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Tamilnadu Archives
Govt. of Tamilnadu

G.O. No. 1784 Public Works Dep.
dt. 5-7-1887

1784
1

5TH JULY 1887, No. 1784 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

READ—the following papers :—

From G. T. WALCH, Esq., Superintending Engineer, I Circle, to the Chief Engineer, Public Works Department, dated Dowlaishweram, 16th November 1886, No. 1947 G.D.

In forwarding herewith copy of a letter, dated the 30th October 1886, No. 252, received from the Dowlaishweram Workshop officer, I have the honor to request orders for cancelling the indenture of the apprentice named in the letter. There are no orders either in the Public Works Code or elsewhere applicable to the case.

ENCLOSURE.

From W. HUGHES, Esq., Executive Engineer, to the Superintending Engineer, I Circle, dated Dowlaishweram, 29th October 1886, No. 252.

The head constable of police has written to report that Kadali Veeraswamy, one of the workshop apprentices, has been sentenced to imprisonment for one month for theft. It seems to me very undesirable that he should, on his release, be allowed to return to the workshop, but I can find no rule under which I can cancel the indenture, of which I enclose a copy. Please inform me what had better be done.

No. 4252 C.

With reference to his letter, No. 1947 G.D., dated 16th November 1886, the attention of the Superintending Engineer, I Circle, is drawn to the Government Solicitor's letter printed with Proceedings, dated 6th January 1883, No. 25 W., which explains the manner in which the agreement of an apprentice may be cancelled. A copy of section 16 of Act XIX of 1850 is enclosed for information.

(Signed) J. O. HASTED, Col., R.E.,
Secretary to Govt., P.W.D.

1st December 1886.

From G. T. WALCH, Esq., Superintending Engineer, I Circle, to the Chief Engineer, Public Works Department, dated Dowlaishweram, 6th May 1887, No. 454 G.D.

With reference to your No. 4252, dated 1st December 1886, I have the honor to enclose letter * from the District Magistrate, Godávari, in answer to one from me requesting him to cancel the indenture of apprentice Kadali Veeraswamy convicted of theft and sentenced to one month's imprisonment.

* No. 175, dated 23rd April 1887, to be returned.

2. It seems out of all reason that the indenture cannot be cancelled under the circumstances of the case.

Enclosure.

From W. A. HAPPELL, Esq., District Magistrate, Godávari, to the Superintending Engineer, I Circle, dated Cocanada, 23rd April 1887, No. 175.

Referring to your letter No. 2498 G.D., dated 24th January last, I have the honor to state that, from section 16 of Act XIX of 1850, it appears that I can act only upon a complaint of wilful and *repeated* ill-behaviour on the part of the apprentice, and as no complaint of repeated ill-behaviour is made, I am unable to cancel the contract of apprenticeship.

The contract is herewith returned.

MEMORANDUM.

In returning to the Public Works Department, in original, the papers received under endorsement, No. 173 D., dated 1st June 1887, the undersigned is directed to point out that Act XIX of 1850 does not appear to have been drawn with any reference to Government agreements; nor is an apprenticeship under it comparable to Government service. Under section VIII of the Act, it seems open to the Public Works Department to insert a condition in the form of apprenticeship to the effect that a criminal conviction confirmed on appeal shall terminate the agreement, but no other remedy seems available under the Act in the present case.

Ootacamund,
22nd June 1887.

(Signed) H. E. STOKES,
Acting Chief Secretary.

Order—dated 5th July 1887, No. 1784 W., Public Works.

The memorandum from the Judicial Department will be communicated to the Superintending Engineer, I Circle, with reference to his letter, No. 454 G.D., dated 6th May 1887.

2. The Government Solicitor will be requested to insert in the form of "Contract of Apprenticeship," approved in G.O., No. 25 W., dated 6th January 1883, a condition to the effect suggested by the Judicial Department.

(True Extract.)

Captain, R.E.,
Under Secy. to Govt., P.W.D.

To the Superintending Engineer, I Circle.
" " " II "
" " " V "
" Government Solicitor, with copy of G.O. No. 25 W. of 1883.
" Judicial Department.

Exd. J. Moses.
Spare Copies

1784/2

GENERAL.
ESTABLISHMENT.

Govt. of 1887 Madras.

PUBLIC WORKS.

Dated July, 5th.

Recd. Encl.

