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(2) Date of repair 24-10-86
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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P.V.D. DEPARTMENT

G.O. No.	<i>764-V.</i>	Press.
B.P. No.		Mis.
Dated	<i>13.3.1879</i>	<i>197.</i>

R.R.
Not to be folded or roughly handled

764
1.

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

13th March 1879, No. 764 W.

General.
Account.

Read the following papers:—

No. 173. From Major H. W. WOOD, R.E., District Engineer, Vizagapatam, to the Chief Engineer, Public Works Department, Buildings and Roads, dated Waltair, 9th December 1878, No. 2,157.

I HAVE the honor to request your orders on the following subject:—

2. Captain Lever, late Jeypore Ghat Range Officer, incurred an excess outlay of Rupees 12-8-8 in 1877-78 over the allotment of Rupees 973 sanctioned by the Board of Revenue to meet payments due for work done on Mardam-Parvatipur road.

3. The amount in question was alleged to have been disbursed to store watcher and was omitted to be included in the list when the sum due on the road was reported. As, however, Captain Lever chose to disburse the amount without any reference to this office, I directed in memorandum, dated 3rd September 1877, that he should pay it himself. This he did not do, nor did the Acting Jeypore Ghat Range Officer Mr. DeMorgan stop it from Captain Lever's pay.

4. I reported the above circumstances to the President of Local Fund Board in April 1878, asking him to obtain an allotment from Local Fund Board in order to enable me to close the accounts on the road.

5. The President of Local Fund Board had referred the matter to the Board of Revenue recommending that the amount in question be recovered from Captain Lever's pension.

6. The Board of Revenue in their Proceedings, No. 1,349, dated 18th May 1878, requested me to call upon the Acting Jeypore Ghat Range Officer to explain why he should not be required to refund the Rupees 12-8-8 lost by reason of his failure to obey orders for stopping it out of Captain Lever's pay.

7. The Acting Jeypore Ghat Range Officer's explanation was that no pay was disbursed by him to Captain Lever from the date he was relieved of his duties in the range, and that he requested the Examiner of Public Works Accounts to recover the sum from Captain Lever. I forwarded this explanation to the President of Local Fund Board with remarks as follows:—"Mr. DeMorgan, however, appears to have neglected his duty in not requesting the Examiner of Public Works Accounts to recover the amount from Captain Lever's pay until 4th February 1878, whereas he had received an order to that effect upon 3rd September 1877."

8. The President of Local Fund Board states in his letter, dated 4th instant, that the Local Fund Board have considered Mr. DeMorgan's explanation as unsatisfactory and have requested me to deduct the amount from Mr. DeMorgan's pay.

No. 173-A. From the Examiner of Public Works Accounts, dated 15th January 1879.

✓ No. 173-B. From G. T. WALCH, Esq., Acting Superintending Engineer, First Circle, to the Chief Engineer, Public Works Department, dated Waltair, 27th February 1879, No. 61-C.

I HAVE the honor to forward copy of Major Wood's memorandum No. 1,288, dated 3rd September 1877, called for in your No. 306, dated 17th January 1879.

No. 1,288.

MEMORANDUM.

Letter No. 401, dated 10th August 1877, from Jeypore Range Officer.

As the District Engineer has no funds at his disposal to meet the excess outlay (Rupees 12-8-8) that has been incurred over the specific allotment (Rupees 973) sanctioned by the Board of Revenue to meet the payments due for work done on the Mardam-Parvatipur road, Captain Lever who incurred the excess outlay without permission will have to pay the amount himself.

(Signed) H. W. WOOD, Major, R.E.,
District Engr., Vizagapatam.

To the Range Officer, Jeypore.

✓ No. 174. ORDER THEREON, 13th March 1879, No. 764 W.

THE Government consider that Mr. DeMorgan cannot be held responsible for the excess outlay of Rupees 12-8-8.

2. Captain Lever will be called on by the Examiner to make good the amount.

(True Extract.)

(Signed) J. H. M. SHAW-STEWART, Colonel, R.E.,
Ag. Secy. to Govt., P.W.D.

Archv
To the Superintending Engineer, Third Circle
" Examiner of Public Works Accounts.
" Board of Revenue.

