Pension (1896) Department.

ORDINARY MS.

G.O., No. 115.

DATED 10th Feby/96.

[Despatch Abstract.]

Granting an invalid pension of Rs. 5-11-2- per mensem to Mrs. M. Elizabeth Fox late 1st class Vaccinatrix Bandar Taluk, Kistna Dt.-

BACK PAPERS.

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

FURTHER PAPERS.

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

APPLICATION FOR PENSION OR GRATUITY.

1. Name of Applicant. Ch. Elezabeth Fox.

2. Father's name. M. Munidasu Garu.

3. Race, Sect and Caste. Native Christian

4. Residence showing Village and Pergunnah. Bunder Kistna District

5 ~~Present or~~ last employment, including name of establishment. 1st Class Vaccinatrix

6. Date of beginning of service. 12th November 1873

7. Date of ending of service. 15th May 1894.

OFFICE OF THE VICE-PRESIDENT
Received
8 SEP 94
DISTRICT BOARD, KISTNA

	Y.	M.	D.
8. Length of service, including interruptions	20	6	4
of which superior	17	6	8
inferior	1	10	19
non-qualifying and interruptions	1	1	7

9. Class of pension or gratuity applied for, and cause of application.* Invalid Pension.

10. [Average] emoluments or pay. (18) C.R.P.

11. Proposed pension. Rupees 5-11-2 (=$\frac{19}{60}$) C.R.P. ~~Rupees 4 5-11-2 (=$\frac{19}{60}$)~~

C Rungasawmy Pillay
Dy Inspr of Vaccination
Masulipatam Range

12. Proposed gratuity. Nil

13. Date from which pension is to commence. 16th May 1894.

14. Place of payment. Bunder Kistna District

15. Date of applicant's birth by Christian era.† In November 1850.

16. Height. 5 ft. 3 inches.

17. Marks. a raised mole on right cheek, a mole on left side of chin.

18. ~~Date~~ 6.9.94

$\frac{57}{46}$ = 5-11-2

C Rungasawmy Pillay
Dy Inspr of Vaccination
Masulipatam Range
6/9/94
SIGNATURE OF HEAD OF OFFICE.

* If the application is for a compensation, pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

† (If not known exactly, must be stated on the best information or estimate).

3/18

HISTORY OF THE SERVICE (SHOWING INTERRUPTION) OF

Establishment.	Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as service.			Period not reckoned as service.			Remarks.	How verified.	Remarks by the Audit Officer.
		RS.	RS.			Y.	M.	D.	Y.	M.	D.			
Vaccine Department.	2nd Class Vaccinatrix	10	„	12th November 1873	30th September 1875	1	10	19	.	.	.		With reference to pay abstract and tallied with Service Register and calculated all the Rules and brought upto date.	Verified partly from the records of the Vaccination Department Kistna District and partly by the affidavit of the applicant and the evidence of her contemporary employes and the verification of the service upto 1878 confirmed by reference to the Audit Registers on record in this office.
Do. / District	Do.	15	„	1st October 1875	30th April 1876	„	7	„	.	.	.			
Do.	1st Class Vaccinatrix	18	„	1st May 1876	31st January 1882	5	9	„	.	.	.			
„	Sick Leave	„	„	1-2-82	7-2-82	.	.	.	.	.	7			
Do.	1st class Vaccinatrix	18	„	8-2-82	20-1-84	1	11	13	.	.	.			
	Leave without pay		„	21-1-84	20-2-84	.	.	.	.	1	.			
Do.	1st class Vaccinatrix	18	„	21-2-84	26-11-86	2	9	6	.	.	.			
„	Privilege leave on full pay	18	„	27-11-86	26-2-87	„	3	„	.	.	.			
Do	1st class Vaccinatrix	18	„	27-2-87	11-10-88	1	7	15	.	.	.			
Do	Ag. Dy. Inspectrix of Vaccn.	70	…	12-10-88	20-11-88	„	1	9	.	.	.			
Do	1st Class Vaccinatrix	18	.	21-11-88	17-6-91	2	6	~~28~~ 27	.	.	.			
„	Sick leave on half pay	9	.	18-6-91	17-6-92	.	.	.	1	.	.			
Do	1st Class Vaccinatrix	18	.	18-6-92	15-5-94	1	10	28	.	.	.			
	Total period of Superior Service					19	4	~~28~~ 27	1	1	7			

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant Character very good. Conduct excellent.
2. Explanation of any suspension or degradation Nil.
3. Regarding any gratuity or pension already received by Applicant. (*See* Chapter XXI). Nil.
4. Explanation under Article 469 so far as the Head of the Office can give it. Nil
5. Any other remarks. ~~Nil~~ C.W.P. This vaccinatrix is too fat and un-wieldy to do her work properly in the way of travelling about in the Taluq
6. Specific opinion of Head of Office whether the service claimed is established and should be admitted or not [*See* Article 991 (*b*)]. The Service claimed is established & should be admitted.

DISTRICT SURGEON
8 SEP 94
KISTNA

W. J. [illegible]
Surg: Major
A.G. D.S.O., Kistna.

Masulipatam
8th Sept. 1894

6/9/94

Rungasawmy
Dy. Inspr. of Vaccination
Masulipatam Range.
Head of Office

SIGNATURE.

CERTIFICATE AND REPORT OF THE AUDIT OFFICER (1).

12th Nov: 73 to 31st Mch: 81

Certified that should Government be pleased to admit the period of service noted in the margin claimed in the affidavit of the applicant on the evidence of contemporary employes (which, up to 1878, is also verified from the records of this Office), qualifying service in superior grades will be duly proved for 19 years 4 months and 27 days, and an Invalid pension not exceeding Rs 5-11-2 per mensem equal to 19/60 Average emoluments will be admissible under Articles 485 and 518(b) of the Civil Service Regulations 2d Edn. The calculations have been duly verified.

2. In the concluding part of his letter No 1641 dated 5 Decr: 94, enclosed, the President of the District Board of Kistna states that there is a char[illegible] of falsification of Vaccination returns pending against the applicant, and requests that the disposal of the Pension application may be deferred until the charge is disposed of.

3 In accordance with Rule 3 under Article 994 (b), the attention of Government is respectfully solicited to Article 574 of the Regulations.

Fort Saint George
Acctt: Genl's Office
22 Decr: 94

No. A.D.J.
572

J. Mackenzie
Accountant General

To
The Under Secretary to Government
Pension Department

Current Number 1785.

F No. 87/95

Endt 12th January 1895 No. 51

The Presdt. Dt Bd. Kistna will Kd.
report the result of the investigation
refd. to in the concluding portion
of his letter d/ 5 Dec 94. No. 1641.

Recd 12 Jan

12.1.95.

To
The Presdt Dt Bd., Kistna

Application for Pension or Gratuity—

Date of Application.

Name of Applicant.

Last Appointment.

Class of pension or gratuity.

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of commencement.

Date of sanction.

Note
Please [illegible] para 2 of
the A.G's report & the Presdt's
letter marked with [illegible]

Fo. 115/96.

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INDIA
TWO ANNAS

THOS. DE LA RUE & CO. LONDON

In the Court of Head Quarter Deputy Magistrate, Kistna
Case No. 20 of 1895
Judgement.

Name of the Accused Cherukuri Elizabeth Fox.

Offence Furnishing false information under Section 177 I. P. C, and Cheating under Section 420 I. P. C.

Finding Not guilty.

Sentence Acquitted under Section 258 C. C. P.

The Complaint in the Case is that the accused Cherukuri Elizebeth Fox who was 1st Class vaccinatrix of Bandar drew her pay of Rs 18 for the month of March 1894 on the strength of the note made by her on the paybill for the said month of March 1894 that she successfully vaccinated 131 cases in that month — that she did not vaccinate the 10 cases of Sultanagaram and 20 cases of Pedapatnam which she shewed by her papers to have vaccinated in March in those two villages and that by furnishing false information in respect to these 30 cases, she drew Rs 1-14-0 more than what she ought to have drawn under the rules then existing and thereby committed the offence of furnishing false information and cheating punishable under Section 177 and 420 I. P. C.

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SE 14 1895

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5/11/95

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TWO ANNA

2. Evidence has been brought to prove the rules then in force in regard to the scale of rewards and deductions for excess and for short work respectively done by vaccinators and their existence is neither denied nor disputed.

