CONFIDENTIAL.

[G./11]
200—23-11-96.

Judicial (1897) Department.

ORDINARY Mis

G.O., No. 487

Confidential No. 30

DATED 2-4-97

[Despatch Abstract.]

Directing that Mr T. Varada Rao should continue as Assistant Collector, S. Arcot, until further orders

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Con. &	61 89	} of 97					

FURTHER PAPERS.

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

C.R.
9/2/97

1

Confidential

Revenue (1897) Department.

CURRENT No. ~~1195~~ 594

Confidential No ~~16~~ 47

GOVERNMENT OF MADRAS * REVENUE DEPARTMENT
8 FEB 97

CHIEF SECRETARY * GOVERNMENT OF MADRAS
11 FEB 1897

From Board of Revenue
Land Revenue

~~Order~~
Endorsement of 10 February 1897 No 767

No. 483 Mis
Confl. No. 34

Transferred to the Judicial Deptt.
with reference to its order of 4 May 1896
No. 816.

Ag Secretary to Government.

Dated 8th February 1897

Received ~~9th~~ 11th

Registered ~~9th~~ 12th

Enclosures two.

Spare copies

SUBJECT.

Submitting to Gov
report from the Collector of
South Arcot regarding As
Collector Mr. T. Varada R

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Confidential

Collector's office,
Cuddalore,
31st January 1897.

From
A. E. Castlestuart Stuart Esquire,
Collector of South Arcot.

To
The Secretary to the
Commissioners of Land Revenue,
Madras.

Sir,

I have the honour to submit the report called for by Government in Govt. Order (Confidential) Revenue, dated 12th May 1896 No. 1831 Mis., communicated with Board's Proceedings $\frac{\text{2263 Mis}}{\text{18.5.96}}$ confidential No. 57, regarding Assistant Collector, Mr. T. Varada Rao.

2. Mr Varada Rao joined the District on the 28th May 1896 and, in accordance with the orders of Government, was placed by Mr. Dance (who was my locum tenens during my absence on privilege leave from which I returned on 1st July 1896) in charge of the Head Quarter Division — Cuddalore Taluq — under the immediate supervision of the Collector and District Magistrate.

Magistrate. His probationary period of six months would thus have expired on the 28th November 1896, but in October last Mr. Varada Rao met with a serious accident whereby he sustained a fracture of the left thigh which necessitated his obtaining three months privilege leave of which he availed himself from the 3rd November 1896.

3. The accompanying "Tour and Work Register" which Mr. Varada Rao was directed to maintain, shows the more important work performed by him, both as a Revenue Officer and a Magistrate, during the period he was in charge of the Taluq. It is evident that in all branches of his work Mr. Varada Rao was endeavouring to do his best to afford satisfaction and I had no occasion to be dissatisfied with either the quality or quantity of his work. His Magisterial work had improved and all his judgments, with one exception, were confirmed on appeal. His reports on Revenue petitions and appeals were, for the most part, full

retd to Colr.

and clear, and his orders in respect of complaints against village officers, durkhast appeals and irrigation and other disputes were generally correct. He took pains in the matter of Income Tax assessments & brought to notice defects in the local Municipal administration, where the revision of assessments of house-tax had been improperly conducted. He exposed the conduct of some of the revising Municipal Councillors who had acted ultra vires and had also favoured themselves or their relations.

4. So far as mental qualifications are concerned Mr Varada Rao is, in my opinion, sufficiently capable. He is a graduate in Arts as also in Law and has plenty of general intelligence; but physically I do not consider that he is or is ever likely to be a useful Revenue Officer. For a man of his short stature and age — he was born in November 1863 — he is afflicted with excessive obesity — which must render a life of active locomotion most irksome to him. During the period under

under report, he kept no horse nor pony, stating that he was trying to get suited and he has just informed me that he has lately invested in an animal which is being broken in but has not yet arrived. He says he can ride but I have never seen him ride or drive. His favourite method of travelling is in a "Ginrick-shaw", pulled by a cooly. His late accident has caused a contraction of the left leg which is three-fourths of an inch shorter than the right leg and I understand from the District and Medical Sanitary Officer that this contraction is likely to be permanent. He can now limp along very slowly with the aid of a stick and is, in my opinion, far too crippled to be of any use for active out-door work. I had intended taking him out with me across paddy fields for a long day's inspection when unfortunately this accident occurred and having been myself constantly on tour in other parts of the District up to the time of the accident, which happened whilst I was

