Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 4805

DATED 11 Sept 12

[Despatch Abstract.]

Informing V. R. Durgiah Naidu, late Depôt Store-keeper, North Arcot, that Govt. sees no reason to reconsider the order already passed.

clerkship on Rs 15 from which

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Con	894/98		32 1 P. 7-2-98				
Con	7772/97						

0/18 4,000—19-7-97.

Revenue (1897) Department.

CURRENT No. 7610

Sec M. DP 11/9

From The Board of Revenue, Land Revenue

Order Misc. R04805 & 11 Sept. 97

The petitioner will be informed that the Govt sees no reason to reconsider the order already passed.

11/9/97 10.9.97

H. No. 656 R.

Dated 26th August 1897

Received 29-8-97

Registered

Enclosures

Spare copies.

SUBJECT.

Submg. memorial from V. R. Surgiah Naidu, late Depot Storekeeper, North Arcot, praying for a reconsideration of the order dismissing him from public service.

To the Board (L&C) with encls. } 17-9-97
To the petr.

Note. The post of Depot-Keeper in the Forest Department is a temporary appointment the sanction to which is renewed by the Board every year. On the 20th July '93 the D.F.O. North Arcot, Mr Marshall, appointed the

the petr as depôt-keeper ... vice V.N. Subramania aiyar promoted.' while holding this appointment, on the 28th Nov'r 93, the petr was ordered on 28 Nov'r 93 to act as Range clerk vice S. Subramania aiyar under suspension or until further orders;' and while so acting, his services were dispensed with by an order of the D.F.O. Mr McCarthy dated 15th September 1895, on the grounds that some permanent clerk was returning to duty.

The petr contended that in the usual course he should not be turned out of the home, but at least made to revert to the post of depôt-Keeper to which he alleged he was appointed permanently in July 1893. The D.F.O. Mr McCarthy reported that Mr Marshall's order of July 1893 appointing the petr as depôt Keeper was not properly worded, that V.N. Subramania aiyar in whose place the petr was appointed, was the permanent depôt-Keeper, that his promotion referred to, consisted merely in his being given a temporary clerkship

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

He says:— 'I have put in a total of four years all in the acting posts above'

clerkship on Rs 15 from which he reverted in December 189: i shortly after the petr was made to act as Range clerk, and that the petr himself was aware of the fact that his appointment as depôt-Keeper was an acting one, as would appear from his petition dated 6.2.95. The local authorities thereupon held that the petr's claim was inadmissible, and on appeal the Board and the Govt declined to interfere in his behalf. (G.O. No 296 dd 18.1.97). Now he comes up with an extract from the Correspondence Register purporting to shew that V.N. Subramania aiyar was appointed to act as depôt-Keeper on the 18th August '94, and on the strength of this document he asks why V.N. Subramania aiyer should be made to act in august 1894, if he had already been a permanent incumbent of the post as stated by the D.F.O Mr McArthy. In the first place, it is not clear whether the depôt-Keeper's post

Referred ago

to in the extract now produced is the same as that to which V.N.S. Aiyar is reported to have been permanently appointed.

2ndly. the Board points out that the petr's present contention does not alter in any way the fact of his own admission in his application dated 6.2.95 to the effect that his services as depôt Keeper was only acting. Submitted that petitioner has no case whatsoever.

Mlle
10.9.97

Hon.
Mr Hill
8/9/97

Mr
9/9

PETITION
0869
REVENUE DEPT

CHIEF SECRETARY
30-OCT. 1896
GOVERNMENT OF MADRAS

To

His Excellency the Right Honorable Sir Arthur Elibank Havelock G.C.M.G., Governor in Council of Fort Saint George. Madras.

The humble petition of V. R. Durgiah Naidu, late Depôt-Keeper, District Forest office, North Arcot.

Most Respectfully Showeth.

I. That your Excellency's petitioner was entertained in the Forest Department as acting Range clerk Palmanair (Permanent establishment) on 5 April '91 on Rs 12/-, Continued in various capacities in the superior Service of the Department, ultimately as permanent Depôt-Keeper from 20 July 1893 until the date of order appealed against

to against and has put in a blemishless service of nearly 5 years.

II While your Excellency's petitioner was acting as Range clerk Vellore in the room of one S. Subramania Iyer permanent incumbent under suspension, the order of the District Forest officer (exhibit C) that your petitioner's services will be dispensed with on the return of permanent 2nd clerk S. Duraisami Iyer to duty was communicated to your petitioner and it caused to your petitioner grief and surprise beyond measure. For the return of permanent 2nd clerk to duty or any other possible arrangement affecting the office staff will have no disturbing influence on the temporary establishment on which your petitioner remained as the senior of 5 clerks.

