

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 5262

DATED 8 Oct 2

[Despatch Abstract.]

Declining to sanction the prosecution of Mr. Guruswami Pillai,
the Asst. Conservator of forests, for his action in connection with events
culminated in the death of one Mr. Schofield.

BACK PAPERS.

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

FURTHER PAPERS:

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

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18 4,000-19-7-97.

Revenue (1897) Department.

CURRENT No. 8617

See

Order in

The Rev. A. Caussanel

will be informed that the
Gout will be no reason to

Sanction the prosecution
of M.R. Gummatta Pillai;
Extra Asst Conservator of
Forests.

From

Rev. S. Caussanel
Hukdar of Kattalamalac
Estate, Ambasamudram
No. Lahak.
Linnemully of

Dated 28th Sept. 1897.

Received 3.10.97

Registered 5.10.97

Enclosures

Spare copies.

SUBJECT.

Requesting sanction
to prosecute M.R. Ry.
Gummatta Pillai, Extra
Asst. Conservator of
Forests, Linnemully of

The Rev. A. Caussanel S.T.

note

13.10.97

The Pet. does not
bring forward any new grounds
for the Gout's sanctioning
the prosecution of the officer

referred

referred to in addition to those
 he has already given in his
 petⁿ to the Board. This petⁿ
 was before Govt when the re-
 cent orders (G.O. sent to the
 Private Secy for reference) were
 passed. Hence the above draft
 G.O. is submitted for approval

WMM
 6.2.97

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS

G.O.	No.	Department.	Date.

To

THE HON'BLE

THE MEMBERS OF THE BOARD OF REVENUE,

(Land Revenue.)

MADRAS.

The Humble Memorial of Rev. A. Caussanel, S.J., Hukdar of Kattalai-
 malai Estate, Ambasamudram Taluq, in the Tinnevely District.

MOST RESPECTFULLY SHEWETH :—

Your Memorialist has been waiting for the last ten months for the reply
 to his Memorial addressed to His Excellency the Governor in Council on the
 25th September 1896, and which was referred to this Honorable Board for consider-
 ation. The Memorial alluded to was intended to bring to the notice of Govern-
 ment the various acts of injustice perpetrated against your Memorialist and his
 servants on the Kattalaimalai Estate from 1894 to 1896, particularly by one
 Gurunatha Pillai, an Extra Assistant Conservator of Forests, but it is to be
 regretted that no notice has been taken of the complaints.

Your Memorialist experienced a cessation of these troubles on the
 temporary appointment of Gurunatha Pillai to an office on the Western Coast.
 He, however, returned to the Tinnevely District in the month of June last, and
 has now commenced his hostilities again, and on this occasion they have culmin-
 ated in the death of Mr. Lewis Schofield, a promising young man under training
 in the Roman Catholic Mission.

The circumstances attending this young man's death are as follow :

In the beginning of May last, Mr. Schofield, at the invitation of his
 friend, the Manager of the Estate of Kattalaimalai, went to spend his summer recess
 at Kattalaimalai. About the end of June, however, he began to suffer from fever,
 and it was necessary therefore to bring him down without delay to Utchancolam,
 a mission station not far from Ambasamudram, for the purpose of bringing him
 to Palamcottah for medical treatment.

Accordingly at 5-30 A.M., on the morning of the 29th June, Mr. Schofield
 left the bungalow on the estate in a bandy and began to descend the ghât. At the
 time he was suffering severely from fever. On arriving at the Papanasam ghât,
 about three miles from the plains, the road there being impassable, in consequence of
 the construction of a bridge, a bandy had to be sent from Utchancolam to this
 point to bring Mr. Schofield to the plains. When Mr. Schofield, however, had
 arrived at the bridge at about 8 A.M., there was no conveyance to receive him, for
 the reasons stated hereunder, and so he had to wait in the burning sun, while in
 a high fever, for five hours, that is till after twelve o'clock.

It should be here observed that the road leading from the Estate to the
 plains is a public road, that portion of it which is called *new*, extending down the
 Papanasam ghât, having been opened to the public on the 1st May 1897 by a
 Notification in the *Tinnevely Gazette* published on or about that date.

The reason why Mr. Schofield was unable to obtain a bandy on his
 arrival at the bridge was that the bandy, which had been sent from Utchancolam
 to meet him, on arriving at a place called Chinnayatham, near the Papanasam
 temple, was seized by two forest peons under the orders of Gurunatha Pillai.
 The seizure was alleged to have been effected on the ground that the vehicle had

trespassed on the new road which was in Forest Reserve. The statement that a trespass had been committed is palpably false.

On the seizure being made, the driver informed the peons that the bandy was sent for a sick gentleman who was waiting for the same near the bridge aforesaid. He also went to Gurunatha Pillai, who was close by, and informed him to the same effect. But Gurunatha Pillai refused to pay any attention to the driver's statements, used abusive language and ordered the peons to seize the bullocks and bandy forthwith and to confiscate them. Gurunatha Pillai is said by the driver to have been under the influence of liquor at the time.

The result of this inhuman conduct was that Mr. Schofield was brought in an almost dying condition to Utchancolam, whence he was removed to Palamcottah, where he died on the 3rd July.

There are one or two important points to be noticed in connection with this seizure.

1st.—The Notification aforesaid was in force when the bandy was seized on the 29th June and carts were moving freely up and down the road in question from the 1st of May. This was the first time that your Memorialist's carts were objected to. The Collector himself in his Proceedings, dated 6th July, admits that Gurunatha Pillai acted illegally, and personally offers to pay some of the expenses incurred by the seizure.