in

in the Sub Division, I was unable to take him into camp in his own Taluq as I had arranged to do before he fractured his thigh. He was then, of course, totally incapacitated so far as any movement was concerned. He informs me that he consulted Surgeon-Major Browning, in Madras by whom he was advised to wear a specially made boot for the left foot so that its shortening might not tell against him. His own velleities lie in the direction of the Judicial Department for which his studies in law and physical condition would seem to indicate that he is better suited than for the Revenue Department. Mr. Munro who stands three places above him in the Civil List is undergoing judicial training as a Temporary Sub-Judge. I would venture to suggest that Mr Varada Rao whose total service is some 16 months longer than that of Mr. Munro might, with propriety, be similarly appointed.

vide GO No 1115-6
4-7-96
C

5. In conclusion, I feel I ought to allude to an alleged weakness — viz

intemperate

intemperate habits —, and to state, in justice to Mr. Varada Rao, that personally I have never seen any sign of over-indulgence. He is, I believe, not an orthodox Brahman in the sense that he is not a strict tea-totaller. I am told — but I have no personal knowledge of the alleged fact — that he will drink a "Whisky-and-soda" and smoke a cheroot as readily as most other people who are not Brahmans of the old school, but this is a different matter altogether from being an inebriate. To the strictly orthodox Brahman, even very moderate indulgence in this way doubtless appears a most reprehensible vice from a caste point of view, and would readily be exaggerated. I mention this, as I have heard it hinted that Mr. Varada Rao met his recent accident by tripping over a parapet whilst _in a state of intoxication_. I believe this insinuation to be wholly without foundation and that the fall which resulted in such

Serious

Serious consequences was purely accidental.

I have the honour to be,
Sir,
Your most obedient Servant

A. E. Castlestuart Stuart.
Collector.

2-2-97

Confidential Revenue No. 30 of 1897 ~~8~~ 9

Confidential.

BOARD'S GEN. REG. No. 559 OF 18

LAND REVENUE.

From

The Collector of
South Arcot.

To

The Secretary to the
Commissioners of
Land Revenue,
Madras.

R. C. C. 4 FEB 97 M. C. S.

Dated 31st January } 1897.
Despd 2d February }

Enc. one.

Submitting the report called
for regarding Assistant
Collector Mr. T. Varada Rao.

1897
Jud Dept.
Enclos. No. 1
To
C. No. 594

1897
REVENUE DEPARTMENT.
Enclosure No. 1
To Current No. 1195

1897
REVENUE DEPARTMENT.
No. 1
Current No. 1195

C.D. 2197

10.

CONFIDENTIAL.

9 CURRENT No. 594

200 copies
20-7-96.

8

REVENUE BOARD OFFICE. MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 8 February 1897.

No. 483 Mis

Confl. No. 34.

Full Board

READ letter from A. E. Castlestuart Stuart Esqre Collector of South Arcot to the Secretary to the Commissioners of Land Revenue, dated 31st January 1897.

Resolution.

Submitted to Government with reference to G. O. No. 1831 Mis, dated 12th May 1896.

(True Extract)

Secretary

To

The Secretary to Government
Revenue Department, with
Collr's report & Enc in original to be
returned.

Xd Gwd

Copd

Confidential Revenue No 30 d/97

CONFIDENTIAL.

~~10~~

1896.

Board of Revenue

(Land Revenue),

MADRAS.

To

The Collector of

Proceedings, dated 1896.

No.

Confl. No.

Abstract.

C. 2/2/97

R 11/3/97

[G./25]

1,000—14-12-96.

~~10~~ 11

Judicial Department.

C. No. 5 94

3 H. E. THE GOVERNOR.

1 THE HON'BLE MR. BLISS, C.I.E.

2 THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.

Mr. T. Varada Rao, statutory Civilian

FOR ORDERS.

