

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 297.

DATED 18. Jan'y 1897

[Despatch Abstract.]

Stating that the Govt. sees no reason to interfere on beh alf of J.V. Subramanian, late atty at Law, District Collector's office.

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 (1896) Department.

CURRENT No. 9113

The Honble Mr. J. Grose C.I.E

Order no. 297. 18/1
 27.18th Jan'y 1897 15/1/97
 The Govt. sees no reason
 to interfere on the pet's behalf

DP
 9.1.97

To the Board of Revenue (D.R.)
 u Petr with Encls

18.10.1897

From Collector of Kistia

Dis. No. 1353 of 96
 Eng

Dated 3rd
 Received 15th
 Registered 12th
 Enclosures 2
 Spare copies

December 1896

SUBJECT.

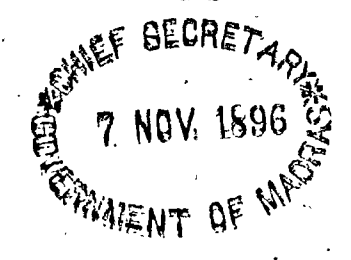
Submg a report on the
 appeal petition presented
 by T. V. Subramanyam, late
 Munsif, Kistia Collector's
 Office.

note

The petr was appointed an
 attender in the Kistia Colrs office
 on the 29th Feb'y 1896 and the appt
 was cancelled by the colr on
 the 15th April/96. against this
 order the petr appealed to the Bd
 of Revenue which declined to interfere
 with the colrs order and he

C. 14/1/97
 R. 28/1/97

CURRENT NO. 2765



To
His Excellency the Governor in Council,
Fort St. George,
Madras.

REVENUE DEPT.
5000
PETITION

The humble appeal of Jimmaray Venkata Subrahmaniam of Masulipatam.

Most humbly sheweth,
That he was an attender in the Muzur Account Department of the Collectors Office Kistna, till the 15th May 1896 when his services were dispensed with on the receipt of a petition alleging that he was once convicted and on appeal to the Honourable Board of Revenue (vide printed copy in which particulars are given) he received an endorsement declining to interfere. The petitioner, therefore humbly begs to prefer this appeal in the sincere hope, that he will obtain justice at your Excellency's hands.

B.P. No. 1039 L.R. 2. No doubt your Excellency's Government "expects from responsible officers the exercise of a fair and impartial consideration of the case even of the humblest servants of Government" but it is equally true that cases of injustice do occur and your Excellency's Government has the noble duty of removing the stain cast on the administration by such "loose decisions and inconsiderate dismissals".

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

now comes up to Govt.
Subsequent to the appointment of the petr, the coll received a petition stating that the petr had some years ^{before then} been convicted of housebreaking and theft in a building ^{by then} to wit, a boy of 16 yrs of age, and he stole a clock and was sentenced to receive 12 stripes. When asked the petr denied all knowledge of the matter but on a reference made, the stationery sub. master sent a copy of judgment in calendar case no 627 of 1886. It was on receipt of this judgment that the coll cancelled the appointment. The coll says that he gave the appointment under a mistake of fact and that he cancelled it on discovering the mistake, because the petr lied.

9.1.97
1/11/97

11/1/97

3. In the case of the humble petitioner there has been great injustice done by not following the procedure and principles enunciated by the Government as your Excellency will very easily see even from a cursory perusal of the connected papers.

Enclosure F

4. It is no doubt true that the petitioner when a mere boy was convicted on his own statement and punished with 12 cuts with a light rattan in 1886. If the Collector had asked for explanation he would have found immediately that it was no horrible housebreaking and theft but the result of a simple family quarrel between the petitioner's people and his maternal uncle (the Complainant in this case) whose house adjoins the petitioner's and under whose aunt's care, the petitioner then a boy was living and boarding. He would have also found that the criminal charge was the result of a maintenance suit brought against the Complainant's son. Is it just or equitable under these circumstances that the juvenile ought to be debarred for ever from honourable service, even though his subsequent conduct shows him to be an honest and respectable citizen? Even the immutable laws of nature change every atom in man once in seven years. There is no rule that juvenile offenders ought not to be employed in Government offices. Moreover the petitioner has proved by

Enclosure
O, P, Q, R.

by certificates of character from respectable gentlemen of the town, that he is an honest and law-abiding Subject of Her Majesty.

5. Though the orders of Government require that in every case "the charge and the defence ought to be reduced to writing" so as to "sufficiently ensure that the defence of a native subordinate shall be patiently heard," nothing of the kind was done in the petitioner's case, even copies of the Collector's remarks were refused and the petitioner is left in the dark as to what the real charge against him is (Vide Collector's endorsement dated 16th September 96).

Enclosure X

6. It is true that Controlling officers "must on certain points, like all appellate authorities place confidence on the judgment of the officer, who has personally conducted the inquiry but they should withhold this confidence unless it is clear from the proceedings that the inquiring officer has acted with care and fairness." Now the petitioner cried to the Honourable Board that there was no inquiry worth the name and yet no ear was given to it. While the petitioner has been wailing aloud that the inquiry is defective, the Board seems merely to have confirmed the Collector's order on the Collector's own remarks made behind the petitioner's back without even sending for the papers connected. If records had been called for, the truth would have come out.

