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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Public Works DEPARTMENT

G.O. No.	1140. W	Press.
B.P. No.		Mis.
Dated	12-4-1879	197.

G.P.

Not to be folded or roughly handled

1140
1

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

12th April 1879, No. 1,140 W.

General.
Establishment.

Read the following :—

No. 124. Petition from Mr. G. A. Vardon, dated 13th March 1879.

No. 125. ORDER THEREON, 12th April 1879, No. 1,140 W.

ON reconsideration of Mr. Vardon's case His Grace the Governor in Council is pleased to cancel his removal from the Public Works Department ordered in paragraph 3 of the Order of Government, dated the 17th May 1878.

2. Mr. Vardon will be reduced to the rank of Supervisor, 1st Grade,* from the date of that order, and will be considered to have been on leave without pay from date of removal to date of assuming charge.

* Supernumerary. To be absorbed on first opportunity.

(True Extract.)

(Signed) R. H. SANKEY, Colonel, R.E.,
Secy. to Govt., P.W.D.

To the Superintending Engineer, First Circle.
" Examiner of Public Works Accounts.

Exd. C. Howarth.
Spare Copies

GENERAL
ESTABLISHMENT.



Govt. of (1879) Madras.

PUBLIC WORKS.

To

THE SUPERINTENDING ENGINEER,
FIRST CIRCLE.
&c. &c. &c.

Dated April 12th.

Issued

Recd.

Encl.

G. O., 12th April 1879, No. 1,140 W.

APRIL

Nos. 124-125.

Mr. Vardon, late Sub-Engineer, reinstated
in the Public Works Department but
reduced to the rank of Supervisor, 1st Grade.

To

HIS GRACE THE MOST NOBLE
RICHARD PLANTAGENET CAMPBELL
TEMPLE NUGENT BRYDGES CHANDOS GRENVILLE,
DUKE OF BUCKINGHAM AND CHANDOS,
EARL TEMPLE, VISCOUNT AND BARON COBHAM,
EARL NUGENT, LORD KINLOSS, G.C.S.I.,
GOVERNOR IN COUNCIL,
FORT ST. GEORGE.

The humble Memorial of G. A. VARDON, late
Sub-Engineer, 3rd Grade, Public Works
Department, Kurnool Range, Kurnool
District.

RESPECTFULLY SHOWETH,

That your Memorialist is aware, no second Memorial praying for a reconsideration of the orders past on a previous petition will receive the attention of His Grace the Governor in Council, unless there are some new and important facts brought forward to justify the necessity of the second Memorial.

2. That your Memorialist, therefore, will not recapitulate, even in brief, the refutations contained in his first Memorial, but will on the other hand, most respectfully explain, why he has a claim to the reconsideration of his case by the Madras Government, so far as your Memorialist is concerned on the one hand, and the reconsideration is necessary as an act of justice on the other.

3. That your Memorialist's removal from the Public Works Department has been an *ex-parte* decision, for each separate charge was not stated on paper, nor did he know exactly what the charges were. Certain queries were sent to him it is true for reply, and straightforward and honest replies were given, but these replies, your Memorialist most respectfully begs to urge, would in themselves have been sufficient to absolve him of wilful carelessness in the matter in question. Such being his firm conviction, he was compelled to come to the conclusion on being informed of his removal from the Public Works Department, in spite of the best defence he could give under the extraordinary and disadvantageous circumstances the defence was drawn up, he was compelled, he repeats, to come to the conclusion, that, those who had to place his case before Government laid no stress whatever, and perhaps, not even casually referred to a single extenuating circumstance in his case, while on the other hand all his little sins were paraded in bold relief. Your Memorialist need hardly remind the Most Noble Duke the Governor, and the Hon'ble Members of his Council, that a great deal depends on the manner in which a thing is put, for the way in which a thing is put very often unwarily misleads the judgment of those seated in judgment, and a conclusion is arrived at, quite just it may be, but nevertheless one which would have been otherwise, had the same thing been put differently.

4. That under this impression your Memorialist determined on memorializing Government, and in order to do so effectually, he twice applied for the specific charges, in order that he may defend himself by a suitable refutation; but these specific charges, if such really did exist, were refused him *in toto*, and thereby he was deprived of the boon conferred on the felon, and the prowler on Her Majesty's highway, when they stand committed before the Bar of Justice.

5. That it will, therefore, now be quite clear, apparent and conclusive to your Grace and the Hon'ble Members of your Council, that your Memorialist's first appeal to Government was in point of fact, as a document of self-defence, next to useless, and at the best a weak and

grave crime, and one

incomplete effort to save your Memorialist's post and honor; that, too, the very document which from its nature and object, should have been the one, the most exhaustive, clear and conclusive.

