1. Number of pages 35
2. Date of Repair 22.12.25
3. Initials of Reference

8.2.26

M.R., O. 1—82,400—29-11-30.

MADRAS RECORD OFFICE.

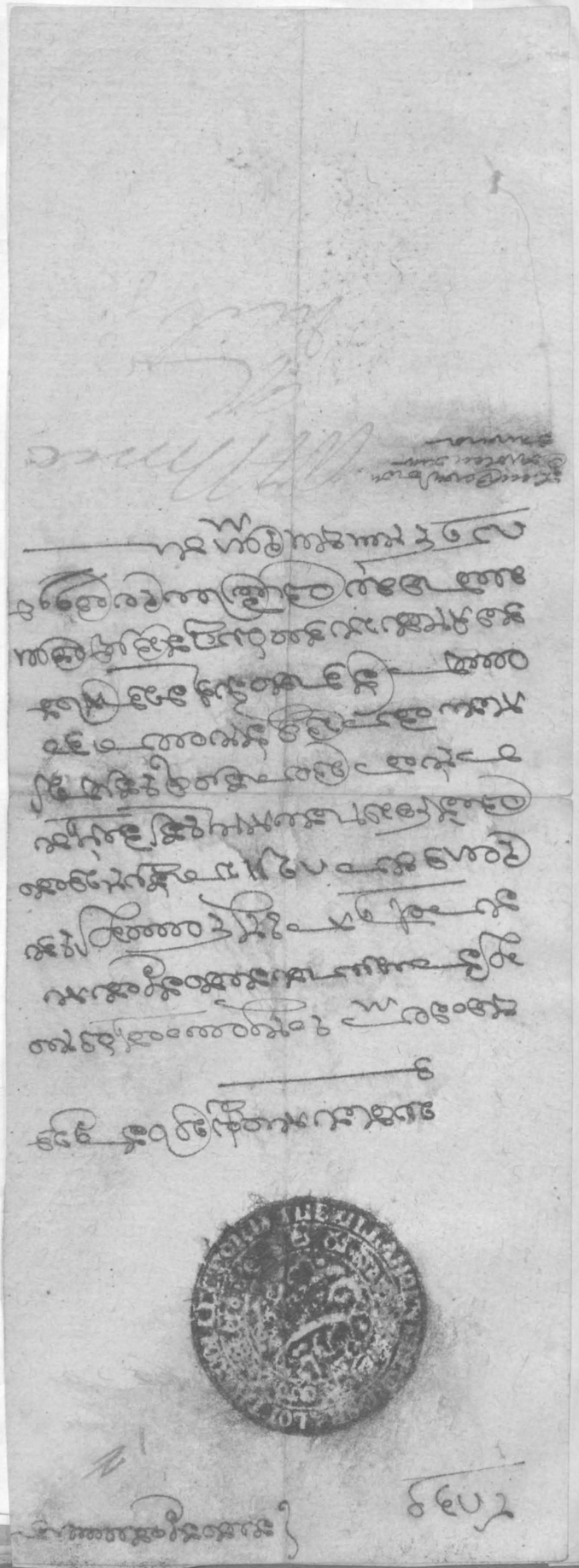
Government of Madras.

