Public Works (1898) Department.

879

G.O., No. 879 W.

DATED 31 March 98

[Despatch Abstract.]

Overseer P. Narayanaswami Nayudu informs that H. E. the Govr. in Council declines to modify the orders reducing him from 1st to 2nd grade.

31.3.98

P. W. 25.
1,000—2-3-98

Indexed. 2/4

BACK PAPERS.

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

FURTHER PAPERS.

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

B Gen Orders

DEPARTMENT.

Papers to be read in Proceedings:—

[illegible]

Again G.O., dated 189 , No.
Again G.O., dated 189 , No.
Current No. 1110 of 1898, dated 5. 2. 98, from P. Narayanaswami Nayudu overseer
" " 2156 " 1898, " 25. 2. 98, " the S.E. I Circle.
" " 2486 " 1898, " 16. 3. 98, " [illegible]

ORDER. No. 879 W 31.3.98

Overseer P. Narayanaswami Nayudu is informed that H.E. the Governor in Council declines to modify the orders passed in the Chief Engr's memo. No 4481C dated 27 Nov 1896

Ch

28.3.98

CHRS 28/3 98.

Endt. P. Narayanaswami Nayudu through the S.E. V circle

S.E. I Circle f

(15 lists to be returned to C under wrapper)

15

Despatched note

P. W 4.
500—27-1-98.

His Excellency the Governor

Flag D

!

FOR ORDERS.

In the Chief Engineer's memo No. 4481 C dated 27th November 1896 P. Narayanaswami Naidu, then Overseer 1st grade, was reduced to 2nd grade for fictitious measurements relative to certain work in connection with the road from Kallikota to Boirani, Ganjam Division. In measuring up the earthwork he made no measurements of the pits dug, as he should have done, but he is supposed to have measured the earth thrown up in its loose unsettled state: and, as regards the road metal, he explained that he measured the material at the quarry & then, when it was carted to road site, he made payments assuming that three cart-loads went to to a cubic yard. As mentioned in para 4 of the memo the Overseer must have known that he was measuring the work improperly for he had had over ten years' service in the P.W.D. Against this order he protested on 27th November 1897 in a petition to the Chief Engineer who, however, considering the order of reduction to be fully justified, declined to interfere. Flag G He now appeals to His Excellency; and the Superintending Engineer I circle, to whom this appeal Flag I was referred, has dealt with such passages as call for remark in his letter No. 1020 GN of 25-2-98. Flag H

FOR ORDERS.

As the memorial contains much extraneous matter it seems merely necessary to confine one's attention to the point at issue, namely the reason of the Overseer's reduction. Attention is invited to para 15 wherein he defends his action in making what he virtually admits to be fictitious measurements. This is answered by Mr. De Morgan in paras 5 and 6 of his letter of 25th February above quoted. It will be seen that his (the Overseer's) payments should in his our opinion be considered as payments on account, and that all that he had to do as Subdivisional Officer was "to use his discretion and gauge the value of the work done", which inferentially means that he might merely guess the amount of work done, measurements being superfluous. But by referring to the bills on the top of this file it will be evident that where quantities are given they do purport to be founded on actual measurements. If for instance we take the bill of 10th February 1896 we find the following certificate on the third

Flag K

page signed by Narayanaswamy Naidu himself as Subdivisional Officer:— "The measurements were made by me on 9th Feby 1896 and are recorded at pages 20 and 21 of Measurement Book No. $\frac{49}{2163}$." These measurements, as will be seen from the preceding page of the bill, refer to a vast quantity of earth-work and material and it is certain that the Overseer can not have intended the controlling Officer to suppose that such quoted measurements were meaningless. He certifies that the payments were made on measurement, but now he calls them payments on his account: therefore certificate is not honestly given. Again it will be seen that in para 16, page 4, of his memorial he quotes, Mr P.W. Cody para 31, Chapter VIII, Vol I in support of "Payments of account" which, however, as stated above, his payments do not purport to be. This, it is submitted, is a gross perversion of the meaning of the code which says "Such payments will be *treated* as payments on account: this presumably means that for account purposes they will be so treated. It cannot mean that the measurements on which they are based may be fictitious or there would be no object in requiring the person preparing the bill to certify to the reality of the measurements. It will

FOR ORDERS.

be seen that there is one item in the bill (the last in the list) of Rs 900 which may be [illegible] a payment on account, an [illegible] a very irregular one too if it be the same as that referred to in para 14 of Mr Loam's letter No 1932 dated 11th July 1896 but all payments against *quantities* are certified to as being quoted to measurements and therefore cannot be considered as being payments on account.

Flag L.

Under the circumstances Overseer Narayanaswami Naidu might perhaps be informed that His Excellency declines to modify the

The Overseer should be so informed.
A.S.W.
24.3.98

orders passed in Chief Engineer's memo No. 4481 C of 27th November 1896.

A record of the Overseer's services is appended.

C.O.M.S.
23/3/98.

23.3.98

23.3.98 R 25.3.98

Record of

P. Narayanaswamy Nayadu, O.2nd

Appointed tempy. overseer, Rs: 60 — Apr. 85

Services dispensed with owing to reduction of Establt. — (Sometime bef. October 85. Exact date not entered in the Establt. Register)

Appointed tempy. overseer, Rs: 80 — Oct. 85

Promoted to — 1.2.86

O.3rd grade — 18.6.86

O.2nd, tempy. — 4.9.86

O.2nd S.p.t. —

Reverted to — 1.3.8

O.3rd . . . 26.10.88

Promoted to

O.2. tempy . . . 15.10.8

O.2. S.p.t . . . 25.10.

O.2. permanent . . .

Ordered to be marked N.R. until favorably reported on (Elq's No. 6440 E) 23.7.9

Promoted to . . . 1.5.94

O.1. tempy . . . 3.5.94

Reverted to . . . 6.5.94

O.2

Promoted to . . . 19.6.9

O.1. tempy

Reverted to . . .

O.2nd . . . 11.7.9

Promoted to . . .

O.1. tempy . . . 31.7.9

Reverted to . . .

O.2nd . . . 23.11.

Promoted to . . . 13.11.

O.1. tempy . . .

O.1. S.p.t.

Seen. A.S.H.

Promoted to
O.1. Permanent . . . 26.11.95
Reduced to
O.2 . . . . . 27.11.96
(for improper measurements in connection with the Kallikota - Boirani road)
Unfavourably reported on by the Exec. Engr. Ganjam.
(E.W.'s No. 1263 D of 1.9.97)
Conduct to be reported on, 6 months after his return from furlough which expires on 1.4.98 — do —

N.R for $\frac{93}{1}$, $\frac{93}{2}$ & $\frac{96}{1}$
Reduced in $\frac{96}{2}$
Ditto in $\frac{97}{1}$ & $\frac{97}{2}$

23.3.98

R for $\frac{98}{1}$, $\frac{98}{2}$, $\frac{99}{1}$ and $\frac{99}{2}$

NB. "NR" signifies "not recommended" for promotion.

23/3 98.

Cir. 2156.

DW

These papers contain an appeal to Govt. by overseer P. Narayanaswami Naidu, against his reduction, & the remarks thereon by the S.E. I circle –

Memo. No. 4457 C of 27.11.96 (flagged D) deals with his reduction.

Your note flagged E, dealt with his appeal to the Chief Engr. His present appeal, being addressed to His Exy in Council, must be submitted to His Exy for orders. for orders as to the remarks to be made.

Cl.
10.3.98

S.H.W. It is likely that the

W.

