

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 524.

DATED 9th Nov: 1895.

INDEXED.

[Despatch Abstract.]

SUNDARAM PILLAI, LATE 2ND. CLASS CONSTABLE
NO. 355 OF THE TANJORE DISTRICT.

Declining to interfere on behalf of--appealing against his
dismissal from the service and praying for restoration.

Incl

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
80	12		9-1-95				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
80	1539		25-7-95				

To,

His Excellency,

THE RIGHT HONORABLE

BEILBY BARON WENLOCK, G. C. I. E.

Through the Inspector-General of Police

Fort Saint George

Madras.

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.

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 as such, how little he was liable to the several charges that entailed the Black Marks.

- 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 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

With 5 enclosures:—

1. Proceedings of the Madras Government containing an order dated the 9th January 1893.
2. Superintendent's Memoirs of 10.2.93
3. Depositions of 2.1.93
4. Depositions of 2.1.93

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 a 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 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 8½ year's wear with the Memorialist and as such, could not but incite 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, 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.

X. 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.

December 1891

Negapatam :— "Neelalochani Press."

With 5 enclosures:-

1. Proceedings of the Madras Government containing an order dated the 9th January 1892 No 12
2. Superintendent's Minute of 10.2.92
3. Default sheet of 1.3.92
4. By Enroute General's order of 14.11.91

DEPARTMENT.

No. 987

CURRENT No 870

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,

Madras, 21st February 1895.

FROM

M. Hammick Esq. Esq.

INSPECTOR-GENERAL OF POLICE,

TO

THE

Chief Secretary
to Government

Fort St. George.

SIR,

Enclosures. }
Sir.

I have the honor to enclose for the consideration of His Excellency the Governor in Council, a memorial from Sundaram Pillay, late 2nd class constable in the Tanjore District, whose dismissal from the force was confirmed, on appeal, by Colonel Porteous in his order, dated 12th December 1893.

2. The memorialist was dismissed under the black mark system and he virtually admits that his last black mark was deserved. It was awarded for the grave offence of sleeping on night duty.

3.

As to the other black marks, most

of



The Governor

-: enclosed 2 1/2

1. Forwarded to the Chief Secretary for consideration
2. Forwarded to the Chief Secretary for consideration
3. Forwarded to the Chief Secretary for consideration
4. Forwarded to the Chief Secretary for consideration
5. Forwarded to the Chief Secretary for consideration
6. Forwarded to the Chief Secretary for consideration
7. Forwarded to the Chief Secretary for consideration
8. Forwarded to the Chief Secretary for consideration
9. Forwarded to the Chief Secretary for consideration
10. Forwarded to the Chief Secretary for consideration

of these were awarded for serious offences. The 1st and 2^d were for allowing prisoners to escape, who were sent under his charge to the Police Station. The petitioner's present explanation appears to be false. He did not ask for a written order from his superior officer and on its being refused, declined to take the men to the station. He appears to have actually taken the men and then to have allowed them to escape.

4. His 3^d black mark was awarded for absence at parade and his excuse at the time was not believed.

5. His 4th black mark was for absence from Hospital at midnight. His present excuse is not the same as the one given at the time and both are no doubt false. The first explanation was that the petitioner had left the hospital to answer the calls of nature. He now says he had gone home to supper.

6. The petitioner was a most unsatisfactory Police officer and it will be noticed that he has delayed his appeal for a year and waited until Colonel Porteous has left the Presidency

Presidency. I see no reason why he should be reinstated and have no recommendation to offer on his behalf.

I have the honor to be,
Sir,

Yours most obedt. servant

Mammeth

Inspector General of Police

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