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4 m (19/3) Department.

My SERIES.

G.O., No. 810

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DATED 30 8/1913.

DESPATCHED

[Despatch Abstract.]

*Memorial Forwarding for the record of the
 Govt of India a memorial from Mr. R. B. B.
 Ch. Bhayavale Pantulu, lately assistant
 Inspector of schools, Jayan district & a
 member of the Provincial Educational Service
 appealing against the order of the Government
 directing his dismissal from the public service*

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number	Date.	Original (=O.) or spare copy (=S.O.)	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of clerk with date in token of return to Reference department.

Papers of other departments.

Department.	Number.	Date.	Original (= O.) or spare copy (= S.O.).	Initials with date of (1) clerk of the Chief Secretariat department acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to departments outside the Chief Secretariat.

EDUCATIONAL
LOCAL AND MUNICIPAL DEPARTMENT.

CURRENT No. 216288 / 14

Received 191 , Registered 14/7

Subject.

Submitting with remarks Memorial from M.R.Ry. C. J.
vanulu Pantulu, appealing against the order of dismissal
passed in G. O. No. 1046 Educational, dated 25th November
1912.

ENCLOSURES

No. two

Spare copies

R. Cl. No. 29 / 12.

Station Madras, Dated the 10th July 1

From (Name) The Hon'ble Sir Alfred Gibbs Bourne, D.Sc.
F.R.S., K.C.I.E.,
(Designation) Director of Public Instruction.

To the Secretary to the Government of Madras,
Educational ~~Department~~ Department.

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R. Cl. No. 29 / 12., dated 10th J u l y

Submitted to Government.

2. Para 6 of the Memorial. M.R.Ry. Ch. Bhagavanulu Pantulu knew the charges against him from the date of the preliminary enquiry conducted by the Inspector of Schools, F Circle, and he cannot, therefore complain that he was aware of them only a short time before the Deputy Director's enquiry. Some witnesses were first examined by the Deputy Director without M.R.Ry. Bhagavanulu being in the room so that they could not be influenced. What they said was repeated to him and he was allowed by the Deputy Director to examine them. Everything stated by the witnesses was read over to M.R.Ry. Ch. Bhagavanulu who was allowed to ask questions or call any one. He was given as long a time as he wished to have to submit his defence.

3. Para 7 of the Memorial. The enquiry, it is stated by the Deputy Director, was in no way prejudiced by Muhammad Azam Sahib's presence or conduct.

4. Para 8 of the Memorial. The memorialist has failed entirely to answer Charge I. As regards Charge II his present statement is inconsistent with what he stated at the enquiry and he has failed to disprove the charge regarding scavenging. There is nothing new as regards Charges III and IV. As regards Charge X some of the statements made by him in the concluding portion of this para are not very consistent with the information

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information elicited at the enquiry.

5. Para 9 of the Memorial. With regard to the bribe affair, it is submitted, that Mr. Stone does not remember when the Personal Assistant mentioned the incident to him, but his impression is, for what is worth, that it was not long after he took over charge as acting Director as will be observed from para 2 of my letter R. Cl. No. 29 / 12., dated 11th September 1912 an extract from which is subjoined for facility of reference.

*My 59
10/12/6
25/11/12*

"The Personal Assistant mentioned this incident to the Acting Director later in the course of conversation and also to a few other respectable officers of the Department to whom M.R.Ry. Bhagavanulu was intimately known."

My Personal Assistant states that the incident took place on Sunday, the 20th March 1910 just a few days before the Easter holidays, that as M.R.Ry. Bhagavanulu begged to be pardoned for his misconduct he had no mind to report the matter to the Director who soon after left ^{Madras} for Ootacamund and that it was only incidentally he mentioned the affair to Mr. Stone after his appointment as acting Director. The date mentioned above appears to be correct as from the statement of work of the Assistant Inspector of Schools, Vizagapatam District, for March 1910 on record in this office it is observed that M.R.Ry. Bhagavanulu was on casual leave from the 14th to the 18th of that month and that he affixed the 19th (penultimate Saturday) and the 20th idem (Sunday) to the above leave. During the whole of this period he seems to have been absent in Madras.

The expression 'at the time' occurring in para 3 of Proceedings R. Cl. No. 29 / 12., dated 25th February 1913 was certainly

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certainly a slip which has been made so much of by the
appellant.

J. H. Stone

for Director of Public Instruction.



To

The Secretary to the Government
of Madras Education
Department,

Thro.

The Director of Public
Instruction, Madras

Most honoured Sir,

I beg to submit herewith
a memorial addressed to His Ex-
cellency the Viceroy and Governor-
General of India in Council appealing
against the orders of the Madras Gov-
-ernment conveyed in G.O. no 1046 Educa-
-tional dated 25.11.12. I most respectfully
request that it may be forwarded to the
Government of India with the recom-
mendation of His Excellency the
Governor in Council.

I beg to remain,
most honoured Sir,
your most obedient servant

C. S. Srinivasan
Late Asst. Inspector
of Schools, Ganjam

Madras }
20.5.13 }

my address
Chintakindi Bhagavannulu
Rautulu }
Kaspa Viranagaram
Viragapattam DL }

Education Department

Chintakindi Bhagavanulu Pantulu
lately Asst. Inspector of
Schools Ganjam Dist.

The Secretary to the
Government of Madras
Education Department
Thro' the Director of Public
Instruction
Madras

Dated 20.5.13

Requesting that his memorial to the Government of India may be forwarded with recommendation.

To

His Excellency The Viceroy and
Governor-General of India in Council.

Through The Government of Madras.

MAY IT PLEASE YOUR EXCELLENCY,

The humble Memorial of M. R. Ry., Chintakindi Bhagavanulu Pantulu, lately Assistant Inspector of Schools, Ganjam District, most respectfully sheweth :—

1. The Memorialist hereby appeals against the orders of the Government of Madras issued in G.O. No. 1046, Edl., dated 25th November, 1912.

2. The Memorialist was till 2nd August, 1912, Asst. Inspector of Schools, Ganjam District, and a Member of the Madras Provincial Educational Service, on a pay of Rs. 250 a month. He was placed under suspension on that date pending enquiry into certain charges of alleged misconduct brought against him. An enquiry into the charges was conducted by Mr. R. G. Grieve, Ag. Deputy Director of Public Instruction, on the 2nd and 3rd August, 1912. On the strength of the report submitted by that officer, the Memorialist was dismissed from the Public Service with effect from the date on which he was suspended, in Proceedings of the Madras Government, No. 1046, Edl., dated 25th November, 1912.

3. A copy of the Proceedings of the Madras Government, No. 1046, Edl., dated 25th November, 1912, without the correspondence therein referred to, was received by the Memorialist on 28th December, 1912 (original enclosed). He then applied on 29th December, 1912, for copies of the correspondence (please *vide* enclosure 1) and he received in reply a printed copy of the G. O. containing the correspondence, in the first week of March 1913, with the Proceedings of the Director of Public Instruction, R. cl. No. 29/12, dated 25th February, 1913 (please *vide* enclosure 2). This appeal is therefore in time.

4. The Memorialist begs to represent that the decision of the Madras Government dismissing him from service is contrary to law, equity and the probabilities of the case as explained in the succeeding paragraphs.

5. The law for regulating inquiries into the behaviour of Public Servants not removable from their appointments without the sanction of Government is laid down in India Act No. XXXVII of 1850. The Memorialist was a Gazetted officer of the Provincial Educational Service not removable from his appointment

without the sanction of Government and as such his case falls within the scope of the above mentioned Act. The enquiries into his alleged misconduct should therefore have been conducted in accordance with the procedure therein laid down. In the case of officers of the other Provincial Services such enquiries are always held under the provisions of Act XXXVII of 1850. In the case of the Provincial Civil Service, Judicial Branch, there is a distinct provision in the Madras Civil Courts Act of 1873, that enquiries into misconduct of District Munsiffs should be regulated by Act XXXVII of 1850. It is therefore clear that the case of the Memorialist who was an officer of the Provincial Educational Service should have been dealt with under this Act. But the Memorialist's case was treated differently and the enquiry was conducted not by an officer specially appointed by Government as a Commissioner for the purpose, but by the Deputy Director of Public Instruction under the orders of the Director. The Memorialist therefore submits that the proceedings passed in his case are illegal. There is no doubt as having clause in the above mentioned Act namely section 25 which saves the Government power of removal without an enquiry under this Act, but to the Memorialist's mind this extraordinary power is exercisable by the Government only in very exceptional circumstances and for reasons to be clearly explained to the party affected. But the Memorialist's case was in no way extraordinary and there is nothing in the correspondence leading up to G. O. No. 1046, Edl., dated 25th November 1912, to show that there were any special reasons for departing from the procedure laid down by the Legislature. In fact the proceedings referred to seem to indicate that this aspect of the matter has not received any consideration at the hands of Government.

