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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P.W. DEPARTMENT

G.O. No.	2554	Press.
B.P. No.		Mis.
Dated	10 - 10 - 1879	197 .

AA

Not to be folded or roughly handled

2554
1
GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

10th October 1879, No. 2,554 W.

General.
Establishment.

Read the following paper :—

No. 16. Memorial of Mr. A. W. HUNTER, dated 30th August 1879.

No. 17. ORDER THEREON, 10th October 1879, No. 2,554 W.

ORDERED that the Secretary of State be addressed.

(True Extract.)

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

Exd. S. T. Austin.
Spare Copies

GENERAL
ESTABLISHMENT.

Govt. of (1879) Madras
PUBLIC WORKS.

Dated October 10th.

Issued

Recd.

Recd.

G. O., 10th October 1878, No. 2,551 W

OCTOBER.

No. 16-17.

Memorial from Mr. A. W. Hunter, late
Assistant Engineer, Public Works Depart-
ment, forwarded to the Secretary of State.

TO

THE RIGHT HONORABLE

LORD CRANBROOK,

SECRETARY OF STATE FOR INDIA.

The Memorial of ALEXANDER WILLIAM
HUNTER, late of the Department Pub-
lic Works on the Madras Establishment.

HUMBLY SHEWETH,

That your Memorialist after duly qualifying as an Assistant Engineer in the Madras Civil Engineering College, and having obtained the required certificate in May 1870, was appointed by the Government of Madras on the 30th August following as an Assistant Engineer of the 3rd Grade in the Department Public Works.

That your Memorialist was employed on Survey duty in the Dhurmapally Tank Projects from the 30th August until June 1871, having in the interval, or in February of that same year, been promoted to 2nd Grade Assistant Engineer.

That in June 1871 your Memorialist was put in charge of the Cuddapah Range and subsequently, in the following September, the Pulempett Range was also placed under him, and he was left in charge of both these Ranges until December 1872, or for upwards of fifteen months, when under the new organization of the Department in that same year your Memorialist was re-appointed 2nd Grade Assistant Engineer and continued in charge of the Cuddapah Range till the month of June of the year following, 1873.

That your Memorialist during his residence in the Cuddapah District contracted jungle fever, owing to which, after an absence of two months on privilege leave in order to recruit, he was transferred at his own request on the 3rd August 1873 to the District of Trichinopoly, where he had charge of the Musseri Range, and while in that charge your Memorialist was promoted to be 1st Grade Assistant Engineer in the month of December 1876, and continued to hold the same Range until May 1878, or for nearly forty months, when he was put in charge of the entire Trichinopoly District, carrying on the executive duties of the Trichinopoly Range together with those of Musseri to which he originally was appointed when joining that District.

In July 1878 your Memorialist was transferred from Trichinopoly on special duty to the District of Godavery, and on arrival there was ordered to the

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Cuddapah District to take charge of the Sidhout Range in which he continued until the 24th December of the same year, when the services of your Memorialist were suddenly dispensed with by Government, and he handed over the charge to other hands.

Thus for eight years and four months, or from 30th August 1870 to 24th December 1878, your Memorialist was in continuous employ discharging executive and responsible functions in the Department of Public Works to the entire satisfaction of the Government and his immediate superiors, without in any instance incurring censure or blame in connection with the many varied and onerous duties devolving on him during that period.