Enclosure
S, U, V, X.

7. The petitioner therefore humbly

Revenue
Judicial (189) Department.

Same as CURRENT No. 529



Duplicate

From J. Venkata Subrahmaniam
late Attender in the
Collector's Office
Kistna

Order Cudh No. 2580/8-12-96.

Transferred to the Rev. Dept.

No.

Francis
Assistant-Secretary.

Dated 30/11 }
Received 4/12 } 96
Registered 4/12 }
Enclosures -
Spare copies -

SUBJECT.

Praying for re-
instatement to his
former post

MR
7-12-96.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

G.O. No. 2212. P. 11 Rev.
24-11-98.

5296

To

His Excellency the Governor in Council.

Fort St George.

Madras.

The humble appeal of Timmaray Varkata
Subrahmaniam of Masulipatam.

Most humbly sheweth,

Enclosure A That he was an attender in the *Herzgr*
Account Department of the Collector's office

Enclosure B *Kistna*, till the 15th May 1896, when his
Services were dispensed with on the receipt

Enclosure C of a petition alleging that he was once
convicted and on appeal to the Honourable

Enclosure N Board of Revenue (Vide printed copy in
which particulars are given) he received

Enclosure Y an endorsement declining to interfere.
The petitioner therefore humbly begs to
prefer this appeal in the sincere hope, that
he will obtain justice at your Excellency's
hand.

B.P. No. 1039 L.R. 2. No doubt your Excellency's Government
"expects from responsible officers
the exercise of a fair and impartial
consideration of the case even of the
humblest servants of Government,"
but it is equally true that cases of
injustice do occur and your Excellency's
Government has the noble duty of removing
the stains cast on the administration
by such "loose decisions and in-
considerate dismissals."

3. In the case of the humble petitioner there has been great injustice done by not following the procedure and principles enumerated by the Government as your Excellency will very easily see even from a cursory perusal of the connected papers.

4. It is no doubt true that the petitioner when a mere boy was convicted on his own statement and punished with 12 cuts with a light rattan in 1886. If the Collector had asked for explanation, he would have found immediately that it was no horrible house-breaking and theft but the result of a simple family quarrel between the petitioner ^{and} his maternal uncle (the complainant in this case) whose house adjoins the petitioners and under whose aunt's care, the petitioner then a boy was living and boarding. He would have also found that the crime in question was the result of a maintenance suit brought by against the complainant's son. Is it just or equitable under these circumstances that the juvenile ought to be debarred for ever from honourable service, even though his subsequent conduct shows him to be an honest and respectable citizen? Even the immutable laws of nature change every atom in man once in seven years. There is no rule that juvenile offenders ought not to be employed in Government offices. Moreover the petitioner has proved by certificate

Enclosure F

Enclosure, O, P
Q, R

Enclosure A
Enclosure B
Enclosure C
Enclosure D
Enclosure E
Enclosure F
Enclosure G
Enclosure H
Enclosure I
Enclosure J
Enclosure K
Enclosure L
Enclosure M
Enclosure N
Enclosure O
Enclosure P
Enclosure Q
Enclosure R
Enclosure S
Enclosure T
Enclosure U
Enclosure V
Enclosure W
Enclosure X
Enclosure Y
Enclosure Z

of character from respectable gentlemen of the town, that he is an honest and law-abiding subject of Her Majesty. 5. Though the orders of Government require that in every case "the charge and the defence ought to be reduced to writing so as to sufficiently ensure that the defence of a native subordinate shall be patiently heard." Nothing of the kind was done in the petitioner's case even copies of the Collector's remarks were refused and the petitioner was left in the dark as to what the real charge against him is. (Vide Collector's endorsement dated 16th September 96).

Enclosure X

6. It is true that Controlling officers "must on certain points, like all appellate authorities, place confidence on the judgment of the officer who has personally conducted the inquiry but they should withhold this confidence unless it is clear from the proceeding that the inquiring officer has acted with care and fairness. Here the petitioner cried to the Honourable Board that there was no inquiry in the name and yet no ear was given to it, while the petitioner has been wailing aloud that the inquiry is defective, the Board seems merely to have confirmed the Collector on the Collector's own remarks made behind the petitioner's back.

Enclosure S, U, V, X

even sending for the papers connected.
If records had been called for, the truth
would have come out.

7. The petitioner therefore humbly
prays that the records of his case
may be called for perusal and
justice be done by reinstating him
granting his salary for the months
he has been out of employment.

For which act of kindness
the petitioner will feel ever grateful.

28th October 1896 { *M. Subrahmanya*
Masulipatam

Original submitted through
the Collector Thistua.

30th November 1896 *M. Subrahmanya*

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ery
to
cal

Duplicate

To

His Excellency the Governor
in Council

Fort St. George
Madras



From

Immamazu Venkata
Subrahmanyam
of Masulipatam.

Date of Dispatch—30-11-96.

Date of Receipt—

Enclosures from A to H and from K to Z

Subject.

Appeal against the decision of
the Revenue Board regarding dis-
pensing from Government
Service without proper reason and
against the principles and
procedure enunciated in G.O.s
on the Subject.

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.

NOT FILLED UP, BEING MEANT FOR DISPATCH
IN ORIGINAL.

N.B.—

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