Archives I -10,006—16-8 77.

(1) Number of pages 78

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AMIL NADU ARCHIVES

VERNMENT OF TAMIL NADU

Public Works DEPARTMENT

G.O. No. ~~B.P. No.~~ 439- 440 W. Press. ~~Mis.~~

Dated 26-2. 1880 ~~197-~~

be folded or roughly handled

439-40

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

26th February 1880, No. 439 W.

Buildings and Roads.
Military Works.

Read the following paper :—

No. 68. From Lieutenant-Colonel J. M. JOHNSON, Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maha Rajah of Mysore, to the Secretary to the Government of Madras, Public Works Department, dated Bangalore, 24th December 1879, No. 1,561-5,117.

Abstract.—Regarding the lowering of the Ulsoor Tank waste weir.

* * * * *

Para. V. With reference to the nature of the responsibility which should devolve respectively on the Executive Engineer and the President, Municipal Commission, in regard to the tank, I am to inform you that Mr. Gordon sees no objection to the Military Engineer exercising the same supervision over the maintenance of the tank and the conservancy of the water, &c., as he has done heretofore, but power to authorise any alterations to the tank, which may affect its capacity, or to its weir, feeders, or other subsidiary works, must necessarily remain, as now, entirely under the Mysore Administration. This position, I am to add, has been heretofore quite clearly recognised and acted on, save in the recent instance complained of.

No. 69. Order thereon, 26th February 1880, No. 439 W.

Ordered to be recorded. The Chief Commissioner will be informed that the views expressed in the fifth paragraph of Lieutenant-Colonel Johnson's letter in regard to the respective responsibilities of the Bangalore Municipality and the Madras Public Works Department, in matters relating to the Ulsoor Tank, ~~are accepted,~~ and will be communicated to the officers concerned.

2. The Government are of opinion that the President of the Bangalore Municipal Commission might reasonably have suspended action, and sought further instructions with reference to the telegram which was shown to him, and that Lieutenant Romilly conducted himself very properly in the difficult position in which he found himself placed.

(Here enter No. 440 W., dated 26th February 1880.)

(True Extract.)

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

To the Superintending Engineer, Third Circle.
Military Deptt

Exd. S. T. Austin.
Spare Copies

BUILDINGS AND ROADS.
MILITARY WORKS.

Govt. of (1880) Madras.

PUBLIC WORKS.

To

THE SUPERINTENDING ENGINEER,
THIRD CIRCLE.

Dated February, 26th.

Issued

Recd. *Encl.*

G. O., 26th February 1880, *No.* 439 W.

FEBRUARY.

Nos. 68-69.

Ulsoor Tank, Bangalore.—Accepts the views [illegible] in regard to the respective responsibilities of the Bangalore Municipality and the Madras Public Works Department in matters relating to the —.

439/2

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Military Works.

No. 440 W.

No. 70.

FROM

THE SECRETARY TO THE GOVERNMENT OF MADRAS,
Public Works Department,

To

THE CHIEF COMMISSIONER OF MYSORE AND COORG.

SIR,—I am directed to acknowledge Lieutenant-Colonel Johnson's letter of the 24th December last, No. 1,561-5,117, and to say that the views expressed in the fifth paragraph in regard to the respective responsibilities of the Bangalore Municipality and the Madras Public Works Department, in matters relating to the Ulsoor Tank, are accepted, and will be communicated to the officers concerned.

2. I am directed to add that this Government have no doubt that had the President of the Bangalore Municipal Commission sought further instructions when their telegram was shown to him all difficulty would have been obviated.

I have the honor to be,
Sir,
Your most obedient servant,

Major, R.E.,
Ag. Under Secy. to Govt., P.W.D.

FORT ST. GEORGE,
26th February 1880.

Exd. S. T. Austin.
Spare Copies

BUILDINGS AND ROADS.
MILITARY WORKS.

Govt. of 1880 Madras.

PUBLIC WORKS.

To

THE CHIEF COMMISSIONER OF
MYSORE AND COORG.

Dated February, 26th.

Issued

Recd, Encl

G. O., 26th February 1880, No. 440 W.

FEBRUARY.
No. 70.

ULSOOR TANK, BANGALORE.—Accepts the views of the Chief Commissioner in regard to the respective responsibilities of the Bangalore Municipality and the Madras Public Works Department in matters relating to the —.

No. 315.

Executive Engineer's Office
Bangalore 10th October 1879

439/4

From
The Executive Engineer
Bangalore Division
Madras D.P.W.

To
The Superintending Engineer
3rd Circle

Sir,

Enclosures 4.

I have the honor to report to you the following circumstances that hav occurred in connection with the lowering of the waste weir of the Ulsoor Tank, which as you know is in the charge of the Executive Engineer of this Division.

On Tuesday 7th Instant I received a communication from the President of the Municipality asking me to meet him at the weir on morning of the 8th and enclosing a copy of a letter received by him from the Secretary to the Commissioner of Mysore directing him to take steps to lower the crest of the escape.

As the work is in my charge I naturally supposed that any alterations to it would be carried out under my supervision and I presumed that the President wished to see me for that purpose. I was however surprised

tha

that I had received no official intimation regarding it and I accordingly forwarded copies of these letters to you with my letter No 301 of 6th October 1879, asking for orders. I at the same time wrote demi-officially to the Assistant Quarter Master General to ask if he had received any communication on the subject and whether the Officer Commanding the Divisions was aware of what was contemplated. The Assistant Quarter Master General replied to me demi-officially stating that the General had heard nothing bout it, but that on the receipt of my letter e had written to the Mysore Authorities and the President stating that he could not agree to any alteration to the weir until he received orders concerning it from the Madras Government.