That your Memorialist has now to address himself to the immediate cause of his appeal. The Madras Government while entirely acquitting your Memorialist of any personal dishonesty or of any kind of malversation in relation to the varied trusts committed to his hands (*Vide Document A*) have nevertheless summarily dismissed him from the Public Service on the ground of alleged carelessness in the administration of these trusts; but your Memorialist has been condemned without any patient hearing or any adequate opportunity being given to him of meeting ought that can be laid to his charge. The only enquiry made by the Madras Government so far as your Memorialist is aware, is comprised in a Report made against your Memorialist by Major Vibart, after your Memorialist had left the District, and the hurried written explanation obtained from your Memorialist in respect to that Report—and your Memorialist respectfully submits that the manner of conducting the enquiry, such as it was, placed him at the greatest possible disadvantage, and he has since been advised that he ought not to have been subjected to the course adopted towards him in the conduct of that enquiry. When your Memorialist was called upon for an explanation which was in a very sudden manner, and without any sort of warning, he was not allowed to see any of the papers except in the presence of the District Engineer of Cuddapah, such being (he was told) the express orders of Government, and your Memorialist was instantly required to sit down then and there and to write off entirely from memory all he had to say in reference to the Report submitted by Major Vibart affecting your Memorialist, and he was not permitted to take either a copy of the statements made in that report, or of his own explanation in regard to them; and when subsequently your Memorialist applied for copies of these and other papers bearing on the case against him, his application was refused (*Vide Document B*).

Your Memorialist further respectfully desires to call attention to the important fact, that it was only after your Memorialist had been transferred to another District that Major Vibart took any action against him, and that Officer's examination and measuring, through a Native Subordinate, of the various works carried on under the orders of your Memorialist, was thus all conducted in your Memorialist's absence, so that your Memorialist throughout has been placed under every possible disadvantage; for had Major Vibart himself examined and measured the various works in your Memorialist's presence, in respect to which alone any charge of misconduct alleged against him has arisen, instead of causing that

examination to be conducted by a Native underling in the absence of any responsible officer, your Memorialist would have had the opportunity of satisfactorily clearing himself, and he would have been able fully to explain all and every point wherein culpability and blame have been imputed to him, and your Memorialist is yet prepared to do this if only the opportunity be granted him as he now respectfully seeks.

Your Memorialist therefore with all confidence submits his appeal against the order of dismissal by the Madras Government, fraught as that order is with consequences so terrible to your Memorialist personally; and your Memorialist again reiterates his earnest hope that before this order which has brought on him entire ruin and disgrace be ratified, he may be allowed a patient hearing after being furnished with the specific facts or charges alleged against him together with copies of all needful papers bearing on his case. Your Memorialist feels assured that this act of justice will not be denied to him by the Highest Appellate Tribunal to which it is his privilege to look for redress, and he earnestly entreats that your Lordship in Council will not suffer your Memorialist to be condemned and all his prospects in life to be blighted and ruined when his personal probity has not for one moment been called in question, and not a stain or slur has been cast on his character as a public officer and a gentleman (*Vide Document A*). Your Memorialist feels thankful for the tribute to his honesty and uprightness voluntarily recorded by the Madras Government in this Document A, and he is sanguine that your Lordship will not sanction the degradation and utter ruin in the prospects of a young man for an offence involving anything short of his personal honor and integrity of character, and since he thus stands acquitted by the Madras Government of aught affecting either, your Memorialist confidently seeks at your Lordship's hands that he be reinstated in his lost position in the Public Works Department.

That if your Memorialist's reinstatement cannot be without further enquiry, he respectfully submits that the opportunity of a proper hearing and of defending himself may in this way be accorded him, as a measure of strict justice, when he is satisfied that the explanation he is prepared to give for all his acts while filling the office of Assistant Engineer would find ready acceptance before your Lordship in Council or before any other impartial Tribunal, and accordingly your Memorialist now throws himself and his case on the merciful consideration of the Home Government; and since it rests with the Government of Madras to supply all the material to enable a right estimate of the extent of your Memorialist's alleged misconduct, he can but believe that when dispassionately reviewing all the papers bearing on the case, His Grace the Duke of Buckingham may be induced to regard the punishment inflicted on your Memorialist as wholly disproportioned to his actual offending and thus in view of the disastrous effects to your Memorialist's future in life by the order of dismissal, His Grace may feel able and have it laid on his heart to give his support to this present appeal by recommending a compliance with its humble and respectful prayer; for your Memorialist with all deference submits that a greater or heavier penalty could not have been imposed had your

Memorialist been proved guilty of conduct involving personal dishonesty or a criminal abuse of trust in view to his own individual benefit.

