Public Works (1890) Department.

RAILWAY BRANCH.

G.O., No. 676 Ry.

DATED 16th May

[Despatch Abstract.]

Sergeant Hand, Villupuram-Guntakal State Railway.—Informing—that if he desires his case to be considered by the Govt. of India he must address a petition to that Government setting out his views of the facts.

[P. W. Ry. / 760—25-9-99.]

Indexed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	898	Ry	15-8-89				
	417	-"-	24-3-90				

FURTHER PAPERS.

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

4th July 1889

The Exec. Engineer V. D. S. I. R.
[illegible]malaya

CHIEF ENGINEER'S OFFICE
10 JL 89
S. I. RY.

Most respected

I humbly beg to bring the foll
wing few lines to your honou
graceful consideration. On
Monday after 10 A. M. Mr.
Hand came here to lay ou
the culvert; in the middle of hi
marking he said "gudge". "gua
I was blinking without under
standing the word. Immidiately
he came & pressed my neck in
such a way, I thought, I would
die in my weak state. I would
have been died if he held me
3 minutes more. I recovered my

my sense half an hour after. Not only my life but the disgrace I am put before this coolies.

I beg to remain Sir
Your most humble
obedient servant
T. Samarapuro

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	898	Rys	15-8-89				
	417	— " —	24-3-90				

recd: with Goodono
No $\frac{1018}{9\cdot7\cdot89}$ Ind No 8762

FURTHER PAPERS.

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

B.

No. 76.

South Indian Railway
Exe: Engineers Office
5th. July 1889

CHIEF ENGINEER'S OFFICE
10 JUL 89
S. I. RY.

To,
Supervisor Hand.

Sir,

I forward herewith a Complaint received from Quickeeper T. Samarapuri that you assaulted him – Please return it with your remarks thereon:—

Yours faithfully
(Sd) Edward. F. Gordon
Exe: Engineer

True Copy
Edward Gordon
Exe: Engineer
8. 7. 89

Dk

True Copy
Edward Gordon
Exe: Engineer
8. 7. 89

Dk

right a [illegible]
did not want to read that fools complaint, as I knew all about the contents after reading your note.

T. Hand.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	898	Ry	15-8-89				

Recd: with Mr Gordons No $\frac{1018}{9.7.89}$ Ind No 8762

Eg

No 7793/8

FURTHER PAPERS.

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

C

South Indian Railway
Exe: Engineers Office
5th July 1889.

No 78.

CHIEF ENGINEER'S OFFICE
10 JUL 89
S. I. RY.

Mr Hand
Supervisor

Sir,

I this day sent you a Complaint of Tuickeeper Samarapuri with my No 76 of this date - The Lascar Mahmed Yakoob who took the letter states that you tore the Complaint and returned it to him saying you did not want it - The Lascar has returned the ~~torn~~ torn Complaint without your reply to my letter - Please inform me if the Lascar's Statement is Correct -

Yours faithfully
(Sd) Edward Gordon
Exe: Engineer

True Copy
Edward Gordon
Exe: Engineer
8. 7. 89

Dk

did not want to read
that fools complaint,
as I knew all about
the contents after reading
your note.

Recd with Mr Gordon's No $\frac{1018}{5.7.89}$ Ind No 8762

E8

No 12793/89

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

---

12 $\frac{3}{V.Dh.}$

6.7.89

CHIEF ENGINEER'S OFFICE
10 JL 89
S.I.RY.

From

F. Hand

To

The Ex. Engineer

3rd Dist.

I.V.Dh. Ry.

Tiruvannamalai

Oliar 5th July 89.

Sir,

With reference to D.O. 12.78 of this date I have to state that lascar Yakub is quite right in saying that I did not want to read that fools complaint, as I knew all about the contents after reading your note.

If you remember,
I, sometime ago sent
that man to the Office
for orders as I could
not do anything with
him and did not
like to dismiss him
again, having been
put on by Mr. Macartney
I believe.

The man, to the best
of my opinion, has been
useless and now, since
he has become a nuisance
has been today dismissed
to personally demonstrate
to you the assault or
take what steps he
pleases.

I am

Sir

your most obedt servt

F. Hand.

Recd: with Mr Gordons No 1018/9.7.89 Ind No 8762

E7

AW 7793/89

6.7.89 / HL

No 4. / V. Dh. Ry.

(1)

CHIEF ENGINEER'S OFFICE
10 JUL 89
S. I. RY.

From
F. Hand

To
The Ex. Engineer
~~3rd Distr~~ V. Dh. Ry.
Tiruvannamalai

Aliar, 6th July 1889.

Resignation of Service

Sir

I herewith submit my imme resignation, verbally given at your Office at 11 A.M. of this date, and request to forwar the same. Explanation will be given when called upon. No delay will be caused to the work of No 1 section as there are no materials to go on with.

I am

Sir

your most obedt servt

F. Hand.

To Mr. Waud –

Sir

Recd with Mr Gordons No 1018/9.7.89 2nd No 8762

5

93

No 7793/89

The Ex Engineer
3rd Dist S.I. Ry
Tiruvannamalai

F

South Indian Railway
Exe: Engineer's Office
Tiruvannamalai July 6th 1889

No. 79.

