

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 332

Press
~~Mis.~~

310. 311

Dated

16 - 2 - 18 65.

Not to be folded or roughly handled

MS

*Proceedings of the Madras Government, Revenue Department,
16th February 1865.*

No. 310. Read the following Petition of B. RAMACHENDRA RAU, late Subordinate Magistrate of the Munnargoody Taluk in South Arcot District, to His Excellency the Governor in Council, Fort Saint George, dated Madras, 30th January 1865:—

RESPECTFULLY SHEWETH,

That with reference to Your Lordship's Order, No. 2,587, under date the 31st October last, your Petitioner most humbly begs leave herewith to submit, in triplicate, his appeal to the address of the Queen's Most Excellent Majesty in Council; and to request that Your Lordship in Council will be pleased to forward the same on by next Mail, for which act of charity your Petitioner, as in duty bound, shall ever pray.

No. 311.

ORDER THEREON, 16th February 1865, No. 332.

Miscellaneous.

Ordered that the Memorial received with this letter be forwarded to the Secretary of State, and that intimation of the same be given to the Memorialist.

(True Extract.)

(Signed) C. G. MASTER,

Under Secretary to Government.

Exd. S. T. Augustin,

A

351

Official Memo

The Magistrate has observed in the last local gazette dated the 10th Inst. a notice from the Joint Magistrate intimating the dismissal of Ramachandra Rao from his post of Sub Magistrate of Namargudi in the Taluk of Chelluram. The notice states that the Sub Magistrate is removed for repeated acts of neglect of duty and abuse of authority.

There is a certain ignominy and disgrace attending a public notification of the kind the infliction of which ^{ordinarily} is hardly called for; and in ^{the} present case as far as the Magistrate is aware there has been nothing in the conduct of Ramachandra Rao which has led to his dismissal. To necessitate the additional pain and disgrace inseparable from a public notification of the fact.

For

for conduct or acts reflecting on
integrity of character or that may
involve any special liability such
notification might be a legitimate
cause to adopt, but where a servant
of Government has only been guilty
of error in judgment, however grave
such error may be, it does not, in
the opinion of the Magistrate,
call for a public exposure which
seems an extreme measure only
to be resorted to where the offence
of the individual partakes of the
complexion already admitted to
impeach him morally for future employment.

3. The Magistrate is fully
aware of the immediate cause
of the Sub Magistrate's removal &
the punishment was not only
concurred in by him but was at his
suggestion, and for obvious reasons
which it is need less to enlarge on
here. But the Magistrate had no
thought or intention of depriving
Ramachandra Row of all hereafter
employment in subordinate (and
irresponsible)

3
irresponsible Posts, but which must
necessarily follow a Notification
of the kind under reference. The
Joint Magistrate will therefore
be good enough to intimate by
a further notice in the Gazette
that there has been nothing in
Ramachandra Row's conduct which
disqualify him from employment
in posts of an inferior grade suited
to his capacity and qualifications
unless, unknown to the Magistrate,
Ramachandra Row has been guilty
of conduct which may justly render
him undeserving of being entertained
at all in the public service, in
which case Mr. Whiteside will
be good enough to report the particulars
for the Magistrate's information.

Indragunna
13th October 1863
Signed J. C. H. Read
Magistrate

B

No. 198
Official Memo
The Joint Magistrate has
the honor to acknowledge receipt
of the Magistrate's official memo

351 of the 13th Instant, received on the 19th, and in reply to observe that he is not aware of the existence of any Rule or order of Government regulating the nature or degree of culpability attaching to individuals removed from appointments in the Public Service which may in certain cases make it advisable to abstain from notifying such removal in the Local Gazette.

2. Mr. Bowdell in para 13 of his Minute on the subject of District Gazettes specified notices of dismissals, suspensions &c. of public servants as to form a portion of their contents, and Government in para 2 of their Minute, Consultation No. 78 of the 3rd August 1857, were pleased to approve of the same & order further additions to be made to the list of publications to be inserted in the District Gazette. This order of Government has been since invariably carried out, and the Joint Magistrate is unable to call to

to mind a single instance in which a Public Servant of any standing has been removed from his appointment & no notification of such removal been inserted in the Gazette.

3. In notifying therefore the removal of the Managudi Sub Magistrate from his post, the Joint Magistrate simply adhered to the invariable practice existing since the establishment of the District official Gazette, and until the receipt of the Magistrate's communication in reply he did not for a moment consider whether such an announcement was, or was not, required under the circumstances through which Ramachandra Rao lost his appointment under Government.

