

Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 1658

DATED 4 Sept

[Despatch Abstract.]

Mahamad Ismail 1st grade Peon,
SdA. Dept - Godawary R. - Recd. pending
receipt of the origl. the duplicate copy
of his appeal petition praying for
restoration to his former post of 2nd grade
Lancaster -

BACK PAPERS.

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

FURTHER PAPERS.

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

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18 4,000-19-7-87.

Revenue (189) Department.

CURRENT No.

419

From

Muhammed Inam
1st grade Pen.
S. & A. Dept.
No. Godanary.

Order R. No 1658 d/4 Sept 97
Recorded pending
Receipt of the original
petition submitted thro.
the proper Channel.

Dated 23rd August 1897.

Received

Registered

Enclosures

Spare copies.

SUBJECT.

Submg. direct to
Govt. a duplicate copy
of his appeal petition,
praying for restoration to
his former post.

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319

122
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BACK PAPERS.

G.O.	No.	Department.	Date
	1489	Rev	7.3.97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

TO

THE CHIEF SECRETARY TO GOVERNMENT,

MADRAS.

The humble appeal petition of Mohammed Imam

1st Grade peon No. 41 of Rajahmundry Circle,

Coconada Sub Division, Godavary.

MOST HONORED AND RESPECTED SIR,

Your humble petitioner has been a 2nd Grade Zamadar on Rs. 12/0 up to 4-10-95 in charge of Godarigunta Fish curing yard in Penuguduru Circle. He has been reduced from that post to the present post by the Assistant Commissioner Coconada Sub Division whose order has been upheld by the Deputy Commissioner in his Proceedings No. 539 dated 8-3-96 (enclosed) to whom an appeal was preferred by your humble petitioner.

Your humble petitioner has not been favoured with justice from the Board of Revenue also to whom an appeal was preferred by him and the Proceedings of the Board of Revenue Mis. No. 4307 dated 14-10-96 upholding Deputy Commissioner's order No. 2451 dated 30th August 1896 is enclosed.

2. This is an appeal to the Honorable Government to cancel the said order and to reinstate your humble petitioner in his former office.

The facts of the case are as follows:—

3. Your humble petitioner, while he was in charge of the Godarigunta F. C. Yard, submitted an indent on 6-8-95 to the Inspector Penuguduru Circle for 24 maunds of salt, as the stock in hand was quite exhausted.

4. According to the Indent he received a supply of 12 bags of salt which were sent on two bandies in charge of the yard peon whom your petitioner had deputed. On the way 4 bags (2 on each bandy) got wet on account of the rain which fell that day between 2 and 5 P. M. The bandies reached the yard at about 7 P. M. To weigh the consignment, there were no scales available in the yard which can weigh a bag of 2 mds. weight. The seals &c on the bags were in good order. The bandy people were hurrying for their wages. The petitioner was therefore obliged to pay off the hire mentioned in the passport given to the peon who accompanied the consignment and he returned the passport acknowledging the receipt of the consignment.

5. The petitioner did also report that 4 of the bags got wet and that there would be a deficiency of 10 seers of salt in all the 4 bags. He could not report the exact loss of the salt as he had got no proper scales.

6. On 11-8-95 he opened one of the wetted bags for distribution of salt to the curers. He upportioned the salt in 16, five seers boxes in equal parts and sold the salt in 9 boxes, seven boxes were remaining as there is a Board order to this effect to avoid damages.

7. The Sub Inspector of Coconada Range came on 15-8-95 for inspection and weighed the salt in the 7 boxes remaining. The machine was wrong i. e. insensitive. The beam stays away where it is stopped. The Sub Inspector said that

there was a deficiency of one seer in each of the 7 boxes. The petitioner explained to him the cause for the loss, firstly, that the boxes appertained to one of the wetted bags and so there would certainly be some deficiency and 2ndly, that, in addition to that, the machine was wrong. The Sub Inspector also found that the machine was wrong. To find out whether the salt under inspection was wet or not, it could perfectly be ascertained from the salt cakes formed at the bottom of the boxes. The petitioner requested the Sub Inspector to inspect the other three wetted bags also but he refused to do so saying that the seals on the bags were all right and so he need not inspect them. He reported the loss to the Circle Inspector.

8. The Circle Inspector sent for the petitioner and took a deposition from him on 4-10-95 at Penuguduru. The Inspector again took statements from the petitioner, the yard peon who accompanied the consignment and the Sub Inspector on 7-10-95 at Coconada which is a mile off from Godarigunta and recommended the petitioner's reduction to the Asst. Commissioner without even examining the other bags.

9. The main grounds on which he recommended the petitioner's reduction are:—

- (i) That there was no rain on that day according to the rain register maintained at Penuguduru and Jagannayakapur factories.
- (ii) That the petitioner reported on the passport that the bags were received by him in good order.
- (iii) That there was a discrepancy in the statements given by the petitioner on 4-10-95 and 7-10-95 with regard to his report about the wastage of salt and its entry in P. 4.