Mr Hand.

CHIEF ENGINEER'S OFFICE
10 JUL 89
S. I. RY.

Sir,

I now ~~[illegible]~~ call on you to submit any explanations for the information of the Chief Engineer you may wish to make as to your reasons for wishing to resign.

2:— Your letter will be retained in this office until the 8th inst: in order to give you time to reconsider the hasty step you are about to take.

Yours faithfully
(Sd). Edward F. Gordon
Exe: Engineer

True copy
Edwd F Gordon
Exe: Engineer
8. 7. 89.

[illegible] well matured ever since the 7th of May last. It gradually dawned upon my mind that the first outburst which caused My No 1/O.Sh.R d/ 7/5/89 and my consequent suspension was only the forerunner of a course of systematic treatment to put down all subordinates to the lowest level possible, which I can trace back as far as 1887. I know a number of men in fact a successive number of men who all fared badly under you without exception. Going back to 1887. Overseer Sena, Sub Engr Maine, P.W.I. Rowland, Sub. Engr Macartney & myself to follow, all have had their share

1018

Recd with Mr Gordon's No 1078/9.7.89 Ind No 8762

E.5/RW 7793/89

The Ex Engineer
3rd Dist. V. Dh. Ry
Tiruvannamalai

No 5/V. Dh. Ry.

CHIEF ENGINEER'S OFFICE
10 JUL 89
S. I. RY.

G

From
J. Hand

To
The Exe Engineer
3rd Distr. V. Dh. Ry.
Tiruvannamalai

Oliar 7th July 1889

Sir

Responding to your No 79 of the 6th inst, I herewith forward the reasons for my resignation with the request to forward them with as little delay as possible.—

The step is not at all a hasty one, as you seem to take it, but has been well matured ever since the 7th of May last. It gradually dawned upon my mind that the first outburst which caused My No 1/V.Dh.Ry d/ 7/5/89, and my consequent suspension was only the forerunner of a course of systematic treatment to put down all subordinates to the lowest level possible, which I can trace back as far as 1887. I know a number of man in fact a successive number of man who all fared badly under you without exception. Going back to 1887. Overseer Bona, Sub Engr Maine, P.W.I. Rowland, Sub. Engr Macartney & myself to follow, all have had their

share

No 5

I have always tried to do my best and having been held out the faint hope of a transfer I have not made further complaints intending to show that I could work under very trying circumstances even.

When I first came to the 3rd Dist. of this line I had to take over charge of a portion of No 1 Section from Sub. Engr Mr. Macartney as an independent working charge, but after my being reinstated by the Chief Engr I was by your order placed under Mr. Macartney as a punishment not mentioned in the Chief's telegram. On that same day you told me in the Station in presence of Mr. Macartney that you considered it your duty to suspend me whenever I dared again to write direct a letter to superior authority, although it went through the proper channel.

When you thought you had sufficiently cowed me down you gave me back my charge and shortly after the whole of No 1 Section; a fair charge but what a charge, the charge of an animated automaton.

You told me, ad nauseam, to watch the time" Keepers they were cheating, you yourself tried to unravel a mysterious (as per letter) bribery case without avail or proof, merely on an anonymous letter, whose author was not to be found and whose principal actor, I proved, could not be trusted. Nevertheless you banished that timekeeper out of the Dist. I since then have enquired & been told without enquiry that the man was not guilty of the offence. There was a great deal of animosity between the two parties on a/c of the timekeeper having been fined Rs 5/-. by you for the Maistry not doing as ordered by you.

I am myself in a doubtful position, being fully aware that it is the duty of the Engineer to take measurements, it looks very discreditable when a third man comes on my work to take measurements

of materials supplied who is in no other way connected with the work. I am consequently publicly declared untrustworthy.

It is not a matter of proving a man to be a scoundrel but at once putting him down to be one and as nobody takes the trouble to prove the contrary he remains such. This is evidently a fact since a public paper "Indian Engineering" edited by Pat. Doyle, a subordinate once I am told, in its leader of the 2/2/89. talks about incalculable loss caused by subordinates. It consequently appears to be a disgrace to belong to the subordinate service and the sooner I get out of it the better since I think myself as good, conscientious & honest a workman as any. Nobody can save much on small works as they can be preconsidered to a nicety but large works do show whether money has been wasted or otherwise.

I am happy to state that I have saved Govt more than double the pay drawn up to the present, on my last work and as thanks had the gratification of being specially presented by the E-in-C, to the ~~Superintending~~ Consulting Engr and to the Minister of P. Works, the Hon'ble Sir Charles Elliott; but I was not considered to be a fit subject to remain on the Mandalay Stn platform at the opening ceremony but was duly hustled down by somebody who assumed charge. But this does not belong to the matter on hand —

The Maistry previously referred to was fined Rs 5/-. because you found half a dozen big chips in the back of the masonry of an irrigation drain whose mortar had been damaged by rain of the night previous and made him pull down one half of the wall & rebuild it but when I stopped the converting of a culvert at Thitlang upstream on account of same being made with mortar more than a month old and deposited in a layer one foot high (specification say 9") you, coming up at the time, cancelled my stoppage and thereby made me appear a fool in the eyes of the Contractor, Sub Inspector & Coolies and furthermore a week after passed masonry in the same culvert in which each wall of 3 courses was composed of two separate walls i.e. the fronts made up of big stones & the backs of small stones only, slightly remonstrating with the Contractor & Sub Inspector for the bad work.

