Public Works (1899) Department.

G.O., No. 2492 W

DATED 20 September 1899.

[Despatch Abstract.]

Petitions - Rejecting with remarks the —— of V. Krishnaswami Pillai, late peon P.W.D. West Coast Dn.

[P. W. 1 3,000—29-8-99.]

Indexed. 22/9

BACK PAPERS.

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

FURTHER PAPERS.

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

Public Works (1899) Department.

CURRENT No. 7281/6036

C No. 6036
& 7281

B

From The Supty. Engineer 4th Circle

Order No: 2492 W 20.9.99

Rejected under para 5 clause 11 of the Petition Rules.

Para 5. Petitions addressed to Govt. will be liable to summary rejection in the following cases:—

* * * *

(11) When a petition is an appeal against any order prejudicially affecting a Govt. servant who is in receipt of a salary not exceeding Rs 50 a month, if an appeal against such order has already been decided by an officer superior to the officer passing the order.

No. 486/W

Dated 1st September 1899

Received } 5-9-99
Registered }

Enclosures One. Plans - nil } Total
Others - 3 } 3

Spare copies. ✓

SUBJECT.

V. Krishnaswami Pillay late peon, West Coast Division.

Reporting that — richly deserved dismissal from service

Rwr
HL 11/9

11.9.99

To The Petitioner thro' the Supty. Engr. IV Circle

485
13/9

BACK PAPERS

BACK PAPERS.

No.	Date.
3150 C	14-7-99
5190 C	2-12-97
4239 C	22-10-97
4860 C	21-11-92
429 D	22-9-92
230 D	23-8-92

FURTHER PAPERS.

No.	Date.

Public Works (1899) Department.

CURRENT No. ~~5744~~

SUPG. ENGINEER'S OFFICE, P.W.D. No. 24 AUG 99 Encl. FOURTH CIRCLE

SUPG. ENGINEER'S OFFICE, P.W.D. No. 795 W 17 JUL 99 Encl. FOURTH CIRCLE

C/No 3150 C dy 14 July/99

~~Order~~ Endt.

CHIEF SECRETARY 29 JUN 1899 GOVERNMENT OF MADRAS

Forwarded with the request that the original petition which has been sent by the petitioner through Executive Engineer, West Coast Division, may be submitted with the Executive & Suptg. Engineers' remarks.

HLL 10/7

[signature]
Secretary to Govt., P.W.D.

Rwr

To The Suptg. Engr., IV Circle

From

H. A. Sim Esquire I.C.S.
Private Secretary to
H. Ettie Governor

No.

Dated 27 June 1899.
Received at 00 Lacam mid 3-7-99
Registered at Madras 6.7.99
Enclosures 1 {Plans / others 1} Total 1
Spare copies -

SUBJECT.

Transfers a petition from V. Krishnaswami Pillai, late peon, West Coast Division, Calicut, praying to be re-instated.

By order

[signature]
Private Secretary

BACK PAPERS.

No.	Date.
5190C	2-12-97
4239C	22-10-97
4860C	21-11-92
4292	22-9-92
2302	23-8-92

FURTHER PAPERS.

No.	Date.

EXECUTIVE ENGINEER'S OFFICE
No.
26 JUL 1899
P. W. D.
WEST COAST DIVISION.

Duplicate

TO

HIS EXCELLENCY
THE GOVERNOR IN COUNCIL
FORT ST. GEORGE,
MADRAS.

Thro' The Executive Engineer
West Coast Dn
Calicut.

Paper 26

The humble Memorial of V. Krishnaswami Pillay, late Peon of Public Works Department, West Coast Division, residing at Calicut, near the Barracks,

Paper 29

MOST RESPECTFULLY SHEWETH,

That the Memorialist most respectfully begs to appeal against the Order No. 5190C dated 2nd December 1897 (Enclosure I) passed by the Chief Engineer, declining to interfere in his Appeal preferred against the order of the Superintending Engineer IV Circle, No. 480 dated 4th September 1897, approving the punishment of dismissal passed on him by the Executive Engineer. (Enclosure VII).

