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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	32	~~Press~~ Mis.
Dated	24-1-	1860

Not to be folded or roughly handled

25/6/35

Read Appeal Petition presented by Madava Patro Defendant in Criminal Cases Nos 8 and 15 of 1855 against the decisions of the Assistant Agent R: M: Macdonald Esqre.

Read also the Records and the Reports of the above Cases.

1. The Peashcar the 3d Defendant in this case having appealed, the Acting Agent called up the record in this and case No 8 and has gone over it carefully. He is perfectly satisfied that the Complainants in both cases were taken from the Cutcherry to be questioned and were ill-treated and frightened as described in the records. It is also clearly shown that the Peishcar then in charge of the Police of the Talook, caused the Complainant and several others to be apprehended and confined and had their houses searched on mere suspecision without due enquiry or making any report of the case. He admits that he sent the party out of the Cutcherry to talk matters over, and then received a Moochilka knowing that he was acting contrary to all rule and regulation. In his Appeal in case 15, he says there is no proof that the Peon acted by his orders, that the Prisoners did not state to him that they had been ill-treated, that he took the Moochilka at their own request, that the Moonshee proves that he told the Naik to keep the Prisoners, not to put them in the

stocks. He reported the robbery to the Acting Agent on the 17th and the man, whose house was robbed, accused the Prisoners and therefore they were not kept on mere suspicision. he further objects to the allusion made by Mr. Macdonald in case 15 to his statement in case 8.-

2. It is well known that the Dundasees are thieves by profession and when, as in the present case, there may be reason to suspect parties, it does not appear to me desirable to take away the power of confining them, but this must not be taken as a sanction for any act of cruelty. Now there can be no doubt of the Complainants in these two cases having been ill-treated and tortured to make them confess and this close to the Cutcherry on two occasions, and it is not to be supposed that the Naik and Peons would have been hired on this without being sure of support, the dismissal therefore of the Peishcar for conniving at this cruelty, & for his misconduct in searching the houses and taking the Mochilka appears most necessary and just; but as no appeal was made to him in the first instance by Complainant in case 15 against this ill-treatment, and as I look on the keeping ..... the parties in confinement as a necessary

evil

In Bc 6/6

ventures?

evil, I remit the fine imposed by the Assistant Agent.-

Ganjam District
Governor Agent's Office
Chetterpore 10th May 1855.-

(Signed) W. Knox
Acting Agent

(True Copy)

Agent to the Governor.-

Report of persons apprehended in the Zillah of Ganjam and delivered to the Assistant to the Agent to the Governor of Fort Saint George in Ganjam in the month of March 1855

No. of the Case	Names of the Prisoners	Abstract of the Crime or Charge	Date of Apprehension	Date of Leaving the Taluk	Date of Arrival	Reasons for punishment or release or date of Commitment	Explanation of delay and Remarks &c.
8 of 1855	1 Padshamian Revenue Naick 2 Conto Naick Village Watcher of Nowgaum 3 Sola Naick Village watcher of Kayburree 4 Inyyer Caumiah Berozegar peon... 5 Madova Patro Pashkar of Goomsur	Assault and aggravated Abuse of Authority The 1st Prisoner is charged with assault and aggravated abuse of authority in having in the following instances tortured the 1st and 2nd Prosecutor for the purpose of inducing them to confess a theft of	25th March 1855 25th March 1855 29th March 1855 29th March 1855 29th March 1855		25th March 1855 25th March 1855 29th March 29th March 1855 29th March 1855	1 This case of torture was brought to my notice under the following circumstances 2 A woman came to my bungalow on Sunday evening and complained that her husband (1st Prosecutor) had been arrested for a theft which he had not committed that his	

of which they were suspected viz.

1 In having at Nowgaum in the Talook of Goomsur at 8 A. M. on the 24th March 1855, tortured the 1st Prosecutor by causing his hands to be tied behind his back and live beetles to be applied to his stomach.

2ndly In having at Nowgaum in the Talook of Goomsur at 9 A. M. on the 25th March 1855, tortured the 2nd Prosecutor by causing his hands to be tied behind his back and live beetles to be applied to his sides.

3rdly In having at Nowgaum in the Talook of Goomsur at 12 A. M. on the 25th March 1855, tortured the 2nd Prosecutor by causing his hands to be tied above his head and a stick weighted with four stones to be placed across his neck.

4thly In having at Sornada in the Talook of Goomsur at 1 P. M. on the 25th March 1855 tortured the 1st Prosecutor by causing his hands to be tied above his head and a crowbar to be placed across his neck and the 2nd Prosecutor by causing his hands to be tied above his head and a stick to be placed across his neck.

5thly In having in the jungle Sornada in the Talook of Goomsur at 2 P. M. on the 25th March 1855, tortured the 1st Prosecutor in the

his house had been searched that afternoon for the stolen property, and that on the search proving ineffectual, he had been tortured at Sornada in a manner which will be described hereafter by a Mussulman Naick attached to the Talook Cutchery.

3 I immediately rode over to Nowgaum. The man was not in the Cutcherry, but I found him and the 2nd Prosecutor and the 2nd Prisoner all apparently at large on the oposite side of the river. The latter at once admitted that he had been torturing both Prosecutors by order of the Revenue Naick. They both showed me some slight marks of the rope with which they had been bound but neither of them seemed to have sustained any injury from the treatment to which they had been subjected.

4. I went into the Cutcherry and asked for the proceedings connected with the case. I was informed by the Peshkar who, in the absence of the Tahasildar, was

the manner described in the 4th Count and the 2nd prosecutor in the manner described in the 3rd Count —

The 2nd, 3rd and 4th Prisoners are charged with having been present aiding and abetting the 1st Prisoner, the 2nd prisoner in the whole of the 5 instances above stated and the 3rd and 4th Prisoners in the 1st and 2nd instances only.

The 5th prisoner is charged with being an accessary to the above stated assault and aggravated abuse of authority by giving the 1st Prisoner permission to torture the prosecutors by the application of live beetles to their persons for the purpose of extorting a confession and by being cognizant of the fact that they had been tortured as above stated —

was performing the duties of Head of Police, that there were no proceedings except a Moochilka executed by the 1st Prosecutor and the 2nd prisoner to the effect that they would give up the Stolen property.

5 I removed the three Dundassees at once and took them with me to Russelcondah where they were allowed no communication with the talook Cutchery or with the Revenue Naick whom I sent for and placed in Confinement the same night.

6 The Prosecutors were both sent to be examined by Assistant Surgeon Penny who did not furnish a certificate but sent a note stating that the shortest of the two (meaning the 2nd Prosecutor) had two marks on the right arm as if a rope or something of that description had been tightly tied round it, but as the skin had not been broken, he was of opinion that no great force had been used; and that the other (meaning the 1st Prosecutor) had only a small abrasion on the left arm which might have been caused in a hundred ways.

