

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 3206

DATED 25th June 17

[Despatch Abstract.]

Declining to interfere on behalf of
Morris, late Asst. Supdt. of Sea Customs at Kuala
Belat, who is appealing against his suspension
& reduction.

BACK PAPERS.

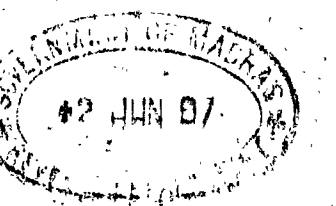
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No. 159



From

The Secretary to the Commissioner of
Salt, Alkali & Separate Revenue
Madras

His No. 2199

Dated 25th May 1897

Received 26.87

Registered 3.6.87

Enclosures for Alkali & Separate Revenue

Spare copies

SUBJECT.

Submitting to Government with remarks
the appeal petition of B. Morris, late Assistant
Superintendent of Sea Customs at
Kuladeharapattanam praying for the
Cancellation of the order of Suspension
passed by the Collector of Tuticorin
and for his transfer to the Land
Revenue Department from the Salt
Department.

K. 3/6

BACK PAPERS.

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	3210	157.	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To,

His Excellency The Right Honourable the Governor in Council
Fort Saint George
Madras

Through the Collector of Tinnevely.

PETITION

0100

REVENUE DEPT.

May it please your Lordship:

The humble petitioner of B. Marais
Sub-Asst. Supdt. of Sea Customs Kara-
Sakharapatnam against the Order of
the Collector of Tinnevely, dated 23rd October
1896, suspending him for six months and
transferring him to a ministerial position
in the Service pay of Rs. 30.

Most respectfully sheweth:
2. That the Charges with which your Lordship's
humble petitioner has been accused of by
Collector are:

- (a) Laziness in the discharge of his duties.
- (b) Allowing his clerk to keep accounts for him.
- (c) Failure to report the misconduct of
the Clerk as long as he paid the Clerk
remained on good terms.

3. That your Lordship's humble petitioner
most humbly begs to state that an appeal
was made by him on the 27th January 97
to the Honourable Commissioners of the
Board of Revenue, who were to the petitioner's
great misfortune, pleased to pass an
order declining to interfere on behalf
of the petitioner. Vide Memo No. 111
401 dated 27.1.97.

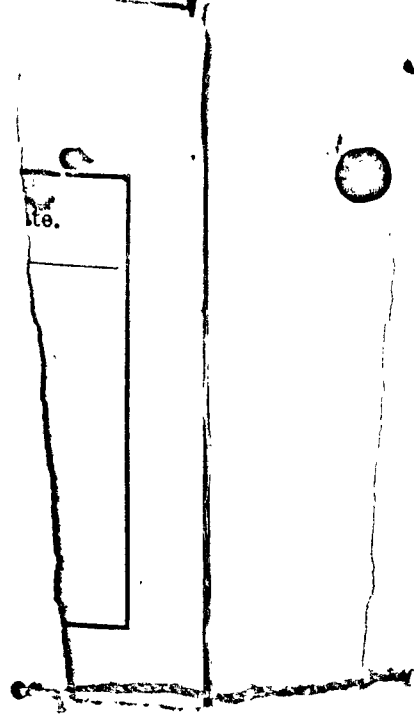
Yours

from petitions submitted the humble
Explanation in Extremis, in the said
appeal petition; a Copy of it is herewith
attached for your Lordships' kind
perusal. It would show that some

innocent and long-fide the action of
the petition was all along. There was
alleged no bad motive on the part of
the petitioner in any of the charges
against him. The punishment of the
petitioner is severe and disproportionate
when compared with that of the Clerk.

No fault of any kind was ever before
found with him, and neither any fine
imposed upon him.

4. Further your Lordships' humble
petitioner who is a part native Christian,
begs to add that it is now 15 years since
he has been subordinated in the Government
service; of which period, he worked 11 years
in the office of the Subcollector by Salt and
the sub collector, and 4 years in the office
of the Sea Customs at Calcutta. He has
therefore little or no experience in the
work of the salt dept. Immediately
after the disposal of the Board's appeal,
the petitioner has received an appointment
from the Dy Commissioner, ap-
proving your Lordships' poor petitioner
as sub-Inspector 5th grade of the Uda-
man Order, and ordering him



to join the work on the expiry of
suspension period; i.e. 16th May 1897.
In this connection your Lordships'
humble petitioner begs to state that the
petitioner was first required to be by
the sub collector Mr Campbell. Upon
the receipt of the Board's order annul-
ling the Customs dept. with the
salt dept., the papers connected
with the case were sent to the Salt
Dept. Commissioner for disposal. While in
order to get the order from the
Board in No. 169 separate No. 287
was received, and with reference to
the instructions contained therein, the
papers were finally sent to the collector
as would be seen in the endorsement
of the Dy Commissioner in No. 2282,
Barnack sub ordered. Then the collector
disposed of the case, ordering the poor
petitioner to be transferred to a
Ministerial position on the same pay
of Rs. 30; and further upon the petitioner's
Review Petition the collector was pleased
to order that the petitioner should get an
increased pay. In so doing, the collector
clearly meant that the petitioner should
get the transfer in the Land Revenue
dept. Transfers and promotions in
the Sea Customs department are
usually being made in the Land

Business department, and not in
the Salt dept. Taking the surrounding
cases into consideration, your Lordships
humble petitioners beg to state that
the transfer to the Salt dept. is to
the petitioner's great misfortune an
exceptional case with the petitioner
alone.

