(1) பக்கங்களின் எண்ணிக்கை 32

(2) புதுக்கித் திருப்பிய நாள் 12/1/1

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பொதுப்பணித் துறை

அரசாணை எண்.	அச்சகம்
மு. கோப்புத் தாள் எண்.	பலவகை
No. 2948 C dt. 25. 8. 1893	
C 1280 dt. 6. 10. 1893	
நாள் :	199

மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

ஆவண. கா. 1—18,006—6-9-90.

5 OCT 1893
ACCOUNTS

Triplicane
23 Sepr '93

To

The Secretary to Government
P.W.D
Ooty

Respected Sir,

In continuation of my letter dated the 8th instant, I beg most respectfully to request that, pending disposal of my case, the Government will be pleased to issue orders for the disbursement of leave allowance due to me for 1st to 30th March '93, as I find myself reduced to beggary with a large family dependant upon me, having by unforeseen accidents been deprived of the source of my livelihood for the past six months, and I need hardly add that any little help at this critical juncture would be of great relief towards the subsistence of a ruined family.

2. I take this opportunity of humbly bringing to the notice of Government that a period of nearly two months has elapsed since the submission of my petition to Govt. and am in daily expectation of the favour of their orders of redress and relief from my present state of disgrace and penury.

Begging to be pardoned for this intrusion
I beg to remain,
Sir,
Your most obedient Servant
C. H. [illegible]
Late Acctt D.P.W.
115 Singaperumal Coil street

P. W. CURRENT No. ~~8240~~
8526

No: 3256.C d/3rd October 1893.

To
C 5/10

For favour of early report whether the leave allowance for March referred to within is due to the petitioner, and if so, why it should not be paid to him at once.

Replies to this office nos. 2905.C of 18.8.93 and 2948.C of 25.8.93 are awaited.

19.9.93

Regr. ~~29-7-93~~ 10.10.93

D.W.

No. 1280 D d/ 6-10-93.

To W.

Apparently, leave allowance from 1st to 29 March 1893, at Rs 50 a month, is due to the late Accountant from the Assam-Bengal Railway Company but no authority to disburse the amount has been received from the Auditor of the above Railway Company.

2. In this instance connection, attention is invited to G.C. No 1134 W of 24 April 1893.

22/10

6/10

C.

No 37a / 11.1.93
" 880 W / 30.3.93
" 1134 W / 24.4.93

Government of Madras.

1893.

P. W. DEPARTMENT.

CURRENT No. 8526

DISPOSAL.

No. dated

From

The Examiner, P.W. accts

ENCLOS.

No. 1280 D

Dated 6.10.93

Received 10.10.93

SUBJECT.

A. Renga Row, late accountant:

Reporting that leave allowance of ——— from 1st to 29th March is due from the Assam-Bengal Railway Co: & that no authority has been received from that Co: for the disbursement of the amount.

29—1,000—16-8-93.

off 357

Government of Madras.

1893.

P. W. DEPARTMENT.

CURRENT No. 8665

DISPOSAL.

No. dated 3

From

A Runga Raw

ENCLOS.

Tel No.

Dated 6th Oct 1893

Received 11 Oct 93

Regd: 13.10.93

Cy. @ 12 30
11.10.93

SUBJECT.

Praying for orders on his memorial of 29 July 1893 appealing against his dismissal.

29—1,000—23-3-93.

8

To

The Secretary to Government, P. W. D.

Madras

Respected Sir,

I most respectfully beg to stat that I have submitted a petition, to Governmen dated 29th July '93, praying for redress against the orders of reduction and removal passed upon me at the suggestion of the Examiner P. W. Accounts, and am earnestly awaiting the favour of orders thereon.

2. I also venture to take this opportunity of submitting that I am willing and ready at any moment to offer, if necessary, further explanation concerning any point that may be required of me to prove my innocence to the satisfaction of Governmen and trust that this prayer of mine may be laid before the honorable Government with a view to my being favoured with justice.

3. I further beg to add that the order of removal was passed on 30th March '93, while I was on long sick leave, & and that my leav allowance for the month of March (to date of removal) has not been paid to me as yet.

P. W. CURRENT No. 7835

Having been deprived of the means of livelihood, since then, which is now about six months, I need hardly add that I am reduced to a state of beggary, and trust that the Government will be pleased to pass early orders in my case, thus relieving me from my present embarrassment

(35)

Begging to be excused for this intrusion

I beg to remain,
Respected Sir,
Your most obedient Servant

A. Rungarow
Late Accountant D.P.W.
115: Singaperumal Coil Street
Triplicane,
Madras.

D/ 8th Septr '93

Recd: 13.9.93

805 W d/ 16.3.89
3405 W d/ 17.12.91
3037 W d/ 5.11.92
37 W d/ 11.1.93
880 W d/ 30.3.93
2905 C d/ 18.8.93
2948 C d/ 25.8.93

[illegible]

0/13/9

2879

(C. No. 1201/8)

Current No. 6

GOVT. OF MADRAS. 1893. P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 6 October 1893.