I met the President as desired on the morning of the 8th when he told me that he had received orders from the General not to take any steps in the matter until the wishes of the Madras Government had been ascertained, and he told me he was going that morning to see the General about it. The President spoke at the time as though he purposed doing the work himself, ignoring one or two hints that I made regarding a reference to the Superintending Engineer on the subject. I did not think it advisable to call attention at the time to the manner in which he ignored my interest in the matter as I thought any protest on my part might give rise to some unpleasantness, and this I particularly wished to

to avoid. I felt sure I should receive orders regarding the course I was to pursue in the cour of the day or by the mail of the following morning, when I should be able to act under proper authority. I also saw nothing to warrant my taking action on emergency on my own responsibility.

When at Office on the 8th I received a demi-official from the Asstt Quarter master General informing me that the General had telegraphed for instructions and that the reply should be communicated to me as soon as received. He also enclosed for my informatio a demi-official letter he had received the previou evening from Captain Bowen R.E. of the Mysore D.P.W. in which that officer distinctly mentioned my name and spoke of what was necessary being done by the President and "Romilly". Very shortly afterwards I received a second demi-official from the Assistant Quarter Master General enclosing the telegram from Govt in answe to that from the General, and informing me that he had no time for an Official communication of the reply as he was very busy arranging for the departure of a regiment proceeding on service that evening.

The remark in Captain Bowen's letter together with the action of the Asstt Qr Master General in forwarding the telegram to me so promptly lead me to suppose that the necessity for my action in the matter had been recognized, and I at once wrote a demi-official letter to the President a copy of which from memory I enclose and wrote * marked A a order to the Overseer to arrange for carrying out the work immediately. In the course of the afternoon I received a reply from the President a true copy of which I enclose. * marked B From it I saw that he at all events did not recognize my having anything to do with the question and in order to avoid any collision with the Municipal Authorities I withheld the order I had already written the Overseer and which was awaiting despatch and wrote to you for further orders. Vide letter 311 of 8 October 1879. I did not reply to the President's demi-official letter.

At about 7:45 P.M. on the 8th I received a telegram from Ootacamund a copy of which marked C I enclose. The telegram you will see is very clear; it orders me to lower the weir a certain amount informs me that funds are provided for the purpose, and directs me to advise the Mysore and Municipal authorities of my action. From the place of despatch it was to be assumed that it was from the Chief Engineer and I considered it my duty to carry out the orders contained therein without delay. I accordingly sent a Memorandum to the Overseer immediately directing him to be at the Weir at about 6-30 A.M. on the 9th with a gang of workmen when I would come and give him instructions. Owing to the lateness of the hour I

did

did not send a communication to the President that night. The Overseer carried out the orders I sent him but misunderstood the tenor of the instructions he received for he commenced work before I arrived. I do not consider he is to blame in this however. On my arrival shortly after, I found the Overseer with his workmen standing idle, and the work in progress under the personal supervision of the President, who had brought a gang of men for the purpose of carrying out the work. What passed before my * marked E. arrival will be understood from the copy of the Overseer's report attached. On my arrival I dismounted and greeting the President as usual, I shewed him the telegram I had received on the previous night. He declined altogether to recognize it or hear what I had to say, and seeing that any attempt on my part to expostulate or assert my right to act in the matter would lead to an unpleasant altercation, I dropped the subject. I remained a short while standing by the President watching the work in progress and when he turned to go I wished him good morning and went away also, ordering the Overseer to dismiss his Coolies and relieving him from all further responsibility in the matter.

I have the honor to invite your attention to the manner in which the Overseer and myself were treated by the President whilst in the execution of our duty and to beg that it may be brought to the notice of Government.

Sir

The President's demi-official letter to me is very discourteous. He discredits a simple statement that I made in my letter to him without even aking the trouble to ascertain from me the uthority on which I based my assertion, and peaks of my interference in a matter that formed part of my legitimate duty. His treatment of the Overseer was most unpleasant and quite uncalled for. The Overseer was engaged in the execution of his duty, and was no way to blame for the position in which e found himself placed, and as he informed the President that I had appointed to be there and would shortly arrive, I submit that the President should have waited to address me on the subject, and had no right to order one of my subordinates to act in direct opposition to orders which he had received from me. There was not the slightest necessity to threaten the Overseer, and it was very humiliating to the latter to be treated in such a manner in the Public road with many people looking on when he was simply doing his duty.

The President's behaviour to myself when I arrived was nearly as unpleasant. He addressed me excitedly, met my remarks and explanations with disparaging remarks regarding my Superior Officers under whose orders I stated I was acting, remarks that it was excessively unpleasant for me to have

to

to listen to with Subordinates of the P.W.D. and Municipality and others standing close by, and in fact behaved in such a manner that I felt any continuance of the discussion would result in an unseemly altercation and I therefore let the matter drop.

I do not think this is the case Indeed -

The President is perfectly well acquainted with the fact that the weir and revetments of the Ulsoor Tank are in the charge of the Executive Engineer of the Division, and he admitted that it was so when I reminded him of it yesterday.

I cannot help thinking that the President was mistaken in interpreting the letter of the Secretary to the Chief Commissioner to authorize his acting alone in the matter, but I submit that if he did consider he had received orders to act so and ignore the fact of the weirs being a work in charge of another officer, that as the Officer concerned was entitled to the courtesy of an intimation as to what actions he purposed taking in the matter and as giving me the opportunity of being present if I wished.

