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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

PUBLIC WORKS. **DEPARTMENT**

G.O. No. / ~~B.P. No.~~ 4266 W. Press. / ~~Mis.~~

Dated 7. 11. 1878 ~~197~~ .

Not to be folded or roughly handled

4266
1

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

7th November 1878, No. 4,266 W.

General.
Establishment.

Read the following paper :—

No. 64. From Captain A. AWDRY, R.E., Acting District Engineer, Coimbatore, to the Chief Engineer, Public Works Department, dated Coimbatore, 27th October 1878, No. 265.

WITH reference to G.O., No. 2,997 W, of 26th July 1878, I have the honor to inform you that some of the tools in charge of Tanjore Kistnama Chari were found by Mr. Russell to be missing, and on inquiry they were discovered to be in the villages along the Annore Road, the villagers having retained them as they had not received their full wages. There were many coolies who complained of not being paid, but difficulty was experienced in proving the dates to the satisfaction of the Court so as to obtain a criminal conviction; the illiterate coolies themselves did not know the dates, and only two witnesses were forthcoming to give them exactly. They were the Maistry and Head Coolies of a gang, who were shown to have been paid Rs. 116-5-0 for work from the 3rd to 5th December 1877.

2. The case was tried by the Deputy Magistrate; the Government Pleader prosecuted, but he did not bring any witnesses to support the assertion of the Maistries, and in fact conducted the case so badly that it was thrown out. Further evidence, including the fact that Kistnama Chari had employed agents to bribe Maistries not to speak against him in the case, was forthcoming, and the Collector himself was kind enough to hold an inquiry into it on the 23rd instant, from which he informed me that he was satisfied of great irregularities, but was afraid that it would be difficult to get the *dates* sworn to by witnesses on whom the Court could rely, and it would therefore be inadvisable to bring the case up magisterially again. In the course of the inquiry, however, the examination of his nominal rolls (many of which were not signed by him) and imprest account brought to light most gross irregularity, one instance of which is quite sufficient to exhibit his utter untrustworthiness. There is an entry in the cash-book of Maistry Syed Ibrahim's pay from 24th November to 31st December 1877, at Rupees 12 a-month, Rupees 14-12-9; this is supported by voucher No. 277 of 10th January 1878. On the 18th of March 1878 there is the following entry supported by voucher No. 490: "Paid Syed Ibrahim his pay from 1st up, and the amount is Rupees 3-13-10; the voucher shows that this was pay to Syed Ibrahim from 1st to 10th *December*, for which period he had already been paid two months before.

2. Mr. Russell's No. 273, of 21st October 1878, of which I forward a copy, gives repeated instances of inattention to orders, and I find also that a distinctly written order in the Acting Overseer's imprest-book that "every day's entry should be signed by the Overseer" has received no attention.

3. The same letter from Mr. Russell gives an instance of most gross disobedience of orders. The Overseer was at work on the Pollachi Road, and could not be spared from there; he asked Mr. Russell's permission to go to the Annore Road to collect the missing tools; this Mr. Russell refused, telling him that he might send Maistries to collect them. In spite of this most distinct prohibition Kistnama Chari did leave his work.

4. Another case of disobedience of most positive orders is brought to light by a contractor bringing for payment a bill for broken stone for use on the Pollachi Road Famine Relief Works, this bill being signed as correct by Kistnama Chari. He had been distinctly told by Mr. Russell not to employ contractors. I have informed the contractor in question that the stone was not ordered for Government, and that he should seek payment for it from the man who ordered him to collect it.

5. Mr. Russell's letter also gives a clear case of the Acting Overseer telling a deliberate falsehood.

6. Taking all these irregularities into consideration, I have dismissed Tanjore Kistnama Chari from his post of 2nd-Grade Sub-Overseer and Acting Overseer from the 25th July, the date on which he was suspended, on the following grounds, viz., that he was found—

(i) to have been guilty of most irregular practices in his carrying out of the work on the Annore Road;
(ii) to have paid little or no attention to repeated orders on that and other work;
(iii) to have applied for leave to quit his post, and on being refused it have left without leave, and
(iv) to have told Mr. Russell a downright falsehood in regard to some of his official duties.

