M.R.O. 14—10,000—21-4-23

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1783 Press
~~Mis.~~

74-75

Dated 7—9— 1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 7th September 1861.

No. 74. Read the following letter from G. N. TAYLOR, Esq., Inám Commissioner, to J. D. SIM Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Vellore, 26th August 1861, No. 53:—

SIR,

With reference to the Order of Government, dated 19th August 1861, No. 1,668, I have the honor to submit as therein directed, the further remarks of my Special Assistant C. Rangá Chárlú in reference to the Pedúrú Darkást case in Nellore District.

From C. RANGA CHÁRLU, Special Assistant to the Inám Commissioner, to G. N. TAYLOR, Esq., Inám Commissioner, dated Camp Vellore, 26th August 1861, No. 2.

SIR,

1. I beg to acknowledge the receipt of the order of Government, dated 19th instant, No. 1,668, in which they kindly allow me an opportunity of explaining myself in the matter of the charges brought against me by the Collector of Nellore, with reference to the further inquiry held by that Officer. I am labouring under great disadvantage in having to contend against opinions already formed; but I feel confident that Government will grant me a patient hearing in a matter which so deeply concerns my official character. In obedience to the injunctions of Government to be brief and to the point, I beg to confine myself to the few points to which the present Proceedings of the Board of Revenue have narrowed the subject, referring to the Collector's letter and former papers only, so far as they may be necessary to elucidate the above points.

2. The Board consider "first that Mr. Elton was kept in ignorance of the Tahsíldár's report "regarding the ownership of the Tope when he prepared his Endorsement;" and in paragraph 4 they go on to observe that the ostensible connection of the Head Munshi "is that he counter-"signed the order issued to the Tahsíldár" and they "do not consider that this act necessarily "imples knowledge of, or participation in the earlier details of the affair." This leaves in doubt, who is considered to be the offending party that kept Mr. Elton in ignorance of the Tahsíldár's Arzee, especially as the Head Munshi is exculpated. It is but fair for me, that so far as I am concerned, the matter should be more clearly determined, as I was in the first instance accused of having concealed the Arzee.

3. I cannot at this distance of time remember how the Petition first came to my hands. I have already admitted that the Razinama was taken before me; and while the matter was pending, a second Petition from the Darkástdár having been received from the Board of Revenue in November 1858, it was referred to the Head Munshi, and the records of the case were sent for and transferred to him by the Collector. This is shown* by the Petition Register Book in the Collector's Office, and it is also supported† by a Petition addressed to the present Collector by the Darkástdár in November 1859, prior to the present inquiry. The Head writer Mr. D'Silver the only disinterested party that was examined in this case deposes‡ that, when the draft of the endorsement in Mr. Elton's own handwriting came to his Office to be fair-copied it was accompanied by a Memorandum in the Head Munshi's handwriting. It was an order of Mr. Elton that such Memoranda should be preserved by the Head writer until the disposal of the cases to which they related. The Proceedings of the Board of Revenue on the endorsement was not referred to me, but to the Head Munshi; and the final Takid was prepared by him or under his orders as shown by the Takid bearing only his counter-signature. By the practice* of the District which was scrupulously observed, orders prepared in the Sarishtadárs Department or passed by them, invarably bore their counter-signature.

* Paragraph 16 of Mr. Dykes' second letter.

† Paragraph 9 of the translation of a Petition submitted with my first explanation, Paragraphs 6 and 18 of Mr. Dykes' second letter.

‡ Paragraph 20 of Mr. Dykes' second letter.

* Paragraph 9 of Mr. Dykes' second letter.

4. Is not all this, I respectfully submit, conclusive evidence, as conclusive as could be furnished by the records of any Office, and not based on the interested statements of parties

desirous of evading responsibility, to prove that my connection with the case terminated with the taking of the Razinama, and that I had nothing to do with its ultimate disposal, which was transferred from my hands to the Head Munshi. Against this the Collector can only put forward the denial of the Head Munshi himself, now his Sarishtadár.

