M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1176 Press ~~Mis.~~

117-118

Dated 6-7-~~19~~1886

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 6th July 1864.

No. 117. Read the following Proceedings of the Board of Revenue, dated 21st June 1864, No. 3,799.

Read again letter from the Acting Collector of North Arcot, dated 7th November 1863, No. 229, recorded in the Board's Proceedings under date 5th December 1863, No. 7,660.

Read also the following letter from the Collector of the same District, dated Palmanair, 8th June 1864, No. 124:—

1. I have the honor, with reference to the Proceedings of the Board dated 5th December 1863, to submit my Assistant's report in the matter of Petition No 3,311 of 1861.

2. The Board will, I think, on a perusal of Mr. Price's letter, allow that no useful purpose would be served by a further prosecution of this inquiry.

3. There is nothing on record which in any way compromise the officers of the Inám Commission; and such evidence as there is only tends to strengthen the suspicion that Curnum Papanah seized the opportunity, which the inquiry into the Inám tenures of his range afforded him, of levying, by misrepresentation and intimidation, a contribution from those interested, for his own uses: Caught at length in his own meshes, he probably employed, as Mr. Price surmises, these illegal exactions in trying to purchase his way out of the scrape.

4. Mr. Locke's decision against him is now before me in appeal; and although the voluminous nature of the record and the press of other business have heretofore prevented me from passing a final order on review, I have satisfied myself that the case against him is good and tenable so far as it relates to his tampering with the public accounts, although I have some doubts whether the fine of Rupees 1,400, then likewise imposed, can be maintained.

5. Curnum Papanah is a notorious intrigant and fabricator of bonds, and his evil machinations and example have exercised a most pernicious influence on the village officers of his own and the adjoining ranges. He will probably make a hard fight of it yet, but there is evidence on record from which he cannot now well break away, and thus a somewhat tardy justice overtakes a man who, though long marked, was too formidable and unscrupulous an antagonist to be lightly denounced.

Enclosure No. 1.

From J. F. PRICE, Esq., Assistant Collector of North Arcot, to J. D. ROBINSON, Esq., Collector of North Arcot, dated Palmanair, 3rd June 1864, No. 68.

1. With reference to your letter, No. 136, dated March 2nd 1864, I have the honor to inform you that in accordance with the instructions therein contained, I have fully and carefully inquired into the Board Petition No. 3,311 (615) of 1861 therewith forwarded, and have to report as follows.

2. On receipt of your letter, I desired the Tahsildar of Chendragherry to send all the parties to my office, and I there, in the presence of the Defendant Curnum Papanah, examined the Petitioner Dasireddi Chengapah Naidoo, and as many of the persons named in the Board Petition above noted as could be found.

3. The Petitioner at first declined all knowledge of Board Petition No. 3,311 (615) of 1861; stated that he knew nothing of the complaint contained therein; that he had not paid any money to Papanah; and had never heard of any one else doing so. He denied also having presented any Petition to Mootoosawmy Iyer, but afterwards admitted that he had caused Board Petition No. 3,311 (615) of 1861, to be written and had placed his mark to it. He also said that he had presented a Petition to Mootoosawmy Iyer, and that he had given a deposition* before that officer, but that he was not prepared to prove what was therein contained. When I caused this deposition to be read he identified it, but could not account for his bringing the charge.

* Dated December 10th, 1861.

4. The witnesses noted in the margin, whose names are entered in Board Petition No. 3,311 (615) of 1861, as having paid sums

1. Gurudappa.
2. Pulia.
3. Chengalroydu.

of money to Curnum Papanah on account of the employés of the Inám Commissioner, declared that they never had done so, and never had heard of any one having paid money to him. They were not examined before Mootoosawmy Iyer.

4. Subba Reddi.

5. The witness noted in the margin denied either having given any bribe to the Defendant Papanah on account of the employés of the Inám Commission, or knowing that others had done so. He stated that he gave a deposition before Mootoosawmy Iyer, but did not exactly remember what he then said. On my causing his deposition (in which he stated that he had paid Rupees 100 to Papanah) to be read over to him, he said that it did not contain what he then deposed, and that he could not account for its being stated therein that he had paid Rupees 100, as he was quite certain that he had not.

