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15-6-36

M.R.O. 1-58,400-18-11-20

MADRAS RECORD OFFICE.

Government of Madras.

Education DEPARTMENT.

G.O. No.	358	Press
		Mis.
Dated	22/10/36	15/10/36

Not to be folded or roughly handled

I Mr. S. J. G. P. D. M., Ag. District
Surgeon of Cuddapah, do hereby certify that I have
carefully examined, Qandy Theroovengada. Kairloo,
Theristadlar of Summuthuradorgor Taluk, District of
Cuddapah, that his age is, by his own statement 52,
and by appearance about 56 years, and that I find
him to be unfit for further service from old age
and infirmity, not, in my opinion, attributable
to intemperance or other irregular habits.

Buddapah
2nd May 1870.

Accountant General's Office
Recd 13 6 1870
Ans'd

Wm. L. Garrison,
Leitch Surgeon,

REGISTER of an application for Superannuation Pension under Pension Rules published under date 3rd May 1864, from the Establishment of the Collector of Cuddapah.

1	Full name of Pensioner...	Dattay Simwengadam Nayadu.
2	Sect or caste...	Telugu Brahma.
3	Residence ...	Cuddapah.
4	Present post ...	Shenistadar of Jammalamadugu, Telug.
5	Date of commencement of service...	1st March 1840.
6	Date of retirement from service ...	2nd May 1870.
7*	Abstract of the grounds of application.	1. Good service ... 2. Inability to serve longer ... 3. Reduction of Establishment ...
8*	How long unemployed, and under what circumstances.	1. Resigned the service from ... to ... 2. Reduction of Establishment from ... to ... 3. Suspended from ... to ... 4. Dismissed for misconduct from ... to ...
9	Total of service before 22 years of age ...	5 1
10	Total of service not in Pension grades ...	4 12
11	Total of leave other than privilege and preparatory leave ...	5 5 15
	Grand Total...	24 8 21
12	Total period in Pension grades counted as service ...	52 2 6
13†	Age of the applicant at the time of this application ...	Feet. Inches. 5 3
14	Height ...	
15	Descriptive marks...	Pilled marks of small Pox over the right cheek close to the eye - 2 black moles on the left side of the neck and head - 1 star on the inner side of the left hand & another on the right arm - mark of pox on the right side of the neck.
16	Average salary of past 5 years ...	Rs. 3568 6 or 59 7 8 per ann.
17	Proposed amount of Pension...	19 13
18	Date from which to commence ...	2nd May 1870.
19	Place of payment ...	Cuddapah Treasury.

* N. B.—The reason of the applicant's retirement and of his being unemployed for the periods given being left, the other grounds of retirement and reasons of break in employment should be erased with red ink.

† It is hereby certified that no gratuity was drawn by the applicant on reduction of Establishment in the year ... It is certified that gratuity having been granted was refunded to the amount of Rs. ... A. ... P. ... Order cancelling payment of gratuity was ... Amount of gratuity granted was Rs. ... A. ... P. ... Refund of gratuity was credited to the account for the month of ...

Approved by General Officer
 Recd 13 6 25 10
 Amd ...

‡ I do hereby certify, that to the best of my belief the applicant's age above stated is correct.

[Signature]
 H. C. ...

Collector of Caddapah.

The first from the records of the office

29 11/11/1870

The average pay of the abolitionists in England 54. 8-12 and not 52. 6-7-8 as shown in the Register. Pay drawn up to 1st May 1870 only

See entry 10

Accountant General

* Has been verified by the office records

Fort Smith, George
Assistant Quartermaster's Office,
9 July 1870.

To
The Chief Secretary to Government,
Civil Pension Department.

N^o 34

Cuddapah Collector's Office
on Circuit at Madanapally.
31st August 1870.

From G. Hans Agnew Esquire
Collector of Cuddapah
To The Honorable R. S. Ellis Esq. M.A.
Chief Secretary to Government
Pension Department
Fort Saint George.

Sir,

Adverting to the Under Secretary's
Official Memo dated 9th Instant No
2460, I have the honor to subjoin copies
of correspondence that
passed between the
High Court, the Sad-
dins judges and
myself regarding the
late Salook Sherista
dated 2 of January 1870
and signed D. Perumangalam
Naidoo.