7 The 1st Prosecutor (Naick of Dundassees) in his deposition taken on Monday, states that he was sent for about a week previously in consequence of a theft which had taken place in the house of a County at Nowgaum. The village watcher (2nd Prisoner) who came soon afterwards, reported to the Peshkar (5th Prisoner) that he had traced the footsteps of the supposed thief to Sornada to

which village the 1st Prosecutor belongs. Prosecutor declared that he did not know by whom the theft had been committed; but that he would try and find out if he was allowed a months time. The Peshkar however refused to accede to his request and 4 Dundaſsees including the Prosecutor and 2nd Prisoner were placed that night in the Stocks on suspecion of being concerned in the theft. The next morning the 1st Prisoner (Revenue Naick) and a peon took the party into the tope near Beheradah. The latter, by the Naick's order, carried a rope, a stick and the lock of musket. No use seems to have been made of the latter but by the Naick's direction, the peon tied the 2nd Prisoner's hands above his head and placed the stick acroſs his neck. The Prisoner did not however make any confeſsion and the party were then taken back to the Peshkar and the Naick reported the result. The Peshkar threatened them with more punishment, told them they must sell their own property to make good what was stolen and eventually released them after taking the Moochilka already alluded to, which they were afraid to refuse to sign. Prosecutor afterwards went and arrested 2nd Prosecutor on suspecion and brought him to the Peshkar, who after questioning him, told the Revenue Naick to take him away and get the stolen property from him. The Naick took him to a short distance outside the Cutchery and made the 2nd Prisoner tie his hands above his head and place a stick acroſs his neck. The 2nd Prosecutor after undergoing this treatment for some time, said that some of the stolen property (bell metal cups) would be found in the 1st Prosecutor's house. The 1st Prisoner took the party to the Cutchery, reported the matter to the Peshkar and by his orders, took the whole party which consisted of a Sarmesthan Naick, a number of Dundaſsees, and a peon to Sornada. The search however proved ineffectual. The 2nd Prisoner then by the 1st Prisoner's orders, tied Prosecutor's

hands above his head, went and fetched a crowbar and placed it across his neck. The Prosecutor's wife commenced screaming. The 1st Prisoner then ordered the Crowbar to be removed and took the party into the jungle outside the village, where the same treatment was repeated: after it had lasted for a couple of hours, the 1st Prisoner offered to release Prosecutor for Rs. 4 which the latter agreed to give. He was then released and the party returned to Nowgaum from which he was removed under the circumstances already described. All this Prosecutor describes as having taken place on Sunday but adds that in addition to this treatment, both he and 2nd Prosecutor were taken outside the Cutchery on the previous day (viz Saturday) and tied up. A peon whose name he does not know, brought some beetles which, by the 1st Prisoner's orders, the 2nd and 3rd Prisoners (another Dundassee) applied in a cloth to their Stomachs. The Prosecutor adds that he complained of this treatment twice to the Peshkar viz at 12 o'clock on Saturday and at 4 o'clock on Sunday evening. During the course of the investigation, it having
becomes

become evident that the Prosecutor was not in custody at all on Saturday, he was re-examined again on this point and in the second examination stated that all that he described as occurring on Saturday, took place on Sunday.

8 The 2nd Prosecutor (Dundassee) states that the Dundassees of the Mootah questioned him on two different occasions about the theft at Nowgaum but that he was not placed under any kind of restraint until Sunday, when a party of them including the 1st Prosecutor, the Samusthan Naick and a number of Dundassees came and took him into the Nowgaum tope, where they were joined by the 1st Prisoner. By orders of the 1st Prosecutor 3rd Prisoner who was one of the party, tied him up and the 2nd Prisoner wetted the rope with water to tighten the pressure. Prosecutor was then made to stand in the Sun and the 1st Prisoner having fetched two beetles, made 2nd Prisoner apply them to the prosecutor's person and then went away. Prosecutor was left in this state till about 12 o'clock when he was released and taken to the Cutchery.
The

The 1st Prisoner who was there, enquired if the Prosecutor had confessed any thing and on learning that he had not, ordered him to be again taken outside and having himself accompanied the party, made the 2nd Prisoner tie up the 2nd Prosecutor with his hands above his head, had a stick which he had brought with him, placed across his neck, and made the 2nd Prisoner attach 2 Stones to the latter. Two Dundasees were made to stand by him to prevent him from sitting down. The 1st Prisoner ordered him to be kept in this State till he confessed and went away. The Prosecutor at last at the suggestion of the Samusthan Naick, said that some of the stolen property was in the 1st Prosecutor's house and was in consequence taken to the Cutcherry. There was no one there except a Moonshee who wrote something or other and the whole of the party proceeded to Gornadu, when the 1st Prosecutor's house was ineffectually searched. While they were still there, the 1st Prisoner made his appearance and on learning the result of the search, made the 2nd Prisoner tie up both Prosecutors with their hands above their heads. a stick was then placed by the same individual across the neck of the 2nd Prosecutor and a crowbar which was borrowed from one of the villagers, across the neck of the 1st Prosecutor. Both Prosecutors began screaming and the wife of the 1st Prosecutor having also commenced crying, the 1st Prisoner released them and took them into the jungle outside the village where he had them tied up in the same way and in addition stones were fastened to the stick which was placed across the 2nd Prosecutor's neck. The 1st Prisoner called on them to give up the stolen property, but they persisted in declaring that they did not know where it was and were eventually released and taken to Nowgaum, where the 1st Prisoner released them but told them to come in the morning and Prosecutor was told by the 1st Prosecutor that he had agreed to give the Naick Rs 8/ but Prosecutor did not himself hear any money asked for. He states that he complained to the

Peshkar that he had been tortured by the application of beetles-

9 The 1st Witness (Dundaseer) went to the Cutcherry on Sunday morning. The two Prosecutors were standing before the Peshkar, who was reminding them of their Moochilka and asking where the stolen property was, to which they replied that they had not been able to find it. The Peshkar said something in Telugu to the 1st Prisoner, who took the Prosecutors outside. A kerozgar peon (4th Prisoner) brought 2 beetles and gave them to 1st Prisoner, who made 2nd Prisoner tie up 1st Prosecutor with his hands above his head and had a stick which he had brought with him from the Cutcherry placed across his neck. Witness went away for some time and on his return, found 1st Prosecutor with a cloth bound on his stomach. He was screaming and when the cloth was removed shortly after by 2nd Prisoner, witness saw that there were 2 beetles in it. 2nd Prosecutor was then tied up in the same way and beetles were applied in a cloth to his sides. The 1st Prisoner said he was going to Russelcondah and desired a peon to watch over prosecutors until he returned. Witness and several of the party then went away. When they returned both Prosecutors were at large in the Cutcherry and the Sammsthan Naick who soon after joined them with the Prosecutors as they were seated under a tree outside, said they were all to go to Sornada, where 2nd Prosecutor had reported that some of the stolen property was buried in the 1st Prosecutor's house. Witness gives the same account, as the 2nd Prosecutor, of the result of the search and of the ill-treatment to which the 1st Prisoner subjected the Prosecutors as soon as he made his appearance on the scene. Witness heard no money asked for but was told by 1st Prosecutor that he had agreed to give the 1st Prisoner Rs 8.

