

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 4090.

DATED 13th Oct. 98

[Despatch Abstract.]

Stating that the Govt. sees no reason to
interfere in behalf of Mr. Krishna, Field Perm. Rev.
Sett. Party No II in the matter of his ~~dismissal~~
suspension.

BACK PAPERS.

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

FURTHER PAPERS.

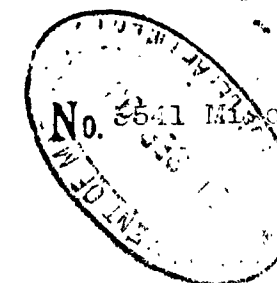
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Revenue (1898) Department.

CURRENT No. 6513

From

The Board of Revenue,
Rev. Sett. L. Rds. and Agriculture,
Madras.



Dated

14th September 1898.

Received 21-9-98

Registered 22-9-98

Enclosures //

Spare copies

Order No. 4990 of 13 Oct. 98

The Government sees
no reason to interfere on
the petitioner's behalf.

11/11/98
9.11.98
S/S 10/10/98

SUBJECT

Submitting to Government,
With remarks, letter from the Dy.
Commissioner of Rev. Sett No. 1. Party
submitting a second appeal petition
addressed by a certain Field Peon
of the Party, to His Excellency the
Governor in Council, against the
order of suspension passed by the
Dy. Commissioner and confirmed by
the Board.

to the petitioner, through
the Board of Rev. (Rev. Sett)
with the records sent.
(Return all the records
to the petitioner)

10-98

BACK PAPERS.

G O.	No.	Department.	Date.

FURTHER PAPERS.

G O.	No.	Department.	Date.

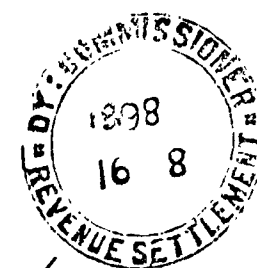
31

This Excellency the Governor in Council,
Fort Saint George,

Madrass.
(Through the Deputy Commissioner of Revenue Settlement)
Humble Appeal-petition of Mr. Krishna
Permanent Peon, Revenue Settlement,
Party. 1st II, South Canara.
Dated Mangalore 15th August 1898.

Most Respectfully Sheweth,

That Your Excellency's Petitioner
begs leave to appeal against the Proceedings
of the Board of Revenue (Rev. Sett., Land
Records and Agriculture), No 4766 Mho,
dated 6th August 1898, declining to interfere
in the Proceedings of the Deputy Commissioner
of Revenue Settlement, Party. 1st II, South
Canara, No 1078, dated 14th June 1898, sus-
pending Petitioner from his post of Peon
in the said Party for six months for the
alleged offence of "impertinent and
insubordinate and grossly negligent
behaviour", and to represent the following
circumstances for kind and favourable



16.8.98

consideration of Your Excellency's Government

2. That Your Excellency's Petitioner feels the wrong he suffers by the unmerited suspension in question so keen that he has made bold to address Your Excellency's Government this appeal, humbly hoping that due redress can be obtained ^{at} from Your Excellency's benevolent hands.

3. That the facts are these:— In June last Petitioner was ordered to work under the classifier Mr. Bhunwarachari in Japti village, Kundapur Taluk. On 4.6.98 Petitioner was sent by the said classifier from the said Japti village to the Head classifier at Kundapur, and with the Stationary etc. given by the Head classifier Petitioner returned to the classifier at Japti at 4 P.M. on Sunday the 5th June. The classifier being then absent from his house, Petitioner waited for him till 7, when the classifier's wife told Petitioner that he could leave the things there and go, and Petitioner accordingly left for his lodgings. This is all that had occurred. But the said classifier, who had apparently other reasons against Petitioner, found fault with Petitioner for not waiting

3 for him tell his return home and demand
ed an explanation on this point and
about the alleged failure of Petitioner
to wear the belt and badge - which
however is not a fact - and then sub-
mitted a report with the statements of
the owner of the house where the classifer
was living and of the Potoil and the Magne
Gambogne taken by the classifer himself.
On this the Deputy Commissioner passed
the above said Proceedings suspending
Petitioner for six months.

4. That Petitioner thereupon sub-
mitted a ^{review} petition dated 29th June (enclosed)
praying that the order in question might
be cancelled, but the Deputy Commissioner
thereon passed a Proceedings N^o 1248
dated 30th June 1898, declining to com-
ply with Petitioner's request.

