

1-10-15  
Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1539

Dated 23<sup>rd</sup> July 1895

INDEXED.

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[Despatch Abstract.]

PETITION.

Informing Sundram Pillai, late Police Constable, Tanjore District, that the Government of India declines to consider ~~er~~ his----- praying for restoration to his post, as it did not comply with the rules prescribed for the a submission thereof.

BACK PAPERS.

| G.O. | No. | Department. | Date.  | G.O. | No. | Department. | Date. |
|------|-----|-------------|--------|------|-----|-------------|-------|
|      | 524 |             | 9/3/95 |      |     |             |       |

FURTHER PAPERS.

| G.O. | No.  | Department. | Date. | G.O. | No. | Department. | Date. |
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|      | 3824 |             | 95    |      |     |             |       |

[ 3 ]  
2,000-2-4-05.

Current No. 3466  
Judicial DEPARTMENT.

From The Govt of India  
Home Dep<sup>t</sup> (India)

Order of 23<sup>rd</sup> July 1895 No 1539  
mi

The petitioner will be informed  
accordingly.

23-7-95

No. 484

Dated 29<sup>th</sup> June  
Received 19<sup>th</sup> July } 1895  
24<sup>th</sup> 20<sup>th</sup> do  
Enclosures 4.

To The Secy. to Govt  
3 Encls. 23/7/95

SUBJECT.

Requesting to inform Sundaram  
Mallai that his petition of the  
29<sup>th</sup> May 1895 will not be  
considered by the S.G.

MR 322/7

MR 22-7-95

(W/O)

To,

His Excellency,

The Right Honorable

VICTOR-ALEXANDER BRUCE

EARL OF ELGIN & KINCARDINE P. C. L. L. D.

Viceroy & Governor-General of India in Council,  
through the Government of Madras. CALCUTTA.

The humble Memorial of SUNDARAM PILLAI, 2nd Class Constable No. 355, of the Madras Police Force, J. I. Division, Tanjore District.

MOST RESPECTFULLY SHEWETH :—

That your Excellency's Humble Memorialist was entertained in the Police Force of the Tanjore District on the 9th July 1884 as 3rd Class Constable and was doing duty for a period of eight years and a half, i.e., till 1st February 1893, when he was dismissed the service on the *Black Mark System* obtaining in the Police Department, Madras.

II. That your Excellency's Humble Memorialist, having been awarded 7 Black Marks for faults mentioned under, was ultimately pronounced dismissed by the Authorities of the Department who paid little or no attention to the explanation that your Excellency's Humble Memorialist offered, setting forth the peculiar circumstances under which he acted and has such, how little he was liable to the several charges that entailed the Black Marks. Your Excellency's Humble memorialist subsequently appealed to the Government of Madras who also declined to interfere on his behalf, overlooking the injustice done to him by the Department.

Faults:—i. Not taking to Police Station 2 drunken men arrested by Section Officer and sent by him on the 15th October 1890.

ii. Failing to take an accused person to station as ordered by European Head Constable Mr. Spears on the 2nd November 1890

iii. Absence from morning Drill on the 4th April 1891.

iv. Absence from Negapatam Hospital when he was an inpatient there on the night of the 15th December 1891.

v. Illegal procedure in not having produced a prisoner before the Kumbaconam Town Magistrate in whose Jurisdiction he arrested a woman on a warrant issued by Negapatam Town Magistrate on the 24th February 1892.

vi. Appearing at inspection with a dirty belt on the 29th December 1892.

vii. Sleeping while on night beat duty in Negapatam Town on the 15th January 1893.

III. As regards the cause of the *First Black Mark*, Your Excellency's Humble Memorialist begs respectfully to submit that the Section Officer No. 252, did order

The uninterrupted period of good conduct between.

I & II is 18 days  
II & III, 5 months & 2 days.  
III & IV, 8 months & 11 days.  
IV & V, 2 months & 9 days.  
V & VI, 10 months & 5 days.  
VI & VII, 17 days.

him to take to station two men on a charge of drunkenness and rioting. But your Excellency's Humble Memorialist, suspecting the soundness of the charge, asked for a written order of the Section Officer as an authority against any complaint that the two delinquents might bring against Memorialist should the crime they were charged with by the Officer prove frivolous as it ultimately did. The section Officer refusing this, your Excellency's Humble Memorialist did not execute the order as he thought he was running a risk if he had done so without on proper authority.

IV. That as regards the cause of the second Black Mark, your Excellency's Humble Memorialist begs to submit that, on the 2nd November 1890, the European Head Constable Mr. Spears, ignorant as he was of the rules of the Police Department, ordered him to take to station the horse-keeper of the Local Engineer who was making a noise in the course of his bargaining with a grass-cutter-woman who was at issue with him as regards the price of grass. Your Excellency's Humble Memorialist asked the European Head Constable, as well, for a written order that he may account to the Police Inspector should he question him on his absence from his beat at that spot; and also as a protection against any charge that Memorialist thought the horse keeper might prefer against him. The European Head Constable neither gave him the written authority nor took horse-keeper himself to Station.

