

(1) Number of pages

(2) Date of receipt

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MADRAS RECORD OFFICE.

Government of Madras.

SECRETARY DEPARTMENT.

G.O. No.	Press
Dated	18

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department,
18th January 1877. No. 153.

made for it in this estimate. The matter should have the attention of the District Engineer, Tinnevely.

The estimate is recommended for sanction.

FORT ST. GEORGE,
11th January 1877.

(Signed) A. DE C. SCOTT, Major, R.E.,
Dy. Chief Engineer for Irrigation,
for Chief Engineer for Irrigation.

To the Secretary to Government, Public Works Department.

No. 299. ORDER THEREON, 18th January 1877, No. 153.

IRRIGATION, No. 40-E.

Account.

THE following estimate from the
Shermadevy Range, forwarded by the
Officiating District Engineer, Tinnevely,
is sanctioned:—

NANGUNERI PERIACOLUM TANK.

Irrigation.

Group or Project.	Fund.	Class.	Name of Tank, Canal or Channel.	Particulars of Work.	Amount.
..	Ordinary Agricul- tural Irrigation.	Original Works.. Repairs ..	Nanguneri Peria- colum Tank.	Weir .. Repairing bund and sluices ..	Rs. 1,970 3,260

To be carried out by the Public Works Department Officer in charge, Shermadevy Range.

2. This sanction has been registered as No. 270—I. of 1876-77.

(True Extract.)

Major-General, R.E.,
Secretary to Government.

To the District Engineer, Tinnevely.
" Collector of do.
" Chief Engineer for Irrigation.
" Examiner of Public Works Accounts.
" Revenue Department.

Exd. S. T. Austin.

Spare Copies

P. I. Form No. 4.

No 153 *Pro d 17th Jan* 3X
Proceedings of the Madras Govt
Under date the 18 Jan 77
Read the following
from the Chief Engineer (H.E. No 29 W 7 11 Jan 77)

THE following Estimate from
the Shermadevy Range
forwarded by the District Engineer,
Tinnevely is sanctioned:—

Nanguneri Periacolum Tank.

Irrigation.

Group or Project.	Fund.	Class.	Name of Tank, Canal, or Channel.	Particulars of Work.	Amount. Rs.
	Ordinary Agricultural Irrigation	Original Works	Nanguneri Periacolum Tank	Weir	1970
		Repairs		Repairing bund & sluices	3260

To be carried out by the P. W. Depart-
ment Officer in charge of Shermadevy Range.

2. This sanction has been registered as No. 270 I. of 1876-77.

Col. S. T. Austin
Chief Engineer for Irrigation
Revenue Dept.
Dispt 31-1-77

P.W.D.

121 DEC 76

No. 0268

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The District Engineer
Madras.

Most Respected Sir,

* Certificate No 501.

I most respectfully beg
to bring to your honour's notice that after
receiving my education in the Madras Zillah
School up to the matriculation standard, I
entered the Civil Engineering College in the
year 1868. & passed out ~~the~~ the ~~overseer's~~ overseer's grade in
the year 1870. Immediately I came to Tanjore
with a recommendation letter from Captain
Edgewood then the principal of the College to
Captain P. Montgomerie then the ~~the~~ the ~~Superintending~~ Superintending
Engineer of Tanjore. From that time I was employed
as overseer and District Road Surveyor in the
Tanjore & Trichinopoly Districts up to the beginning
of 1875 when I was recommended by Lieutenant
Col. Law, then the District Engineer of

P. W. D.

21 DEC 76

9268

Broken bridge
with an amount of
two hundred Rs -

3/61
18-11-76
2/3520/76
7-10-76
D. Brackenridge Esq.
Level 1. in. 1876
to 11/11/76
the Chief Engineer P. W. D.
No. 3703 of 18-11-76
Dated 15 November 1976.

No. 3134

Encls. 1.

2. Brackenridge Esq. is requested
to be so good as to state whether
or not he has advanced salary
increases. He is requested to state
the new rate established in B. O.
No. 1237 of the 14. May 72, in lieu
of the original increases.
Certificate which he now holds
for his holding - If not, the
increase for the same should
be clearly explained.
D. Brackenridge Esq.
11/11/76
21/11/76
to be returned

No. 3703.

