To

His Excellency

The Viceroy and Governor-General
in Council
India

The humble petition of A. Ranga Row
lately an accountant in the P.W.D. Madras.

Respectfully Showeth,

That your humble petitioner with the greatest deference prays to approach your honorable Government in the fervent hope of obtaining that consideration and justice which he trusts that your Lordship's humane disposition will deem his unfortunat case deserves.

2. That in his petition dated 27th Septembe
1894, your petitioner fully detailed the facts of his case
which led to his removal from the service of Government,
on which your Excellency's Government were pleased to pass
an order in No. 43 A.E dated 9th March 1895 saying th
the case was not one in which they should interfe
with the discretion exercised by the Local Governme

3. That finding your petitioner was at d
mercy of Madras Government, he saw Mr. I. S. ens
Hubbard, the late Examiner of Accounts, who on
cause of petitioner's misfortune and at his sugg. by
applied for pension which he recommended to the
his successor, as he then made over charge of his
4. That your petitioner was then d

to give a short revi[illegible] of his case, but Mr. Sherlock Hubbard, (who in his review note printed with G.O No. 1349 W dated 18th May 1893, Vide Document A, has clearly shewn the responsibility of the Sub Division officer for the failures of work for which your petitioner was originally reported by him and got removed from service as in G.O. No. 880 W dated 30th March 1893, Vide Document B,) himself recommended petitioner's case to Mr. D.C. Gordon, his successor, and your petitioner's formal application was submitted to the Madras Government, with the present Examiner Mr. D.C. Gordon's recommendation in his endorsement No. 3854 A dated 2nd November 1895 coupled with Mr. Hubbard's recommendation. But to your petitioner's greatest dismay, his application was negatived by the Madras Government in G.O No. 2951 W dated 19th November 1895 (Vide Document C). This order goes further & states that the case was properly met by dismissal, which carries with it loss of pension.

5. That as the order originally stood in his case which was only "Removal", your petitioner was not debarred from being reemployed or earning his pension under para 2 of Govt. of India's Resolution No. 10 Public – 917 dated 15th June 1895 printed with the Madras Government Order dated 5th July 1895 No. 552 Public, but in the present aspect of dismissal your petitioner has unfortunately been deprived of these benefits for no further cause.

. That Subsequently in his petition ated 11th March 1896 (Vide Document D with its closures), petitioner fully set forth all the points which his case for removal was based supported documentary evidence and appealed again to Madras Government but was again unsuccessful, e was unfortunate in that his petition addressed Lord Wenlock was not disposed of by his Lordship ing the last days of his Governorship and His Excellency the present Governor declined to reopen the case in G.O No. 1056 W dated 24th March 1896 (Vide Document E).

7. That your petitioner earnestly solicits the Supreme Government will review his case on the on the grounds:–

(a) that your petitioner was drawing Rs 136 rising to Rs 150 per mensem and was virtually promoted to the post of Rs 200, when his misfortunes commenced.

(b) that your petitioner was removed from the Service of Government on mere suspicions and groundless charges, as already known to your Lordship's Government.

(c) that your petitioner has now been refused the pension (by the order of removal passed in 1893 being changed into dismissal now) which pension was recommended by Mr. Sherlock Hubbard, the Examiner who personally dealt with the case, & his successor and to which your petitioner is entitled under the orders of Supreme Government.

(d) that your petitioner has now grown old in the service of Government having put in 26 years untarnished service to date of his removal, and is incapable of turning to any other occupation for livelihood.

and prays for mercy in this the only & final court to which your petitioner could appeal on this earth.

8. That your petitioner further brings to notice that in the case of a clerk in the Superintendin Engineer's office 5th circle, who was even admittedly dismissed some time ago for misappropriating Government money, the Madras Government grant pension in consideration of his past service on a review of his case in January 1895.

Your petitioner has served the Government honestly and faithfully and without a single blot for 26 years as his printed testimonials put up with his petitition refered to in para 6 above will shew, and also considering the fact that he was recommended for pension by the very officer who reported against him and his successor, the present Examiner, your petitioner prays that a similar treatment at least may be awarded in his case.

For which act of mercy and justice, your petitioner shall ever pray.

C. Rungarow

1st April
1896

Late Accountant P.W.D

15 Office Venkatachella Moodaly St.
Triplicane

To

The Secretary to Government
Public Works Department
Madras

Honored Sir,

I beg to submit herewith a petition addressed to His Excellency the Viceroy and Governor-General of India in Council and to request the favor of its being forwarded to that Government.

I beg to remain
Sir
Your most obedt. servant
C. Rungarow
Late accountant P.W.

1st April
1896

15 Office Venkatachella Moody. St.
Triplicane.

P. W. CURR

Recd: 6. A

To

The Secretary to Government

Public Works Department

Honoured Sir,

I beg to submit herewith a petition addressed to His Excellency the Viceroy and Governor General of India in Council and to request the favour of its being forwarded to that Government.

I beg to remain

[illegible]

Your most obedient servant

No. 18766

EXAMINER
865 A
8 APR 1896

8 APR 1896
W. ADGOUN

I

List of documents submitted with the petition.

A Copy of Petr's letter to Mr. J. S. Sherlock Hubbard, Examiner P.W. Accts.

B Piece-worker K. Rungareddi's agreement dt 26th February 1891

C The 1st bill of the pieceworker dt 1st March 1891

D Pieceworker's 2nd bill dt 26.5.91.

E Sub Division officer's letter No $\frac{16E}{}$ to Ex. Engineer, Nellore recomm. final payment of dues to the

F Ex. Engineer's letter No $\frac{1205}{2.9.91}$ Divisional officer questioning extra charges in piece-worker's bills

G Sub Division officer's No $\frac{1257}{25.9.91}$, stating that additional earthwork was found necessary.

H Ex. Engineer's letter No $\frac{1826}{10.11.91}$ to Sub Division officer returning the 1st 2nd bills of pieceworker for consolidat shewing separately the work done for original contractor & that subsequently found necessary.

I The third or revised bill of the pieceworker.

J Ex Engineer's letter No. $\frac{412}{7.6.92}$ to Sub Division officer pointing out that excess payment had to be made to pieceworker owing to the irregular preparation of the bill by him and of its payment without check consequent on its late submission and insisting on the recovery of excess payment from pieceworker.

Examiner's review note on the payment case.

Authenticated copy of written statement put in by petr. repudiating the claim of Vengama Naidu.

M Petr's printed testimonials

C. Rengasamy
Late Acctt D.P.W.

9th March
1896

No. 1876C

EXAMINER
8651
8 APR 1896
P W ACCOUNTS

Government of Madras.

PUBLIC WORKS DEPARTMENT.