Office Note No. 1283.A

To
W.

Your No.2905 C.dated 18th.August 189
and No.2948 C.dated 25th.Idem.

During the past two months my Senior Deputy has been on privilege leave, and I have thus not had the opportunity to deal earlier with this case.

2. As to the grounds on which M.R Ry. A Runga Row was first reduced in grade and subsequently dismissed, I have nothing further to remark, as they were fully dealt with in my office note printed with G.O.No.3037 W.dated 5th. November 1892 and G.O.No.880 W.dated 30th.March 1893; but there are a few points in the present documents which appear to call for remark.

3. The petitioner frequently alludes to prejudice against him as my motive power in securing his degradation and eventual removal from the public service; but the facts, while disproving such an assertion, indicate uniform tolerance on my part towards him.

4. I had never seen the accountant, but I had formed so high an opinion of his ability as an accountant, that, in anticipation of the introduction of the revised scale for this Presidency, I put him down for promotion to the 4th. Grade (Rs.200); but before this could be carried into effect my inspection of the accounts of the Nellore Division was so unsatisfactory in its results, that I deferred recommending the promotion until after he had satisfactorily explained the irregularities noticed.

5. During my inspection, complaints were made to me by a contractor against the conduct of the accountant (vide para 4 of my office note No.248 A. dated 15th. October 1892), and coupling these with what the offg. Executive Engineer said to me on the same subject, there was abundant ground for the belief that the accountant had made a great many enemies in the Division. I therefore came to the conclusion that the best thing that could be done for him would be to get him transferred to some part of India where he could start afresh, unhamperred by evil reports and by enemies.

3037W 5-11-92

6. I accordingly at once wrote a demi-official letter to the Accountant General P.W.D. to the above effect. In that letter, I stated that the accountant had the reputation of being one of the best accountants in this Presidency, but that he had unfortunately made numerous enemies and I therefore recommended his transfer to another part of the country. It will thus be seen that his transfer to the Assam-Bengal Railway was arranged entirely in the interests of the accountant.

7. My next act in connection with the accountant was one of intervention on his behalf with the Chief Engineer P.W.D. In discussing with that officer the irregularities noticed during my inspection, and the accountant's replies thereto, I asked his opinion as to what would be considered a sufficient punishment, considering the accountant's long service and the reputation he had for many years enjoyed as one of the best accountants in the Presidency. The Chief Engineer replied that nothing short of removal from the service would meet the case, and he further stated that unless I proposed a specific, and what I considered an adequate, punishment, he would most certainly recommend the accountant's dismissal.

8. After I had submitted my office note No.248 A. dated 15th. October 1892 in para 7 of which I proposed the Accountant's reduction in pay & grade, the Chief Engineer personally told me that my proposal was much too lenient, but that as I had formally made the proposal he would not go against it.

9. In the next place, I would give prominence to the fact that I took no

notice of the charge that had been made against the accountant of having had unsatisfactory money dealings with a contractor, until I was ordered by the Accountant General P.W.D. to report the matter to the Government of Madras and have the matter thoroughly investigated. As stated in para I of my office note No.7 A dated 20th.January 1893, a copy of the pseudonymous letter in which the complaint was made, was forwarded to the Accountant General P.W.D. by the writer of it at the same time that the original was submitted to the Government of Madras, and my instructions on it were peremptory. If I had been actuated by the smallest desire to injure the accountant, it was open to me to have initiated measures to that end more than a year ago, for as stated in para 4 of my note No.248 A, dated 15th.October 1892, complaints against the conduct of the Accountant were made to me by a contractor during my inspection at Nellore in August 1892, and the original copy of the complaint, with the orders of Government upon it, was communicated to me with your No.5465 C. dated 17th.December 1892.

x 320 C 24-1-93

IO. Yet another instance of my attitude of impartiality towards the Accountant. In G.O.No.37 W. dated IIth.January 1893 it was ordered that an amount of Rs.166-II-3 which had beenoverpaid to a contractor in the Nellore Division, should be recovered from the accountant; but as I knew no particulars of the transaction and was unable to judge how far he was to blame in the matter, I asked you in my No.7 A, dated 20th.January 1893 to favour me with the papers on which the order was passed, as it "appeared right that the accountant should have an opportunity of submitting an explanation with reference to his alleged neglect of duty".