Under the Circumstances,
Your Lordships' humble petitioners most
supplicantly beg that your Lordship
may be graciously pleased to cancel
the Suspensions, and transfer the petitioner
to the Salt & Revenue dept. instead of
to the Salt dept. For which act
of kindness and charity, Petrs
shall as in duty bound ever pray.

The following exhibits are
herewith submitted for your Lordships'
kind reference.

- A. Copy of Order No. 23.12.76
- B. Copies of Officer's Statement
- C. Copy of Appeal Pet. to the H. of 9.1.97
- D. Copy of Order No. 100 appeal Pet. of 16.1.97
- E. Order No. 101 of 27.1.77
- F. Copy of Order of the Dy Commr. No. 2252
- G. Dy Commr's appointment order of 18.2.77

Submitted by

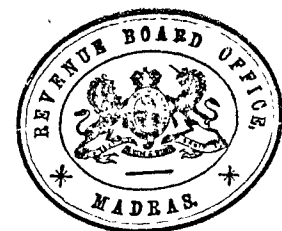
25 April 97

Pharis

all the above should be
considered in light of the
fact that the petitioner
is a poor man and that
the petitioner is a poor
man and that the petitioner
is a poor man and that the
petitioner is a poor man



The humble appeal by
submitted through the Collector
of Tinnevely to His Excellency
the Right Honorable Governor
in Council, Madras, by
B. Morais, late Asst. Supt.
of Sea Customs Kulasekharapatnam



Proceedings of the Board of Revenue

(Separate Revenue.)

Dated 25th May 1897.

No. 2199

Read endorsement of the Collector, Tinnevely Revenue
1047/97 dated 6th May 1897 submitting the appeal petition
of B. Morais, late Assistant Superintendent of Sea Customs
at Kulasekharapatnam praying for the cancellation
of the order of suspension passed by him.

Resolution.

Submitted to Government

2. The appellant's case is fully dealt with by the
Collector in his proceedings dated 23rd & 24th Nov 1896
which forms one of the enclosures to the appeal.

3. The appellant was the Assistant Superintendent
of Sea Customs at Kulasekharapatnam on Rs 30
and was suspended for 6 months on account of
certain irregularities committed by him. Subsequent
to the order of suspension the Collector requested

the

the Board to provide the appellant with a ministerial appointment in the Salt Abkari & Customs Department, on the expiry of the period of suspension as he could not conveniently provide for him in the Land Revenue Department, and suggested that he be appointed to a post on Rs 35, in consideration of the fact that he was in receipt of Commission as Port Conservator and of over time fees. The Board did not approve of the Collector's proposal to provide him with a post on higher pay, but issued instructions to post him as a 5th grade Sub Inspector. He evidently is a man who will benefit by the more strict discipline of the Salt Abkari and Customs Department. The petition is therefore now under the Salt Department.

(True Extract)

Kannanammudi

Assistant Secretary

J.

The Secretary to Government,

Revenue Department

31-5-97

with the appeal petition & its enclosures

~~The Honble Mr~~

Secy with reference to the

Honble Mr Bliss's recent D.O.

Propd, 23.10.96

Placed

Done 11/11/97

Lead again 403 2242 & 920
4.5.97 22.5.97
C No 4639 of 1897

For orders

With the above Current, the Board of Revenue submits an appeal petition from one B. Morris late asst. Superintendent of Sea Customs, at Kulasegapatnam, who was suspended by the Collector of Tinnevely for six months and subsequently transferred under the Board's orders to the Vedaranyam Circle as a fifth grade sub. Inspector of salt, abkari & ^{Customs} Revenue.

It appears that in February 1896, the petr while he was asst. Supdt. of sea Customs at Kulasegarapatnam, made a report to the Superintendent complaining of the conduct of his clerk, Mr Adinamlai Pillai and requesting his transfer. The latter thereupon brought some counter charges against the petr himself, and the enquiry which was

was subsequently ^{held} by the
Inspector, the Asstt. Comr.
and the sub. Collector disclosed
several serious irregularities
on the part of both the
petitioner and his clerk.