Madras, 7th April 1896.

OFFICE NOTE.

From W

To C

Will you please go carefully into A. Ranga Rao's case, and favour me with your own opinion of it, and whether the orders directing his removal from the service are in any way open to reconsideration.

If any papers are not available on the file of your office, they will be supplied from the Secretariat.

6/4/96
W

(48—1,000—17-12-95.)

C.S. 7.4.96.

with C No. 3438 in original — to be returned.

No: 1876 C d/7th April 1896

E. No. 27.
1,000—9-12-95.

KEEP-WITH CURRENT No. GOVT. OF MADRAS. } 1896. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS,

dated 189 .

Madras, April 28th 1896.

OFFICE NOTE No. 302 A

To

W.

× Flag. I ✓

Your office note No.1876 C. of 7th. April 1896 asking for opinion on Runga Rows case.

2. I have gone carefully through the papers in my files, knowing nothing whatever about the case previously. My first connection with it was my No. 3854 A. of 2nd. November 1895 forwarding to Government Runga Row's petition for a pension, with the endorsement of the Examiner who had dealt with the case from the first up to that time.

× Flag. X
⊗B 295-W d 19-11-95
⊗ Flag. H

3. I find that up to August 1892 Runga Row was in good repute - that he was drawing a pay of Rs.136 rising eventually to Rs.150 on the grading then in force in Madras - that in consequence of the new grading of accountants for Madras he was eligible for a post of 5th. grade on Rs.150, or 4th. grade on Rs.200 - that it was intended to promote him to Rs.200 - that in connection

with this revised grading one important feature was to place the most efficient accountants in the most important divisions - that Runga Row was selected for the Kistna Eastern Division and transferred from the Nellore Division- that Runga Row left the Nellore Division in June 1892 - that the Examiner inspected the Nellore Division office on 22nd. to 25th. August 1892 - that with his No. 150 A of 2nd. September 1892 the Examiner forwarded to Government a nominal roll of accountants for the revised grading, which was approved by G.O. No. 2555 W. of 14th. September 1892- that in that roll Runga Rows name appears in the 5th. grade (Rs. 150) with a remark that he will continue on his present pay (Rs. 136) as accountant 4th. grade until further orders. I find nothing to lead me to think that the suggested promotion of Runga Row to Rs. 200, was subject to approval of his divisional work by the inspection of the Nellore Division office and I conclude that but for the accident of the inspection of the office late in August, Runga Rows name would have appeared in the 4th. grade (Rs. 200) in the nominal roll sent to Government on 2nd. September, 11 days subsequent to the inspection. I note these points because they show the extent of the punishment inflicted on Runga Row by his reduction to a pay of Rs. 100.

√ × Flag A.

Note This remark does not appear in the roll sent up to Govt. It may probably have been made in the copy of the roll kept in the Examiner's office.

4. Runga Row was in charge of the Nellore Division from January 1891 to June 1892, a period of 17 months, the inspection took place in August 1892 after Runga Row had joined the Kistna Eastern Division. In para 80 of the inspection report, it is stated "the results of the inspection are discreditable to Runga Row and a further report will be submitted on receipt of his explanation on the points that are necessary to refer to him".

Inspection Report in file with 3454 W. of 17-12-92
~~with 7150 D of 10-8-95~~
Flag C

5. Immediately after the inspection the Executive Engineer Kistna Eastern Division was written to, that information had been elicited to the effect that a clerk G. Ramakristniah Naidu was in the pay of Runga Row from November 1891 to February 1892, whose duty it was to check contractors bills before payment, that "the said private servant of Runga Row" made notes on the bills of the extent to which he had checked them etc, & that this check appears to have been accepted by Runga Row without any personal scrutiny or without scrutiny by any servant of Government, and Runga Row was called upon to explain his conduct and to state specifically (i) why he did not check the bills himself or have it done by a member of the office establishment (ii) whether the Executive Engineer authorized the introduction of the man G. Ramakristniah into the office knowing that he was in Runga Rows pay, (iii) whether the Executive Engineer was aware

that contractors bills were paid on the check of this clerk alone. Runga Rows explanation and answers (covering fourteen pages of foolscap) were that the bills were checked by the office staff & scrutinized by him, that Ramakristniah was one of six extra clerks who had been in the divisional office prior to his joining and had continued to do the work he had previously done, and that he was not in his (Runga Row's)pay.

6. At this time there seems to have been in Examiner's possession a statement written by Ramakristniah dated 25th. August 1892, which was eventually sent to Government, with his No. 248 A of 15th. October 1892, but no mention of this appears anywhere intermediately nor does it seem to have been brought to Runga Rows knowledge. It was at once accepted as a fact that the man was "the said private servant of Runga Row" and while thus crediting Ramakristniahs written statement, Runga Rows written contradiction was entirely ignored. The "charge" of employing this man was preferred subsequently in the "charge-sheet" which accompanied the above quoted letter to Government.

7. Runga Rows letter of explanation and contradiction was received from the Executive Engineer Kistna on 12th. September 1892 and on 28th. (or 29th) idem a "memorandum" (afterwards called a "charge sheet") was sent to the Executive Engineer, and Runga Row was directed to write in the column provided for the purpose

x Hay B.
80. 3037W g 5-11-92

x Hay. B.
80. 3037W g 5-11-92

his explanation against each of the "irregularities" (afterwards termed "charges") noticed in the report on the Nellore office - he was to be warned to be concise and to the point in every explanation he might offer, as the introduction of irrelevant matter such as that with which his memorandum already received abounds will tell against him". The "charge-sheet" and "papers bearing on certain defects and irregularities in the accounts of the Nellore Division", for which Runga row was held responsible, were forwarded for orders of Government with Examiners No. 248 A of 15th. October, 1892. The above summary brings matters to notice which do not seem to have been prominently before Government.

8. The case now divides into two parts, the first part culminating in Runga Rows reduction, the second in his removal from the service.

9. I scrutinized the draft of the "memorandum", treating it as if it had been sent to me by an inspecting officer, for opinion as to the points being serious enough to require enquiry or any special action, and I wrote my views on each point put forward - not a single one in my opinion was worthy of any special interference on the part of Government - all could have been dealt with as matters in an every day inspection report. It would have

been mere waste of time to go through Runga Row's replies, and the Examiners' remarks thereon. Explanation was required of points connected with certain individual vouchers, with certain specified works and registers, none of which were available to Runga Row for reference, besides which many of the "charges" are so indefinite that it is impossible to understand their object or what they intended to elicit. I do not consider it necessary to criticise it in detail because in forwarding the "charge-sheet" to Government "charges" XI and XII were relied on for a conviction, and on these two charges Government gave judgment - the other charges are "passed over" as "defects & irregularities".

