# Public Works (1899) Department.

**G.O., No.** 2195 W

**DATED** 16 August **1899.**

[Despatch Abstract.]

Overseer Manicka Mudaliar –
Correspondence relating to the charges made by Mr. Ghose, late Ag. Hd. Asst Collector of Kurnool against – ~~[illegible]~~ while in charge of certain famine relief works, recorded

2

Indexed. 17/8

[ P. W. 2 / 2,000—29-3-99. ]

## BACK PAPERS.

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## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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14

H. E. The Governor.
The Hon. Mr. A. T. Arundel, C.S.I.
" " Mr. H. M. Winterbotham

Public Dept. to C.C.

& Flag F.

Pub. G.O. No. 19 d/ 25.7.99.

D Flag F.

O.P. 313
Public ra 24/7 R 31/7
H6 31/7 R 7/8 H9ms 7/8 R 14/8

## Note

Police Constable No. 626 appointed to guard the treasury at Muthialapadu village, Kurnool district, having made a complaint to his Asst. Supdt. against Overseer Manicka Mudr. in charge of Relief works to the effect that the Overseer had assaulted & used bad language towards him, the matter was reported to the Executive Engineer by Mr. Shore, the Ag. Head Asst. Collector, with an endorsement d/ 30.8.97 ~~to~~ remarking ~~the effect~~ that the Overseer's conduct was, in every respect, becoming intolerable, & that he was a disgrace to the P.W. administration.

2. This endorsement was forwarded by the Ex. Engineer on 13.9.97 to the Collector, with

request that as the Head t. Collector had not apparently mself investigated a single port against the Overseer, his marks might be withdrawn. t was added that Overseer Ilanicka Mudalian bore a ery high character & had specially listinguished himself in the supervision of relief works.

3. Five weeks later (on 19.10.97) the Ex: Engineer reported to the Suptg. Engineer that he had received no reply from the Collector in spite of a reminder, & the Suptg. Engr. then asked ~~on 24.10.97~~ the Collector on 24.10.97 if Mr. Shore intended to withdraw his remarks. To this the Collector replied on 28.10.97 that a reminder had been sent to Mr Shore, but that the chief cause of delay was that the Ex. Engineer's communication had been mislaid.

Flag R

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4. On 2.11.97 the Collector forwarded to the Suptg. Engineer

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a letter of 21.10.97 from Mr Shore in which the latter office stated that he could not reply immediately to the Ex: Engineer's communication as he was engaged in making detailed inquiries regarding the conduct of the Overseer from the beginning of the famine, & that a reply would be sent as soon as ~~possible~~ his inquiries were finished.

Flag H

5. In reporting the matter the Suptg. Engr. remarked that the truth of the statement that the Head Asst. Collector had not personally investigated a single report against the Overseer was confirmed by Mr. Shore's own admission that he was now making the detailed inquiries which should have preceded his condemnation of the Overseer.

6. The Suptg. Engr. ~~[illegible]~~ adverted

to

the difficult position which famine overseers were placed, & to the impossibility of their doing their work efficiently without complaints against them, he thought that they should be protected against groundless charges recklessly brought against them, & he begged Govt. to order Mr. Ghose to withdraw his remarks which according to his own admission were made before he had taken the trouble to satisfy himself that they were deserved.

7. When the papers were submitted to His Excy. & the late Hon'ble Mr. Grose, it was decided that Mr Ghose should have an opportunity of remarking on the papers, & that he should be told distinctly to say on what evidence obtained before he

Flag M

3.

he made the remark objected to, that remark was based.

8. This Mr. Ghose was called upon to do in G.O. No. 171 Public dated 1st Febry 1898. On the 25th Febry 1898 Mr. Ghose wrote from Calcutta that he had called for all the connected records from the Head Asst. Collector's Office at Nandyal, & that he would furnish the explanation called for in a few days. Since then reminder after reminder has been sent, but it was only on the 24th April 1899 that Mr. Ghose despatched the explanation. It reached this office unofficially on 12th June 99.