The rules as proved in the case are that a 1st Class vaccinator or vaccinatrix should vaccinate successfully 125 cases in a month to get full pay and that for each case above the minimum of 125, an additional remuneration of one anna is allowed while for each case below the said minimum, addition of one anna is made from the pay.

deduction (1)

3. If the accused had successfully vaccinated 131 cases in March 1894 as noted by her on her paybill for that month, she was entitled to the full pay of Rs 18 she had drawn and the committed no fraud.

4. The question therefore for consideration in this case is whether the note made by her in the paybill as regards the number of case successfully vaccinated by her in that month was true or not true.

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[illegible]

KISTNA
SEP 4 1895
STAMP DEPARTMENT

5/11/95

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TWO ANNAS

5. The prosecution produced evidence both oral and documentary to prove that the note on the bill was false. It was alleged for the prosecution that the accused Fox did not visit the villages of Sultanagaram and Pedapatnam in March 1894 and that she did not vaccinate the 31 Cases which she had shown as vaccinated in those villages in that month and the monthly return of vaccination submitted by the accused for the said month of March 1894 was put in — also the nominal register relating to that month was filed. The former has been marked as exhibit Q and the latter as B.

6. Several books letters and other papers were filed in support of the Charge but of all those filed, the most important are the two documents referred to in para 5.

7. The nominal register exhibit B is a register which every vaccinator is bound to maintain under rule 16 of Section III vaccination Code. It gives the names of the Children vaccinated, their sex and age and also the names of

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the Children's parents— The monthly return exhibit I is a monthly abstract of the nominal register and it gives all the particulars which are found in the nominal register except the names of the vaccinated children and of their parents. The two should of course tally in particulars common to both.

8. Before entering into the details of the oral evidence adduced, I will discuss the fact or facts proved by the said two documents exhibits B and I to show how far they support the present case.

9. The monthly return I is admitted by the accused— according to this return, 135 cases were vaccinated in March 1894— 131 successful and 4 unsuccessful— of these 135 cases, 31 were done in Sultanagaram and Pedapatnam— 30 successful and 1 unsuccessful according to the nominal register B, 135 cases were vaccinated in March 1894. This register is found

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incomplete, several of its columns not being ~~fi~~ duly filled up. It does not show how many of the cases were successful and how many unsuccessful. The accused explain that this register B was not maintained by her when she was in office, she prepared the monthly 2 from the information she had noted from time to time in a note-book she had kept for the purpose and that it was taken away from her by a late Deputy Inspector of vaccination Suryanarayana Naidu before she retired. This statement appears in one of the earliest explanation given by her to the District Medical and Sanitary officer and has not ~~n~~ been proved to be false. She added that 6 months after she retired, the Deputy Inspector of vaccination C. Rangaswamy Pillay who was under orders from the Vice-President, District Board conducting the Departmental enquiry in regard to the subject matter of this case, put much pressure upon her for the production of the nominal register

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and so she wrote this exhibit B from her memory and from what she was able to gather by the enquiries in the villages, she did not furnish it personally but it was taken from her son Benjamin and that therefore it should not be used against her. Bejamin whom the prosecution examined swore that he gave the register B to the Deputy Inspector and the latter admitted it.

The defference I notice between the details of information in the two documents, B and D is not in the total ~~t~~ vaccinated but it is in the age and sex of the children vaccinated and the discripancy is not serious—

The discripancy in so far as it is relate to the present charge is detailed below.

		Under one year		Above one & under six years		Above six years		Total
		Male	Female	Male	Female	Male	Female	
Register	B	"	-	7	6	11	7	31
Return	D	3	-	7	5	10	6	31

10. It has to be referred for what has been proved

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that the vaccination Department was not properly worked, that the rules in the vaccination Code have not been strictly enforced and that the maintenance and submission of the several registers and accounts prescribed by the Code were not duly insisted on. Care was not taken to see that the accused as vaccinatrix kept all the registers she was bound to keep and that she handed the above when she retired.

The prosecution contended that since the Register B bore the accused's signature and it was furnished in response to the requisition made by her superior and a public servant, Deputy Inspector of vaccination for purposes of a departmental enquiry, it should be presumed to be one kept by the accused in course of business when she was in office and that the accused should be made responsible for any discrepancies that might be found between this and the monthly return I.

Here stands the case in so far as the ~~docty~~ documentary evidence is ~~by accused~~. Concerned.

11. I will next explain the oral evidence

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in the Case.

The prosecution examined 26 witnesses of whom the 1st and 14th were the ~~permanent~~ permanent and acting Deputy Inspector of vaccination. These swore to the rules of the Department and the conduct of departmental enquiry by them. Their evidence does not ~~any~~ need any ~~comment~~ comment

Witnesses 3, 4, 5, 6, 7, 8, 12, 13, 16, 17, 18, 19, 20, 21, 22, 23 & 25 are the fathers of the children shown in register B as vaccinated in March 1894 in Sultanagaram and Pedapatnam. The evidence of these witnesses who are mostly very ignorant men is too conflicting and shaky.

Witnesses 3, 4, 5 & 6 of Sultanagaram admit that their children were vaccinated by the accused but differ from her in point of time. They are unanimous in saying that she vaccinated their children 4 years ago. In their examination in chief, they mention the vaccination was 4 years ago but in their cross examination, they faffer falter. Witnesses 7, 8, 12, & 25 of Sultanagaram swear that the accused never went to their village and that their children were vaccinated by male vaccinators.

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TWO ANNA
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witnesses Nos 17, 20 and 23 of Pedapatnam swear
that the accused went to their village and
vaccinated their Children but differ in
regard to the period of vaccination. Witness -
No 17 puts it at two years ago, 23 at 3 years
and 20 does not fix the time at all -
witness 16 of Pedapatnam says he never saw
the accused in his village and she did not
vaccinate his Children witness 21 does not
know who vaccinated his Child(r)en. The prose-
-cution rejected witnesses 18, 19 and 22 because
they said they were not the men they wanted,
All these witnesses including witness 13 seemed
to me to have been tutored. I will give one
of the most glaring instances of the way in which
a witness perjured. 13th witness swore most de-
finitely that his Child was vaccinated 4
years ago by a male vaccinator but he said
he did not know how old his Child was
when it was vaccinated or now he said
the Child was crawling. when she was vaccinated
and now she is as tall as the table in the court.
I cannot persuade myself to believe any portion
of the oral evidence produced in the Case. It is

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worthy of no reliance of any sort. The witnesses were evidently led by wire-pullers on either side.

12. I called on the prosecution to put in the nominal lists of cases which the witnesses, said were vaccinated by the accused 4 years ago in Sultanagaram and by male vaccinator in Pedapatnam and to call in the latter as witnesses. This would be more positive and the best proof they can lay their heads upon, but the prosecution was neither able to produce the said lists nor mention who those male vaccinators were.

13. There is therefore no proof for establishing the charge that the information in the monthly return 2 submitted by the accused and the note made by her on the paybill for March 1894, as to the No. of cases vaccinated by her in March 1894 was false numerically. The difference in age, sex &c does not effect the financial aspect of the charge. The age and sex do not create the claim for payment. It is the number that regulates the pay. There was actually no deception and the Board was not cheated out of its money. The 2nd complaint of cheating therefore false to the ground.

14. As regards the 1st complaint viz furnishing false information an offence under Section 177 I.P.C.

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The prosecutors vakil argued that even leaving out
the oral evidence in the Case as useless, there
was still sufficient documentary evidence
against the accused to establish the fact that
information furnished by her in the monthly
return was false - that if one of the two -
documents filed, D is taken to be true the in-
formation in B must be false in consequence
of the disagreement between the various items
of information furnished in them as explained
at end of para 9 supra * that the Case against
the accused under section 177 I. P. C must
stand. * He added that the terms of section 177
I. P. C. are unrestricted and that they do not
contemplate the existance of intent whether fraudulent
or not and cited as his ~~authority~~ authority High Court Proceedings
21st December 1871 No 3 and ~~part~~ in Criminal ~~Petition~~ 1/2
~~and~~ No 348 of 1881 Weirs Criminal rulings pages 64 & 65
3rd Edition.

