Public Works (1898) Department.

G.O. No. 1878 W

DATED 25 July 98

[Despatch Abstract.]

Conductor MacAlister

Reprimanding ——
Sub Engineer, for leaving his station without permission, & for giving himself an unauthorised advance of Rs 200, and, as a punishment, deferring his promotion to the rank of — Dy Asst Commissary, for six months.

Indexed.

P. W. 86.
1,000—9-3-96

BACK PAPERS.

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FURTHER PAPERS.

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

B
From folders

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Letter from the Superintending Engineer, I Circle, No. 409 G.D., dated 20th May 1898.

— Do — do — No. 446 G.D., dated 26th May 1898.

From — do — No. 435 G.D., dated 22nd May 1898.

From the District Medical and Sanitary Officer, Godavari District, No. 2487, dated 10th June 1898.

From Conductor R. W. MacAlister, Sub Engineer, P.W.D., dated 30th June 1898.

Letter from the Superintending Engineer, I Circle, No. 774 G.D., dated 9th July 1898.

No. 1878W d/ 25.7.98

His Excellency the Governor in-Council considers that Conductor MacAlister, in leaving his station without permission, and giving himself a wholly unauthorised advance of Rs 200, has shown himself to be entirely regardless of the rules of the Department and has no excuse for his conduct, it being clear from the District Medical officer's report that there was no immediate necessity for his departure on the score of his health. As a punishment for his

E. to note

this serious breach of discipline, his promotion to Deputy Assistant Commissary which was about to be gazetted, will be deferred for 6 months.

22.7.98

[illegible]

To the S. E. I Circle, with enclosures to his letters No 409 G.D. d/ 20.5.98 & 446 G.D. d/26.5.98 returned

23/7/98

Public Works DEPARTMENT.

C. Nos. 4542, 4582, 4583, 5057, 5625 & 5802.

SUBJECT.

HIS EXCELLENCY THE GOVERNOR.
~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~
~~THE HON'BLE MR. GROSE, C.I.E.~~

Conduct of Conductor Mac Alister Sub-Engineer.

FOR ORDERS.

Conductor Mac Alister, Sub-Engineer 1st grade, was transferred from the Chingleput Division, V Circle, to the Godavari Eastern Division, I Circle, in April last. He joined the latter Division on the 19th April 1898 and took charge of the Rajahmundry Sub-Division on the 28th idem.

On the 14th of May, he appeared before the Ag. District Medical and Sanitary Officer, Rajahmundry, with the object of obtaining a medical certificate. This certificate was granted to him on the 16th. Conductor Mac Alister being a non-gazetted officer, he should have obtained the permission of the Executive Engineer to appear before a Medical Officer. The Medical Officer, when granting the certificate, appears to

[P. W. 43. / 500—27-1-98.]

H.E. 18.7.98 R 20.7.98

KC.

to have overlooked the rules on the subject, and as soon as he became aware of the omission on the part of Conductor Mac Alister to obtain the necessary requisition from the head of his office for his medical examination, he wrote to the Sub-Divisional Officer not to make use of the certificate granted by him until the rules on the subject had been complied with.

Conductor Mac Alister made all possible speed he could in getting out of Rajahmundry as soon as he obtained the medical certificate. He sent his leave application along with the medical certificate by a special messenger to the Executive Engineer at Dowlaishweram on the 17th May, stating that he would hand over charge to a temporary overseer and start on the 18th for Madras.

The Executive Engineer informed him that he should on no account leave Rajahmundry until his leave was sanctioned and he was relieved by another officer. Mr. Mac Alister was evidently very anxious to get

out

out of Rajahmundry at any cost, and without abiding by the instructions given by his superior, handed over charge to a temporary overseer who was, as admitted by Mac Alister himself, not competent under the rules to relieve him, and left the station by the midday train that very day with no other authority than the medical certificate obtained without the cognizance of his superior.

Flag S

The Suptg. Engineer, I Circle, also brought to notice in his letter No. 446 G.D., dated 26th May 1898 that Conductor Mac Alister helped himself with an advance of Rs. 200 without the permission of his superiors. In doing this Mr. Mac Alister clearly acted without authority. The circumstances in which advances may be given to Government servants are detailed in P. W. D. Code, Vol. I, Chapter IV, paras 109 *et seq.* But there is no rule which authorises an upper subordinate to grant himself an advance. Moreover, advances to a subordinate drawing a salary of more than Rs. 200 per mensem going on privilege leave are inadmissible. In this business he has quite ignored the existence of his Executive and Superintending Engineers. Mr. Mac Alister has been too long in the service - 27 years - not to know the rules on this subject.

In

In this Office No. 2750 G., dated 7th June 1898, the District Medical Officer, Rajahmundry, was asked to state if he considered Mr. Mac Alister was in such an extreme state of prostration as to render it necessary for him to leave his station at once without waiting to be relieved properly. He replied in the negative.

Flag T

It was thereupon pointed out to Mr. Mac Alister in Memo No. 2976 G., dated 27th June 1898 that he had been reported by the Executive Engineer, Godavari Eastern Division, and the Suptg. Engineer, I Circle, for abruptly quitting his sub-division without authority and in direct contravention of the Executive Engineer's orders and that the District Surgeon who granted the medical certificate did not consider that Conductor Mac Alister's state of health was such as to render it necessary for him to leave the station immediately. It was also observed that he was in close communication with his Executive Engineer who would naturally have permitted him to go if he was unfit for work and that there could therefore be no excuse for his acting in the way he did, which was subversive of all discipline. Mr. Mac Alister was called upon to submit such explanation as he had to offer for his conduct.

