

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 18/93

DATED

29th May/99

[Despatch Abstract.]

Recording B.P. ordering with remarks
the dismissal of asst Insp^r Mr O'Brien from
certain charge brought against him by the
asst Commr, Chingleput Sub D^r.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Curr	2503		03				
	12503/02						

Revenue (1899) Department.

CURRENT No. 3191.

From

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

Order mis no 1893 of 29th May 69

Recorded.

Mis. No. 2168

Dated 13th May 1899.

Received 14th do -

Registered 15th do -

Enclosures

Spare copies

SUBJECT.

The Board of Revenue (S.R.) No. 81-5-99.

P.P. 118
16.5.99 2075799

Note. The theft of money referred to
within was due to a non-observance by
the factory subordinates of the departmental
orders regarding the custody of Govt money
& treasury guarding and not to any defect
in the orders themselves (Vide para 2 of
B.P. 12239 of 3.2.99 in G.O. mis 626
10.2.99)

Ordering, with remarks, the dismissal of
Assistant Inspector Mr. O'Brien for cer-
tain charges brought against him by the
Assistant Commissioner, Chingleput Sub-
Division, while in charge of the Kattur
factory and instructing the Deputy Com-
missioner, Central Division, to suitably
deal with the subordinate establishment
connected with the theft of money from
the treasury and to recover from certain
persons the money lost and not recovered

14/15/99

BACK PAPERS.

G.O.	No.	Department.	Date.
Mis	626nd	Reb	10.2.99
			439
			3.2.99.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PRICE 1 pie. $\frac{2,000}{1-9-98}$.



Proceedings of the Board of Revenue

(Separate Revenue).

Dated 13th May

1899.

Mis. No. 2/68

Read again Board's Proceedings Sub.No.5473, dated 22nd October 1898, suspending Assistant Inspector Mr.O'Brien pending receipt of further report and appointing M.E. Ry.T.N. Subramania Aiyar to be an acting Assistant Inspector in the Vayalur Circle.

Read again also Board's Reference No.115, dated 3rd February 1899, requesting the Assistant Commissioner, Chingleput Sub-Division, to add to the charges against Assistant Inspector Mr.O'Brien that of neglect of duty in not securing Government money properly, which led to the Kattur theft and to obtain and submit the Assistant Inspector's explanation therefor and returning certain statements to be legibly copied.

Read again also Board's Reference No.429, dated 25th February 1899, requesting the Assistant Commissioner, Chingleput Sub-Division, to expedite the submission of Assistant Inspector Mr.O'Brien's explanation called for by the Board and of

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the copies called for and to instruct the Inspector, Vayalur Circle, to bring into the accounts the amount recovered from the peon Chellapathy.

Read also letter from T.R. Barter, Esquire, Acting Assistant Commissioner, Chingleput Sub-Division, No. 1333, dated 30th March 1899, submitting, with remarks, the explanation of Mr. O'Brien in connection with the Treasury ~~XXXX~~ theft case at Kattur.

Resolution.

The papers read above relate to certain charges brought against Assistant Inspector Mr. O'Brien in respect of the work done by him while in charge of the Kattur factory. He has been long known as an incompetent and lazy officer. He was sent to Kattur in March 1898, that factory being then about the lightest station in the Presidency since there was no manufacture going on in the Circle and no stock of salt except the small quantity belonging to the Excise licensees who had not reverted to monopoly in 1895.

2. Mr. O'Brien first got ^{himself} into trouble in August 1898 in connection with extensive formations of spontaneous salt which the Assistant Commissioner found in the factory. He was directed to take measures to destroy them but neglected to do so. The Assistant Commissioner then reported him to the Deputy Commissioner who reprimanded him. In September 1898 he commenced to neglect checkweighments (on the 6th, 8th and 15th of that month specific instances are charged against him) and he tampered with the ~~XXXXXXXX~~ accounts in order to hide the neglect.

