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## BACK PAPERS.

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## FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
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Kutti Musaliar, who was taken before the Stationary Magistrate, Manjeri to give a sworn statement as to the information received by him, had been remanded to custody without a hearing, and the conspirators had fled on hearing of the discovery of their plot. It was impossible, under the circumstances, to obtain any evidence and it was unreasonable to expect that, in the face of the treatment met with by Ahmad Kutti Musaliar, any one would come forward to speak in support of a story that was laughed at by everybody. It was also the interest of the Magistrate to make out that all was a farce. Appellant was therefore unable to give any evidence of the existence of the conspiracy and as the informants were Appellant's father and his dependants, the Appellant was charged with spreading a false report of an intended outbreak and was immediately suspended. After a long suspension he was reduced and transferred to the northernmost division of North Malabar.

As to the inability to obtain evidence in such cases, Appellant need only refer to the report made by Mr. Weill, my successor at Angadipuram, of a similar outbreak later on and in which he was equally unsuccessful in getting any evidence.

Appellant now begs leave to explain in detail the chief points urged against him in the attached Proceedings of the Inspector-General.

Para 13. The prisoners were ordered to be taken before the Stationary Magistrate, Angadipuram. On the way, the District Magistrate's order was received to take them before the Special Assistant Magistrate at Malapuram. So there was nothing irregular or out of the way in taking them first to Angadipuram and then to Malapuram, instead of direct to Malapuram.

Para 20, sub-paras 1 to 5. Every Moplah knows that any one suspected of intending to commit an outbreak of this kind, will be summarily dealt with, and that to ensure success, they must keep it a perfect secret. Even if any one hears of it, he will not tell it out for fear of getting himself into trouble. It is no wonder, therefore, that those who gave information to Appellant were those who had implicit faith in him.

Para 20, sub-para 7. This very Unnian Haji and his brother have now been proved to have been at the bottom of these troubles and have now been deported.

The rest of para 21 has been explained above.

Para 22. The prompt arrest of the Moplahs and the noise made about it prevented an outbreak at a time when it was least expected and put it off for one year.

Appellant had duly recorded and reported every information obtained by him and every step taken by him since 26th June 1893, the date on which he received the first reliable information. Why he did not take official notice of the vague information given by Ahmad Haji on 4th June 1893 has already been explained above.

Of the twelve conspirators named by Appellant in his report of 26th June 1893, four, viz., Srampikal Unniavara Mullah, Musaliar Ahmad Kutti, Mampadan Kunhamad, and Audikadan Kunhalavi were shot dead at the recent outbreak at Pallikurup temple; three, viz., Madari Akaramal Ahmad Kutti, Musaliyar Moytin Kutti and Kanthodika Padinharelil Pokar were deported for being concerned in the recent outbreak. Kunjundan Moytin mentioned in Appellant's report was not able to join the late outbreak as he was laid up with sickness.

Appellant had mentioned Vellangat Thodu (channel) and the mosque near it as the meeting place of the conspirators. It was at that place that the dacoity that preceded the late outbreak was committed and 23 of the Moplahs, who were killed at

...belonged to that place. The ... of the ...  
...referred to in Appellant's report of last year ...

In all the more points the recent only ... was an exact correspondence of the ...  
...made by Appellant a year ago and for which he has been commended. Black ...  
...man who was reported by Appellant to have made war knives for the ...  
...and who had resided at the time ... at ... and he is said to ...  
...as the ...

In conclusion, Appellant begs to submit that the action of the late Acting ...  
...and the late Acting District Magistrate of Malabar in recalling ...  
...to ... to help in the ... the recent outbreak shows con-  
...that they had completely changed their relation about the Appellant and had ...  
...of the ... treatment accorded to him. Appellant begs therefore that ...  
...may be taken into two ... and, as this has disclosed the ...  
...of his efforts, he may be restored to his former grade and the full pay ...  
...during the period of his suspension may be paid to him.

Appellant is a Mohomedan of S. ... and he was enlisted and promoted on ...  
...of the ... his ... in times of trouble he does not ...  
...and was ... the Inspector's Test part I. It ...  
...of all the ... and promoted on account ...  
...of his good conduct. He is Appellant's ... Inspector in the district and ...  
...of him is most ...