5. Ramanah.
6. Chenji Condapah.

6. The witnesses whose names are entered marginally made like statements.

7. Yelaked Nalavadu Naidu.

7. The witness, whose name is marginally noted, stated that, about two years ago, the Defendant Papanah sent for him and other men of his (witness 15) village, and told them that they must give money for the employés of the Inám Commission, or that their names would be put in the accounts as dead or "parari," and that they in consequence paid 24 Rupees, out of which his share was Rupees 4. He said that he gave a deposition before Mootoosawmy Iyer stating what had occurred, and this deposition being read over to him, he identified it as the one given by him, and declared that the contents of it were true. It is highly probable that they are, as his account to me before hearing his former deposition read, and the deposition taken before Mootoosawmy Iyer, exactly tally.

8. Nellapah Reddi.

8. The witness noted in the margin was one of those examined before Mootoosawmy Iyer in December 1861, when he stated that he had paid certain sums of money to the Defendant Papanah. He before me denied all knowledge of anything, and declared that he had not even been present at the inquiry held by Mootoosawmy Iyer. When the deposition, which he gave in the course of that inquiry, was read to him, he said that he had never made any such statement.

9. Kondipati.
10. Mala Nadigadu.
11. Mala Gungadu I.
12. Mala Gungadu II.
13. Nalavadu.

9. The witnesses, whose names are marginally noted, denied that they ever paid any money to the Defendant, or that they knew or had heard anything connected with the charges brought against him in Board Petition No. 3,311 (615) of 1861. They were not examined before Mootoosawmy Iyer.

10. The Petitioner and all the witnesses are holders of Ináms.

11. I do not consider the charge brought against Curnum Papanah proved.

12. I have however not the slightest moral doubt of the guilt of the Defendant, who is an influential man, and a person of extremely bad character. He was dismissed from his post as Curnum by the late Deputy Collector, Mr. Locke, on account of defalcations to the large amount which had taken place in his account during the time which intervened between the opening of the inquiry by Mootoosawmy Iyer, and his dismissal from office. I am of opinion that this money was devoted by the Defendant to bribing those persons who had given evidence against him, and inducing the remainder of the witnesses not to come forward.

13. This being the case, I cannot see any other course than to let the matter drop. It is utterly impossible now to get at the truth, or to oblige the complainant (Dasireddi Chengapah Naidoo) to prove the charge which he laid against Curnum Papanah. I am also of opinion that the Petitioner could not successfully be prosecuted for bringing a false charge, as no jury would convict on the slight evidence that there is against him.

Proceedings of the Madras Government, Revenue Department,
6th July 1864.

14. Had the inquiry instituted before the Deputy Collector Mootoosawmy Iyer been closed at the time that it was held or even had Soobaroyloo Naidoo, Deputy Collector of Naggery, taken more pains with the case than he did, I feel sure that matters would have been brought to a very different termination, and that a corrupt public servant would have received a well merited punishment.

15. I herewith return the enclosures forwarded with your letter, No. 136, dated March 2nd, 1864.

(True Copy.)

(Signed) J. D. ROBINSON, *Collector.*

ENCLOSURE No. 2.—Petition.

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1. Resolved that the above letters be submitted to Government, with reference to Mr. Deputy Secretary Master's Endorsement on the Petition under report by the Collector.

2. At the end of the year 1861, the Petitioner addressed Government stating that the Curnum of his village, Papanah by name, had extorted from himself and other Inámdars a sum of Rupees 640-0-8 on the plea of obtaining a favourable settlement of their Ináms. The Petitions was forwarded to the Collector for report on the 19th of December in the same year, and that officer appears to have referred it to Mr. Locke, then a Deputy Collector in the North Arcot District, for inquiry.

3. Mr. Locke, apparently, took no steps in the matter, and when his successor Soobaroyaloo Naidoo was called upon *in August* 1863 (upwards of eighteen months after the Petition had been referred to the Collector) to report on the case, he stated that as the Petitioner had desired to withdraw his charge against Papanah, on the ground that the facts had taken place so long ago that the witnesses were unable to speak accurately regarding them, he had permitted him to do so.