15. I agreed with the contention of the prosecutors
Vakil, and charged the accused under section
177 I. P. C. and called upon her to make out
her defence. The accused pointed out that the
rulings quoted by the prosecution were subsequently

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TWO ANNAS
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in the Case.
The prosecution examined 26 witnesses - of
whom the 1st and 14th here the present and
Acting Deputy Inspector of vaccination.
Please swore to the rules of the Department
and the conduct of the departmental enquiry
(1) together. Their evidence does not need any
comment.
Witnesses 3, 4, 5, 6, 7, 8, 12, 13, 16, 17, ——
rescinded by the Madras High Court in a later decision
of that Court reported in pages 484 to 489 XIV Madras
Indian Law Report —— that under
this latter rulings a case against
her under Section 177 Indian Penal
Code will not lie and that apart from
this legal objection, the discrepancy
between the two accounts was one
purely of a clerical nature not so
grave as to call for the interference
of a judicial tribunal
The late rulings quoted by the
accused, I find, dissents from the view
of law laid down in the Proceedings of
1871 relied on by the prosecution under this

Words 104

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latter rating the furnishing of false information by a vaccinator with only amount to a violation of a departmental order not ~~following~~ falsity (1) within the scope of Section 43 and 177 I. P. C. I consequently accept the accused's contention as legal and order her acquittal under Section 258 C. C. P.

(Signed) C. Kristnaswamy
Deputy Magistrate
6-8-95

Corrections
Total corrections 2/100
/True Copy/

Words 58
Total words 2/167
Copied W.V.
Compd

V. Veerayya 8/1/96
Dy Magistrate's Hd Clerk.

DEPUTY MAGISTRATE
KISTNA DISTRICT

5067

[illegible]

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[illegible]

1/11/95

~~Application No. 182 for copy received on 22-11-95~~
~~Stamp Papers called for 2/12/95~~
~~Stamp Papers produced 8 0 0~~
~~Copy ready 8/1/96~~
~~Copy delivered or sent by post to 10/1/96~~

Application No. 182 for copy received on 22-11-95
Stamp Papers called for 1-12-95
Stamp Papers produced 8-12-95
Copy ready 8-1-96
Copy delivered or sent by post to 10-1-96

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In the Court of Head Quarter Deputy Magistrate, Kistna.
Case No. 21 of 1895.

Judgement.

Name of the Accused Cherukuri Elizabeth Fox.
Offence Furnishing false information under Section 177 I.P.C and Cheating under Section 420 I. P. C.
Finding Not proved.
Sentence Discharged under Section 253 C. C. P.

The complaint in this case is that the accused C. Elizabeth Fox who was 1st class Vaccinatrex of Bundar Taluk drew her pay of Rs 18. due for the month of August 1893 on the strength of her note in the margin of the said Paybill that she successfully vaccinated 125 Cases – that the note was false because she did not vaccinate the 35 cases of Madaka and 35 Cases of Gollagudem, hamlet of Buddalapalem which were included in the said 125 Cases, that by furnishing the false information, she drew for the said month of August 1893 Rs 4-6-0 more than the amount to which she was entitled under the rules and that thereby she committed two distinct offences viz 1. Furnishing false information punishable under Section 177 I. P. C and 2 Cheating under Section 420 I. P. C.

2. In the original complaint, it was also set forth. that she (accused) made a similar misrepresentation

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in the Paybill for June 1893 and drew Rs 18-0-0 full pay for that month while she was really entitled to only Rs 17-3-0. The prosecution did not press the latter charge or produce evidence therefor. The reason was not explained.

The enquiry in this case was therefore confined to the bill for August 1893.

3. The paybill in question was filed. It was for Rs 18-0-0 drawn by the accused and in the margin of the bill, there is the note "Successfully vaccinated 125 Cases".

It is this note that is asserted by the prosecutor to be false and evidence oral and documentary ~~addressed~~ adduced (1) RV in support thereof.

4. I will not go to the evidence itself. First I will deal with the documentary evidence.

5. Documents have been put in to prove the existing rules in regard to the scale of rewards and deductions for excess and short work respectively done by the Vaccinators and their existence is not disputed. The rules are that a first class vaccinator should successfully vaccinate 125 cases in a month to get full pay and that for each case above this minimum, an additional renumeration of one anna

Correction one RV

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is allowed while for each case below the said minimum, a deduction of one anna in the pay is made.

6. Next the Vaccination Code (Exhibit A) has been put in and it explains the relative duties of vaccinators and of their next immediate Superiors Deputy Inspector of Vaccination.

Rules 16, 17, & 18 of Section III of the Code prescribe the various registers which a vaccinator is bound to maintain and the returns he is bound to submit to the Deputy Inspector of vaccination — and rules 22, 23, & 32 of Section II of the same Code similarly prescribe the duties of Deputy Inspector of vaccination in respect to the ~~personal~~ punctual (1) receipt and verification by the Deputy Inspector of the registers & returns of vaccinators — None of the registers or returns which the accused should have maintained or submitted have been produced in proof of the present charge. The explanation given is that none of them were either kept or sent in to the Deputy Inspector. In the absence of these, it is not possible to say whether the 125 cases noted on the bill for August 1893

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include the Cases of Madaka and Buddalapalem as alleged by the prosecution.

One thing is clearly apparent that the provisions of Code were honored more by their breach than by their ~~observable~~ observance, not only by the accused (Fox) but by all concerned –

7. The several letters and communications that passed below (2) ~~[illegible]~~ the vice-President, District Board, the Deputy Inspector of Vaccination, the District Medical and Sanitary officer and the accused ~~he required~~ in (3) regard to the departmental investigation of the Case have been produced and they do not require any discussion but I have to remark that the said investigation (4) was ~~[illegible]~~ too hasty, imperfect and improper. The enquiry was made in the absence of the accused and it did not consist of anything but the taking of kyfits from the village officers and the village servants.

8. The weekly diary of the acting Deputy (5) vaccination Inspector of K. Viraraghavulu Naidu

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for the week ending 14th July 1894 has been filed. This was filed in Case No $\frac{20}{1895}$ against the same accused and had also in this Case— This is the most important of all the documents produced and it is this that requires a more careful looking into. It is this diary that gave birth to the present case. The following is the note made in the Diary by the Deputy Inspector—

It appears that even the Cases which I inspected were not vaccinated by the vaccinator but by D. Perayya and Ch: Edmond son of this vaccinatrix according to the village officers statements however she committed a great mistake of entering 252 false Cases in her monthly returns above mentioned for which she is liable for prosecution vide vaccination Code Section III para 9—

Here I see the Deputy Inspector speaks of monthly returns furnished by the accused— These returns must have been with the Deputy Inspector at the time of his inspection, otherwise

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he would not have been able to make such a Specific statement as the one he made (~~on~~) in a1 the Diary but none of these returns have been filed nor the omission to file them explained.

9. The prosecution theory is that the accused did not visit these villages (Madaka and Buddalapalem) and did not carry on any vaccination there personally and the oral evidence flimsy and unsatisfactory as it was, adduced was intended to confirm this theory – This theory cannot be true if the Deputy Inspector's version in the Diary referred to in Para 8 is true for in the body of the said Diary against date 14th July Gollagudem, the Deputy Inspector notes accordingly to village officers of that village, the accused vaccinated only one case. If these were true, the accused must have gone to village in that month and the explanation of the accused that she did go to the village accompanied by a probationer and that the cases vaccinated by herself and the probationer with her were all included in her list in accordance with the practice then prevailing in the Department and which has been admitted by K. Veeraraghavulu

Corruption ME

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Naidu in his cross examination must also be true.
10 Then the several sets of Kyfits taken from the village
officers by the Acting Deputy Inspector K. Vira-
-Raghavulu Naidu and the present Deputy Inspector
C. Rangaswami Pillay at their preliminary investi-
-gations made by them have been filed and the
village officers statements examined to swear to
their truth.