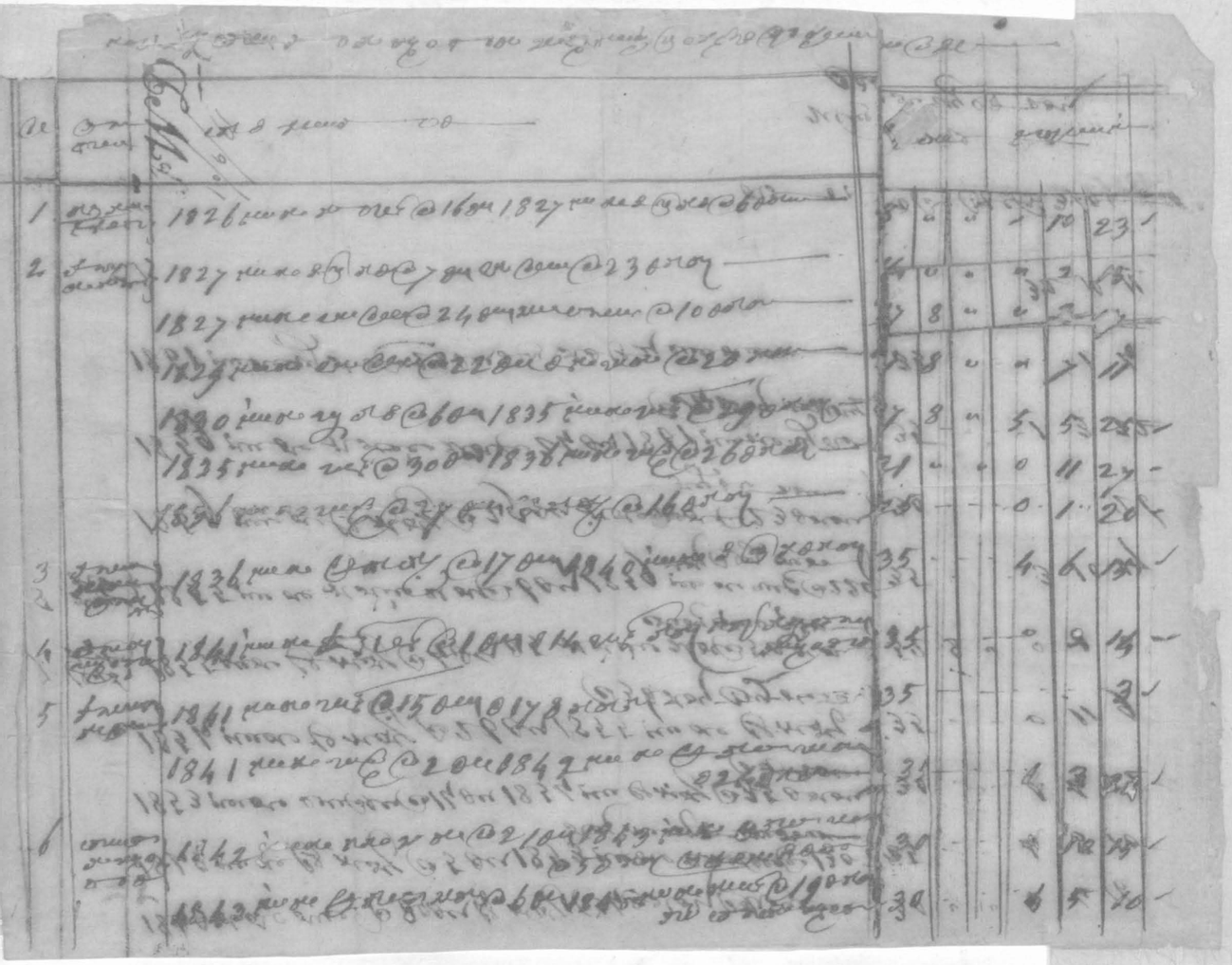
pension **DEPARTMENT.**

G.O. No. 284 — Press Mis.

Dated 28—8— 1862

Not to be folded or roughly handled





13=

2

Suit No. 1877 of 1881

30 5

Exd 4/8/62

No. 1877 of 1862.

From the details in Mr. Dykes's endorsement it only appears that the Petitioner was once dismissed in 1827. and not twice as stated in the beginning of the endorsement. This dismissal was ona grave charge - but as the Petitioner has been re-employed and has served more than thirty years since, his dismissal cannot be held as a bar to his claim to pension. There is nothing to show that Petitioner obtained his re-appointment fraudulently. He was employed two years after his dismissal and in the same district where the circumstances of his case must have been well known. -

The other offences recorded against

against the Petitioner were punished in the usual manner and can hardly have been of so grave a nature as they seem to have been considered by Mr. Dykes or the Petitioner would not have been retained in the Public Service.—

Under these circumstances the Government resolve to direct the Acting Collector of Nellore to submit Petitioner's application for Pension in the usual manner.—

For Fort St. George
31st. July 1882.

By Order

R Ellis

Sg: Dy: Secy: to Govt.