I attached to G. O. No: 3037 W of 5-11-92

Hay B.

IO. Charge XI is delaying payment of bills. Runga Row was in the office I7 months in all - yet he is charged with delaying bills over 25 months, over 20 months and between I5 and 20 months. Comment on this seems superfluous. No attempt was made to prove the causes of delay. Runga Row's explanations are rejected as only further evidence of his "propensity for shirking responsibility and throwing it on to the shoulders of others". There is no proof whatever that the delays were due to Runga Row nor any apparent grounds for the statement in Examiners No. 266 A of 26th. October I892 "there is no doubt that A Runga Row while at Nellore traded on his past reputation in getting the Executive Engineer to trust him implicitly and in abusing that trust". During the I7 months Runga Row was at Nellore he served under Mr. Hughes and Mr. O'Connell as Executive Engineers, & he had never previously served under the latter, so it is not easy to understand what warranted their implicit trust in him more than in any accountant who happened to be under them. Mr. O'Connell admits that "as regards the implicit trust I was stated to have placed in Runga Row it was nothing more than the confidence which the head of an office would place ordinarily in his office manager" (G. O. No. I5I W of 2Ist. January I893.) This charge, as a charge against Runga Row, completely falls to pieces when we come to Examiner's No. 390 A of 22nd. December I892, and find it there stated, para 9 "looking to the fact that delays in payment of bills have been universal in the Presidency and that there has hitherto been no systematic record by which an Executive Engineer could check specific instances of delay × × ". If Runga Row was solely responsible for the delays in the Nellore Division, all divisional accountants were equally guilty, merely because delays were universal though without proof that they were caused by the accountants.

There were 6 cases only of this kind out of a total of 54 - Does nothing to ~~prevent~~ the Acctt being blamed for delays which began before his time & continued into his time. He ~~was~~ or might be responsible for these as much as for delays which began in his time

He was responsible for 17 months of the big delays

Hay B.
× G.O. 3037W
5.11.92.

Hay. × E ✓

Printed in G.O. 151W
21-1-93

Hay E

It does not make his fault the less that others committed similar faults

II. Charge XII, employing "the said private servant" is left in the air! Not an argument is produced on this one of "the two most important items in the charge-sheet" although it is twisted into para 5 of Examiner's No.248 A of 15th October 1892. The Government order No. 3037 W. of 5th. November 1892, does not touch it - so that this "charge" goes by the board.

GO + E / 3037 W g 5-11-92

Hay. B.

I2. This order nevertheless is strange. It says that Runga Rows explanations "are extremely unsatisfactory & arouse grave suspicion that the accountant has taken advantage of his position and the trust reposed in him by the Executive Engineer to levy contributions from contractors". This is quite a new departure and has not been led up to by anything I have come across ~~of~~ in the records in the case - not even hinted at. The charge to be considered was delay in payment of bills, there was no suggestion even that delay came to an end as soon as a contribution was levied. But apart from all this, the matter was one of suspicion at best - admittedly so - and its introduction to bolster up charges that were not proved or to excuse a conviction was not just.

asserted

?

I3. Was the reduction of Runga Row justified ? In my opinion it was not, & I should not have proposed it. The Nellore office was not in a satisfactory state, formalities were not observed, arrears existed, there was no proper supervision anywhere, the accountant was a man of long experience had done good service & ought to have had his work in order & exercised stricter supervision & command. I should have recommended deferment of Runga Row's increment for a term to be decided when the next specially arranged inspection was made. The punishment inflicted was out of al proportion to the shortcomings. His reduction was not from Rs.I36, but from Rs.200, to Rs.I00, for I have shown that had the inspection taken place II days later Runga Row would have been promoted to Rs.200. I have said Runga Row left the Nellore Division in June I892 yet on I5th. October I892, three & a half months later, it is stated "the present accountant has found no difficulty in bringing up arrears and in keeping abreast of his work". If the extent of arrears was as serious as alleged in the I0 charges enumerated in para 2 of Examiners No.248 A of above date, that a man new to the office could work them off, and keep current work going as well in 3½ months, would prove Runga Row to have been very lax. Runga Row's explanation does not accept the statement that the arrears were ~~as~~ so extensive, and there is no reason to suppose that the same improvement would not have resulted had Runga Row remained, especially as the incidents during the inspection would have concurrently shown what was expected to be done and put the whole office on the alert.

Hay B. Para 7 of the Examiner's office note No 248 A d/ 15 Octr 1892 printed with G.O. 3037 W d/5-11-92

Hay B. 3037 W g 5-11-92

I4. The second part of the case deals with an overpayment of Rs.I66-II-3 to a piece-worker, and to alleged improper dealings with a contractor.

I5. In regard to the overpayment case, I have only to go to the order of Government No.37 W. of IIth.January I893 to find that sentence was wrongly passed- "overpayment was clearly the fault of the accountant""the bill purported to be a revised one and should not have been passed without verification as to the reason for revision"-Now it is distinctly shown in the correspondence that the bill did not purport to be a revised bill & for further evidence see paras I3 to I5 of Examiner's letter printed with G.O.No. I349 W.of I8th.May I893. If therefore the reason assigned by Government for condemning Runga Row is obviously bad, this part of the case fails - and I need not go go into the history of the case to show that in my opinion Runga Row was not responsible for this overpayment because of any extraordinary want of care on his part.

✓ I cannot find the case
Please see the papers marked D × Hay [illegible]

✓ × Hay. [illegible]

I6. In regard to the alleged improper dealings with a contractor, the case arose in a communication dated ~~I2~~ 17th.December I892 from one P.Vengama Naidu addressed to Government, stating that in March I891 Runga Row was supplied with "provisions to the value of Rs.300 & odd," that he had to bring a suit against him in the District Court at Nellore to recover the amount-and that Runga Row being afraid of the results advised his eldest son to pay Rs.300 and to compromise the case. This suit was removed from the file of the Court on the I6th August I892. Had the suit been heard, the decree of the Court would have enabled Government to decide without any further enquiry whether or not Runga Row was guilty of improper dealings with a contractor. This assistance being withdrawn and further enquiry being necessary, Government ordered what is ordinarily termed a departmental enquiry and directed the Examiner to conduct it. I presume it is not out of the way to expect that this enquiry should take somewhat the line of procedure that a court of law would have taken, and that the first object would have been to obtain some proof that the plaintiff had a good claim - that he would have had to prove the delivery of the goods or commodities for which he claimed payment, or at least be required to prove that the goods had been ordered by Runga Row. No attempt was made to do this. The Record was obtained from the Court. In a very short memo, No.80 A of 6th.March I893 Runga Row was informed in meagre terms of the case against him and was required "to furnish without delay a full and complete explanation of his conduct in the matter". He replied that he had no dealings with the plaintiff & no compromise was effected at his instance. The only papers in the case

