

Public (1897) Department.

ORDINARY MS.

G.O., No. 390

Dated

6-4-97

[Despatch Abstract.]

Refusing to permit the re-entrainment in Govt. service of T. H. Naidu who was convicted of forgery and criml breach of trust as a public servant.

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

(189 6 ) Department.

D. O. No. 70.

From H. A. Stuart Esq.

D. O.

No.

Dated 17 }  
 Received 14 } 1-96  
 Registered -  
 Enclosures 3.  
 Spare copies. -

## SUBJECT.

Requesting that the  
 employment of J. C. Ab-  
 Maide in the Govt. Pres-  
 may be considered.

# BACK PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

14

Extract from the Madras Times, Saturday, 7th  
November 1891. Fourth Criminal Sessions of the High Court.  
Before Sir Arthur Collins, Kt., Chief Justice.  
Eighth day. Friday, November 6th, 1891.

## THE POST OFFICE CASE.

Abboye Nayudu, late a delivery peon of the General  
Post Office, pleaded guilty to four indictments, charging  
him with having forged the names of one Mursimma, of Messrs.  
Kamruddin and Co., Mrs. M.A. Hesterlow and of one Valliamah, to  
postal money order receipts for Rs.10, Rs.20, Rs.10, and Rs.55  
respectively, between 3th August and 15th September last;  
and to a further indictment, charging him with criminal breach  
of trust, as a public servant, in respect to Rs.10, the amount  
misappropriated under the money order payable to Mursimma.

At his Lordship's request, Mr. Hawkins, the Head  
Clerk of the Money Order Department, was called, and he de-  
posed that the prisoner had been in the service of the Post  
Office since 1886, that his pay was Rs.12, that he had caused  
no suspicion before this, that hitherto he had always been  
honest and there had never been a suspicion of his having  
occasioned any loss.

In reply to his Lordship, the prisoner said:-

Hon Mr. H. W. Bliss C. H.  
Hon Mr. J. Forze C. H.  
H. E. the Governor

to his pet. in G.O. 1020 Tull. he says eight  
years but the time his story is the same.

|                    | Rs. as ps. |
|--------------------|------------|
| May to Decr. 1892  | 4-11-1     |
| 1893 . . . . .     | 7-2-"      |
| 1894 . . . . .     | 8-5-11     |
| Jan. to June 1895  | 4-12-10    |
| July to Decr. 1895 | 21-2-3     |
| Jan. to April 1896 | 11-3-6     |

c. 5/2 21/4

Reemployment of an Ex-convict

Public dept:  
20. 701 A

FOR ORDERS

Petitioner Abboy Mayudu was convicted in 1891 of forgery of a valuable security and criminal breach of trust by a public servant, and was sentenced to rigorous imprisonment for 5 years. He explains that he was employed as a postman for six years in the General Post Office. When in the clutches of a money lender he yielded to temptation and committed the offence referred to above. He endeavoured to make good the money, but was arrested by the Police before he had completely restored it to the payees. A branch of the Govt. Press is in the premises of the Penitentiary. <sup>where he was incarcerated</sup> Petitioner states that he is now six months out of jail and begs that he may be given a post as a job compositor in the Govt. Press. During the time he was employed in the ~~at the Penitentiary~~ Press he was continually ailing and his monthly earnings between May 1892 and June 1895 were very low. The Supt. explains that when he opened at the Penitentiary the classes for teaching English to long-sentenced prisoners to enable them to work as compositors, and then started the technical classes to teach them their business in a more interesting and practical way, it was

I have had money orders in my charge. I did not do this with a view to cheat the Government. There were some warrants out against me from the Small Cause Court, taken out by some Gujarati people. I feared, if taken up under a warrant and put in jail, I would lose my situation, and so I made use of this money to pay some of my creditors. Afterwards I borrowed some money and paid Rs.20 to Ramraddin and Co. and Rs.10 to Nursimhan. If I should have been kept on till the 1st of the month, I would have subscribed to a chit fund, and raised money and paid these people, but in the mean time I was taken up on these charges.

His Lordship, in passing sentence upon the prisoner, said:- Nothing is more dangerous to a commercial community than a dishonest postman. The sentence of the Court/<sup>is</sup> that you be rigorously imprisoned for five years, on the first charge, one day on the second, one day on the third and one day on the fourth.

Prisoner:- I am a young man. I was never dishonest before.

His Lordship:- I must punish severely Post Office frauds.

Prisoner:- I have an aged mother.

His Lordship:- You knew all these distressing circumstances before you committed these forgeries.