On receipt of 402 in the series of

1. Letter to the Acting Registrar of the High Court Madras from the Acting Sessions Judge of Cuddapah dated 17th March 1870 No 117.
2. Proceedings of the High Court Madras dated 31st March 1870 No 604 received by the Magistrate of Cuddapah through the Acting Sessions Judge of Cuddapah.
3. Letter to the Acting Sessions Judge of Cuddapah from the Magistrate of Cuddapah dated 25th April 1870 No 17.
4. Official Memo from the Acting Registrar of the High Court to the Magistrate of Cuddapah dated 10th June 1870 No 111.
5. Letter to the Sd. Magistrate dated 10th June 1870 No 11.
6. Letter to the Acting Sessions Judge of Cuddapah from the Magistrate dated 10th June 1870 No 117.

PENSION 1867 DEPARTMENT.

From the *Madanapally*
Fort Saint George.

To the Chief Secretary to Government,
Civil Pension Department.

Dated 11th July 1870
Received 14th 1870

Enclosures.

Verifies the service

of G. Hans Agnew Esquire
late a Judge of the District
Court on the establishment of the
of Cuddapah.

PENSION 1867 DEPARTMENT.

From the *Collector*
of Cuddapah.

To the Accountant General or Comptroller
of Military Accounts
Fort Saint George.

Dated 11th June 1870
Received 11th June 1870

Register of an appli-

cation for Superannuation Pension in behalf
of G. Hans Agnew Esquire
late a Judge of the District
Court on the establishment of the
of Cuddapah.

ORDER OF GOVERNMENT.

wrote Duni officially to the Deputy Collector,
desiring him to call up Seroorangadum Raidoo
and give him from me the option of applying
for his pension, which from my Register
containing a column for the purpose, I well
knew would fall short of a half pension,
or of being unfavorably reported on by me
to the High Court.

3. The Deputy Collector charged my
deceit. He did not, as erroneously stated
in the précis of the petition, drawn up in the
Government office, summon Seroorangadum
Raidoo to his "house" but to his office. Sero-
orangadum Raidoo says it was to the Deputy
Collector's private room, but the Deputy
Collector has no private room in his office.
It was the room in which all his public
business is transacted. There, the Deputy
Collector delivered to him my message,
and the Deputy Collector denies that he
ever promised to recommend him for a
half pension. From what I know of the

9
Deputy Collector I am convinced that
Seroorangadum Raidoo has deliberately
lied to the Government on this point.

4. If I have erred in not going
into further particulars in the remark
as to character, in the application for
pension, I err on the side of leniency,
and I may add that, I did so solely
because I have had reason to believe that
such leniency was in accordance with the
wisdom and policy of the Government and not
because it commends itself to my own in-
dividual humble judgment.

5. On the contrary I cannot doubt
but that the excessive leniency exercised
by both the Government and the Board
of Revenue in the matter of granting
and recommending pensions to public
servants, even when it is well known
that they have been the very reverse of
faithful, is most demoralizing in its

influence upon the whole rank and
file of the subordinate service. Being
forced to retire on a pension is about the
worst punishment which an unfaithful
subordinate has to contemplate instead
of its being the just reward of only those
whose thorough faithfulness is satisfac-
torily guaranteed.

6. What can the rising generation,
of whom we hope so much, think when
they every day see public servants, whom it
is perfectly notorious have spent long lives
in systematically deceiving the State and
neglecting its interests, and in plundering
a simple agricultural population amassing
by every evil means comparatively large
fortunes, but that, if they do likewise,
they too will not only succeed in amassing
fortunes by similar means, but in also
retiring upon State pensions, as easily
granted.

7. May the Government to acquit
me of presumption in making these remarks
I have only the public good at heart, and am
sure that no member of the Government
has had the opportunity that I have had
of witnessing such complete demoraliza-
tion of the subordinate public services as
I have had in this district. And I beg
to assert that the Revenue is no worse than
either the Judicial, or the Public Works
Department establishments.

