Revenue (189 4) Department.

MISCELLANEOUS SERIES.

G.O., No. 4984

DATED 16th December 94

[Despatch Abstract.]

Seeing no reason to interfere on behalf of
Sufrach Sahib, late peon incharge of the Yedu-
malai party, North Trichinopoly circle, Salt &
Abkari Deptt, with the result of his

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. 8/96

Pp 16/12/98

From The Secretary to the Commissioner of Salt, Abkari and Separate Revenue, Madras.

Order Mis No 4984 dt 16th Dec 1898.

The Govt. sees no reason to interfere on the petitioner's behalf. (from orders).

Mis. **No.** 4589.

Dated 19th November 1898.

Received 20th Nov: ..

Registered 1st Dec: ..

Enclosures ~~1~~ 25

Spare copies

To the Bd. of Rev., Sep. Rev., with encls. (all except nos 1, 3 & 5)

Copy to the petitioner.

P/L. 15/12/98

Ad. 3-1-99

SUBJECT.

Submitting to Government petition from Sabash Saheb, late first grade peon in charge of the Yedumalai party of the North Trichinopoly Circle, appealing against the order of dismissal passed on him by the Assistant Commissioner, Trichinopoly Sub-Division, and upheld by the Deputy Commissioner and the Board.

BACK PAPERS.

G.O.	No.	Department.	e.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

500
6-6-98

REVENUE BOARD OFFICE MADRAS

Proceedings of the Board of Revenue

(Separate Revenue),

Dated 19th November 1898.

Mis. No. 4589.

Read letter from W.A.Fowler Esquire, Deputy Commissioner, Southern Division, No.4455, dated 16th October 1898.

Resolution.

Submitted to Government.

2. Sabash Saheb, the appellant, was a first grade peon in charge of the Yedumalai party of the North Trichinopoly Circle and was dismissed the service by the Assistant Commissioner, Trichinopoly Sub-Division, in his order dated 17th December 1896, "for having deliberately and with intent to conceal facts and mislead his superior, omitted to mention in his diary and other records the fact that the Petty Officer and men of the Thuraiyur party were with him on 4th August 1896."

3. The circumstances under which the appellant was punished are fully set forth in the Deputy Commissioner's Proceedings No. 3031, dated 29th June 1897 (copy of which is herewith submitted),

in which the Deputy Commissioner disposed of the appeal petitions of the appellant and some other peons who were also punished by the Assistant Commissioner in connection with the same matter. The Deputy Commissioner found that there was no reason to interfere in appellant's behalf, and when the appellant appealed to the Board against the Assistant Commissioner's and Deputy Commissioner's orders, the Board was also of the same opinion.

(True extract.)

Acting Secretary.
29.11.98

To the Secretary to Government, Revenue Department, with the appeal petition and its enclosures, and copy of Deputy Commissioner's Proceedings No. 3031, dated 20th June 1898.

To. His Excellency the Governor
of Fort Saint George
Madras

through the Dpty Commissioner of
Salt and Abkari Revenue
Trichinopoly

Respectes Sir

I. Sabesh Sahib late 1st Grade peon No. 616. in charge of Jeemalai Range, North Trichinopoly circle, residing at Turaiyur, Musiri Taluq, Trichinopoly Dt. most respectfully beg to represent the following to your honors kind perusal and favourable orders

With reference to your honors Endorsement No 1406 R. I most respectfully beg to submit my appeal petition and the Connected papers enclosed herewith through the proper departmental Channel as Directed.

I beg to remain
Most Respectes Sir
your most obedient Servt.

Turaiyur
7th Octo. 1898

V.P. 365.

5

PETITION

0521

PETITION

0711

REVENUE DEPT

REVENUE DEPT

To

His Excellency the Governor of
Fort Saint George

Madras

The humble appeal petition of Sabash
Sahib (Late 1st grade peon No. 640 in charge
of Yadumalai Range North-Trichy circle residing
at Turaiyur, Musiri Taluk Trichy District.

Most Respectfully Sheweth

I am my peons after the petrol of Some
villages on the 3rd August 1896 Stayed at Inava
Mareddipoliyam, and Started at 3 A.M, went
Attached the village of Periyakurichkai alias
Agaram at 7 A.M on the 4th August 1896. There we
getting to assistance of the village munsiff after
Sending him the P.5 form Searched one house &
found out nothing. Then we found out one open
arrest case.