When & how my being in charge of that work comes in I fail to see.

On several occasions I have found coolies carry out work contrary to orders given and on enquiring received "Bara sahib hukm diya", I am not told or informed on any alteration and therefore have to let those men go on as they like it then happens that dressing of bank that is, repairing bank costs Rs 16/-/- per 5 Chs on top & one side only.

At Olvar bridge I was looking after the constructing of No 6 Pier. 600 cft being required, having calculated 40 Paras of lime sufficient for that quantity of stone. I prepared the concrete accordingly as per instructions previously received for mixing of mortar. The stones had been well wetted and the mortar was fairly wet, i.e. pulpy when you came down and declared the whole had altogether stones dry, not enough mortar and the whole altogether unsatisfactory and suggested that you would send down the new Sub Inspector to set matters right and all the time water was percolating fast enough to necessitate the use of 2 Picotahs.

The following is the substance which brought matters to a climax.

About noon on the 1st or 2nd inst. I was setting out a culvert at Ch. 848. After having finished I proceeded on levelpegs for the depth of the excavation. My lascar, a new man, could or would not hold the level-staff straight so I told the timekeeper, who was standing by, to see that he held the staff straight; who instead of looking at the staff fronted me and commenced to pull hideous faces after I had exhausted my memory for new terms for "level staff" I went and gave him a shaking and turned him round to face the staff and somehow finished my work.

He went & spoke to you & also petitioned you with my having assaulted him.

After perusing your letter, regarding forgery, I was fully aware of what his letter contained and did not think it worth my while to read it so I handed it back to the lascar saying I did not want it it got torn so you told me in transmission, which I did not notice at the time. I then went out on the work intending to give the full version of the case on my return.

Now it is evident that on the lascar returning to you, you eagerly caught at the chance of having some cause to crush me and at once sent the same lascar 4 miles after me to make sure.

Well I wrote you my No $\frac{8}{\text{P.Dh.R}}$ fully confirming the lascars statement, which I might as well have denied should I have cared to do so. I even now think that I have done my duty sufficiently in reading your letters only. When ordered to Office, you told me, without enquiring into the matter in the presence of that time-keeper or eyewitnesses, that you considered it your duty to put me into court for the assault and also would make an entry into my "Service-book" for insubordination (no doubt the defaulters book was meant, and I was to make an apology.

I then & there tendered my resignation and expressed myself quite willing to lose 10 years service.

If you remember, I met you in my X. En's Office at Mysla when you wanted me to rate down one of your Maistries for unsatisfactory work when I told you that that was useless as I knew the man well. It seems, that is the reason for your selecting me for work under you to annihilate me at your leisure.

And all this from a man who does not respect the law himself but imports a Burman woman & lives with her in a public building, thereby causing scandal.

I am

Sir

Yours

F. Hand.

E. 4

No 793/89

Recd with Mr Gordon's No 1018/9.7.89 Lr No 8762

No 1018

South Indian Railway
Villupuram Dharmavaram Section
Executive Engineer's Office District No 3.
Tiruvannamalai 9th July 1889.

CHIEF ENGINEER'S OFFICE
8762
10 JUL 89
S. I. RY.

To

The Chief Engineer
South Indian Railway
Trichinopoly.

Dear Sir,

On the 5th Instant I received a letter from a Timekeeper Samara Puri (marked A) - Complaining that Supervisor Hand had assualted him - I forwarded this Complaint to Supervisor Hand with my letter marked B —

On receiving it he tore the complaint and returned it to me with a verbal message that he did not require it (See letters marked C & D) -

2. — On saturday the 6th Instant I called Mr Hand to my Office and explained to him that it was disrespectful to me to strike a Timekeeper appointed by me - That his assault on the man was particularly unjustifiable because his services had previously been dispensed with for the reason he could not understand Mr Hands orders, there being no other fault to find with him - he was reappointed when a Tamil Sub-Inspector required a Timekeeper, on the clear understanding that he could not understand orders in English or Hindustani —

3. — I pointed out how his tearing the complaint and returning it without the Explaination called for could only be interpreted as his wish to show his contempt for my authority - That I hope he would see his way to expressing regret both for the assault and the insubordination - With great warmth he stated his determination to express regret at nothing and that he was justified in the assault - He stated the assault was a trivial one, which it may have been — I then informed him that if that afternoon I did not receive an apology I would formally reprimand him both for the assault and his insubordination and would make an Entry to that effect in his service book That as he had treated my authority with contempt I would refer

Gm Agent.