9. Mr. Ghose starts the case by bringing forward matters which have no material bearing on the question at issue, but which are likely to create a prejudice against the

Overseer

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2 Flags D. 0 & 20.

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erseer at the outset. Mr Shore states t when he was at Allagadda ence Manicka Mudeliar came see him & on this occasion remarked that there was no o famine at all & that the amine Commissioner was making a fuss for nothing; that when rebuked for his apparent impatience, he explained that he had experience of the great famine of 1877, & that he was of opinion that the coolies were generally treated too leniently, & that it was difficult on that account to extract any work from them. Manicka Mude. further went on to say that he was looked upon as a harsh & severe man & that he was tried for murder in 1877, but was acquitted by the sessions Judge & ultimately got credit for his services. All this, says Mr Shore, made him fear that the Overseer was not likely to treat the coolies with sympathy. It is but natural

that

2 Flag 7

that the Overseer having wo in, & obtained credit during great famine of 1877, should pride himself on his experienc & speak disparagingly of the lesser one of 1897. As regards the charge of murder made against him, it will be seen from G.O. No 91 (L & M) 25.2.78 that Mr Burrows I.C.S, the then President of the Madras Municipality, to which the overseer belonged, considered "that the case against him was concocted & that he has been most cruelly treated". Mr Burrows described the charge made against the overseer as "cruel & unjust"; & he added that he "gave the services of the man because he was one of the quickest & most zealous & intelligent of the Municipal Overseers, & it is mainly because he has done his work faithfully & has made those under him do

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te same that he has made imself enemies & got himself to this trouble". This testimony of Mr Burrows is important because it applies equally to the present charges.

0. The charges brought by Mr Shore against the Overseer refer to two periods

(1) when the Overseer was in charge of relief works at Parenu

(2) when he was in charge of those at Alamur & Muthyalpad.

11 As regards (1) Mr Shore states that ~~he~~ Manicka Mudr. made himself notorious, & that he

(a) worried the coolies by shifting the ~~coolies~~ work-spot ~~after~~ day after day without giving any notice & then marking all late comers absent.

(b) That ~~the~~ he would not allow the children to come to the kitchen for their food, & that on account of the daily change of the work-spot the kitchen was situated at a great distance. This

complaint

complaint was made to Mr Shore by the Tahsildar & the Revenue Inspector. Further the ~~(c)~~ the Paymaster in his turn complained that he found it impossible to make payments when the work-spot was ~~being~~ shifted daily & ~~being~~ extended over a considerable distance.

(c) That the Overseer having by worrying the coolies in these & sundry other ways soon reduced the number to 20 ~~when he~~ re=marked in the work sheet of that day that the coolies had deserted the works as the Paymaster did not pay them & that one of the coolies was starving to death. ~~This rep~~

This report of the Overseer's attracted the attention of the Collector & the Dt: Supr. & an immediate enquiry was ordered. Mr Shore says he inquired into the matter on 12-3-97 at Parcau when in addition to satisfying himself of the truth of the above complaint e learnt that the Overseer s in the habit of beating the olies about which a few of the ead coolies came & complained him. Mr Shore states that he rought the conduct of the Overseer ~~conduct~~ to the notice of the Collector in a D.O. No 175 d/12.3.97. He further learnt from Mr Devasahay the Sub Divl. Officer, that he had made full inquiries into the complaints & found them to be true & that he had recommended the Overseer's transfer to the Executive Engineer. Further the Executive Engineer in his letter No 135 d/ 9.3.97 to the Collector stated that he had found the allegations against Manicka Mudaliar to be true & had ordered his transfer. Para 5 of Mr Shore's letter also refers to this inquiry. In submitting the Tahsildar's explanation on the Overseer's complaint of delay in paying coolies, Mr

Shore

There must have been something in the overseer's statement though perhaps he may have overstated the facts.
The fact that some of the coolies had 2 anna pieces is no proof that others were not in distress

|| Shore reported that Manic Mudaliar made this complai to annoy the Revenue Officia that it was not made bona fide because the Overseer coul not, or would not, give the name of the coolies who was starv & that when Mr Shore was paying the coolies their arrears of pay for 6 days & was in want of small coin, some of the coolies were able to produce two anna pieces.