2. At the time of Sending the person for the they found
out of the Police Station to be charged & at the time
of forming the Counterfoil the Petty officer No. 795 of
Turaiyur & his party met me without any reason
with bare-dress. I did not Enquire about their
coming at that time as I was busily Engaged
in my duties. There as I was new to be incharge
of the party from the date of my Enlistment in the
department & this being the first case, I wrote
the original first instead of writing the counter
-foil by mistake, & I asked the Petty Officer No.
795 of Turaiyur to prepare the Counterfoil and
P.5. P.7 forms only after getting the informations
from the Petty officer who told me matters well that
it

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It if they be written by me as you are forcing
Sign it" Accordingly he did it & went on his
way after his going I Sent the person & the
things found out to the Police Station & I my self
peons Stayed that night at Maniyankurichi
village—

3. The above Said petty officer No. 795 has writ
in his P. 2 diary that he has Stayed in the night
of the 3rd August at Tulayanatham. It is a
distance of 23 miles from from Tulayanatham to
Edremalai via Turaiyur & not less than 20 miles
through the Crooked path. But he has Stated
in his Statement that he has Stayed on the 3rd
August 1896. night at Edremalai & that he was
present with me on the following day at 7 A. M.
& he Stayed that night (4th & 5th august) at Pattumpath
which is at a distance of 20 miles from Tagarum
The Statement that he Stayed at Edremalai
on the 3rd August 1896. night very much differs
from his diary and it is quite impossible for any
who was at Tulayanatham on the 3rd August
night to be present at Maramaradi polygam
at 7 A. M. on the went day. Therefore it is quite false.

4 I did not ask the Petty officer No. 795 to come
and assist me during the Search either by oral word
or by any written document. Therefore just light
is a mistake on the part of the Said Petty officer
to learn off his division & to come to my division
unnecessarily & without any reason. Secondly
to Say that I Send him word to come & assist me
is false as I am oblige to Search any house in
Secret all or Sudden. Inorder more it is false
as he has not written it in his diary if he has
done So—. Thirdly it may be believed to be false
as he has not applied for any reward from the
Government. If the Petty officer No. 795 & his party
have done So (as Stated in the Petty officer Stat
ment) I would have written it in my P. 2
Diary. & my peons No. 653, 686, 783, 689 & 579 have
Stated

Stayed that the Petty Officer No. 795 & his men came only after the Search. 8

This petty officer has written in his diary that he Stayed on the 3rd August night at Tulayanattham and has stated in his Statement that he was with me on the same night which is quite absurd. I do not at all mind any of them on that night. Therefore this the Government itself shows Judge—.

The Sub Inspector of Suraiyur has given his opinion in his report that I Stayed at Pagalavadi & the Suraiyur Party Stayed at Kalladipatti which is only at a distance of 2 miles from Pagalavadi & that the parties may have occasion to join in the search But it is not so according to my diary. So the Government itself may come to understand that this opinion of the Sub Inspector of Suraiyur is only to destroy the poor men like me and my people.

We Searched only one House at Thgaram on 4. 8. 96 & the village muni siffs of Thgaram has put his Signature in the P. 5 form & the effect. But the said village muni siff has by the instigation the Petty Officer No 795 Stated that the Search was made in 5 houses & that the Suraiyur party was then present, if such be the case he might have entered it in the P. 5 form, or he might have reported it to the Magistrate or to any of the higher authorities of the Salt & abkari department But nothing of that sort has taken place. Therefore it is Quite clear that his Statement is only by mere Concoction—.

The Sub Inspector & the circle Inspector accepting his village muni siffs Statements as true have reported this to the assistant Commissioner of Salt & abkari in their report A 12 / 22.11.96 removing me. The assistant Commissioner order of which I received on 10.1.97 accordingly

has

has dismissed me an order of which I received
on 10-1-97 It is quite unjust to accept the
false Statement of the village municipality of Thgarai

9 After the Search in that village upon an
anonymous petition the Sub Inspector took
the Statement from me, my peons, Petty Officer
No 795 and his peons has reported it on 4-9-97
and there is no mistake on me about that
petition. But all the mistakes are on the
Turaiyur party. But the records who the
dismissal order Iam the Servant under
this department for period of 10 years and
have been discharging my duties to the Satis
faction of my superior So the dismissal
order to me is quite unjust-

16 I appealed about this to the deputy
Commissioner & I did not receive any justice
from him — and I also appealed to the Board of Revenue.
Therefore I humbly request the Govenment
11 to go through all the records Concerning this
minutely & to cancel the dismissal order & to
protect me & my poor family by reappointing me.
For this act of kindness & charity I shall
ever pray for your honor's long life & prosperity
I beg to remain Sir
Your most Respected & humble
Yourmost Obedient & humble Servt

" 3-9-98

818
REVENUE DEPT.
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1896

12

Copy of Proceedings of W.A.Fowler Esquire, Deputy Commissioner, Southern Division, No.3031, dated 29th June 1897.