II. The petitioner makes a grievanc of the "unusual number of transfers within less than a year" to which he was subjected. His firsttransfer from Nellore to Kistna Eastern Division was made in connection with the revised scale that was introduced early last year. One important feature of it was to place the most efficient accountants in the most important divisions, and as it was intended to promote Accountant Runga Row to the 4th.grade (as stated in para 4), he was selected for the Kistna Eastern Division. This transfer together with others that took place about the same time was arranged in consultation with the Chief Engineer, whose advice I took as to the relative importance of the different divisions. The assertion in the concluding sentence in para IO (top of page 3) of the petition dated 29th.July 1893, viz that this transfer "was only a manoeuvre to suit the convenience of the senior accountant", though unworthy of notice, is met by the remark that the transfer of Accountant Manavala Naidu from my office to Nellore, in succession to the petitioner, was looked upon by the said Manavala Naidu with great disfavour and that he earnestly begged not to be removed from the Presidency town.

I2. If the petitioner had accepted his transfer to the Assam-Bengal Railway (which had been arranged in his own interests, para 6), his transfer to the Ujjain-Bhopal Railway would not have been proposed. It was proposed by me for the same reason that his transfer out of the Province was originally recommended; but the Accountant General P.W.D. who had in the interval received the complaint against him of having had money transactions with a contractor (para 9), refused to accept his services.

I3. The next grievance of which the petitioner complains is that he was kept in ignorance of his reduction until "sometime after January I893". This was due to the fact that the accountant was no longer under my orders, and that he did not report himself to the Examiner under whom he had been transferred. If he had done this he would have seen the fact entered both in his service book and his last pay certificate. A proposal was indeed made to me by my office to furnish the Examiner of the Assam-Bengal Railway with a copy of G.O. No.3037 W. dated 5th. November I892 for communication to the accountant; but I was unwilling to prejudice that office unnecessarily against the accountant, & therefore decided that it was sufficient to record the bare fact of reduction in the documents above mentioned.

I4. With reference to paras 2I and 22 of the petition dated 29th. July I893, all that need be said is -

i. that his transfer to the Assam-Bengal Railway was recommended in September I892, although it was not ordered by the Accountant General until October I892.

ii. that although the order of reduction in grade bears date the 5th. November I892 it was not received by me until the I7th. idem: it was therefore impossible for me to have communicated it to the Accountant before his relief in this Presidency on the 7th. November.

iii. that the order in question was received between the date of my recommending the accountants transfer and the issue of G.O. No.3037W dated 5th. November I892, and that there was therefore no inconsistency between the two orders.

iv. that the petitioner's letter dated I7th. January I893 asking to be furnished with all the correspondence connected with his degradation, including the G.O. in which his reduction was ordered, was received by me on the 20th. idem, or 9 days after receipt of orders from the Accountant General to investigate his conduct in connection with the charge of having had money transactions with a contractor. I therefore consulted the offg. Secretary to Government P.W.D., who advised me not to furnish the Accountant with any documents, pending enquiry into the new charge; but I informed Runga Row, personally, when he called at my office a few days later, that "he had been judged solely on the charge-sheet that was sent to him, and that a copy of the G.O. ordering his reduction could not be furnished to him without sanction of Government". (This quotation is taken from my record-order on his letter above quoted).

15. The only important point in the second petition, dated 15th. August 1893, occurs in para 4, where the petitioner states -

> " to his surprise and astonishment petitioner found subsequently, that the very Examiner reviewed the same over-payment case for a second time in an office note recorded in G.O. No.1349 W. of 18th. May 1893, and curiously enough arrived at a conclusion entirely different from that expressed in his first review, that the Sub-divisional officer and not the accountant is responsible for the overpayment".

So far from this having been the case, paras 2 and 10 of that office note will show:-

> " 2. In para 2 of that note I said that no matter how negligent a sub-divisional officer may be in regard to the preparation of bills, it is distinctly the duty of a divisional accountant to scrutinize, in the most thorough and complete manner, every bill for a final payment". In reiterating that opinion, I desire it to be clearly understood that I will do all in my power to secure efficient work from every divisional accountant; but at the same time it is absolutely necessary that all Code requirements should be fulfilled in the preparation of bills for work done. That this point was not attended to in the case under notice will be apparent from the following facts".
>
> " 10. In this instance, I have held Accountant A Runga Row responsible for not having challenged the over-charge, notwithstanding this omission on the part of the sub-divisional office, because the case was a special one and he was fully aware that the amount available for sectioning, under that particular estimate, was limited to Rs.170; the Accountant's laxity, however, does not, in my opinion realise the Sub-divisional

office from responsibility in the matter.