III The District Forest officer has thought fit to put your Excellency's petitioner out of the way in order to provide a berth for an outsider one Masilamani Mood which he actually did and when called upon by the Collector to report, he defends his action in a manner which is extremely unsatisfactory and fitted to mislead. Analyzing his report we find that it is full of specious pleadings, misstatements and incorrect conclusions.

IV The report says (exhibit H) that your Excellency's petitioner was appointed on the 20th July 1893 to be Depôt Keeper vice S. Subramania Iyer promoted" (exhibit A) and finds fault with the order of Mr. Marshall the late District Forest officer stating that it was improperly worded and in support of that statement the District Forest officer falls back upon your petitioner's petition dated 6th February 1895 (exhibit L) in which he unnecessarily mentions the word "acting" while stating the length of his service he has put in as clerk on the temporary establishment.

your

Your petitioner Submits that the District Forest officer simply garbles and quibbles to justify his position - A reference to the Office Correspondence Register as well as to the Services (not the Service Register) which clearly show that your petitioner was permanent Depôt-Keeper on Rs 12/- (temporary establishment) and not acting Depôt-Keeper as contended by the District Forest officer. The office Copy of the order appointing V. N. Subramania Iyer to the Depôt-Keeper's place is said to be missing (exhibit K). The District Forest officer conveniently shelters himself behind the plea of "missing" because the office Copy will spell a thorough overhauling of the whole affair -

V The report further says "that the return of permanent 2nd clerk of the District Forest office will necessarily throw out one of the junior clerks and that it was inexpedient to put in a new man to succeed petitioner for a few weeks". Your Excellency's petitioner Submits there is neither rhyme nor reason in the District Forest officer's order dispensing with the Services of your petitioner. Considering that your petitioner is the senior of all the 6 clerks both in the temporary and permanent Scale and that the various superior officers under whom your petitioner served have borne testimonies to your petitioners efficiency and good behaviour (exhibits M

VI The report also says "that when a man is only acting in a post and a better one is available the services of the former may be dispensed with". This is merely nearly begging the question Assuming this statement that your Excellency's petitioner was only acting in a post to be true, it cannot be conceded as just or fair that the services of a clerk of 5 years standing can be dispensed with

to

your preference to the Services of the raw recruit outsider - The Distt District Forest officer observes to Govt that he Considered dismissal as refusal unnecessarily severe punishment in view of your petitioners future prospects and of the fact that he was merely not good enough for the est. This is a Contradiction in terms and opposed to the spirit of provision of Section 49 of the Forest Code (2nd edition). For the District Forest officers order that your petitioners services will be dispensed with on the return of permanent 2nd clerk gives the lie to the assertion of dismissal - Besides there are no charges against your petitioner justifying such a Course and if there were any opportunity must be given to your petitioner to make his defence (vide Section 49 of the Forest Code 2nd edition) and the District Forest officers vague, sweeping remarks about dismissal being severe punishment is wholly unintelligible and totally unwarranted -

VII To recapitulate the facts of the Case briefly, your Excellency's petitioner held the permanent place of Depot Keeper - The order appointing him as such (exhibit A) and the mysterious disappearance of the so called order appointing V.K. Subramaniya Iyer as permanent Depot Keeper and a perusal of Correspondence Register as well as Service book dated 18th August and 13th Nov 94, maintained in the District Forest office will disclose the real facts of the Case - i.e. (a) that your Excellency's petitioner was permanent Depot Keeper District Forest office and not V.K. Subramania Iyer as argued by the District Forest officer (b) The District Forest officer wanted to see your Excellency's petitioners out of the way to make room for an outsider

Excellency's

to

your with no experience of, or previous
the Service in the Forest or any other
Simp Department in the Public Service
to you.) It is neither just nor
refuse justifiable that an outsider
-ence should be introduced at the
Servi expense of your Excellency's
-ch petitioner while 5 clerks
your Junior, to your petitioner
were deemed fit to be
esta retained. your petitioner
by has put in stainless Service
Th of nearly 5 years and has
ap won the good opinions of
by all the officers under whom
is your petitioner served.
I (exhibits M+N)
c
t VIII The Board declined
to interfere on behalf of
your Excellency's petitioner
(Exhibit R) who appealed
against the order of the
Collector confirming the
illegal decision of the
District Forest officer.

Under these Circum-
-stances it is most humbly
prayed

prayed that your Excellency
may be graciously pleased
to order the restoration of
your Excellency's petitioner
to his appointment.