5. The Collector then remarks* that it was incumbent on me to have explained whether I "did take proper steps "to prevent the Collector being decided by the Razinama, and whether I did myself acquaint the "Collector or satisfied myself that the Collector was made acquainted with the fact that there was "a report from the Tahsíldár then lying unanswered." I presume this is the fault of omission for which I am so severely condemned in paragraph 3 of the Board's Proceedings. When, under the orders of the Collector, I transferred to the Head Munshi the records of the case which consisted only of the Tahsíldár's report in question with its enclosures and the Razinama, when the matter was not taken up for some months after, and I was not aware what endorsement was made, what orders were received from the Board of Revenue, and what final Takid was issued, I am unable to comprehend what was the fault of omission for which I am considered deserving of marked censure. I could not have supposed that the Head Munshi would have omitted to read or the Collector would have forgotton to have read to him, after having expressly called for it the only record in the case, the Tahsíldár's report which was expressly made on the Board's petition, and with reference to which the endorsement to the Board of Revenue had to be prepared whatever conclusion therefore Government may come to on the question, whether the Tahsíldár's Arzee was known to the Collector or was concealed from his knowledge, I hope I have shown sufficient grounds to acquit me of any blame direct or indirect in the matter.

* Paragraph 15 of Mr. Dykes' second letter.

6. But there is every reason to suppose that the Tahsíldár's Arzee was not kept from the knowledge of Mr. Elton; for as stated* in my former explanation he adds in his endorsement to the Board of Revenue "that there are trees at the two ends of the ground but not in the centre" which information was to be obtained only from the Tahsíldár's Arzee and which must have been evidently intended to be an explanation of any objections arising on the score of the land being a tope, as otherwise the sentence would be superfluous and irrelevent. Mr. Dykes in the 21st paragraph of his present letter argues that to suppose that Mr. Elton so summarily disposed of this point would be attributing to him conduct and ideas that would be a denial of justice and a betrayal of confidence. But to suppose that Mr. Elton adopted in his endorsement of his own deliberate composition a superfluous and irrelevant idea designedly put before him by his subordinates is a reflection upon his common sense. The fact is, the summary manner in which this part of the case was disposed of by Mr. Elton only shows the little importance which he attached to it. Mr. Elton's decision must be judged by the circumstances of the case as they then appeared, and without presuming to re-open a decision already arrived at by the Board of Revenue on its merits, I earnestly and respectfully solicit that Government will so far go into the case as to decide whether Mr. Elton's decision was not reasonable under the circumstances which were present before him and his office; because the justice of that decision affects the whole of the present charge, and because the Board of Revenue in paragraph 3 of their Proceedings without being able to suspect my motives or prove my connection with that decision condemn me very seriously for the results which are supposed to have flowed from it, simply on account of the concern I had in the early proceedings of the case.

* Paragraph 9.

7. The Dárkastdár applied for a piece of waste land as field No. 139. He is put in possession of it as field No. 139 by the village authorities under the orders of the Tahsíldár and cultivates it; a few months after the Curnum claims it as his private tope field No. 69. The Collector, his Naib Sarishtadárs, who preceded me and the Tahsíldár decide it to be the Curnum's private tope during the Jamabandi. The Dárkastdár appeals to the Board of Revenue; the same Tahsíldár to whom the petition was referred again reports that it is not field No. 69 or No. 139, but a tope adjoining field No. 139 planted by some unknown person the produce of which was used for the Siva Pagoda; that portions of it had been occupied by different Ryots; that in the remainder there were trees at the two ends, but not in the centre where the

Dárkastdár cultivated ¾ gorta; and that the Dárkastdár may have the land, as he performs charities to the Pagoda. Another Tahsíldár in the interval recorded a Memorandum which was submitted with the report of the above Tahsíldár that the land in question was field No. 139 applied for and not the Tope. Amidst these contradicting statements, the Collector is unable to come to a decision, or to believe that his former deliberate order deciding it to be the Curnum's tope was wrong. The Darkástdár, tired of delay, prefers a compromise with the Curnum who by Razinama gives up all thoughts of prosecuting his claims on the land. The Collector having thus got over the chief difficulty resulting from the supposed existence of private rights disposes of the other objection raised, on the ground of its being a charitable tope, by saying that there were no trees in the centre where the Darkástdár cultivated; so that whether the land was field No. 139, or the adjoining tope land, it was equally available to the Darkástdár. Lands on which charitable topes cease to exist are by the practice of the District at the disposal of Government who make them over to Darkástdárs and derive an assessment from them. The villagers had no objection to make to the Darkástdárs getting possession of the land, or to the subsequent decision in favor of the Curnum, nor did they in any other way come forward during four years. Without again going into the grounds upon which the above decision has been now altered, upon the representations of the villagers, I beg to leave it to Government to decide whether there is anything so unreasonable in Mr. Elton's decision, and whether it is not what any Collector may be naturally expected to pass under the circumstances of the case as they then appeared. Until good grounds are shown to the contrary, I feel confident that Government will believe that Mr. Elton wrote his endorsement in the usual course after hearing the Tahsíldár's report, the only record in the case.