1877 & 1882

17

To

His Excellency the Honorable

The Governor in Council

&c &c &c

The humble petition of Budama-
yoonta Brahmanee Lalh hazumdar
of Surrapudlay Taluq, District of
Nellore.

Respectfully Sheweth

That Petitioner being deeply aggrieved with the order passed by the Collector dated 13th December 1861, in his unfortunate case, begs most humbly and respectfully to solicit the attention of your Excellency in Council to the following considerations in regard to his claims to a superannuation pension, to recommend him for which, the Collector declined for reasons which your Excellency will observe will not hold good.

Petitioner was first entertained in the public service in March 16th 1826 and was dismissed on the 11th July 1827, on unfounded grounds. As Sheristadar Gumashta, under Jnt. Revenue Surveyor Ross, he was deputed to inspect several channel works, which he did and faithfully forwarded his reports to him. In like manner Petitioner was deputed to inspect the Earth work of the Vagoor Channel. Venkatala Narsoo, the Moorzoom Goo-

mash-

From the Collectors endorsement of 16th ult was issued to Petitioner on the 11th July 1827 dismissing him from the Moorzoomaha-mut Gommastaship and prohibiting his further entertainment in the Government service his answering Rs. 06 in excess in the accounts with the in-

intention of deceiving the Government, when he was sent to examine the earth work done to the Vagoor Channel.

maskla first inspected it, Petitioner next inspected it and sent in a report of the progress of the work, but did not measure it, as the work was not completed. It was the duty of Mr Ross to measure and send in a correct report. Some of Petitioners enemies had it entered in the report that Petitioner had the work measured and that his measurement was in excess. On this the Taluq Moozoomdar was deputed to inspect the work and he stated that the 1st measurement (of the Goomaskla) was 4233 ⅝ cubic feet, that Petitioners measurement was 5190 ⅝, whilst the Moozoomdar himself stated that the actual measurement was 4293. From this it will be apparent that there was merely a discrepancy and nothing more. Besides there was a Surveying officer in charge under whose supervision Petitioner then was. The fact is that from the influence which the Collectors subordinates had, and from their desire to bring one of their own relatives into office or make a speculation of the post, which was a common practice, they misrepresented the matter and procured his dismissal. Petitioner would humbly submit that having been newly employed, he would not have conducted himself with the greatest carefulness & circumspection without committing himself,

by must judge by the Testimony of the Collector himself. It is not stated that Petitioner is not eligible for re employment in Government service. Petitioner was re employed in the same Department and on the same salary within 2 years after his dismissal when the cause of his dismissal must have been fresh in the minds of the Officials. Then how could he have deceived them? Was it by assuming another name? Even then they could not be deceived in his person in so short a time. On his dismissal Petitioner brought the full particulars of his case to the notice of Mr Smally, who being fully satisfied with his innocence recommended him to Mr Bruce for re employment and Mr Bruce accordingly re employed him in the very same Department he was before.

Secondly when the Petitioner was holding the Mazoomdarship of Veeravapully Taluq, a charge of having caused the legs of one Ramacholoo Rama Reddy tied to his throat was brought against him and the case being proved, Petitioner was suspended from the 18th June 1841 from the Havaumut Head Gomasta situation and was also subjected to the forfeiture of 30 Rupees

Ramacholoo Ananda Reddy of Vamoolapaulem of Gooloor not having paid a sum of Rs. 400 due in arrears to Government on account of his Pullah, Petitioner was ordered to collect the money. On Petitioner urging and pressing him for payment, he brought a false charge against him of having tortured him. What motive or pleasure can Petitioner have in ill treating a poor fellow creature? If any slight violence was used it must have been used to meet the objects of Government

self. During the 14 months he was employed on account of his merit, his pay was raised from Rs 8 to 14 and subsequently from 14 to Rs 17-8 ... Such being the case it would be his utmost desire and anxiety to discharge his duties faithfully and carefully.

