Public Works (1897) Department.

G.O., No. 101 W

DATED 11. January

[Despatch Abstract.]

S. Raghava Aiyangar, Supervisor:- Confirming the punishment inflicted by the Chief Engineer on — of reduction from Supervisor 1st to Supervisor 2d Grade, for bad work done in connection with the construction of the Collector's residence at Chatrapur.

To. 11/1

[P.W. 25. 6,000—30-11-96.]

Indexed. 14/1

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

B/ [illegible]

No 101 W of 11th January 1897

DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Petition from S. Raghava Aiyangar, Supervisor of 8.4.96.
Endt. thereon by the S.E. IV Circle No 170 W of 20.4.96
Letter from S. Raghava Aiyangar Supervisor, of 9.7.96.
Endt. thereon by the Deputy Engr. IV Circle No 279 W of 16.7.96.
Letter from the S.E. I Circle No 884 G.W. of 1-12-96.

Issue, omitting last sentence.

7/1/97

H.E. the Governor in Council having considered the petition from Supervisor S. Raghava Aiyangar, & his answer to the charges framed against him, with the remarks thereon of his superior officers, is of opinion that the charges are substantiated. The punishment inflicted by the Chief Engr. of reduction from Supervisor 1st to Supervisor 2nd grade, with reduction of pay from Rs 200 to Rs 150 per mensem, is confirmed. [The punishment will however not now be continued, &

The words I have underlined in red ink should not appear in the Order. But, the Supervisor's promotion need no longer be stopped. He may be now promoted in the ordinary course.

5.1.97

S.G.N.

[P. W. 40. / 50—2-9-96.]

an early opportunity will be taken to repromote him to Supervisor 1st grade.

Cn

4/1/97

S.E. I Circle
S.S. IV Circle

D 13/1/97

Cn 11168.

P.W.D.

Note for H.E. the Governor

In reply to His Excy's inquiry as to why there has been such great delay in submitting the case of Superi S. Raghava Aiyangar, it is submitted that the Supdg Engr I Circle was directed on 29.5.96, to frame charges against the Supervisor & to obtain his reply.

The Supdg Engr I Circle made out three charges in a memorandum dated 9.6.96, which was sent to the Supervisor, through the Supdg Engr IV Circle, to the Salem division.

The Supervisor submitted a printed reply dated 9.7.96, which was forwarded by the Supdg Engr IV Circle, to the Supdg Engr I Circle, on 16.7.96.

The S.E. I Circle

[illegible]
A.C.H
5.1.97

not having the papers to report on the case, sent the reply to the Ex. Engr Ganjam division for report on 6.8.96.

The report of the Ex. Engr Ganjam Division is dated 22.11.96. He explains the delay in his office as having been due to a long time being occupied in collecting the papers required for reference, & in searching for the original measurements which could not at first be found.

The letter from the Supdg Engr I Circle submitting the case, is dated 1-12-96 & was received in the Ch. Engr's office on 9-12-96; it was then referenced, tabulated, & submitted to His Excy on 23.12.96.

4/1/97

W

CM

H.E. 4/1.R7/

Supervisor S. Raghava Aiyangar's reduction

H.E.

P. W. DEPARTMENT.

READ the following:—

Letter from the S.E. I Circle No. 894 G.N. d/1st Dec. 1896

FOR ORDERS.

In September 1895, Supervisor S. Raghava Aiyangar was reduced by the Chief Engineer from Supervisor 1st gr. to 2nd grade, the punishment being for the Supervisor's share of responsibility for bad work done in connection with the construction of the Collector's residence at Chatrapur in the Ganjam Division. The Supervisor petitioned the Chief Engineer to cancel the order of reduction, and on the latter declining to do so, appealed to Government.

The Government, finding that the Supervisor, before he

As I understand this case, the Chief Engineer's order reducing this Supervisor was cancelled by order 278 W 29.5.96 based on my note of 12.5.96. The point now to be considered is whether the Supervisor has cleared himself of the charges made against him; and, if he has not cleared himself, to decide how the offences committed by him should be dealt with. I think the charges are substantiated, though there is some palliation for them in the fact that the Executive Engineer was more to blame than the Supervisor. A Collector's house has been built, which within a year of completion is found to be rotten, leaky, and riddled by white ants. Some of the work has been proved to

43—500-27-4-94.

he was punished, was not informed of the Charge against him, and given an opportunity of exculpating himself, directed(a) that the proceedings against the Supervisor be taken de novo, that he should be furnished in writing with the Charge against him, and with the arguments or evidence in support of that Charge, — that he must be called upon within a time specified to state in writing his answer to that Charge, and that a report must be drawn up in writing, on the answer to the Charge, by the Chief officer of the Accused officer's Dept. This procedure has now been gone through, and a precis of the proceedings is given in the accompanying tabular statement.(b)

The gist of the Supervisor's defence is

(1) that the work was imperfectly examined before

(a) Flagged 'F'

[illegible] have been [illegible]. We cannot now punish the Ex. Engineer, because he is beyond our reach. But, this is no reason for letting off this Supervisor. The punishment inflicted by the C.E. of reduction from from 1st to 2nd grade with reduction of pay from Rs. 200 to Rs. 150, is [illegible] confirmed. The punishment need not extend beyond this, and the Supervisor may receive promotion in due course.

Why has there been such great delay in submitting the case?

A.S.H
26.12.96

(b) Flagged 'C'

~~S.a.W.~~
S.a.W.

11168

before it was condemned,

(2) that some of the defects complained of are due to causes which could not be guarded against, and

(3) that he was not responsible for any of the defects, special arrangements having been made by the then Executive Engineer, Mr. Hayes, for the Charge and supervision of the work.

These arguments are shown to be untenable by Mr. De Morgan, the officer now in Charge of the Ganjam Division, in whose office are all the records relating to the work.