Flag U

This explanation has now been received. He represents that he had been in a very weak state of health for the past three years, that his weakness was accelerated by the extra work which was thrown upon him in the Mount Sub-Division owing to the withdrawal of a number of subordinates for relief works, that when he was about to apply for leave he was transferred to the I Circle, and that he did not ask for this leave before joining that Circle, lest it might be considered that he was unwilling to go there. He states that during his tour in the new sub-division he was overpowered by the sun on the 12th May and that his tent having been unprotected by shade he became very ill before the evening. He however continued his tour on the following morning, but finding himself no better returned to Rajahmundry on the 14th and was examined by the District Surgeon on that day and on the following morning and was granted medical certificate on the 16th. He says that immediately on his arrival at head quarters he inquired and learnt that the Executive Engineer had been on tour. As soon as he came to know that the Executive Engineer arrived on th 17th May he sent the leave application and the medical certificate saying

ing that he would leave on the following day for Madras. He however admits that the Executive Engineer directed him not to leave the station on any account until he was properly relieved unless the District Surgeon specially certified that it was necessary on the score of his health to leave the station immediately. Mr. Mac Alister says that he was then too ill to go out to see either the District Surgeon or the Executive Engineer. In support of the statement that he was in a bad state of health at the time, Mr. Mac Alister submits a certificate from his medical attendant at Madras.

The Suptg. Engineer, I Circle, in forwarding the above explanation, says that he considers it no explanation at all, but simply a restatement of the fact that he acted directly against the orders of the Executive Engineer. The Suptg. Engineer also observes that the medical officer, who granted the certificate did not consider his immediate departure necessary and that no sensible man suffering from the effects of the sun would have undertaken the long journey from Rajahmundry to Madras, unless for special reasons, and that the symptoms described in the certificate given by the medical attendant at Madras cannot be considered serious.

The Suptg. Engineer considers the conduct of Mr. Mac Alister in leaving the station in contravention of the orders of his superior and in his helping himself to an advance of Rs. 200 without permission, as insubordinate and impertinent and arrives at the conclusion that Mr. Mac Alister did not like his transfer to Rajahmundry and was prepared to go a considerable length to get out of it

I entirely agree with the Suptg Engineer's view of ~~his~~ Mr. Mac alister's conduct in ~~th~~ the matter. In leaving his station without permission and giving himself a wholly unauthorised advance of Rs. 200, Mr. Mac Alister has shown himself to be entirely regardless of the rules of the Department and he has no excuse for his conduct, it being clear from the District Medical Officer's report that there was no immediate necessity for his departure on the score of ill health. As a punishment for this serious breach of discipline, I recommend that Conductor Mac Alister's promotion to the rank of Deputy Assistant Commissary which was about to be gazetted be deferred for six months. This is equivalent to fining him Rs 180, at Rs 30 per mensem.

Appd.
A.G.H
19.7.98

May I may add that I had

occasion to reprimand Mr MacAlister very severely a few months back for a piece of gross impertinence. He needs a lesson in discipline

18·7·98

P. Works (1898) Department.

CURRENT No. 4542

From W. De Morgan Esquire Executive Engineer in charge I Circle

Order

No. 409 GD

Dated 20th May 1898

Received } 27-5-98
Registered }

Enclosures 5 (To be returned kindly)

Spare copies

SUBJECT.

Conductor MacAlister Officer in charge of Rajahmundry Sub Divn — Submitting the sudden leave application and other papers therewith Comments of who left the station without obtaining the orders of the Executive Engineer Godavari Eastern Divn, for such action as he thinks proper, and for posting another Competent Subordinate to take charge of Rajahmundry Sub Divn

(transfer order)
Reference with 282D
14-5-98

R 6/6

o.L.5143 R

BACK PAPERS.

No.	Date.
1559 W.	23-5-92
339 Public	15-4-89
95 "	28-1-89

FURTHER

No.	

S. E. I. / 2 500—15-1-98.

No. 409 GD

FROM W. C. De Morgan Esquire M. I. C. E.
~~(SUPERINTENDING)~~ Executive ENGINEER,
in charge FIRST CIRCLE.

Enclosures. 5.

1. Medical certificate dated 16-5-98.
1. Application for leave
1. Sub Dul Officer's letter No. 142 / 17-5-98 bearing the Ex Engr's No. 111S of 18-5-98.
1. Demi official letter dated 18-5-98.
1. Ex Engineer's letter No. 114 S / 18-5-98.

5 Total

To THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT.

WALTAIR, 20th May 1898.

Camp. Despd 23-5-1898

SIR,

I have the honor to forward in original (to be returned) the marginally noted correspondance for such action as you think proper.

2. Conductor Mac Alister had only just joined the Rajahmundry sub division. I am not aware that there was anything the matter with him when he joined. However he appears to have suddenly found himself in a weak state of health, and obtained a medical certificate for 3 months privilege leave. This he forwarded to the Executive Engineer Godavary Eastern Division.

3. The Executive Engineer in his No. 111 S / 18-5-98 informed Conductor Mac Alister that he should on

BACK PAPERS

on no account leave Rajahmundry until the leave was sanctioned and he was relieved by another officer.

4. On this Conductor, MacAlister packed up his things, and sending his cash balance and cash book to the Executive Engineer left for Madras.

5. I have not seen Conductor MacAlister and know nothing about him, but his conduct in this case appears to me to lie open to grave suspicion. If he is in the state of health, he represents, he should have applied for leave before he left Madras. It is incredible that he could have weakened so much during his short stay in Rajahmundry, and the demi official letter of 18th gives no indication of such extreme prostration.

6. I have the honor to request that you will send an efficient subordinate to take charge of the Rajahmundry Sub Division as early as practicable. It is impossible that Mr S. Venkataramanayya can work it satisfactorily in addition to the Head-quarters sub division more particularly at this time of year.

I have the honor to be
Sir
your most obedient
servant
W De Morgan
22.5.98
Ex Engineer in charge

Public Works (1898) Department.

CURRENT No. 4582
+ 4583

From W. De Morgan Esquire
Executive Engineer in charge I. Circle

Order

No. 446 GD

Dated 26th May 1898
Received } 30.5.98
Registered }
Enclosures one.
Spare copies

SUBJECT.

Conductor MacAlister, Officer in charge of Rajahmundry Subdivision — Submitting, in original, the letter of the District Medical and Sanitary Officer Rajahmundry addressed to — requesting ~~not~~ to ~~defer~~ the submission of the certificate granted by him until he ~~fu~~ complied with the provision in Article 904 of Civil Service Regulations

✓ 2441 GD
3049
454
5155

o.L.E. 143

BACK PAPERS.