The reasons which led to Mr. Varada Rao's reduction to the position of Assistant Collector with the powers of a Magistrate of the second class and to his transfer from Tinnevelly to Malabar will be found in G.O. No. 1286 Judicial d. 30 June 1891. The second sentence of para 2 of this order was subsequently slightly modified by G.O. No. 157 Judl. d. 23 Jany 1892 by substituting the words "on a previous occasion" for the words "on more than one occasion previously".

2 G.O. No. 1286 Judl. d. 30 June 1891 directed the District Magte. of Malabar to report at the end of a year upon the manner in which Mr. Varada

Ro

Rao performed his duties. This report was not received until February 1893 as Mr Varada Rao had taken six months' leave and the Govt. decided that the report was to cover one full year of duty (G.O. No. 85 d 3 June 1892)

XXV

G.O. No 539 Judl. d 11 March 1893

Mr. Bradley was unable to give an uniformly favourable account of Mr. Varada Rao's work since he joined the district. Until 30th Novr. 1892 he was employed almost entirely in Calicut doing general office work and trying such cases as were referred to him and performed his duties satisfactorily. But from the 30th Nov. 1892 he was placed in charge of the Special Assistant's division so far as revenue work was concerned and was given magisterial jurisdiction in the Ernad and Walluvanad taluks and during this time he exhibited ~~an~~ want of sense or judgment in three cases.

1st case: He delayed to communicate to the District Magte a

a report from the Tahsildar of Walluvanad on the recurrence of an outbreak of spathe[x] cutting in that taluk which showed that he did not realise the importance of the matter. Much harm was, however, not done.

2d case: He acquitted a boy who was charged with escaping from lawful custody in a police lock-up without recording any evidence to show that even if the boy was not locked in, he was not guarded by the police. The Dt. Magte ordered retrial which resulted in a conviction.

3d case: In this case Mr Varada Rao's judgment was most carelessly written.

3 The Govt. of the day accordingly considered it necessary that he should ~~be~~ remain in a subordinate position for six months longer at the end of which time another report was to be submitted.

4 This second report was received in September 1893. Mr. Bradley reported that Mr Vara

Vara

[x] This was with reference to the opposition shown to the introduction of the tree tax system by the Abkari Dept in Malabar.

G.O. No 539 Judl. C
11-3-93

Varada Rao held charge of the Calicut division for two months and was Chairman of the Calicut Municipality in both of which capacities his work was said to be satisfactory. In para 2 of G.O. No. 912 Judl. d/ 16 Septr 1893 the Govt. had, however, noticed with displeasure the discreditable inefficiency displayed by Mr Varada Rao as Chairman of the Municipality in having failed to repay the instalments of a Govt. loan, a failure which was due to delay in collecting current Municipal revenue. As regards magisterial work two more cases of error of judgment were cited. In one case he sentenced a man to imprisonment for theft upon no evidence whatever except a confession (which was not evidence) made by him to his employer, a European gentleman. In the second case Mr Varada Rao convicted a man of housebreaking for having climbed the fence

of

of a timber yard which had no gate and stolen a piece of timber therefrom by throwing it over the fence and climbing over after it. As Mr. Bradley's opinion of Mr. Varada Rao's work as Chairman, of the Calicut Municipality being at variance with the facts referred to in G.O. No. 912 Judl d/ 16 Septr 1893, the former officer was requested to give explicitly his reasons for regarding Mr. Varada Rao's conduct in the Chairmanship as satisfactory (G.O. No 1990 Judl. d/ 27 Septr. 1893).

5 Mr. Bradley justified his view by citing several instances in which Mr. Varada Rao had done good work as Chairman of the Municipality. The Govt. now accepted this view but remarked that Mr. Varada Rao remained most unpromising in his magisterial capacity and that he was still unfit to be entrusted with the duties of a subdivisional Magistrate. (G.O. No. 2355 Judl. d/ 15 Nov: 1893).

