Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 2228

DATED 3rd May

[Despatch Abstract.]

Declining to interfere on behalf of Vaikunta Nathan late English Headclerk, Collector's Office Vizagapatam, in the matter of his production to the post of caste keeper.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No.

GOVERNMENT OF THE MADRAS PRESIDENCY
23 MAR 97
SECRETARIAT

From the Board of Revenue (Land Revenue)

Order

No. 1070 dis.

Dated 20th March 1897.

Received 23rd

Registered 24th

Enclosures

Spare copies

SUBJECT.

Submitting to Government, with remarks, petition from Mr. K. Vaikuntanadham Pantulu, late English Head Clerk, Collector's office, Vizagapatam Dt., appealing against his reduction to the post of Cash-keeper.

asb
24/3/97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

3,086
10-12-96.

REVENUE BOARD OFFICE. MADRAS.

Proceedings of the Board of Revenue

(Land Revenue)

No.4141 Misc.,dated 9th September 1896.

*According pending receipt of the appeal petition submitted thro' the Collrs a duplicate copy of the same submitted by John Adam Esqr. Barrister-at-Law, on behalf of M. Vaikuntarao-dhanadham Pantulu late Engl. Head Clerk, Collrs: Office, Vizagapatam.

Read the following:-

1. Again Board's Proceedings No.3361 R.J. Misc.,dated 17th August 1896.

2. Also Endorsement of the Collector of Vizagapatam, Dis.on Petn.Regr.No.2060 of 1896,dated 16th August 1896.

Resolution

The petitioner was the English Head Clerk of the Collector's office,Vizagapatam,and was reduced from that appointment under the following circumstances.

2. On the 16th May last the tappal was taken to the Collector's house in Waltair,as usual,and amongst the covers was one to the address of the petitioner.The cover was open and Mr.Horne found that it contained a private note from the manager of a local Newspaper"the Vizagapatam Spectator", enclosing an article for revision.This article,which was afterwards published,was an attack on the Court of Wards' management in Vizagapatam.The Petitioner,when challenged with this,immediately denied all knowledge of it and the Collector wrote to the Newspaper Office to enquire.The manager replied that the note and draft article had by mistake been put into a wrong cover and were not intended for the Petitioner at all.Mr.Horne was not satisfied with this explanation and resolved to punish the Head Clerk on the ground that he had shown that he could not be trusted not to communi-

Press official information contained in the cover

finding arrived at by the Acting Collector. The explanation furnished by the manager of the Press has not been disproved: and it is impossible, in the face of it, to bring home the charge to the Petitioner. His reduction must, therefore, be cancelled and he should be restored forthwith to his appointment of English Head Clerk, with arrears of pay.

4. Before communicating the order, the Collector will call upon the petitioner to Stamp each of the Exhibit B, D & F with a Court Fee Stamp of eight annas value. The stamps should be defaced before returning the documents to the Petitioner.

5. The petitioner is referred to the Collector for orders on his case.

(True Extract)

/signed/ R.C.C.Carr

Secretary.

To

The Collector of Vizagapatam, with Enclosures to be returned to the petitioner.

Para 4 & 5 to the Petitioner, 14. Second Narayanan Street, Black Town, Madras. Care of J.Adam Esqr., Barrister at Law, Kings Buildings, Madras.

/True Copy/

Kodwamkannu

14 APR 1897

Asst Secretary.

M.R.H.

finding arrived at by the Acting Collector. The explanation furnished

1896.
Board of Revenue
(Land Revenue),
MADRAS.

To

True Copy of Board's

Proceedings No.4141 Misc.

Dated 9th September 1896.

Subject.

Dis. on Petn. Regr. No. 2060 of 1896.

Forwarded with the following remarks.

Para 2. The facts stated are substantially correct, exc
the statement that nothing was heard of the matter for si
weeks. That is untrue. The appellant assured me that the fa
appearing against him were the result of a conspiracy whi
he would shortly be able to expose, and begged for time to
so. Time was accordingly allowed, but I informed him at the
first that I should reduce him if he failed, and I constan
reminded him and asked if he had yet succeeded in unmaskin
the conspiracy.

Para 3. Exhibit I does not, as appellant states, sho
" an intimate knowledge of the working of the Estates agen
On the other hand it is full of what it will be polite to
call inaccuracies. The impossibility referred to in the last
sentence of this para is by no means an impossibility.

Para 4. Assuming that the appellant's denial of the truth
of the circumstances which led to his reduction is correct,
this para is irrelevant. Passing that over, it is for the Boa
to consider whether the spirit of the orders of Government
is transgressed by the Head Clerk of a collectorate contri-
buting on official matters to a paper, the general tone and
style of which are well exemplified in the numbers which the
appellant has appended as Exhibits, and edited by a Gentleman
whose antecedents are well known to at least one member of
the Board.

Para 5. The delay in disposing of the matter was, as
stated above, at the appellant's direct request. I did not send
for Mr. B. Sivarama Sastri who is not the Editor but the part
proprietor of the Press, because, in the first place, I was not
hopeful that the facts would by that course be made clearer,
and secondly because I was neither acquainted with nor had
any authority over that Gentleman. It is no doubt possible
that Mr. B. Sivarama Sastri has produced the proofs referred to,

ch production at this stage is of questionable value.Further.
not true that I apparently accepted the statements of that
ason in Exhibit D.On the contrary I told the appellant flatly
I did not believe them,but neither then nor on subsequent occa-
, when I asked the appellant if he was ready with his defence,
he produce,mention,or offer to produce the "unimpeachable evi-
" to which he now refers.

para 6. Requires no remark,except that the production
the peon would have afforded at least some portion of the de-
ce which the appellant entirely neglected to make.

7. On the 29th June I informed the appellant that as he
upto date failed to furnish the promised defence I should pro-
d to his punishment and ordered him to that end to furnish his
rmal written defence.J.Sitaramayya was examined at appellant's
quest.

para 10- last sentence - Appellant's services have certainly not been
ch as to gain for him the approbation of myself or of the permanent
llector.The latter-Mr.Willock recorded a formal order threatening
in with reduction to the very post to which I have now reduced him,
r incapacity,and the appellant,in his capacity of Head Clerk and
ficer responsible for the arrangement of the records of the office,
s allowed that order to disappear from the record,though he does
ot deny its existence.Further,since the appellant has left the
ffice,I have been obliged by the many instances of his neglect
hich came to my notice,to investigate the work of his department,
nd have found it to be such that,had I not punished him for the
offence now under notice,I should have been compelled to do so
quite as severely for habitual neglect of his ordinary duties.

Finally I beg to bring to the notice of the Board
that in reducing the Petitioner I did so to the only post which I
found him capable of occupying.He is permanently lame and incapable
of locomotion,and so cannot be sent out to any executive office in
the district,or even to the post of a Divisional Head Clerk .He is
in fact physically unfit for any Government employment except such
as is purely sedentary.