× I
G.O.P. 680 W of 30-3-93
Hay 7.

fresh charges.

therefore were the plaintiffs letter to Government, the plaint and other records of the court preliminary to and up to the removal of the suit, and Runga Rows reply. There is not a tittle of proof that Runga Row had improper dealings with the plaintiff - no proof was sought- Was it obtainable ? A reference to the schedule filed in the suit shows eleven specific instances of supplies alleged to have been obtained. In no instance was the plaintiff more than an agent, the supplies having been obtained from other parties, not a receipt was called for to show the supplies were delivered to Runga Row - not a document is called for to show the supplies were ever ordered by or for him. In the plaint it is stated in regard to the Rs.346-6-0 claimed that "particulars of the above sum are entered in the schedule. The plaintiff has entered the items in a bound book kept by him. A copy (of the said book) is herewith filed with a view to get it (the original) back (from the court." The schedule is marked "true copy" over the signature of a court official, and is a ledger account with Runga Row. A ledger account is not an original account but one compiled from some other account book or record and could have been proved by them. No attempt has been made to prove the validity of this document nor to obtain any proof whatever of the bona fides of the plaintiff. In the plaintiff's letter to Government on which the case arose itis stated that Runga Row "advised his eldest son to pay me Rs.300 through his vakil Mr. T.V.Venkataramayya", yet not an attempt has been made to prove that this statement is correct, though it was apparently capable of verification by the vakil. Runga Row has been found guilty without any evidence at all adduced by the plaintiff. He may have had improper dealings with every contractor and pieceworker in the district, but suspicion is not proof, and to remove a man with 26 years service on pure suspicion without endeavouring to obtain proof is not just.

G.O. (880 W, d/ 30.3.93, para 4) runs:— "The Examr. remarks that irrespective of the accusation of having had improper dealings with a contractor, the specific acts of failure in work & neglect of duty on the part of A. Ranga Row are numerous"; and on this Govt. acted. The dismissal was not therefore merely on suspicion;

Hay 7 ✓

17. Orders of Government were passed in G.O.No.880 W dated 30th.March 1893 which cites the "two separate cases against A Runga Row," refers to the "review" of one case by the Examiner, and to his views on the second case, and his remarks 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 the part of Runga Row are nemerous". This hawking back to matters which had been settled and punished was bringing forward previous conviction to enhance the prospective punishmentp- but inasmuch as the previous punishment was upon two "charges" which were not proved, and was out of all proportion to the charge in the "charge sheet", this conviction should not have been added to weight the fresh charges.

I8. In para I0 I have relied on Examiners No.390 A of 22nd.December I893(G.O. No.I5I W.of 2Ist.January I894) to overthrow his No.248 A. of I5th.October I892 (G.O.No.3037 W.of 5th.December I892) ; again in para I5 I have relied on Examiners No.54 A dated 2Ist.February I893 (G.O.No.I349 W. of I8th.May I893)to break down his No.4I A of 8th.February I893(referred to in G.O.No.880 W.of 30th.March I893)- that,15 I have in both cases used views expressed in later documents to upset earlier views- and it may be said it is easy to be wise after the event. Nothing occurred between I5th.October I892 and 2Ist.December I892 to bring out as a revelation "the fact that delays in payment of bills have been universal in the presidency",and the papers which were discussed in the letter of 2Ist.February I893 had been the subject of the letter of 8th.February I893, so that there was nothing meanwhile to cause any divergence of views.

Flag E

Flag B

Flag F

No.54A

No.41A

G.O. 1349 W/18-5-93 Flag G

G.O. 880 W/30-3-93 Flag F.

I9. The second part of the case is in my opinion bad. The grounds for removal in the first case in this part were wrong and the second case was not attempted to be proved but was judged on assumption and suspicion.

20. G.O.No.295I W. of I9th.November I895 was issued on my endorsement on a petition from Runga Row for a pension, & the order stated that there were no reasons for modifying the decision already arrived at in the case; "the case was properly met by dismissal which carries with it loss of pension".Runga Row appealed against this new order inasmuch as he had been"removed"and not "dismissed". His appeals were persistently rejected,and in consequence of this,he appeals to the Government of India against the enhanced sentence, & so forces renewed attention to his case but for the use of the word"dismissal" instead of "removal",he would not have had the excuse of a hearing. The difference between removal and dismissal is stated in Code I. IV. 59 A.(S.O.No. 7I of I895).

√ AB

DCG

C.

Cur 5749

L.O. No 97.

W

For orders -

The file relating to A. Runga Rau's case was submitted to you on 29.4.96 -

Cu
26.6.96.

Will dispose of it in a few days. The two D.O.s about the case cannot be found - the Cu has not got them.

18/6/96

await return of the file from OoE -

Cy
1-7-96

PWC No 3988

Recd 28/4/96

7.4.96. 1876C.
24.3.96. 105bW
19.11.95. 2957W
22.3.95. 687W
7.11.94. 2832.3W
11.4.94. 1635C
29.3.94. 533 W
27.10.93. 2760W
18.5.93. 1349W
24.4.93. 1134W
30.3.93. 880W
21.1.93. 157W
11.1.93. 37W
17.12.92. 3454W
5.11.92. 3037W
29.9.92. 2703W
23.9.92. 2649W
14.9.92. 2555W

Cur 3988
Sent to W

To

The Secretary to Government
Public Works Dept.
Madras

Most Hond Sir,

I beg most respectfully to bring to your honor's kind notice that on the 1st April 1896, I had submitted a petition to the Government of India through this Government, seeking redress in my unfortunate case, and am not favored with any orders as yet.

I therefore most earnestly solicit, that any orders, that may be passed on the aforesaid petition, be kindly communicated to my address as noted below.

For which kindness, I shall ever feel grateful to your hono

I beg to remai
Hond Sir
Your most obedt servan
A. Rungarow
Lately an Accountant P.W

Triplicane
25th June 1896

15. Office Venkatachella Moody St
Triplica

[illegible] No 3688

CURRENT No. 5749

Accs: 25.6.96

Cos. 3988

Aks 214.

Having been requested to give an opinion on the papers connected with the case of A. Ranga Rao, late Accountant, I presume that no objection will be made if I do so freely, for it seems to me that he was both reduced, and subsequently dismissed on insufficient evidence.

The reduction may be taken as being from Rs 200, to which he was about to be promoted, to Rs 100 per mensem; and it was given effect to by G.O. 5th Nov. 1892, No 3037 W.