4. As it appeared from Soobaroyaloo Naidoo's report, that Petitioner and others gave depositions on the subject of the Petition in the presence of the Inám Deputy Collector at the time, or shortly after the occurrence of the facts set forth in the Petition, the Board considered that the Petitioner should not be permitted to withdraw his complaint, and that a further investigation into the matter should be made.

5. The Collector accordingly deputed Mr. Price, one of his Covenanted Assistants, to inquire into the case, and that officer reports that the charge cannot legally be proved against Papanah, but that he himself has not the slightest doubt of his guilt. Many of the witnesses deny the depositions which they gave before Mootoosawmy Iyer, Deputy Collector attached to the Inám Commission, and others declare their inability to remember the facts of the case at so great a distance of time after their occurrence.

6. It further appears from the Collector's letter that this Papanah is a notorious bad character, and that he was punished under Regulation IX of 1822 by the late Deputy Collector Mr. Locke, from whose judgment he has appealed to Mr. Robinson, but it is not clear whether this case has any connection with the charges set forth in the Petition to Government.

7. Under the circumstances stated in the Assistant Collector's report, the Board concur with Mr. Robinson that any further investigation into the charges made by Petitioner will lead to no good result, but they are of opinion that there are quite sufficient grounds for removing Papanah from his situation of Village Curnum, whatever may be the result of his appeal now pending before the Collector. Mr. Robinson will accordingly be requested to dismiss him from office if he has not already done so.

8. The Board cannot but observe that the fact of the Inám Deputy Collector having failed to close the inquiry made by him, combined with Mr. Locke's dilatory proceedings in the case, have enabled a corrupt official to escape punishment. These Proceedings will accordingly be

forwarded to Mr. Locke through the Collector of Madras, and to Mootoosawmy Iyer, through the Collector of Tanjore for any remarks they may wish to offer.

No. 118. ORDER THEREON, 6th July 1864, No. 1,176.

Miscellaneous.

1. So far as the charges originally made by Dasireddi Chengappa Naidu in Petition No. 3,311 of 1861 are concerned, no further inquiry would be productive of good.

2. Before expressing any opinion upon the general conduct of the case, the Government wish to have before them the explanations called for in paragraph 8 of the Board's Proceedings above recorded.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

No. 7,660.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th December 1863.

Read the following letter from J. FRASER, Esq., Acting Collector of North Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Chittoor, 7th November 1863, No. 229 :—

Government No. 615 } of 1861.
Board No. 3,311 }

1. In the endorsed Petition noted in the margin, on which a report is called for, the Kurnum of Pakala in Chendragherry Taluk named Papana is charged with having extorted money from the Inamdars whilst they appeared before T. Muttusamy Iyer, who was then investigating the Inams of the Chendragherry Taluk.

2. The above Petition was referred to Mr. Locke for inquiry and report, but no report having been made by that Officer, the present Deputy Collector has been urged to dispose of the case at an early date.

3. In his letter dated 23rd instant, No. 66, Soobbroyloo Naidoo reports that he was obliged to dismiss the complaint owing to the withdrawal of the charge by Petitioner. I beg to enclose copy of his letter for the Board's information.

4. The Petition under notice has not been received from the Deputy Collector's Office. It has been called for, and will be transmitted to the Board for disposal as soon as it shall be received.

ENCLOSURE No. 1.

From M. SOOBBROYLOO Naidoo, Deputy Collector of North Arcot, to J. FRASER, Esq., Acting Collector of North Arcot, dated 23rd October 1863, No. 66.

