

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 2230

DATED 23rd May

[Despatch Abstract.]

Declining to interfere
A. Srinivasan Chamberlain, Forest Ranger,
South Canara, appealing ^{to Govt.} against the
orders of the Conservator of Forests, S. C. and
the Board of Revenue - Suspending and
transferring him to South Canara.

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. 2319

From

Order mis. no. 2230 d/23rd May 90. The Board of Revenue, Land Revenue

Madras

The Govt declines to interfere

11/11/98

[Signature]

For No. 122 Reference.

Dated 19th March 1898

Received 22nd

Registered 23rd

Enclosures 8 and 1 bundle of papers.

Spare copies —

SUBJECT.

Submitting for the orders of Government, with remarks, Memorial of A. Srinivasa Chamberlain, Forest Ranger, South Canara, appealing to Government against the orders of the Southern Circle Conservator and the Board suspending and transferring him to S. Canara.

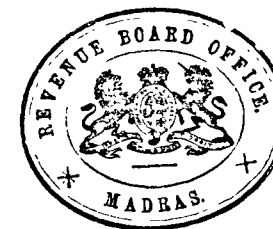
11/11/98

BACK PAPERS..

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.



Proceedings of the Board of Revenue

(Land Revenue),

Dated 21st January 1898.

Form No. 35 _____ Miscellaneous.

READ Read the following letter from the Conservator of Forests, Southern Circle, to the Secretary to the Commission of Land Revenue, Madras, dated 11th January 1898. No. 2437.

With reference to B.P.F. No. 1153 Int. dated 8th November 1897, I have the honor to state that in accordance with instructions contained therein, Mr. Chamberlain was given an opportunity of cross examining the witnesses, which he did on the last 2 days of November and the 1st day of December 1897.

2. His written explanation in the results of this cross-examination, was received during the Christmas holidays, and is now submitted to the Board, together with his previous appeal and enclosures.

The diary book, to which reference is

is made as having been tampered with, is also sent for the Board's inspection.

Resolution

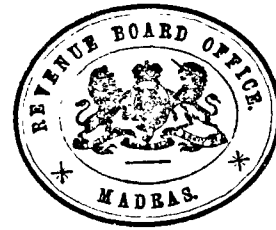
The Board having fully considered the case finds no reason for interference.

(True copy and Extract)
(Signed) R. C. C. Carr.
Secretary.

To. The Conservator S. C.
Copy to the P. R.

(True copy)

Receives
Secretary



Proceedings of the Board of Revenue

(Land Revenue)

Dated 8th November 1897.
Forest No. 1153. Miscellaneous

READ Endorsement of the Conservator of Forests, Southern Circle, dated 30 October 1897, RC No. 1743 forwarding to the Board appeal petition of A. Srinivasa Chaudhary, Forest Ranger, under orders of suspension and transfer to South Canara.

Resolution

The Board considers that the petitioner should be confronted with the witnesses and given an opportunity of cross-examining them. He should thereafter be required to submit within a reasonable period any written explanation he may wish to put in. The Conservator is therefore requested to re-open the inquiry holding it himself or deputing Mr. Cowley Brown for the purpose.

2. As the petitioner states that he is bed-ridden at Pollachi he should be called on to produce a

Memorial certificate unless he intimates his
readiness to appear when called on.

(True Extract)
(Signed) R.C.C. Carr.
Secretary.

1.

The Conservator of Forests. S. C.

(True copy)
Receivd
Secretary.

TO

His Excellency the Right Honourable,
The Governor-in-Council,

MADRAS.

(Through the Board of Revenue, Land Revenue,
Forest Branch, Madras,

and the Conservator of Forests,
Southern Circle,
Coimbatore.)

The humble Memorial of A. SRINIVASSA
CHAMBERLAIN, Forest Ranger, under orders of
suspension and transfer to South Canara,

MOST RESPECTFULLY SHOWETH:— That,

This is an appeal against the orders of
the Board of Revenue, Land Revenue,
Forest Branch, No. 35, Miscellaneous, dated
21st January 1898, confirming the proceed-
ings and orders of the Conservator of
Forests, Southern Circle, suspending the
humble Memorialist for certain alleged
misconduct and transferring him to Manga-
lore at his own expense, vide Exhibit I.

