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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.
B.P. No.

564

Press
Mis.

Dated

2-5-1876

196

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Not to be folded or roughly handled

564

*Proceedings of the Madras Government, Revenue Department,
2nd May 1876.*

No. 12. Read the following Proceedings of the Board of Revenue, dated 12th April 1876, No. 1,007 :—

Read the following letters :—

From H. W. BLISS, Esq., Acting President of the Local Fund Boards, Madura, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Dindigul, 1st March 1876, No. 16.

I HAVE the honor to report the following circumstances for the consideration and orders of the Board.

2. On the 3rd ultimo I transferred by endorsement to the District Engineer for disposal the enclosed petition which makes several serious charges against a Sub-Overseer of the Department of Public Works.

3. With his letter, No. 4,216, dated the 14th ultimo (copy enclosed), the District Engineer returned the petition, and suggested that I should comply with the petitioner's request that I should appoint a commission of inquiry into the charges made by him.

4. I replied in my letter, No. 92, dated the 23rd idem, that it was not my duty, nor had I the power to institute inquiries into alleged malpractices by the District Engineer's subordinates, and that that duty and power were with him, and therefore retransmitted the petition.

5. The District Engineer answers in his letter, No. 4,001, dated the 2nd idem, that my inability to act should be intimated to the petitioner, who expressly addressed me and not him to appoint a commission of inquiry, and that he begs to decline interfering in a matter not addressed to him at all, and requests that such documents be not sent to his office in future.

6. The matter therefore stands thus :—

Malpractices in execution of Local Fund works are alleged in a petition addressed to me as President of the Local Fund Boards. It is clearly out of the question, as it seems to me, for reasons which are too obvious to require mention, that I should myself make inquiries into the truth of the alleged malpractices. The District Engineer refuses to do so on what appears to me the inadequate ground that the petition was not addressed to him, and intimates not only his intention to follow the same course in future such cases, but his desire that no complaints made to me against his subordinates may be brought by me to his notice at all. Hence of course there can be no inquiry in any case relating to the Department of Public Works in which people prefer to petition the Collector, whom they recognize as the administrative head of the district, and are accustomed to petition on all subjects, rather than the District Engineer.

7. I cannot think that this is the wish of the Board or Government, and therefore report the matter for orders.

—
ENCLOSURE No. 1.—Petition.

—
ENCLOSURE No. 2.—Copy of letter from District Engineer.

*Proceedings of the Madras Government, Revenue Department,
2nd May 1876.*

From the same Officer, dated Periacolam, 18th March 1876, No. 110.

IN continuation of my letter marginally noted, I have the honor to submit, for the consideration and orders of the Board of Revenue, a petition (to be returned) with English abstract endorsed by me for the disposal of the District Engineer, and copy of that officer's letter, No. 4,608, dated the 13th instant, refusing to take any action thereon, and expressing an opinion as to the way in which I should perform my duty which appears to me uncalled for.

2. As the Board will perceive, the petition relates to a technical matter which is peculiarly within the province of the District Engineer to dispose of, and which no amount of personal inspection would enable me to come to a decision on which would be worth having. I therefore transferred it for that officer's disposal. It appears to me that this was the right course to take, especially as the District Engineer is already well acquainted with the anicut or division dam in question, the history of which is given in my letter recorded in the Board's Proceedings, No. 3,162, dated 20th November 1875, and as it was under his directions that the centre vent thereof was raised by ten inches, an amount which the petitioners now object to as insufficient. This appears from the District Engineer's letter, No. 3,109, dated the 1st November 1875, copy of which I enclose, but the calculations contained in which I do not profess to be able to understand.

3. I regret to have to trouble the Board again with such a reference as this. But it appears to me that there is no other course open to me; for if the District Engineer refuses me his assistance in matters he is specially appointed to attend to, it is impossible that the administration of the district should be conducted to the satisfaction of Government and the benefit of the people.

ENCLOSURE No. 1.—Petition with English Abstract.

ENCLOSURES Nos. 2 and 3.—Copies of District Engineer's letters.

From the same Officer, dated Madura, 21st March 1876, No. 32.

As required in the Board's Official Memorandum, No. 397, dated 9th March 1876, I have the honor to forward copies of the correspondence noted in the margin. I did not send copies of these two letters before, as they are short and I quoted them almost verbatim in my letter, No. 16, dated 1st instant.