8. I may add that it is just where
corruption and extortion is most rampant
that it is naturally the most difficult
almost impossible - to get evidence of a
judicial character against individual
sinning officials. I have already told
the Board of Revenue, and I emphatically
repeat it, that the agricultural population
of Cussapah have been for so long oppres-
sed by dominant native officials that

justice — as we understand it — is a
quality of which they have no past knowledge
and which is at present beyond their
comprehension. Their own idea, if they
want to secure a right is to pay some Native
official to get it for them from the Superior
officer per fas aut nefas.

9. With reference to the particular
case under report I beg to add that I
knew before the attention of the Sessions
Court was directed to him — though I
have no evidence of a judicial character
to produce in support of knowledge of
which such experience and power of
discrimination as I possess satisfied
me — that Erooragadam Savidas
was a weak, incompetent man, and
and, in all that he did in the exercise
of Magisterial powers, acted simply as
the tool of his Chief, the suspended
Tahsildar, Venkatakrishnaiah, who pulled

the wires from behind for his own very
corrupt ends.

10. The petition, application for per-
mission and medical certificate are herewith
returned.

I have the honor to be
Sir

Your Most Obedt Servant

J. B. J.

Asst. Master
for Master

C. S. C.

19th

Cuddapah Sessions Court
19th March 1870.

From D. D. Hensley Esq.
Acting Session Judge, Cuddapah
To, H. Wigram Esq.
Acting Registrar of the
High Court of Judicature
Appellate Side
Madras.

Sir,

I have the honor to forward the
enclosed record of a case tried by the District
Sub-Magistrate of the Jammalamadugu
Taluk to enable the High Court to determine
whether that individual is competent to act as

a Magistrate of any class.

2. An attempt to murder was committed on October 3^d 1869. The preliminary enquiry was commenced by the Sub Magistrate on the 5th October, and on the following day the Prisoner appeared before the Sub Magistrate. Certain witnesses were examined, and on the 1st November 1869 these witnesses were bound over to appear and give evidence at the November Session. A charge was prepared against the Prisoner under Section 233 of the Criminal Procedure Code, as if the Sub Magistrate had determined to commit the Prisoner for trial. The charge is not dated, but from the date attached to the statement of the Prisoner I am led to suppose that the charge was prepared and read out to the Prisoner on October 19th.

3. The Sub Magistrate discharged the Prisoner on November 11th under Section 225 of the Criminal Procedure Code.

4. I directed that the case be committed. I tried the case at the January Session and acquitted the Prisoner. The trial is reported in Calendar N: 270 on

15
the file of this Court. My proceedings, sealed, for an explanation from the Sub Magistrate, who in reply states that he has acted in the manner which I find fault with.

5. After the case had undergone such wonderful manipulation in the Sub, I was not surprised that the Prisoner was acquitted in this Court. The crime was undoubtedly committed. There has been a failure of justice, owing, I believe, entirely to the conduct of the Sub Magistrate during the preliminary enquiry, and this conduct must proceed from gross incompetency or dishonesty on the part of the Sub Magistrate. The Prisoner was committed for trial at the November Session, which commenced on the 1st of that month. The Prisoner was detained in custody of the Sub Magistrate over that date, and discharged 11 days afterwards.

6. The Sub Magistrate can give no explanation as will be seen from his enclosed letter to the Deputy Magistrate.

beyond saying he has erred. I cannot believe this plea when the Sub Magistrate had the very plain words of Sections 226 and 233 of the Criminal Code before him, and when proceedings under those Sections are with a Sub Magistrate almost of every day occurrence.

7. I recommend that the powers which Dadi Tiruvengadam Saidu now possesses as a 2^d Class Sub Magistrate be at once withdrawn.

I have the honor
Signed B. D. Horsley
Ag. Session Judge
(True Copy)
Signed B. D. Horsley
Ag. Session Judge.

Ms. 654.

Proceedings of the High Court of Judicature
at Madras, 31st March 1870.

Read letter dated 19th March 1870 from the Acting Session Judge of Cuddapah, forwarding records of a case tried by the Subordinate Magistrate of Jamalahadigan and suggesting the advisability of depriving

the said Subordinate Magistrate of Magisterial powers.