Exactly what I said

Moreover when he found that our orders had clashed, it was sufficient for him as the senior officer to tell me quietly that he considered his orders compelled him to require me to abstain from actions in the matter, and to

take

ke upon himself the responsibility of my-
ing unable to carry out the orders given to me
hrough the action taken by him. To such a
equest I would not have attempted to offer any
pposition, or had I been foolish enough to do so
I should have put myself entirely in the wrong.

Although I am naturally aggrieved by he very discourteous manner in which the President has seen fit to behave towards me I would have waived all personal feelings and allowed he matter to pass without any official reference on so unpleasant a subject, but that I feel it my duty to do so as a principal is involved. The Executive Engineer in charge of this Division is responsible for many works within the Municipality. The President of the Municipality has in the present instance considered that certain orders received by him authorized his interfering with a work in the charge of the Executive Engineer, to publicly threaten and hinder a Subordinate of the D.P.W. when carrying out the orders of the Executive Engineer, and in the same way oppose the Executive Engineer in the Execution of his duty. What has happened once may happen again, and I would beg in the interests of Government and to prevent the recurrence of so unpleasant a Contretemps that the Authority of the President to act within the province of the Executive Engineer may be clearly defined.

I have the honor &c^a^

(signed) F. J. Romilly Lieut. R.E.
Executive Engineer

(True Copy.)

Major R.E.
14/10/79 Offg. Supdg. Engr

Oct. 8th

A. My dear Dr. Orr 439/9

I have just received in-
formations that the Govt. of Madra
have decided that the weir is to be lowe

I will send orders at once &
arrange for the work being commence
tomorrow morning:

Yours very truly
(signed) F. J. Romilly

The above is written from memory
& is not a copy.

(signed) F. J. Romilly.
Lt. R

10 – 10 – 79.

(True copy)

Major R.E.
14/10/79 O.W. Supdt. Engr.

B. My dear Captn Romilly 439/10

I saw the General to day who told me that he had telegraphed to Govt. for instructions as regards lowering the weir and that he would communicate the reply as soon as received. As I have not received yet from the General, I cannot help thinking that your information that orders have been received to lower the weir must be incorrect, neither do I understand how you without specific orders can act or interfere in the matter.

I am yours truly
(signed) J. H. Orr

(True copy)

(signed) F. J. Romilly C.R.E.
Executive Engineer

True copy.
[illegible] Sibert
Major R.E.
14/10/79 [illegible]

C.

To Bangalore From Ootacamund
To Executive Engr From Works.

Remove at once addition of nine inches made to Ulsoor Tank waste weir by district Engineer. Rupees fifty provided from Military Reserve, advise Mysore officers and Municipality.

(True copy)

Recd 7.30 P.M. 8th Octr

(Signed) F. J. Romilly Lieut R.E.
Executive Engineer

True copy.
[illegible]
Major R.E.
P.W. S.E.
16/10/79

No. 105. 9th October 1879.

E

Sir,

I beg to report that on receipt of your order directing me to lower the crest of the Ulsoor Tank waste weir I proceeded this morning at 6/30 with my coolies to commence the work, about 10 minutes after my arrival and my coolies had started working Mr Gibson an Overseer of the Bangalore Municipality arrived with a gang of Coolies and set them to work in the road but did not interfere with my work, about 7 O'Clock Dr Orr the President of the Municipality arrived and enquired from Mr Gibson whose coolies were at work at the weir & when told they were my coolies, he questioned Mr Gibson why his orders were not obeyed and then ordered Mr Gibson to put his coolies on the work at the weir at the same time ordering me to take my coolies away. I know it was Dr Orr who was giving the order, but as I had received orders from you for what I was doing I replied in a respectful & becoming manner stating my position, begged he would not persist in asking me to remove my coolies and informed him that you would arrive in a few minutes to see this. Dr Orr would not listen, but stated that he recognized no one's orders; but that he had the Chief Commissioner's orders for what he was doing, and threatened to put me in prison .. His words, in a high tone, were "I'll put you in the Guard room Sir!" "I'll send you to prison"! "Call the Police"! (addressing Mr Gibson). To all this I could only reply as before & requested Dr Orr would give me in writing any thing he had to say, Mr Gibson wrote from his dictation in his pocket book, but this order was not finished as you arrived & relieved me, in the mean time Dr Orr ordered away my Coolies, who left the work. I therefore respectfully beg you will consider Dr Orr's Conduct towards me when in the execution of my duty and if necessary bring the matter to notice.

(signed) J. Patton
Overseer D.P.W.

(True copy)

(signed) I. J. Romilly, Lieut, R.E.,
Executive Engineer

Attd.
Offg. S.E.
14/10/79

No. 317.

Executive Engineer's Office
Bangalore 11th October 1879.

439/13

From.
The Executive Engineer
Bangalore Division
Madras D.P.W.

To.
The Superintending Engineer
3rd Circle
Madras.

Sir,

With reference to your endorsement No 3947 of 9th Instant on Proceedings of Government of 7 October 1879. I have the honor to inform you that I am unable to carry out the instructions therein contained as the action taken by the President of the Municipality reported in my letter No 315 of 10th Octr 1879 has left me powerless to act in the matter.

I enclose a copy of a letter from myself to the President with his reply stating that the work has been carried out by him. Beyond what is contained in the latter communication I have no information as to what has been done, nor do I know how the stones removed which are Govt. property have been disposed of; they should be handed over to me.

Until however my position with regard to the President is clearly defined I would beg to be relieved of further action in the matter as that Officer might look upon my proceedings as an interference & treat me accordingly.