In

6 In a D.O. in G.O. No. 2491 Judl. d 28 Nov. 1893, the Collector of Malabar was asked to submit to Govt. a further report on Mr Varada Rao's work in six months' time with special reference to the magisterial portion.

7 This report which was received in May 1894 showed that Mr Varada Rao was trying to do his work, but he was not still considered fit for promotion and a further report after six months' time was called for (G.O. No. 1439 Judl. d 13 June 1894)

8 In August 1894 there was a change in the Collector of Malabar, Mr Moberly having relieved Mr Bradley and the further report called for was received from the former officer – He could not report favourably on Mr Varada Rao's magisterial work, having had to hear four appeals against his (Mr Varada Rao's) decisions in three of which the findings were set aside

As

As chairman of the Municipality he was said to have taken considerable interest in his work, but his inability to ride and corpulency prevented him from exercising proper supervision. – On this report the Hon'ble Mr Bliss remarked that Mr Varada Rao would never be fit for the work of a subdivisional officer & that the best course would be to remove him from the service – Lord Wenlock and the Hon. Mr Grose did not, however, consider that there were sufficient grounds for this step – A further report after a period of six months was again called for – (G.O. No. 64 Judl. d 12 Jany 1895).

9 This report showed that Mr Varada Rao's magisterial work was satisfactory, but Mr Moberly considered him to be physically unfit to be a subdivisional officer and suggested that he should be sent before a Medical Board. The Govt. did not think that Mr Moberly had adduced

~~not~~ adduced sufficient reasons for calling on Mr Varada Rao to appear before a medical board and a further report was called for in six months' time during which period Mr Moberly was instructed to take him (Mr V.) with him on tour in order to ascertain whether he was physically capable of moving about as a divisional officer should - (G.O. No. 1677 Judl d/10 Augt. 1895)

10 Mr. [illegible] succeeded Mr Moberly in Malabar - He was not able x to arrange for ~~Mr.~~ taking Mr. Varada Rao into camp with him - As Mr. Moberly told the Chief Secretary that on the West Coast Mr. Varada Rao had not a fair chance of showing what he was capable of doing, it was decided that Mr. Varada Rao should be transferred from Malabar to South Arcot and with a view of giving him every chance of exhibiting his worth, he was again magisterial

x owing chiefly to the Moplah trouble in the District

page 3 of the G.O.

and placed in charge of the head quarter division under the immediate ~~charge~~ supervision of the Collector (G.O. No. 816 Judl d/ 4 May 1896)

11 Mr. Stuart was asked to take Mr Varada Rao into camp and see whether he could ride and walk to an extent sufficient to allow of his performing his duties as a revenue officer efficiently. During the period under report Mr Varada Rao had no horse or pony, but he states that he has just bought one - Mr Stuart considers that excessive obesity (and apparently also a recent accident) must render a life of active locomotion most irksome to Mr Varada Rao and that he is better suited for the Judicial than for the Revenue Dept. The Collector suggests that he may be appointed a Subjudge as Mr Munro has been under G.O. Nos 1115-6 Judl. d/ 4 July 1896.

12 The Scheme for training Junior [illegible] for a Sub Divisional Charge

Junior Civilians in judicial work is still under consideration by the Hon the Judges of the High Court who have not yet replied to G.O. No 1174 Jud. d/ 14 July 1896

A reminder might well be sent to them
Rs

Reminders have [illegible]

Even if the scheme is ultimately sanctioned, it does not appear how Mr Varada Rao can be given the benefit of it. The proposal is to give the civilian Sub Judges the pay of a Sub Collr and it is submitted that it would be a very great promotion for Mr Varada Rao to get it.

Besides this, the object of apptg Civilian Sub Judges is to train young men to be efficient Dist. & Sess. Js – But Mr Varada Rao's magl performances do not encourage the hope of his being efficient as a Judge, whether in Civil or Criml cases
Rs

Yes.
[illegible]

13 Mr Varada Rao's present pay is Rs 358-6-5 and if he be appointed an ordinary Sub Judge of the third grade, he can draw Rs 500 per mensem. This will, however, involve his transfer to the Provincial Service which he refused to enter in 1890 and again in 1892 – vide page 6 of G.O. Nos 61-2 d/ 23-1-91 & page 12 of G.O. Nos 875-6 Pub d/ 16 Decr 92. It is submitted that it would not be politic to offer him that service again.

