

MADRAS RECORD OFFICE.

Government of Madras.

Revenue

DEPARTMENT.

G.O. No.	<i>519</i>	☒ Press ☐ Mis.
Dated	<i>March</i>	<i>18/1.</i>

Not to be folded or roughly handled

To
The Collector of the District
of Bellare

The Petition of Nakkalapalli Krishna Rao, Ryot and inhabitant of the village of Peddur, in the Taluk of Bellare.

1. I am a Ryot in this village paying to Government an annual Revenue of Rupees 500. There being in the village a relinquished Pury girdel of 139 called Stikalapad in extent $1\frac{1}{4}$ Ganna, I presented a Dakhast for it in my brother Paima Rao's name, under date 1st January 1855, specifying its boundaries. It was referred to the Tahsildar who enquired and gave instructions on the 6th January 1855 to the Peshkar of the Vauter for putting me in possession of the said Pury girdel as well as $18\frac{1}{4}$ Gannas of wet land, in the presence of the Head Ryots and Haranams and for taking and forwarding a Receipt for the same attested by the Head Ryots and Haranams and signed by the Dakhastwar.

2. The Peshkar of the Vauter accordingly on the 12th of Poushya, year Rakshasa, put me in possession of the lands in the presence of the Head Ryots and the Haranams, Marupuri Krishnayya, and taking a Receipt signed by me for my brother Paima Rao and attested by the Head Ryots and Haranams, forwarded the same

to the Barchi. I then cultivated the well known

3 I laid out Rs 40-10-6 in improving the
Said Dry field and cultivated $3\frac{1}{4}$ Ganna. The
Thannam and others registered the same in the
cultivation Returns as part of the Parlinguished
field No 139 and made out and gave me a
Patta for the same.

4 When the Jamabund came on, Thannam
Mattedodde Primmara Rao, who was my enemy,
misrepresented to the Collector that the said
Dry field applied for was his top - and the
Collector decided it should be kept as a Top.

5 I then addressed the Collector four or five
petitions but getting no answer, I submitted
a registered petition by post to the Board of
Revenue at Madras under date 20 January
1867, which was referred to the Acting Collector
Mr Taylor.

6 Mr Taylor referred (the petition) to the
Acting Tahsildar Dalli Chintal Rao, who
however was transferred before he could complete
the inquiry.

7 The present Tahsildar Attavanam
Jagannadha Rao, who had issued the Tahid
Permitting me to have the land, reinvestigated
the matter and recommended to the Collector
the restoration of the land to me.

8 The matter thus remained undisposed
of and time was passing away. On re-
presenting to the then Naib Sheristadar C.
Pungo Charku, he became aware of the injustice
done to me, and the Thannam Mattedodde Pri-
mivarao. Having died in the interim his
son Rajkumadha Rao was examined in the
Buzir. Then on the 1st May 1868, a Thannam

N.B.
This is the
copy of the 2^d
October 1867 in the
last part of which
the Tahsildar with
a stringer recom-
mends
that the Barchi
performing Charities
to the Barchi may have
the Top Land which
Petitioner mistakes for
a recommendation in
his favor.

was drawn up in the very presence of the
Tahsildar, in the writing of Jandhyala
Lakshmanya, Taluk Head Gummastah, signed
by Rajkumadha Rao and presented to the
Naib Sheristadar.

9 As some delay occurred before the
matter could be brought before and decided
by the Collector, I again addressed the Board
of Revenue by a Registered petition praying
for orders to the Collector to furnish me an
endowment. That petition was referred to
the Collector. The Collector had all the record up
from the Naib Sheristadar & gave it to the present
Head Manager P. V. Venkatarao who perused
the paper and explained the matter to the
Collector. The Collector went through the whole
case and reported to the Board that the
matter had been disposed of by putting me in
possession of the land.

10 He also directed my petition to be entered
accordingly and returned to me, besides issuing
final orders to the Tahsildar for putting the
land in question into my possession. The
order was dated 28th March 1869 No. 556.

11 The Tahsildar in pursuance of the
said order, wrote to the Barchi of the Barchi
on the 14th April. The latter officer had the
said field No 139 called Iticalapati measured
out within the limits of my cultivation in
H. 1365 and put the same into my possession,
taking and forwarding to the Taluk Barchi
a receipt for the same from me on behalf
of my brother Rama Rao. Thereafterward
the said $1\frac{1}{4}$ Ganna remained in my possession.
I went to the expense of some 100 Rupees,
enclosing the land with a wall, removing
the bushes and levelling the ground & raising
some cucumbers &c. While so the head of the
Revenue Chenchuraimareddi, the village Munsiff

Devanir Adinarayanareddi, and Hannan
Marpuini Krishnappa, asked me to give
some ground for their own use. I refused
to give out of what I had improved at a
large outlay.