8. I am next condemned with having caused to be executed a Razinama by which one party having no property in the tope resigned it to another equally without right to the manifest detriment of the villagers, and without any authority from the Collector.

9. I do not remember having had any express authority from the Collector, but it was in the usual course of every Collector's office to hold preliminary proceedings before the Sarishtadár which were all subject to the final approval of the Collector; and when Mr. Elton, used the Razinama in his endorsement, and subsequently referred to it in his Takid as having been taken before the Sarishtadár, and attested it with his initials it may be reasonably presumed that it had his approval, and he saw no occasion to blame me in the matter.

10. I have already shown that the Razinama was not to the manifest detriment of the villagers. The villagers made no complaint, and there was in fact no tope on the ground at all; and the villagers themselves had put the Darkástdárs in possession of the land; and there was nothing to show that any injury was likely to arise, and under any circumstances the Razinama had no necessary connection with it.

11. Further, the Razinama did not transfer the right of one party to another. It was simply to this effect. The late Curnum's claims having been recognized by the former decision of the Collector, and that claim being again under re-investigation, the Curnum's adopted son renounced his wish to prosecute his claims any further, leaving the matter between the Darkástdár, the Collector, and other claimants if any. The Collector could not feel satisfactorily convinced that his former deliberate decision in favor of the Curnum was erroneous, especially as the same Tahsíldár assisted in that decision, and the Razinama after six months' delay had to be taken as setting at rest one difficult part of the case without affecting its merits in other respects. There could have been no occasion for the Razinama if the Collector thought the Tahsíldár's report conclusive against the Curnum's claim. The Razinama simply got rid of a doubtful point, and did not at all diminish whatever importance the Collector could have attached to the other features of the case.

Paragraph 6 of Mr. Dyke's first letter.

12. I find it impossible at this distance of time to recall to my mind the circumstances connected with the progress of this case through the Collector's Office, and I have therefore based the above explanations upon such information as is to be gathered from the records—with such unimpeachable evidence I hope I have shown.

(1.) That the Razinama had the approval of the Collector; that it compromised no interests that were apparent, and had not at all the effect of deciding the case except as against the Curnum whose claims have been from the first condemned.

(2.) That my connection with the case terminated with the Razinama, and I had and could have had nothing to do with the ultimate disposal when it was taken away from my hands.

(3.) That no records were kept from the knowledge of the Collector, at all events by me, and that I am not to blame directly or indirectly for his decision if it is deemed unreasonable under the circumstances of the case.

(4.) Supposing Mr. Elton's decision was injurious to the villagers, they were themselves to blame for not having made in the first instance any representations on the subject; and when they did afterwards complain, on the decision being attempted to be carried out, there was every opportunity of rectifying the decision with the new circumstances that were present before the present Collector so that no injury to the villagers can be attributed to Mr Elton's decision and much less to the small concern I had in it.

13. And I now beg to leave it to Government to determine how far I am deserving of the general and severe censure passed in paragraph 3 of the Board's Proceedings, by which the Officers that preceded me, and who helped Mr. Elton to arrive at his first decision in favor of the Curnum, and the Officers that succeeded me who had the principal share in the second decision of Mr. Elton that is now condemned, and who afterwards when the villagers for the first time complained, and a petition from the Board of Revenue was pending, allowed a Patta to be issued for the first time to the Dárkastdár, are passed over, and all the possible consequences of Mr. Elton's decision are undeservedly attributed to me. I use the word possible as no injury has been actually sustained by the villagers.

14. As to the Board's condemnation on the tone of my former explanation, I hope some allowance will be made for the feelings under which I had to write it. I found myself, unexpectedly condemned in unusually severe terms without an opportunity of explaining myself, and on points upon which my innocence, I believe to be apparent, and if in my anxiety to represent the hardship of my case clearly I have been drawn into any improprieties, I beg sincerely to apologize for them.

15. In conclusion, I beg to add that under the express desire of Government, I have considered it proper to abstain from going into a more detailed explanation on all the points noticed in the Collector's letter. But I feel confident that Government will attach the proper value to the unsupported statements of the persons examined before the Collector who being more or less concerned in the case were naturally desirous of evading responsibility.

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No. 75. ORDER THEREON, 7th September 1861, No. 1,783.