I

I have &c.

(Signed.) F. J. Romilly Lieutt, R.E.,
Executive Engineer

P.S. Since writing the above the President has informed the A. Q. M. G. that the stores are awaiting orders regarding them.

(Initialled) F. J. R.

True copy.

Henry Gilbert
Major RE

14/10/79 OW. S. E.

Urgent. No 445

Executive Engr's Office
Bangalore 9 October 1879

From
The Executive Engineer 439/13
Bangalore Division

To
The President
Municipal Commissn
Bangalore.

Sir,

I have the honor to inform you that on receipt of a telegram yesterday ordering me to "lower at once the weir of the "Ulsoor Tank and that funds had been provided "for the work". I sent orders to the Overseer to commence the work early to day. I understand that he brought a gang of workmen to the weir at 6.30 A.M. this morning and had commenced work when upon your arrival a few minutes afterwards you ordered his men off and placed workmen brought by yourself to continue and finish the work of removing the extra 9" on the weir. The work was in progress under your personal supervision when I arrived at about 7 A.M. when as you may remember I showed you the telegram I had received from Ootacamund and explained that I was acting under orders.

As your action in the matter has prevented my obeying the orders sent to me I would request that you will kindly favour me with a letter stating that you purpose carrying out the work yourself as I must of course explain how it is that I have been unable to carry out my orders.

I have &c.

(Signed) F.J. Romilly Lt. R.E.

Executive Engineer

"True Copy"

(signed) F. J. Romilly Lieut. R.E.

Executive Engineer

Hw
OW S.E.
14/10/79

No. 1787 & 1 En:

Office of the Cantt. Munl. Commn.

Bangalore 9th October 1879.

639/18

To

The Executive Engineer

Bangalore Division

Madras D.P.W.

Sir,...

Referring to your letter No 445 dated 9th Instant, I have the honor to forward copy of a letter, I have received from the Secretary to the Chief Commissioner of Mysore D.P.W. in which I am directed to take steps to lower the waste weir of the Ulsoor Tank to the same level it had before it was raised and in obedience to which orders the work was put in hand by me and carried out this morning."

I have the honor to be

Sir

Your most obdt. servant

(Signed) J. M. Orr

President Munl. Commission

(True Copy)

(signed) F. J. Romilly Lt. R.E.

Executive Engineer

Hw
OW S.E.
14/10/79

Bangalore
Oct 14th 1879.

My dear Major Vibart

The following is an account of the conversation that took place between Dr Orr and myself the other morning when he prevented my taking any action in connection with the Ulsoor Weir. It must be remembered that I am writing from memory, and do not profess to recall accurately word by word the whole conversation but am giving its general tenor. Where words are underlined I distinctly recollect their being the *actual* words used.

When I first showed Dr Orr the telegram I had received he said * "Who's "that from? *Who's* *that* *man*? *I don't know him*" and on my pointing out that the telegram was from Ootacamund and was in all "probability from the Chief Engineer, he again repeated "*Who's he*? *I don't know him* I "don't recognize his authority. I recognize no "ones authority here but the Chief Commissioner's."

* The telegram was from "Works" Ootacamund - Both parties were evidently ignorant that this was practically a message from the Madras Government "Hinc illae lachrymae"

18/10/79

Before my representing that I had to obey orders he said sharply "*Have you orders from* "*the General*? Show me an order from the "General and I will recognize it."

I replied that I did not get orders from the General but from the S. Engr Major Vibart, where-upon he spoke as follows:

"Who's Vibart? who's he? I don't know him.
"I told the General I expected some opposition
"and he asked me who from? I said Major
"Vibart. Oh! said the General who's he? The
"Ex: Engr of the Division I said. Oh! said the General
"we don't recognize him, he's got nothing to do
"with it."

Dr Orr afterwards added "I know Vibart
"he opposes everything".

It was these speeches that I specially referred to in my letter, & which I maintain are disparaging & should not have been spoken to me. The tone in which they were delivered was loud and contemptuous, and anyone standing by with even an imperfect knowledge of English hearing the names mentioned, must have understood that the Speaker was alluding in disparaging terms to the person spoken of. I was greatly tempted to reply at the time, and only restrained myself by an effort.

Dr Orr said a good deal more in the same strain, but what I have stated here is what I clearly recollect, and is I think sufficient to support my statement regarding disparaging remarks.

I think the same applies to his remarks on & reception of the Telegram I showed him from the Chief Engineer, and which on the

smallest

---

smallest consideration he would have seen was from the Madras Govt direct and is entitled to respect.

His demeanour from the very first indicated the course he had determined on, viz to ignore entirely any right of action on the part of the Madras D.P.W. through their Ex: Engr, & to act entirely by himself in the matter.

Yours sincerely
(signed) F. J. Romilly

(True Copy)

Henry M. Vibart
Major R.E.
Offg Supt Engr
15/10/79

No 6071.

3rd Circle Supg Engrs Office
Chepauk 15th October 1879.

439/19

From

The Superintending Engineer
3rd Circle.

To

The Chief Engineer
Public Works Department.

Enc 9

Sir,

I have the honor to forward the correspondence noted in the margin in connection with the lowering of the Ulsoor Waste Weir.

