

Revenue (189 ✓) Department.

MISCELLANEOUS SERIES.

G.O., No. 4194

DATED 28th Oct. 98

[Despatch Abstract.]

Directing that the services of Mr. Day be
inspected by Mr. Akbar & Mr. Rana
be dispensed with from the date of
this order.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
~~C-110-12320499~~				~~C-110-1731/10~~			
~~C-110-4111/1900~~				~~C-110-3026/01~~			
So 148 Rev			23-100	So 1008 Rev			18-4-00
				So 1439 Rev			13-6-01

Revenue (1898) Department.

CURRENT No.



From

The Secretary to the Commissioner
of Salt, Abkari and Lapsare
Revenue, etc.

No. 3405

For Orders

The Bt. states the matter

fully-

18/8/98

18/8/98

The man is useless
as a port servant. No private
ferin is retained him

Dated 26 August 1898

Received 5 Sept

Registered 5

Enclosures 36 (Not signed) *Not received*
Spare copies

SUBJECT.

Recommending to Government that

Mr. F. B. Lachbourn, IVth grade Inspector

Salt, Abkari & Customs Department be

removed from service on account of

certain charges brought against him

by the Deputy Commissioner, Southern

Division.

Re. 23/9/98

Idon't know what can be done but
disposal with his services. The
drunkenness is not absolutely per-
ved, but it is difficult to see what
the cause there can have been
for shutting himself up for a month.
Apart from this, however, there is
ample reason for getting rid
of him in his habits
neglecting his work and
falsehood is an offence which it

BACK PAPERS.

G.O.	No.	Department.	Date

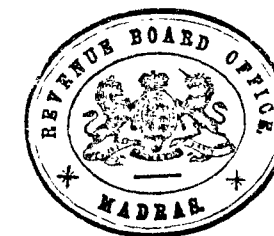
is essential to treat with severity in a Dept. like the S. & A. Dept, in which the men necessarily spend some of their time away from immediate control. I wonder the H. put up with him so long.

Before issuing orders, see that he had the charges distinctly stated & him & had full facilities for defending himself.

HA
19/9/98

FURTHER PAPERS.

G.O.	No.	Department.	Date.



Proceedings of the Board of Revenue

(Separate Revenue),

Dated 26th August 1898. 189 .

His No. 5405

In original

Letter from F.A. Fowler Esquire, Deputy Commissioner of Salt, Akbari and Customs Department, Southern Division No. 2-103 dated 10th July 1898.

Resolution:-

The Board regrets to be under the necessity of requesting Government to consider the propriety of removing Fifth grade Inspector Mr. F.P. Laybourn from the service. This Officer throughout the 15 years he had been in the department has been an unsatisfactory servant, his great failing being a general disregard for the truth and for straightforward conduct. His history shows that he was censured for careless storage in 1884 and again for unsatisfactory and misrepentous explanations as to the cash chest being opened by force at Calimnapata and about the loss of a bag of Piliash-chilli in 1893. In 1890 he was reprimanded for issuing salt in an improper manner and lying about it. In 1892 he was censured for scandalous delay in recommending a case for reward. From that time till 1897, in which year he received promotion to the Inspector's grade, his behaviour was better, but he had no sooner been promoted than he recommenced his old courses.

He was 1st in 1884. 20th in 1890. 21st in 1892.

After about his promotion are with H. to get gain case - 15

2. He was first censured for a delay of 15 months in

in paying a travelling allowance bill and was himself ordered on 27th July 1897 to pay the sum of Rs. 41-3-1 due under it. This order he failed to obey until April last when he was again censured for his delay in carrying it into effect and for the falseness of his excuses in regard to it. In the same year 1897 he was again reported for a delay of over two years in drawing the pay of a Clerk-Munro for which also he received censure. In January 1898 he was reported for recording a deliberately false certificate in his diary and was then told that his previous history was of so eminently unsatisfactory a character that if thereafter he was reported for any misconduct the propriety of dispensing with his services would be seriously considered. In May 1898 he took advantage in a most dissimulous way of an error in the pocket of a T.P. which was not in harmony with the order itself to delay making a return of Treasure Compensation allowance ordered by the Accountant-General.

3. In July last he was reported by the Deputy Commissioner on a number of charges, which amount in brief to total neglect of work, attributed by the Deputy Commissioner to drunkenness and accompanied as usual by false excuses. The charges are dealt with in full in the Deputy Commissioner's letter No. C-103, dated 10th July 1898, which forms an enclosure to these Proceedings. The Board does not propose to go into them at great length. It is satisfied that they are fully proved and that, taken with his previous history, they show Mr. Laybourn to be an utterly unreliable Officer and useless for Government service in any grade. The Board has given him full warning and it has no alternative now but to recommend his dismissal.

4. The charges in brief are that for four weeks in May 98 Mr. Laybourn practically neglected his work in every branch, that he did so because he was drinking and that he tried to cover his fault by false excuses and by falsifying his records. The neglect of work is shown by failure to submit diaries, by failure to dispose of Sub-Inspectors' diaries, by allowing disposal of papers, by failing to write up his cash book in spite of distinct orders and by allowing his Head Clerk to open and number his

tappal,

tappal, a duty specially required to be done by the Inspector. Diaries for two weeks (weeks ending 27-11-97 and 4-12-97) were never submitted by Mr. Laybourn at all and while in those for other weeks delays were constant ~~and~~ there was not one on which he had not to be found fault with. One file of 12 diaries of Sub-Inspectors were all recorded ^{without} remarks, and others which purported to have been remarked on by the Inspector on different dates between 24th November 1897 and 16th December 1897 were all despatched as shown by the tappal book on one and the same date i.e. 17th December 1897. Out of 73 papers received from the 1st to 13th December 1897 only 5 were disposed of between those dates and the balance together with those that were pending prior to 1st December 1897, amounting to 95 in all, were disposed of in a single day i.e. 14th December 1897. The receipt of distinct orders to write up the cash book personally and the fact that the Inspector allowed the Head clerk to write rough notes and wrote up the book at the dictation of the latter are admitted. It is also admitted that the Inspector failed to write up the Cash book from 23rd March 98 to 15th June 98. So also is the fact that the Head Clerk was allowed to open and number the tappal even when the Inspector was away on camp. The latter admission was subsequently withdrawn, but the Board believes it.