1. With his letter recorded above, the Inám Commissioner forwards the explanation from his Special Assistant called for in G. O. 19th August last, No. 1,668, when the Government, on reviewing the Board's Proceedings of 24th July, No. 3,951,. considered that it would be desirable for Ranga Charlu to have an opportunity of clearing up such points as, from the Collector's report, seemed to have been in doubt when Mr. Dykes addressed the Board of Revenue in May last.

2. The Government have given their best consideration to this explanation and to the papers already recorded on the subject to which it refers. They resolve now to inform Ranga Charlu that they cannot approve his proceedings in the case in question, or regard his conduct in connection with it as satisfactory, the case is not, however, one that calls for further notice.

(Signed) J. D. SIM,

Secretary to Government.

Rev. Do. 2068.

In this paper Ranga Charlu submits the remarks called for in G.O. 19 August /61. No. 1,668.

In para 2 he states that the Board's remarks leave it in doubt "who is considered to be the offending party that kept Mr Elton in ignorance of the Tahsildar's order" and remarks that "it is but fair for me that so far as I am concerned the matter should be more clearly determined". There can be no doubt that the Board considered Ranga Charlu the "offending party".

Para 3. There is a discrepancy here between Ranga Charlu's former and present statements. He formerly declared that the Razinama when taken on 1st May 1858 was sent with the records to the Collector, who, he supposed, had not time to take it up. He now says that when the Darkastdar's petition to the Board was received in November 1858, the records of the case were then sent for by the Collector from his (Naib Sheristadar's) Office & transferred to the Head Amushi. He is unable to explain how the original Petition first came into his hands.

Para 4. In this para Ranga Charlu submits that there is conclusive evidence that his connection with the case terminated with the taking of the Razinama, & that the Collector has already admitted no

Paras. Ranga Charlu is "unable to comprehend "what was the fault of omission" for which "he has been considered by the Board as "deserving of marked censure." The Collector had asked, if Ranga Charlu was aware of the Tahsildar's report, did he take proper steps to prevent the Collector being decided by the karnama? did he himself acquaint the Collector, or satisfy himself that the Collector was made acquainted with the fact that there was a report from the Tahsildar? Neither of these things appeared, which showed that the dope belonged to none else! Ranga Charlu's reply is - how could he have imagined that the Head Shirastadar would not have read the record, & consequently of the Tahsildar's report and the Karnama? i.e. he allows that he did take no steps to acquaint the Collector with the circumstances under which the Karnama was taken, or why it varied with the Tahsildar's report: but he does not think that "blame "direct or indirect" can attach to him.

In para 6 of Ranga Charlu reiterates his reasons for believing that the report was not kept from Mr Elton's knowledge: & recapitulates the circumstances of the case to show that Mr Elton's decision was, under the circumstances, reasonable. Para 16 of my former memo meets this point. No new has been now adduced - and as the latter point, both the Board & the Govt have concurred in upholding the decision, we cannot hardly therefore be considered "reasonable".

Para 9. Ranga Charlu allows that he had no express authority to take the Karnama but states that it was done in the usual course of business, & being customary for the Shirastadar to hold preliminary enquiries - This corroborates the remarks in para 11 of my former memo.

Paras 10. 11 - In these paras Ranga Charlu argues that the Karnama was not to the manifest detriment of the ryots, and that it did not transfer the right of one party to another. He merely got rid of the Karnam's claim, & that individual removed - and left the matter between the Darkhastdar, the Collector, and other claimants, if any - "The karnama simply got rid of a doubtful point, and did not alter "diminish whatever importance the "Collector cd have attached to the other "features of the case." - "It compromised no interests that were apparent, para 12. "and had not at all the effect of deciding "the case except as against the Karnam "whose claims have been from the first "condemned."

How can this be reconciled with Ranga Charlu's former statement (see para 10. of my former memo) that it was the impression of both himself & the Head Shirastadar "that injustice "was done to the Darkhastdar by the in- "fluence of the late karnam, and we "were doing but an act of justice in "redressing it"?

Memo. on Rev. Ro. 1852

1- With these proceedings, the Board of Rev. submit with their opinion the further report made by Mr Dykes, Collector of Vellore, in the case of the Pedaru Tope, and the connection of Ranga Charlu, at present Special Assistant, Guam Commission, with the decision which has already been recorded by the Board with the concurrence of Govt.