The only extenuating circumstance as regards the conduct of the Supervisor is that as the work was in direct charge of an overseer, and as the Executive Engineer inspected it frequently while in progress, the Supervisor apparently

FOR ORDERS.

apparently with the usual timidity of a native, did not like to bring bad work to notice as it would have been a reflection on his superior officer. This is of course a very feeble excuse, and cannot absolve the Supervisor from blame, but as he has now been reduced for over a year, and is reported to have done good work since, I think he may now be promoted.

23/12/86
W

Cm

H.E. 23/12

11168

recorded in the bill by the Ex: Engr: himself.

The work having been finally passed by his superior, it was unnecessary for the Supervisor to see whether the work had been properly passed.

As to having the bad work redone at the Contractor's expense, the contractor was not bound at the bidding of the Supervisor to redo a work passed by the Executive Engineer and approved of by the Superintending Engineer, Mr. Hezbrow.

23/12/86
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the Executive Engineer's measurement book. The Supervisor's responsibility for the preparation of the final bill was thus limited to the clerical work involved. To incur further responsibility, he should have certified as follows:— "The foregoing claim is correct, the necessary measurements were made by me on the ——— and are recorded at page —— of my measurement book No. , and that the work has been satisfactorily performed." Such certificate was	"residence and outhouses, and attended to the Executive Engineer's instructions."	

preliminary preparations for the flooring work were being made.	appear from the Ex. Engineer's remarks on the Overseer's 10 day report for the period 21st–30th September 93, that much of the flooring work had been done.	
(d) Nor could the Supervisor detect the defects when the work was finally passed; for it was the Executive Engineer, not the Supervisor, that finally passed, measured and paid for the work. The final bill has indeed been signed by the Supervisor, but only to show that the work was in his Subdivision and that the bill was correctly prepared.	(d) The final measurements were checked both by the Executive Engineer and the Supervisor. In the Supervisor's 10 day progress report for the period 10th–20th January 1894 there is the following statement: "Employed in going through the final measurements	In this case also the Supervisor's statement is incorrect.

H.E.23/12

H.E.23/12

	or implicitly absolved the Supervisor from the duty of visiting the work at Chatrapur, and seeing that Chatrapur is only 13 miles distant from Berhampur, there is no reason why the Executive Engr: should have done so.	
(C) On the few days that the Supervisor inspected the Collector's residence he could not detect the bad work complained of, for, then, no trace of the white ant nest referred to by the Supts: Engineer (Mr Garrett) in his inspection notes of Novr '94) was to be seen, and only	(C) The Supervisor's statement that when he last inspected the work, only the preliminary preparations for the flooring work were being made cannot be accepted. The date of his last inspection was 21 Sept 93, when it would	The Supervisor's statement is wia incorrect.

H.E. 23/12

1. While the Supervisor was in charge of the work, bad material was used, and bad work executed in the verandah floor of the Collector's residence, Chatrapur.	The Collector having occasion to fix rings in the verandah floor, found that the concrete was not properly set. At his request, the work was examined by Mr Garrett, the Superintending Engineer, who reported that the concrete was composed of broken stone, sand and a little bad lime, covered by Portland cement plaster – that as concrete it was absolutely worthless, and could be pulled to pieces by hand, and that the rate paid was the usual one in the division, and ample.	The Superintending Engineer, Mr Garrett, confined his examination to the N.W. Corner only of the verandah floor. It may be that in that corner, the contractor used little or no lime or bad lime. But good quality of lime being available in large quantities, the precaution was taken to manufacture lime for the work, and the manufactured lime was tested in masonry blocks specially built for the purpose and both the Executive Engineer and the Suptg. Engineer (Mr Wybrow) after examination pronounced the quality to be sound. A work ought not to be condemned in toto because a small portion thereof is bad.	It is true that the Suptg. Engineer, Mr Garrett, examined only the N.W. Corner of the verandah. But this examination was sufficient to confirm the report made by the Sub-divisional officer on a more extended examination of the floor, before Mr Garrett inspected the building. The Sub-divisional officer had, at the instance of the Collector, been ordered by the Executive Engineer to thoroughly examine the floor. Openings had accordingly been made in 5 places and the subdivisional officer had reported that he found that "on a layer of rubbish (composed of broken tiles loose earth, dealwood pieces &c) a layer of concrete of several [illegible] different [illegible] of jelly, many of them round boulders, has been laid to a depth of 6" with very little mortar in it. As this has not been properly watered, rammed and consolidated, when the top layer of cement plaster which is ½" thick, is taken out, the whole concrete comes off in pieces.	I agree wit Executive Engi
2. The plaster on the walls was extremely bad and riddled by white ants.	The Suptg: Engineer (Mr Garrett) when he inspected the building had the the plastering removed, and found that the mortar used for the masonry was very inferior, but not so bad as that used in the plaster, and that the walls were completely riddled by white ants and	The work was completed in Oct. '93 and a year after, the Suptg: Engineer inspected the building. Originally, the best plaster might have been used and yet, there were causes in operation which would have rendered it bad in no very long time. These causes are. 1. The walls are of rough stone in chunam, plastered inside. Plastering of more than the ordinary thickness had therefore	The Executive Engineer has no remarks to offer, the Chief Engineer's Memo referred to by the Supervisor not having been communicated to him.–	

Accordingly. your remarks in

H.E.23/12

	the building endangered.	to be used, the plaster being more than 2 inches thick where the uneven surface of stones had to be covered up. Lime plaster does not stick very much to big stones. 2. Ravages of white ants. 3. Exposure to the sea wind. The force of this contention was admitted by the Chief Engineer in his Memo № 3889 C dated 7th Dec 1895.		The Supervisor is not Satisfacto A building shou deteriorate to su extent in one y
3. The roof leaks badly and there is a general want of finish.	The Collector complained of the leak, and the Suptg: Engineer (Mr Garrett) noticed the want of finish when he inspected the building in Nov '94	The last finish to the building was given in Oct. '93 when the Supervisor did not inspect the work having been ordered to attend to other works of the Sub Division. The general finish was entirely in the hands of the Ex. Engineer, and it was not for the Supervisor to question what not only the Ex. Engineer but also the Supty. Engineer had approved. As to the leaks, it is a charge which it is difficult to answer at this distance of time and without examining the roof. It is well known that the displacement of a single tile may cause leaks.	No remarks	A building sho not leak ba year after Com
4. The Supervisor allowed bad material to be used, bad work to be done, and neglected to have the bad work removed as agreed at the Contractor's expense.	—	(a) The Supervisor was not in charge of the work at all. An experienced overseer of 19 years standing, Mr Chinnappa Pillai, was placed by the Executive Engineer in special charge of this work on the ground that the work was so important that it required the constant presence of an experienced subordinate on the	(a) The Supervisor cannot be held to have been relieved of the charge of the work. The object of placing a qualified overseer in immediate charge of the work was to assist the Supervisor in fulfilling his responsibility to the Executive Engineer in respect of the work. Beyond the Supervisor's	

accordingly your remarks in

H.E.23/12 1/26/11

spot, charged with full responsibility for it.