16. As premised in para 2 of this note, I have no further remarks to offer in reference to the charges on which the petitioner was first reduced in grade and eventually removed from the service. In my office notes printed with G.O.No.3037 W, dated 5th. November 1892 and G.O.No.881 W, dated 30th. March 1893 I placed before Government all the evidence that was available on each point, and it was on full consideration of what was on record that the orders of Government were passed. In reference to the irregularities and numerous instances of neglect of duty for which the accountant was reduced, I would recallto the notice of Government that the Chief Engineer considered that they were sufficient in themselves to warrant his dismissal, and I would invite attention to the fact that for a portion of these very irregularities Government subsequently considered it necessary in G.O.No.151 W. dated 21st. January 1893 to severely censure the Executive Engineer for failure on his part to prevent what Government described as "wide spread irregularities".

17. In my opinion, nothing that has now been advanced by the petitioner, in any way diminishes his responsibility for these irregularities; but if Government requires me to answer any thing that the petitioner has now urged, I beg that the points may be specified.

18. It only remains for me to add that the case of the petitioner was dealt with in strict accordance with the rules in P.W.D.Code, volume I, chapter IV, paras 60 and 61, which are here reproduced for facility of reference.

> "60. When any officer or Upper Subordinate of the permanent establishment is reported to be incompetent or disqualified from any cause for his public duties, the Chief or Superintending Engineer, Engineer-in-Chief or Manager, must take measures to satisfy himself of the facts of the case, and, if necessary, will report to the Local Government, giving a specific statement of the facts on which his opinion is founded.
>
> " 61. Opportunity must be afforded to the person affected to offer an explanation, and this, or statement to the effect that having been called upon for an explanation he has failed to give one must be reported to the Local Government, which will deal with the case in such manner as it may deem suitable"

21/6/10

C.

No. 2703 w d/ 29.9.92
" 2644 w d/ 23.9.92
" 557 c d/ 24.10.92
" 3554 w d/ 17-12-92
" 341 c d/ 25.1.93
" 825 c d/ 23.2.93
" 773 w d/ 23.3.93
" 1107 w d/ 21.4.93
" 3037 w d/ 5.11.92

No. 5340 c d/ 16.12.92
" 5465 c d/ 22-12-92
" 157 w d/ 4-1-93
" 320 c d/ 24.1.93
" 1460 c d/ 28.3.93
" 1086 w d/ 18.4.93
" 1049 w d/ 18.5.93
" 409 c d/ 31.1.93
" 634 c d/ 13.2.93
" 925 c d/ 28.2.93
" 1014 c d/ 4.3.93
" 880 w d/ 30.3.93

Endo 13

Recd. 7.10.93

off 357

FROM ~~14~~

T

Code Class. D.P.

INDIAN TELEGRAPHS

Monthly Number.

To (Office) Ootacamund | From (Office) Madras Triplicane

Words 51/6. | Day 6. | Hour. 14. | Minute. 34. | Official Instructions. Dfd

To (Person) His Excellency The Governor in Council Fort St George

From (Person) A. Ranga Row

Humbly submits orders have been favoured on his petition dat th July has been without employment from s reduced to beggary in old age a faithful service prays early orde

Recd. from | I.N. | Sent to | I.N.

At Hrs. Mts. by

Peters
Telegraph Master.

OOTACAMUND 6-10-93

32 Words Form.

F. C1.

G. S. P. Co.—No 383 C—6-3-93—40,00,000

No. 270. 3 W of 29. 9. 92
" 26

FROM ~~14~~

A. RUNGA ROW, ACCOUNTANT D. P. W.

14

TO

CAPTAIN C. C. RAWSON, Esquire,
EXECUTIVE ENGINEER
GODAVARY EASTERN DIVISION.

Sir,

I beg to bring to your notice that I went through the Ledgers maintained for each steamer from April 1883, comparing the entries in them with the adjustments effected in connection with the same in the Division Office accounts, and the following is the result of my examination.

(1.) The amount of "Duty Steamer Bills" from October 1883 has not been credited to Boat Office, in the Ledgers, thus showing a loss against each steamer more or less in almost every month; whereas in the Divisional Accounts all "Duty Steamer Bills" commencing from April 1883 to end of September 1884 have been adjusted crediting "Boat Office Miscellaneous Advances and debiting "Irrigation and Navigation Tools and Plant." The necessary corrections giving effect to the aforesaid adjustment have bee made in pencil in the Ledgers d the clerk in charge of the books has been told to ink the [illegible] d get them initialled by the Sub-Division Officer. From 1st October, the "Duty" and [illegible] bills appear in one column only as ordered, but with distinguishing letters D and P affixe [illegible] sy identification.

2. There are other errors requiri notice and a stment.

In November 1883, Mr. Jopp wa illed for duty, for Rs. 303-4-0 Vide bill No. 103 of 11th December 1883, and this amount w s justed in the Divisional Accounts along with other duty bills at the close of 1883-84 in the [illegible] course. It now appears from the Ledger, that the bill has subsequently been altered to Rs. [illegible] 2-0, the difference Rs. 235-8-0 having been struck off. In lieu of this latter item, another, amounting to Rs. 196-14-0 for charges for towing fuel from the Forest Department has been substituted, and shown in the Ledger as having been recovered from the private parties, when it [illegible] not the case, and no intimation of the change was made to the Division Office. This items requiries readjustment as under.