For which act of justice
and fairness your Excellency's
petitioner shall as in duty
bound ever pray.

Your Excellency's petitioner
begs to remain,
Most Respectfully Showeth,
Your most obed. Servant,
V. P. Devgiah Nayudu
Late Depôt Keeper,
District Forest office,
Baben Row's Street.
Vellore.
North Arcot.
Vellore (True copy)
29th October 96

27-11-96.

Redress for Grievances and prays for justice

1871 Rev
Vol 10 & 11

PETITION

0707

REVENUE DEPT

To

His Excellency the Right
Honorable Sir Arthur
Elibank Havelock
G.C.M.G. & K.C.I.E.
Governor in Council of
Fort Saint George
Madras.

Through

The Collector of North Arcot
and
Conservator of Forests
Central Circle
Madras.

The humble petition
of V. R. Durgiah hayudu late
Depôt Keeper District Forest
Office, North Arcot praying
for a revision of your
Excellency's order No: 296 &
dated 18th January 1897.

Most Respectfully Sheweth:-

Your Excellency's
petitioners' contention is, that
your petitioner was
permanent Depôt Keeper

from

from 20th July 1893 and as such your petitioner should be restored to his permanent post viz: the Depôt Keeper.

The District Forest officer North Arcot in report (exhibit H) to the Collector reports that V. N. Subramaniya Iyer was the permanent Depôt Keeper on 20th July 1893 and not your petitioner. On the strength of this report the Collector arrived at a final conclusion (exhibit J.) That your petitioner was only an acting Depôt Keeper and V. N. Subramaniya Iyer was a permanent incumbent. In the exhibit S. enclosed the District Forest Officer plainly says as follows:—

"No. 3101/93-94 communicating a copy of the office order appointing V. N. Subramaniya Iyer to act as Depôt Keeper and K. Rangiah to vacate the place of Depôt Keeper as Gurusawmi Naidu joined his duty as acting 1st Gr. clerk."

The above exhibit S. is the order given by the District Forest Officer on 18th August 1894 that is after a lapse of one year. If V. N. Subramaniya Iyer had been permanently appointed as a Depôt Keeper from 20th July 1893 as the District Forest Officer says in his report H, how could have the very same V. N. Subramaniya Iyer been appointed to act for the same post on 18th August 1894 is the question to be kindly and graciously decided by your Excellency.

Your Excellency's petitioner prays therefore that your Excellency will be graciously pleased to reconsider over the case and render justice to your petitioner by restoring to the post of Depôt Keeper

For which act of justice and fairness your Excellency's petitioner shall

shall as in duty bound
ever pra[y]

OFFICE OF CONSERVATOR OF FORESTS, CENTRAL CIRCLE
Current No. 164
14 JUL 97
13/8/97
MADRAS.

of Excellency's petitioner
begs to remain
Most Respectfully Showeth
Your Most obedient Servant
V. R. Durgiah Nayudu
Late Depôt-Keeper
District Forest Office
North Arcot
Now residing in
Baboo Rao's Street
Vellore.

Vellore
26th June
1897

Forwarded through the Secretary to the Commissioners of Land Revenue.

2. The Govt. in its order Mis: No. 296 of 18th January 1897 already said that it saw no reason to interfere on petitioner's behalf.

Dates of Despatch &c.

Despatched 11.8.97
1897
Dated —

Forwarded through the Conservator of Forests and the Board of Revenue.

Collector.

Clitton
11.8.97

Mis 296/97 dt 10.8.97

83/13.8.97

Camp Vettavalam
14 August 97.

Conservator of Forests
C.C.

DESPATCHED
16 AUG 97.

83

P.T.O.

BOARD OF REVENUE
17 AUG 97
MADRAS.

5,000
1-6-96.

REVENUE BOARD OFFICE
MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 26 August 1897.

Forest No. 656 Mis. / Routine.

READ Endorsement of the Conservator of Forests, C.C. dated 14 August 1897 on that of the Collector of North Arcot, dated 11 August 1897 forwarding petition from V. R. Durgiah Naidu, late depôt keeper North Arcot appealing against his dismissal from service.

Resolution

Submitted to Government

2. The Board has no remarks to offer beyond pointing out that the present contention of the memorialist does not alter in any way the facts of his own admission referred to in the District Forest Officer's office-note to the Collector dated 16 December 1895 (Exhibit H) that he was aware that he was only acting.

True Extract

Secretary

To The Secretary to Govt. R.D.

with petition and original
Encls. to it (to be retd)

xD

189 .

Board of Revenue

(Land Revenue),

MADRAS.

To

Proceedings, dated 189 ,
No. Mis. / Routine.

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

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