

Pension (1896) Department.

ORDINARY MS.

G.O., No. 760

DATED 10-8-96

---

[Despatch Abstract.]

Withdrawing the pension of G. Atchappa, under  
art: 383 cash from the 20<sup>th</sup> Nov 95, the date  
of sentence of the C. of the Deputy Magistrate  
Cocanada, as he <sup>was</sup> convicted of false personation  
& sentenced to 18 months rigorous imprisonment

# BACK PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|------|-----|-------------|-------|
|      |     |             |       |      |     |             |       |

In the Court of the Head & Magistrate  
 Godavari.

Cal. Case No 73 of 1895

Judgment

Name of the accused: (1) Akkireddi Simhasani  
 (2) Allara Chinakondra  
 (3) Their Khasein  
 (4) Godavarti Atcheyya  
 & (5) Allara Desayya.

Offence: - False personation punishable  
 under sec 82(d) of the Indian  
 Registration Act & abetment of  
 the same.

Finding - Guilty.

Sentence. The 1st accused is sentenced to  
 suffer 1 year rigorous imprisonment  
 and each of the other accused  
 to suffer 18 months rig; imprison-  
 ment - under sec 82(d) of the  
 Indian Registration Act.

In this case (1) Akkireddi Simhasani and  
 (2) Allara Chinakondra were charged

sent.  
 Allara Desayya & the others

with false personation under sec 22 of the Registration Act, and (3) ~~Shrin~~ Shrin Khasim (4) Jodavarti Achayya & (5) Allada Kesseyya with abetting the said offence punishable under sec 22 of the same Act by the Sub Registrar of Dittapur.

2. The facts of the case are briefly as follows. A deed of a sale of house and its site for Rs 100 was executed on one rupee stamp paper by 2<sup>nd</sup> & 5<sup>th</sup> accused and their elder brother Allada Peda Kondayya on 23-8-55. The executor of the deed & the identifying witnesses (3<sup>rd</sup> & 4<sup>th</sup> accused) are residents of Jodaprolu a village about 4 miles to Dittapur which is the seat of the Sub Registrar. Allada Chinna Kondayya 2<sup>nd</sup> accused in the case personated his elder brother Peda Kondiah and in that assumed character presented the sale deed in question for Registration to the Sub Registrar on 16-10-55. Then names

of the executors of the deed Allada Peda Kondayya, Chinna Kondayya & Kesseyya as entered in the document were called out by the Sub Registrar. ~~Then~~ Then 1<sup>st</sup> accused Anireddi Srinbadri, 2<sup>nd</sup> accused Allada Chinna Kondayya and 5<sup>th</sup> accused Kesseyya appeared before the Sub Registrar - representing themselves to be the persons mentioned in the deed. 1<sup>st</sup> accused - Srinbadri falsely personated Chinna Kondiah and Chinna Kondiah in his turn falsely personated Peda Kondiah, though Peda Kondayya was not at all present on the occasion. 3<sup>rd</sup> & 4<sup>th</sup> accused were the witnesses that identified the 1<sup>st</sup> accused Srinbadri as Chinna Kondiah and 2<sup>nd</sup> accused Chinna Kondiah as Peda Kondiah. The 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup> accused abetted the false personation made at the time of the registration by the 1<sup>st</sup> & 2<sup>nd</sup> accused and got the document registered. Then after 2 days that is on the 18<sup>th</sup> month of September 5<sup>th</sup> witnesses

1880.7 accused voluntarily  
appeared before the Sub-Registrar, and  
told him that he through ignorance  
falsely personated Chinn Koudiah at  
the instance of the 2<sup>nd</sup> accused Chinn  
Koudiah and that 2<sup>nd</sup> accused Chinn  
Koudiah himself personated his elder  
brother Desa Koudiah though the  
last mentioned person was not present  
on the occasion. Hence the case. All  
these facts are clearly proved by the  
Sub-Registrar and his pen who were  
examined as 1<sup>st</sup> & 2<sup>nd</sup> witnesses for prosecution.

3. The 1<sup>st</sup> accused Akiretti Shimbatti  
admits the offence and says that he did  
so through ignorance & under the insti-  
gation of the other accused.

4. 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup> accused  
deny the offence and say that the  
document was registered by 2<sup>nd</sup> & 5<sup>th</sup>  
accused and also by Allada Desa  
Koudiah, that Allada Desa Koudiah

was present and got the document  
registered and that 1<sup>st</sup> accused Shimbatti  
was not seen by any of them on that day.