8

No.	Date.

FURTHER PAPERS.

No.	Date.

S. E. I. / 2 500—15-1-98.

No. 446 GD

FROM

W. C. De Morgan Esquire, M.I.C.E.,
Executive ~~SUPERINTENDING~~ ENGINEER, in Charge
FIRST CIRCLE.

Enclosures. 1

To

THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT.

WALTAIR, 26th May 1898.
Camp. Desp'd 27-5-1898

× CNo 4542
Sent to SAW on
27-5-98

SIR,

In continuation of my No. ×409-GD/20.5.98 ✓ I have the honor to forward, in original, (to be returned) a letter No. 2155/20.5.98, from the District Medical and Sanitary officer, Godavari, to the Sub divisional officer P. W. D Rajahmundry.

2. The Sub divisional officer, referred to, is Conductor MacAlister, who has already left his station, after helping himself to an advance of Rs 200. The medical certificate was forwarded to you with my letter above referred to.

3. The district medical officer appears to be ignorant of the conditions under which an application for a medical certificate from a Government subordinate should be attended to, and now wishes to withdraw his action. Conductor MacAlister, however, has availed himself of the certificate and some days ago left the Station.

4. I consider that the circumstances under which

which the certificate was applied for and granted demand careful scrutiny.

I have the honor to be

Sir,

Your most obedient Servant

W De Morgan
27.5.98

Executive Engr. in charge
First Circle

In continuation of my No. 20.5.98

I have the honor to forward in original (to be returned) a letter No. 2155/20.5.98, from the District Medical and Sanitary officer, Godavari to the Sub Divisional officer P.W.D. Rajahmundry.

2. The Sub Divisional officer referred to is Conductor MacRitchie, who has already left his station, after helping himself to an advance of Rs 200. The medical certificate was forwarded to you with my letter above referred to.

3. The District Medical officer appears to be ignorant of the conditions under which the application for a medical certificate from Government [illegible] should be attended to, and now wishes to withdraw his action. Conductor MacRitchie, however, has availed himself of the certificate and three days ago left [illegible]

Public Works (1898) Department.

CURRENT No. 4583

Order

From W. De Morgan Esquire
Executive Engineer in charge
I Circle

No. 435 GD

Dated 22nd May 1898

Received
Registered 30.5.98

Enclosures nil

Spare copies

SUBJECT.

Subordinates in place of Conductor MacRitchie and R. V. Narayana Iyer — Submitting a copy of the letter received from the officer in charge of Godavari Eastern Division requesting to post — who obtained leave for 3 months.

G.L.S. 143 R 6/6

BACK PAPERS.

No.	Date.
1559 W	23-5-92
1395 W	23-5-92
45 Rw	15-2-89

8

FURTHER PAPERS.

No.	Date.

Letter No. 120 S dated 20th May 1898 from C. Mildred Esquire Executive Engineer Godavari Eastern Division to the Superintending Engineer, First Circle.

—

In continuation of this office Endorsement No. 1115 dated 18. 5. 98, forwarding an application for 3 months privilege leave from Conductor Mac Alister, Sub Engineer, 1st grade, in charge of Rajahmundry Sub Division, with a medical certificate and my No. 114 S of the same date, I have the honor to report that Conductor Mac Alister left Rajahmundry on the 18th afternoon, sending me over by a peon, his cash book and cash balance and cheque books. When he suggested to me on the 17th, that he might be allowed to hand over charge to one of the senior overseers under him, viz. Sivagnana Mudaliyar, I at once informed him that he should not hand over the charge to a temporary overseer and should not leave the place until his leave is sanctioned by the competent authority

2. However, I ordered Mr. S. Venkataramanayya Pantulu, Honorary Asst. Engr., to take charge of the cash and cheque books, only as a temporary measure. He cannot be expected to be in effective charge of the Sub Division as he has already the charge of two Sub Divisions, (Head Works and Work Shops)

3. I have to bring to your notice that the staff of this Division is, at present, below the actual requirements, and to request

your

you will be good enough to post at a very Early date, Subordinates for the following charges:-

(1) Rajahmundry Sub Division.

(2) To take the place of R. V. Narayana Iyer, Overseer, who goes on leave from the 1st Proximo.

(3) To issue orders to C. Dorasawmy Naidu, to join Expeditiously. Vide your memo no. 2066 d/ 8th April 1898.

b Conductor Mac Alister, has also advanced himself Rs 200/-.

—

No. 435 GD of 22-5-1898

Copy forwarded to Chief Engineer, Public Works Department, in Continuation of this office No. 409 GD dated 20-5-1898

Leave was only granted to R. V. Narayana Aiyar on the assumption that during the monsoon very little work could be done on the Water Works, Cocanada.

W D Morgan
26. 5. 98.

Executive Engineer in Ch:
First Circle

25/5

No. 2750 C d/ 7/6/98

Dist. Medical Officer.
Rajahmundry

Sir.

With reference to the ~~certificate~~ medical certificate granted by you on 16 May. 1898, to Conductor R. M. MacAlister, recommending him for 3 months Privilege Leave, I have the honor to request to know whether you consider that he was in such an extreme state of ~~prostration~~ prostration as to render it necessary for him to leave Rajahmundry at once, without waiting to be properly relieved, & without any authority but the medical certificate granted by you.

ASR
2. 6. 98.

Ed 7/6/98

3. 6. 98

11/6/98

INDEXED.

Public works **(1898) Department.**

No. 2976 cd 27/6/98
Urgent

CURRENT No 5057

5625

Memo.

W

The S. E. Circle and the Ex. Engr. Godavari E. Divn. have both reported Conductor MacAlister for abruptly quitting his Sub Divn. not only without authority but in direct contravention of the Ex. Engr's orders, on the plea that his state of health necessitated his immediate departure. The Distr. Surgeon, on being referred to, states that Conductor MacAlister's ~~bon~~ state of health "did not render it necessary for him "to leave Rajahmundry soon after "the med. certif. was granted."