District Engineer's Office,

Madras 18th Dec 1976

From

The District Engineer
of Madras
The Chief Engineer

P. W. Deptt.

Madras

Encls. 1/3

1. Petition with
enclosure
from D. Brackenridge
Esq. dated
15 Nov 76

In continuation of my
letter No. 2879 under date the 6th
I have the honor to state that owing
to the difficulty of obtaining the
services of a passed candidate for
the grade of Sub Engineer at the moment
when Engineer Nagalingam Pillay
was ordered away to Bellary for
employment on famine relief
works I have with a view to
avoid delay in carrying out work
in the South Arcot division appointed
as a temporary measure one
D. Brackenridge Pillay a passed
candidate for the grade of Sub
Engineer to act as 3rd grade Sub
Engineer during the absence of
Nagalingam Pillay on other duty.

2. The Acting Overseer was called upon by me on the 21st November to state why he has not obtained a Taluk Overseer's Certificate under the new rules established in G.O. No. 1237 of the 14th May 1872 in lieu of the Bengal Overseer's Certificate, to which no reply has as yet been received from him. The Pillay's application and its enclosure are herewith forwarded for your information.

3. As this young man appears to have had some experience in out door work & as the appointment is purely temporary I request that you will be so good as to accord your sanction to the present arrangement as a special case & to authorize the Examiner to pay his pay until such time as the permanent Overseer returns from Bellary.

I have the honor to be,

Sir
Your most Obedient

W. T. Tucker Joll R
District Engineer of Madras

No 2879. District Engineer's Office
Madras 6th November/76
From Colonel S. F. Fischer R.E.
District Engineer

Wallace &
D.R.

✓ to report
all as
under
N. J.
Talook
Pillay
Mary
for duty
N that

termination
trial

Enquired of Bellary regarding
this Overseer's departure from
this District.

Q

2. The Acting Overseer was called upon by me on the 21st November to state why he has not obtained a Taluk Overseer's certificate under the no 804-9-73h2202

no 12370
the Bill
to which
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applic
are her
inform

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Exam

Such time as the permanent Overseer returns from Bellary. I have the honor to be,
Sir,
your most Obedient
W. T. Tucker Joll R
District Engineer of Madras

From P.W.D.
21 DEC 76
The District Engineer
Madras
The Chief Engineer
P. W. Deptt
Madras

Dated 18th Dec 76.
Recd.
Encls: 2
No 3703.
Requests to authorize the Examiners to pass the pay & allowance of Ag. Overseer D. Bucknidge Pillay who was appointed in the room of P. Jagabusa Pillay under the circumstances explained

No 2877 District Engineer's Office
Madras 6th November/76
From
Colonel J. Fischer R.E.
District Engineer
To
Major General G. W. Waller &
Chief Engineer D.M.

Sir,
I have the honor to report for your information that as directed in your Memorandum of the 3rd instant I have ordered 1st grade Taluk Overseer Nagalingam Pillay to proceed at once to Bellary and to report himself for duty to the District Engineer at that station.

2 The necessary intimation will be given to the District Engineer of Bellary regarding this Overseer's departure from this District.

S

I have the honor to be,
 your most obedt servant
 W. T. Tucker Colonel &c
 District Engineer

P.W.D.
 1876
 8274

C.E. No 2879 of 11-76

Cin 6-1-77. 1876-1-77

1st. Salary Officer
 Jagadham Pillay -
 informs that - has
 been directed to forward
 at once to Bellary
 District for payment
 salary works -

Order of Government
 dated 1-11-76

No. 2879.

District Engineer of Madras

No 78

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 10 Jan 77
 Read the following -

From
 The District Engineer
 Madras } (M.R. No. 2879 of 11-76)
 Do - - - - - (M.R. No. 3703 of 18 Dec - -)

The temporary employ-
 ment of D. Breckenridge
 Pillay as a Salary Officer
 of the 3rd grade is approved,
 until a fully qualified
 candidate is available for
 the post.

Order

O.R. Madras
 No. 2879 of 11-76
 Draft 18-1-77

which he once saw on the Tank-
bund he raised the mud in
find them there afterwards.

The 3^d witness said that he
did not know whether any sort
of work was or was not done on
the Tank bund.

The 4th witness corroborates
statement of the 3^d witness.

The 5th witness said that he
saw the shanks on the bund
filled up the holes there, as
directed by the accused, for
which, the accused gave him
Rs 32, on a receipt given by him.

From the facts reported by the
6th witness, it is evident, that,
as the Tank bund, by accident, some
time was granted in it in 1874,
for Rs 24 on account of its repair,
the then Overseer of the place
got the work done sent in a bill
for Rs 66-12-4, that after he took
charge of this place, the accused
sent in a bill for Rs 32, that when
he went on the 26th September
1875, he found no work of any kind
was executed, and that he therefore
brought the fact to the notice of the
District Engineer by his report.

The accused says that,
according to the bills he sent in,
he got the shanks on the bund
removed, filled the holes therein
and that he did not misappre-
hensive the money in question.