12. Mr Shore further reported to the Collector that besides complaints of assaults which were stated to be of quite common occurrence, the overseer was in the habit of misbehaving himself with female coolies, & this made the men leave the works. This assertion appears to have been made on the statements of coolies & ~~does not~~ the charge does not seem to have ever been inquired to. That Mr Shore asks that a reference be made to Mr Elwin.

as Mr. Shore states that he personally investigated the cplaints referred to in para 11 above, although there is nothing to show on what evidence this finding was arrived at, & as this is contradictory to the statement made by the Supdg. Engr. that Mr. Shore did not personally investigate a single report against the overseer, it is submitted that it will be necessary to obtain the Supdg. Engineer's remarks on these from Mr. Shore's statements before the case can be finally dealt with.

The S.E. was Mr Gerrett who has now been transferred

14. The next complaints relate to the period when Manicka Mudaliar was in charge of the relief works at Alamur & Muthyalpad. There were no complaints for some time but

(1) in the Middle of May there was a petition from the coolies complaining of the overseer's conduct. This was sent to the Ex: Engr. for disposal.

(2)

B

(2) About the end of May another petition was sent to him by the Collector in which in addition to the charges of assault there were allegations of bribery & corruption. From ~~which~~ inquiries which Mr Shore made he was lead to believe that the charge of assault was well founded but that of bribery unfounded. Mr Shore does not state what was the nature of the inquiries made & what evidence was obtained. If the allegations of assault were well founded how was it that Mr Shore took no action to have the overseer punished or removed?

(3) On 22nd June a complaint was received from the coolies which was sent to the Ex: Engr. for disposal.

(4) On 26th July the Paymaster complained that the overseer delayed in sending E forms for payments to coolies. This was sent to the Ex. Engr. for disposal with the remark that the

Paymas

Paymaste & Manicka Mudaliar were not on good terms.

(5) On 6.8.97 another complaint from the Paymaster to the same effect was sent to the Ex: Engr. for disposal.

(6) On 12.8.97 a complaint was received from the Sengol Tahsildar ~~which was~~ against the Overseer which Mr Shore sent on to the Ex. Engr. with the remark that ~~th~~ he was convinced that there was some truth in all these numerous complaints & he asked that the Overseer may be warned.

On the same date Mr Shore received a counter complaint from the Overseer against certain Police Constables on the works. From private inquiries he learnt that the Overseer's defence in a criminal case pending against him was that the case had been set up at the instigation of these constables & finding that this complaint

was

was sent in only with a view to strengthen the Overseer's def. Mr. Shore sent it to the Tahsildar for report.

(7) On 18.8.97 he received a complaint from the Head coolies & this he sent to the Tahsildar for report.

(8) On 28.8.97 he received a complaint from the Paymaster which was forwarded to the Ex: Engineer. Mr. Shores states that the treatment that the Paymasters received at from the hands of the Overseer made it impossible for them to work with him. The paymasters were changed 3 times & the above complaint was made by the third paymaster.

(9) On 30.8.97 he received the complaint from the the police constable referred to in para 1. This he forwarded to the Ex: Engineer with the remark objected to

(10)

(10) Several coolies when he was at ~~[illegible]~~ Allagadda raised a complaint of hurt against the overseer & showed wounds. The Mr Shore referred them to the Magistrate.

A charge was framed against the overseer but he was eventually acquitted on a technical ground.

15 Mr Shore contends
(a) that the criminal charge above (10)
(b) the complaints he was receiving (1) to (9) in para 14 above
+ (c) the experience he had of the overseer's conduct referred to in para 11
justified him pronouncing the overseer to be a disgrace to the P. W. Administration.

