Public Works (1898) Department.

G.O., No. 2256 W

DATED 1st September 1898

[Despatch Abstract.]

Accountant J. Condiah Chetty

Office note from the Engineer Chief suggesting that no further notice be taken of the conduct of the while in the service of the Travancore Durbar, approved:

Indexed. 3/9

[P. W. 28.
1,000—23-8-98.]

BACK PAPERS.

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

FURTHER PAPERS.

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

P. W. DEPARTMENT.

Papers to be read in Proceedings :—

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. 225 of 1898 d/ 25 July from the Political Dept.

Current No. 6839 of 1898, dated 16 August, from the Examiner, P.W.A.

" " " 189 , " ; "

" " " 189 , " ; "

ORDER. No 225 ... 98.

The Examiner's suggestion that no further notice be ta of the conduct of Accounta T. Condiah Chetty is approv

29.8.98

May

Note.

A summary of the case is given in the Examiner's office note (Flag B). As this is not the first time that Mr Jopp has driven his subordinates into revolt, and as the Examiner states that the Accountant's future conduct will be specially watched, it is proposed to take no furthe action in the matter.

May

The Examiner, P.W. accounts

D 2/9/98

[P. W. 4. / 500—17-6-98.]

ublic Works (1898) Department.

CURRENT No. 6839

From The Examiner, P. W. Accts, Madras

rder

No. 977 A/E

Dated 15th August [illegible]898

Received
Registered } [illegible]-98

Enclosures 1 file (O.W.C. No: 6225 with its Encls)

Spare copies

W

I am ordering, with the remark that ~~whether~~ the Exr's suggestion that no further notice be taken of Accountant Condiah Chetty's conduct may be approved. It is not the first time Mr Jeffs has driven his subordinates into revolt

ACK 22-8-98.

SUBJECT.

T. Condiah Chetty, Acctt — states that under the circumstances given no notice need be taken of the conduct of —

25-8-98

BACK PAPERS.

No.	Date.
3483 c.d	8-8-98

FURTHE

No.	Date.

VIII.

No 1099

Chief Engineer's Office
Trevandrum 8th April 1898

Enclosure A to I

To
The Dewan of Travancore

Misconduct of Special Accountant
T. Condiah Chetty.

Sir,

I have the honor to inform you that owing to extremely insubordinate and irregular conduct of Special Accountant T. Condiah Chetty, I have placed him under suspension from this date.

2. A full report will shortly be submitted to you for necessary action.

I have &c
(Sd) W. Jopp
Chief Engineer

(True Copy)

K K K

Dewan

~~True copy~~

1898
P.W. Dept
Enclos. No. 27
To
C. No. 966

No 1378
P.W.

Huzur Cutcherry
Trivandrum 19th April 18

From

The Dewan of Travancore

To

The Chief Engineer
Travancore

Enclosure B to I

Sir,

I have the honor to acknowledge your letter No. 1099 dated the 8th Instant reporting that you h placed Special Accountant Mr. Condiah Chetty und Suspension for "extremely insubordinate and irregula conduct."

I request you will be good enough to let me have the full report promised with the explanation of the Accountant as early as practicable.

You will note that Mr. Condiah Chetty bei an officer of the British Government on deputation here, his present suspension operates as an interruptio of his Service under the British Government and that the approval of that Government to any punishment that may be inflicted on him is necessary.

I have &c
(Sd) K. Krishnaswamy R
Dewan

(True Copy)

KK

Pol Dep
26
9/6

Pw E 2
6225 (28)

No: 1164 D.

Chief Engineer's Office
Trevan[illegible] 22nd April 1898.

To

The Dewan of
Travancore.

Enclosure C to I

Your No. 1378 dated 19th April 1898.
Suspension of Accountant
T. Condiah Chetty.

Sir,

I have the honor to state that I am fully aware of the serious consequences that are likely to accrue to the Accountant by an order of suspension and should not have passed such an order had it not appeared to me imperatively necessary in the interests of the state.

2. I send herewith a copy of a statement of the chief irregularities of which the Accountant has been guilty. This will be placed before him as soon as he arrives from Kottayam, from which place he has been directed to proceed to Trevandrum, and he will then be aske[illegible] to

offer any remarks or explanation. These will be attached to the official report of misbehaviour that will be sent [illegible] for disposal.

3. You will please to note in the meanwhile that the charges are all supported by documentary evidence and that some of them are of a very serious nature.

4. The Accountant has always been treated with the greatest consideration. This instead of encouraging him to do his utmost for the state appears to have engendered in him an overweening conceit which has finally culminated in his not only throwing aside all considerations of discipline, but in asserting himself to be not only an independent Officer but one in a Superior position such as to authorise him to directly report and complain to the Government of the actions of the Chief Engineer within his own Department.

5. Then again, as is detailed in the list of offences accompanying, there are many gross cases of

(1) insubordination and (2) neglect of duty

(1) He has for instance distinctly refused in writing to carry out orders given to him by the Chief Engineer and on other occasions he has ignored orders altogether without taking any notice.

(2) He has also through entire neglect of duty caused serious embarassment in the accounts of the state.

He was obtained for the special purpose of getting these accounts into order and up to date, the result has been quite the reverse. Were this result brought about by anything but the direct neglect of the Accountant, it might be excusable, but it has been brought about as far as can be judged, by his intentional neglect of his work.

That the neglect was intentional I would ask your perusal of the list of charges.

6. After a consideration of paras 4 & 5 above, you will, I am sure, concur with me that nothing short of suspension of the Accountant was possible.

It was absolutely necessary for the Chief Engineer to assert his position head of the Department by putting stop to the insubordinate acts and presumptuous assertions of independence, and even superiority, in some way or other, and a proof that the only means of doing so was to suspend him is present in the fact that even after he had been actually suspended for such conduct, he had the audacity to again write direct to Government complaining of the Chief Engineer's actions.

Moreover, on the other ground of intentional neglect of duty. It would be outrageous to argue that because the consequence of suspension would be serious to the Accountant, he shoul be permitted to continue in the Service drawing his full pay, allowing the accounts to get into inextricable confusion and arrears and setting an example of reckless insubordinati and impertinence to the rest of Department.

7 Were I to permit such a state of things to continue for fear of the responsibilities of decisive action, I should not be fitted for the trust that has been placed in me by the Government. In my opinion the Accountant's behaviour is not only deserving of suspension but of some punishment far more severe. Of this the Government of Madras will

be

be the Arbiters.

I have &c

(Signed) W. Jopp

Chief Engineer.

(True copy)

Dewan

1898
P.W. Dept
Enclos. No 25
O. No. 966

6443
62p 27/5/98

Enclosure No I

Charges against Mr T. Condiah Chetty which necessitated immediate suspension from duty vide Report of J. E. Lockyer Esq Executive Engineer (Assistant to the Chief Engineer)

1st Charge. Gross insubordination - Instances noted below:-

1) Refusal (vide his covering letter dated 19-12-97 forwarding accounts to the Chief Engineer) to take up the inspection duty ordered by the Chief Engineer saying that he cannot take up the work in his present grade.

2) After receiving the orders conveyed in Chief Engineer's No 2532 dated 27-12-97 to proceed to Kottayam Division to bring up the arrears of Divisional accounts

again refusing to take up the work vide his letter dated 27-12-97 saying he cannot take up the work unless additional remuneration is given for the work (in addition to Travelling allowance)

3) Again persisting in his refusal to take up the said work in person to Assistant Chief Engineer

4) In submitting communication (the letter quoted in charge 2) direct to Chief Engineer instead of through Assistant Chief Engineer who is the Accountant's immediate Superior.

5) Insubordination in communicating with the Dewan direct instead of through the proper channel vide his telegram to Dewan dated 29-3-98.

6) Again persisting in insubordination in directly writing to Dewan vide his No. 30 dated 2-4-98.

7) Again in writing to the Dewan direct vide his No. 32 of 4-4-98.

8) The above are all previous to his Suspension. He then again addressed the Dewan direct vide his No. 1 dated 12-4-98.

9) In his communication to Chief Engineer, he charges him with being prejudiced against him vide (1) end of par 7, Accountant's letter dated 19-12-9 covering statistics for Administration Report. This is an impertinent and unfounded statement of a subordinate to his Superior, being untruthful and tending to the destruction of discipline.

10) He repeats this in his No. 1 dated 12-4-98 in a still more objectionable manner as follows:-

Para 5 "unless the Chief Engineer was prejudiced against me"

Para 7 "Were it not for his (the Chief Engineer's) determination to wreak his vengeance upon me"

Para 9 "The Chief Engineer is determined to put me in all sorts of difficulties."

2nd Charge: Continued and wilful negligence or neglect of duty.

1) The accounts of the Northern Division were in arrears for 3 months when the Special Accountant with an assistant was sent to the Division to bring up arrears. He remained there with his Assistant for 3 months, with the result that instead of clearing up arrears he permitted them to largely increase from 3 months to 6 months of arrears.

2) When he went up to the Northern Division to bring accounts &c up to date and into order, the cash balance statement and Treasury balance certificates were 4 months in arrears. Although he has been there for 3 months, not a single cash balance statement or Treasury balance Certificate has been sent in.

3) He having been specially sen to clear up arrears and bring account into order permitted the accounts of 3 months to be prepared imperfectly, incompletely and carelessly and to be submitted to the Chief Engineer without any vouchers or cash balance statement + Treasury balance Certificates and without his having initialled or scrutinized them in any respect (vide his letter No. 32 of 4-4-98)

4) The accounts referred to in (3) were returned to Divisional Officer for early completion and resubmission. This was also pointed out to the Accountant by Chief Engineer. The Accountant then instead of attending to instructions or

explaining his inability, difficulty or other circumstances, not only wrote a lot of irrelevant and malicious matters (vide his No. 30 dated 2-4-98) but also practically transferred himself from his position as an Accountant under the orders of Chief Engineer to that of an Examiner under the direct orders of Diwan (Government) and commenced to submit his communications direct to the Diwan ignoring his superiors altogether vide details under Charge I, thus continuing to neglect his legitimate duties and further exhibiting extreme insubordination.

5) The Register of bills received from Contractors and suppliers which was specially ordered by Chief Engineer to be maintained in a particular form, was wilfully neglected to be kept up as ordered, and when called on for explanation, he stated that he had substituted one of his own - but this had never been submitted to Chief Engineer for approval and did not contain the information that was required and included in the register ordered to be kept up.

6) Allowing an unsanctioned work to be carried out by neglecting to note and observe the orders sent to him for attention vide this office No. 380D dated 8-11-1897.

7) Inattention to orders with regard to measurement books. When asked to explain the cause of want of attention, instead of admitting his fault, stated that he was not aware of the order while it was proved that he had himself seen the orders, on the subject and had dealt

th them.

d Wasting the valuable time of himself
nd his Superiors by writing masses of
nnecessary and irrelevant remarks that
ad no bearing on the questions at issue
r orders given, instead of answering concisely
r attending to the orders given. For example,
he Chief Engineer asked two questions with
eference to the preparation of figures
or the Administration Report.

1) When will all Divisions be supplied
with statement of expenditure
on Stock?

2) What is the probable date of
submission of your own accounts?

The answers to the above could easily
have been as short as follows.

1) In 10 days

2) About 3 weeks.

Instead of which the Accountant
writes or is the cause of writing, 12 sheets
1/2 foolscap, 2 sheets foolscap and then
leaves question (1) unanswered.

Trevandrum }
April 1898 }

(Signed) W. Jopp
22-4-98.
Chief Engineer

(True copy)

Dewan

½

1898
Enclo. No 2
To

A

No 1449/P.W.

Huzur Cutcherry
Trivandrum 24th April 189

I

From

The Dewan of Travancore

To

The British Resident
in Travancore and Cochin

Sir,

I have the honor to forward herewith for your information a copy of the Chief Engineer's letter No 116 dated the 22nd Instant reporting on the suspension of Special accountant Mr Condiah Chetty. I send also copy of the list of charges against the Accountant, therewith received and of Mr Jopp's first letter No 1099 dated the 8th Instant and of my reply thereto No 1378/P.W dated 19th. The final report promised by Mr Jopp is awaited.

2. Mr Condiah Chetty is a servant of the Madras Government on deputation here.

I have &c

(Sd) H. Krishnaswamy Rao
Dewan.

(True Copy)

Capt

No. 1382.

Chief Engineer's office.
Trivandrum $\frac{6^{th}}{Desp^{d}\ 7^{th}}$ June 1898.

To

The Dewan of
Travancore.

Enclosure A to II

Misconduct of Accountant T. Condiah Chetty
My No. 1099 dated 8 – 4 – 1898.

Sir,

In continuation of my letter noted above, I have the honor to submit the report promised in para 2, regarding the suspension for extremely insubordinate and otherwise irregular conduct of Accountant T. Condiah Chetty.

2. From very shortly after his first joining, he exhibited dissatisfaction at the position assigned him, as also at his emoluments, though both are in accordance with the terms and spirit of his engagement.

3. He also took jealous exception to the work assigned to S. V. Krishnaswamy Sastri, who was the other of the two accountants sanctioned by the Government to be entertained in reorganization of the Department, and displayed such feeling on this point and allowed it to grow so much that it interfered considerably with his usefulness as an accountant. He usually made a pretence of disguising this by assuming zeal for the State in pointing out what he assumed to be Krishnaswamy Sastri's incompetence. He thus wasted a considerable amount of time which ought to have been devoted to his legitimate work assigned him.

