

B. 1206-24. 4. 83

Mr. 8229 ✓

No 2796 Wa/5th Oct/83

Sanctioned

Cd.
25/9

From

The Supt Engineer
1st Circle

To

The Chief Engineer
D & Department

Dated 15th

Despd 17th

Recd 24

No 2796 Wa/5th Oct/83

No 1722 G.D.

Enclosure One

False Charge brought
by certain rypts
against S. Subbarayudu
Delta Supt - Expenses
incurred in defending
the - Requests to ask
Govt to grant the - to
the Delta Supt -

2
M. 10/10
10

S. E. First Circle

Ex. P. W. Sects

970
15/9 14/32/9

Sub. P. W. Sects

No. 1722 G.D.

FROM, THE SUPERINTENDING ENGINEER
FIRST CIRCLE.

TO, THE CHIEF ENGINEER P. W. Department.
FOR-IRRIGATION.

DOWLAISHWERAM, 15th Sept 1883

SIR,

I have the honor to inform you that certain of the villagers in the Eastern Division Godavari brought before the Joint Magistrate at Rajahmundry against a Delta Supt. named N. Subbaroyudu a false charge of taking a gratification other than legal remuneration in respect of an official act. The charge was thrown out by the Magistrate; a copy of the judgment is herein enclosed.

2. The case is similar to that dealt with in G.O. No. 1206 W. dated the 21st April last and I therefore request you will be good enough to ask Government to grant to Subbaroyudu the expenses a-

Vakil's allowances	Rs. 80--	mounting to Rs. 85 which
Vakaltunama	2-8--	he had incurred in de-
copies of judgment	3--	fending himself.
Printer's fee for preparing copies of judgment	85-8--	

3. Considering the fees paid to the Vakil high I asked the District Magistrate if it could not be taxed & he has replied that there is no fixed rule

as to the amount of fee to be allowed
to Tahels employed in criminal cases.

I have the honor to be,

Sir,

your most obedient lt

C. Swale

offr. Supr. Eng. 1st Circle

B. 1206-4 21. 4. 83

Dr No. 8229 ✓

No 2796 Wa/5th Oct/83

Sanctioned

Cal.
25/11

From

The Super Engineer
1st Circle

To

The Chief Engineer
P. W. Department

Dated 15th
Despd 17th } September/83
Recd 24 }
No 2796 Wa/5th Oct/83
No 1722 G.D.

Enclosure One

False Charge brought
by certain ryots
against H. Subbarayudu
Delta Supdt. — Expenses
incurred in defending
the — Requests to ask
Govt to grant the — to
the Delta Supdt. —

Encl. 1/4/11 or 11/11
Encl. Receipts. Receipts.

Dec 10

S.E. First Circle

Exr P. W. Dept

97C
15/5/9 12/5/32.7

of Complainant as witnesses. Another
point is that the acreage of cane and
paddy in the village as given by
Curman (court witness I) from his
accounts does not agree with the
10 acres cane and 10 acres paddy named
by complainant and from which the
bribe was made up, but shows a
great deal less extent.

Defendant denied having
taken away bribe or mamools as
alleged from complainant and his
witnesses and said he had been
2 1/2 years Delta Superintendent at
Tossipudy and no complaint had
been made against him up to date.
His pay is Rs 35 per month and he
has 11 years good service in P. W. D.
He added that Tossipudy being on
the Coconada Canal it is necessary
to see that there is sufficient water
1st for navigation that in the dry
season there is always a deficiency
and that the irrigation outlets have
to be carefully guarded and only
sufficient water let out for irrigation
as not to interfere with the amount
required for navigation.

He filed a written statement which showed that Complainant had made previous complaints against him and his predecessor which had been dismissed and that sanction had been asked (but not received) to prosecute him by Mr. Burton Assistant Engineer

After taking the evidence for the prosecution and the Defendant's explanation I find that ^{the} Case has been made out against Defendant and I therefore discharge him under section 253 C C P.

(Signed) C L Cumming

Jg Joint Magistrate

(True copy)

Copy applied for on 26-5-83

Copy ready for delivery 30-5-83

Copy delivered 30-5-83

(Signed) C L B Cumming

Jg Joint Magistrate

C. L. B. Cumming

Offg Supy Engineer
J. J. J. J.

Compd 8/1

6th 1229/3

and complained to Sub-Collector who
got them water through the Tahasildar
It is true that complainant and
other Ryots came to me in a body just
about the time when the canals were
all closing and when it is naturally
difficult to procure water and I inter-
fered on their behalf and got them
water. Delta Superintendents are bound
by their orders and have to distribute
water to different villages in turn
but the ryots being ignorant fail
to understand this, and if they do not
get water directly they want it, they
accuse the Delta Superintendent and
are apt to get up bribery charges
against him. For these reasons a
charge of this sort must be received
with caution. No complaint of defendants
having taken a Rs 50 bribe was put
forward at the time but is only
brought now about 7 months after
Add to this the improbability of
defendants accepting the bribe in
broad daylight in his house in
presence of his peon and a visitor
on peal and with 11 follow ryots

61⁹²¹/₁₂₂₉

In the Court of the Acting Joint Magistrate

Godavari District

This 23rd day of May 1883

Calendar case No. 12 of 1883

Complainant - Accused

Sabilla Venkanna - Nandigram Subbarayudu

Serial Number	Name	Father's Name	Code or loc	Occupation	Residence	Age	Occurrence	Complaint	Apprehension	Commencement of trial	Class of trial	Extension of delay
1	Nandigram Subbarayudu	Sillara - Manyam	1544	Police Constable	Tondur	22 years	July 22 Aug 1882	16/4/83	2/5/83	2/5/83	19/5/83	

Offence - Being a public servant and taking a gratification other than legal remuneration in respect of an official act punishable under section 161 of P.C.
 Finding - not guilty
 Sentence or order - Discharged under section 253 C.
 C. P.

Complainant a ryot of Vidurupaka charges Defendant who is the D. P. W. D. Superintendent of Tossapudy, under section 161 S. P. Code with having taken a bribe of Rs 50 from himself and other cultivating Ryots of Vidurupaka for furnishing them with Government water for their sugar cane and paddy cultivation. Six witnesses were cited for the prosecution. These are all ryots of Vidurupaka with one exception. They state that having transplanted sugar cane and paddy last year about the month of July or August, Defendant shut the sluice gates when the plants were still quite young and refused to supply water unless a sum of Rs 50 was paid to him, to be collected from the ryots at the rate of one rupee per acre of sugar cane and 4 annas per acre of paddy, on a total of 40 acres cane and 40 acres paddy. Complainant was to be held responsible for the money while his 1st witness Sattu Venkayah was to collect. on their promise to pay within 15 days Defendant re-opened sluice and gave them water.

Complainant deposes that he, and 2nd, 3rd, and 4th witnesses and court 3rd witness, all 5 went together and paid the money at about 1 P.M. in Defendant's house at Tossapudy in presence only of Defendant and his 1st Court witness. No 2 was however on trial of Defendant's house at time to whom they communicated the purport of their visit. The story of Complainant and his witnesses as regards the payment agrees very closely in its details, but I distrust its truth for several reasons. In the 1st place Complainant and his witnesses assert that they have always been in the habit of paying Defendant his mamool or water bribe and admit they would not have brought this charge seeing that the bribe is an old one having been taken about August 1882, had it not been that at close of March 1883 they asked Defendant for a turn of water for their crops, where upon he demanded Rs 100 which being more than they could afford to pay they went in a body