2. That before submitting the Memorialist's explanation as to the charges against him he begs to submit that the delay in the submission of this Memorial is solely due to the nonreceipt of the copies of records for which repeated applications were made to the Executive Engineer. Neither the required copy nor a reply to any one of the several applications, has yet been given him though the Memorialist has been patiently waiting for the same till this date. Thus, even after waiting for a long time under the daily expectation of getting the necessary copies, the Memorialist is obliged to submit this Memorial now without being able to refer to the connected records of his hard case.

3. The charges are :—(1) Repeated impertinence and (2) Disobedience. (Enclosure II).

That the above charges were known to the Memorialist only on receipt of the Order of dismissal and not before that. No explanation was called for from him and therefore he hid not get an opportunity to explain them away before the order of dismissal was passed. This single fact, he submits, is sufficient to hold that the order so passed, though approved of by the Superintending Engineer, is not justifiable.

4. That the facts of the case are as detailed below :—

The Memorialist was deputed for duty under the Sub Divisional Officer, Ernad Road Works, who placed his services under the Sub Overseer Mr. Doraswami

Mudaliar at Malattur. While doing duty there the Memorialist unfortunately fell ill with an attack of dysentry on the 21st April 1897 and consequently an application for five days' casual leave was put in before the Sub Overseer. This Officer refused to grant the leave and then the Memorialist verbally and in writing requested the Sub Overseer to give him a letter to a Medical Officer for the examination of his the then state of health. This was also refused by the Sub Overseer. The Memorialist represented the matter to the Sub Divisional Officer who was pleased to direct the Sub Overseer to give him a letter to a Medical Officer. On the 28th April 1897 he received a letter addressed to the District Surgeon, Calicut, which is a place more than 70 miles away from Malattur. There were Civil Apothecaries in charge of Hospitals at intermediate stations and so the object of sending away the Memorialist unnecessarily up to Calicut was simply to put him to difficulty and expense of travelling a greater distance in his sickly state. The Sub Overseer was much displeased with the Memorialist for representing his grievances to the Sub Divisional Officer who directed him (Sub Overseer) to give him the required letter to a Medical Officer which he had refused already.

On the morning of the 29th the Memorialist started for Calicut. Here he submits that he was able to reach Calicut only by the 2nd of May as he was in a very bad state of health then and on the 3rd he appeared before the District Surgeon who admitted him in the Hospital as an out-patient. He was under treatment till 2nd June and on the 3rd June he appeared before the Executive Engineer and presented the Discharge Certificate granted by the District Surgeon (Enclosure III) Discharge Certificate, No. 12 dated 2nd June 1897. This Certificate is now on the records of the Executive Engineer's Office. But instead of allowing him to join his duty, he was, to his great surprise and sorrow, informed that he was suspended from his duty from the 21st of April 1897, i. e., the date on which he fell ill of dysentry. The Memorialist submitted petitions to higher authorities requesting to allow him to join duty but he was not favoured with any reply and at last he was dismissed from the service under the orders of the Executive Engineer, No. 1625 dated 18th August 1897 and the same was approved of by the Superintending Engineer in an endorsement on a petition. (Enclosure VII).

That the Memorialist begs to point out that he is charged with repeated impertinence and disobedience. From the facts detailed above it will be seen that there is not the least justification in bringing these charges against the Memorialist in the present case. It is true that he was dismissed from service twice before but he was reinstated on both the occasions. It was owing to certain misrepresentations of a cook that Mr. Joice, the

Executive Engineer, dismissed the Memorialist on two occasions. Both these occasions he was reinstated with arrears of pay. On the 2nd occasion it was the Chief Engineer who reinstated the Memorialist with arrears of pay but on Mr. Joice's motion the Acting Chief Engineer who succeeded Col. Pennyquick, modified the Order of reinstatement subsequently and disallowed his back pay and passed a remark that the Memorialist was warned that any future case of disobedience of orders will be punished with dismissal.

That the Memorialist respectfully submits that all this is evidently the result of a mistaken idea taken up by Mr. Joice about him and the modified Order, above referred to was passed by the Acting Chief Engineer on the motion of Mr. Joice. This is the only reason for the present remark, that there is repeated impertinence on the part of the Memorialist.

That on the face of all these points stated above the Memorialist fails to see in what manner he is charged with repeated impertinence in the present case.