17

with the intention of assisting ~~persons~~ ~~prisoners~~ unfortunately situated like Abboy Mayudu. Mr. Hill has no objection to granting the petitioner's request if he is permitted to rejoin Govt. service. He has at the present moment a lad in the Press from the Reformatory. In the D.O. d/ 10th Decr. 1893, Mr. Hill was asked whether men in the jobbing dept: are in the permanent service of Govt., as if not, the entertainment of the petitioner in that dept: would hardly amount to his rejoining the Govt. service. In reply Mr. Hill explains that all compositors are piece work and pensionable servants of Govt. -vide art:414 of the C.S.R. He states that the practice is when engaging a new man to take him on the temporary establishment for six months. If he proves satisfactory as a workman, he is then sent to the Doctor and if passed as fit for Govt. service, his service then counts for pension; but with petitioner this procedure would not be necessary as he has been in Govt. service before. Petitioner, Mr. Hill states, is capable only of job work at present, ~~but he states that he~~ will be employed in the other composing depts: by and by, and will then have a chance of doing well with any class of work.

In Board's Standing Order No. 233 public officers are forbidden to enter~~tain~~ in their establishments

any

*tho it would be a case of one fit always fit*  
20

17  
with the intention of assisting ~~persons~~ <sup>persons</sup> unfortunately situated like Abboy Mayudu. Mr. Hill has no objection to granting the petitioner's request if he is permitted to rejoin Govt. service. He has at the present moment a lad in the Press from the Reformatory. In the D.O. d/ 10th Decr. 1896, Mr. Hill was asked whether men in the jobbing dept: are in the permanent service of Govt., as if not, the entertainment of the petitioner in that dept: would hardly amount to his rejoining the Govt. service. In reply Mr. Hill explains that all compositors are piece work and pensionable servants of Govt. -vide art:414 of the C.S.R. He states that the practice is when engaging a new man to take him on the temporary establishment for six months. If he proves satisfactory as a workman, he is then sent to the Doctor and if passed as fit for Govt. service, his service then counts for pension; but with petitioner this procedure would not be necessary as he has been in Govt. service before. Petitioner, Mr. Hill states, is capable only of job work at present, ~~but he states that he~~ will be employed in the other composing depts: by and by, and will then have a chance of doing well with any class of work.

In Board's Standing Order No.

236 public officers are forbidden to enter ~~tain~~ in their establishments

any

*It would be a  
a case of one but always fit  
SP*

18

any servant who has been dismissed from a public situation for recorded misconduct unless the special sanction of Govt. has been first obtained. Permanent exclusion of such persons from the service is <sup>the</sup> natural result in any case of deliberate fraud in the matter of money or accounts - vide also

E

para. 6 on page 2 of G.O. No. 1401, Pub, dated 15th September 1879. Attention is also solicited to para. 2 of letter No. 561 Pub., dated 31st July 1894, and to paras. 3 and 4 of G.O. No. 552, Pub. dated 5th July 1895. The case does not

*just before*

G

seem to have been gazetted at this Govt. is not concerned with the postal department. Petitioner's nominal roll will be found with G.O. No. 1020, Judl., dated 16th May 1893 and <sup>with</sup> G.O. No. 1034, Judl., dated 16th May 1895. It will be seen from these orders that ~~remission~~ remission of sentence was refused.

*\* as was presumed in the ag. CSs. note F*

A

K

For cases of reinstatement please see papers flanged A, C, F, and J. P.W.D.G.O. No. 1003, dated 12th April 1895, deals with the case of Mr. Colquhoun whose reinstatement in the P.W.D. was sanctioned by the Secretary of State. In G.O. No. 1298, Public, dated 29th August 1878 this Govt. approved of the recommendation of the Superintendent of the Government Press that piece work compositor C. Chinnaswamy who was sentenced to a week's simple imprisonment and a fine of Rs. 50 should be reinstated. In 1891 on the

*\*J*

*(convicted of adultery)*

F

*\* for assault in a family dispute*

recommendation of the S. P. M. L.  
Devasiahony, who had been sentenced  
to two weeks' rigorous imprisonment,  
was reinstated as a local workman editor  
of the Press - vide G.O. No. 95, Pub.,  
dated 11th November 1891. Again V.  
Jagannayala was similarly treated -  
vide G.O. No. 102, dated 16th December  
1895. Enacting Mr. Colquhoun's case

The case of Forester Narasiah  
whom Govt. declined to retain in the  
public service is with the others  
flung on B. Here Narasiah obtained a  
footing in the Forest Dept. by con-  
cealing the fact of his conviction.

It will be seen from the D.O. of  
the Private Secretary to H.E. the  
Governor that H.E. is in favour of  
reinstating the petitioner.