V. That with reference to the cause of the Third Black Mark, Your Excellency's Humble Memorialist begs to state that he was not altogether absent from Morning Drill; but was late by half an hour, which was owing, partly to his having lived a mile and a half from the Parade ground and partly to that morning having been rather cloudy and not favourable to proper knowledge of the hour of the day.

VI. That with reference to the cause of the Fourth Black Mark, Your Excellency's Humble Memorialist begs to state that he, as an inpatient, was entirely under the orders of the Surgeon in charge of the dispensary when he went home between 9 and 10 P. M. on the 15th December 1891 for his supper which was on the strength of the general concession granted by that officer to all constables in consideration of the inability of the poorly-paid constables to secure the services of one to bring them their meals at nights. Here Your Excellency will observe that the Police Inspector Mr. Mayers, with a view to feed fat the grudge he owed against Memorialist, took advantage of the Memorialist's absence at that time and reported him, in the absence of any complaint from the Surgeon and obtained an additional Black Mark to him. This, the Memorialist begs to point out, is an act overbounding in all sense the legitimate limit of his official duty, as the Memorialist would be considered to have been solely under the orders of the Surgeon from the moment he was admitted for treatment to the time of his relief.

VII. That with reference to Black Mark No. 6, Your Excellency's Humble Memorialist would most respectfully submit that the belt, he was wearing at the time referred to, was the one that was furnished him at his entertainment in the Department which was old already and had further stood  $8\frac{1}{2}$  years' wear with the Memorialist and as such, could not but inculcate him in the eyes of his superiors. Your Excellency will here observe that Memorialist was found fault with on a matter which he could not have helped. In his decision on Memorialist's appeal petition to the Inspector-General of Police, that Officer has observed that the cause of this Black Mark was so trivial that it was virtually ignored and the Memorialist kept on in service although he was to be dismissed with that Black Mark only, being the 6th one.

VIII. That with reference to Black Marks No. 5 and 7, the Memorialist feels diffident to put forth any explanation as he cannot possibly find any extenuating circumstances that will render his case less criminating; although in reference to No. 7 he can plead sore-eye and indisposition for his having been asleep while on duty.

IX. That as regards the Black Mark System of the Madras police the rules were so severe as no constable, who had more than one black mark, was able to cancel them one by one as he was required to put in uninterrupted good conduct for a consecutive period of 6 months to cancel 2 black marks, 9 months to cancel 3 black marks and 12 months to cancel either 4 or 5 black marks. Lately the Government of Madras, having found out the real severity of these rules, has revised and identified them with those of the other departments such as Salt and Abkari and jail which allow their servants to wipe off each black mark separately by 3 months' uninterrupted good conduct.

Appeals from constables against the Black marks are often rejected or overlooked by the higher authorities of the Department, which encourages the Superintendents to be more liberal in awarding black marks to their subordinates for offences however trivial they may be, though it is a deviation from Inspector-General's order which is now revised as Black mark rule 12. [Care must be taken not to award a black mark on every occasion on which it may be necessary to warn or reprimand an officer. A black mark should only be given when, but for these rules, a fine would be imposed.]

X. That, having laid open for your Excellency's favourable consideration the various circumstances under which Your Excellency's Memorialist was awarded Black Marks. Your Excellency's Memorialist would crave Your Excellency's Gracious consideration to the soundness or otherwise of the grounds upon which the award of such Black Marks was based and would further submit if Black Marks No 1, 2, 3 and 4, would any more tend to criminate Memorialist than No 6 which was considered and pronounced by the Head of the Police Department as trivial and was therefore taken no account of.

XI. Under the circumstances explained, Your Excellency's Humble Memorialist would most respectfully solicit Your Excellency's Clemency to the consideration that any, the least, number of the Black Marks to which Memorialist offered his explanation, if cancelled, would tend to lessen the crime aggravated by the several Black Marks and exculpate him from the dismissal which it has now entailed: and he would, therefore, most humbly beg Your Excellency to be graciously pleased to cancel such of the Black Marks as would seem in Your Excellency's merciful eyes pardonable and restore him to his appointment shewing him the justice and kindness he seeks at Your Excellency's hands, for which act of condescension and charity Memorialist will as in duty bound, pray for Your Excellency's long life and happiness here and hereafter.

1. GUNPOWDER MAGAZINE ROAD,  
NEGAPATAM, Madras.  
29<sup>th</sup> May 1895.

P. R. Ramana Pillai

Negapatam: "NEELALOCHANI" PRESS.

15<sup>th</sup> July 1895.

P. R.

CURRENT NO. 346

No. 484

HOME DEPARTMENT

( Police )

Sindia the 29<sup>th</sup> June 1895.

OFFICE MEMORANDUM.