the Timekeeper to the Magistrates Court and myself your evidence of the unjustifiable nature of the assault—

4:— Upon this Mr Hand signified his intention to resign Government Service at once, there and then— I informed him that it was not in my power to accept his resignation, but that if on mature consideration he determined to resign I would forward the resignation— In the afternoon I received his letter marked E. to which I replied by my letter marked F as he alluded to explainations and thus implied grievances—

5:— On reference to Mr Hand's Service book I find that his service in the Public Works Department has been hitherto confined to the Burma State Railway Extension— As I myself have served on the entire length of that railway I have had opportunity of observing and hearing about Mr Hands good work— I also observed that it was a very bad school in which to teach a man the position and duties of an Upper Subordinate in the Public Works Department— particularly a man who like Mr Hand has an easily excitable temper—

In Upper Burmah assaulting a native (so long as he was not a Burman or a regular Government Servant) was looked on leniently as an excess of zeal for pushing on the work— Mr Hand, like other Upper Subordinates was in more or less independant positions, but he had not the experience of the older ones to know that the case was an exceptional one—

6:— On receiving the Timekeeper's Complaint it was simply my intention to tell Mr Hand in writing that he must not do so again— His further conduct compelled me to take further action—

7:— Having draughted so much of this letter I receive Mr Hands letter marked G- This fully justifies the opensions I have expressed in para 5- I have placed Mr Hand under suspension and telegraphed the fact to you—

Yours faithfully

Edw. Gordon

Executive Engineer

Memo of Enclosures.

A. Timekeepers Complaint of 4. 7. 89.— 1 (in original)
B. Exe: Engineers No 76 of 5. 7. 89. 1 (Copy)
~~C.~~ C. —Do.— do— do 78— do —1 (do—)
~~D.~~ D. Supervisor Hands' reply to Exe: Engineer No $\frac{3}{\text{V.D. Ry}}$ } 1 (in original) 5/7/89.
E— Do.— Do— — No $\frac{4}{\text{V.D. Ry}}$ 6th July 1889. 1 (in original)
F. Exe: Engineers Letter No 79. of 6. 7. 89. (Copy) 1.
G. Supervisor Hands' L. No 5 of 7. 7. 89 (Copy) 1.
(Service Book of Private F. Hand) 1
Enclosures — Total Eight 8

[illegible]

E3
NW 7793
89

Vide further No 966 of 27-7-89.

No 897

South Indian Railway,
AGENT'S OFFICE,

TRICHINOPOLY, 15th July 1889.

From

The AGENT,
SOUTH INDIAN RAILWAY,

To

The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

I forward herewith, for the orders of Government, some papers I have received from the Chief Engineer, who reports as follows:—

"Supervisor Hand on a previous occasion (in May last) "wrote intemperately to his Executive Engineer "(Mr Gordon) who in consequence suspended "him. Thinking, although there was no justification "for Supervisor Hand's loss of temper, that Mr "Gordon had acted in a somewhat unnecessarily "peremptory manner towards him in a small "matter, I ordered Supt Hand to be sent back "to his work in the hope that the incident was "ended and peace restored."

"In this hope I have been disappoint"ed and as it appears to me that nothing set "forth by Supervisor Hand as to his treatment by "Executive Engineer Mr Gordon can in any manner "palliate, much less justify, his language and "attitude towards that officer, I see no course "open but to refer the matter to Government for orders "meantime Supervisor Hand remains under suspension

I am
Sir
Your most obedient Servant

Walter J. Hooper
for Agent.

Rda

REGISTER
No. 782
FILE

E.2

RW 7793/89

Keep until my return
23-7-89

From
The Agent,
South Indian Railway,
Trichinopoly.
To
The Consulting Engineer for
Railways,
Madras.
Dated 15th July 1889
Received 17th
2088 No. 897
Enclosure.

E.R.
C.E. w C
Suspension

No. 966

South Indian Railway,
AGENT'S OFFICE,
TRICHINOPOLY, 27th July 1889.

From
The AGENT,
SOUTH INDIAN RAILWAY,
To
The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

× Sent to E.R. on 18-7-89.

In continuation of my letter No. 897× of the 15th instant I have to inform you the Chief Engineer has reported to me as follows: —

"Referring to my letter No. V.D 767 of 13th "Instant reporting the suspension of Supervisor Hand, I have "lately investigated the matter on the ground (Tiruvannamalai) "and from what transpired at the inquiry, at which the Con- "sulting Engineer was present, I beg that Government may "be asked to release Mr. Hand from suspension".

Will you please obtain the necessary Sanction?

I am
Sir
Your most obedient Servant
Walter J. Hooper
for Agent

REGISTER
No 836
FILE
No

3
RW 7793/89

From
The Agent,
South Indian Railway,
Trichinopoly,
To
The Consulting Engineer for
Railways,
Madras.

Dated 27 } July 1889.
Received }

No. 966.

Enclosure.

papers.

Office of Consulting Engineer for Railways
Madras 10th August 1889.

Letter from the Agent, South Indian Railway No. 897 dated 15th July 1889, with enclosures.

