

Public Works (1898) Department.

G.O., No. 2620 W

✓ DATED 11th October '98

[Despatch Abstract.]

R. Subbarao, Maistry, Duvvada, Dv

Informing _____ that whether
can he be reinstated in his former post of overseer's
clock, not will the gratuity refunded to him be
repaid to him, but that he should apply to the
Suptg. Engineer for employment as a temporary
clock.

Dr

his first and third requests
are inadmissible.

3. With regard to his second
request, he should apply to
Ruptg. Engineers for employment.
He has already been told that
there is no objection to his
reemployment as a clerk
in a temporary capacity.

ACK
Cm 15.9.98. 17.9.98

note. The cm is reviewed
in the accompanying
notes.

ACK
Cm 15.9.98. 17.9.98

2
The Petitioner, with 15 encs.
through the S.E. VI Circle.

Public Works (1898) Department.

CURRENT No 6957

From R. Soobha Row
Maistry Tinnevely M.

No.

Dated 19th July 1898

Received } 19 August 1898

Registered }

Enclosures 15

Spare copies

SUBJECT.

Praying for reemployment
as clerk in the P.W. Dept.
and refund of gratuity.

488362

488381

27/10

a
3.

No.	Date.
3998	29-7-84
802	5-5-84
842 Pension	12-8-80

28 or

& resubmitted
 direct with
 reference to
 Executive Engineer's
 No 2781

4-8-98 *RS*
15/8/99

Most Respectfully, Shemath,

That Your honor's humble
petitioner was employed as clerk
for a period of more than ten years.
Vide accompanying Service Book;
and his services were dispensed with
under the circumstances explained
below without sufficient cause.

2. That your humble petitioner served under many Officers of the Department, and the testimonials granted by them will speak for themselves the uniformly good conduct of the petitioner, who belongs to a respectable family, and whose grandfather Mr. Narayan a Row, was a pensioned Subsildar at Srinilliputhur and whose father was Taluk Sheristadar of Srinilliputhur.

Mr. Hughes Esquire the present Chief Engineer for irrigation who has seen enough of your honor's humble petitioner when that benign Officer was employed in various Capacities in the Financelly Division, has also mentioned very favorably of your honor's humble petitioner. A kind reference to that Officer may also be made.

3. The grounds of his dismissal are given in the memo of the Executive Engineer Financelly Division, No 327 of 16th May 1884 which runs thus:-

The grounds of his dismissal are that while employed as clerk under overseer Mr. Peters, certain irregularities connected with monetary transactions took place, and on enquiry it was found that although cognizant of the facts long before, he failed to bring the matter to notice until the enquiry disclosing them was held.

From this your honor will see that, in other words, your honor's humble petitioner was dismissed for not bringing a Complaint against his immediate Superior on vague rumor and if your honor's humble

petitioner had laid a Complaint, he would have been dismissed for bringing a false Complaint against his immediate Superior who being in better position, would move earth and heavens either to disprove the allegations or to bring me into difficulties. Besides, your humble petitioner will lose the Confidence of all the Officers under whom he may be placed for once telling truth against his immediate Superior when it is proved to be groundless. While so, to lodge a Complaint on rumor would make the Conduct of every Servant holding similar positions like your honor's humble petitioner still more disgraceful. Your honor fully knows the responsibility and the very precarious position of the overseer's clerk.

4. Subsequently in divisional memo to 184 31/5/84 your honor's humble petitioner was informed that his services were dispensed with & that he was not dismissed.

5. The Case of Mr. Peters is recorded in Chief Engineer's Memo No 808 of 5th May 1884. Considering all the Circumstances of your humble petition

Case, the then Executive Engineer recommended the petitioner for a transfer with a Reprimand while the Superintending Engineer dispensed with the petitioner's services, & refused to give him copies of the records.

6. That your humble petitioner then appealed to the then Chief Engineer who declined to interfere in the case in his memo to 3996 of 28-7-84, for no reason whatsoever.

7. That he again applied to the Superintending Engineer who in his memo to 563 T.N. of 16-12-84 & 270 T.N. of 5-8-84 stated that he has no objection to the Executive Engineer giving him temporary employment.

8. That your humble petitioner then applied for temporary vacancies, as there were no vacancies of clerks. then, he was given a draftsman's post. This post though temporary carries with it much more responsibility than that of an ordinary clerk in the execution of works. In this capacity also he gave satisfaction to all the officers under whom he was employed. Copies of testimonials are also enclosed.

9. That your honor's humble petitioner applied to the present Executive Engineer Financially Division for a temporary clerk's place and his application was forwarded for sanction of the Superintending Engineer VI Circle who refused to entertain your humble petitioner ~~and~~ as a temporary clerk.

10. That your honor's humble petitioner also applied for the refund of gratuity of Rs 90/- sanctioned in G.O. No 842 of 12-8-80 Pension Department. This application was also ~~forwarded~~ ^{forwarded} up by the Executive Engineer in his letter No 1612 of 10th May 1898 but the Superintending Engineer declined to recommend him to Government. Vide Superintending Engineer's to 376 T.N. of 24/5/98.

11. Under the above circumstances your honor's humble petitioner respectfully appeals to your honor's mercy for granting the concessions noted below in order that he may maintain his family and children.

(a) That he may be reinstated in his permanent posting of our son's clerk after perusal of several testimonials.

Ekstrand
Supervisor Piro
19-7-98

List of enclosures.