10 The 2nd Witness (Naick of Dundaseers) states that after

they all went from the Cutchery to the tope on Sunday morning, 2nd Prisoner, by 1st Prisoner's orders, first tied up 2nd Prosecutor with his hands above his head placed a stick across his neck and attached 2 Stones to it. The 1st Prisoner had also brought a lock of a musket with him as well as this Stick but none was made of the lock. The 1st Prisoner, after the 2nd Prosecutor had been tied up in this way, remarked that this was not sufficient punishment and ordered some beetles to be brought. 4th Prisoner went and fetched 2 beetles which, 2nd Prisoner by the Naick's orders, applied to the Prosecutor's Stomach and Sides. After being tortured in this way for about an hour, he was released and by the 1st Prisoner's orders, the 1st Prosecutor was then Subjected to precisely the same treatment which lasted till about 12 o'Clock when he was released and both prosecutors were taken by the 1st Prisoner to the Cutcherry. Witness remained under the tree with the other Dundassees and soon after the party who had gone to the Cutcherry returned and they all proceeded to Sornada, where 1st Prosecutor's house was ineffectually searched for stolen property. Witness states that 1st Prosecutor was then tied ..... by the 1st Prisoner's orders but that nothing else was done to him and nothing whatever to ..... 2nd Prosecutor. The 1st Prisoner however then made all the party go to a tree about 100 yards from the village and then both Prosecutors were tortured in the manner described in the Charge viz. with a Crowbar and a Stick weighted with Stones. Witness heard no money asked for but after the party had returned to Nowgaum, 1st Prosecutor told him that he had agreed to give the 1st Prisoner Rupees 8.

11 The 3rd Witness to whom the Crowbar used in torturing the 1st Prosecutor belongs, States that he had lent it to 4th Witness who came and told him that the 1st Prisoner had just taken it away from him. Witness came out of his house and saw the 1st Prisoner proceeding with a party of

Dundassees towards some trees outside the village - Both Prosecutors were bound - 2nd Prisoner was carrying the Crowbar - The 1st Prisoner when asked for the Crowbar, did not say what he was going to do with it; but pro:mised to return it immediately -

12 The 4th Witness states that he was using the Crowbar, when the 1st Prisoner who was at the time accompanied by a party of Dundassees, among whom were the two Prosecutors both of whom were bound, asked him for the Crowbar and took it away - Witness immediately reported the Cir:cumstances to the owner of the Crowbar -

13 The 5th Witness (Samusthan Naick) states that on being sent for, he went to the Talook Cutcherry on Sunday morning - The Peshkar was telling the two Prosecutors and the 2nd Prisoner who were before him that they must give up the property stolen from the house of Comity Ramiah -
They

They asked where they were to get it from - The Peshkar ordered Witness to take them away and ask them for it - Witness took them into the tope and spoke to them - They said they would try and find out where the stolen property was, when the 1st Prisoner who had just come to the spot, made 2nd Prisoner tie up the 2nd Prosecutor in the manner previously described and sent 4th Prisoner who happened to be seated there to go and fetch some beetles, he brought 4 and gave them to the 1st Prisoner who made 2nd Prisoner apply them to the 2nd Prosecutor's stomach - the latter was then released and 1st Prosecutor had his hands tied behind his back and beetles applied to his stomach by the 2nd Prisoner acting under the 1st Prisoner's orders; at 10 oClock the 1st Prisoner released them both and went to the Cutcherry - Witness himself went there soon after with the rest of the party - 1st Prisoner who was at the Cutcherry, asked if they had agreed to give up the stolen property and on hearing that they had not,
ordered

Dundaſsees towards some trees outside the village - Both Prosecutors we

ordered them to be taken back to the tope where he made 2nd Prisoner tie up the 2nd Prosecutor with his hands above his head and caused a stick weighted with stones to be placed acroſs his neck. The 1st Prisoner then went away ordering him to be kept in this state until his return. Soon after 2nd Prosecutor said that some of the stolen property was buried in 1st Prosecutor's house. Witness had him untied and reported this Confeſsion to the Peshkar - who desired witness to take the party and search the 1st Prosecutor's house but refused to give him any peons to aſsist in the search. Witness accordingly took the whole party to Sornada where the 1st Pro:secutor's house was ineffectually searched. The party were all seated in the village, when the 1st Prisoner made his appearance and on learning the result of the search, made 2nd Prisoner tie up both Prosecutors and then took them to some trees outside the village, where both Prosecutors were again tied up and tortured with a Crowbar and a stick weighted with stones in the manner already described, after which the whole party returned to Nowgaum and the result of the search was reported to the Peshkar. Witness did not hear the Peshkar give any orders for the Pro:secutors to be tortured, nor did he hear them complain to the Peshkar that they had been ill-treated.

14 The 1st Prisoner (Revenue Naick) states that in consequence of a theft having taken place at Nowgaum, he went by the Peshkar's orders and searched a number of houses ineffectually and afterwards returned with all the Dundaſsees of the Mootah, who reported that they suspected the 1st Prosecutor, 2nd Prisoner and 2 other persons, whom by the Peshkar's orders, Prisoner put in the stocks. Prisoner found next morning that they had been released, but all the Dundaſsees being aſsembled, the Peshkar desired the Prisoner to question them. Prisoner enquired how he was to do this if he was not allowed to beat them. The Peshkar said he might trouble them in some way without beating them. The Dundaſsees asked for a fortnight

time and eventually it was settled that they should have five days given them and Prisoner took them to the Cutcherry, when a Moochilka to that effect was executed and they were all released. The date fixed in the Moochilka expired on Saturday, but the Dundassees were all drunk on that day and did not come to the Cutcherry. Next morning on going to the Cutcherry, Prisoner found them outside with the Sumusthan Naick. The two Prosecutors had their hands tied behind their back. The other Dundassees said they were dealing with them according to the custom of their caste. Prisoner ordered them to be forthwith untied. They would not however confess any thing; and Prisoner after reporting this to the Peshkar, said that as he was not allowed to beat them, he would apply beetles to their persons observing that the irritation occasioned by these insects would make them confess. Prisoner at first stated that the Peshkar had told him to apply the beetles; but in his detailed

defence

defence, states that the Peshkar remained silent when he made this suggestion, and that therefore he supposed that he had acquiesced. Prisoner adds that this conversation was carried on in open Cutcherry but that there was no one sufficiently near to hear it. Prisoner then went outside and desired 1st Prisoner to bring some beetles and when he had brought them, made 2nd Prisoner tie the hands of both Prosecutors behind their backs and apply one beetle to the 1st Prosecutor's stomach and two to the second. Prisoner then went to the Cutcherry. The Peshkar enquired if the Prosecutors had confessed. Prisoner said not yet as they had only just had the beetles applied. About an hour afterwards, Prisoner went back to the place and found that the beetles had been in the mean time taken off by 2nd Prisoner who said they had not been biting and that he had taken them off because he found that the insects were dead. Prisoner then went back and reported to the Peshkar who told him not to be perpetually worrying him but to bring the Prosecutors with the stolen property - The Prisoner then went back and made 2nd Prisoner tie up the 2nd Prosecutor with his hands above his head and place a stick weighted with some clods of earth across his neck - He states that he did not do any thing more to the 1st Prosecutor - Prisoner then went away telling the Sumnasthan Naick to keep the 2nd Prosecutor in this state until he confessed - Prisoner on his return, about an hour and half after, found them all gone and was told that the party had proceeded to Sornada, to which place he followed them; on learning that the search had proved ineffectual he ordered both Prosecutors to be tied up, but as the women and Children began to cry on hearing this order, he took them a little way outside the village and had them tied up there - He admits having borrowed the Crowbar of one of the villagers but states that he made no use of it beyond placing it and a stick in front of the Prosecutors in order to frighten them - After keeping them there some time, he took them to Nowgaum and reported the result to the Peshkar - The story of his having acted for money the prisoner denies in toto -