7. Before the famine Kistnama Chari gave very good promise of being a good Surveyor and hardworking and intelligent Overseer, which makes me regret to have to suggest that his re-employment in the Government service should be prohibited notwithstanding that he passed out of the Civil Engineering College with an Overseer's Certificate.

No. 65. ORDER THEREON, 7th November 1878, No. 4,266 W.

THE future entertainment of T. Kistnama Chari in Government employ is prohibited.

(True Extract.)

Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintending Engineers.
„ Departments of Government.
„ Examiner of Public Works Accounts.

Exd. A. F. Goodall.
Spare Copies

GENERAL
ESTABLISHMENT.

Govt. of (1878) Madras
PUBLIC WORKS.

NOVEMBER
Nos. 64-65.

No. 265 District Engineers office
Coimbatore 27th October
1878.

4266/3

From
The Ag. District Engineer
Coimbatore

To
The Chief Engineer
Public Works Depart.
Madras.

Sir,

With reference to Government Order No. 2997 W of 26th July /78 I have the honor to inform you that some of the tools in charge of Tagore Krishnamachary were found by Mr Russell to be missing and on enquiry they were discovered to be in the villages along the Annore Road the villagers having retained them as they had not received their full wages. There were many coolies who complained of not being paid but difficulty was experienced in proving the dates to the satisfaction of the court so as to obtain a criminal conviction the illiterate coolies themselves did not know the dates and only two witnesses were forthcoming to give them exactly - They were the Maistry and Head coolies of a gang who were shown to have been paid Rs 116-5-- for work from the 3rd to 5th December 1877.

The case was tried by the Deputy Magistrate the Government Pleader prosecuted but he did not bring any witnesses to support the assertion of the Maistries and in fact conducted the case so badly that it was thrown out - Further evidence including the fact that Krishnamachary had employed agents to bribe Maistries not to speak against him in the case was forthcoming and the Collector himself was kind enough to hold an Enquiry into it on the 23rd Instant from which he informed me that he was satisfied of great irregularities but was afraid that

that it would be difficult to get the dates sworn to by witnesses on whom the Court could rely and it would therefore be inadvisable to bring the case up magisterially again. In the course of the Enquiry however, the examination of his nominal rolls (many of which were not signed by him) and Imprest Account brought to light most gross irregularity one instance of which is quite sufficient to exhibit his utter untrustworthiness. There is an entry in the cash book of Maistry Syed Ebrahim's pay from 24th November to 31st December 1877 at Rs 12 a month Rs 15-10, this is supported by voucher No 277 of 10th January 1878.

On the 18th of March 1878 there is the following entry supported by voucher No 490

"Paid Syed Ibrahim his pay from 1st up" and the amount is Rs 3 13 10. The voucher shows that this was pay to Syed Ebrahim from 1st to 10th December for which period he had already been paid 2 months before.

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most

most distinct prohibition Krishnamachariyth did leave his work.

4 Another case of disobedience of most positive orders is brought to light by a Contractor, bringing for payment a bill for broken stone for use on the Pollachy Road Famine Relief Works, this bill being signed as correct by Krishnamachary. He had been distinctly told by Mr Russell not to employ contractors. I have informed the Contractor in question that the stone was not ordered for Government and that he should seek payment for it from the man who ordered him to collect it.

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6 Taking all these irregularities into consideration I have dismissed Tanjore Krishnamachary from his post of 2nd Grade Sub

Overseer and acting Overseer from the 25th July the date on which he was suspended on the following grounds, viz that he was found

(I) to have been guilty of most irregular practices in his carrying out of the work on the Trunk Road, and

(II) to have paid little or no attention to repeated orders on that and other work, and

(III) to have applied for leave to quit his post and on being refused it have left without leave, and

(IV) to have told Mr Russell a downright falsehood in regard to some of his official duties.