statement there is nothing to show that the Collector's residence was a detached charge and under the direct supervision of the Executive Engineer himself. No orders or instructions appear to have been given by the Executive Engineer to the Overseer, which were not known by, or duly communicated to the Supervisor

The most conclusive proof of the fact that the overseer was under the immediate orders of the Supervisor is that the 10 days Progress reports of the Overseer always passed through the Supervisor who

It is evident the Supervisor wa relieved of his responsibility in Construction of building

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the "B" Form progress report of the work every month.

(b) Nor did the Supervisor neglect to supervise as far as he could.

No doubt the work was inspected by him only 9 times but by the Executive Engineer 33 times. But this clearly shows that the Executive Engr. was himself exercising vigilent personal supervision of the work.

The Supervisor's range was extensive and hilly, consisting also of large Zemindary tracts under the management of the Court of Wards. There were numerous works under his charge. The

(b) The Supervisor, by stating that the Executive Engineer "took into his own hands the supervision of the plastering and flooring work," apparently wants it to be understood that the plastering and flooring work were commenced and completed after he ceased to inspect the building. But the "B" Form progress report shows that comparatively little remained to complete the building by the 21st" overseer having been relieved of every other duty in order that he might devote his entire attention to the Collector's residence, it devolved on the Supervisor to look after other works single-handed. It was in consideration of this fact that the Ex. Engineer took into his own hands the supervision of the plastering and flooring work which was the last to be executed in connection with the Collector's residence.

September 1893 – the date on which he last inspected the building before its completion – To justify his omission to inspect the building after this date, the Supervisor probably relies on an order of the Executive Engineer that the Supervisor should personally superintend the laying of the concrete foundations of the Deputy Tahsildar's office, Berhampore. But this order was not given until the flooring work at the Collector's residence was practically completed. Nor is there anything to show that by giving that order the supervisor [illegible] who

I agree with Executive E

Write a short précis of the case and add "The only extenuating [illegible] as regards the evidence of the Supervisor is that [illegible] the work [illegible] (A) [illegible] the inspection [illegible] which is proper, the Supervisor apparently [illegible] [illegible] a reflection on his superior officer, [illegible] [illegible] been reduced [illegible] reported to have done [illegible] think he may be pardoned"

to (A)
This point has been omitted in the note to H.E. As Chatrapur is not the Headquarter station of the Exec. Engineer, but Berhampore

17/12/96

W/ Note for Orders drafted accordingly. your remarks in

E/

Cur 11168

Dw.

Submitted.

The Executive Engineer's report on Supervisor Raghava Aiyangar's answer to the charges against him in connection with the bad work done at the Collector's residence at Chatrapur, has been ~~put~~ in a tabular form which is submitted herewith.

It now remains for CE to record his remarks either in the tabular statement, or in a note for His Excellency.

Cs 16.12.96

16.12.96

W.

The Executive Engineer's Report on the charges brought against Supervisor Raghava Iyengar.

This goes fully into the charges. There is no doubt that the Supervisor was technically in charge of the work & technically responsible.

The Superintending Engineer remarks that he does not think the Supervisor free from blame, but that under the circumstances the Supervisor had reason to believe that he was relieved of much of the responsibility.

The Supervisor has been reduced now for over a year (since 4th Nov 1895). He has probably been sufficiently punished & may now be promoted.

J.O.B.
17.12.96.

Public Works (1896.) Department.

CURRENT No. 11168

Order

From J. C. Larminie Esq.
Supg. Engr. I Circle,
To The Chief Engineer P.W.D.

No. 894 G.N.

Dated 18th December 1896
Received 9th " "
Enclosures 6.
Spare copies

SUBJECT.

Collector's residence at Chatrapur — Submits defen of Mr. S. Raghava Aiyangar, Supervisor for the bad work done to the — with remarks

6

doubt, the work being in my Sub-Division, my inspection would have been more frequent and that of the Executive Engineer comparatively slight. But in this case and for the reasons already mentioned, Mr. Hayes was constantly at the spot and was exercising vigilant personal supervision. Whenever at Chatrapur he pitched his tent in the compound of this building. Under such circumstances there was no call for me to inspect this oftener than I did. On the other hand I was urged by every consideration of duty, to pay more attention to the other works than would have been necessary, had Mr. Chinnappa Pillay's, assistance been available to me in regard to them. It thus happened that I did not inspect at all in July when these works in question began or in October when they were finished. On the other hand Mr. Hayes, during the first two months, inspected even more constantly than Chinnappa Pillay himself, as Mr. Garrett's table shows. Under the circumstances, it is clear that my having inspected this building on fewer occasions than officers more immediately and specially in charge of these works, was not due to any neglect whatsoever on my part.

6. I by careful supervision I must have detected the bad work complained of, even during the few days when I inspected, then no doubt, part of the blame would belong to me. But there was not a trace at my inspection of the white ant's nest referred to, and as no alusion is made to any evidence pointing to its existence at that time, it is evident the ants have settled there, since the completion of the building. As to the flooring, the work admittedly commenced in September when I could not possibly have detected the badness of the concrete work, for then only the preliminary preparations for the work were being made.