Vizagapatam
16th August 1896.

/signed/ R. Sama Rao
for Ag.Collector.

(True copy)
W.D.Sreenivasa Rao
14 APR 1897

To

His Excellency the Right Hon'ble
SIR ARTHUR ELIBANK HAVELOCK, G.C.M.G., G.C.I.E.,
GOVERNOR-IN-COUNCIL,
FORT SAINT GEORGE,
MADRAS.

(Through the Collector of Vizagapatam).

The humble petition of NYAYAPATHI VAIKUNTHANADHAM, *late English Head Clerk, Collector's Office, Vizagapatam.*

MOST HUMBLY SHOWETH,

The petitioner begs most respectfully to appeal to Your Excellency against an order of the Board of Revenue, dated 20th January 1897 confirming an order of the Collector of Vizagapatam, dated 4th November 1896, by which your petitioner was reduced from the post of English Head Clerk in the Collector's Office, Vizagapatam, to that of Cash-keeper; and humbly requests Your Excellency upon a perusal of this appeal, of the documents sent herewith, and of all the records in the case, to reverse the said order and restore your petitioner to the office which he has so long occupied to the satisfaction of his official superiors.

2. Your petitioner has been in the service of Government for over 25 years, has risen gradually through all the inferior ranks of the service and has held for over 8 years the appointment of English Head Clerk. He has also within the last six years on three occasions acted as Sheristadar in the same office. During the whole of that time, until the present charges were brought against him, no complaint of any kind has so far as your petitioner is aware ever been made against him. On the contrary he has continuously received the approbation of his superiors. Selections from his testimonials are appended to this appeal and a summary thereof will be found in paragraph 5 of the petitioner's appeal to the Board of Revenue, dated 14th December 1896, sent herewith, to which Your Excellency's attention is respectfully solicited. Your petitioner would further point out that even on the present occasion the charge is not one which in any way affects the character or honesty of petitioner, but is merely a charge of general inefficiency; and even assuming that the said charge was correct, it is humbly suggested that inefficiency suddenly appearing after a long, honorable, and efficient period of work in the Public Service, might be due to circumstances over which your petitioner has no control and would deserve a more charitable consideration than the severe measure of punishment which has been meted out to your petitioner.

3. The first circumstance in connection with which the present charge may be said to have originated is that described by the present Collector in a letter to the Board of Revenue, dated 18th October 1896, copy of a portion of which was furnished to the petitioner by an order of the Collector, dated 24th November 1896. In para. 2 of that letter the Collector says, "In October 1895 the Deputy Collector on special duty recorded for the Collector's in-

"formation, a note on the records and the working of the disposal number system in this "District, which showed the existing state of affairs in an unfavourable light. Mr. Miller "then Acting Collector, called for the explanation of the English Head Clerk, and this was "submitted on 30th October 1895. The subject was a bulky one and was left by Mr. "Miller for Mr. Willock's disposal, and Mr. Willock with a view to draw up a new set of rules "adapted to the requirements of this District, kept the papers with him until he was again "relieved, when, they were handed on to Mr. Miller, who left them for disposal by me." This statement of the facts certainly does not suggest that the papers in question involved serious personal charges against your petitioner, or that his explanation was deemed so unsatisfactory as it now appears to be considered. The petitioner therefore feels he was justified in assuming that neither Mr. Miller nor Mr. Willock contemplated making any charge of this nature against him; but if, as is now suggested by the Collector, the contrary were the case, the petitioner respectfully submits that it was unfair to him and likely to prejudice him in his defence not to bring forward the charge at once, instead of keeping it in suspense and allowing him to go on for many months performing his ordinary duties without the slightest intimation that the matter was to be treated as one personal to himself and not as one of office organization.

4. The present Collector Mr. Horne came to the District on the 10th of April. But even then no charge on this subject was formulated against the petitioner. A charge of a totally different character, very serious in its nature, was brought against him by the Collector and on this charge he was by an order, dated 1st July 1896, reduced to the post of Translator in the English Correspondence department on a salary of Rs. 70 per mensem. Your petitioner thereupon applied for leave, to which he was entitled and which was formally granted on 17th July with effect from the 1st idem. The petitioner however continued to perform his work in the office until 10th July and did not finally leave Vizagapatam until 25th July; and it is specially important to note that the petitioner has been on leave ever since, living in Madras far distant from the Collector's Office at Vizagapatam. The petitioner appealed against the said order to the Board of Revenue on the 5th August 1896, and the Board in its Proceedings, dated the 9th September 1896, cancelled the said order and restored the petitioner to his post with effect from the date of reduction. The petitioner was thus completely exonerated from that charge. The papers connected therewith have not yet been returned to your petitioner, and therefore copies alone are herewith forwarded, perusal of which is earnestly prayed; for although the subject-matter of the charge is now in itself immaterial, the proceedings show that there was a party in the Collector's Office ill-affected towards your petitioner and prepared even to go the length of giving evidence on which the Board of Revenue could place no reliance.

5. The proceedings of the Collector restoring the petitioner to his appointment were dated 18th September 1896 and they were immediately followed by Proceedings, dated 20th September 1896, calling upon him to give further explanations with reference to the Special Deputy Collector's note of eleven months previous, and also with reference to what was alleged to be a large number of papers left behind him in his room by the petitioner which ought to have been passed to the Record-room. As appears from paragraph 4 of these Proceedings of the Collector the second portion of the complaint was the result of an investigation carried on by the orders of the Collector in view of the remarks made by the Special Deputy Collector and the state of affairs disclosed thereby in the previous October. The Collector in his letter to the Board of 18th October, para. 2, states distinctly that he took the papers into camp with him on 29th May and on his return at the end of June instituted an investigation into the state of the records. At this time and for ten days in July the petitioner was actually in the office, for fifteen days more he was in Vizagapatam and as shown by the letter from his successor dated 16th July 1896, forwarded herewith, was in communication with the office in connection with giving over charge, and yet not a hint was given to him of this

investigation. The papers as stated by the Collector were not discovered until after the petitioner left. How then did they come to escape observation not only in the ordinary course of official routine, but during a special investigation? In any case why was no explanation called for from the petitioner for over two months and until after the receipt by the Collector of the Board's order reinstating the petitioner in his position? Further in any event Your Excellency's petitioner again respectfully submits that if any such investigation was called for by the remarks of the Special Deputy Collector, a delay of eight months should not have occurred in making it. This much is certain that the petitioner could not have been aware that there was anything unfavourable to him to be disclosed by any such investigation, as he would have taken care to remedy it; as could easily be done during the interval of eight months when he remained at the head of his Department in the office.

6. The explanations of your petitioner were furnished to the Collector on the 29th September and 13th October 1896 respectively. And to these explanations, to which he still adheres, the petitioner respectfully requests Your Excellency's careful attention.