As pointed out in my note of 27.12.97. the whole question hinged on whether the payments according to the bills purported to be payments on account or not. The bills, which are on the top of this file, have since been obtained and it will be seen that the payments ~~purport~~ are stated to have been made on measurements actually quoted and therefore there is no reason whatever for modifying the order since the measurements were fictitious. In para 16 page 10 of the Overseer's petition to H.E. para 31, Chap VIII Vol I of the P.W. Code is quoted in support of "Payment on account" by the petitioner, and it is inferentially left for assumption that a Sub-divisional Officer bead about the accuracy of the measurements, for it is said him that it rests with the Subdivisional officer to gauge the value of the work done according to his discretion. But this seems to be a gross perversion of the meaning of the Code which says "Such payments should be treated as payments on account". This, I take it, merely means that for account purposes they will be so treated. It does not mean that the measurements on which they are based may be fictitious, or there would be no object in requiring the officer preparing the bill to certify to the reality of the measurements.

[illegible] is [illegible]

note by the S.E. I circle in his letter No. 1020 C.N. dated 25.2.98.

Proposed to address H.E. in an explanatory note on the subject.

CHW
19.3.98

Yes - please draw it up.
[illegible]
19.3.98

W.
Submitted.
CHW
23/3 98.

156

Cd. 1626

Letter from S.E. I Cir
No. 968 G.N. of 4.29

Road from Kallikota
to Boirani in Ganjam
district submitting a
revised estimate for
constructing a ——

Sent in Circulation
to Hon. the Govr. on 9.3.98

Public Works (1898) Department.

CURRENT No. 2156

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

Order

No. 1020 G.N.

Dated 25th February 1898

Received 7.3.98

Registered 7.3.98

Enclosures 1 ~~memorial (with 9 Enclos~~

Spare copies

SUBJECT.

P. Narayanaswami naidu
late I Grade overseer P.W.D.
Ganjam Divn — Offering his
remarks on the memorial submitted
by — regarding the double punishment awarded to him

Cd 1626
Circl. in Cir
9.3.98

BACK PAPERS.

No.	Date.

8

FURTHER PAPERS.

No.	Date.

ENCLOSURE No. I.

No. 4481-C.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

MEMORANDUM.

Dated Madras, 27th November 1896.

From the Superintending Engineer, I Circle, dated 2nd October 1896, No. 687-G.N.

From the Examiner, Public Works Accounts, dated 30th October 1896, No. 3266-D.H.

These papers relate to a report made by the Executive Engineer, Ganjam Division, against P. Narayanaswamy Naidu, Overseer, 1st Grade, relative to the submission of fictitious measurements in connection with the work on the road from Kallikota to Boirany in the Ganjam Division.

2. In Memo. No. 929-D, dated 31st July 1896, the Overseer was called on for an explanation which he has now submitted.

3. In measuring the earthwork he evidently made no pit-measurements, and with regard to metal, he measured the stacks at the quarry, and then when it was carted to road-side, he allowed one-third cubic yard to each bandy load, counted the heaps deposited by each bandy and thus made his bill.*

4. The Overseer is greatly to blame for the manner in which he measured up the works. He has had over 10 years' service in the Department and must have known that he was not measuring up his work properly.

5. Apparently the Overseer received no help from the Executive Engineer. He was not supplied with a copy of the contract agreement, nor was a statement of famine materials given to him. These famine materials should, according to agreement, have been taken over by the contractor, and the Executive Engineer should have seen to this before starting the work.

6. The Overseer was evidently unfit for a Sub-divisional charge, and it showed great want of judgment on the part of the Executive Engineer in putting such a man into such a responsible position. It is not stated that any loss has accrued to Government, and apparently the accounts, although in great confusion, can be righted. It is presumed that the contractor's security deposit is with Government so that any loss may be recovered from it.

7. Overseer P. Narayanaswamy Naidu will be reduced to the 2nd Grade from the date of this order, and a special report on his conduct should be submitted six months after this date.

8. The whole affair reflects much discredit on the Executive Engineer who was in charge at the time, who apparently gave no instructions and took no steps to see that the work was being properly carried out.

(Signed) D. McN. CAMPBELL, COLONEL, R.E.,
Chief Engineer.

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* Please see paras. 2 to 5 of my explanation (Enclosure VI) shewing that my measurement was only a provisional one and was sufficient under the Code Rules, Para. 31, Chap. VIII, Vol. I, and the spirit of G.O. Nos. 2,216, dated 11th August 1892, and 2668, dated 26th September 1892.

No. 906-G.N., Dated *10th December 1896.*

Copy forwarded to the Executive Engineer, Ganjam Division, for information with reference to his letter No. 58-C, dated the 16th September 1896, and for communication to M.R.Ry. P. Narayanaswamy Naidu, Overseer. The report called for in para. 7 of the foregoing memo. should be submitted.

(Signed) J. C. LARMINIE,
Superintending Engineer,
I Circle.

ENCLOSURE No. IV.

Copy of letter No. 882, dated 2nd June 1897, from W. DeMorgan, Esq., M.I.C.E., Executive Engineer, Ganjam Division, to the Superintending Engineer, I Circle.

With reference to your No. 906-G.N., dated 10th December 1896, on Chief Engineer's No. 4481-C, dated 27th November 1896, I have the honour to submit a report on the conduct of P. Narayanaswamy Naidu. I regret to say that during the last six months he has not done a single honest day's work.

He showed himself so utterly unfitted for charge of the Kallikota-Boirany road that I considered it advisable to remove him altogether, and placed him on special duty on the Surada Reservoir. There he had no travelling to do, but simply to stop on the work all day, and attend to Mr. Vencata Reddi Naidu's orders.

By personal inspection however I found that he did nothing.

He came on the work late and left early spending most of his time in his house in Surada, and passively opposed or neglected all orders given him.

As he was doing no good at Surada, and I was called on to start test work at Kukulabha, I ordered him to go and take charge of it. This he declined to do, representing that the state of his health would not allow him to go on Famine work, and requesting that privilege leave or leave on medical certificate might be granted.

I accordingly sent him up to the District Surgeon who examined and reported that the man was not in a healthy condition on account of obesity, and therefore as sick leave will not cure obesity declined to grant a certificate, remarking at the same time that "if he was unable to attend to his work on account of his present state, he should be brought up for invaliding." The test work at Kukulabha having failed, I directed P. Narayanaswamy Naidu to proceed to Mahasinghi for special duty on the Mahasinghi bridge.

He managed to get as far as Russellkonda, and there met with what he called an accident, and submitted a long statement in connection with it. After the so-called accident, he saw the Hospital Assistant who did not corroborate the Overseer's statements.

The Overseer then left for Berhampore saying that he had nobody to look after him in Russellkonda. I at once sent him up again to the District Medical officer, who examined him again, and found him suffering from diabetes. He therefore recommended him for one year's furlough on Medical Certificate, of which the Overseer availed himself.

The man is utterly unfit for any charge in the Public Works Department. He is an unwieldly mass of unhealthy flesh, and passes all his time idling and malingering.

(True Copy.)

(Signed) J. C. LARMINIE,
Superintending Engineer,
I Circle.

ENCLOSURE No. V.

Copy of letter No. 1,932, dated 11th July 1896, from M. Loam, Esq., Executive Engineer, Ganjam Division, to the Superintending Engineer, I Circle.

Subject.—Transfer Report of the relief of Mr. P. Narayanaswamy Naidu, late Northern Sub-divisional Officer,—forwards—and reports on the work done at Kallicotta-Boirany Road.

In forwarding the Transfer Report of the relief of Mr. P. Narayanaswamy Naidu, late Northern Sub divisional officer, by M.R.Ry. Vencata Reddi Naidu, Rai Bahadur, Assistant Engineer, and a Memorandum drawn up by the relieving officer on the state of the Kallicotta-Boirany Road, I have the honour to make the following report of the late Northern Sub-divisional Officer.

2. Earthwork has been paid for by sections of bank thrown up. From the measurement books even these measurements do not tally with the sections, being far in excess in cubical contents.