2. Conductor MacAlister was in close communication with his Ex. Engr., who would naturally have permitted him to go if he was unfit for work, as soon as he could be relieved, & there can be no excuse for ~~his~~ Mr MacAlister's acting in the way he actually did, which is ~~not only subvers~~ subversive of all discipline, but indicates that he had made up his mind to get away & to avoid all possibility of his being stopped.

3. Conductor MacAlister will submit at an early date any explanation he has to offer for his conduct.

ACK 29/6/98

From The District Medical and Sanitary Officer Godavari Dt.

No. 2487

Dated 10.6.98

Received } 16.6.98
Registered }

Enclosures .

Spare copies .

Dw for perusal on 5645

Seen ALK 24.6.98

SUBJECT.

Conductor R. W. Mac Alister.

Informing that —— was not in such an extreme state of prostration as to render it necessary for him to leave Rajahmundry soon after the medical certificate was granted.

29.6
LS 187

28/6/98

P. W. 29
1,000—23-4-98

To Conductor Mac Alister Subengr. W. D. on leave 6.98

BACK PAPERS.

No.	Date.
2750C	7-6-98
1559W	23-5-92
1395W	23-5-89
456W	15-2-89

FURTHER

No.	Date.

No. 2487.

OFFICE OF DISTRICT MEDICAL & SANITARY OFFICER,

Rajahmundry 10-6- 1898.

From

Dr G. Charlesworth B.a. L.S.a.
Ag: District Medical & Sanitary Officer,
Godavari District,
Rajahmundry.

To

The ~~President~~, Under Secretary
~~Board~~. Public Works Department
Madras

SIR,

With reference to your letter No 2750C, of 7-6-98, I have the honor to inform you that Conductor Mr R. $\overset{W}{M}$. Mac Alister, was not in my opinion in such an extreme state. of protration as to render it necessary for him to leave Rajahmundry soon after the medical certificate was granted.

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

George Charlesworth
Ag: Dt Medl & Sy Officer

Papers
Ack
15-6-98.

Dr. G. [illegible] M.D. [illegible]

— Under Secretary

— Public Works Department

Madras

With reference to your letter No. 2750 E dated 7-6/98, [illegible] the [illegible] to inform you that Conductor Mr. R.W. MacAlister was not in my opinion in such an extreme state of prostration as to render it necessary for him to leave Rajahmundry [illegible] after the medical certificate was granted

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P.W. (1898) Department.

CURRENT No. 5625

From Conductor R.W. MacAlister
Sub Engineer P.W.D.

W For orders
Gve Davidson tells me that
it is the case that Conductor
MacAlister is subject to sudden
& severe attacks.
ASK
11.7.98.

No.

Dated 30th June 1898

Received } 4th July 1898

Registered } 6.7.98

Enclosures 2.

Spare copies

SUBJECT.

Submitting a copy of his explanation forwarded to the S.E. I Circle with regar to breach of discipline he a charged with in Memo No. 29 d/ 27th June 1898.

Orl [illegible]
11.7.98

OS
40

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Madras 30th June 1898

From
Conductor R. W. MacAlister
Sub Engineer P.W.D.

To The Chief Engineer and
Secretary to Government P.W.D.
Madras

Through The Executive Engineer
Godavery Eastern Division

Through The Superintending Engineer
First Circle

Sir
With reference to Public Works Dept memorandum No 2976 C. dated 27th June 1898, I beg to submit the following explanation for your favourable consideration

During the past three years or so I had been in a very weak state of health, especially during the hot season, if necessary, Mr J. P. Davidson, the late Executive Engineer of the Chingleput Division, will be able to state that I frequently complained to him of feeling very unwell; but, owing to the restrictions against leave being granted on account of pressure on Famine Relief Works I did not apply for leave. The leave restrictions were not removed until near the close of the past official year, but as my Sub Division (the Mount) had been denuded of all subordinates, and they had not rejoined from Famine duty, I continued at work intending to apply for leave after the close of the official year; but just then, my transfer to the 1st Circle was ordered and, in order to avoid any misunderstanding of my motive in applying for leave at such a time, I joined the Godavery Eastern Division for duty on the 19th April 1898

During my tour round my new Sub Division, I was overpowered by the Sun on the 12th May before I reached Camp, and as the was a very hot day, and my tent unprotected by shade, I became very ill before evening, I however continued my tour the following morning but finding myself no better I returned to Rajahmundry (Head Quarters) on the 14th May and was examined by the District Surgeon, the District Surgeon saw me again on the 15th and granted me a Medical Certificate for three months leave. Immediately on my return from Camp to Rajahmundry I enquired for the Executive Engineer and was informed that he was on tour, so as soon as my camp arrived the following day I wrote to inform the Executive Engineer of my Condition so that arrangements could be made for my relief, and on the 17th May having heard that the Executive Engineer had returned to Head Quarters (Dowlaishweram) I sent my application for leave together with the Medical Certificate to him by Special Messenger (to avoid the delay that would have occurred if it had been despatched by post as usual) and informed him that I had arranged to hand over charge, for the present, to the Senior Overseer and avail myself of the leave recommended by the District Surgeon from the following day inclusive. On the following morning however, just as I was completing the handing over charge and was ready to go to the Railway Station (my servants had been dispensed with, my house given up and I was very ill) I received a note from the Executive Engineer informing me that I should on no account hand over charge to an Overseer on the Temporary Establishment (both Overseers under me were Temporary hands) and that I should not leave my Sub Division until my leave was properly sanctioned, unless the District Surgeon specially Certified that it was necessary for my health's sake to leave immediately.