7. The Collector did not deal with the matter himself, but referred it to the Board as he had some difficulty in dealing with it. His motives may be easily surmised and for them the petitioner with all respect towards his superior officer ventured to give the Collector credit;—a proceeding which unfortunately for the petitioner has now been urged against him. The reference to the Board was made in the letter already quoted of 18th October 1896. The Board apparently declined to interfere in the matter for it was subsequently dealt with by the Collector himself in his Proceedings, dated 4th November 1896. Against these proceedings the petitioner appealed to the Board of Revenue on the 14th December 1896, copy of which petition is appended hereto. The petition was forwarded to the Board by the Collector with an endorsement, dated 21st December 1896, copy of which is also forwarded herewith. The order of the Board dismissed the appeal and confirmed the order of the Collector; but did so in terms which have caused grief and dismay to your petitioner and which he respectfully and earnestly hopes Your Excellency will find not to be justified on a perusal of the appeal petition itself and in connection therewith of the whole records of the case.

8. The Board adopts the suggestion of the Collector as contained in his endorsement that the insubordinate tone of the petition precludes the Board from entering in detail into the facts of the case. It would indeed be strange if the petitioner after such a long and approved service and immediately after receiving from the Board such a signal proof of its sense of justice, should suddenly, when again appealing for justice, consciously assume an attitude of insubordination inconsistent with his humble position and the whole tenor of his official career. Your petitioner can only say that if in the opinion of Your Excellency any word, phrase, or passage, in his appeal betrays the existence of any feeling of insubordination he was absolutely unconscious that any such interpretation could be placed thereon and he most earnestly and without reserve begs to apologize for the same and to pray that it may be considered withdrawn.

9. The petitioner ventures humbly to submit to Your Excellency that there would be no object in allowing an appeal at all were a petitioner not allowed to state his cause in the strongest manner possible, clothed always in becoming language and if he were not permitted to press home to their full logical conclusions the arguments to be drawn from the documents and circumstances upon which his case is based. If the petitioner did not feel aggrieved at the action of the Collector he would not have appealed. The fact that he has so appealed and has framed his appeal in a way calculated to show that the order of the Collector was wrong should not so be used to his disadvantage so long as his language is respectful and his statements truthful. If your petitioner in his anxiety to remove the slur ~~caused~~ upon him by an order of degradation has in any way exceeded what he may venture to call the liberty of free speech on the part of an appellant addressing a Court of Appeal, he can only as he has

already said humbly crave the pardon of the Court. If on a perusal of all the documents Your Excellency finds that such liberty has not been exceeded, the petitioner is respectfully confident that Your Excellency will not allow the very strength of his case to be used as an argument against him.

10. The Board further proceeds to say that the "Collector's orders contained sufficient material to show that there are no grounds upon which the Board would be prepared to interfere." There is therefore no considered judgment of the Board to which your petitioner can reply. And he would therefore to avoid useless repetition respectfully refer Your Excellency to the explanations of the 29th September and 13th October 1896 and paragraphs 9 to 13 of the Appeal Petition to the Board and request that they may be considered as incorporated with the present petition. Your petitioner will only refer briefly to the endorsement of the Collector upon his Appeal Petition, dated 21st December 1896.

11. The subject treated of in the 3rd paragraph of the endorsement has already been discussed in paragraph 3, *supra* of this Appeal Petition.

12. With reference to paragraph 4 of the endorsement, the Collector has failed to notice the point of the argument, which is contained in the word "presumably" in the first line of para. '11.' The two paragraphs in question must be read in connection with the petitioner's explanation of the 29th September 1896. In paragraphs 6 and 7 of that explanation the petitioner distinctly states that the existence of the papers was not known to him; that when he handed over charge of the office he was particular to observe as to what papers were left there; that none were so left with the few insignificant exceptions referred to in the paragraph, and that it is not possible for him to explain how they came into his room during his absence.

13. The Collector in his order appears to ignore this explanation and to assume that the papers had been continuously there during all the intervening years mentioned in the tabular statement appended to this proceedings, although not brought to notice until the petitioner had left the office. This being so your petitioner could only *presume*, and submits respectfully he was justified in *presuming*, that the papers though never observed by him had come under the observation of the Special Deputy Collector. This the Collector now states was not the case. Two alternatives are alone possible. Either on the one hand this mass of papers although lying about the office undisposed of failed to attract the observation of the Deputy Collector specially deputed by Government to investigate these matters, in which case your petitioner may certainly be excused for also failing to observe them; on the other hand, they were not observed by the Special Deputy Collector because they were not there. If the latter alternative, that they were not observed by the Deputy Collector because they were not there, be correct, and it is that officially adopted, then the very strongest proof is furnished of the truth of the explanation given in the first instance and consistently adhered to by your petitioner, namely, that the papers were placed in his room after his departure for the purpose of deceiving the Collector and injuring the petitioner. That the injury of your petitioner was desired by a party in the office has already been shown in paragraph 4 of this appeal. There is therefore no inherent improbability in the explanation thus given—an explanation now in a very remarkable manner confirmed by the evidence of the Special Deputy Collector. As appears from the statement of the Collector himself, 1,800 undisposed-of current papers reported upon by the Special Deputy Collector were promptly dealt with by the petitioner. If, as already remarked the petitioner could, when the matter was brought to his notice, dispose of 1,800 papers in two weeks, he would certainly not have allowed three times the quantity to remain undisposed of for eight months as witnesses which could at any time be produced against him.

14. In conclusion, Your Excellency's petitioner humbly prays Your Excellency, on a consideration of this petition, all the records, and the circumstances of the case, to reverse

the decision to the effect that the petitioner has shown himself generally inefficient and unfit for the work he has hitherto performed. People do not suddenly, without some explanatory cause become suddenly inefficient and unfit for the duties which have become their second nature. The petitioner is unconscious of any such cause; if he is deceived, and some physical or mental calamity has overtaken him, he would be a subject for pity and considerate treatment, not for punishment and degradation. Further the petitioner would humbly direct attention to the last paragraph of his petition to the Board of Revenue. The punishment inflicted though apparently light, is really most oppressive. He is transferred to a post which requires as great efficiency of mind and body as that which he till recently occupied, with a slightly lower nominal salary, but clogged with conditions as to security which impose a heavy and *permanent* pecuniary fine upon the occupant. Your petitioner would therefore humbly pray that if Your Excellency should conclude that Your Excellency's petitioner has done something to merit some punishment, Your Excellency will be pleased to inflict a penalty more commensurate with the offence than the very severe one to which he has been condemned.

For this act of justice and mercy, Your Excellency's petitioner will, as in duty bound, EVER PRAY.

D. Hazlewood

9th March 1897
Madras

c/o. John Adam Esq.; B.A.,
Bar-at-Law.
5, High Court Chambers,
Madras

IRISH PRESS—MADRAS.