Credits.	*Debits.*	
"Irrigation and Navigation Tools and Plant." Rs. 235-8-0.	"Stock" Fuel	196-14-0.
	Boat Office Miscellaneous Advance.	38-10-0.
		235--8-0.

Besides the above there also appears similar debits due to Stock Fuel, amounting in all to Rs. 824-8-0 including the above as will be seen from below, and this short debit, accounts for the profit of about Rs. 900 now appearing in the Stock accounts against fuel. This should be adjusted by crediting "Boat Office miscellaneous advances" and debiting "stock fuel."

In April 1883...	Rs. 275	0	0
,, November do.	196	14	0
,, December do.	196	14	0
,, September 1884	15[illegible]	12	0
	Rs. 824	8	0

Again in August last, a bill was made on Mr. Mahony for Rs. 6 an account of duty as the Ledger shows, but in the Bill book it was entered for Rs. 21. The adjustment in the Divisional books was effected according to the latter, which was furnished to the Division Office. The difference Rs. 15 has therefore to be written back crediting Tools and Plant and debiting "miscellaneous advances."

As the Ledgers have been now ordered to be sent to the Division Office every month there will be proper check over them hereafter.

I beg to remain,
Sir,
Your most obedient servant.
(Signed) A. RUNGA ROW.
Accountant D. P. W.

(True copy)

(Signed) A. RUNGA ROW,
Accountant D. P. W.

It would thus be seen that the coal appears costly compared with fuel apparently with no advantages counter-balancing the excess.

The remarks as regards the receipts and issues of fuel are equally applicable to coal.

Time Table.

These Time Tables form the initial record of the journeys of Floating Plant, and it is from these, the monthly wages abstract of Boat crew is compiled. These are not generally filled up properly at the loading and unloading places, but still are accepted in the Boat Office as they come in, and no attempt ever seems to have been made to get them written up properly. The delays [illegible] the part of the crew are not brought to the notice of the Sub-Division Officer. So also, the n[illegible] mustering of the crew at different stations, when they go out, is not noticed in the face of peremptory orders on the Time Tables themselves; but the salaries of the [illegible] calculated [illegible] in ful at the option of the clerk, there being no further check over his figures. It is no won[illegible] that the Boat Office has not shown any profit for the last 6 months, but [illegible] other hand. Mr. Mathews was of opinion that the crew should have been paid [illegible] for the [illegible] days they were mustered, and if this is once done, the crew would [illegible] doubt be [illegible] their alert to the next time; but this was never done and the irregularities are long continued.

Diary of Staff Boats.

The authority for sending the boats out to different officers, &c., is not noted in this register. It is as well that this information should find a place in the remark column. The boats when returned by officers, no intimation is given to the Boat Office or to the Sub-Division Office, so that the actual period of occupation may be known, and t[illegible] [illegible]e Boat Office in the absence of this information, has no alternative but to bill the officers to whom they are sent for the full month which is often disputed. As an instance of the aforesaid irregularity, I may say that Boat No. 12 sent to Mr. Cruse, was left by him at Ellore on the 25th August, and subsequently occupied by Serjeant Ullyet on the 9th September 1884, but without a word to the Boat or Sub-Division Office. Nothing could be known of it, until a reference had been made to the W. D. Office by the Sub-Division Officer on the subject. Some arrangements to remedy this evil are desirable.

Steamer B[illegible]

These bills are made out from the work Reg[illegible] steam[illegible] and after this is done a copy of the same is sent to th[illegible] writer, w[illegible] and [illegible] from the Way Books which only multiplies the work. This work may be [illegible] the Boat Office, [illegible] them in printed forms [illegible] Officer being held answerable for their accuracy.

Steamer Way Books.

It would appear from the entries in this book that steamers are ordered to be held in readiness for journey on duty (by officers) at a certain specified hour, and when they are so taken they are delayed at times for one and more hours while under steam. The charge for similar delays also is dealt with alike that while on duty, viz., debited to Tools and Plant, Boat Office being credited per contra, instead of its being borne by the officer causing the delay or ordering the steamer in advance.

Steamer Ledgers with other books in connection with them are examined and reported upon monthly.

(Signed) A. RUNGA ROW,
Accountant D. P. W.

(True copy.)

A. RUNGA ROW.
Accountant D. P. W.

4734

28 AUG 1893

W. ACCOUNTS

15

CHIEF SECRETARY

21 AUG 93

MADRAS

TO

HIS EXCELLENCY

BEILBY LAWLEY, BARON WENLOCK, C.C.I.E.,

GOVERNOR-IN-COUNCIL,

FORT SAINT GEORGE,

MADRAS.