4. Later on he began to assume the privileges of an Examiner of Accounts, by requesting his reports to be forwarded to [illegible] eventually
accordant [illegible]
so.

be adopting in his language the actual position of an Examiner instead of an Accountant; becoming more and more insubordinate as time passed. Having been lent by the British Government, a difficulty was felt as to dealing with him, and considerable leniency was consequently shown to him, in the hope that he could be induced to conduct himself properly without having to report the matter to the Madras Government. This leniency he appears to have misunderstood and to have taken advantage of.

5. When, however, he took a farther step, and actually commenced sending copies of his correspondence on account matters direct to the Dewan "for the information and orders of Government", asserted his independence of the Chief Engineer and proved himself more of an obstacle than an assistance in accounts, it was impossible in the interests of discipline of the Department and of the actual work of the Department and for the assertion of the proper official position of the Chief Engineer, to act in any other way than to suspend the accountant. This was accordingly done, and the matter reported to you in my above letter.

6. He was then furnished (22-4-98) with an abstract of the charges against him, and it was thought possible that in his reply he might express contrition and promise amendment. On the 12th May a reminder was sent to him and his reply was received on the 19th.

7. It was found, however, that his reply entirely ignores the actual terms of his engagement as a simple accountant, but makes all sorts of contradictory pretensions such as that he was "specially deputed" to "reorganize", "bring into order", "revise" &c. the P.W.D accounts. He also [illegible] to [illegible] "[illegible]stification were needed"

in sending copies of any of his communication to Government for "information" or "orders" on ground that his previous reports had not been forwarded.

8. On receipt of this communication, it wa quite clear he could be of no further use as an accountant of the State, as he distinctly takes u the position, and claims the privileges of an Exam

9. Full details of all the above are contained in the accompanying abstracts, the gist of whi is shown in the appendix. Much more has been unavoidably written than would be necessary were he not lent by the Madras Government; such being the case the fullest explanation is given to allow of disposal of the case.

10. Under the above circumstances, and in con-sideration of his repeated requests (vide appendix IV, XI and XIV) to be retransferred to Madras, I have allowed him to remain under suspension and beg to suggest that the Examiner be asked to take him back as the Chief Engineer does not find him satisfactory and as the accountant himself is dissatisfied. If the Examiner of P.W. Accounts could find some other accountant to send in his place to complete the unexpired portion of the 5 years originally agreed upon, then such man would be gladly accepted; it is unlikely that he would prove so indifferent and contumacious.

11. In conclusion, I would remark that the accountant was suspended, as it appeared the only effectual way of bringing an intolerable state of affairs to an end without any delay. Had he not been a British Government but a Travancore Government servant, I should have been in a position to deal with the matter in more than one way that might have been suitable and effective and in accordance [illegible]

the Travancore Government.

I am aware that suspension under the rules of the British service is a serious matter affecting the pension of the accountant. Bearing in mind therefore the reasons and motives of my action it may be left to the British authorities to consider the justness and gravity of the charges brought against the accountant and decide whether he is deserving of punishment or not and in the former case whether the suspension should be given effect to or whether the punishment should take some other form.

12. His reply to the Departmental charges made against him occupies 75 pages of foolscap, and it has been framed more as a petition to Government than a reply to the Chief Engineer and is contrary to the spirit of the Dewan's circular dated 19th May 1898. It is fully dealt with in abstract XVII in respect to all relevant points - irrelevant and malicious assertions are properly not alluded to in detail.

I have &c.
(Signed) W. Jebb
Chief Engineer.

Accompaniment {
1 abstract and XVIII appendices.
1 copy of Mr. T. Condiah Chetty's defence, his No. 5 dated 18-5-98.

(True copy)

P. Thanu Pillai
Chief Secretary to Govt.

1898
Enclo. No. 22
To
O. No. 958
Oss.6
6225 (SD)
1018

T. Condiah Chetty - Accountant.

Abstract of Appendices.

Enclosure B to II

No. of appendix	Subject	Date.
I.	Terms of agreement - Engaged as an accountant for general duty, but subsequently claims the privileges of an Examiner and to have been deputed for special duty.	Joined 30-1-9
II.	Becomes dissatisfied soon after joining and desires to become head of the office, with S.V. Krishnaswamy Sastri as his assistant.	10-2-97.
III.	Placed in charge of accounts and S.V. Krishnaswamy Sastri in charge of the correspondence, but again requests to be made head of the office, when it was pointed out to him that the Assistant Engineer (Mr. Natesa Aiyer) was in charge of the office.	12-3-97
IV.	Requests Presidency and house allowance or to be retransferred to Madras.	6-3-97
V.	Assumes the privileges of an Examiner, requesting his report to be forwarded to Government and states the reason the Chief Engineer does not want him to see all the correspondence is because "you did not want me to know everything".	16-7-97
VI	Carelessness in accounts.	8-11-97
VII	Delay in payment of Contractors' Bills	May to Dec. 1897
VIII.	Insubordinate language to the Assistant Engineer in charge of the office.	2-11-97
IX	Wastes time by private writing	Various
X	Memo of the Chief Engineer further fixing the accountant's duties	14-11-97.
XI.	Again assumes the position of an Examiner (as in App. V); refuses to go on inspection duty, and again requests to be transferred to Madras (as in app: IV)	19-12-97.
XII.	Again refuses to go on inspection duty (as in app. XI).	27-12-97
XIII.	Admonished for insolence and disobedience of orders.	28-2-98.
XIV	Sends a telegram to the Dewan, and again requests a transfer to Madras (as in app: IV & XI)	29-3-98
XV	Again assumes the pos [illegible]	

	(as in app: V & XI) by communicating direct with the Dewan, and as he is also delaying accounts work is suspended accordingly.	} 8-4-98.
I	Again communicates direct with the Dewan, assuming the privileges of an Examiner (as in app: V, XI & XV).	4-4-98
II.	Charged with insubordination, to which he replies † practically by saying that it is not insub-ordination but that it is part of his duty to inform Government, repeating in various ways the privilege of an Examiner (as in app: V, XI, XV, & XVI) and makes various aspersions on the Chief Engineer's Head accountant.	22-6-98 † 18-5-98.
II	Causes delay and confusion in preparation of accounts and allows arrears to actually increase instead of his decreasing them.	

(Signed) W. Job.
Chief Engineer.

(True Copy)

P. Maunkari

Chief Secretary to Govt.

Appendix I

Enclosure C to II

The Accountant's Terms of his Agreement as an accountant for general duty as such, but subsequently claims the privileges of an Examiner and to have been deputed only for certain special work.

The Travancore Sircar asked the Examiner P.W.D. Madras, for the loan for 5 years of a "competent accountant, having practical experience of the P.W.D accounts in Division offices as well as in the Office of the Examiner of accounts." The Sircar further agreed to pay Rs 160/- per mensem for the first year, rising by annual increments to 200/- besides paying the usual pension contribution (vide letters $\frac{1934\ D/C}{6\text{-}7\text{-}96}$ and $\frac{2662}{9\text{-}9\text{-}96}$ $\frac{\text{From the Examiner P.W.D Madras}}{\text{To the British Resident, Travancore}}$)

2. T. Condiah Chetty accepted these terms, and joined the Chief Engineer's

[illegible]

Office on the 30th January 1897. He was then placed by the Chief Engineer on general correspondence work in the Office pending issue to him of definite instructions as to his duties.

3. The above requires nothing to show the actual terms of engagement, as the accountant later on claims something different. It is clear from the above that no special appointment was offered him, consequently it could only be inferred that he was engaged for the ordinary duties of a man in his position, viz Divisional accounts, or audit accountant's work if required.

4. After being here, a few months (vide app: V) however, he commenced without the slightest reason to assume (and later on to assert distinctly) that he had been engaged for some special purpose, and that he was practically independent of the Chief Engineer - in short, he assumes the position of an Examiner, in place of an accountant for which he was engaged. This first shows itself (vide app V) by his instructing the Chief Engineer that his (accountant's) previous Report "should have been forwarded for the orders of Government". A previous letter of his (dated 27th March 1897) contains a similar request, but modified - as added after the above words "if necessary".

5. In subsequent letters, but especially in his reply to the Departmental charges made against him he asserts, and repeats, this claim in all sorts of forms, such as Page 7 - "as an accountant specially deputed to reorganize the accounts of this State."

Page 12 "as an Officer specially engaged for bringing into order"

Page 24. "Placing me, who had been →

specially deputed to revise."

Page 55 "(The Travancore) Government, which has specially engaged me to revise"

The entire difference of terms (as underlined) arises from his having no just claims to any of them, except the first viz. accountant. If he was engaged, then he could not of course have been deputed, and if his work was to reorganize, it differs entirely from bringing into order.

6. As no arrangement was made to the contrary it is assumed he would be bound by Chap: XXXVI, Page 223, article 806 (v) viz "The Officer transferred shall remain, while on Foreign Service, subject to the general and disciplinary rules which apply to Officers on active Government Service."

(Signed) W. Jopp
6-6-98
Chief Engineer

True Copy

Chief Secy to Government

1898.
P.W. Dept
Enclos. No. 20
To
O. No. 966

O.L.S. 8
6225 (S)

Appendix II

Enclosure D to II

The Accountant becomes dissatisfied very soon after joining and desires to himself fix what he is to do.

Within a fortnight after joining, the accountant showed a desire for fixing his own position to suit his own particular ideas, requesting the Chief Engineer to permit him to take charge of the accounts and correspondence and that he should have the Head accountant to assist him.

2. The Chief Engineer replied "you should not assume in any way that he is in the position of your assistant" and that until the details of his (T. Condiah Chetty's) duties had been worked out he should refrain from having official communication with the Office Staff

be xcept through the Chief Engineer."

3. This did not please him and nearly the whole of his subsequent misconduct, can be traced to this one feature viz his desire that he should be the Supreme head of the Chief Engineer's Office with Krishnaswamy Sastri as his assistant in accounts.

(Signed) K. Jopp.
6-6-98.
Chief Engineer.

True Copy

P. Manu Nair
Chief Secy to Government

Ou 5.5
6225/5

Appendix III.

Enclosure E to II

Office order placing the Accountant in charge of the accounts.

On the 12th March 1898, an office order was issued by the Chief Engineer placing Mr. Natesha Iyer (Assistant Engineer) in charge of the Chief Engineer's Office, accountant T. Condiah Chetty in charge of the accounts Branch and Head accountant S. V. Krishnaswamy Sastri in charge of Correspondence and Establishment. The accountant (T. Condiah Chetty) is (a) To dispose of all accounts matters

(b) Dispose of, and draft replies on such correspondence as may be sent him by the Assistant Engineer in charge of the Office.

(c) Take up such other matters as may from time to time appear advisable, and submit drafts or proposals through the Assistant Engineer for the orders of the Chief Engineer.

d) To make as many and lengthy visits of inspection of the Offices of Executive Engineers or Sub Division Officers as the Chief Engineer may direct.

This did not at all please T. Condiah Chetty, who again requested to be made head of the Office when it was pointed out to him that the Assistant Engineer was the head of the Office.

He does not, however, object to the provision of (d) till the December following when he is ordered to go and inspect a Division (vide appendix XI). Neither does he see any objection to it when drafting a memo in his own handwriting regarding the transfer of accounts to Divisional Officers, nor when on 30th Octr. he wrote "he would require one clerk to accompany him when inspecting Divisions".

(Signed) W. Jopp
6-6-98
Chief Engineer

True Copy

Chief Secy to Government

1898
Enclos. No. 18
To
C. No. 66
Dec 5.10
6225/58

Appendix IV

Enclosure F to II

Requests increased allowance or to be retransferred to Madras

A couple of months after his arrival, in the beginning of March 1897 he submitted a memorial for an allowance on account of extra expense for house rent, carriage hire and provisions and for an advance of one month's pay. This the Sircar (Dewan's No. 1004/18-3-98) did not see its way to grant except the advance of one month's pay.

2. Upon this another application of his was forwarded to the Dewan (Chief Engineer's No. 1258/2-4-97 which was again refused, Dewan's No. 1415/13-4-98) but granting permission to the accountant to move the Examiner of P.W. accounts, Madras, direct, if it was open to him to do so. The accountant did so asking (vide the Examiner's letter accompanying the Dewan's No. 2144/8-6-98)

Presidency allowance, or house rent, or to
retransferred to Madras.

The Examiner replied (No. 2144/8-6-98) that neither Presidency allowance or house rent, can be granted or his transfer, but if the Resident saw fit to recommend to the Travancore Durbar for the accountant to be allowed Rs200 per mensem, he (the Examiner) would not be unwilling to support the recommendation. The Resident (his No 1397/31-5-97) in forwarding the Examiner's letter to the Dewan, makes no such recommendation, and the Dewan consequently forwarded copies of the correspondence to the Chief Engineer for information. This was communicated to the accountant, and he felt very much dissatisfied, but made no further representation till his telegram some 9 months later (appendix XIV).

(Signed) W. Jopp
6-6-98
Chief Engineer

True Copy

P Rama Rau

Chief Secy to Government

1898
P.W. Dept.
Enclos. No. 30
To
O. No. 966

PW 11
6225/58

Enclosure 9 to II

Appendix V

I Instructs the Chief Engineer he should have forwarded his (accountant's Reports to Government / para 3 /

II States the limit of his duties / para 39

III Claims he has been recommended by the Madras Government "to introduce the British system of accounts" / para 3c /

IV States the reason why the Chief Engineer refused to let all correspondence pass thro: his hands, is, because "I did not want me to know everything"

V: Requests the Chief Engineer to "be good enough to forward this Report to Government"

In submitting the half yearly Returns / of Stock, General Stores / ending Thie 1072, he accompanied it by a letter of 10½ pages of foolscap supplemented by another / as an accomp: to the first / of 42 pages. Total 52½ pages of foolscap.