It was then too late to find the District Surgeon at any particular place and I was too ill to go about from place to place in search of the District Surgeon, or to go to Dowlaishweram to see the Executive Engineer; [otherwise] otherwise I could have satisfied the Executive Engineer that it was absolutely necessary for me to do so. I therefore wrote to the Executive Engineer, informing him that the District Surgeon had already Certified that he had carefully examined me and found me to be in a bad state of health and, that he considered three months leave was absolutely necessary for my recovery and that I felt myself too ill to perform any duty. I fully believed that the Executive Engineer would have accepted this explanation (as mine was a case of present illness and not an application for leave to avoid a possible illness) and nothing was further from my wish than to incur the displeasure of my superior Officers, much less did I expect to be charged with a breach of discipline. I beg to enclose a Medical Certificate as to my condition on arrival at Madras from Rajahmundry, from which it will be seen that I did not leave my Sub Division with unnecessary abruptness, and that if I had remained there any longer it would have been at considerable risk to my health, and I would have been guilty of a breach of discipline towards the District Surgeon. My illness was entirely due to the excessive heat that was prevailing during the months of April and May, had I been in better health when I arrived at Rajahmundry from the Chingleput Division, I may not have fallen ill, or at least not so soon, and my only Chance of recovery was to go away until the heat had moderated, I have already suffered from Sunstroke while in the Bellary District in 1873 and again while in the North Arcot District in 1884.

Twaddle

It will be seen from the following that I have not been in the habit of availing myself of the leave due to me on every possible occasion. I have now completed 27 years Service in this Department and could therefore have availed myself of 27 months privilege leave up to date, but as a matter of fact, excluding the leave now pending sanction I have only taken eight months privilege leave, and all but one month of this was on Medical Certificate. During the years 1872 to 74, in the Bellary District, I suffered much from Dysentry, and from 1880 to 82 and again from 1890 to 93, in the Madura-Cumbum Valley, I frequently suffered from malarial fever without applying for leave

I therefore regret very much that the above charges have been preferred against me without being accompanied with my explanation. I could not be certain that I would fall ill so soon after joining my new Sub Division, but when I did fall ill, I gave the Executive Engineer the earliest possible notice by writing to him before I had received the Medical Certificate; and in cases of illness, a Medical Certificate has always been considered sufficient authority for leaving ones station in anticipation of sanction to the leave recommended by the Medical Officer

Had I remained in my Sub Division until my leave was formally sanctioned, there could have been only one result viz injury to my health; considering the cause of my illness and the condition I was in at the time, it would have been impossible for me to inspect work, and I dared not do so in the face of the Medical Certificate; I could therefore have been of no help whatever to the Executive Engineer, and the most valuable period of my leave for checking my illness would have been lost to no good purpose, which could not have been the object of the Executive Engineer -

If further testimony is required as to my state of health, I beg that I may be directed to appear before any Medical Officer or Medical Board. But I beg to state that in acting as I felt compelled to do under the circumstances explained above, I never expected to incur the displeasure of my Superior officers nor to be charged with a breach ~~of discip~~ of discipline.

I beg to remain
Sir

Current No: 5802

I beg to remain
Sir
Your most Obedient Servant
Robert MacAlister
Sub Engineer P.W.D.

Madras
28th June 1898.

I do hereby certify that I was called in on the 20th May last to see Mr. R. MacAlister of the Public Works Department on his arrival at Madras from Rajahmundry. (as I am the Medical attendant of his family).

On arrival he complained to me of giddiness, violent pain in his head and a feeling of general weakness. On Examination his skin was found hot and dry, pulse frequent and full, tongue coated, and there was present a sense of fullness & oppression in the Epigastrium with a feeling of nausea. After his arrival here he used to occasionally vomit in the morning.

I may here state that I had occasion frequently to see and treat Mr. MacAlister while he was attached to St. Thomas' Mount and that he has very frequently complained to me of these symptoms during the hot weather.

J. Jas. Fowkes
Asst. Surgeon
Medl. attendant

Madras
28th June 1898.

I do hereby certify that I was called in on the 20th May last to see Mr. R. MacAlister of the Public Works Department on his arrival at Madras from Rajahmundry. (as I am the Medical attendant of his family).

On arrival he complained to me of giddiness, violent pain in his head and a feeling of general weakness. On Examination his skin was found hot and dry, pulse frequent and full, tongue coated, and there was present a sense of fullness & oppression in the Epigastrium with a feeling of nausea. After his arrival here he used to occasionally vomit in the morning.

I may here state that I had occasion frequently to see and treat Mr. MacAlister while he was attached to St. Thomas' Mount and that he has very frequently complained to me of these symptoms during the hot weather.

Jas. Fowkes
Asst. Surgeon
Medl. attendant

525-1
5625/98

Out. 2
5625/98

Madras 30th June 1898

From
Conductor R. W. MacAlister
Sub Engineer P.W.D.

To The Dy. Chief Engineer and
Under Secretary to Govt. P.W.D.

Sir

As Public Works Memorandum No. 2976 C. dated 27th June 1898 was sent to me direct, and marked Urgent, I beg to submit, herewith, the explanation called for therein, and to state that a copy of the same has been forwarded through the Executive Engineer Godavery Eastern Division and the Superintending Engineer First Circle

I beg to remain
Sir
Your most Obedient Servant
Robt. W. MacAlister
Sub Engineer P.W.D.

BACK PAPERS.

Current No: 5802

W

As the punishment proposed to be inflicted on Conductor MacAlister is the stoppage of his military, not departmental, promotion, I beg to submit, on reconsideration, that the case must be submitted to Govt. for orders; for military promotions are made by Local Govt., & not by the Chief Engineer, and the authority ~~who~~ empowered to make promotion is alone competent to stop such promotion - vide para 57, Chapter IV, Vol. I, P.W. Code.

N
14.7.98

& vide Govt. of India letter No: 2878G d/ 23.11.96 (G.O. No. 3526W d/ 8.12.96), flagged D

Very well - write in
write for orders.

14.7.98

Public Works (1898) Department.

CURRENT No. 5802

Superseded

Order

The C.E. entirely agrees with the S.E.'s views of Mr MacAlister's conduct in this matter. In leaving his station without permission, & giving himself a wholly unauthorised advance of Rs 200 Mr MacAlister has shewn himself to be entirely regardless of the rules of the Dept., and he has no excuse for his conduct, it being clear from the District Medical Officer's report that there was no immediate necessity for his departure on the score of his health. As a punishment for this serious breach of discipline Cond. MacAlister's promotion to Dep. Asst Commissary which was about to be gazetted will be deferred for 6 months

From W. De Morgan Esquire
Officiating Superintending Engineer
I Circle

No. 774 C.D.