6. As to the procedure that was actually followed by Mr. Grieve in regard to the enquiry into the Memorialist's case: the Memorialist was supplied with a copy of the charges framed against him at about 10 A.M. on 2nd August 1912 and he was required to be ready for the enquiry which was to take place at 11 A.M. on the same day (please *vide* enclosure 16). The Memorialist was not furnished with a list of the documents and the witnesses by which the charges were to be sustained and he was therefore quite unaware of the nature of the enquiry that was to commence and he had no time to look into any records in his possession and thus refresh his memory beforehand. In obedience to the order he presented himself before the Deputy Director at 11 A.M. although he was in a very bad state of health and physically incapable of standing a trial. Mr. Grieve first put certain questions to the Memorialist and recorded the answers given thereto. The Memorialist was then asked to go out of the room and wait till he was called again. Then depositions of several witnesses were recorded by the Deputy Director in the presence of Mr. Mahomed Azam Sahib, Inspector of Schools, acting in the I Circle. The Memorialist was not allowed to be present in the room when these depositions were

taken. But he was called in as each witness finished his deposition and was asked to cross-examine the witness if he so desired, the deposition of that witness being only then read out to the Memorialist. It is needless to point out that being quite unprepared the Memorialist was not in a position to make any searching cross-examination as would be useful. Then without any previous notice the Deputy Director suddenly closed the enquiry at about 2 P.M. on 3rd August 1912 and the Memorialist was asked to submit a written explanation of the charges without being furnished with a copy of the depositions that were recorded at the enquiry. The Memorialist accordingly submitted his written explanation a week later. It will be seen from the circumstances above explained that the spirit of sections 2, 3, 10, 11, 15, 16 and 20 of Act XXXVII of 1850 was not followed in the conduct of the enquiry in question. The Memorialist begs to point out that the enquiry into his case was thus not public, the Deputy Director allowing Mr. Mahomed Azam Sahib alone to remain with him; the witnesses were not examined on their oath; and the Memorialist was not given an opportunity of citing any defence witnesses on his behalf.

7. The result of Mr. Mahomed Azam Sahib's presence at the enquiry was that the witnesses who had to depose were influenced by him, and were put leading questions by him to prejudice the Memorialist's case. The Memorialist also understands that the witnesses were intimidated by Mr. Mahomed Azam Sahib and they were made to depose as he liked. The motives for such conduct on the part of Mr. Mahomed Azam Sahib were that he did not like the Memorialist on account of certain representations made by the latter in the matter of certain transfers of clerks from the Memorialist's office and on account of certain recommendations made by the Memorialist regarding the admission of supplemental schools contrary to Mr. Mahomed Azam Sahib's wishes. Mr. Mahomed Azam Sahib did not support these recommendations but the Director of Public Instruction eventually accepted them. This circumstance very much enraged Mr. Mahomed Azam Sahib and he consequently bore the Memorialist a personal grudge. It has also to be mentioned in this connection that Mr. Mahomed Azam Sahib was at that time, and for some time later, not in a sound state of mind. His unreasonable actions and ludicrous behaviour while he was Inspector of Schools, I Circle, at this time attracted the notice of the authorities and as a result a special enquiry was made under the Director's orders and Mr. Mahomed Azam Sahib was placed under suspension pending the disposal of his case. The consequence was that it was apparently found unsafe to keep him on as an Inspector and he was relegated to a subordinate appointment in the Teachers' College. It is on record that even on a previous occasion Mr. Mahomed Azam Sahib's actions exhibited an unsound state of mind for which he was placed under suspension for a period of nearly one year. Mr. Mahomed Azam Sahib was a personal friend of Mr. Grieve

and his unruly conduct at the enquiry was therefore tolerated by the latter. The presence of such a person at the enquiry into the Memorialist's case greatly prejudiced the Memorialist especially as the enquiry was in *camera* and behind the Memorialist's back.

8. Coming down to the specific charges levelled against the Memorialist which were ten in number, the Director of Public Instruction has held that Charges 1 to 4 and 10 have been established and the Government have agreed with the Director. The explanation as regards these charges is examined below :—

Charge I.—The rent of the office portion of the house was settled separately with the landlord and the rent for the portion used as the Memorialist's residence was settled independently of the office accommodation. In pursuance of this arrangement the Memorialist obtained from the landlord a separate receipt for Rs. 15 which was the rent fixed for the office portion of the house. The back portion of the house was in a state of disrepair and its rent was therefore fixed at a nominal rate of Re. one on the understanding however that a rent of Rs. 5 should be paid after it was repaired and put in a proper condition. The repairs were not carried out by the landlord and therefore the rent of Re. one was continued to be paid (*vide* Enclosure 9). It is not therefore a case of the Memorialist taking the whole house for Rs. 16 and sub-letting a portion of it for office accommodation for Rs. 15. The reason why the Memorialist took up the back portion in spite of its inconveniences was that he wanted to live as near the office as possible so as to facilitate the discharge of his duties which required attention both in time and out of time. Under these circumstances the previous sanction of the higher authorities was unnecessary for this arrangement and, to the best of the knowledge of the Memorialist, there is no rule requiring such sanction. As regards the certificate obtained from the Executive Engineer of the D.P.W. as to the reasonableness of the rent for the office accommodation, the Memorialist begs to point out that there was no fraud as alleged in obtaining it. He officially asked that officer to examine the office portion and certify as to the rent. When the D.P.W. Officer inspected the building for this purpose, the Memorialist was absent at Chikati on duty and that officer was shown over the building by the Sub-Asst. Inspector of Schools, Berhampore. It is now alleged that the back portion of the house was locked at the time and that it was not then occupied (please *vide* enclosure 10, para 1 as against this). The Memorialist begs to point out that he is not aware of what passed between the D.P.W. Officer and the Sub-Asst. Inspector of Schools at the time of the inspection of the building and he cannot therefore be held responsible for what the Sub-Asst. Inspector of Schools might have represented to the D.P.W. Officer at the time. Immediately after the inspection the Sub-Asst. Inspector wrote to the Memorialist that the D.P.W. Supervisor was convinced that the office portion of the house had been got for a low rate of rent, namely, Rs. 15 per

mensem (please *vide* enclosure 15). If the D.P.W. Engineer or the Supervisor had thought it material to know the rent of the residential portion of the house, he could no doubt have applied to the Memorialist for that information, before he furnished to the Memorialist a certificate as to the reasonableness of the rent for the office portion. It will however be seen from the demi-official letter of the Executive Engineer to the Inspector of Schools, I circle, written about the 12th June 1912, that the question of rent of the back portion of the building cropped up during the inspection but it was dropped when the Sub-Asst. Inspector informed the D.P.W. Supervisor that he was not aware of it. It is certainly the duty of the D.P.W. Officer to have pursued the question further if he considered the information necessary (enclosures 6 & 7) and it is clearly unjust that it should now be said that the Memorialist obtained the certificate fraudulently.

Charge II.—As regards scavenging wages, there has been some misapprehension, both on the part of Mr. Grieve and the Director as seen from their reports. The fact is there is a latrine in the back part of the house for cleaning which the Memorialist was paying scavenging charges from his private pocket. There is also a urinal upstairs within the office portion of the building which was intended for the use of the Asst. Inspector. The scavenging charge for cleaning the urinal came to as. 4 a month and it was being paid from the office contingencies as it was used by the Asst. Inspector when working in the office. The Memorialist is a diabetic patient and has therefore to urinate often and being of an advanced age he could not walk up and down the stairs often for this purpose. This circumstance will explain the necessity for a separate urinal for the Asst. Inspector. All that could be said against the Memorialist on this point is that the scavenging charge of as. 4 which was shown in the contingent vouchers as having been paid to one Maniki was actually paid to the sweeper boy (please *vide* enclosure 12, para 4). This was only a clerical error on the part of the clerk who prepared the vouchers and the Memorialist was no doubt careless in not verifying the voucher before cancelling it. Pressure of work and ill-health are his excuse. That the Memorialist was dangerously ill in the months of April and May 1912 was personally known to the Inspector of Schools (please *vide* enclosures 17 and 18). Reference is solicited on the above mentioned point to the evidence recorded by Mr. Grieve forming an enclosure to his report. The office establishment never complained to the Memorialist about want of latrine accommodation for them as their quarters were close by. It may also be added that for a charge of annas 4 a month, no adequate arrangements can be made for a latrine for the whole office establishment and the officer.

As to lighting charges, Mr. Grieve has stated in his report that no *mala fides* can be proved against the Memorialist. The Memorialist begs permission to explain that the lighting charges

incurred in his office came to annas 15 a month on the average which is indeed very small when compared with the charges incurred in similar offices. As already pointed out in the Memorialist's explanation, dated 9th August 1912 the lighting charges were on account of the office Attender working late in the nights and the officer and his camp clerk working in camp till late in the nights. (Enclosure 10, para 2).