The dismissal – for such it practically was, for it carried with it loss of pension – though called removal, was directed under G.O. dated 30th March 1893 – No 880 W.

(1). The reduction.

The late Examiner P.W. Accts in an office note dated 15th Octr 1892, No 248 A. brought

26 specific charges against the accountant: but, as he considered that twenty four of these charges were not so serious as to require the intervention of Government he confined himself to two:-

(i). Charge XI, inordinate and apparently systematic delay in the payment of contractors' and piece-workers' bills in direct contravention of rules.

(ii) Charge XII employment on the check of these bills from November 1891 to Feby. 1892 of an outsider —
(a) who was either in his private pay, or
(b) was a volunteer.

Charge XI. The late Examiner submits a statement showing 54 instances of delay in the payment of bills, and throws all the blame on the accountant, although from the statement the blame might in every case be attachable to the subdivisional Officer, for the date of receipt of each bill into the Divisional Office is not stated. Only the date of measurement is given. Consequently each bill may have been delayed in the Subdivisional office after measurement, and in that case the Accountant could not be held responsible. He should, however, I consider have been able to give date of receipt by him in each case. If he had stamped or otherwise marked with the date each bill as it came in, there would have been no doubt as to who was the delinquent. His omission to take proper note of bills as they came in shews that he was guilty of neglecting his duty most culpably: but it does not prove that he was levying contributions from contractors, any more than it proves that the subdivisional clerk was doing so, for the delay may have occurred in the subdivisional office. The Executive Engineer in a letter dated 20th Novr. 1892 — No. 240 says:- "It has since been brought to my notice that Ranga Rao was in the habit of bundling up bills and papers received, and taking no action on them until it pleased him to do so, or until reminders, petitions from contractors etc compelled him to do so." All this is very bad if it can be substantiated: it should, however, be borne in mind that the Executive Engineer made this statement when placed on his defence, and was not speaking as an independent witness.

Charge XII This charge is altogether ignored in the Government order No. 3037 dated 5th November 1892, ~~ordered~~ ordering the Accountant's reduction. It may therefore be accepted that he was reduced on charge XI only. There can be no question that he neglected his duty; but in the absence of proof that he levied contributions from contractors, the punishment

2/

was so severe that it may be considered as having fully wiped out all delinquencies up to that date.

(1). The dismissal.

The accountant was removed from the Public Service because he was considered:-

(a) Responsible for an over-payment of Rs 166-11-3 to a piece-worker in the Nellore Division.

(b) Guilty of improper dealings with D. Vengama Naidu, a contractor in the same division.

In regard to count (a) the facts are briefly these:- In Feby 1891, the original contractor of a work having failed to complete the sectioning, a sum of Rs 170-4-11 was withheld from his bill, and the work given to a piece-worker who was limited to that amount. In due course bills as below were submitted by the Gudur

Subdivisional Officer:–

	Date of bill	Amount	Date of paymt	Amt paid
(1)	15.3.1891	Rs 140-10-8	31-3-1891 ..	Rs 126
(2)	26.5.1891	" 95-2-4	6-6-1891 ...	" 62-0-7
		Rs 235-13-0		Rs 188-0-7

Limit fixed ..	170-4-11
Excess	Rs 65-8-1

As first submitted	Rs 235-13-0
As revised	" 205-5-4
Difference	Rs 29-7-8

As revised –	Rs 205-5-4
" paid previously } –	" 188-0-7
Amount which should have been paid.	Rs 17-4-9
Amount actually paid to pieceworker –	" 184-0-0
Excess paymt.	Rs 166-11-3

As these bills exceeded the limit fixed, by Rs 65-8-1, they were returned to the Subdnl Officer on 10th November 1891 for revision. On 26th March 1892 the subdivisional returned the bills having reduced them to a total of Rs 205-5-4. A covering letter accompanied these bills, but it got mislaid by the Accountant as soon as received, and there was no indication on these new bills to show that belonged to the same work – at all events they were not marked "Revised" as they should have been. Consequently the Accountant submitted them to the Executive Engineer for payment with a deduction of 10 per cent "pending check". Accordingly a sum of Rs 184 instead of Rs 17-4-9 (as marginally noted) or an excess amount of Rs 166-11-3 was paid to the piece-worker. The Accountant was no doubt blameworthy, having been undoubtedly careless and unbusiness-like in his work: but that is the worst that can be said of him, and if he and the Sub-divisional Officer had been made to refund the loss between them the matter might have been allowed to drop. That the Sub-divisional Officer was also to blame is clear from the fact that he omitted to mark the bills for Rs 205-5-4 "Revised". Even the Ex-Examiner, who is certainly not biased in favour of the Accountant, in para 4 of his office note dated

21st Feby 1893, says:-

"I however take it for granted that when an Executive Officer has occasion to furnish a "revised" estimate or a "revised" completion report, he always writes the word *upon the document itself*; and if this is necessary on such documents, I submit that it is far more necessary to mark a *bill* as a "revised" bill, in the same way as a duplicate of a bill is clearly marked "duplicate", the object in each case being to prevent the possibility of double payment"

And again in para 15 he continues:-

"If this precaution had been taken in the case under notice, the double payment could not have occurred without flagrant neglect in the divisional office. There is always the risk of a "covering letter" being mislaid,

or becoming detached from a bill, as appears to have been the case in the present instance; and it should therefore be clearly understood that any such remark should be prominently written on the document itself."

But all the subdivisional officer did, was to send a covering letter, neglecting to mark the bill itself as "revised". and this covering letter did get mislaid or it became detached from the bill itself.

It seems a great pity that the Ex-Examiner did not make these remarks before the case was submitted to Sir Henry Stokes for decision. This was done on 21st December 1892; but the Ex-Examiner's note is, as aforesaid, dated 21st Feby 1893. The Hon'ble Member, writing under date 22nd December 1892 says— "The fault appears to have clearly been that of the Accountant. The bill purported to be a revised bill, & should not have been passed without verification as to the reason for revision. Had this been done it must have been discovered that payment had already been made. I think the Acct. is responsible and should be made to pay". G.O. No. 37W dated 11th January 1893 was issued accordingly: but the very next month, the Ex-Examiner wrote his note of 21st Feby. 1893 in which he pointed out that, owing to the neglect of the Sub-divisional Officer, the bill did not purport to be a revised one. The Government order was therefore issued under a misapprehension, and whether the Accountant was to blame or not, he was

not to blame for the reason stated in the G.O. viz that "the bill purported to be a revised one". I have submitted above that his share of the responsibility should be confined to carelessness in mislaying the covering letter. And if the Ex-Examiner's note had been written before, instead of after, the issue of the G.O. it is not likely that the Subdivisional Officer would have got off scot-free.