Letter from Lieut Romilly - Executive Engineer Bangalore Division No 315. dated 10th October 1879 with four enclosures -

Do — Do — No 317 dated 11th October 1879 with two enclosures

It seems to me that the President of the Municipality acted in a manner most outrageous and quite uncalled for. The Overseer of the Madras D.P.W. was ordered by his officer Lieut Romilly to commence the work at 6-30 and he accordingly did so. The President arrived shortly after with a gang of Coolies put them on the work and was most violent threatening the Overseer with imprisonment. Lieut Rom arrived shortly after and showed Dr. Orr the telegram he had received. Dr. Orr in the most unaccountable way declined altogether to acknowledge it or hear what Lt. Romilly had to say. Lt. Romilly did nothing to oppose the President - and the President had no right to behave in the manner he did. He must have known that Lt. Romilly was simply engaged in the execution of his duty. The fact of Lt. Romilly being so much his junior should I think have made him more careful to treat Lt. Romilly with the courtesy due to an officer of the Government. You will observe also that Dr. Orr made use of certain disparaging remarks regarding Lt. Romilly's Superior Officers under whom he stated he was acting.

I have the honor to request in conclusion that you will place the matter before the Madras Government with a request that Dr. Orr may be called upon through his own Govt. for an explanation and unless the President can explain his extraordinary conduct to the satisfaction

Dr. Orr is not in Govt. service

of

43/20

of the Government I venture to think that the President should be called upon to apologize to Lt. Romilly. The Tank has been for years under the care of the Madras Government and I trust that they will not allow the President any chance of interfering a second time with it.

[illegible] for the [illegible] powers of conservancy-

I have the honor to be
Sir
Your most obedient servt.

H. Wright Hibbert Major R.E.
Offg. Supg. Engineer 3rd Circle.

P.S. Since writing the above I have ascertained from Lt. Romilly what the disparaging remarks (made use of by Dr. Orr) were to which he alludes in para 11 of his letter No. 315 d/10th Octr/79. I append a copy of Lt. Romilly's Demi official letter on the subject.

HWH

W.

1879.

No. 7585

From
The Supdt. Engr. 3rd C

No. 6071.

dated 15th
Recd. } October/79

Enclosures 9.

Ulsoor Waste Weir —

Forwards correspondence in connection with the lowering of the —

PUBLIC WORKS DEPARTMENT.

639/21

Letter from the Secretary to the Chief Commissioner of Mysore No. 1561/5117 dated 24th December 1879.

FOR ORDERS.

R. H. Sankey Colonel R.E.
Secy. to Government
P.W.D.

The Commr
[illegible]

9/1

10/1

FOR ORDERS.

P. W. Dept

439/27

To

The Chief Commissioner
of Mysore & Coorg

Sir,

I am directed to acknowledge Lt Col Johnson's letter of the 26th December last, No 1561/5117, and to say that the views expressed in the fifth paragraph in regard to the respective responsibilities of the Bangalore Municipality and the Madras Public Works Dept., in matters relating to the Ulsoor tank are considered are

reasonable

peaceable, and will be communicated to the Officers concerned.

30/1/80

31-1-80
Civ: X-1-80

I don't find any draft G.O. in the packet.

I think Dr. Orr was needlessly dictatorial & that Lt. Romilly acted with forbearance & I am willing to express this opinion in a G.O.

But I must say that our P.W.D. were wrong from the beginning evidently by mis-understanding their position in regard to the tank.

2/2

31-1-
Civ: X-1-80 8

Mr W. Huddleston

For orders

As I am not aware whether all allusions to Dr. Orr's proceedings in this case are to be omitted from the G.O. I wish to draw the attention of the H.E. to the fact

Admitting all that Dr. Orr advances in excuse it is clear that he was very violent in treating the overseer as he did &c. and as everything turned on the authority from whom the telegram produced by Lt. Romilly emanated I cannot but think he was to say the least to blame for not suspending all action till he had received further instructions

Though ignorant as to the authority of a telegram from "Works" "Ootacamund" he must unquestionably have felt

that it came from some-
one belonging to the Department
and close to Government —
if not from Government itself

Any Officer not very much
beside himself with anger
would I think have paused
till the one point had
been cleared up which an
hour or two would doubtless
have done

Dr. Romilly conducted
himself very creditably in
a rather trying position
and I would submit for
the H.E.'s consideration that
both these parts might
without impropriety receive
notice in the G.O.

AH

30/1/80

28/28

Mr. A. Huddleston

Draft for approval

As this is a matter
requiring care I
submit the proposed
draft for the H.E.'s
approval

In reference to
the H.E.'s remark
that this dept. was
in the wrong from the
beginning it is of
course admitted that
the Ex. Engineer's action
in adding 9 inches to
the waste weir was
clearly wrong and
this I have myself all
along contended

At the same time the
actual position of the
Executive Engineer, and
his powers in reference
to the tank do not
appear to have at
any time been regularly
formulated. — Could

I quite admit all
that is stated. Still
the fact remains that as
we had no right to raise
the bund. we have less
ground for resenting its
summary reduction by
the Municipality when we were
proposing to undo what we
had done. 7/2

Cir: 6-2-80- 8

Johnson merely says in the end of his letter ~~that the~~ position has heretofore been quite clearly recognized" but he does not quote any ruling accepted by the Madras Government in favor of this, and as shewn in the note ~~that~~ have passed a search in the Office failed to elicit any information on the Subject

I personally was aware of the true position and pointed this out but unfortunately His Grace did not accept this at first as sufficient and I think it quite possible that Major Thompson he not having any Government ruling before him was ignorant as to the extent of his powers

I hope the H.M. will take the above observations into consideration

5/2/80

It appears to me ~~that the~~ the G.O. should go with letter to the Chief Commr. of Mysore but I wish to have instructions on the Subject

P.W. Dept.