These are given in the tabular
statements flagged E & D. The
Asstt. Comr. and the sub.
Collector thought the petr
and his clerk deserved
dismissal, but the Collector

considering that this punish-
ment was too severe, in
the absence of proof of
actual fraud, ordered that

both be suspended for
six months and that the
petr be transferred to
after the expiry of that
period to some Ministe-
rial appointment on the
same pay of Rs 30. Sub.

sequently the Collector
found that the petr
could not conveniently
be provided with a ^{post} place
in the Land Revenue de-
partment, and therefore
requested the Board of
Revenue.

flag G

Revenue to provide him with
a place in the Salt & alkali
Department, on Rs 35, the in-
crease of Rs 5 in the salary
being intended to compensate
the ~~petr~~ loss of the ~~post~~
Commission and over time
fess which, as Asstt Super-
intendent of sea Customs,
the petr was getting in ad-
dition to his fixed pay of
Rs 30. The Board how-
ever did not approve
of the Collector's proposal
to give the petr a higher
pay, and accordingly had
him posted as a fifth
grade Sub. Inspector. ^{on Rs 30}
The petr now appeals to
Govt against his suspen-
sion and his transfer to
the Salt Department.

The main charges against
him are these:—

- (1) That he failed to daily
remitt into the Treasury
the collections made during
the day.
- (2) That he allowed his
clerk to keep the Collect.
of

of the over-time fees.

(3) That he failed to report his Clerk's Mis-
conduct, ^{for over a month is} so long as they
continued on good terms.
The petr practically
admits the first two
charges, but pleads that
it was due to a long
standing practice and
that the Superintendent
who suspected his office
did not take objection
to the procedure followed.
The Collector however ob-
serves that the petr
ought to have known
that it was wrong to
keep Cash in hand for
days together, and that
it was both irregular
and unsafe to leave
the over-time fees with
his Clerk for a ^{whole} month.

As to the 3rd charge,
the facts appear to be
as follows: - The petr's
Clerk was allowed to
proceed to Kayalpatnam
on the 22nd December 1895

in
morning.

in order to relieve the
asstt Supdt of that place
who was granted two days
Casual leave. On reach-
ing Kayalpatnam, the
~~Clerk~~ clerk found that
the asstt Superintendent
did not require the leave,
and therefore went to
Tuticorin without permission
to avail himself of the
Christmas holidays. From
Tuticorin he wrote to the
petr on the 25th December,
promising to return to Kula-
segarapatnam on the 28th
idem, stating that he had
made arrangements with
one of the application
writers to refund the sum
of Rs 1. 10. 4. which he had
taken with him, out of the
over-time fee collections,
and requesting the petr
to arrange in such a
way that he might not
lose the holiday over-time
fees during his absence,
ie in other words asking
the petr to mark him present

'present' while he was away
at Tuticorin. The clerk
also desired the petr to
lend him or borrow for
him 50 Rs. These facts
the petr did not bring
to the notice of the Superin-
tendent till the 4th Feb'y.
1896, by which time they
had quarrelled. The
petr's explanation is that
he took the ~~pe~~ clerk's
requests as silly and thought
that ^{the} mere ~~Common~~-Com-
pliance with them, followed
by a personal admonition
would be sufficient, but
that subsequently he had
to refer to these matters
when he found the Clerk
disobedient and imperti-
nent, ^{on seeing} his requests not
granted. The petr ~~there~~
urges that his failure
to report the Clerk's Mis-
conduct at once was an
Error of Judgment.
As observed by the Collector,
however, it is evident
that the relations which
existed

revenue.

petr in 820-990
22.5.97

existed between the petr
'and his clerk were not
'such as an officer in his
'position should have allowed,
and apparently the clerk
would not have ventured
to make his requests, ~~why~~
unless the petr was in
the habit of accomodat-
ing him in the way he
wished, or the Confidence
which existed between them
led him to presume that
his requests would be granted.
The petr complains of his
transfer to the Salt Depart-
ment, on the ground that
he has little or no experience
in the work of that Depart-
ment, and that Vedaranyam
to which he is posted is a
distant place where there
are no men of his caste.
The Board observes that
the petr is evidently a
'man who will benefit by
'the more strict discipline
'of the Salt Department.
Please see the Museum Pass
flipped 4. wherein the can again

22/6

the petitioner is stated fully
 & moderately. Not men
 who probably have been
 dismissed in the circumstances
 submitted however that the
 transfer to the Salt & Abkani
 being itself a punishment
 at all events (generally regarded as such) &
 the petitioner having also
 been under suspension for
 six months it wd suffice
 to affirm the Bd's order.
 The file G.O. is submitted
 for approval

G.O. Min. 20.3206 of 25.6-27

The Gvt declines to
 interfere on the petitioner's behalf.

White
 23.6.27
 [Signature]

To the Board (S.R.)
 with Encl.
 Copy to the petr.
 26.2.27

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.

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