for by Sabuppa
Mudelliar, and if
so to prevent his
employment upon any
work carried out by
this department.

L
97

C.W.S.
10.7.

Ins: 1806 w. dy 8th July 1897.

S. E.III Circle
S. E.VI Circle
L. M. dept
Drafts
15/7

21/7 24/7

[illegible] Native gentlemen
to high executive offices. I
dont say that I approve of that
experiment, but it has been ordered
that it shall be made, and it is
our duty to do all we can to
cause it to succeed. One, and a
principal way of causing it to succeed
is to insist on Native Collectors
being treated with the same
courtesy as if they were Europeans.
A certain way of causing it to fail
is to allow other servants of Govern-
ment to treat them with discourtesy.
If they are made little of and treated
with scant respect, it is certain that
they will soon cease to respect
themselves; and it is unnecessary
to point out what the end of
that will be. Now it so happens
(at least so I hear) that this is
not the first occasion on which
a European Officer of Government
has

(Initialled) J.G.

(Initialled) W.

has behaved with discourtesy
to Mr. Manavedan Raja. I
believe that the other day the Survey
Officer employed in Anantapur
was impertinent to him and
was subjected to severe reprimand
on the facts being brought through
the Board, to the notice of Mr. Carnegy.
Such at least is my recollection of
what I hear - & it may have
been that the papers came before
Government. I cannot recollect.
However this may be, I dont
doubt that I am right as to
the occurrence of some unpleasant-
ness of the kind; and it is there-
fore that I say that the Executive
Engineer should be handled with
some severity. Mr. Manavedan Raja
seems to me to have behaved very
properly and I am clear that he
should be supported.

The Overseer Seshappa should
be

I agree entirely.

(Initialled) J.G.

8/6.

So do I

(Initialled) W.

+ Sub Overseer

be dismissed from the service of Government and when Mr. Nicholson rejoins Anantapur District he should consider whether he should not be prosecuted. The employment of the contractor by the Public Works Department and other departments of Government should be forbidden.

(Initialled) H. W. B.
5/6/94.

(True Copy)

Whitehall
Under Secy. P.W.D.
for Chief Secy.

Pub. E. 1
4947/94

2,000—2-2-94.

Local and Municip

CHIEF SECRETARIAT
MADRAS.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper :—

From the President, District Board, Anantapur,
dated 25th April 1894 No. 22.

I have the honor to submit copies of (1) a letter No. 4658, dated 10th March 1894, and (2) a docket, No. 4948, dated 31st March 1894, from the Executive Engineer, Bellary Division, and solicit the favour of orders for my guidance in matters of the kind to which they relate. The circumstances under which they were written are given below.

2. The Local Fund Engineer, in his letter dated 31st January 1894 No. 2252, reported that one T. Seshappa L. F. Overseer of the Hindupur Taluq, submitted false bills for work said to have been done on the Kodikonda-Madakasira road. The Overseer certified in the bills that he had measured all

see the works billed for and that the works had been satisfactorily performed. On the strength of the Overseer's certificate the Engineer had made part payments amounting to Rs. 422. But, on inspection, the Engineer found that even on the date of inspection ie 3 months later than the Overseer's certificate, scarcely Rs. 150 worth of work was done, and that too only recently and most unsatisfactorily. The bad work referred to was on the 41st mile 8th furlong, and also on the 7th furlong. On the first one-fourth furlong remetalling and gravelling one foot high was charged for. The 2nd item was for raising the whole furlong one foot by spreading and consolidating 8000 cft of gravel. The Local Fund Engineer was in this office No. 180 dated 8th February 1894, requested to make a thorough & a careful enquiry into the charges brought forward against overseer Seshappa. In reply he, in his letter dated 9th February 1894, No. 2320, stated that any further inquiry by him was unnecessary and that the non existence of the work billed for by Overseer T. Seshappa can be found by

by actual inspection of the road itself. He also suggested that if confirmatory evidence was required the Sub-Divisional officer Public Works Department may be asked to inspect the road without delay. I must here state that the Local Fund Engineer had resigned his appointment. If the enquiry would not be completed before his departure evidence of a professional officer would be absolutely necessary. With this view Mr. T. Heineg, Sub Divisional officer, Public Works Department, Anantapur, was requested in this office letter No. 231 dated 16th February 1894, to inspect the road and state whether and how the work was done. In reply, in his letter No. 2259, dated 23rd February 1894 he stated that it would not be possible for him to carry out my wishes during the official year, and returned the papers.