The two letters are a medley of different subjects of practically no assistance in elucidating the Half Yearly Return, but may be shortly divided into:-

1) An attack on the Head accountant for supposed misrepresentation (of T. Condiah Chetty) to the Chief Engineer.

(2) Stating that he has worked very hard.

3) A proposal as to Divisional Drawing accounts.

(4) The separate question of certain disparities between the Returns of the late Chief Engineer and the late Store Keeper.

(1) and (2) are evidently the outcome of the following remarks of the Chief Engineer as quoted by the Accountant as to progress in account work.

" Progress is not as rapid as might be" and that he was "not paying sufficient attention to instructions and that Chief Engineer seldom sees any good results therefrom". (1) is also due to the dissatisfaction originating in the Head accountant not being placed subordinate to him appendix II + III.

2. The above leads him into the following improper course.

(a) He instructs the Chief Engineer that "he should have forwarded his (T. Condiah Chetty's) report and the Head accountant's explanation for the orders of Government"

(b) Because "this would have enabled Government to see (amongst other things) that my representations to the Examiner P.W.D. Madras, was based on facts or not and whether the Examiner's recommendation to grant me maximum pay can be accepted or not".

"The instructions in (a) are of course most improper for a simple accountant to make and the reason given in (b) is no reason t all for the Chief Engineer forwarding hem to Government.

(c) "But as you (Chief Engineer) have ordered me to take up this stock work &c" "in addition to my legitimate duty which I believe, is limited only to bring up the British System of accounts and Rules nto force here". It would seem the accountant did not mean that the word up should have been inserted and that it should read "to bring the British System" &c This is evident from his later writings, in which he makes more distinct claims.

(d) He also brings in some remarks that appear to have been made by the Chief Engineer "that I am not paying sufficient attention to instructions, and that you seldom see any good results coming therefrom".

To

To this he replies by explaining the Head accountant's inefficiency which is no reply at all for his inattention to instructions and want of good results.

(e) "I beg to state that I took up the appointment under the impression that I would be able to introduce the British System of accounts here to the satisfaction of this Government as well as that of the Madras Government who have kindly recommended me for the post in question". How could the accountant have received this impression from the letter of application? or where is the letter of the Madras Government recommending him for such introduction (Vide appendix I)

(f) "I have requested all papers (of the Chief Engineer's Office) be passed through my hands but you ~~do~~ did not want me to know everything".

The request is an extraordinary one, and of course refers to his request to be made Manager, but his last remark is either most insulting or is gross ignorance of its probable inference.

(g) " If the Head accountant was able to keep the accounts in a satisfactory state I would never have been sent for to rectify his mistakes with such a disagreeable position in the office as at present."

When he writes this he is evidently unaware it was decided to have two accountants before either he or the Head accountant was engaged. He here makes a different claim to that in para E. he now says "he was sent for to rectify the Head accountants' mistakes."

(h) " I request you will be good enough to forward this Report to Government together with my letter dated 27th March 1897." Of course the Report was not forwarded to Government and it cannot be understood what induced him to make such an extraordinary request. He certainly would never have thought to have done so to the Examiner of P.W.D. accounts, Madras.

(Signed) W. Jopp
6-6-98
Chief Engineer

True copy

Chief Secy to Government

1894
Pol Dept.
Enclos. No. 17
To
C. No. 966

Pw 3.12
6025/58

Appendix VI

Enclosure H to II

Carelessness in Accounts.

The Chief Engineer (his 380 of 8-11-97) had to report the accountant to the Dewan for carelessness in accoun the result of which was that some lamp posts were erected in Shenthittay (or Brahmin) Street without Sanction and had to be removed, thus causing a waste of public money.

His explanation occupied 13 pages

(Signed) W. Jopp.
6-6-98
Chief Engineer

True copy

P. Manadeva
Chief Secy to Government.

1898
P.W. Dept
Regtg. No 16
To
O. No 966

P.W.S. 13
6225 / S.D.

Appendix VII

Enclosure I to II

Payment of contractor's bills delayed by the accountant's fault

As complaints had been received from contractors as to delay in payment of bills submitted to the Office, a Bill Register was instituted by the present Chief Engineer in August 1896 showing the date of receipt and payment &c so that in case of delay the length of time and the cause also could be traced to the particular individual who might be in fault. The keeping up of this book reduced causes of complaint considerably as might be expected.

2 This register was maintained in the correspondence branch till May 12 97, but as it appertained to accounts the Assistant Engineer, then in charge, of the Office, handed it over to the accountant to keep.

3 This – without reference to anyone – he put on one side as useless, because according to his own statement "It did not contain particular

of the bills. and these particulars I am now keeping in a separate Register"

4. The result was as follows. In October a complaint was received as to delay, and the Chief Engineer had to apologise to the firm

The Bill register was called for (21st Oct. 97) and it was then discovered that the accountant had abolished it without reference to any one. A great Stir was made and it would have been thought matters would now be mended, but no - he still neglected to maintain the register and although certain entries were made in his bill book, yet the important item of "when disposed of in the Chief Engineer's Office" was seldom entered.

5 This further neglect was not discovered till the end of December when a complaint as to delay in payment of bills was made by Messrs Richardson and Cruddas, accompanied by a long list of unpaid bills.

6. On examining the Bill Register it was found that no entry had been made in it of any sort, from the time it was handed over to the accountant notwithstanding the stir made at the end of October. On referring to dates it was found that 15 of these bills were between May 12th (when the book was handed over to the accountant) and Novemb 30th not one of which had been paid. As the accountant had now gone to inspect the Northern Division, the bills were ~~limited~~ hunted up and paid by other members of the Office as the accountant had then gone to the Northern Division for inspection.

(Sd) W. Jopp
Chief Engineer

True Copy

P. Rama Rao
Chief Secy to Government

189 d.
Pol Dept
Procdg. No 15
To
O. No 780

Appendix VIII

uchame J to II

Neglect of duty in checking measurement Books and insubordinate language to the Assistant Engineer in charge of the Chief Engineer's Office

A circular was issued by the present Chief Engineer that all measurement books were to be submitted monthly to the Office for inspection as to whether they were properly kept and checked.

2. In October last the assistant Engineer, pointed out to the accountant that the books had not been submitted since February, re quested him to remind divisional Officers and remarked "it seemed strange he ha taken no action"

3. The accountant replied to the Assis Engineer he was not aware of the circular "ti you pointed it out. It is only in the usual course of business that I will be to know such things - You cannot ex pe to know at once all that has passed bef took over the accountant branch".

It was afterwards proved by the records that he did know shortly after joining the Office. This he might easily have forgotten, being new to the Office; the complaint against him is the insubordinate spirit shown, and the improper style of writing adopted — when replying to the Assistant Engineer's remarks.

(Sd) A. Jopp
Chief Engineer

True Copy

V. Mauni Rao
Chief Secy to Government

KGP

189
Dept.
Whole No. 14
To
Head
A No.

Appendix IX

Enclosure K to II

Much waste of time caused by the accountant's prolix writing.

On receipt of a D.O. from the Dewan hoping Chief Engineer will be able to send in his administration Report by the end of the month the latter endorses to the accountant the Chief Engineer a ked the assistant Eng er (9.11.98) "Please ask Mr Condiah Chetty (1) at date Divi ions will be supplied with expen iture on stock statement &c, "and" approximate date of submission of accounts" to enable Chief Engineer to reply to Dewan.

2. The accountant replied to (1) Triv drum Division gave on 30.10.97 (which is no repl to the query what date Divisions will be supp with) and to (2) 15 days after submission of Divisional accounts, but I require 4 more clerks, and enters into n explanation as to the meaning of Registar of works and Progress Report.

To answer these 2 questions the accountant occupies 3 pages of closely written matter.

3. The Chief Engineer replies "that Mr Lockyer should be consulted as to the 4 extra clerks, as there is no objection. He can get any assi

which has always been given, which he seems to forget. "Regarding the accountant's use of the term Regist~~er~~ of work when he meant Progress Report, it is his own fault, if confusion arises"

4. Upon this Mr Lockyer endorsed to "read Chief Engineer's remarks carefully and draw up a note as to requirement, clear, but short, in the manner of a precis."

5. To this he submits 3 more sheets, not at all answering the distinct requirements and again wandering into "Register of works" "Progress Reports". As there seemed no probability of getting a clear answer, and time was being wasted in the endeavour, Mr Lockyer simply granted the 4 clerks, at the same time informing him that 3 pages of such matter in immediate reply to such very distinct requisitions could only be considered impertinence.

The result therefore, of the Chief Engineer's simple question as to when figures for the administration Report would be available is, from all sources, 12 pages of writing and a lot of endorsements.

To this, may here be added, the time wasted on almost every occasion he wrote, and as his epistles were seldom confined to the subject in question, the cross references involved a fearful waste of time in dealing with them.

The following shows only the No of pages written by the accountant himself on the items quoted and do not include the work necessary for their disposal.

app.	V –	52½	pages
"	VI –	13	do
"	VII –	5½	do
"	IX	12	do
"	XI	7	do
"	XIII	7	do
"	XV	14	pages (7 to Chief Engineer & copy to Dewan)
"	XVI	14	do (do do)

Reply to Departmental charges 76 pages.

(Sd) W. Jopp

Chief Engineer

True Copy

Chief Secy to Government

169 &
Rl. Dept
Enclos. Nos. (3)
To
C. No. 966

Rev. F. 16 / 6225/05

Appendix X

Enclosure L to II

Memo as to the Accountant's duties

In the beginning of November Mr Lockyer Executive Engineer, was appointed to take charge of the Chief Engineer's Office as assistan to the Chief Engineer and the latter drew up a memo for his guidance (including details of the accountant's duties - amongst them being that h will make periodic inspection of each Division Office, the memo also lays down that he will in all things be directly responsible to Mr Lockyer and that audit of accounts would be made in the Chief Engineer's Office and not by T. Condiah Chetty the latter's attention being particularly devoted to the correct preparation of Divisional Store and manufacture accounts

2. Mr Lockyer was asked for any suggestion he would like to make in revision or enlargement of the scope of the memo. He accordingly got cyclostyed and gave a copy to T. Condiah Chetty for favor of remarks (to the part concerning him particularly)

3. This the accountant has failed to do

up to the present though he made objections to it (vide appendix XI) when submitting statistics for the Administration Report (which of course was no place for it) by objecting to the audit being placed in any hands but his own and refused to do inspection duty. This is fully dealt with in app. X and XI

(Sd) W Jopp
Chief Engineer

True Copy

P Rama Rau
Chief Secy to Government

189
Pol Dept.
No. 12
To 966

Ows. 17
62a5/5d

Appendix XI

Enclosure M to II

Charges the Chief Engineer with prejudice

Claims independence as an accountant

Refuses to do inspection duty and requests

(1) His report to be forwarded to the Dewan

(2) Who is to transfer him to the Huzur

(3) Or transfer him back to the British Govt

On the 19th December, he wrote a letter to the Chief Engineer commencing with "In submitting herewith statiscal information required of me, for the Administration Report." From it the following abstracts are made –

(a) "From this may be inferred how little a knowledge of accounts this accountant possesses.

(b) "The above report (against Krishnaswamy Sastri has only tended to your being prejudiced against me"; "Although I requested the above report to be forwarded to Government, you were not pleased to do so"

(C) "I believe that as far as accounts are concerned my position is an independent one".

(d) "I humbly deprecate the appointment of the above ccountant as an auditor"

(c) As regards your deputing me for inspection duty, I beg to state that in my present grade, I am unable to accept the work."

If, I humbly beg to request, you will forward this to the Dewan of Travancore with my previous reports, whom I request (1) "to transfer me to the Huzur Audit Office" or (2) "recommend me to the British Government for my transfer."

2. The cause of this outburst seems to be on account of the audit work being deputed to Krishnaswamy Sastri. His subsequent requests for forwarding to Government, retransfer, &c, seem drawn up purposely to publish to the Huzur Office that the Head Accountant is not near so clever as himself. He lets his anger get so much the better of him that he is led to lay down that

(1) "The Chief Engineer is prejudiced"
(2) "My position is an independent one"
(3) "Deprecates" the Chief Engineer's orders
(4) Refuses ("In my present grade I am unable") to go on Inspector duty unless promoted to another grade.

This idea is quite novel to him, as he saw no objection to it in March or August (vide [illegible]as III)

(5) Requests the Chief Engineer to forward his report to the Dewan.
(6) Requests to be transferred to the Huzur.
(7) Requests to be re-transferred to the British Government.

All of this occupies 7 pages of foolscap and purports to be an office note submitting figures for an Administration report. Verb sap:

(Sd) W Jopp
Chief Engineer

True Copy

P Thanu Pillai
Chief Secy to Government

Secy

Enclos. No. 11
To
966
85/2229
R.S.70

app XII

Enclosure No II

Again refuses to go out to bring up the arrears of a Division.

Chief Engineer's $\frac{2532}{27.12.98}$ ordered the Accountant to proceed to Kottayam "to take up the Divisional accounts and bring them up to date". To send all com[illegible]cations (through the Executive Engineer, Northern Division) to the assistant to the Chief Engineer.

2. He replied on the same date "that on the 9th Instant, when submitting statistics of the Administration Report. I expressed my inability to take the work, &c in my present grade". He thus goes to explain the extra expense involved, concluding with "Further, the position of an accountant is stationary, and I cannot take up the travelling duty unless there is a sufficient remuneration for such heavy work."