With 3 spare Copies

To

His Excellency the Right Hon'ble

SIR ARTHUR ELIBANK HAVELOCK, G.C.M.G., G.C.I.E.,

GOVERNOR-IN-COUNCIL,

FORT SAINT GEORGE,

MADRAS.

(Through the Collector of Vizagapatam).

The humble petition of NYAYAPATHI VAIKUNTHANADHAM, *late English Head Clerk, Collector's Office, Vizagapatam.*

MOST HUMBLY SHOWETH,

The petitioner begs most respectfully to appeal to Your Excellency against an order of the Board of Revenue, dated 20th January 1897 confirming an order of the Collector of Vizagapatam, dated 4th November 1896, by which your petitioner was reduced from the post of English Head Clerk in the Collector's Office, Vizagapatam, to that of Cash-keeper; and humbly requests Your Excellency upon a perusal of this appeal, of the documents sent herewith, and of all the records in the case, to reverse the said order and restore your petitioner to the office which he has so long occupied to the satisfaction of his official superiors.

2. Your petitioner has been in the service of Government for over 25 years, has risen gradually through all the inferior ranks of the service and has held for over 8 years the appointment of English Head Clerk. He has also within the last six years on three occasions acted as Sheristadar in the same office. During the whole of that time, until the present charges were brought against him, no complaint of any kind has so far as your petitioner is aware ever been made against him. On the contrary he has continuously received the approbation of his superiors. Selections from his testimonials are appended to this appeal and a summary thereof will be found in paragraph 5 of the petitioner's appeal to the Board of Revenue, dated 14th December 1896, sent herewith, to which Your Excellency's attention is respectfully solicited. Your petitioner would further point out that even on the present occasion the charge is not one which in any way affects the character or honesty of petitioner, but is merely a charge of general inefficiency; and even assuming that the said charge was correct, it is humbly suggested that inefficiency suddenly appearing after a long, honorable, and efficient period of work in the Public Service, might be due to circumstances over which your petitioner has no control and would deserve a more charitable consideration than the severe measure of punishment which has been meted out to your petitioner.

3. The first circumstance in connection with which the present charge may be said to have originated is that described by the present Collector in a letter to the Board of Revenue, dated 18th October 1896, copy of a portion of which was furnished to the petitioner by an order of the Collector, dated 24th November 1896. In para. 2 of that letter the Collector says, "In October 1895 the Deputy Collector on special duty recorded for the Collector's in-

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4. The present Collector Mr. Horne came to the District on the 10th of April. But even then no charge on this subject was formulated against the petitioner. A charge of a totally different character, very serious in its nature, was brought against him by the Collector and on this charge he was by an order, dated 1st July 1896, reduced to the post of Translator in the English Correspondence department on a salary of Rs. 70 per mensem. Your petitioner thereupon applied for leave, to which he was entitled and which was formally granted on 17th July with effect from the 1st idem. The petitioner however continued to perform his work in the office until 10th July and did not finally leave Vizagapatam until 25th July; and it is specially important to note that the petitioner has been on leave ever since, living in Madras far distant from the Collector's Office at Vizagapatam. The petitioner appealed against the said order to the Board of Revenue on the 5th August 1896, and the Board in its Proceedings, dated the 9th September 1896, cancelled the said order and restored the petitioner to his post with effect from the date of reduction. The petitioner was thus completely exonerated from that charge. The papers connected therewith have not yet been returned to your petitioner, and therefore copies alone are herewith forwarded, perusal of which is earnestly prayed; for although the subject-matter of the charge is now in itself immaterial, the proceedings show that there was a party in the Collector's Office ill-affected towards your petitioner and prepared even to go the length of giving evidence on which the Board of Revenue could place no reliance.

5. The proceedings of the Collector restoring the petitioner to his appointment were dated 18th September 1896 and they were immediately followed by Proceedings, dated 20th September 1896, calling upon him to give further explanations with reference to the Special Deputy Collector's note of eleven months previous, and also with reference to what was alleged to be a large number of papers left behind him in his room by the petitioner which ought to have been passed to the Record-room. As appears from paragraph 4 of these Proceedings of the Collector the second portion of the complaint was the result of an investigation carried on by the orders of the Collector in view of the remarks made by the Special Deputy Collector and the state of affairs disclosed thereby in the previous October. The Collector in his letter to the Board of 18th October, para. 2, states distinctly that he took the papers into camp with him on 29th May and on his return at the end of June instituted an investigation into the state of the records. At this time and for ten days in July the petitioner was actually in the office, for fifteen days more he was in Vizagapatam and as shown by the letter from his successor dated 16th July 1896, forwarded herewith, was in communication with the office in connection with giving over charge, and yet not a hint was given to him of this

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6. The explanations of your petitioner were furnished to the Collector on the 29th September and 13th October 1896 respectively. And to these explanations, to which he still adheres, the petitioner respectfully requests Your Excellency's careful attention.

7. The Collector did not deal with the matter himself, but referred it to the Board as he had some difficulty in dealing with it. His motives may be easily surmised and for them the petitioner with all respect towards his superior officer ventured to give the Collector credit;—a proceeding which unfortunately for the petitioner has now been urged against him. The reference to the Board was made in the letter already quoted of 18th October 1896. The Board apparently declined to interfere in the matter for it was subsequently dealt with by the Collector himself in his Proceedings, dated 4th November 1896. Against these proceedings the petitioner appealed to the Board of Revenue on the 14th December 1896, copy of which petition is appended hereto. The petition was forwarded to the Board by the Collector with an endorsement, dated 21st December 1896, copy of which is also forwarded herewith. The order of the Board dismissed the appeal and confirmed the order of the Collector; but did so in terms which have caused grief and dismay to your petitioner and which he respectfully and earnestly hopes Your Excellency will find not to be justified on a perusal of the appeal petition itself and in connection therewith of the whole records of the case.

8. The Board adopts the suggestion of the Collector as contained in his endorsement that the insubordinate tone of the petition precludes the Board from entering in detail into the facts of the case. It would indeed be strange if the petitioner after such a long and approved service and immediately after receiving from the Board such a signal proof of its sense of justice, should suddenly, when again appealing for justice, consciously assume an attitude of insubordination inconsistent with his humble position and the whole tenor of his official career. Your petitioner can only say that if in the opinion of Your Excellency any word, phrase, or passage, in his appeal betrays the existence of any feeling of insubordination he was absolutely unconscious that any such interpretation could be placed thereon and he most earnestly and without reserve begs to apologize for the same and to pray that it may be considered withdrawn.