Do. Do. No. 966 dated 27th July 1889.

No. 317D

Submitted to Government with the remark that I concur in the Chief Engineer's recommendation.—

2. The sanction of Government for the relief of Supervisor Hand from suspension is necessary under paragraph 52, Chapter IV, Volume I of the Government of India P.W.D. Code as amended by Standing Order No. 100 dated 27th January 1888.—

C. L. Smith Colonel R.E.
Consulting Engineer for Railways

Form No. 3.

B No 898 R & 15th Aug/89

Md
13 Aug.*

Supervisor J. Hand employed on the Villupuram-Dharmavaram Railway will be relieved from suspension from the date of his return to duty.

C.J.S.
10.8.89
R.

From
OWCN 7793
THE CONSULTING ENGINEER
FOR RAILWAYS,
Madras,

No. 317 D

Dated 10th / Received 21 } August 1889.

No. of Enclosures. 11

Subject.

Requesting sanction for the relief of Supervisor J. Hand from Suspension.

No 898 R of 15th Aug/89

To
The Cons. Eng. for Rys. ✓
with service book of Mr J. Hand.
" Exe. Eng. Ry. ditto.

Jd
D 11/8

Cr 12/8/9
R 13/8/9

From
J. Hand
Supervisor

To
The Exe. Engineer
10th Distr. V. D. S. Ry.

Putalpet, 24th September 89.

R.R
Md 14/10
Sent attached yours ? 11-10-89

CHIEF ENGINEER'S OFFICE
14938
OCT 3 9

Sir,

With reference to the Chief Engineer's letter No. E. 1841/2849 of 28/8/89. I have the honor to refer to verbal communications of Col. C.J. Smith, Consulting Engineer, and Mr. Lagan, Chief Engineer, made to me on the 19th July ... in which I was clearly given to understand that if I would submit an apology matters would end there. I did as requested and have been rather taken aback by C.E.'s letter No. E. 10839/11746 of 13/8/89 and the above mentioned — In accordance with the first

No 479.

Forwarded in original to Chief Engineer for final orders — Supr. Hand has been doing excellent work and his conduct has been unexceptionable since he joined my district and I would beg to recommend his petition for favorable consideration.

Ex. Engr. Dist 9 & 10.

Chittur
9-10-89.

12.B

first mentioned I was relieved from suspension not on but from the 25th July, at variance with the order of transfer. I lose thereby not only 3/4 pay for a short period but, what is much more, also the leave due to me, from other lines, for which I conscientiously done my duty or, at least, tried to do.

Having stated in my letter, on which the suspension was based, nothing but the bare and whole truth, I consider myself very severely dealt with and wish to have my case reopened and forwarded to the "Government of India" for final decision.

Sir,

Your most obedient servant

F. Hand.

No 186 ~~Copy~~ Forwarded in original to W. L. Burgess Esq. Executive Engineer Distric 9 & 10 for favour of disposal. Sergt. Hand's petition has been withheld till now at h own request.

H. W. Bennett.

Executive Engin

District 10

Executive Engineer's

P.W. Inc 2
1444/90

CHIEF ENGINEER'S OFFICE S.I.R.
17469

No. ~~Dist 10~~
532

Forwarded in original to the Chief Engineer
W. Smith Burgess
Do Supt. Dist. 8-10
Chitim - 14-11-89-

To

The Exe Engineer
10th Distr. V. G. S. Ry.
Putalput, 12th November 89.

Sir

With reference to Chief Engineer's letter No V.G. $\frac{10408}{14764}$ dt. 25th ultimo contained in yours No 216 of the 31st October I respectfully request to have my case forwarded to the Government of India for Investigation

I am

Sir

Your most obedient servant

F. Hand.

No 6

Forwarded in original to the Executive Engineer District No 9 & 10 for disposal.

Executive Engineer's Office
Pootalpat 12th November/89

H. W. Bennett
Exec. Engr

REGISTER
No. 122
FILE
No.

P.W. Enc/
1044/90

17469
Snyers
14.11.87

No. 126

South Indian Railway,

AGENT'S OFFICE,

TRICHINOPOLY, 24th January 1890.

From

The Agent,
SOUTH INDIAN RAILWAY.

To

The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

Referring to your Endorsement No. 761 dated 23rd August 1889 I beg to inform you that this Company's Chief Engineer has thus reported to me under date 18th Instant:—

"On the 9th of July Executive Engineer "Mr. E. F. Gordon suspended Supervisor F. "Hand for insubordination and Contempt "of his authority and the matter was reported "to Government.

"On the 19th July the Consulting Engineer "for Railways and I were at Tiruvannamalai Mr. Gordon's Head Quarters "and we inquired into the case with the "result that I recommended Government "to relieve Mr. Hand from Suspension, Government "Sanctioned this relief from date of "the Supervisor's return to duty. Mr. Hand "thereupon claimed full pay for the whole "period of his suspension. His claim was forwarded by his Executive Engineer Mr. Lind Buyers (to whose District Sergt Hand had "been transferred) withe the endorsement that "Sergt Hand had been doing excellent work "and his conduct has been unexceptionable "since he joined District 10 and I would beg "to recommend his petition for favorable consideration."