It is submitted that the delinquency was one which might have been fully atoned by a refund of the loss to Government. It need not have been brought up again as it was in G.O. dated 3rd March 1893, No. 850W by which the Accountant was removed from the

the service. It seems necessary to note that when G.O. No. 880 W. of 30th March 1893 was passed the only document ~~of note~~ of the Ex-Examiner's — bearing on the present count — which was read was that dated 8th Feby 1893 No. 41A, a document which is distinctly inimical to the Accountant; whereas his office note No. 54A of 21st Feby 1893, in which the Ex-Examiner blames the Sub-divisional Officers, ~~and G.O. dated 18th May 1893, No. 1349,~~ which was ~~[illegible]~~ not considered in the Accountant's favour. Independent orders were passed on it under G.O. dated 18th May 1893 No. 1349 i.e. after Ranga Rau's removal had been ordered. It is clear that the Accountant's want of care is limited to

4/

to the mislaying of the covering letter, a point not touched by G.O. 37W dated 11th January 1893, wherein the Accountant is blamed for passing a bill which purports to be a revised one. But as it did not really purport to be a revised one, the reason assigned in the G.O. is untenable, and this part of the case collapses.

In regard to count (b). Alleged improper dealings with B. Viryanna Naidu, a contractor in the Nellore Division.

This contractor apparently had a partner named B. Rangappa Reddi: and it is not denied that ~~on~~ in ~~4th January~~ May 1891 these contractors tendered for a certain work, depositing Rs 300 as earnest money. Moreover it is not denied that, being of opinion that the contract would not be sufficiently remunerative, they declined

Note

✱3rd March 1893 is the date entered on the translation of the plaint; but it is clearly a mistake for 3rd March 1892, the date borne by an accompanying statement written in Telugu. It could not have been 1893, because on 11th Feby 1893 the District Judge reported that the plaint had been removed from the file. Thus if the claim of Rs 346-6 was a fictitious one, and made to recover their loss of Rs 300 plus interest, they were charging about R1-8 per cent per mensem.

to take up the work, and that their Rs 300 was accordingly forfeited to Government. As District Accountant, Ranga Rao would necessarily be concerned in this transaction.

✱On 3rd March 1893, the contractors brought a plaint for the recovery of Rs 346-6 from Ranga Rao on account of commodities supplied by them to the Defendant. It is significant that this sum = Rs 300 (the amount forfeited) + about 9 per cent interest thereon from date of deposit. The Accountant repudiated the debt, and said that he had had no dealings of any kind with the contractors. The latter had no witnesses in support of their claim, and could not produce a single bit of paper to shew that the goods had ever been delivered. I

✱16th August 1892 apparently.

have gone carefully through the papers several times, but can not find a tittle of evidence to shew that the Accountant owed the contractors a penny. The claim was either withdrawn or compromised on ✱or before 11th Feby 1893. The Accountant had then left the district for some months, so he says – and this statement is tacitly admitted by the cross-examiner: and he maintains that the plaintiffs withdrew in their own interests. There is no evidence to shew that the Accountant paid them anything by way of compromise – but even if there were evidence to shew that he had done so, such would not be proof of improper dealings. An innocent man might rather submit to be blackmailed than be subjected to cross-examination on malicious charges in a Court of Law. There is not a tittle of evidence in favour either of the Contractor or of the Accountant, and it is absolutely impossible to tell which of the two is the guilty party. This is practically admitted in G.O. No. 880 W dated 30th March 1893 which states that Ranga Rao's explanation is considered unsatisfactory. But the man had found himself in the unfortunate position of being required to prove a negative. This he could not do. The same G.O. states, in para 4, "the Examiner remarks 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 the part of A. Ranga Rao are numerous". This is an allusion to the 26 charges originally made by the Ex-Examiner, but subsequently reduced by him to two — namely Charges XI and XII (vide 2nd page of 1st sheet of this note), and in respect to only one of which — Charge XI — was the

by Government

Accountant held blameworthy. It is inconceivable that the Ex-Examiner can have really considered that the charge of being responsible for the over-payment of Rs 166-11-3 to a piece-worker, and the charge of improper dealings with a Contractor were strong enough to warrant a conviction, or why should he have raked up the old 26 charges on one of which the Accountant had, under G.O. No. 3037 W dated 5th Novr 1892, been severely punished by reduction to half the pay of what he would otherwise have been drawing? He was thus punished though, as stated in that G.O. there was "an element of doubt" that is to say there was no proof that he was guilty of levying contributions from Contractors - In regard to this reduction he was punished on suspicion, and it was obviously unfair to bring that matter forward again for a second punishment..

In regard to his dismissal, or removal, on the two counts revived viz:-

(a) With respect to an over-payment of Rs 166-11-3 to a piece-worker in Nellore Division;

(b) With respect to improper dealings with a contractor B. Vayama Naidu in the same division,

I am of opinion that case (a) breaks down because the reason for holding him responsible, namely that the bill purported to be a revised one, did not exist in fact. And as regards case (b) I consider that that fails for want of evidence, it being a pure matter of opinion whether the guilt lay with the Accountant or with the Contractor.

The case having been re-opened it is for the Government to consider whether there may not have been a miscarriage of justice - If it be decided that the man has not been fairly treated, the question whether to re-instate him or to allow him to take the pension due to 26 years service, or more, will have to be considered. He has asked, as an alternative to re-employment, to be at least granted "the meagre pension" which he has earned. But he did wd suggest the latter alternative until all chance of getting anything better seemed hopeless.

C.H.B.B.
9-5-96.

Runga Row accountant P.W.D. entered the service in [illegible] and was in good [illegible] up to March 1892 when the Nellore Div. Office was inspected by the late P.W. Accounts. A number of irregularities were brought to notice of the Examiner & a list of charges was sent to Runga Row for explanation. When this was received the whole matter was considered by Govt with the result that Runga Row was reduced to Accountant 6th grade. In 1893 the Accountant was accused by the late Exr. P.W. Accts Mr Herbert Hubbard of making an improper [illegible] to a [illegible] under & having [illegible] declined with a Collector. This with Runga Row's explanation having been considered it was decided by Govt that the latter should be removed from the public service and this was subsequently altered to dismissal which carries with it loss of pension.

Runga Row has now petitioned the Govt. of Madras & this added to the fact that the then Secy. Board forwarded a D.O. from Col. Chester lately Col. [illegible] Madras & now × × in which the latter commented very strongly on the injustice that had been done to Runga Row induced me to go into the case very thoroughly.