9. The petitioner ventures humbly to submit to Your Excellency that there would be no object in allowing an appeal at all were a petitioner not allowed to state his cause in the strongest manner possible, clothed always in becoming language and if he were not permitted to press home to their full logical conclusions the arguments to be drawn from the documents and circumstances upon which his case is based. If the petitioner did not feel aggrieved at the action of the Collector he would not have appealed. The fact that he has so appealed and has framed his appeal in a way calculated to show that the order of the Collector was wrong should not so be used to his disadvantage so long as his language is respectful and his statements truthful. If your petitioner in his anxiety to remove the slur caused upon him by an order of degradation has in any way exceeded what he may venture to call the liberty of free speech on the part of an appellant addressing a Court of Appeal, he can only as he has

already said humbly crave the pardon of the Court. If on a perusal of all the documents Your Excellency finds that such liberty has not been exceeded, the petitioner is respectfully confident that Your Excellency will not allow the very strength of his case to be used as an argument against him.

10. The Board further proceeds to say that the "Collector's orders contained sufficient material to show that there are no grounds upon which the Board would be prepared to interfere." There is therefore no considered judgment of the Board to which your petitioner can reply. And he would therefore to avoid useless repetition respectfully refer Your Excellency to the explanations of the 29th September and 13th October 1896 and paragraphs 9 to 13 of the Appeal Petition to the Board and request that they may be considered as incorporated with the present petition. Your petitioner will only refer briefly to the endorsement of the Collector upon his Appeal Petition, dated 21st December 1896.

11. The subject treated of in the 3rd paragraph of the endorsement has already been discussed in paragraph 3, *supra* of this Appeal Petition.

12. With reference to paragraph 4 of the endorsement, the Collector has failed to notice the point of the argument which is contained in the word "presumably" in the first line of para. '11.' The two paragraphs in question must be read in connection with the petitioner's explanation of the 29th September 1896. In paragraphs 6 and 7 of that explanation the petitioner distinctly states that the existence of the papers was not known to him; that when he handed over charge of the office he was particular to observe as to what papers were left there; that none were so left with the few insignificant exceptions referred to in the paragraph, and that it is not possible for him to explain how they came into his room during his absence.

13. The Collector in his order appears to ignore this explanation and to assume that the papers had been continuously there during all the intervening years mentioned in the tabular statement appended to this proceedings, although not brought to notice until the petitioner had left the office. This being so your petitioner could only *presume*, and submits respectfully he was justified in *presuming*, that the papers though never observed by him had come under the observation of the Special Deputy Collector. This the Collector now states was not the case. Two alternatives are alone possible. Either on the one hand this mass of papers although lying about the office undisposed of failed to attract the observation of the Deputy Collector specially deputed by Government to investigate these matters, in which case your petitioner may certainly be excused for also failing to observe them; on the other hand, they were not observed by the Special Deputy Collector because they were not there. If the latter alternative, that they were not observed by the Deputy Collector, be correct, and it is that officially adopted, then the very strongest proof is furnished of the truth of the explanation given in the first instance and consistently adhered to by your petitioner, namely, that the papers were placed in his room after his departure for the purpose of deceiving the Collector and injuring the petitioner. That the injury of your petitioner was desired by a party in the office has already been shown in paragraph 4 of this appeal. There is therefore no inherent improbability in the explanation thus given—an explanation now in a very remarkable manner confirmed by the evidence of the Special Deputy Collector. As appears from the statement of the Collector himself, 1,800 undisposed-of current papers reported upon by the Special Deputy Collector were promptly dealt with by the petitioner. If, as already remarked the petitioner could, when the matter was brought to his notice, dispose of 1,800 papers in two weeks, he would certainly not have allowed three times the quantity to remain undisposed of for eight months as witnesses which could at any time be produced against him.

14. In conclusion, Your Excellency's petitioner humbly prays Your Excellency, on a consideration of this petition, all the records, and the circumstances of the case, to reverse

the decision to the effect that the petitioner has shown himself generally inefficient and unfit for the work he has hitherto performed. People do not suddenly, without some explanatory cause become suddenly inefficient and unfit for the duties which have become their second nature. The petitioner is unconscious of any such cause; if he is deceived, and some physical or mental calamity has overtaken him, he would be a subject for pity and considerate treatment, not for punishment and degradation. Further the petitioner would humbly direct attention to the last paragraph of his petition to the Board of Revenue. The punishment inflicted though apparently light, is really most oppressive. He is transferred to a post which requires as great efficiency of mind and body as that which he till recently occupied, with a slightly lower nominal salary, but clogged with conditions as to security which impose a heavy and *permanent* pecuniary fine upon the occupant. Your petitioner would therefore humbly pray that if Your Excellency should conclude that Your Excellency's petitioner has done something to merit some punishment, Your Excellency will be pleased to inflict a penalty more commensurate with the offence than the very severe one to which he has been condemned.

For this act of justice and mercy, Your Excellency's petitioner will, as in duty bound, EVER PRAY.

5th March 1897.
Madras.

N. Ramachandra Rao
Petitioner

c/o. John Adam Esq., M.A.,
Bar-at-Law.
5, High Court Chambers,
Madras

IRISH PRESS—MADRAS.

To

His Excellency the Right Hon'ble

SIR ARTHUR ELIBANK HAVELOCK, G.C.M.G., G.C.I.E.,

GOVERNOR-IN-COUNCIL,

FORT SAINT GEORGE,

MADRAS.

(Through the Collector of Vizagapatam).

The humble petition of NYAYAPATHI VAIKUNTHANADHAM, *late English Head Clerk, Collector's Office, Vizagapatam.*

MOST HUMBLY SHOWETH,

The petitioner begs most respectfully to appeal to Your Excellency against an order of the Board of Revenue, dated 20th January 1897 confirming an order of the Collector of Vizagapatam, dated 4th November 1896, by which your petitioner was reduced from the post of English Head Clerk in the Collector's Office, Vizagapatam, to that of Cash-keeper; and humbly requests Your Excellency upon a perusal of this appeal, of the documents sent herewith, and of all the records in the case, to reverse the said order and restore your petitioner to the office which he has so long occupied to the satisfaction of his official superiors.

2. Your petitioner has been in the service of Government for over 25 years, has risen gradually through all the inferior ranks of the service and has held for over 8 years the appointment of English Head Clerk. He has also within the last six years on three occasions acted as Sheristadar in the same office. During the whole of that time, until the present charges were brought against him, no complaint of any kind has so far as your petitioner is aware ever been made against him. On the contrary he has continuously received the approbation of his superiors. Selections from his testimonials are appended to this appeal and a summary thereof will be found in paragraph 5 of the petitioner's appeal to the Board of Revenue, dated 14th December 1896, sent herewith, to which Your Excellency's attention is respectfully solicited. Your petitioner would further point out that even on the present occasion the charge is not one which in any way affects the character or honesty of petitioner, but is merely a charge of general inefficiency: and even assuming that the said charge was correct, it is humbly suggested that inefficiency suddenly appearing after a long, honorable, and efficient period of work in the Public Service, might be due to circumstances over which your petitioner has no control and would deserve a more charitable consideration than the severe measure of punishment which has been meted out to your petitioner.