2. The alleged charges which occa-
sioned the unfortunate orders of the Con-
servator of Forests, Southern Circle, to
humble Memorialist and the explanation of
the Memorialist thereto have been submitted
in detail to the Board of Revenue in his
original appeal petition dated 15th October
1897; on receipt of which the Board, in
its proceedings Forest No. 1153 dated
8-11-97 directed that the Memorialist should
be allowed an opportunity to cross-examine
the witnesses who deposed against him at
his back. The cross-examination of wit-
nesses was commenced on the 29th Novem-
ber and closed on the 1st December, 1897.

3. The humble Memorialist submitted

8

3

23.17

to the Board of Revenue on the 27th December, 1897, his further explanation in full and pointed out that the cross-examination has completely broken down the charges against the Memorialist.

4. The humble Memorialist who is still sick and is under medical treatment is now compelled by the authorities to join the South Canara District at his own expense, which the humble Memorialist has replied to in his report to the Conservator of Forests, Southern Circle, dated 8th February, 1898, explaining the circumstances which prevent him from joining the appointment in his present state of health.

5. One and all the charges brought against the humble Memorialist have been clearly disproved, vide his explanations dated 15th October and 27th December, 1897, respectively, to the Board of Revenue. Still it is through the misfortune of the humble Memorialist that the Board in its proceedings under appeal says that it * * "finds no room for interference."

6. These unfortunate proceedings have deprived the poor and humble Memorialist of any kind of allowances from the third week of July last up to date. The humble Memorialist is a man of large family and is still under medical treatment. What the difficulties and anxieties of humble Memorialist during his illness of nearly 7 months thus long deprived of all allowances are, he lacks words to express.

7. As the humble Memorialist has already fully answered all the charges brought against him in the above two petitions to the Board of Revenue, he did not want to trouble His Excellency the Right Honourable the Governor-in-Council with a long memorial repeating the same grounds, but humbly craves to make a reference to them.

In these circumstances, the humble Memorialist most respectfully and fervently prays that His Excellency the Right Honourable the Governor-in-Council will be very

graciously pleased to peruse the explanations already submitted to the Board of Revenue, favorably consider his case, annul the orders of the Board and the Conservator of Forests, Southern Circle, and render him justice by granting his prayers contained in his appeal petitions to the Board of Revenue dated 15th October and 27th December 1897, respectively.

For which act of charity and benevolence, the humble Memorialist shall, as in duty bound, ever pray.

2 Pollachi,
2 March 1898. }

A. Liminapathambalam

N^o 3459

Forwarded

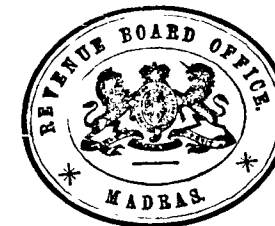
As regards his para 4, he was asked in this Office No. 2437 to appear before the District Medical Officer with view to a sick leave Medical Certificate in case he was too ill to join his appointment.

Respectfully
4. Poinlatre, Conservator of Forests
4 March 1898.

3.3.98.

Reference on For No. s 533 & 607 of 1898.

In replying the above should be quoted.



(LAND REVENUE.)

Read Endorsement of the Conservator of Forests, S.C., dated 4th March 1898, No. 3459 forwarding to the Board Memorial of A. Srinivasa Chamberlain, Forest Ranger, under orders of suspension and transfer to South Canara, and the following reference thereon No. 90, dated 8th March 1898.

The Conservator is requested to forward the records of the case.

Read also letter from the Conservator of Forests, S.C., dated 12th March 1898, No. 3459 forwarding to the Board all the records connected with Ranger Mr. Srinivasa Chamberlain's case and stating that Mr. Chamberlain has neither joined South Canara nor produced a certificate of ill-health.

Reference No. 122, dated 19th March 1898

Submitted for the orders of Government.

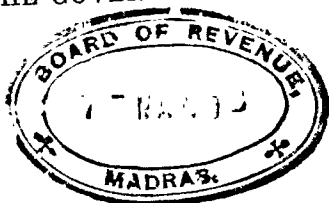
2 In its Proceedings F.No. 35 His, dated 21st January 1898, the Board refused to interfere with the orders of the Conservator, but in arriving at this decision it did not overlook the fact that there were discrepancies in the statements of the witnesses. These discrepancies however are not more than are explainable by the fact that the witnesses examined were giving an account of what had occurred two years previously. The evidence of the Diary books is practically conclusive. A careful examination shows that the existence of gum near the binding of the pages in the book relating to the Modhur beat raises no ~~suspicion~~ suspicion favorable to

HIS EXCELLENCY

THE RIGHT HONOURABLE

THE GOVERNOR-IN-COUNCIL,

MADRAS.