6. That it is not the intention of your Memorialist to repeat his request to see these specific charges which were refused on applying for them, nor will he express any opinion on the decision of Government in his case, but it is now the intention of your Memorialist simply to remind Government of their own orders and beg of them to do him the justice of judging him according to the procedure they themselves have ruled, after grave consideration no doubt, for their own guidance, when it becomes their duty to investigate a case, the issue of which is of similar momentous importance to the party or parties concerned.

7. That your Memorialist is an old servant of the Government, for he has served for 22 years; further, he was a good servant, and whom his Government considered deserving of preferment, and accordingly raised to the highest rank an Upper Subordinate in the Public Works Department could attain, that is, a Sub-Engineer.

8. That your Memorialist being an old and approved servant, he now simply begs to remind Government of their own words with reference to their old servants, when in the same position as himself.

9. That they have resolved, that "persons appointed to permanent situations in any Department cannot be dismissed, but for fraud and dishonesty, * * * involving moral disgrace and proved incompetency. In every case the specific grounds upon which it is proposed to dismiss any servant should be reduced to writing and furnished to him, and where a specific fraudulent act is charged, of course it should be so proved in the presence of the accused and subject to his cross-examination. The Governor in Council considers it but just and proper that greater protection should be given to old servants, that is, of 15 years' standing and above."

10. In conclusion your Memorialist most respectfully urges that,—

1. Whatever his offence may have been it was not possible to find him guilty of "FRAUD," nor of any of the conditions above specified.

2. That no "specific grounds" on which he was to be removed were given in "writing" (barring the paper of queries, in its nature quite foreign to this requirement.)

3. That he had not the opportunity of "cross-examination" to which he has a right according to the words of his own Government, for his application for the charges were refused *in toto*.

11. That these are new and sufficient reasons for forwarding a second Memorial, and begs that now at least, the Government will reconsider his case, and prove their willingness to be just by revoking their order, or at least mitigate his punishment by reinstating him in a subordinate grade, or if they cannot do even this, to save him and his family from ruin, disgrace and starvation, by permitting him to enter the Government Service in any other of its Departments, except that of the Public Works Departments, so that the 22 years of his service may not be lost to him.

12. That this act of justice will become the British Government in India, which, of all Governments in Europe and elsewhere, claims to have the interests of its Indian subjects at heart, and to be the soul of impartiality, and the pink of justice, in all their Administrative functions.

13. For which act of kindness, as in duty bound, your Memorialist shall ever pray.

E. A. Vardon

Late Sub-Engineer, P. W. D.,
Kurnool Range,
Kurnool District.

PURSEWAUKUM HIGH ROAD,
MADRAS, February, 1879. }
13th March

grave crime, and me

THE
Humble Memorial
OF
G. A. VARDON,
Late Sub-Engineer, 3rd Grade, Public Works
Department, Kurnool Range,
Kurnool District.

Urging new facts against his removal
from the service and praying to be restored.

To

HIS GRACE THE MOST NOBLE
RICHARD PLANTAGENET CAMPBELL
TEMPLE NUGENT BRYDGES CHANDOS GRENVILLE,
DUKE OF BUCKINGHAM AND CHANDOS,
EARL TEMPLE, VISCOUNT AND BARON COBHAM,
EARL NUGENT, LORD KINLOSS, G.C.S.I.,
GOVERNOR IN COUNCIL,
FORT ST. GEORGE.

*The humble Memorial of G. A. VARDON, late
Sub-Engineer, 3rd Grade, Public Works
Department, Kurnool Range, Kurnool
District.*

RESPECTFULLY SHOWETH,

That your Memorialist is aware, no second Memorial praying for a reconsideration of the orders past on a previous petition will receive the attention of His Grace the Governor in Council, unless there are some *new and important facts* brought forward to justify the necessity of the second Memorial.

2. That your Memorialist, therefore, will not recapitulate, even in brief, the refutations contained in his first Memorial, but will on the other hand, most respectfully explain, why he has a claim to the reconsideration of his case by the Madras Government, so far as your Memorialist is concerned on the one hand, and the reconsideration is necessary as an act of justice on the other.

3. That your Memorialist's removal from the Public Works Department has been an *ex-parte* decision, for each separate charge was not stated on paper, nor did he know exactly what the charges were. Certain queries were sent to him it is true for reply, and straightforward and honest replies were given, but these replies, your Memorialist most respectfully begs to urge, would in themselves have been sufficient to absolve him of wilful carelessness in the matter in question. Such being his firm conviction, he was compelled to come to the conclusion on being informed of his removal from the Public Works Department, in spite of the best defence he could give under the extraordinary and disadvantageous circumstances the defence was drawn up, he was compelled, he repeats, to come to the conclusion, that, those who had to place his case before Government laid no stress whatever, and perhaps, not even casually referred to a *single extenuating circumstance* in his case, while on the other hand all his little sins were paraded in bold relief. Your Memorialist need hardly remind the Most Noble Duke the Governor, and the Hon'ble Members of his Council, that a great deal depends on the manner in which a thing is put, for the way in which a thing is put very often unwarily misleads the judgment of those seated in judgment, and a conclusion is arrived at, quite just it may be, but nevertheless one which would have been *otherwise, had the same thing been put differently.*