3. The embankment resembles field bunds thrown up in clods by ryots.

4. Large quantities of metal are lying unstacked on the roadside; from the measurement books, the measurements are presumably for stacks. Consequently his accounts, and especially B statement, submitted in April 1896 are fictitious.

5. Excess rates have been paid at Rs. 2-8-0 per 100 c. ft. of metal at quarry. Whereas Rs. 1-8-0 is the estimate and the agreement rate; about Rs. 3,000 excess has to be explained.

6. Famine materials measured by him he reported as showing a loss of Rs 1,090. The balance found by him was reported in his No. 1032, dated 16th January 1895, to Divisional office, but has never been brought on to his returns; letter drafted by Accountant P. Bashiam Naidu to Superintending Engineer (viz., No. 315, dated 18th April 1896) on this subject is misleading and not correct.

7. *Deviations from the estimate.*—Rough slabs have been substituted for covering culverts in place of cut-stone allowed in the estimate.

8. The type design for all culverts does not necessarily suit all sites, but no notice has been taken of this; two culverts I noticed with parapets level with the formation level.

9. *Furlong stones and Demarcation stones.*—The dimensions are not in accordance with the estimate; it is presumed the stones were inspected and passed before being figured.

10. Metal stone has been collected by contractors in miles 22—24 where there is enough famine metal to metal about 6 miles of road, and further. By the terms of agreement I believe the contractor should take over all materials.

11. The excavation for a bridge of 3 spans of 20 ft. was begun late in the year; it is about one-third done and not half the materials required have been collected.

12. The estimate allowed a lump sum for diversions and repairing road done in famine. A lump payment of Rs. 900 without measurements has been paid on this head.

13. The contractor informed me he was never present and never knew when Mr. Narayanaswamy Naidu made measurements. It would appear that no real measurements were ever taken and bills were made on information supplied by deputy.

14. It was thus easy to show expenditure, the fact that lump sum of Rs. 900 was paid without measurements; whereas the contract agreement distinctly states that every payment was to be made on measurement should not have passed unchallenged by the Divisional office Accountant. See also para. 5.

15. The delay and difficulties thrown in the way by the late Northern Sub-divisional Officer have caused immense trouble; an idea of true state of affairs only came to light at end of May after the inspection by the Russellkonda Sub-divisional Officer, when Mr Fletcher, the Contractor, was requested by me to stack his materials. And on inspecting Attugodo I decided that the late Northern Sub-divisional Officer Narayanaswamy Naidu had better come back and make final bills; he is now preparing them for work done in April 1896.

16. No work has been done since the 18th May, when the Overseers were verifying the materials. The final bill will be scrutinised by the Russellkonda Sub-divisional Officer.

17. I may here remark that similar procedure was adopted by Narayanaswamy Naidu all over his Sub-division. Estimates have been exceeded and high rates paid. In two instances that have come to notice in Koitada tank, Bodogoda estate, rough-stone was paid for at Rs. 3 per 100 c. ft., whereas Re. 1 is ample. At Rughumu earthwork as shown by the pits is about three times the quantity estimated. It is probable that old pits have been scraped or cleared up; a piece worker claims that he was instructed to do the extra work by Overseer Pranatartihara Iyer in late Northern Sub-division.

I have, &c.,

11th July 1896.
(Signed) M. LOAM,
Executive Engineer, Ganjam Division.

ENCLOSURE No. VI.

No. C-1.

From Overseer P. NARAYANASWAMY NAIDU, of Surada works, to the Officer in charge, Russellkonda Sub-division.

With reference to your endorsement No. 1901, dated 31st August 1896, I beg to submit the following explanation :—

Paras. 2 and 3.—Regarding the difference noted by the Executive Engineer in paras. 2 and 3, I beg to state that the mode adopted by me was to take measurements of the heights of the road per mile where the proper formation of the road was made, then finding the cubical contents and deducting the previous quantity of measurements paid up and also leaving a margin for the final settlement of the measurement, I struck the figures of depth which I entered in my measurement book. This might be the cause of the disagreement between my figures and those of the Executive Engineer whose measurements might have been per mile per every section of 100 feet. I have also taken care that the estimate per mile is never exceeded.

Para. 4.—The metal at the quarry was stacked and actually measured. As it is the identical metal that was brought to the roadside, I measured it again by adopting that 3 cart-loads as they were emptied in heaps as being equal to a cubic yard and gave the measurements upon the number of heaps thus numbered. I had then taken care that metal measured at the quarry was brought to the roadside before entered it in the accounts as measurement on roadside, counting the number of cart-loads and checking with the quarry measurements for my satisfaction.

Para. 5.—As a matter of fact there is no excess rate or payment on the whole. The rate of Rs. 2-8-0 provided by me was the average struck both for the materials at the quarry and those on the roadside, so that any apparent excess in one will be equalised by the apparent deficiency in the other. The material at the quarry was nearly equal to that at the roadside. The rate for materials at the quarry is Re. 1-8-0 and for that on roadside varies from Rs. 2-6-0 to 3-14-0 according to the inadequately low rate provided for in the estimate and Rs. 2-14-0 to 5-10-0 according to proper cartage rate suggested by me and approved by the Executive Engineer. So that the average of Rs. 2-8-0 thus allowed uniformally to materials at quarry and on roadside conformably to the various distances from different quarries may not be unreasonable.

If, under the average rate of Rs. 2-8-0, there is an apparent excess payment of Re. 1 per 100 c. ft. of materials at quarry there is a gain of Rs. 3-2-0 where per 100 c. ft. at a place where the rate is Rs. 5-10-0; Rs. 2-8-0 were paid as a set-off for the other. The little difference, if any, was squared up when I submitted the final payment bill.

Para. 6.—In the return sent next after my letter referred to, I was not able to fix the correct figure regarding famine materials. But ever since the Executive Engineer fixed the figure and sent the return for my guidance, I have been adopting that figure as famine material in all subsequent returns.

Para. 7.—Already answered in mine of 26th June 1896, "cut-stones," &c.

Para. 8.—The type design was adopted as a standard with such alterations as the localities needed.

Para. 9.—There is no estimate for the dimensions. I used my best discretion according to the kind of stones procurable in the locality and provided the contractor with diagrams. Some of the stones were not prepared according to my design, so the full rate was not paid for any subsequent adjustment.

Para. 10.—I beg to state that there was not enough of materials for six miles. As a matter of fact it may be sufficient for nearly a mile or so. I was never aware of the contents of any agreement, nor was it communicated to me, and so could not insist on the contractor to cart them first. The contractor when asked in the ordinary course complained that he might suffer loss by the cartage, he refused to cart them.

Para. 11.—It took me sometime to become aware of the existence of the famine materials and of the available quantity.

I believe the contractor might have collected his own materials in the site referred to by that time. In a large work like this I thought it unnecessary to defer the work until all the materials are collected. A major portion of metal and limestone were collected, and by the time the excavation of the foundation would be completed, the remaining materials would also have been collected; but for the discontent felt by the contractor at the difference in measurements made by Mr. Narasimma Iyengar, the collection of materials would have been completed without any hindrance to the work.

Para. 12.—On inspection I satisfied myself that the work of Rs. 900 and upwards had been completed, so I paid Rs 900 with the view of subsequent adjustment.

Para. 13.—On two or three occasions Mr. Fletcher was present with me at the time of measurements; on other occasions he sent his Assistants, Mr. Stewart and others. Apparently in his anxiety to get more from Government, Mr. Fletcher misrepresented facts and stated he was never present when I took measurements.

Para. 14.—I was not aware of any contract agreement.

The full rate of packing rough-stone revetment is Rs. 4-8-0, of which Rs. 3 was paid as part payment.