"To this I replied 'I am willing that his "suspension should end on the 19th x July and "that he should be considered as having returned "to duty on the forenoon of the 20th July, but "I am unable to recommend that his suspension "should be cancelled. I consider that his conduct "was reprehensible and that the Executive Engineer was justified in suspending him'xx.

"On this being communicated to Supervisor "Hand, he requested his case to be forwarded "to the Government of India for investigation "and I regret that owing to the letters being "mislaid, this has not been done until now.

"Supervisor Hands' letters of the 24th September and 12th November 1889 on the subject "are herewith forwarded.

I

"I am of opinion that although Mr. Gordon "appears to have been wanting in tact in "dealing with Supervisor Hand, there was "nothing in his action to justify the latter's violent and insubordinate language on the "occasion."

I enclose Mr. Hands' letters referred to.

I am,

Sir,

Your most obedient Servant,

William Betts

Enclosures. 2.

Agent.

x.

"The date on which inquiry
"was instituted into his case
"at Tiruvannamalai by Colonel
"C. J. Smith and myself."

lb

from suspension as far as I can interpret

REGISTER
No. 122
FILE
No.

P.W. line 3
1044/90.

From
The Agent,
South Indian Railway,
Trichinopoly,
To
The Consulting Engineer for
Railways,
Madras.

E/G
papers

Dated 24th }
Received 26th } Jan. 1890 1890.
No. 126
Enclosure.

[Form No. 5.]

Government of India. P. W. Department.

RAILWAY BRANCH.

OFFICE NOTE.

No. 656G.

Examiner, Guaranteed Railway Accounts' Office,
Madras, 6th February 1890.

To

E. R.

Mr. Hand was suspended by the late Mr. E. F. Gordon, Executive Engineer, for insubordination –

An enquiry was made into Mr. Hand's conduct by the Consulting Engineer with Mr. Logan, Chief Engineer, S. I. Ry., who recommended his immediate release from suspension from the date of his return to duty, viz:, forenoon of 20th July 1889. This was sanctioned under G. O. No. 898 R dated 15th August 1889. The authority reinstating Mr. Hand has not stated what penalty, if any, they attach to the suspension as they should have done. This could be done by the Local Government – And it is also necessary that it should be done to settle the question as to the allowance to be drawn during suspension; vide Article 215 (b) Civil Service Regulations.

The following is the penalty resulting from suspension as far as I can interpret the rules.—

If the suspension is followed immediately by reinstatement, which I read to mean there was no valid reason for suspension, then there is no penalty; the time so spent under suspension counts for service in all respects. 458(a) Civil Service Regulations; but if the suspension is adjudged as a specific penalty then the time under suspension is not allowed to count as reckoning towards service – it is also an "interruption" under Article 463 – and consequently entails forfeiture of all past service and loss of pension earned for that period.

I read this to be so because article 463 c makes 458(a) an exception whereas it does not except 458(b).

The local Government, however, in reviewing the case can decide whether the person shall be reinstated on full pay or with forfeiture of any part of his allowance – if the former there is then no penalty – if the latter there is a penalty as stated above, but they can at the same time declare that the time passed under suspension shall count. Article 459

6.2.90

C. R.

7.2.90

171

PUBLIC WORKS SECRETARIAT,
RAILWAY BRANCH.

Station Madras date 7th Feby. 1890.

~~OFFICE~~ NOTE.

Looking to the severity of the penalty inflicted on a subordinate by a break of service of which I think the Chief Engineer was unaware when he pressed for the suspension, and of which even Mr. Hand seems to have been unaware, as he only refers to loss of leave due to him. I recommend that the Government pass an order which will entail loss of pay but not of service as suggested by the Examiner of Railway Accounts.

The man acted under great provocation, he is extraordinary illiterate for his attainments as a D. P. W. subordinate, and he has fulfilled the condition imposed by the Chief Engineer and myself viz, that he should redeem his character by good work under another Officer.-

Mr. Boyers was by no means favourably disposed towards the man and protested against his being sent to him.- So it may be inferred that the man is a good subordinate and has done his best.-

The Officer under whom he came to grief being dead, the requirements of discipline may be somewhat relaxed and I have no doubt if it is thought better to do so, I could by writing to the Agent and explaining the severity of the penalty obtain the concurrence of the Chief Engineer in the more lenient ruling and submit this to Government in support of my proposal.-

If

If the Honorable Member is disposed to my view I should prefer to write as Consulting Engineer to the Agent, South Indian Railway, and obtain the Chief Engineer's concurrence before addressing Government.- The order if passed will then not have the appearance of over-ruling the Company's Chief Engineer which would be undesirable

C. L. Smith Colonel R.E.

Jt. Secy: to Govt: P. W. D. Railway Branch

Hon. Mr H. E. Stokes C.S.