5. They examined 5 witnesses for defence.  
None of these witnesses except the 5<sup>th</sup> wit-  
ness who is Desa Koudiah and the elder  
brother of 2<sup>nd</sup> & 5<sup>th</sup> accused say that  
they saw Desa Koudiah getting the docu-  
ment registered in the Sub-Registrar's office.  
The 1<sup>st</sup> says that he saw 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup>  
accused & 5<sup>th</sup> defence witness Desa Koudiah  
in Bayyar near the Sub-Registrar's office  
while they were on their way back to  
their home after the registration of the  
alleged document. The 4<sup>th</sup> witness for  
defence also says in similar terms, while  
the 2<sup>nd</sup> & 3<sup>rd</sup> witnesses say that they saw  
the accused at Gollaprolu while they  
were going to Pittapur for getting  
the document registered and that  
Desa Koudiah was then present.

6. Allada Desa Koudiah 5<sup>th</sup> witness

for defence is the eldest undivided brother  
a. of 2<sup>nd</sup> & 5<sup>th</sup> accused. He was not cited at  
first as a witness. He supports the statements  
of the 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup> accused. He is an  
interested witness and how far his statements  
is to be believed is the question to be decided.  
He says that the document was executed  
some 2 months prior to its registration,  
that it could not be presented for  
registration earlier as he had to work as  
a cooly in fields, that Rs 80 was given to  
him at the time of the execution of the  
document by the executee, that the  
impression of the figure head on  
the stamp was in black ink, that the  
document was written on both sides  
of the stamp and that no separate  
white sheet of paper was attached to it  
either at the time of execution or its presentation  
for registration. The deed shows that  
Rs 100 were received at the time of  
execution by the executants. The stamp

filed has an impression of red ink  
and not black as stated by him. About  
all what vitiates the evidence of this witness  
is that the document was in fact written  
on only one side of the stamp and a separate  
full <sup>white</sup> sheet was attached to it. If he had  
been present either at the time of its execu-  
-tion or presentation for registration, he  
would have certainly known on what  
the document was written & completed.  
This itself shows that he was not present  
at the time of registration. Further the  
Court witness who is the Munsiff of the  
village says that Peda Kousiah (the 5<sup>th</sup>  
defence witness) was not present in the  
village for the last 2 or 3 months and that  
he only came after the Sub Registrar  
commenced to enquire of the false persona-  
-tion committed by the accused. -

In these circumstances I must think  
that the evidence of all the defence  
witnesses is false and that they were

only bought in for the purpose. I find  
all the accused guilty of the offence of  
which they were charged. But the whole  
case has come to light only through the  
action of the 1st accused. Though he is equally  
guilty still I wish to deal with him rather  
less severely than with the others. I sentence  
the 1st accused Annireddi Limbadi to suffer  
12 months rigorous imprisonment and the  
other accused i.e. (1) Allada Chinakondiah  
(2) Sheikh Khosim Sahib (3) Gudavarti Atchayya  
& (5) Allada Desayya each to undergo rigorous  
imprisonment for 18 months.

Pittapur -  
2-11-95

(Sd/-) K. Dasgupta  
By Magistrate  
Pittapur

(True Copy)

*[Signature]*  
By Magistrate.

*[Signature]*

Cec-822/96

20,000-4-96  
C No. 1821 of 96  
acc

GODAVARI DISTRICT COLLECTOR'S OFFICE,  
17-7-1896

FROM W. A. Brodie Esquire,  
COLLECTOR,  
Godavari District,

TO THE Secretary to Government,  
Pension Department,  
Madras.

SIR,  
One Godavarti Atchayya, invalid  
pensioner no 9829 drawing a monthly  
pension of Rs 2-7-10 at Pittapur was  
convicted by the Head Quarters Deputy  
Magistrate Coconada of false personation  
punishable under Section 82 of the Indian  
Registration Act, and abetment of  
the same, and sentenced to suffer ri-  
gorous imprisonment for 18 months.  
An appeal was preferred against this  
judgment, but the sentence of the lower  
court was upheld by the Sessions Judge,  
Rajahmundry. A copy of the judgment

of the lower court is herewith submitted.

2. I have the honor to submit this case for the orders of Government, as the offence which the pensioner committed, is in my opinion so grave as to warrant forfeiture of his pension. (Please vide Art 383 of the Civil Service Regulations) Pending disposal of this reference, I have directed my Treasury Deputy Collector to stop payment of the pension in question.