Your Memorialist finally entreats at the hands of your Lordship in Council a calm and gracious consideration of all that he has urged in this Memorial. The materials possessed by your Memorialist on which to draw up his appeal are necessarily scanty for the reasons already stated, but he confidently and mainly relies on the fact that his personal honesty has not been impeached, that the scrutinizing of his work and the investigation made by a Native Subordinate under Major Vibart's orders in respect to it, took place in your Memorialist's absence, by which he was deprived of the only adequate means of explanation and defence on the most important, if not the only, point on which the case against your Memorialist may be said to depend, and thus that he has not been given a fair or patient hearing, while the subsequent refusal of the Madras Government to furnish your Memorialist with copies of any papers has disabled your Memorialist from meeting more definitely the acts of misconduct and dereliction of duty of which he may be accused—and your Memorialist can therefore only reiterate his respectful request that he may either be reinstated in the public service or that such enquiry may be ordered as will attest the real extent of your Memorialist's offence, and secure for him the opportunity of proffering such defence and explanation as may be in his power, and for this act of justice and consideration as in duty bound your Memorialist

WILL EVER PRAY.

30th August 1879.

Document A.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following:—Petition from D. H. Hunter, Esq., Acting District Superintendent of Police, Jhang Punjat, dated 26th February 1879, on behalf of his brother A. W. Hunter, Esq., late an Assistant Engineer in the Madras Public Works Department.

ORDER THEREON, 4th April 1879, No. 1,075 W.

Mr. D. H. Hunter will be informed that his brother has not been charged with personal dishonesty in the sense of appropriating to himself, or for his own benefit public money; but that his reckless administration of his charge has destroyed the confidence necessary for his retention in responsible employment.

Under these circumstances His Grace the Governor in Council is reluctantly compelled to decline to reconsider the orders which have already been passed on Mr. A. W. Hunter's case.

(True Extract).

(Signed) JOHN PENNYCUICK, MAJOR, R. E.

Asst. Under Secy. to Govt. P. W. D.

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No 1709 of 29

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Document B.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

~~Under~~ date the

Read the following :—

From Mr. A. ^WH. HUNTER,
Late Asst. Engr. P. W. Dept. } (H. E. dated 6th January 1879.)

Applies for Copies of certain reports connected with his case.

ORDER THEREON, 21st January 1879, No. 253, W.

The Government decline to accede to this application.

(True Extract).

(Signed) W. FAREWELL, COLONEL,

Under Secy. to Govt., P. W. D.

To

Mr. A. W. HUNTER.

Dec 1709 8729

8/19/79

FROM A. W. HUNTER, Esq.,

Late Asst. Engr. D. P. W., Trichinopoly Dist.

TO COLONEL SANKEY, R. E.,

Secretary to Govt. in the Dept. of Public Works,

Fort Saint George.

SIR,

in duplicate

I have the honor to submit a Memorial addressed to the Right Honorable the Secretary of State for India, appealing against the orders of the Madras Government under date the 4th December 1878, No. 22, Department Public Works, dismissing me from the Public Service, and I respectfully solicit its early transmission to the Home Government.

2. The causes which have led to the delay in preparing this Memorial have been various, and amongst them I may plead my own inexperience and the absence of any relative or friend in this country, on whose judgment and counsel I could rely for guidance as to my proper course of action in the matter, for the order of the Government came upon me so suddenly, and was so great a shock that for the time I was almost stunned I knew not what to do or how to act.

3. I am so consciously innocent of having wilfully or intentionally done anything wrong in connection with my duties as Assistant Engineer, that for some time I was unable to realise the serious ruin and disgrace in which I have so unexpectedly found myself involved, and although this consciousness of my own innocence has been my great personal support and comfort, yet I cannot be the less sensible to the terrible blow which has been given to all my future prospects in life, and to the great sorrow occasioned to my widowed mother and family in England, and thus after my vain endeavour to obtain a reconsideration of my case at the hands of the local Government, I have had no alternative than to rouse myself to make this appeal to the Secretary of State for India, in the confident hope that the justice denied me here may be obtained at the hands of the highest Appellate Authority before whom I have the privilege of laying my case, and in availing myself of this privilege, I trust I am guilty of no disrespect to the Government of His Grace the Duke of Buckingham against whose orders I seek redress.