ENCLOSURE No. 1.—Copy of Collector's letter to District Engineer, dated 23rd February 1876, No. 92.

ENCLOSURE No. 2.—Copy of District Engineer's letter, dated 26th February 1876, No. 4,381.

*Proceedings of the Madras Government, Revenue Department,
2nd May 1876.*

IN the letters above recorded, the Collector of Madura brings to the notice of the Board the District Engineer's refusal to take action on certain petitions referred to the latter by the former, and forwards copies of the correspondence which passed between them.

2. In one case, charges of malpractices in the execution of certain Local Fund works were brought against a Sub-Overseer in the Department of Public Works; in the other objection was taken by the ryots to the manner in which certain irrigation works had been treated by the Officers of the Department of Public Works for the purpose of regulating the distribution of water to those concerned. Both being matters peculiarly within the province of the District Engineer, the petitions were transferred to him with a view to the requisite inquiries being instituted. He has, however, declined to interfere, not in the exercise of his discretion as regards the merits of these individual cases, but on the ground that the petitions were addressed to the Collector.

3. The Board consider that as a general rule the Collector is right in forwarding complaints he may receive connected with the Department of Public Works to the District Engineer for disposal, and that the latter officer, whilst of course he must be allowed discretion as regards individual cases, is by no means justified in refusing to take notice of complaints because they are addressed to the Collector and not to himself—the position which Colonel Fischer seems to have assumed. The Board have therefore no option but to lay the papers before Government for such orders as they deem fit to pass.

(True Copies and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

No. 13.

ORDER THEREON, 2nd May 1876, No. 564.

Miscellaneous.

THE Government agree with the Board of Revenue. The conduct of the District Engineer, Madura, will be noticed in the Public Works Department.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.
„ the Public Works Department.

Exd. J. W. Fischer.

564
3

No. 1,007.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th April 1876.

Read the following letters :—

From H. W. BLISS, Esq., Acting President of the Local Fund Boards, Madura,
to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue,
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for disposal the enclosed petition which makes several serious charges against a
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duty, nor had I the power to institute inquiries into alleged malpractices by the
District Engineer's subordinates, and that that duty and power were with him, and
therefore retransmitted the petition.

5. The District Engineer answers in his letter, No. 4,381, dated the 26th
idem, that my inability to act should be intimated to the petitioner, who expressly
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ENCLOSURE No. 1.—Petition.

ENCLOSURE No. 2.—Copy of letter from District Engineer.

Colt. of 1876: 311
REVENUE.

THE BOARD OF REVENUE,

Secy., Secy., Secy.,

Dated May, 2nd.

Recd.

Recd.

G.O., 2nd May 1876, No. 564.

M A Y.

Nos. 12-13

Petitions presented to the Collector
Madura and transferred by him to the District
Engineer for disposal containing charges against
subordinate officers of the Public Works Depart-
ment; concurring in the opinion of the Board of
Revenue relative to the matter of —; and observ-
ing that the conduct of the District Engineer
will be noticed in the Public Works Department.

From the same Officer, dated Periacolam, 18th March 1876, No. 110.

In continuation of my letter marginally noted, I have the honor to submit, for the consideration and orders of the Board of Revenue, a petition (to be returned) with English abstract endorsed by me for the disposal of the District Engineer, and copy of that officer's letter, No. 4,608, dated the 13th instant, refusing to take any action thereon, and expressing an opinion as to the way in which I should perform my duty which appears to me uncalled for.

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(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department,
with seven enclosures, to be returned.

Copy to the Acting Collector of Madura.

Exd. W. J. Lewis.

Bo 25-11-76-40295-26.

No 564

The Govt agree with the Board of Revenue. The conduct of the District Engineer Madras will be noticed in the P.W. Department.

14 To the Secretary, Secy. to Govt.
21 The Public Works Dept. S

22 May 1876

21/10/48

June 1876. Sept 14

Board of Revenue,
MADRAS.

PROCEEDINGS, 12TH APRIL 1876, No. 1,007.

Copy 220/1876

Encl.

22/5/76

Received

26 April 1876

APRIL.

No. 1,007.

Petitions—presented to Collector of Madras and transferred by him to District Engineer for disposal, containing charges against subordinate officers of Public Works Department.—Submitting to Government papers on subject of refusal of latter officer to take action on certain —

With order

No 564. 22 May 1876

12/6/76 R 22 May