3. C. E's $\frac{2603}{30.12.97}$ replied that his first duty was to "obey the Chief Engineer's orders. If he wishes to make any representation on this or other matters he is at liberty to do so, and they will receive consideration on their merits"

4. He then presented himself [illegible]he assistant to the Chief Engineer and presented a massive

document which, the latter refused to accept - pointing out that he must first obey the Chief Engineer's orders, then (if written in short, clear language, not a big document) any representation he might wish to make on his own concerns would be attended to. He then distinctly refused to go, saying it was not an accountant's work, and engaged the A. C. E's attention for the whole afternoon. He appeared to ~~speak~~ think no one in the state knew anything of an accountant's duties except himself, and remained obdurate to all reasoning until it was pointed out to him that para 142, page 125, chap: III of the Government of India P. W. D. Code expressly provided for the deputation of an accountant to bring up any arrears in a Division. When he saw that this provision of the Code was known, he unwillingly gave in, and departed with no good grace.

5. This is of course pure insubordination. If the duties he was called upon to do, were unusual for one of his grade or if additional expence were incurred by any particular work assigned to him, his remedy was obvious - to petition accordingly and if he had good reasons in support thereof he would no doubt have received liberal consideration from the Sicar in dealing with it. Instead of acting in this reasonable manner he simply says "No. I wont go unless you give me promotion." This could not of course be tolerated for a moment.

6. It is true he went eventually but with a bad grace.

7. No further representation was received from him on the subject of allowances or promotion till he telegraphed at the end of March (sending a copy direct to the Dewan) repeating his original claim for Presidency allowance which the Government refused. It will be noted he does not repeat the claim made in para 2 above.

8. Meanwhile, however, he applied for special halting allowance in consideration of extra expense, whilst on inspection duty. This was recommended to Government by the Chief Engineer, and it was sanctioned.

(Sd) W. Jopp
Chief Engineer

True Copy
Chief Secy to Govt

189
Public Dept
Madras No. 10
966

Ow.9.15
6225/5d

Appendix XIII

Enclosure O to II

Admonished for insolence and persistent disobedience of orders

1. As the general store accounts had not been cleared when the accountant went on Inspection duty, and he had been previously occupied with them, and some documents were supposed to have been taken by him with his other papers a letter (Chief Engineer's No $\frac{3323}{15\text{-}2\text{-}98}$) was send to him.

"The marginally noted documents are urgently wanted. Please, send, as they are said to be with you.

Please also state what the stock Balance was, at the end of 1072, as per Chief Engineer's off accounts." ~~amounts"~~

2. To these simple demands, the accountant devotes 7 pages of foolscap, in which occur the following.

"I beg to state that I am not aware of any such statements being required in the

Chief Engineer's Office."

" No separate statement is required from me at present."

To this the assistant to the Chief Engineer drafted" "This has been recorded against you as another instance ~~instance~~ of insolence and persistence in disobedience of orders to the subject matter. You were asked for certain documents and all you had to do was send them, or say where they were, if you know. This could have been done in as many lines as you have written pages"

(Sd) W. Jopp

Chief Engineer.

True Copy

P. Ma[illegible]

Chief Secy to Government

1898 P.W.
Dept.
90

OC 20
6 225/98

App: XIV.

8.9.

Enclosure Pt II

Telegraphing direct to the Dewan.

On the 29th March, 1898, he telegraphed to

The Executive Engineer
in charge of Chief Engineer's office.

from
T. Caudiah Chetty
accountant.

" Dewan's No 1397, 31 May last. On resubmitting my claim to allowances, I learn the Examiner recommended it to this Government through the British Resident. Further on personally representing my pecuniary difficulties, Dewan kindly expressed it would be granted shortly. Now to my misfortune he is, I hear, about to retire, my case not yet decided. My circumstances are now most painful. Unless my case receives due consideration no alternative left me than requesting Examiner to retransfer me, my terms of agreement with the Travancore Durbar being entirely different from my present duties here. Anxiously awaiting early orders. Copy submitted direct to Dewan to save delay."

2. The reference appears to be wrongly quoted, as no such number is shown in the records of this office. The last letter received from the Dewan on the subject of increased allowances was his No. 2144 dated 8th June 1897, copy of which was communicated to the accountant by the C.E's $\frac{1736}{12 \cdot 6 \cdot 97}$. Between this date and the date of the telegram, therefore, is over 9 months, ample time to make in writing, any representation he chose, and send it through the proper channel; consequently there were no circumstances to justify his sending a telegram at all.

3.- He says "I learn the Examiner recommended it to this Government through the British Resident". He knows this statement to be wrong, he had a copy of the letter communicated to him, in which the Examiner refuses to recommend the allowances asked for, but adds that "Should the British Resident see fit to recommend him to the Travancore State for an increase to Rs 200 he (the Examiner) would not be unwilling to support the recommendation". As the British Resident did not see fit to do so, the case was consequently closed. This is a very different thing to that quoted by the accountant. For this misrepresentation the Chief Engineer would have had to refuse to forward it to the Dewan, but as the accountant submitted a copy "direct to the Dewan to save delay" it could not be stopped.

4. He then states "On personally representing my pecuniary difficulties, Dewan kindly expressed it would be granted". Nothing is known as to this - if he did personally represent such matters he was of course wrong; if every man in the State took equal liberties the whole time of the Dewan would not be sufficient for this work alone.

5. He then repeats his request that "unless my request receives due consideration no alternative left me than requesting Examiner to retransfer me."

(Signed) W. Jobb
Chief Engineer

(True copy)

Chief Secretary to Govt.

1898
Rt Dep.
9
O. No. 966

Ob. 21
6-25/58

Appendix XV

Enclosure Q to II

(1) Communicates direct on account matters with the Dewan "for his information and orders".

(2) Claims that he has been specially deputed for introducing Government of India rules.

(3) Suspended accordingly.

The accountant submitted his inspection notes on the northern Division accounts, and the Chief Engineer's remarks on the various points were sent to the accountant in due course.

2. On receipt of these remarks, which required no reply at all, the accountant drew up a pretended reply his 30/24-9-98 of 7 pages of foolscap, and forwarded it to the Chief Engineer with the astounding para. "I have also submitted a copy of the above (reply) direct to the Dewan for his information and orders for the reasons given in para 12 thereof".

3. At the commencement of his reply he says "The sanction of Government is necessary for departure from the Rules of the Government of India P.W.D Code, which I have been specially deputed to bring into force in this State".

4. Regarding his writing to the Dewan direct "for the reasons given in para 12" it is absurd that because some establishment which an accountant recommends is not sanctioned that therefore it is his duty to communicate direct with the Dewan. It is precisely the same as if an accountant in the Madras P.W.D, under similar circumstances wrote direct to the Secretary to Government in the P.W.D instead of to his immediate superior, the Examiner. In this State his immediate superior is the assistant to the Chief Engineer. But that this is not his true reason is clearly evidenced by his para 11 (not 12,

as he writes), as follows.

"The compilation of accounts is quite different from what it was when the accounts were compiled by the accountant now in charge of the accounts at the Chief Office (meaning the Head accountant) prior to my joining this State. I have explained it in my report of 5-9-97 which I requested you to forward on to Government, so that they may see what is being done by me. But as you were not pleased to do so, I am now submitting a copy of this for the information and orders of Government."

Here are two reasons (quite different from para 12) 1st "that the accounts are compiled differently to what they used to be" and 2nd "so that they (Government) may see what is being done by me". And these are the reasons a man in the grade of Divisional accountant considers are a warranty for his communicating direct with Government for their "information and orders". Orders on what?

5. Regarding his claim to have "been specially deputed" he simply accepted an offer of the position of an accountant 5th grade and now suddenly (through appendix VIII shews his preliminary attempt by claiming independence) proclaims without the slightest foundation the absurdity that he has been "specially deputed to bring into force the Rules of the Government of India P.W.D. Code". He was not *deputed* for anything at all (Vide appendix I).

6. The above letter was received on the 7th April and as it was now felt impossible to deal with him - he having practically discarded every pretence of subordination to the Chief Engineer and not a single month's accounts of the Division either of arrears or current accounts had yet been completed (though he and his assistant had been there for 3 months) no other course than suspension seemed possible under the circumstances. He was accordingly suspended (Chief Engineer's No $\frac{393}{8.4.98}$) and the suspension reported to the Dewan (Chief Engineer's $\frac{1099}{8.4.98}$).

(Signed) W. Jopp.
Chief Engineer

(True Copy)

WJ

P. Mani Nair
Chief Secretary to Government

Appendix XVI

Enclosure R to II

Submits another letter on accounts direct to the Dewan

3 months' accounts were submitted in one packet by the Executive Engineer, but as they were so very incomplete they were returned (with a list of the defects) on the assumption that they had been sent by mistake without T. Condia Chetty's knowledge. A copy of this was sent to him with the remark "It was hoped that with your assistance matters would have been more forward".

2. Upon this (instead of paying attention to his duties) he wrote a letter of 7 pages of foolscap, utterly uncalled for and of no use, in which he calls himself an accounts' officer, and concludes with "I am therefore compelled to submit a copy of this direct to Government who will satisfy themselves &c &c".

× (32 / 4-4-98)

3. And all this because the Chief Engineer "hoped that with your assistance matters would have been more forward".

It must be remembered in the accountant's favour that the above letter was written before he received the order of suspension, as the above letter (and the order of suspending him) both bear the same date, but it confirms the necessity for his suspension.

(Signed) W. Jobb.
Chief Engineer

(True copy)

Chief Secretary to Govt.

1898
P.O. Dept
Enclos. No. 7
O. No. 966

Dis 23
6025/58

App: XVII

Enclosure 5 to II

Charges of insubordination &c: sent to him (subsequent to his suspension and his re-ply thereto.

After being suspended (app: XV) an abstract of charges was sent to him on the 22nd April 1898, for submission of his explanation at the earliest date possible. The charges were based on the preceding abstracts.

2. To this he replied in a communication of 70 pages, with 4 more as an appendix. He does not deny any of the charges, but contends that in each case he is perfectly within his rights.

3. It is difficult to condense his communication, but shortly it appears to be

(a) a Report to the Sirkar on the accounts of the P.W.D the unsatisfactory state of which was fully recognized long before he was engaged, but which he considers the Sirkar is not aware of.

(b) a defamation of the Head accountant Mr S.V. Krishnaswamy Sastri.

(c) Aspersions on the Chief Engineer

(d) States "he is not aware of any order prohibiting the submission of copies to higher authorities" and

(e) that the treatment given by the Chief Engineer to my reports (in not sending them to Government) is the justification, if justification were needed, for my sending copies to Government for information,

The address is to "The Executive Engineer in charge of the Chief Engineer's office, but it is drawn up as an address to Government, and consequently can not be accepted as a reply to the Chief Engineer at all, also for the reasons given in (b) and (c) it would be against the order of Government to forward it (Vide Dewan's circular d/ 19th May 1898).

(3) Regarding (a) and (c) it is obvious (1) that he would not have made such claims in Madras (2) that his language would not have been the same had he been addressing the Examiner of accounts, Madras (3) or that he would have thought for a moment of sending the Secretary to Government, Madras, a copy of any similar communication addressed to the Examiner of accounts

(4) But as he now seems to have fixed it in his mind that it is quite right to do so here, it is evident his services as an accountant are no longer of any benefit.

(5) His 70th page is a disclaimer of any intention to offend the Chief Engineer, but as it does not re-lax in any way his pretensions to the position of Examiner it does not help to remove in any way, the difficulty of retaining him as an accountant.

(Signed) W. Jott.
Chief Engineer

(True Copy)

Chief Secretary to Govt.

App: XVIII.

Enclosure I to II

Causes delay and confusion in preparation of accounts, and allows arrears to actually increase instead of his decreasing them.

It is not intended to imply that the accountant was incompetent or lazy. Wherever he failed it can only be attributed to his jealousy of Krishnaswamy Sastri, his assumption of a position superior to an accountant, and his waste of time in writing (Vide App: IX).

2. As a particular instance, his latest failure may be quoted. The Northern Division accounts being in arrears he was sent there, with a Clerk to assist him, to clear up arrears, and arrived there about the 8th January.

3. As no accounts were received by the 16th February following a telegram was sent to the Executive Engi-neer "accounts for Avany and Tirattary awaited please expedite". To this a reply was received "nearly completed - will be submitted within a week". On the 11th March another telegram was sent "accoun[ts] promised within a week not received yet. Submit all that are ready at once."

4. It was not until the 16th March (10 weeks afte[r] the arrival of the accountant and his assistant) that any accounts were received. They did not bear the the slightest impression of having re-ceived the least attention from him, as they we[re] so incomplete that they had to be returned, wi[th] a request that he be made to report in writing th[at] they were ready before the Divisional officer sho[uld] resubmit them. A copy of this letter was sent to I. Cundiah Chetty "for information; it was hoped that with your assistance matters would have been more forward". This appears to have made him angry, and instead of sitting down to clear arrea[rs]

he wasted his time by a long unnecessary reply (with another waste of a copy to the Dewan). This was only 2 days after his unnecessary letter of 9 pages (No. 30 of 2nd June 1898), with a copy also to the Dewan. The 2nd, 3rd and 4th were therefore devoted to writing, and his clerk copying, matter which was entirely unnecessary and wasting time which ought to have been devoted to accounts. The order of suspension reached him on or about 11-4-98.

6. The result of sending him (with a clerk to assist him) to bring up arrears, therefore, was that up to the 12th April, when he acknowledged receipt of the order for his suspension, not one months accounts had been received, and it was not until 3 weeks after he had left that the first months accounts were received in decent order.