3. On receipt of the papers returned by the Sub Divisional officer I had a local enquiry conducted by the Head quarter Dy: Collector, and on receiving a report from him passed proceedings a copy of which is enclosed, dismissing Seshappa

from

Ltr from Local Fund Service. Seshappa had already left the Local Fund Service on obtaining an appointment in the Public Works Department. He had put in a resignation but as the charges against him were serious I refused to accept the resignation and recorded an order of dismissal. That the charges were serious will be clearly seen from the fact that whereas 5000 Cft of gravel ought to have been spread on the road, next to none was found by the Engineer and by the Dy: Collector.

4. As Seshappa was employed in the Public Works Department a copy of the proceedings was forwarded to the Executive Engineer, Bellary, in reply to which he has sent me his Docket No. 1948, dated 31st March 1894.

5. In his letter of the 10th March last the Executive Engineer asks me (1) to inform him by what authority I addressed the Sub: Divisional officer direct on a matter with which he has no concern and adds (2) that in this particular matter there was no necessity on my part to have applied for advice (3) that if

if there was any necessity I should have addressed him direct, and concludes by saying (4) that he has directed the Sub Divisional officer not to take any action in the matter. I beg to state that I have not yet replied to this letter. I would gladly have informed him of all the circumstances had he written to me with the courtesy with which official correspondence is usually carried on, which being in executive charge of the District I respectfully submit, I am entitled to expect at his hands.

6. I find from office records that my predecessor Mr. Nicholson was constantly in the habit of consulting the Sub Divisional officer on matters in which professional opinion was required, and this was always readily given by the Sub Divisional officer without any objection being raised by former Executive Engineers. I am not unaware of the fact that ordinarily in all such matters the Engineer has to be addressed direct. But even in ordinary cases the practice had been to consult the Sub Divisional officer direct who is on the spot, the executive Engineer's station being Bellary. In therefore addressing the Sub Divisional officer I beg to submit that I only continued to

dopt the usual practice in this District.

I beg to state that the particular matter under reference was of one of an ordinary nature. The charge against the Local and Overseer was a serious one, and in his letter No 2328, dated 9th February 1894, the Local Fund Engineer requested me that the Sub Divisional officer's inspection should be made without delay. Under article 88 (b) of Civil Service Regulations District boards are entitled to the gratuitous advice and services of the officers of the Public works Dept^to, and under Article 70 chapter III of the Public Works Code Executive Engineers are enjoined to see that no undue formalities are allowed to interfere with performance of duties which are essential or pressing. As I was convinced of the importance & urgency of the matter I thought I was justified in calling on the Sub Divisional officer direct to give his advice.

8. With reference to Executive Engineer's Docket No $\frac{4948}{31-3-94}$ I beg to submit herewith a copy of my reply on this matter I have only one representation to make & that is, that if Subordinates against whom there are grave charges are entertained in Government Depts it will be impracticable for the District Board to secure from its officers the necessary probity & efficiency in the discharge of their duties.

Seshappa was appointed in D.P.W. as will be seen from this office reply to the Executive Engineer, without any reference to the Presidents, District Board, and it is not a fact that he was recommended by him, as stated by the Executive Engineer.

Enclosures

From J. H. Maddock Esq, Executive Engr Bellary Division to the President District Board Anantapur, dy 10th March 1894. No. 4658.

With reference to your No. 231 dy 16 Feby 1894 to the Sub Divisional officer Anantapur, I have the honor to request to be informed by what authority you addressed the Sub Divisional officer on a matter with which he has no concern whatever.

2. If you required advice for which however, I cannot see the necessity in this case I have the honor to point out that the application should have been addressed to me.

3. I have directed the Sub Divisional officer under these circumstances to take no action in the matter.

Proceedings of the President, District Board Anantapur dated 26th March 1894.

Read Letter from the L. F. Engineer No. 2252 dy 31st Jany 1894.

Do also Letter from the Asst Collector

Anantapur Division dy 13th March 1894
No. 1034 + the records of enquiry held by
him.