× flag the petition

× which D.O.s I presume have been mislaid

As Runga Row was an accountant under the Govt. P.W. Accounts & the matters for which he had been punished related entirely to accounts I thought it advisable to submit the whole case to the present Examiner for inquiry & report & he has now submitted his note No 302A dated 28th April (flagged Y)

This note explains the circumstances of the case very clearly & it will be observed that the Examiner thinks Runga Row has been too severely punished & with that opinion I agree.

As regards the reduction, this was ordered on account of ~~laxity & carelessness~~ carelessness & neglect of duty of on the part of the accountant of which he was no doubt guilty, and the amount of punishment that was meted out in a case is a matter of opinion & as the Govt. at that time considered reduction was deserved there is no reason why the matter should now be reopened.

~~The same remarks apply to~~

But his removal from the service without pension & subsequent dismissal appears to me excessive.

I quite agree with the Examiner in the remarks contained in his note flagged Y

and think that ~~[illegible]~~
~~[illegible] from the service [illegible]~~
~~necessary~~ to the punishment
be altogether too severe
& that Ranga Row should
have been permitted to
retire on a pension. I
[illegible] to see that this [illegible]
[illegible] was the opinion of the
[illegible] [illegible] [illegible] [illegible]
Mr [illegible] [illegible] the
[illegible] [illegible] reported in-
formerly on Hon. [illegible] [illegible] [illegible] X
I would therefore recommend that
Ranga Row be allowed to
draw pension from the
date he was removed from the
service.

14/7/96

P. W. DEPARTMENT.

READ the following:—

Office Note from the Examiner P. W. Accounts, No. 3024 dated 28 April 1896.

FOR ORDERS.

Runga Row, Accountant P. W. Dept., entered the service in April 1867 and was in good repute up to August 1892 when the Nellore Division office was inspected by the Examiner P. W. Accounts. A number of irregularities were brought to notice by the Examiner and a list of charges was sent to Runga Row for explanation. When this was received the whole matter was considered by Government with the result that Runga Row

I think Runga Row was, in the case of the first set of charges, rather severely dealt with, but as regards the ~~[illegible]~~ more recent charge of having broken the rule as to dealings with a contractor, I think he got his deserts. But his previous service was long and satisfactory. Possibly, he might be recommended for a reduced pension. Hon. Members will be able to form a better opinion on this question than I can.

A.S.H.
22.7.96

I don't think that there is any ground for reconsidering the former orders of Govt.— The most important charge against the man is that of improper dealings with

13—500—27-4-94.

was reduced to Accountant 6th grade.

2. In 1893 the Accountant was accused by the late Examiner P.W. Accts, Mr Sherlock-Hubbard, of making overpayment to a piece-worker and having improper dealings with a contractor. This, with Munga Row's explanation, having been considered, it was decided by Government that the latter should be removed from the public service and this was subsequently altered to dismissal which carries with it loss of pension.

3. Munga Row has now petitioned the Government of India, and this, added to the fact that the Hon'ble Mr Bliss forwarded

a contractor who had to bring a suit to recover the money due. This charge was twice gone into by Sir H. Stokes, first when G.O. $\frac{880 W}{30.3.93}$ was issued, and again (in great detail) in his note of Oct 20, 1893, in G.O. $\frac{2760 W}{27.10.93}$. After spending some time over the papers, I think Sir H. Stokes was right. Ranga Row evidently had no defence to the suit & therefore compromised it as stated by the D.G. — R.R. says the arrangement made out of Court, evidenced by the joint petition put in by the Vakils, was made without his knowledge & consent. But this is not only highly improbable but is absolutely unproved.

This being the state of the case, I think the order of dismissal must stand. It follows that no pension whatever can be granted.

It may be worth while to note that the papers, taken as a whole, seem to me to show that R.R. was a man quite unfitted for his position & hardly worth half the high pay he was drawing.

HS
24/7/96

Sir H.S. was the last man in the world to decide hastily on the dismissal of a
& flagged T.
subordinate. His proclivities wd. have been rather the other way.

HS

The petr was dismissed in 1893. The assertion that he was only "removed" seems to me to be a mere verbal quibble. Mr Sherlock-Hubbard recommended dismissal under P.W. Code 1 IV 59 & Sec 460(a) of the C.S. Regs.

which D/O's I regret have been mislaid.

The word "removal" is used in Sec 460(a), & it is there stated that "removal" forfeits past services. Moreover Ranga Row, in his petn to Govt (G.O. 27.10.93 2760), asks for a review of the orders for his reduction & dismissal. The Govt of India "having carefully considered" the matter, refused to interfere. No new facts are alleged, & I do not think it right to reconsider orders passed after mature consideration so long ago as 1893. When a man is dismissed, he cannot get a pension for services previous to the dismissal under the C.S. Regs., & it seems to me that there is no sufficient case for recommending the Sec. of State to grant an extraordinary pension.

JG
25/7/96

I concur. But, I suppose the petition should be forwarded to the Govt. of India.

A.G.H.
1.8.96

×
me a D/O from Colonel Christie, lately Examiner P.W. Accounts, Madras and now Ex. P.W. Accts, N.W.P. & Oudh, in which the latter commented very strongly on the injustice that had been done to Munga Row, induced me to go into the case very thoroughly.

4. As Munga Row was an accountant under the Examiner P.W. Accounts and the matters for which he had been punished related almost entirely to accounts, I thought it advisable to submit the whole case to the present Examiner for inquiry and report and he has now submitted his note No 302 A dated 28th April (flagged Y).

5. This note explains the

circumstances of the case very clearly and it will be observed that the Examiner considers that Renga Row has been too severely punished and with that opinion I agree.

6. As regards the reduction, this was ordered on account of carelessness and neglect of duty on the part of the accountant of which he was no doubt guilty, and the amount of punishment that will meet such a case is a matter of opinion, and as the Government at that time considered reduction was deserved there is no reason why the matter should now be reconsidered.

But his removal from the service without pension and subsequent dismissal

FOR ORDERS.

I can't see that he was first ~~[illegible]~~ removed & afterwards dismissed. The first "removal" was a dismissal.
JS

He stated that he wd be "very glad" if this could be done.
JS

require reconsideration. I quite agree with the Examiner in the remarks contained in his note flagged Y, and think that the punishment was altogether too severe and that Renga Row should have been permitted to retire on a pension and it will be seen that this was not only the opinion of the present Examiner but also of Mr Sherlock Hubbard, the Examiner who had reported unfavourably on him – vide letter flagged X.

7. I would therefore recommend that Renga Row be allowed to draw

pension from the date
he was removed from the
service.

16/7/96

W

Appeal from A. Reng
Accountant

~~H.E. the Governor~~

~~July 28.~~

C1708
2.5.96

OS248A G.C. 2877 R3/8
S... 10.

