

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 2385

DATED 12th May

[Despatch Abstract.]

Declining to interfere on behalf of
Narasimha Rao, late Forest-Guard, South Arcot
District appealing against his dismissal.

BACK PAPERS.

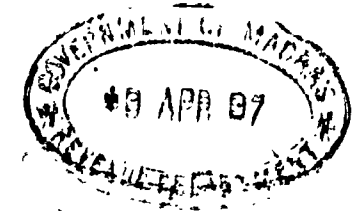
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No. 3113



From The Board of Revenue.
L.R. Madras

Order

For No. 328 Mm.

Dated 7. April 1897

Received 9 - 4 - 97

Registered 10 - 4 - 97

Enclosures 10 (separate)

Spare copies

SUBJECT.

Subj. to Govt. with remarks,
petition from Narasinga Rao
late Forest Guard, S. Dist. St.
appealing against the orders of
the Board in the matter of his
dismissal from the Govt. Service

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Co,

CHIEF SECRETARY
18 FEB 1897
GOVERNMENT OF MADRAS

HIS EXCELLENCY

The Governor-in-Council,

FORT SAINT GEORGE,
MADRAS.

PETITION

0149

REVENUE DEPT

The humble petition of Narasinga Row,
Late Forest Guard, Tiruvannamalai
Range, South Arcot District, now
residing at Lalapet, Trichinopoly
District.

MAY IT PLEASE YOUR EXCELLENCY,

1. Your Excellency's petitioner was transferred to the above Range on the 9th April 1895, and began to look after his duties strictly and carefully with the object of obtaining promotion in the Department.

2. That the Tirupathur Forest Guard of the Salem District intimated to him, through a "Yadast" (letter) dated 18th April 1895, soon after a week of his having taken charge of Paramanandal beat, that the ryots of Paramanandal village had been grazing about 1000 goats in Chennasamudram Reserve, adjoining his new beat at the connivance of his Forest Watcher Madar, and destroying it, that he had both in person and in writing informed on several occasions Petitioner's predecessor guard, that the goats had been destroying the reserve during his absence at the head quarters that the forest watcher had been unworthy of belief, that through him Petitioner's forest had been meddled with by the above said goats and that no notice had been taken about all these representations of his. An English translation of the Tamil "Yadast" is enclosed for the kind perusal of Government. Petitioner then went round the forest connected with his beat. He found that the forest had been for a long time interfered with by goats and that several trees had been cut and removed, but that no steps were taken by his predecessor guard and watchers Madar and others, nor any report of any kind had been made for about 4 or 5 years. Petitioner made mention of these gross malpractices on the part of the forest guard and watchers in his diaries, Nos. 3, 4, & 5 dated respectively.

3. On the receipt of these diaries, the Sub-Range Officer called upon Petitioner to point out the damages done in the Chennasamudram Reserve. Petitioner took him to the forest together with watcher Madar and pointed to him the two kinds of damages of felling the trees and grazing the goats. He (Sub-Range Officer) made a mention of these facts in his diary, dated 12-5-95 (copy enclosed). The Range Officer thereon suspended the

1897

REVENUE DEPARTMENT

REVENUE DEPT

watcher Madar and ordered the Sub Range Officer to inspect the other forests and report upon their state, in the order dated 14-5-95 (copy enclosed). The Range Officer seeing that he would be found fault with for want of inspection of the damages, connected a case against Petitioner that while he was not at the head quarters he countenanced the grazing of the goats in his beat by Paramanandal Donian through the assistance of the suspended watcher Madar, and that Petitioner interfered with the watchers Madaa and others while they were taking the goats to the pound and told them not to do so. To this purport, the Range Officer received a report from Madar and suspended Petitioner on the 18-7-95. The District Forest Officer then enquired into the case and passed an order of dismissal against Petitioner merely on the strength of evidence given at the connivance of the suspended watcher Madar by individuals who had been punished for improper grazing upon Petitioner's proceedings (vide statement of these men and the copies of the crime reports submitted by Petitioner against them). By a perusal of that evidence Government will observe that the individuals had in fact and reality said nothing against Petitioner as to what happened on the 16th April 1895. The District Forest Officer neither personally inspected the forest to have an idea of their condition nor enquired his witnesses, doing every thing hastily and summarily to Petitioner's unmerited ruin (vide his order enclosed. Exhibit I). Against the said order of dismissal, your Lordships petitioner presented an appeal to the Collector, who without going into the records of the case, dismissed it summarily (vide his order enclosed, Exhibit II).