In the Rughumu Earth-work the estimated amount is about Rs. 300, of which that was measured and paid for both by myself and the Estate Overseer under me was about Rs. 160, leaving a balance of Rs. 140 to which alone the contractor is entitled under that head if he has completed the work. In such case if any excess measurement was made by the Overseer now in charge of the work, how reasonable is the blame to be attached to me for such excess measurement given by the Overseer.

In conclusion, I may be permitted to state that for want of sufficient assistance comparatively to extensive Sub-division which I brought to the notice of the Executive Engineer in writing on several occasions, I was not able to solely attend to a far better mode of the management of the works than I could have done as I did without prejudice to my supervision business consisting of works scattered all over the Sub-division.

From the above unless it occurred to my superiors that what I had done was all that could have been done under circumstances that had attended upon me, all the detailed explanation of all privations I had endured would only serve as vain effusion in the attempt of escaping the blame for negligence of duty.

I beg, &c.,

7th September 1896.
(Signed) P. NARAYANASWAMY NAIDU,
Overseer.

ENCLOSURE No. VII.

Copy of letter from W. DeMorgan, Esq., Executive Engineer, Ganjam Division, to the Superintending Engineer, I Circle, dated 16th September 1896, No. 58-C.

With reference to your No. 528-G.N., dated 8th August 1896, I have the honour to forward copy of explanation received from P. Narayanaswamy Naidu, late Northern Sub-divisional Officer, Ganjam Division, with the following remarks:—

1. Instead of taking pit-measurements the Overseer measured the bank just as it was thrown up. In many places the bank was simply formed of clods like a field bund, as remarked by the Executive Engineer. For so doing, he had no excuse. As a result his measurements were in excess of what was actually done.

2. This procedure was most irregular. We have nothing to do with the material at quarry. The Sub-divisional Officer measured the material at quarry, when, as far as I can gather, it actually was stacked, and then calculating that there are 3 cart-loads to a cubic yard, counted the heaps at the roadside, where even up to date much material remains unstacked. Thus from his point of view 2000 cubic yards at quarry would be represented by 6000 heaps at roadside. Comment is needless.

3. The schedule rate for metal at quarry is Re. 1-8-0 per cubic yard. The average rate delivered along the road Rs. 2-8-0. Apparently the Sub-divisional Officer assumed that some of the metal at quarry would be brought to the roadside, and paid accordingly. There is apparently no reason why rates should he raised.

4. The Sub-divisional Officer's statement is probably correct, although I cannot find that the Executive Engineer gave his orders in writing.

5. This is immaterial.

6. No dimensions are given in estimate which simply provides so much per stone.

7. I find on inquiry that there was probably enough metal for about 1¾ miles. By agreement the contractor was compelled to take this, but nobody appears to have insisted on his compliance.

No statement of famine materials appears to have been given to the Sub-divisional Officer. The Division office is responsible for this neglect.

8. This is more a question of disagreement with the contractor, than a reason of complaint against Sub-divisional Officer.

9. There is no excuse for this irregularity. Payments should only have been made on pit-measurements.

10. Here, we have Mr. Fletcher's word against the Sub-divisional Officer's; one is probably as good as the other. Narayanaswamy Naidu was in charge of the work for about 2½ years, and it is very improbable that he never made any actual measurements. Mr. Fletcher appears to be averse to measuring up in person, and Mr. Vencata Reddi Naidu informs me that Mr. Fletcher has twice made appointments to measure up, and then excused himself on the ground of sickness, or sent a cooly deputy. As far as I can ascertain no copy of the contract agreement was sent to the Sub-divisional Officer, and for this again the Division office is responsible. The Sub-divisional Officer ought however to have had sufficient sense to ask for a copy.

11. This refers to some Estate work in Dharakota and does not concern the Boirany Road. In my opinion much blame cannot be attached to P. Narayanaswamy Naidu. He is not a man of much energy or resource, and quite unfit for charge of a Sub-division.

He does not appear to have received assistance from either the Executive Engineer or the Division Office, and only the most shipshod arrangements for carrying on the work appear to have been made.

It is probable that these irregular payments are made to assist the contractor to funds, of which he appears to have been in want at the time. The matter might have been squared up after the material was regularly stacked and proper measurements taken. As it resulted, the contract was properly cancelled, and everything found to be in confusion.

(True Copy.)

(Signed) J. C. LARMINIE,
Superintending Engineer, I Circle.

10th July 1897.

ENCLOSURE No. XI.

Memorandum, No. 676—G.L.

With reference to petition of the 7th instant from P. Narayanaswamy Naidu, Overseer on furlough, he is informed that his case has been settled and cannot be re-opened again. He had full opportunity of explanation.

(Signed) J. C. LARMINIE,
Superintending Engineer, I Circle.

Camp Dowlaishweram,
20th November 1897.

ENCLOSURE No. XII.

No. 281-C.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Memorandum.

Dated 17th January 1898.

From P. Narayanaswamy Naidu, Overseer on leave, dated 27th November 1897.

From the Superintending Engineer, I Circle, dated 8th December 1897, No. 766-G.M.

The petitioner, Overseer P. Narayanaswamy Naidu, will be informed that the Executive Engineer's reports of him are so bad that the punishment awarded him in Memo. No. 4481-C, dated 27th November 1896, was evidently fully justified. The Acting Chief Engineer declines to interfere in the matter.

(By Order.)

(Signed) S. MURRAY,
Acting Deputy Chief Engineer.

(True copies)

P. Narainswamy Naidu
overseer on leave

PRINTED BY SRINIVASA, VARADACHARI & CO., MOUNT ROAD, MADRAS—4-2-98.

TESTIMONIALS.

ENCLOSURE No. II.

No. 1.

The District Engineer is very glad that Mr. Milne is able to give such a favourable report of Sub-Overseer P. Narayanaswamy Naidu, and when opportunity occurs will gladly take his claim for promotion into consideration.

Narayanaswamy Naidu is a passed Overseer and is therefore eligible to the post of Taluk Overseer.

* * * * * *

CUDDALORE, 11th October 1878.

(Signed) H. R. MEAD, MAJOR, R.E.,
District Engineer.

No. 2.

I have been well satisfied with Sub-Overseer Narayanaswamy's work during the eleven months he has been in the Tindivanam Division. He is a good Surveyor and neat Draughtsman and is deserving of promotion and increase of pay.

Signed) J. M. BELL,
Executive Engineer.

13th October 1879.

No. 3.

I have known Sub-Overseer P. Narayanaswamy Naidu on and off since I came to the South Arcot District about a year ago. I have inspected many works executed under his orders in both the Tindivanam and Trinomallai Taluks, and have invariably found them satisfactory. He holds a Taluk Overseer's certificate and I consider him well qualified for the work in every respect. He bears a good character.

* * * * * *

TRINOMALLAI, 28th February 1880.

(Signed) J. B. SANDERSON,
Supervisor, Tindivanam Sub-Division.

No. 4.

Local Fund Overseer Narayanaswamy Naidu, who has been allowed to take up an appointment in the Public Works Department, has worked under my orders for the last 5 years, during which time I had every reason to be perfectly satisfied with him. He is a very good Surveyor and Leveller and is active and intelligent and in every way a deserving man, and I hope he will eventually be permanently taken on in the Public Works Department.

CUDDALORE, 4th May 1885.

(Signed) R. E. NORFOR, C.E.,
Local Fund Engineer, South Arcot.

No. 5.

The Overseer worked well and did all that was required for the protection of the different works.

(Signed) J. A. POWER, CONDR.,
Sub-Divisional Overseer.

16th November 1887.

Oes.1
2156/50

The undersigned is glad to have such a good account of this Overseer.

18th November 1887.

(Signed) C. VINCENT,
Executive Engineer.

No. 6.

The arrangements of the out-houses, garden, &c., was discussed. The work is in good progress.

(Signed) C. VINCENT,
Executive Engineer.

25th July 1888.

True extract forwarded to Overseer P. Narayanaswamy Naidu for information.