Charge III.—The Memorialist drew the halting allowance in question as he was under the impression that he was entitled to it under rules. He further received an assurance from the Inspector's account-clerk that the allowance was admissible. It was no doubt open to the account-officer to disallow it if it be not permissible under rules. The mere fact that the Memorialist drew the allowance cannot prove any *mala fides* on his part.

Charge IV.—As regards this charge the Memorialist solicits a reference to his explanation dated 9-8-12. It is stated in Mr. Grieve's report that four references from the Inspector were necessary before the Memorialist answered the Inspector's queries as to where he went. A perusal of that correspondence which forms an enclosure to Mr. Grieve's report will show that the references were necessitated not on account of the Memorialist's incomplete answers but on account of the fact that the Inspector's queries did not disclose exactly what information was required from him. The fact that the Memorialist did not claim any halting allowance for the Sunday on which he was absent at his native place will prove his *bona fides*. He drew Railway fare only for the journey performed by him on Saturday on duty. In Mr. Grieve's report it has been stated that the Memorialist did not do any official business at Naupada on Saturday to enable him to draw travelling allowance. The Memorialist begs to point out that this was unnecessary as he did office work in the morning of that day at his head quarters and afterwards made a Railway journey of about 3½ hours. That was enough of work for a day as he could not be expected to do any inspection work in the evening. Moreover the work that was posted lay for Monday at Tekkali and the next day after the Railway journey, was a Sunday.

Charge X.—As regards this charge the Memorialist fails to see any impropriety in having asked the Sub-Asst. Inspector of Schools to procure a cow for him. It was a commodity of which he was in urgent need at the time and which was not available in the local market. An officer has at times to depend on his subordinates who are local people for his supplies and he would be liable to animadversion only if it is his intention not to pay for such supplies. In the case in question the Memorialist asked the Sub-Asst. Inspector what he had to pay for the cow under the circumstances detailed in his explanation dated 9-8-12. The Sub-Asst. in his turn had to refer the matter to the Supervisor of Schools who, as disclosed in the enquiry, supplied the cow. It was only at the enquiry that the Memorialist learnt for

the first time that the cow had been supplied by the Supervisor of Schools. The Sub-Asst. Inspector was delaying in giving the Memorialist the information wanted. The Memorialist begs to mention in this connection that this was not the first occasion on which he asked the Sub-Asst. Inspector to procure articles for him not readily available in the local market. The Memorialist always paid the Sub-Asst. Inspector the price of the articles got through him. A postal money order receipt for Rs. 4 sent to the Sub-Asst. Inspector for ghee and leaves supplied by him was attached to the (Memorialist's) explanation dated 9-8-12 and it will show the Memorialist's *bona fides* in the matter.

The Sub-Asst. Inspector in his evidence before Mr. Grieve denies that he had any concern in the matter of supplying the cow. It will however be seen from the two letters dated 24th April 1912 and 27th April 1912 (enclosures 13 and 14) written by him that he was the person who made the arrangements for the supply of the cow. His statement before Mr. Grieve was false. It is therefore most inequitable that the evidence of such a person should be believed by Mr. Grieve and that the Memorialist should be condemned on the strength of that person's evidence. The Sub-Asst. Inspector and the Supervisor of Schools made statements contradicting each other at the enquiry and as shown above the Sub-Asst. Inspector also made statements inconsistent with the contents of the letters written by himself. From this it will be clear that there has been a plot among the Memorialist's subordinates to concoct such a story. Mr. Grieve's finding on this charge is that the probable story was that the Memorialist never intended to pay. It is certainly unjust that the Memorialist should be found fault with on probabilities and that a charge based on such probabilities should be taken to have been established. The Memorialist begs to add that the cow having been returned soon after it was brought he was not, strictly speaking, liable to pay any price for it. The common custom in those parts is for the purchaser to try a cow intended to be purchased for a few days before finally buying it and if the animal is returned as not approved nothing is usually paid for the temporary use during the period of trial except the feeding charges. As this was the position in the present case, the Memorialist was under the impression that he would not be called upon to pay any appreciable amount for having tried the cow for a few days and then returned it as useless. This accounts for the fact that he did not make any immediate settlement of the matter as he used to do in all cases.

9. In para. 2 of the Director's report to Government, R. Cl. 29/12, dated 11th September 1912 the Director of Public Instruction refers to another charge, namely, the alleged offer to his Personal Assistant of a currency note of Rs. 100 in the Easter Holidays of 1910 as a mark, it is said, of the Memorialist's gratitude for the promotion he had received. This was mentioned for the first time only in the Director's report to Government after the enquiry into the Memorialist's case had been concluded. It was

not one of the charges about which any explanation was obtained from him, nor was any enquiry made on it by Mr. Grieve. The Director of Public Instruction does not rely on any record for the substance of this charge. A Demi-official letter (enclosure 3) written by the Director to the Memorialist on the point reads as follows: "I find it placed on record in this office that you offered M.R.Ry. V. Krishnaswamy Jatavallabhar, Personal Asst. to the Director of Public Instruction, at his house at Saidapet, during the Easter holidays of 1910, a currency note for Rs. 100 but that he declined to accept it and advised you to resort no longer to such practices." But when the Memorialist applied to the Director for a copy of that record and for permission to have access to it in original, the following reply Ref. on cl. 29/12, dated 22nd April, 1913 (enclosure 5) was received: "There is no written record about the bribe affair nor did the Director's D.O. No. 115, dated 26th August 1912, suggest the existence of such a record." The above reply shows clearly that the Director relies only on the oral statement of his Personal Assistant. It is clearly unjust that the oral statement of a person uncorroborated by any evidence should be made the basis of a serious charge against the Memorialist. It is stated in the Director's report that the Personal Assistant mentioned this incident to the Ag. Director (the Hon'ble Mr. J. H. Stone) later in the course of conversation. In April 1910 when the incident was alleged to have occurred the Hon'ble Dr. Bourne was the Director and he continued so till October 1910. The Hon'ble Mr. J. H. Stone was Principal of the Presidency College during the above mentioned period and he began to act as Director during the absence of the Hon'ble Dr. Bourne on leave from the middle of October 1910. There was therefore no Ag. Director before October 1910. The Personal Asst.'s statement can therefore be taken only to mean that he mentioned the matter to the Hon'ble Mr. Stone after October 1910 when he was appointed Ag. Director. Why the Personal Asst. did not mention the matter immediately to the Hon'ble Dr. Bourne himself who was Director at the time of the alleged incident is not understood. But in a communication to the Memorialist from the Director, No. R.Cl. 29/12, dated 25th February 1913, para 3 (enclosure 2) it is stated that the Personal Asstt. mentioned the incident to the Hon'ble Mr. Stone *at the time, i.e.,* about March 1910, when it is alleged to have taken place. This statement is clearly inconsistent with the Personal Asstt.'s former statement referred to in the Director's report dated 11th September 1912. This inconsistency only goes to show that there was no basis for the accusation and that the Personal Asstt. made the statement only to serve other ends. The Memorialist had occasion to see the Hon'ble Mr. Stone when he came to the Vizagapatam District in August 1911 as Ag. Director on tour. While he spoke to the Memorialist about various matters connected with his duties, the Hon'ble Mr. Stone never mentioned anything about the alleged incident as he would probably have done if the Personal Asstt.'s statement were true. The Memorialist also received promotion to the higher

grade in June 1911 during the Hon'ble Mr. Stone's tenure of office as Ag. Director. The Memorialist was also appointed an Examiner for the School Final Examination in 1911. All this patronage would not have been extended to the Memorialist if the Hon'ble Mr. Stone had any suspicion against the Memorialist's conduct. The Memorialist also saw the Hon'ble Dr. Bourne in October 1910 when that officer visited Vizagapatam in connection with the University Commission. But the Hon'ble Dr. Bourne did not mention anything to the Memorialist about the alleged incident. The above circumstances go to show that the Personal Asstt., emboldened by the fact that certain charges were framed against the Memorialist and were to be enquired into, appears to have brought this accusation in the belief that his statement was likely to be believed in the case of a fallen man. That the heavy punishment meted out to the Memorialist should have been based on a charge which is considered very serious by the Director and which is at the same time not proved and not even reduced to writing and enquired into can only be attributed to the Memorialist's misfortune.

