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# MADRAS RECORD OFFICE

Government of Madras

*Public Works* DEPARTMENT

|          |              |       |
|----------|--------------|-------|
| G.O. No. | 289 E        | Press |
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| Dated    | 5 - 2 - 1874 | 195   |

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Public Works Department,  
5th February 1874.*

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Read the following:—

No. 111 I. From District Engineer, Malabar, dated 1st December 1873, No. 109.  
No. 111 II. From do. do. „ 22nd „ „ „ 115.

No. 111 J. ORDER THEREON, 5th February 1874, No. 289E.

ESTABLISHMENT, No. 6B.

His Excellency the Governor in Council, after consideration of the Judgments of the Courts on the charge brought against Mahadeva Iyen, Head Accountant in the Calicut Range Office, cannot but come to the conclusion that the case has been mismanaged. The admission of the Head Accountant of the receipt by him of a part of the overpayment made to the Contractor, leaves no room to doubt Mahadeva Iyen's guilty knowledge of the transaction and his subsequent embezzlement of the whole or part of the sum so overpaid. His Excellency the Governor in Council accordingly prohibits his re-employment in the Government service.

(True Extract.)

Colonel, R.E.,  
*Secretary to Government.*

To the District Engineer, Malabar.

„ Officiating Controller of Public Works Accounts.

To all other Officers of the Public Works Department.

Exd. S. T. Austin.

Spare Copies

N. 126.

N. II or Calicut Range  
Office, Calicut 27<sup>th</sup> Oct 1883  
Despatched 29<sup>th</sup> Oct. 8 A.M.

From

The Officer in charge of  
Calicut Range

To

The District Engineer  
Malabar

Sir

I have the honor to bring to  
your notice, certain matters which have  
been brought to light regarding the mal-  
practices of Head Accountant J. Maha-  
deva Iyer employed in the Calicut  
Range Office

To make the case as clear as  
possible I shall endeavour to relate as  
well as I can each circumstance in the  
order they occurred.

3.

On the 9<sup>th</sup> of last month a man  
named H. Guttroa, employed on the  
Timbercherry Road presented a Bill in  
the Range Office (with measurement  
sheet) for Rs. 448-8-0, on looking over  
the Bill, I considered the rate Rs. 2-7-0  
per cubic yard for broken stone too high  
which I reduced to Rs. 2-4-0 per cubic yard,

the Contractor at first refused to agree to this rate, but subsequently and just as I was about to leave the Office said he would take payment according to my terms. The Head Accountant J. Mahadeva Iyer then brought the Bill to me and said that there was a clerical error in the calculation. I looked carefully over the ship measurement and finding that it was correct and agreed with the quantity shown in the bill, told the Head Accountant to correct the error as it appeared to be a clerical one, and drew a Cheque in favor of H. Kuttosai for Rs. 558-  
viz. for 248 Cyds. broken stone on 25<sup>th</sup> mile @ Rs. 2-4-<sup>00</sup> per cubic yard.

On the 8<sup>th</sup> Instant I proceeded to inspect the Timbercherry Road and made a general measurement of all the material (broken stone and shingle) collected on that road, but when about to check measure material collected in the 25<sup>th</sup> mile by H. Kuttosai, Contractor, in the course of conversation, the Overseer Mr. D. Rebello told me that there was a rumour that an overpayment had been made to H. Kuttosai. On check measuring the whole of the broken stone collected by H. Kuttosai in the 25<sup>th</sup> mile of the Timbercherry Road, I found that about 184 Cub. yards altogether

altogether had been collected by him. Not having the last bill with me at the time I could not tell whether the man had been overpaid or not, but on returning to Cahint and looking at the bill and the ship measurement I seen at a glance that the man had been paid for 248 Cyds. of broken stone, whereas he had only collected 184 Cyds. the deficiency being  $248 - 184 = 64$  Cyds. and the overpayment being Rs. 144 one hundred & forty four viz. 64 Cyds. @ Rs. 2-4-<sup>00</sup> per cubic yard.

The error is in the last three takes given in the Overseer's ship measurement, the total cubic contents of these three takes is 1142 c. ft. of broken stone viz. 
$$\begin{array}{l} 188 \times 2\frac{1}{2} \times 1 = 470 \\ 168 \times 2\frac{1}{2} \times 1 = 420 \\ 124 \times 2\frac{1}{2} \times 1 = 310 \\ \text{Total c. ft. broken stone} = 1200 \end{array}$$
 instead of giving 1142 c. ft. as the proper total, multiplied again  $1142 \times 2\frac{1}{2} \times 1$  and makes an excess of about 64 yards; this is how the overpayment came to be made.