12. Without any right whatever and merely
to revenge themselves for my refusal to give
them land, those parties who were present when
the land was put in my possession and
attested my receipt, conspired together to do
me injustice, & getting together their own
relatives for witnesses, and being rich men,
making a free use of their money, and taking
advantage of the juncture, when a Collector
who had understood the merits of the case was
about to leave, and yourself a new Collector
was about to arrive, unyoked the ploughs
at work on the land which I obtained in
pursuance of orders, cut down the compound
wall, destroyed the cucumbers plants &
pulled down the hut erected for watch on
the spot, and committed all manner of
lawless acts, on the 2^d October. For this I
laid a charge before the Head of the
Collector.

13. The Head of the Collector ordered the
Head of Police of the Taluk to inquire.
But before the inquiry took place, my
witnesses having been sufficiently bought
over, the fact of unyoking the ploughs
alone was proved.

14. The said individuals presented
a petition to the Head of the Collector pleading
that the land in question was their Gope.
The officers there in ignorance of what had
previously taken place on the subject, re-
presented the matter somehow or other, so
that the Tahsildar has commenced a

3
reinvestigation under orders from the Head of the
Collector of the matter of a land which had been
put into my possession under the orders of the
Board of Revenue after the inquiry by so many
Collectors and these Officers. The said Pyots
are all rich and the witnesses called by them
are their own people. Injustice is therefore
being committed. I pray therefore you will be
pleased to order further inquiry to be
stopped and allow my cultivation to go
on uninterrupted upon pending the
decision already passed on the subject
after due inquiry both in the Taluk &
Buzur & report to the higher authorities.
I beg also to request that the endorsements
passed by the Board of Revenue re-
pecting this land, which were enclosed
in my letter to the Collector dated 28th February
1859, may be returned to me.

True translation. Dated 3^d November 1859

Changabharli
Special Assistant to the
Revenue Commissioner

From C. Rangachari
Special Assistant to the Comm. Commr.
To C. A. Dunder Esq.
Comm. Commr.

Sir
 Having this day received from the Collector of
 Nellore the records connected with the case of the Dar-
 hast in the Village of Peduru in the Nellore Taluq of
 the Nellore District which formed the subject of the Pro-
 of the Board of Revenue dated 15th February 1861 No. 869
 in which they suggest to Government that I should
 be called upon to clear myself from the suspicion which
 in their opinion attaches to me. I have the honor to sub-
 mit my explanation on the subject for transmission to
 Government. I do so at once altho no order of Govt.
 have been received in order that it may save me from
 the possibility of premature unfavorable opinion on the
 part of Government.

2. For a correct understanding of the subject
it is necessary to set forth the circumstances of the case
in fuller detail than has been done by the Collector or the Board
of Revenue. In 1858 Krishna Rao a land holder in the above
Village applied in the name of his brother Rama Rao for
1 1/2 guntas of land which he described as Field No. 139, a
Viduthala field, or field relinquished from the cultum by
some ryots at some former date. The Deakast was
sent to the Tahsildar for disposal. The Tahsildar gave
an order for placing the Petitioner in possession of the land
applied for. The Paishkar, the Village Karmans (of whom
there were more than one, of different castes, with a long
standing dispute regarding their Murad shares) and the
Mud Ryots placed the Petitioner in possession of the land
now under dispute as the field No. 139. We improved it
at some expense and cultivated 3/4 guntas out of it. And
it was entered as field No. 139 in the Cultivation Returns.



his objection was raised to all this, as might have been if there was any invasion of existing rights, although the Valug and Collector's Station were within 10 miles of the Village.

3. During the Jannabandi which followed, a misunderstanding having arisen between the Darastadar and his relation, the principal Karmam of the Village who was also related to some of the inferior Gumnastas in the Collector's office, the Karmam represented that the land was entirely a different field (No. 69 probably) and formed part of a private Tapa planted by him 110 years ago. This claim was upon inquiry admitted by the Collector Mr. Allen. The Shrestadar who preceded me and the Sardar and the Darastadar possession of the land were directed to be limited to the area of cultivation according to certain records in English made by them in a Tatwar Book which I have not viewed.