7 Before the Famine Krishnamachary gave very good promise of being a good Surveyor and hard working and intelligent Overseer which makes me regret to have to suggest that his re-employment in the Government service should be prohibited notwithstanding that he passed out of the Civil Engineering College with an Overseer's Certificate

4266
6

I have the honor to be
Sir,
Your most Obedt Servant

A. Awdry Captn RE
Ag District Engineer
Coimbatore

From
The Ag. Dist. Engr.
Coimbatore.

To
The Chief Engineer
P. W. Depart.
Madras

No 265

Dated 27th October /78
Recd

GO. 26-7-78. No 2997 W.

Enclosure 1

Tanjore Krishnamachary

Report about the irregularities committed by Late 2d Grade Sub Overseer and Ag Overseer — and informs that he has been dismissed.

Lr 5.11.78.

Genl
Estab V

No 4266 W Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 7th Nov. 1878

Read the following :—

4266/B

From the Ag. Dist. Engineer Coimbatore } A. E. No. 265. dated 27th October 1878.

The future entertainment of T. Kistnama Chari in Government employ is prohibited.

4th 11 78

S. Engrs 100
Depts of Govt 36/21/15
Ext PW Accts 5

9/11 Desp. 17/19-11-78

PUBLIC WORKS DEPARTMENT.

COIMBATORE DIVISIONAL OFFICE.
Coimbatore, 21st October 1878.

No 2273

No 191
22.10.78

FROM
THE DIVISION OFFICER
COIMBATORE DIVISION,

TO
THE District Engineer
Coimbatore.

SIR,

Before proceeding on leave, I have thought it advisable to place on record my opinion as to the innocence or guilt of Overseer [illegible] with regard to the charges of Embezzlement while in charge of P. W. works on the [illegible] Road. I have already reported at full length on the case, but will endeavour to sum up briefly. Firstly, as to whether the Overseer is guilty of embezzlement.

Secondly, As to his general Conduct, and the manner in [illegible]h he has performed his departmental duties.

(1) My suspicions were first aroused against the Overseer, on hearing from various sources, that there were great Complaints from Coolies who were formerly working on the Arnesor road, of non payments while Overseer Kristnamachary was in Charge of the work, and that the Coolies were in Consequence keeping tools in their possession until their arrears were paid to them. These two facts have since been clearly proved. Coolies have both Complained to the Tahsildar, to the Taluq Overseer, and to myself that they were unpaid for

Certain

Certain days, and had Consequently kept back their tools, to which the Overseer made no objection. While mentioning this subject I may ~~mention~~ add that Overseer Kristnamachary Systematically deceived me for some time with regard to the tools, which he informed were in Sergt. Webb's Charge. When the tools return was however made up, I discovered that Kristnamachary had long ago taken the tools from Sergt. Webbs maistries, and had paid no attention to Sergt. Webbs repeated letters asking him to have the tools Counted, and to give receipts for them. Thus, although the tools were in Kristnamachary's Charge from early in November 1877, he has never yet Counted them or given a receipt to the Taking Overseer and I can only account for this by supposing that some time ago Coolies walked off with tools on account of not being paid, and the Overseer hoped that after the lapse of some time the matter could be hushed up, & that it could not be ascertained, whether the tools were lost by him, or by the Taking Overseer. With regard to the complaints made against the Overseer, the difficulty in proving anything was that the Coolies who complained Co[illegible] not state the days in which [illegible] were unpaid, and secondly, that in two or three cases in which they did so the Nominal Rolls were neither signed nor initialled by the Overseer, and he might therefore plead that

payments

payments were not made by him in these particular cases. He has however subsequently confessed that payments were invariably either made by him to the Coolies themselves, or the money was given in a lump sum to a Maistry, in the presence of all the Coolies, who were informed of the sum and amount due to each, and thus embezzlement by a Maistry was impossible. Not knowing this at the time however, and acting under advice, I took up the one case against the Overseer in which both the dates were sworn to, and the Nominal Roll were signed and initialled by the Overseer. This is the case of Maistry Syed Ibrahim, which

I will proceed briefly to discuss.
In the Course of the trial, [illegible]
the witnesses evidence was not shaken
at all, but the Overseer was discharged
on the ground that there was insufficient
evidence against him on the following
points.