11 These Kyfits go to show that the accused vacci-
-natrix did not go to their villages. The village
servants, Mohatad and Vetti whose names appear
on them ~~diary~~ denny [illegible] having give them and it has
been made out in their cross examination that
they were all written from the dictation of the
Deputy Inspector. This is only negative proof
of the theory – The village officers of Madaka
state in their kyfits that a male vaccinator
whose name they give Perayya and a boy –
vaccinator whose name they dont give vaccina-
-ted the children in this village in February
1894 and that the accused vaccinated
none in the village since 1892. If the vaccina-
-tion was so remote in 1894, why not the
list of cases vaccinated by Perayya be produced

Corrections [illegible] 185 7

STAMP DEPARTMENT
OCT 9 1895

12/11/95

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TWO ANNAS
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that would be good piece of evidence against the accused and a positive evidence. The prosecution has not produced it the ~~the~~ Burmanu (1) PW was called to produce it but he was not able to do so.

In fact the prosecution produced no evidence worth the name.

12. Prosecution of the accused under section 177 I.P.C would not lie – Even if the information furnished by the accused was proved to be false, she would not be guilty under Section 177 I.P.C on the ground that she was not 'legally bound' to furnish information within the meaning of section 177 I.P.C. The Vakil for prosecution cited High Court Proceedings No. 3 of 21st December 1871 page 61 & 65, Weirs Code 3rd Edition.

The same High Court in a later decision see Criminal Appeal No 261 of 1891 XIV Madras pages 484 to 489 wholly dissented from the view of law laid down in the above pages of the High Court relied on by the prosecution.

13. I should have thrown the case off on the legal point but since the furnishing of the information if the information were proved to be false might constitute deception and

Corrections over 202

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1895
KISTNA

12/11/95

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thus render the accused liable to punishment for Cheating Section 415 and 420 I. P. C. I considered every piece of evidence recorded for the prosecution ~~of evidence~~ but finding that the prosecution has entirely failed to establish its case that the note in the bill which was a misrepresentation, I discharge the accused (Fox) under Section 253 also on the 2nd Complaint viz Cheating.

(Signed) C. Kristnaswamy
Deputy Magistrate
1.8.95

Corrections one
Total corrections Eleven

(True Copy)

V. Veerappa 8/1/96
Dy Magistrates' Head Clerk

Words 72
Total words 1567
Copied
Compd

DEPUTY MAGISTRATE

5053

[illegible]

STAMP DEPARTMENT
SEP 4
1895

[illegible]
1/11/95

~~Application No. 181 for copy received 22/11/95~~
~~Stamp Papers called for 1/12/95~~
~~Stamp Papers produced 8-12-95~~
~~Copy ready 8-1-96~~
~~Copy delivered or sent by post to 10/1/96~~

Application No. 181 for copy received 22/11/95
Stamp Papers called for 1-12-95
Stamp Papers produced 8-12-95
Copy ready 8-1-96
Copy delivered or sent by post to 10-1-96

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87

Vice Presidents' Opinion about the case of Ch. Elizabeth Fox.

The Ag. Deputy Inspector of Vaccination Masulipatam Range reported in his diaries for the 1st & 2nd weeks of July 1894 that Vaccinatrix Ch. Elizabeth Fox reported in her monthly returns 252 false cases as follows:—

Name of the Village.	Month.	No. of false cases
1. Buddalapalem.	June 1893.	13
2. Gollagudem hamlet of Do.	August 1893.	35
3. Madaka.	August 1893.	35
4. Tapisapudi	Septr. & Octr. 1893.	31
5. Manginapudi	Ditto.	39
6. Jonnalavaripalem hamlet of Tallapalem	October 1893.	28
7. Mulaparru	March 1894	25
8. Amudalapalli	Ditto.	15
9. Pedapatnam.	Ditto	21
10. Sultanagaram.	Ditto.	10
		252

The Deputy Inspector further reported that the Vaccinatrix did not give her nominal Registers to him and did not offer any explanation and therefore it was not possible for him to exactly bring home the offence to the Vaccinatrix but he produced prima-facie very strong evidence against her. He went to each and every one of the Villages and tried his best to find out whether the woman did really operate any cases and found that all the above mentioned cases were not really done. The Village Officers of all the Villages gave written statements to the same effect. All these statements were given between the 1st & 14th July 1894. The following is the substance of the statements of the Village Officers. The Village Officers stated that Ch. Elizabeth Fox never came to their Village during the last 3 years but that the probationer of the Taluk Vaccinated 8 cases in the said two Villages. Mrs. Fox reported that she Vaccinated 56 cases in these two Villages. The Deputy Inspector reported only 48 cases as false, deducting the 8 cases operated by D. Perayya, but the Village Officer's statement shows that Mrs. Fox did not Vaccinate a single case in this Village.

As to Village No. 3 (Madaka), Mrs. Fox's monthly return showed that she Vaccinated 35 ~~Va~~cases in August 1893 but the Village Officers distinctly stated that since January 1893 no Vaccinator or Vaccinatrix visited their Village nor a single case was Vaccinated in their Village.

Village No. 4. The number of cases reported in this Village was 35 for September & 40 for October. The Village Officers stated that on one occasion she Vaccinated 44 cases in the Village but did not Vaccinate 75 cases as reported. They further stated that she Vaccinated in their Village only on one occasion since January 1893.

Village No. 5. The report for this Village showed that she Vaccinated 15 cases in September and 48 cases in Octr. 1893. The Village officers stated that between 28th & 30th November 1893 she Vaccinated only 24 cases in the Village & that she did not do any work in September and October nor on any other occasion since January 1893.

Village No. 6. This Village is a hamlet of Tallapalem. According to her monthly return, Ch. Elizabeth Iron reported that she Vaccinated 14 cases at Tallapalem & 28 cases in the hamlet Yennalanaripalem in October 1893. The Village officers admitted that Vaccination of the 14 cases in the main Village and these cases were verified. As to the hamlet, they stated that not one case was Vaccinated since April 1893 that on one occasion she came with the Village Munsiff to Vaccinate but as the Villagers pleaded some excuse she went away promising to come back but that she never came and Vaccinated the 28 cases reported.

Village No. 7. The monthly return showed 35 cases as Vaccinated in March 1894. The Village officers distinctly stated that this return was false and that no vaccination was effected in their Village for one year before the date of their statement.

Village No. 8. Ch. Elizabeth Iron reported that she Vaccinated 15 cases in this Village and the probationer reported 5 cases. The probationer's cases were Verified but the Villagers stated that Ch. Elizabeth Iron did not

Vaccinate any cases in March 94 nor since January 1893.

Village No. 9. She reported 21 cases for this Village and the Village officers stated that she did not Vaccinate any neither in March 1894 nor during the last one year.

Village No. 10. She reported 10 cases in this Village. The Village Officers reported that some cases were vaccinated 2 years ago but none subsequently, and 4 months ago she came to the Village and did not effect any Vaccination. All the Village officers stated that they enquired at every house in the Village and the reports were also based on such enquiry. As all the Villages were very small ones there is nothing improbable in their having done this. This evidence seems quite convincing, but on the report of the A. Deputy Inspector the District Medical and Sanitary Officer remarked "I cannot believe the statements made by this A. Deputy Inspector. To my mind the statements here made are false charges brough against an innocent woman. To go about getting statements from Village people is not the way to verify cases. In my opinion this A. Deputy Inspector is utterly unfit for his present appointment"

P. T. O.

The District Medical and Sanitary Officer gave no reasons for this conclusion and in the face of the vast body of the statements of Village Officers I could not accept the Dt. Medical and Sanitary Officers' remarks and therefore requested him to obtain the explanation of Mrs. Fox and also obtain the Nominal Registers of 1893 & 1894 from her and forward them. In answer ~~to~~ Ch. Elizabeth Fox stated in her petition dated 28th August 1894 that Village No. 7 above stated viz. Mulaparru was a mistake for "Mungubu". She did not give any explanation with respect to the other Villages but simply said that the Deputy Inspector did not verify the cases according to the nominal Register for 1893 & the Village lists, given to the previous Deputy Inspector and according to a note book handed to the Ag. Deputy Inspector himself. She practically therefore admits that she has no nominal Registers. ~~for 1893~~. There is nothing to show that she sent the Nominal Register for 1893 to the previous Deputy Inspector. On the contrary the previous Deputy Inspector denies that she ever gave him any such register. The Ag. Deputy Inspector says that she did not give him any note book and if she did there is no reason why he did not verify the cases according to that book. Subsequently she produced a nominal Register for 1894. How she made this up is not clear. Especially as she stated in the petition dated 28-8-94. that she gave the note book to the Ag. Deputy Inspector. Then again she refers to some Village lists. The

The usual practice is to send these lists with the Travelling Allowance bills. If she sent these lists that would be some evidence in her favor. Here again there is nothing to show that she sent these lists. It is also usual to send diaries with Travelling Allowance bills, but no Travelling Allowance bills, no diaries and no Village lists, were received from her subsequent to May 1893 either in the Dt. Bd. Office or in the Deputy Inspector's Office. She says she sent all of them to the previous Deputy Inspector which statement does not appear to be true. If she really sent up diaries and claimed travelling allowance and if the Deputy Inspector hushed up all these papers, I think she would have frequently complained which she did

and

and she produces no copies of her diaries. Even now I am inclined to think that the whole story about the Nominal Registers and diaries and travelling allowance bills is utterly false and that she never sent up any of these.