Letter from the Secretary to the Chief Commissioner of Mysore No. 1561/5117 dated 24th December 1879.

Circulated to His Grace the Governor with request that the instructions asked for at the end of my Note dated 5th February 1880 may be given; the Honorable Members having

I am sorry I overlooked the point - I am a little doubtful of the propriety of our sending copy of our Procs. to an Officer of high rank who is not subordinate to us. But as we comment in terms on his subordinates conduct, I think he shd. be informed of our expressed sentiments

LB

His Grace the Gov.

overlooked the point.

A.H. Lautour Colonel R.E.
Secy. to Govt. P.W. Deptt.

9/2

I think the [illegible]
Engr [illegible]
be informed by a letter
& notify [illegible]
of proceedings

27/2

8

P. W. Dept

439/26

To

The Chief Commissioner
of Mysore & Coorg

Sir

I am directed to acknowledge Lt Col: Johnson's letter of the 24th December last No 1561/5717, and [in forwarding copy of L.A. No of] to say that the views expressed in the fifth paragraph in regard to the respective responsibilities of the Bangalore Municipality and the Madras Public Works Dept, in matters relating to the Ulsoor Tank are accepted, and will be communicated to the Officers concerned

27/2

2. I am ~~to state~~ that the ~~Madras~~ Government consider that had the President of the Bangalore Municipal Commission might reasonably ~~have suspended~~ action, ~~and sought~~ further instructions with reference to the telegram which was shown to him.

3. [It is clear from Dr Orr's own statement that, resenting what he held to be unjustifiable interference on the part of the Madras Officers, he so conducted himself as to place Lt Romilly in a position very trying to a young Officer, who was acting on orders received from his Superiors. Lt Romilly's conduct under such circumstances was deserving of ~~praise~~ commendation, and he has ~~so~~ been so informed.]

Issue draft

difficulty would have been obviated

24/2/80

A.P.
24/2

439/27

Council?

All

Fair & dispose of

24/2/80

See para

Copy for

[illegible]

25/2

439W
440W

No. 1561
E. 5117

Mysore Chief Commissioner's Office
Public Works Department

439/28

From The Secretary to the Chief Commissioner
for the Government of the Territories of
His Highness the Maha Rajah of Mysore

To The Secretary to the Government of ~~India~~ Madras
Public Works Department

Dated Bangalore the 24th December 1879

Sir,

I am directed to acknowledge receipt of your No. 436 C. L. dated 22nd October 1879 forwarding for consideration copy of the Proceedings of the Madras Government under date 22nd October 1879 No. 435 C. L., and of your reminder No. 3227 W dated 15th December 1879.—

II.— With the Proceedings above referred to, was forwarded correspondence in original (to be returned) connected with the lowering of the Ulsoor Tank waste weir, His Grace the Governor in Council therein requested the Chief Commissioner to call upon the President of the Municipal Commission Bangalore for a suitable expression of his regret in regard to the proceedings reported by Lieutenant Romilly, R.E., and further requested that arrangements might now be made for defining accurately the nature of the responsibility which should devolve respectively on the Executive Engineer Bangalore and on the President Municipal Commission in regard to the Ulsoor Tank.—

III.— In returning the correspondence I am to observe that until the President Municipal Commission had been afforded an opportunity of explaining his Proceedings Mr. Gordon did not feel justified in calling upon him for an expression of his regret. Copy of Dr. Orr's explanation is now forwarded, and the Chief Commissioner considers it unnecessary to take further notice of the personal misunderstanding and discussion between Dr. Orr and Lt. Romilly.—

IV.— As regards the orders given to the President Municipal Commission to lower the weir of the Tank, I am to say that so long ago as the 11th August 1879 the fact of the Military District Engineer having unauthorizedly raised the weir nine inches, was reported to the Major General Commanding the Division with a request that it might be reduced to its former level. On the 22nd of the same month Mr. Gordon expressed a hope that early steps might be taken in the matter to avoid great damage and claims to compensation that would follow on flood. On the 25th September the President Municipal Commission reported that up to that date no action had been taken, — and

the Mysore authorities seem also to have had an idea that the Ex. E. officer at Bangalore was under the orders of H.E. the Com. in C.

and that should heavy falls of rain occur as might be expected on the setting in of the North-east Monsoon serious consequences would result. As the object of referring the matter to the Military Department was merely that the cost and trouble of restoring the weir to its original condition might fall upon those who had unauthorizedly raised it, and as further delay was dangerous, the Chief Commissioner ordered the President to see the work done at once under his personal direction. It is understood that when the Military authorities learned that Dr. Orr had received orders to lower the weir they telegraphed for instructions, and on these being received and the work commenced, Dr. Orr would, the Chief Commissioner considers, have exercised a wise discretion, if he had contented himself with seeing that the work was properly carried out as the Chief Commissioner desired. After the instructions he had received Dr Orr appears to have considered that he would be responsible, and to have preferred to carry out the work himself.

V.— With reference to the nature of the responsibility which should devolve respectively on the Executive Engineer, and the President Municipal Commission, in regard to the Tank. I am to inform you that Mr. Gordon sees no objection to the Military Engineer exercising the same supervision over the maintenance of the Tank and the Conservancy of the water &ca as he has done heretofore, but power to authorize any alterations to the Tank, which may affect its capacity, or to its weir, feeders, or other subsidiary works, must necessarily remain, as now, entirely under the Mysore Administration. This position, I am to add, has been heretofore quite clearly recognized, and acted on, save in the recent instance complained of.—

Print

The former portion was not understood by [illegible]

I have the honor to be,
Sir,
Your Most Obedient Servant.