2- When the Collector first brought the matter to notice in his letter of 11 January 1861, the Board received the case in detail. It has not therefore appear necessary to recapitulate all the facts of the present occasion. The Board at the same time settled that the Tope should be made over jointly to the Pagoda Managers and the villagers jointly- and issued orders accordingly, but they further required information as to the manner in which the Razinama, which figure so prominently in the papers, was obtained; the practice of the District in regard to the preparation of Pahis &c- in the Collector's Office- & expressed their opinion that Ranga Charlu should be called upon to clear himself.

15 Feb/61 No. 857

9 March/61 No. 549

3- The Govt accordingly directed that he should submit an explanation, and one having been received there-

Ranga Charlu should be informed that Govt are not satisfied with his explanation & with his proceedings in the case in question, while he was employed in the Collector's Office- The case is not of great importance & it occurred some time ago but it is disappointing to find that while a man of R's standing & education was in the Collector's Office he could entertain such a low & unsatisfactory

31/8/61

Ranga Charlu, the Razinama-which was taken with the express object of "securing" the injury inflicted on the Darkhastdar, is now described as affecting no one but the Karnam who, by it, gave up his claim

Razinama, & also (Para 13) why he should not be dismissed for such conduct when the offence proceeding from the Karnam, and those who helped to have the decision upon condemned, should be upheld such-

Para 12 of Mr Dykes letter of 3 May appears also to show as well how material that no injury "has been actually sustained by the villagers."

I regret that Ranga Charlu has rendered matters by this explanation. He makes very light of the "small concern" he had in Mr Elliot's decision- refers to the Razinama- which was to have "put the beginning of all the evil- took no pains to ascertain orders- fully aware of the Tahsildar's report- while he took no steps to bring the circumstances clearly before the Collector- considers the matter deserving of no blame.

C Bapta Rao

the Inam Commissioner (prepared in ignorance of the Govt Order) was communicated to the Board with G.O. 20 March 1861. No. 658: and in a further order thereon explained that it was quite necessary, "both for "the good of the public service and "in justice to Ranga Charlu, that "the case, as respects him not less "than as regards others, should "be thoroughly sifted."

19 April 1861. No. 891.

4. "The conduct of the present Sheristadar of the Collector's Office viz. Read Munshi under Mr Elton" needed, the Govt went on to say "to "be fully explained." This together with other minor matters arising out of the case, & having reference to the agents & causes of the intrigue, family connections &c have been finally disposed of by the Board and the only points remaining for disposal concern Ranga Charlu.

5. The explanation furnished by that Officer, alluded to above, and which was dated 12 March, 1861 was ask'd for by Mr Dykes requested & then by the Board, and the Govt also allowed Ranga Charlu to proceed to Nellore, if the Collector

16 May 1861 No. 1046.

found his attendance really necessary in the enquiry which he was about to institute. It was left optional to Ranga Charlu to proceed thither if he thought it desirable for his own interests, without waiting for a call from the Collector.

6. Whether the Collector found it unnecessary to send for him, does not appear. At all events Ranga Charlu never went to Nellore, and Mr Dykes' voluminous report dated 13 May last was written after full enquiry made in the District, but without any statement from Ranga Charlu further than the one already mentioned, which having been prepared two months previously could not be supposed to furnish a reply to many of the points which turned up in the course of the enquiry; indeed it would have been scarcely Ranga Charlu, as well as more safe for Govt & have had a report, showing clearly both sides of the case. The "three "points" which, the Collector states in para 15 of his letter, "it was "specially incumbent on Mr Ranga "Charlu to explain" are not touched

upon in the Breach was they would have been had Ranga Charlu been called upon for a direct answer; the consequence is that Mr Dykes being "wholly unable to explain how the "case came into Ranga Charlu's hands" and being "left equally in the dark" whether he knew that a contrary report from the Zahsildar was at the time in the Office - and being "again left to inquire" what occurred after the Razinama had been taken, & what steps the Naib Sheristadar took to explain to Mr Elton the exact position in which the matter stood; has been obliged to give his opinion on the merits of the case as he best could. and however correct that opinion may be, it must be allowed that the enquiry on which it was founded was somewhat one-sided.