The Humble Petition of A. RANGA ROW, *late Accountant, Public Works Department.*

MOST RESPECTFULLY SHOWETH,

Your Humble Petitioner begs to submit this as a supplement to his review petition dated 29th July 1893, in his earnest desire to lay before Government, an event which the light of subsequent facts have shown, that your Petitioner has been made a victim to glaring treachery, for which an indubitable proof is forthcoming.

2. In G. O. No. 880-W dated 30th March 1893, directing the removal of Petitioner from public service, it was said that Petitioner was adjudged as per conclusions arrived at by the Examiner of P. W. Accounts, in the two cases noted below.

(1) Over-payment of Rs. 166-11-3 to a piece-worker in the Nellore Division.

(2) Improper dealings with a Contractor, B. Vengama Naidu, in the same Division.

These are dealt with separately one after another for convenience of reference.

3. With regard to the first it was stated :—

(*a*) that it was decided in G. O. No. 37-W dated 11th January 1893, that the Accountant was responsible for the over-payment, and that the amount should be recovered from him ;

(*b*) that the Examiner reviewed the case in his Office-note No. 41-A dated 8th February 1893, and expressed the opinion that the Accountant is clearly responsible, charging him with six specific acts of neglect of duty ;

(*c*) that the Examiner further considered that the Accountant's explanations are most unsatisfactory, and that he took advantage of his reputation as an old and experienced Accountant, to betray the trust reposed in him by the Executive Engineer, and recommended Petitioner's removal from the Government Service under Article 460 (A) C. S. Regulations.

4. But to his surprise and astonishment Petitioner found subsequently, that the very Examiner reviewed the same over-payment case for a second time in an Office-note recorded in G. O. No. 1349-W of 18th May 1893, on points arising out of the same correspondence dealt with in Petitioner's case, but for the purpose of determining the liability of other Accountants on the general aspects of the question, and curiously enough arrived at a conclusion entirely different from that expressed in his first review, that the Sub-Divisional Officer and *not the Accountant* is responsible for the over-payment, in all the issues involved in the case, and that the Accountant has on the other hand been the initiative towards the detection of the over-charge. A perusal of G. O. No. 1349-W of 18th May 1893, in comparison with G. O. No. 880-W of 30th March 1893, is earnestly solicited.

5. The Examiner, however states, in the arguments advanced in support of one of the issues involved in the question, *viz.*, 'failure of Sub-Divisional Officer to detect or challenge 'the excess charge for sectioning in the second bill,' he has held Petitioner responsible notwithstanding the omission on the part of the Sub-Divisional Officer, because the case was a special one and that Petitioner is fully aware that the amount available for sectioning was limited to Rs. 170. A reference to Sub-Divisional Officer's letter* No. 383 of 30th May 1891, (giving cover to the second bill) which was *ignored* by the Examiner in both the reviews, will go to show clearly, that the cost of sectioning work actually done is reported to be Rs. 207-6-8 instead of Rs. 170, and that payment of the full amount to the piece-worker was recommended by the Sub-Divisional Officer, from the amount due to the original contractor who failed to carry out sectioning work, which disproves the above insinuation.

* Your No. 214 of 30-4-91.

I have the honor to report that the sectioning work done by piece-worker K. Rangareddy to rectify the work done by Ipur Narayanareddy, Contractor of Kistnapatam Canal special repairs amounts to Rs. 207-6-8, which should be deducted from the amount due to Ipur Narayanareddy. Final bill for Rs. 95-2-2 in favour of K. Rangareddy is herewith submitted.

6. The fact of the Examiner having ignored this particular letter of the Sub-Divisional Officer, which formed an important link in the whole chain of correspondence, has not resulted in any harmless omission; and in fact it did Petitioner as much harm in this case as the Examiner's withholding (without submission to Government) of Petitioner's explanation dated 6th November 1892, did in the other case (alleged irregularities), which if submitted, along with the other explanation obtained under restraint and duress, would have conclusively showed to Government at the very outset, that Petitioner's conduct was not in the least blameworthy and spared him from the mortification and disgrace, to which he is at present submitted.

7. Further more, a reference to Appendix C, submitted with his review petition dated 29th July 1893, wherein the question of over-payment was discussed at some length will convince the Government that Petitioner was entirely free from blame in the matter, and that far from the facts of the case disclosing any traces of negligence on the part of the Petitioner, they would signally prove that Petitioner had bestowed an amount of scrutiny and criticism on the case, which considered in connection with all the difficulties of the situation would go redundantly to the credit of Petitioner, and that the Examiner though arrived in his second review of the case far nearer the truth, has followed a different line of argument from what on reference to facts and records would appear to be.