Exd. E. C. Shunker.
Spare Copies

224
2

GENERAL
ACCOUNT.

Gobt. of (1879) Madras.
PUBLIC WORKS.

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

Dated March 13/A.

Issued

Recd.

Encl.

G. O., 13th March 1879, No. 764 W.

MARCH

Nos. 173-174

Mardam-Parratipur road, Vizagapatam District.—Captain Lever to be called on by the Examiner to make good the excess expenditure (Rupees 12-8-3) incurred on the—

D. T. W.

VIZAGAPATAM DISTRICT.

No. 257

District Engineer's Office

WALTER 9th December 1878

From

The District Engineer Vizagapatam

To

The Chief Engineer S.M.D.
Buildings & Roads Branch
Madras.

Sir,

Trans. letter No.

Dated

24/12/78

I have the honor to request your orders on the following subject:—

2. Captain Lever, late Jypur Ghat Range Officer, incurred an excess outlay of Rs 12-8-8 in 1877-78 over the allotment of Rs 973 sanctioned by the Board of Revenue to meet payments due for work done on Mardam-Parratipur Road.

3. The amount in question was alleged to have been disbursed to store watchmen and was omitted to be included in the list when the sum due on the Road was reported. Also, however, Captain Lever chose to disburse the amount without any reference to this Office. I directed in a Memo dated 3rd September 1877 that he should pay it himself. This he did not do, nor did the Jypur Ghat Range Officer.

C. M. D.

11/8/3

Mr Deemorgan stop it from Captain Livers pay.

4. I reported the above circumstances to the President of Local Fund Board in April 1878, asking him to obtain an attestation from Local Fund Board in order to enable me to close the accounts on the Road.

5. The President of L. F. Board had referred the matter to the Board of Revenue recommending that the amount in question be recovered from Captain Livers pension.

6. The Board of Revenue in their Proceedings No 1349 dated 16th May 1878 requested me to call upon the Ag. Jypsur Ghat Range Officer to explain why he should not be required to refund the Rs 12-8-8 lost by reason of his failure to obey orders for stopping it out of Captain Livers pay.

7. The Ag. Jypsur Ghat Range Officer's explanation was that no pay was disbursed by him to Captain Livers from the date he was relieved of his duties in the Range, and that he requested the Examiner of P. W. Accounts to recover the sum from Captain Livers.

I

I forwarded this explanation to the President of Local Fund Board with remarks as follows:—
Mr Deemorgan however, appears to have neglected his duty in not requesting the Examiner of P. W. Accounts to recover the amount from Captain Livers pay until 4th February 1878 whereas he had received an order to that effect upon 3rd September 1877.

8. The President of Local Fund Board states in his letter dated 11th instant that the Local Fund Board have considered Mr Deemorgan's explanation as unsatisfactory and have requested me to deduct the amount from Mr Deemorgan's pay.

I have the honor to be
Sir

Your most obedient servant.

A. M. ROSE Major R.E.
District Engineer
Vikragapatam

Buildings & Roads Branch

From 18902

The District Engineer
Vizagapatam

The Chief Engineer, M.D.
Buildings & Roads Branch
Madras.

No 2157

Dated 9th December 1878

No of Enclosures.

Mardam Parvatipore
Road — Reports on
the subject of the excess
expenditure incurred by
Captain Lever on the —

J. P.

In remarks

sent
14/12

764/5

90-764-13 Mar 1898

WAS ONLY ON FINDING THAT HE COULD
GET NO REPLY FROM CAPT. LEVER THAT
HE WROTE TO THE EXAMINER ON THE 4TH
FEBRUARY.

THIS FACT IS ENTIRELY OMITTED
FROM THE DISTRICT ENGINEER'S (VIZAGA-
PATAM) LETTER, (PROBABLY HE
DOES NOT EVEN KNOW IT) A LETTER
WHICH CERTAINLY CONVEYS THE IMPRES-
SION THAT MR. DE MORGAN TOOK NO AC-
TION WHATEVER ON THE ORDER OF THE
CHD. SEPTEMBER UNTIL HE WROTE TO THE
EXAMINER ON THE 4TH FEBRUARY.

I MENTION THIS TO SHOW HOW
DANGEROUS IT IS TO DECIDE CASES ON
EX PARTE STATEMENTS.