2ndly.—The seizure was otherwise illegal, as no forest offence had been committed under the Forest Act which justified the seizure of the bulls and bandy.

3rdly.—It is stated that Gurunatha Pillai had not taken charge of his office from Mr. Sreenivasa Chamberlain, his *locum tenens*, during his employment on the Western Coast.

The matter was brought immediately to the notice of the Collector by a registered letter even before Mr. Schofield had been able to reach the plains; but no help as yet has been given to your Memorialist, though it is nearly three weeks since the matter has been brought to the Collector's notice.

That Gurunatha Pillai acted wantonly and maliciously is clear from the following summary of cases in which he has indulged in acts of tyranny on previous occasions against your Memorialist and his servants, namely:—

I. In January 1894, the Forest Ranger, acting under his orders, induced the Sub-Magistrate of Ambasamudram to arrest all the herdsmen of the Kattalaimalai Estate and locked them up in jail. This case was eventually dismissed by the Sub-Magistrate.

II. In June 1894, the Manager of the Kattalaimalai Estate was dragged out of his bed by a warrant while suffering from fever on a false charge preferred against him by Gurunatha Pillai. This charge was afterwards withdrawn by Gurunatha Pillai himself, and the result was that the Manager would not resume his post owing to the ill-treatment he had been subjected to, but no redress was obtained.

III. In June 1895, under the orders of Gurunatha Pillai, Tannadhar Sundram Aiyar, Forest Guard Subba Naidu, and Watchers Mada Naicken and Eswara Naicken arrested the bandies of the Estate on the public road of Ambasamudram, and on the next day removed the planks from a bridge over the river Separ, the result of which was that your Memorialist and contractors proceeding over the bridge with loaded carts at night were thrown into the stream beneath. For nearly six days carts between the estate and plains could not pass in consequence. When Gurunatha Pillai was remonstrated with by your Memorialist, he was exceedingly insolent to your Memorialist, for which he was made to apologise by the Collector; but beyond this, no notice was taken of Gurunatha Pillai's conduct on both the above occasions. The planks were restored by order to the bridge, and the cart and bullocks were released after being detained illegally for three days.

IV. In July 1895, Gurunatha Pillai brought a frivolous and false charge against the Manager of the Kattalaimalai Estate for an alleged non-payment of three pies at the toll of Mondanthorai ferry. This charge was preferred under Secs. 186 and 448, I. P. C., but the case when inquired into by the Deputy Magistrate was summarily dismissed. No redress was given for all the expense, trouble and annoyance the Manager was put to, although he was hunted all over the District by Magisterial warrants for months together, the *Mission property* being also illegally proclaimed for sale in consequence of his non-appearance. Gurunatha Pillai has received notice of action for Rs. 3,000 damages in this matter, which will shortly be filed against him.

V. In the month of April 1896 two bandies laden with timber from the Kattalaimalai Estate were illegally seized under orders of Gurunatha Pillai and the timber confiscated, there being no authority whatever for this confiscation. A criminal case for trespass was filed against the driver, and although a small fine was inflicted by the Magistrate, the sentence of the Magistrate was practically quashed by the Sessions Judge and the fine reduced to one pie,—so convinced was he of the criminal conduct of the *Forest employés*. No redress was, however, obtained by your Memorialist for the illegal confiscation of his timber.

Matters have become so serious that your Memorialist is compelled once more to address your Honourable Board on the conduct of Gurunatha Pillai. He has become so daring and defiant in consequence of the limp administration of the District that unless severe notice be taken of his conduct by the Government, there is no saying to what lengths he may next proceed.

And, as in duty bound, your Memorialist shall every pray.

PALAMCOTTAH,
7th August 1897.

(Signed) A. Caussand. s. p.

To.

His Excellency the Honourable
Sir A. E. Havilock, G. C. I. &
Governor in Council of Fort St. George and
its Dependencies.

PETITION

1894

REVENUE DEPT.

The humble Memorial of the Hukdar
of Katalaimalai, Ambur and Nam Talug,
in the Tinnevely District,
May it please your Excellency,

That your Memorialist
addressed a Petition on 7th August last to
the Board of Revenue, complaining of the
many acts of oppression and tyranny from
1894 to 1896 committed by Gurunatha Pillai,
an extra assistant Conservator of Forests in
the Tinnevely District against your Memori-
alist and his servants on the above Estate.

2. That the last act of this description,
perpetrated by this individual directly, con-
-duced to the death of a promising young lad
of the Mission, named Mr. Lewis Schofield,
on the 3rd July last, particulars of which
are given in the said Petition to the Board.

3. That the above Petition has been
referred by the Board to the Government,
as per Board's Endorsement Forest No 801
dated 11th August 1897.

4. That a Criminal Case was filed

against the said Gurunatha Pillai on 3rd
July last in Connection with the events
terminating in the death of Mr. Schofield,
and as the Sanction of Government is
necessary for his prosecution, application
was made to the Collector on the 7th July
to obtain the sanction of Government for
this purpose, but no sanction has as yet
been given, though the Collector stated
that he applied for it so far back as
the 28th July last.

Your Memorialist, there-
fore, prays that the Government be
pleased to accord such sanction after
perusing the Memorial sent to it
by the Board of Revenue, which em-
bodies the facts of the Criminal
Case.

A Copy of the Memorial
sent to the Board dated 7th August
1897, is herewith forwarded.

And your Memorialist, as
in duty bound, shall ever pray.

Palamestiah
28-7-1897

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