4. That under this impression your Memorialist determined on memorializing Government, and in order to do so effectually, he twice applied for the specific charges, in order that he may defend himself by a suitable refutation; but these specific charges, if such really did exist, were refused him *in toto*, and thereby he was deprived of the boon conferred on the felon, and the prowler on Her Majesty's highway, when they stand committed before the Bar of Justice.

5. That it will, therefore, now be quite clear, apparent and conclusive to your Grace and the Hon'ble Members of your Council, that your Memorialist's first appeal to Government was in point of fact, as a document of self-defence, next to useless, and at the best a weak and

grave crime, and one

incomplete effort to save your Memorialist's post and honor; that, too, the very document which from its nature and object, should have been the one, the most exhaustive, clear and conclusive.

6. That it is not the intention of your Memorialist to repeat his request to see these specific charges which were refused on applying for them, nor will he express any opinion on the decision of Government in his case, but it is now the intention of your Memorialist simply to remind Government of their own orders and beg of them to do him the justice of judging him according to the procedure they themselves have ruled, after grave consideration no doubt, for their own guidance, when it becomes their duty to investigate a case, the issue of which is of similar momentous importance to the party or parties concerned.

7. That your Memorialist is an old servant of the Government, for he has served for 22 years; further, he was a good servant, and whom his Government considered deserving of preferment, and accordingly raised to the highest rank an Upper Subordinate in the Public Works Department could attain, that is, a Sub-Engineer.

8. That your Memorialist being an old and approved servant, he now simply begs to remind Government of their own words with reference to their old servants, when in the same position as himself.

9. That they have resolved, that "persons appointed to permanent situations in any Department cannot be dismissed, but for *fraud and dishonesty*, * * * involving moral disgrace and proved incompetency. In every case the specific grounds upon which it is proposed to dismiss any servant should be reduced to writing and furnished to him, and where a specific fraudulent act is charged, of course it should be so proved in the presence of the accused and subject to his cross-examination. The Governor in Council considers it but just and proper that greater protection should be given to old servants, that is, of 15 years' standing and above."

10. In conclusion your Memorialist most respectfully urges that,—

1. Whatever his offence may have been it was not possible to find him guilty of "FRAUD," nor of any of the conditions above specified.
2. That no "specific grounds" on which he was to be removed were given in "writing" (barring the paper of queries, in its nature quite foreign to this requirement.)
3. That he had not the opportunity of "cross-examination" to which he has a right according to the words of his own Government, for his application for the charges were refused *in toto*.

11. That these are new and sufficient reasons for forwarding a second Memorial, and begs that now at least, the Government will reconsider his case, and prove their willingness to be just by revoking their order, or at least mitigate his punishment by reinstating him in a subordinate grade, or if they cannot do even this, to save him and his family from ruin, disgrace and starvation, by permitting him to enter the Government Service in any other of its Departments, except that of the Public Works Departments, so that the 22 years of his service may not be lost to him.

12. That this act of justice will become the British Government in India, which, of all Governments in Europe and elsewhere, claims to have the interests of its Indian subjects at heart, and to be the soul of impartiality, and the pink of justice, in all their Administrative functions.

13. For which act of kindness, as in duty bound, your Memorialist shall ever pray.

G. A. Vardon

Late Sub-Engineer, P. W. D.,
Kurnool Range,
Kurnool District.

PURSEWAUKUM HIGH ROAD,
MADRAS, February, 1879. }
13th March

grave crime, and me

THE
Humble Memorial

OF

G. A. VARDON,

Late Sub-Engineer, 3rd Grade, Public Works
Department, Kurnool Range,
Kurnool District.

Recd

? Duplicate

*Letter in which the facts
before disposal of
origl*

MA

Urging new facts against his removal
from the service and praying to be restored.

To 6 Bishop's Lane - Vepery,
Madras. 17th March 1879.

11110

To
The Secretary to Government
Public Works Department

George
Madras

Official
under your
and disposal
inasmuch
was dispo
sor. But
respectfull
always
and inferior
late office,
capacity as
P. W. D.

second time
erits.

vice is the
ment c
comm

against
be the proper

his former
victim for such severe punishment
but in my case, I have not been
charged or found guilty of fraud,
nor have I been found guilty of an
grave crime, and the very butcher

Petr begs to remind the Govt. of their own order and the procedure they themselves have ruled, and urge the following grounds.