3. The first circumstance in connection with which the present charge may be said to have originated is that described by the present Collector in a letter to the Board of Revenue, dated 18th October 1896, copy of a portion of which was furnished to the petitioner by an order of the Collector, dated 24th November 1896. In para. 2 of that letter the Collector says, "In October 1895 the Deputy Collector on special duty recorded for the Collector's in-

"formation, a note on the records and the working of the disposal number system in this "District, which showed the existing state of affairs in an unfavourable light. Mr. Miller "then Acting Collector, called for the explanation of the English Head Clerk, and this was "submitted on 30th October 1895. The subject was a bulky one and was left by Mr. "Miller for Mr. Willock's disposal, and Mr. Willock with a view to draw up a new set of rules "adapted to the requirements of this District, kept the papers with him until he was again "relieved, when, they were handed on to Mr. Miller, who left them for disposal by me." This statement of the facts certainly does not suggest that the papers in question involved serious personal charges against your petitioner, or that his explanation was deemed so unsatisfactory as it now appears to be considered. The petitioner therefore feels he was justified in assuming that neither Mr. Miller nor Mr. Willock contemplated making any charge of this nature against him; but if, as is now suggested by the Collector, the contrary were the case, the petitioner respectfully submits that it was unfair to him and likely to prejudice him in his defence not to bring forward the charge at once, instead of keeping it in suspense and allowing him to go on for many months performing his ordinary duties without the slightest intimation that the matter was to be treated as one personal to himself and not as one of office organization.

4. The present Collector Mr. Horne came to the District on the 10th of April. But even then no charge on this subject was formulated against the petitioner. A charge of a totally different character, very serious in its nature, was brought against him by the Collector and on this charge he was by an order, dated 1st July 1896, reduced to the post of Translator in the English Correspondence department on a salary of Rs. 70 per mensem. Your petitioner thereupon applied for leave, to which he was entitled and which was formally granted on 17th July with effect from the 1st idem. The petitioner however continued to perform his work in the office until 10th July and did not finally leave Vizagapatam until 25th July; and it is specially important to note that the petitioner has been on leave ever since, living in Madras far distant from the Collector's Office at Vizagapatam. The petitioner appealed against the said order to the Board of Revenue on the 5th August 1896, and the Board in its Proceedings, dated the 9th September 1896, cancelled the said order and restored the petitioner to his post with effect from the date of reduction. The petitioner was thus completely exonerated from that charge. The papers connected therewith have not yet been returned to your petitioner, and therefore copies alone are herewith forwarded, perusal of which is earnestly prayed; for although the subject-matter of the charge is now in itself immaterial, the proceedings show that there was a party in the Collector's Office ill-affected towards your petitioner and prepared even to go the length of giving evidence on which the Board of Revenue could place no reliance.

5. The proceedings of the Collector restoring the petitioner to his appointment were dated 18th September 1896 and they were immediately followed by Proceedings, dated 20th September 1896, calling upon him to give further explanations with reference to the Special Deputy Collector's note of eleven months previous, and also with reference to what was alleged to be a large number of papers left behind him in his room by the petitioner which ought to have been passed to the Record-room. As appears from paragraph 4 of these Proceedings of the Collector the second portion of the complaint was the result of an investigation carried on by the orders of the Collector in view of the remarks made by the Special Deputy Collector and the state of affairs disclosed thereby in the previous October. The Collector in his letter to the Board of 18th October, para. 2, states distinctly that he took the papers into camp with him on 29th May and on his return at the end of June instituted an investigation into the state of the records. At this time and for ten days in July the petitioner was actually in the office, for fifteen days more he was in Vizagapatam and as shown by the letter from his successor dated 16th July 1896, forwarded herewith, was in communication with the office in connection with giving over charge, and yet not a hint was given to him of this

investigation. The papers as stated by the Collector were not discovered until after the petitioner left. How then did they come to escape observation not only in the ordinary course of official routine, but during a special investigation? In any case why was no explanation called for from the petitioner for over two months and until after the receipt by the Collector of the Board's order reinstating the petitioner in his position? Further in any event Your Excellency's petitioner again respectfully submits that if any such investigation was called for by the remarks of the Special Deputy Collector, a delay of eight months should not have occurred in making it. This much is certain that the petitioner could not have been aware that there was anything unfavourable to him to be disclosed by any such investigation, as he would have taken care to remedy it; as could easily be done during the interval of eight months when he remained at the head of his Department in the office.

6. The explanations of your petitioner were furnished to the Collector on the 29th September and 13th October 1896 respectively. And to these explanations, to which he still adheres, the petitioner respectfully requests Your Excellency's careful attention.

7. The Collector did not deal with the matter himself, but referred it to the Board as he had some difficulty in dealing with it. His motives may be easily surmised and for them the petitioner with all respect towards his superior officer ventured to give the Collector credit;—a proceeding which unfortunately for the petitioner has now been urged against him. The reference to the Board was made in the letter already quoted of 18th October 1896. The Board apparently declined to interfere in the matter for it was subsequently dealt with by the Collector himself in his Proceedings, dated 4th November 1896. Against these proceedings the petitioner appealed to the Board of Revenue on the 14th December 1896, copy of which petition is appended hereto. The petition was forwarded to the Board by the Collector with an endorsement, dated 21st December 1896, copy of which is also forwarded herewith. The order of the Board dismissed the appeal and confirmed the order of the Collector; but did so in terms which have caused grief and dismay to your petitioner and which he respectfully and earnestly hopes Your Excellency will find not to be justified on a perusal of the appeal petition itself and in connection therewith of the whole records of the case.

8. The Board adopts the suggestion of the Collector as contained in his endorsement that the insubordinate tone of the petition precludes the Board from entering in detail into the facts of the case. It would indeed be strange if the petitioner after such a long and approved service and immediately after receiving from the Board such a signal proof of its sense of justice, should suddenly, when again appealing for justice, consciously assume an attitude of insubordination inconsistent with his humble position and the whole tenor of his official career. Your petitioner can only say that if in the opinion of Your Excellency any word, phrase, or passage, in his appeal betrays the existence of any feeling of insubordination he was absolutely unconscious that any such interpretation could be placed thereon and he most earnestly and without reserve begs to apologize for the same and to pray that it may be considered withdrawn.

9. The petitioner ventures humbly to submit to Your Excellency that there would be no object in allowing an appeal at all were a petitioner not allowed to state his cause in the strongest manner possible, clothed always in becoming language and if he were not permitted to press home to their full logical conclusions the arguments to be drawn from the documents and circumstances upon which his case is based. If the petitioner did not feel aggrieved at the action of the Collector he would not have appealed. The fact that he has so appealed and has framed his appeal in a way calculated to show that the order of the Collector was wrong should not so be used to his disadvantage so long as his language is respectful and his statements truthful. If your petitioner in his anxiety to remove the slur caused upon him by an order of degradation has in any way exceeded what he may venture to call the liberty of free speech on the part of an appellant addressing a Court of Appeal, he can only as he has

already said humbly crave the pardon of the Court. If on a perusal of all the documents Your Excellency finds that such liberty has not been exceeded, the petitioner is respectfully confident that Your Excellency will not allow the very strength of his case to be used as an argument against him.