In Lt. Collector Sykes's Endorsement it is stated that Petitioner defrauded or wished to defraud Government of Rs 906! How could this have been possible? the payments were not made through him nor the payments made before the work was completed. Merely to make the case strong against Petitioner the 906 cubic yards is converted into Rupees

In the Nazim of the Collector Mr. Smelly dismissing him from service, Petitioner is charged with having reported 906 cubic yards in excess in measurement and not that he defrauded or wished to defraud Government of Rs 906. Had he been guilty of the fraud he would have been tried criminal trial and double the amount would have been recovered from him according to Regulation IX of 1822.

In the Nazim issued to the Collector stated that Petitioner at the time of his appointment Petitioner got himself reinstated in 1852 nothing is stated about the in Government service in 1849 order that was issued to him at the by mere presentation and fraud time of dismissal. By this happened that the Petitioner re-entered the devilent means? How he has come Government service by fraudulent means. to this conclusion, your Excellency

Government in collecting the revenue. Besides, in the collection of revenue such treatments were not uncommon in those days. For this offence Petitioner was fined 30 Rs and suspended for 14 days and afterwards restored to his post.

Kindly at the time when the Petitioner was holding the Nazoomdarship of Nellore Taluq, a Nazim Rs 2 under date the 2nd July 1859 was issued to suspending him for irregularly ting the Price Gaire in the Commissariat Department same pubcon ary to the order

This arose entirely from ignorance, as Petitioner was not aware then of the order. Nothing is issued on the subject. Petitioner prepared the Commissariat current twice a month and forwarded it to the Sadr Dewan who is the responsible person for such things and who examined and signed it. If there was any thing wrong in the statement it was his duty to rectify it. If blame was to be attached to any one it was to the Sheristadar. Besides what benefit could Petitioner derive in making false statements in the grain price current? He was neither a grain merchant nor a grain contractor. For this slight offence Petitioner was suspended for a month and restored again to his duties on the 23rd August on a reduced salary of Rs 30, but on his representing to the Collector that he was ignorant of the order. Nothing, he was restored to his former salary of Rs 35 within 10 days after.

This is a frivolous charge,

After my arrival to this District, I came to understand that because the father is employed when the Petitioner was holding in Government service is that the Nazoomdarship of Nellore Taluq any reason why the son should not be tendered a Nazir in the name seek some means of livelihood. Pe-

of his son Rama Chendra Rawut
for loss in Chunna Reservoir
and fixing on a small reserve-
ment of land by a year and rent-
ing the land under cultivation by
taking the water of the River channel
supplying the reservoir tank of Chunna
Eleroakmoree.

Petitioner's son tendered a Puncost
for 8 putlums of waste lands in com-
mon with the other Puncostdars. All
the Puncosts, as well as that of
Petitioner's son, were accepted
and the assessment fixed by
the Circar. Petitioner could have
no influence in increasing or lessening the assess-
ment in Fasly 1268 which being deemed
to irrigate their lands, the said Puncostdars, to-
gether with Petitioner's son applied to the Col-
lector and in accordance to his order a channel
was excavated at their own expense, but this
was not done by Petitioner's son only, nor with-
out the order of the Collector.

Thus Petitioner has humbly endeavoured
to explain all the charges brought against him
by the Collector. Your Excellency in Council will
perceive that not one of these are of a grave or
serious nature to preclude him from a pen-
sion. Even if such trivial charges should be con-
sidered sufficient to preclude a person from
pension, scarcely one out of hundred Native
Government servants will ever be so fortunate
as to retire on his pension.

Petitioner most humbly and respect-
fully begs to state that during the long period
of 32 years service, he has carefully and faith-
fully discharged the duties entrusted to him.
The only occasion on which he had removed
from office was 31 years ago- the manner in