15 The 2nd Prisoner (village watcher of Nowgaum) states that he and 1st Prosecutor were arrested on suspicion of being concerned in the theft at Nowgaum and that they were both taken into the tope by the 1st Prisoner and a peon named Balla, who by orders of the Naick, tortured the 2nd Prisoner in the manner described by the 1st Prosecutor - They were then taken back to the Cutcherry, where the 1st Prosecutor, 2nd Prisoner and 3rd Prisoner and another Dindassee were kept in the stocks that night - Next day the 1st Prisoner, as he was taking him to the Peshkar, offered to get him released if he would give him Rupees 15 - Prisoner said he would give one Rupee - 1st Prisoner went into the Peshkar's house, came out again, and took the Prisoner to the Cutcherry, where he told him they must give up the stolen property in five days and soon after a Moochilka to that effect was taken from him and 1st Prosecutor by the Peshkar, after which they were released but placed under the surveillance of the Sunnusthan

Naick-Prisoner's account of what took place at Sowgaum on Sunday, is very nearly the same as the 1st Prisoner's- He confeſses that by the orders of the latter, he tied the hands of the 1st and 2nd Prosecutors behind their backs and that he threw water on the ropes with which the latter was secured in order to increase the preſsure, that he and 3rd Prisoner applied live beetles to the stomach of both these individuals and subsequently removed them during the Naick's absence; that afterwards, on the return of the 1st Prisoner, the latter after hearing that no confession had been made, desired him to tie the 2nd Prosecutor's hands above his head which was done by the 3rd Prisoner as he himself did not know how to do it; and that he (2nd Prisoner) then by the 1st Prisoner's orders, placed a stick weighted with stones acroſs the 2nd Prosecutor's neck. After this, the 1st Prisoner went away leaving the party under a peon and during this interval 2nd Prosecutor made the statement which led to the whole party going to Sornada. Here they were joined by the 1st Prisoner, by whose orders Prisoner admits that he again tortured the 1st and 2nd Prosecutors in the manner described in the 4th and 5th instances of the Charge- Prisoner states that after the party had returned to Sowgaum, he heard the Prisoner ask the 1st Prosecutor for Rupees 8.-

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16 The 3rd Prisoner also pleads guilty confeſsing that he and 2nd Prisoner did by 1st Prisoner's orders, apply live beetles to the persons of both the Prosecutors. He also states that the 2nd Prisoner subsequently by the Naick's orders, tortured the 2nd Prosecutor in the manner described in the 3rd instance. Prisoner also accompanied the party to Sornada and was present at the ineffectual search which took place there but went away before the arrival on the scene of the 1st Prisoner and knows nothing therefore of the ill-treatment to which the Prosecutors were subjected at Sornada.-

17 The 4th Prisoner (Berozgar peon) states that he was paſsing by on his way from the river, when the 1st Prisoner desired him to bring some beetles and that he caught them and gave them to the 1st Prisoner without having any idea for what purpose they were going to be used- There were some Dundaſsees there but none of them were at that time bound, nor was the Prisoner present afterwards when any of them were ill-treated-

18 The 5th Prisoner Peshkar states that when the theft already alluded to, took place, he sent the 1st Prisoner to search the houses of all the panoes and Dundaſsees, that

the

Naick - Prisoner's account of what took place at Nowgaum on Sunday, is very nearly the same as the 1st

the search was unsuccessful; and that afterwards the 2nd Prisoner reported that he had traced certain footsteps to Dornada - Prisoner therefore told the Summsthan Naick to speak to the 2nd Prisoner and 1st Prosecutor about discovering who the thieves were - The Summsthan Naick brought them both to the Cutcherry, when on being questioned they said they had all consulted together and that they wanted a certain fixed time to be allowed them to trace out the theft - They also requested Prisoner to take a Moochilka from them to frighten the other Dundasees - To all this after some demur, Prisoner agreed and took a Moochilka - On Sunday they came again to the Cutcherry and said that the 2nd Prosecutor who was in the Cutcherry, had promised to give up the stolen property - Prisoner told the Summsthan Naick to get the stolen property wherever it might be and went away - Subsequently the Summsthan Naick came to the Prisoner while he was at his own house and asked for a peon to search the 1st Prosecutor's house because the 2nd Prosecutor had said that some of the stolen property was there - No peons happening to be present, Prisoner desired the Summsthan Naick to take the party and conduct the search himself in due form - He returned about 4 1/2 P. M. and reported that nothing had been found and Prisoner was engaged in questioning him and had not even seen the Prosecutors when the Assistant Agent came and took them away - Prisoner admits that he did order the 1st Prosecutor and 2nd Prisoner to be placed in the guard on the first night after the theft was reported and that it is possible they and two other persons may have been put in the stocks for security on account of the number of prisoners there - But he denies in toto that any conversation on the subject of the application of beetles, ever passed between him and the Revenue Naick, declares that he gave the latter no orders whatever regarding the Prosecutors on Sunday; that such orders as he did give were given by him in open Cutcherry to the Summsthan Naick; and that he never in any way authorized the illtreatment of the Prisoners or was aware that they had been subjected to any ill-treatment; and he requests that if necessary, all the Cutcherry servants may be examined as to what took place in the Cutcherry -

There

19 There seems to be no use in entering into an-enquiry of this kind without having some definite object in view. The Revenue Naick, who is the party most interested in proving that the Peshkar connived at, if he did not authorize, the illtreatment of the Prisoners, states that, not a single person in the Cutchery, heard the conversa:tion regarding the application of beetles to the Prosecutors' persons and there seems to be no evidence available by which the Charge can be brought home to the Peshkar. The latter was placed on his trial as an accessary chiefly because the Revenue Naick, when first arraigned, stated that he had applied the beetles by the Peshkar's orders. In his detailed defence however, the alleged order dwindles into a tacit permission and it must be remarked that this is not the only instance in which the Naick's attempt to shift the blame from him:self to others, have undergone a considerable modification during the course of the enquiry. The torture by means of a crowbar which he denied at first having had any thing to say to, is now shewn to have entirely originated with the 1st Prisoner and he defence on this point is very different from what he originally pleaded. The whole facts of the case seem to show that he was not a person who required any hint from his Superiors in a matter of this kind. The idea of applying the beetles, even accordin to his own showing, originated with himself. For the other form of torture used at Nou:gaum, he does not plead having had any sanction and for the proceedings at Sornada, he could have had none, as there seems to be no reason to suppose that the Peshkar was even aware that he had gone there, but the moment the Naick makes his appearance on the same da Sornada, the torture recommences.

20 The mistake made by the 1st Prosecutor regarding the day on which beetles wer applied to his person and in his describing himself as having been tortured on two suc:cessive days, is very singular considering that his deposition was recorded on the following day

and it seems impossible to suppose that he could have forgotten the facts of the case in these few hours. The mistake cannot but excite some misgivings regarding the truth of the Story told by him regarding the 1st Prisoner having asked him for money while he was torturing him at Sornoda. The 2nd Prisoner states that it was asked at Kavgaum and none of the other persons present heard it asked at all, their information regarding this intended bribe having been apparently derived from the 1st Prosecutor himself; and even the amount does not correspond. With the exception however of the error already noticed regarding the date in the 1st instance of the Charge, which was subsequently corrected by the 1st Prosecutor himself, the whole of the facts, as stated in the different instances of the Charge, seem to be proved beyond a doubt. As the Prosecutors have not sustained any injury from the treatment they have been subjected to, the case does not seem to be sufficiently serious for Committal though it is certainly one calling calling for severe punishment within the limits prescribed for aggravated abuse of authority.