5. That with a view to appealing to
the Board of Revenue Petitioner then
applied for copies of the classifer's
report and of the above said statements
taken by the classifer and these being
supplied to Petitioner by Proceedings of
the Deputy Commissioner N^o 1424
dated 12th July 1898, Petitioner submitted the same

to the Board of Revenue with his appeal, petition dated 16th July 1898 whereon the Board passed the above said proceedings No 4766 Mirs, dated 6th August 1898, declining to interfere. And hence this appeal to Your Excellency's Government.

6. That the classifier admits that it was for Petitioner's meals that he had gone away, and he knew that it was raining heavily and Petitioner had to cook his food; he had, moreover returning from a distance of some 9 miles; it therefore had that Petitioner ^{of} have been expected to wait longer for the classifier than he did; Petitioner had further the permission of the classifier's wife.

7. That ^{that} the said classifier entertained a dislike towards Petitioner within a very few days of the latter's taking duty under him (which was on 3.6.98) is clear from the classifier's report which says that Petitioner "like an independent officer wears a cap and a waist coat". If Petitioner were decent dressed, it was not to make himself like an independent officer, but because the Deputy Commissioner's orders as

58
that even boys should wear decent dress.
The classifier wanted Petitioner to do
the menial work of his house, namely,
of cleansing the cooking utensils after
the cooking was over, and this Petitioner
had refused to do. If Petitioner did not
make mention of this in his first expla-
nation, it was because he did not know
that the classifier would push matters
so far, and he therefore did not wish

18
07078
to incur his displeasure by mention-
ing this private affair. The omission of
the said fact in the said explanation
is therefore a point in favour of Peti-
tioner's conduct rather than against him.

8. That a reference to Petitioner's diary
relating to the said date will show that
the classifier had made no mention
in it of the alleged neglect of duty on the
part of Petitioner, and if Petitioner had
been really guilty it is least likely that
the classifier would have failed to enter
it in the diary. The Deputy Commissioner's
argument that the classifier may have
considered that a personal warning
was sufficient in the first instance
and therefore did not note Petitioner's

286

neglect of duties in his diary is, however, opposed to the attitude of the classifier in reporting petitioner falsely on only the 3rd or 4th day of his joining duty under him. It is impossible that he within such a brief period the classifier tried petitioner or warned him and found him so soon unamendable as to necessitate the submission of a report against him. The fact, however, is that petitioner's refusal to do the menial duties of the classifier's house enraged him, and it was only to avenge petitioner for the said refusal that the classifier sent his report so full of the classifier's displeasure against petitioner, whose very dress is even commented on there.

9. That as regards the evidence tendered by the classifier in support of his report, petitioner begs to submit that, if the case against petitioner was a true one, it was not at all necessary for the classifier, who was petitioner's immediate superior, to take the statements of outsiders in a departmental case between those two.

10. That even taking the evidence

51
supplied by the classifier, petitioner begs to submit that it does not in any way support all the facts mentioned by the classifier in his report. The statement of the Kotail Ginn vasa Udpar is only an expression of his own opinion that on account of the nearness of petitioner's lodgings to the classifier's house there was no necessity for petitioner to go to his lodgings so soon on the evening of the 5th June and at the meals would be ready for petitioner

as he went—as if the Kotail had made arrangements for petitioner's meals or as petitioner's meals used to get cooked and brought by. The statements of the other 2 witnesses Subraya Upadhyay (the owner of the house where the classifier was living) and Shamrao Rani (Magne Shanbhogue) are identical and to the effect "that it was 6 P.M. when the classifier returned home on the 5th, and that the classifier found fault with petitioner for leaving the records in his house and going away without permission and that he should wear belt, that the classifier did not say anything more as mentioned by petitioner &

in his explanation, and that the explanation is a hyperbole". Consequently the statements of these men go more to disprove what petitioner stated in his explanation regarding the threats and abuses of the classifier towards petitioner than to prove what the classifier said in his report. Further, the said witnesses being the friends of the classifier, they were more likely to help the classifier than petitioner, who is a mere peon. And a reference to the past history of the ^{said} classifier would show that he is not averse to making false reports against his peons, and the present report against petitioner comes under the same category.

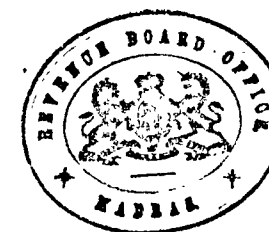
11. That petitioner being really innocent and made only a scape-goat for his refusal to perform the menial work required of him, it is very hard that so severe a punishment as six months' suspension should have been inflicted ~~in~~ on him.

12. That petitioner is a poor servant of Government drawing a salary of only Rs 6 per mensem, and he has no other means of livelihood than this.

service, and by being thus deprived of his post for 6 months he and his family will have to actually starve during this long period at a time when food grains are sold at almost famine price and no employment can be got.