4. Against this, the Darastadar appealed to the Board of Revenue as a gross imposition the field No. 69 being situated in a totally different part of the Village. This Petition was referred to the Collector and it was received when I newly joined the District as Joint Shrestadar in 1857. The Sardar was called upon to report upon it by the Acting Collector Mr. Taylor. The Acting Sardar of the Valug Chentablas who has been since promoted as Shrestadar of Rajamandri and Deputy Collector in the same Commission made some inquiry into the subject, but as he had to leave the Valug before reporting on it, he gave his opinion that the land appeared to him to be clearly a part of the field No. 69 applied for. This is not noticed by Mr. Dykes. The old Darastadar returned and formally reported on the subject on the 29th Oct. 1859. This report upon which so much stress is laid by the Collector and the Board of Revenue does not state, as supposed by the Collector that the Tapa was granted for the use of the Siva Pagoda but that according to a Rajpat given in July 1837 it was a Tapa planted by some unknown person many years ago, the

produce of which is used for the Pagoda. That 70 Guntas of the Tapa had been occupied by different Tapa for many years leaving the remainder as Tapa, that there were trees at the two ends of the ground, but not in the centre where the Petitioner cultivated 3, gorthu, and that the land applied for by the Petitioner as No. 69 was a different field in the vicinity. This report was made on the inspection of a Valug Gumnasta who had afterwards to be removed to another Valug for bad conduct. There were no disquisitions taken from the Village.

5. The identification of fields was a difficult task in Malwa. I should have however endeavoured to have satisfied myself by a personal inspection. But Mr. Allen was opposed to deputing his Shrestadars on such duties, and amidst the pressure of other important business the matter was lost sight of. Another Jannabandi came on and the Village had not any complaints to make on the subject. Whatever may be the practice now, the practice then was to call out before the Collector each and every Tapa who received his patta after stating any grievance he may have to represent which were recorded in a Book. The Tapa made no representations on the subject. Subsequently, Malwa when some doubtful balances had to be settled, amongst which was one due by the Petitioner on account of the land under dispute, the subject again came forward.

6. As already observed there was on the one hand the fact that the land under notice was applied for as field No. 69, and was made over to the Petitioner as such by the Village Authorities, and was allowed to be improved and cultivated at some expense without any objections on the part of any of the Village, although it was immediately close to the Village, and it was also pronounced by the Sardar who

who stood high in the opinion of the District Authorities, to form part of the field in question. On the other hand, a different Sardar first advised the Collector and his Sheristadar in coming to an opinion that it was the Karmame Saper, and when that position became longer he maintained he asserted that it was part of the Japeru. for the Pagoda.

7. Difficult as the decision of the question was under such circumstances no compromise was easy if the Petitioner could be satisfied with the portion of the land he actually cultivated, or $\frac{1}{2}$ out of the $\frac{1}{2}$ further upon which there were no trees. For whether it was a part of the field No 109, as claimed by him or of the Sape, no one could have had any claim upon that portion as there were no trees and it was no longer a Sape, nor were any claims advanced by any other side owners. To this the Petitioner at last consented and the opposing Karmam and his relation having then died, the Petitioner succeeded in making up matters for the time and obtaining the consent of the Karmames adopted whom whose claims were not authoritative, set aside. And a Rajinama was presented by both of them to me probably, when as stated in the depositions the Sardar was also present. Mr Dykes does not notice the fact that the Rajinama contemplated giving to the Petitioner only a portion of the Das Katt land. The Rajinama according to the usual custom must have been sent with the parties and the records to the Collector, but as it frequently happened he might have had no time to take up the case and the papers might have been retained in the Dept. of the Head Mamshi who is now Sheristadar.

8. It is now to explain that some time after I joined the District I had to represent to Mr Elton

the inconvenience of orders emanating from the Sheristadar's Department being detained with the Mamshi and being altered and modified without the Sheristadar having any opportunity of explaining the matter. Mr Elton mentioned to me that he had settled it long ago with the former Sheristadar that he was himself responsible for what he does and that the Sheristadar's were not expected to counter-sign his takids if they did not like it. It was also his rule that all telegu orders prepared in the Sheristadar's Department should be sent with the records to the Head Mamshi to be read and explained by him. This was a very convenient rule for the Sheristadar's but Mr Elton had his reasons for it. He never signed a paper which he did not thoroughly go through and state, for himself upon however laborious was the task, and he preferred the Mamshi's Samsam, or reading, as the most agreeable to him, and he probably believed that it afforded him an additional check against errors. It therefore became the rule for the Sheristadar's to counter-sign only those Takids which emanated from them.