Before disposing of this reference, the High Court wish to have before them the opinion of the Magistrate of the District as to the way in which the Subordinate Magistrate generally performs his duties as a Magistrate, whether satisfactorily or otherwise. The Acting Session Judge is requested to obtain and submit the Magistrate's opinion.

(True Extract)
Signed H. Wigram
Ag. District Magistrate
(True Copy)
Signed B. D. Horsley
Ag. Session Judge.

Forwarded to the District Magistrate with a request that his opinion as required by the High Court may be submitted to this Court.

Ms. 653

Ms. 17.

Cuddapah Magistrate's Office
on Circuit at Quinalaheroo
25th April 1870.

From H. Wigram Esquire
Magistrate of Cuddapah
To B. D. Horsley Esquire
Acting Session Judge of Cuddapah
Sir,
Referring to the Proceedings of the

Ms. 654

High Court under date 31st March 1870 copy
of which was forwarded with your footnote
not dated, I have the honor to state that
I have been much dissatisfied with the
performance of his Magisterial duties by
the (Sheristadar) Sub Magistrate of
Jurnalnadagoo, but perhaps I need say
no more when I add that I have now
received his application to retire from the
public service, and that if he gets the
 requisite medical certificate he will be
struck off the establishment from the
30th Instant.

2. I will inform you of the result
of his application in the course of a
few days.

I have &c.

Signed G. Sans Agnew Esquire
Magistrate

82 1111.

High Court of Judicature, Madras.

Official Memorandum.

Dated 13th June 1870.
Received 14th June 1870.

The Acting Registrar of the

High Court has the honor to request that
the Magistrate of Cuddapah will forward
direct to the High Court the opinion called
for in their Proceedings dated 31st March
1870, 82 154, as to whether the Subordinate
Magistrate of Jurnalnadagoo generally
performs his duties satisfactorily or otherwise,
and that he will inform the Session
Judge of his having done so.

Signed H. Bigham

Acting Registrar of the High Court

To The Magistrate of Cuddapah

82 11. Cuddapah Magistrate's Office
on circuit at Gurnamkondak
18th June 1870.

105

From G. Sans Agnew Esquire
Magistrate of Cuddapah

To H. Bigham Esquire
Acting Registrar of the
High Court of Judicature
Appellate Side
Madras.

Sir,

With reference to your Official Memo-
randum 82 1111 of the 13th Instant, I

Dated 25th April
1870 No. 17.

have the honor to subjoin copy of my letter
to the Acting Session Judge of Cuddapah
affording the information called for in the
Proceedings of the High Court dated 31st
March 1870 No. 654, as regards the Sub Magis-
trate of Jammalamadugu Salook, and
to state that the Sub Magistrate was struck
off the establishment on the 2^d May 1870,
on which date he was certified by the Medical
officer to be unfit for further service, and
that his pension Register was submitted
to the Government through the Accountant
General on the 11th Instant.

I have &c.
Signed G. Vans Agnew
Magistrate

No. 19. Cuddapah Magistrate's Office 306
on Circuit at Gurrumkondah
18th June 1870.

From G. Vans Agnew Esquire
Magistrate of Cuddapah

To H. D. Morsley Esquire
Acting Session Judge of Cuddapah

Referring to my letter to you

address of the 25th April last No. 17, I have
the honor to inform you that D. K. Sreeni-
vasa Rao, the late Sheristadar
and Sub Magistrate of Jammalamadugu
Salook was struck off the establishment
from the 2^d May 1870 on which date the
Medical Officer granted him a certificate
pronouncing him to be unfit for further
service, and that the Register of applica-
tion for his pension was submitted to
Government through the Accountant
General on the 11th Instant.

2. The High Court having called
upon me direct for a reply to their Proceed-
ings of 31st March No. 654, I have,
with the above information, submitted
a copy of my letter to your address dated
25th April No. 17.

I have &c.
Signed G. Vans Agnew
Magistrate

(True Copies)

G. Vans Agnew
for Magistrate

C. C. H. C.

No 110

Memorandum

The Undersigned has the honor to return the printed application for gratuity in the case of Shaik Moideen formerly Dy Jailor at Guntur which was received with Memo No 66 in the Pension Department dated 14th instant.