Yours faithfully,  
V. Chandy

No. 1000/1901

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v. On the Annual Confidential Report on Inspectors and Sub Inspectors for 1884, the Inspector-General (Col. Cloete) remarked as follows on Sub-Inspector Cheykutty :—

“Report is highly satisfactory and promises to become a good Police Officer.”

vi. From October 21st to November 20th, 1885 Cheykutty acted as First Class Inspector.

vii. On April 1st, 1886 he was appointed 5th Class Inspector on probation.

viii. On the Annual Confidential Report on Inspectors for 1887 the Acting Inspector-General of Police (Col. Porteus) made the following remarks:—

“Report unsatisfactory. Is said to be apathetic and not well up in his work. Early steps should be taken for his reversion to a grade for which he is more suited.”

ix. On the Annual Confidential Report on Inspectors for 1888, the Acting Inspector-General of Police (Col. Porteus) remarked as follows:—

“Mr. Baudry, (the Asstt. Superintendent) reports that he has given up all hopes of ever making a good officer of this Inspector—Mr Egan, the Superintendent on the other hand considers that the Assistant Superintendent has never tried very hard to make a good officer of the man—In that case the Inspector's incompetency is partly due to Mr. Baudry's neglect of him.”

“The Superintendent also supports the Inspector in his differences with the Sub-Magistrate.”

x. On an unfavorable report made by Mr. Egan, Superintendent of Police in the Annual Confidential Report on Inspectors for 1889, the Inspector-General (Col. Guthrie) passed the following order:—

“5th Class Inspector Cheykutti must go back to grade of Head Constable as he is said to be most useless and incompetent.”

xi. On 1st October 1889 according to the Inspector-General's orders this Inspector reverted to 1st Grade Head Constable.

xii. Against this reduction on a Confidential Report without being allowed defence or explanation Cheykutti appealed to Government, which directed the Inspector's restoration to his former rank with full pay from date of reduction.

G. O's Nos. 1055, dated 20-6-90  
and 213, dated 2-2-91.

xiii. In the beginning of 1891 when a number of Inspectors were removed from

G. O. No. 519, dated 18-3-91,  
Jd.

the service for failing to complete the Tests (principally law) laid down for their grade, Inspector Cheykutti was retained and confirmed in the service on my recommendation as he was the only Mappila Inspector in the Force and had some detective ability.

He never managed to pass anything more than the Departmental Tests in Malayalam and that he did in 1881. He is utterly ignorant of English.

xiv. On the Annual Report on Inspectors for 1891, I remarked as follows of this Inspector:—

“Assistant Superintendent's report fair—“Magistrate's report unfavourable. Said to side too much with his co-religionists—fatal failing in an Inspector.”

xv. On the Annual Report on Inspectors for 1892, I remarked regarding this Inspector:—

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iii. In his report, Abdul Kadir also stated that he considered it advisable to impart the information which he had obtained to the Stationary Magistrate (of Ernad) and therefore took the Musaliyar to the Magistrate's quarters.

iv. Much to the Inspector's surprise the Magistrate without examining the Musaliyar ordered him into custody giving Inspector a written order to that effect.

The Inspector in his report deprecated the Magistrate's action and stated that Valia Mannil Mamath was a very respectable and influential land lord (the father of Inspector Cheykutti) from whom considerable assistance might be expected and that the Musaliyar was also a most respectable man and Kazi of his mosque.

6. The Musaliyar's statement is that one Kunjudin Mohidin, a Kanakkan convert informed him that he and other friends were going to Orampuram to demand satisfaction from the Kaffirs who burned the mosque. On the Musaliyar's asking Mohidin who his friends were, the latter replied that they were from Ariacode and Vayakat.

7. A report dated June 26th was next received from Inspector Cheykutti in charge of the Angadipuram Division. He reports on the information of his relation Ahamad Haji that

Nine Moplas of Tekkumbad Desam, Manjeri Amsam and  
Two Moplas of Kondiparumba Desam, Nenmini Amsam  
had provided themselves with sixteen war-knives, a gun and two parahs (bushels)  
of gunpowder and were preparing to avenge themselves on

Pathayil Shankaran Nair,  
Pandikat Mused Subramanian,  
Udamput Kunju Nair,  
Ramankunnath Kunhi Perimbra Nair,

on account of their supposed complicity in the burning of the Orampuram mosque.

ii. The names of 11 Moplas were given by Cheykutti in his report. With which he also sent copy of a letter which he had received from his father containing very much the same information that Musaliyar had given Inspector Abdul Kadir.

iii. Cheykutti finishes his report by saying that he is proceeding to the spot.

iv. In his statement to the Superintendent of Police, he added that he sent reports to the District Magistrate, Superintendent of Police, Special Assistant Magistrate, Assistant Superintendent of Police, and Stationary Magistrate and that just as he was starting for Nenmini he learned from Valayathodil Kayasan Gurukal of Pandikad Amsam that the Musaliyar Ahamad Kutti had been put into prison by the Stationary Magistrate for furnishing the information given to him by Mohidin and that the latter had absconded.