4. He is however, that it has been suggested to him by the Magistrate that the notification was uncalled for, the Joint Magistrate has given the matter his careful consideration and is of opinion that,

that, bearing in mind that Rama-
chandra Rao was dismissed for
having, of his own accord, and without
reference to the Joint Magistrate,
deliberately taken it upon himself
to suppress a weekly fair, that
had been regularly held for upwards
of 10 years in the Town of Manargud
and was resorted to by the inhabitants
of the whole surrounding country,
merchants even coming to it from
the Tanjore District, and that
a very great amount of inconvenience
and uneasiness was unjustly occasioned
thereby to the inhabitants of the Sub
Division, it would have been most
inadvisable that his removal
from office should have been
carried out otherwise than in a
most open and public manner.
The effects of his abuse of authority
have been more widespread than is
common, and it was only just
that the Community should be
informed officially of the serious
notice taken of his misconduct
by

by the European officers of the
District. The Joint Magistrate
considers that if any public man
has rendered himself liable to so
severe a penalty as a summary
removal from office, there should
be no hesitation in publicly
notifying the fact. The announcement
should necessarily follow & form
a part of the dismissal instead
of being looked on as an additional
mark of ignominy or disgrace.

5 As regards the wording
of the notification in question,
the Joint Magistrate observes that
from the time of his joining this
District, he has been unfortunately
called on continually to notice
unfavourably the official acts
of Ramachandra Rao. During
the whole experience of the Joint
Magistrate he has never had to
find fault so frequently, or on
such serious grounds, with any
public servant as with the late
Manargud Sub Magistrate.

The List in the margin specifies the dates and numbers of such tickets sent to that officer since the first Magistrate's arrival and from it the Magistrate will observe that in 11 months on no less than 33 occasions they have been issued, and Mr. Endine, while Acting for him, had to notice in some cases neglect or ignorance of duty, abuse of authority and disobedience of orders on the part of Ramachandra Rao.

For example, in order that the Magistrate may form some idea of the nature of the misconduct, he notices the facts Magistrate will specify 2 instances as briefly as possible. In April last the Sub Magistrate was driving in a bullock carriage through the streets of Laulpa and his progress was obstructed by the not uncommon occurrence of 2 or 3 little children playing in the middle of the road.

110	21	October 1862
118	25	"
119	28	"
120	31	"
121	3	"
122	5	"
128	7	November
131	10	"
135	13	"
140	19	"
141	20	"
145	22	"
148	31	January 1863
148	29	March
52	28	"
54	28	"
58	13	April
63	21	"
68	28	"
69	28	"
73	20	May
73	29	"
73	15	June
151	17	August
152	19	"
153	28	"
64	31	"
153	2	"
159	2	September
172	9	"
173	9	"
175	11	"
179		30

road. The Sub Magistrate caused them to be taken out of the way of his vehicle and next day arrested all their parents, and fined each of them for an illegal obstruction of a public thoroughfare. In the 2nd case the Reverend Mr. Dias, in October 1862, complained against a certain wealthy and influential native living within the jurisdiction of the Magistrate Sub Magistrate charging him with having seized on and appropriated a quantity of building material the property of the Roman Catholic Mission, and also that he had taken possession of a portion of his chapel compound and fenced it in. The case was a very simple one, but the Sub Magistrate though repeatedly ordered to dispose of it, took no steps in the matter. Mr. Dias came 2 or 3 times to complain of his neglect, and in April 1863 an order was sent to the Sub Magistrate. Commencing in severe terms.

him on his disobedience and neglect of duty, he was warned that his conduct in the case was carefully observed by the Joint Magistrate and was peremptorily called on to proceed at once with the enquiry he had then put off for nearly 7 months. The Joint Magistrate shortly after quitted the District on leave and did not return till the 2nd week in August and soon after came to know that the Naicangudi Sub Magistrate had not paid the slightest attention to the orders sent him in April, and had taken no further steps in the matter. Eventually the Joint Magistrate was compelled to withdraw the case from the file of the Sub Magistrate and refer it to another officer for disposal, by whom the defendant was at once convicted and fined but a delay of nearly 11 months took place before a final order was passed and in rebuking

rebuking Ramachandra Row on the 25th of September last for his misconduct in that case, the Joint Magistrate observed in conclusion that the Magistrate is distinctly warned that if he again furnishes similar serious occasion for fault finding he shall be removed from his post. A few days later, the Joint Magistrate received intelligence from the Acting Superintendent of Police, of the conduct of the Sub Magistrate in regard to his closing the Fair at Naicangudi and bearing in mind the warning so lately given, as well as the unusual nature of the offence, he at once consulted the Magistrate and was glad to find that he directly suggested what the Joint Magistrate was desirous of, viz the removal of Ramachandra Row from office.

Considering that his official course of misconduct during the year had culminated in the Act for

for which he was removed
from office. The Joint Magistrate
worded the Notification as remarked
by the Magistrate - but being of
opinion that after a considerable
period he might possibly again
be permitted to serve Government
in some inferior capacity. The
Joint Magistrate abstained
from stating that he was
dismissed from the service of
Government, and merely stated
that he was removed from his
post thereby leaving an opening
for his future re-employment.
The Joint Magistrate
woud deprecate any further
Notification respecting Ramu
chandra Rao, if the Magistrate
is hereafter desirous of giving
him employment in the Principal
Division after the expiration
of a considerable interval &
when he has passed some of
the prescribed examinations,
he can of course do so, but
a

6
a Notification now put into the
Gazette would only cause the
General Community to believe that
there was some private influence
at work in his behalf, and that
as lenient a view of his conduct
as possible was to be taken at
an early date.