7. In the circumstances explained I am sure you will acquit me of all blame in respect of insufficient or careless supervision. If I had finally passed, measured or paid for the work, might certainly be held responsible. But I did none of these things. *Mr. Hay himself finally passed, measured and paid for it* and Mr. Garrett in his inspec notes accordingly finds the responsibility for passing the work to rest on Mr. Hes and Overseer Chinnappa Pillay.

8. My signature no ubt, appears in the final bill, but only to show that the work was in my Sub-Divin, and that the bill was correctly prepared in my office from the Executive Engin's measurement book. This signature, therefore, does not signify, as it is only to tify that the clerical work was properly done. If I made myself responsible fhe preparation of the final bill I should have certified
correct, that the necessary measurement were made by
rded at page——of *my* measurement book No.——
satisfactorily performed". I did not certify to that
eer did so.

because of the work being in my Sub-Division, I was
my superior had already measured, that I was bound
ng of the work was proper? To redo work done by my
it, would be an objectless waste of time, for which I
as to criticising it, that would be certainly deemed
work to be criticised was that of my immediate superior.

plained satisfactorily that I was not in charge of the
lect to supervise. I am blamed for not having the
e at the contractor's expence. In the first place I did
September until it had been completed and at that
atted and nailed, so that I had no chance of discovering
second place, if I ordered the contractor to redo the
ve Engineer and approved of by Mr. Wybrow, the
ose inspection notes may with advantage be referred
tion immediately after the building was completed
; he was not bound at my orders, to redo the same.

y be noted that the Collector did not complain for a
had before his examination heard the complaints of
re naturally enough predisposed to find fault and that
the *north west corner only* of the verandah floor. It
e contractor used little or no lime or bad lime. But
inly available in large quantities. For, lest by pur-
d quality of lime may not be obtained, the precaution
e at the spot, and to test the manufactured lime before
ly built for the purpose, which to this day may exist;
Wybrow after examination pronounced the quality
lines to condemn a whole work because bad work
s of a large building, for, if this test be applied to the
building, it is sure to stand condemned.

Instructed by [illegible] 11/3/94

12. *As to No. 2.* It seems a great pity that Mr. Garrett confined his exam. nation to one corner only. He might in fairness have given notice to the officers whom, as the result of his exxamination be found fault with, to be present at his examination and offer their remarks. As to the plaster which he condemned, originally the best plaster might have been used, and yet there were causes in operation which would have rendered it bad in no very long time. The walls are of rough stone in chunam plastered inside. Plastering of more than the ordinary thickness had therefore to be used, the plaster being more than 2 inches thick where the uneven surface of stones had to be covered up. Lime plaster does not stick very much to big stones. If in addition to this, you take into account the ravages of the white ants on the one hand and the exposure to the sea-wind near on the other, these natural causes would sufficiently account fo the plaster coming off in flakes here and there. The Chief Engineer in his memorandum dated 7th December 1895 allows this may be so, that he would consider what punishment I deserved "irrespective of the question of plaster".

13. *As to No.3.* I very much regret Government should for redoing the flooring and plastering have sustained a loss of Rs.1,890. But, since apparently this loss is attributed to me, I may in self defence, be permitted to question whether it was *necessary* on the strengtl of an examination of one corner of a large building like the Collector's residence at Chatrapur, and without a more extended examination, to redo the *entire* flooring and plastering notwithstanding that no complaint had been made, except against the north west corner of the verandah floor.

14. *As to No.5.* This charge is new and not originally pressed. The last finish to the building was necessarily given in October, when as already explained, my duty having called me elsewhere, I did not inspect this work. In any case the genaral finish was entirely in the hands of the Executive Engineer and it was not for me to question, what not only my Executive Engineer but also the Superintending Engineer had approved. That the roof leaks, is surely a charge that at this distance of time and writing from another district, it is very difficult to meet. Some considerable time had elapsed before Mr. Garrett's examination and it is well known that the displacement of a single tile may cause leaks.

15. I trust I have shown that no part of the blame for the defects said to have been noticed in the building properly belongs to me. I hope my long record of good service in the department may be taken into consideration. In the note by the Chief Engineer dated 24th September 1895 it is admitted that during my long service of 21 years, I have borne a good character "though not of any special distinction". I may beg leave to mention that Government specially acknowledged my services, during the late great famine and was pleased to direct one year service to be added to my actual service, for meritorious work. I have not had the good fortune to be employed on any grand project where working under the eye of the Chief Engineer, my services might have obtained greater recognition. But my immediate superior have invariably approved of my work and I think I may justly claim that I performed honestly and faithfully work that came in my way.

16. I respectfully beg, in making your report to Government you will be plased to consider how severly I have been dealt with, where I so little deserve punishment. Degradation at my time of life for an officer of my standing, after having served Government without reproach for 22 years, is by itself a severe punishment. This severity is accentuated in my case, by the fact that but for this punishment, I was so high in the list of 1st grade Supervisors I might reasonably expect to have been made a Sub-Engineer by this time. The loss of pay is the smallest part of my punishment—the stain on an hitherto unblemished record—the clouded if not blighted prospect of promotion at a time when to all appearance that prospect was brightest the almost lost chance of becoming a Sub-Engineer (for I am nearing pensionable service) all these are very heavy items of punishment and if, as I trust I have satisfied you that no blame attaches to me, I humbly beg you will be pleased to put before Government with due prominence what serious consequences to me, are involved in the punishment they have awarded and recommend that I may be restored to my former grade with arrears of pay.

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

Raghava Co.

Supervisor in charge of Salem Sub-Division.

SUPG. ENGINEER P.W.D. No. 280 SL 15 JUL. 96

No. 245 S.E.
13/7/96

Forwarded – I have formed a high opinion of this Supervisor since he has been under me.

His defence practically amounts to this. – he was debarred from looking after the building & told ttend to other works & that the cutive Engineer & Overseer would k after this particular work.

