

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.

1822

Press
Mis.

663-64
Dated

30-6-

1868.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
30th June 1868.*

No. 663. Read the following Proceedings of the Board of Revenue, dated 4th June 1868, No. 4,128 :—

Read the following letter from the Collector of Kurnool, to the Acting Secretary to the Board of Revenue, dated 23rd April 1868, No. 147.

1. In reply to Proceedings of the Board of Revenue, dated 18th February 1868, No. 1,177, paragraph 4, I have the honor to forward Deputy Collector Comaraswamy's explanation, with the following remarks :—

2. I have always said that Comaraswamy's great fault was paying Venkata his pension when he was told Venkata was not entitled to it.

3. I forward a translation (marked 1) of the Koilkuntla Tahsildar's Arzi to Comaraswamy, dated 5th November 1866, stating that Chintakunta Venkata had not served the full time for pension, and a copy (marked 2) of Comaraswamy's order to the Cash-keeper, to pay Chintakunta Venkata the arrears of pension, namely, Rupees 81-11-1, dated 8th November 1866, that is, the day after he received the Tahsildar's Arzi, on which Comaraswamy has signed his initials, and entered the date of receipt as 7th November 1866.

4. In paragraph 18 of the Memorandum, Comaraswamy asks me to send copies of his letter to the Collector about the pension of Baday Sahib (A), of the deposition he gave on the trial of Baday Sahib (B), and of the statement he made on the 8th August 1867 (C). These I have, therefore, the honor to enclose.

5. As regards the earlier paragraphs of the Memorandum, I would remark that if Venkata was employed, lost his appointment, and was re-appointed after the death of Narasimulu, that was enough to disentitle him to pension, one of the conditions of which is thirty years' continuous service.

6. I do not consider Comaraswamy has in any way freed himself from blame for having paid Venkata, when he had reason to believe his claim to pension was so extremely faulty. The Deputy Collector's office is in the same building as the Collector's, why could he not have asked for instructions immediately the doubt arose in his mind.

7. There is a great deal of truth in what Comaraswamy says in paragraph 10. The probability is that several of the frauds which had taken place would not have come to light had he not reported Baday Sahib's case. But it was not honesty which prompted the disclosure. Comaraswamy in all probability knew long previously what had taken place, as the case of Venkata shews, and probably would never have divulged the truth regarding Baday Sahib, had not he (Comaraswamy) quarrelled with Siva Ram Ghirri Gosaru, Merchant, whose servant Baday Sahib happened to be, and it was for the purpose of depriving him of the services of Baday Sahib that Comaraswamy reported the case.

8. Comaraswamy was remarkably astonished when I took so serious a view of the matter, and took his deposition on oath. Seeing, then, what a storm he had raised, he exerted himself in bringing forward other cases as the best means of warding off suspicion from himself.

9. (Paragraph 11).—If Comaraswamy had known his duty as Deputy Collector in charge of treasure, a reference regarding employment of pensioners, and their pay during employment, would not have been necessary, for the whole is very clearly settled by Board's Standing Circular, No. 408. This one circumstance alone very

clearly shews the terrible state of ignorance, if not worse, of the establishment. The Deputy Collector writes to ask if pensioners during re-employment can receive the pay of their appointments in addition to their pensions. Mr. Blake, the Head Writer, prepares a draft to say, there is no objection, and the Collector signs the draft and the fair copy, while the question had previously been settled in the negative by superior authority. Comaraswamy brings this forward as a proof of his vigilance and independence.

10. (*Paragraph 13*).—I told Comaraswamy he was getting an old man and beyond his work, and said the best thing he could do would be to apply for his pension. Without further pressure, he told me in office he would retire, and gave me in his resignation, which I at once forwarded to Government through the Board. After I had forwarded it, Comaraswamy wished me to recall it, which I refused to do, and he then got a sick certificate. Previous to leaving, he promised me faithfully never to return to this district.

11. I repeat that I do not consider Comaraswamy has acted properly regarding these pensions; but as he has served the State well, as I conclude from his characters, I trust he may not be dealt harshly with.

12. He is quite unfit for the office of a Treasury Deputy Collector, and I feel sure that the Accountant General will agree with me. For when Comaraswamy had charge of the Treasury, I do not think the accounts ever went in correctly, and a "Result Statement" of a considerable length was sent to my office every month, calling for information, or disallowing charges, &c.

13. Comaraswamy is fit for nothing but pension.

14. This office with its present Serishtadar, an uneducated, unfit man, is difficult to work; but if, in addition to a useless Serishtadar, I have a still more useless Deputy Collector, worn out with age, and in whom I have only very little confidence, it will be next to impossible for me to transact my work in anything like a satisfactory manner.

From V. COMARASWAMY MOODELLY, Deputy Collector, to the Collector of Kurnool, dated Madras, 14th April 1868.

With reference to your letter, No. 198, dated the 2nd ultimo, directing me to forward an explanation as called for in paragraph 4 of the Board's Proceedings, No. 1,177, dated 18th February last, I respectfully beg to submit the enclosed Memorandum.

Memorandum.