The Joint Magistrate
concludes by trusting that he
may never again be troubled
with so worthless a subordinate
in an important position under
him as the individual he has
been fortunate enough to get rid of

Vidacellum / Signed / H. T. Whiteside
20th October 1863 Joint Magistrate

D

383
Official Memo
The Magistrate has received
the Joint Magistrate's Memo of the
20 Instant in acknowledgment
of the Magistrate's remarks under
date the 13 idem on the subject
of

The Magistrate will not insist on any further notice in modification of what has already appeared because it might be open to misconstruction; at the same time it is necessary that the error of the Joint Magistrate be pointed out & that his attention be called to the orders of Government No 202 of the 15th February 1859 wherein the practice stated by Mr. Whiteside to be invariable in such cases, is expressly condemned and prohibited and on precisely the very grounds which have already been urged by the Magistrate. The instance under notice appearing so exceptional in his experience had at once attracted the Magistrate's attention and evoked the remarks communicated in his previous Memo of the 13th

Sincerely

3 A copy of the Government
order referred to will probably
be found in the Joint Magistrate's
office, but in case it may have
been lost or mislaid a Duplicate
copy is now sent for Mr. Whiteside's
information and future guidance.

Caddalaw
23 October 1863
Signed J. H. Reade
Magistrate

that a question might be raised
 as to the legality of appointing
 another individual to the same
 post when (so far as is publicly
 known) the former remains or
 still supposed to retain the
 appointment, and it is not at
 all unlikely that if such a
 publication is not made the
 individuals removed may at once
 obtain employment in other
 departments of the Public
 Service and thus nullify the
 punishment inflicted on them.
 4 The Magistrate
 will remember that the
 Joint Magistrate has notified
 in the District Gazette
 each dismissal that he
 has made since he joined the
 District, and as he continues
 to think such a notification
 to be required in all such
 cases he would beg to suggest
 for the Magistrate's consideration
 the advisability of asking for
 a

a definite order on the subject
 from the Board of Revenue, -
 Supposing that the Magistrate
 after reconsideration of the
 question is still of the same
 opinion as at present. -

Marshall Hallam
 22 October 1863
 J. J. Whitehead
 Joint Magistrate
 C. C. Head
 Collector

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

RESPECTFULLY SHEWETH,

That your Petitioner after hearing such noise at the fair, could not help proceeding to see about it and to his great astonishment found the fair left unguarded by the Police Authorities neither the Inspector nor the Head Constable having been present, on the other hand he observed the people who came to the fair, taking advantage of such opportunity, acted as they liked in selling and purchasing articles. They sold things at a very dear rate and measured out to the buyers quantities much less than they ought to have done. On the other side people that came under pretence of buying things began to act very unfairly with the poor females that had brought for sale Sundry Articles such as oil seeds, cotton, &c., reducing very much the price of the Articles and making the sellers weigh and measure out more quantities than actually due to them. They even went so far that they gathered themselves and evaded payment of such a low price even. Your Petitioner also noticed complaints on another side that many of the people lost their goods. The complaints and noise which thus arose were very great and so much that your Petitioner had every reason to fear plunder and other dangerous acts would ensue if the state of the affair at the fair were not set right at once. So that, your Petitioner, in order to suppress the disturbance and restore peace and quietness, ordered, at about 2 o'clock in the noon, by an injunction, that the fair should be dispersed and that the people should, for the sake of safety, take their Articles away home unless they could arrange to make any one stand Security for their giving no cause of complaint in selling Articles. This measure fortunately had the desired effect the disturbance having been suppressed and quietness restored.

The grounds of dismissal as alleged in the above order of the Joint Magistrate and your Petitioner's explanation of defence against the same are hereunder set forth for the benignant consideration of your Excellent Majesty in Council.

Petitioners' explanation of defence against
the Joint Magistrate's Statements.

Petitioner most humbly begs leave to deny having incurred abuse of authority by the proceeding as, under the then existing circumstances at the fair, he could not have acted otherwise than he did. He found the uproar caused by the people growing more and more serious. Neither the Police Inspector nor the Head Constable was to be found there at the

2nd. That the thefts committed at the fair were not so great as could not be expected were a large mob of people had been assembled.

3rd. That Petitioner, in the proceeding under reference, acted in favour of the merchants and tradesmen of the Munnargoody Town; who always wished to put a stop to the fair, as affecting their profits, and had also addressed a petition to the same effect.

4th. That Petitioner did not report the matter until as late as the 30th September 1863.

5th. That in the Petitioner's report of the proceeding in question, no mention was made of what the Police Inspector of Munnargoody Taluq alleged in his report, viz., that from 6 o'clock in the morning to 10 in the evening of Wednesday the 1st October 1863, many merchants waited at the office of Petitioner but obtained no permission to sell their goods.