Dated 9th July 1898

Received 12-7-98

Enclosures ~~one~~ 2

Spare copies

SUBJECT.

Conductor MacAlister — Submitting the explanation received from — with his remarks to the effect that he cannot but regard his conduct as insubordinate and impertinent & that he did not like his transfer to Rajahmundry as can naturally be concluded from the way in which he acted.

o LS 227

To The S. E. I Circle with ~~enclosures~~ to his letter Nos 409 C.D. d/20 May 1898. & 446 C.D. d/26 May 1898 on return

BACK PAPERS.

G.O.	No.	Department.	Date.
	2976 C	PW	27-6-98
	2750 C	–	7-6-98
	1559 W	–	23-5-92
	1395 W	–	23-5-89
	454 W	–	15-2-89

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclo to No 774 G.D. 7-7-98 875 E ①

EASTERN DIVISION,
Genl. No 574
4- JUL. 1898
GODAVARI.

Madras 30th June 1898

From
Conductor R. W. MacAlester
Sub Engineer P.W.D.

To The Chief Engineer and
Secretary to Govt. P.W.D.
Madras

Through
The Executive Engineer
Godavery Eastern Division

Through
The Superintending Engineer
First Circle

Sir

With reference to Public Works Dept. memorandum No. 2976 C, dated 27th June 1898 I beg to submit the following explanation for your favourable consideration.

During the past three years or so I had been in a very weak state of health, especially during the hot season, if necessary, Mr J. P. Davidson, the late Executive Engineer of the Chingleput Division, will be able to state that I frequently complained to him of feeling very unwell but, owing to the restrictions against leave being granted on account of pressure on Famine Relief Works I did not apply for leave. The leave restrictions were not removed until near the close of the past official year, but as my Sub Division (The Mount) had been denuded of all subordinates, and they had not rejoined from Famine duty, I continued at work intending to apply for leave after the close of the official year; but just then, my transfer to the 1st Circle was ordered and, in order to avoid any misunderstanding of my motive in applying for leave at such a time, I joined the Godavery Eastern Division for duty on the 19th April 1898.

During my tour round my new Sub Dn. I was overpowered by the sun on the 12th May before I reached camp and as this was a very hot day, and my tent unprotected by shade, I became very ill before evening; I however continued my tour the following morning but finding myself no better I returned to Rajahmundry (my head-quarters) on the 14th May and was examined by the District Surgeon, the District Surgeon saw me again on the following morning and granted me a Medical Certificate for three months leave. Immediately on my return from Camp to Rajahmundry I enquired for the Executive Engineer and was informed that he was on tour, so as soon as my Camp arrived the following day I wrote to inform the Executive Engineer of my Condition so that arrangements could be made for my relief, and on the 17th May having heard that the Executive Engineer had returned to Head Quarters (Dowlaisheweram) I sent my application for leave together with the Medical Certificate to him by Special messenger (to avoid the delay that would have accurred if it had been despatched by post as usual) and informed him that I had arranged to hand over Charge, for the present, to the Senior Overseer, and avail myself of the leave recommended by the District Surgeon from the following day inclusive. On the following morning however, just as I was completing the handing over Charge and was ready to go to the Railway Station (my servants had been dispensed with, my house given up and I was very ill) I received a note from the Executive Engineer informing me that I should on no account hand over Charge to an Overseer on the Temporary Establish-ment (both Overseers under me were tempo-rary hands) and that I should not leave my Sub Division until my leave was properly sanctioned unless the District Surgeon speci-ally certified that it was necessary for my health's sake to leave immediately.

It was then too late to find the District Surgeon at any particular place and I was too ill to go about from place to place in search of him or to go to Dowlaisheweram to see the Executive Engineer, otherwise I could have satisfied the Executive Engineer that it was absolutely necessary for me to do so. I therefore wrote to the Executive Engineer informing him that the District Surgeon had already Certified that he had carefully examined me and found me to be in a bad state of health and that he considered three months leave was absolutely necessary for my recovery, and that I felt myself too ill to perform any duty. I fully believed that the Executive Engineer would have accepted this explanation (as mine was a case of present illness and not an application for leave to avoid a possible illness) and nothing was further from my wish than to incur the displeasure of my superior officers, much less did I expect to be charged with a breach of discipline. I beg to enclose a Medical Certificate as to my Condition on arrival at Madras from Rajahmundry, from which it will be seen that I did not leave my Sub Division with unnecessary abrupt-ness, and that if I had remained there any longer it would have been at considerable risk to my health, and I would have been guilty of a breach of discipline in respect to the District Surgeon. My illness was entirely due to the excessive heat that was prevailing during the months of April and May, had I been in better health when I arrived at Rajahmundry from the Chinglepet Division, I may not have fallen ill or at least not so soon, and my only chance of recovery was to go away until the heat had moderated; I have already suffered from Sunstroke while in the Bellary District in 1873 and again while in the North Arcot Dist in 1884.

It will be seen from the following that I have not been in the habit of availing myself of the leave due to me on every possible occa-sion. I have now completed 27 years Service in this Department and could therefore have availed myself of 27 months privilege leave up to date, but as a matter of fact, excluding the leave now pending sanction, I have only taken eight months privilege leave, and all but one month of this was on medical certificate. During the years 1872 to 74, in the Bellary District, I suffered much from Dysentry, and from 1880 to 82 and again from 1890 to 93 in the Madura - Cumbum Valley I frequently suffered from Malarial fever without applying for privilege leave

I therefore regret very much that the above Charges have been preferred against me without being accompanied with my explanation, I could not be certain that I would fall ill so soon after ~~[illegible]~~ joining my new Sub Division, but when I did fall ill I gave ~~him~~ the Executive Engr. the earliest possible notice by writing to him before I had received the Medical Certificate, and in cases of illness a medical certificate has always been considered sufficient authority for leaving ones station in anticipation of sanction to the leave recommended by the medical officer.