21 The 1st Prisoner is convicted on all five counts of the indictment and adverting to the Conspicuous part played by him throughout, is sentenced to 6 months' imprisonment with hard labor in irons and to pay a fine of Rs. 30 or in default to be imprisoned for a further period of 6 months. Section VII Regulation X of 1816.

22 The defence of the 2nd and 3rd Prisoners that they acted under the orders of the 1st Prisoner, though no doubt true, is of course inadmissible and adverting to the part taken by each in torturing the Prosecutor, they are respectively sentenced to 6 and 3 months' imprisonment with hard labor in irons. Section VII Reg. X of 1816. -

The

Agent to the Governor

23 The defence of the 4th Prisoner that he did not know the purpose for which the beetles were required, is one which it appears impossible to credit. It seems doubtful however whether he was present when the beetles were actually applied, and taking this Circumstance and his youth into consideration, he is sentenced to one months' im:prisonment with hard labor in irons - Section VII Regulation X of 1816.

24. For the reason already stated, the 5th Prisoner is released from want of direct proof that he was an accessary in this case but it seems impossible to suppose that the Prosecutors could be publicly tortured within a few yards of the Talook Cutcherry by a Subordinate Officer attached to that Cutcherry without tacit Connivance or very gross neglect on the part of the Officer who was temporarily at the head of the Establishment and the previous proceedings of the Peshkar with regard to the particular case of theft which led to the Prosecutors being tortured, are not of a nature to lessen the suspicions which attach to him - Four persons appear to have been apprehended, imprisoned, and placed in the Stocks on a mere suspicion without enquiry or report and a Moochilka to have been taken by the Peshkar from two of them in a manner which he must have known to be perfectly illegal, even if it was not extorted by actual torture which there seems reason to believe it was - This charge remains yet to be investigated and in closing this case, it seems sufficient to remark that the facts even as represented by the Peshkar himself appear to be quite sufficient to call for his removal from his present Office from which he has been suspended pending the orders of the Acting Agent.

Assistant Agents' Office
Rupelconda 11th April 1855

(Signed) R. M. Macdonald
Asst Agent.

(True Copy)

Extract from the Proceedings of the Court of the Agent to the Governor in Ganjam dated 13th April 1855-

Read 1 Report A of Case No. 8 of 1855 Assistant Agent Lieutenant Macdonald's file.

The Acting Agent concurs in the sentence passed in this case, and in the view taken by the Assistant Agent of the Peishcar's conduct, it is quite impossible to suppose that any peon, tho' directed to question a Criminal, would have ventured on such a succession of cruelties had he not been sure of the support of his immediate superior; and there can be no doubt of the Peishcar's guilty knowledge of what was going on. As this is in the face of the late strict orders against the use of any thing like torture, the Acting Agent determines to dismiss him, and will not again employ him as a Police Officer-

Ordered that Extract from these Proceedings be sent to the Assistant Agent for information.

/True Extract/

/Signed/ W. Knox
Ag Agent.

/True Copy/

Exd [illegible]

E. O. [illegible]
Agent to the Governor.

Report of persons apprehended in the Zillah of Ganjam and delivered to the Assistant to the Agent to the Governor of Fort Saint George in Ganjam in the Month of March 1855.

No. of the Case	Names of the Prisoners	Abstract of the Crime or Charge	Date of			Reasons of punishment or release or date of Commitment	Explanation of delay and Remarks &c.
			Apprehension	Leaving the Talook	Arrived		
15 of 1855	Defendants 1 Partha Mian Revenue Naik 2 Soorsacutter Bulla Revenue Peon 3 Madoo Patro Peshcar of Goomsur	Abuse of Authority The 3d. Defendant is charged with having illegally imprisoned the Plaintiff and 3 other persons in the Talook Cutchery at Anugaum during the night of the 17th. March 1855 and with having released them on the following day	25th March 1855 6th April 1855 29th March 1855		25th March 6th April 1855 29th March 1855	The Plaintiff/2d prisoner in Case 108/ states that in consequence of a theft having taken place at Nowgaum, he was sent for by the Peshkar who desired him to trace it out. Plaintiff afterwards reported to the Peshkar that he had traced the supposed thief to Sornada a number	

after compelling the Plaintiff and one of the 3 persons aforesaid to execute a Moochilka binding themselves to deliver up certain property which had been stolen from the house of one Ramiah at Nowgaum on the night of 16th March 1855.—

The 1st. Defendant is Charged with having aided and abetted the 3d. Defendant by causing the Plaintiff and the three other persons aforesaid to be handcuffed and confined in the Talook Cutcherry and further with having on the Morning of the 18th. March 1855 conducted the Plaintiff into the Nowgaum tope and there caused his hands to be tied above his head and a stick to be placed across his neck with a view to compel him to disclose where the stolen property was.

The 2d. Defendant is Charged with having at the time and place aforesaid, tied up the Plaintiff in the manner above stated by the 1st. Defendant's orders.—

of houses were next unsuccessfully searched and Plaintiff and 3 other Dundassees were placed in the Cutcherry where they were at first at large but afterwards the 1st. Defendant went and spoke to the Peshkar and came back and reported that he had ordered them to be handcuffed which was accordingly done and the 4 Dundassees left for the night under the Charge of a Peon named Cumbon.

In the morning 1st. Defendant carrying a lock of a musket and accompanied by 2d. Defendant who by his orders was carrying a rope and a stick, took the party from the Cutcherry into the tope. Then the 2d. Defendant by the orders of the 1st. Defendant tied Plaintiff's hands above his head and placed a stick across his neck and called on him to give up the stolen property. Plaintiff said he could not

on

43

on which the 1st Defendant told 2d Defendant to put the lock to his ear, the latter took the lock but did not apply it to the Plaintiff's ear. Plaintiff after being kept in this state for an hour, was taken back to the Talook Cutchery, when Plaintiff asked for 5 days time. The 1st Defendant said he must execute a Moochilka and after making the Moonshee write it out, took the parties before the Peshkar to sign it. The latter said that it would not do and wrote out a fresh one himself which Plaintiff and Jugganauth Naik, frightened at the treatment to which they had already been subjected to, signed and were released.—

2 The 1st Witness (Peon Comboo) states that on the evening in question he was the lance Naik of the guard over the Prisoners in the Talook Cutchery and that the 1st Defendant came to him and told him to put the Plaintiff and 3 other Dimdassees in the stocks. Witness replied that the stocks were already full. 1st Defendant told him to handcuff them which Witness did and they remained under Witness's charge until next morning when they were taken away by the 1st and 2d Defendants.—

3 The 2d and 3d Witnesses can depose to no facts connected with the Charge.—

4 The 4th Witness (Sunnasthan Peon) and 5th Witness (Sunnasthan Naik) state that on the 2d day after the theft, they were outside the Cutchery looking after the Plaintiff and Jugganauth Naik, who asked the 1st Defendant for 5 days time. The latter went and reported this to the Peshkar, who at first refused to take a Moochilka saying he must have the stolen property but eventually agreed and took a Moochilka which was written out by the Moonshee and signed by the Plaintiff and Jugganauth Naik.—