Steph. O'Connell
Executive Engineer
10-7-96

279/OU d/16-7-96.

warded for favorable commendation

Hannam
Supd Engr.
16.7.96

28/7 96

LL

EXECUTIVE OFFICE SALEM 11144 8 JUL 96

SUPERINTENDING ENGINEER FIRST CIRCLE 6/452 27 NOV. 96 4

SUPERINTENDING ENGINEER No. 443 27 JUL. 96 FIRST CIRCLE

EXECUTIVE ENGINEER'S OFFICE, P.W.D. 8 AUG 96 REGISTER NO. GANJAM DIVISION.

No. 620

Salem Sub-Division office,
Dated 9th July 1896.

From
S. RAGHAVA AIYENGAR,
Supervisor in charge of
Salem Sub-Division.

To
THE SUPERINTENDING ENGINEER,
1st Circle.

THRO'
THE EXECUTIVE ENGINEER,
Salem Division, and
THE SUPERINTENDING ENGINEER,
IV Circle.

Sir,

I beg respectfully to answer the charges formulated in your Memorandam No.316 dated 9th June 1896 and received by me on 30th June 1896.

2. It will be seen that, as they are drawn, the charges dovetail into each other and the first two of them as they stand, contain merely statements of facts and until read with the third, do not amount to charges at all. It may therefore perhaps conduce to clearness to analyse them and give at the outset the facts alleged against me and how I am sought to be made answerable for them. The alleged facts are:—

1. That the Collector in November 1894, that is *one year after* his house at Chatrapur was built and occupied by him, complained that the concrete had not set *in the north-west corner of the Verandah floor* in consequence of little or no lime having been used.
2. That Mr. Garrett, Superintending Engineer, at the Collector's request, examined *that corner* and found that, as the Collector complained, the concrete had not set, as only a little bad lime ha used. That he further found the plaster on the walls there extremely bad being riddled by white ants.
3. That it becam therefore necessary to redo the *entire* flooring and plastering at a cost to Government of Rs.1,890.
4. That this happ ened because, 1st, *though I was in charge of the work,*
   I neglected to *supervise* while the work was in progress and 2ndly
   that after its c ompletion I neglected to have the flooring and plas-
   tering remove and redone at the Contractor's expense.
5. That the roof eaks badly and there is a general want of finish a
   evidence of wa nt of careful supervision about the work.

3. It may perhaps be well that I should answer No.4 first, because upon th
depends my share of blame f r these defects, supposing them to exist.

4. I must emphatically deny that I was in charge of the work, except to the
extent of its being within my Sub-Division. An experienced Overseer of 19 years'
standing Mr. Chinnappa Pill y, was placed by the Executive Engineer Mr. Hayes,
in special charge of this work . He was relieved by Mr.Hayes of every other duty
in order that he might devot his entire attention to this work alone. It will there-
fore be allowed that I was n t in charge of the work at all.

5. The next thing to swer is whether as supervising Officer of the Sub-
Division, I neglected to supe vise. I no doubt inspected the building only 9 days
(5 days in August and 4 day in September) against the Executive Engineer's 33
days and Overseer Chinnapp Pillay's 58 days. But I must be permitted to deny
that this was because of any neglect on my part. My duty in the Sub-Division was
no holiday work as my diary will show. The range was extensive and hilly consis-
ting also of large Zemindary tracts under the management of the Court of Wards.
The Collector's house was o ly one of the innumerable works in the Sub-Division.
Being deprived of the assista nce of an experienced subordinate, I had to do the
entire work of both; when I protested against this, Mr. Hayes overruled me on the
ground that the work was so important that it required the constant presence of
an experienced subordinate o n the spot, charged with full responsibility for it by
being placed in sole charge o it alone. He however took into his own hands the
supervision of the plastering and flooring work, the last remained to be done, in
order to enable me the better to attend to the other works of the Sub-Division,
from which the services of Chinnappa Pillay were withdrawn. Ordinarily, no

BACK PAPERS.

G.O.	No.	Department.	Date.
memo	4628c	P.W.	5-12-96 ✓
"	4036c	"	11-11-96 ✓
"	278	"	29-5-96 ✓
"	3889c	"	7-12-95 ✓
G.O.	2575w	"	19-10-95 ✓
memo	2602c	"	26-8-95 ✓
"	2157c	"	28-6-95 ✓
"	1395c	"	2-4-95 ✓
"	696c	"	22-2-95 ✓
G.O.	2866w	"	28-10-91 ✓
"	1369w	"	19-5-91 ✓
"	105w	"	12-1-91 ✓
"	3318w	"	13-12-90 ✓

FURTHER PAPERS.

G.O.	No.	Department.	Date.

H.E. 23/12

Collectors Residence at Chatrapur

Extract from Supervisor Raghava Iyengar's Tenday progress reports.

Enclosure to para 13

SUPERINTENDING ENGINEER, FIRST CIRCLE.
No. 6145
27 NOV. 96
2

23-27 August/93. Chatrapur - Collector's Residence

Superintending the works and attended to the Executive Engineer's instructions + + & Plastering the walls in hand.

8th-10th Sept/93 Chatrapur - Collector's Residence

Superintending the works - Labor is distributed and several kinds of works such as plastering, Wood ceiling, tiling the roof &c in progress.

20th Sept/93. Chatrapur Collector's Residence

Plastering the walls in the lower floor ~ except to the ceiling to the cornice complete, and the work in the upper floor in hand.

21st Sept/93 Chatrapur Collectors Residence

Superintending the Collector's residence

21st-28 Decr/93. Chatrapur

Employed in carring out sundry works to the Collector's residence in Chatrapur.

8 to 10th Jany/94 Chatrapur - Execut

Executed sundry works to the out houses of the Collector's residence and attended to the Executive Engrs' instructions

11th to 12 Jany 94. Chatrapur

Inspection and carrying out petty works to the Collector's residence

14 & 15th Jany 194. Employed in going through the final measurement of the Collector's residence and out houses and attended to the Executive Engrs' instructions

8/6
24.11.96

P.W. E-2
11168/96

5

Enclosure to para 8 of the letter

SUPERINTENDING ENGINEER, FIRST CIRCLE
6/4 Gn
27 NOV. 96

Executive Engineer's orders on Supr. S. Raghava Iyengar's 10 day progress report 1st to 10th October 1893.