13. That Your Excellency's petitioner most humbly and respectfully begs to solicit therefore that on a kind and favourable consideration of the above circumstances Your Excellency may be graciously pleased to reverse the order under appeal by cancelling the 6 months' suspension in question and ordering his reinstatement in his post with arrears of pay, and he and his family shall, as in duty bound, ever pray.

at. S. G. J. 10/2/20



Proceedings of the Board of Revenue
(Revenue Settlement, Land Records and Agriculture),

Dated 6th August 1898. 189.

No. 4766 Misc.

READ the following letter from M.R.Ry.T.Krishna Murthi Iyengar Aml.
Dy. Commissioner of Revenue Settlement, Party No: II, South
Canara, Mangalore, No: 616/Eng. dated 19th July 1898:-

I have the honor to submit herewith for the orders of
the Board an appeal petition dated the 16th Instant, presented
by Field Peon M. Krishna of this Party against my recent order
suspending him for six months for certain irregular and in-
subordinate conduct proved against him.

2. With his appeal to the Board, the petitioner submits the
following papers:-

(a) My Proceedings No: 1078/ver. dated 14th August 1898.

(b) Copy of his petition to the Dy. Commissioner, dated
29th August 1898 requesting a reconsideration of the order of
suspension passed against him.

(c) The Dy. Commissioner's Proceedings thereon, dated 10th
June 1898 No: 1248/ver.

(d) The Dy. Commissioner's Proceedings, No: 1424/ver. d/
15th July 1898, furnishing the petitioner with copies of certain
papers applied for by the latter.

3. The circumstances which have led me to award the petition
-er a somewhat heavy punishment are set forth in the papers
marked (a) and (c) in the preceding paragraph. In further

ENC. NO. 15 TO DIRECTOR, P. O. MADRAS

REVENUE DEPT.

illustration of the petitioner's persistent misconduct, I beg leave to append for the Board's perusal the undermentioned papers:—

(1) My Supervisor's letter No:140 dated 12th March 1898 with two enclosures (all in original to be kindly returned)

(2) Copy of my Proceedings on the above, dated 19th March 1898, No:505/ver.

(3) A return of fines imposed by the Supervisor in the month of March 1898 (in original to be kindly returned)

(4) A copy of the Ag. Supervisor D. Aranda Rau's endorsement No:504 dated 10th June 1898, forwarding Classifier Bhuvarachary's report about petitioner's recent misbehaviour.

4. Petitioner M. Krishna is but a young boy of an apparently unruly disposition. He has several times been reported against for improper conduct, and as the infliction of fines has had no effect upon him, I have considered it desirable to suspend him from duty for a sufficiently long time with a view to his re-forming himself, if possible, meanwhile. I respectfully trust that the Board may be pleased to approve of my action in the matter.

5. As the petitioner does not appear to have behaved in a becoming manner under any of the officials to whom he has been attached, I beg to submit it as my opinion that his present allegation (which is an after-thought) that Classifier Bhuvarachary required him to do certain domestic work is not deserving of credit. If there was any truth in it, a person of the petitioner's disposition would, I submit, hardly have hesitated to bring the matter to notice at the proper time. It was also wrong of the petitioner to have been careless with the Government articles entrusted to him and to have persisted in presenting himself for duty without proper dress, or his belt and badge. I respectfully beg to refer the Board to the Supervisor's own statement of fines for March last, in which that officer had occasion to punish the petitioner for a similar misbehaviour.

Resolution.

Resolution.—

The Board declines to interfere.

(True Copy and Extract.)

(Sd.) C. Benson,

Dy. Director, L. R. and Agriculture.

To the petitioner, with records.

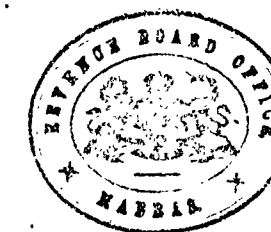
Copy to the Dy. Commissioner, with enclosures.

(True Copy.)

C. Benson

Dy. Director, L. R. and Agri.

*Recd
19/3*



Proceedings of the Board of Revenue

(Revenue Settlement, Land Records and Agriculture),

Dated 14th September 1898.

No. 5541 Misc.

Read again B.P.No:4766 dated 6th August 1898.

