

Public Works (1899) Department.

G.O., No. 2492 W

DATED 20 September, 1899.

[Despatch Abstract.]

Petition - Regarding with remarks the —
of V. Krishnaswami Pillai, late peon. P.W.D.
West Coast D.

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

To The Petitioner thro' the Sup'ty. Exr. IV Circle

FURTHER PAPERS.

Public Works (1897) Department.

CURRENT No. 5711



C/No 3150 CD 14 July 199

Order Indt



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

All
10/7

Secretary to Govt., P. W. D.

Per

To The Suptg. Insp., W. A. C. C.

From

A. A. Smith Esquire J. D.
Private Secretary to
H. H. C. Spencer
No.

Dated 27 June 1899.

Received atootacamund 3-79

Registered a trademark 6.7.99

Enclosures / { *Main* } *Total* . 1
 { *other* }

Spare copies "

SUBJECT.

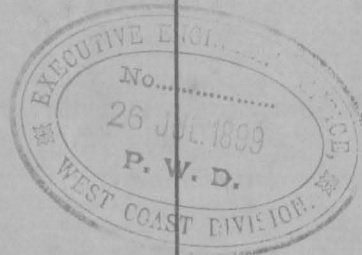
SUBJECT.
Transfers a petition from
V. Krishnaswami Aiyar,
late peon, Wood Cases Division,
Calcutta, praying to be
re-instated

By order

101
 - n11/7 -

BACK PAPERS.

FURTHER PAPERS.



Duplicate

TO

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

This the Executive Engineer
 West Coast Division
 Calcutta.

FORT ST
 The hon
 Pillay, late P
 West Coast D
 the Barracks,
 MOST RESPECTFULLY
 That the Memo
 appeal against the O

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).

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 did 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 dysentery 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 dysentery. 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.

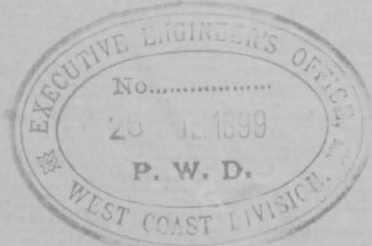
That the Memorialist was a Sepoy in the 41st Regiment and on the abolition of it he was appointed as a Warder in the District Jail at Bellary. Subsequently he joined the Salt Department and then got an appointment in the Engineering Department. It will be seen from his Service Book that he was discharging 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.



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 Dysentery is this day discharged fit for duty.

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

Calicut, 2-6-97.

*2002
7/8/99*

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.

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.

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

4-9-97.

True copies

Calicut

12th Juni 99.

Humble Memorialist.

No. 486
W

Office of the Superintending Engineer,
FOURTH CIRCLE.
Coimbatore 1st Sept^r August 1899.

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

To
The Chief Engineer
P. W. Department

Enclosures. /

Chief Eng^r's Encl^r
No 3150 Ca/14 July/99
with Petition. 11/11

Sir,

With reference to your No 3150
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 4860C dated 21st
November 1892 the peon was warned
by the Acting Chief Engineer that an-
other case of disobedience would be
punished by dismissal.

SUPG. ENGINEER'S OFFICE
No. 17 JUL 99
P. W. D.
WEST COAST DIVISION.

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

SUPG. ENGINEER'S OFFICE
No. 24 AUG 39
P. W. D.
WEST COAST DIVISION.

No 83
228/99

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 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 obed^t servant

Arthur D.

Supg Engineer IV Bn

25/10/85
Public Works (1899) Department.

CURRENT No. 6036

From

A. A. Sui Esquire J.C.
Private Secretary to
H.E. the Governor
No.

Order

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

SUBJECT.

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

/By order/

h. s. s.

Private Secretary.

• L.S. 330 23/7

Memo

Date Recd P.W.D. West Coast

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

28/7
DW

BACK PAPERS.

No.	Date.
3150C	14-7-99
5190C	2-12-97
4239C	22-10-97
4860C	21-11-92
4298	22-9-92
2308	23-8-92

FURTHER PAPERS.

Original

Other
10 2/3
2 W. 5

TO

HIS EXCELLENCY
THE GOVERNOR IN COUNCIL

FORT ST. GEORGE,
MADRAS.

Thro' The Executive Engineer

West Coast Division

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

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).

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.

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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

V. Kreismasang Palla

28. 6-98

Sent to Madras
On the 37-88

Calc cutb

Executive Engineer's Office,
West Coast Division.

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

Recd 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

1/1/1899
Executive Engineer

Encl

1 Petition with its enclosure

Sub

To

The V. Krishnaaswami Pillay
Late Peon R. W. D. West Coast

2

Mudaliar at Malattur. While doing duty there the Memorialist unfortunately fell ill with an attack of dysentery 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 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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3

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.

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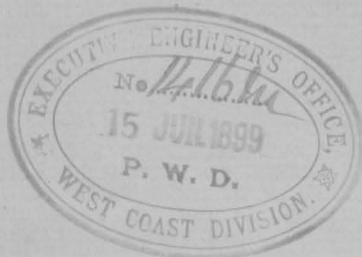
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For which act of Justice and Mercy he shall as in duty bound.

EVER PRAY.

Humble Memorialist,



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.

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

To

Peon V. Krishnaswami Pillay for information.

Enclosure III.

ORIGINAL,
DISCHARGE CERTIFICATE.

No. 12.

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ted as an Out-patient into the Civil Hospital Calicut on 8-5-97 for Dysentery is
this day discharged fit for duty.

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

Calicut, 2-6-97.

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Calicut, May 19, 1890.

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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.

(Signed) **J. HANNAN Esq.**
Supr. Engineer.

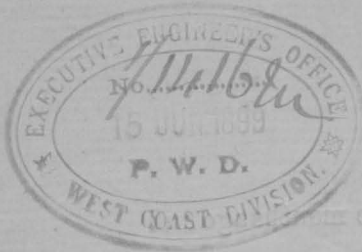
4-9-97.

True copies

Calicut

12th Juni 99. }

Humble Memorialist.



Enclosure IV

Enclosure IV. Report of the District Engineer, West Coast Division, P. W. D., dated 15th June 1930, regarding the construction of a new road from the District Engineer's Office to the District Engineer's Office, P. W. D., West Coast Division.

Cable, 15th June 1930.

Enclosure V

Enclosure V. Report of the District Engineer, West Coast Division, P. W. D., dated 15th June 1930, regarding the construction of a new road from the District Engineer's Office to the District Engineer's Office, P. W. D., West Coast Division.

(15th June 1930)

Enclosure VI

Cable, 15th June 1930.

Enclosure VII

Enclosure VIII

Enclosure IX

Enclosure IX. Report of the District Engineer, West Coast Division, P. W. D., dated 15th June 1930, regarding the construction of a new road from the District Engineer's Office to the District Engineer's Office, P. W. D., West Coast Division.

Enclosure X

Enclosure XI

Enclosure XII

Enclosure XIII

(15th June 1930)

Enclosure XIV

Enclosure XV

(15th June 1930)

Enclosure XVI

Enclosure XVII

Enclosure XVIII

Enclosure XIX

Enclosure XX