The incident of the alleged bribe offer was intimated to the Memorialist for the first time only in the Director's D. O. No. 115 dated 26th August 1912 (enclosure 3). It was stoutly denied by return post, the motives for the Personal Assistant in bringing this false accusation on the Memorialist being unscrutable at the time. Later on it came to the knowledge of the Memorialist that a letter from a subordinate of the department offering a bribe was sent to the Personal Asstt. The Personal Asstt. was perhaps therefore anxious to retrieve his lost reputation. There was a prosecution also launched by him against the Sub-Asst. Inspector, Jeypore, for sending Currency Notes by Registered Post as a bribe before the Governor's Agent, Vizagapatam. The prosecution however fell through. It is possible the Personal Asstt. might have other motives in bringing this false accusation. The Memorialist does not however desire to go into them in detail at present.

There is as a matter of fact no truth in the allegation. Moreover that an incident alleged to have taken place in March 1910 should be made the basis of an accusation in August 1912, *i.e.,* after the lapse of nearly two years and a half speaks for itself. In the rules for the conduct of the enquiries into misconduct of Public Servants, it has been laid down as follows:—"The admission as evidence of previous bad character requires great caution, for if one fault is taken as evidence of another, there is the danger of the first punishment of a small fine expanding by a sort of natural growth into dismissal." In the Memorialist's case the uncorroborated oral statement of a person about an incident alleged to have taken place two years and a half previously has been taken into consideration without any enquiry at all in disposing of other charges of a very trivial nature. The effect of this has been that a punishment out of all proportion to the charges actually framed against him has been awarded to

him. The procedure adopted by the Director of Public Instruction was open to very grave objection and your Excellency's humble Memorialist was greatly prejudiced by it in his defence. Your Excellency's Memorialist respectfully submits that the alleged offer of a bribe to the Personal Asstt. should have been altogether ignored by the Government of Madras, inasmuch as no formal charge was framed against him on the point and he was not heard in his defence on it. (Enclosures 4 and 5).

10. The Memorialist has put in an unblemished service of over 25 years. He is now in an advanced age close on 50. For 15 years of his service his duties lay in the Agency Tracts of Godaveri, Vizagapatam and Ganjam which are notoriously unhealthy tracts of country. It fell to the Memorialist's lot to make extended and prolonged tours into the interior of such tracts as an Inspecting officer and he never shirked visiting even the corners of those tracts in the course of his duty. Even in February and March 1912 he made lengthy tours in the Balliguda Hills and Parlakimidi Malias of the Ganjam District and his touring work was specially appreciated by the Special Asst. Agent, Balliguda Division. The result of this has been that the Memorialist's health has become very much shattered and he is now a chronic diabetic patient. He is unable to earn his livelihood by taking up fresh service. The Memorialist also worked as Asst. Professor in the Presidency College, Madras, and as Asst. Lecturer in the Government Colleges, Kumbakonam and Rajamundry, and as an Asst. Master in the Government Madrasa-i-Azam, Madras, for ten years. The late lamented Hon'ble Mr. G. H. Stuart, whose Mathematical Asst. at the Presidency College the Memorialist was, bore testimony to the good work and character of the Memorialist while serving under him. In the Madrasa-i-Azam the Memorialist created a distinct talent for Mathematics in the Muhammadan lads and the Hon'ble Dr. Bourne paid a compliment to the Memorialist on his work and popularity at the Madrasa. The Memorialist was posted as Asst. Inspector, Ganjam District, where there was a notorious lack of discipline in the past. The Memorialist had before him the task of improving the tone of the subordinate Inspecting staff in the District. In his attempt to enforce discipline he created several enemies who resorted to the device of sending anonymous and pseudonymous petitions against him to the higher authorities. To show the hollowness of these pseudonymous petitions the Memorialist begs to refer to a letter from the Secretary, Uriya Samaj, Ganjam District (enclosure 11) repudiating the allegations made therein. Undue credence was given to such petitions by the Memorialist's immediate superior Mr. Mahomed Azam Sahib, the Inspector of Schools, and when this came to be known witnesses were not found wanting to depose to any sort of allegations against the Memorialist. This is short is at the root of the whole affair.

11. The Memorialist has always been under the impression that his acts of good service and good character will always

stand him in real stead when in the course of his official duties he created enemies by his stern work. But in this he has been lamentably disappointed. At a period when he was looking forward to a pension after a service of incessant toil mostly in unhealthy tracts, his hopes have been blasted. There is a rule on the subject of the removal of Public Servants which runs thus: "If a man has earned or nearly earned his pension, his would not be a proper case for removal on suspicion. He would necessarily be an old servant of Government who has reached a time of life when it would be most improbable that he could turn to any other occupation for a livelihood. The sudden beggary of a man whose working days are drawing to a close is as serious an exercise of power as the penal sentence of a court of justice and should not be inflicted on hap-hazard principles." The Memorialist's case clearly falls under the above description. The Memorialist therefore prays that the circumstances of his case may be taken into consideration, that the orders of the Madras Government dismissing him from Public Service be cancelled and that he be restored to his appointment with the arrears of pay. It is needless to add that the Memorialist has been suffering untold miseries ever since the period he has been out of employ.

For this act of kindness, the Memorialist will ever remain dutiful.

Your Excellency's most obedient
and humble servant,

Sd/ Ch. Bhagavanula

Late Asstt. Inspector of Schools,
Ganjam District.

Madras
20. 5. 13.

(Spare copy)

LIST OF ENCLOSURES SUBMITTED.

- (a) Manuscript copy of the G.O. No. 1046, Edl., dated 25-11-12, communicated to the Memorialist, in *original*.
- (b) 1. Letter dated 29-12-12 from the Memorialist to the Director of Public Instruction, Madras.
2. Proceedings No. R. Cl. 29/12, dated 25-2-13 of the Director of Public Instruction.
3. D. O. No. 115 (Confidential), dated 26-8-12 of the Director of Public Instruction and the reply of the Memorialist thereto dated 3-9-12.
4. The Memorialist's letter, dated 21-4-13, to the Director of Public Instruction.
5. R. Cl. No. 29/12, dated 22-4-13, of the Director of Public Instruction in reply to the above letter.
6. The Memorialist's letter, dated 23-4-13, to the Director of Public Instruction.
7. The Memorialist's Registered Letter to the Director of Public Instruction dated 3-5-13.
8. The Memorialist's Registered Letter to the Director of Public Instruction dated 6-5-13.
9. Landlord's letter, dated 14-6-12, to the A. I. Schools, Ganjam District (the Memorialist).
10. Statement made by the Head Clerk and Second Clerk of the A.I. Schools, Ganjam District, dated 14-6-12.
11. Letter, No. 98, dated 21-7-12, of M. R. Ry., Hari Hara Panda Garu, Secretary, Uriya Samaj, Ganjam District.
12. Assistant Inspector, Ganjam's (Memorialist's) letter, dated, Saru (Ganjam District), 25-7-12, to the Inspector of Schools, I Circle, R. C. No. 260 Sup./12.
13. Extract from a letter, dated, Ichapur, 24-4-12, of Mr. Y. Jogayya Pantulu to the Memorialist.
14. Letter from Mr. Y. Jogayya Pantulu to the Second Clerk of the Memorialist's office, dated, Ichapur, 27-4-12.
15. Letter from Mr. M. Parvatisam Pantulu, Sub-Assistant Inspector of Schools, Berhampore, to the Memorialist, dated, Berhampore, 15-1-12.
16. Dy. Director's Memorandum, No. Camp 1, dated, Berhampore, 2-8-12.
17. Official Memorandum, No. C. C. 2/12, dated 7-6-12, of the Inspector of Schools, I Circle.
18. Letter, No. Extra 1/12, dated 8-6-12, of the Memorialist in reply to the above.

ENCLOSURE 1.

Letter, dated 29-12-12 from M. R. Ry., Ch. Bhagavanulu Pantulu, late of the Madras Educational Service, to the Director of Public Instruction, Madras.

Sir,

With reference to Proceedings, Cl. No. 29/12, dated 29-11-12, communicated to me with Inspector's Endorsement, No. B (Confidential), dated, 26-12-12, received by me on 26-12-12, I beg to request to be favoured with copies of the following documents to enable me to prefer an appeal against the decision of the Local Government in my case :—

- i. Report of the Inspector of Schools, I Circle, on the results of his enquiry into the charges against me with the depositions and statements taken by him.

- ii. Dy. Director's report and the record of his detailed enquiry, also the criticism he made of my explanation and referred to in the G. O. ordering my dismissal.
 - iii. The record made by the Personal Assistant regarding the alleged offer of a Rs. 100 note by me and the evidence of the Hon'ble Mr. Stone and Mr. A. C. Pranarthihara Iyer corroborating the said records.
 - iv. Any report in connection with the new charge of my having abused my official position with relation to my subordinates.
 - v. Any report which led to the alleged suspicion of my action "in disbursing Teaching Grants and making minor appointments."
 - vi. Report of the Director, No. 29, dated 11-9-12, also any other papers which were material in leading Government to the conclusion they have arrived at.
2. I further beg you will be pleased to give me access to the record referred to in (iii) *supra* in the original to enable me to examine it and study it. I shall go to your office on any date appointed by you.
3. My address is as follows:—Ch. Bhagavanulu, Kaspā Vizianagaram.