The Examiner is wrong in saying that suspension adjudged as a specific penalty entails loss of past service for pension. Suspension followed by reinstatement in 463(c) simply means suspension not followed by dismissal. In 458(a) reinstatement means restoration in entirety i.e. with full pay for the period. The suspension does however entail forfeiture of past service for privilege leave, not I think for furlough. The forfeiture of privilege leave is bad enough, and I think the course proposed in the last [illegible] the note may be adopted, explaining this real penalty.

W.S.
12 Feb.

await reply to my d.o. lr
E. C.L.
14-2-90

H.m. 10-2-90. R 13-2-90

No 328

South Indian Railway,
AGENT'S OFFICE,

TRICHINOPOLY, 4th March 1890.

From

The AGENT,
SOUTH INDIAN RAILWAY,

To

The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

Referring to your letter No 238 of the 24th February 1890 I beg to inform you that this Company's Chief Engineer states:–

"I Concur with the Consulting Engineer
" for Railways in his opinion of the case. Supervisor
" Hand may be Considered to have been relieved
" from Suspension on the 19th July and that the
" time passed under suspension should Count
" for service."

I am,
Sir,
Your most Obedient Servant.

Walter J. Hoofer
for Agent.

REGISTER
No. 311
FILE
No.

PW Inct
2574/90

From
The Agent,
South Indian Railway,
Trichinopoly.
To
The Consulting Engineer for
Railways,
Madras.
Dated 4th March 1890
Received 6th do
No. 328.
Enclosure.

before
E.R. 9/3
submit
Govt. C.E.
8/3

Form No. 1.

Public Works Department.

Office of Consulting Engineer for Railways,
Madras, 1st ~~February~~ March 1890.

Letter from the Agent, South Indian Railway, No: 126, dated 24th January 1890, with enclosure.

——— Do ——— Do: ——— No: 328, dated 4th March 1890.

No. 80.72

Submitted for the orders of Government.

2. On the 9th July 1889 Supervisor A. Hand was suspended by the late Mr. E. H. Gordon, Executive Engineer, Villupuram Guntakal State Railway, for insubordination and contempt of his authority.

3. The matter was inquired into personally

on the spot during my inspection of the line on 19th July 1889 and in this office endorsement No: 317 D, dated 10th August 1889 the sanction of Government was requested to the Chief Engineer's recommendation for the Supervisor's relief from suspension. G. O. No. 898 R dated 15th August 1889 conveyed the required sanction with effect from the date of Mr Hand's return to duty which is stated to have been on the

forenoon

forenoon of the 20th July.

4. The Supervisor however claims full pay for the whole period of his suspension. Mr Lind Buyers Executive Engineer of the District to which Mr Hand had been transferred, in forwarding the application, speaks in high terms of the subordinate's work and of his conduct since joining him, and recommends the case for favorable consideration.

5. In the Agent's

second letter the Chief Engineer states that he has no objection to Supervisor Hand being considered as having been relieved from suspension on the 19th July, and to the time passed under suspension counting for service.

6. The case is submitted for the orders of Government.

Sidney Smith.
Major R.E.
for Cons. Engr. for Rys.

Form No. 3.

P. W. C. No. 2514 ~~1044~~

No. 898 R d/15-8-89

From

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS,

No. ~~80~~ 172

Dated ~~1~~ 10th
Received 16-3 } March ~~February~~ 1890.

No. of Enclosures. 4

Subject.

Submitting letter from the agent South Indian Railway No. 126, d/24-1-90 + 328 + 11-3-90 re. Mr. Hand's claim to full pay during the period of his suspension, for the orders of the Government of India

---

B

No. 417 R.

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 20th March/90

READ the following

Endorsement from the Consulting Engineer for Railways. } H. E. No. 172 d/ 10 March 90

Ins 20 Mar
SS 21/3/90

With reference to G. O. No. 898 R, dated 15th August 1889, Supervisor S. Hand will be considered to have been under forfeiture of pay but not of service.—

SS 19.3.90
for R

To The Cons. Engr. for Rys. } D 20/3
" Exr. G. Robinson

Hon. Mr H. E. Stokes

B

No 417 R dy 24 March/90

Dec 28/3.

Ans. 19-3-90 R 21-3-90

Putalpat, 14th April 1890

V3/CE8

To

The Ex. Engineer

10th Distr. V. G. S. Ry.

S.I.R. CHIEF ENGINEER'S OFFICE
5265
21-4-90

Sir

With reference to Madras G.O. No 898. R dt. 15/8/89 and Madras G.O. No 417. R dt. 24/3/90. I have to repeat my letter of the 12th November 89. i.e. to ask the Government of India for a re-investigation of the particulars

---

South Indian Railway,
AGENT'S OFFICE,
…OPOLY, 30th April 1890

…Y,

…R FOR RAILWAYS,
MADRAS.

356 of the 26th ultimo.
, in original, a letter
Hand, in which he
of India to order a re-
…rges brought against him
in May and July last year.