The Local Fund Engineer in the
letter read above brings to notice that he pays
amounts due on certain bills certified to be
correct by overseer T. Seshappa that on
inspection he found that the work billed for
was not properly executed and that the
contractor has been made an overpayment
of Rs. 274. The bad work referred to was
on the 41 mile. 8 furlong and also on the
7 furlong. On the first one fourth furlong
1 foot high metalling and gravelling as
charged for. On the second the item is
for raising the whole furlong 1 foot
by spreading & consolidating 8000 cft
of ground gravel. On inspection it was
found that there was neither metalling
nor gravelling. The Dy Collector on
inspection found that the L.F. Engineers
account was substantially correct.
He could not see any metal used on the

41-8

41-8 furlong.

2. It would also appear that the earth excavated from the side drains was used instead of gravel. This is admitted by the overseer who says that it had to be allowed to bring the road to proper section. However that may be it is a virtual admission that the bills in which gravel was charged for are false.

3. Another defect is that the quantity of gravel charged for was not used on the road. The overseer meets this with a denial and says that the quantity was all right but that the quality was different that the gravel that he used was not of red colour and that all this is not now visible as the road was allowed to consolidate by heavy traffic. I cannot accept this as an explanation. The Engineer inspected the road towards the close of January. It cannot be believed that the traffic could have been so heavy as to cause

the

the entire disappearance of all gravel or its complete conversion into black cotton soil as formed by the L. F. Engineer. I am therefore convinced that the bills certified by him to be correct are false & the measurements said to have been made were never made by the Overseer. It is therefore impossible for me to come to any other conclusion than that the Overseer's intention & conduct in submitting false bills were dishonest. Instead of allowing him to resign I must therefore record an order of dismissal as I am convinced that F. Seshaffa cannot be entrusted with the public money.

4. The evidence on record may not be considered sufficient to warrant a conviction in a criminal court. It is not therefore considered desirable to sanction the prosecution of F. Seshaffa for criminal breach of trust.

5

5. There is lastly the question of the recovery of the amount paid in excess. It will be difficult to recover it in a criminal court from Seshaffa's Salary & Travelling allowances (if any) due to him should be withheld and the balance recovered from any other amount due to Seshaffa. The contractor should not in future be given any L. F. contracts in the District.

Endorsement of Mr. K. C. Manavadan Raja, President, Distt Board, Anantapur dt Nr. 380

Copy to Executive Engineer as Seshaffa is now employed in the D. P. W.

Letter from J. H. Medlicott Esq. Executive Engineer, Bellary Division, to the President Distt Board, Anantapur dt 31st March 1894, Nr. 1494-08.

Refer
His Nr. 380 dt 28. 3-94.

It is not understood why a copy of the

District Boards Proceedings were sent to the undersigned. The Lab overseer was lately appointed to this present post on the recommendation of the President of the District Board. No action can be taken by this Deptt of the alleged defalcations except under the authority of a court of law.

Letter from K. C. Manavedan Raja Esq President, District Board, Anantapur to the Executive Engineer, Bellary dd 15th April 1894. No. 483.

I have the honour to reply to your No. 4948 dated 31st March 1894. You say (1) that you did not understand why a copy of this office Proceedings was sent to you (2) that the overseer was appointed on the recommendation of the President of the District Board + (3) that no notice can be taken of the alleged defalcations

2. (1) Seshappa was in Local Fund service which, as for all administrative purposes a Govt. service. The charge against him was a serious one and the evidence was considered satisfactory to warrant his dismissal. As Seshappa was employed in your Deptt I believed + I still believe that, being for the time in the Executive charge of the District. I was more than justified in communicating to you for such notice as you might deem necessary a copy of the said Proceedings leaving it to yourself to decide whether under the circumstances he should be allowed to be employed in your Deptt. The P. W. Sub Divisional officer in returning the records considered the charges very serious and suggested that the Superintending Engineer who appointed Seshappa might be informed of the result of the enquiry. That was the 2nd reason for forwarding a copy of my proceedings to you.

3. I do not know how you make out that Seshappa was appointed to his present post on the recommendation of the President Distt Board. This is not a fact on the contrary I may point out that not only was no reference made to this office about him but his application if any was also not sent through this office. Moreover it is a fact that at the time his appointment was made certain Proceedings were pending against Seshappa and this fact was fully known to Seshappa himself.