9. Under the circumstances above explained, my connection with this case ceased when the Rajinama was taken and forwarded with the records and the parties to the Head Mamshi. For nearly a year after it will be seen that the Collector had no time to take up the case. His ultimate endorsement to the Board of Revenue dated 8th January 1854 must have been made upon the reading and explanation of the records by the Head Mamshi as there is no Memorandum of mine forthcoming in the office records. It was rather acquiesced with the orders received from the Board of Revenue, or with the final takid issued in the matter.

in March 1884 which must have been prepared by the
Head Munsiff as it is countersigned by him alone.
But one thing is certain that the "all-important Arzi
of the Sasildar" upon which the present Collector's letter
and the Board's Report are based was not "designedly
kept from the former Collector's knowledge". For if, as he
observed that in the last part of his endorsement to the
Board of Revenue he observed 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 Sasildar
Arzi; and if it is allowed that Mr. Elton did refer
to the Arzi, any one acquainted with that Gentle-
man must be equally certain that he did go through
the whole record and satisfied himself. It is
probable that the Collector had no confidence in the
Arzi of the Sasildar whose weak-mindedness and
contradictory reports on the same subject frequently
attracted his attention as well as that of his Sub-
Collector when he was in charge. It is not also im-
probable that he was unwilling to believe in the neces-
sity of his former decision in favor of the Ramanam
which he deliberately arrived at in Samabanda Panchayat
with his then Shresthan Sasildar and the Villagees,
and was disposed to attach more importance in his en-
dorsement to the Ramanam of the Ramanam than which
he looked upon as an easy solution of the difficulty;
and it will be also deemed probable that the allusion
in the last part of the endorsement to there being no
trees in the centre of the land, which will be super-
fluous and irrelevant if the case was disposed of by the
Ramanam alone, was intended by him to be an ex-
planation of any objections which may arise on the
score of its being any other description of Tipes as
represented by the Sasildar. For it was usual to give
away on Daskast portions of Tipes when there were
no trees in them and they were considerable in area,
as

as such portions have ceased to be Tipes and have
no claims to an exemption from assessment. If the
Collector in his final letter alludes to the Ramanam
as having been taken in the Samabanda Panchayat it was
because that at the late period at which he took up
the case and in a remote village where the parties were
not present he could not formally get them agreed
but to find him, though he could have had no doubts
on the subject from the frequent appearance of the
parties before him when he was at Nellore. But this
will be deemed a matter of little consequence as the
execution of the Ramanam is not disputed. At any rate
Mr. Elton was in a better position to object to it
if he considered that there was any thing objectionable
in it.

10. I have above shown that my proceedings
in the case so far as it went were not irregular or done
with bad intentions, that I had nothing to do with its
ultimate disposal, that neither myself nor any other
servants of the office kept the Arzi and other records
of the case from the knowledge of Mr. Elton. That
he was well acquainted with them, and had he deemed
it explain his own decision he might have probably
shown that it was substantially correct though his
endorsement may be deemed imperfect.

11. The only circumstance against the
justice of the above decision which Mr. Dykes claims
to have now discovered during his personal visit
to the Village is that it was the only high land in
the Village where the Villagees had to stand their
cattle in when the irrigation season commenced.
Independently of the fact that this very ground was
gradually encroached upon by sundry Dykes, amongst
whom the Daskastdar was not one, this objection
was never urged to Mr. Elton by the Villagees in
Petitions or verbally or by the Sasildar during the
4 years that the case was before him in different shapes. During
these

three successive Samabandis; and it may be deemed
questionable whether it is fairly entitled to consideration
now after the Darhastdar has been put to the trouble
and expense of cultivating the land for a year at least.
If the opinion of the Board of Revenue be
different on this subject, Mr Dykes' present office,
I submit, are responsible for issuing a Patta to the
Darhastdar for the first time notwithstanding this
new objection. The final order of Mr Elton was
issued in his Revenue Department in March 1854
He left the District to join the Indian Commission
in the beginning of May 1854. The first Petition
the Villagers ever presented on the subject was, Mr
Dykes says on the 20th October 1854. Another
Petition No 3280 of 1854 to the Board of Revenue, the
omission of which in their opinion aggravates my
guilt, was endorsed by them to the Collector in Nov 1854.
12. I beg to allude to one more fact. I was
only half Shrivastadar. The Mad Shrivastadar
was Chittambura Rao now Deputy Collector in Cochin
District, ^{two were} both strangers to Malabar. The duties of the
Shrivastadar Department were conducted by us jointly, except
in certain respects. Although I am not distinctly
aware whether the Rajinama was presented before
both of us or before myself ^{alone} and without being at
all desirous of shifting from my shoulders whatever
responsibility may fall on the Shrivastadar Department
in this case, I beg to submit that Chittambura Rao
was fully acquainted with the particulars of the case
and that it was the impression of both of us,
as it was of the Shrivastadar Chittambura Rao, that injustice
was done to the Darhastdar by the influence of the
late Mannam, and we were doing but an act of
justice in redressing it.