The Chief Engineer in sending this letter forward has reported as follows to me:—

"Sergt. Hand had a ~~properly~~ perfectly "fair hearing of his case before Col. C. J. "Smith and myself, and I do not think "forfeiture of pay for the period of his Suspen-"sion anything but a reasonable punishment "for gross insubordination to his Executive "Engineer, the late Mr. E. J. Gordon"

I am,
Sir
Your most obedient Servant
William Beth.
Agent

GSA

of my suspensions in May & July last, in consequence of which I have been severely punished without having had a fair hearing.

The line is rapidly approaching its finish and a transfer will increase the difficulty of clearing myself. Should such be denied to me I hope to be allowed to claim a Court-Martial, where I will be allowed the benefit of a lawyer since I feel that my verbosity will be unequal for the occasion.

I am

Sir

your most obedient servant

No. 251 F. Hand.

Forwarded in original to
The Exec Eng. Dists 8 to 10
for favour of disposal

W. Bennett
Exec Eng

Dm.

Hon. Sir H. E. Stokes

No. 504

Forwarded in original to the Chief Engineer for disposal.

Wm. Lind Rogers
Ex. Engr.
Chittoor 18-4-90
Dist. 8-5-40

P.W. Enc 2
4 41/90

REGISTER
No. 559
FILE
No.

Ext 29/3
W.
Hm. 19-3-90 R 21-3-90

No. 6569
60 l.

South Indian Railway,
AGENT'S OFFICE,
TRICHINOPOLY, 30th April 1890

From
The AGENT,
SOUTH INDIAN RAILWAY,

To
The CONSULTING ENGINEER FOR RAILWAYS,
MADRAS.

Sir,

Your No. 356 of the 26th ultimo. I forward herewith, in original, a letter from Supervisor H. Hand, in which he asks the Government of India to order a re-investigation of the charges brought against him in May and July last year.

The Chief Engineer in sending this letter forward has reported as follows to me:—

"Sergt. Hand had a ~~properly~~ perfectly "fair hearing of his case before Col. C. J. "Smith and myself, and I do not think "forfeiture of pay for the period of his Suspen"sion anything but a reasonable punishment "for gross insubordination to his Executive "Engineer, the late Mr. E. J. Gordon."

I am,
Sir
Your most obedient Servant
William Betts
Agent

GSA

REGISTER
No. 557
FILE
No.

P.W. Encl
4341/90

From
THE AGENT,
South Indian Railway,
Trichinopoly.

To
THE CONSULTING ENGINEER FOR
RAILWAYS,
Madras.

Dated 30th April 1889
Received 1st May No. 604
ENCLOSURE.

Papers
P.W.D. No. 1588 C
[illegible]

Submit to Govt. with
endorsement [illegible] 1890

Form No. 1.

PUBLIC WORKS DEPARTMENT.

OFFICE OF CONSULTING ENGINEER FOR RAILWAYS,
Madras, 7th May 1890.

Letter from the Agent, South Indian Railway, No: 604 dated 30th April 1890, with Sergeant Hand's appeal dated 14th idem

No. 324

~~SUBMITTED.~~

Submitted to Government. with reference to its Order No: 417 R. dated 24 March 1890.

Supervisor F. Hand's Case is fully described in this office endorsement No: 172 dated 10th March 1890 and Government was pleased to order that the time passed by him under suspension should be considered to have been under forfeiture of pay but not of service.

Sergeant Hand now asks for a reconsideration of his case on the ground that he has not had a fair hearing, and should this be denied he requests to be permitted to be tried by Court Martial.

Sidney Smith
Major R.E.
Dy: Consg Engr. for
Railways.

R

P. W. C No. 4341.

Form No. 3.

Fr. Bno 417 R dd 24.3.90
" " " 898 R dd 15.8.89

From

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS,

No. 324

Dated 7th
Received 8th } May } 1890

No. OF ENCLOSURES. 2

Subject.

Submitting, letters from the Agent, South Indian Railway, regarding Sergeant Hand's appeal to the Government of India against his late suspension on forfeiture of pay. on the V. G. S. Ry:

R 9.5.90

R

0/9/5 Ah. 12-5-90. R 14.5.90

P. W. D.

Endorsement from the Consg. Engr for Rys. No 324 dd 7.5.90 -

For orders.

Para 769 Madras P. W. Code, which is based on Army Regns, shows the cases in which a military man in departmental employ should be tried by Court Martial - Sergt: Hand's offence does not come within the category.

There appears to be no[+] rule under which a military subordinate can claim to be tried by Court Martial -

12.5.90

W

+ Verified by a private reference to the Judge Advocate Genl's office

If Mr. Hand wants his case considered by the Govt of India he must address a petition to that Govt. setting out his view of the facts. ~~[illegible]~~

14 May

Case of Sergt. Hand.
V. G. S. Railway

Ah. 12-5.

No. 676 R of 16 May/90.

B / Proceedings

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

From the Consg. Engr. for Rys No. 324 of 7-5-90.

Sergeant Hand will be informed that if he desires his case to be considered by the Govt. of India, he must address a petition to that Govt., setting out his views of the facts.

16-5-90

To The Consg. Engr. for Rys

B.

No. 676 R of 16th May/90

Ahn. 12-5-