6th. That Petitioner instead of acting as he did in suppressing the disturbance at the fair, ought to have done it through the Police Authorities.

time, both of them having absented themselves from the Town that day, and there was no other help. Thus was Petitioner, as a Judicial Officer as he was, obliged to do what lay in his power to check at once the growing mischief. He cannot think how, by the proceeding, he incurred abuse of authority and would humbly ask where, in the proceeding, the alleged abuse of authority is.

It is very surprising that the Joint Magistrate should so tamely allow the commission of thefts. Thefts may, very often, occur where a large mob of people are assembled, but it does not follow that they should be left unchecked.

This charge, Petitioner must totally deny, the object of his proceeding, having been simply to suppress the growing disturbance for the time being and preclude the apprehended plunder and other dangers and not to put a stop to the fair. Neither of the wish said to have been entertained by the Munnargoody merchants nor of their having ever addressed a petition to have a stop put to the fair to ~~that effect~~ was Petitioner aware until he heard from the Joint Magistrate, there having been no such proceeding ever conducted in the Petitioner's Office during the one year he was as Sub Magistrate attached to that locality.

Petitioner respectfully begs to state that the delay was unavoidable, he having had to attend to great many matters of importance connected with his duty at the particular time.

The report, made by the Police Inspector, and given credit to by the Joint Magistrate, is utterly false and groundless. The fair was held as usual on Wednesday the 1st October 1863, and no merchant on that day had any reason to wait at the Petitioner's Office for permission to sell his goods. That the fair on Wednesday the 1st October 1863 was held as usual from and until the usual hour and without any hinderance, is a fact that can, at any time yet, be deposed to not only by the Munnargoody Town people but by all the merchants and tradesmen of the neighbouring Villages who generally frequent the fair at Munnargoody.

This was impossible Petitioner begs to repeat here that both the Police Inspector and the Head Constable absented themselves from

the Town fair on that particular day; he found the disturbance was growing and likely to prove dangerous if not immediately checked. Hence the Petitioner's interference in the matter, there having been on other help. Petitioner would humbly ask here whether it should be justifiable on his part, as a Judicial Officer of that particular locality, knowing as he was of the facts that the uproar and disturbance at the fair were growing serious and that the Police Authorities had absented themselves from the Town, to leave the fair at such a dangerous state to be cared for by the *absent Police Authorities*. He would also ask, who else, if not Petitioner, in the absense of the Police Authorities from the Town, should have proceeded to do what Petitioner had done at that critical time.

That from the above paragraphs, your Most Excellent Majesty in Council will observe that your humble Petitioner was dismissed from service without any cause and it will also be observed from the several papers enclosed that he has not been able to obtain justice even from his Excellency the Governor in Council at Madras. Thus left without any other means of redress, your Petitioner has made up his mind to appeal for justice, to your Most Excellent Majesty in Council, and in doing so, he most humbly begs leave to add that he was entertained in Government Service in May 1854, and during his continued Service to the date of his unjustifiable dismissal from service by the Joint Magistrate on the 6th October 1863, performed the duties allotted to him with great care and diligence and gave entire satisfaction to his employers. Your Petitioner is an old servant under Government of nearly 10 years standing and has been dismissed by the Joint Magistrate without cause at all.

And that in conclusion, your Petitioner most humbly prays that your Most Excellent Majesty in Council will be pleased to take the above lines of Appeal into your most gracious consideration and to restore him to the appointment from which he has been so unjustly removed by the Joint Magistrate or to afford further and other relief as, to your Excellent Majesty in your Great Wisdom, shall seem meet and your Petitioner shall ever pray.

B. Ramachandra Rao

Late Subordinate Magistrate of the 2nd Class.

MADRAS,
January 1865.

ENCLOSURES.

Istiarnamah or Notice addressed to all the persons that came to sell things in the fair at Munnargoody, on the 24th September 1863.

Having come to understand that in the fair held on this day, all of you have sold goods at a very dear rate of price and thus caused a great uproar between you and the people that came to buy them, the latter taking advantage of the same to set about plunder and carry away certain articles, and as, on my personal inspection, I find that several poor people who brought cotton and other sundry Articles for sale, have been over taken by the said plunder and thus deprived of their goods, which has greatly added to the uproar.

You are hereby directed that, now at two o'clock P. M., you should carefully take the goods away and that the fair should disperse. If, by remaining with a view to make any further sale, you give rise to any more quarrel and uproar, you shall become liable to punishment. No permission will be granted for such sale henceforth unless merchants of some respectability guarantee and stand security towards the object that, during the fair, you will give no cause for such complaint and uproar.

(Signed) RAMACHUNDRA ROW,

Sub Magistrate, 2nd Class.

MUNNARGOODY,
24th September 1863, 2, P. M. }

No. 186.

To

THE JOINT MAGISTRATE OF SOUTH ARCOT.