Against date 6th to 9th, the Supervisor reported that he was superintending the laying of concrete for the Deputy Tahsildar's office at Berhampore, and against 10th September October? 1893, his camp was shown to be at Kukudakandy.

Executive Engineer's remark thereon

"I told you that you had personally to see the concrete laid - (meaning for the Deputy Tahsildar's office Berhampur) You must stop on the work and push it forward, and see that it is carried out properly.

Again.

In the progress report for the 11-20th October 1893, on the same subject, the Executive Engineer recorded the following remarks: —.

"Please understand that you must personally see all the Concrete laid and that proper measures are taken to see the foundation trenches baled.

As per the Supervisors progress reports, the laying in of the concrete for the Deputy Tahsildars office, Berhampore was commenced on the 29th to 30th September 1893, and completed by about the close of December 1893.

810
24-11-96

P.W. E.3
1168/96

Ganjam Division Office, Berhampur,
1896.

No. 4208

From
W. De Morgan Esqre
Executive Engineer,
Ganjam Division.

To
The Superintending Engineer
First Circle

Dated Calingapatam 22
Despatched 25 } Nov/96.
Received
Enclo. 6

Enclosures. 6.

1. Supervisor S. Raghava Iyengar's defence
1. Chief Engineer's Memorandum No 278 D d 29-5-96.
1. S.E. No 316 G.A. d 7.9.6.96
1. Precis of the Correspondence
1. Copy of Ex Engr's order
1. Extract from Supervisor Raghava Iyengar's Ten-day Progress Report.

6

SUPERINTENDING ENGINEER
No 5/462
27 NOV. 96
FIRST CIRCLE.

Sir,

With reference to your No. 507 G.A. dated 6-8-96, I have the honor to return herewith Mr. Rey S. Raghava Iyengar's defence, and the documents which accompanied it, with the following remarks:–

2. There has been considerable delay in replying to your letter. This was unavoidable. A long time was occupied in collecting the papers requi

required for reference and a particular measurement book which, when found, did not contain the date of final measurements, or show by whom the measurements were taken. A further delay was incurred in searching for a note book in which the original rough measurements might have been recorded. The rough measurements were found in a bundle of papers concerning the work which had been handed to the Berhampore Subdivisional officer. These were returned to my office this month.

3. The appeal is speciously framed but will not in my opinion stand careful examination. I will deal with the different paras seriation.

Paras 2 & 3 require no remark.

4. The supervisor would imply that he had no concern with the overseer Chinnappa Pillay, who received his orders direct from and carried out the work under the Executive Engineer alone. This was not the case. From commencement to completion of the work, overseer Chinnappa Pillay was under the orders of the Sub Divisional Officer, instructions regarding the work were only issued to the Sub Divl: Officer by the Executive Engineer, and as far as I can find, no orders or instructions were ever given to the subordinate in charge, by the Exe: Engineer which were not known by, or duly communicated to the Sub Divl: Officer.

Para 4 of defence.

The Supervisor's statement that he was not in charge of the work cannot I think be recognized or conceded. To do so, would be most injudicious. By Code I. III. 64 the Subdivisional officer is appointed to complete the chain of responsibility of the Executive Engineer. To assist him in fulfilling his responsibility to the Executive Engineer a qualified subordinate was selected, and put in immediate charge of the work; but beyond the Supervisor's statement there is nothing to show that the Collector's Residence was a detached charge, and under the direct Supervision of the Executive Engineer himself

4. Copied in the margin.

5. The most conclusive proo

proof however of the Supervisor's responsibility lies, in my opinion, in the fact that the 10 day progress reports of the overseer, always passed through the hands of the Sub Division officer, who, himself, submitted the "B" form progress report of the work every month, and which passed through the Executive Engineer to the Superintending Engineer for information.

For only 4 months (April to July 1893) was this report drawn up and submitted by the Overseer himself direct to the Executive Engineer

During this period the Sub Division officer was on leave, ie from about end of April to July 1893.

6. It is further to be remarked that the bad work for which Supervisor and overseer, were reduced was executed after the former had resumed charge of the Subdivision.

7. Appeal para 5.

"He, however, took into "his own hands the Supervision "of the plastering and flooring "work. the last remained to "be done, in order to enable "me the better to attend to the "other works of the Subdivision

×No dates are mentioned, or documents referred to.× From his 10 day progress reports, it is clear that the Supervisor last inspected the work on 21st September 1893. After that date he did not again inspect until 21st Decr/93 For this he had a reason. He had been ordered by the Executive Engineer to personally superintend the laying of concrete in foundation

✱ It must be remembered that the Supervisor wrote his defence from memory – the defence was written in Salem Dist. where he had no documents to refer to. He was ordered to prepare his defence within a certain date which gave him about 10 days or a fortnight to do it in.

17.12.96

foundations of Deputy Tahsildar's office Berhampur. There is however nothing to show that the Executive Engineer explicitly or implicitly, absolved the Sub Dn. officer from the duty of visiting the work in Chatrapur; and seeing that Chatrapur is only 13 miles distant from Berhampore there is no ~ reason why he should have done so.

Moreover according to the "B" form progress report comparatively little remained to complete the Residence.

About 21st September 1893 flooring to the dining room was completed, the remark "the last remained to be done" is therefore not consistent with facts.

8. It was on the Supervisor's progress Report 1-10 Oct/93 that

that the Executive Engineer ordered his constant personal Supervision over the Concrete foundations of the Deputy Tahsildar's office – Berhampur

A copy of this order is ~ sent for ready reference.

This order was not given until laying the flooring at the Collector's Residence was practically completed.

It is presumably to this order that the Supervisor refers in para 5 of his defence, "in order to enable me the "better to attend to the other "works of the Subdivision.

Dates however do not ~ support him.

I may add that laying of concrete in foundations of Deputy Tahsildar's office Berhampore was commenced at end of September 1893, and completed at end of December 1893.