This would be to fix him for the rest of his service in a position in which he wd have to dispose (in questions of fact without further appeal) of appeals agst the decisions of experienced & capable Dist. Munsiffs. It would never do
Rs

XXIII

XXIV

14 It would seem that little would

be gained by Mr. Varada Rao's probation. He has been under observation for over five years now, and it would seem that final orders of some sort should now be passed.

15 It is submitted that to make an officer of Mr. Varada Rao's very shaky record a Subjudge like Mr. Monro, trebling his pay at one stroke, because he has at length succeeded in managing one ~~all~~ easy taluk for a few months under the Collector's eye without coming markedly to grief would be to do an injustice to all the Dist. Munsiffs, the acting Subjudges & the civilians on the list who might hope for such a post. ~~considerable injustice~~

16 On the other hand it seems clear that an officer who can only "limp along very slowly with the aid of a stick", ~~and~~ who is in his Collector's opinion "far too crippled to be of any use for active outdoor work", and who, though he says he can ride has carefully avoided, for months, buying any sort of animal to prove his

fit for a Sub Divisional Charge

assertion, & has not even been known 22 to drive, — it seems clear that such an officer would make an indifferent acting Head Assistant (the next step in the ordinary line) and be a burden to any Collector who was saddled with him.

17 Mr. S.P.C. Scott has been forced to take leave because he cannot ride, and it is submitted that as Mr. Varada Rao can apparently neither ride nor walk he should similarly be directed to appear before a medical board.

This note gives correctly the history of the case.

Mr. Varada Row is obviously unfit for the active life of an Officer in the Revenue line. I am aware that he can drive or at any rate could, as I remember him when he was first appointed his dashing about the place in a high dogcart with a fast trotting horse. He was then however comparatively thin. The last time that I saw him which was I think a year ago — it may ~~have~~ been more — he was grossly fat and unwieldy and any nerve that he may have had in his youth was gone. He would now probably shirk getting into a dogcart as much as he evidently does on a horse. But riding and driving are not the only qualifications in the Revenue line that a Revenue Officer must possess. If he does his duty efficiently he must be able to walk. There are many things to visit & many things to inspect which one cannot get at except upon one's legs and what with his fat and an injured ~~leg~~ limb Mr. V. Row will never be able to get about in that way. The reports which have been made of his

Wf 18.2.97

[illegible] upon no [illegible] expectation that he would ever be of any use as a Judge — at any rate in the Criminal line which forms no small part of a Judge's work. It would be monstrous to place a man such as he has shown himself to be in a position to supervise the work of ~~other~~ the Magistracy or to dispose of appeals against their decisions.

To make him a Sub Judge would be contrary to the intention with which it was proposed to recruit officers from the P.C.S (or Statutory Service?) into appointments of this class.

Whether Mr Varada Rao should be given another chance of showing what he can do as an Acting Hd. Asst. is one the answer to which would appear to be in the negative. He is physically unfit for the active life of the Revenue portion of the appt. and as a Magistrate he is not worth much nor will he apparently ever be.

If it is decided definitely that he is not to get a Sub divisional charge three courses remain open: the ~~one~~ first to retain him as he is, the ~~Collector~~ second to send him before a Medical Board and the third to report his case in view to his being specially retired on pension.

As regards the first it is to be remarked that if he is not to be fit for a Sub Divisional Charge [illegible] been known.

Govt. has a right to expect from an Asst. of his standing: as regards the second it is quite probable that a Medl. Bd. seeing what was done recently in Mr. Scott's case will not certify him permanently unfit for further service. There remains then the third ~~case~~ course.

Govt. has, I submit, very good grounds upon which to report the case as was done ~~with~~ successfully ~~with~~ with regard to Mr. Jugga Row. Mr. Varada Row has had a prolonged trial and the result is that he is found to be practically useless.

J.D.
20/2/97.