4. I am aware of the very subordinate and uninfluential position I occupy both in respect to my late office, and as a junior member of the Uncovenanted Service, and if I merely had regard to my unfavorable surroundings, and if I

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Duplicate copy
of No. 1709 of 79

merely contrasted my own humble position with the powerful authority arrayed against me, and with which I have to contend, I should probably have shrunk from the attempt to regain what I have lost, and should have felt hopeless of success. But knowing what English law and English justice really are, and that an undoubted right to both is the boast of every Englishman however lowly and humble his sphere in life, I feel I can with safety and confidence rely on having extended to my own case the full application of all the privileges which as an Englishman I may legitimately claim at the hands of those in whose power it is to render me the redress I seek, or to correct the acts of subordinate authorities, however unintentionally and undesignedly unjust; and thus in making my appeal against an order of the Madras Government which I feel to be so cruel in its effects on myself, who am truly innocent of any offending, meriting so extreme a penalty, I am equally aware that duty alone may have impelled the Government to act as they have done; but viewing my conduct in the severest aspect, I humbly submit that my moral character for personal honesty and uprightness being intact, as declared by themselves, judgment in my case might reasonably have been tempered with mercy, and that in view of their acquittal of aught reflecting on my integrity, and nothing but carelessness being imputed to me, I respectfully submit that as a young and comparatively inexperienced Officer of the Department on whom was thrown heavy and onerous responsibilities usually devolving on a highly paid responsible official, I had reason to expect some consideration and mercy to be blended with any punishment Government might have deemed me to deserve in view of my actual offending, and which I gather as above stated at most to have been carelessness, in respect to which, had a fair opportunity been allowed me, I am very sanguine I could have given every satisfactory explanation.

3. I earnestly trust that in the foregoing few remarks I may not be misunderstood, and I desire to disclaim any thought or purpose of saying one word capable of being interpreted as bordering on disrespect towards the Government under which I have served, my object rather is to regain their good opinion, and now to seek at the hands of His Grace the Duke of Buckingham such favorable and dispassionate reconsideration of my case as may enable His Grace to lend his favourable and powerful support to the prayer of my Memorial to the Home Government, and I feel a confident hope that when the Government bear in mind the terrible consequences of their order of dismissal involving as it does my utter ruin and disgrace, they may be able to recognize the disproportion of the punishment inflicted to the offence of which I am considered to be guilty, for as urged in my Memorial to the Secretary of State, I humbly submit that a more terrible penalty could scarcely have been imposed if after due enquiry and every opportunity of defence and explanation, I had been pronounced guilty of acts of dishonesty and abuse of trust in view to my own personal aggrandisement—and the Government will be aware that even the acts of carelessness with which I may be chargeable have a mitigatory aspect in view of the peculiar circumstances in which as a young man I was placed in charge of the entire Trichinopoly District, besides the executive management and control of the Trichinopoly as well as my own particular Range.

6. With all confidence I respectfully reiterate my hope that His Grace the Governor in Council may feel able to give my Memorial his powerful support on reconsideration of all that I have urged both in it and as well in this present letter, for I am fully sensible that my future prospects in life are still greatly dependent on the support or otherwise which the prayer of my Memorial may receive at His Grace's hands, when forwarding it to the Secretary of State for India with the comments of the local Government.

7. I respectfully request to be informed of the date when my Memorial will be transmitted to the Right Honorable the Secretary of State for India, and

have the honor to remain,

Sir,

Your most obedient Servant,



30th August 1879.

g. 10-10-79 at 2554

W. 219
M. 2554/8
3-10-79

Please see above -
The note is sent up
Herewith (attached to
f.o. 2 671 W. of 5°
month) ; it can accompany
the other papers if necessary.