13. Mr Dykes and the Board of Revenue
suppose that the whole was a collusion between the Da-
hastdar and the Mannam his relation, supported
by their relatives in the Collector's office to obtain the
land; or, in other words, that the Collector, his dep-
fendant Shrivastaders, three of whom were strangers to
the District with all the other conflicting elements
in the Collector's Department, the Sub Collector and his
attendants, himself who settled the Patta in one year, as
well as the two different Samabandis in the Patta, should
have been either duped or led to commit an error in the
whole, whilst the other Mannam of the Village who was of
a different caste and had a long standing dispute
with the first Mannam, the Head Goss who are in-
fluential men in the Malabar Taluk, and all the
Villagers, should have been kept in such an unna-
tural delusion as not to see the truth in the
subject. ^{As appears} The relations of the Mannam were not in very in-
fluential positions, and the so called Head Goss was
an old man, and in the office was so old and
incapacitated for business that he was long ago put
aside as a useless man, and was allowed to enjoy
his post as a sinecure till the Collector could be indu-
ced to ask him to retire. But the whole mystery dis-
appears on the supposition that the adopted son of the
late Mannam, though indeed a guide the Rajinama
on account of family connections and under a con-
sideration of the weakness of his own claims, was only
too glad to serve the family interest in other names,
and that the principal object of the Darhastdar
deposed before Mr Dykes, being deprived a portion
of the land have now stirred up the other Villagers,
and that though they recently presented Petitions to Mr

Mr. Dykes they were so convinced of the weakness of their claims as not to press them with the earnestness of injured parties, which led to their being unnoticed by Mr. Dykes himself.

Such are the circumstances of this otherwise unimportant case on which the Board of Revenue have seen it fit to suspect my conduct without my explanation. Admitting that native Servants are occasionally guilty of low intrigue and petty fraud it is a source of deep concern that no position or character however high can secure them from suspicion upon grounds however insufficient even from so high an authority as the Board of Revenue. The unusual tone of the Board's Proceedings contrasting even with that of the Collector has deeply pained me. It will I trust be allowed by them that the fairer and more natural course would have been to reserve the suppression of their Subj. until the explanation of the parties concerned was received, especially in an old case taken up by a new Collector and where the Board had nothing to go upon but surmises, and were so imperfectly informed as to the conduct of the several Servants in the matter as to be under the necessity of asking for further information from the Collector upon a series of points. I much regret also that the somewhat notorious fact of the general appointment of Deputy Collectors in Feb. 1854 and of Deputies to the Nam Commission in May 1854 should have escaped the Board's notice. Leading to their charging me with ommissions which occurred months after my connection with the District ceased. There is small satisfaction in being called upon for an explanation after an opinion has been recorded which the Board cannot but be aware emanating from

from so high an authority must prove prejudicial to the prestige of one in a responsible position. With the further information now submitted, I beg to leave the matter in the hands of Government for such justice as they may consider me deserving of, only soliciting their indulgence for any imperfections in the explanation which may ^{have} resulted from the difficulty I am labouring under of recalling to mind the merits of the case, but the minute circumstances connected with its progress through the office where they are now to be gathered from the records.

Palamnair
D. March 1861

Have the honor to be
Sir,
Your most obedient servant

(Mangascharlu
Special Assistant to
Nam Commission)

D. S. Since writing the above my attention has been drawn to a Petition addressed by the Carastidar to Mr. Dykes on the 3rd November 1854 which was amongst the papers sent by him and which sets forth the facts of the case in such accurate detail that setting aside his opinions as regards his own rights it is so entirely confirmatory of what I have manifestly stated with hesitation upon matters of fact that I beg to be excused for submitting a translation of it for the information of Government.

Changascharlu

Jan 4 1861 Debit

No 30

John C. Pungo & Co

of New York City

to Wm. D. Langdon Esq

London (England)

Capital \$100,000

Received \$100,000

No 2. \$200,000

to: \$200,000

of the 10th of 1861

of the 10th of 1861

of the 10th of 1861

of the 10th of 1861

of the 10th of 1861

of the 10th of 1861

of the 10th of 1861

of the 10th of 1861

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