*Urzee respectfully submitted by RA-
MACHUNDRA ROW, 2nd Class Sub-
Magistrate of Munnargoody.*

SIR,

During the fair that was held on the 24th instant, at Munnargoody there arose, in the matter of the sale of Articles in it, an alarming quarrel at 12 o'clock or noon. This quarrel increased to a serious degree, having become very clamorous and without much difficulty unquenchable, and I went, in person to see about it myself. I found the Merchants of different suburbs especially of Lalpett who came there under pretence of selling things in the said fair, bargain with the poor females that were bringing for sale sundry articles, such as Cotton, Oil seeds, &c., reducing very much the price of the Articles and causing the said females to weigh and measure out to them more quantity than actually due. They even went so far that they gathered themselves and evaded payment of such a very low price even. They reduced the price of the Articles just as they liked, kicked up a great row and committed great many irregularities in the payment of the price due to the poor people.

During the bustle, I also noticed a great alarm that many of the poor people lost their goods. But in a mob consisting of six or seven thousand of people, it was quite impossible to ascertain what the amount of loss was, what particular individuals suffered and what particular persons perpetrated the act. On the other side where females' cloths, &c., were sold, the people who were bargaining here, went there and during the great alarm, made away with the cloths by stealth. They were immediately apprehended, tried and punished. Considering the state of affairs as I observed, I concluded that if the fair were to be further continued on that day, it was sure to bring on more bustles and dangers, plunder having been committed generally in the alarm. With a view, therefore to restore peace and quietness in the Village, I issued a notice and dispersed the fair at 2 o'clock, and a copy of the same I herewith send for your kind persual.

To-morrow is the fixed weekly day for the fair, and not one of the Merchants has yet come to any terms specified in the notice. Any thing that may hereafter come to pass in connection with the subject matter, will be duly reported to you.

(Signed) RAMACHUNDRA ROW,

Sub-Magistrate, 2nd Class.

MUNNARGOODY,
30th September 1864. }

From

W. S. WHITESIDE, ESQ.,

Joint Magistrate of South Arcot.

To

RAMACHUNDRA ROW,

Sub-Magistrate of Munnargoody Taluk.

I have received your Urzee, No. 186 of 30th September 1863, and on its perusal, am greatly displeased with your proceedings in connection with the fair held on the 24th idem at Munnargoody. You have very much abused your authority for which I must punish you severely. It appears that the fair at Munnargoody has been held every Thursday since as long as the year 1852, and frequented by the Merchants and tradesmen of Lalpett, Polimcottah, Chellumbrum, and other neighbouring Villages and Towns. You have stated in your Urzee that there was some uproar and disturbance at the fair held on the 24th of September 1863, and that you heard some of the merchants at Munnargoody complaining of their having lost certain articles of commerce of no great value. The thefts are not greater than it is generally the case where a large mob of people are assembled. The Munnargoody merchants do not like the fair being held at that place as it debars their interests and profit in consequence of articles being brought and sold in the fair by many merchants and Tradesmen and from different quarters. Being strongly in favor of the Munnargoody merchants, you dispersed the fair on the 24th September 1863, at two o'clock ordering the Tradesmen at the fair to take away their articles home, unless they could find security to be given for their giving no cause of complaint in selling articles. This is the order that the merchants of Munnargoody Town have been expecting and it deprived the other Tradesmen of the privilege of their selling articles, without giving security which none would give for them; causing thereby all the people to buy articles from the Munnargoody merchants. You did not report the matter until the 30th September 1863. But at the time under reference, the Police Inspector of your Taluk had sent in a report of your conduct in this affair to the Police Superintendent, from which I understand that many merchants were waiting at your office from the morning to 10 o'clock in the evening, but went away home with their articles as they could not get permission to sell them. Of this, you have made no mention in your report. Your proceedings in the affair are satisfactory to the Munnargoody Merchants who have already applied for the fair being put a stop to. You have acted in the affair with great imprudence and most irregularly. You ought to have conducted your proceedings with the help of the Police Authorities and arranged against the occurrence of disturbance at the fair. This you could have done very easily and as you have omitted to do so, it is evident that you are unfit for the office you now hold. You have constantly been checked for your misconduct. You have very lately been fined in Rs. 10 for the unnecessary delay you made in the disposal of a case brought by the Rev. Dyce and warned at the same time that any further instances of misconduct on your part will be severely dealt with. I therefore dismiss you now summarily from Government Service as there is no other way of punishing you for the very great misconduct now under notice. Immediately on receipt of this Takeed you shall give over charge of your office to Purseramiah your Goomastah.

(Signed) W. S. WHITESIDE,

Joint Magistrate.

CAMP MUNJACCOOPUM,
6th October 1863.

No. 256.

MEMORANDUM.

It is to be understood that the dismissal of Sub-Magistrate Ramachundra Row from his Service, had my previous sanction. An officer of the rank and power of Sub-Magistrate has under no circumstances, reason to interfere in the matters of a fair. I cannot therefore entrust the above individual with the powers of Sub-Magistrate.

No appeal can be received into my office in this matter.

(Signed) C. W. READE,

Collector and Magistrate.

CAMP, TINDIVANUM,
13th October 1863.

No. 56.

The extracts of English Correspondence applied for cannot be given and if they will be found necessary, higher authorities can send for the original themselves.