On 14th in submitting this  
file is going to the P.W.D. having  
been a fortnight to forward the  
file for consideration.

The case last quoted is  
most in point. Narasiah  
was convicted of a petty  
theft when employed in  
the Railway. He was sub-  
sequently entertained in  
the Forest Dept. It then leaked  
out that he had been convicted,  
a fact which he had not  
mentioned, and the question  
was thus raised as to his  
retention in the public service.  
In his note at B to which  
attention is solicited  
Mr. Dalton pointed out  
that Govt. is not like a  
private employer.

19  
"for rioting" squabbles common amongst  
Hindus. vide C.D. Subat?

C  
\* crime for which convicted - a street  
quarrel

A  
the offences in the above cases  
were all of a petty nature  
These cases  
are in point.  
There was in this  
instance a statute  
disturbance.  
Colquhoun's

but this was not the main objection to  
his retention.

F12

20/ and that therefore it was not right for it to employ <sup>one</sup> convicted of moral turpitude and henceforth as it were "tainted". The public service, he argued, should be kept as unblemished as possible. He was therefore of opinion that, although Barak had subsequently behaved himself well and was favourably reported on, public policy required that he should not be retained in fort service.

This view was concurred in by both the Hon'ble members.

Please see also

G. O. 171 W d/28th Nov 1887 under which Mr. Deane (Act 4th grade) who had been convicted of criminal breach of trust was permanently removed from the P. W. D.; and G. O. 1331 W d/12th April 1888 where Isaac Moothoosam was sentenced to one month rigorous imprisonment for stealing from the

G. O. 943 Rev d/5th March 1894

paper from the Examiner's  
office was similarly  
treated, and a noti-  
fication to the effect  
published in the Gazette

Criminal conviction  
on any charge of dis-  
honesty terminates  
ipso facto employment  
in the post service  
and this order is  
absolute vide para  
2 of the f.o. last  
quoted at

25/1/97  
25/1/97  
25/1/97  
I have had the  
report of the  
case looked up  
in the newspapers of  
the day and the  
story told of the factor  
who pleaded guilty is one which  
does not show that he was a man of  
good character, or who in any difficulties  
was tempted for the opportunity and  
felt that he was at the time  
of his desertion making good what  
he had misappropriated. He was  
broke enough and did not look  
afterwards to secure himself. The  
unfortunate wretch is now industriously  
seeking to lead an honest life  
and to bring to work. If I was  
a master employer I would give him  
a trial not as an official. I  
consider that giving him one  
would be contrary to all established  
practice. I have never known any  
man who had been convicted  
of an offence in which dishonesty  
was an element return work again.

25/1/97

x This I have had type written as  
it is intended in a paper  
and being volume

22

Read petition from  
J. Abbey Maikoo  
No 27. Sultana Street  
Chennai  
Madras

C.S.

Order  
No 390 d/ 6 April 97  
Petitioner's request  
that he may be ~~to be~~ entertained in the  
public service cannot  
be complied with.

1 from orders

Petitioner (2)  
Supdt. Govt Press (9) depd  
12/4/97

C.W.  
3/4/97  
AK.  
3/4/97  
25/4/97

V  
MINT BUILDING

11th December 1900

Dear Mr. Stuart,

All compositors are piecework  
and payable servants of Government  
(see Art. 414 of the C.S. Regulations,  
2nd Edition).

The practice is — When engaging  
a new man to take him on the temporary  
establishment for six months, if he is  
satisfactory as a workman, then he is  
sent to doctor to be passed for fitness  
for Government service, and if he passes,  
his service then counts for pension.

3

With J. Abbey having this procedure would not be necessary, having been in govt. service before. By and by he will be employed in the other comprising departments, and will have a chance of doing well with any class of work. He is only capable of jobwork at present by his having worked at the jail.

Yours Sincerely,

A. Hill

4  
Govt. Press; Madras,  
9th December 1896.

Dear Mr. Stuart,

The petitioner J. Abboy Ravidoo  
was convicted for forgery of a valuable  
security and criminal breach of trust  
by a public servant, and was sentenced

Date of admission, November 1891  
" release, May 1896

to rigorous  
imprisonment  
for 5 years.

During the time he was employed in the  
press he was continually ailing, and

|                       |         |
|-----------------------|---------|
| May to Dec. 1892      | 4-11-1  |
| 1893                  | 7-2-2   |
| 1894                  | 8-5-11  |
| January to June 1895  | 4-12-10 |
| July to December "    | 21-2-6  |
| January to April 1896 | 11-6-6  |

his monthly  
earnings between  
May 1892 to  
June 1895 were  
very low.

her from 11

5

He was in fairly good health when discharged. He studied and passed the Compositors first test in the Government Press Technical school in August 1892, but did not study for the other three tests to qualify himself to become a good compositor.

