

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 72

DATED 5th January. 99

[Despatch Abstract.]

Memorial of D'Raze, late Forester, Dinnevelly,
against his dismissal, - ordered to be withheld under
Sect III rule 3(7) & (10) of the Govt. of India Memorial
Rules.

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. 8559

pp 5/1/99

From

The Board of Revenue
Land Revenue
Madras

Order No. 1072 of 5th Dec. 1899

Ordered that the memorial be withheld under section III, rule 3(7) and (10) (quoted below) of the Govt. of India Memorial Rules, and that the memorialist be informed accordingly.

Forest Ref. No. 470

Dated 9th December '99.

Received 14/12
Registered 15/12

Enclosures 1 Part 4 files of papers

Spare copies. -

SUBJECT.

To the Secy of Rev. Ld., with encls.
" " Memorialist.
Note

Submitting to Govt. with remarks, late forester D. Raze appeal to the Government of India against the order of his dismissal.

The memorialist (monthly pay Rs. 20) appeals from G.O. 2572 of 20.5.99. He does not explain his delay in appealing.

Secy
10/1/1900

15/1/1900

10/1/1900

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),

Madras, 9th December 1898.

READ-- Endorsement of N. A. Gass Esq. Ag. Conservator of Forests, Southern Circle, dated 10th November 1898, No. 1431 of 1898-99 Submitting to Government, with remarks, late forester D. Raze's appeal to the Government of India against the order of his dismissal.

Forest Reference No. 470 (Petition) dated 9th December 1898.

The memorial of D. Raze, late forester, Tinnevely Dist., which is addressed to His Excellency the Governor-General in Council will be submitted to Government.

2. In its order No. 193 Mis, dated 14th January 1897 Govt. declined to interfere on the petitioner's behalf. Thereupon he put in a review petition with the same result (vide G.O. No. 2572 Mis 20-5-97). Against these orders he now appeals to the Government of India. The Memorialist was a forester on Rs. 20 only and the appeal is made more than six months after the communication of the Local Government's order without any explanation for the long delay.

Lonel Davidson
Ag. Secretary

To the Secretary to Govt. R.D.
with Enclosures.

Flagged B.

Flagged A.



HIS EXCELLENCY
THE GOVERNOR-GENERAL
IN COUNCIL
CALCUTTA.

THE PROPER CHANNEL.

The humble petition of Mr. T. D' Raze, late
Forester, Northern Range Tinnivelly District.

MOST RESPECTFULLY SHEWETH:—

*Put up records.
I don't think any
further appeal
can be admitted*

*L. J.
L. C.
13.10.98*

1. That the humble petitioner begs leave to appeal from the Endorsement Orders of the Government of Madras Nos. 193 Mis. and 2572 Mis. dated 14—1—97 and 20—5—97 respectively, declining to interfere on the petitioner's behalf in the matter of his removal from public service by the Proceedings of the Conservator of Forests, Southern Circle, dated 28th March 1896, on charges of drunkenness, disobedience of orders and recording false information.

2. That the petitioner would beg to crave the Government's pardon and forbearance when he addresses himself to refuting the above charges.

(a) Taking up the first charge, *Drunkenness*, the petitioner would respectfully beg to submit that the charge is one that has no legs to stand upon. The evidence upon which the charge is made to stand, is very meagre, if any. The petitioner is alleged to have been drunk at 6 A.M. on the 13th January 1896 and at 8 A.M. on the 14th Idem; and the only evidence to support these allegations, so far as the petitioner is aware, seems to be the statement of the Tannahdar of Papanasam and the report of the Range Officer. That there was no good blood between the former and the petitioner will be apparent from the fact that the petitioner reported to the Range Officer the impudent behaviour of the Tannahdar on the morning of the 13th January; and it was upon this report that the Range Officer meant to hold an enquiry the next day. The Tannahdar evidently to screen himself from blame took advantage of the petitioner's absence, to infuse into the Range Officer's mind impressions calculated to prejudice him against the petitioner. The petitioner's failure to appear before the Range Officer at the time appointed seems to have only aggravated the unfavourable position of the petitioner's cause. The Range Officer gave the petitioner no opportunity to explain himself. On the other hand, he gathered evidence behind the petitioner's back to sustain the charge and eventually reported against him. The petitioner would in this connection beg to bring to the Government's notice, the improbability, if not impossibility, involved in the allegation that he was drunk at 6 and 8 in the morning. He may also be permitted to observe that the Range Officer who went so far as to report that he himself smelt liquor on the petitioner on the 14th, had really no chance of doing so, as he was running on his bicycle when the petitioner met him. The petitioner also feels it necessary to state here that this Officer has since been dismissed the service on a charge of Criminal misappropriation of Government money. The petitioner did not in his explanation incidentally admit this charge, as the Conservator would have it, but only said for argument's sake that even if he was drunk on the 13th, it would not affect him in his official capacity, inasmuch as the day was a public holiday.