9. Further in Same para 5.

"It thus happened that I "did not inspect at all "in July when these works "in question began, or in "October when they were finished

This does not in any way bear on the question at issue. All work done to flooring and plastering were condemned - not the portion at any particular spot.

The condemnaton consequently includes work that had been inspected and supervised by the Supervisor up to 21st September 1893.

Mr. Garrett the Supdg Engr. in his notes printed with G.O No $\frac{2575 W}{19.10.95}$, writes as follows: —

" with regard to the floors "and the plastering, it will "be necessary to redo the "entire work."

10. In connexion with this reference may be made to para 11 of the defence. The Supervisor appears to be under the impression that the whole was condemned on Mr. Garrett's examination of ~~the~~ one spot in the North West corner of the Verandah. This doubtless was the particular spot examined by Mr. Garrett.

11. Mr. Weir happened to be in the house when the Verandah floor was being picked up to fix certain rings to hold the chicks. On 24-9-94 he wrote that there was "not a single particle of Concrete. The flooring "underneath the layer of "cement consists of loose "round stones, and broken "tiles. There is absolutely "no mortar and there

has been no attempt at packing. This was followed by very strong criticisms on the transaction.

12. Mr. Inglis then Executive Engineer ordered his Sub Dl. officer to pick up and ~ thoroughly examine the floor. Openings were made in 5 places and the Sub Divisional Officer in his No. $\frac{268}{12.11.94}$ reported that he found that "on a layer "of rubbish (composed of broken "tiles, loose earth, deal wood "pieces &c, a layer of concrete "of very inferior quality, con-"sisting of different sizes and "kinds of jelly, many of them "round boulders has been laid, "to a depth of 6" with very "little mortar in it. As "this has not been properly "watered rammed and "consolidated when the top "layer of cement plaster,

which

"which is 1/8" thick, is taken "out, the whole concrete comes "off in pieces".

Mr Garrett's examination was quite sufficient to confirm this

12. It is therefore quite evident that bad work must have been executed from the commencement and that although the supervisor inspected the Residence in August and September, he failed to detect it, or if he detected it, neglected to report it, or to take any steps to remedy it.

His inspections must therefore have been valueless, and on these considerations I ~ presume his reduction was decided on.

13. I enclose copy of extracts from the Supervisor's 10 day progress reports.

Appeal para 6.

14. In connexion with this, please refer to appeal para 12. The Chief Engineer's memo. referred to has not been communicated to this office, and I have therefore no remarks to offer.

Appeal para 6.

15. Flooring. "I could "not possibly have detected "the badness of the Concrete "work for then only the pre-"liminary preparations of the "work were being made"

This statement cannot be accepted. The Supervisor last inspected the work on 21st September 1893, In Chinnappa pillay's 10 day report 21-30 September 1893, it is written as follows:—

"Flooring to the dining "room is completed, including "cement plaster" – and against this Mr. Hayes

the

He saw it often enough

which would have done very little good

the Executive Engineer remarks (circa 6th October 93) "I "think all other flooring is done in a similar manner.

On this point nothing more need be said.

16. It is quite certain that Mr Hayes was not satisfied with some of the Concrete flooring for in the 10 day progress Report 1-10 October 1893, communicated to the Overseer through Sub Dn. officer, he remarks, referring to Concrete and portland cement plastering to Bed room (Pantry & Bath) and dining room". It has been "done very badly since. If "there is any cement to spare, "after the verandah and bath "rooms are finished, I will "have the surface rubbed "with pure cement.

In fact about this

time Mr Hayes complained of the quality of most of the work.

then why did he allow it

17. It may not be superfluous to remark that the total quantity of Concrete flooring in the Residence is 2822 cuft, and the flooring of the dining room referred to above was 320 cuft. The remainder of the flooring was completed in October/93. It is quite open to doubt whether the whole or any portion of what remained was carried out under the immediate supervision of the Executive Engr.

18. There are no records to show what was subsequently done by the Supervisor or Overseer to rectify bad work. I am disposed to think that the Overseer took ~ opportunity when the Executive Engineer ~~also~~ was absent to remedy superficial ~ defects as rapidly as possible, and completed the remainder of the flooring, trusting that it would not be subjected to a rigid examination. How far the supervisor was concerned in this it is impossible to conjecture.

Appeal paras 7-8.

19. The final measurements were taken by the overseer, in immediate charge of the work. These were checked both by the Executive Engineer and the Subdivision officer, as officers in charge of the work. In the Supervisor's 10 day progress report 10-20th January /94 - there is the following statement ~ "Employed in going through "the final measurements "of the Collector's residence "and outhouses and

I don't think that this remark means that the Supervisor checked the measurements, but that he checked the calculations for the preparation of a bill and attended to the Executive Engineer's instructions. Payment is based on certified measurements and on these final measurements checked both by Executive Engineer and Supervisor, the final bill was prepared and payment to the Contractor made.

20. These final measurements were checked by the Executive Engineer and the Supervisor || see note above on 14-15 January 194, and entered on rough sheets, which were copied in the divisional office in measurement book No $\frac{K.}{379}$.

No entry of date of measurement has been made in this book, and it was only initialled by Mr Hayes and the Accountant 9-3-94.

The final bill was paid on 2-3-94.

21. Appeal para 10.

After careful search Mr. Wybrow's inspection notes have not been found.

22. There is nothing more in the appeal which appears to me to call for remark. I have never seen S. Raghava Iyengar nor am I aware that he has never served under me in any capacity. I do not think his defence carries any weight. He endeavours to shift his responsibility on to the shoulders of the Executive Engineer because a special Overseer was detailed to the work. There is nothing to show nor any reason to suppose that the Supervisor was relieved of his share of Superintendence in fact it was not until the end of September by whic

which time most of the bad work had been done: that he was directed to confine his attention to the foundations of the deputy Tahsildars office at Berhampore

23. I trust that what I have written will be sufficient to lead to a final decision of the question.

I have the honor to be
Sir,
Your most obedt. Servt.

Whitwright 22/11

Executive Engineer
Ganjam Division

P.W. E.4 11168/96

Public Works (1896) Department.