She however offered to point out the cases to the present Deputy Inspector (Rangaswami Pillay) who succeeded the ag: man who first reported against Ch. Elizabeth Fox) Therefore a further opportunity was given and Rangaswami Pillay was asked to verify. Now that she has produced a Nominal Register for 1894, the cases of the 4 last mentioned Villages could be verified. But of the last 4 Villages Mulaparsu (Village No. 7) was admitted by her to be a mistake and she gives 25 names at Munjulur. Now she also says that the cases entered at Amudalapalli were really effected at Artamur. The Village Officers stated that some

of

of the cases at Artamur were done by her and some by the Probationer. The names given for Sultanagaram (Village No. 10) were found out to have been Vaccinated some 5 years ago & some 2 years old by Probationer. When the Deputy Inspector enquired for the persons said to have been Vaccinated at Pedapatnam, the parents stated that they were not Vaccinated by her but by a male Vaccinator. Thus notwithstanding this Nominal Register Produced for 1896, the cases of 1896 were not satisfactorily Verified.

As to the first 6 Villages herein She says that she Vaccinated in 1893; she has not been able to prove one case. She produced no nominal Register and her explanation about it does not seem to be true. She went to Madaka (Village No. 3) with the Deputy Inspector promising to show the persons Vaccinated but

Please see O.C.

could

could not show any. Then she went away on the ground that her husband was ill without following the Deputy Inspector into Villages 1, 2, 4, 5, 6 & 7. The new Deputy Inspector went to all these Villages and the Village Officer's confirmed their former statements. After the receipt of the new Deputy Inspector's report the Dt. Medical Officer also agreed that the cases reported at Madaka (Village No. 3) were false, considered that the explanation as to Amudalapalli & Malaparru being mistakes, Artamur & Munjulur Satisfactory and suggested that a further oppertunity should be given her for showing the cases which she says, she Vaccinated at the other Villages. This oppertunity also was given to her but she gave a statement on the 2nd January that she was sick for some time and that she would show these cases some time hence. I think there is no use in further delaying this matter. My conclusion is that the ag. Deputy Inspector's accusations against her are substantially true.

(I.) That the cases shown against the first seven villages were never done by her and that the monthly returns were falsified by the inclusion of the said cases.

(II.) That her statement that she gave the nominal register to the late Deputy Inspector Suryanarayana Naidu is entirely false.

(III.) That the fact of her not having sent any diaries and claimed travelling allowance since May 1893 is highly suspicious and that this was due to her inability to show that she did work.

(IV.) That her statement that she sent travelling allowance bills and diaries and village lists to the Deputy Inspector is untrue.

&(V). That the cases reported by her to have been operated in March 1894 in the last 4 Villages were, not, satisfactorily proved.

If the Vaccinatrix were now in Service I would dismiss her for this misconduct, but as she has retired. my opinion will be reported to the President to be brought to the notice of the Government as he thinks proper.

(Sd.) A. Pundarikakshudu
2-2-95.
Vice President

23/11.

25/11.

26/11/91
Vice President

Sir,

In submitting herewith the papers relating to the case of falsification of returns by Mr. Elizabeth Fon, I have the sent in also a note recording my opinion about the case to the effect that the report made against her by the Ag. Deputy Inspector is substantially true. If you concur with me in thinking that the said report against her is true, the matter will have to be reported to Government. This bundle also contains papers relating to some correspondence about her for disobedience of orders &c.

(Sd.) A. Pundarikakshudu
Vice President.
2-2-95.

True Copy
A Pundarikakshudu
26-11-95
Vice President

The investigation has been as thorough as it is possible to make it: and in my opinion there is clear proof that Mrs. Fon's returns were falsified. Unde the circumstances she must be prosecuted, if you think a case will lie. Please take necessary steps to file a prosecution — I think a case will lie under S. 177. I.P.C. There is the difficulty about "legally bound" What is your opinion?

(Sd.) J. N. Atkinson.

25/11

6/87

1/202L/96

Refou No. 1641/D.B. of 94

KISTNA DISTRICT BOARD'S OFFICE,
Camp
Dated the 8th Novr. 1895.

From J. N. Atkinson Esqr.

PRESIDENT, DISTRICT BOARD
KISTNA.

202L

To

THE CHIEF SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
MADRAS.

SIR,

This is the Pension Deptt G.O.

In reply to G.O. dated 12th January 1895. No. 51 L. Mis. + P. Dept calling on me to report the result of the investigation referred to in the concluding portion of this office letter dated 5th December 1894. No. 1641, I have the honor to inform you that the cases instituted against Ch. Elizabeth Fox have been dismissed by the Head Quarter Deputy Magistrate; in one case the accused being acquitted and in the other discharged. The evidence originally available against the said Ch. Elizabeth Fox

Fon, the nature of the complaints against her and the results of the departmental investigation were set forth in a note of my Vice President dated 2nd February 1895, which is submitted herewith× for the information of the Government. The information thus in the possession of the Board having appeared to be strong enough to justify a prosecution, the opinion of Mr. C. Rangachari B.A. B.L. a Vakil of the high Court and one of the leaders of the local bar was obtained. In his letter dated 10-3-95 he gave it as his opinion that the evidence coupled with the evidence of the Deputy Inspector of Vaccination would bring home the ^ offence to the accused in an almost conclusive way.

× per packet post

Prosecutions thereupon were instituted in two of the strongest matters under Sec. 177 & 417 of the I.P.C. and Mr. Rangachari above mentioned was entrusted with the whole conduct of the case. The reasons for the failure of the prosecutions seem to be that in one case the important witnesses for prosecution went over to the other side and that in the other case though a number of witnesses, parents and guardians of the children alleged to have been vaccinated appeared before the Deputy Magistrate and gave evidence in favor of the prosecution the Deputy Magistrate was not satisfied with their evidence and pronounced the same to be untrustworthy. This being so it is not judicially established that Ch. Elizabeth Fon falsified her returns and reported false cases.

As the benefit of the doubt must be given to her I beg to report that there are no grounds for withholding the pension due to her.

A copy of the Deputy Magistrate's judgment is also forwarded ^ for perusal and favor of return.

^ per packet post.

I have the honour to be,
Sir,
your most obedient servant.

12/11/95
for President.

G.P. 11/11.
[illegible] 12/11

DESPATCHED
13 NOV. 95

DESPATCHED
20 JAN. 96

Pension 1896 Department
Current Number 87

80. 51/12-1-95 P.

From
THE PRESIDENT,
District Board,
Kistna.

To
The Chief Secretary to Government,
Local and Municipal Department,
MADRAS

Dated 8th November 95
Despatched 20th January 95 } 189 .
Received

Refer. No. 1641/D.B. of 94

Enclosure. 2.

Subject.

Stating that there are no grounds for withholding the pension due to Ch. Elizabeth Fox. 1st Class Vaccinatrix of Bandar.

CHIEF SECRETARY
23 JAN. 1896
GOVERNMENT OF MADRAS

No. 127
Transferred to the Pension Department.

W W Phillips
Ag Assistant Secretary

V. R.
28/1/96

Fort St George }
30th January 1896 }

GOVERNMENT OF MADRAS
31 JAN 96
REVENUE DEPARTMENT

In the Matter of the Pension Application of Ch. Elizabeth Fox.

Name Ch. Elizabeth Fox.

Fathers name Molakalapalli Munayya.