(Signed) W. Job.
Chief Engineer

(True Copy)

P. Manukoni
Chief Secretary, Dewan

No 5

Trivandram
18th May 1898.

To.

The Executive Engineer in charge of
the Chief Engineer's Office,
Trivandram

Enclosure ii to II

Sir,

With reference to your no 436 dated 22nd April 1898 giving cover to abstract of certain alleged charges
against me and asking me for an e
-planation, if any I have to offer, I
beg leave to submit as follows.

2. The Chief Engineer's no 393 dated
8th April 1898 recites that I have be
guilty ~~of a~~ irregular and insubord
-nate conduct and that I am ther
-fore placed under suspension fro
the date of order. It also states a co
of the report that may be submi
-ted to Government against me w
be forwarded to me for any rema

I may have to make and though acting upon that statement, I finally formally applied on the 22nd April 1898 for a copy of such report as may have been submitted against me by the Chief Engineer, I regret no copy has yet been furnished to me. After announcing my suspension, the same communication seeks to place a restriction on my personal liberty by peremptorily requiring me "on no account to leave Kottayam until further orders." On the 19th April 1898 I received a telegram directly from the Chief Engineer directing me to proceed immediately to Trivandram and report myself to him. In pursuance of this telegram I called at his Bungalow on my arrival at Trivandram to report myself but I was informed through a clerk that the Chief Engineer declined to see me and that I should report myself to the Executive Engineer in charge of the Chief Engineer's office.

3. On the 22nd April 1898, I was supplied with a copy of the abstract of charges already mentioned, and as I was led to believe from the Chief Engineer's no 393 that I would be furnished with a copy of such report as may have been submitted to Government against me, I waited patiently for few days for such copy & even applied for the same, but without success. I also regret that copies of other papers relating to me, which I had asked for, to enable me to offer a satisfactory explanation have not been furnished to me, though I was informed there was no objection for my perusing or taking copies of them.

4. At the outset I beg leave to submit the Chief Engineer has no jurisdiction to place me under suspension as he has now done. It will be seen from para 1 of letter no 3159 dated 9th October 1896 from the British Resident in Travancore and Cochin to the —

Chief Secretary to the Government of Fort Saint George printed with G.O. nos 832 and 833, Political, dated 3rd December 1896, that in connection with the revision of the Travancore P.W accounts then receiving attention the Travancore Durbar wanted the loan of the services, for 5 years, of a competent accountant having practical acquaintance with the work of Executive Engineer's offices and a thorough knowledge of the system of accounts in the Examiners' Office in British India. There is no suggestion anywhere in this communication that the accounts of the P.W.D, Travancore, were in utter confusion and arrears and that the services of an accountant from British India were needed to bring up such arrears and to bring the accounts to order, in addition by revising the Travancore P.W.D accounts in accordance in the system of accounts in British India. On the understanding therefore that my services were required only for revising the accounts of

the P.W.D of this State prevailing under the old System with reference to the British India system of P.W. accounts, I accepted service and came out to Trivandrum. I am strengthened in this view of the duty expected to be discharged by me, by the tacit approval of the Chief Engineer of my application to the Examiner P.W. accounts, Madras, for additional allowance on the score inter alia of the additional work that I was asked to do and also by the recommendation of the Examiner on such application for such additional allowance. If it were not for this understanding, or if I had the slightest reason to suspect that I would on coming to Trivandrum from Madras have to devote my attention to the bringing up of heavy arrears and the extrication from hopeless confusion of accounts, besides revising them in reference to British India P.W accounts I submit I would not have accepted the appointment, carrying, as it does, a salary by no means substantially higher than the salary I was drawing in British India

India.

5. As I had during my long service in British India, occupied as Accountant in charge of the accounts of several of the heaviest Divisions of the Madras Presidency the position of the manager of the office by reason of the necessity that exists for an accountant to be thoroughly acquainted with all the correspondence of the office, I naturally expected that in this State my position as an accountant specially deputed to reorganize the accounts of the P.W.D of this State would be better than in British India. The Chief Engineer from his experience as Executive Engineer in British Service must be fully aware of the fact that the accountant is virtually the manager of the office, and has free access to all the correspondence of the office. I also naturally expected to be rendered every assistance in the difficult work of revising an obsolete system of accounts with reference to the advanced system of accounts of P.W.D of British India. To my great surprise, however, I soon found that the Chief Engineer had practically placed me in the position of a Division accountant, virtually under another accountant Mr Krishnaswamy Sastry who is now raised to the office of manager and is in charge of the correspondence and the final audit of the P.W. accounts and who, it was my painful duty to disclose very soon after I joined my work, was the real author of all the confusion and arrears found in the accounts. I regret also to state that I was burdened with other than my legitimate work and in the discharge of my work the necessary assistance was not always forthcoming.

6. On my joining the office on 30th January 1897, the Chief Engineer asked me to look into the office correspondence papers and to sign for him all ordinary papers. On the 10th February following I requested him to permit me to take charge of the accounts and correspondence of the office and intimated that as Mr Krishnaswamy Sastry had till then been looking after the accounts I should have him to assist me in finding out how far he had introduced the British system of accounts

accounts. The Chief Engineer in reply was however pleased to remark:- "You should not assume in any way that Mr RKy Krishnaswamy Sastry is in the position of your assistant," and also stated that until he had worked out & instructed me in the details of my duties, I was not to have any official communication with his office members except through him, unless it was in the matter of asking for papers to be sent up with a view to the disposal of references. Shortly afterwards an office order, copy of which I beg the office will be pleased to send up to Government to enable them to appreciate the position in which I was placed by the Chief Engineer was issued by the Chief Engineer and in that order he directed that I should be in charge of the accounts and Mr Krishnaswamy Sastry in charge of the correspondence in addition to the Establishment matters. I was also restricted from having access to the correspondence of the office. As this office order interfered seriously with the efficient discharge of my work, I requested the Chief Engineer to permit me to have access to certain papers, which were absolutely necessary for the proper audit and compilation of accounts and with a view to afford me facility for procuring all the information required for the compilation of accounts to place me just as the accountants in charge of Division accounts are placed in the Madras Presidency, in the position of Manager of his office, which, as I pointed out to him, in para 57 of my letter dated 5th July 1897, stood, for purposes of accounts, in exactly the same position as an Executive Engineer's office in British India. Nevertheless I regret to state that the papers in connection with the Establishment were never sent to me and various unwarranted interferences, some in direct contravention of the Chief Engineer's orders, were made with my work by Mr Krishnaswamy Sastry, who, in spite of the Chief Engineer's reply to my suggestion, that there was no such appointment as "manager" of his office, has since been actually raised by the Chief Engineer to the office of manager.

7. When I took charge of the accounts

Mr Krishnaswamy Sastry who was till then in charge of that work, did not, as he was bound to do, furnish me with a report in the prescribed form on the State of accounts under him and I was therefore compelled to draw up a report myself on the State of the accounts, which I regret to say were in a state of the most inextricable confusion. This report was submitted along with my letter dated 27th March 1897 and in it I felt it my duty, painful through it was, as an officer specially engaged from the British Service for bringing into order the accounts of the P. W. D of this State to point out in detail the innumerable irregularities that the accounts disclosed and the enormous extent to which Mr Krishnaswamy Sastry was responsible for the hopeless confusion and arrears into which the accounts had fallen. This report, I had no reason to suspect, will not be forwarded in the usual course to Government. The Chief Engineer however verbally informed me that on my restoring the store accounts also to order, a report would be made to Government.

8. The Chief Engineer himself in his letter to Government in connection with the

case of the late Store-Keeper had characterised the store accounts as being in a state of "inextricable confusion" Though it was outside my legitimate duty, I nevertheless took it up on the belief that this extra work would be duly appreciated & though I had little or no assistance, I went through those accounts and submitted a report to the Chief Engineer, who however has not yet forwarded it to Government. In this report too, I felt it clearly my duty though it pained me much to have to do so, to bring to prominent notice the utter ignorance of Mr Krishnaswamy Sastry of the system of accounts now prevalent in British India and the vast extent of mischief that he had done by his pretended knowledge of that system. Amongst other things that I brought to light in these reports, I showed that

1) the cash abstract Books were not correctly posted.
2) The adjustment Book was incorrectly kept up.
3) The transactions under stock ie the opening and closing balances and the receipt and issue of stock to various works, though they es-

-tended to upwards of 2 lacs of Rupees were not shown in the accounts from Vaikasy 1071, that is from the time when, under Mr Krishnaswamy Sastry's guidance, the new system of accounts was sought to be introduced.

4) The Division officers though they were directed not to submit the Stock accounts in the old form, were not given the necessary instructions as to how the Stock accounts under the British System which Mr Krishnaswamy Sastry professed to introduce were to be prepared.

5) no work abstracts showing the monthly detailed expenditure on each work, were kept.

6) The expenditure on several works as shown in the monthly accounts sent up to Government did not agree with that shown in the Registers of Works.

7) That the miscellaneous Advance account of the Trivandram Division had swollen to nearly Rs 1,76,000 specially on account of the irregular debit of Stock to that head.

8) That Mr Krishnaswamy Sastry who had been deputed to examine & report upon the General Stores, had not gone into the Store accounts himself in preparing his report, but had based it on information furnished by certain clerks.

9) That the instructions issued by him in that report regarding the keeping up of the accounts of the Workshop manufacture were utterly incorrect.

10) That as his pretended knowledge could hold no longer, this accountant who on his appointment as Head Accountant had let the accounts of the General Stores fall into arrears, left those accounts to be attended to by such special accountant as may be appointed, little realizing the extent of confusion he had, from his ignorance, caused in the P.W. accounts of this State.

11) that he did not understand the correct preparation of the Division accounts in accordance with the system prevailing in British India.

9. These two reports on the irregularities and incorrectness that I discovered in the P.W accounts on my examination of them, I felt it my bounden duty to write and a perusal of these reports and my subsequent letters in which I have pointed out his defects in accounts-keeping

will convince Government of the magnitude and difficulties of the task I had been engaged by the Sirkar to do. An estimate of the work rendered by Mr Krishnaswamy Sastry as an accountant in British service may easily be formed from the records in the Examiner's office. My reports however have till now been withheld from Government & the gentleman whom these reports indicated to be primarily and principally responsible for all the tangled confusion of the P.W. accounts of the State had the rare fortune to have his work commended to Government by the Chief Engineer and to be raised recently to the position of manager of the Chief Engineer's office possessing absolute control over correspondence (and establishment) and entrusted with the final audit of P.W accounts. In justice to the confidence reposed in me by the Examiner, P.W. accounts, Madras, & the Travancore Durbar, I feel it my peremptory duty to state the bare truth as to the state of the P.W. accounts as I found them without attempting to colour or palliate it, however painful it may be. It may not be amiss to state here by the way for the information of Government that after I was sent to the northern Division stock to the extent of thousands of Rupees have been issued for use on various works and different kinds of wooden and iron work carried out in the workshop for various works in progress during the year, but not one cash worth of stock has yet been charged to any one of those works from the beginning of this year, all these arrears being evidently conveniently kept up apparently to be brought up by me after my return from the northern Division. It is under this accountant to secure whose appointment and promotion the Chief Engineer has already done much and against whom I had to report in the honest and conscientious discharge of my duty, that I am now virtually placed & made to work as a Divisional accountant. This position with Chief Engineer and the uncompromising exposure of the irregularities and confusion that he had introduced into the accounts after his appointment as Head Accountant, made him a formidable enemy to me in the office. Little encouragement & less assistance was given me in the discharge of my duty and numerous obstacles were placed in my way. This accountant has, I fear, availed himself of every possible opportunity to poison the Chief Engineer's mind against me a stranger in the office, for otherwise it is impossible to account for the acerbity of the Chief Engineer's treatment of me & my work since the submission of the two reports aforesaid. I regret to say that though by the office order referred to in an earlier portion of this explanation I was placed in charge of the accounts and Mr Krishnaswamy Sastry of the correspondence, an arrangement very detrimental as I have frequently pointed out to the Chief Engineer, to the proper discharge of the duties relating to the accounts, Mr Krishnaswamy Sastry was nevertheless allowed to interfere with my sphere of work. I beg leave to mention one important instance in this connection The Chief Engineer who has to see that works are executed in accordance with the sanctioned estimates asked me to find out if the expenditure on the construction of his Bungalow which was much in excess of the estimate was correct and to furnish him with a statement of the details relating to the construction of that building. I furnished him with the details, which from the absence of Work-abstracts in the office I had to undergo very great difficulty in collecting and explained

that

that with the exception of about Rs. 200, whic was incorrectly charged to that work, the rest was all correct, as I had ascertained the expenditure on the building had exceeded the sanctioned estimate by some Rupees 8000 or 9000 if I remember correctly. Accountant Mr Krishnaswamy Sastry however was allowed to interfere in this matter and he informed the Chief Engineer that the ascertained expenditure on the building had to be reduced by some thousands of Rupees and he caused orders to be issued to the Executive Engineer, Trevandrum Division, and got it reduced to that extent. I may also state that so far as I now remember, the Chief Engineer was then looking after the duties of the Executive Engineer of the Trevandrum Division, that officer being then on leave. I need hardly point out that in a case of excess of expenditure over the sanctioned estimate, the proper procedure is to call upon the Executive Engineer of the Division under whose orders the work in question was executed, to explain the cause of the excess and on his explanation take the necessary steps. Instead of that being done, accountant Mr Krishnaswamy Sastry has in this instance misled the Chief Engineer to believe that the excess expenditure was an incorrect charge against the work and has deliberately issued orders to the Executive Engineer to reduce it accordingly. The Chief Engineer whose entire confidence in Mr Krishnaswamy Sastry has been sufficiently attested by his securing for the latter a substantial promotion, and utilizing him as the manager of his Office and auditor of the P.W. accounts of the State, did not suspect that the accounts had been manipulated to please him and naturally believed the representation. By interferences, such as this, with my work and by insinuations on all possible occasions, Mr Krishnaswamy Sastry has I fear succeeded in prejudicing the Chief Engineer against me and my

work in this Office.