When I opened at the Penitentiary the classes for teaching English to long-sentenced prisoners to enable them to work as compositors, and then started the technical classes to teach them their business in a more interesting and practical way, it was with the intention of assisting a person unfortunately

6

placed like J. Abbey Laidoo. If he is permitted to rejoin the Government service, I shall have no objection to giving him employment in the Govt. Press as a jobbing compositor.

I have at this time a lad in the press from the Reformatory.

Yours sincerely,

R. Hill

Done by file.

I have received your letter of yesterday about J. Abbey Naidu. Will you please let me know for the information of Mr. Schacter people in the jobbing department are in the permanent service of Govt. If not, the entertainment of J. Abbey Naidu in that department would hardly amount to his re-joining the Govt. Service.

Yours sincerely,  
[Sd.] H. A. Stewart.  
10. 12. 96.

Enclaves 2 to A-670164  
7/98

Madras 29<sup>th</sup> November

To,

His Excellency Sir A. C. Havelock  
Governor of Madras.  
Through the Private Secretary  
to His Excellency.

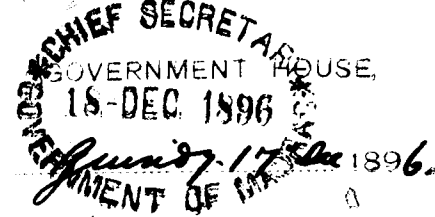
May it please Your Excellency. —

I beg most earnestly in favour  
of my distressed and despicable petition  
Your Excellency's kind consideration and  
if you also to help me in the matter I am

I was employed in the General  
Post Office as a post-man for a period of  
6 years. I can assure that for that period  
I bore a good conduct which many of the  
in the Post Office can testify to my character  
as it was my bad and misfortunate time  
I borrowed from a Jewess of 2000; failing  
to pay him, he brought a warrant on me  
and I was arrested, thinking that I might  
lose my employment I took away the most  
order which was to be delivered and passed  
the Jewess. afterwards before 20 days I placed  
on hundred rupees to three persons whom I  
ought to be delivered, before giving the other  
one hundred rupees a charge was made against  
me and the Police arrested me and I  
was tried by the Session in the year 1871  
and a punishment of 6 years was inflicted  
on me. A Branch of the Government Prison  
is in the premises of the Penitentiary. I am  
my business in 3 months time as a convict

and day by day I was improving. I was not  
composers, used to learn my share of Greek &  
first months and as a teacher to teach  
the same as a teacher but not long. So I  
gave the best of my power committed myself to  
The Press, Superintendent and the Managers  
gave an account of me to the Deputy  
with gladness after long and anxious  
passing the first test of the printing  
with A. 4537. I Abbot's House. The line  
Book is in the Printing Department. It  
Excellency calls upon the book. You will find  
that I have been steady and good worker.  
Mr. J. D. McCready, Superintendent of  
Prisons will also be able to give a good ac-  
count of me. In my case if a man once  
commits himself he is never allowed to join  
his relatives. They never think of the distressed  
man but if they could help they will dig a  
hole and place the poor man in it and  
cover him with stones. It is six months now  
since I am out of the jail. I tried all  
over the place for a compositor's job and I  
never got any. Proprietors & Managers of Press  
require recommendations and certificates but  
have neither of them. We are four in number  
Mother, Sister, Aunt and myself are in a very  
poor condition. However poor a meal for the day  
it will take at the very least 5 Rupees for  
one person. God alone knows how I am man-  
aging with myself and my family, just now  
I am distressed and I got nobody to help.  
I have got enough of sense now and will  
be very careful for the future, I belong to a  
respectable family but as I am penniless now  
none of my relatives care for me. I have  
no other alternative but you. You are my God.

[illegible]



My dear Brundel,

I am desired  
by His Excellency to send you  
the enclosed papers, and to  
request that the employment of  
F. Abbey Naidu in the Govern-  
ment Press may be considered.  
As at present advised,  
His Excellency is disposed to  
sanction his employment.

yours sincerely,

H. Allent

1 - Hon. A. J. Brundel, Esq. D.C.S.  
2 - Secy. Genl. & Ent.

P.

1. POW. could not be  
 2. effected. without a  
 3. formal GO. I presume

4. There will be apparently  
 5. serious objections to  
 6. the abrogation of the  
 standing rule.

AK 18.12.96

noted  
in the Gazette

vide B.P. 266