4. As regards the 3rd point I have already said that it is for you to decide

A.

Order 2nd July 1894, No. 1209 Letters.

The papers will be transferred to the Public Works Department with copy of the notes of Hon'ble members and with the remark that the Government considers that Mr. Medlicott's letters were exceedingly and most unnecessarily discourteous, and that Mr. Manavedan Raja behaved temperately and properly.

2. Mr. Nicholson will on his return to the Anantapur District consider whether Seshappa should not be prosecuted on account of the frauds committed by him whilst in Local Fund service.

(True Extract)

Whitehill

Under Secy. P. W.D.

for Chief Secy.

To

The Public Works Deptt

with copy of the notes of Hon'ble members

President District Board, Anantapur.

P. W. CURRENT No: 4947

Govt. of {1894} Madras.

Local and Municipal Department.

No 1080 & 12.1.91
" 1168 @ 9 14. 8-94

To

The Public Works Department.

Encls 1
Recd: 4.7.94

Proceedings, dated 2nd July 1894,
No. 1209 L. [illegible]

Subject.

Discourteous language

Transferring to the P.W.D. with remarks papers regarding the —— used by Mr. Medlicott Executive Engineer Bellary division towards Mr. Manavadan Raja President, district board, Anantapur.

C.No. 4947.

Note for His Excellency the Governor:—

The Honorable Mr. Bliss' note states that "the employment of the contractor .... should be forbidden" but it is not quite clear that any contractor was employed, and I rather think the work was done departmentally. The last para of the draft provides for settling this question.

2
5.7

Copies
10.7.94

H E

Correspondence between
Mr. Medlicott and
the President D. B.
Anantapur

No. 1806 W. dt 18 July 1894

OSS. 180
HE. 1017

B
Take again by W

No. 1806 W. dt 18 July 1894.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Proceedings Local & Munl dept (H E No 1209 L. Mis dt 2/7/94)

The Government is of opinion that Mr. Medlicott has acted with a discourtesy and want of consideration which calls for severe censure.

2. The President of the District Board was perfectly in order in requesting the sub-divisional officer to advise upon the question referred to him, and even if the latter thought a preferen

W
11 July

(40—1,000—21-4-94.)

to the Executive Engineer necessary before complying with the request this did not make the request itself irregular.

3. The public interests must necessarily suffer if officers of different departments neglect to exercise mutual consideration respect and forbearance in their relations with one another.

4. Seshappa Mudaliar's appointment as Sub-overseer in the Public Works Department appears to have been made before the facts exposed in this correspondence were brought to light, but it was the Executive Engineer's plain duty, as soon as he became aware of these facts to report them to the Safety Engineer for such action as might be considered necessary, and for failing to do this, as well as for his discourtesy to the President of the Arbitration Board, he has incurred the displeasure of Government.

5. Seshappa Mudaliar's appointment will be cancelled without delay by the Safety Engineer who will also take steps to ascertain whether any contractor was concerned in the bond which he filled and paid

Note by the Secretary

H. W. Bliss. C.I.E.

The papers should be transferred to the Public Works Department for disposal with a Statement of the Department's opinion which is in accord with the Chief Secretary's remarks* plus the following:—

I don't see that Mr. Manavedan Raja was wrong in following the district custom of addressing the Sub-Divisional Officer direct. At all events, if he was wrong, all that was necessary was a civil request on the part of the Executive Engineer to follow the correct course in future. In my opinion, the Executive Engineer should be somewhat severely dealt with for his discourteous tone. We are now entering on what must be admitted to be a somewhat hazardous experiment, that of

(Initialled) J. G.

(Initialled) W.

* This matter is one with which the Public Works Department should, I submit, deal. I look upon Mr. Medlicott's letters as exceedingly and most unnecessarily discourteous. Mr. Manavedan Raja has behaved temperately and properly. He may perhaps have made a mistake in addressing the sub divisional Officer direct, but whether this is so or not is beside the question, which is — whether Mr. Medlicott was justified in writing in the style that he has, to the head of the District.

(Initialled) J. F. P.

2/6/94.