

Home (1917) Department.
(Miscellaneous)

Ordinary SERIES.

G.O. No. 1111-12.

DATED 19-10-1917.

INDEXED

[Despatch Abstract.]

Kodur Treasure Trove.

Forwarding to the Government of India the memorial of M.R.Ry. M.Purushothama Rao Avargal, a tahsildar ⁱⁿ of the Nellore district, in respect of his claim to be considered as the finder of the 2nd, 3rd and 4th pots of treasure of the -----.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
20	1276						
	18-12-17						

NOTES.

2
Copy of Collector's endorsement No.3413 D/Cor. dated
~~xxxxx~~ the 14th September 1917, on Memorial of
M.R.Ry., M.Purushothama Rao, Tahsildar of Nellore.

Forwarded.

With all respect, I consider that the Tahsildar received
a very exiguous reward for what he did.

C. A. S O U T E R.
14-9-1917.
Ag. Collector.

Home (Misc) Dept.

Memorial to the Govt of India on the Kodur Treasure Case
 From M.R. Ry. M. Purnohothama Rao Aul, Kavali 8/10/17
 In G.O. 4748 19-5-17, it was
 decided that Mr. Purnohothama Rao,
 the Tahsildar of Nellore, has no
 claim for the finder's share of the
 treasure in the 2nd, 3rd and 4th
 pots of the Kodur Treasure Trove. A
 special reward of Rs 1,000 was at
 the same time granted to him,
 with the sanction of the Govt. of
 India. In addressing India in
 the matter, no mention was made
 of his claim to the finder's share.
 His claim was considered untenable
 by the Board, and the Govt.
 concurred in the view, and
 found that the Secretary of State
 through his paid agent is the
 finder. He now appeals to the
 Govt. of India against this decision,
 asserting his claims to the finder's
 share. It is for consideration
 whether his appeal may not
 be withheld under rule 11 (7)
 of the rules for the submission of
 petitions to the Govt. of India, as an

(C. No. 3172)

Q

(Q)
 pp 107-108 of the G.O.
 pp 6-7 of notes to the G.O.

(J)
 p 3 of G.O. 1415
 26-7-16

appeal against the order of a local Govt. refusing to grant a pecuniary concession not claimable under any law or rule. The Collect.

1000/- or in forwarding the application 25.9.17 remarks that the reward of Rs 1000/- which the ^{Tahsil dar} ~~Collector~~ received is very small.

15 of appeal

1000/-
2.10.17

I do not think we can withdraw the memorial under the rule quoted above. To do so would apparently be to beg the question. The petitioner claims to be the "finder" under the law & we have held that he is not. The present petition is against that decision. We may forward the petition to India with the remark somewhat on the lines of the A. M. note of 8.12.15 on page 20 of the notes with fo. No 474. M. 8/19.5.17.

(2)

CA
2.10.17

I cannot read the C's enclosed

2. Please draft as above

3/10/17

A draft order, and a draft letter to the Govt. of India are submitted.

1000/-
6.10.17
P. 10.17

CA
10.10.17

only board

B23
C. 862
R. 182

H.M.

11/10/11

12.10.17

Issue
A
18.10.17

Home (Ohio) DEPARTMENT.

To
The Collector of Wells
(Eao) 4
despatches
in
22-10-1877
despatches
in
22-10-1877

2
presidency, appealing
against the orders of this
Govt. ~~deciding that he~~
~~refusing to refund him~~
~~and that his claim to the~~
finder of the treasure in
the second, third and
fourth pots of the treasure
trove discovered at Kodur, + to allow him
the finder's share of the treasure.
~~and that his claim to the~~
~~finder's share of the treasure~~
~~in these pots is accordingly~~
~~inadmissible.~~

2. The facts of the case
have already been reported
to the Govt. of India, in
Public Dept. letter no.

1302-98 the 28-12-15 pp 125-26 of G.O. 4748 19-5-17
requesting sanction for the payment
of a reward to the
Kahsildar in consideration
of his promptitude in
conducting the investigation
for the discovery of the
treasure. The question
whether Mr. Purnshothama
Rao was entitled to the
finder's share of the
treasure in the three pots
was referred to the Advocate-
General in 1915, who

3
p 124 of
G.O. 474 (Q)
19-5-17

replied as follows:
"If it can be shown that
"a duty was cast on the
"Kahsildar as a Govt. servant
"to go to the spot where
"the first potful of treasure
"was found and there to
"hold such further enquiry
"or to take such other steps
"as in their natural sequence
"led to his finding pots
"2, 3 and 4, it must follow
"that the Secy of State for
"India in Council has all
"the right of a finder."
That a duty of the kind
referred to was imposed
on the Kahsildar is
evident from the fact that
the Collector directed the
Kahsildar to go at
once to the spot of the first
find and prosecute the
investigation. ~~He~~
He came by the three finds a
Kahsildar acting under
the orders of the Collector.
Both the Collector and the Board

pp 107-108 of G.O.
474 Q
19-5-17

of Revenue held that the Secretary of State is the finder through his paid agents, and the Govt. concurs in this view. It is true ^{that} the District Judge in his judgment ^{made the following observation} ^(instituted by some claimants) in a suit for a declaration that the ~~plaintiffs~~ ^{as} owners of the site where the treasure was found were ~~entitled~~ ^{entitled} to get the whole treasure trove, ~~observed~~ ^{made} the following observation:

"I think it is clear that the Secy. of State was not the finder of pots 2, 3 and 4, and I can give no finding on this issue beyond saying that in these suits there is no evidence to show who the finder was." The District Judge at the same time remarked "The Secretary of State has successfully resisted the claims so far as the three fourth share of the fund is concerned."

(Q)
pp 90-91 of Lg. 4748 (19-5-17)
p 37 memorial

p 102

para 3 of the ~~Board's~~
Collector's Encl. on p 108
of Lg. 4748 19-5-17

(Q)

p 102 of the Lg. O. (Q)

This Govt. considers that the District Judge's opinion that the Secretary of State is not the finder ^{and is not binding} ~~as it is a slight shift for~~ ~~dictum~~, and as he himself admitted that he could give no finding on that issue. The District Judge at the same time remarked "The Secretary of State has successfully resisted the claims so far as the three-fourth share of the fund is concerned."

In the circumstances explained, H.E. the Governor in Council is of opinion that Mr. Purnshothama Rao's ~~has no claim to be~~ claim to be considered as the finder of the treasure in the second, third and fourth pots of the treasure trove is inadmissible.

HAT
6.10.17
Pach
2/10/17

At
10.10.17
11/10/17

When given for copying
 When copied 18
 When examined 18
 When signed 19

READ AGAIN G.O. No.
 191

DATED

CURRENT No.

ENCLOSURE 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.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- F = Copy abstract only.
- Q = Copy heading only.