"Read petitions from peons Nos.682, 633, 640 of the North Trichinopoly Circle appealing against the Assistant Commissioner's orders in A-12 Nos.4505 and 4540 dated 17th December 1896.

Read also Adsistant Commissioner's report thereon No.1747 dated 26th May 1897.

1. The petitioners belong to a batch of two Petty Officers and eight peons of the North Trichinopoly Circle who were punished by the Assistant Commissioner-One of the Petty Officers, No. 795 of the Turaiyur party, was punished for writing a false diary on the 3rd and 4th August 1896, and the other peon, No.640, first grade, in charge of the Yedumalai party, for deliberately and with intent to conceal facts having made no mention in his P-2 diary for the 4th August 1896 of the fact of the presence of Petty Officer No.795 during a salt search in his range; the peons were punished for making false statements in order to support and screen their Petty Officers.

2. The facts of the case are briefly as follow:-

The Inspector, North Trichinopoly Circle, received a pseudonymous petition alleging that the salt peons of the Turaiyur and Yedumalai parties had detected certain cases in Periakurukai village, and released all but one on receipt of illegal gratification. The contents of the petition were not proved as the signatories to it denied all knowledge of the same, but the enquiry into it disclosed certain irregularities

on the part of the Petty Officers of ~~the~~ both the parties named above. These irregularities are:-

(1) That Petty Officer No.795, though in his diary he shows that he patrolled certain villages on the 3rd and 4th, halting at Talianatham on the 3rd and Paderpatti on the 4th, yet, as a matter of fact, was present with his peons at Agaram or Periakurukai on the 4th, a village 22 miles from Talianatham and 35 miles from Paderpatti. That he failed to note in his P-2 for the 3rd and 4th the fact of his having gone to Yedumalai range and being present at the search.

(2) That peon No.640 failed to mention the fact of his having had the assistance of the above Petty Officers during a search in the same village.

3. Petty Officer No.795 admits that he was at Agaram village on the 4th to assist the Yedumalai party in the search, and states that at about 8 P.M. on the 3rd, after writing his diary, he received a verbal requisition for assistance, and he started with his peons in a cart to Yedumalai 17 miles, and thence marched to Agaram, starting at 3 A.M. and arriving at 6 A.M.. They assisted in the search and then returned to their (Turaiyur) range, patrolling 17 miles, and halted at Paderpatti. The fact of his having started from Talianatham is, moreover, contradicted by peon No.633 who states that both parties started from Turaiyur on the 3rd afternoon. With regard to his failure to mention his march to Agaram and his presence at the search, the Petty Officer explains that he had closed the diary for the 3rd at 6 P.M. and that he was under the impression that Petty Officer 640 would record his having assisted him in the search in his P-2 for the 4th. The Petty Officer of the Yedumalai party did nothing of the kind. The explanation is admittedly weak and may be taken for what it is worth. Petty Officer No.640's plea for not recording in his P-2 for the 4th the fact of the Turaiyur party being present at the search is that the Turaiyur party came after the search and that they did not come on his requisition. In this statement, however, the Petty Officer is contradicted by the Village Munsiff who was present at the search. This Village Munsiff states that both Petty Officers were present at the search. It has also been ascertained that the P-5 and counterfoil of P-7 are in the hand-writing of Petty Officer No.795, so that the argument of peon 640 that the Turaiyur party came after the search cannot be substantiated. In the above circumstances, the Inspector concludes that both parties must have previously arranged to meet each other, that with this view they both started from a central point, probably Turaiyur, and for reasons unexplained failed to mention the facts in their diaries, and deliberately suppressed them; but fortunately the facts were disclosed by the receipt of a psuedonymous petition and the subsequent enquiry held in the matter.

4. Mr.Hawkins, in passing orders on the A-12, submitted on behalf of Petty Officer No.795 and his peons, observes as follows:- "I do not give the slightest credence to this (Petty Officer's statement). Talianatham is 17 miles from Yedumalai on a bad road, and I do not believe that a cart could make such a journey in five hours, or that the Petty Officer and his men would be capable

of making a journey of 22miles after a day's work, and then, without any rest, to make the same journey back and do a fair day's work on the top of it; not the slightest mention of such energy and the heavy journey having been made in the diary. It appears that the work of the 4th was made in collusion with the Yedumalai party, and that they were engaged in a regular marauding black-mail expedition, the fact of their having been together being concealed by both, and only brought to light on receipt of a petition that they had been together and levied fines on their own account".