16. As regards (a) it will be seen that the overseer was acquitted. The numerous complaints (b) were with two exceptions

17 exceptions all transferred to the Dt. Engineer for disposal so Mr Shore could not say whether there was any truth in them or not. Of the two exceptions one complaint was sent to the ~~Dy.~~ Tahsildar for report, & nothing further seems to have been heard of it: ~~of the~~ as regards the other exception (para 14 (2)) Mr. Shore states that he inquired into & considered the charge of assault well founded. But he does not state on what evidence his conclusion was arrived at, & although the charge was a serious one, he yet took no action on it. It is conclusive that under (b) Mr Shore had no right to make any remark against the overseer.

The grounds ~~mentioned~~ under (c) alone remain to be investigated (as done) & until the Supdt. Engineers remarks are obtained, it cannot be said what justification Mr. Shore had for his remarks about the overseer.

20.7.99

My own opinion of this case

(1) that this overseer was particularly successful in the very difficult task of maintaining discipline on famine relief work, and thereby made for himself many enemies.

(2) That these enemies concocted the numerous charges now brought together by Mr Shore, 2 years after the event, to justify his own charge against the overseer.

(3) That even if some of the charges laid [illegible]

19 in them Mr Shore has put himself out of court by this long delay in his attempt to bring the charges made by him

(4) That Mr Shore should therefore be told that in the opinion of Govt, he acted in an unbecoming and improper manner in making charges which he was not prepared to at once substantiate.

24.VII

Please see note annexed.

28/7/99

No: 2195 W. 8/16-8-99.

The Chief Secy concludes his note with the words "it seems to me the best disposal

"the matter would be to record the papers" -
I agree with this view & recommend its adoption

31.7.99

app'd. 2.9.
5.8.99

8.8.99

10-8-99

B No: 2196 W.D. 16-8-99

Recorded

12.8.99

To
The Public Dept. 17/8/99
(with Public Dept file returned).

Please enter communication, if any.
The Public Dept. file has to be returned to them

Despatch
Return the papers 17.8.99

Public Department.

NOTE.

Manika Mudaliyar was a Local Fund Overseer under me in Salem and I found him then a strong hectoring sort of little man. I am prepared therefore from what I know of him to agree with the Chief Engineer that probably many of the charges against him had small foundation in fact.

But Mr. Ghose was in a frame of mind to see all Manika Mudaliyar's virtues as faults and certainly was not likely to discount any evidence against him. The statement complained of was made on the 30th August 1897 and it is apparent that ~~from~~ shortly after Manika Mudaliyar joined the works Mr. Ghose was receiving complaints against him in regard to the truth of some of which the Executive Engineer agreed. The complaints went on getting more and more frequent till in August alone 5 complaints were lodged against the Overseer. These were from officials and coolies and it was on the 30th August that in sending on one of these complaints he made the remark referred to. That under the circumstances and from his point of view Mr. Ghose was # justified in making some strong remarks I think must be

admitted

situation. Was the remark made too strong? If it was it certainly as it seems to me was not inexcusably so. Mr. Ghose was not speaking at random or for all we know on a very mistaken estimate of the facts. The position seems to me to be that it is neither fair nor right to call on him to withdraw his words for which he has shewn good reason and it is by the force of circumstances impossible now to prove the complaints true or false.

I do not think any ~~serious~~ slur has been thrown on the D.P.W. by the words and it seems to me the best disposal of the matter would be to record the papers.

28/7

E in G.O. No 171 Pub 21-2-98

R.C. No 2091/97 F in G.O. 171 Pub 21-2-98

do

Recd 16.6.98

raw

Public Departm

C. Nos 80 and 59

**Note**

In forwarding to the Executive Engineer, Kurnool Division, a report made by a Police Constable against Manicka Mudaliyar, P.W.D. Overseer in charge of the relief works at Muthialpadu in 1897, Mr. M. Ghose I.C.S., who was at the time Ag Head Assistant Collector of Kurnool, remarked:—

"He (Manickam Mudaliyar)" "is a disgrace to the D.P.W." "administration."