P.W. Dept.

Pro. of the Madras Govt
No. 2360 W. d/ 14 August 1896
Read the follg:—

Petition from M.R.Ry A. Ranga Row d/ 1st April 1896.

Office Note from the Ex. P.W.A. No. 302H d/ 28 —

Letter from A. Ranga Row dated 25 ~~August~~ June 1896

vide p. 563. Vol. I. P.W. Code.

The petition is withheld under Clause (3) para 3 of the Memorial Rules.

7/8/96
W

To The Petitioner.
U. R. Clerk to note.
Despd
15/8/96

A.S.H.
9.8.96

Note for H.E.

It is submitted with reference to His Excellency's note dated 1-8-96 that as it has been decided that there are no grounds for reconsidering the case, the petition should not be forwarded the Govt. of India having already rejected one appeal.

R.S.

7/8/96

H.C.

Petition from Ranga Rao late Accountant

No. 2360 W.- d/14 Augt: 96

U.R.C.

[illegible] the petition to
the Govt. of India must
be forwarded with the
remark that Govt. sees
no reason to alter its
previous decision

27/7/96

W

The papers have to go to H. E. again with reference to the remarks of Hon. Members.

The petition to the Govt. of India will have to be withheld under the petition rules, as India has already rejected one appeal, and there are, in the opinion of the Govt. no new ~~facts~~ facts material to the case.

R.S.
28 July 96

28/7/96

HC

Aw 3988.

W

Secy's note on the Case of Accountant A. Rungarow.

The accountant was reduced from Rs 136 per mensem (which pay would have risen to Rs 150 per m) in the circumstances set forth in G.O. No 3037 W of 5-11-92.

It will be seen from the notes attached to the G.O. that the Hon Member at first considered the reduction to be too severe. The Case was submitted for orders by Capt. Pennycuick who proceeded on leave before the matter was finally disposed of. The acting Secy., Mr Walch asked the Secy's opinion as regards the severity [illegible] punishment; & Mr Sherlock-Hubbard replied that he had discussed the matter personally with Col. Pennycuick, who was strongly of opinion that nothing short of removal from the service would meet the case, & that it was to avoid this, that he, (Mr Sherlock-Hubbard) recommended the lesser punishment of reduction.

On this the Govt. ordered the accountant's reduction.

The present Examiner is of opinion that none of the charges then brought against the accountant were worthy of any special interference on the part of Govt, that they were all matters which could have been dealt with as in an every day inspection report, that Runga Row's reduction was not justified & that the case might have been met by deferment of the accountant's increment.

Mr Gordon further points out that if the inspection of the Nellore division had taken place eleven days later, Runga Row would in the meantime have been promoted to Rs 200 per m., in the reclassification of the Acts establt., so that the reduction was really from Rs 200 to Rs 100.

The next point is as regards an overpayment of Rs 166-11-3 to a contractor - this matter was first dealt with, independent of any action on the part of the Examiner. The case was reported by S.E. II Circle, who recommended that the ~~amount~~ amount should be written off. The Hm. however held that the ~~Accountant~~ was clearly responsible for the overpayment, & G.O. No 37 W of 11.1.93 was accordingly passed, directing that the amount should be recovered from Runga Row.

The Examiner (Mr S. Hubbard) then asked that the papers might be sent to him, to give him an opportunity of remarking on the case, & this was accordingly done. Mr Hubbard returned the papers with his note No 41 A of 8.2.93, in which a far more serious aspect was given to the whole matter.

In the meantime, the Acct Genl

[illegible]

inquiry a letter received from one Bapasawmy Venganna Naidu, accusing Runga Row of borrowing money from Contractors.

The results of the Examiner's investigation into this matter will be found in his note No 102 A of 17.3.93.

Both these notes were dealt with in G.O. No 880 W of 30.3.93, in which the points against Runga Row are summarised: —

The alleged borrowing money from Contractors resolves itself into a charge of obtaining on credit supplies from a man ~~[illegible]~~ who the Ex. Eng. reported was a contractor in the division, & it was alleged that for these supplies Runga Row would not pay

until compelled to do
so by legal pressure.
~~all~~ Although Ranga
Row repudiated the
transaction, the Govt.
took a most serious
view of this case, which
he thought overshadowed
the overpayment busi-
ness, & was in itself
sufficient to cause
his dismissal. (Vide note
on the accountant's app-
eal, G.O. No 2760 W
of 27.10.93)

The present Examiner
considers that Ranga Row
was not responsible
for the overpayment
of Rs 166-11-3, as the
bill did not purport
to be a revised one,
& that this part of the
case against him fails.

As regards the case
of obtaining supplies from
a Contractor, Mr Gordon
states that no attempt
was made to prove
[illegible]

---

the allegations against
the Accountant, & tha
the latter was con=
demned on suspicion
It may be pointed
out however that
while the Govt. did n
take steps to obtain
actual proof of the
transaction, the Acc=
countant was allowed
full opportunity of
explanation, & that
this explanation was
not considered satis-
factory.

The fact remains
that the present Exr.
~~Court~~ considers that
in neither case did
the facts brought
forward warrant
the accountant's
dismissal.

G.O. No 880 W
of 30.3.93 directed
"the removal" of the

accountant's from the service, while G.O. No 2951 W of 19.11.98 uses the word "dismissal" - Mr Gordon is under the impression that the latter word was used for the first time in the G.O. of Nov. 98; & that Runga Row's punishment was thus enhanced. It may be pointed out however that all through the correspondence the words "removal" & "dismissal" or "dismissed" have been used ~~indis-~~ ~~criminate~~ indiscriminately. vide 2760 W of 27.10.93, & 2833 W of 7.11.94 -

It now remains to consider what action should be taken on Mr Gordon's present

note - If the previous orders are to be reversed, apparently Runga Row must be reinstated from the date of his removal, for if the previous orders are declared to be unjust, nothing short of this will meet the case - And if he is restored, it should apparently be on his former pay of Rs 136, leaving the question of his promotion to Rs 200 to be dealt with by the Govt. - Arrears of pay to the extent of over Rs 3000 would thus fall due to the accountant - there would also be the question of cancelling all promotions made since March 1893, in

Consequence of Mr Ranga Rao's removal, & if his restoration is decided on, it would be better to obtain the sanction of the Govt. of India to treat him as a supernumerary, until he can be absorbed. The question of his re-instatement or otherwise can be dealt with by this Govt.; but to treat him as a supernumerary will require India's sanction. If this be not done, unmerited hardships & retrenchment will be inflicted on other men for no fault of their own.

For orders.

C

29/4/86.

Please go over these papers & give me your opinion

2/5/86

Herewith submitted.

CSRS

9-5-86.