I beg to remain,
Sir,

(Sd.) Ch. BHAGAVANULU.

ENCLOSURE 2.

Proceedings of the Director of Public Instruction, R.Cl. 29/12, dated 25-2-13.

With reference to his letter, dated 29th December 1912, applying for copies of certain papers, M. R. Ry. Ch. Bhagavanulu Pantulu is furnished with an extract from the letter of the Inspector of Schools, First Circle, P. No. 5/12, dated 9th June 1912, relating to Charge No. (iv) in the list of charges furnished to him already by Mr. Grieve together with a copy of the remarks of that officer in respect of that charge.

2. The Director is not prepared to furnish M. R. Ry. Ch. Bhagavanulu with copies of all the papers asked for by him but will permit him to see and refer to the Exhibits forming enclosures to the Director's report on which the order of his dismissal was passed in G.O. No. 1046, Educational, dated, 25-11-12, a manuscript copy of which has already been communicated to him a complete printed copy* of that order will now be furnished to him. The Director will further take no objection to his taking copies of the Exhibits if he likes.

3. As regards the bribe affair M. R. Ry. Ch. Bhagavanulu is informed that all that is on record was stated in Mr. Stone's D.O. No. 115, dated, 26th August 1912, and that that officer and M. R. Ry. A. C. Pranarthihara Aiyar Avargal remember being informed of the incident at the time by the Personal Assistant.

(Sd.) J. H. STONE.
For Director of Public Instruction.

ENCLOSURE 3.

D. O. No. 115 (Confidential), dated, Madras, 26th August 1912.

Dear Mr. Bhagavanulu,

I find it placed on record in this office that you offered M. R. Ry. V. Krishnaswami Jatavallabhar, Personal Assistant to the Director of Public Instruction, at his house at Saidapet, during the Easter Holidays of 1910, a Currency Note for Rs. 100-but that he declined to accept it and advised you to

* Will follow.

resort no longer to such practices. Please let me know, by return of post, under what circumstances you made the above proposal and whether you have any remark to offer in connection therewith.

Yours truly,
(Sd.) J. H. STONE.

To

M. R. Ry. CH. BHAGAVANULU PANTULU GARU, B. A.,
(ASSISTANT INSPECTOR OF SCHOOLS, GANJAM DT., BERRHAMPORE).

Reply to the above D. O., dated 3-9-12.

Most Honoured Sir,

I have never made any offer of the kind referred to to M. R. Ry. V. Krishnaswami Jatavallabhar in the Easter Holidays of 1910 or at any other time. In fact there was no necessity for it. I am at a loss to know how such baseless accusation had ever come to be made.

With my best regards,

I beg to remain,
Your ever obediently.
(Sd.) CH. B.

To

THE HON'BLE MR. J. H. STONE,
DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

ENCLOSURE 4.

The Memorialist's letter, dated 21-4-13, to the Director of Public Instruction.

Sir,

I beg to state that I have been permitted to take copies of the enclosures of the Dy. Director's report. I request you will be pleased to permit me to take copies of the Inspector's preliminary report and of the record said to have been made in your office regarding the alleged offer by me of a Rs. 100 note to your Personal Assistant (*vide* your D. O. No. 115, dated, 26-8-12). This last document, I have been informed by your Personal Assistant, is not existing and has never existed. He said he made only an oral statement before the Director regarding the matter. I have some questions to ask regarding it in the absence of a record in writing, and I want an authoritative statement as to its non-existence before I make further queries about it.

2. Further, I beg you will be pleased to permit me to take copies of, or have a look into, any official or demi-official correspondence regarding me or my case between (i) Government and the Director, (ii) Director and any one of the officers I have referred to, Messrs. Nagojee Row, Yates and Couldray.

3. I beg also copies may be furnished to me of confidential record for, or against me, if any, made during the 25 years of my service.

4. Since the highest punishment has been awarded in my case on a ground on which there was little or no enquiry, I beg I may be furnished with copies of all correspondence, official or demi-official, other than what was given to me, to enable me to make a full representation of my case in appeal.

(Sd.) CH. BHAGAVANULU.

ENCLOSURE 5.

R. cl. No. 29/12 dated 22nd April 1913:

Of the Director of Public Instruction in reply to the above letter.

Letter from M. R. Ry. Ch. Bhagavanulu Pantulu, dated, 21st April 1913.

The Petitioner has already been permitted to see the enclosures to the Inspector's preliminary report, dated, 24th June 1912.

2. There is no written record about the bribe affair nor did the Director's D.O. No. 116 dated 26th August 1912 suggest the existence of such a record.

3. There do not exist any Confidential records relating either to the petitioner's case or his official career that could be furnished to him.

4. The Petitioner will see that he has in the printed copy of the G.O. already furnished to him everything that Government had before them in coming to a decision in his case. If he can mention any point in the case where he has reason to think anything in his favour was withheld from Government, he may mention it and the Director will then give him the fullest information the records afford.

(Sd.) J. H. STONE,

For Director of Public Instruction.

ENCLOSURE 6.

The Memorialist's letter, dated, 23-4-13, to the Director of Public Instruction.

Sir,

I beg to request that you will be pleased to grant me copies of the seven Exhibits relating to the house-rent charge forming enclosures to the Inspector's Preliminary report. These throw further light on the question, specially the Executive Engineer's Demi-official letter to the Inspector of Schools before arrangement for their joint inspection of the building was made.

I was allowed by your Personal Assistant to have a look into these papers on Monday last. It is necessary for me to have copies of the same as the Demi-official letter supports my contention.

I beg etc.,

(Sd.) CH. BHAGAVANULU.

[No reply received.]

ENCLOSURE 7.

The Memorialist's Registered Letter to the Director of Public Instruction, Madras, dated, 3-5-13.

Sir,

I beg to remind you of a reply to my letter dated 23-4-13 requesting to be furnished with copies of the seven Exhibits relating to the House-rent charge forming enclosures to the Inspector's Preliminary report, dated, 24-6-12.

2. These are in support of my cause. In the matter of house-rent the Engineer Deputy did not consider it essential to know the rent of the back portion occupied by me in arriving at an estimate of the rental of the office portion, for, the question of the rent of the portion occupied by me came up but it was not pursued. If he had considered this information indispensable he would have obtained it from me or recommended a conditional certificate. Mr. Grieve's report does not touch on this point. I beg that under para 4 of your R.C. No. 29/12 dated 22-4-13 you will be pleased to grant me copies of the seven Exhibits referred to above for a full representation to Government on the house-rent question among others.

3. I thank you for your wishes to deal fairly with me as expressed in para 4 of your Proceedings referred to above.

I beg etc.,

(Sd.) CH. BHAGAVANULU.

[No reply received.]

ENCLOSURE 8.

The Memorialist's Registered Letter, dated 6-5-13, to the Director of Public Instruction.

Sir,

I beg to request that you will be pleased to refer me to the rule referred to by the Dy. Director Mr. Grieve in his report embodied in the printed copy of the G.O. ordering my dismissal—Charge III—“no officer having executive work can leave his station or camp on holidays and during casual leave to be absent outside his jurisdiction without specific permission and giving his address.”

2. Again under Charge I it was stated that the Director's permission should be taken (by an Assistant Inspector of Schools) to live in the same house as office. I beg I may be furnished with a copy of the Director of Public Instruction's Proceedings on the point.

3. As I am unwell I am sorry I could not attend your office personally to obtain the information above sought and I beg I may be furnished with the same at an early date.

I beg, &c.,

(Sd.) C. H. BHAGAVANULU.

(No reply received.)

ENCLOSURE 9.

Landlord's letter dated 14-6-12 to the Assistant Inspector of Schools, Ganjam District (the Memorialist). Enclosure to Ganjam Assistant Inspector's Office letter, R. C. 260 Sup.-12, dated 25-7-12, to the Inspector of Schools, I Circle.

Sir,

Since you have asked me to explain the circumstances under which the house was let I have the honour to state as follows:—

The office portion which is substantially built was let for Rs. 15. The back portion which is in disrepair and leaky was let for Re. 1 for the present. There is no partition wall between this house and the next house. After getting the back portion repaired and putting up the wall, I had a mind to raise the rent for that portion to Rs. 5. Owing to sickness I could not get that portion repaired till now. I shall shortly do it.

I have, &c.,

BERHAMPORE,

(Sd.) CHIRRAVURI KAMESEM,

14-6-12.

(Landlord).

ENCLOSURE 10.