Upon this, it appears
that the work executed by the accused
is not such as could be seen by
any who examine it a few months
after its execution. It would have
been better had the 1st & 6th wit-
nesses inspected the work at proper
times, instead of going so a few
months after.

The 5th witness deposed
that he received Rs 32 for the
performance of the work in ques-
tion. The facts stated by the 2^d,
3^d & 4th witnesses are of no use.
Therefore there is no ground
whatever to say that the accused
had misappropriated the money.

The Magistrate, finding
that there are no sufficient
grounds either to commit the accused
to trial before the Court
of Sessions or to remand him for
further enquiry, directs that he

as changed under Section 175
Criminal P.C. and Code.

2/10/76. (Signed) K. K. S. Rao, Rs. 1.95,
11

J. Dy. Magistrate
Bellary

(True translation)

N. P. M. Rao

J. Dy. Magistrate
Bellary

Register Case No. 2
1876

10

Judgment.

In this case the accused when an overseer in the Kudligi Taluk, has been charged with Criminal breach of trust by having converted to his own use Rs 11-5-8, being the difference of the amount sanctioned viz. Rs 5-2-11 mentioned in bills B. & D. on account of the repairs executed to the tank (Oodachalamma catta) at Kudligi, having spent only Rs 4-13-3, as found on measurement. From the statement of the 1st witness, it appears that the stone and earth work was executed, that the rate charged in the account of earth work of one sort was calculated at 2 annas per Cubic yard, another at 10 annas per Rupee and another at 1 anna per yard, that tamping was charged 4 pice a yard, that 3 1/2 Cubic yards of excavating work, of 108 yards removing earth, 7 1/2 Cubic yards filling in the earth and 108 yards tamping the earth, 18 yards of old stone work, 29 1/4 yards of new stone work, 15 3/4 yards of old stone work near the Caling, were executed in July 1875 and examined in December of the same year. From that of

the 2nd witness it appears that he went to work for 3 days as a cooly in digging the bund and that some other coolies were also at work in it; it is not known how much work was performed.

From that of the 3rd witness it appears that he went one day to dig in the Tank as a cooly, and that some others were also employed as such.

The 4th witness deposes to the same effect as the 3rd.

From the evidence of the 5th witness, it would appear that he was present while the 1st and 8th witnesses measured the work, but he is not aware as to when and how much of the work was done.

From that of the 6th, it appears that he took the stone work for contract and got it done as directed by the accused. He got the digging the bund and repairing the calingula done by the coolies and that the accused gave him Rs 11, which he (witness) advanced to coolies and which amount was given to him on account of work valued at Rs 23, saying he would give the balance 5 Rs after

wards, that the prisoner evaded giving, saying he would do so after receiving the amount from the Superior authorities, that he (witness) asked the 8th witness, after the accused was removed, for money, who said that he would give it after examining the accounts but had not done so as yet, that he had received Rs 50, and that when the 8th witness inspected, the pits dug for gravel in the Tank, were covered with water.

The 7th witness states that he did work for 5 or 6 days and that 30 or 40 coolies were engaged to work with him.

From the deposition of the 8th witness it appears that on his measurement on 30th September 1875 he found stone work worth Rs 30-12-0 was performed for the Calingula, stone work of Rs 4-8-0 was done for the Tank bund, earth work of Rs 18 was executed, which amounted to Rs 53-4-0, that the work was finished by July 1875, that the bills sent in for Rs 51-3-0 by the accused fell short in consequence by Rs 2-15-0 and that he did not measure the pits dug for gravel.

The accused pleads that he did execute

the work according to the amount of the bills
he sent in to the Range Office and that he
did not misappropriate the money.

Upon this, although the 1st and 8th
are important witnesses in the case, still
their measurements differ. From facts de-
posed by other witnesses, it seems clear
that the work was executed while there is
nothing to show that the accused committed
Criminal breach of trust; Of the documents
produced by the 1st witness the rates on the
bills marked (F) seem to be fair. It is
hard to find out the truth now as the work
was not examined immediately after its
execution. The measurements of the 1st and
8th witnesses differ as the work was examined
a few months after its execution. The 8th
witness says that he did not measure the
pits dug for gravel. Therefore there is no
ground whatever to say that the accused
has misappropriated the money.

There not being sufficient grounds
to commit the accused before the Court
of Sessions for trial, or for remanding
him the Magistrate directs that he be

12
discharged under Section 195 of the Criminal
Procedure Code.

2nd ^{October} ~~November~~ 1876. / Signed / H. Nursing Row.

J. Dy Magistrate.
Bellary.

/ True translation /

H. Nursing Row
J. Dy. Magistrate
Bellary.