8. It is also noteworthy, that to Petitioner's misfortune, he was given no opportunity to explain in the case, either when Government first passed their orders, or in either of the reviews of the Examiner; and yet the Government state, in their order quoted above, that the Examiner considered Petitioner's explanations most unsatisfactory, as if Petitioner's explanation has been called for and obtained by the Examiner. On the other hand a protest left by Petitioner against the strong language used by the Sub-Division Officer when called upon to recover the over-payment, appears to have been treated as Petitioner's explanation. But the Government will be pleased to observe how a protest written under and with reference to one set of circumstances, could be treated as an explanation in connection with a different set, in which explanation and proof would have been directed to other matters than those contained in the protest.

9. Now, *if Government would only condescend to compare G. O. No. 880-W of 30th March 1893 with G. O. No. 1349-W of 18th May 1893,* embodying the first and second reviews of the Examiner in the over-payment case, a rather **startling discovery** will be made as to disparity of the conclusions arrived at by him in the treatment of one and the same case, as between Petitioner and other Accountants in general, and the disastrous result arrived at in the first review, on which the order of Petitioner's removal was mainly based.

10. It is for the Government to say if the action of the Examiner in having represented Petitioner in his first review to be clearly guilty of an offence of which he is quite innocent, and thereby prejudiced the Government to accept the dangerous conclusions arrived at by him which resulted in Petitioner's ruin, is not replete with his grudge against Petitioner. This coupled with the fact of the Examiner having reserved the case at the first review for further remarks later on, and reviewing it again after working up Petitioner's complete ruin, with a totally different result *that the Sub-Divisional Officer and not the Accountant* is guilty in the matter, are the points which would throw adequate light on the rectitude of the Examiner towards Petitioner and the extent to which the charges of the Examiner or his refutations of Petitioner's explanations can be relied on with safety.

11. In the second case, Petitioner was charged by the Examiner with having had improper dealings with a contractor, *viz.*,

(*a*) that he obtained from the latter goods on credit to the value of Rs. 346-6-0 and failed to pay for them, until compelled to do so by pressure of legal proceedings;

(*b*) that in this matter also the Examiner considers the explanation submitted by the Petitioner unsatisfactory;

(*c*) that irrespective of the accusation of having had improper dealings with a contractor, the specific acts of failure in work and neglect of duty on Petitioner's part are numerous, and again the Petitioner is recommended for dismissal under para 59 Chapter IV, Article 460, (*a*) C. S. R.

12. It will be observed from Appendix B, submitted with the review petition, (wherein the case was discussed at some length) that the Examiner's arguments in this case were based partly upon a fundamental misapprehension as to the course of Civil Procedure, and partly on his assuming and representing as established the 'principal fact of Petitioner's having had dealings' not proved and standing without proof, adding to which the other inconsistent presumptions such as incorrectly interpreting the *withdrawal* of the case under Section 373 of Civil Procedure Code as a compromise in the face of documentary evidence, and in defiance of Judge's distinct statement affirming that no (Rajinama) compromise was filed. In short, the arguments advanced and the presumptions drawn therefrom by the Examiner, are as hasty and arbitrary as the conflicting conclusions arrived at with regard to the over-payment case in his first review, which yielded a totally contrary result in the next review by the same officer, and this case must under the circumstances share the same fate as the over-payment case.

13. With regard to the other charge added as a pendant to the first case that Petitioner took advantage of his reputation as an old and experienced Accountant to betray the trust and confidence reposed in him by the Executive Engineer, it is necessary to clear it of the ambiguity with which it is shrouded. It was Petitioner's good fortune or rather misfortune to have borne a good reputation, but how is it possible to conceive of his using his reputation to betray the trust reposed in him except by supposing that the Executive Engineer in some manner conveyed a portion of his powers to the Petitioner, relying upon his experience to discharge them honestly, that this state of things continued for upwards

of a year under two Executive Engineers, and that the Examiner has found out in August 1892 that both the Executive Engineers had been duped. It will hardly be that this gross idea was ever entertained.

The Government will be pleased to observe that the Executive Engineer has certain duties, and the Accountant has certain duties in relation to him, and if the latter fails in any of them, the proper terming for his failure would be failure of duty as an Accountant; but to paraphrase this as breach of trust, while it is opposed to all sound principles of reasoning, is calculated to throw a wanton imputation on a person's character when there is no distinct charge to be framed against him. Hence the name given to Petitioner's so-called offence is purely imaginary, and that the name was pitched upon with a view to give coloring to the charges against Petitioner, and to free if possible the Executive Engineer from any responsibility to which he might be held liable.