1. En Engr's memo to 1992 dated 7-6-98
2. Supervisor's endt on my petition
dated 4th December 197 to $\frac{674}{6-12-97}$
3. Timmally, En Engr's letter to 550 dated 27-8-80
4. — do — do — do — to 3 dated 7-4-81
5. Sheramadain Afett Engr's to 14 dated 27-7-81
6. Timmally, En Engr's letter to 327 dated 16-5-84
7. — do — do — do — to 184 dated 31-5-84
8. Supg Engr's endt to 270 T.N dated 5-8-84
9. Service book —
10. Chief Engr's to 399E dated 28-7-84.
11. Supg Engr's to 563 T.N. dated 16-12-84
12. Copies of Testimonials, —
13. Supg Engr's to 86 T.N dated 17th May/84
14. do do to 147 T.N. dated 6th June/84
15. Executive Engr's to 2781 dated 4th August/98.

Q.No 473
24/7/98
506/7/8/98



Appeal petition of Maistry
Soobba Row requesting
reemployment as a clerk
in the department & refund
of gratuity: - Forwarded
the -

P.W.D.
No 6957.

Note

W

This is the 2nd application, received within a few days, bringing up for revision decisions made many years back. It seems to me that if we once begin to attend to such matters of ancient history advanced and probably designedly - after long after the officers who know the facts have left the service, we shall soon be inundated with similar appeals. There must be some limit of time to such petitions.

In this petition, R. Soobba Row, a Maistry in the Tinnevely division prays either (1) to be reinstated in the permanent post of Overseer's clerk which he forfeited in May 1884, or (2) to be given a temporary clerk's post in any district, if the first request is held inadmissible on account of lapse of time and (3) that the gratuity re- funded by him on his ap- pointment for a second time under Government in August 1881 may be re- turned to him.

2. A. B. Onigal
issued in this case inform- ing petitioners that his 1st & 2nd requests are inadmissi- ble, & that he did apply to the P.R. regarding the 2nd request made by him.

The Petitioner first entered Government service as Overseer's writer in 1872, and quitted it with a gratuity in 1879 on reduction of establishment. He was however re-entertained in August 1881, but his Ser- vices were dispensed with

A.B.K.

8.9.98.
10.9.98

by the Supts: Engineer in
May 1884, the reason being *Vide* *Mag* Y.

"that while employed as Clerk
under Overseer Mr. Peters,
certain irregularities con-
nected with monetary trans-
actions took place and
on enquiry it was found
that although Cognisant of
the facts long before, he failed
to bring the matter to notice
until the enquiry disclosing
them was held." The petitioner

thereupon appealed to the Chief
Engineer who declined to in-
terfere in the case. The man

however appears to have
obtained a pronouncement
from his Supts: Engineer

"that there was no objection
to his being employed temporarily"
in accordance with which
apparently he holds his present
post in the *Timnevelly* D^o.

It is now full 14 years
since the man was removed
from the Service and the
Chief Engineer having already
declined to interfere in his behalf

Q Memo 3998 of 29.7.84
Mag H.

Mag F.

* *Mag* A.

it seems altogether out of
the question to consider his
reinstatement to his former
post which is his request
No. 1. His second request
is that he may be given
a temporary clerk's post in
any district. The circumstances
connected with the man's
removal from Govt service
are fully detailed in letter
No. 17 of 14 April 1884 from
the Ex. Engineer *Timnevelly* D^o,
in the last paragraph of
which is found a summary
up of the case against the
petitioner. From the summary
it will be seen that the Ex.
Engineer thought it "difficult"
to frame a charge of Cor-
rupt practices against
the man. The man again
appears to have been told that
he was not dismissed but
that his services were dis-
penised with; and the Supts:
Engineer has permitted his
reinstatement "temporarily."
These perhaps may be taken

as telling in the man's
favour. But appointments
to the subordinate clerical
establishment do not rest
ⁱⁿ with the Chief Engineer; and
The Suptg. Engineer may per-
haps be told that ^{on the grounds above set forth,} the petitioner's
second request is not in-
admissible, if in other
respects the man is con-
sidered a suitable candidate
for the post he seeks.

The Petitioner's kind request
is that the gratuity, which
he refunded on his reemploy-
ment for a second time under
Govt., may be returned to
him. Under the first clause
of article 56 of C.S. Regulations,
The dismissal of an officer
entails the absolute ~~loss~~ ^{lapse}
to the public treasury
of any gratuity which he
may have previously earned
and refunded. In the petitioner's
case, although he was not
dismissed, his discharge was
on account of his conduct

X Copy put up with
CR-6506.

and as, under article 385
C.S. Regulations, pension may not
be granted to a man so
discharged, petitioner's claim
for the return of the gratuity
becomes inadmissible. Under
G.O. N^o 479 Pension of 3.9.77,
however, Govt. reserve to
themselves the right to reject
applications for pension or
gratuity from any Govt.
servant. It is accordingly
submitted for orders whether
the 3rd request of the petitioner
should be remitted to the
Pension Dept^l for consideration.
If it is so decided, then ~~no~~ ^{the}
~~receipt of orders in the Pension~~
Dept^l may ^{be} awaited
for the disposal on petitor
other requests being for most
commenced.

Col
21/9/58.

ow

in order.
Petitioner might be
told that his first
request for reinstatement

in his former post
is inadmissible.

as regards his current
request, he has already
been told that there
is no objection to his
reemployment as a
clerk in a temporary
capacity, & as far as
on the clinical subject,
concern the right of super-
vision, he should apply
to those officers for employ-
ment.

His third request,
for a refund of gratuity
need only be sent to the
Pension Dept. if it is thought
that a refund can be
made, but as this is
clearly inadmissible, he
may be told so at
once in this Dept.
The petition is addressed
to the Chief ~~Secy~~ & Secy to Govt.,
& it may therefore be disposed
of by G.O. This will cover the
rule that applies for pension.
or gratuity should be submitted
to Govt.

Cy 3.9.98