4. Thereupon Petitioner presented an appeal to the Honorable Board of Revenue on the 6th May 1896, a copy of which is herewith submitted marked Exhibit III, stating all the facts connected with the Petitioner's case.

5. The petitioner's appeal was dismissed by the Honorable Board, vide order No. 772 of 1-6-96, as being time barred and it was received by the Range Officer of Tiruvannamalai on the 23-6-1896. This officer kept the order with him till 12-10-96 without despatching it to Petitioner at once, endorsing, however, on the order that he despatched the same on 24-6-96. As Petitioner received no reply till 20-9-96 from the honorable Board to his appeal, dated 6-5-96, petitioner sent a reminder to the Collector on 20-9-96 which was despatched to the Range Officer of Tiruvannamalai on 20-10-1896. After looking at petitioner's reminder, he despatched the Board's Proceedings dated 1-6-1896 on the 12-10-1896 by registered post falsely endorsing in the reminder that the Proceedings had been despatched to Petitioner on 24-6-1896 and returned the reminder to Petitioner on 2-11-96. It would be seen that there had been a delay of 3 months and 17 days on the part of Forest Ranger in the despatch to Petitioner of the Board's order, dated 1-6-1896.

6. Nothing further need be said to shew the strong animosity existing between the humble petitioner and the Forest Ranger who had been the cause of your humble petitioner's ruin.

7. That the Honorable Board without carefully looking into the printed petition dated 6-5-96 Exhibit III, passed their Resolution, No. 1564 dated, 2nd December 1896 Exhibit IV, declining to interfere in the matter.

8. Had the Honorable Board carefully read the petition of 6-5-96, Exhibit III, Justice would certainly have been rendered to the petitioner.

9. Now your Excellency's Petitioner, with due regard and humble submission, begs your Lordship to go over the Exhibits III and IV and consider whether it is probable that a public servant of 8 years standing will venture to take bribes only 7 or 8 days after his joining the new Range before knowing the nature of the people with whom he had to deal. On the other hand, no motive has been alleged and also, the authorities were not justified in believing testimony of the witnesses who were all enemies of your Lordship's Petitioner.

10. That your Lordship's Petitioner is a young man of 8 years service in the Department and an order of dismissal is a severe hardship upon him.

11. Under these circumstances, your Lordship's Petitioner most humbly begs your Excellency will be pleased to take a favourable and lenient view of the case after perusing the Exhibits I and II herein enclosed, particularly noticing the date of I and the dates mentioned in II and direct the restoration of your Lordship's Petitioner to his Post.

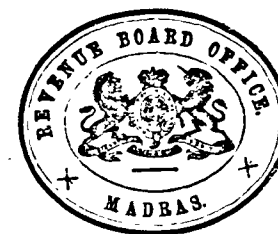
For which act of charity your Lordship's Petitioner, as in duty bound, shall ever pray &c. &c.

14-5-97

S. S. S. S. S.
Late Forest Guard, Tiruvannamalai Range,
now residing in Lalapet, Kulitalai Taluq,
Trichinopoly District.

Herewith enclosed the records and *M. S. Envelope*
stated in (para) 5

- I Copy of gadhar received from Dirupathur Land
- II Copy of Diary Nos 3, 4 & 5
- III Printed copy of petition sent to the Board of Revenue
- IV Copy of Diary of Sub Range officer
- V Copy of order from Range officer
- VI Proceedings of Dist. Forest Officer
- VII Collectors proceedings 2
- VIII Revenue board proceedings 2
- IX Petition to Collector on the 20th Sept 96
- X Postal Registered Cover No 927 & 223
- XI Petition to Collector requesting to despatch all the above copies to the Government of India



Proceedings of the Board of Revenue

(Land Revenue),

Dated 7th April 1897.

Forest No. 328 Miscellaneous.

Read Endorsement of the Collector of South Arcot, dated 18th March 1897, No 639/Peti, submitting to Government petition of C. Narasinga Row late Forest Guard, Tiruvannamalai Range.

Resolution

Submitted:

2. The appellant, Narasinga Row, was a forest guard attached to the Paramanandal beat in the Tiruvannamalai Range, South Arcot District. He was on the 18th September 1895 dismissed from the service by the District Forest Officer on the charges of

(a) conniving at the illicit grazing of goats in the Chinnasamudram and the Paramanandal Reserved Forests; and of

(b) releasing for an illegal gratification a Porcu post seized from the possession of

a ryot in the Vatasai village. The late guard presented an appeal to the Collector, who on the 10th December 1895 upheld the order of the District Forest Officer and added a rider that an appeal lay to the Board if preferred within 40 days. On the 18th March 1896, the appellant presented to the Collector through a vakil a review petition which met with the same result as the original appeal. The Collector, however, expressed a doubt as to whether a second appeal lay, having regard to sec. 53 (2) of the Forest Code, 2nd Edition. On the 6th May 1896 Narasinga Rao appealed to the Board but as the prescribed limit of 40 days from the 1st Order of the Collector on the 10th December 95 had by then been exceeded, the appeal was dismissed as time-barred.