manner which Public servants used to be dis-
missed from office in those days for trivial offences
must be well known to your Excellency in Council,
and re-employment in the same Department
and in the same District and under the same
Authorities will, Petitioner hereto, be deemed
sufficient evidence of the absence of any offence
on his part. Petitioner has completed a period
of 32 years service since his restoration, and the
two subsequent offences for which he was sus-
pended from office for a few days on each occasion,
it will be seen, do not reflect on his moral
conduct and are altogether slight errors which
people in business are apt to commit. On the
whole it may be evident to your Excellency that
Petitioner has passed through the ordeal of his
long career of service without any stain on his
character and with much less blame than was
attached to other servants, both in Vellore and
elsewhere, who have been recommended to
Government for pension. Amongst others
Petitioner will mention only a few:
Vamoolapatu Vijeea Vale Tahsildar of Chundatore
Taluq. Uttaramum Jagannada Row Tasildar
of Atmacoor and Padoo Meean, Tasildar of
Sarvapully - all of Vellore District and C.
Thumenada Row Tasildar of Pareapolyam,
Madras District. These Officers were charged
and found guilty of most grave and serious
offences; - still they were recommended for Pension
and

and Government has sanctioned it. Under these circumstances Petitioner most respectfully begs that he may not be thrown helpless in his old age after having served the Government for so long a period as 32 years, and that he may be provided either with a situation (for he is still able to do duty) or a pension, having been thrown out of employ solely owing to the new arrangement of Talugs - and for which act of benevolence and justice Petitioner as in duty bound

shall ever Pray.

his long service of 32 years, pension may be granted to him as was done to several individuals herein referred to who have been found guilty of graver offences than his —

Rec'd 25th 1877 of 1862

From Budama-goonta Brahmajee late Mazumdar of Sarvapullay Talug Nellore —

Dated 16th
Rec'd 16th } July/62

With 2 enclosures.

Submitting the collector's Endorsement declining to recommend him to Government for pension on the grounds set forth therein, States certain circumstances in refutation of the collector's reasons & prays that in consideration of

Enclosure.

To a letter from the Sub Collector in charge of Vellore, to the Chief Secretary to Government, Fort St. George, dated 16th August 1862. No. 28.

Circular.

Translation of a Circular Yakid dated 11th July 1827, issued by the Principal Collector Mr. Smalley, to the Tahasildars of the District.

Sir a Circular Yakid dated 11th July 1827, issued by the Principal Collector Mr. Smalley, to the Tahasildars of the District.

No. 28.

Vellore,
Collector's Office,
16th. August 1862.

From,

E. F. Elliott Esqre
Sub Collector in charge of Vellore.

To,

J. Pycroft Esquire,
Chief Secretary to Government,
Fort St. George.

Sir,

With reference to the Endorsement of Government dated 31st Ultimo, on Petition No. 1877 of 1862, I have the honor to submit for the consideration of Government translation of a Circular Yakid dated 11th July 1827 issued by the then Principal Collector Mr. Smalley, to the Tahasildars in the District.

* Herewith submitted with its Enclosures, to be returned.-

2. From this Yakid it will be seen that the re-employment of the Petitioner Budamugula Bramhaji is strictly forbidden, and the Tahasildars were warned against taking any work from, or making any recommendation in behalf of the Petitioner and another man, who were both found guilty of having over measured certain earthwork repairs & thus attempted to defraud Government.

3. Although, as remarked in the Government Endorsement, Petitioner was re-employed

two

two years after his dismissal, in the District where the circumstances of Petitioner's case were well known, and there is nothing on record to show that he obtained his re-employment fraudulently, yet as the Government are apparently not aware of such a Circular Yaked, as that now Submitted for their consideration, having been issued by the Officer, who dismissed Petitioner, I venture to bring the same before them before carrying out their order to submit Petitioner's application for Pension in the usual manner.

4. There certainly is nothing on record to show that Petitioner obtained his re-appointment fraudulently, but it may be supposed from Petitioner having been within two years of his dismissal, restored to an appointment of equal Salary in the same Office as that from which he was dismissed, & in the face of such an order as that above referred to, that Petitioner's re-entertainment in the Service was not honestly & fairly obtained.- The order of Mr A. F. Bruce, Acting Sub Collector in charge of the District, dated 22nd April 1829, re-employing Petitioner

No 378. 31

To,

Mahamed Yoseff,

Peling Tahseldar of Kota Taluq.