10. The Board further proceeds to say that the "Collector's orders contained sufficient material to show that there are no grounds upon which the Board would be prepared to interfere." There is therefore no considered judgment of the Board to which your petitioner can reply. And he would therefore to avoid useless repetition respectfully refer Your Excellency to the explanations of the 29th September and 13th October 1896 and paragraphs 9 to 13 of the Appeal Petition to the Board and request that they may be considered as incorporated with the present petition. Your petitioner will only refer briefly to the endorsement of the Collector upon his Appeal Petition, dated 21st December 1896.

11. The subject treated of in the 3rd paragraph of the endorsement has already been discussed in paragraph 3, *supra* of this Appeal Petition.

12. With reference to paragraph 4 of the endorsement, the Collector has failed to notice the point of the argument which is contained in the word "presumably" in the first line of para. '11.' The two paragraphs in question must be read in connection with the petitioner's explanation of the 29th September 1896. In paragraphs 6 and 7 of that explanation the petitioner distinctly states that the existence of the papers was not known to him; that when he handed over charge of the office he was particular to observe as to what papers were left there; that none were so left with the few insignificant exceptions referred to in the paragraph, and that it is not possible for him to explain how they came into his room during his absence.

13. The Collector in his order appears to ignore this explanation and to assume that the papers had been continuously there during all the intervening years mentioned in the tabular statement appended to this proceedings, although not brought to notice until the petitioner had left the office. This being so your petitioner could only *presume*, and submits respectfully he was justified in *presuming*, that the papers though never observed by him had come under the observation of the Special Deputy Collector. This the Collector now states was not the case. Two alternatives are alone possible. Either on the one hand this mass of papers although lying about the office undisposed of failed to attract the observation of the Deputy Collector specially deputed by Government to investigate these matters, in which case your petitioner may certainly be excused for also failing to observe them; on the other hand, they were not observed by the Special Deputy Collector because they were not there. If the latter alternative, that they were not observed by the Deputy Collector, be correct, and it is that officially adopted, then the very strongest proof is furnished of the truth of the explanation given in the first instance and consistently adhered to by your petitioner, namely, that the papers were placed in his room after his departure for the purpose of deceiving the Collector and injuring the petitioner. That the injury of your petitioner was desired by a party in the office has already been shown in paragraph 4 of this appeal. There is therefore no inherent improbability in the explanation thus given—an explanation now in a very remarkable manner confirmed by the evidence of the Special Deputy Collector. As appears from the statement of the Collector himself, 1,800 undisposed-of current papers reported upon by the Special Deputy Collector were promptly dealt with by the petitioner. If, as already remarked the petitioner could, when the matter was brought to his notice, dispose of 1,800 papers in two weeks, he would certainly not have allowed three times the quantity to remain undisposed of for eight months as witnesses which could at any time be produced against him.

14. In conclusion, Your Excellency's petitioner humbly prays Your Excellency, on a consideration of this petition, all the records, and the circumstances of the case, to reverse

the decision to the effect that the petitioner has shown himself generally inefficient and unfit for the work he has hitherto performed. People do not suddenly, without some explanatory cause become suddenly inefficient and unfit for the duties which have become their second nature. The petitioner is unconscious of any such cause; if he is deceived, and some physical or mental calamity has overtaken him, he would be a subject for pity and considerate treatment, not for punishment and degradation. Further the petitioner would humbly direct attention to the last paragraph of his petition to the Board of Revenue. The punishment inflicted though apparently light, is really most oppressive. He is transferred to a post which requires as great efficiency of mind and body as that which he till recently occupied, with a slightly lower nominal salary, but clogged with conditions as to security which impose a heavy and *permanent* pecuniary fine upon the occupant. Your petitioner would therefore humbly pray that if Your Excellency should conclude that Your Excellency's petitioner has done something to merit some punishment, Your Excellency will be pleased to inflict a penalty more commensurate with the offence than the very severe one to which he has been condemned.

For this act of justice and mercy, Your Excellency's petitioner will, as in duty bound, EVER PRAY.

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(2,000—27-11-95)

REVENUE BOARD OFFICE
MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 20th March 1897,

No 1070 — Miscellaneous.

Petn. Reg. No 230 of 1897
COLLECTOR'S OFFICE VIZAGAPATAM.

READ — Endorsements of the Collector of Vizagapatam, R.C. Nos 230 and 240 of 97, dated 12th March 1897, to the Secretary to the Commissioners of Land Revenue, Madras.

Resolution :- Submitted for the orders of Government - The second copy of the petition of appeal is a corrected copy.

2. The Board's order, against which petitioner now appeals, refused to consider the case in detail on account of the insubordinate tone of the petition - The petitioner now apologises for the manner in which his former petition was worded and has adopted a more moderate tone in his appeal petition to

Submitted to the Board of Revenue

W Ardeu
Ag. Collector
12-3-97)

ICD

to Government. The appeal to the Board was at the same time rejected on its merits, and the Board has no recommendation to make in petitioner's behalf.

/True extract/

Reddam
Secretary.

Appeal Petition from a reduced English Head clerk. Revenue Deptt

Read C.R 25-98 of 97

The Hon'ble Mr J Grose C.I.E

For orders-

With the current read above, the Board of Revenue submits an appeal from one Vaikunta-radham against his reduction from the post of English Head clerk in the Collr's office Vizagapatam to that of Huzur Cash keeper.

The circumstances that led to his reduction are briefly these:-

It will be remembered that the disposal system of record keeping was introduced in 1893 into all the Collrs and Divl offices and an officer with special knowledge of the subject was appointed to supervise its introduction into the Revenl districts of the Presy (vide G.O no 2520 d/29-6-94). This officer, after inspecting some districts in the South, went and inspected the records in October 1894 of the Collr's office Vizagapatam and drew up a note for the Collr's information on the working of

Flagged A

Ltr
to
The Secretary to Government,
R-D, with petitions & enclosures
in original

Asst Secretary

the new system, which ~~##~~ showed the existing state of affairs in an unfavorable light. Mr Miller the then acting Colls called for the explanation of the English Head clerk (the Govt pleader) and this was submitted on the 30th Oct 1895. The subject being a bulky one was left by Mr Miller for Mr Willock's disposal, who with a view to draw up a new set of rules adapted to the requirements of the district, kept the papers with him until he was again relieved by Mr Miller to whom he handed them over. This officer in his turn left them for the disposal of Mr Horne who took charge of the District on the 10th April 1896. But Mr Horne could not take up the subject before the end of June 1896, when he instituted an investigation into the state of records and found the subject had been entirely neglected by the English Head clerk; that officer being then in trouble in connection with another matter, the Colls did not call upon him for any explanation.