Statement made by S. Satyanarayana, Head Clerk, and P. V. Ramanayya, 2nd Clerk, of the office of the Assistant Inspector of Schools, Ganjam District, before M. R. Ry. CH. Bhagavanulu Pantulu Garu, Assistant Inspector of Schools, Ganjam District, in the office on 14-6-12 (afternoon). Enclosure to R.C. 260 Sup.-12 dated 25-7-12 of the A. I. Schools, Ganjam, to the Inspector of Schools, I Circle.

In regard to the house-rent question that was discussed this morning in this office, the Sub-Assistant Inspector Mr. Parvatism Pantulu of the Berhampore Range knows as a matter of fact that the rent of the whole house is Rs. 16-0-0 (sixteen only). When the office portion was inspected by Mr. Madhava Menon, Supervisor of Public Works Department, accompanied by Mr. Parvatism Pantulu, the other portion of the house was not under lock and key. The other portion was inhabited by the members of the family of the Assistant Inspector. We never reported to the Assistant Inspector that accommodation for clerks was insufficient or unsuitable.

The Assistant Inspector's younger son never committed nuisance in the office.

2. As regards the relief of Jagan Mohan Patnaik, late sub-protem Attender of this office, we state as follows:—In connection with the leave of Mr. Mevaketan Patnaik, Jagan Mohan Patnaik was recommended for the Russelkonda clerkship and orders were received to that effect. N. Satyanandam, Attender, Berhampore Range, was appointed as acting Attender of this office and B. Sudarsana Row, temporary Attender of this office, as acting Attender of the Berhampore Range. The Inspector's orders were received on or about 20th October, 1911, being before M. R. Ry. Babu S. Palit Garu left this place and M. R. Ry. Ch. Bhagavanulu Pantulu Garu joined this office. The Inspector's orders were not given effect to by M. R. Ry. S. Palit Garu in order to allow M. R. Ry. Ch. Bhagavanulu Pantulu Garu to make the choice of the Attender himself inasmuch as he was the officer concerned in exacting work. After the present Assistant Inspector came to office Mr. Jagan Mohan Patnaik requested us to relieve him soon that he might not lose the chance of temporary promotion. On the Head Clerk's sending a note to Mr. Parvatiseem Pantulu, S. A. I., Berhampore, the latter represented to the Assistant Inspector that Satyanandam is a sickly man, that he cannot do his work in the Assistant Inspector's office and B. Sudarsana Row appointed as Attender of the Berhampore Range will be of no use as he commits blunders in fair-copying. Thus, it will be seen that the Sub-Assistant Inspector, Berhampore, did not relieve Satyanandam and so Jagan Mohan Patnaik could not be relieved instantaneously, lest this office work would suffer. Afterwards M. Kurmanadhaswami, a candidate plucked at the Matriculation Examination was recommended and he was admitted to office after the sanction of the Inspector was received for his appointment. As far as can be judged from the heavy work of the office Kurmanadhaswami is getting on well without arrears by his hard work both in the day-time and night. He is intelligent and has a fairer knowledge of English to write subject-matter than his predecessor. He does not know Uriya. He writes a neat and fast hand and is doing his work satisfactorily. We depose the above facts at our free will but not by any compulsion.

(Sd.) S. SATYANARAYANA,
Head Clerk,

(Sd.) P. V. RAMANAYYA,
2nd Clerk.

ENCLOSURE 11.

LETTER NO. 98, FROM M. R. Ry. H. H. PANDA, B. A.,
SECRETARY, URIYA SAMAJ, GANJAM,

TO THE ASSISTANT INSPECTOR OF SCHOOLS, GANJAM DISTRICT
(THE MEMORIALIST),

Dated 21-7-12.

Sir,

With reference to your letter No. Camp 2, dated 19-7-12, I have the honour to state that the herewith returned enclosures purporting to emanate from the Uriyas were clearly pseudonymous and cannot be the work of the Uriyas. There is no member of the name H. H. Padhy on the Samaj. The signature of H. H. Padhy affixed to one of the petitions with the additional description "a sympathiser of the Uriyas" clearly negatives the inference that the signatory is a member of the Samaj. No genuine Uriya can ever think of making such defamatory statements as the petitioners do touching the improvement of the educational institutions at Dharakota and Digupudi or the reputation of the Rajahs of Dharakota and Bodokimidi whose munificence in the matter of education is a clear contrast with the imputation made by the petitioners that they abetted corruption for the sake of increased grants, &c. So far as reports go, there is no

reason to believe there is any foundation for any of the charges made therein nor is there any reason to suppose that Uriya education has suffered in consequence of your advent to this District.

I have, etc.,
(Sd.) H. H. PANDA,
Secretary, Uriya Samaj.

Original submitted to the Director of Public Instruction, Madras.

Copy enclosed in letter R. C. 260 Sup.-12, dated 25-7-12, of the A. I. Schools, Ganjam, to the Inspector of Schools, I Circle.

ENCLOSURE 12.

Assistant Inspector Ganjam's (Memorialist's) letter, dated Saru, 25-7-12 to the Inspector of Schools, I Circle, R. C. 260, Sup.-12.

Sir,

In continuation of my letter R. C. 260, Sup.-12, dated 21-6-12, I beg to enclose herein copy of letter No. 98, dated Aska, 21-7-12, of M. R. Ry. Hari Hara Panda Garu, B.A., Secretary, Uriya Samaj, Ganjam (Original submitted to the Director of Public Instruction), in reply to my letter No. Camp 2 dated 19-7-12 of which also a copy is enclosed for your information. The petitions are clearly pseudonymous and must have been the work of my own office establishment, who, as I have already said, are under the impression that they have suffered under me and are losers. You yourself were pleased to say at the conclusion of the enquiry that you make no doubt as to the origin of the petitions being traced to my Office Establishment. In such a case, I beg you will be pleased to consider the demoralising effect of such petitions which are akin to anonymous petitions on which no action might be taken and which ought to be put down in the interests of discipline, official and moral.

2. Further enquiries at Ichapur have shown you that the cow was mischievous even before coming to me, that it took a clear half night to be taken a distance of 1½ miles up to the Chikati road, that it needed to be tied to a bull to go on its journey to Berhampore, that it was bought by R.L.N. Patnaik for his own sake but sent to me for temporary use, that on finding it useless I sent it back, but it did not go without the company of the bull which the peon of the S.A.I. knew it should have and that when it died it was not my property nor had I anything to do with it except allowing it to remain in my stall for courtesy. It is not unusual to make such requests to subordinates as to supply a cow in cases of urgent need but the article supplied is expected to be a good article and not a vicious and useless cow as in the present case. Such an article like the one in question is sure to be returned and rejected by anybody.

3. In the matter of the rent for my quarters I beg to state that I have now vacated the office building under your orders to vacate it. You will be pleased to know that the portion vacated is vacant; nobody will ever occupy it as it is not convenient to occupy for anybody else but me. The landlord's letter in the matter is enclosed. You will be pleased to note that, it being in disrepair, he let it to me so cheap. I have not got a numerous family. My little son and my wife are the only two permanent members residing with me, the rest are temporary, come and go. If I got a house so cheap or incurred small expenditure on that account that should not be a matter for official comment or notice.

I enclose herein Chikati Zamindar's letter dated 12-1-12 and what Mr. Parvatiseem, Sub-Assistant Inspector, Berhampore, wrote immediately after inspection of the office building which go to show that my absence on the day was unavoidable and that the office portion was pronounced to be cheap for Rs. 15 a month. Further the voluntary deposition given by my office establishment shows among other things that some of the statements on which you were pleased to base your conclusions are not correct.

4. In the matter of the scavenging allowance of as. 4, I enclose the deposition given by the sweeper who has been in receipt of the allowance for cleaning the portion where the officer urinated. The voucher in the name of Madiki, in continuation of the past custom, was got written by the Establishment, I cannot say, either on the supposition that a scavenging woman is a proper person to show as the recipient of the allowance or they might have had further object in view. I regret for not scrutinizing the voucher when cancelling it. I shall reserve an exhaustive explanation on the above and other points till called for.

I beg the favour of transmitting these papers to the Director of Public Instruction either along with your report or in continuation of it if it had already been submitted.

I beg to remain,
(Sd.) CH. BHAGAVANULU.

ENCLOSURE 13.

Extract from a letter, dated Ichapur, 24-4-12, of Mr. Y. Jogayya Pantulu to Mr. Bhagavanulu Pantulu.

As for the cow if you think it quite useless my peon will make arrangements to get it down here.

I beg, etc.,
(Sd.) Y. JOGAYYA.

ENCLOSURE 14.

Letter from Mr. Y. Jogayya Pantulu (Sub-Assistant Inspector of Schools, Ichapur Range) to Mr. P. V. Ramanayya Pantulu, 2nd Clerk of the office of the A. I. Schools, Ganjam Dt, dated Ichapur, 27-4-12.