5 The 6th Witness (Sunnasthan Naik's son) accompanied the party to the tope and saw the 2d Defendant tie the Plaintiff in the manner above described by the 1st Defendant's orders for the purpose of inducing him to disclose where the stolen property was. Witness saw no lock.—

6 The 7th and 8th Witnesses (Dimdassees) depose that they were imprisoned with the Plaintiff and Ramo Naik in the Talook Cutchery on the night in question, that by the 1st Defendant's orders, they were handcuffed by Cumboo, that on the following morning they were taken into the tope, where by the Naik's orders the 2d Defendant tied up the Plaintiff in the manner already described. They state however that two sticks were placed across his neck. Both declare that the Naik ordered the 2d Defendant to apply a lock of a musket to the Plaintiff's ear but that he refused to do so. The 7th Witness states that after they were taken back to the Cutchery, the Naik told them they must give up the

stolen property in 5 days, showed them a piece of paper, which was said to be a Moochilka to this effect and made them touch a piece of stick to represent that they had signed it. He adds that the Naick then went into the Cutcherry and came back and told them they might go and that they were then released. —

7 The 9th Witness (Moonshee) states that the Plaintiff, 7th Witness, and two other Dundaseer were brought to the Talook Cutcherry in consequence of the theft which took place at Towgaum and that the Peshkar desired the 1st Defendant to keep them that night under Surveillance. On the following morning the Peshkar questioned the Plaintiff and 7th Witness who said they would try and find out who the thief was and begged the Peshkar to take a Moochilka from them to frighten the other Dundasees. The Peshkar at first refused but afterwards desired Witness to write one out which the two persons in question signed and were then released. —

8 The 10th Witness was seated near the Cutcherry when the 1st and 2d. Defendants conducted the Plaintiff and 7th Witness into the tope where they remained for about an hour. Witness does not know what took place there. The 2d. Defendant came away a little before the rest of the party. —

9 The 11th Witness (Sannsthan Peon) passed through the tope on the morning in question on his way to the Cutcherry. The Plaintiff's hands were tied in front of him but there was no stick across his neck. The 1st. Defendant was questioning him about the theft. The 2d. Defendant, 7th Witness and a number of Dundasees were with the party. —

10 The 1st. Defendant states that all the Dundasees were sent for to the Cutcherry in consequence of the theft at Towgaum and four of them, Vizt. the Plaintiff and the other three persons already mentioned, separated from the rest of the party by the Peshkar's orders. At sunset they asked leave to go away. Defendant asked the Peshkar what was to be done with them. The Peshkar told him to put them in the stocks. Defendant represented that the stocks were already full. The Peshkar desired him to handcuff them, which Defendant accordingly made Cumkoodo. The next morning the Peshkar desired Defendant to question them which he commenced doing in the Cutcherry till he was ordered by the Peshkar to take them outside. The Plaintiff was accordingly taken out and questioned but he said he knew nothing about the theft. Defendant went and reported this to the Peshkar who told him to keep him in the Cutchery. They then all went to their rice and in the afternoon the Peshkar and the Naick having returned to the Cutchery, Plaintiff and 7th Witness asked for some time to be given to them to trace out the theft. The Peshkar at first insisted on having the stolen property but at last agreed to take a

- Moochilka which was written out by the Moonshee and after being signed by Plaintiff and 7th Witness, handed over by Defendant to the Peshkar, who then released them - Defendant denies having had the Plaintiff tied up when he questioned him in the tope -

11 The 2d. Defendant states that he was standing outside the Cutcherry on the morning in question - when the 1st. Defendant who was accompanied by the Plaintiff 7th Witness and some other Dundassees, - seized Defendant by the hand and compelled him to go with the party into the tope. after their arrival there, 1st. Defendant desired the Sumnsthan Naik who was one of the party to question the Plaintiff about the theft which he commenced doing - at this moment Defendant's brother Sinka Conta Patro and Boojee Panso who happened to be there, recommended Defendant to go away - Defendant accordingly went back to the Cutcherry and took two Prisoners who were there out for the purposes of nature and told them as they were coming back when they enquired of him, what was going on in the tope that some Dundassees were being questioned about a theft which had taken place at Nowgaum - Defendant denies having tied up the Plaintiff or having even seen him tied by any one else -

12 The 3d. Defendant states that on the morning after the theft he sent for and questioned all the - Panoes and Dundassees and had a number of houses ineffectually searched. The Plaintiff who was the Village watcher reported that he had traced the footsteps of the supposed thief to Tornada, the 7th Witness's Village - Nothing was however discovered and in the evening the 1st Defendant asked the Defendant how he was to keep the Dundassees. Defendant who was afraid that if they were released they might make away with the stolen property, told him to keep them in the Prisoner's cell but not to put them in the stocks or to handcuff them - In the morning some more Dundassees having come, Defendant desired the Sumnsthan - Naik to take those who were already in the Cutcherry and let them all talk together - In the course of the forenoon the Sumnsthan Naik returned and said that the Plaintiff and 7th Witness agreed to give up the stolen property in 5 days and to execute a Moochilka to that effect. Defendant was at first unwilling to take a Moochilka saying it was irregular but at last on the Dundassees representing that it was necessary in order to frighten the other Dundassees, made the Moonshee write one which Plaintiff and 9th Witness signed and were released - Defendant names two Witnesses to prove that he did not order the - persons in question to be put in the Stocks or handcuffed -

13 One of these Witnesses (the Cash keeper) states that he did not hear the Peshkar give any orders on the - night to the 1st Defendant - The other Witness (Moonshee) states that the Peshkar

to keep them under Surveillance in the Cutchery.—

14 The 2d. Defendants brother states that he took his brother away from the tope and that they went together to the Cutchery with Conta Patro. The Plaintiff was in the tope with a number of other persons but he was not bound nor was he undergoing any questioning.—

15 Conta Patro was passing through the tope and saw a crowd of people, not one of whom he identified at some distance off in the tope. The 2d. Defendant was standing under a tree some way off - and on his brother calling him, went away with him.—

16 Bhoojiah Panoe (Peon) states that he and a number of Panoes and Dundasees were sent for on the day after the theft, that a search was made for the stolen property and that in the evening he went away and knows nothing therefore of what took place the next day.—

17 The two Prisoners alluded to by the 2d. Defendant state that one morning about sunrise they saw a crowd in the Nowgaum tope and on questioning the 2d. Defendant under whose Charge they were at the time, were told by him that the people were assembled about a theft which had taken place the previous day at Nowgaum.—