G.O., 5th July 1887, No. 1784 W.

JULY.

K. Veeraswamy, Apprentice, Dowlaishweram Workshops

Orders on correspondence with regard to the proposal to cancel the indenture of —, because he has been sentenced to imprisonment for theft.

1784/3

This agreement made the 28th day of May 18 in the year 1883 between Kadali Bulliah the father of Kadali Veeraswamy and the Right Honorable the Secretary of State for India in Council witnesseth that the said Kadali Bulliah doth this day bind Kadali Veeraswamy a boy of the age of thirteen years completed, the son of the said Kadali Bulliah to serve the said Secretary of State his successors and assigns as an apprentice from this day forth for five years during all which term the said apprentice shall duly and faithfully serve the said Secretary of State his successors and assigns at the Public Works Workshops at Dowlaishweram according to his skill and ability in all lawful business and demean and behave himself honestly orderly and obediently in all things toward the said Secretary of State his successors and assigns and his and their officers and servants and the said Secretary of State for himself his successors and assigns in consideration of the faithful service of the said Kadali Veeraswamy doth covenant and agree with the said Kadali Bulliah, his executors administrators and legal representatives that he the said Secretary of State his successor ~~and~~ or assigns will teach or cause to be taught to the said Kadali Veeraswamy according to

Dont [illegible]

the System which is now or shall from time to time be in force in the said Public Works Workshops at Dowlaishweram the craft or employment of a Mechanic during the said term and will also pay or cause to be paid to the said Kadali Veeraswamy the sum of Rs 2-8-0 per mensem during the first year of the said term such monthly Salary to be increased at the expiration of the said ~~term~~ first year of the said term and thereafter from time to time during the remainder of the said term by such amounts as the said Secretary of State his successors or assigns shall from time to time consider proper regard being had to the proficiency of the said Kadali Veeraswamy in the execution and performance of the work from time to time entrusted to him and to be accepted and taken in full of all Claim by or on behalf of the said Kadali Veeraswamy for food Clothes Lodging Washing and other things necessary fit and reasonable for an apprentice and will also at the expiration of the said term pay or cause to be paid to the said Kadali Veeraswamy a premium or gratuity of 50 Rupees if the said Kadali Veeraswamy shall on trial by the General Superintendent for the time being of the said Public Works Workshops at Dowlaishwaram be found to be efficient and properly skilled in the said craft or employment of a mechanic.

In

In witness whereof the said father Kadali Bulliah and Sub Conductor E.W. Bennett the Deputy Superintendent of the Public Works Workshops at Dowlaishwaram by order and direction of the Governor in Council of Fort Saint George acting for and on behalf of the said Secretary of State have hereunto set their respective ~~seals~~ hands and seals the day and year first above written.

Signed sealed and delivered by the above named Kadali Bulliah in the presence of } + mark of Kadali Bulliah

Witnesses } Sd/ Kalli Veeriah
Sd/ Veeram Tatiah.

Signed sealed and delivered by the above named Sub Condr. E.W. Bennett in the presence of } Sd/ E.W. Bennett Supervisor

Witnesses } Sd/ D. Sathilingum.
Abdul Kader.

Sd/ R. Narasimharow
Magistrate 3rd Class.

Rajahmundry
28th May 1883 }

(True Copy)

E.W. Bennett Supervisor.

For Executive Engineer

J.B. 30/40.

1784/4

fol. 2322/07
6

Read the following papers –

No. 1947-G^d.

p 1

1784/5

FROM

THE SUPERINTENDING ENGINEER
FIRST CIRCLE.

TO

THE CHIEF ENGINEER P. W. Department
~~FOR IRRIGATION.~~

Enclo 2
1 Copy of letter
1 Indenture

5th July /87 No 1784 W.
[illegible]

DOWLAISHWARAM, 16 November 1886
Desp^d 19-11-86

SIR,

In forwarding herewith copy of a letter dated the 30^d October /86 No 252 received from the Dowlaishweram Workshops Officer, I have the honor to request orders for cancelling the indenture of the apprentice named in the letter; there are no orders either in the Public Works Code or elsewhere applicable to the case.

I have the honor to be
Sir
Your most obed^t. Serv^t.
C. Ewald
Suptg. Engineer 1^st Circle

R.G.

1784/6

P.W.C. No 2514 Genl
5080/87

From

The Supg. Engineer
First Circle

To

The Chief Engr.
P. W. D.