10. Even after the incapacity of Mr Krishnaswamy Sastry for any work relating to accounts had been pointed out in detail by me, the Chief Engineer was pleased to raise him to the position of manager of the Chief Engineer's Office and auditor of the P.W. accounts of the Store and to order that I should first examine and submit for his final audit, the accounts of the Several Divisions, an arrangement which had the effect of placing me, who had been specially deputed to revise the P.W. accounts of this State with reference to the system in British India, and therefore practically to introduce that system and instruct the P.W. accountants in its details, virtually under the very officer to whom I had traced all the irregularity and confusion in the accounts. In submitting the statistical information required for the Administration Report for 1072, I

pointed out the hardship involved by this arrangement and suggested, that as special accountant, my duties instead of relating to the correct and punctual submission of the accounts of the Divisions, Stores and Workshops, had reference to the audit of such accounts wherein alone the irregularities in accounts could be traced, so as to issue the necessary instructions for rectifying such irregularities. I also pointed out how t was undesirable to employ Mr Krishnaswamy Sastry as auditor as any further interference by him with the accounts was certain to bring them back to their former state of confusion. I also mentioned therein the difficulty experienced y me as an accountant by the Chief Engineer's order denying me access to all he correspondence of the Office, without which I still maintain a satisfactory stablishment of the British System f accounts as contemplated by Government is not possible. On this, however,

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the Chief Engineer thought it best t [illegible] der me to proceed to the Northern Divisio and to bring up the arrears of accounts in that Division, working under the orders of the Executive Engineer there. I was thus literally reduced to th position of a Division accountant. While at Kottayam I was engaged, as specially requested by Executive Engineer, in bringing up the arrears that had accumulated since Vykausy 1071, that is from the date of introduction of the British System under accountant Mr Krishnaswamy Sastry. Though I have done a vast deal more work than the Chief Engineer had, when ordering me to Kottayam, conceived there was to be done in that Division, my reward seems to have been a sudden suspension from duty taking effect from the date of issue and not from the date of receipt of order which itself has been issued without formulating any charge or charges against me and obtaining my explanation or explanations thereto, and without the sanction of either the Madras Government or the Travancore Sirkar.

11. The Chief Engineer however has, I submit, acted without jurisdiction in placing me under suspension. I am a British servant whose services have been lent to the Travancore Sirkar which pays my pensionary contribution to British Government. Article 806. V. of the Civil Service Regulations provides that in such cases "the officer transferred shall remain, while on foreign service, subject to the general and disciplinary rules which apply to officers on active Government Service". As I am to all intents and ~~propses~~ purposes in British service, the Chief Engineer cannot, I submit, deal with me as he has done now independently of the Madras Government. In the P.W.D, my grade in the permanent Establishment corresponds, I would point out, with that of a Supervisor, and as such

even in British India under paras 46 and 49 of chapter IV of the Government of India Code Vol. the Chief Engineer is not the competent authority to deal with me in matters of suspension. Further, my present punishment has been inflicted without furnishing me in the first instance with the particulars of the charges against me and obtaining my explanation thereto. I very much regret that the Chief Engineer did not before he resolved to place me under suspension, if he has such power, give me the slightest idea of what I was guilty of, that in his view, merited such severe punishment as suspension for an indefinite period to take effect immediately, on the passing of the order. But I beg leave to submit the action of the Chief Engineer has been in this instance unconstitutional. I leave it to Government to decide in the light of the provisions of the Civil Service Regulations and the Government of India Code already referred to, whether a Superio public servant like me whose services –

have been borrowed for a specific term of 5 years by the Travancore Government can be dealt by the Chief Engineer of the State as he has now dealt with me and as he could not under the written Constitution of this State have dealt with officers of my status, who are entirely in the service of this State. For from the Rules passed by His Highness the Maha Raja under date the 12th December 1896 regulating enquiries into the conduct of public servants, it will be found that the Head of a Department or office has nowhere the power given him to suspend from office a public servant summarily as the Chief Engineer has thought fit to do with me. There is, so far as I know, no rule of law or equity either in British India or in Travancore that empowers the Head of a Department to place a public servant under indefinite suspension or under suspension even for a definite term without conducting any enquiry or allowing the public servant concerned an opportunity

to explain such matters as may be thought to appear against him. I am told in the Chief Engineer's No. 4799 dated 2nd May curren that I am under suspension during preliminary enquiry by the Head of the Department and I am referred in that memorandum, apparently in support of the position there taken up, to the Rules passed on 12th December 1896 to which I have already referred and which are published at pages 284 etseq: of the Travancore almanac for 1898. I am particularly referred to "para" I by which I understand part I of these Rules. With reference to this, I beg leave to state, that there was no mention made anywhere, so far as I am aware, of any preliminary enquiry that has been or is in contemplation of being started against me. The Chief Engine in his memorandam No. 393 dated 8th April 1898, in which he communicated his decision that I have been guilty of irregular an insubordinate conduct and that therefore

I have been placed under suspension from the date of decision, does not, even by implication, speak of any preliminary enquiry. That order seems to be a definitive order passed on an adjudged case. However it be, I would here state that I have carefully gone through the rules published at page 284 of the Almanac, to which I have been so kindly referred in the Chief Engineer's memorandam No 4794 and regret to say that there is no rule, so far as I could see, empowering any Departmental Head to place me under suspension, during preliminary enquiry. The only provisions relating to suspension are, so far as I can see, contained in Rule 13. which relates to the Dewan's power to suspend from duty an officer drawing a salary less than Rs 200 per mensem, on receipt of the report and proceedings of the Commission appointed to hold a formal and public inquiry into the conduct of a superior public servant, and in Rule 21 where it is expressly provided that suspension from office should be for a definite period and that the general principles indicated in the foregoing rules should as far as possible be followed in suspending officers. I submit there is, so far as I can see, nothing in the spirit of the rules and there is certainly nothing explicitly stated in the rules, to justify the placing under suspension of a superior public servant like me, who have nearly earned my pension by a long course of faithful and honest service, during preliminary enquiry. In any view of the matter, I beg leave to submit, the Chief Engineer's action in the present instance is unconstitutional and without jurisdiction. I submit I raise this contention bonafide and I am perfectly content to leave the issue in the hands of the present Government in Travancore.

12. I have tried to explain in the foregoing paragraphs, what my position in the office since I came out to Trevandrum had been, and under what

circumstances I was sent out to Kottayam, I have also tried to show that the order of suspension cannot be upheld having regard to rules in force both in British India and in Travancore. I shall now briefly answer the charges brought against me in your No 436 dated 22nd April 1898.

13. It will be noted that I am sought to be charged with (1) Gross insubordination and (2) Continued and wilful negligence or neglect of duty and under each of these heads 10 and 8 instances are respectively detailed. Of the 10 instances given under the first charge, 7 are said to have taken place before my suspension and 3 after my suspension. If the abstract of charges related to the circumstances that necessitated my suspension, I submit I entirely fail to see how the latter 3 instances can be relevant to the matter f my suspension. My suspension must erforce have reference only to what I nay have done, prior to it. Whatever I

I may be alleged to have done after my suspension cannot, under any circumstanc afford an excuse for the order suspending me from office. I submit that the fact that the Chief Engineer has chosen to pres into his service some alleged instances of insubordination on my part after receipt of my order of suspension, only goes to show the avidity felt by the Chief Engineer to fill up a long array of charges against me. Of the 7 instances detailed against me as having been committed before suspensio it will easily be perceived that the first four relate to identically the same matter viz my going to Kottayam and the remaining three are different instances of identically the same category of alleged insubordination.

1-4 With reference to the first 4 instances referring to my alleged refusal to go to Kottayam, I beg leave to call your attention to paras 4 and 5 of this explanation where I have endeavoured to show the understanding on which I accepted my appointment and the work that I naturally expected would be demanded of me in virtue of my appointment. I would also submit that this view of my duties has had, as I have already shown, the approval of both the Chief Engineer and the Examiner of P.W. accounts Madras. Whether my conception of my duties was or was not correct, I had ultimately gone to Kottayam and one would think that after that, my alleged refusal to go to the Northern Division, would lose its significance and could not form any basis for my subsequent suspension. I, however, venture to submit that my alleged refusals were not intended for insubordination and that the Chief Engineer himself did not understand them in that light originally is evident from the fact that he took no steps upon them then. I submit that the statement made by me in my letters dated 19th and 27th December 1897 far from implying insubordination were intended to expres and as a matter of fact do only express my inability under the existing circumstances to proceed to Kottayam. I beg lea to append a copy of my letter dated 27th December 1897 that overnment may see if it can legitimately bear the construction of insubordination, that has now been sought to be put upon it. In thi communication, I asked for remuneratio for the travelling duty, that I was asked to discharge, because as a matter of fact such concession was granted in Madras, when accountants whose positio is stationary are required to accompany inspecting officers in the course of their inspection of accounts of the different Division Offices. I indeed represented to the Assistant Chief Engineer all that I have attempted to state in my two letters aforesaid, but I submit the whol represents only one transaction which has however been finally settled by my going to the Northern Division and could, under no circumstances, be treated as affording three distinct instances of what the Chief Engineer has been pleased to tabulate as "gross insubordination". The whole is I submit, only a fair and bonafide representation of my difficulties and grievances in connection with my transfer to the Northern Division. With reference to instance 4, I have to state the Chief Engineer's No 2532 A dated 27th December 1897 ordering me "to start immediately on expiry of Christmas holidays and proceed to Kottayam" was signed by the Assistant Engineer for the Chief Engineer. When I received it at 2 P.M. that day in the office, the Assistant Engineer had gone home, and the Chief Engineer, I learnt, was just leaving Trevandrum on circuit. As the order required me to leave for Kottayam immediately after Christmas and as I had to make certain representations to Chief Engineer in connection with my transfer, and as the Chief Engineer's orders on such representations were absolutely necessary to be obtained before Christmas, I was compelled to send up my letter under reference to the Chief Engineer. All communications addressed to the Chief Engineer are in the natural course of events received at the office by the Assistant Chief Engineer. I submit that there

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is no necessity to address each communication to the Chief Engineer through the Assistant Chief Engineer. The order itself to which my letter under reference is a reply was the Chief Engineer's order. But even if it should be held, that in replying to such communications, the proper course of trasmission is through the Assistant Chief Engineer, I submit that having regard to the Assistant's absence from office just then, the Chief Engineer's impending absence from Trevandrum on circuit and the urgency of the matter, I was justified in sending my letter direct to the Chief Engineer. In support I beg leave to refer to para 59 Chapter VI Volume I P. W Code of the Government of India. Further I desire to point out that this letter has already been utilized by the Chief Engineer for formulating the second instance of charge against me.

5–8. In these instances the originals were sent to the Chief Engineer and only copies thereof were sent to the Dewan. A copy of the telegram that is cited as the 5th instance was sent to the Dewan for the reason explained in the telegram itself

Viz to Save delay in its disposal as the Dewan was expected to retire Shortly. The necessity for Sending Copies of letters Cited as instances 6-7 and 8 is explained in the letters themselves. Thus Copies of the letters instanced as 6 and 7 were Sent to Government as the Chief Engineer had not forwarded to Government my previous reports on the State of the P.W. accounts, which, as an Officer Specially deputed to revise the accounts, I felt it my duty to draw up and as I Conceived that it was necessary that Government Should Know, how much I had, to do in Connection with the accounts. The communication instanced as 8 was Sent in Copy to Government, because I desired an early Settlement by Government of the validity of my Suspension, which I had in that Communication questioned and which I still, under advice, venture to question. I would further add that I am not aware of any standing order prohibiting the Submission of Copies to higher authorities when the original has been Sent through the proper Channel.

9 and 10. The two letters that are Cited as affording ground for instances 9 and 10 have it will be noted already been utilized by the Chief Engineer for instances 1-4 and 8.

I have already tried to explain the difficulties of my position in the Office, the sort of treatment that was accorded to me by the Chief Engineer and the opportunities allowed to Mr. Krishnaswamy Sastry to prejudice me and my work with the Chief Engineer. I requested Several times for assistance which was never granted to me in Spite of the tangled web of Confusion, in which I had clearly demonstrated the accounts had been and though almost Single handed I have Succeeded in bringing into order the P.W. accounts, yet the Chief Engineer always expressed dissatisfaction with my work. I may be wrong in my Surmise, but I Submit, that having regard to the treatment that the Chief Engineer had been pleased uniformly to accord to me and my work, the Conclusion that I had drawn in the letters under reference about the feeling entertained by the Chief Engineer towards me was irresistible. These letters themselves read in the light of the facts that I have narrated in the earlier portion of this explanation will enable Government to See whether my Complaint was impertinent and unfounded or was justified by the Circumstances of the strain that the Chief Engineer had consciously or unconsciously by himself or at the design of my maligners allowed to grow in his relation towards me. I must also point out that of the two letters, which are now sought to provide two instances of insubordination, justifying my suspension, one was written when I was asked to take up travelling duties, which as I had conceived my work, lay outside the scope of my engagement, but which I had eventually lost its significance by my ultimate going to the Northern Division and the other was written after I had received my order of suspension and could therefore under no circumstance whatever have afforded a reason to the Chief Engineer for suspending me.