Through

THE CONSERVATOR OF FORESTS,

SOUTHERN CIRCLE,

COIMBATORE

AND THE BOARD OF REVENUE

LAND REVENUE, FOREST BRANCH,

MADRAS.

Dated 2 March 1898.
Despatched 2
Received

Enclosure One

SUBJECT.

Submitting Memorial appealing against the orders of the Board of Revenue, Land Revenue, confirming the proceedings of the Conservator of Forests, Southern Circle, suspending Memorialist for certain alleged misconduct and transferring him to South Canara District.

Revenue (1898) Department.

CURRENT No. 24/9

petitioner. To suspect the ~~xxx~~ correctness of the entries would be to suppose a conspiracy which is incredible for many reasons. There is no evidence of motive and nothing was done to give effect to the "false entries" which were only accidentally seen nearly a year afterwards, a fact which is proved by the evidence of Ranger D'Sa whom the appellant did not cross-examine. The petitioner's record is not clean and the reduction is only of one place in his grade in addition to the suspension. In the Board's opinion this punishment was not excessive, and it has no recommendation to make on petitioner's behalf.

3 The Conservator now reports that the petitioner neither joined his new appointment nor produced a certificate of ill-health. This matter will be separately dealt with.

Reelun
Secretary

To the Secretary to Government, R.D.,

with petition, Conservator's Endt thereon, Conservator's Letter of 12th March 1898 and records in original to be returned, and copy of B.P.F.No. 1155 Hls, dated 8th November 1897 with petition and Conservator's Endorsement in original to be ret'd and copy of B.P.F.No. 55 Hls, dated 21st January 1898 with copy of Conservator's Letter dated 11th January 1898 and petition of ~~11th~~ ~~January 1898~~ 27th December 1897 to be returned.

(in a separate file)

* A medical certificate has since been produced.

Order

From

The Board of Revenue. R. K. Madras

File No. 183 D. 1898

Dated 23 March 1898

Received 25

Registered 28

Enclosures

Spare copies

SUBJECT.

Receiving letter from the Comr. S. C. stating that Rangar, Srinivasa Chamberlain will be granted sick leave for 2 months to the District Medical Officer, Coimbatore recommending leave of absence to him and that he will be directed to proceed to S. Cauana on the expiry of the leave at his own cost.

K. J. / 24/9/98

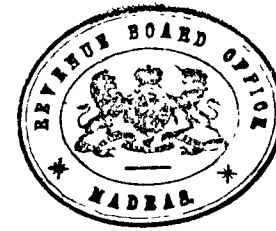
BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2,000
20-1-98.



Proceedings of the Board of Revenue

(Land Revenue).

Forch No 183 Min, dated 23. 3. 98.

Read the following letter from the Conservator of Forests, Southern Circle, dated 19 March 98. Di No 577 to the Secretary to the Commissioners of Land Revenue, Madras.

Reference. My letter No 3459 dated 12 March 98.

In continuation of the above. I have the honor to say that the District Medical Officer, Coimbatore has furnished me with a certificate dated 12 March 1898 stating that Ranger Srinivasa Chamberlain presented himself for examination on the 10 idam and recommending that two months leave of absence may be granted to him.

Srinivasa Chamberlain will therefore be granted sick leave for 2 months from date of the certificate and directed to proceed to South Canara on the expiry of the leave at his own cost.

Resolution

Recorded.

(True Copy & Extract)

To the Conservator. S.C

Cyph. Govt. Rd in Cont. of

Refec. No 122 of 19. 3. 98.

Secretary.

1898.
Board of Revenue
(Land Revenue),
MADRAS.

To

Subject.

Read B.P.Nos.122 & 183,d/19th and

23rd March 1898, respectively (C.Nos.2319
& 2419 of 1898).