Had I remained in my Sub Division until my leave was formally sanctioned, there could have only been one result viz:- injury to my health; considering the cause of my illness and the condition I was in at the time, it would have been impossible for me to inspect work and I dared not do so in the face of the medical certificate, ~~and~~ I could therefore have been of no help whatever to the Executive Engineer, and the most valuable period of my leave for checking my illness would have been lost to no good purpose, which could not have been the object of the Executive Engineer

If further testimony is required as to my state of health, I beg that I may be directed to appear before any Medical Officer or a Medical Board. But I beg to state that in acting as I felt compelled to do under the circumstances explained above, I never expected to incur the displeasure of my superior officers nor to be charged with a breach of discipline

I beg to remain
Sir
Your most Obedt. Servant
Robt. W. MacAlister
Sub Engr P.W.D.

Qu 41
5802/58

The original of this Certificate has been attached to the Copy of the Explanation sent direct to the Chief Engineer

Madras 28th June 1898

I do hereby Certify that I was called in on the 20th May last to see Mr. R. MacAlister of the Public Works Department on his arrival at Madras from Rajahmundry (as I am the medical attendent of his family)

On arrival he complained to me of giddiness, violent pains in his head and a feeling of general weakness. On examination his skin was found hot and dry, pulse frequent and full, tongue coated, and there was present a sense of fullness and oppression in the Epigastrium with a feeling of nausea. After his arrival here he used to occasionally vomit in the mornings.

I may here state that I had occasion, frequently to see and treat Mr. MacAlister while he was attached to St. Thomas' Mount and that he has very frequently complained to me of these symptoms during the hot weather

Signed
S. Jas. Jewkes
Asst. Surgeon
Medical Attendant

True Copy
Robt. W. MacAlister
Sub Engineer P.W.D.

S. E. I. / 2 500—15-1-98.

No. 774 GD

FROM

W. C. De Morgan, Esquire M. I. C. E.
SUPERINTENDING ENGINEER,

FIRST CIRCLE.

Enclosures.

(1 Conductor's Explⁿ with its Enclosure)

TO

THE CHIEF ENGINEER

PUBLIC WORKS DEPARTMENT.

WALTAIR, 9th July 1898.

Camp. Deepᵃ 9- 7- 1898

SIR,

With reference to your No. 2976C / 27.6.98, I have the honor to forward the explanation received from Conductor R. W. MacAlister.

2. To my mind it is no explanation at all, but simply a restatement of the fact that Conductor MacAlister left his Sub Division directly against the orders of his Executive Engineer.

3. The District Medical officer has already stated that there was no reason for such an abrupt departure.

4 I need hardly point out how inconsistent Conductor MacAlister's behaviour was. Admitting that he was suffering from th effects of Sun, the very last thing a sensible man would undertake, unless

he

he had other reasons for his action, would be the long hot Railway journey from Rajahmundry to Madras.

Yes, A.T.H.

5. As regards the certificate granted on his arrival at Madras, all I can say is that the symptoms described cannot be called serious. Were every Subordinate permitted to leave his charge, at his pleasure, when such symptoms presented themselves, the department would be rapidly depleted.

6. I cannot but regard his conduct, combined with his helping himself to an advance of Rs 200 without permission, as insubordinate and impertinent; and the conclusion naturally to be arrived at, is that Conductor MacAlister did not like his transfer to Rajahmundry, and was prepared to go a considerable length, to get out of it.

I have the honor to be
Sir,
Your Most obedient Servant
J D Morgan
9.7.98.
Supdg. Engr. 1st Circle

for his action, would be

Curr 5802

DW

Your note on Current No 5625 was too late for last evening's post & was going forward today.

Meanwhile the copy of Comdr Macalee's explanation which was sent through the S.S. I Circle has now been received under cover of the S.S.'s letter No 774 S.D. of 9.7.98 – this letter is submitted for orders, prior to transmission of this file to W.

A point that will require notice

Cond. MacAlister's action in giving himself an advance of Rs 300 - such an advance is nowhere authorised by the Code, & will probably form the subject of an audit objection.

x No need for this: Money - it can be settled (1) [illegible] (2) [illegible]

13.7.98

(1) Yes
(2) Rs: 30

N 14.7.98

12-7-98

W

I have already, in previous notes, driven home the case against Cond! MacAlister & had no wish to prejudice him further in your eyes. There is clearly a strong case against him, as now pointed out by the S.E., but I am inclined to think that, like most men who have risen from the ranks, he has little notion of responsibility & sees no impropriety in leaving his work without authority & helping himself to an advance.

x 2. A precis of the case can be drawn up for Orders, if you will indicate the view you take of Cond! MacAlister's conduct. A.H.K.
12-7-98.

Current Nos 4582
& 4583

DW

Since two currents came in today, while the note on the linked file (Cur. 4542) was written on 27 inst.

In current No 4583 the Ex. Eng. asks for two upper subordinates to be posted to the Godavari Eastern Divn. in place of (1) Cond. MacAlister & (2) Overseer R. V. Narayan Ayyar.

Cond. MacAlister has applied for 3 months priv. leave & No (2) has been granted 3 months priv. leave by the Supdg.

Supt. - Both are cases of absent leave & the S.E. should arrange for their work until they return. In the case of (1) however there is some ground for the S.E. to ask for another man. The Rajahmundry Sub-division was for some time without an officer & the S.E. was unable to supply one. Cond. Macalister was sent up apparently for this charge, but he had no sooner joined, than he obtained a medical certificate & went away.

In current No. 4.5.82, the S.E. reports Cond. Macalister for (1) going to the District Medl. Officer for a certificate for leave without the cognizance of his departmental superiors; and (2) for giving himself an advance of Rs. 200 without the sanction of superior authority.