10. With regard to the 1st ground, if it rains, is it a point that it should rain over the whole Taluq or Division?

- (i) If it rains in one part of a village, not even a single drop of rain can be seen in the other part of the same village nor even the cloud can be visible if it rains at a little distance. It is a plain fact and it needs hardly be discussed. A slight shower of rain which lasts for a short period will do to damage the salt, an article naturally apt to be melted away at the instant it comes in contact, with water. Further when the yard peon said in his statement that there was a shower of rain, the Inspector made the fact very feeble and called the shower a slight drizzle.

- (ii) The Inspector's 2nd ground is that the petitioner endorsed on the passport that the bags were received by him "all right" which is quite contrary to the petitioner's allegation in his deposition that he did report on the same date of the state of the bags in which they were received and wastage of salt in them. It is true that he endorsed on the passport that the consignment was received "all right." The petitioner, in writing so, meant that there was no damage caused to the seals on the bags and no mischief done to the bags. As to the wet of the bags and wastage of salt, the petitioner made a separate report vide the P. 4 report of the same date.

- (iii) As for the Inspector's 3rd ground, he reports that the petitioner in his statement dated 4-10-95 said that he did not report the amount of wastage and that he entered 10 seers in his P. 4. as the amount of wastage, that a portion of the entry in P. 4. is in a different ink and that as the petitioner could not explain the discrepancy, he misappropriated the deficient quantity of 7 seers of salt. Here the Inspector misunderstands the petitioner. The petitioner entered in his P. 4. the 10 seers as the approximate amount of wastage. In his deposition dated 4-10-95 he said that he did not report the amount of wastage by that he meant the exact amount of wastage. He entered in his P. 4. only the approximate amount but not the exact amount as he got no proper scales as he already stated; Now the difference of ink. The difference was not due to the ink bottle. The ink was one and the same. The petitioner made the entry at two different intervals with two different pens. He began to make the entry without ascertaining first the amount of wastage in the bags. The first portion of the entry he made with his usual black pen and then stopped with a doubt to enter the amount of wastage. He went to the wetted bags, touched them and satisfied himself that the amount of wastage would be 10 seers approximately. He came back to his seat, took, by mistake, a different pen which he used to write in powder ink and completed the entry. So the latter portion of the entry appears a little white. Hence the difference. These mistakes of trivial nature are most common among all classes of officials. The same facts, the petitioner stated in his deposition before the Inspector but he took no notice of them and much more, he ascribes the difference in ink to the non-genuineness of the entry and concludes that the petitioner misappropriated the 7 seers of salt. The petitioner humbly begs the Honorable Government to judge how much injustice is done to the petitioner.

11. The Sub Inspector from the very beginning bears a natural hatred towards the petitioner who being a Mohamadan. On account of this caste prejudice and some other unknown cause which the petitioner cannot explain, the petitioner doubts and ventures to say that the Sub Inspector has created in the Circle Inspector some illfeeling towards the poor servant.

12. The petitioner belongs to a respectable family. His grandfather was a Naik in the Military Department. His father is a pensioned Head Constable. The petitioner has a long service under Government and discharged his duties to the entire satisfaction of his superiors. He had more than once been appointed to the Temporary Sub Inspector's posts by the same Inspector. If the petitioner's conduct is not good, it would not happen to be appointed so.

13. When he had to revert for the last time, he was ordered to take charge of the Godarigunta Fish curing yard though he represented that he was quite strange to the work but his entreaties were of no avail and he accordingly took charge of the yard and has been performing his duties. The petitioner applied thrice to the Inspector to transfer him to some other place or grant him leave as the water of that place was not agreeable with him. But his request was neither complied with nor any endorsement given to him. The petitioner presented him-

IN BRIEF.

1. Penuguduru Circle Inspector's report dated 22-10-95 with 6 enclosures.
2. Sub Inspector M. Subba Row's deposition dated 7-10-95.
3. Leave application No. P. 4-22 dated 22-7-95 from the petitioner.
4. Leave application No. P. 4-29 dated 2-8-95 from the petitioner.

The petitioner humbly begs to remain,
Most honored and respected sir,
Your most obedient and humble servant,

PETITION

CHIEF SECRETARY
30. AUG. 1897
GOVERNMENT OF MADRAS

The Chief Secretary to Government
Madras.

Q. AUG. 1897
The honorable petition of Muhammed & Imam
1st grade from No: 41 of Rajahmundry Circle.

Most honour Sir,

In obedience to Endorsement No:
1489 R, dated 7-8-27 from the Honorable
Government, your humble petitioner begs
to submit herewith a duplicate copy of
his appeal petition for favour of justice.
The original has this day been submitted
through the Inspector salt alkali and
customs department Rajahmundry (Ind.).

The petitioner humbly begs to remain
Most honored & respected Sir,

Yours most obedient & humble servant

Rajahmundry }
date 23/07/1897 }
Gentl. & Benally & Co

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

READ AGAIN G.O., No.
 189

DATED

GOVERNMENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

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