J M Johnson Lieut. Colonel
Secretary to the Chief Commissioner
of Mysore P. W. Deptt.

Exd.
[illegible]

Mis. No 3227 W. 15-12-79
Lr. 7585 of 1879

P. W. 1880. Depts

Mysore Chief Commissioner's Office
Public Works Department

No 5

From
The Secretary to the Chief Commr
for the Government of the Territories
of His Highness the Maha Rajah
of Mysore

To
The Secretary to the Govert. of ~~India~~ Madras
Public Works Department

Dated Bangalore the 24th December 1879
Despatched
Received 5th Jany/80
No 1561/5117
Enclosures No One
Subject

Abstract.—
Replies to No 436 C. L. dated 22d October 1879, regarding the lowering of the Ulsoor Tank waste weir.—

Pros. of Govt. Dt. 26th Feb/80
No 439 W

Back No 68

~~x~~ 31-1-80
Cir: ~~x~~-1-80
8

Cantonment Municipal Commr's Office
Bangalore 12th November 1879

No 3

439/31

To,
The Secretary to the
Chief Commissioner of Mysore
Public Works Department

Sir,

With reference to your letter No 180/831 x of the 29th ultimo forwarding a file of papers connected with the lowering of the waste weir of the Ulsoor Tank and requesting me with reference to the report made by Lieut. Romilly R.E. to favor the Chief Commissioner with such remarks as may appear to be called for I now do myself the honor to submit the following explanatory Statement.—

x herewith returned.—

Although I would have been perfectly justified on receipt of your No 143/725 of the 30th September last received on the 6th October to have taken immediate steps without reference to any other authority to have the waste weir lowered (and which I now see would have been my proper course) I considered it would be only becoming on my part to inform the Major General Commanding the Division of the orders I had received as I was aware that the height of the weir had been made the subject of a reference by the General to the Madras Government

&

I accordingly forwarded to the Major General a copy of your letter through the Assistant Quarter Master General I also furnished Lieut. Romilly with a copy informing him at the same time that I proposed commencing the work early on the the morning of the 8th and suggesting that he should be present my object being that he might satisfy himself that the weir had not been reduced to below its previous level.

In the course of the following day October 7th I received a letter from the Assistant Quarter Master General informing me that a reference had been made regarding the lowering of the weir to the Commander-in-Chief Madras and that till a reply had been received the Major General could take no action in the matter but that he must protest against any steps being meanwhile taken towards the reduction in the height of the weir. In deference to the General's protest I determined to defer the work for one day and having met Lieut. Romilly at the Tank early next morning as appointed I explained to him my reasons for deferring the work and intimated my intention of calling on the General for the purpose of explaining matters and of asking him to expedite as far as possible the reply expected from the Madras Government and as it appeared to me from some observations he let fall that Lieut. Romilly seemed to think that the task of lowering the weir ought to devolve on his Department I was careful to explain to him that the orders I had received were clear and explicit and that it was evidently the Chief Commissioner's wish and intention that the work should be carried by the Municipality.—

Early the same forenoon I called on General Payne and ascertained that he had already telegraphed for instructions and received from him the assurance that the reply which would probably reach him in the course of the day would be communicated to me as soon as it was received I may add that from what passed at this interview I had reason to believe that the General approved of the work being carried out by me in accordance with the orders of the Chief Commissioner, I was certainly therefore surprised to receive late the same afternoon a note from Lieut. Romilly of which I append a copy, a copy of my reply in which I deprecated any interference on his part has been supplied by Lieut. Romilly and is on the present file.

Having received late the same evening a letter from the Assistant Quarter-Master General informing me that the consent of Government for lowering the weir having been obtained the objections raised by the Major General had been removed I made the necessary arrangements for the work being commenced with early the next morning.—

On my arrival at the tank at about 6.45 A.M. on the morning of the 9th I found a gang of Coolies already at work on the weir under the supervision of an Overseer who informed me that he was then acting by order of Lieut. Romilly I at once ordered him to withdraw his men so as to allow the Municipal Executive Engineer who was standing bye with a gang of men to put his coolies on the work, the Overseer replied that he must decline to withdraw his men unless ordered to do so by his immediate superior I then said you know who I am, I am here now to carry out orders I have received and if you or any of your men offer me any opposition or obstruction in the execution of my duty I shall have you removed by the Police, the Overseer then said that he hoped I would give him my orders in writing and having seen the Overseers men removed and Mr. Gibson's coolies put on

on to the work I was proceeding to dictate to Mr. Gibson an order such as the Overseer asked for when Lieut. Romilly rode up I observe that the Overseer states that I had threatened to send him and his entire gang to prison such a statement carries with it its own refutation, the term prison is one that is never made use of in this country and no such expression was certainly made use of by me on that occasion.—

Lieut. Romilly on coming up to me affected to feel surprise that I should be carrying out the work and which as he informed he had been specially ordered by a telegram to perform, this telegram he shewed me but as I could not comprehend the address I asked the question who is this from? this information Lieut. Romilly even seemed unable to afford as his reply was to the effect that as the telegram was sent from Ootacamund it was presumably therefore a Government telegram I then observed these may be your orders but I also as you are well aware have received orders from the Chief Commissioner of the Province and whose authority in matter like the present I alone recognize and I consider it imperative on me that his orders should be carried into effect. Lieut. Romilly then asked if I had any objections to give him a copy of the orders to which I referred and to this I at once assented.