(Signed) J. A. POWER, LIEUT.,
Assistant Engineer.

28th July 1888.

No. 7.

During the past years, this Overseer worked well, and since the cyclone worked very well. He deserves credit for the manner in which he carried out orders of the Executive Engineer and Subdivisional Officer at Mahabalipuram.

(Signed) J. A. POWER, LIEUT.,
Assistant Engineer.

2nd December 1888.

True extract forwarded to Overseer P. Narayanaswamy Naidu for information.

(Signed) J. A. POWER, LIEUT.,
Assistant Engineer.

3rd December 1888

No. 8.

As the Military Secretary to His Excellency the Governor states that His Excellency is pleased at the good arrangements made for conveying him to the Seven Pagodas, the Executive Engineer herewith places on record his appreciation of the zeal and energy shown by Overseer P. Narayanaswamy Naidu on this occasion.

(Signed) A. S. RUSSELL,
Executive Engineer.

23rd January 1892.

No. 9.

The arrangements made by Overseer Narayanaswamy Naidu and the Wharf Superintendent, Madras Basin, at short notice for arranging for the trip of a party from the Government House have been most satisfactory, and reflect great credit to those concerned.

(Signed) A. S. RUSSELL,
Executive Engineer.

20th January 1893.

ENCLOSURE No. III.

No. 1.

SPECIAL REPORT.

P. NARAYANASWAMY NAIDU,
Overseer, Southern Canal.

This Overseer has done very good work on Southern Canal, and has recently been in charge of the building of the rest-house at Seven Pagodas, which he has carried out in a most satisfactory and expeditious manner. He is a good Overseer, thoroughly deserving of promotion.

17th December 1888.

(Signed) C. VINCENT,
Executive Engineer.

(True Copies) P. Narrainswamy Naidu
Overseer on leave

RL 21/2/97

Enclosure No. 8.

Executive Engineer's letter No. 213C dated 17th February 1897 to the General Deputy Collector, Gumsur

---

With reference to your No 5/7 of 14-2-97 I have the honor to inform you that I have directed the Russelconda Sub division officer to arrange to start the Kukulabba works as a test on 23rd in communication with the Gumsur Tahsildar.

The Tahsildar should address the Sub division officer direct to save delay.

If the test fails, I have ordered that the works be continued as ordinary, to the extent of funds available.

No 214C of 17-2-97

Copy forwarded to the Russelconda Sub division officer with a request that he will arrange to start Kukulabba works as a test in communication with the Tahsildar. Overseer Mr. David may be placed in charge of the work.

If the test fails as it will probably will, works may be continued as ordinary, to the extent of funds available.

Sd/ W. DeMorgan

Executive Engineer

Ganjam Division

91/7 Urgent

Copy forwarded to overseer Mr. D. Narayan ~~D~~
...ith ...
...ormat...

Triplicane,
30th July 1897.

ENCLOSURE. 9

From

P. NARAYANASWAMY NAIDU,
Overseer on leave,
TRIPLICANE, MADRAS.

To

J. C. LARMINIE, Esq.,
Superintending Engineer,
I Circle, WALTAIR

RESPECTED SIR,

With reference to the Executive Engineer's letter, No. 882, dated 2n June 1897, I humbly beg to submit the following explanation, and request tha you will, with your wonted kindness, forward the same to the Chief Engineer wit your remarks.

In this letter the Executive Engineer states (I) that I was lazy in genera and passively opposed all orders given me; (II) that I feigned illness when I wa ordered on famine duty.

In regard to the (I) charge, I beg to submit that I was never told eithe by the Executive Engineer or Sub-Divisional officer, in what particular instance was found lazy or neglected to carry out orders, except on one occasion in Februar last when I applied for leave. The perusal of my journals for the period and th expenditure of over Rs. 30,000 incurred on works in my charge will clearly co vince you whether true or not I conducted my duties during the time with ze and energy.

As to the charge (II) all I have to say is that the Executive Engin and Sub-Divisional officer, although aware of my chronic illness by serving in malarious district of Ganjam, insisted on my transfer, which I would have und gone but for the unfortunate accident. A perusal of the official and de official correspondence between the District Medical officer and the Execut Engineer in my case in the latter part of February and March last will convi anybody whether I was fairly treated in the matter or not.

As connected with this matter, I beg also to bring to notice that th charge brought against me on a former occasion were not so formidable as would appear at first sight. In the Memorandum from the Chief Engineer, No. 4481-C dated 27th November 1896 (paras. 3 and 4), I was charged with not having pr perly measured up and thereby caused over-payment to contractors Messrs. Fletch and Ghose and loss to Government.

In respect to this charge in addition to the detailed explanation already submitted by me, I most respectfully beg to urge that the payment referred to wa "Payment on account," and not in final settlement, and all I have to do in such case as Sub-Divisional officer was to use my discretion to gauge the value of wor done; whether I have done this or not will be borne out by the fact that the sai same contractors without doing further work were paid by the Executive Enginee after inspection for that work over Rs. 1,400 over and above what I have allowed according to my rough measurements. The above facts I need hardly add wil convince you that the Executive Engineer has made reports against me not o facts, but on the statements, either verbal or written, of Mr. Venkata Reddy, th Sub-Divisional officer. To the same cause I should attribute the personal remark of the Executive Engineer which conclude his letter No. 882 of 2nd June 1897.

In conclusion, I beg to state that in my unfortunate case the Executiv Engineer (Mr. deMorgan) had to dispose of as Superintending Engineer my explanations, and they were not therefore judged impartially, and the result wa that I was awarded double punishment of the loss of Sub-divisional charge an reduction in grade.

I therefore humbly pray that you will review my case from the beginnin and grant me such redress as you may deem proper.

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

(Signed) P. NARAYANASWAMY NAIDU,
Overseer on leave,
Triplicane, Madr

[True Copy]
P. Narainsawmy Naidu
Overseer on leave

PRINTED BY SRINIVASA, VARADACHARI & CO., MOUNT ROAD, MADRAS—27-11-97.

Enclosure No 10

Triplicane, Madras,
27th November 1897.

From

P. NARAYANASWAMY NAIDU,
Overseer on leave,
TRIPLICANE, MADRAS.

To

THE CHIEF ENGINEER,
PUBLIC WORKS DEPARTMENT,
~~ENCLOSURE~~ ....
MADRAS.

(Through the Executive Engineer, Ganjam Division, and Superintending Engineer, I Circle.)

RESPECTED SIR,

I beg most respectfully to submit copy of my petition, dated 30th July 1897, to the Superintending Engineer, I Circle, requesting him to submit my case to you for reconsideration as I was awarded double punishment without the nature of the charges against me having been fully intimated to me and without my being allowed an opportunity of fully explaining myself, and to state that to this petition I received a reply on the 25th instant, stating that my case cannot be reopened and that I had full opportunity for explanation already.

But I beg to submit that I was not fully aware of the nature of the charges against me until I received in July last copies of reports submitted by the Executive Engineer Mr. deMorgan against me, and I could not therefore have had any opportunity for full explanation.

In these circumstances, I request that several points of my appeal and explanation as contained in the enclosed petition may be reviewed at full length and that justice be done to me.

For which act of kindness I shall as in duty bound EVER PRAY.

I beg to remain,
Sir,
Your most obedient Servant,
(Signed) P. NARAYANASWAMY NAIDU,
Overseer on leave,
Triplicane, Madras.

[True Copy]
P. Narayanaswamy Naidu
Overseer on leave

PRINTED BY SRINIVASA, VARADACHARI & CO., MOUNT ROAD, MADRAS—27-11-97.

Original

To

His Excellency the Right Hon'ble

SIR ARTHUR ELIBANK HAVELOCK, G.C.M.G., G.C.I.E.,

GOVERNOR IN COUNCIL,

Fort St. George,

MADRAS.

