

Local & Munl. (1895-) Department.

MISCELLANEOUS.

G.O., No. 2075-2.

DATED 29th Oct 1895.

[Despatch Abstract.]

Establishment.

Ordering, with remark, that Kannan Nair be removed from the Local Fund service, and requesting the Director of Public Instruction to report whether the Inspector of Schools, Northern Circle, was acquainted with the dismissal from the Police Department of Kannan Nair, when he recommended him for employment.

BACK PAPERS.

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

FURTHER PAPERS.

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

Miscellaneous.

LOCAL AND MUNICIPAL DEPT.	
G.O., DATED	29. 10. 95
No.	2075 2

INDEXED.

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[Despatch Abstract.]

Establishment

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 the Local Fund Service, &
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 Inspector of Schools N. Circle
 was acquainted with the dis-
 missal from the Police Dept
 of Hannan Han, when he
 recommended him for employ-
 ment

REAR AGAIN ORDER OF GOVERNMENT, DATED
189 . No . MISCELLANEOUS.

BACK PAPER, No.

OF 119

FURTHER PAPER, No.

OF 189

ENCLOSURE

CURRENT No

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DISPATCH
IN ORIGINAL (not paged).

N.B.

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Examined by

Vizagapatam

September 18th 1895

From

H. Kannan Chayan

Head master, B.S. School.

Peddapuram.

now on leave, Vizagapatam

To

The President,

Godavari District Board.

Cocanada.

Sir

With reference to your Reference on
Current no 1904 dated 28th August, I beg to report
that I did not communicate the fact of my
dismissal from the Police Department, to the
Educational officer who recommended me for the
Local Fund appointment. I failed to make
this communication being fully convinced that my
previous dismissal from the "Public Service" did
not, at the time I was recommended for the
L.F. Service, disqualify me for employment in

Such service and feeling therefore that such a
communication was unnecessary. The fact that I was
right in my said conviction is supported by G.O.
No 2392 L dated 17th November 1894 referred to
in my petition to you dated 27th July last.

I beg to remain

Sir

Your most obedient servant.

Sd/- K. Kannan Nayar

(True copy)

U. A. Brodie Esquire

Vice President, District Board

2689

GODAVARI DISTRICT.

Ref: on C. No. 1904
D. B. 875

BOARD OFFICE 189
Sept. 12 Sept. 1895

FROM

U. A. Brodie Esquire
President

District Board Godavari.

To

The Chief Secretary to Government,

Local and Municipal Department,

Madras.

SIR,

The Inspector of Schools, Northern Circle,
issued a circular memorandum in November 1893 to the
Assistant Inspectors of Schools of the first, second & third
Divisions, requesting them to recommend one K. Kannan Nayar,
a trained undergraduate, for employment in any of the
Board Schools. The Assistant Inspector of Schools II Division
accordingly recommended him to be appointed as
Head master of the Board Lower Secondary School
at Peddapuram, and as he was qualified for the
post and was duly recommended by the Educational
officers, he was appointed as Head master of the
Said School on 7-6-1894 and is reported to have been
since discharging his duties satisfactorily.
2 Information has subsequently been received in this office

that Kannan nayar was formerly convicted of the offences of wrongful confinement and extortion, while employed as a Head Constable in the Police Department in the Malabar District, sentenced to 4 months' simple imprisonment and Rs 50 fine, dismissed from his appointment and further declared ineligible for reemployment in the Public Service. (Vide G.O. nos 2337 dated 13-11-1888 & 1175 dated 7-6-1891 issued in the Judicial Department). On appeal, the conviction of extortion was set aside and the sentence reduced to one of 2 months' simple imprisonment & Rs 50 fine, under section 342 of the Indian Penal Code by the Sessions Judge. These facts were not communicated by him either to the Educational officers who recommended him or to the President of the Cochin taluk Board who has direct control over the school or to this office. I have called upon him for his explanation a copy of which is herewith submitted. He says in effect that he did not think that his previous conviction would bar him for employment in the service of a local Board. He relies also on G.O. no 23922 dated 1901 passed since his appointment. The

motive for suppressing the above facts is apparent. Kannan nayar could not possibly have had any doubt in his mind that, if his antecedents were known to his present employers, nothing was more unlikely than that they would entertain him in their service. His conduct is certainly reprehensible and brings his case within the meaning of para 3 of the Government of India's circular letter read in G.O. 13452 dated 5-7-1895 No 552. Public, which lays down that a "person who succeeds in obtaining employment by the concealment of his antecedents would obviously merit dismissal on the true facts being discovered."

3 If this order had been passed prior to the appointment in question, there could be no doubt as to the course to be followed in the circumstances stated above. But as I conceive that the Government may not have intended that retrospective effect should be given to it, I doubt, if it governs this case, and solicit, therefore, the orders of Government as to whether Kannan nayar should be retained in the service of the Board or not.

I have the honor to be

Sir

Your most Obedient Servant
18th U. A. Brodie
President
Queataraham
Vice President District Board.

Local Fund Department

From

The President

District Board.
Godavari

Ref: on Cur No. 1904
D.B. of 95

Date: }
Despatched 12 September 1895
Received 17 SEP 95

Subject.

Inquiring whether
stating that one K. Kannan
Nayar who was convicted
of certain offences while he was
in the Police Department in the
Malabar District and was dis-
missed and declared ineligible for
re-appointment, obtained em-
ployment on 7.6.94 in D.D.
service in this District by con-
cealment of the fact of his
previous conviction and en-
quiring whether he should be
retained in the service
as it is doubtful whether
the notification published in
G.O. 2392 L
17.11.94 applies to his case.

(with order)

C.S.
Mis

Order.

Under the circumstances -
stated in para. 3 of the President's
letter, there is no objection to the
retention of Kannan Nayar in
Local Fund service.

V.R.
11/10/95

For orders.

Submitted that Kannan Nair should
be dismissed now. The date of
India's resolution seems to make
no difference for the principles
in para. 3. are obviously such as
have always been held to apply to
the cases referred to. Kannan
Nair was dismissed from the
Police for a serious offence, &
not for mere incompetency, &
is submitted that local boards

The President, District Board, Godavari
should be discouraged from
providing refuges for dismissed public
servants.
I submit that K. N. Nair should be dismissed
though his conviction for extortion was set aside
(that for wrongful confinement was confirmed)
& he got his monthly sample kept. & Rs. 50 fine
is payable in the Public Service being paid
by the Government.

Current No. 2689 L

From

The P. St. Bd. Godavari

He should certainly be
removed from employ-
ment. The case is such
that under the C.S.
act it does.
Did the Insp. of
Schools, N. O., know of
the man's previous dis-
missal from the Police?
or what did he know
of him that he recom-
mended his app't?
Please ask

FOR ORDERS.

RD
24/10/95

Re - the selection in L.F. service
of Kannan Nair, who was
dismissed from the Police Dept
& declared ineligible for reappointment

FOR ORDERS.

2689 L

CS.

Order No. 2075 Dated 29-10-95

Kannan Nair should
and ought to be removed
from the service of the
Board. The date of the

order referred to in the
last para. of the ^{President's} ~~Collectors~~
order is immaterial, as the
principles recited in it have
long been held to govern
such matters.

2. The D.P.I. will be
requested to report whether the
 Insp. of Schools N. Circle was
acquainted with the ^{dismissal} ~~previous~~
history of Kannan Nair when
he recommended him for re-
appointment, and upon what
knowledge of his previous
history he based his recommen-
dation. It is 20/10/95 (from order)

To Secy. D.P.I. Godavari
- The D.P.I. D.O. Secy 31/10/95

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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.

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