The undersigned is directed to inform Sindaram Pillai that his petition of 29<sup>th</sup> May 1895 received 12<sup>th</sup> June 1895

will not be considered by the Government of India, because he has not complied with No. 4(1) of the rules prescribed by the Government of India in Notification No. 1812, dated the 11th October 1889, of which a summary is given overleaf.

The petition (and 3 enclosures) are herewith returned.

H. Luson.

Offg. Secy: Secretary to the Government of India.

அடியில் கையொப்பமிட்டிருப்பவர் தமக்கு உத்தரவு செய்யப்பட்டபடி.

க்குத் தெரியப்

படுத்துவது யாதெனில், 1889ஆம் அக்டோபர் மீ 11-ல் 1812-ம் நெ. வினம்பரத்திலே இந்தியா கவர்ன்மென்டாரால் நிர்ணயிக்கப்பட்டும், இதன்பின்புறத்தில் சுருக்கமாக காணப்பட்டுள்ள விதிகளுக்குள்ளே நெ. விதியின்படி விண்ணப்பதாரர் செய்யாத காரணத்தினாலே

உ { அனுப்பப்பட்ட  
உ { சேர்ந்த

அவருடைய விண்ணப்பமானது இந்தியா கவர்ன்மென்டாரால் யோசிக்கப்படமாட்டாது

அந்த விண்ணப்பம் (உள்ளடக்கங்களுக்கெழுப்பப்பட்ட கடிதங்கள் சித்தமாய்)

இதனுடன் திருப்பிவிடப்படுகிறது.

(கையொப்பம்)

D

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Encl. No 1  
O. No. 3466

4.—A petition to the Government of India against the orders or action of a Local Government must—

- (1) be submitted through the Local Government;
- (2) if emanating from an official, also be submitted through the Head of his Department or Office, must not be in the nature of a joint petition, and must refer to matters in which the petitioner has some personal interest;
- (3) be signed and dated by the petitioner;
- (4) if in the form of an appeal against an order contain the original or an authenticated copy of the order appealed against, and be presented within 6 months of the date of that order;
- (5) conclude with a specific prayer;
- (6) be prepared in loyal, temperate and respectful language.

B.—Petitions in which these rules are not complied with will not be considered.

A.—யாதொரு பிரதேச சர்க்கார் மென் டார் செய்யும் உத்தரவுகளின் மேலாவது செய்கையின் மேலாவது இத்தியாகவரன் மென் டாருக்குச் செய்யப்படுபு. விண்ணப் பமரனது—

- (1) அந்த பிரதேச கவர்ன்மென் டார் மூலமாக அனுப்பப்பட வேண்டும்;
- (2) அவ்விண்ணப்பம் ஒரு உத்தி போகஸ்தான் செய்யப்பட டால் அவ்வுத்தியோதஸ்தான் டைய டிபார்ட்மென்ட் அவ் வது ஆபீசின் தலைவர்மூலமாகவும் அனுப்பப்படவேண் டும், அது கூட்டுவிண்ணப்பத் தின் தன்மையைப் பொருந்தி யிருக்கலாகாது, விண்ணப்ப தாரருக்கு நேரில் கிஞ்சித்தே னும் சம்பந்தப்பட்ட விஷய ற்களைப்பற்றி அந்த விண்ணப் பத்திற் கண்டிருக்கவேண் டும்;
- (3) அதில் விண்ணப்பதாரர் கையெழுத்திட்டத் தேதிபோடவே ண்டும்;
- (4) ஒரு உத்தரவின்மேல் அப்பீல் செய்யும் ரூபத்தை விண்ணப் பந் கொண்டுருக்குமாயின் அதன்மேல் அப்பீல் செய்யப் பட்டதோ அந்த உத்தரவின் அசலையாவது அதற்குச்சரி யான நகல்தான் கொண்டு உறுதி செய்யப்பட்ட ஒரு நகலையா வது அந்த விண்ணப்பத்தில் அடக்கல் செய்யவேண்டும், மேலும் அந்த உத்தரவு பிர ந்த தேதிமுதற்கொண்டு ஆ றுமாதத்திற்குள்ளாக விண் ணப்பஞ் செய்யப்படவேண் டும்;
- (5) வேண்டுகோள் இன்னதென்று தெளிவாய் விண்ணப்பத்தின் முடிவிற்கு கண்டிருக்கவேண் டும்;
- (6) இராஜவிசுவாசத்தையும் வணக் கதையுங்காட்டத்தக்க அ மைவான பாவனையில் விண்ணப்பம் எழுதப்படவே ண்டும்.

B.—இந்த விதிகள் அறுசரிக்கப்படா மல் எழுதப்படும் விண்ணப்பங்கள் யோ சிக்கப்படமாட்டா,

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READ AGAIN G.O., No.  
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DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
IN ORIGINAL.

N.B.—

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Enclos. No. 1

To

C. No. 3466