In my opinion this is the only reasonable & proper course to take

22/2/97

Nothing else can be done.

23/3/97

The report from Mr. Carter Stuart Stuart is not altogether an unfavourable one in so far as Mr. Varada Rao's work is concerned. His capability is favourably reported upon. This being the case, I do not think there is sufficient ground to report his case with a view to his retirement, — unless he can be shown to be physically unfit. It appears to me that there are sufficient grounds, for bringing him before a Medical Board, and this is the course which I consider should be adopted.

In the papers upon which G.O. 64 of 12 Jan. 1895 was based, the Govr. & the Hon. Mr. Grose agreed in thinking that there was not enough ground for Mr. V.R.'s removal. It seems to me there is now less ground, — unless for the reason of bodily infirmity. It should be borne

+ mind that a fierce light of criticism has been brought to bear on Mr. V.R.'s performance. There are many who I fear would not stand as well as he does, under similar treatment.

A.S.H.
8.3.97

First 12/3/97 C 18/3/97
R 15/3/97 R 20/3/97

[G./25]
1,000—14-12-96.

Judicial DEPARTMENT.

C. No. 594

Resubmitted to H.E. the Governor 19/3/97

~~H. E. THE GOVERNOR.~~ 17:3:97.

1. THE HON'BLE MR. BLISS, C.I.E.
2. THE HON'BLE MR. GROSE, C.I.E.

SUBJECT.

Mr T. Varada Rao.

FOR ORDERS.

There can be no doubt that Mr. Varada Row is physically unfit for the service, & equally no doubt, I imagine, that no medical Bd. would say so. We have had several instances lately of practical refusal on the part of medical Bds. to take into account physical inability to perform particular kinds of duty even when more or less coupled with actual disease. Now in this case there is no disease, for obesity is not admitted to be a disease.

12/3/97

A Medical Board would not help us. It is not on medical grounds that he is unfit.

14/3/97

I have seen Mr. Varada Rao, and I must admit that his obesity unfits him for any duty requiring bodily activity, but I thought he was sensible and intelligent. Mr. Stuart considers him fitted for judicial work, and certainly his obesity is not such as to

Resubmitted to Hon'ble members with reference to H.E. the Governor's note.

From letter No. 819 Pub. of 21st Septr. 1891 "flagged M" in the file tied with red tape it will be seen that Mr. Vankata Jaga Rao was placed before a Medical Board before the Govt. of India was moved to retire him. The Board, however, refused to invalid him in the absence of specific organic disease.

19/3/97

J.D.
14/3/97

even been known;

26.

unfit him for judicial work. I daresay we have many judicial Officers quite as fat or fatter. I could not join in recommending him for retirement on my own judgment of his physical fitness or unfitness. Therefore, if his condition is not to be tested by a Medical Bd, I can see no course open, except to make the best of him. When the question of the appointment of Civilian sub. judges is decided, perhaps an opening may be found. Meanwhile, I can only propose that he should stay where he is.

A.S.H. 19.3.97

Resubmitted to Honble Members with reference to His Excellency's further note

20.3.97

28/3/97

Very well

HA

28/3/97

26/3/97

C. 23/3/97

First c… Governor (for perus…

Retu… [G./24.] …97—20-1-97. C 30/3/97 R 2/4/97

2) Jud. DEPARTMENT.

Papers to be read in proceedings :—

(From orders)

Again G.O., dated 4 — 5 — 1896, No. 816

Again G.O., dated 189 , No.

Current No. 594 of 1897, dated 8/2, from Board of Rev

" " " 189 , " , "

" " " 189 , " , "

ORDER. No 487 d 2 april 97.

Mis

A.S.H. 31.3.97

Mr. Varada Rao will continue to be Assistant Collector, South Arcot until further orders.

(From orders)

29/3/97

28/3/97

Note

Apparently the periodical reports on his work are to be discontinued.

29/3/97

Collr, S Arcot (P) with encl. reds

Rev. Deptt (P)

First copy sent to Press.

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CURRENT No.

ENCLOSURES TO C. No

ORDER OF GOVERNMENT .. .. ..

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

N.B.—

A = Print in full.
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