I observe that in Lieut. Romilly's demi-official letter to Major Vibart I am made to say who is Vibart, my having asked such a question would have been simply absurd, I have known Major Vibart well for years past what I did ask was who is the present Superintending Engineer of the Circle I knew that Major Vibart had been acting for Major Wood and I wished to know whether Major Wood had resumed charge of his Office I admit having said that if Major Vibart was still officiating as Superintending Engineer I was quite prepared for receiving opposition from him — During the period Major Vibart was Executive Engineer at Bangalore he exhibited as it appeared to me great jealousy of any interference with his Department by the Municipality what I mean by this is best exemplified by Lieut. Romilly's own conduct in the present case. Lieut. Romilly was well aware that the Chief Commissioner had issued distinct orders to me to carry out the work of lowering the weir and that I had made all the necessary arrangements for carrying these orders into effect, yet it is evident that he had from the very first — jealous of any

interference

interference on my part — deliberately made up his mind to set these orders if possible aside I felt certainly annoyed at Lieut. Romilly's persistent interference and more particularly by his last attempt to steal a march on me by placing his coolies on the work at the unusually early hour of 6.30 A.m. and I have no doubt that I showed by my manner that I was annoyed but that I make any disparaging remarks regarding himself personally or his Superior Officers I distinctly deny, he complains of my demi-Official note of the 8th being discourteous and that I have in it called in question his word — I submit my note can bear no such construction as that now put upon it but I consider it fortunate that this charge should have been made as it very well exemplifies the exaggerated view Lieut. Romilly has been pleased to take of my conduct throughout these entire proceedings he further complains that I obstructed his Overseer in the execution of his duty this is a mistake, by Lieut. Romilly's own shewing the Overseer was at the time acting without authority and in a manner directly opposed to the orders he had received, which were that he was not to commence work until Lieut. Romilly arrived. It will be observed that Lieut. Romilly throughout these proceedings chooses to assume that this Tank and its weir are in the charge of the Military Executive Engineer, what he grounds this assumption on I can't say, but this I know that this view of the responsibilities of his Department was not held by his predecessors and certainly not by his immediate predecessor Major Vibart, as is sufficiently evidenced by various Communications I received from that Officer while Executive Engineer at Bangalore, Copies of some of which I append.—

It will be observed that Lieutt. Romilly's letter to the address of the Superintending Engineer of the 3rd Circle is dated the 20th October, and that his subsequent demi-official to Major Vibart is dated 14th October, it is evident that the latter is in reply to a letter meanwhile received from Major Vibart, and I think it is a subject of regret that a copy of this latter communication was not placed on the file, it is also to be regretted that no copy of your letter to my address dated 30th September should have been submitted as it would have served to shew that in this case I was simply carrying out orders I had received from the head of the Local Government

I

I have the honor to be, &c

(Signed) J. H. Orr
President
Municipal Commission
Bangalore and Cantonment.

True Copy.

J. M. Johnstone Lieutt. Colonel
Secretary to the Chief Commissioner
of Mysore P. W. Deptt.

Exd

BOR
Mily works

No 439 W

P. W. D.

439/36

Pro: of the Madras Govt.

print abstract & last para in full

Under date the 26th Feby /80

Read the following:-

From,

The Secy. to the Chief Comr. of Mysore, P.W.D. } (H.E. No. 1561/5117 d/ 24th Decr./79)

~~Ordered to be recorded.~~

The Chief Commissioner

8

will be informed that

the views expressed in

the fifth paragraph of

Lieutt. Colonel Johnson's

letter in regard to the

respective responsibilities

of the Bangalore Munici-

-pality and the Madras

Public Works Departt.,

H.E. the Govr. shd. see this before issue in matters relating to the Ulsoor tank are accepted, and will be communicated to the officers concerned.

2. The Govt. are of opinion that the Presidt. ~~[illegible]~~ of the Bangalore Municl. Commission ~~would [illegible]~~ might reasonably have ~~[illegible]~~ ~~acted with [illegible]~~ ~~in~~ suspended action and sought ~~till [illegible]~~ further instructions with ~~in~~ reference to the telegram which was shown to him, and that Lieutt. Romilly conducted himself

very properly ~~[illegible]~~ in the difficult ~~trying~~ position in which he found himself placed.

5/3/80

H.E. No. 9

To
The Chief Commissioner

S.E. 3rd Circle ✓
Mily Dept ✓
Despd
11-3-80

No 440W $\frac{639}{38}$ P. W. Dept

26th Feby /80

To

The Chief Commissioner

of Mysore & Coorg

S 10

Sir,

I am directed to ac-
-knowledge Lt Col Johnson's
letter of the 24th December last
No $\frac{1561}{5117}$, and to say that
the views expressed in the
fifth paragraph in regard
to the respective responsibi-
-lities of the Bangalore
Municipality and the
Madras Public Works Dept,
in matters relating to the
Ulsoor Tank are accepted
and will be communicated
to the Officers concerned.

Despd
27-2-80

2. I am directed to add
that this Government have
no doubt that had the

President of the Bangalore Municipal Commission sought further instructions when their telegram was shown to him all difficulty would have been obviated.

25/2/80

Pro: of Govt. Dt. 26th
Feb/80 No. 4400 W

Back No 70

Govt. of (1880) Madras

PUBLIC WORKS.

8-3-1

To

Dated

Issued

Recd.

G. O. 26 Feby 1880, No. 439/440

Nos. 68 69 70

Ulsoor Tank, Bangal

Accepts the views of the
Ch Commissioner in regar
to the respective respon
bilities of the Bangalore
Municipality & the Ma
P. W. Dept in matters co
to the —

Ch Comr.

Same as above.