7. Both the Board of Revenue and the Govt have decided in cancelling the order issued in 1859 regarding the land in dispute, and the only Question now to be considered relates to the share which Ranga Charlu had in the passing of that decision. It becomes unnecessary therefore to follow him through Paras 1 to 6 & part of para 11 of his letter wherein he enters at length into the merits of the question as between the disputants. Paras 7 to 10 (both inclusive) he explains what he had to do with the case; in para 12 he points out that the Head Sheristadar Chedambara Rau was, equally with himself, cognizant of the facts of the case & of the same opinion as to the justice of the decision. In para 13, he argues that Mr Dykes' idea of collusion must from the nature of the case be a delusion, and in para 14 he deprecates the premature & unfavorable opinion of the Board of Revenue.

8. The three points to be considered appear to be

(1) The Razinama executed 1 May 1858.

(2) The Collector's reports & the Board's dated 8 January 1859

(3) The Collector's order & the Zahsildar's dated March 1859.

First. The Razinama.

9. From the enquiry made by the Collector it appears that the Razinama was taken before Ranga Charlu, then Naib Sheristadar, in the Kachery, in the presence of the Zahsildar of the Taluq, who had reported on the case but a short time before, the Sheristadar who wrote the Razinama (& who has since died) & the two Vakeels (and the matter of

1.4-8 of Mr Dykes' letter 13 May/61.

father of one of the latter. There were no witnesses to the Razinama. i.e. none signed their names as such. The Tahsildar asserts that before the Razinama was signed he reminded Ranga Charlu of the reports then in the office, which went to shew that the land in dispute belonged to neither of the individuals who were then disposing of it. and that Ranga Charlu merely replied that the Ryots (the parties really interested) might be consulted afterwards, if necessary.

para 7 of Ranga Charlu's letter

10- Ranga Charlu's account of what took place is meagre. It is evident that he had made up his mind that the case should be settled only in one way, and that that was, as he says in his petition, the fairest way may be seen from what he writes in para 12, "that it was the impression of both of us (i.e. himself and Chedambara Rau, Head Sheristadar) as "it was of the Acting Tahsildar Chenval "Rau, that injustice was done to the "Darkhastdar by the influence of the "late Karnam, and we were doing but "an act of justice in redressing it." A decision of the question was difficult in any way but by a compromise, to which the Petitioner at last consented, and the opposing Karnam and his relation having then died, the Petitioner succeeded in making up matters for the time, and obtaining the consent of the Karnam's adopted son whose claims were not sufficiently set aside, and a Razinama was procured, both of them to me probable, when as stated in the depositions the Tahsildar was also present."

* i.e. the man who ultimately obtained the land under the Razinama.

1- The fact of the taking of the Razinama before Ranga Charlu having been settled, Mr Dykes wonders whether he was acting under the Collector's orders in taking it and remarks that no explanation is given on this point, or how indeed the case ever came into Ranga Charlu's hands, when the office records shew that it ought to have been kept in the Head Shrotriem Department. It is to be observed, however, that the Tahsildar's report of October 1857 is stated by Mr Dykes in his letter of 11 January 1861. to have been "lying" in the Sheristadar's "cachery" at the time that the Collector's report to the Board was written. Ranga Charlu says nothing about having been directed by the Collector to take the Razinama. It stood it was doubtless invalid. It required the assent of the parties before the Collector. Such however was not obtained. Ranga Charlu says he sent parties & papers to the Head Shrotriem for that purpose. The parties say that they were not sent. At all events they did not go. That he regarded his part in obtaining the Razinama merely preliminary, is implied in Ranga Charlu's statement at the close of para 6 "If "the Collector in his final Takid alludes "to the Razinama as having been taken "in the Sheristadar's cachery, it was because "at the late period at which he took "up the case, and in a remote taluq,

* recorded in G.O. 9 March 1861. No. 346.

para 15 -16.

"... Where the parties were not present he could
"not formally get their assent to it before
"him, though he could have had no doubt
"on the subject from the frequent ap-
"pearance of the parties before him when
"he was at Nellore"

Pro. 24 July 1861 - No. 3951. 12. The Board of Revenue have come to the conclusion that "the "Razinama was drawn up without "any authority from the Collector, "but solely by the Head Sheristadar "of his own proper motion"

P. 15. 17. 19 of Mr Dykes' second Rebuttal Letter 13th May 1861. 13. Mr Dykes' second Rebuttal Letter states that Kanga Charlu was aware at the time of taking the Razinama that a report had been received shewing that the right was not vested in the party so making it over. He Tahsildar alleges that he reminded Kanga Charlu of the fact. Kanga Charlu gives no direct information on the point. But he implies that he knew of it, by alluding to the thorough acquaintance he had with the facts of the case, and by imputing "weakmindedness" to the Tahsildar for making contradictory reports.* "On the other hand the Assistant Tahsildar fairly assisted the Collector & his Sheristadar in coming to an opinion that it was the Karnam's hope, and when that position could be no longer maintained he reported that the piece "part of the Hope used for the Pagoda" to that report contained an account

P. S of Kanga Charlu's letter shews that he took much interest in the case that he wanted to inspect the report personally to satisfy himself. The Collector could not spare him.