1. With reference to your letter, No. 95, dated 11th August 1862, forwarded to my predecessor S. R. Locke, Esq., and as well as the Official Memorandum, viz., No. 178, dated 10th July 1863, and another No. 223 dated 13th August 1863 sent to me, regarding the disposal of the Petition noted in the margin, I have the honor to state, that upon the appearance of the Petitioner Dasireddy Chennappah Naidoo, an inhabitant of Anupulavaripullay, in Chendragherry Taluk, a deposition was taken down from him, wherein he stated, that he had given a deposition before T. Mootoosawmy Iyer, the Deputy Collector of Inam Commission, complaining that the Kurnum Papana of Pakala village in Chendragherry Taluk, had extorted money from the Inamdars, under the threat, that their lapsed Inam lands shall be escheated to Government, unless the money was offered to the subordinates of the Deputy Collector.

Board No. 615
Government No. 3,311 } of 1861.

2. Some of the parties (who have informed the Petitioner, that the said Kurnum Papana had extorted certain sums of money) have, upon the exertions of the Petitioner, appeared before the said Inam Deputy Collector, and given their depositions to the effect, that they would prove the charge by those, who have eye witnessed; but that they have not acted accordingly as appears from the record.

3. That the Petitioner, the said Dasireddy Chennappah Naidoo, now declares that he was attacked with severe illness, immediately subsequent to the period of his complaint, and that his relation had, for the restoration of his health, taken him to his house, situated in the Taluk of Goorumcondah in the Zillah of Cuddapah; and that he was there detained for nearly 18 months; and that upon the orders now received from this Office, that he had fully exerted to find out the parties, who have so informed him, and upon asking them to come forward, and prove the matter they have complained of, they answered, that it is more than two years have been elapsed since they have given their depositions before the Inam Deputy Collector; and that they are totally unable to recollect the details of the charge, and further, that they have no witnesses to prove it; and that the Petitioner earnestly prayed upon the above explanation, that his complaint should be dismissed.

4. An Officer who presides to investigate any matter complained of by parties, can never have a *fair justification*, to proceed further in the case, when the party (*complainant*) insists to withdraw his complaint; and finding no alternative than yielding to his request, I have *dismissed*.

(True Copy.)

(Signed) J. FRASER, Acting Collector.

ENCLOSURE No. 2.—Petition.

The Board do not consider that this case has been disposed of in a proper manner. Upwards of two years ago a charge of corruption was brought by Petitioner against a Government Officer, and Petitioner now desires to withdraw the complaint. He should not be permitted to do so, and the Acting Collector will be good enough to place himself in communication with the Inam Commissioner, in view to his obtaining the depositions already taken from some of the parties. He will then make a careful inquiry into the matter, either personally or through one of his Covenanted Assistants, and will report the result to the Board, to enable them to reply to the Government endorsement on the Petition.

(True Copies and Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

To J. Fraser, Esq., Acting Collector of North Arcot.

Exd. J. Wright.

Revenue Department

No. 1176.

Proceedings of the Madras Government

July.

Under date the 6th ~~June~~ 1864.

Read the following

Covering Proceedings of

the Board of Revenue.

Submitting with remarks
Letter from the Collector of North
Arcot forwarding his opinion &
report in the matter of Petition
No. 3311 of 1861, complaining of
against the Shanars.

(Rec'd under 21st June 1864
No. 3799)

1 So far as the charges originally made by Devaraddi Cabungappa Naidu in Petition 3311 of 1861 are concerned, no further enquiry would be productive of good.

2 Before expressing any opinion upon the general

Board's Proceedings, No. 7,660, dated 5th December 1863.

Desiring that a careful enquiry be made into the matter of Petition No. 3,311 of 1861, and the result reported to the Board.

general conduct of the
case, the Government wish
to have before them the ex-
planations called for in
para 8 of the Board's Pro-
ceedings above recorded.

E C C

J

C & V

Fol. Woodyear

Mr Cuppers Solicitor Supreme Court Calcutta

Revenue 18th Dept.
Pro: of Govt for July
A: 1176.

Pro: of the Madras Govt
Dy 6th July 64.

Pro Board of Revenue
dy 7 Septr 64 Encl 2416
Pro Do Dy 1 Decr 65
Encl 3446.

Awaiting the
explanation of Lieut
Locke Deputy Collector
& Inam Commissioner
in the conduct of the
case in Petition No 3911
of 1861.

A 11 Dec 18 65.