

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 980

Dated 10th May 1895

INDEXED.

[Despatch Abstract.]

PETITION.

Rejecting----from Narayanasing, late second class constable
No. 609, Kistna District, appealing against his ~~dismissal~~ being struck
off as ^adeserter by the Superintendent of Police, Kistna.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Manulipatam
5th December

To

The Chief Secretary to Government,
Judicial Department

Fort Saint George, Madras

The humble representation of the
Second Class Constable No. 609 of the
Prander Taluq. Kristna District.

Most Honoured Sir,

In April last
your honour's petitioner had an attack
of fever and he was then sent to the
Avanigadda hospital by his superior
and was after a treatment of five
days discharged on the first May
1894 as recovered.

Your honour's petitioner
unfortunately had a relapse of
a serious type on the same day he
was discharged. He was then conveyed

Handwritten note:
This was
relapse was
sent to
the
hospital
at once.

on Cart by his poor old mother to Bander, where he was placed under the treatment of a native Doctor. He was then entirely given up as lost for a period of 17 days (Vide Certificate of the native doctor enclosed)

Your honour must know how great is the prejudice of natives of this Country against European treatment. Especially it is the case in the Mufussil & in matters of life and death.

On the 18th day your honour's petitioner recovered a little and being unable to proceed either to the District Superintendent of Police or to the Inspector submitted a -

petition to the District Superintendent of Police - asking for two months leave and stating his - Condition of health.

Your honour's petitioner was ordered by the District Superintendent of Police to submit this petition through the proper Channel (i.e.) through the Inspector. The petitioner had this endorsement at the end of May and he submitted another petition accordingly through the Inspector on the 4th June. On the 2nd petition the District Superintendent of Police informed the petitioner that he was discharged for having absented himself without leave for over 21 days.

The Inspector General of Police confirmed the order of the District Superintendent of Police on the ground that the petitioner did not report himself in person either to the Inspector or to the District Superintendent of Police for more than 21 days.

The Police order no. 243 (absence without leave for 21 days completes the offence of desertion when the individual's name should invariably be struck off from the first day of such absence) according to which the petitioner has been punished wants 21 days of absence. But your honour's humble petitioner never kept quiet for 21 days but represented his severe sickness to the District Superintendent of Police on the 18th May i.e. the 18th day of his absence through a registered petition (Vide Post Receipt attached).

Further, Police order no. 244 runs thus (When men who have been struck off as deserters (for 21 days absence without leave) return and apply for reinstatement, their cases should be carefully enquired into and the real reasons for their absence

*For him as he
has been very
sick
for some time.*

The

ascertained. A minute should then be recorded by Superintendent, if he considers the reasons for absence satisfactory, confirming the order of dismissal for desertion; but if, on the other hand, ill-health, family bereavement or other grave cause has really prevented the return of the absentee, his case will be favourably considered, and application made to the Inspector-General with a complete statement of the facts of the case to cancel his dismissal.

Absence without leave is a distinct offence, and should be treated entirely on its own merits or demerits. In no case should the previous Character of the absentee influence a Super-intendant against such absentee's reinstatement.) according to ~~which the petitioner has been furnished~~ this it would seem that even if nothing was heard of a man for more than 21 days, his case should be favourably considered if he returns and proves that he was really subject to ill-health; but your honour's humble petitioner not only represented his case within 21 days, (which does not amount to discretion) but also satisfactorily explained himself of his ill-health by producing a certificate from the native doctor and from the neighbours (both the statements are enclosed) but

the poor petitioner was unable to report himself in person to the District Superintendent of Police on account of his severe illness.

Your honour's humble petitioner has a
 pensionable service of 7 years and by his
 removal from service he not only loses his
 7 years pensionable service, but also his very
 means of livelihood and begs therefore
 your honour to be kind enough to consider
 his poor Case favourably and placing
 the matter before his Excellency the
 Governor-in-Council if necessary to
 reinstate him in his appointment.

He is a young man (of 26 years of age) and if his Excellency considers it undesirable that he should be restored he begs that he may at least be treated to have resigned the appointment and accept his resignation, so that he may seek employment elsewhere in the Government service. Considering (1)

That on the 18th day he reported through a registered letter (2) That he has proved to have been very seriously ill for 18 days and (3) That his not going for treatment to the hospital ought not to be taken against him seeing that most natives prefer native treatment in matters of life and death.

I beg to remain,

Most Honoured Sir,

Your Most Obedient & humble
servant.

2000 Coy 205000

1st Karayana Singh

Submitted to the Chief Secretary to Govt
Judicial Department through the Superintendent
of Police, Madras, at per D.O. of the Madras
Govt Judicial Deptt No 1221 R of the 19th
September 1894, herewith attached.

2000 Coy 205000

Forwarded. Thru D. I. & J. G. of Police

5-1-95 W. Macartney
D. S. D.

H. J. J. J.
at per 9th W. M.



No. 1,000-10-94.

DEPARTMENT.

No. 1952

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,
Madras, 3d April 1895.

FROM

M. Hammick Esquire, I.C.S.,
INSPECTOR-GENERAL OF POLICE,

TO

THE Chief Secretary
to Government,
Fort Saint George.

SIR,

Enclosures 2
Hence

I have the honor to forward for the
consideration of Government, the appeal
petition of one 2nd Class Constable, Re. bog
Karayana Sing.

2. The appellant was discharged cured from
the hospital at Avanigadda, Krishna District,
on the 1st May 1894 and instead of rejoining
his duty he went off into Madulipatam
where he stayed more than 21 days. He
was therefore struck off as a deserter.

3. The appellant admits he was away without
leave more than 21 days, but says that the
reason was that he got violent fever the
day of discharge from Hospital, and
so

so was put into a cart by his mother
and taken into Madulipatam to be under
a Native private doctor. He says he was
so ill for 18 days that he could not
report his absence, but that he did so on
the 18th day and then got a reply from
the Superintendent that he must apply
through his Inspector.

4. The Superintendent says that as he
was released from Hospital as cured
on May 1st, it is very unlikely that he
would have that very day been again
attacked with such bad fever that
he could not apply to the Inspector or
Superintendent for leave at Madulipatam
and it is also very improbable that for
18 days he remained in such a state
that he could not address a letter to
his superior officer.

5. It will be seen from the Defaulted
Sheet that the man had an indifferent
character and I cannot accept his
excuses. It seems clear that he went
off on his own business when
released

released from the Police Hospital cured
Colonel Porteous declined to reinter-
view the man and I have no recommendation
to make on his behalf.

I have the honor to be,
Sir,
Your most obedient servant

Mammick.

Inspector General of Police

Good night

Judicial (1895) DEPARTMENT.

No. 1226 R/94.

FROM

M. Hammick Esq. A.C.F.,

INSPECTOR-GENERAL

OF POLICE,

TO

Order of 10th May 95,
W.O. 980

Issued
10/5

The Govt. declines to interfere on
behalf of the petitioners.

No. 1954

9/4/95 9/5/95

Dated

Received

3d
4

APR 4 1895
CHIEF SECRETARY
GOVERNMENT OF MADRAS

Mr. C. M. 6641 nt.

SUBJECT.

Forwarding for the consideration
of Government, the appeal
petition of Narayana Ling,
late 2nd Class Constable, No. 609,
Kistna District.

29/4

(W.O.)

When given for copying

When copied

When examined

When signed

189

READ AGAIN G.O., No.

189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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