Residence ~~M~~ Anandapata Masulipatam

Age 50 years.

Religion Christian

occupation Retired Vaccinatrix

I was first employed as a vaccinatrix on the 12th November 1873. from that ~~perio~~ time I was continuously in service till 31st March 1881. I never took leave during that period nor was I otherwise absent from duty. I was never suspended. There was no break in my service between 12th November 1873 & 31st March 1881.

C. Elizabeth. Fox

Taken down by me

Vice President
D. B. Kistna.

In the Matter of the Pension application of Ch. Elizabeth Fox

1st witness produced by Ch. E. Fox.

Name A. Adinarayana

Father's name A. [illegible]

Age 43

Caste Sudra

Occupation Late Record keeper in the Collector's Office

Residence [illegible] Street, Masulipatam.

I was employed in the Collector's Office from July 1873 to September 1892 and afterwards I was [illegible]. I know the applicant Mrs. Fox. She was a [illegible] in Masulipatam. [illegible] what from the time of her appointment till 31st March 1881. I believe that she was continuously in service during that period without any break. I frequently used to see her when she was at Masulipatam. She was occasionally sent for by the Deputy Collector and was asked to examine [illegible]. I could not say whether they were alive. I do not know if there was any break in her service and so far as my knowledge goes there was none.

A. Adinarayana

Read over & admitted to be correct

Masulipatam [illegible]

29.11.94

Taken down by me

[illegible]

29.11.94 Vice President [illegible]

In the Matter of the Pension Application of Ch. Elizabeth Fox.

2d. witness produced by the applicant

Name Chamakura Brahmayya.

Father's name Narasimulu.

Residence Englishpollem, Masulipatam

Caste Telaga

Occupation Vaccinator, Masulipatam Municipality

Age 47.

I have been a Vaccinator in the employ of the Masulipatam Municipality for the last 25 years. I know the applicant Mrs. Fox for a very long time. I remember that the applicant was appointed a Vaccinatrix in November 1873. She immediately entered into service and was continuously in service till 31st March 1881. She did not give up service during that period. I cannot say whether she ever obtained any leave during that period. She was never under suspension during that period. I dont remember the day on which she was appointed

Ch. Brahmayya
1st Class Vaccinator.
Masulipatam Municipality

Taken down by me

A. [illegible]
27/11/94 Vice President D.B.
Kistna

Inst. 29-11-94

The statements on the reverse are read over & translated to me. They contain the full truth. The signature on the reverse is also mine

Ch. [illegible]appa
1st Class Vaccinator
Masulipatam Municipality

Read over & admitted to be correct

M. Subba[illegible]
S[illegible] Subbramaiah

29-11-94
Masulipatam

			FATHER'S		THE ENTRIES IN THESE COLUMNS ARE TO BE REATTESTED EVERY FIVE YEARS; EACH ATTESTATION SHOULD BE CAREFULLY RULED OFF THE DATE MAY BE CLEARLY SHOWN.									
Name of Officer.	Caste or Race.	Residence.	Name.	Residence.	Date of birth.	Age.			Exact Height.		Personal marks for identification.	Date of Entry.	Signature of Officer.	Signature and designation of the head of the Office.
						Years	Ms.	Days.	Feet.	In.				
Ch. Elizabeth Fox.	Native Christian	Masulipatam.	M. Ramidasu garu	Masulipatam.	[illegible]	23	4.		5	3.	color bamboo, a raised mole on the right cheek one on the left side of the chin.	31st March 1874.	Ch. Elizabeth Fox	[illegible] [illegible] District
												20-10-89.		Surya Narayana Ag. Inspr. of Vaccination

OFFICE OF THE VICE-PRESIDENT
Received
8 SEP 94
DISTRICT BOARD, KISTNA.

SURGEON

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
2d Class Vaccinator	Permanent	"	10	"	12th November 1873	Elizabeth Fox			30th Septr 1875	Promotion to Rs 15.	
Do	Do	"	15	"	1st October 1875		Conduct good work good & satisfactory.		30th April 1876	Promotion.	
1st Class Vaccinator	Do	"	18	"	1st April 1876	E. Elizabeth Fox 1st class Vaccinatrix	Fined Rs 8 for disobedience of orders vide Pay bill of 1-4-74 Fined 8 As. for disobedience of orders vide Pay bill of 6-7-74 × 27th August 1878. Fined one Rupee for not submitting her monthly return in due time. D.B.	D. B[illegible] 1st C. Dy. Inspector of Vaccination	31st January 82		R[illegible] Dy Inspr of Vaccination
Granted 7 days sick leave from 1st to 7th February					1st February 1882		Granted 2 months privilege leave from 25th August to 25th October 1878 —	D.B.	7th February 1882		
1st CV					8-2-82	4.	25th January 1882 Fined Rupee 1 for the short work performed in September 1881		20.1.84 20.2.84		
1st CV					24-2-84				26.11.86		
3 months privilege leave from 27th November 1886 — on full pay					27-11-86 27-2-87	E. Elizabeth Fox 1st class Vaccinatrix	Fined Rs. one for not having sent his returns for November 92, in due time.	R. Sarangapani 20-4-94 Dy Inspr of Vac	26.2.87 11-10-88		R. Sarangapani Dy Inspr & [illegible]
1st Class Vaccinatrix ag Dy Inspector of Vaccination	Ag Dy Inspr acting	1st class Vaccinatrix	70.	70	12th October 1888	E. Elizabeth Fox 1st class Vaccinatrix	Fined Rs. two for not having submitted her returns for November 93. in time.		21-11-89 20 November 1888		
Sick leave from 18th June 91 for one year on half pay upto 17th June 92					21-11-88 18-6-91 ~~18-6-91~~		× Rs 1-12-5 Moiety of pay has been deducted from 17th to 27th October 1874 Agreeably to Supdt. Generals memo No 1511 of the 5th November 1874		17-6-91 17th June 1892		
1st class Vaccinator	Permanent	Permanent	18	"	~~21st [illegible] 1888~~ 18-6-92	E. Elizabeth Fox 1st class Vaccinatrix	I do hereby certify that all the entries are correctly with reference pay abstracts of this office Rungasawmy Pillay Dy Inspr of Vaccination Masulipatam Range 6/9/94		5th May 1894	Removed unfit for any further service.	Rungasawmy Pillay 6/9/94. Dy Inspr of Vaccination Masulipatam Range

1	2	3	4	5	6	7.	8	9	10	11	12
Name of appointment.	Nature, *i.e.*, whether substantive or acting, permanent or temporary.	Substantive appointment, if the new appointment be acting only.	Pay.	Acting allowance.	Date of appointment.	Signature of Officer.	Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	Signature & designation of immediate head of the Office.	Date of termination of appointment.	Reason of termination *e.g.*, *transfer, promotion, return of permanent incumbent.*	Signature and designation of immediate head of the Office.

9 - 6

4 9

SERVICE BOOK

OF

Name. Elizabeth Fox

Caste or Race. Native Christian

Residence. Masulipatam

FATHER'S. Name. [illegible]

Residence. Masulipatam

Date of birth. [illegible]

DISTRICT SURGEON, KISTNA. 8 SEP 94

DISTRICT SURGEON'S OFFICE MASULIPATAM 5.9.94

Forwarded to the Vice-President, Dist: Bd:, Kistna

Surg: Major
Masulipatam Dt. Surgeon
8.9.94 Kistna

OFFICE OF THE VICE-PRESIDENT DISTRICT BOARD, KISTNA. Received 12 OCT. 94

Refce. No. 1641/D3 of 94

No 4834

From,

Kistna District Board's Office, Masulipatam
Dated the 189

Acctt. Genl's Office
2 OCT. 1894

The Vice President, District Board, Kistna.

To

The Accountant General,
Fort St George.

Sir,

In forwarding herewith the Service register and the Pension application of Missrs Ch. Elizabeth Fox, retired 1st Class Vaccinatrix Bandar Taluq, I have the honor to request that you will kindly verify the Services of the vaccinatrix for the period up to april 81 with the pay bills in your Office and make the necessary entries in the register and application

18.

2. The Treasury Dy. Collector stated to me in his endorsement no $\frac{898}{audit}$ of 20-9-94 that the pay bills before April 1881 are in your office and the service appertaining to that period has not therefore been verified.