The Board of Rev ~~Ch.~~ appeal ~~having subsequently~~ found Vaikuntanadhan not guilty in that connection,+ and directed his restoration, Mr Horne ~~A~~ then proceeded to Called upon

+This matter is fully set forth in Colls Proc dated 1st July 1895 Flagged H_1. The Board Proc are flagged H_2. The Board thought there was no proof that the explanation given was false. It might have been that ~~that~~ where ones if proof was on the P clerk & that as his defence & the Press manager's letter does not show otherwise the letter was intended for the Head clerk, he should clear himself.

to explain his neglect of duty in regard to

(i) Large of number of papers found lying about in the English department of the office which should have been sent long ago to the Record Room.

(ii) The various current registers in which the disposal columns were left blank.

Flagged B (Vide Colls Proc R.C. No 3529 dt 29-9-96

Flagged C The petitioner in his explanation dated 29th Sept 1896 submitted that the disposal number system of Record keeping was new, that no special rules were framed for the guidance of various clerks, that the defects which had been pointed out by the special Deputy Colls were incidental to the working of the new system and in view of these difficulties, the Govt appointed a special officer thoroughly conversant with the system in order to facilitate its introduction.

In regard to the large number of papers found lying in the English Dept, the pet submitted that when he handed over charge on the 10 July 96 he took care to see if any papers had been lying in the English Department

and to the best of his knowledge & there had
been only a few bundles of papers consisting
of the private accounts of Mr H. G. Turner,
a former Collr of the district, contain pencil
drafts of the Dyftt and some unimportant
miscellaneous papers fit for destruction
and that he issued instructions that
they might be destroyed and that it
was not possible for him to explain
how large numbers of papers came to be
there after he had vacated his office
and that in the absence of details
regarding the nature of the papers
he could not furnish fuller explanation

With regard to the disposal
columns of some of the registers
being left blank the petr submitted
that it was not possible for him to
explain the reasons without referring
to the Registers.

In conclusion the petr submitted
that it was due to him in fairness
and justice that the investigation
should have been held in his presence
when his explanations could have
been fuller and more complete

Upon receipt of this explanation
the Coll recorded his Revs, dated 3rd
oct 1896, stating that all the bills and
all the registers were open to inspection

Flagged D

1
Mlle
22/10/37

by the petr in the Collrs office and allowed
him time till the 20th idem to supplement
his explanation after availing himself
of the opportunity offered.

The petr who was then in Madras
on leave submitted on the 13th oct
a supplimental explanation in
which he stated that his inspection
of the records after they had been
sorted and disposed of and some
of them destroyed, would serve no
useful purpose and deplored that
the most favorable opportunity
was lost to him of offering a complete
and satisfactory explanation
and stated that he was at a great
disadvantage of explaining the
irregularities discovered not while
he was in office or at least in Vizag
but during his absence under various trying
circumstances in a distant place like
Madras and that a journey from and
back again to Madras would cause
him expense, inconvenience and
trouble to him.

Flagged E

The Collr then passed his Revs
dy 4-11-96 No 2864 reducing the
petitioners to the post of cash keeper
on Rs 125. Against this the petr
appealed to the Board of Revn

which stated that the ~~subordinate~~ insubordinate tone of the petition precluded the Bd from entering ~~into~~ in detail into the facts of the case but that the Coll's orders contained sufficient material to show that there were no grounds upon which the Board would be prepared to interfere and dismiss the petition accordingly (vide Bd. No 236 mis dated 20th Jany 1897) Flagged 4

The Board of Rue in submitting the present appeal observes that the petr apologises for the manner in which his former petition was worded and has adopted a more moderate tone in his appeal petn to Govt.

The petitioner submits that the present charge was not thought of + till the B.R. ordering petitioner's restoration had been received by the Coll'r; that there are some persons in the Collrs office who are ill disposed towards him and contends that the peepers must have been placed in his room as his departure for the purpose of deceiving the Coll'r and injuring the petitioner. It is submitted that there would have been no room whatever for any

+ This is not true. The matter was not at this time pressed as petitioner was punished for another fault.
Ulle
22/4/97

suspicion if the Coll'r had called upon the petr as soon as he completed his investigation in June or July.

In regard to the omission to fill in the disposal columns in some of the current registers, the petr appears to have been lax in his supervision over the work of his subordinates. But it may be observed that the extent to which this duty was left undone has not been stated + in any of the proceedings of the Coll'r.

The petr submits that though the punishment meted to him is light in appearance, it is in reality one of great severity. He pleads his inability to furnish security of Rs 5000 and if he is to borrow that amount, he will have to pay an interest of 50 Rs per annum

The petitioner has put in 25 years service and has held for over 8 years the appointment of English Head clerk. He has also acted for short periods as Huzur Shirastadar on three different occasions and there is nothing bad in the previous record of the man.

Petitioner prays for the reversal of the finding that the petr has shown

+ Vide Col-50. Vide please Coll'rs ~~Endt on petn~~ ~~appeal to Govt~~ ~~Board. Flagged 4~~ 3 Progs + Flagged B para 5 of finem The clerk had 55-58 ~~times~~ words with him & what was worse the deposals of these papers were not marked in the registers.
Ulle
22/4/97

+ The present charge shows inefficiency & suspicion of something worse for a long series of years
Ulle
22/4/97

himself generally inefficient and unfit for the work he has hitherto performed.

The Bd has no recommendation to make on pet[r]s behalf.

Ulc
22/4/97

The mere fact that this pet[r] had 5338 papers with him which were not duly taken thro' the office registers shows that he is quite unfit for the post of English H[d] Clerk.

Ulc
24/4/97

The fact that the disposal of so many papers was not shown in the current registers ought to have attracted the notice of the E. H. C. & been remedied. The fact that it did not show that peter was unfit for the place has no application that he could explain this if he could inspect the registers is absurd. Govt should not interfere.

Jg
24/4/97

Secy

DF
3/5

C No. 2598 of 1897.
G.O. Misc No. 2228 of (3rd May 97).

It was the duty of the petitioner as English Head Clerk to exercise supervision over the Record branch and the Maintenance of the Correspondence Registers. His unfitness for the post is clearly proved by the fact that ~~the disposal of~~ 5338 papers ~~was not shown~~ was found by ~~about~~ the English Dept of the Chief Office. ~~in the Current Registers~~ and this circumstance that it did not attract his notice. The implication that he could give a satisfactory explanation if he could inspect the Registers is evidently absurd. ~~and~~ The Govt ~~declines~~ sees no reason to interfere in his behalf

(from orders)

Ulc
3.5.97

3/5/97

To the Board (L.R.) with Encls. for Communication to the Petr.

Chc
1/5

7.5.97

When given for copying ——
When copied ——
When examined ——
When signed ——
} 189

READ AGAIN G.O., No 189 , DATED

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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