Bramhaje, Huzur Maramat Gumasta, and Tejaji Venkatanarsu, Mazumdar Gumasta of Nellore Taluq, having measured very incorrectly the Earth work done to the Veguru Channel, & thus endeavoured to defraud Government; besides dismissing both of them, it has been further determined that neither of these two men should be again employed in this District in any capacity whatever under Government. It is therefore ordered that hereafter Tahseldars and others should take no work from these men, nor should they be recommended for reemployment in the public Service.- Severe notice will be taken of any one who might not conform to this order.- You are therefore to bear the above order in mind, and carefully abide according to the same, - - - you will know.-

Nellore,
11th July 1827.

/signed/ Venkatachigundram Bava Row,
Huzur Munshi.-

/signed/ E. Smalley
Principal Collector

—Ditto as above.—

to the Tahsildar of Sarvapalli Taluq —— No. 415.

—— Do. —— Do. —— Nellore Taluq —— No. 623.

—— Do. —— Palamaneri Taluq —— No. 655.

—— Do. —— Sangam —— Taluq —— No. 468.

—— Do. —— Renun-Vaiguntapad Taluq No. 347.

—— Do. —— Kaligini Puttatum-Taluq No. 331.

—— Do. —— Kavali Taluq —— No. 445.

—— Do. —— Tummalatalapuru Taluq No. 349.

—— Do. —— Gundavolu — Taluq —— No. 206.

/True Translation/

E. P. Smith

—— Sub Collector in charge ——

Exd.
C. Narasimhulu
S.M.C.

assigns no reasons whatever for so doing, and does not allude at all to Mr. Smalley's Circular order of the 11th July 1827 forbidding Petitioners employment.

5. Under the foregoing circumstances, I beg to request the orders of Government whether the Petitioners claim for Pension is to be rejected, or his application be submitted in the usual manner.

I have the honor to be,

Sir,

Your Most Obed Servt.

E. P. Smith

Sub Collector in charge.

Exd. C. Narasimhulu
S.M.C.

Pension Department.

35

Proceedings of Mr. Collector Scott

Head letter from E. T. Blatchly

Sy. Insp. Mr. in charge of Nellore

dated 16th August 1862.

Order thereon. 28th August 1862. P. No. 284

With reference to Govt. Order

of the 31st July. 1862. on Petn.

No 1877. - the Insp. Mr. in charge

of the district forwards a Translation

of a circular Tahkid issued to

the Tahsildars in the Nellore district

in 1827, warning them that

the Petr. B. Brahmaya Chetti

Shroff had been dismissed for

fraudulent measurement &

forbidding his employment

in the Nellore district.

Revenue Assistant

1862.

From Collector of Nellore

Submitting

Petition of Brahmaya Chetti Shroff

of Kavalli

dated 18th August 1862.

Received 20th August 1862.

P. No. 284

To the Chief Sec. to Govt.

Fort St. George.

Sir,

I have the honor to forward herewith the Petition of Brahmaya Chetti Shroff of Kavalli praying for the restoration of his character and for permission to resume his business.

2. The petitioner was dismissed from the service of the Collector of Nellore in the year 1827 for fraudulent measurement of paddy, and I am not aware that any circumstances have since occurred to entitle him to the favorable consideration of Government.

I have the honor to be,

Sir,

Your most obedient Servant,

Collector.

22 Aug.

From this circular, Mr. Elliott concludes that the re-employment of the Pet^r in 1829, must have been fraudulently obtained

As remarked by Mr. Elliott there is no evidence of any such fraud. The Govt cannot consider that after more than thirty years since his dismissal, & re-employment, the mere suspicion that such re-employment was fraudulently obtained, can bar the Pet^r claim to pension. There may have been sufficient reasons for the reversal or modification of the Judicial in question. They therefore direct the Sub Collector in charge of the Nellore district to forward the Pet^r application for pension in the usual manner

I have
&c
M^r D^r Sage to Govt

To the Sub
Collector of Nellore Dec. 28/8./42

Pros: in the Pollution Departt
31 July 1862 No 1877

Pension 1862 Depart

No 284

Proceedings of Government

Dated 28th August 1862

No 597

Directing the Sub Collector
in Charge Nellore to submit the
application of V. Brahamayia
for Pension in the usual manner