That the Memorialist was a Sepoy in the 41st Regiment and on the abolition of it he was appointed as a Warder in the District Jail at Bellary. Subsequently he joined the Salt Department and then got an appointment in the Engineering Department. It will be seen from his Service Book that he was discharging his duties to the full satisfaction of his superiors and that he was deprived of his only means of livelihood by dismissing him from service for going to Hospital for treatment under the orders of his Superior when he falls ill and that too after producing a Discharge Certificate granted by the District Surgeon to the effect that he was under treatment of one full month.

That the Memorialist therefore most humbly pray Your Excellency to be pleased to order his reinstatement with arrears of pay from the date of dismissal.

For which act of Justice and Mercy he shall as in duty bound.

EVER PRAY,

Humble Memorialist.

SUPG. ENGINEER'S OFFICE, P.W.D.
No. 17 JUL 99
Encld.

EXECUTIVE ENGINEER'S OFFICE
No. 26 JUL 1899
P. W. D.
WEST COAST DIVISION.

SUPG. ENGINEER'S OFFICE, P.W.D.
No. 538 W
24 AUG 99
Encld. 2
CIRCLE.

Enclosure I.

No. 5190 C.

GOVERNMENT OF MADRAS,

PUBLIC WORKS DEPARTMENT.

MEMORANDUM.

DATED MADRAS, 2nd December 1897.

Petition from V. Krishnaswami Pillai, late peon of West Coast Division, dated 11th October 1897.

Petitioner is informed that the Chief Engineer declines to interfere in his favour.

(By Order).

(Signed) C. H. B. BURLTON,
Dy. Chief Engineer.

Enclosure II.

EXECUTIVE ENGINEER'S OFFICE,
CALICUT, 18th August 1897.
693 M.
4 Sept. 97.

No. 1625 S.
18-8-97

OFFICE ORDER.

Peon V. Krishnaswami Pillay is dismissed from the 21st April 1897 for repeated impertinence and disobedience.

(Signed) C. W. WOOD,
Executive Engineer.

To

Peon V. Krishnaswami Pillay for information.

Enclosure III.

ORIGINAL.

DISCHARGE CERTIFICATE.

No. 12.

This is to certify that Krishnaswamy Pillay Peon D. P. W. who was admitted as an Out-patient into the Civil Hospital Calicut on 3-5-97 for Dysentry is this day discharged fit for duty.

(Sigued) T. J. HACKETT WILKINS, Lt. Col.
District Surgeon, Malabar.
Chief Medical Officer of the District.

Calicut, 2-6-97.

Enclosure IV.

Krishnaswamy Lascar, Ex. Sepoy, joined the Division three months ago and appears a smart and active man suited to the place.

(Signed) **A. T. FRASER, Col. R. E.**

Calicut, May 19, 1890.

Enclosure V.

This is to certify that Lascar Krishnaswamy Pillay served in the South Canara Sub Division from 21st April 1891 to 18th June 1892. He is hardworking and has given satisfaction. He has now been ordered to do duty in the Circle Office at Coimbatore.

(Signed)

Sub Dl. Officer, South Canara.

Mangalore, 1892.

Enclosure VI.

MANGALORE,
10th September 1894.

This is to certify that peon Krishnaswami Pillay who was once a Sepoy in the Madras Forty first Regiment. was working under me from May 1893. From that date till now, he was regular, hard-working and obedient and has given me satisfaction therefore : and I am certain that he will continue to do the same to his other superiors hereafter also. I entirely pity him for his poor pay with which he has to maintain a big family and I therefore wish that he, in any other department at least, be given a footing on some higher pay as in this Department peons are not generally given more.

(Signed) **D. U. KUPPUSWAMY IYER,**
Overseer D. P. W.

Enclosure VII.

No. 480.
M

The undersigned approves of Mr. Wood's action.

(iSgned) J. HANNAN ~~Esq.~~
Supr. Engineer.

4-9-97.

True copies

Calicut
12th Juni 99.

Humble Memorialist.

SUPG. ENGINEER'S OFFICE, P.W.D. No. 17 JUL 99 FOURTH CIRCLE

EXECUTIVE ENGINEER'S OFFICE, No. 470 26 JUL 1899 P. W. D. WEST COAST DIVISION.

