

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1246

Press

~~Mis.~~

163 164

Dated

9 6 - 18 6s.

Not to be folded or roughly handled

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Proceedings of the Madras Government, Revenue Department,
9th June 1865.

No. 163. Read the following letter from J. D. ROBINSON, Esq., Collector of North Arcot, to W. HUDLESTON, Esq., Acting Secretary to Government, Revenue Department, Fort Saint George, dated Palmanair, 29th May 1865, No. 26:—

Sir,
1. In continuation of my letter of the 27th instant, No. 25, and in order to satisfy Government that there is a strong *prima facie* case against Deputy Collector Subbarayalu Naidu, I have the honor to submit literal translations of original letters and entries in certain Day Books seized by the Police under my search warrant in the house of one Paligar Chengama Naidu, lately a Tahsildar and still an Izaradar in the Naggeri Division of the Karvetinagar Zemindary, and now under trial before me on a charge of forgery and abetment of forgery of a very flagrant type.

2. With such documentary evidence before me, proving the existence of pecuniary transactions between the Deputy Collector and Paligar Chengama Naidu, and indicating in almost unmistakable terms the exercise of a corrupt influence arising out of these on the administration of public business, the Government will, I believe, feel satisfied that I have not acted with undue precipitation and severity in the course which I have adopted.

P. S.—With these papers, I beg to transmit copies of the Session Judge's strictures on the Deputy Collector's proceedings in connection with the very forgery case in which Chengama Naidu is now under trial as a principal and abettor, and to which I have alluded in my former letter.

In conclusion, I have to express my doubt whether I have been well advised in making use of the term suspension in my letter to the Deputy Collector, holding as he does his appointment direct from Government. The more appropriate course it has since occurred to me, would have been simply to have declared him relieved from duty pending the instructions of Government.

No. 164. ORDER THEREON, 9th June 1865, No. 1,246.

Miscellaneous.

1. The Collector has failed to place this case before the Government in such form as to enable them to arrive at any conclusion as to the propriety of his proceedings in the matter; but they are willing to assume that looking to the fact of the Deputy Collector being on the point of resigning the service, the Collector was justified in acting as he did.

2. The Government however expect to receive at an early date, through the Board of Revenue, a full report of the causes which induced him to take the step of removing the Deputy Collector, and he should at once proceed to put the charge or charges into proper form, and enter upon such an investigation of the Deputy Collector's conduct as may be necessary to allow of an opinion being formed as to the Deputy Collector's innocence or guilt, and the propriety of taking further proceedings against him under the Act VII. of 1857.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Collector of North Arcot.
,, the Board of Revenue.

Exd. S. T. Augustin.

Extracts of Day Books of Chengama: Kaidu

From Minutes
of the
book page.

Particulars of Expenditure

Rs. 28

Amount Date of Payment

1. Sent to Deputy Collector Subbaraya Rao in charge of jagari	100	17 th July 1863.
Chengalrayan as a loan	20	Do.
(Again) according to his letter sent in charge of Chengalrayan	3	8 th October 1863.
20 To Mangala Subbaraya attached to the Collector/Deputy	1	30 th October 1863.
20 To Chengamudi who supplies water to the bearers of the, Collector paid from the	14	31 st October 1863.
the salary of the, Catehary bearer of the, (Collector paid from the)	1	21 st December 1863.
large box of "Hagan" (Chengama Kaidu)	1	22 nd December 1863.
20 Paid to a laborer for cutting firewood for Kaidu's house	1	22 nd December 1863.
21 Paid to Suramappa on account of hire of carts conveying firewood	50	4 th March 1864.
to the, Collector's house		
22 The amount of loan received by Deputy Collector Subbaraya	93	28 th Dec.
Kaidu's farm	1	Do.
23 The amount given to the, Collector as a loan	25	30 th Dec.
for me tables	1	Do.
24 To Shaminickan, Quilayat of the, Deputy Collector's office	5	21 st July 1864.
Paid on account of latrine for the, Collector	14	10 3 25 th October 1864.
3 To Shaminickan for purchasing mango trees	9	25 th September 1863.
29 Paid to Kondor Chengal Reddi of Kaimur & Lakshmi account of	18	3 rd January 1864.
expenses at the, Deputy Collector's Catehary	54	10
Paid into the house of Ramadram		
1/2 House of Raggi sent on two occasions		
Paid on account of expenses of January feast		