On the 11th September 1897 the Executive Engineer forwarded the Head Assistant's Endorsement to the Collector of Kurnool, with the request that, as Mr Ghose did not appear to have personally investigated a single report against the overseer, his remark that Manicka Mudaliyar was a disgrace to the P.W.D.

administration might be withdrawn.

The Collector apparently communicated the Executive Engineer's Endt to Mr Ghose only on the 22nd Oct 1897, ~~but~~ on receiving ~~[illegible]~~ a reminder from the Superintending Engineer on the 24th of that month he appears to have sent a reminder to Mr Ghose on the 28th idem.

Mr Ghose's letter 2568 d/31-10-97 G
Vide ^ in G.O. No. 171 Pub d/1-2-98

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On the 31st Oct Mr Ghose informed the Collector that he had been engaged in making detailed enquiries regarding the conduct of the overseer which had come to his notice from time to time from the beginning of the famine and that a reply would be sent as soon as the enquiries were finished.

The Superintending Engineer, III Circle, wrote to the Chief Engineer on the 20th November 1897

Letter No 4688W d/20-11-97 H
in G.O. 171 Pub d/1-2-98

on the subject and he requested that the Govt might be moved to order Mr Ghose to withdraw the remark complained of.

Vide G.O. R No. 71 Reve d/14-1-98 J
in G.O. 171 Pub d/1-2-98

The papers came, through the P.W. and Reve Depts, to the Public Dept on the 17th January 1898. In the meantime Mr Ghose had gone on leave with effect from the 23rd November 1897. The order communicating to him the papers forwarded by the P.W.D. was sent to him to Calcutta on the 2nd Feby 1898. In that order Mr Ghose was requested to state on what evidence, obtained before he made the remark objected to, that remark was based.

Vide despatch ^ entry in G.O. No. 171 Pub d/1-2-98 B

On the 25th Feby 1898 Mr Ghose wrote to Govt to say that he had just then received the connected records of the case from the Head Asstt Collector's office at

Mr Ghose letter ^ d/25-2-98 K
in G.O. 377 Pub d/7-3-98

Vandyal and that he
would be able to furnish
the explanation in a few
days. This letter was recorded G.O. 377 Pub d/ 7-3-98 C
in continuation of G.O.
No. 171 Pub d/ 1st Feby 1898. B

an ~~[illegible]~~ A reminder
sent by the Supdg Engineer
on the 16th Feby was re-
ceived through the P.W.D. and Rev Dept and it was
recorded in this dept with
reference to the two previous
orders, copies of all the
three orders being sent to
the P.W.D. for information G.O. R 263 Pub d/ 15-3-98 A

The P.W.D. having,
on the 6th ultimo, asked C no 80. M
this dept whether final
orders had been passed
on the subject, an O.M. No. 119 d/ 12.1-99 D
was sent to Mr Ghose
on the 12th idem re-
questing him to expedite
his reply to G.O. No. 171 B
Public, d/ 1-2-98.

The present current No. 599 N
is a further reminder from
the P.W.D. in which

n. Dept ... when

CHIEF SECRETARIAT
4 APR 1899
GOVERNMENT OF MADRAS

in which that dept observes
that it is now high time
that Mr Ghose should
be required to substantiate
or withdraw his remarks.

Mr Ghose was on
leave from the 23rd Novemb
1897 up to the 2nd January 1899

28-2-99

To the C.S.

Subd that Mr Ghose may
be again reminded & informed that
his report should not be delayed
any longer that no further delay will
be permitted

Cml
1-2-99

3/3

S draft

For the C.S.

File resubmitted with a
letter from Mr Ghose explaining
the delay and stating that
the report will be submitted be-
fore the Easter holidays

No. 907 d/ 29-3-99.

27-3-99 Cml 28/3 P.W.D.

K/
Cham & Cml

Lo: 1905 C & 5 Apl 99 C no 966 P

Noted and returned.

A.K.
31.3.99.

1/4/99
W

S/

28/3 R.J.O

C 16.5.99
R 17.5.99

C 19.5.99
R 26/5/99

C 24.5.99
R 26.5.99

For the C.S.