(b) The next charge, *Disobedience of orders* is said to consist in the petitioner having failed to meet the Range Officer at the Papanasam Tannah at 7 A.M. on the 14th January. If a delay of a few minutes caused by unavoidable circumstances is to be considered sufficient to constitute a charge of "*Disobedience*", then

This is all relevant

the petitioner must plead guilty. The petitioner admits that he was half an hour behind time or one hour as the Range Officer had it. This delay, the petitioner submits was due to the petitioner having been bitten by a rat the previous night and his having had to seek medicine in the morning. It was purely accidental and the petitioner never knew that no allowance is made in such cases.

(c) The next charge, "Recording false information" is said to consist in the petitioner's having affirmed that he spent the 17th and 18th December 1895 at Rajapaliam and started for Ambasamudram on the 19th on transfer, while the cartman is alleged to have said that the petitioner started on the 17th Idem and reached Ambasamudram on the 22nd, which the Range Officer Mr. Malaya Pillai seems to have fully endorsed. The petitioner begs leave to state in full the various circumstances that led to this mishap. The order transferring petitioner to the Southern Range from the Northern Range was received by the petitioner on the 5th December 1895 bearing an endorsement of the Range Officer to hand over charge to him and to report on the encroachments and to square up all the timber accounts, before doing so. The petitioner met the Range Officer at Athithondu on 8th December and was advised by him to apply for 10 days more for the transfer order to take effect so as to enable the petitioner to square up timber accounts. Accordingly the petitioner wrote and gave a report which the Range Officer forwarded with a recommendation and the orders on that report were awaited while speedy arrangements were being made to bring all the timber lying in various parts of the forest to the Mudangiar depot. On the 16th December Forester Whilson (also now under suspension) brought with him an order from the Range Officer directing the petitioner to hand over charge at once to Forester Wilson who disbursed the petitioner's pay and an advance of Rs 9—8—0 and told him that the Range Officer was very anxious to see that the petitioner was off to Ambasamudram without any delay. The petitioner told him he would go as soon as possible and after settling his private matters on the 17th and 18th Idem, started on his journey on the noon of the 19th Idem. Just before he started, he heard that the Range Officer had come to Mudangiar. The humble petitioner also begs to submit to your Excellency that simply to secure the detention of Forester Wilson who was transferred to the Southern Range by the District Forest Officer instead of the petitioner as a sequence to the Range Officer's request to allow the detention of the petitioner for a few more days to square the timber accounts, the petitioner was abruptly ordered to hand over charge. It is for the gracious government to note here why the Range Officer should have issued such an abrupt order to the petitioner to hand over charge before receiving an order on the petitioner's report praying for an extension above alluded to, while he had kept the transfer order in abeyance for more than a week awaiting orders. A perusal of the following records will clearly show to the Government that the poor petitioner had been only made the victim of the evil wishes of the Range Officer to detain Forester Wilson in preference to the petitioner. The records to be perused are the following.