(Signed) C. W. READE,

Collector and Magistrate.

CAMP, PUNROOTTY,
22nd February 1864.

(True Translations.)

B. Ramachundra Row

TO

THE PRESIDENT AND MEMBERS OF THE BOARD OF REVENUE.

The Appeal Petition respectfully presented by RAMACHENDER ROW

late second class Subordinate Magistrate of Mannarugudi Talook

in the Zilla of South Arcot.

RESPECTFULLY SHOWETH.

The Subcollector of the District above mentioned having, in the capacity of Joint Magistrate, dismissed me, an innocent man, from my situation, I appealed both to the Session Judge and the Judges of the High Court. As they declined to interfere in the Matter and passed on order to the effect that they have no authority to do so, I beg to submit those orders herewith, and present my case for the favorable consideration of your Honorable Board.

That about five months ago, when plunders had taken place in the Towns and Fairs of North Arcot, a crowd of nearly six or seven thousand people was assembled in the fair at Cusba Mannarugudi, on the 24th September 1863, and a great uproar was caused, the forerunner of a disturbance of a very dangerous and fatal character, and which would have entailed great loss of property, between those people and the merchants. Great was the alarm; and my attendance becoming necessary, I went in person to the spot; and to my astonishment I found, that the head Constable and the Police Inspector and others were not present. Considering the state of things and the nature of the inhabitants of that part of the country, as also the circular orders and sections 62 and 63 of the Procedure, I found that the best and only method of suppressing the disturbance, was by issuing a written Notice; which I issued in order to create fear in them for the time. By taking this step, thanks to the mercy of Providence, I succeeded in immediately suppressing the disturbance without any injury, or any serious loss being done to the tradesmen and the people.

I apprehended some who, when the disturbance commenced, stole the goods of the foreign tradesmen, who had bazaars outside of the place where the fair was held and attempted to run away with the articles they had stolen and after treating them as eight cases, according to Law, and punishing them, I lost no time in reporting the matter, through a calender.

On my forwarding the Urzi Number 186 dated 30th of the said month, stating that the disturbance had been suppressed by my exertions, without growing serious the Joint Magistrate issued to me the Takeed Number 184 dated 6th October of the said year, summarily dismissing me from my office. For this I beg to state my following reasons.

PARTICULARS OF THE TAKEED.

ANSWER TO THE SAME OF THE PETITIONER.

1st It is observed that I have abused my authority to a great degree.

1st Nothing can be stated in answer to it because it is not particularized how the authority has been abused and because, in fact there was no abuse of authority.

2nd It is observed that in my Urzi I have stated, that a complaint of theft had been lodged before me at that time by the Mannarugudi tradesmen.

2nd It was not stated so in the said Urzi; nor was any such complaint made to me by the said tradesmen and no proceedings were held thereon.

3rd It is observed that the theft in question was not so great as could not be expected when a large mob of people was assembled.

3rd Had the disturbance not been quelled there would have occurred serious plunder and great danger caused to the community at large Proper exertions having been made

at first it did not terminate seriously. The Joint Magistrate has entirely failed to notice this fact; and it is very surprising that he should tamely allow, that the prevalence of theft, where there is a large assemblage of people, is a matter of general occurrence.

4th It is observed that I issued the Notice in favor of the tradesmen of Mannaragudi, to carry out their intention, to put a stop to the fair being held there which they always wished to stop, as applied for by them by a petition.

4th Neither the said tradesmen, nor any other persons carried on any Proceedings in my office in the matter of the said fair, during the one year, I served in the said place; nor did I hear of any proceeding being carried on previously and there is no application by them to that effect presented to me. This being the case, how could I have had an opportunity of knowing their intention. And how could I have acted so in reference to it? Consequently it will appear that I never acted partially; for, if so, an allusion might have been made in the said Takeed to any strong instance of partiality such as complaints from the parties aggrieved &c. But no such complaints are alluded to.

5th It is observed, that as the local tradesmen would not give a security of safety to the foreign tradesmen, the latter were there by prevented from coming to the fair to sell their articles, while the right of sale was exclusively allowed to the merchants of Mannaragudi.

5th In the said notice, it is not stated that the tradesmen of Mannaragudi alone should be answerable and the security given by any others will not be accepted. It is not known on what ground the Joint Magistrate has arrived at that conclusion. The security was required to be furnished as a temporary measure though necessity to instil fear and to keep peace for the moment; and even in such a case, it was an easy matter for the tradesmen to carry on the trade by furnishing security one for another. But after all no security was received.

6th It is observed that this case was not reported till the 30th Instant.

6th It was not so, this being a place of importance and because I had to attend to important matters and to the disposal of the above-mentioned eight cases, a delay of four days is not a great thing and cannot result, as this is not an important matter in any serious consequences. The disposal of the eight cases has been then and there reported.

