Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 241

DATED 16th January 98

[Despatch Abstract.]

Ordered that the Memorial of A. Muthuswami Aiyar, late Sub-Inspector of ~~the~~ Salt and Abkari Departt. to the Govt. of India, be withheld under section III, Rules 3(7) and 3(10) of the Govt. of India Memorial rules.

BACK PAPERS.

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

FURTHER PAPERS.

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

$\frac{O}{18}$ 2,000—30-3-08.

Revenue (1899) Department.

CURRENT No. 144

Memorial to the Govt. of India

From A. Muthusami Iyer, late a Sub-Inspector of the Madras Salt Dept.

No.

Dated 5-1-99

Received 7-1-99

Registered 7-1-99

Enclosures 5

Spare copies

SUBJECT.

Appealing to the Govt. of India against the order of Govt. declining to interfere with the Board's Proceedings rejecting as time-barred the memorialist's appeal against the order of the Deputy Commissioner, Tanjore Division, directing his dismissal.

DP 16/1/99

Order Mis No. 241 of 16th Jan. 1899.

Ordered that the memorial be withheld under section III, rule 3 (10) of the Govt. of India Memorial Rules, and that the memorialist be informed accordingly.

SP 16/1/99

To the memorialist, with circ. Secs. 19-1-99

Note.

The memorialist appeals to the Govt. of India from G.O. No: 124 d 10.1.98 in which the Govt. declined to interfere with the Board's Proceedings rejecting as time-barred

time-barred the memorialists petition against the order of the Deputy Commr, Southern Division, directing his dismissal from the ~~se~~ service. The reason given in para 4 of the memorial in explanation of the delay in submitting it does not appear satisfactory.

But what about Rule 3(7) in Sec III? What was his pay?

Pt 9.1.99

11.1.99

2. Under Secy.

The memorialist was a fifth grade Sub-Inspector on a monthly pay of Rs. 30. It is submitted that rule 3(7) in Sect. III of the Govt of India Memorial Rules ~~will~~ does not apply in the present case, because the petition under G.O. No: 1240 dated 10.1.98 was an appeal not against his dismissal, but only against the Board's order rejecting his first appeal as time-barred.

Pt 11.1.99

Secy The Bd rejected his appeal- What was the ground for the rejection. I doubt whether Rule 3(7) of Sec III of Mem. Rules & Order applies. It requires as a matter of

Rule 3(7) applies. 8/1

BACK PAPERS.

G O.	No.	Department.	Date.
Pt	1240	Rev	10.1.98

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To

THE GOVERNMENT OF INDIA

Through The Government of Madras.

The humble appeal petition of A. MUTHUSAMI IYER *a late Sub-Inspector of the Madras Salt Department.*

MOST RESPECTFULLY SHOWETH,

1. That he was a fifth grade Sub Inspector attached to the Vedaraniam Circle and dismissed by the Deputy Commissionar Southern Division in his No 3791 dated 10th August 1896 (*Vide Enclosure A*) on a series of charges ten in number 9 of which as admitted by the assistant Commissioner are frivoulous. These charges (with several others omitted in the punishment roll for reasons unknown) were framed against petitioner only during a space of the first 22 days he served in the circle while he has put up a total service of 7 bright years in the Department in 5 circles under 14 different officers in several capacities as clerk, Hd clerk & Sub Inspector.

2. That he than submitted his appeal to the Board of Revenue in 2 petitions one within the 40 days time allowed for appeal (in which he was unable to enter into the appeal grounds for want of information of the charges and how they were supported, as he was not given copies of records until a week after the 40 days, but simply prayed that it may be considered as the appeal submitted within the time) and the other being rather a long and voluminione owing to the charges being frivoulous and having to include in it all that petitioner had to represent personally as he was refused personal hearing (against the benignrules of the government of India in para 6 of their order 2296 dated 3. 12. 83) by the Assistant and Deputy Commissioners (*Vide Enclo* B) and which had therefore, taken somewhat longer time than otherwise necessary. The Board of Revenue in their proceedings No 351 dated 18th August 1897. have to the petitionor's great misfortune and sad disapointment passed orders rejecting the latter as time barred and the former as no appeal at all. (*Vide Enclo C*) The Board itself as will be observed from *Enclo C* admits having recognized such preliminary petitions as the appellant's before, and *in future* it would not, if they do not deal with any of the appealgrounds. In the petitionor's case he had no materials *atall* for an *appeal* at the time of the submissionof the 1st petition. This order which onginated in the petitionar's case has been made applicable *to him* with full force in the face of the expression "*Infuture*".

3. That petitioner then appealed to the Local Government of Madras in which he prayed that the Board's order may be set aside and orders may be issued to dispose of his appeal on its merits. To his great misfortune Madras Government was also pleased to pass orders that petitioner was never prepared to hear (*viz*) that it declined to interfere *vide Enclo D.*

4. Petitioner now begs to submit that the present appeal is against the order of the Madras Government and begs to state that the delay in the submission of this was due to the wrong information he had that non-gazethed officers and officers drawing less than 100 Rs a month had no appeals to the Government of India atall and that the order of the Local Government was final. But now that petitioner understands that the Gracious Government of India is prepared to hear appeals from the poorest menials &c. provided there is sufficient cause he begs to approach its august presence fully confident that he would have justice at its hands. Petitioner begs to submit that his appeals were not timebarred as remarked by the Board in as much as he had put in a preliminary appeal within the allowed time and he had no materials *atall* for an *appeal* then and consequently the 2nd appeal was not time-barred. If the petitioner took a long time it was due to the petition having been long owing to the nature of the charges and all that he had reserved for personal hearing had to be brought in in the petition. Moreover, Board itself admits that it has been admitting such appeals all along even when presented long time after. (2) Even assuming for argument's sake that his petitions were time-barred petitioner craves the exercise of the clemency in the hands of the benign Government of India to

have his appeal disposed of on its merits as the punishment inflicted on him is not one of reduction or suspension but the maximum punishment of *dismissal* taking the bread out of one's *mouth*. (3) Among the 6 sub Inspectors who were dismissed along with him from the same circle by the same Officer, petitioner is the only one unfortunate victim whose appeal has been disposed of unfortunately to him on technical grounds. (4) Besides, the misfortune that accompained him to the dismissing authority followed him even to the appellate authority. For, the same officer who as Deputy Commissioner dismissed him, happened to be the Secretary in the Board's Office by the time his appeal went there and unfortunately for him in the same branch as no officer can easily change his views of a subject along with change of position. (5) If the Government of India might be led to consider unfavourably in view of the long time that has intervened, petitioner begs to submit he is prepared to abide by any penalty for the same.

For which act of kindness and charity petitioner
shall as in duty bound every pray and begs to remain
most obedient and layal servants

Negapatam
5th January 1899

A. Iru Musami Iyer
Petitioner

Petitioner further begs to add that he admits many of the charges and holds that they are no charges at all but what the petitioner was in duty bound to perform according to the rules and whose omission on the part of the petitioner would have on the Contrary amounted to charges against him. Hence it has been mentioned that the charges have all been clearly proved.

A Iru Musami Iyer
Petitioner
C/o M. K. V. M. & Co. Negapatam

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READ AGAIN G.O., No. DATED
189 ,

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A	
LETTER OF GOVERNMENT.								
STATEMENT WITH DITTO.								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

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