PERSONALLY, I SHOULD THINK THAT
IF THE DISTRICT ENGINEER'S (VIZAGA-
PATAM) INSTRUCTIONS TO RECOVER
WERE MERELY GENERAL ONES, AS
MR. DE MORGAN COULD NOT POSSIBLY
HAVE RECOVERED THE AMOUNT HIM-
SELF, HE MIGHT HAVE CONSIDERED HIS
ACTION IN WRITING TO CAPT. LEVER AS
PERFECTLY SUFFICIENT, AND IN THIS
CASE, THE UNSATISFACTORY RESULT WOULD

173-173A

6-11/3

8/3

BE DUE MORE TO AN ERROR OF JUDGMENT
THAN TO DELIBERATE NEGLECT. AS A
GENERAL RULE IT IS NOT ADVISABLE
TO PUNISH ERRORS OF JUDGMENT, SO
THAT I THINK THE FINAL DECISION
IN THIS CASE MIGHT PROPERLY BE
RESERVED TILL THE MATTER IS FURTHER
INQUIRED INTO.

THE ISSUE THEN NATURALLY ARISES,
IS IT WORTH WHILE GOING FURTHER
INTO THE MATTER? THE SUM IN-
VOLVED IS RS. 12-8-8; AND THE OF-
FICER IN QUESTION HAS ALREADY BEEN
REDUCED FOR GENERAL MISCONDUCT, OF
WHICH I CONCLUDE THIS, IF PROVED
AGAINST HIM, WOULD FORM BUT A
SINGLE INSTANCE.

14
15

N. 61
C

Superintending Engineer's Office
First Circle, Camp Wallah

27 February 1879
Despt 20 - 25

From

The Acting Superintending Engineer
First Circle

To

The Chief Engineer
Public Works Department

Sir

I have the honor to forward copy
of Major Woods' Memo No 1288, dated 3rd
September 1877, called for in yours No 306
dated 17th January 1879.

I have the honor to be
Sir

Yours most obedt Servt
C. Devala
Asstg Engineer First Circle

CPM

11/8/3

Buildings & Roads

From

The Dy Supl Engineer
First Circle

To

The Chief Engineer
P.W.D.

Dated 24th } February 1879
Despatch 28 }
No 61
c

Encl.

Major Woods Memo. 1288 d/3 Sept. 1877-
Forwarding Copy of
as requested.

No 1288.

District Engineer's Office
Maltair 3rd September 1877.

Memo.

Letter No 405 dated 10th August 1877 from
Jaypore Range Officer.

As the District Engineer has no funds
at his disposal to meet the excess outlay
(Rs 12-5-8) that has been incurred over the
specific allotment (Rs 973) sanctioned by the
Board of Revenue to meet the payments due
for work done on the Merdani Parwatipore
road, Captain Lever who incurred the excess
outlay without permission will have to
pay the amount himself.

(Signed) H.W. Wood, Major R.E.
District Engr. Vizagapatam

To The Range Officer
Jaypore

(True Copy)

Sd/- J. Brickwell

Executive Engineer

Vizagapatam Division

(True Copy)

Comd. Devalab

Dy Supl Engineer
First Circle

173 B

C. 11/3

6/2/79

11/8/3

Recd
Sub

No 764 W Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 13th March 1899

Read the following:—

16/3/99

From. The D^g Engineer } (N.E. No. 2157 99 Dec 1/98)
Vizagapatam }
" " Super Engineer } (" " 61 " 29 Feb 1899)
" " " " }
" " " " }

The Government
consider that Mr.
de Morgan cannot be
held responsible for
the excess outlay of
Rs 12-5-8.

2. Captain Lever
will be requested by
the Examiner to make
good the amount.

AK

Lt. Third Circle
Exec P. W. Accts
Boards of Revenue

Sept 28-3-17

W. 8/3

Ch 1954

Govt. of [1879] Madras.

PUBLIC WORKS.

To
Public

From
Office

Mr. W. J. Street

1000
14-2

Encl.

G. O. 13 March 1879, No. 764 W

24

3.

No. 173-174

Madam. Parvathipore
Road. Vizianpatam Dr
Capt Lever to be called
on by the Examiner to make
good the excess expenditure
(No 12-5-8) incurred on the