18 It is clearly proved in this Case that the Plaintiff and three other persons against whom no Charge had been preferred and regarding whose detention no official report was ever made, were handcuffed and imprisoned in the Talook Cutchery because it was supposed by the Peshkar that they might be concerned in the theft which had taken place the previous night at Nowgaum. The Peshkar does not deny that they were confined by his orders but attempts to throw the blame of handcuffing them on the Naick who declares that he acted under the Peshkar's orders, though he has no Witnesses to prove that he received orders to that effect. The Peshkar is borne out in his story by one of his Witnesses but that story differs very much from that told by him in his defence in Case No. 8 where he stated that he told the Peon on duty, not the Naik, to place these persons in the Guard and added that the Peon might for security have handcuffed them because there were at the time a great many Prisoners in the Cutchery. On this point therefore there seems reason to doubt the truth of the Peshkar's story but it is not very material, as the fact of these persons having been illegally confined in the Prisoners' Cell by his orders, is clearly proved. The 1st. and 2d. Defendants deny that the Plaintiff was tied up when he was taken out and questioned in the tope next morning and the 2d. Defendant has attempted to prove that he left the party before any thing of this sort was done to the Plaintiff. The evidence of Tenka and Conta Patro does not seem to be very conclusive even if

true and on the other hand if the 2d Defendant was back in time to take out the two Prisoners who have been examined and to bring them back again by sunrise, the occurrence to which Tenka and Conta Patro refer, must have taken place on some other day. In fact the Panoe Ron who is stated to have been present, distinctly declares that he was not at Towgaum on the day to which this portion of the Charge relates. on the other hand the fact that the Plaintiff was tied up, is fully borne out not only by the two Dundaſsees, who were his fellow Prisoners but by the 11th Witneſs who paſsed by the spot and by the 6th Witneſs who was present throughout and who has given his evidence in a clear straightforward way which seems to have no doubt of the truth of the story.—

19 The defence with regard to the Moochilka is that it was voluntarily given but it seems idle to apply such a term to the acts of persons who had been imprisoned and handcuffed and one of whom had just been made to stand for an hour in a painful position for the purpose of inducing him to disclose what he does not seem to have known. Persons who had been subjected to such treatment would of course in one sense be willing to entre into any agreement of this sort merely to regain their liberty and the Reshkar was evidently perfectly aware of the impropriety of taking such a Moochilka.—

20 The 1st Defendant was evidently the party most to blame for the proceedings in the tope but adverting to the sentence paſsed on him in Case No. 8, no further sentence can be recorded in this Case.—

21 The 2d Defendant who seems to have acted to a certain extent unwillingly and who would not obey that portion of the Naik's orders directing him to apply the lock of a musket to the Plaintiff's ear—is fined Rupees 15 or in default sentenced to one months imprisonment Section III Regulation III of 1819.—

22 The 3d Defendant is fined Rupees 50 or in default sentenced to one months imprisonment Section III Regulation III of 1819.—

(True Copy)

Aſsistant Agent's Office
Ruſselcondah 14th April 1855

Agent to the Govt.

(Signed) R: M: Macdonald
Aſsistant Agent.—

General Department

No. 722.

Report of the Civil Auditor.-

The Civil Auditor has the honor to report, that the authorized Official allowance drawn by Madhavapatroodoo, late a Peishcar of Goomsoor Talook, on the Establishment of the Collector of Ganjam, for the last five Years of his Service is Rupees 62-8-2 per mensem, and that his service under the Government extends over a period of 31 Years 11 Months & 23 days; Vizt. from 25th February 1823 to 24th August 1854, & from 12th September 1854 to 8th March 1855, Madhavapatroodoo was in receipt of 10 Rupees per Month, for a period of 7 Years and 2 Months Vizt. from 25th February 1823 to 8th March 1829, & from 23d. December 1833 to 10th February, 1835, which Service does not count towards Pension for the intervening period of 3 Years 5 Months & 10 days, Vizt. from 30th June 1831 to 22d. December 1833, & from 1st September 1852 to 18th August 1853 Madhavapatroodoo was as stated in the Collector's Report employed under the Zimendary of Purlakemmedy, which Service is not found in the records of the Audit Office. He is however eligible for pension.-

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28 - 2

J Lushington
Civil Auditor.-

Fort Saint George.
Civil Audit Office,
29th October 1859.-

To,
The Chief Secretary
to Government
Civil Pension Dept.

c 18 Aug/60
c 23 ,, ,,

Separate
Public 1859 Department No. 520
From The Civil Auditor
To The Chief Secy. to Govt.
Civil Pension Department
Dated 29th Oct
Recd. 8th Nov / 1859
No. 122
Encl. — 54
No.

Report upon the claim to Pension by Madhava Patradoo to the extent of his service.

R. Dis: No. 32

Certified that Madavapatrordoo, late Peishcar of Goomsoor, is old, imbecile, worn out and unhealthy-looking, and to the best of my judgement unfit for the performan of the duties of his late office.

Berhampore
25th November/1858

J. Gillies M.D.
Acg. Zillah Surgeon

a Superannuation pension - This arre
was returned under para 2 of the revised
petition

No 5711/55

No 294

63

From G. S. Forbes Esquire
Collector of
Ganjam

To

J. D. Bourdillon Esquire
Secretary to Government
Fort St George

Sir

One Madhavapatroodoo late a Peishcar of the Gumsur Talook having applied to me to recommend him for a superannuation pension I declined compliance as I found that he had been dismissed by my predecessor. He then applied to Government praying them to take his case into consideration and call upon me to forward his application for a Superannuation pension. This arzee was returned under para 2 of the revised petition rules. I then requested the instructions of the Board of Revenue as to whether I could forward his application in the usual manner as the applicant has been twice dismissed once on the ground of his having used disrespectful language towards his immediate Superior the Tahasildar, on which occasion he was re-employed after the expiration of 18 days, and a second time on a charge of abuse of authority, when he was fined Rs. 50 - which fine was however remitted by Mr. Knox on appeal with an expression of opinion that the Petitioner was unfit to be entrusted with police authority.

The Board in reply to my reference said that they did not consider that

the

the circumstances mentioned in my letter are of themselves sufficient to bar all claim on the part of the petitioner to any pensionary allowance whatever and directed me to submit the entire case to Government with my opinion for their decision. I have therefore the honor to forward his application* in the usual manner for such orders as the Government may deem proper to pass. I am of opinion that as the applicant has served for 33 years, the offence which caused his dismissal should not further destroy his claim to all pension and would suggest the grant of a pension of the grade next to that

which

* 1 Application of Mandavapatro for pension
1 Register of application
1 List of Service
1 Medical Certificate

which he would otherwise have been entitled to claim, from the date of his application Vizt. 5th October 1859 –

I have the honor to be
Sir
Your Most obedt. Servant

Ganjam District
Collector's Office
Chetterpore 10th
October 1859

Collector

List of Services of
Madaram Patro—

Separat Pub. 1859 Depart

358
4

From
The Collector of
Ganjam

No. 511

To The Secretary to Government
Fort Saint George

Dated 10th October }
Received 24th } 1859.

No. 294

Forwarding the application
of Maudhavapathroodoo
for pension.

3634

P. 24/1/60 No. 32

C 18 Jany/60
R 23

Reference

Referred to the Civil Auditor for the usual verification.

Fort Saint George, } L. Banks
24th October 1859. } Depy. Secy. to Government.

To

The Civil Auditor. Recd 24/10/59 Recd. 26/10/59 & Retd. 29/10/59 [illegible]
C. A.

Statement showing the length of service of Madhavapatroodoo late Peshcar of the Goomsur Talook of the Ganjam District.