I have the honor to be,
Sir,
Your most obedient
Servant.

26 9 94
Vice President.

DESPATCHED
27 SEP. 94

Refer [illegible] $\frac{1641}{DB}$ of 94

Rd
16/10

Cor./453 200-4-8-94.

(TO BE RETURNED WITH REPLY.)

PENSION DEPARTMENT.

Fort St. George.
No. A.D.K./259
Accountant-General's Office,
9 October 1894.

From
THE Offg: ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To
THE Vice President,
District Board,
Kistna.

SIR,

I have the honour to inform you that the application for pension of C.h. Elizabeth Fox × is being delayed for want of the information noted in the margin. Where possible your answer should be written underneath the several points to which your attention is drawn.

2. The enclosures and your reply should be returned with the least possible delay.

I have the honour to be,
Sir,
Your most obedient Servant,

Chief Superintendent
~~Assistant Accountant-General~~

~~1. Explanation why his name does not appear in my Office records for~~

× Late 1st class Vaccinatrix, Bandar Taluk, received with your letter No $\frac{1641}{DB}$ dated the 27th September 1894.

~~2. Office records show applicant enjoyed leave from ——— to ———, whereas in the history of services~~

1. From para 2 of the letter quoted above, it will be seen, that the applicant's services prior to April 1881 have not been verified from the office records. An affidavit of the applicant and the evidence of her contemporary employes should therefore be obtained and forwarded to this office in support of the period. The affidavit should contain information on all points raised in № 11(c) of the Printed memo of Instructions from this office.

2. Explanation as to why the applicant is recommended for half pension while under Article 518 (b) of the Civil Service Regulations, she could claim only a pension equal to $\frac{19}{60}$ of her average emoluments for her service of 19 years 4 months and 28 days.

3. Attention is drawn to Nos 6(a) regarding the acting period from 12th October to 20th November 1888, and to 12 (c) of the Printed memo of Instructions from this office.

4. Insertion of the reason of termination of the applicant's service in the appropriate column of the accompanying service book.

5. Transmission of the applicant's Last Pay certificate.

6. Explanation of the deduction of Rs 1-12-5 noted in column 8 on the 3rd page of the Service book. If it was due to the applicant's absence of any kind in October 1874, the fact should be stated. A copy of the memo No 1511 of 5th November 1874 quoted therein should be forwarded.

7. The reply should be forwarded through the Inspector of Vaccination, Madras who will be requested to state whether the applicant may be regarded as an enrolled officer of Government.

---

x1 Service Register of Ch Elizabeth Rose
x2 Pension application
+3 Vice President's order no $\frac{1641}{\text{D/26.9.94}}$
4 Accountant General's no $\frac{\text{A.D.X.}}{26.9.94}$
+5 Exhibit No (6) $\frac{7}{}$10.94 sent from this office.

+ Sent by packet post,

No 343

Refn C No 646/6

Office of Dy Inspr of Vaccination
Masulipatam Range
Dated the 4th November 94

From
The Deputy Inspector of Vaccination
Masulipatam Range

To
The District Medical and
Sanitary Officer Kistna.

Sir

In obedience to your honor's footnote to Ref on C No $\frac{646}{25.10.94}$ III on the Accountant General's No $\frac{\text{A.D.X.}}{159}$ Dt 9th October 94,

I beg to give the following informations; as per your honor's mark made by blue pencil. I have requested in my Memo No $\frac{530}{29.10.94}$ the Vaccinatrix Ch Elizabeth Rose to furnish me Affidavit of the Evidence of the Contemporary Employ's, to the requested informations; but she has not furnished the same as yet, I therefore beg your honor to call for, and enclose with her Pension Application &c. But exhibit No 1 enclosed

2. With regard to the Vaccinatrix acting period from 12th October to 20th November 1888. The appointment was not fully vacant but she acted in Masulipatam Range Kistna District; during the transfer of one Deputy from Masula to Ganjam Hill Tracts; and another from that place to Masulipatam Range in the joining time of these permanent incumbents; She the acting Dy Inspectatrix and permanent Dy both drawn full pay at Rs 70; for the same periods as per exhibit Nos 2; 3; & 4 herein enclosed.

3. With regard to last pay certificate I have

~~have~~ addressed to the Treasury Deputy Collector Kistna in my letter No $\frac{334}{25.10.91}$ soon after its receipt, In no time I shall submit to your honors office.

4. Explanation of the deduction of Rs 1-12-5, for the time she did not attend to work, half pay sanctioned by the Superintendent General of vaccination, as per his order No 1511 D/5-11-74 copy of the pay bill are also herein enclosed see exhibit No 5; 46.

I beg to remain
Sir
your most obedient servant
Rangasawmy Pillay
Dy Inspr of vaccination
Masulipatam Range.

Memo

No 894. With the approval of the Sanitary Commissioner you are transferred from the Masulipatam Range, Kistna District to the Ganjam Hill Tracts.

You will give over charge of your office to the most competent Senior first Class vaccinator and proceed without delay to join your appointment in Ganjam.

The vaccinator will be in charge of office only.

(Signed) G. Digue
Manager and assistant for Inspector of vaccination & Deputy Sanitary Commr

Office of Sanitary Commr
Madras 28th Sept 1888

The Deputy Inspr of vaccination
Masulipatam Range

Fro: The District Medical and
Sanitary Officer - Kistna.

No $\frac{1076}{4.10.88}$ Forwarded to the 1st Class Dy Inspr of vaccination D. Bappanayalu Naydu Masulipatam Range with a request that he will be good enought to proceed without delay to join his new appointment in Ganjam after giving over charge of his office to the competent senior 1st Class vaccinatrix Ch. Elizabeth Fox No 709 Bandar Talug. (Sd) J. H. Thomas Surgeon Major District Surgeon Kistna

True copy
Rangasawmy Py
Dy Inspr of vaccn
M.R.
3/11/94.

R. Sooryanarayana Ndu made over charge G.A.T. [illegible] afternoon of the 20th of October 88.

Exhibit 4

Masulipatam Range
Acquitance Roll for the Months of October & November 1888.

Rank	Name	Salary sanctioned			Salary drawn			Remarks
		October 1888.						
1st Class Vaccinatrix In charge	Ch. Elizabeth Fox No 709	18	-	-	6	6	2	I was ordered by the District Med. Officer Kistna to take charge of the office of Dy Inspr of Vaccination Masulipatam Range on the 4th October/88. For Vaccinatrix pay from 1st to 11th October and then Dy Inspr's pay.
		×				×		
	Supplimental pay bills for the month of October/88.							
Dy Inspr:	D. Baupaniah Naidu	70	-	-	24	13	5	Pay from 1st to 11th both days inclusive at Rs 70 per mensum is Rs 24-13-6.
Do	R. Sooryanarayana Naydu	70	-	-	61	9	10	Deducted income tax Rs 1-4-4. Pay from 1st to 20th Rs 60 per mensum is Rs 36-12-5 and from 21st to 31st at Rs 70 per mensum is Rs 24-13-5.
		November 1888.						
Do	R. Sooryanarayana Naidu	70	-	-	68	8	8	Rs As P 1-7-4 deducted income tax. ~~Pay due to me for October~~
In charge Deputy Inspr of vaccination M.R.	Ch. Elizabeth Fox No 709	70			32	9	8	Pay due to me as acting Dy Inspr of Vaccination from 12th to 31st October 88 both days inclusive at Rs 70 per mensum
					-	15 Income tax deducted.	-	
Do	Ch. Elizabeth Fox No 709	70	-	-	51	11	-	Pay due to me as acting Dy Inspr of Vaccination from 1st to 20th both days inclusive at Rs 70 per mensum is Rs 46-10-8 and pay due to me as 1st Class Vaccinatrix from 21st to 30th both days inclusive at Rs 18 per mensum is Rs 6.

(Sd) Elizabeth ~~Fox~~
1st Class Vaccinatrix
22/Novbr 88. In Charge of the Office of Dy Inspector

(Sd) R. Sooryanarayana Naidu
Dy Inspr of Vaccination

True copy
C. Rungasawmy Ply
Dy Inspr of Vaccination
Masulipatam Range
4/11/94.