Note:

These papers relate to a petition
from one Srinivasa Chamberlain, Forest
Ranger, South Canara Dt., appealing to
Govt.against the order of suspension and
~~transfer~~ reduction and transfer passed by
the Conservator of Forests, S.C., and con-
firmed by the Board of Revenue. It appears
that the petitioner, while in charge of
the Mettupalayam Range, Coimbatore Dt.,
(1) committed certain irregularities for which
he did not give any satisfactory explana-
tion, when called upon to do so, (2) failed to
on the plea of illness to attend the per-
sonal enquiry which, at the instance of
the petitioner himself, the District Forest
Officer was directed to hold and (3) suddenly
left his range without obtaining permission.
Thereupon, the Conservator of Forests sus-
pended the petitioner and in his Progs.
d/11th Septr.1897 reduced him to the last

A Page 24 in File II

B Page 23 in File IV

C Page 37 in File II

19/5/98.

last place in his grade (Sixth Grade) and transferred him to South Janara.

2. The several charges against the petitioner and the evidence connected therewith are detailed below:-

The first charge is that the petitioner verbally ordered the transfer of a forest guard from one beat to another and afterwards retransferred him without reporting these facts to the Dt. Forest Officer.

The petitioner entirely denies that he ordered either the transfer or the retransfer.

But the entries in the diary books kept by the two forest guards concerned in the mutual

transfer and retransfer seem clearly to

show that the petitioner's allegation is

false. These books appear to have been

regularly kept and the entries in question

made in the ordinary course of business.

The entries severally made by the two forest

guards agree in showing that a transfer did

take place. The petitioner however states

that the entries in the diary books are

false. But to suspect that the entries

are false would be, as stated by the Board,

in order to employ him on private work

Page 5(a) in C. No. 2319. D

*Pages 66 & 96 in the diary books
" 29 & 31 in File II. E
d E,*

Page 44(a) in C. No. 2319. F

A, Page 24 of File I

G & L Pages 42 & 44 in File I

N. Y. H, Pages 30 & 31

I Page 4 in C. No. 2319

to suppose a conspiracy which is incredible for many reasons. For the fact that nothing was done by the forest guards to use the "false entries" against the appellant clearly shows the absence of ^{any} motive on their part. ~~The fact was~~ The existence of the entries in the diaries was only accidentally discovered after the lapse of nearly a year when, on the transfer of the petitioner from the Mettupalayam Range to Tinnevely Dt., his successor held an enquiry as to the reported loss of certain ~~materials~~ tools. In this enquiry the forest guards deposed to the fact that the transfer did take place. In the weekly reports submitted by the guards to the ranger, however, there is no mention of the transfer. But it seems that ~~any~~ ^{no} reliance cannot be placed on these reports, inasmuch as there is (as will be shown in para 4) a very strong presumption that they were fabricated to conceal the fact of transfer. ^{regis} The petitioner draws attention to the existence of what he calls discrepancies in the diary books kept by the two

forest guards. But these discrepancies are not real as they consist of mere omission by one of the guards of additional detailed information entered by the other.

The petitioner further states that if there were really a transfer, the diary books should have been exchanged and that therefore the guards could not have entered (as they have done) the transactions that took place during the period between transfer and retransfer in the diary book relating to the beat of which each of them was in charge before transfer. On this the Conservator remarks as follows:- "The

"Modur Forest Guard handed over his diary book on the 13th and received it back on the 16th. It is not asserted that these books were posted daily and I see no reason why Ramasawmy Konan (the Modur forest Goard) should not have written up the book after the 16th and he must have done so. As the man considered himself to be on deputation duty during the three days, he took upon himself bound to make the necessary entries in the book in due course".

Page 3 in C. No 2319. J

Page 10(a) in C. No 2319. K

F Page 44 in C. No 2319.

In para 2 of B.P.d/19th March 1898, the Board adverts to the existence of gum near the binding between sheets 75 & 76 of the diary book of the Modur beat which may be calculated to raise the presumption that the sheets containing the entries unfavourable to the petitioner were afterwards substituted. But no such presumption arises as on a careful examination of the diary book it is found that sheet No. 76 forms one with sheet No. 91. Moreover there is no gum in the binding of sheet No. 66 of the Mellithorai beat which also contains entries about the transfer.

3. The second charge is that the petitioner ordered the transfer of Ramasami Konan, the Modur forest guard, with a view to employ him to raise a loan of Rs. 30 from one Govinda Konan, an inhabitant in the Mellithorai beat. The entries in the diary book of the Modur forest guard and the fact that Ramasami Konan served a registered notice on the petitioner when he found him delaying the payment go to show that the appellant engaged the guard on some such business.