8. Inspector Cheykutti stated that on arrival at Nenmini he made enquiries and told the Special Force Inspector Mr. Wiggins to strengthen the guards over Sankaran Nair, Theyunni Nair, and the Pandikad Musad, that after doing this he went to Thekkumpad Desam, where he met Head Constable Kesavan Nair and 4 Constables whom he had previously despatched to look for the Moplas wanted. From Thekkumpad he sent the Pandikad Head Constable and a Constable in search of Kunjudin Mohidin.

9. On June 27th, neither Inspector nor Head Constable could find any traces of the eleven (11) Moplas mentioned by Ahamad Haji; as Inspector said, hearing of the Musaliyar's arrest, all had absconded.

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of the witnesses cited by the Inspector. They all then denied having given such statements as were recorded by Inspector. The 5th witness subsequently examined stated substantially what the Inspector had recorded of him.

7. As the witnesses were examined by the Assistant Superintendent in the Inspector's absence, the Superintendent ordered re-examination by Assistant Superintendent in Inspector's presence.

8. This was done—when three (3) of the witnesses adhered to their original statements to the Assistant Superintendent, while the 4th man stated that he could not remember what he told the Inspector, but thinks that he had made the statement as recorded by Inspector.

9. Constable No. 172 stated that he brought two witnesses to the Inspector, but was not present at their examination.

10. Out of five (5) witnesses, we thus have two, asserting that they made statements as recorded by the Inspector, while the three aver that they did not.

Which are to be believed? Might the three not have been got at?

11. Moreover, the utter absence of motive on the part of Inspector in playing such a dangerous game seems in his favour—the Superintendent suggests that it might have been done to save himself trouble in making a long report or to save a Constable from coming to grief for allowing the prisoner to escape.

ii. The first time he enquired into the escape case, the Inspector took no statements—but he went there the second time by order and it is admitted did take statements. I do not know that it saved him much trouble to prepare *fictitious* statements instead of taking true ones.

iii. As for saving a Constable, no particular one was accused and it is not suggested what Constable the Inspector wanted to save.

12. Here as in the first charge, which case Cheykutti has been guilty of gross disobedience of Police orders in not recording at once in his Note-book all information received by him—but I do not consider it proved that he was guilty of submitting fictitious statements.

23. I at one time thought that there was a sufficiently strong case against Inspector Cheykutti of having circulated information of an alleged conspiracy on the part of certain Moplahs to warrant my recommending to Government his dismissal. His conduct, I consider, has been unsatisfactory and he has shewn himself a poor, weak, stupid, inefficient Inspector, in whom little reliance can in future be placed in an important case—but I do not consider that there is sufficient to justify the extreme departmental punishment of dismissal—I consider that his conduct in this case will be adequately dealt with by reduction to Fourth Class and transfer to the most northerly division of North Malabar.

24. As Inspector Cheykutti has been very far from acquitted, he will only be allowed half pay during the period of his suspension—he will be released from suspension at once and ordered to return to duty.

(Sd.) C. A. PORTEUS, Col.,  
Inspector-General of Police.

(True copy.)

(Sd.) F. J. MULLALY,  
Ag. Superintendent of Police, Malabar.

CAMP, MALAPURAM, }  
21st June 1894. }

To—Inspector M. R. Ry. V. Cheykutti, with reference to his petition to the  
Inspector-General of Police.

Assistant Superintendent of Police, Tellicherry.

behaved badly last year.

I have the honor to be,  
Sir,

Your most obedt. Servt.,

Wm. M. O'Hara Colonel,  
Inspector General of Police.

He

Chag Kallie's memorial. Does not help him  
very much; it certainly does not justify  
his arrest of men without evidence  
against them or his failure to record  
information in his note book. His  
contention that the prompt arrest of these  
Moplahs prevented an outbreak at the  
time may be true, but even so, it would  
have been more regular & far wiser merely  
to have watched them closely till there  
was evidence against them in which  
case they might have been imprisoned  
or reported the rising altogether  
prevented instead of being merely  
postponed.

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Whether the man is a poor Inspector or  
not has nothing to do with the  
case.

He has been & submitted practically  
honorably acquitted and should  
therefore be restored to service with  
pay for the time that he was under  
suspension.

There is a great deal to be said for  
a man in his position; he is evidently  
well educated and he knows  
well enough the difficulties of obtaining  
information; there can be little  
doubt that he himself being a  
Moplah knew well enough that  
though he could not produce evidence  
that is persuasive others would  
forward and say what they  
knew of him was something  
having been blamed and that  
certain men were concerned  
with it: As a Police Officer he has  
not acted improperly in making  
the arrest but he did let the  
improperly in making them hunted  
the perpetration of a serious  
offence

Punishment of a Police

H. M.

For orders

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