Particulars	Rate of pay per mensem			Length of service			Remarks
	Rs	As	P				
Goomastah under the Ianadar of Poobacondah Talook from 23d January 1822 to 8th March 1829	5	"		7	1	13	
Head Goomastah under Do Do from 9th March 1829 to 29th June 1831	20	"	"	2	3	20	
Teloogoo Sheristadar under the Manager of Purla:Kemedy Talook from 30th June 1831 to 22nd December 1833.	30	"	"	2	5	22	
Goomastah under the Tahasildar of Itchapore Talook from 23d December 1833 to 10th February 1835.	10	"	"	1	1	18	Orders for all these appointments are extant on the records of this Office.
Head Goomastah under Do Do from 11th February to 15th September 1835	20	"	"	"	7	4	
Sheristadar under the Tahasildar of Goomsur from 16th September 1835 to 16th June 1848.	30	"	"	12	9	"	
Head of Police and Aumeen of the Mohery Talook from 17th June 1848 to 28th February 1852	80	"	"	3	8	11	
Guardian of the Zemindar of Purlakemedy from 1st March to 31st August 1852.	50	"	"	"	6	"	
Do Do from 1st September 1852 to 18th Augt 1853.	70	"	"	"	11	18	
Hd of Police of Chicacole from 19th August to 16th Septr Do	30	"	"	"	"	29	
Peshcar of the Goomsur Talook from 17th Septr 1853 to 18th July 1854	30	"	"	"	10	1	
Acty Tahasildar of Do from 19th to 31st July 1854	20	"	"	"	"	13	
Peshcar of Do from 1st to 24th August 1854	30	"	"	"	"	24	Dismissed for having used disrespectful language in his arzee towards the Tahasildar his immediate Superior
Carcoon under the Tahasildar of Mohery Talook from 12th September to 3d November 1854	12	"	"	"	1	23	
Town Police of Berhampore from 4th November 1854 to 17th Jany 1855	30	"	"	"	2	14	
Peshcar of Goomsur Talook from 18th January to 8th March 1855	30	"	"	"	2	12	Dismissed under the 3 charge of abuse of authority with a fine of 50 Rs which was however remitted by Mr. W. tho' he was considered unfit for holding Police posts.
Total period of service				33	1	12	

Ganjam District
Collector's Office
Chetterpore 10 October 1859

Collector

Register of an application for a Superannuation

Name of the person by whom the pension is applied for with the name of his father.	Number on the Establishment	Identification of applicants person	Si Pres
Madavapatroodoo son of Lutchmanapatroodoo	〃	There is a wart on his back just below the shoulder and a scar on the third finger of the right hand.	5 He ag heal =di

pension from the Establishment of the Collector of Ganjam preferred under the rules passed by Government under date the 15th May 1851.

ee	Age of the applicant at the time of application			Religion Caste or tribe	Where residing			Present employment	Total period of service		Applicants service Continuous or not.	How long unemployed and under what circumstances	Date of application to Govt.	Average salary or authorized official allowance per mensem for the five years preceding the date of application	Salary or authorised official allowance per mensem at the time of application.	Abstract of the grounds of application	Remark by the head of Office	Proposed amount of pension per mensem and date from which to Commence			Treasury at which the party if pensioned wishes to draw his pension	Orders of Govt.
lishes	Years	Months	Days		Province	Talook	Village		Years	Months				Rs.				Rs.	As.	P.		
8	59	3	.	Oreya bramin of Chutunnea Sect	Ganjam	Poobarcondah	Houdeevooroo	Late Peshcar of the Goomsur Talook.—	33	$1\frac{2}{5}$	Not Continuous	18 days having been dismissed for using a disrespectful language &c towards the Tahasildar his immediate superior.	5th October 1859	$58\frac{1}{2}$	Last pay Rs. 30-"-"	Old age and the consequent unfitness for further employment.—	Vide letter No 294 dated 10 October 1859 from the Collector	19	8	"	Ganjam Collectors Treasury at Chetterpore	

ad Manager certifies that the
of Madavapatroodoo is to the
of his judgement and accor
g to his horoscope is 59 years.—

Ganjam District
Collector's Cutcherry
Chetterpore
10th October 1859.

Collector

Register of Application of Madava Patro—

In No. 58/59

From G. S. Forbes Esquire
Collector and Agent to the
Governor in Ganjam

To L. Forbes Esquire
Deputy Secretary to Government
Fort Saint George

Sir,

With reference to your Memo dated the 24th October last, I have the honor to transmit herewith as noted below the decisions given in the cases in which Madhava patro was charged with abuse of authority and assault and dismissed from the service.

1 Copy of Assistant Agent's A Report ~~on~~ in Criminal case No. 8 of 1855.

2 .. Acting Agent's proceedings dated 13 April on the above report

3 Do. of Assistant Agent's A Report in Crimina Case No. 15 of 1855

4 Do. of the Acting Agent's decision dated 10th May 1855 in appeal preferred by Madhava patro against the findings

of the Assistant Agent in the aforesaid two cases Nos 8 & 15 of 1855.

I have the honor to be
Sir
Your Most Obedient Servt

Ganjam District
Collector & Agents
Circuit Office
Russelcondah
15th December 1859

G D Pate
Collector & Agent

C 18 Jany/60
R 23 J

Separate
Public 1860 Depart.
No. 6
from the Collr & Agent
at Ganjam
to the Secy to Govt
Dated 15th Decr 1859.
Recd 3d January 1860

Forwarding Copies of
Decisions passed in the case of
Madava Patrudu who was charged
with abuse of authority.

Vide Pro. No. 32

Sep

81

Pub: Dept:

Pro: of Government.

Read the following

From the Collr and Agent at Ganjam } dated 10th Octr 1859.

From the Civil Auditor } dated 29th Oct. 1859.

From the Collr & Agent at Ganjam } dated 15th Decr 1859.

Order thereon dated 24 January 1860. No. 32.

1. With the first of the above letters the Collr of Ganjam submits a register of application for superannuation pension in behalf of Mádava Patrudu late Peshkar of Gumsur Táluq.

2. The applicant has ~~served~~ been in Govt Em:ploy for above 35 years, of which about ~~2~~ 28 years is admissible in counting for pension

3. He was dismissed in 1854 for using disrespectful language in speaking of the Tahsildar his immediate superior. ~~In the following year he was employed again almost~~ He was employed again in the course of 3 weeks in a post of lesser emolument, and was finally dismissed from the service in the following year on a charge of aggravated abuse of authority.

4. The Court have carefully read the decisions which have been recorded in this latter case, and they find that, although there was not sufficient direct evidence to warrant a formal conviction on the criminal charge, the moral presumption that he connived at, ~~to~~ if he did not directly give orders for, the infliction of torture upon certain persons brought before him in a case of theft, was so strong as to induce the Asst Agent to dismiss him from his post. This decision was approved & confirmed, on appeal, by the Acting Agent, who declares in the last clause of his proceedings that he will not again employ him as a police officer.

5. With these facts

before them, looking to the prohibition against admitting persons to pension after they have quitted the service, and to the rule which declares that if an Officer is dismissed he shall not, even if re-employed, count his previous service towards pension, the Govt. must decline to relax the rules in the present case -

J.P. L.F.

To

The Collr. & Agent

at Ganjam [illegible] 24/1/60.

Copy to Madras Patriarchs in the Petition Deptt

Despd. 27th July 1860

c 18 Jany/60
R 23 "

Separate
Public 1860 Deptt
No 32
Proceedings of Government
Dated 24th Jany 1860

Rejecting the Claim
of Pension of Madara
Patroodew - late Peishkar
in the Goomsur Talook at
Ganjam on the ground
of his having abused the
Authority and on his final
dismissal from the Office.
on a serious charge preferred
against him in