SUPERINTENDING ENGINEER, No. [illegible] 17 FEB. 93 FIRST CIRCLE.

Thro' the Chief Engineer P.W.D. & Secretary to Govt., Madras

The humble petition of P. NARAYANASAWMY NAIDU, *late First-Grade Overseer, and Northern Sub-divisional Officer, Public Works Department, Ganjam Division, now on furlough.*

MOST HUMBLY SHEWETH,

That Your Excellency's humble petitioner being aggrieved by the order, dated 27th November 1896, No. 4481-C,* of the Chief Engineer, Public Works Department, reducing him to the post of a Second-Grade Overseer, most respectfully prays for that protection of justice which Your Excellency in Council is pleased to accord to many an innocent Public servant undeservedly plunged into the malice of their immediate superiors.

* **Enclosure No. 1.**

2. That the humble petitioner entered the service in 1877, as Local Fund Sub-Overseer and continued in that capacity till 1885, when he was taken on in Public Works Department, first as a Temporary Overseer on the special recommendation of the then President, Local Fund Board, South Arcot, and having by his efficiency and integrity during the period of his service won the esteem and confidence of his superiors gradually rose to the position of First-Grade Overseer and was recently placed as an exceptional case in charge of a Sub-division in the Ganjam Division by Mr. Inglis, Executive Engineer, and Mr. Wybrow, Superintending Engineer, I Circle.

3. That the humble petitioner has always borne an unblemished character in the discharge of his duties will be borne out from the copies of testimonials† appended hereto and from special recommendations made by the Executive Engineers in the half-yearly returns of 1886, 1887, 1888, 1894 and 1895, of which the petitioner has been able to obtain a copy of only the report relating to 1888.‡

† **Enclosure No. 2.**
Extract from testimonial No. 8.
"As the Military Secretary to His Excellency states that His Excellency is pleased with the good arrangements made * * * the Executive Engineer places on record his appreciation of the zeal and energy shown by Overseer P. Narayanasawmy Naidu."

‡ **Enclosure No. 3.**

4. That the humble petitioner being well aware of the several instances of the unhappy consequences of the Overseers' and Sub-divisional Officers' interference in the matter of contracts and contractors was very careful in keeping himself aloof and leaving the selection entirely in the hands of the Executive Engineer. But in one or two instances, Mr. Vencata Reddi Naidu, Sub-divisional Officer, Rushkulya Division, suggested that the petitioner should see that particular person or persons get the contract in preference to some other person or persons, but the humble petitioner with greatest respect for Mr. Vencata Reddi Naidu excused himself from such work.

5. That the humble petitioner begs to submit that, subsequently, his appointment as Sub-divisional Officer and the Executive Engineer's special recommendations above referred to roused the feelings of Mr. Vencata Reddi Naidu, who entertained since then a hatred against the petitioner.

6. That in 1896 the two divisions were amalgamated and placed in charge of Executive Engineer Mr. DeMorgan with whom Mr. Vencata Reddi Naidu was well acquainted while the petitioner was quite a stranger to him.

7. That Mr. Vencata Reddi Naidu used his influence with Mr. DeMorgan and made the petitioner entirely his subordinate as would appear from Mr. DeMorgan's own statement in his letter, No. 882, dated 2nd June 1897,* to the Superintending Engineer, I Circle, that "he (petitioner) had simply to stop on the work all day and *attend to Mr. Vencata Reddi Naidu's orders.*"

*** Enclosure No. 4.**

8. That Mr. Vencata Reddi Naidu's treatment towards the petitioner was thenceforward far from official decorum, and his orders almost restrained the petitioner from performing his duties freely; nevertheless the petitioner, though not without difficulty, managed to do his work so efficiently as to show an expenditure of about Rs. 30,000 with the approval and sanction of the very Sub-divisional Officer during the short period of his charge of Surada Reservoir works. Here the humble petitioner craves the favour of Your Excellency's special notice to this fact which strongly contradicts the statement of the Executive Engineer in para. 2 of his report, dated 2nd June 1897, No. 882,† wherein he states *inter alia* that the petitioner "*was doing no good at Surada.*"

† Enclosure No. 4.

9. That the Sub-divisional Officer Mr. Vencata Reddi Naidu was also misrepresenting matters to Mr. DeMorgan, Executive Engineer, so as to prejudice his mind against the petitioner, and the petitioner fearing he would intrude upon Your Excellency's valuable time begs to cite one obvious instance of his misrepresentation or false statement against the petitioner, viz.—

(*a*) In respect of work done while the petitioner was Sub-divisional Officer Mr. Vencata Reddi Naidu stated in the first instance that the petitioner had paid the Contractor *in excess* about Rs. 3,000.

(*b*) He then on his own measurement stated that he was wrong and that it was not Rs. 3,000 but was only about Rs. 1,500 *in excess.*

(*c*) He stated a third time on his own measurement that he was again wrong and that it was not even Rs. 1,500 but was only Rs. 700 *in excess.*

10. That the petitioner submits that even his third or last statement was proved to be false inasmuch as the Executive Engineer Mr. DeMorgan after his personal inspection at the final settlement of dues not only found that there was no excess payment, but also allowed the same Contractor for the same work about Rs. 1,400 over and above what had been paid by the petitioner.

11. That instead of calling upon Mr. Vencata Reddi Naidu for an explanation for such deliberate false statement or making a thorough investigation as to the charges he wished to bring against the petitioner, the Executive Engineer Mr. Loam, who was in charge of the Division only for the time being, submitted a hasty and arbitrary report against the humble petitioner in his letter No. 1932, dated 11th July 1896,* to the Superintending Engineer charging the humble petitioner with the submission of fictitious measurement in connection with the work on the Road from *Kallicotta* to *Boirany* in the Ganjam Division. His report was entirely based upon the misrepresentations of Mr. Vencata Reddi Naidu as would appear from the very first para. of his report and probably, the petitioner humbly presumes, at the suggestion of the permanent Executive Engineer, who was then Officiating Superintending Engineer, and had thus an opportunity of disposing of the report himself.

*** Enclosure No. 5.**

12. That in support of the petitioner's above statement, he begs to bring to Your Excellency's notice the fact that the said report was then and there submitted to the Chief Engineer in original by Mr. DeMorgan in No. 454-G.N., of 16th July 1896, with a view to dispose of the papers during his tenure of office as Officiating Superintending Engineer.

13. That the Executive Engineer then forwarded a copy of the above report and called upon the petitioner for an explanation with a direction that unless an explanation was submitted within 7 days, a report would be made to the Superintending Engineer that the petitioner had no explanation to offer, and with a direction that the copy of the report furnished to the petitioner should also be returned, but carefully avoided the fact that the Chief Engineer required the explanation as would appear from para. 2 of the Chief Engineer's order under appeal which fact the petitioner came to know only after the receipt of the said order.

14. That the petitioner in his explanation, No. C-1, dated 7th September 1896,† most respectfully submitted the reasons for each item of his action noticed in the report, and showed that the measurements were not fictitious or improper as suggested in the report, but were prepared honestly and in good faith under the circumstances set forth.

† Enclosure No. 6.