A draft reminder to Mr Ghose is submitted with reference to C.S.'s direction of the 22 instant in the Public Arrears list

25.4.99

27.4.99

Q

For the C.S

Resubmitted with a further reminder from the P.W.D. C No 1401 Pub. R. The last reminder to Mr Ghose issued from this dept on the 1st instant. O.M. No 1161 Pub, d/ 1-5-99

12/5/99

For the C.S.

The C.S. directed in the Arrears List that this matter should be subd. for orders as to the action to be taken in regard to Mr. Ghose

15.5.99

I think a telegram should now be sent to Mr Ghose that if he does not despatch the explanation within 48 hours after receipt of the telegram he will be suspended

16.5.99.

Despd. 17.5.99

H.S. 20-5-99

H. to o. lin.

A.S.H. 26.5.99

For orders.

No reply can be got out of Mr Ghose. I w^d ask orders as to what I may now tell him from Govt.

15/5

C No 1479

Note for the Chief Secretary

With reference to the notes below, attention is solicited to the letter from Mr Ghose dated the 13th instant from which it will be seen that he ~~[illegible]~~ submitted his report on the 24th ultimo through the Collector of Nellore and the Board of Revenue. The papers have not reached the Revenue Dept of the Govt office. Orders are requested as ~~to~~ whether the Board of Revenue may be ~~[illegible]~~ asked to state whether it has received Mr Ghose's letter and if so to forward it to Govt at an early date

29/5/99

24.5.99

For the Chief Secretary.

Mr. Ghose's report has been received and is subd herewith (C No 1663). As the incidents referred to occurred in connection with famine

D. Rev. Dept.

For

of works the question arises whether these papers should not be ~~disposed of~~ dealt with the first instance in the ~~by Revenue Consultation~~ Revenue ~~with the Public Works~~ Dept.

Orders are therefore solicited as to whether Rev. may be asked u.o. whether it will take up the Subject.

8/6/99 Cur. S. 9.6.99

It is not for revenue to deal with it but for the D.P.W. I think under the late orders any order issued will have to be c.i.ed in Public Dept.

9/6/99

For the C.S.

With reference to the C.S.'s note above, attention is solicited to O.M. No. 856 Pub, dated the 27th March 1899, under which Depts of the Secretariat have to send to the Pub. Dept for C.i. and to circulate to all members of Govt draft all orders dealing with the Conduct of members of the and of Statutory Civilians

9.6.99 Cur. S. 10.6.99

D.P.W. u.o. No. 1558 / 10-6-99

10/6/99

Public Dept 10

H.C.

The P.W.D file should be linked and the matter submitted to W for orders.

10 June 99

W

The P.W. file linked and submitted

10 June 99

I don't understand. — Was Mr Shore's letter sent to us for disposal? If so, why has it not been done officially?

12.6.99

W

The letter is sent to the P.W.D for disposal. The explanation has been called for by Government. The reply is now before the Govt. and the proper Dept. to deal with it, is, from the notes, said to be the P.W. Dept.

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INDIAN TELEGRAPHS. Monthly Number.

To (Office) Telephone

From (Office) Message

Words | Day 12 | Hour | Minute 35 | Official Instructions

To (Person) Supdt Engr Records

From (Person) Supdt Records Section P.W.D.

Please send as soon as possible a copy of G.O. No. 918 W Dt. 26-2-98 Public

64 Word Form.

P C 2.

Sent to

At Hrs. Min.

I.N.

Telegraph Master.

10

## REMINDER.

No. 168 D / 1

Government of Madras,
PUBLIC WORKS DEPARTMENT.

To
The Chief Secretar
(Public Departm

Madras, 1899.

The undersigned has the honour to invite attention to the {~~Order~~ Memo.} noted on the margin, and to request the favour of an early reply.

No. 168 D, dated 10th May 1899

Subject

Remarks passed by Mr Ghose, I.C.S. about Overseer Manickam Mudaliar.

~~Under~~ Secretary to Government, P.W.D.

Dont send this reminder

WRC to note

P.W.D. 500—15-4-97.

10/5/99