As regards (1) it is not clear that [illegible] Macalister has committed a breach of rule. In rule 8 of the appendix to G.O. No. 332 Public of 15.4.59, it was laid down distinctly that medical officers were authorized to ~~should~~ grant certificates for leave to Govt. servants, provided the person produced a letter from the head of

his officer authorising
him to apply for such
certificate. In G.O. No.
299 Public of 3.5.92
however this rule was
cancelled, & a fresh
rule was published
~~to~~ directing ~~[illegible]~~ the
adoption of the procedure
prescribed in articles 893-
907 C.S.R, in granting
medical certificates to
Govt. servants. This
rule will also be found
in appendix A, rule 8,
of the Rules for the
personal conduct
of Govt. servants.

Articles 903 to 907
C.S.R, relate to the
grant of medical cer-
tificates to non-
gazetted officers.
Art. 903 states that
an ~~applicant~~ application for leave
on medical certificate
must be accompanied
by a certificate from
the ~~officer~~ applicant's
medical attendant.
It is not laid down
that a non-gazetted
officer must obtain
permission from the
~~[illegible]~~ head of his
office to get this certe.

Art 904 rules that
if this certificate requires
counter-signature by
the chief medical
officer of the district,
it should not be
submitted for such
counter-signature
without the cognizance
of the head of the
office. Cond. Mackenzie
got his certificate
direct from the chief
medical officer of the
district, & he may
argue that the

rules do not require him to apply for permission to the head of his office (i.e. to his Ex. Engr.). The rules apparently contemplate that the "appointed medical attendant" may be [illegible] pvte. practit. or a Govt. medl. officer of inferior standing, in such case the certificate would require countersignature by the District medl. officer. To obtain this countersignature, the permission of the head of office must be produced. ~~[illegible]~~ If the District medl. officer himself is the appointed medical attendant, he can

apparently under the rules, grant a certe. without the permission of the head of office.

It seems a pity that so clear ~~[illegible]~~ a rule as no. 8 in the appendix to G.O. no. 339 Public of 15.4.89 was cancelled. But still, in practice, it is recognised that no Govt. servant can be granted a medl. certe. by a District Surgeon without a requisition from the head of office. No Dist. Surgeon at Madras will give a certe. to a non- ~~[illegible]~~ gazetted officer without a requisition; & certe. recalcitrant should

have known that he ought
ought to have gone to
his Ex. Engr before
he went to the Doctor.

(2) As regards the
advance of Rs 200, Condr
Macalister clearly
acted without autho-
rity. The circumstances
in which advances may
be given to Govt servants
are stated in para
109 & et seq, chapter
IV Vol I P.W. Code.
There is not a single
rule which authorises
an officer subordinate
to grant himself an
advance, and
advances to a subor-
dinate on pay of more
than Rs 200, going
on [illegible] priv. leave,
are inadmissible.
It seems as if
Condr Macalister

---

throughout this
business, quite ignored
his Executive &
Supdg Engrs.

For orders.

C

30.5.98

4883
4882

W

(1) I would suggest that a disposal on this reference be deferred pending the Dist. Surgeon's reply to the reference in the linked file.

2. Conductor MacAlister's conduct seems part of a carefully planned attempt to get away from Rajahmundry without the possibility of being stopped. Unless he was seriously ill, he had no business to go direct to the Dist. Surgeon without communicating with his superior.

3. He had clearly no right to give himself an advance.

4. On his return from leave, I would suggest that (2) he be sent back to Rajahmundry, as he is clearly in need of strict supervision & shd be taught a lesson, which Mr de Morgan is just the man to give him. Meanwhile efforts will be made to fill his place temporarily.

AEK
2-6-98.

(1) Yes
(2) Yes. certainly

3.6.98

Noted
AEK
2.6.98.

Cir. 4542

OW

For orders.

There is no distinct rule which authorises a Govt. servant to hand over charge of his duties & to leave his station, on being granted a medical certe. recommending him for leave.

On the other hand, if an officer orders his subordinate to remain at his post until relieved, after the latter has been granted a medical certe., the former makes himself responsible for the life of the latter.

Para 236, Chapter

II, vol II Moreover, nor is it to be inferred from that when granted a medical certe, an officer may leave his station without the permission of his Superiors, & without waiting for the arrival of his successor —

Apparently Condr Macalister cannot be brought to book, for going away without permission, after he had obtained a medl certe.

If it is considered that he would not have been granted privilege leave under ordinary circumstances, it is open to G.W. to grant him sick leave for the three months, for privilege leave cannot be claimed as of right — this however would perhaps be a harsh measure, for it would put him on half pay when he ~~had~~ had priv. leave to credit —

In the face of the medical certificate, it is impossible to say that Cdr Macalister's conduct is open to suspicion (vide para 5 of the S.G.'s letter) such a statement & impugns the accuracy of the medl certificate —

Cy

27.5.38

W

No. 2750 C
7-6-98

The S. E's view that [illegible] MacAlister's conduct is open to grave suspicion is in accordance with probability & common sense.

2. Unless he was very seriously ill, he had no business to leave in the abrupt way he did. Of his serious illness there is no proof at all. & I have addressed an enquiry on the subject to the Dist. Surgeon.

[illegible] 3.6.98

3. When the reply comes, judgment on his conduct can be pronounced. Provided he was seriously ill — so ill in fact as to render his immediate departure imperatively necessary — P.W. Code. Vol II. Chap II. para 216, and common practice, excuse, though they hardly justify, his actual behaviour. But it appears to me from this & the linked file, that the man is a common type of military subordinates who have been spoilt by foolish indulgence in the past.

4. The S.E's request for a Sub-Divl officer for Rafah-Sundey S. D is being attended to.

AEK
2-6-98

Noted
[illegible]
3.6.98

---

any further punishment on him.

If approved, draft will be submitted, after this C.E. comes, granting the privilege leave applied for.

23/7/98

S.A.W

Yes
AEK
25.7.98

H.C.
Issue the S.O. & return the file to me afterwards

26/7/98

Const. Macalister's case

DW

Submitted for perusal.

There is one matter which has not been disposed of, – i.e. Const. Macalister's application for leave.

He has applied for 3 months privilege leave, & it is open to DW. to grant him this, or to give him only sick leave, as a punishment for leaving his station without permission.

He has already been punished by the postponement of his military promotion, & it is probably not intended to