I do not however believe that the mistake was intentional on the part of the Overseer, it is one that any person is likely to make, and from his subsequent conduct I am of opinion that there was no intention on his part to defraud.

On questioning the Head Accountant as to whether he knew if any Contractor had been overpaid on the

the Timbercherry Road, he said No.  
I accompanied the Inspy.  
Engineer Colonel Farewell over the Tim-  
bercherry Road on the 22<sup>nd</sup> & 23<sup>rd</sup> Inst.  
and on returning towards Cahint  
on the 24<sup>th</sup> Inst. met the Contractor  
H. Kuttosra, and on telling him  
that he had received an overpayment,  
and that he would have to refund  
the money, stated that he knew he  
was overpaid, but that the Head  
Accountant Gnahadeva Iyer had  
told him that the money (extra)  
belonged to another Contractor and  
that he had at the request of the  
Head Accountant handed him a  
Currency Note for Rs. 100 at the Cur-  
rency Office on the 10<sup>th</sup> September/73  
and on the day he cashed the Cheque  
for Rs. 558. - on hearing this I requested  
him to put his statement in writing  
which he did and which I herewith  
enclose for your perusal - marked B no. 1.

7. The original Statement was  
in his own handwriting, but he being  
an illiterate man it was difficult  
to make it out, so he being in Cahint  
this day, I got another written out  
plainly which he has signed marked  
B no. 2.

8. I received H. Kuttosra's  
Statement on the 24<sup>th</sup> Inst. and returned  
to Cahint that night, early the  
next morning I summoned the Con-  
tractors who H. Kuttosra had named

as knowing something of the matter  
and took their depositions which are  
herewith enclosed for perusal.

9. I shall now proceed to  
give you in as few words as possible,  
as far as I can make out the state-  
ments made by the Plaintiff and  
witnesses in this case, which were  
taken down in writing, signed &  
witnessed in my presence.

10. H. Kuttosra states that  
he received a bill for Rs. 448 last  
month, that when the Cheque was  
given to him for Rs. 558, the Head  
Accountant said that another man's  
money was included in the Cheque  
after deducting your Rs. 448, the bal-  
ance should be given to me (H. Kuttosra).  
That H. Kuttosra said I have no time  
to wait for you or to bring the money  
to you - You must come when I am  
cashing the Cheque; that the next  
day he (H. Kuttosra) went to the Bank  
Cashed the Cheque, and while count-  
ing the money, the H. Kuttosra Accountant  
and Annasawmy Pillay came in  
a cart. That he went up to the  
Head Accountant and said "take  
your money", "I must go". I have no time.  
That the Head Accountant then alight-  
ed from his Cart and went towards  
the Currency Office telling Lascar -  
Sheik Inidem to bring H. Kuttosra  
with him, that when he went to give  
the

Statement B

the money to the Head Accountant he told him to get a Currency Note for 100 Rs. in H. Thuttoosa's name; that a Currency Note was obtained and given to the H. Acctt. while standing in the Verandah of the Currency Office also that at the request of the H. Acctt. Rs. (4) four was given to one Kalluooty Nair & that while these transactions were taking place, Contractors Inamundab, Capim Pillay, Imbithee Thump, were present.

11. Capim Pillay & Inamundab corroborate the statements made by Thuttoosa. Imbithee Thump is not in Calicut. I am told he is gone to Palghat.

Statement  
C & D

12. Sheik Ibrahim corroborates the most part of H. Thuttoosa's statement, but states that he (Sheik Ibrahim) did not go to the Currency Office to see the H. Acctt. when called by the Lascar Sheik Moideen, also that he saw H. Thuttoosa count 100 Rs. put it in his cloth and go towards the Currency Office.

Statement E

13. Lascar Sheik Moideen corroborates the statement made by H. Thuttoosa, so far, that the Head Accountant came in a Cart & told him to call H. Thuttoosa & the other Contractors to the Currency Office, but that he was told by the H. Accountant to go to the Range Office & therefore left.

Statement F

14. Kalluooty Nair and Lascar Conary Nair state that they saw Head

Statements  
G & H.

Head Accountant Mahaseva Iyer and H. Thuttoosa at the Currency Office on the day the Cheques were cashed last month.

15. I Annasawmy Pillay 2<sup>d</sup> states that he could not hear the conversation between the H. Accountant & H. Thuttoosa although he was in the Office at the time. I can hardly credit this statement of Annasawmy Pillay, and I believe that he could tell more if he wished.

