him to relieve Capt. Hunter, R. E., of the charge of the Kar. ool (1st class) range, and had also recommended him for promotion, thus influencing his belief that Mr. Wade had Col. Moberly's unlimited confidence as a Superior Public Officer, and that your Petitioner should not subject him to the degree of surveillance that ordinary Overseers are subjected to, and, being new to Irrigation Works, having been previously employed on Military Buildings, and to the District, and having an enormous pressure of work devolving on him in consequence of the disastrous floods (of October 1870 about the date of the estimate) in the Cheyar River, the scene of the Railway accident of that year, which silted up more than 20 miles of channels, he was compelled to entrust a great deal of responsibility to the Overseer, for, as Col. Moberly stated in a recent Report to the Government, it was a sheer impossibility, for the Range Officer to attend to *every thing*, and be *everywhere*, and, it is well known throughout the Department that the accuracy of estimates generally devolves on the Overseer, to whom then preparation is entrusted, the Reddy, or head man of the village, accompanying him to point

out the actual requirements. As the result showed, the confidence reposed by your Petitioner in the late Overseer was altogether misplaced, but this is a contingency, which was likely to have happened in the case of any other Range Officer who was in his then position and who did not wish to question the correctness of his Superintending Engineer's opinion. That your Petitioner has not been culpable of *habitual neglect* will be apparent from the circumstance that in the Sidhout Talook, which was in charge of Mr. Overseer Wade, in whose case he did not receive any special recommendation, the duty of supervision was effectively carried out, and no fault was found in connection with any of the works in that Talook.

Your Petitioner begs also to bring to notice the very disadvantageous position in which he has been placed in not having been furnished with a copy of the statements made by the Superintending Engineer in attempted substantiation of the charges made by him. Your Petitioner begs to add, that it is only from memory (of occurrences that happened 18 months previously) he could frame any reply to the charges preferred against him, and that though the Superintending Engineer professed his readiness to meet your Petitioner at the site of the channels, for some not apparent reason he failed to do so, thus depriving your Petitioner of the *only opportunity* which occurred of testing the correctness of the estimate, and the soundness of the opinions of Mr. Overseer Ward with reference to the work in question.

Your Petitioner has, moreover, been placed in a position of great disadvantage, in that the order of Government of the 3rd instant was passed without reference to the explanations offered by him (although from a foot note to the order appended by Col. Walker, R. E., it appears that his explanation were then before the Government), also in that the matter was taken up for disposal prior to the receipt of the reports submitted by Messrs. Hardinge and Hunter, which, your Petitioner understands, are also now before Government.

It is remarked in the Government order of date 3rd instant, that the Reports from your Petitioner and Mr. Overseer Wade had to be waited for for more than *two months*. The fact is your Petitioner submits, that his explanation was forwarded to the Superintending Engineer on the 11th March last, the date after they had been called for.

Your Petitioner respectfully begs to submit that, he is not deserving of the hard measure of punishment which has been dealt out to him. He solemnly avers that he has, throughout the period of his services, worked for the best interests of the Government, and, that, although he cannot claim exemption from errors of judgment, to which the best regulated minds are prone, there was nothing in his conduct judged by the standard of usage in the Department; to warrant the conclusion that he had deliberately neglected any work which was entrusted to him.

The torturing anxiety of mind undergone by your Petitioner during the period (8 months) of his suspension from office is in itself sufficient punishment for whatever of remissness may be chargeable against him, and he therefore prays your Lordship in Council will be pleased to reconsider the decision arrived at and to remit the punishment inflicted either wholly or partially as may seem best to your Lordship. Or if this be impracticable, your Petitioner begs that as an act of grace, your Lordship's Government will be pleased to modify the terms of its decision by permitting his dis-

4
variance from its service by way of resignation thereof, rather than by dismissal therefrom

Amongst the Officers of the Department whose favourable mention your Petitioner has received are General Orr, Colonels Boileau, Foord, and Prendergast. Captains Rogers, Wood, Beckley, Mead, and Pennycuik and Mr Horsley the present Collector of Cuddapah

And your Petitioner,
Will ever pray

C. H. Cowley

No. 1. Adelaide Road
St. John's Hill
Bangalore.
27th June 1842-

Respectfully,
Secretary to Government
J. H. Barker Esq
To Mr. Col.
Genl. Secretary.
July 19/72.

O.W.L. H. Engd 27/5/72
no 2827 1873.

Mr 1872 Sept
No 3722.

Petition
from Mr. Cowley.

27 June 1872
27/1 Aug 3
Encl. 2. Praying for a re-
consideration of his case
& remission of the pun-
ishment inflicted on
him or that he may be
allowed to resign the
service.

No 1855. 6th Aug 72

1-51-

J. W. Sept
No 1855. 110
Proceedings of the Madras Government
Under date the 6th August 1872
Read the following

Petition from Mr. O. H. Cowley
late Supervisor - No 27/27 June 1872

The Government
observe that the grounds
upon which Mr. Cowley
petitioned against the
decision conveyed in
their order No. 1376 dated
3rd June 1872, are as follows.

1. The inexperience of
Sergeant Ward.
2. That he had mis-
placed his confidence
in the Quacoe under
his orders.

J. W. L.

3. That he was not furnished with a copy of the Superintending Engineer's charges against him.

4. That the order of Court was passed without reference to his explanations.

The Government after due consideration of Mr. Cowley's explanation and the grounds advanced by him alone, see no reason whatever to modify their previous decision.

W. J. G. W.

To Mr. O. H. Cowley
Dated 12/18/12

Govt. of Madras.

PUBLIC WORKS.

1. Mr. C. F. Cowley

1.

2.

6th Aug 1855.

Nos 81 & 82