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In the case of the 6th September, an issue of 170 mds of monopoly salt was made to fish-curing yards. The books show that the consignment was checkweighed on the 6th while, according to the statements of the Sub-Inspector, sales Petty Officer and fish-curing yard contractor, it was checkweighed on the 7th. The Assistant Inspector asserts that he did checkweigh it on the 6th in spite of the fever and cold that he was suffering from but that it might have been despatched on the 7th owing to such circumstances as the late conclusion of sales, etc. If this had been the case the salt should have been checkweighed again before removal and the result recorded in the A-3 for that day (vide para 176 of Circular Order I of 1893). This was not done nor was any mention of the fact that the salt had been left in the platform made in the A-3. The Assistant Inspector's explanation of the omission is that on a previous occasion the Assistant Inspector in charge of the Circle had told him that a special report under para 176 of Circular Order I of 1893 was unnecessary in the case of such issues to fish-curing yards. The Board ^{cannot} consider this a sufficient explanation. Next on the 8th September it is charged that in spite of the repeated requests of the merchants the Assistant Inspector did not checkweigh the salt sold that day until the Sub-Inspector went to his quarters and took him to the platform. Even then he directed the Sub-Inspector to mark the bags selected and record the weights thereof on a slip of paper for him to copy into the A-30 register and that he did not enter

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the certificate ~~the~~ till the next day. One of the ~~Sub-Inspectors~~ merchants and the Sub-Inspector speak to the truth of the charge while the sales Petty officer states that he does not remember any of the facts alleged. The Assistant Inspector denies the charge; but, since one of the witnesses at least does not appear to have any ground for speaking falsely, the Board must hold it substantiated. In the last instance according to Mr. A. J. Mitchell (the Assistant Inspector then in charge of the Vayalur Circle), the Sub-Inspector, the sales Petty Officer and Assistant Inspector Mr. O'Brien himself, heap No. 19-97/48 was outturned and 86 maunds of monopoly salt were consigned to fish-curing yards on the 15th September but the consignment was checkweighed on the 16th. For some reason or other the Assistant Inspector showed in his diary that the heap was outturned on the 16th and directed his subordinates to write up their accounts in conformity with the entry in his diary, himself putting the date (16th) under his signature in the delivery order and the permit portion of the M-12 and making suitable alterations in the A-1. The Sub-Inspector and the sales Petty Officer speak to their having been so directed though the latter makes inconsistent statements. The Assistant Inspector states that he did not notice what dates were entered in the M-14 nor the corrections therein as he was in a hurry to go to the office to be present at the Police investigation into the case of theft from the treasury and that the motive of avoiding the special report necessary under the ~~present~~ rules cannot be imputed to him as he assumed from the orders on his diaries for the weeks ending 2nd and 9th

April 1898 above referred to that special reports were unnecessary in the case of monopoly salt weighed out for fish-curing yards but not removed from the platform on the same day. But he does not state why he postdated the M-12 and made the several corrections in the A-1. The documentary evidence against him is overwhelming and he cannot help tacitly admitting the charge. In these circumstances the Board must take it that the charge against him is conclusively proved.

3. The next charge is that he did not attend to any office work on the 7th and 8th September. The Sub-Inspector's statement to this effect is supported by the evidence of the Vayalur Circle Head clerk, Michaelamsami Pillai, that no tappal was received from the Assistant Inspector on those dates. The Assistant Inspector's defence is that on the dates in question he was suffering from cold and fever and that, consequently, he put off the disposal of the papers then received for another day or so, attending only to the most urgent work. Petty Officer No. 167 deposes to his having been told by the Sub-Inspector that the Assistant Inspector was suffering from fever at the beginning of September. The Head clerk too speaks to his having received information from the Assistant Inspector that he was ill and that the tappal should be sent over to him. The Sub-Inspector, on the other hand, gives detailed evidence to the effect that from the 6th to the 8th September the Assistant Inspector was more or less continuously under the influence of liquor which was the cause of all the irregularities on those dates. The other witnesses ~~examined~~ examined

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depose, however, that they know of no occasion in which the Assistant Inspector was drunk though Kuppu Chetty, a merchant, speaks to his having seen the Assistant Inspector giddy on the 8th when taken by the Sub-Inspector to the platform for checkweighment. Though no one except the Sub-Inspector has come forward to depose directly against the Assistant Inspector on the charge of drunkenness yet his evidence taken along with ^{the} other circumstances of the case and the fact that no report of any illness was made by the Assistant Inspector even in his A-3 tends to the conclusion that drunkenness was really at the bottom of all the trouble.