5. Having stated the facts of the case and the Inspector's and Assistant Commissioner's decisions, it will now be necessary to consider the grounds of appeal petition put forth by the petitioners. To take up, first, 633's case, this peon, in para 11 of the appeal petition, states that he has contradicted the Petty Officer in several matters and as such has made no false statements-but, from a perusal of his statement before the Inspector, it is observed that in material points he agrees with his Petty Officer; viz, (1) of their having travelled in a bandy from Talianatham to Yedumalai which theory is not believed by the Inspector and Assistant Commissioner. (2) of their having received a requisition from Petty Officer, Yedumalai, and of their return from Agaram to Yedumalai, Curaiyur and Paderpatti-which is a physically impossible journey to have been made in a day. The fact appears to be that the peon made a statement, (of course with some discrepancies, but in the main supporting his Petty Officer) before the Sub-Inspector, and he was unable to retract it. The Deputy Commissioner has perused the records of the case and does not see any reason to interfere.

6. Peon 633's case. This peon no doubt contradicts his Petty Officer as to the first part of his story, wherein he states that he started from Talianatham, but neverthless supports the Petty Officer in his statement that Petty Officer, Yedumalai, sent a requisition-that they went in a cart-and that they returned to their range on the 4th, and halted at Paderpatti-facts which are either imaginary or physically impossible. As remarked above, the Deputy Commissioner sees no reason to interfere in this case also.

7. Peon No. 640. This peon, who was in charge of the Yedumalai party, failed to note the fact of Curaiyur party's presence in his P-5 for the 4th; his reasons for doing so have already been noticed, and from the statements of peon 633 and the Village Munsiff it is clear that he started with Petty Officer 795 from one place, and that both were present at the search, and it was therefore his duty to have mentioned the facts in his P-2. There is no doubt that he, in a way, was privy to Petty Officer 795's mal-practices, even if his story of the other Petty Officers having come of his own accord on matters not public be believed. The Deputy Commissioner will not therefore interfere.

8. The Assistant Commissioner's reports on the petitions of these peons are so meagre that the undersigned has had to wade through a mass of correspondence before being able to understand the story. This is not the first time that the work of the Assistant Commissioner and his office has had to be done by the

undersigned.

9. The records of the case are returned."

Acting Secretary.

29.11.98

1898
REVENUE DEPT.
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Petition from peon Sabash Sahib against his dismissa

D/4 1,000—8-4-97.

REVENUE DEPARTMENT.

No. 8196 of 1898.

From the Board of Revenue (Sep. Rev).

Mis. No: 4589 Dated 19th November 1898.

~~FOR ORDERS.~~

To Under Secy.

The petitioner, late peon (No: 640) in charge of the Yedumalai Party, Salt and Abkari Deptt, North Trichinopoly Circle, was dismissed by the Assistant Commissioner, Trichinopoly Sub-division on the charge of "having deliberately "and with intent to conceal "facts and mislead his "superior, omitted to mention in his diary and other "records the fact that the "Petty Officer and men of "the Surveyor party were "with him on 4th August 1896." On appeal the ~~Board~~ Deputy Commissioner,(1) Southern Division, and the Board(2) of

Asstt. commr's order d. 17.12.98—
p. 26 of the file-ly

(1) Dy. Commr. Proceg. d. 29.6.97.
(2) B.P. 959 S.R. d 11.3.98

of Revenue declined to interfere. With the current noted above, the Board submits to Govt. a third appeal from the petitioner against his dismissal. The facts of the case are concisely set forth in the Dy: Comm's Proceedings d. 29.6.97 (paragraphs 1 to 4 and 7) in which he declined to interfere in the petitioner's behalf. It is submitted that the petitioner addues no good grounds for interference by Govt.

P.E. 10.12.98.

Seen
12/12/98
H.M.
13/12/98

To Under Secy.

Please see the draft order submitted on the docket of the current.

P.E. 15.12.98.

Seen
16/12/98

C 16.12.98.
R 15.12.98.

FOR ORDERS.

Circ 8196.

× flagged R

Please see copy submitted by the B- flagged

No appeal should be dismissed.

KA 14.12.98

When given for copying
When copied
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When signed
} 189.

READ AGAIN G.O., No. 189, DATED

OUTWARD 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.							

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