15. That Executive Engineer Mr. DeMorgan in forwarding this explanation to the Chief Engineer in his letter, No. 58-C, dated 16th September 1896,‡ admitted that "Sub-divisional Officer's (petitioner's) statement is probably correct, that neither a statement of famine

‡ Enclosure No. 7.

materials nor contract agreement was furnished to the Sub-divisional Officer (petitioner)", that "much blame cannot be attached to the Sub-divisional Officer (petitioner)", and that "the Sub-divisional Officer does not appear to have "received assistance from either the Executive Engineer or Divisional Office and "only the most shipshod arrangements for carrying on the work were made." But in order to give strength to his report once made and which he apparently found to be weak after perusing the petitioner's explanation, he made all possible stress on the only meagre charge of improper measurements, although in the result he accepted the petitioner's measurements and was unable to show by what sort of check he found it to be excess, if any, or that there was any loss to Government, and although he himself afterwards found the petitioner's provisional measurements of the work to be less and paid the same contractor for the same work about Rs. 1,400 more than what had already been paid by the petitioner (*vide* foot-note to enclosure No. ~~7~~1).* The Chief Engineer has not considered this important fact, as also the fact that when "Payment on account" and *not* "Payment in final settlement" was made all that the petitioner had to do as a Sub-divisional Officer was to use his discretion and gauge the value of work done; this is what the petitioner had done exactly in the case in question.

† Enclosure No. 1.

16. That the Chief Engineer in his order, dated 27th November 1896, No. 4481-C,† agreeing however in the view that the petitioner received no help, that he was not furnished with copies of contract agreement and statement of famine materials, and that no loss has accrued to Government, simply repeated the Executive Engineer's remarks that the petitioner was unfit for a Sub-divisional charge which was quite unfounded and inconsistent in the circumstances of the case and reduced him to the post of a Second-Grade Overseer on the ground that the petitioner adopted an improper mode of measurement.

17. That the Executive Engineer Mr. DeMorgan finding that the remarks which went in favour of the petitioner in the said order might perhaps weaken the report in case of an appeal by the petitioner to Your Excellency seems to have resolved to ruin the humble petitioner as will be seen from the personal remarks made against the petitioner in Mr. DeMorgan's further report, No. 882, dated 2nd June 1897,‡ submitted to the Chief Engineer as required in para. 7 of the order above referred to.

‡ Enclosure No. 4.

18. That in the meantime the petitioner, partly owing to mental pain and partly owing to the chronic disease he had contracted during his service in the malarious parts of Ganjam, fell ill and was thinking of taking leave when the Sub-divisional Officer Mr. Vencata Reddi Naidu, though well aware of the fact of the petitioner's illness, forwarded to the petitioner copy of the Executive Engineer's order, No. 214-C, dated 17th February 1897,§ directing Overseer Mr. David to take charge of Kukulabha works, but to the petitioner's surprise Mr. David's name was struck off and the petitioner's name inserted in the address portion only marked urgent, the name in the body being unaltered.

§ Enclosure No. 8.

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* Having measured provisionally for a payment on account, measurements I followed were sufficient and in accordance with the Code Rules, para. 31, Chap. VIII, Vol. I, and the spirit of G. O. Nos. $\frac{2216\text{-W}}{11\text{-}8\text{-}92}$ & $\frac{2668\text{-W}}{26\text{-}9\text{-}92}$.

19. That the said order which Your Excellency's humble petitioner begs leave to submit in original will show clearly that the order signed by the Executive Engineer contained a direction to Mr. David and the alteration in the name in the address portion was evidently made by Mr. Vencata Reddi Naidu, and will thus convince Your Excellency in Council of the manner in which even the most important and urgent official orders were issued by Mr. Vencata Reddi Naidu, with a view to make the petitioner feel it impossible to obey orders and do his duty with such freedom and promptness as he would otherwise have done, and how Mr. DeMorgan, the Executive Engineer, supported his actions.

20. That the humble petitioner then respectfully represented the real state of his health and applied for leave of absence which they were not willing to grant, and the official and demi-official correspondence between the Executive Engineer and the District Medical Officer, copies of which the petitioner regrets that he has not been able to procure, will show that the petitioner was not fairly dealt with in the matter.

21. That the petitioner being insisted on by the Executive Engineer proceeded to take charge of another work, but unfortunately met with an accident (fall on a rough rock) on his way and was physically unable to proceed further.

22. That thereupon the petitioner appeared before the District Medical Officer and on production of his certificate obtained furlough for one year.

23. That in submitting to the Chief Engineer the further report referred to in paras. 8 and 17 above, the Executive Engineer stated that the petitioner was lazy in general and passively opposed all orders and feigned illness when ordered to go on Famine duty; he made also some personal remarks that he is "unwieldy mass of unhealthy flesh and passes all his time idling and malingering,"—all this in support of his general remark that he is "unfit" for any charge in the Public Works Department, a remark which, the petitioner most humbly submits, has no foundation whatever except his own statement made for the purposes of his reports against the humble petitioner.

24. That the petitioner most humbly invites the favour of Your Excellency's kind attention to the tone of the said remarks, and begs to point out that in one place he considers his illness *feigned illness* and in the very next he believes him to be a mass of *unhealthy flesh*, and it is for Your Excellency in Council to judge whether the Executive Engineer was acting in the petitioner's case on the facts found by himself or on the misrepresentations made by the Sub-divisional Officer Mr. Vencata Reddi Naidu out of personal spite.

25. That the humble petitioner thereupon most respectfully requested the Superintending Engineer by petition, dated 30th July 1897,* and then the Chief Engineer by petition, dated 27th November 1897,† to reconsider the petitioner's case under

*** Enclosure No. 9.**

† Enclosure No. 10.

the circumstances set forth therein and in his explanation, but he regrets that the former simply refused to reopen the case, in his No. 676, dated 20th November 1897,* while the latter relying entirely on the unfounded statements of the Executive Engineer, who was then Superintending Engineer, and observing merely that the Executive Engineer's reports of the petitioner were so bad that the punishment awarded him was fully justified, declined to interfere in his No. 281-C, dated 17th January 1898.†

*** Enclosure No. 11.**

† Enclosure No. 12.

26. That the humble petitioner most respectfully begs to submit that it is easy for a superior officer in independent charge to prefer a charge against his subordinate, but it is very difficult for the latter to refute it.

27. That under the circumstances submitted above the double punishment inflicted on the humble petitioner, namely, his removal from the charge of a Sub-division and reduction from the post of *First* Grade to that of a *Second* Grade Overseer for an alleged improper measurement in the absence of any proof of such measurement or loss to Government is unjust and not only creates an undeserved stigma in the petitioner's character, but it also causes great hardship to the humble petitioner and his family at a time when he was with hopes of obtaining a promotion as a reward for the meritorious services he had rendered in the malarious parts and in connection with the road-work under Mr. Inglis, who for his part had his promotion recently.

28. That Your Excellency's humble petitioner is a man of large family and coming out of a respectable family. He does not venture for a moment to dispute the discretion of the Chief Engineer to pass the order under appeal, but he most respectfully and humbly solicits an impartial consideration and orders on his case which he believes he failed to obtain from the Chief Engineer.

29. That the humble petitioner prays therefore that Your Excellency in Council will be so graciously pleased as to pass an order declaring that the humble petitioner is not guilty of any *malâ fide* act and directing his restoration to his former position in office and grade.

That Your Excellency's humble petitioner accordingly throws himself entirely at Your Excellency's mercy and as in duty bound shall

EVER PRAY.

TRIPLICANE,
5th February 1898. (Sd.) P. NARAYANASAWMY NAIDU,
Overseer, P.W.D., on leave,
No. 10, Sawmi Pillai Street,
Triplicane, Madras.

PRINTED BY SRINIVASA, VARADACHARI & CO., MOUNT ROAD, MADRAS—1-2-98.

Oc3-6
2156/58

Public Works (1898) Department.

5.7
CURRENT No. ~~1110~~
Vide 1115
In duplicate

2156/58

SUPERINTENDING ENGINEER,
No. 1722
17 FEB. 98
FIRST CIRCLE.

No. 857c dated 12th February 1898.

From P. Narayanasawmy Naidu.

No.

Referred to the Supdg. Engineer I Circle for favour of any remarks he may wish to offer on the present memorial.

S. Murray
Ag. Dy. Chief Engr
P.W.D.

11.2.98

Dated 5th February 1898
Received 17-2-98
Registered
Enclosures
Spare copies

SUBJECT.