* and untrustworthiness of the Karnam as evidenced in the Tahsildar's report see "paragraphs 22 & 23. of Collector's letter.

of other parties who had claims to the land in dispute, it is manifest that a razinama to which they were not parties could not have been properly taken in their absence, and before their claim had been adjudicated upon.

Pro. 24 July 1861 No. 3951 14. The Board are of opinion that the late Head Sheristadar was not "in ignorance of the Tahsildar's report "when he prepared & caused to be executed the Razinama by which he knowingly & improperly in the Hope resigned "to another party equally without "right thereto, to the manifest detriment of the villagers to whom the report "directed that the Hope belonged."

15. Mr Dykes asks whether did Kanga Charlu, if he was aware of the Report, take measures to prevent the Collector being decided by the Razinama? Here again there is no direct information. Kanga Charlu simply says that "the "Razinama according to the usual "course must have been sent with the "parties and the records to the Collector." The parties, as has already been said, never appeared before the Collector, but some records certainly went, & on them the Collector drafted his

(2nd) Report to the Board dated 8 January 1859

16. This report simply stated that the late Karnam was dead and that his

successor did not wish to press his claim.
It was evidently based on the Razinama.
No allusion was made to the claims of
any other parties. Ranga Charlu disclaims
all connection with the further proceed-
ings taken after he had sent in the Ra-
zinama and other papers, but it must
be assumed, supposing he knew of the
Tahsildar's report, that he took no steps
towards placing the Collector in full
possession of the facts of the case, because
after saying that his connection with the
case ceased when the Razinama was
taken, he adds "the ultimate endorse-
para 2 of Ranga Charlu's letter "ment to the Board of Revenue dated
" 8 January 1856 must have been
" made upon the reading and explana-
" tion of the records by the Head
" Sheristadar, as there is no Memorandum
" Jamabandi forthcoming in the office records.
If this assumption is correct, it appears
that he allowed a Razinama to go in with
other papers to which it was diametri-
cally opposed - & all without a
hint of explanation of the circum-
stances under which the Razinama
was taken. It may be said that the
records would speak for themselves, but
they alone could not have explained how
a Razinama could have been taken from
two individuals in settlement of a
case in which others were interested.
Ranga Charlu suggests that Mr Elton

was aware of the report, because al-
lusion is made in the endorsement
to trees being at the two ends of the
ground & not in the centre - which
information could only be obtained
from the Tahsildar's report: also
that he probably did not attach
much credit to the Tahsildar's
report, knowing his character; be-
sides being unwilling to doubt the
correctness of his own former decision
in the case. Ranga Charlu further
insinuates that Mr Elton had an
ulterior purpose in thus alluding to what
was to be found in the Tahsildar's
report - i.e. by guard against sub-
sequent consequences. This has
been very properly commented upon
by Mr Dykes (in para 2 of his letter)
who observes that while Mr Elton
was doubtless left in ignorance
of the Tahsildar's report, the words
alluded to were, also doubtless, en-
tered by someone with the very
purpose deemed probable by
Ranga Charlu -

Rec. 24 July 1857. No. 3951. 17. The Board concur in the opinion that Mr Elton was kept in ignorance of the Tahsildar's report when he made his endorsement to the Board

(2) The Collector orders the Tahsildar in March 1859

18. It is not alleged that Ranga Charlu had anything to do with the preparation of this order which was based on the Board's order received in reply to the endorsement of 5th January 1859. but it reference is now made to it because it bears out the conclusion that Mr Elton was kept in ignorance of the Tahsildar's report too often referred to. But even in this final order no reference was made to the report in question.

19 Mr Dykes therefore concludes that whoever may be responsible for the concealment of the report in the subsequent stages of the proceedings i.e. when the Board's endorsement & the final table to the Tahsildar were prepared, it was Ranga Charlu who, having taken the first step, by causing the preparation of the Razinama, must be considered responsible if the real facts of the case were kept back from the Collector. And the misapprehension on the part of Mr Elton of those facts, resulting on a mistaken report of the Board is considered by Mr Dykes the result of accident, but of design.