- (1) District Forest Officer's original order transferring petitioner to the Southern Range bearing Range Officers Endorsement dated 3rd December 1895.
- ✓ (2) Petitioner's report dated 8th December 1895 forwarded to the District Forest Officer, with the Range Officer's endorsement.
- ✓ (3) Range Officer's order to the petitioner directing to hand over charge.
- ✓ (4) Range Officer's order to Forester Wilson directing to take over charge from petitioner.
- ✓ (5) District Forest Officer's order on the petitioner's report dated 8th December 1895 transferring Forester Wilson to the Southern Range.
- ✓ (6) Range Officer's report to the District Forest Officer that the petitioner had been relieved before receipt of No. 5.
- ✓ (7) District Forest Officer's order on the above.

- (3) District Forest Officer's Proceeding directing the Range Officer to explain why his order transferring Forester Wilson to the Southern Range was not implicitly obeyed.
- (9) Range Officer's explanation to the above.
- (10) Range Officer's report referred to in the petitioner's petition to the Madras Government dated 1-1-97.

A perusal of records (3) and (5) will clearly show to your Excellency that No. 5 was received by the Range Officer on the 16th December 1895 and was not ~~received~~ ^{received} by him till the 17th Idem and that only after the receipt of No. 5, Nos. 3 and 4 were issued and antedated with current Nos. apparently, for the purpose of detaining Forester Wilson. It will also be evident on a perusal of records Nos. (8) and (9) that a statement of an alleged cartman was obtained and submitted with the Range Officer's explanation apparently to satisfy the District Forest Officer that no foul means had been resorted to in detaining Forester Wilson. The statement from the alleged cartman has been taken behind the back of the petitioner and it is very unsafe to rely on his evidence considering that it was not a difficult task for the Range Officer to frame false records during the petitioner's absence when his reputation was at stake. The unfortunate petitioner would further humbly beg to draw the attention of the Gracious Government to the fact that there was no motive for the petitioner to record false information as he is charged with, inasmuch as he gained nothing by affirming that he was at Rajapaliam on the 17th and 18th December and started for Ambasamudram on the 19th Idem, or lost nothing by saying that he started for Ambasamudram on the 17th Idem if he had really done so, in view of the fact that he was entitled to 6 days' joining time from the date of relief, i.e. 16th December and a day in addition for a journey of every 15 miles according to the Civil Service Regulations, and that even if he had remained four days more at Rajapaliam it would have constituted no fault in itself. What was actually done by him the humble petitioner recorded and it was only his misfortune that his words were considered incredible by the District Forest Officer. The petitioner's innocence has been sacrificed for the guilt of the Range Officer.

3. That the petitioner who has no one to help him in time of need has undergone many reverses since his removal from the Forest Department. With a blot on his character he finds it almost impossible to get a living in these hard days. His sufferings have been increased in that he is subject to monthly recurring fits caused by the rat bite above referred to. The petitioner was much liked by Messrs. Hayne, Inarshall, Brasier, and Thomson for his hard work on the hills. His 10 years' hard work, however, now counts for nothing and the victim of a conspiracy, he is left to mourn over his misfortune.

The petitioner therefore humbly prays that the Government will be graciously pleased to call for and peruse all the records connected with his case, give a merciful consideration to the facts and reasons above set forth, set aside the order of his removal and reinstate him in his post of Forester; or, to pass such orders as would enable him to obtain a living in some other department, as has been done by the Government of Madras in the case of Ranger Malaya Pillai who was dismissed on charges of criminal misappropriation of Government money &c.

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

Address

Mr. S. D. K. R. G.

Laki Forest

Madras

Laki orin

S. D. K. R. G.
Laki Forest

10-10-98

PC 133

7858

Encl: 5 fols

Forwarded to the Collector
Both the Government &
the Board have already passed
on the petition. I
do not know whether any
further appeal should be
admitted.

31.10.98. MB Byard
C.F.O.

Forwarded to the Com-
-missioner & Forest
S.C. with the record
with the request that
the Board may be
~~allowed to~~ ^{order} ~~the~~ ^{the} ~~petition~~ ^{to forward}
the petition.

Commissioner
Collector

1.11.98

Desd 349

No 1431 of 28-99

Submitted to the Board of
Revenue, for favor of orders.

Gimbatne
November 1898. } Ag. Commr. of Forests &c.

10.11.98

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

189

READ AGAIN G.O., No.

189

DATED

CURRENT 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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