16. After obtaining sufficient proof to convince me of the guilt of the Head Accountant Mahaseva Iyer, I proceeded on Saturday afternoon to the Office, and asked the H. Acctt. what he had to say in defence of the charge brought against him, he got very excited and said that he had never been at or near the Currency Office on the 10<sup>th</sup> September last, that he had no transactions whatever on that day with H. Thuttoosa, and that he would bring ample proof viz. Distt. Engineer & Currency Office Writers to prove his statements viz. Distt. Engineer's Office writers to prove that he was in the Range Office on that day, and the Currency Office Writers to prove that he was not in the Currency Office on that day. I replied that I did not

not believe he could prove any such thing. That from the evidence I had before me I was firmly convinced that he was guilty of the charge brought against him, that I was extremely annoyed at he having allowed an over-payment to be made to a Contractor or with his knowledge that I would have to recover the money, and that it should be brought to notice. The H<sup>d</sup>. Acctt. tried very hard to get a hold of the written statement made by H<sup>d</sup>. Kuttoosa, saying that he wished to take him before a Magistrate for Defamation of Character, I replied, that this was rather premature that he should first prove the charge false and then I would gladly afford him all the assistance he required.

17. I may here state that I had been to the Currency Office and find from the books that H<sup>d</sup>. Kuttoosa obtained a Currency Note for 100 Rs. No.  $\frac{F}{3}$  48231 Calcutta Circle on the 10<sup>th</sup> September 1873.

18. Early on Sunday morning (6 o'clock) 20<sup>th</sup> Sept. H<sup>d</sup>. Acctt. Mahadeva Dyen came to my house and wished to see me, I went out and spoke to him, he then said that he had seventeen years service and begged of me to forgive him, said that he had sufficient disgrace already, and that he would

tell

tell me all if I forgave him. He then said, on passing the bank last month Contractor H<sup>d</sup>. Kuttoosa called him (H<sup>d</sup>. Acctt.) & said that an overpayment had been made, and that the Kuttoosa was willing to give half the money to the H<sup>d</sup>. Acctt. the H<sup>d</sup>. Accountant then went with Kuttoosa to some waste ground between the bank and Currency Office and received from him Rs. Fifty and not one Hundred as alleged by him (Kuttoosa). The H<sup>d</sup>. Accountant also stated that he intended to get transferred to Palghat Range, and that if he was forgiven this time, he would always behave honestly, also that he would recover the money Rs. 144 the overpayment, and that I could write & report that an overpayment had been made, but that the money was recovered from the Contractor and that in this way he could escape.

19. I have now laid before you as clearly as I am able all the circumstances connected with this dirty case. That the Head Accountant Mahadeva Dyen has received a gratification from the man

No. 104.

Malabar Dist. Engineer's Office  
1st December 1873

From,

The Ag. District Engineer  
Malabar.

To,

The Secretary to Government  
Madras.

Sir,

I have the honor to forward  
copy of a letter No. 424 of the 27<sup>th</sup> Ultimo from  
the officer in charge of the Calicut Range and  
to state that on the receipt of that report I  
ordered J. Mahadava Iyengar to discontinue  
the investigation of the charge against  
him by a Magistrate.

2. In the Range officer's letter No. 458  
of the 19<sup>th</sup> Instant, he reports that the Accountant  
has been convicted of cheating & sentenced  
to eight months rigorous imprisonment.  
I have therefore the honor to request that his  
re-employment in Government service may  
be forbidden.

I have the honor to be

Sir

Your most Obedt. Servt.

A. K. R. Capt.

Ag. Dist. Engineer, Malabar.

Mr. 6534/73

Enclosed for the  
Ag. Dist. Engineer  
to the Range Officer  
No. 424 of the 27<sup>th</sup> Ultimo

Copy of letter from  
Range Officer of Calicut  
to the Range Officer  
No. 424 of the 27<sup>th</sup> Ultimo  
checked & sent

N<sup>o</sup>. 115

Malabar District Engineers Office.  
Calicut 22<sup>d</sup> December 1903.

Calcutta 22<sup>d</sup> December 1873.

From,

The Acting District Engineer,  
Malabar.

To, The Secretary to Government. A.P.W.

Madras.

I have the honor to forward herewith  
the Magistrate's decision called for in your Memo  
No 442 of the 3<sup>d</sup> Instant and also that of the session  
judge reversing the conviction.

2. The latter decision, it appears to me is merely on a point of Law, the judge apparently feeling satisfied that the Head Accountant <sup>shall</sup> receive the money.

3. It seems to me that the Accountant's Crime was abetting Kootloosa in obtaining overpayment and thus cheating Government and taking an illegal gratification.