Ootacamund }
17th October 1870 }

[Signature]

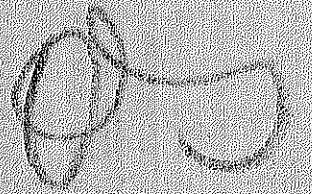
Insp. Genl. of Jail.

To
The Chief Secretary
to Government
Fort Saint George

Pension 1870 No 110
Received of the Pension Department
from the Collector of
Guntur
to the Chief Secretary
to Government
Fort Saint George
Dated 17th October 1870
Received of Pension No 3
" 23rd Oct 70 34

A forwarding to the Chief Secretary
of the Pension Department
from the Collector of Guntur
that passed between the 14th
and 15th instants, and that
the same was forwarded to
the Chief Secretary to
Government, Fort Saint George
and returned the Pension
Department for
consideration
I am Sir, Yr Obedt Servt
10th Oct 70

with reference to the discrepancy between the original statement
 of 1845 and the previous pay abstracts regarding Thiruvann
 gadan's appointment, as a Marabout, writer, whether
 he was, from the 17th December 1844 till the 11th April
 1845, acting in that capacity in a full vacancy
 or whether the period has been, or will be, covered
 for pension by any other individual. Copy of the
 order confirming him, if retia'd, should be forwarded
 to the Secy of the Register to State
 the ground of disallowance.
 Under Secretary



To The Collector of Cuddapah.

Pension 1870 Report
 From
 The Secy: Secy of Dist
 Cuddapah
 To
 The Chief Secretary
 to Government
 Fort Saint George

Dated 17th October 1870
 Recd:

Chf 110

Returns application for
 gratuity in case of death
 of Thiruvann gadan
 Secy of Dist
 Cuddapah

OFFICIAL MEMORANDUM.

Revenue Department.
No. 42. MADRAS.

Dated 9th August, 1870.
Received

THE Under Secretary to Government, Public, &c., Departments is directed to request the Collector of Cuddapah will be good enough to report with reference to the accompanying petition No. 1599 of 1870 and the register of Applications for pension dated 15th June 1870, under what circumstances Thiruvengadam Naider is as required to retire on pension, and

Per Secy. to Govt. L. Secy.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter

From the Collector of Cuddapah }
Report of the Examiner of Claims }
Date 9th July 1870
20th Oct 1870 No. 560.

Order thereon

N. J. D. S.
M. M. C.

D. Thiruvengadam Naider, late Thiruvengadam of the Jammalamadugu Taluk in the Cuddapah District, is reported to have served, in all, 30 years 2 months 6 days, and for pension 24 years 8 months 21 days or 3 months 9 days short of the period necessary to entitle him to half pension. He has petitioned Government that this deficiency might be

1. *Phragmites australis* (Cav.) Trin. ex Steud.
 2. *Scirpus americanus* (L.) Link.
 3. *Eleocharis acicularis* (L.) Rostk Schmidt
 4. *Sagittaria arifolia* (L.) Link.
 5. *Alisma plantago-foliosa* (L.) Rostk Schmidt
 6. *Sparganium angustifolium* Michx.
 7. *Najas* sp.
 8. *Chara* sp.
 9. *Utricularia* sp.
 10. *Wolffia* sp.
 11. *Salvinia* sp.
 12. *Hydrocotyle* sp.
 13. *Potamogeton* sp.
 14. *Elodea* sp.
 15. *Hydrilla* sp.
 16. *Cladophora* sp.
 17. *Chara* sp.
 18. *Utricularia* sp.
 19. *Wolffia* sp.
 20. *Salvinia* sp.
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 183. *Hydrocotyle* sp.
 184. *Potamogeton* sp.
 185. *Elodea* sp.
 186. *Hydrilla* sp.
 187. *Cladophora* sp.
 188. *Chara* sp.
 189. *Utricularia* sp.
 190. *Wolffia* sp.
 191. *Salvinia* sp.
 192. *Hydrocotyle* sp.
 193. *Potamogeton* sp.
 194. *Elodea* sp.
 195. *Hydrilla* sp.
 196. *Cladophora* sp.
 197. *Chara* sp.
 198. *Utricularia* sp.
 199. *Wolffia* sp.
 200. *Salvinia* sp.
 201. *Hydrocotyle* sp.
 202. *Potamogeton* sp.
 203. *Elodea* sp.
 204. *Hydr*