SUPG. ENGINEER'S OFFICE, P.W.D. No. 538 24 AUG 99

No. 486/W

Office of the Superintending Engineer,
FOURTH CIRCLE.
Coimbatore 1st Septr ~~August~~ 1899.

From A. H. Garrett Esq
Superintending Engineer,
Fourth Circle, Coimbatore.

To
The Chief Engineer
P. W. Department

Enclosures. 1

Chief Engrs Endt No. 3150 C d/14 July/99 with Petition.

Sir,

With reference to your No. 3150/C of 14th July 1899 which was sent to the Executive Engineer West Coast Division for submission of the original petition with remarks, I have the honor to state that the Executive Engineer reports that on receipt of the original petition from the late peon he returned it to the peon not being prepared to forward it.

2 In Memo No. 4,860 C dated 21st November 1892 the peon was warned by the Acting Chief Engineer that another case of disobedience would be punished by dismissal.

No. 23/7281/99

3 In July 1897 the Executive Engineer wrote a long report which he concluded with the remark that the peon in addition to being very insubordinate and insolent was perfectly useless and should be dismissed.

4 The Executive Engineer was informed that it was within his competence to dismiss the peon and he was accordingly dismissed the Executive Engineer's action being upheld by the Superintending Engineer to whom the peon appealed.

5 The peon then appealed to the Chief Engineer who declined to interfere after the receipt of this office No $\frac{621}{W}$ dated 12th November 1897.

6 In conclusion I would observe that after a perusal of the voluminous file connected with this peon's case, I have no hesitation in saying that he richly deserved dismissal.

I have the honor to be
Sir
Your most obedt. servant

Supg Engineer IV Circle

Zo P-85

Public Works (1899) Department.

CURRENT No. 6036

From

H. A. Sim Esquire H.S.
Private Secretary to
H.E. the Governor

Order

No.

Dated 21st July 1899.
Received at Ootacamund 21-7-99
Registered at Madras 24-7-99
Enclosures 2 { Plans Others 2 } Total 2
Spare copies.

Await the Supt's reply to Memo No 3150 C dated 14th July 1899.

HU 28/7
DW

SUBJECT.

Transfers a petition dated 28th June 1899 from V. Krishnasam Pillai, late peon P.W.D. West Coast Division, Calicut, praying to be restored to his former post with arrears of pay.

(By order)

[signature]

Private Secretary.

5414/99-3150C

L.S. 330 R31/7

Madras

Late Peon P.W.D. West Coast

BACK PAPERS.

No.	Date.
3150C	14-7-99
5190C	2-12-97
4239C	22-10-97
4860C	21-11-92
429D	22-9-92
230D	23-8-92

FURTHER PAPERS.

No.	Date.

Original

Office 10 VII

I.W.D

TO

HIS EXCELLENCY

THE GOVERNOR IN COUNCIL

FORT ST. GEORGE,

MADRAS.

Thro' The Executive Engineer

West Coast Division

Calicut

With the Ex. Engineer's memo. no 999 en of 23.6.99 in original

Respectfully submitted in continuation of the Duplicate Memorial sent on the 14" Inst.

[signature]

V. Krishnasamy Pillai

28.6.99.

Calicut

Sent to Madras On the 3.7.99

The humble Memorial of V. Krishnaswami Pillay, late Peon of Public Works Department, West Coast Division, residing at Calicut, near the Barracks,

MOST RESPECTFULLY SHEWETH,

That the Memorialist most respectfully begs to appeal against the Order No. 5190C dated 2nd December 1897 (Enclosure I) passed by the Chief Engineer, declining to interfere in his Appeal preferred against the order of the Superintending Engineer IV Circle, No. 480 dated 4th September 1897, approving the punishment of dismissal passed on him by the Executive Engineer. (Enclosure VII).

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4. That the facts of the case are as detailed below :—

The Memorialist was deputed for duty under the Sub Divisional Officer, Ernad Road Works, who placed his services under the Sub Overseer Mr. Doraswami

PW 92

6.3.99

P. W. D.
4th Circle.

Ex. No. 5.

285.6.99
Calicut

Executive Engineer's Office,
West Coast Division.

