

Pension (1897) Department.

CURRENT No. 1007

List

From

A. Venkataramanayya

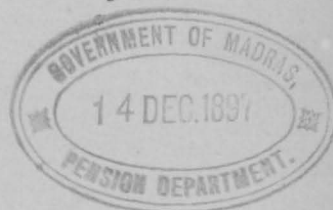
Order 16th Decr. 1897 No. 953.

Lodged with reference to fo. 528
12-7-97. - *flag A*

Exchanged

Pension.

No.



rel
15.12.97

To

The Petr

16/12/97

Dated 29th Novr 1897.

Received 14th Decr. 97.

Registered —

Enclosures 1.

Spare copies. nil.

SUBJECT.

Praying that the accompanying Memorial may be forwarded to the Sec^y of State for India.

BACK PAPERS.

G.O.	No.	Department.	Date.
"	1220	Pen.	19-10-95
"	821	—	4-9-96.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To

The Right Honourable

The Secretary of State for India in Council.

(Through the Government of Madras.)

Humble Petition of A. Venkataramanaya, late
Head Clerk, District Munsif's Court, Puttur,
South Canara, India.

Dated 14th June 1897.

Most Respectfully Sheweth,

That Your Lordship's Petitioner is a retired Public Servant of 36 years' approved service and was at the date of his compulsory retirement on 29th October 1894, Head Clerk at the District Munsif's Court, Puttur, South Canara. On the 30th June 1894 Petitioner took four months' leave, on the expiration of which the Munsif forced him to resign his post and obtained and sent up to the District Judge a pension application on his behalf. Petitioner having protested to the District Judge that he had been compelled to resign his post, his application was sent to the Munsif for report. The Munsif thereupon examined on oath some of his subordinates, who stated that the Petitioner had received from them Rs. 400 as an inducement for him to retire. On the strength of these allegations the District Judge found Petitioner guilty and recommended his retirement on pension. The Madras Government, however, in its Order No. 1220 ¹⁹⁻¹⁰⁻⁹⁵ declined to sanction the pension.

Petitioner appealed to the Government of India, but unfortunately for him, they have declined to interfere (Madras Government Order No. 821, ⁴⁻⁹⁻⁹⁶ Pension Department).

Being aggrieved by the said order of the Government of India, Your Lordship's Petitioner craves permission to submit this humble petition, and in doing so Petitioner begs to invite Your Lordship's attention to the following important aspects of the case, which Petitioner thinks, go to shew conclusively that his case has not received the kind and considerate attention of the authorities from whom he sought justice.

The two grounds on which the Government of Madras has refused to sanction his pension in spite of the District Judge's ^{recommendation} are,

1. That Petitioner received certain sums of money from four clerks junior to him as an inducement to retire from service, and
2. That he made false and malicious accusations against his immediate superior, the District Munsif.

With regard to the first of the above grounds Petitioner would respectfully request Your Lordship to consider whether the allegation has been, or could, under the circumstances of the case, have ever been proved. It was made during an inquiry which was admittedly incomplete, being unauthorised, informal and held within closed doors by the very officer against whose conduct Petitioner had complained to the District Judge and whose interest it was to have prejudiced that officer against Petitioner. The deponents again were the District Munsif's own subordinates and would no doubt have been under the influence of that officer in making any false accusations against Petitioner, if only they would find favour with the District Munsif. It will also be observed that Petitioner was not himself examined nor allowed an opportunity to put their statements to the test. If this had been done, Petitioner is certain that the falsity of the allegation would have been established.

Apart from this, it is highly improbable that the deponents would have paid any money to induce Petitioner to retire. The only purpose that could have been secured to the deponents by such a payment would have been to get promotion in Petitioner's succession. This, however, was not to be the case.

U. Ramappa, the senior clerk among the deponents, had, when Petitioner took furlough, been declared by the District Court as *unfit* to act for Petitioner and could thus have had no object in making any payment on this occasion to Petitioner.

K. Ramachandraya, who is ignorant of English and who is next in seniority to Ramappa, had, on the same occasion, been considered by the District Munsif himself to be incompetent to hold the second clerk's post permanently and could not either have expected to get a lift on the occasion of the Petitioner's retirement. *When these two senior clerks could not obtain promotion the other two clerks junior to them could scarcely have hoped for any advancement in Petitioner's succession and could have had no necessity to pay anything.* It will thus be clear to Your Lordship that the allegation has not only not been proved, but is in the face of it improbable and absurd.

With regard to the second ground on which the Madras Government has declined to sanction his pension, viz. 'that Petitioner has made false and malicious accusations against the head of his office', Petitioner begs most respectfully to observe that Petitioner spoke nothing but the truth, and it was most unfortunate for Petitioner that in doing so he had to complain against his immediate superior. It need hardly be pointed out to Your Lordship that a subordinate in Petitioner's position is incapable of doing anything malicious against a superior on whose good will his future depended. Nor should Petitioner's complaint have been regarded as false before a thorough and proper inquiry had been made by an impartial person and the truth found out. This has not been even attempted to be done, notwithstanding Petitioner's repeated requests, and the result has been that Petitioner is allowed to be condemned unheard. In this connection it will not be out of place to mention that the present District Judge has on enquiry found a report submitted by the same Munsif against another clerk of the same

Court to be the outcome of private ill-feeling of the District Munsif against him and the clerk concerned is one, who on the occasion of the enquiry held in Petitioner's case, had refused to depose as the District Munsif had suggested.

Petitioner would also most humbly urge on Your Lordship's attention the fact that he has had a record of *thirty-six* years of approved service under Government, in the course of which he has always succeeded in securing the good will of his superiors, as will be seen from the copies of Testimonials appended hereto.

In conclusion Petitioner earnestly prays that Your Lordship will be graciously pleased that on the occasion of the celebration of the Jubilee of the sixtieth year of the reign of Her Most Gracious Majesty the Queen-Empress ^{to order} either that a thorough and impartial inquiry may be held into his case or if that is now considered too late to be of much use, to sanction the District Judge's recommendation to grant him the eagerly expected and in his poor circumstances, very necessary fruits of 36 years of approved service.

For which act of mercy and justice, Your Lordship's Petitioner shall, as in duty bound, ever pray.

A. V. Raimang

To

The Secretary to Government
Revenue Department.

Honoured Sir,

I beg to represent that on the 14th June last I submitted through your honour a memorial to the Right Honourable the Secretary of State for India appealing against the order of the Local Government declining to grant me pension. On the same day I sent in advance a duplicate copy direct to the India office. This latter has now been returned to me with the intimation that the memorial should have been sent through the Local Government. I have reasons to hope that should you be so good as to forward this to Right Honourable the Secretary of State, His Lordship may take a kinder view of my hard case. I therefore most humbly and respectfully request that your honour will not on any account withhold this memorial but transmit it to His Lordship for such orders as his Lordship might

be graciously pleased to pass.

Trusting my request will be
favorably dealt with.

I beg to remain

Honoured Sir,

Your most obedient servant.

A. Ramappa

Mangalore

29th November 1897

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The Secretary to Govt
Revenue Department
Madras



Subject :

Requesting the
Secretary to transmit
the memorial to the
Right Honorable the
Secretary of State for India