Dated 16 }
Despd 19 } 11-86.

Rd 25.11.86

No. 1947. Gd.

Enclo 2.

R. 4252 d/ 1-12-86

Indenture of the Apprentice named Kadali Veeraswamy — Requesting orders for Cancelling the —

dl. 2322/87
2

No. 252
D.P.W.

8/p 3

1784/7

Government Workshop office
Station Dowlaishweram
Dated 29th }
Despd 30th } October /86.

To The Superintending Engineer
First Circle

Sir,

The Head Constable of Police has written to report that Kadala Veeraswamy one of the workshop, apprentices has been sentenced to imprisonment for one month for theft. It seems to me very undesirable that he should on his release be allowed to return to the workshop but I can find no rule under which I can cancel the indenture of which I enclose a copy. Please inform me what had better be done.

Share &c
(Sd) W Hughes
Executive Engineer

(True Copy)

Supdg. Engineer 1st Circle

Sect 5

P.W. ~~Genl~~

5080/87

Letter
1386. [illegible]

Judl 2322/87
3

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p C

Public Works Departmen

C/

1284/8

Memorandum

From the Supt'g Engineer I Circle No. 1947 G.D. of 16th Novr 188

With reference to h
letter No. 1947 G.D, dated
16th November 1886, the
attention of the Superintendin
Engineer, I Circle, is drawn to
the Government Solicitor's
letter printed with Proceedings
dated 6th January 1883, No. 25 W,
which explains the manner
in which the agreement
of an apprentice may be
cancelled. A copy of section
16 of Act XIX of 1850 is
enclosed for information.

30.11.86.

To,
The Supg: Engr. I Circle
with Copy of Section 16 of Act.

30/11/86

Despd 1-12-86.

G. O. No. 25W. d/ 6-1-83
" - 3186W. d/ 4-12-82
" - 3719. d/ 25-5-86
" - 858W. d/ 30-3-86

Act XIX of 1850.

S. 3
P4/3980/87

Encl 2422/87

No. 4549

CURRENT NO. 2322

FROM G. T. Walch Esquire
~~THE~~ SUPERINTENDING ENGINEER
FIRST CIRCLE.

TO THE CHIEF ENGINEER
P. W. Department
~~FOR IRRIGATION.~~

Enclosure one.

DOWLAISHWERAM, 6 May 1887

Desp^d. 16th May 1887

SIR,

(1) With reference to your No. 4252 dated 1st December /86, I have the honor to enclose letter* from the District Magistrate Godavari in answer to one from me requesting him to cancel the indenture of apprentice Kadali Virasami convicted of theft and sentenced to one months imprisonment.

* No. 175 d/ 23-4-87. to be returned.

2. It seems out of all reason that the indenture cannot be cancelled under the circumstances of the case.

I have the honor to be
Sir
Your most obed^t. Serv^t.
G. T. Walch
Supdg. Engineer I Circle

Jud. 3/6

P.W.C. No. 3875

CURRENT NO. ~~2322~~

(57)

FROM G. T. Walch Esquire

~~THE~~ SUPERINTENDING ENGINEER

FIRST CIRCLE.

TO

THE CHIEF ENGINEER

P.W. Depart.

~~FOR IRRIGATION.~~

P. W. Dept.

To be returned with reply.

DATED 6th May 1887

DESPATCHED 16th May 1887

RECEIVED 21 May 1887

CHIEF SECRETARY GOVERNMENT OF MADRAS 2.6.1887

NO. 4544 D

ENCLOSURES. One

Indenture of Apprentice Kadali Veeraswamy. Encloses Collector's letters declining to cancel the—

G.O. No. 75 W 26.1.83
" " 3186 W " 4.12.82
Act No. XIX of 1850.

No. 173 D. d/ 1.6.87

No. 173 D. d/— Ootacamund, 1st June 1887.

Forwarded for the consideration of Government in the Judicial Department. Ordinarily, criminal conviction, confirmed in appeal, on any charge of dishonesty, terminates "*ipso facto*", employment in the Government service, and it seems desirable that similar rule should apply to the cases of Apprentices under Act XIX of 1850.

Colonel R.E.
Secretary to Government P.W.D.

W.C.R.
30.5.87

J. The Judicial Dept with its enclosures and copy of Act XIX of 1850 returned

6. 30/5/87.