Exhibit No 5

Masulipatam Range.

Pay bill for November 1874

Rank	Name	Salary sanction			Deduction on account of fines and Savings			Net amount and pay drawn			Remarks.
	X				X					X	
1st C Vaccinatrix	– Elizabeth Fox 709	10	„	-	1	12	5	8	3	7	Moity of pay has been deducted for this Vaccinator from 17th to 27th October 1874 agreeably to the Superintendent Generals Memo No 1511 of the 5th November 1874.
	X						X				X

Dated 2nd December 74
Camp Nanda.

/ Signed / M. Narrayana
Supdt of Vaccination
Kistna District

True copy
4/11/94. C Ringasawmy Pilly
Dy Inspr of Vaccination Masulipatam Range

Exhibit No 6

Copy of Madras Presidency Vaccination Superintendent Generals Memo, to Kistna District Vaccination Superintendents letter No 154 dated 31st October 1874.

Memo 1511 of 1874-75

This Vaccinatrix will be placed on half pay for the time she did not attend to work.

(Sd) J. Shortt

Madras 5th November 1874
Recd on the 11th November/74

True copy
Rungasawmy Naidu
Dy Inspr of Vaccination
Masulipatam Range
2/11/94.

No. [illegible]

KISTNA DISTRICT BOARD'S OFFICE,
Camp Masulipatam
5. 12. 1894.

From
J. N. Atkinson Esqr.
~~The~~ President,
District Board,
Kistna.

Acctt Genl's Office
13 DEC. 1894

6113

To
THE Accountant General
Fort St. George.
Thro: The Inspr. of Vaccination.
Madras.

Sir,

In returning your letter No $\frac{\text{A.D.K}}{259}$ dated 9th October 1894 with the connected enclosures, I have the honor to state as follows:—

Point 1. Affidavit taken from Ch: Elizabeth Fox & the evidence of her contemporary employés are submitted.

2. The applicant was, by mistake, recommended for half pension. necessary correction has been made in the application.

3. During the period from 12th October to 20th November 1888, the appointment was not fully vacant but Elizabeth Fox acted in the Masulipatam Range, Kistna Dt. during the transfer of one Deputy Inspector from Masulipatam to Ganjam Hill Tracts & of another from

OFFICE OF SANITARY COMMISSIONER
No. 1146 V.
7 DEC 94

from Ganjam Hill Tracts to Masulipatam Range - in the joining time of the permanent incumbents.

4. The reason of termination of the applicants' service has been noted in the Appropriate Column of her service register.

5. Applicant's Last Pay Certificate is herewith sent.

6. The deduction of Rs 1-12-5 noted in Col 8 on the 3rd page of the service book was not due to the applicant's absence but was due to short work in October 1874. Vide Superintendant General's memo No 1511/5-11-74 (Copy enclosed).

There is a charge of falsification of vaccination returns pending against Ch: Elizabeth Fore. I request that her pension be not finally sanctioned till this charge is disposed of.

DESPATCHED
6 DEC. 94

5/12

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

5/12/94
for President.

No. 1683/V

Forwarded.

2. The applicant is an enrolled servant of government having been entertained by the then Superintendent General of Vaccination (G.O. No. 818 M dated 26th July 1888).

C. Mallins M.D.
Surgeon Major
ag. Insp. of Vacc. & Dy. Sany. Commr.

Office of Sanitary Commr.
Fort Saint George 12th December 1894

To
The Accountant General
Fort Saint George

C. No. 87
PENSION DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following papers :—

From the ~~Vice~~ Presdt, Dt Bd. Kistna dated 27th Sept 1894, No. 1641/DB

Certificate and report from the Accountant-General, dated 22nd Decr 1894, No. A.D.J./572

Endt. to the Presdt, Dt Bd. Kistna No. 51 d/ 12.1.95

Letter from — do — d/ 20th January 96. No. 1641/DB

Endt of the L & M Dept ——— d/ 20 Jany 1896. No. 127

ORDER THEREON, 10th Feby 1896 No. 115.

Character. Very Good

Please see para 2 of the Acct: Genl's report. In Endt No. 51, d/ 12.1.95, the Presdt was asked to report the result of the investigation refd to, & in reply he says that the cases instituted against the applicant have been dismissed by the Hd. Quarter Dy. Magte, & that in the one case she was acquitted, while in the other discharged. Please see letter marked with tape in the file.

I should be inclined to think she was guilty, but the Courts acquitted her; & it is evident that there were factions at work.
S

S.C.
6/2/96

Under articles 485 & 518(b) of the Civil Service Regulations (2nd Edition), the Right Honourable the Governor in Council is pleased to grant to Mrs. Ch. Elizabeth Fox, late 1st class Vaccinatrix, Bandar Taluk, Kistna Dt., an invalid pension —— of Rupees (5-11-2) Five, annas eleven & pies two p.m. payable at Bandar from 16th May 1894 in consideration of ~~his~~ her qualifying Superior service of 19 years, 4 months and 27 days.

L.G. 8/2.

E.D.
4 2 96

To the Accountant-General, with Register.
" " Presdt, Dt Bd. Kistna.

Dmb
5/2

We can hardly go behind the Courts' finding.
L.G.

Office of Sanitary Commr
Madras 7th December 1888

No 1881

From
Surgeon Major J A Laing
Sanitary Commissioner
for Madras

To
The District Medical and
Sanitary Officer Kistna

Sir,

I have the honor with reference ~~to~~ your letter No 1251 dated 13th ultimo, ~~to state~~ that I approve the sanction your appointment of C Elizabeth Fox 1st Class Vaccinatrix to act for the Deputy Inspector of vaccination, Masulipatam Range Kistna District.

I have the honor to be &c.

Sd/ G. Dique
Manager & assistant
for Sanitary Commr
Madras.

True copy

C Rangasawmy

3/4/94 Dy Insp of Vaccination
Masulipatam Range

No $\frac{1362}{13 \cdot 12 \cdot 88}$

True copy forwarded to the Deputy Inspector of Vaccination Masulipatam Range with a request that he will be good enough to mention the acting appointment of 1st Class Vaccinatrix Elizabeth Fox as Dy Inspectatrix of Vaccination in her service register

Sd/ J. F. Thomas
Surgeon Major

True Copy
C. Ringuas [illegible]
3/4/94 Dy Inspr of Vaccination
Masulipatam Range

Exhibit 1

25/10/94

I do hereby certify on honor that I was in the Vaccine Department from 12th November 1876 to April 1881 in permanent Employ during this period they were no breaks in the Service or any leave granted

C. Elizabeth. Foy
Retired 1st Class Vacct
Bunder Taluq

Masulipatam
25. 10. 94

MASULIPATAM CIVIL DISPENSARY

Certified that I have carefully examined abeth Fox No 709

daughter ~~son~~ of (Jn. [illegible]) [illegible] Ins Vaccinatrix

Bunder taluq of the Kistna District Vaccination

Department—~~His~~ age is by ~~his~~ own statement 44½ years, and by appearance about 58 years.

I consider Mrs. A. Elizabeth Fox to be completely and permanently incapacitated for

further service of any kind in the Department to which she belongs in consequence of being Pre-maturely old & feeble & too fat to go about her range

Her incapacity does not appear to me to have been caused by irregular or intemperate habits.

Masulipatam
Civil Dispensary
16th May 1894

Wm. J. [illegible]
Surgeon, Major
Ag: District Surgeon Kistna

Detailed reasons

This Vaccinatrix is far too fat
[illegible] to perform her work.
is required to travel much in
taluk, & from her size & apparent
, & fatty state she is not able to
do. She will go on getting fatter,
flabby, & more debilitated.
fore consider her to be
for any further service

M. J. Thymes
Surg. Major; Ag DMSSO
Kistna

I concur in the above opinion
Lakshminarayana
Asstt: Surgeon

DISTRICT SURGEON
2 OCT 91
KISTNA

C. No. 87

Govt. of {1896} Madras.

PENSION.

To

The Accountant-General,

&c., &c., &c.

Dated

Despd.

G.O., 10th February 1896 No. 115.

Granting an invalid pension of Rs 5. 11. 2 p.m. to Mrs Ch: Elizabeth Fox, late 1st class Vaccinatrix, Bandur Taluk, Kistna Dt.

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