7th It is observed that the Police Inspector of Mannaragudi comments on my conduct in his report to the Superintendent of the District of Mannaragudi that I made the tradesmen wait in the office from morning

7th The Police inspector is not my superior in office; nor was he present at the time of disturbance. It is to be noticed that generally the said officers entertain ill feelings internally against the native magis-

till ten o'clock at night and gave no order for the sale of their goods on the 1st October and that I never made any allusion to it in my Urzu.

trates, as many instances have come before Your Honorable Board; and I beg to refer to a case wherein the Inspector made a false report against me a short time ago, and which was dismissed on enquiry for want of proof; I have enclosed in this, a copy of the Takeed sent me in the above case. In like manner, he might have through the same ill feeling spoken of my conduct as he pleased. moreover several orders have been issued to the effect, that no Proceedings ought to be carried on, even in usual cases, by relying only on the Report and evidence &c. of the Police people. While so, it is left to Your Honorable Board to consider how the said Report, which is groundless, could be relied on and Proceedings taken on it principally in my case; and what is more the said merchants never waited in my office, nor did I not give orders for sale; neither is there any proof of their having so waited, such as complaints from the merchants; nor was there any reason for them to wait so long for the order. ~~How could this be stated in an Urzu of a prior date.~~

8th It is observed that formerly a Takeed was sent me, stating I was fined Rupees 10, for having delayed disposing of the case, wherein one Revd. David was Plaintiff, for ten months, and warning that in case of any fault being found hereafter, due punishment would be inflicted.

8th Although the cause of delay in this case was explained, yet a fine was imposed for that slight fault, without accepting it. If the Honorable Board be pleased to call for and peruse the case, they will find the fine to be quite improper. I did not choose to appeal from similar orders for justice frequently, only because I would incur the displeasure, disgust and aversion of the higher authorities; and for ~~the~~ other reason. This circumstance is urged as a reason for my dismissal. If so many an officer has had such orders passed on his conduct; and when such cases have been disposed of, either by a fine or reproof administered, I leave it for the Honorable Board to consider whether it be fair on the part of the Joint Magistrate to adduce such trifling reasons, as important ones, in a serious matter.

The Joint Magistrate has issued an order, without obtaining any answer from me for his groundless inferences, unsupported by precedent or evidence, with the intention of cancelling my services, extending over ten years; and has published it in the Zilla Gazette to disgrace me.

When I applied thereagainst to the Collector he furnished me with an endorsement, No. 359, dated 13th October 1863, observing that he concurs with the Joint Magistrate, and that he would not accept the Urzi. The Collector has however, forwarded to the Joint Magistrate Official Letters, dated 13th and 21st of the said month, to the effect, that on calmly considering the case of my dismissal, he found the punishment to be unjust, and that the Notification in the Gazette should be cancelled by a separate notice. I applied for copies of the said Letters, when the Collector gave the Endorsement No 59, dated 22nd February 1864 to the effect that the Higher authorities might send for them, if necessary. I beg to submit the endorsement herewith.

I therefore humbly request that the letters of the Collector dated 13th and 21st of October, and the Joint Magistrate's letters there to may be sent for, and inspected; in as much as they will show clearly, that the Collector was, by the force of the Joint Magistrate induced to say that he concurred with him while in fact he was not of the same opinion; and that the Joint Magistrate issued such strict orders as the above in my case without reasonable grounds.

Should Your Honorable Board take into your favorable consideration, the said letters, the original Takeed &c. hercin enclosed, the unjustifiable reasons urged in support of my still more unjustifiable dismissal, and my answers, The Honorable Board will perceive the utter impropriety of the Takeed issued in my case. It will also be manifest that I am entitled to a certificate of Honor for my having without any ~~and~~ suppressed the disturbance which would otherwise have ended in the loss of life and property, and other serious consequences, and to obtain justice as in the case of the Head Sheristadar of Trichinopoly, as I am innocent, and the charge against me is not proved, as stated in the above answers.

Under the above circumstances, I respectfully pray that your Honorable Board will be pleased to cancel the said Takeed and to restore me to my situation.

NUMBERS AND PARTICULARS OF ENCLOSURES.

- No. 1. Proceedings of the High Court of Judicature at Madras, dated 15th January 1864.
- No. 2. Proceedings of the Session Court, South Arcot, 19th November 1863.
- No. 3. Takeed issued by the Joint Magistrate, No. 184, dated 6th October 1863.
- No. 4. English translation of the same.
- No. 5. Collector's endorsement on Petitioner's Urzi, No. 359, dated 13th October 1863.
- No. 6. Another endorsement of the Collector on my application for letters concerning my case.
- No. 7. A Takeed issued by the Joint Magistrate No. 103, dated 16th June 1863.
- No. 8. Petitioner's Urzi to the Joint Magistrate No. 186, dated 30th September 1863.
- No. 9. Petitioner's Notice to the Merchants of mannargudi &c. dated 24th September 1863.

14th April 1864
Yours Honorable Board
Most Obedt Servant
(Signed) B. Ramachandra Row.

"The Board have received a report from the Collector on the subject of this Petition, and find no grounds to induce them to comply with Petitioner's request."

(By Order.)