(1) Number of Witnesses to swear to non payments

(2) Proof that the petition produced in Court was a Copy of the original.

(3) Proof that Syed Ibrahim was really ill when I visited the road.

(4) Proof to Account for delay in presenting the petition.

These four points can now be clearly
proved. Also, during the whole case
the

the Magistrate was under an utterly
false impression, and imagined that
the question was one entirely between
the Overseer and the Maistry, and
that granted, that the Coolies were cheated,
there was every much reason to
suppose that the Maistry had embezzled the money, as there was to
suppose that the Overseer had done
so. This is not the case however.
The Overseer himself admits that
the Maistry Could not have embezzled money without his being
aware of it and takes as his line
of defence the ground that payments
were made on every occasion. The
Case against him is thus Considerably simplified, and mainly

mainly hinges on the question whether the non-payments can be proved, or not. This can I think be done - there being two witnesses who can swear to the dates, and many who will swear to non-payments about the period Complained of

My own impression is, that the Overseer is guilty and in this view I have never been shaken for a moment, except when the Overseer said that he did not accuse the Maistry of embezzlement, but took as his line of defence, the ground that the Coolies Concerned would not say that they were unpaid. When on the following day however, I discovered that he had

immediately

immediately proceeded to bribe all the witnesses Connected with the case, my opinion as to his guilt was strengthened. I do not see any thing tending to point to his innocence - While in Court he made no attempt (nor has he since done so) to prove his innocence, but on the Contrary was satisfied with a discharge on the ground of insufficient evidence, which, I may remark, is a very different thing from an acquittal. It appears to me that, had he been innocent, he would have made every endeavour to proceed with the case, and establish his innocence, instead of simply allowing the case to be dropped. An absurd attempt was indeed made to induce the Magistrate to Commit the Coimbatore Taluq Overseer on the ground of perjury which is patent is a mere disguise, but no attempt has been made to Convict the original accusers of perjury, though, I have myself advised the Overseer to adopt this Course, and thus establish his innocence. Had the Overseer been innocent, I do not think he Could have failed to establish it, strongly supported as he was, which is clearly proved by his being able to engage for his defence Mr. Wendell the Government Solicitor, and the two leading Vakeels in the Law

2 I will proceed to make a brief review of the Overseer's departmental Conduct, quoting various letters

letters which I have at various times written to him, and Copies of which are enclosed.

In my No. 290 of 1st March, 1878 the Overseer is reprimanded for his neglect of repeated Official orders in the submission of his weekly F. R. reports.

In Consequence of his neglect in replying to questions Contained in letters and Circulars, and in which it was expressly stated that an Answer was urgently required the Overseer was warned against further inattention in my No. 217 of 12th March, 1878.

In two Circulars, viz. para 3 of Circular No. 109 of 1st October 1877 and para 2 of Circular No. 106 of 1st February 1878, also, in para 22 of G.O. No. 2,847 (forwarded to Kistnamacharry), the Overseer was clearly informed that Contract work was absolutely prohibited on Relief works, except for Masonry works. The Overseer however employed Contractors to Cart Metal, and on sending bills for the same, he was informed in this Office No. 351 of 23rd March 1878 that this was prohibited, and was warned against doing so in future. Notwithstanding these repeated Orders, and letter especially warning him against employing Contract work on relief works, the Overseer employed in June last, Contract labour for digging

and

and breaking metal, as reported to you in my No. 259 of 15th instant.

In my No. 67 of 14th May, the Overseer is reprimanded for his carelessness in not replying to letters, and is ordered to send in a weekly list of unanswered references. As this list was not sent in by the Overseer, he was ordered to do so in my No. 72 of 27th May, and was again reprimanded for not obeying orders.

In consequence of a complaint received from Mr. Olliver's No. 20 of 2nd May 1878, regarding the Overseer's disobedience of orders with respect to his accounts, a strongly worded Memo No. 73 of 27th May was sent to the Overseer again reprimanding him, and informing him that any further disobedience of orders would entail a most unfavourable report of him being sent in to the District Engineer

In my No. 106 of 11th June, the Overseer is reprimanded for not sending in his daily reports punctually.