5. The charge of drunkenness is not very satisfactorily established by the evidence available. The Hospital Assistant at Dindigul speaks to it clearly and some of Mr. Laybourn's subordinates in a modified fashion. The others are not aware of or not certain about it. The District Surgeon was called on specifically to give an opinion but states that Mr. Laybourn showed no signs to him of having suffered from intemperance. His conduct in shutting himself up for weeks together in his house, stating he was ill, but calling in no medical attendance lends little probability to the evidence

against him and there is a prevalent opinion that he is of
intemperate habits.

6. Mr. Laybourn is shown to have entered false dates on
three of his diaries (for weeks ending 25-6-98, 2-7-98 and
9-7-98), to have falsified his numbering book and to have made
interpolations in his registers as regards the diaries which
were not despatched (i.e. those for weeks ending 27-11-97 and
4-12-97). He has also lied in the matter of his illness and
in the matter of his allowing the Head Clerk to open tapsals
for him. He has entirely lost the confidence of his superiors
and the Board believes that he is utterly incorrigible. It
therefore requests that he may be removed from service.

7. He is now on privilege leave which expires on the
25th October. The Board requests the favour of orders before
that date.

(True Extract).

C. J. Alkumbh
Acting Secretary.

3.9.98

To.
The Secretary to Government,
Revenue Department, with
letter No. 2.108/10-7-98
of the Deputy Commissioner
Southern Division & its
enclosures & also 5 diaries
of Mr. Laybourn.

To the Under Secy.

With reference to
H. his remarks above it is
respectfully submitted that
Mr. Laybourn was given full
facilities for defending himself.

2. It will be seen
from the Dy Commissioner's letter
No C 108 of 10.7.98 that the
charges against Mr. Laybourn
are the following: -

I. Failure to submit his
diaries for mag. and failure
to inform the Assistant Commr.
of his alleged illness which
prevented him from doing so.

Mr. Laybourn's explanation
as to this charge is contained
in his letter of 14.6.98 to the
Assistant Commissioner.

II. Failure to write up
cash book since 23rd March 98.

Mr. Laybourn was questioned
on this point by the Asst Commr.
for the questions and answers
please see paper flagged D.

III.

- ~~III~~ (a) Delay in noting receipt of papers sent to the Inspector from other officers; and
(b) Delay in the disposal of papers after receipt in the office.

Mr Dayhourn was questioned on the subject by the Assistant Commissioner and his replies will be found in the paper flagged T.

IV. Allowing the Head clerk to open tappals and to give them R nos and enter the same in the number book.

Mr Dayhourn's replies to the Assistant Commissioner's questions on the subject are contained also in the paper marked T.

V. Delay in the disposal of Sub Inspectors diaries and his own.

Please see Mr Dayhourn's replies to the Assistant Commissioner's questions in

the paper flagged Y.

VI. Drunkenness:

Please see Mr Dayhourn's replies to the Assistant Commissioner's questions in the paper flagged I.

3. It will be seen from the above that Mr Dayhourn was examined by the Assistant Commissioner on the various charges against him and both the charges and his defence have been reduced to writing as required by the rules - please see para 1 of the G.O. Resⁿ in G.O. No 1401 Public of 15.9.79. Attention is, however, solicited to para 7 of the Bombay Govt's Resⁿ on the subject of dismissal and removal of Public servants: "much evidence could be recorded simply in the form of questions to which the person charged should be required to give specific answers. He should be allowed besides to place on record a full written statement of his defence."

In G.O. No 2290 Public
of 3.12.83 T.

For orders as to whether
the Board of Revenue may
now be asked to obtain
from Mr. Laybourn a full
statement of his defence.

W.H.

21/9/98. Secy

This last seems

quite unnecessary. Mr. Laybourn
was given full opportunity
for making any explanation
he thought fit.

Please see

Draft below

W.H.
22/9/98

The draft to H.E. the Premier
for approval

S.R. 23-9-98

There made enquiry (D.V.) of the Collector
as to Mr. Laybourn's general character and
reputation. The results have not been much
helpful and his character was complex.

I am satisfied to require the
Hon. Member that, in the interest of the
public service, Mr. Laybourn should be
dismissed.

A.S.H. 28.10.98

Yes - the charges were
specifically made &
explanations specifically given
S.R.

Sum.
A.S.H.

By advice
28/10/98

H.E. the Premier
S.R. 13/11/98

A.S.H.
25.10.98

This misconduct & neglect being
of such character that it
was detrimental to the
public interests & to the
service

Rev Dept

Read
Prop of the B.P. H.P. Miss No 8405
(Miss (Dep. Secy) 26.8.98

Order miss No 4194 dt 28. Oct 98.

The Govt agrees with
the Bd. that Mr. Laybourn
has been clearly proved
guilty of habitual
neglect of ^{his} work; and
that there is good reason
to believe that this
neglect is in the
main due to drunken
ness. It is also estab-
lished that Mr. Laybourn
has endeavoured to
conceal his ~~own~~ mis-
conduct by lying.

H.E. the Govt accordingly
directs that the services
of Mr. ~~W.H.~~ Laybourn
be dispensed with from
the date of this order.

W.H.
22/9/98
John D. S.R.