E Page 29(a) in file II

✓ Page 21 in file III

The petitioner's allegation that there *Page 14(a) in C.No. 2319 I*
~~was~~ is discrepancy as to date between the
entry in the diary, viz. 14-11-95 and that
in the notice viz. 16-11-95 and his state-
ment that if he wanted money he could have *Page 3*
obtained the money from among his numerous
rich friends are not of any great importance.

41 The third charge is that he was
instrumental in effacing information of
the transfer of the guards by causing the
disappearance of the joint report of transfer
made to him by the two guards and also by
substituting the weekly reports (extracts
from the diaries), in which there was mention
of the transfer and the purpose for which
it was made, by other reports afterwards
obtained from the guards themselves but
containing no such information.

The deposition of the forest guards
shows that a transfer report was prepared
jointly by them and submitted to the peti-
tioner. The transfer report is not among
the records in the Range Office and the
petitioner absolutely denies having received
any such report. As regards the substi-

Page 14(a) in C.No. 2319 I
Page 14 in file I G+L

Page 5(a) in C.No. 2319 D

substitution of the weekly reports the
following points raise rather a very
strong suspicion unfavourable to the peti-
tioner:-

(a) the register numbers on the weekly
reports in question are in the handwriting
of the petitioner although they are entered
in the register book by his clerk Malhari
Rao. It would appear that the clerk was
in the habit of numbering the reports him-
self.

(b) the report of the Modur forest
guard (Ramasami Konan) is not signed by
him.

(c) the reports, according to the
depositions of the guards, appear to have
been written under the orders of the peti-
tioner to be substituted for those already
sent.

4. The fourth and the fifth charges are
that the petitioner suddenly left his work
on the plea of illness without previously
obtaining leave and that he was generally
insubordinate and impertinent.

The Conservator notes as follows:-

" It is also necessary to remark upon the
"ranger's behaviour on leaving Mount Stuart
"where he was ~~doing work~~ energetic and in
"health until suddenly he reported sick and
"left without orders and though he declared
"himself unable to work he was able to walk
"to Anamallay which is a greater physical
"strain for a sick man than simply supervis-
"ing work. Herein he was stultified by his
"own action. Adding to this he was insub-
"ordinate and impertinent to his superior
"officer, the Dy. Conservator, and within the
"current year the Conservator himself has
"had to complain of the ranger's imperti-
"nence to another officer".

5. When the petitioner appealed against
the Conservator's orders, the Board of Revenue
in its Progs. d/11-97, ordered that the
petitioner should be confronted with the
witnesses and given an opportunity of cross-
examining them. In the cross-examination,
though there were discrepancies in the
statements of the witnesses, they were not
as stated by the Board more than are explain-
able by the fact that the witnesses examined

Page 25 in file II

Page 19 in C. No. 2319 S

Page 44 in C. No. 2319 F

were giving an account of what had occurred
two years previously.

The Board of Revenue thereupon declined
to interfere on the petitioner's behalf
and in forwarding the present appeal
remarks as follows:- " The petitioner's
"record is not clean and ^{the} reduction is only
of one place in his grade in addition to
the suspension. In the Board's opinion
the punishment is not excessive and it has
no recommendations to make on petitioner's
behalf".

It is submitted that, in the cir-
cumstances stated, there are no grounds
for Govt. to interfere and that the peti-
tioner may be informed accordingly.

Copy
The Conservator & Board
are satisfied that the
petitioner has been
without authority the
forest guard Ramasami
Kumar in order to employ
him for a private purpose
& that he sought to conceal
this transaction by
tampering with the records.
Besides this specific
misconduct his general
conduct seems to have
been unsatisfactory. He
has impertinent to his
superiors & made sh.

Page 40 in C. No. 2319

Page 44

File VI.

A.S.
11.5.98

Excuses of illness. As
 late as February last
 he was thought to be
 shamming (Vide Census
 letter to Bd & 12.3.88
 sent ^{before} to current flagged)
 But he this time got
 a medical certificate
 (date 18.11.1888 & 23.3.88)

He has been for the
 above faults suspended
 from 25th July 97 to
 11th Sept 97 & returned
 one place on his index
 on the latter date. This
 is not very severe &
 with act is a warning.
 There seems no ground
 on which Govt. should
 interfere.

Decline to interfere
 24/5/98

Wm
 18/11/88
 H. J. 19/1/98

See
 Vide Draft on current
 Wm
 23.4.88

Wm
 23/5

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189

MAIN G.O., No.
 189

DATED

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LOSURES TO C. No.

OF GOVERNMENT

ERNMENT.

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