- (1) He is not guilty of fraud.
- (2) The two specific grounds on which he was removed were given in writing.
- (3) That he had not the opportunity of Cross-examination to which he has a right according to the laws of his own Govt.

Prays for reconsideration of his case and permission to enter the Govt. Service in any other Dept., so that the 22 years service may not be lost to Petr.

Government of Madras.

P.W. DEPARTMENT.

Petition No. 608 of 1879.

From Mr G. A. Vardon.

Occupation Late Sub Engineer
3^d grade Public Works
Dept. - Kurnool Range
Village

Taluk Kurnool
District at Pursurutham

Dated 13th March 1879.

Received 17th March 1879.

ABSTRACT.

Stating that some new and important facts are brought forward to justify the reopening of the second Memorial.

No 6 Bishop's Lane - Vepery,
Madras. 17th March 1879.

11110

To

The Secretary to Government
Public Works Department
Fort St George
Madras

Sir

I am aware that official etiquette and courtesy renders your perusing my Memorial and disposing of it a delicate matter, inasmuch as it was a subject which was disposed of by your predecessor. But I nevertheless beg most respectfully that you, who have been always remarkable for your just and impartial decisions in your late office, will, in your present capacity as Secretary to Government P. W. D. kindly go over my case a second time and judge it on its own merits.

2 Dismissal from the Service is the severest punishment Government can inflict, and he who has committed fraud or some grave crime against his Government should be the proper victim for such severe punishment. But in my case, I have not been charged or found guilty of fraud, nor have I been found guilty of any grave crime, and the very Cutcherry

Memorial closed

for whose construction I am made to
suffer has been building for many
years under different officials,
and I alone am made to bear
the sins of all and am removed
from the Department. This lurch
every, I may add, stands to this day,
and in my humble opinion will
stand many a long year, and further
Government officials do not appear
to have advised its demolition.

3 I have served Government 22 years,
have served well, and have been prom-
-ted, I therefore feel that Government
have inflicted on me a punishment
much greater than I can bear and one
which is too severe. I therefore beg
you will kindly (at least as an act of
Christian charity) exert yourself
on behalf of a poor fellow-creature
and if you can in justice alleviate
my sufferings, to do so. I have
no friend but you the head of the
Department in which I have served
these 22 years, and as I am fully
aware that a single stroke of your
pen can again give me bread to eat
and save my wife and children
from starvation and misery. I beg
most respectfully that for the sake of
humanity at least, you will kindly read
over my case, and place it before
Government once more, putting forward
a mitigating circumstance.

1140
8

which I am sure you will be able to
collect from the voluminous corres-
-dence in connection with my case.
4 This will be the last, and all I
can do for me, and therefore I can
more pray that you will take an
unfortunate Subordinate's case
under your kind consideration, and
do for me what justice you can.

I remain

Yours most obedient
& humble servant.

G. A. Vardon
late Sub-Engineer & S.
Karnool District

1140
9
Petition from Mr. G. A. Vardon,
dated 13th March 1879.

PUBLIC WORKS DEPARTMENT.

FOR ORDERS.

Warrant

22/3.

Self. R.R.

By Secy. to Government
P. H. D.

22nd March 1879.

I was from the first opposed
to Mr. Vardon's dismission
but in a minority of
our - J.P.C. can see his
own recommendation
of that decision in the
way of mitigation, I shall
very gladly consent to it.

24.3.79

1140
9
124

FOR ORDERS.

For the attention of the Council
Mr. J. J. Carmichael

7/3
Mr. Vardon's case

Council

GC No 11407

9 12th April 1879

Gr 22-3-79 RC 27/3 RC 2/4

No 1160W Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the *12/4/79*
 Read the following :-

11/60
10

Petition from Mr. G. A. Vardon dated
13th March 1879.

On reconsideration
of Mr. Vardon's case,
His Grace the Governor
in Council is pleased
to cancel his removal
from the P. W. Dept. as
ordered in paragraph
3 of the Order of Govt.
dated the 17th May 1878.

Mr. Vardon will
be reduced to the rank
of Supervisor, 1st Grade,

This is in accordance with the
decision in Council.
1. 11/60-74

** Supernumerary - To be*
absorbed on first
opportunity.

from the date of that order,
and will be considered
to have been on leave
without pay from date
of removal to date of
assuming charge.

U. B. W. Hudson
has been promoted after
consultation with Colonel
Hart, to the Eastern
District of New York.

W. B.
Hudson

Cr 2227

174-75

Govt. of Madras.

PUBLIC WORKS.

To

Dated

Issued

Recd.

Encl.

G. O. 12 April 1879, No. 1140 W

Nos. 124-125

Mr. Garden, late Asst
Supt. appointed in the
P. & Dept. but reduced
to the rank of Inspector
Grade

S. E. Frost C. S. 111
for, P. W. & C.

Decd 25-4-79

17