D

3-10

To City 3-10 10-9-10

2554
91

Dy W

With reference to the
Hon Mr Hudleston's
remark in the
enclosed draft, the
case of his Hunter's
Subordinates was
disposed of in Rll
No 671 W, dated

5-3-79. There is
a note ^{in the chief's list} put up with
that case. A copy
of that note may be
sent to the Secy
of State together
with the other
papers as apparently
suggested by the
B. W. H. H. H.

Wd
2-10

PM

2554
9

An W Audubon

For order

With reference to
the remarks of the
H. W. in draft order
of 30. August - I am
to resubmit the file
into the information
required

Please read the
annexed office notes

Att

5/10/78

2.0. 10-10-79 to 2554 to

See in

MA

Cir 6.10.79 to 4-10-79.
3.10.79 to 9-10

No. 2554 W

2554
10
S. 7.10.78-12-78: 4593
21.1-79: 2537
4-4-79: 1075
11-6-79: 1577
5-8-79: 671
15-8-79: 787

the address of the
Right Honorable
the Secretary of State
for India, appealing
against the order
of the Madras Govern-
ment of 16th December
1878 No 22 D. P. W.
dismissing the petition
from the Public Ser-
vice, & submit its
early transmission
to the Home Govt
with the favorable
recommendation of
this Govt.

Government of Madras.

DEPARTMENT.

Petition No. 1709 of 1879.

From Mr A. W. Hunter

Occupation Late Asst
Commr D. P. W.

Village

Taluk

District Trichinopoly

Dated 30th August 1879.

Received 8th Sept -

with a Duplicate copy of each
Enclosures 3

ABSTRACT.

Submits a Memoir
-al, in duplicate, to
the

3-10 1879-10
to Dty Secy

Civil

No. 2554 W 2554 W
S. N. W. 1
S. N. W. 1
S. N. W. 1

Progs: of the Madras Govt
Under date the 10th Dec 1879
Read the following:

Memorial of Mr
A. W. Hunter } (H.C. dated 30th Aug 1879)

Ordered that the
Secretary of State be
addressed.

(H.C. No. 58 of 28 October 1879)

The Right Honorable
The Secretary of State
for India.

My Lord.

We have

the honour to forward
a memorial from

of Mr Hunter's Subord
of the investigation
Mr A. W. Hunter,
some time an Assistant

Engineer in our Public
Works Department,
appealing against the
orders of this Govern-
ment dismissing
him from the Public
Service.

2. We enclose for
your Lordship's per-
usal, the orders passed
by our Government
on Mr. Hunter's case,
together with the docu-
ments on which
those orders were
based.

3. We regret that

2554/12

under the circum-
stances therein set
forth, we were
obliged to direct
Mr. Hunter's removal
from the Department.
4. Although Mr. Hunter
was absolved from
the charge of personal
dishonesty, in the
sense of appropriation
of himself, for his
own benefit, of public
money, yet his weak-
ness of administration
of his charge has
destroyed the confidence

necessary for his
redemption in reason-
able employment.

5. We regret that
we are unable to
recommend any
modification in the
orders already passed
on his case.

S
169

[Signature]

19/9/79

Recd to Secy of State 24-10-79

Recd 6-10-79 *[Signature]*

Cir. 19.9.79 *[Signature]* 10-9-79

High Sec. to Secy of State

How W. Wood

Issued

19-10-79

Govt. of 1879 Madras.

PUBLIC WORKS.

To

Dated

By

Secy.

Encl

acceptd
G. O. 10 *Decr* 1879, No. 2564 W

Nos. 16-17

Memorandum from Mr
A. W. Hunter, late Asst
Supt. P.W. Dept. forwarded
to the Secy of State.

Forwards a memorial
from Mr A. W. Hunter,
late ^{Secy} Asst Supt in
the P.W. Dept of the Madras
Presidency.