At true & hand

North Arcot
Collector's Office
Palaniam 29 May 1865

J. B. Paul M. M.

Collector

20

93

1864

268

3
Translation of a letter from M. Subbarayalu
Naidu, Deputy Collector to Paligar Chengama
Naidu -

(After the usual compliments)

Do not leave Nagari without
my orders. I hope you will remain in your
house at Nagari.

Yours truly
(Signed) M. Subbarayalu Naidu

(Free translation)

J. S. Putnam
Collector

163-164

He is better from the
chest complaint
the acting doctor
to examine the
29 May 1885 K. C. C.

72/470/65

Attorney at Law
of Chengama Naidu
from 17 Aug 63 to 3 Aug 64

C

72/470/65
163-164

Translation of a letter from M. Subbaraya lu Kaidu
Deputy Collector to Paligar Chingama Nidri.

My dear Sir,

In whatever business with the
management of which I trust you, I find
that you create nothing but disagreements
delays and objections.

Mr. Willis troubles me to issue
a warrant in your case - You should therefore
immediately on receipt of this set out and
appear before me here at day break tomorrow.
I proceed to Madras by tomorrow evening's
train - You should before that time come up
without fail - You should make no delay
whatever.

Haggeris
22nd April 1864

Yours faithfully
Signed M. Subbaraya lu Kaidu
[The Translation]

J. D. R. L. M. M.
Collector

Letter from
to collector
about the
deputy collector
about 29th May 1865
No 26
72/470/65
Letter from
(no date)
Letter from
Collector M. S. K.
- Subbaraya -

Translation of a letter from O. Ramasami Mudali
to Paligar Changanai Naidu.

(After the usual compliments)

It is rumoured here that the
Maharajarajawade the Zamindar is expect-
ed to visit this place in 2 or 3 days more.
The Deputy Collector desires me to ascertain
from you whether this be true. Let
me know particulars.

10th August.

(Signed) O. Ramasami

(Free Translation)

J. B. P. in No.
Collector.

Received from
the Deputy Collector
29 May 1885 - 120

Received from
the Deputy Collector
29 May 1885 - 120
Changanai Naidu.

Extract from the Proceedings of the Court of Session of Chittoor under
 Date the 14th January 1865.

Read Miscellaneous

Petition N^o 1 of 1865 presented on the 7th January
 of 1865 Parasuraman a resident of Nagari in
 the Division of Narayanavaram complaining
 of the decision of Mr. Subbarajulu Nayudu
 Deputy Magistrate of North Arcot dated 16th
 December 1864 rejecting the charge of Forgery
 preferred by the Petitioner against one Raja
 Nayakan and 4 others for having forged a
 Mortgage bond for 300 Rs as if executed by the
 petitioner to the 1st prisoner on the 29th August
 1860 and praying that on perusal of the record
 of the trials held before the Deputy and Sub-
 Magistrates and the small cause Court in the
 matter of the bond in question, the Prisoners may
 be ordered to be committed to take their trial
 before this Court.

Read also Register N^o 73 of 1864.

On the file of the Sub. Magistrate of Narayanavaram

The Sub. Magistrate will explain why
 the Complaint is entered as having been made
 on the 27th August whereas the prosecutor

See letter from
 the Secretary to
 the Court of Session
 dated 29th Aug 1865
 No 26
 72/1470/65
 The undersigned
 dated 10th Nov 1865
 Acting from Chittoor
 Narayanaiah
 Clerk of the Court

States he complained on the 16th May before
the Deputy Magistrate. He will also reply to
the allegations of Petitioner relative to the case
being submitted for the Deputy Magistrate's opinion,
and the sub. Magistrate's previously expressed
intention to commit the case to the Session Court.
To be returned. The original Petition is herewith ^{*}Lohe returned.
forwarded

The Magistrate of North Arcot is
requested to direct the Sub. Magistrate to forward
the whole record of this case to the Session
Court.