CURRENT No. 11168

SUPERINTENDING ENGINEER
No. 1057/96
22 NOV. 96

Order

507 R.L.
4-8-96

From
The Supg. Engineer
4th Circle.

No. 577/W

Dated 15th November 1896
Received 9.12.96
Enclosures ✓
Spare copies ✓

SUBJECT.

M.R.Ry. S. Raghava Aiyengar, Supervisor in charge of Salem Sub Division.

Forwards for disposal letter from — enquiring after the disposal made upon his appeal against his reduction.

B

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2000—22-6-96.

1911
14 NOV 96

P. W. D.

From
M. R. Ry. S. Raghava Iyengar
Sub-Divisional Officer,
Salem Sub-Division.

498 S.V.
14 NOV. 96

Superintending Engineer
No. 1
22 NOV. 96
First Circle

To
The Executive Engineer
Salem Division

Dated 12th } November 1896.
Despatched " }

No. 1031

Enclosures.

Sir,

I beg to report that it is now one full year since my reduction from 1st & 2nd grade Supervisorship was ordered - and that my appeal against the reduction has so far as I am aware not yet been disposed of though I submitted the explanation called for by the Government so far back on 9th July 1896.

May

P.T.O.

May I be permitted to enquire whether any intimation of the disposal of my appeal has been received in your office:-

From
for O/By S: Raghava Ayyangar
Sub-Divisional Officer,
Salem Sub-Division,

I beg to remain
Sir
Your most obt. servant
Raghava Ay
Sub Divisional Officer

To
The Executive Engineer
Salem Division

No 429/P.E. d/ 13-11-96.
189 6.

Despatched

Enclosures

Forwarded to the Superintending Engineer IV. Circle

The Sub-Dn: Officer has been informed that no intimation of the disposal of his appeal has been received in this Office.

Stuart O'Connell
Ex. Engineer

No 577/W d/16-11-96.

Forwarded to the Chief Engineer, P.W.D for favor of disposal thro' the Supg. Engineer, 1st Circle, with reference to this office No. 279/M, d/ 16 July 1896.

Supg. Engineer, 4 Circle.

Forwarded to the Chief Engineer P.W.D.

Supdg Engineer 1st Circle
2/12

Copy of memorandum No. 316Cw/9.6.96 from W.C. DeMorgan Esqr., Superintending Engineer 1st Circle to MRRy Supervisor, S. Raghava Aiyangar through the Superintending Engineer, Fourth Circle

---

In Consequence of bad work done on the Collector's Cutcherry Chatrapur, Supervisor 1st grade S. Raghava Aiyangar was reduced to II grade vide GO no: 2575 W dated 19 Nov: 95. S. Raghava Aiyangar having appealed, Government in memo no: 278D/29.4.96 has directed that in accordance with the spirit of para 52, Chap IV, Vol I P.W. Code, he should be furnished in writing with the Charge against him and the evidence in support of the Charge, and that he should be called upon to state in writing within a specified time, his answer to the Charge. He will therefore within 15 days from receipt of this memorandum, reply thro' the Supg Engr IV Circle to the following Charge.

1. That while he was in Charge of the work bad material was used and bad work executed in the verandah floor of the Collector's residence.

Evidence. The Collector having occasion to fix rings in the verandah floor found that the Concrete was not properly set. At his request the work was examined by Mr. Garrett, the Superintending Engineer who reported that the Concrete was composed of broken stone, sand and a little bad lime covered by Port Land cement plaster. That the mixture had not set and that as concrete it was absolutely worthless and could be pulled to pieces by hand. The rate paid was the usual one in the Division and ample

ii The plaster on the walls was extremely bad and riddled by white ants.

The Evidence is the personal examination of the Superintending Engineer who had plastering removed and found that the mortar used for the masonry was very inferior, but not so bad as that used in the plaster and that the walls were completely riddled with white ants and the building endangered.

iii. That in consequence of his neglect of Supervision it was necessary to undo the floor and plastering and in doing so, Government has been put to an additional Cost of Rs 1890

iv

iv. The roof also leaks badly and there is a general want of finish and evidence of want of careful Supervision about the work.

He must explain how it happened that he allowed bad material to be used, bad work to be done and neglected to have it removed and re done at the Contractor's expense. It appears that plastering was commenced in July 93 and flooring in September 1893 and the building completed in October 1893. The Supervisor was present on the work for 5 days in August and 4 in September.

True Copy

Superintending Engineer
1st Circle

P.W. E. 6
11/8/96

No: 894 G.N.

From

J.C. Larminie Esqr M.I.C.E.
Superintending Engineer
1st Circle

To

The Chief Engineer.
Public Works Department.
Madras.

Encls. 6.

Camp Denlaishweram Dated 1/12/96.

Sir,

With reference to your memorandum No: 278 D dated 29th May 1896, I have the honour to report that Supervisor S. Raghava Aiyangar was furnished in writing with the Charges against him - Please see Copy of memorandum[×] herewith submitted, and his explanation obtained.

with No 4628 C 5.12.96

× No: 316 GN / 16.6.96

2. As I had not in my office all the papers required to draw up the report on the subject, I forwarded the Supervisor's explanation to the Executive Engineer Ganjam Division for report

3. The Executive Engineer's report No: 4208 / 22.11.96, which deals fully with each point noticed in the Supervisor's explanation, is herewith enclosed in original and I think it is unnecessary for me to recapitulat

its contents.

4. It will be seen from this report that Supervisor Raghava Ayyangar was not relieved of the charge of the work "Collector's Residence at Chatrapur" although an Overseer was specially placed in charge of the work and that he is therefore responsible for the bad work done as the final measurements were checked both by the Executive Engineer and the Sub Division officer Raghava Ayyangar.

5. Although the Supervisor cannot in my opinion be considered free from blame, as had his inspections been worth anything, the bad work would have been detected. Still under the circumstances, he had reason to suppose that he was relieved of much of the responsibility.

6. The Supervisor's explanation is also herewith submitted.

I have the honor to be,
Sir,
Your Most obedt St

J C Lawrence
Superintending Engineer