14. It has already been shown and explained at some length in Appendix A sent with the review petition, how incredibly baseless and flimsy are the charges in the list of irregularities on which Petitioner was charged with neglect of duty, and his reduction was forced by the Examiner by putting pressure on Government; it is to be much regretted that Petitioner's stay of 15 months at Nellore which was one of the hardest working periods in his official life of over a quarter of a century, and one so full of effort to check fraud and protect the interests of Government bringing into order the disorganized state of the long neglected office, as proved by documentary evidence, should have been represented to Government as one during which he had neglected work and betrayed the trust and confidence which the Executive Engineer had in him. In this connection Petitioner will also solicit the Government most earnestly to compare the results of inspection of other equally important divisions such as, Godavery Western, Godavery Eastern, Kistna Eastern, with the so-called irregularities your Petitioner was charged with, to be convinced if any shortcomings really worth the name, are attributed to the Petitioner.

15. If therefore the liability of Petitioner in the case of over-payment has fallen to the ground as declared in G. O. No. 1349-W of 18th May 1893, and the other charges of improper dealings with a Contractor and betrayal of trust are wholly moonshine and mean nothing, Petitioner has really been convicted on the ground of neglect of duty which has already been shown to be untenable, and punished twice over for one and the same offence, first with reduction and again (before the receipt of reduction order by him) with removal from service, after an honorable career of over a quarter of a century, on the obvious misrepresentations of the Examiner marked by an arbitrariness of spirit and hastiness of determination in a violent way to find some fault or otherwise to get rid of Petitioner, because the Examiner was much put out at the time for the ill-success of his plan for sending Petitioner out of the Presidency, which was to some extent dealt with in the original review petition.

16. The charges against Petitioner have never really been gone into, and Petitioner has always been willing to show his innocence with reference to records in each and every case brought against him and to prove the arbitrariness of spirit and the hastiness of determination with which the Examiner proceeded against him, not to speak of the extreme vagueness of those charges and the inconsistent presumptions drawn by him therefrom.

17. Had it not been for the ruses of the Examiner by which Petitioner was deprived of all chance of laying his case before Government, by his being sent out of the Presidency to keep him ignorant of what was being set up against him, and not communicating the reduction order nor replying to requisitions applying for the same till he worked out Petitioner's dismissal, (while he was on sick leave from 4th December 1892 to 4th ~~January~~ June 1893, whereas the order of removal was dated 30th March 1893) by *exparte* misrepresentations as stated in some detail in the original petition, your Petitioner would have laid before Government the real facts of the case and obtained an order for the redress of his grievances long before now, thus saving himself from further misfortune of the dismissal orders.

18. Should the Government still entertain any doubt as to Petitioner's innocence, and the work done by him while at Nellore as reported in some detail in his original review petition, Petitioner most earnestly prays that a commission may be appointed to examine his work while at Nellore and to satisfy that he is not telling a tale, and the Government will, your Petitioner is confident, then be convinced to what a fate, he, one of the most hard working, faithful and honest of its servants, and who has in all his life been uniformly well reported on, was consigned.

19. Petitioner was for a long time in the most important and responsible Divisions of the Presidency. When in the Godaveri Eastern, it has been the peculiar good fortune of Petitioner to have been the instrument of detecting numerous frauds in that Division, and the Petitioner would only request Government to go through some of the reports sent by him in this connection herewith to see how hard and honestly he should have laboured for the interests of the Public.

20. Petitioner also served in the Examiners' Office for nearly three years, and Major C. H. P. Christie R. E., the then Examiner, has had occasion to observe not only his work as an Auditor in the Examiner's Office but also study a great part of his previous character. Reference may be made to that officer as to what sort of man Petitioner has been.

21. It is for Government to decide whether a person who has worked so uniformly well, and was so well reported on throughout his service ranging over a quarter of a century, is likely to have been guilty of gross neglect of duty for the first time at Nellore during his tenure of office of 15 months there, in the face of overwhelming evidence to the contrary, showing the enormous amount of work turned out, reforms effected to check frauds, and other irregularities prevented as shown by special reports made of him during the aforesaid period by the Engineer's concerned.

22. Petitioner though innocent suffered punishment of a cumulative and aggravated character, and the mental anguish caused by a punishment supremely unjust and the privation incident to the sudden withdrawal of a fund from a person with a large family that has been wont to depend upon it for livelihood.

Petitioner therefore most humbly prays that this his explanation may be taken into the kind consideration of Government along with his original review petition and early orders passed in his case.

For which act of justice Petitioner will as in duty bound,

EVER PRAY.

MADRAS,
15th August 1893.

Late Actg D. P. W.
115: Singa Perumal Covil Street
Triplicane.
19/8.

E.1

P. W. CURRENT No. 7348

8515/53

A

No 2948C d/25 August 1893

To C

For favour of remarks in continuation of office note No. 2905C dated 18th August 1893

JH
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W

OHB
23-8-93

Endsd 6
Regd: 25-8-53

C Rw d/

Recd 22/8

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