In my No. 107 of 11th June the Overseer is reprimanded for not sending in his Tools return, as he was ordered to do.

The above furnish some instances of the Overseers neglect and disobedience to Orders, and do not by any means exhaust the list of letters warning him against being neglectful of orders. there being other letters

more especially referring neglect of orders with regard to the management of R. R. work, and reprimanding him for his inadequate supervision &c

I may add that I should have reported him to you long ago, had I not at that time made every allowance for his youth and inexperience, and was anxious to encourage him to work better by lenient treatment, and repeated warnings

Secondly, I have the honor to report that I have detected the Overseer in deliberate falsehoods on more than one occasion, but owing to its being his invariable custom, to plead misconception and ignorance of orders & to deny what he had formerly said or written. I have never been perfectly sure, whether he was deliberately lying, or was only stupid, as he pretended to be. However now my firm impression is, that the Overseer is habitually untruthful, and to Confirm this view I have the honor to report as follows.

On the 6th July last the Overseer was ordered in by me to Coimbatore to take Cross sections on the Annoor Road. I went with him on the road, and pointed out to him three places where Levels were to be taken, ordering him to take them the same morning. Later on in the day, the Overseer came to Office and reported that he had

taken

taken the levels, and was ordered to return to his work on the Pollachy road and plot the Cross sections. This he did, and on the 19th of July sent 5 cross sections to me. On the 17th July I received a letter from Mr. Oliver (No. 59 of 16th July) Complaining of insubordination on the part of Overseer Kristnamachary and enclosing a letter from Kristnamachary (No. 88 of 18th July) saying that he could not give up his level and Staff (which he had been ordered to do) as he had been ordered by me to take levels on the Annoor road, and when he had completed them, he would send the level and Staff. As I knew for certain that the Overseer had taken these levels on the 6th July, I also knew on reading his letter to Mr. Oliver, that he was guilty of deliberate falsehood in pleading that he was unable to send the level, as he had finished his levels on the Annoor road [illegible], and on receiving Mr. Olliver's report, I noted on it at the time in pencil that the work had been "Completed in my presence some time ago" In this instance there is no possibility of there being any mistake as the Overseer sent the levels to me on the 19th July, and was present on the Pollachy road from 9th to 24th July, so that his written statement to Mr. Olliver of 15th July, about not have finished his levelling is evidently untrue.

With regard to the Overseers disobedience in Coming into Coimbatore on 24th July, I have the honor to report that on the 19th July I told him in the most emphatic language that he was not to Come into Coimbatore in order to Collect his Tools, but was to send maistries. His action therefore in immediately Coming in was in direct defiance of orders, and Could only have been done for a very strong reason, which in all probability was, that he heard that enquiries were being made on the Annoor road and Came into Coimbatore in order to induce the Coolies to give up their Tools and to hush up the matter.

3. In Conclusion I would remark that to the best of my judgement, Overseer Kristnamachary should not again be employed in the Government Service, even if it be found that the

charges of Embezzlement against him cannot be proved. I say this after a very careful and thorough examination of the Charges against him, and from my previous knowledge of his Character. Were there any extenuating circumstances in the case, or the slightest suspicion of the Charges being false, I should, as far as I was Concerned, give the Overseer the full benefit of the doubt, but I can see nothing tending to establish his innocence.

I have the honor to be,
Sir,
Your Most Obt. Servant.
A O Newell.
Assistant Engineer

In a letter from the
Ag Distt Engineer
Coimbatore to the
Chief Engineer PWD
No 265 of 27th October

P.W. 2384/7

[illegible]

Letter No 273 of 21st Oct giving
Mr Russell's opinion
in regard to the charge
of embezzlement
against T. Kristna
macharry

12384.

Govt. of [1878] Madras.

PUBLIC WORKS

To The Supdg. Engineer

Dated

Issued

Recd. Enclos.

G. O. 7th Novr. 1878. No. 4266 W.

Nos. 64 & 65

T. Kistnama Chari,
Overseer Coimbatore Dt.
The future entertainment of —— in Government employ prohibited.

Entered in Regr.