4. Taking the Supreme Judge's decision into consideration I am still of opinion that the Head Accountant is unworthy of being employed under Government and I therefore beg that his re-employment may be forbidden—

5. That a Government Servant should be able to act as the Head Accountant has in this Case and yet escape legal punishment seems anything but satisfactory - I have the honor to be

I have the honor to be,

Yours most obed<sup>t</sup> Servant.

Ag Dist Ensign Mal!

Public Works 1873 Reformation  
Address of President of Academy  
Nov. 1873

8.630

The D. I. Engineers

John

20.

The day to go is 2.10.19

Order of the

10

Chief Justice

En: 3-Door/1-  
B 6 1/30

*de la Roche*

General Manager of the

Record of his Camp

*Hedera hibernica* Hed.

John S. Edwards

102896:5481

10-2896:5-2897

I have the honor to acknowledge the receipt of your letter of the 10th inst. and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

1. *Chrysomelidae*  
 2. *Chrysomelidae*

and the other

to reinstate him.

Stating in detail the circumstances connected with his dismissal, I pray that in consideration of his past service you may be so good as to reinstate him in his former appointment.

Very respectfully,  
Your obedient servant,  
J. H. [Signature]



1874  
No. 111. 115  
No. 8. 2896. 5. 2896. 5. 2896. 5.

1874  
No. 111. 115  
No. 8. 2896. 5. 2896. 5. 2896. 5.

29 July 1874

*Pub. Works* DEPARTMENT.

Petition No. 241 of 1874

From Lord Mahadeva

Occupation.. late Head Account

Occupation., *late Sheriff*  
*-ant in the Calaveras*  
*Range office*  
 Village.

**Talook.**

District.

District. *Malabar*

Dated 13<sup>th</sup>  
Received 20<sup>th</sup> } January 1874

Enclosures 7

### Abstract.

States that after  
a service of about 17 years  
he was summarily

MS 289-8. v. 2-7/4

No. 28 of C. D.  
 Pres. of the Madras Govt.  
 Read the following  
 From the D. Sup. Malabar (H. E. No. 109 of 1st Dec 73)  
 No. \_\_\_\_\_ No. \_\_\_\_\_ (H. E. No. 22 of 1st Dec 73)

His Excellency the Governor in Council after consideration of the judgment of the Court on the charge brought against Mahadeva Dyen, Head Accountant in the Calicut Range Office, cannot but come to the conclusion that the case has been grossly mismanaged. The ad-  
-mission of the Head Accountant of the receipt

Per 8 Dec 1873 11/16/19 Jan 11/11

by him of a part of the  
overpayment made to  
the contractor leaves no  
room to doubt that  
deva Syam guilty knowledge  
of the transaction and his  
subsequent embezzle-  
ment of the whole or  
part of the sum so over-  
paid. His Excellency  
the Governor in Council  
accordingly prohibits  
his reemployment in  
the Govt service.

Appeal to the  
President -  
only from the  
action of the  
Governor in Council  
28/11/73

See no ground  
+ charge  
3/12 11/11

D. E. Malabar  
all other officers of the  
P.A.D.

M.S. despatch to D. E. Malabar  
d. the P.A.D. 5/2/74.

On 29 Jan 74  
On 19 Jan 74 D. E. Malabar

Letter from the Ag District Engineer Malabar  
dated 22 Dec 73. No. 115

Circulated for order:  
whether Malabar  
Izen shall be taken  
back into employ-  
ment, or dismis-  
sed -

Monahan Col M

Decr/73.

See to Govt M.S.

Make that the case has been  
examined, in as much as  
Mr. Bailey's evidence in the  
Court. The admission  
made there - no doubt a  
truthful witness - have no  
doubt as the respect fully  
knowledge of the misapprop-

697546530  
 of 1874  
 PUBLIC WORKS.

The District Engineer  
 Malabar

*[Handwritten signature]*

Date: \_\_\_\_\_  
 Recd. \_\_\_\_\_ Encl. 10

G. O. 5<sup>th</sup> Febry. No. 2898.

✓  
 Nos. 1112 & 1113.

Mahadeva Ceyan, 42 Aech,  
Calicut Range Office,  
Malabar D.C. - The re-  
employment of Mahadeva  
Ceyan in the pub. service,  
prohibited.

and subsequent entry  
 the whole a part of the  
 to be paid.  
 By own impress  
 is that he paid  
 shared the money  
 with Kuttus & 80  
 he admitted & Mr. Ba  
 out of 50  
 employed  
 15/1

Dec 29/74  
 Dec 1/74  
 Dec 8/74