4. Next the Assistant Inspector is charged with leaving Government money outside the cash chest on the 7th and 14th September. On the former date the Sub-Inspector states that he left the day's collections in the wooden remittance box as directed by the Assistant Inspector. This statement is corroborated by the evidence of the Shroff who states that he himself had similarly been directed by the Assistant Inspector on certain occasions to place the collections there and that on his joining duty on the 8th after availing ~~him~~ himself of some casual leave he found the collections in that box. On the latter date the irregularity which was committed though not under the Assistant Inspector's direct orders yet with his knowledge, culminated in the theft of a sum of Rs. 697-4-0. The Assistant Inspector affirms that in spite of his illness he went to the office on the 7th and secured the money in the cash chest. He defends himself in regard to the irregularity of the 14th by stating that he was unfairly overworked at Kattur, since, in addition to his already

heavy work there, he had to go to Vayalur twice or thrice a week; that he could not place the money in the cash chest before going to Vayalur since the cash accounts had not then been written up; that, being tired on his return, he went direct to his quarters where the Sub-Inspector and the Shroff met and assured him that they had together locked the money in the remittance box and seen a guard put over it; that he doubted the propriety of opening the cash chest at a late hour of the night, and that, consequently, he made up his mind to leave things as they were. As already remarked, the work at Kattur was extremely light. If the Assistant Inspector had really wanted ~~the money~~ to secure the money in the cash chest, he could easily have done so before he went to Vayalur as the writing up of the cash accounts would have taken very little time. Failing that, he should have left instructions with the shroff to stop in the office until his return and should have gone direct to the office on his return and seen to the safety of the money of the unprotected or insufficiently protected existence of which he was aware. The Assistant Inspector ^{was} responsible for the charge of the factory and for the carrying out of the Circular Orders and his attempt to shift the blame on to his subordinates is absurd. Considering the evidence against the Assistant Inspector and the unsatisfactory nature of his explanation the Board holds the charge established.

5. Lastly the Assistant Inspector is charged with falsifying the accounts on the 16th September. When checkweighing salt

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for the fish-curing yards, he found an error of over one per cent which he showed as one under one per cent by making suitable alterations in the figures already arrived at, the obvious motive being the avoidance of unpleasant revelations as to his past conduct by the sales Petty Officer. The Assistant Inspector asserts that the alterations were due to a misconception and to certain mistakes discovered at the close of the checkweighment. He states that he was hurrying through the work in order to get away to the office for the Police investigation into the theft case, that, while his attention was divided between the A-30 and the Pooley's machine, the Sub-Inspector read out wrong figures to him and that in the confusion that followed he committed the mistakes in question. The Board cannot accept ~~this~~ this explanation and accordingly holds the charge proved.

6. The whole record is a glaring example of how easily and quickly misconduct in a factory can extend. Assistant Inspector Mr. O'Brien is now evidently a man of lax moral fibre, engendered or accentuated by drinking habits. He had very little work to do even with an occasional visit to Vayalur added to his Kattur duties and that little was grossly neglected and the checks which ~~the~~ returns and accounts were intended to afford were abused by tampering with them. His example, of neglect at least, extended to his more ~~subordinate~~ responsible subordinates and the carelessness was ultimately made use of by the lowest rank to make away with Rs. 697-4-0 which ought to and could have been but was not properly secured in the Treasury safe.

7. Mr. O'Brien's final explanation shows that he is destitute

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of even the grace of feeling that any blame is properly ascribable to him, for he maintains that he was unjustly weighted with work at Vayalur and that he was justified in thinking his subordinates had taken all necessary precautions when these did not amount to those required of himself by the rules which he existed to enforce.

8. In the whole circumstances the Board sees no reason to hope that Mr. O'Brien's character will improve. He is ordered to be dismissed from the date of his suspension.

9. The remaining officers of the factory will be dealt with by the proper authorities. It is noted that throughout there was a desire to conceal and misrepresent facts that should immediately have been communicated to the superior and enquiring officers and that the interests of Government were subordinated to private and personal ones.

10. The money lost and not recovered will be made good from the security of the Shroff and the balance by the Assistant Inspector.

(True extract)

G. S. S. S.
Acting Secretary.

12.5.35

To the Deputy Commissioner, Central Division.
Copy to the Assistant Commissioner, Chingleput Sub Division, with the records as per list.
Mr. O'Brien through the Deputy Commissioner, Central Division
To the Secretary to Government, Revenue Department, in continuation of Board's Proceedings Mis. No. 439, d/3-2-99.
Extract of paras 8 and 10 to the Accountant-General.

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

READ AGAIN G.O., No.
 189

, DATED

CURRENT No.

ENCLOSURES TO G. 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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