R. A. DALYELL,
 Sub Secretary.

REVENUE BOARD OFFICE,
 MADRAS,
 24th June 1864.

To

HIS EXCELLENCY THE GOVERNOR IN COUNCIL, MADRAS.

*The humble Petition of RAMACHUNDRA ROW,
 late 2nd Class Sub-Magistrate of Munnar-
 goody in the Zillah of Cuddalore.*

MOST RESPECTFULLY SHEWETH.

That with infinite marks of respect and submission the Petitioner solicits permission to lay his grievances before your Lordship in Council with a firm belief that your Lordship having given them a just and impartial consideration will award justice.

That in answer to the appeals which he preferred to the Session Court and High Court against the order of the joint Magistrate of this Zillah dismissing him from his situation, they said that they have no authority to interfere in the matter. Thereupon he preferred an appeal to the Board of Revenue who gave an endorsed order on the 24th June 1864 to the effect that having called for and perused the report &c. of the Collector, they could see no ground to alter the decision of the Collector. This endorsed order is enclosed for your Lordship's perusal.

That on the 24th September 1863 as a short time previously, in the disturbances which took place in the fairs of North Arcot and other places, 6,000 or 7,000 persons having collected in the fair of Munnargoody, a quarrel arose among the crowd, which as it was likely to endanger the lives of the people and to cause loss of property to the merchants and others, your Petitioner, in order at once to suppress the quarrel and restore peace, issued a written notice in accordance with Sections 62 and 63 of the Criminal Procedure; and gave information of the same to the joint Magistrate, who on the 6th October 1863 issued a Takeed, No. 186, observing that your Petitioner was wrong in so doing, and that he had therefore summarily removed him from the office of Sub-Magistrate. This Takeed he also published in the Zillah Gazette.

Where upon the Collector officially sent letters to the joint Magistrate on the 13th and 21st of the same month observing among other things that since the fault imputed to Petitioner was not of such serious nature as to justify the punishment inflicted, he has acted wrongly. While it was so, Petitioner, being ignorant of the answer given by the Collector when he was recently questioned by the Board of Revenue concerning the abovementioned appeal, cannot conjecture on what ground the Board say they have no right to interfere in the matter. If the Board had properly inspected the above letters, dated 13th and 21st, they would have plainly perceived that your Petitioner being quite innocent, had been unjustly and too severely punished.

That your Petitioner having served Government for about 10 or 12 years with assiduity and integrity and without the least imputation against his character was suddenly and unjustly dismissed on this trivial charge.

In conclusion your Lordships unfortunate Petitioner throws himself on your Lordship's clemency imploring that your Lordship will graciously be pleased to peruse the records referred to above as well as the answers, &c., contained in his Petition to the Board which are herewith enclosed and to restore him to his duty cancelling the order of the joint Magistrate.

For doing this act of justice and charity your Lordship's Petitioner as in duty bound.

SHALL EVER PRAY

Your Lordship's most obedient Servant.

TRIPPLICANE.
 24th. September 1864.

(Signed) B. RAMACHENDRA ROW.

No. 2587. of 1864.

The Government decline to comply with the Petitioner's request.

(By Order)

C. G. MASTER,
 Under Secretary to Government.

FORT SAINT GEORGE,
 31st October, 1864.

12th April 1864
B. Ramachandra Row

Dec 13/12 of 1865

Delivered to Camp 1865
21-12-1865

3124-65

Excellency of the Governor in Council
Fort Saint George

Respectful Petition of
B. Ramachandra Row late
Subordinate Magistrate of
the Chumargoody Taluk
in South Arcot District

Respectfully Sheweth,

That with reference to your
Lordship's order N^o 2587. under dated the
24th October last, your Petitioner most
humbly begs leave to submit
in triplicate, his appeal to the address
of the Queen's Most Excellent Majesty
in Council and to request that your
Lordship in Council will be pleased
to forward the same over by post mail
for which act of charity, your Petitioner
as in duty bound, shall ever pray.

B. Ramachandra Row

Madras
30th January 1866.

Late Subordinate Magis-
trate of the 2^d Chap.

Address.

B. Ramachandra Row
Care of Parasalingam Row
Government Reader
Cuddalore.

Ms. 332

I send the Memorial received with the
letter be forwarded to the Secretary of State,
and that instruction of the same be given to the
Memorialist.

From Mr. George
168-27-28/188

February 1865

all

Richard R. R.

...

...

Report to Comd 21 February 1865
Nig-Mis

Rev. 1865. Vesp
of Govt for Exh
No 312 of 1865

From B. Ramachandra
Now late Sub Ordinat
Magistrate of the Ann.
margoddy Salug South
Coast Dist. i Madras.

Dated 30 Jan 1865
Recd N }
31 July
With 3 Enclos

Referring to the order of
Govt to 2587 of 31 Oct.
last, submits herewith
a Memorial in tripli-
cate & requests to forward the
same for the consideration
of the Home Authorities.

N^o 310 & 311

N^o 332-16 July

With an order L

29 July 1865 P. 11