I have the honor to be,  
Sir,

Your Most Obedient Servant

(sd) V. A. Brodie

Collector

Raebata Ramadas

For Collector

Pension DEPARTMENT.  
REVENUE (1896)

Current Number 822

FROM

The COLLECTOR,  
Godavari District,  
Cocanada.

TO

THE Secretary to Government  
Pension Department  
Madras.



No. 1821 of 96  
acc of 96

Dated

17

Despatched 18

July 1896.

Received

No. 760

18-8-96

SUBJECT.

Submitting for the orders  
of Government the case of  
pensioner G. Alchayya  
under Article 383 of the C.S.R.

DESPATCH  
Dr

The Hon<sup>ble</sup> Mr. Gore, C.E.

Order 18<sup>th</sup> Augt. 1896 No. 760.

The pension will be withdrawn from the  
date of sentence of the Court of the Deputy Magis-  
trate, Cocanada, on the 20<sup>th</sup> November 1895.

To  
2880

HA  
88.96.

To

The A.C.  
" Collr of Godavari.

Pension Department  
Govt of 1896, Madras.

FINANCIAL DEPARTMENT.

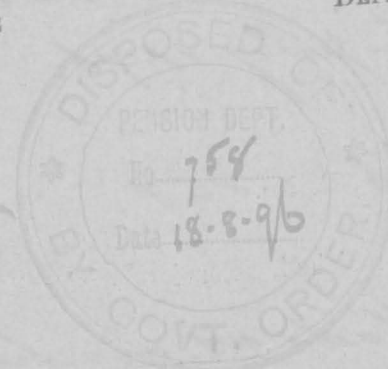
Current Number 904

TO

THE EDITOR OF THE

THE

DEPARTMENT.



G.O., 5<sup>th</sup> Augt. 1896, R. No. 858

SUBJECT.

Admitting the Editor of the Madras Advertiser  
the Daily Argus to the privileges of the Editors'  
Table.

Order 18<sup>th</sup> August 1896 No. 758.

Recorded.

15.8.96

13.8.96



PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ again, G.O., dated 189, R. No. —

Read also the following paper. —

From the Editor of the *Madras Advertiser & the Daily Argus*, dated 20<sup>th</sup> July 1896.

ORDER 5<sup>th</sup> August 1896, R. No. 852.

Copies of papers laid on the Editors' Table will be furnished "Service bearing" to the Editor of the *Daily Argus, Madras*, on his arranging to take delivery of them at the Secretariat offices.  
(True Extract.)

*W. H. M.*

for Chief Secretary.

To

The Editor of the *Madras Advertiser & the Daily Argus*  
" Revenue Department.  
" Public Works Department.  
" Local and Municipal Department.  
" Head Clerk }  
" Despatcher } in original.

*Marine Department*  
*Pension Department*



PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ again, G.O., dated 20<sup>th</sup> July 1896, R. No. 794

Read also the following paper. —

From the Editor of the *"Kerala Sanchari"*, dated 1<sup>st</sup> August 1896.

ORDER R. No. 851 dated 5<sup>th</sup> August 1896, R. No. —

Copies of papers laid on the Editors' Table will be furnished "Service bearing" to the Editor of the *"Kerala Sanchari"*

(True Extract.)

*J. H. M.*

for Chief Secretary.

To

The Editor of the *"Kerala Sanchari"*, local agent  
" Revenue Department.  
" Public Works Department.  
" Local and Municipal Department.  
" Head Clerk }  
" Despatcher } in original.  
" Marine Department  
" Pension do

Pension Department  
Jbt of { 1896 } Madras.

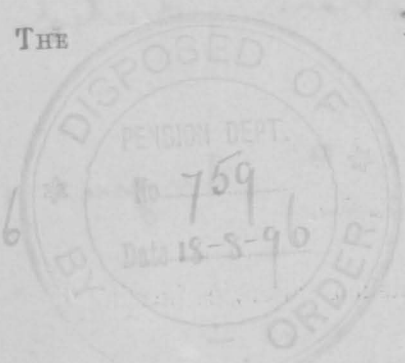
FINANCIAL DEPARTMENT.

Current Number 903

THE EDITOR OF THE

THE

DEPARTMENT.



G.O., 5. Aug. 1896, R. No. 857

SUBJECT.

Admitting the Editor of the "Kerala"

Sanchari to the privileges of the Editors'

Table.

List

Order 18th August 1896 No 759.

Recorded

5/8/96  
15

Given for copying  
Copied  
Examined  
Signed

189

DATED

G.O., No.

189

st 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 = Copy in full.  
B = Not to be copied.  
P = Copy abstract only.  
Q = Copy heading only.