No. 999 M Dated Calicut. 23/6/1899.

Desp^d 24/6/99

MEMORANDUM.

REFERENCE. His Petition of —

The undersigned is not prepared to forward the Petition herewith returned. The applicant is quite at liberty to send it direct

[signature]
Executive Engineer

Encl
1 Petition with its Enclosure

[initials]

PWE 1
6036/99

To

~~The~~ V Krishnaswami Pillay
Late Peon P.W.D. West Coast

Mudaliar at Malattur. While doing duty there the Memorialist unfortunately fell ill with an attack of dysentry on the 21st April 1897 and consequently an application for five days' casual leave was put in before the Sub Overseer. This Officer refused to grant the leave and then the Memorialist verbally and in writing requested the Sub Overseer to give him a letter to a Medical Officer for the examination of his the then state of health. This was also refused by the Sub Overseer. The Memorialist represented the matter to the Sub Divisional Officer who was pleased to direct the Sub Overseer to give him a letter to a Medical Officer. On the 28th April 1897 he received a letter addressed to the District Surgeon, Calicut, which is a place more than 70 miles away from Malattur. There were Civil Apothecaries in charge of Hospitals at intermediate stations and so the object of sending away the Memorialist unnecessarily up to Calicut was simply to put him to difficulty and expense of travelling a greater distance in his sickly state. The Sub Overseer was much displeased with the Memorialist for representing his grievances to the Sub Divisional Officer who directed him (Sub Overseer) to give him the required letter to a Medical Officer which he had refused already.

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That the Memorialist therefore most humbly pray Your Excellency to be pleased to order his reinstatement with arrears of pay from the date of dismissal.

For which act of Justice and Mercy he shall as in duty bound.

EVER PRAY.

[signature]

Humble Memorialist.

EXECUTIVE ENGINEER'S OFFICE
No. 14164
15 JUN 1899
P. W. D.
WEST COAST DIVISION.

Enclosure I.

No. 5190 C.

GOVERNMENT OF MADRAS,

PUBLIC WORKS DEPARTMENT.

MEMORANDUM.

DATED MADRAS, 2nd December 1897.

Petition from V. Krishnaswami Pillai, late peon of West Coast Division, dated 11th October 1897.

Petitioner is informed that the Chief Engineer declines to interfere in his favour.

(By Order).

(Signed) C. H. B. BURLTON,
Dy. Chief Engineer.

Enclosure II.

EXECUTIVE ENGINEER'S OFFICE,
CALICUT, 18th August 1897.

693 M.

4 Sept. 97.

No. 1625 S.
18-8-97

OFFICE ORDER.

Peon V. Krishnaswami Pillay is dismissed from the 21st April 1897 for repeated impertinence and disobedience.

(Signed) C. W. WOOD,
Executive Engineer.

To

Peon V. Krishnaswami Pillay for information.

Enclosure III.

ORIGINAL.

DISCHARGE CERTIFICATE.

No. 12.

This is to certify that Krishnaswamy Pillay Peon D. P. W. who was admitted as an Out-patient into the Civil Hospital Calicut on 8-5-97 for Dysentry is this day discharged fit for duty.

(Sigued) T. J. HACKETT WILKINS, Lt. Col.
District Surgeon, Malabar.
Chief Medical Officer of the District.

Calicut, 2-6-97.

Enclosure IV.

Krishnaswamy Lascar, Ex. Sepoy, joined the Division three months ago and appears a smart and active man suited to the place.

(Signed) **A. T. FRASER, Col. B. E.**

Calicut, May 19, 1890.

Enclosure V.

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(Signed)

Sub Dl. Officer, South Canara.

Mangalore, 1892.

Enclosure VI.

MANGALORE,
10th September 1894.

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(Signed) **D. U. KUPPUSWAMY IYER,**
Overseer D. P. W.

Enclosure VII.

No. 480.
M

The undersigned approves of Mr. Wood's action.

(iSgned) J. HANNAN Esq.
Supr. Engineer.

4-9-97.

True copies

Calicut
12th Juni 99.

Humble Memorialist.

EXECUTIVE ENGINEER'S OFFICE
No. 4116 Ex
15 JUN 1899
P. W. D.
WEST COAST DIVISION.

1576.