Appealing against the double punishment awarded to h

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Sheet No 1

No: 1020 GN Office of the Supdg Engr I Circle
Camp Samulcotta Canal
Dated 25. Feby 1898
Despd 2nd March 98.

Enclosures 1 memorial
(with its 9 Enclosures) From

W. C. De Morgan Esqr. M.I.C.E.
Supdg Engineer I Circle

To

The Chief Engineer
P.W. Department.

Sir,

With reference to the memorial forwarded under your no: 857 C of 12th February 1898 and herewith returned, I have the honour to offer the following remarks.

1. When I was in charge of the First Circle in 1896, the Ganjam and Rushikulya Divisions were amalgamated. Mr. Loam was the Exe Engineer. Petitioner was in charge of the Northern Sub Dn. of the Ganjam Division, and Mr. Venkatareddy-Naidu, Rai Bahadur, Assistant Engineer of the Russellconda Sub Dn. of the Rushikulya Division. These subdivisions were amalgamated into

The

the Northern Sub Division of the new Ganjam Division and placed in charge of Mr. Venkata Reddy Naidu. Petitioner is perfectly correct in stating that I was a stranger to him. His name has certainly never been mentioned to me by Mr. Venkata reddy Naidu or any one else. Para 4 is obviously written to encourage the idea that Mr. Venkatareddy Naidu bore a grudge against petitioner, but as at that time Mr. Venkata Reddy Naidu belonged to Rushikulya Division and Petitioner to Ganjam, they had nothing to do with one another, the statement must be taken for what it is worth.

2. The Kallikatta-Boirani road was one of the works in Petitioner's Sub Division, and during the transfer, an extremely unsatisfactory state of affairs was disclosed. The matter was reported to me by the

Exec Engineer

Filed with No 929 D 31-7-96

Exec Engineer in his Letter No: 1932 of 11 July 1896 (Enclosure V to memorial) and forwarded with the transfer report to the Chief Engineer under my No: 4546 W of 16·7·96.

No. 929 D / 31·7·96

3. The Chief Engineer called upon the Overseer for an explanation – vide his No: 929 D / 31·7·96.

Flag B

4. In the meantime I had been relieved of charge of the 1st Circle and assumed charge of the new Ganjam Division and the Overseer's explanation was duly submitted (Enclosures VI & VII). I had not been long in charge before I recognised that the state of affairs in old Ganjam Division had been such that any subordinate could idle as much as he pleased and that irregularities were either undetected or condoned; and I gave petitioner the full benefit of this conclusion when writing my report. In para 15 of

Memorial

memorial he places his own interpretation on this.

5. As regards the measurements they were fictitious. It is nowhere stated that they were fraudulent. The reason why they were fictitious is clearly stated in para 4 of letter No. 1932 of 11th July 1896 (Enc: V of memorial). Filed with 929 D of 31-7-96 "Happil"

There was practically no material stacked for measurement. It was scattered on hill side and at quarry, and the Contractor though called upon to stack it failed to do so, thus causing delay in the settlement of his claims. Neither the petitioner nor the Contractor knew where the material was, and the Overseer blindly paid away a large sum of money to utilize his grant. No Sub Dn. Officer is justified in such action

6. The Contractor preferred a claim for Rs 4000 and odd and to settle this it was necessary

necessary to measure up all the scattered material. It took Mr. Venkatareddy naidu some 3 weeks of unremitting work to complete this. Then the Contractor wished me to check measure. I visited the road, checked material, examined separately into the numerous items under dispute and reduced the claim to Rs 1400 (odd) which was accepted and payment made in full settlement of all claims. This is the Rs 1400 to which petitioner refers, and was for bricks, masonry work, cutstone, road diversions, sheds, and other minor items, not for metal alone as petitioner implies.

7. The Overseer was reduced and a special report on his conduct called for after 6 months Vide Chief Engineer's No. $\frac{448}{27}$

8. Petitioner had bee in charge of the road for $2\frac{1}{2}$ y
au

me and the State of affairs was such that it was inadvisable to keep him on it any longer and after seeing him I was satisfied that it was useless to employ him anywhere where great energy mental or physical was necessary or where he would be left to himself. I therefore placed him on the Surada dam under the direct orders of Mr. Venkatareddy Naidu. He had nothing to do but a little levelling and earthwork inspection and travel some 4 miles per day. He did no work nor would he attempt to do any. This I found on my visits to Surada. It was proposed to start a Test work on Kukulubha bank. I placed him in Charge. He called it a Famine work and requested that leave on medical Certificate might be granted.

He

He appeared before the Dt. Surgeon and the Certificate was refused. He was then posted to Mahasingi, met with what he called an accident, left his post without leave, for Berhampore saw the District Surgeon and was granted Furlough for a year.

9. Para 18 of the memorial is a sample of the spirit in which it is written. I was at Surada at the time the order was written, and seeing how unsatisfactorily Petitioner was conducting himself at Surada ordered him to Kukulubha. I had intended to send Mr. David there and the order was written, but I considered he would be more useful at Surada and directed the Sub Division Officer to alter the name. The Sub Dl. Clerk apparently by oversight only altered the name in the final part. The

petitioner

The Petitioner insinuates that the Sub Dn. officer altered the name unknown to me. Unless this is his intention there is no object in the Paragraph.

10. As para 8 of memorial petitioner takes credit for an expenditure of Rs 30,000 on the Sunada dam. The whole expenditure is due to the exertions of the Sub Dn. officer without whose energy nothing would have been done. As already stated he received no assistance from Petitioner

11. As para 11 Petitioner states that Mr. Loam's report was based on misrepresentations of Mr. Venkatareddy Naidu. Mr. Loam passed a considerable time on the road itself examining into the state of affairs and formed his own conclusions. As the offensive insinuation conveyed in the last 3 lines of the same para it is needless to say anything. At

That

that time I was as petitioner remarks quite a stranger to him never having seen him and therefore could have no personal interest in the matter.

12. Para 23. The petitioner was extremely obese, which is unhealthy condition of flesh and any ? my remark describes his condition, and this was the opinion of the District Medical officer and I may here state with reference to para 24 that my opinion after I had taken charge of the Division was formed solely from personal observation. Mr. Venkatareddy Naidu never makes any representations about this or any other subordinate to me. As petitioner would do nothing Mr. Venkatareddy Naidu did his work for him, knowing that the real state of

affairs

Public Works (1898) Department.

CURRENT No. 2486

Order

From The Examiner, P. W. accts, Madras

No. 8908/A

Dated 16th March 1898.

Received 17·3·98

Enclosures 15

Spare copies

SUBJECT.

Bills relating to payments for works on the Kallikota Baireni road — Forward for reference 15 —

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	1516C	P.W.	12.3.98
	858C	..	12.2.98
	857C	..	12.2.98
	610C	..	2.2.98
	281C	..	17.1.98
	1263D	..	1.9.97
	4481C	..	27.11.96
	929D	..	31-7.96
	2705C	..	20.8.94
	816W	..	28-3.94 (S.C)
	1675W	..	26.6.93 (S.C)
	2668W	..	26.9.92 (S.C)

FURTHER PAPERS.

G.O.	No.	Department.	Date.

EXAMINED,
P. W. ACCOUNTS.
14 MAR. 1898
No.

No. 1516 C

Government of Madras,

DEPARTMENT.

Madras, 12th March 1898.

OFFICE NOTE.

From

W

To

C

Will you please forward again, for reference, the 15 bills received with your office note No. 3266 B/A dated 30.10.96, and returned with this office No. 4481C dated 27.11.96. They relate to payments for work on the Kallikota - Borrani road.

12/3/98.

DW

No. 890 B/A dated 16th March 1898

To W

Herewith.

16/3/98

16/3/98

W/16.3.98

C

16/3/98