

(1) Number of pages 20(2) Date of repair 19-2-42(3) Initials of the Referencer J

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	<u>492</u>	Press Mis.
Dated	<u>28-5-18</u>	<u>31</u>

Not to be folded or roughly handled

Kistna District Collectors
 Nachariat Masulipatam
 10th November 1879.

N^o 2557

From

The Collector of Kistna District
 To The Accountant General
 Madras.

Sir

I have the honor to report
 that a Police Constable has deposed
 before me that one Meera Sahib
 has by false personation been
 drawing the pension of Khassim Beg
 who died some years ago. The person
 who is receiving the pension says
 that his name is Khassim Beg and
 the marks on his body agree with
 those entered in the Permanent
 Payable Order. I am enquiring
 into

* N^o 312.

into the case, and shall report
the result in due course;

2. I request that you will be
so good as to send me a copy
of the Collector's letter to the
Examinor of Claims dated 21st
July 1867 and of the latter's report
thereon to Government No. 122
dated 3rd April 1868. quoted in
G.O. No. 160 dated 26th May 1868.

I have the honor to be

Sir,

Your most obed^t servant

J. G. Amfale

Collector

[Signature]



contd.

1867
let me know
what happens
Send report 122 &
Tell him we have not
got the other & he had
better ask for it
1867
27

26/10

Pew 70

9/80

No 2559 10-11-79

Reporting that a Police
Constable has defaced before
him that one when should
have by police permission
been showing the pension
of Khamsing who died
some years ago and request
by him a copy of the
Collector's letter to the Revenue
of Chinnamall of the latter
signed from Government

No. 2559

Letter to the Revenue 1879

The Accountant General
Madras

From
The Collector of Kistna District

No. 265.

Kistna District Collector's Office
Masulipatam 14th February 1880

From,
The Collector
Kistna District

To,
The Accountant General
Madras.

Sir
In Continuation of my letter No. 2559
of 10th November last, I have the honor to
enclose a Copy of my decision in the case
of the pensioner Khamsing.

I have acquitted the pensioner of the
charges brought against him for reasons
stated in my decision but have ordered that
his pension be withheld until he satisfies
me that he is fully entitled to the gratuity.

I have the honor to be

Sir
Your most obedient Servant.

J. S. Arncliffe
Collector



Cmpt.
H. J.

In the Court of District Magistrate Kistna

Case No 15 of 1879

Judgment

Name of the accused. Khasim Beg

Offence Cheating by personation and fraudu-
lently receiving money under Section 419 & 420
I.P.C.

Finding Not guilty

Sentence Acquitted under Sec 220 C.C.P.

Case number	Accused Caste or Race	Occupation	Date of occurrence	Complaint	Date of appre- hension	Commence- ment of trial	Close of trial
15	Mussul- man	Pensioner	1879	25-10-79	25-10-79	25-10-79	19-12-79

This case is somewhat peculiar. an old
pensioner by name Khasim Beg is
charged with having obtained a pension
under false pretences and by personating
one Khasim Beg his father-in-law who died
many years ago. The evidence for prosecution
shows that accused's name is Mirza Sahib,

1880. Department

From
The Collector of Kistna

To
The Accountant

General Khadga

Dated 14th February 1880.

Received.

No. 263.

Enclom.

Enclom a copy of the
decision in the case of the
pensioner Khasim Beg

In 2/12/37.

that his father-in-law's name was Khasim Beg, that accused assumed the name of and obtained the pension that was really due to his father-in-law who died a few years after the cyclone 1864. For the defence it is shown that the accused has two names one Mirza Sahib and the other Khasim Beg his adoptive parents name, that he has been for many years a Revenue peon and in service was always known as Khasim Beg. Fellow peons and Jumastahs speak without hesitation to having known him as such for at least 25 years and there can, I think, be no room to doubt upon the evidence before me that accused really was serving as a peon for at least 25 years back.

2 But here the difficulty of the case commences; it was admitted on both sides that Khasim Beg the father-in-law of the accused was a Revenue peon and there should, therefore, be two peons of that name but such is not the case as only one name Khasim Beg is found in the accounts. Again accused does not appear to be much over sixty years of age but according to the Permanent Pay bill he was born in 1799, and should therefore now be eighty years old; in other respects

9
respects the marks given in the Pension Pay Bill correspond with the accused's marks. Another difficulty is that in 1851 in the pay abstract Khasim Beg appears as the son of Mirza Sahib with fair complexion but in the same pay bills for 1855 he is described as the son of Ali Beg with brown complexion.

3 The inference is that accused did somehow or other step into his father-in-law's place, that the names being identical the change was not noticed in the accounts; it has been stated above that accused's co-servants speak to his having been so employed twenty five years back and continuously up to the time that his services were dispensed with and a compassionate allowance granted.

4 It is shown by evidence that I cannot doubt that accused was employed as a peon in 1855 and one witness declares he was so engaged in 1846 but without further corroboration. I am not prepared to accept this as proved. Referring to the material alteration in the description of Khasim Beg, in the pay bills between 1851 and 1855, I am inclined to place accused's employment sometime between those two years.

5 The evidence adduced in his behalf however shows that he was actually employed long before them. The accounts appear to have been

been lost in the cyclone, and we have no exact means of fixing the date of accused's employment in the service. The few living witnesses can speak at the best but from imperfect recollection - at the same time their evidence goes to show he was long in Government service and the evidence for prosecution fails to establish actual fraud though it gives room to doubt whether accused was entitled to a compassionate allowance.