Ltr. 22. of Mr Dykes letter.

Pro. 24 July 1861 - No 3951. Para 3.

20. The Board are of opinion that whatever may have been the motive which actuated Ranga Charlu in his endeavours to make over the Zopa to Narasapalli Rama Rau, it is clear that the result of his efforts inflicted an injury on the villagers, brought discredit on the Collector's establishment, and made the Collector appear the author of injustice and wrong - & both for what he did, and for what he omitted to do in the matter they consider him deserving of marked censure.

21. They also allude, with disapprobation, to the "improper application" and "subtle allusions" which, they consider, form the explanation.

22. In pursuance of their Proceedings recorded in G.O. of March 1861. No. 549. the Board considered that additional doubts existed on Ranga Charlu's share in this business, by the fact that a Petition from the villagers complaining that through his influence they had been deprived of their rights, and on which petition the Board on 14 November 1859, endorsed that Petitioners should address the Collector, returned in to the Collector for delivery to the Petitioners, was found by Mr Dykes lying unopened in his office.

23. Ranga Charlu simply point out that he left the district in May 1859. and therefore could have had no hand in keeping back this petition.

24. It is now for the Govt to decide

(1) whether the Board's conclusion is warranted by the facts elicited and inferred.

(2) or whether Ranga Charlu should have an opportunity of submitting further explanation.

(3) whether Chedambara Rau, then Head Sheristadar of Nellore now a Deputy Collector in the Godavery District, should be called upon to state what he knows about the case.

Wait for Ranga Charlu's explanation of the statement in margin

CJ Fle
13/5/62

I think Rangachary should have an opportunity of bringing forward any fresh arguments he may have to urge. It has always seemed to me that part of his letter to Mr Taylor puts the clue to the whole matter. An intricate & serious case was thus easily decided of. J. D.L

yes Fle

Get Lewis to look at Mackay & Greenhill & the Story & Salem

say that the Embassy [illegible] a Pleader — which I presume he must or ought to have known & must have known not regularly taken & ought to have been [illegible] before [illegible] himself — that he would have done — I would [illegible] — I see [illegible] — I should do [illegible] — I conclude [illegible] grounds or any [illegible] about these [illegible]

Fle

(7)

Memo on Mr Dykes report
regarding Ranga Charlu's
connection with certain
intrigue in the Nellore
Collectorate office

For Orders

Revenue Dept (V)

No 1783

Proceedings of the Madras Government

Under date the 7th September 1861

Read the following letter
from the Inam Commissioner.

Submits as directed in the
G.O. dated 19th Instant the further
remarks from his Special Assistant
C. Ranga Charlu in reference to the
Peduru Darkhast case in Nellore Deltaic

(Here enter 26th August 1861 No 53)

Vide his letter recorded
above, the Inam Commis-
sioner forwards the ex-
planation from his
Special Assistant called
for in G.O. 19th instant Con-
No. 1668. When the Govt
on receiving the Board's
Proceedings of 24th July
No. 3951, considered
that it would be desira-
ble for Ranga Charlu to
have an opportunity
of clearing up such
points as, from the Col-
lector's report, seemed
to have been in doubt
when Mr Dykes addressed
the Board of Revenue
in May last.

The Govt have given
their best consideration
to this explanation and
to the papers already record-

On the subject to which
it refers. They resolve
now to inform Major
Charles that they ~~did~~ cannot approve
~~not satisfied with~~ his
proceedings in the case
in question. ~~They did~~ Or
~~They cannot~~ regard his conduct
not look upon his con-
nection with this matter, ~~incorrect~~ in con-
in itself of so great nection with it as
importance, in the light ~~entirely to be~~ unsatis-
way in which he does factory, the case
and they are disappoint- not however ~~one of~~ ~~dismissed~~ calls for
ed to find that while either
a man of his station censure
and education was in
the Collector's office, a
state of things of this
low & unsatisfactory
nature should have
been allowed to con-
tinue.

CJW

14 Copies. Board of Rev. Dispy.
by Income Commissioners

Revenue 1861 Departt.
Pro: of Govt. for Septr.

No. 1783.

Pro: of the Madras Govt.
Dd 7th Septr 61.

Rungia Charlu & ano

2805
19-10-61

Expressing their disa-
approval of Runga Charlu's
Prot: with respect to the
Pedura Darkhast case
in Nellore District.

No. 74 & 75.