3. Thereupon the appellant requested the Board to reconsider its order on the ground that the delay in presenting the appeal in time was due to the delay on the part of the District Forest Officer in furnishing copies of certain documents applied for, and to the statement of the Collector that no second appeal lay to the Board under sec. 53(2) of the Forest Code. It was added that the appeal time should be calculated from the date of the Collector's order, viz. 31st March 1896 on the review petition. The Collector's rider on the

the original order was clear enough, but the doubt expressed in his second order as to the admissibility of a second appeal was of no consequence as the review petition to the Collector was itself put in long after the expiry of the appeal time. The Board, nevertheless, admitted the review petition, and pointed out to the Collector that section 53 of the Code merely restricted second appeals in cases of fines and not dismissals.

4. The Board considered that the evidence had been very carefully weighed by the District Forest Officer and the Collector, and accordingly dismissed the review petition. (B.P. 7 No. 1564 Mys, dated 2.12.96). Against this order, the late guard now appeals to Government.

5. The appellant's allegation is that honesty and strictness in the discharge of his duties made him a victim of conspiracy. The same plea was advanced in his appeal to the Board. In support thereof, he relies on his diaries, but as the entries therein have been proved by the Collector to be contradictory and untrustworthy (vide para 3 of his proceedings dated 30th March 1896 on the

review

review petition) the Board agreed with
the Collector in discarding the theory of
conspiracy. The Board has no further remarks
to offer.

(True Extract)

Deen

Secretary.

I. The Secretary to Govt. Rs. ✓
with pet. Hines in original.

Sept

Wm Wagoner Esq.

C No 3113 of 1897

For orders.

This is a third ap-
peal from one Narasinga Row who
was a forest guard in the South
Arcot District and was dismissed
from that post by the District
Forest Officer. The charges
on which the order of dismissal is
based are fully stated in the
D. F. O's Proceedings dated 18th
September 1895 flagged A. The
Collector and the Board of Res.
who confirmed the D. F. O's
order on appeal, ^{are of opinion} that the evidence
against the petitioner has been
carefully weighed, and have re-
jected the pet's theory that the
evidence was the result of a
Conspiracy among persons who
were interested in effecting the
~~his~~ ruin.

The depositions of the witnesses
and the other records connected
with the enquiry into the charges
made against the pet have
not been submitted by the Board
with the above Certificate.

Orders are requested as to
whether the finding of the

c 45/97

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read C. No 3113

G.O. No. 2385 of 12th May '97.
Government declines
to interfere

[Signature]
11.5.97

To Petitioner R.O.
Thru the Bd of Rs. & M. with Encls

16.5.97

the A.F.O. which has been
Confirmed both by the Collector
and the Board of Revenue
should be accepted and the
Appeal dismissed. or whether
all the records of the enquiry
should be called for and
scrutinized as requested by
the petitioner.

The petn was dismissed
for conniving at the illicit
grazing of goats and for taking
an illegal gratification ^{by allowing}
~~illegally~~ ^a ~~poor~~ ^{poor}
poor ⁱⁿ a mass bazaar.
The District Forest Officer
enquired personally
into the matter. Both the
Board & the Collector have
dismissed ^{on the merits} the appeals
made to them on the
merits. Appellant now
urges no new matter
whatsoever. The Board
makes no recommendation
in appellants favour.

He appears to have been
fortunate in escaping
prosecution.

[Signature]
3.5.97

I think the appeal may be
summarily rejected.

Yes
14.5.97
18.5.97

Please see R.P. flapped B.

I respectfully beg to inform that I took
charge of this paper on the 21st after the
move to the hills and that the papers had
had a cancellation during the earlier had the
cleared up. 11.5.97
Office this paper was received
on 9.4.97. There was no
need to keep it till 1.5.97
Such delays will be severely
noticed if repeated

[Signature]
8.5.97

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

189

HAD 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.

E.F.—

- A = Copy in full.
- B = Not to be copied.
- F = Copy abstract only.
- Q = Copy heading only.