Ordered that an extract from
these proceedings be sent to the Magistrate of
North Arcot for communication to the Sub-
Magistrate for his information and guidance

True Extract/
Signed/ C. A. Roberts
Sessions Judge

J. B. Pollock
Magistrate

Extract from the Proceedings of the Court of
Session of Chittoor under date the, 1st February 1865

Read again Proceedings of this Court
dated 14th January 1865.

Read also the record and explanation
of the, Sub Magistrate of Narayanavaram, received
thru the, Magistrate of North Arcot with his
letter dated 27th January 1865, to the Proceedings
of this Court above mentioned.

The Sub Magistrate of Narayanavaram
has failed to give a satisfactory reply
to the, Proceedings of the, Session Court of the
14th Ultimo.

The Sub Magistrate states in one
part of his Arjis to the, Magistrate, that as
there was no legal evidence and as the bond in
question was not established before the Small
Cause Court, he applied to the, Deputy Magistrate
in order to ascertain his opinion. At the close
of his Arjis the Sub Magistrate remarks that
he is not a man to go out of his way to listen
to the, Deputy Magistrate's recommendations.
The improper tone of such a reply the Session
Judge would attribute to the, Sub Magistrate's
ignorance and would leave for the, consideration
of

Sub Magistrate
Chittoor North
Arcot
Narayanavaram
29th May 1865
No 26
N. 14/9/55
Copy from the
Session Court
of the Deputy
Magistrate
dated 14th January
1865-

of his superior the Magistrate of the District.
It was the duty of the Sub Magistrate to act in the matter upon his own judgment, but having obtained the opinion of the Deputy Magistrate that he ought to dismiss the charge, instead of doing so, he proceeded to take the evidence for the defence.

It must be inferred that the Sub Magistrate had grave doubts as to the propriety of his procedure and this inference is confirmed by the Sub Magistrate's equivocating in reply to the Session Judge's question as to whether he had ever led the complainant to think that he intended to commit the case for trial. To this question the Sub Magistrate's answer is that he did not express his "final opinion" to the Prosecutor. In a case involving so much doubt the Sub Magistrate would have shown at least a wiser discretion in committing the accused to the Session Court. He is directed to do so without further delay, under Section 435 of the Criminal Procedure Code.

Ordered that an Extract from these Proceedings be sent to the Magistrate of North Arcot together with record for his information and communication to the

Sub Magistrate of Narayanavaram for his information and guidance.

/ True Extract /
/ Signed / C. A. Roberts
Session Judge
/ True Copy /

J. D. Robinson
Magistrate

Compd. R. B. J.

Proceedings of the Court of Session of
Whitton dated 10th April 1865.

Copy of the Session Judge's
Calendar in No 37 of 1865 is forwarded
herewith for the information of the
Magistrate with reference to the Session
Judge's Proceedings of the 5th Instant.

The attention of the Magistrate
is requested to the fact of the case in
question being that referred to in the
Session Judge's Proceedings of the 14th
January and 1st February last.

The Preliminary Enquiry
into this case resulted in the dismis-
sal of the charge by the Sub-Magistrate
after consulting and in concurrence
with the Deputy Magistrate. Mr. Sub-
barayuloo Magudoo.

(a true extract)

(Signed) C. A. Roberts
Session Judge
(True copy)

J. D. Parkin Esq
Magistrate

In a letter from
the Secretary to the
Court to the County
Magistrate
24th May 1865 No 26.