14 As regards the second head of charge which relates to neglect of duty, I beg leave to state as follows.

(I) In my Inspection Report on the accounts of the Northern Division and also in my letter No 18 dated 26th February 1898 to the Executive Engineer of the above Division I pointed out that the Work abstracts and Work Registers were in arrears

from

from Vykausy 1072 the Stock accounts and Contractors' Ledger from Vykausy 1071 i.e. since the introduction of the British system of accounts, and the Tools and Plant account from Auvany 1072. From this it may be seen that the accounts of the Division were in arrears from Vycausy 1071, when I was sent there. As I was placed under the orders of the Executive Engineer of the Division in bringing up the above arrears, I have in accordance with his instructions to me (copy enclosed) to pay particular attention to bring up as early as possible the accounts of the Storekeeper, which he stated were in arrears for a long time, brought up the Stock and Tools and Plant accounts up to Thye 1072 and the Contractor's Ledger was poste up to Karthigay 1072. As regards the arrears of monthly accounts the preparation of Work Abstracts and the posting up of the Register of works were almost completed by me to end of Alpasy 1072 and the Division will therefor be 3 months in arrears i.e. Karthigay, Margal and Thye 1073. A reference to the Adjustmen Book of the Division will show that hundre of items of stock issued to works from Vykaci 1071 for which instructions were issued throug accountant Mr. Krishnasamy Sastry not to render any accounts to the Chief Office have now been adjusted by me preliminary to bringing up the stock accounts and in fact I had to go in detail into all the accounts from Vycasy 1071 before I could work out the above arrears. In addition to this, I was also furnishing the Chief Engineer with the information required by him in Connection with the General Stores accounts in disposing of the late Store keeper's case from the rough notes I maintained when bringing up the arrears of the General Stores, as the accounts connected with it were all in the Trivandrum Division and the General Stores. This itself occupied a great portion of my time. Under such circumstances it is for the Government to decide whether the Chief Engineer is justified in saying I have swelled the arrears seeing I have exerted my utmost to restore them to order as fast as I could without any additional Establishment which in such cases is absolutely necessary. 2 and 3. From the explanation furnished against the alleged Charge No 1 it will be seen how I was employed during my stay at Kottayam. When I was inspecting the accounts of the Division I noticed the delay in the receipt of Treasury Balancer certificates and called upon the Treasury Officers to forward them without delay. From para 1 of the Chief Engineer's memorandum No $\frac{2532}{S}$ dated 27th December 1897 directing me to take up the Northern Division accounts and bring them up to date, it may be seen that it was not intended that I should myself compile the monthly accounts and submit them duly initialled in token of my having compiled them, and I clearly understood that it was my duty to render the accounts staff the required help in bringing them up to date. As regards the question as to why the accounts in question were not audited by me, I explained in my letter No. 32 dated 4th April 1898 that as that was not required of me, the accounts were not audited by me. I have on receipt of the Chief Engineer's No 361° dated $\frac{30}{31}$ of March 1898 arranged to audit them as stated in para 5 of my letter No 32 quoted above. The Division accountant of the Northern Division prepared the above 3 months accounts and submitted them as usual direct to your office as explained in para 5 referred to above. The above accounts were sent incompletely as the Vouchers were detained in the Division Office for the preparation of Work Abstracts which have only now been completed.

4 The Chief Engineer states that I did not attend to his instructions or explain my difficulty or other Circumstances on the accounts being returned for early Completion and resubmission by me but that I not only wrote a lot of irrelevant and malicious matters (vide my No 30 dated 2nd April 1898) but also practically transferred myself from the position of an accountant under the orders of the Chief Engineer to that of an Examiner under the direct orders of the Dewan (Government) - - - - - thus Continuing to neglect my legitimate duties and further exhibiting extreme insubordination. In reply to this I beg to state that the Chief Engineer's No 361 S dated 30/31 of March 1898 wherein I was informed that the accounts from Auvany to Alpasy 1073 had been returned to the Executive Engineer for their early Completion and and resubmission by me, only reached me about the 2nd April 1898 i.e. just about a week before he put me under Suspension.

I

I was arranging to do it and clearly stated in para 5 of my letter No 32 that I was then engaged in bringing up the arrears of the Division accounts. In support of this Statement, I would produce the daily work exacted by me from each clerk in the accounts Section, in the preparation of the monthly Work abstracts which has been recorded in a diary specially ordered by me to be kept by each clerk in the accounts section. Now it may be seen if anything more than this can ever be done. I have also produced this diary before the Executive Engineer of the Division so that he might be able to see how the work of clearing up the arrears was progressing.

As regards my difficulties in bringing up the arrears in question I pointed them out in my Inspection Report, in para 3 of my letter No 18 of 26th February 1898, in para 12 of the report accompanying my letter No 30 of 2nd April 1898 and para 2 of my letter No 32 of 4th April 1898 but the Chief Engineer has not been pleased to afford the required Establishment as applied for by me.

With reference to the remark that I "only wrote a lot of irrelevant and malicious matters (vide his letter No 30 of 2-4-98)"

I would beg to point out that his letter was a reply to Chief Engineer's No 2193 dated 4 th March 1898 which referred to my Inspection notes instead of to the completion of the monthly accounts by me (vide your No 361 dated $\frac{30}{31}$ of March 1898). There is, I submit, therefore no irrelevancy in this Case as remarked by the Chief Engineer, and as regards "malicious matters" I would again state that only mere facts were mentioned therein, in the interests of State in good faith, in justice to my duty. In explanation of the remark "I have practically transferred myself &c" I would state that if the Chief Engineer means to imply that it is my duty merely to submit to his orders whatever they may be and it is no duty of mine to bring to the notice of Government any irregularities which I may discover and bring to notice of the Chief Engineer I conceived I would be wanting in my sense of duty if I failed to bring to the knowledge of Government which has specially engaged me to revise the accounts, the grave irregularities that I discovered in my inspection of the accounts. The Chief Engineer has kept back all my previous reports wherein I brought to light the various irregularities which to the utmost detriment of the interests of this State had rendered the accounts a mass of confusion and I respectfully submit that the treatment given by the Chief Engineer to my reports is the justification, if justification were needed, for my sending Copies to Gov ent for information.

In the present instance I was deputed to inspect the accounts of the Northern Division which was in arrears and I submitted my report on the state of accounts and pointed out how the arrears in question had accumilated. I have also suggested necessary measures for bringing them up to date and applied for an additional Establishment vide para 142 Chapter III Volume I of the Government of India Code, the Chief Engineer should have sent it up to the Government, but instead of doing so, he has been taking objections to certain remarks in my Inspection notes although my remarks were based on the rules in force in British India. For instance in para 14 of my Inspection Report I pointed out that the initials of the Executive Engineer were required to the vouchers given by Imprest holders, but the Chief Engineer remarked that it was unnecessary. I then pointed out in detail how detrimental this remark was to the interests of the State in my reply thereto. In the Madras Presidency it is only the Upper

Subordinates that are allowed Imprests without Security in Consideration of their position, and in Cases of necessity Imprests are also granted to Sub-Overseers only on their furnishing an adequate Cash Security for the Imprest so granted. In all these Cases the vouchers paid by the Imprest holders are as a rule initialled by the Officers under whom the Imprests are held, but here Imprest was given to a pay clerk, who was on the temporary Establishment drawing a pay of only Rs 10 per month, who Comes under the head of Petty Establishment, and ~~thus~~ this Imprest holder without even furnishing any Security was authorized to make payments in Cash on Nominal muster Rolls to the extent of hundreds of Rupees on each, on his own responsibility. It is for the Government to decide whether the Chief Engineer was justified in disapproving my remark, which was intended to hold the Executive Engineer of the Northern Division, who was in the present instance the Officer under whom the Imprest in question was held, responsible for the quantity of work turned out for the payments made by a Subordinate on the temporary

petty Establishment.

5 I would explain that a Register in the form referred to was being maintained in the Correspondence Branch from some time past i.e before I joined this office and I did not know of its existence when I took Charge of the accounts. After I took up the audit and Compilation of accounts and was engaged in bringing up the arrears of the General Stores, I have in consideration of the difficulties experienced by me in tracing out the details of the previous Bills, which were not forthcoming at the time, maintained a Register of Bills for my guidance as an accountant, wherein Copies of all the Bills received in the Chief Engineer's Office were made. Such being the Case the Head of the Correspondence Branch sent over to the accounts section the Register of Bills maintained by him. As a Register Showing the exact Copies of all the Bills received in the office was already kept in the accounts branch up to date and as no order was sent up by the Chief Engineer with the Register maintained in the Correspondence branch to the effect that, that Register should be

maintained in the accounts branch also, it was kept in Store and the Register that was in use in the accounts branch was continued. Some time afterwards the Chief Engineer called upon me to send him the Bill Register and when the Register maintained in the accounts branch was sent over to him, he called upon me to explain why the Register ordered by him was not kept, and I recollect to have explained to him as above. He now charges with wilful neglect of duty in this instance. I would submit that the Register ordered by him to be maintained in the Correspondence Branch contained so far as I could remember only the following Columns.

Column 1 Date of receipt of Bill
" 2 No and date of Bill.
" 3 From whom received.
" 4 Particulars of the Bills in abstract
" 5 How disposed of.

All that was necessary to be done to keep up this Register was to make an entry only in one line, whenever each Bill was received; but in the Register maintained by me, it was necessary to copy out

out

Out every Bill in detail, which occupied on an average not less than half a page for each Bill. I would therefore request that Government be pleased to consider whether I would have gone to the trouble of Copying out half a page for every Bill instead of entering it in one line as required by the Chief Engineer if I was wilfully neglecting my duties. If the Chief Engineer had issued any orders to me that the Register maintained in the Correspondence branch, should be maintained in the accounts Section I would certainly have employed it. I further recollect that on furnishing my explanation as above, the Chief Engineer ordered that some more columns be added in the Register maintained in the accounts branch and that this was done.

As regards the remark that this Register had never been submitted to the Chief Engineer's approval, I beg to state that although I applied for his orders in para 15 of my letter dated the 16th July 1897 on certain important matters connected with the Stock accounts the Chief Engineer did not pass any orders thereon, but only informed me verbally that I should do the needful. From this

From this it may be inferred whether it was necessary to submit for his approval a Register of the above kind.

6. Provision for the erection of lamp posts at the Brahmin Street, Challai, was first made in Preliminary Budget for 1072 prepared by accountant Mr Krishnaswamy Sastri and although it was not approved of by the Government, it was again for the second time provided for by this accountant in the Final Budget. The orders of Government on the final Budget were not noted in the accounts branch as the paper in question was not sent to that Branch on its receipt in the office. It was either with the Chief Engineer or in the corresponden branch for 2 or 3 months. After the lapse of this period, the Chief Engineer sent over the file connected with it and ordered me to let him know soon, how many of the works provided for in the

Final Budget, had not been estimated for or for which Estimates had not been Sanctioned till then. I then in consultation with the draftsman whom the question much concerned prepared a statement and sent it up with the file to the Chief Engineer who did not return the file to the accounts branch. An indent for the lamp posts seems nevertheless to have been sent to and passed by the Chief Engineer. The posts accordingly seem to have been supplied from the stores. The records relating to this were with the Chief Engineer and never sent to account Department except when a list of works not estimated for was called for by the Chief Engineer as already mentioned. Hence no note was taken of the orders of Govt on the final Budget. If papers had been sent in the usual course on their

receipt in the Office such omissions would not have occurred. I have already explained it to the Chief Engineer about this but have not heard anything about it. Now he refers to his No 3800 dated 8th November 1897 and I do not know what its contents are as it has not been addressed to me. I would however point out the Officer who had made an indent for the posts when they had not been Sanctioned is the party primarily responsible for the mistake under reference and the Chief Engineer or the correspondence branch that detained the papers without sending them to the accounts Section have materially contributed to it.

7 As regards the remark "while it was proved that he had himself seen the orders" I would beg to state that this paper was apparently signed by me for

the Chief Engineer in the routine of business when I first came down to Trevandrum and was working with him at his Bungalow. This paper was not dealt with by me after I took charge of the accounts. As such, my memory must have failed at such a distance of time, when the question turned up in connection with the audit of measurement books, which led me to state that I was unaware of the orders in question. I would here point out that as a memorandum calling for the measurement books was issued from the Chief Engineer's Office, it was the duty of the Head of the correspondence branch to send reminders for it till the books in question were received, but in the present instance no notice was taken of his neglect to send in reminders in

due

due time and to clear this number from the list of the unanswered references.

8. I do not exactly remember the reference in question but trusting to my memory as I have done in explaining the alleged charges $\frac{2}{1 \text{ to } 7}$ I submit that this probably is in connection with the difficulties I explained, that I experienced in getting out the figures for the Administration Report without having sufficient help at the time. The completion of this work, I recollect, I stated, depended upon the Establishment I then applied for and so the Chief Engineer's question could not have been replied to directly.