6 Surrounded as the case is with doubt and difficulty, I consider accused entitled to the benefit of the doubt.

(signed) J. G. Horsfall
District Magistrate
/ True copy /
Purushottam
Deputy Collector

See No 237

DEPARTMENT.

No. 878

Fort Saint George,
Accountant General's Office,
8th March 1880.

FROM THE ACCOUNTANT GENERAL
TO THE GOVERNMENT OF MADRAS,

TO THE Secretary to Government
Pension Department.
Fort Saint George.

SIR,

I have the honor to forward, in original, (to be returned), letters Nos 2559 and 263 dated 10th November 1879 and 14th February 1880, respectively, from the Collector of Kistna regarding one Darsim Beg alias Miran Sahib who was charged with having by false personation, drawn the pension of one Darsim Beg, his father-in-law, who died some years ago, and to state that after reading the Magistrate's judgment, copy of which is attached to the second letter referred to, I consider the decision very unsatisfactory, as it does not decide the very point at issue: Either Darsim Beg did personate his father in law and ought to be punished, or he did not and ought not, in that case, to have his pension stopped.

2. I beg therefore to request the orders of Government on the case, as it appears to me that, under the present circumstances, it is likely that there will be a miscarriage of justice either in denying an innocent man his pension or in allowing a guilty man to escape penal consequences.

I have the honor to be
Sir,
Your obedient Servant

A. C. Herrell Tupp
Off. Assistant-General.

69

Head No 237/80
 & Rev No 2429/80. As it appears Kasim Beg has
 not, since his acquittal, ap-
 peared to claim pecunia, no
 orders appear the necessary
 in his case Geo

Let from
 orders

Dep 28-5-81

Geo

26th May 1881
 30th May 1881

Revenue 1880 DEPARTMENT.
 ACCT. GENL'S OFFICE, MADRAS.

FROM
 THE ACCOUNTANT GENERAL, MADRAS.

TO
 The Collector of the District of Coimbatore.

Dated 8th March 1881
 Recd of No. of answer. 1880
 Ansd.

Submitting for order
 his letter for the Collector
 of Coimbatore regarding one
 of his officers. Substituted
 charge of with having by
 false pecunia when shown
 the pecunia of one Kasim
 Beg his father-in-law.

With the order

OP 22
 No 169
O M.
 The undersigned is directed
 to request the Collector of the
 Kistna to inform him of
 the results of the ^{further} enquiry into
 the charges preferred against
 Kasim Beg, attached to him
 para 2 of his letter dated
 14 Feb 1880 - No 263 to the
 address of the Collector
 General. Geo
 Coimbatore,
 22nd April 1881.
 To the Collector of Coimbatore Dist Dec 22-481

Recd No 23 1880 Ord No 28 11th Jan 1880 P. 100

Pension DEPARTMENT.

No. 227 of 1880

From the Accountant General, Madras,
Dated 8 March 1880.

FOR ORDERS.

This paper which is dated 8 March 1880, by some oversight got mixed up with the lie over papers in the Revenue Department, and was returned to the Pension Department a few days ago.

Take up matter for
for results of inquiry
of further inquiry
Don't understand
the proofs. He acquiesces
the man of person who
but stops his pension
till he proves his
the intended beneficiary

^{See}
The probabilities
are in favor of the
charge against the
man being true.
He has been ac-
quitted by the Crimi-
nal Court but
the Collector order-
ed that the pen-
sion be withheld
until the man
could shew that
he was fully en-
titled to the al-
lowance. This

114
ms

has more than
a year ago. The
man has never
complained
of this decision
& the matter may
be allowed
perhaps to drop.
YLL

No: 946.

District District, Collectors
Office, Masulipatam
30th April 1881.

From, C. J. Crosthwaite Esquire,
Ag. Collector of Kistna.

To,
The Secretary to,
Government,
Revenue Department,
Potacamund.

Per,

With reference to Official
Memorandum No. 169 April 22, 1887,
I have the honor to state that Khasing
Beg has not since his acquittal appeared
to claim the pension.

2. No pension has been paid to him since October 1879.

I have the honor to be
Sir,
Your most Obedient Servant
Attest
J. S. Collector.

Rev 1881.

Department

No. 2429.

From

The Acting Collector
Kistna District

No 1299

Transferred to
the Pension Depart-
ment.

Quarter
Secretary to Govt.
Ootacamund,
14th May 1881.

To The Secretary to
Government
Revenue Department
Ootacamund

Dated 30th April 1881

Received. 6th May
No. 946.

Stating that Khasim
Beg has not since his
acquittal appeared to
claim his pension.

Transferred

6a
Pnemi

(1881) DEPARTMENT.

Endorsement of the
From Revenue receipt

No. 812

Dated 15th May 1881.
Recd. 17th

No. 1299

SUBJECT.

Transferring a letter
from the collector of Rethna
stating that Khairun
Beg has not since his
acquittal appeared to
claim his penem -

28⁵/₈₁

Li 50 492 9/81

Pension drawn by
false personation

FOR ORDERS.

See
Hornby

Recirculated
with letter from
Col. J. Kistner
Aug. 10 2429.
J. K.

Oct. 1892

circ 9 4 81 - Nov 1895
R. 12-5-81