14/9/5-

Copy of same from
the Secretary to the
Court to the County
Magistrate
1st February 1865

Copy of the
of the Department
of the 10th April 1865

21470/05-

May 1865-26

to the
to the
to the
to the

N. 100
20
50
93
268

The Collector has suspended the deputy collector
this morning he did in the 27th May and he took
the step because the man was to have a second
the 27th I don't see what else he could have done
but he should certainly have made a clear report
of the circumstances involved him to take such a
step and he should be directed hence to being
sent charges against the man & to enter upon
such an investigation. The conduct as may be
necessary to determine his position in the future.

ED

N. 1470 of 1865

When submitting to the
a matter of this kind, the collector
was bound to state in a connected,
intelligible form, the circumstances
under which he had assumed the respon-
sibility of suspending a deputy collector
who has served the State 27 years,
and was on the very point of being
permitted to retire on a superan-
nuation.

The collector has not done this, & for
the omission, I consider he is much to
be blamed. He has transmitted some
papers loosely put together, says that
he has done, refers generally to the reasons
for the act & leaves the reader to read
the enclosures & gather them from what
may be the criminal matter by
which the deputy collector is affected.

The case against the D. C. appears to be
this: - Mr. Robinson issued a magis-
trates warrant which led to the search of
a Salazar's house. In it were found
letters & accounts. In the latter were
entries showing that on 4 dalsi money
had been lent to the deputy collector amounting
in the aggregate to N. 268. In the
former were two notes addressed to
the Salazar by the deputy collector which,
appearing their original handwriting,
show that instead of subjecting the
Salazar to the service of a formal
magistrates warrant, the deputy

Collector had contented himself with a sort of friendly domestic official form of comm. rather than the warrant prescribed by the Criminal Procedure Code. —

in her accounts where are the values of
loan to the by four, an other value in
the manner of some of her special subordinate
and then of expenditure incurred for the
personal convenience comfort of that
office.

In respect of these, it will be scarcely worth while to issue any order; but it seems to me that the Government are precluded from taking any steps to the detriment of the D^y Gov^t, until he has had an opportunity afforded him of acknowledging that he borrowed money from the Emperor and explaining what act wth himt naturally have diminished her independence as a local magistrat.

It will also be proper to reserve
an explanation of this note w. I have
marked B and C in pencil for, whether
his Sept. was a person of rank or otherwise,
a warrant was the proper step for
observation in the Dy / on map loca / ant.

I would have, however, that what I now propose to do, should have been done by Mr. Robinson himself prior to venturing on this important measure & he has so hurriedly, & so vaguely, and so unsuccessfully reported for the information of public

2 June 65?

1004

It is a very loose affair certainly - We should I think have a full report upon the whole subject. We should know when & how ^{where} and by whom the accounts were seized - When they have been kept since seized & where they have the appearance of authenticity and not of interpolations &c.

Fr. 1246-

The foll^g has failed



I place this case before the Court
in such form as to enable them
to arrive at any conclusion as to
the propriety of his proceedings in
the matter. That they are willing to
assume that looking to the fact of
the Defendant being on the point of resigning
the service the Defendant was justified in
acting as he did. The Court however expect
to receive a more early date a full
report of the case. I induced him
to take the steps - I in charge at once
incurred & put the charge overcharges
into proper form & return upon such
an investigation of the Defendant's conduct
as may be necessary. I allowed my opinion
being formed as to the Defendant's innocence
or guilt & the propriety of taking further proceedings.

Callist against him under the act of 1857.
a lot
com
by the i. L. the Oler of North Street
in the 14th St. Board of Dec. 11th 1865.
loan
the
and c

1865 Defect in
Pro of Gov. W. 1470.
From J. D. Robinson Esq
Collector of No

To W. H. Hudson Esq
Secretary to Gov.
Re: Depts
Fort St. John

Dated 29 May 1865
Re: Depts
No 20

In continuation
of letter dated 27
Instant No 25 subm
translations of original
letters & entries in
certain day book
seized by the Police in the
house of P. L. J. J. J.
- in the house of P. L. J. J. J.
- in the house of P. L. J. J. J.
- in the house of P. L. J. J. J.

No 163-164

C. E. J. J. J.