My dear Mr. Ramanayya Pantulu,

Herewith three water melons for the gentleman. Please see that they are received by him. Please send the cow per two coolies from Berhampore to Ichapur. I do not like to give any more trouble to our gentleman on account of the cow which has unfortunately proved naughty and ominous. Please send the cow at any cost to-morrow to Ichapur direct. Kindly excuse trouble. How is the gentleman's health?

Yours sincerely,
(Sd.) Y. JOGAYYA.

ENCLOSURE 15.

Letter from Mr. M. Parvatiseem Pantulu, Sub-Assistant Inspector of Schools, Berhampore Range, to the Assistant Inspector of Schools, Ganjam District (the Memorialist), dated Berhampore, 15-1-12.

Dear Sir,

I beg to inform you that the Supervisor has been brought to office just now during the working hours. He has been pleased to inform me that the certificate would be forwarded to your office within a week.

I beg, etc.,
(Sd.) M. PARVATISEEM.

P. S.—The Supervisor has been informed by me that the portion shown to him as being used for the office is being paid Rs. 15 per mensem and he has been convinced that we have got it at a low rate. Mr. Ramamurti has been with me during all this time.

(Sd.) M. PARVATISEEM.

ENCLOSURE 16.

OFFICE OF DIRECTOR OF PUBLIC
INSTRUCTION, MADRAS,
Camp, Berhampore,
2nd August 1912.

OFFICIAL MEMORANDUM.

Camp No. 1

Mr. C. Bhagavanulu Pantulu is informed that the undersigned, acting under the orders of the Director of Public Instruction, will, with the Inspector of Schools, I Circle, conduct a formal enquiry commencing from to-day into certain charges which have been made against him. A copy of the charges is being sent for Mr. Bhagavanulu's information.

He is requested to be at the Government Training School at 11 A.M. to-day. He will be given every opportunity of questioning witnesses and of defending himself. His explanation in writing will also be called for in regard to each charge.

(Sd.) R. G. GRIEVE,
Dy. Director of Public Instruction.

To

M. R. Ry.
C. BHAGAVANULU PANTULU.

ENCLOSURE 17.

C. C. No. 2/12. OFFICE OF THE INSPECTOR OF SCHOOLS, I CIRCLE,
Camp, Berhampore,
Dated 7-6-12.

With reference to his letter No. P. 1/12, dated 28-5-12, the Assistant Inspector of Schools, Ganjam District, is requested to state whether it is not a fact that he was dangerously ill during the second fortnight of April 1912, and whether, when A. B. Sankaram reverted to his second clerk's post in your office on 3-5-12, he did not find you seriously ill and only able to attend to office work lying on a bed in the room in which the clerks worked and whether on the date of his leaving your office on 29-5-12 you were not still in the same state of health.

(Sd.) MAHD. AZAM,
Inspector of Schools, Ag. in the I Circle.

ENCLOSURE 18.

Extra No. 1/12.

Dated Berhampore, 8-6-12.

TO THE INSPECTOR OF SCHOOLS, I CIRCLE.

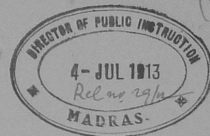
Sir,

With reference to your Memorandum C. C. No. 2/12, dated 7-6-12, I beg to state that it is true I was dangerously ill in the second fortnight of April '12 and that what was reported by Mr. A. B. Sankaram to you regarding my health is a fact, except that when he came to leave my office on 29-5-12 I was slightly better.

I beg, etc.,
(Sd.) CH. BHAGAVANULU,
Assistant Inspector of Schools, Ganjam District.

Ch. Bhagavanulu

12-9-13.



Submitted to the Secretary
to the Government of Madras
Education Department, thro' the
Director of Public Instruction
Madras, for favour of attach-
ing the enclosed copy of the G.O.
1046 Educational dt 25.11.12
to my memorial to the Government
of India dt 20.5.13 Submitted
thro' Channel.

Ceresleagaramule
late Asst Inspector of
Schools, Panjam dt.

Palavalasa
agraham
Vizianagaram }
1st July 1913



NOTE FILE.

Endorsement
 No. 1622-1, dated 11th June 1913.

Petition from M.R.Ry. Ch. Bhagavanulu Pantulu, No.53,
 Tulasinfa Perumal Coil Street, Triplicane, Madras,
 dated 15th May 1913.

Furnished.

(By Order)

Radwan. Taramayya

Under Secretary to Government.

25/6

To the petitioner.

(with a copy of G.O., No. 1046 Edl., dated 25-11-12).

C.No.2162, from the D.P.I., Cl.No.29/12, dated 10--7-1913.

Subject.

Memorial from M.R.Ry.Ch.Bhagavanulu
Pantulu, lately Assistant
Inspector of Schools, Ganjam
district.

The memorial is addressed to the Government of India and is an appeal against the orders of this Government No.1046, Edl., dated 25th November 1912, dismissing M.R.Ry. Ch.Bhagavanulu Pantulu from public service. It has to be forwarded to the Government of India with a covering letter containing a full statement of facts and an expression of opinion. Bhagavanulu deals in his petition with

- (i) the form of enquiry
- (ii) the five charges which have been regarded by the Director and the Government as proved, and
- (iii) the charge of attempt at bribery.

Paras 5 to 9 Memorial

*10-12-12 G.O. 1046
15-11-12*

2. The first point is now brought forward by Bhagavanulu for the first time. He did not refer to the question in his written explanation of the charges made against him written by him after the enquiry to which he takes exception had been made. It may be observed that the Government were anxious from the outset that the enquiry should be conducted in proper manner - please see D.O. to the Director on page 2 of notes with G.O.No.1046, Edl., dated 25th November 1912.

The memorialist states that the enquiry into the charges against him was not conducted by a Commissioner specially appointed by Government under the provisions of the Public Service (Inquiry) Act, 1850, and that the procedure adopted

Page-2-Page 29 of 30

$$\frac{a}{b \cdot c}$$

affr. M₂₉/8

I very much regret that this
 file which reaches me in the
 first week of July was delayed
 by me so long. I should have
 while the handwriting is so
 inferior to having preference of
 work I have had for the first
 season. It could not find
 time to begin as the first
 but I do not spare myself have
 been working at the job about
 a week and a day. I hope to forward
 the delay. I must this time be very serious in
 my work. I am very faithfully
 your friend
 Wm. H. H.

G.O.No. 102, Edl., dated 7th February 1913.

ORDER:
Mis.

TK.
a
28.8.13

Mr 29/8

VAP
13/9/11

Deed
reka memorial
from Mrs. Ch. Bagyarad
Poutile Lihalee
School Camp etc.
J.P.
1897

Repetition
sent for copy
jtn memorial
Wm
4/19/42

* will be sent.
in separate cover
24 pages out
one for each
one
21 Nov 94

The Secretary to the Govt. of India,

Sir,

I am directed to forward for the orders of the Government of India a memorial from M.R.Ry.Ch.Bhagavanulu Partulu, lately Assistant Inspector of Schools, Ganjam district, and a member of the Provincial Educational Service, appealing against the ^{order} ~~the~~ order No. 1046, Edl., dated 25th November 1912, directing his dismissal from ^{the} ~~the~~ public service. A copy of this order, with

Para.1 of D.P.I.'s letter
on page 2 of G.O.No.
1046 Edl., d/25-11-12.

*showed that several of
various
the charges made were
prima facie true & the*

G.O.No.682/26-7-12 on page 3
of G.O.1046/25-11-12.

Para.1 of D.P.I.'s letter
on page 2 of G.O.No.
1046/25-11-12.

with which are printed the ^{principal} ~~points~~
^{points in} ~~giving full accounts of the case~~
~~and the reasons for the decision~~
is also forwarded for reference.

2. In April and May 1912 certain petitions complaining ~~against~~ ^{of} the conduct of M.R.Ry.Ch.Bhagavanulu Pantulu, the memorialist, were received by Government and were transferred ~~thereon~~ to the D.P.I. for disposal. These, with ~~the~~ similar past petitions received direct by ~~that office~~, ~~and the~~ ~~same~~ were referred by him to the Inspector of Schools, 1st Circle, for enquiry and report. The preliminary enquiry held by the Inspector in pursuance of this ^{for} ~~reference~~ ^{reference} revealed many irregularities on the part of the memorialist, some of them being of a very grave nature and ~~undoubtedly~~ true. The Director of Public Instruction accordingly considered that the memorialist's ~~at~~ ~~in~~ ~~office~~ ~~was~~ ~~practicable~~ ~~and~~ ~~recommended~~ ~~the~~ ~~memorialist~~ ~~its~~ (suspension) pending the results of a formal enquiry ~~into the charges~~. The Government accepted this recommendation and placed the memorialist under suspension.