READ the following letter from M.R.R./T.Krishna Murti Iyengar Avgl,
By Commissioner of Revenue Settlement, Party No:II, South
Canara, Mangalore, No:709/Eng. dated 16th August 1898:-

Under Article 71-A of the "Rules regulating the personal conduct of Government Servants" and with reference to para 2 (14) of G.O.No: 282 dated 18th May 1898, Communicated with B.P. No:3774 Misc., dated 21st June 1898, I have the honor to submit herewith a second appeal addressed to His Excellency the Governor in Council, under date the 15th instant, by Field Peon M.Krishna of my Party Establishment, against the order of his suspension from duty confirmed in Board's Proceedings (Revenue Settlement, Land Records and Agriculture) No:4,766 Misc. dated 6th August 1898.

2. As the papers returned to me with B.P. last quoted will be probably required again for reference, I also beg to submit

(1) Supervisor's letter No:145 dated 18th March 1898, with 2. enclosures. the same with the respectful request that they may be sent

(2) Copy of my Proceedings on the above, dated 19th March 1898 No:505-ver.

(3) A return of fines imposed by the Supervisor in the month of March 1898; and

(4)

back to me when done with.

5. I beg to add that the grounds upon which I considered a punishment of 6 months' suspension necessary in the case

1898

REVENUE DEPT.

Dist. No. 1898

Vol. No. 1898

C. No. 65.13 of 1898.

From The Board of Revenue (Settlement)

No: 5541, Dated 14th Sept 1898.

FOR ORDERS.

It is submitted that the records before Government confirm the opinion expressed by the Deputy Commissioner, Rev. Sett. Parth No II, in his letter to the Board of Revenue dated the 19th July 1898 that the petitioner appeared to be of an unruly disposition the fines inflicted on him on several occasions for improper conduct having failed to have any effect on him. Early in March 1898 the petition was twice fined, on one occasion for absence from office with out leave and on the other for not appearing in the office.

Petition from Mr Krishna, Field peon (pay Rs. 7 per mensem), Rev. Sett. Parth No II, appealing against his suspension.

p. 29 of the file

Vide fine Statement No. 1162 d. 1-4-98. - page 11 of the file.

of the petitioner have been already fully explained in my letter to the Board dated 19th July 1898 No: 616, Vol. 1. At paragraph 11 of his present appeal to Government, the petitioner makes one misstatement, which I beg leave to correct. He alleges that his pay as a Field peon is Rs 8 only, while, as a matter of fact, the rate of pay sanctioned for all the Field Peons of this Party is 7.13 each. Even in an unmistakable matter like this, the petitioner has ventured to make an erroneous statement.

Resolution.

Submitted to Government.

The petitioner, a Field Peon on Rs 7.13 in Settlement Party No: II, is reported to be a youth of rather unruly disposition on whom reproofs and fines for improper conduct had no effect. In June last, he again neglected his duties and disobeyed the legitimate orders of the Classifier under whom he was working and the D. Commissioner considered it desirable to inflict on him a heavier punishment and accordingly suspended him for six months. The Board approved of the D. Commissioner's action and declined to interfere with his order.

(True Copy and Extract.)

Bernes

Dy. Director, F. & A. Agri.

To the Secretary to Government, Revenue Department, with enclosure.

Office in decent dress.
Subsequently in the
same month the petitioner
was found guilty of mis-
chievous behaviour in "Keep-
ing close to the gunmaster"
under whom he was working
a vessel made of paper
containing betel nut refuse".
For this misconduct the
petitioner was fined one
rupee, and was further
warned that the next
time he was reported against
he would be summarily
put out of office. In
June 1898 the Classifier
under whom the petitioner
was then employed, re-
ported that he neglected
his duties, refused to
wear his belt and badges,
and otherwise disobeyed
orders and behaved
insolently. The Deputy
Commissioner, Settlement
Party No. II, was satisfied
that the petitioner was
guilty of "impertinent;
and

FOR ORDERS.

Pages 8-10 of the file

Procs. of the Dy. Commr of Pw Sett.
Party No II. d 19-3-98 - page 12
of the file.

Pages 14-15 of the file.

Vide his Procs. d 14-6-98 -
pp. 17-18 of file.

Whe
Whe
Whe
Whe

Read

Or

B.P. 4766 Sett. d 6-8-9 -
pp. 28-30 of the file.

for

07/07/8

Or

Li

B

The petn should be
dismissed

AA
12.10.98

10/10/98
13/10/98

"and insubordinate and
"grossly negligent be-
haviour", and seeing
that the infliction
has failed to have
any good effect on
him, ordered his suspen-
sion for six months. On
appeal the Board of
Revenue upheld the
suspension order and
declined to interfere.

It is submitted
that there do not appear
any circumstances in
the case which call
for interference by
Government. A draft
order is submitted and
docketed of the current

P.E.
3.10.98.

Sub

Submitted that
the matter is one in which
the Govt ~~can~~ ^{should} not interfere.

H.A. 9.2.98

2nd Sect
13/10/8