

EXAM
2 MAR 1895
P. W. D. COIMBATORE

THROUGH THE EXECUTIVE ENGINEER, COIMBATORE.

To

The Hon'ble Col. J. Pennicnick, R.E.,
Chief Engineer, and
Secretary to Government, P.W.D.,
Madras.

THE HUMBLE PETITION OF A. GNANAMUTHOO PILLAI,
CLERK, P. W. D., OOTACAMUND.

MOST RESPECTFULLY SHEWETH,

That petitioner begs to submit the following lines to your honor's kind consideration fully believing that your honor will be graciously pleased to render justice to him.

2. That he was entertained as an acting clerk in the P. W. D. on the 3rd August 1889, and he had been confirmed in the appointment from 17th December, 1889 (vide entry in Service Register, Columns 2 to 6 Page 10, No. $\frac{2.6.3}{EXP.}$ of 28-6-90), before he was transferred to the Periyar Division with Sergeant Cornwell on the 26th February 1890. This transfer took place subsequent to his confirmation, but it seems doubtful whether the order confirming petitioner was communicated to the Nilgiri Division at the time, since the entry in the Service Register appears to have been made very recently.

3. That in accordance with petitioner's confirmation in the appointment, as aforesaid, the *Superintending Engineer, IV Circle*, declared that petitioner was a clerk in the permanent establishment and as such was transferred with his overseer to the project, vide No. $\frac{8.5}{M.}$, dated 7th April, 1890.

4. That petitioner served for 4 years in the Project and when he was asked to revert to his substantive appointment on the Nilgiris, a question as to the nature of his appointment was, for the first time, brought on the *tapis* presumably owing to the omission in communicating to the examiner the order of his confirmation.

5. That this omission cost petitioner his service in the Nilgiris and in the Project during a period of more than 5 years and he had to be exempted from age-bar, for a new berth in the Department when all that he had to do was to resume his permanent appointment in the Nilgiris.

6. That petitioner having rendered approved service for 5 years in the Nilgiris and in the Periyar Project after his confirmation, he ought to have been allowed Rs. 30, the maximum pay of his grade, at which rate he drew pay for two months after reverting. But then the Examiner objected to his being paid at this rate and his appointment being treated as altogether a new one, he is paid at the rate of Rs. 20, which is an additional infliction on poor petitioner.

7. That all this mistake, petitioner thinks, has arisen in consequence of the omission to communicate to the Examiner, the order confirming him in his appointment and petitioner humbly suggests that he should not be made the victim of this inadvertence.

Encl. No. 1.

" " 6.

" " 2.

" " 569.

" " 11.

" " 16.

" " 17.

" " 15.

Mem No. 2.

KEEP WITH

CURRENT No.

GOVT. OF MADRAS. }

1895.

{ P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

dated

189

Madras, 20 May 1895.

OFFICE NOTE No. 1897 $\frac{2}{E}$

To

W.

In his memorial to Government, clerk A. Gnanamuthu Pillay requests :-

- (i) that he may be treated as a permanent clerk, IV. Class, 3rd. Grade with effect from 17th. December 1889;
- (ii) that he may, on reversion from the temporary clerkship on Rs. 40 per mensem in No. I periyar to his permanent clerkship in the Coimbatore Division on 20th. March 1894, be allowed pay at Rs. 30 per mensem, and
- (iii) that the travelling allowance advanced to him in No. I Periyar and disallowed by the Examiner on the ground that he held no substantive appointment, may be passed to him.

2. Requests Nos. (ii) and (iii) depend on the decision with reference No. (i).

3. The salary audit Registers in my office show that A. Gnanamuthu Pillai was appointed clerk IV. class, 3rd. grade on probation for employment under Sergeant (then Corporal) Cornwell Overseer, Ist. Grade. No entry can be traced there in of his confirmation in his post.

P. W. CURRENT No. 1186



Encls. 16. 17

Recd. 16. 2. 95

+ Service by...

Forwarded to the Chief Engineer P. W. D. for disposal.

Supg Engineer, 4th Div

13 Feb. 1895.

No. 770 C of 1st Branch 1895

To C

For favour of remittance.

CMY 28/2/95

From The Executive Engineer Coimbatore Division



Dated 9th February 1895

No. 500

Enclosures 16.

Clerk. A. Gnanamuthu Pillay

Petition from - praying that his services from 17th December 1889 may be treated as permanent and his salary and travelling allowances regulated accordingly.

Forwarded

- No. 1920 of 25-1-95
- 70 C of 10-1-95
- 3484 C of 7-11-94
- 2692 W of 22-10-94
- 1682 W of 6-7-94.

with disposal

nor is there any evidence of a health & vaccination certificate having been received.

4. The entry in the clerk's service book shows that he was appointed an acting clerk, IV. class, 3rd. grade & that he proceeded to No. I Periyar along with his superior officer - the overseer; and I would draw special attention to the fact that the red ink entry, in that book, of his confirmation, from 17th. December 1889, appears to be an unauthenticated interpolation.