I have tried to explain the so called charges that the Chief Engineer has brought against me and to show how not one of them has any direct bearing on my suspension which

I submit, is invalid in the first instance but if it should be ultimately held that Chief Engineer has jurisdiction to suspend me, I submit the Chief Engineer has not as yet made out there are grounds for taking the step he has taken. I have also tried to show there is in the Office one hand in the person of accountant Mr. Krishna-Swamy Sastri who is interested in maligning me and that the Chief Engineer has, it may be unconsciously, allowed his estimate of me and my work to be affected by the representation of that accountant, who has, when I was struggling to restore the accounts of this State to order, been not only throwing all sorts of obstacles in my way but also interfering unnecessarily with the accounts, which I believe, this Government will no doubt deal with in the way it duly deserves. I earnestly request that Government be pleased to make an inspection of records, the amount of work I have already done in bringing the accounts into order and to see for itself how far the Chief Engineer is justified in holding that my work has been unsatisfactory. It will be clear to Government that with the present arrangement my work is certain to be blocked and in the present circumstances the Chief Engineer will not be willing to have me in the D.P.W. I therefore earnestly pray that Government will be pleased to place me under the direct orders of Government, to whom, I submit, I am primarily responsible for a correct account of the work that I have been deputed to do.

16. In conclusion I beg leave to state that though I have had 24 years Service as accountant in the British India, my record of Service has, it may be ascertained, been satisfactory. If by aught I have done, I have offended the

Chief Engineer I can assure him and the Government that it had not been intentionally done. I may have been more zealous than discreet in the discharge of the duty I have conceived I have been deputed to discharge; but nothing has been further from my mind than to give offence to the Chief Engineer. I regret very much that my acts should have displeased the Chief Engineer but I can assure him that every thing I have done has been prompted by a desire to discharge faithfully and honestly my plain duty as I have conceived it.

Praying to be excused for this lengthy explanation which under the circumstances, I submit, I could not avoid.

29

I beg &c

(Signed) T. Condiah Chetty
Accountant P.W.D. Madras
attached to Travancore Sircar.

(True copy)
(Sd) W. Jopp
Chief Engineer

(True copy)

Chief Secretary to Government

1897
P.W. Dept.
Enclos. No. 4
To
O. No. 966

Dws. 26/6225 (CS)

Trevandrum,
27th December 1897.

Enclosure V to II

To
The Chief Engineer P.W.D.
Travancore.

Sir,

With reference to your memo No 25/9 dated this day directing me to proceed to Kottayam to take up the accounts of the Northern Division I beg to state that on the 19th Instant when submitting the statistics required for the Administration Report for 1072 with my letter dated the 19th Idem I expressed my inability to take up the work of inspection of the Division accounts in my present grade.

2 I now once more beg to explain that I have at present to provide for the maintenance of my children at Madras

Madras apart from the unusually heavy expenses I am put into here for the maintenance of my family at Trevandrum and when I have to go on inspection duty I shall have to provide for extra Establishment separately on that account.

3. Further the position of an accountant is stationary and as such I cannot take up the travelling duty unless there is sufficient remuneration for taking up such a heavy work.

I beg &c

(Signed) T. Condiah Chetty
Accountant

(True copy)

(Signed T. Condiah Chetty
Accountant

(True copy)

(Signed) W. Jopp
7-6-98
Chief Engineer

(True copy)

Chief Secy to Government

Ocs. 27
6225 (58)

Kanjirapalli
5. A.M. 5-1-98.

Mr Kondiah Chettyar,

Enclosure W to II

I am anxiously awaiting your arrival. As ~~soon~~ soon as you arrive you will of course as per orders of the Chief Engineer prepare the report, called for on the state of accounts in my office. There is a good deal to be done and I wish very particularly to draw your attention to the stock accounts which are in arrears for a long time. The Storekeeper will, if you call for them, produce numerous orders from me pressing for the immediate settlement of these accounts. He has not done so. He is a useless man, by whom I have no hope of getting anything done. I shall be very glad if you will kindly pay particular attention to his accounts and

and bring them up to date as early as at all practicable. Since Nallakunnoo Pillai arrived, I spoke to him several times about the Storekeeper and as yet nothing has been done. The tools and Plant accounts are also in arrears for some time. I counted tools immediately after arriving here and although it is now more than 14 months since the counting was done, it has had no practical use whatever, since the results of the counting were not reported on to the Chief Engineer nor any action taken to recover the value of missing tools from the parties concerned. In fact we do not know what the results are. I shall now have to report the storekeeper to Chief Engineer.

There are several registers &c to be opened. Will you kindly arrange for their being opened from some convenient date, say, beginning of current year and being brought to date.

Yours Sincerely

(Signed) S. Vaikuntam Aiyer

P. S.

I rely on your very hearty Co-operation in all these matters.

(True copy)

T. Condiah Chetty 18/5

Accountant

(True copy)

(Signed) F. Jopp

7-6-98

Chief Engineer

(True copy)

Chief Secy to Government

Enclosure No IV

Proceedings of the Travancore Government dated Trivandram 13th June 1898.

Read:
(1) Letter from the Chief Engineer No. 1099 D 8-4-1898.
(2) Do. Do. No. 1164 D 22-4-1898.
(3) Do. Do. No. 1382 D 6-6-1898.
(4) Condia Chetty's letter dated 19th May 1898.

In the first of the letters read above the Chief Engineer reported that he had placed special accountant T. Condia Chetty under suspension "owing to extremely insubordinate and irregular conduct" and promised to submit a full report shortly. In reply Mr. Jopp was requested to submit the promised report as early as practicable with the explanation of the accountant. His attention was also drawn to the fact that Condia Chetty being an officer of the British Government on deputation here, his suspension would operate as an interruption of his service under the British Government. With his subsequent letters (Nos. 1164 D and 1382 dated 22nd April last and 6th Instant respectively) Mr. Jopp submitted an abstract of the charges against Condia Chetty, the latter's explanation and Mr. Jopp's observations on the explanation.

The immediate cause of the suspension appears to have been the accountant's submission direct to Government of copies of some of his communications to the Chief Engineer. The abstract submitted by the Chief Engineer however contains a long list of charges reducible under two main heads — (1) Insubordination and (2) neglect of duty.

In his explanation, Mr Cundia Chetty first questions the authority of the Chief Engineer to suspend him, and also endeavours to explain away the specific charges brought against him.

Mr Cundia Chetty is an accountant in the permanent establishment of the Madras P.W.D and having regard to his pay and grade it does not appear that he can be punished with suspension by the Chief Engineer without reference to higher authority. Even were Cundia Chetty a Travancore Government servant, his suspension for an *indefinite term*, as in the present case, would be *ultra vires*.

From the order of suspension, copy of which has been furnished by Mr Cundia Chetty, it is clear that the suspension was meant as a punishment for misconduct. No word of explanation appears to have been asked for or obtained before imposing the punishment. In a memo dated 2nd May last addressed to Mr Cundia Chetty from the Chief Engineer's office however, it is said that "he (ie Cundia Chetty) is under suspension *during preliminary enquiry* by the Head of the Department." This is opposed to the clear wording of the order of suspension dated 8th April 1898 — viz "Special accountant T. Cundia Chetty having been *guilty* of irregular and insubordinate conduct is placed under suspension from this date." No enquiry was apparently contemplated, and none, so far as the records go, appears to have been made. The case, at all events, is one in which the orders of higher authority could well have been awaited before taking action. Such a course would seem all the more expedient considering that Cundia Chetty is a British officer of 24 years standing, and that the punishment imposed on him would practically operate as a forfeiture of his past service.

In the circumstances of the case, the order of suspension cannot be upheld. It is accordingly cancelled. Mr Cundia Chetty will receive his full pay, minus any subsistence allowance he may have received from the date of his suspension.

Though for purposes of this proceeding it has not been deemed necessary to enter into the merits of the case, Government must nevertheless observe that the attitude and language of Cundia Chetty towards the Chief Engineer are far from what they should be and that it is undesirable to keep him any longer under the Chief Engineer. The British Resident will therefore be moved for his recall. Condia Chetty, however, will be treated as if he is in service in this State until his recall by the Madras Government.

(Signed) K. Krishnaswamy Row
Dewan.

(True copy)

K. K
Dewan.

Chy

II

From the Dewan to the British Resident No. 1449 of 24-4-98
To do from do No. 1312 of 15-5-98
From do to do No. 1869 of 21-5-98

No. P.W. 2244
Huzur Cutcherry
Trivandrum 14th June 1898
Despd 16th do

From
The Dewan of Travancore

To
The British Resident in
Travancore & Cochin

Sir,

Adverting to correspondence marginally noted, I have the honor to forward herewith copies of the Chief Engineer's letter No. 1382 of the 6th Inst: with enclosures. I enclose also copy of the Proceedings containing the orders of His Highness' Govt: in the case against Mr. Condiah Chetty.

On a careful consideration of the voluminous papers connected with this case, His Highness' Govt: have come to the conclusion that Mr. Condiah Chetty's attitude & language towards the Chief Engineer were on the whole not what they should have been. It may be that Mr. Condiah Chetty acted in good faith in the procedure he adopted, but there can be no doubt that he transgressed the limits of official decorum in repeatedly finding fault with the arrangements made by the Chief for the conduct of business. After what has occurred, it does not seem possible or expedient to keep him any longer under the Chief Engineer and his services are not required in any other Department of the State.

In these circumstances I am obliged to request you to move the Madras Govt: in view to Mr. Condiah Chetty being taken back. As he could not be continued on deputation here, it is left to the Madras Govt: to decide what notice if any should be taken of his conduct to which Mr. Jopp has taken exception.

I may add that Mr. Condiah Chetty will be treated as if he is in service in this State till he is recalled by the Madras Govt:

I have etc

(Sd) K Krishnaswamy Rao

Dewan

(True Copy)

Capt

Asstt Resident

for Resident.

Pol: 30
3225/98

000—26-6-98.

Political Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper :—

From the Resident in Travancore and Cochin, Ref. on C.

2185, dated 13th July 1898:-

With reference to G.O.No.446 Political, dated 2nd ins

x G.O No. 1761 W
11-7-98
with C No 6050
Sent to W on
27-7-98
Going to
[illegible] 5 day
5-8-98

I have the honour to forward herewith copies of the Corre pondence relating to the complaint against Accountant T. Condiah Chetty. I have asked the Dewan whether there is a thing else bearing on this matter which in his opinion sh also go to Government, in which case I shall forward the in due course.

2. The Dewan has informed me that the Accountant will relieved from the 8th instant.

ORDER :-No.497, dated 20th July 1898.

Communicated to the Public Works Department.

(True Extract)

for Chief Secre

To

The Public Works Department (with all enclos. in original) ✓

,,, Resident in Travancore & Cochin.

A

Public Works (1898) Department.

CURRENT No. 6225

EXAMINER,
P. W. ACCOUNTS.
10 AUG. 1898
No. 1583A

From

The Political Department.

No. 497

Dated 20th July, 1898.

Received } 25.7.98

Registered }

Enclosures 30.

Spare copies

o: 3483C. d/8 August '98

~~Dr~~ O. U.

To C

Please favour

e with your remarks

n this correspondence,

nd with your opinion

s to the notice which

hould be taken of

The accountants' conduct.

.8.98

SUBJECT.

Communicating to the P.W.D. letter from the Resident in T&C. forwarding copies of the correspondence relating to the complaint against Accountant T. Kondayya Chetti, whose services were lent to the Travancore Durbar, & stating that he has been relieved by the Durbar from the 8th July.

C5267

R8/8

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.

KEEP-WITH CURR

dated 189 .

E. No. 27.
1,000—16-5-9.

GOVT. OF MADRAS. } 1898. { P.W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 15th August 1898.

Office Note No. 977 $\frac{A}{E}$

To
W.

Your Office Note No.3483 C dated 8th.August 1898.

To put it briefly,the correspondence - a bulky one - goes to show that T.Condiah Chetty from the outset nursed grievances about his position,his emoluments,and his treatment. How far,if at all,there were extenuating circumstances in the matter it seems unnecessary to discuss here.At all events,his alleged grievances appear to have caused Condiah Chetty to commit himself to acts and statements which incurred the serious displeasure of Mr.Jopp,the Chief Engineer,and to have ultimately resulted in his being summarily suspended by that Officer,and formally arraigned on a series of charges amounting to gross insubordination and wilful neglect of duty. The order for suspension was, however,considered by the Travancore

Governmen

Government to be ultra vires, and, though commenting adversely on Condiah Chetty's attitude and conduct towards the Chief Engineer, the suspension order was cancelled by the Durbar with instructions that the Accountant was to receive full pay during period of suspension. Having, however, regard to what had happened the Travancore Government did not consider it desirable to retain Condiah Chetty's services, and accordingly moved the Madras Government to take him back, adding that he would be treated as in the Service of the State till so recalled, and leaving it to the Madras Government to decide whether any, and, if so, what notice should be taken of his conduct under the Durbar.

2. On this point I think that, as Condiah Chetty's faults, whatever they may have been, have brought their own punishment by resulting in his removal from the service of the employer (Travancore Government) under whom they were committed to his permanent and less lucrative appointment in this Presidency, and as the fact of his having misbehaved himself will stand as a black mark against him in his personal file and cause his future conduct to be specially watched, no

further

further notice need be taken of the matter.

W/15.8.98

C.

~~20~~

15/8/98

P.W.-(1898) **Department.**

CURRENT No 6225

o: 34 SC d/ 8-8-98

C

Please favour me with your remarks on this correspondence, and with your opinion as to the notice which should be taken of the Accountant's conduct.

(Sd.) W. B. dew

W

D 9/8/98

From The Political Dept:

No. 497

Dated 20-7-98

Received
Registered } 25-7-98

Enclosures 30

Spare copies

SUBJECT.

Communicating letter from the Resident in Travancore + Coch forwdg: copies of correspondence relating to the complaint agai Accountant T. Kondayya Cl whose services were lent to the Travancore Durbar + stating that he has been relieved by the Durbar from the 8th July.

16/8/98

P. W. 29
1,000—23-4-98.

BACK PAPERS.

No.	Date.

FURTHER PAPERS.

No.	Date.