

Public Works (1899) Department.

G.O., No. 1495 *h*

DATED ^{*14*} June 1899.

[Despatch Abstract.]

Palam Pandiar Bamboos theft case

Sanctioning the payment of the charges incurred by the Sub D. officer, Tiruturai pundi, in the ^{sum} Rs 48-14-3, and observing that his action, in engaging a pleader without authority, is most irregular

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

To The Supts. Insp., which
with 4 copies
Examiners, P. W. Agents

Note - In Jan'y, 1898, bamboos valued at Rs 6, which had been cut for use on the Melapemmalai dam work in Negapatam Division, were dishonestly removed by a contractor, together with implements valued at Rs 3.

2. The Sub Divisional Office, Tiruturai pundi, applied to the Ex: Engineer, Negapatnam, for sanction to engage a pleader, & the District Magistrate, Tanjore, was thereupon

v.l.s 10 22/6

asked

asked to depute the Govt. Pleader to help the Supervisor in the case. The District Magistrate, however, replied that he was not prepared to send the Public Prosecutor to prosecute at Tirutuvaiyandi ~~and a case~~ unless for the strongest possible reasons, as the cost would, most probably, be excessive, especially if, as was likely, there were a number of adjournments, & he added that if the Ex. Engineer should consider a reconsideration necessary he could write to him (the District Magistrate) setting forth the facts fully. This reply was communicated by the Ex. Engr. to the Sub Divisional Officer, but the latter had already engaged a pleader & prosecuted the accused, defraying all expenses himself.

3. The result of the case was that out of the 13 accused, the 1st & 13th were fined Rs 50 each, in default 2 weeks simple imprisonment & the remaining 11 ^{were sentenced to pay} a fine of Rs 9 each, in default a week's imprisonment.

4. Under para 69, chaps II, Vol. II of the P.W. Code the sanction of Govt. should have been obtained ^{as they proceeded} before proceedings were instituted, but as the case has had a satisfactory result, the charges incurred by the Sub Divisional Officer in the case viz Rs 48-14-3 may now be paid to him. H.E. 22/4/99. R.V. 5. 4. 99.

No.	Date.
1631W	30-6-98
3469W	11-12-97
1191W	12-5-98
2812W	8-10-97
373	15-2-94

From. M. N. Dy. N. Ratnasabhapati Pillai
Augl. B.A., B.C.E., Rai Sahib
Executive Engineer, Nagapattinam
to the Supty. Engineer, v. circle
of 10. Oct: 1898, No. 427 E -

I have the honour to report that in January 1898 a case of stealthy removal of bamboos valued at Rs 6/- cut by a contractor of this Department from Palam Pandiar Right bank for Inelaperumalai dam work and implements taken away Rs 3, was instituted by the Sub-Div. Officer, Tirutuvaiyandi before the Sub-Magistrate of that place.

2. He conducted the case with the aid of a local Pleader defraying the expenses himself the result of which being that out of the 13 accused the 1st & the 13th were fined Rs 50 each in default to suffer 2 weeks simple imprisonment and the remaining 2 to 12 to pay a fine of Rs 9 each in default to suffer a week's imprisonment.

3.

Before conducting the case, however, he applied to me for sanction to engage a Pleader. I thereupon addressed the District Magistrate of Tanjore in my No. 60 of 25-1-98, requesting that Officer to depute Government Pleader to help the Supervisor in the proceedings. The Collector replied in No. ¹⁰⁶ _{Magt.} of 30-1-98, that he was not prepared to send the Public prosecutor to prosecute at Tiruturai pundi such a case unless for the strongest possible reasons as the cost would, most probably, be excessive specially if, as was likely, there were a number of adjournments and added that if the Executive Engineer should consider a reconsideration necessary he could write to him (the District Magistrate) who would be at Khepatam letting forth the facts fully. This I communicated to my Supervisor on 30-1-98 and he wrote in reply that the prosecution

had been closed, that the Sub-Magistrate who enquired into the case had framed charge sheet against the 13 accused and that from the beginning he had engaged a Pleader to conduct the case. I thereupon asked him to proceed with it and report result when sanction of Government would be sought to recoup his expenses.

4.

In these circumstances I request that you will be so good as to obtain sanction of Govt. to the charges as per the accompanying list amounting to Rs 48-14-3 incurred by the Sub-Magistrate being paid to him by the Government.

5.

Copy of the judgment is enclosed for perusal and return when no longer required.

Enclosures:-

- 1. Judgment
- 1. St. of charges incurred in the case.
- 1 - do - in Tamil
- 1 stamped receipt for Rs 25/-

No 212 W.

Copy submitted to the Chief Engineer, P. W. D., with the request that in the circumstances reported by the

the Executive Engineer Sanction of Government may be obtained for payment of the charges incurred by the Sub-~~SE~~ Officer in the institution of the case.

2. The delay in applying for sanction is due to the vouchers supporting the charges incurred having had to be returned for correction and explanation.

3. With reference to Code I-II-69, it was pointed out to the Executive Engineer, that the case should not have been sanctioned without the previous sanction of Government.

Ch. L. Srinivas

28/1/99 Colonel R. E.

Supty. Engineer,
V. Secy.