5. The papers referred to in the petition, and which are relied upon by the clerk in support of his contention as to his having been a permanent clerk, are not available. Under the rules in force at the time of the clerk's transfer, no advance could be made to a temporary employee except under the special sanction of Government. In reply to an objection taken by this office to the grant of an advance to Gnanamuthu Pillai, who was apparently considered as an officer without a substantive appointment, the Supg. Engineer 4th. Circle would appear to have stated (vide copy of Supg. Engineer's No. 263/Exr, dated 28th. June 1890 to the Examiner, P.W. Accounts, Madras, original letter not traceable in this office) that as the clerk was permanent, no sanction of Government to the grant of advance was necessary. The advance having been made and in part recovered by the time this correspondence

ended, the question as to the clerk's status (whether permanent or otherwise) does not appear to have been considered and disposed of.

6. The main points requiring consideration in arriving at a decision on the question are -

(a) whether Gnanamuthu Pillai was holding a permanent appointment or, at least, an acting or probationary appointment against a permanent vacancy at the time of his transfer to No. I Periyar Division; & if the latter, whether he was confirmed with effect from 17th. December 1889.

(b) whether taking into consideration that Sergeant Cornwell for whom the clerk's entertainment was sanctioned, had been transferred to No. I Periyar, it was possible to allow him to retain a lien on his permanent appointment; and if so, whether, as a matter of fact, he was allowed the lien and his place filled up by sub pro tem appointment or promotion.

7. As regards (a), the audit registers and service book show that Gnanamuthu Pillai was appointed an acting clerk on probation, and no mention is made therein of his confirmation. As regards (b), if the clerk had been permanent, he would, on transfer, have drawn the pay of his own grade; while, as a matter of fact, he has drawn pay as a temporary clerk on Rs. 30 and 40 per mensem.

from 7th, March 1890 to 19th, March 1894.

8. All things considered, therefore, and taking into account (i) that there was no permanent appointment on which Gnanamuthu Pillai could have been permitted to retain a lien, and (ii) that the Nilgiri Division was abolished in March 1890, it seems very probable that he was intentionally not confirmed.



28/5
C.

28/5

P. W. CURRENT No. #118

4765/55

Encls: 18

Recs: 29. 5-95

No 26994 93. 11. 84
" 2255 C 9 16. 6. 88
" 2538 C 9 5. 7. 88
" 288 C 9 21. 7. 88
" 1828 C 9 9. 4. 89.
" 1057 C 9 3. 3. 94
" 3484 C 9 7-12-94
" 770 C 9 1-3. 95

Enclosures. 2.

1 Service Book
1 File of papers
in brief.

No 237
W.

Superintending Engineer's Office 4th Circle
Coimbatore 19th June 1895

From

J. Kannan Esq
Superintending Engineer 4th Circle

To

The Chief Engineer

P. W. D.

Sir,

With reference to your memorandum No 1978 C dated 8th June 1895, I have the honor to state that after a careful search no records are forthcoming confirming Gnanamuthu Pillai as Clerk either before or after he proceeded with Overseer Cornwall to No 1 Periyar Division.

2. This office memo 85 M dated 16th April 1890 is rather misleading as the word "probation" was through an oversight omitted in it. It is true that he was appointed on probation Clerk IVth Class 3rd Grade in the permanent Establishment.

Again this office No 263 Per dated 28th June 1890 does not appear to have been based upon any orders issued. It apparently assumes

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assumes that Gnanamuthu's probation
ceased on the absorption of the then
existing Supernumerary Clerk.

In these circumstances it is very
probable as observed by the Examiner
that there is no reason to believe that
Gnanamuthu Pillai was confirmed in
the appointment under reference.

I have the honor to be

Sir

Your most obedient servant

W. H. H. H.

Superintending Engineer

H. C. C.

18

From
The Supg. Engineer
IV Circle

No. 19780 of 8-6-95
770 C of 1-3-95
669 C of 20-2-95
3484 C of 7-11-94
1051 C of 8-3-94
1828 C of 7-4-89
2883 C of 31-7-88
2538 C of 5-7-88
2255 C of 16-6-88
2699 C of 3-11-84

Dated 19th
Desp. 20th } June 1895

No. 237
W.

Enclosures. 2. 19

A. Gnanamuthoo Pillay,
Clerk IV Class, 3rd Grade

Reports that no records
are forthcoming confirming—
either before or after he proceeded
with Overseer Cornwell to
N.I. Periyar Division.

O.L.S. 175

R 1/7

No. 1644 W of 5th July 1895

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

From the Supg. Engineer IV circle H.E. No. — of 13th Feb 1895
Office Note from the Exr. P.W. Accts. " " 1897² of 28th May 1895
Letter from the Supg. Engr IV circle " " 237 W of 19th June 1895

After careful inquiry,
it appears that no order
can be traced under which
the petitioner A. Gnanamuthoo
Pillai was confirmed in the
permanent clerical esta-
blishment prior to the
date on which he proceed-
ed with overseer Sergeant
Cornwell to No. I Periyar
Division, in February 1890,
and the Government regrets
therefore that the petitioner's
requests cannot be complied
with.

2. The clerk's service
book should now be
correctly written up, and
the Supg. Engineer's attention
is drawn to para 4 of the
Examiner's

Examiner's note, the subject
of which should be inquired
into.

S 20/6

CHM
2895

Petition from Clerk
A. Guannamutha Pallen,
Milepi Sub-Div
office.

No. 1644 W 3 5 July 1895

DESPATCHED

6- JUL. 95

S.E. IV circle
with 17 enclosures
Examiner P. W. [unclear]

Cu

re 87

W. D. Form No. 113