performance of his duties
but that his application
for a pension had been
received. A medical
certificate was granted
on the 2nd May 1870 by the
Acting District Surgeon.
Mr. Tann Agnew states
his belief that Sivasaga-
dam Nayudu was weak
and incompetent and
acted as the tool of
others.

Under the circumstances
above detailed the Govern-
ment reject Sivasagadam
Nayudu's request for a
half pension; and direct
that his pension be
suspended accordingly.

On the other hand,
they observe that except
in a single case in which
his conduct may have
been owing to ignorance
and error of judgment,

There is the case of
one who has recently come
up from Andrapah in which
men who had got into official
trouble, & who were forced
to retire, found no difficulty in
getting medical certificates
when they wanted to do so
to support their applications.

W.C.

Mr. Agnew's letter is very strong
terms as to the manner in which
Sivasagadam Nayudu's application
is submitted. It is not
said he took of his own accord
when officials of this character
get maximum pensions it is
because the district officers, like
Mr. Tann Agnew in the present
case, do not bring the whole
circumstances to the notice of

Govt when sending up the
register of applications. Mr.
Agnew's letter was shunted by
an Off. Secy asking for
the same to be kept till the
pension is made with
reference to it.

W.C.

This man was evidently an
incompetent Magistrate & should
never have had magisterial
powers conferred on him. Mr.
Agnew himself considers him
weak & misled by others, &
not dishonest. W.C.

To the Collector of Andrapah
— Accountant General.

no specific instance of
misconduct is charged against
him, & for this reason, and
having regard to the length
of his service, they do not
see fit to reduce the pension
at the rate of one-third
of his salary to which
he is entitled, subject
to the confirmation of
the medical certificate
by the Deputy Inspector
General.

4. A pension of Rs 19-12
per annum is granted
to D. Sivasagadam
Nayudu, with effect
from the 2nd May 1870 &
payable at Cuddapah.
W.C.

additional para.

The Govt consider that Mr.
Agnew, has, in the remarks
contained in paras. 4, 5, 6,
7 & 8 of his letter, shown the
same (reprehensible) want
of caution & judgment which
has been so unfortunately

have been already been
noticed with disapprobation
by the Govt
marked his administration

of the Cuddalore district.

Mr. Agnew's statement of
the principles which guide
the Govt in their disposal
of pensions is entirely opposed
to facts.

Mr. Agnew is completely in error
in supposing that any undue leniency
is exercised towards public servants
whose conduct has, during their
service, been untrustworthy or
wanting in fidelity to the Govt.

The Govt are and must be dependent
upon the ^{superior} officers who submit applications
for pensions, for a correct statement
of the merits & characters of the
applicants. But in all cases where
the records of service show suspension
a dismissal a fine or such punishments
are carefully enquired into & the
circumstances ascertained, directly
& indirectly affect the decisions of
boards to pension & gratuity.

In justice however to their servants
the Govt require that there should
be satisfactory evidence of misconduct
before they either refuse altogether,
or reduce the amount of pension or
gratuity, which have been earned by
long service to the State. Mr

19/9 20/9

11
I would much
like to see
the 2 last papers
to see if they
are in the
same line
as the
others.
I would return
them
to you.

Keep for Council.

I think the

Agnew's I should
be able to find for
him in his conduct
as far as the
assumptions - as to
the conduct of
the 1st & 2nd.

I. D. S.
A. A. O. Bell/20/10/70

1870-71

Cont. of 118701 Minutes.

To Frederic
The College of Wisconsin

Dated 20th Oct 1870, No. 565
Recd.

No. 3.

Containing a paper
of Oct 19-42-a to B.
J. Cunningham & Co. which
take a salary like
a President of the
University.