3. The further enquiry was specially entrusted to Mr.R.G. Grieve, the Deputy Director of Public Instruction, who conducted it with the

assistance

assistance of the Inspector of Schools, ^{First} Circle, on the 2nd and 3rd August 1912. Mr. Grieve framed ten specific charges against the memorialist, copy of which was furnished to him, and at the enquiry the depositions of the witnesses were written down and read over to the memorialist, who was permitted to cross-examine ^{himself} them and asking any questions he chose. The memorialist was also ^{permitted} ~~allowed~~ to submit a written explanation ^{in reply} ~~as~~ to the several charges against him and this he did on the 9th August 1912. On a consideration of the records of Mr. Grieve's enquiry, his report and the written explanation of the memorialist, the Director of Public Instruction found that five out of the ten charges against the memorialist had been established and recommended his dismissal. The Government agreed with the Director of Public Instruction and dismissed the memorialist from public service with effect from the date on which he was suspended, namely the 2nd August 1912.

4. The points raised in the memorial are dealt with below. ^{Regarding the allegations} ~~As to the points raised in~~ paragraphs 5 and 6 of the accompanying memorial ^{in respect of} ~~as to~~ the form and method

para 1 of Mr. Grieve's
report on page 5 of
fs 1046 ^(C)
25/11/12

para. 3 of the D.P.B.
letter on page 5 of
fs 1046 ^(C)
25. 11. 12

page 10

Para 1 of Mr. Grieve's
report on page 5 of
fs 1046 ^(C)
25/11/12

of enquiry adopted, I am to state that as the misconduct on the part of the memorialist ^{was} ~~was~~ almost wholly of an official character ^{at the time} not affecting the public or necessitating the examination of any ^{consequence} ~~number~~ of the public as witnesses, the ~~Government~~ Government considered that a departmental enquiry conducted by an officer specially deputed for the purpose would be sufficient, ~~it was not preferable to an~~ ^{that no} elaborate enquiry under the Public Servants (Inquiries) Act, 1859. ^{was necessary} There was ~~absolutely~~ no necessity to adopt the formalities laid down in that Act; but I am to state that ^{in that Act} the procedure ^{now follows} ~~therein prescribed~~ was generally and in substance followed. Though it is true that the copy of the charges was formally furnished to ~~him~~ ^{the memorialist} only on the morning of the first day of enquiry, the memorialist ^{had} ~~known~~ ^{known} of them ~~from~~ ^{since} the date of the preliminary enquiry conducted by the Inspector of Schools, ~~at that time~~ ^{truthfully allege} and he cannot therefore ^{rightly} complain that he was aware of them only a short time before Mr. Grieve's enquiry. ^{before} The memorialist was also given ^{at the time} as long as he wished ~~to~~ to submit his defence. It is significant that in the written explanation submitted by the memorialist a week after the enquiry no reference was made ^{in the explanation} of any of the irregularities he now alleges ^{of his} ~~of his~~ desire

para 2 of D.D. enclosed on page 2 of cf.

Page 10 to 12 of P.O. 46 25.11.12

Not to conduct the
desire ~~to be~~ subjected to a public enquiry.

5. The allegations in paragraph 7 of the memorial regarding the undue influence or intimidation exercised ~~by the Inspector~~ by Mahmud Azam Sahib are not true. Mr. Grievs's enquiry, the Government are assured, was in no way prejudiced by Mahmud Azam Sahib's presence or conduct.

6. In paragraph 8 of the memorial, the memorialist attempts to explain away charges 1 to 4 and 10 which have been held by the Director of Public Instruction and the Government to have been established.

(1) As regards the first charge ~~it~~ ^{noticed} will be ~~found~~ ^{the memorialist} that ~~he~~ has entirely failed to answer the substantial portion of it, namely, that he used for his own residence ^{about one half} portions of the house rented for the accommodation of his office and that the ^{share} ~~portion~~ of the rent paid by him (viz. Re.1) did not represent ~~not~~ a fair proportion of the total rent (Rs.16). The statement that the ^{part} ~~back~~ portion of the ^{obtained chiefly because it was} house was ~~in such a state of~~ bad repair, ~~that he managed to secure it~~ ^{for the low rent of Re.1 supports} ~~that the~~ charge that a considerable portion of the house reserved for the office was freely used for his private

para-34 Director's
enquiry - page 2 of 4.

page 39 note with fo 1446 ©
25/11/12

used as a residence

is especially the
Dy. Director's inspection is if it were
true, it would go to support the

nb

private purposes without any corresponding payment therefor.

(ii) The second charge is that the memorialist ^{filled for} ~~charged~~ scavengers' wages for the office when as a matter of fact there was no latrine attached thereto. ~~What~~ The memorialist ^{present plea} ~~says~~ in respect of this charge is inconsistent with what he stated at Mr. Grieve's enquiry. On personal inspection Mr. Grieve found that there was only one latrine attached to the building and that this was ~~the~~ ^a portion of ~~an~~ verandah with an escape in ^{which was used by the} the corner for water ~~it~~ where the memorialist and his family ~~resided~~.

(iii) The third and fourth charges are to the effect that the memorialist ^(drew) dishonestly travelling and daily allowances to which he was not entitled under the rules. His ~~present explanation~~ ^{is the} ~~new explanation~~ ^{as to} ~~regards~~ ^{the} ~~case~~ ^{of} the former charge he pleads ignorance of rules which is scarcely ^{credible in} ~~believable~~ on the part of an officer of his standing and service; and ~~in~~ ^{as to} the case of the latter the entries made by him in diary and the travelling allowance bill to support his claim clearly proved his dishonest intention. His present explanation contains nothing new ~~as regards~~ ~~these~~ ~~charges~~.

para. 4 of Director's Enq.
 26/11/12

charge II on page 7 of 1046 ^(C)
 26/11/12

but not to the
 office establishment.

for journey not on his
 own private affairs out of
 his priv. action.

para. 7 - page 4 & 5 of notes with 1046 ^(C)
 26-11-12

Charge II of Mr. Grieve's report on
 page 8 of 1046 ^(C)
 26-11-12

para. 4 of Director's
 Enq. on page 2 of 1046

Concluding portion of
para. 8 of the memorial

para. 4 of Director's Encls
- page 2 yet

pgs 7+10 of 1046 ©
25.11.12

It scarcely admits of dispute
that, there being only one
person who could have
obtained the cow, the
circumstances
have the same, mentioned in the
para. 2 of Director's Encls

or page 5 of 1046 ©
25.11.12

para. 8 of memorial

to the D.P.I. & the officers of
the Dep. at the time - long
before there was any charge against
memorialist - leaves little ground

(iv) The tenth charge is that the
memorialist ^{obtained} ~~received~~ a cow from his
subordinate without intending to pay
for it. The statements in his pre-
sent explanation that the cow was on
trial and that "he was under the
"impression that he would not be called
"upon to pay any appreciable amount
"for having tried it for a few days
"and then returned it as useless" are
not ~~very~~ consistent with the informa-
tion elicited at Mr. Grieve's enquiry.
The latter clearly showed ^{that} ~~he~~ that he had
ample time and opportunities to ~~make~~
^{for the animal} settle ~~the~~ ^{the} transac-
tion which he neglected ~~a circum-~~
stance which leads strong support to
the charge that he never intended to
pay anything for the animal supplied
by his subordinates.

7. The charge of offering a
bribe to the Personal Assistant to the
Director of Public Instruction referred
to in paragraph 9 of the memorial was
not one of the charges enquired into
by Mr. Grieve, but was brought to the
notice of the D.P.I. subsequently. ~~In~~
spite of the slight discrepancy
brought to notice by the memorialist
~~His Excellency in Council has no~~
reason to doubt the truth of the
allegation.

8. In conclusion I am to state

that His Excellency the Governor in Council has no recommendation to make on behalf of the memorialist.

A
28/12/13

ME 29/8

TELEPHONIC MESSAGE.

29

Date, 5-9-1913

Hours Minutes

FROM The Indian D.P. 2

TO The Insp
S.D.

No spare copy of the petition is available in this office.

Shm
5-9-13

Learned Section Super:

please see the note
from the Govt office on the slip
below. As the D.P. 2 says
that no S.C. of the Memorial
T.M. supra addressed to G. of I.
Bhagavanth is available
in his office, kindly arrange
to have a copy taken of it,
as expeditiously as possible
so that the letter to G. of I.
may not be delayed.

Imp
5/9/13
W. for

TELEPHONIC MESSAGE

When given for copying
When copied
When examined
When signed

19

READ AGAIN G.O., No.
19

, DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DETAIL.

PAYERS NOT FILED UP, BRING MEANS FOR DISPATCH
IN ORIGINAL.

A A A A A A A

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.