1. The Collector of Kurnool, in the 11th paragraph of his letter to the Board, dated 14th January last, stated that in his former letter he had expressed his opinion regarding me, and that he does not think me fit for service, and, therefore, recommends that I may be either directed to take my pension, or transferred to another appointment. The Board consider that, in my position as personal Assistant to the Collector, &c., I shewed negligence and incapacity, in allowing frauds so gross to pass unchallenged.

2. I respectfully beg to submit that I was not in charge of the Treasury when the Pension Statements were prepared in the Collector's office and submitted to Government; for I delivered over charge of the Kurnool Treasury to M. Narasimha Puntulu, and returned to Nundial Talook on the 6th August 1864, and again resumed charge of the Deputy Collector's office in the beginning of April 1865. The Statements were prepared and submitted to higher authority in January 1865. It will thus be seen that the Pension Statements were transmitted about six months after my leaving

Kurnool, and three months previous to my rejoining. It was, therefore, not possible for me, in any way, to challenge the fraud.

3. In the 20th paragraph of his former letter, dated 24th September 1867, the Collector represented that I paid the amount of pension to a Peon (Venkata), who had only been in service for six years, on the day following the receipt of the Tahsildar's report; but added, that, in consideration of my service and latterly my failing health, which so affected my head that I could hardly add up a string of a dozen numbers correctly, I might be required to take my pension, &c.

4. A copy of the report of the Tahsildar of Koilcoontla, referred to by the Collector, is herewith submitted. It would appear that, in the commencement of that report, he mentions that a Peon, named Emam Saib, made a statement to the effect that he was not aware that the said Venkata had served for thirty years; but that he was nominated on the 30th December, in Fusly 1263, on the death of one Narasimulu. He (Tahsildar) further states that, on an inquiry instituted by him, he was informed that Venkata had been in employ previous to the entertainment of the said Narasimulu; that he (Venkata) gave his belt to the said Narasimulu, on whose death he got the post again, and affirms that it was the only Venkata that served in the talook; and that he was superannuated and deranged, and that the records are missing. The Tahsildar says that Venkata gave his belt to Narasimulu; how was it in his gift to give his employment to another? The Tahsildar could not state whether it was for months or years that Venkata was out of employ. Is it not clear from the report that Venkata was not only in service previous to Narasimulu's employment, but that he had power to give his belt to the said Narasimulu? Under these circumstances, I sent for a copy of the Pension Register of the Peon Venkata, in the Collector's office, in which his services were stated to be twenty-one years. The identity of the said Venkata being certified by the Tahsildar, and his services, &c., being long before recorded by the Collector, the payment was made to Venkata.

5. I am induced to submit the following in connection with the construction put by the Collector on the report.

6. The Tahsildar's report was in reply to my takeed requiring information as to the identity of Chintakunta Venkata, because he was not of sound mind at the time. About that time, I requested the Accountant General to furnish me with descriptive rolls, to enable me to pay the pensioners; but that authority said, in reply, that the certificates would be sent eventually, and that I should pay them according to the Nominal List.

7. The Tahsildar in his report writes as mentioned in the 4th paragraph; but that does not shew that Venkata was *only for six years* in the service; but, on the contrary, his (Tahsildar's) same report goes to disprove that statement when his own information was that he had served for a longer time. I consider that the information obtained on inquiry no doubt from different quarters by the Tahsildar, and recorded immediately after citing the purport of the Peon Emam Saib's statement, should be taken in preference, which in itself refutes Emam Saib's statements.

8. There is one thing for consideration, that if the Tahsildar only reported that Venkata was in service for six years only, why did he not stop with Emam Saib's statement, instead of disproving it himself. I presume the Tahsildar at the time of addressing the Arzi did not, in the least, doubt Venkata's title to pension; for had he entertained any doubt, nothing would have prevented him from reporting it to myself unreservedly that Venkata was not entitled to pension, and informing me that I had misconstrued the meaning of his report, and above all, it was his bounden duty to report the circumstances at once to the Collector. The payment to the said Venkata by himself, subsequent to his report, speaks for itself.

9. It is clear, from the spirit of the report, that it does not carry the meaning that Venkata served only for six years.

10. I now proceed to submit, briefly, what took place in the matter, having shewn that I had not the least possibility of knowing or even suspecting the fraud that was practised by officials in the Correspondence Department until Baday Sahib appeared before me for the first time for payment of the pension. It being customary to see pensioners occasionally, I ordered the Cash-keeper, in June 1867, to send up to me all the pensioners who came to him for payment in that month. While

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inspecting the pensioners, the said Baday Sahib appeared before me and asked me to order payment. I recognized in him a person who had been the servant of a Kurnool merchant several years previously. I then took his deposition, and naturally concluded that there must be some mistake about his pension. Immediately after this, several people came to me, especially some old Peons who had entered the Police and were subsequently considered unfit for that service, and gave different stories about peons then receiving pensions, whose service did not entitle them to pension; but the information each gave was vague and based on hearsay. Now I ascertained Baday Sahib's service from Pay Abstracts, and reported the circumstance to the Collector. In this report I did not fail to represent that I had reason to suspect the correctness of the pension to other peons, and that the officials in the office had practiced fraud. Here I beg to observe that had it not been on account of my discovery that Baday Sahib was the servant of a merchant, there would have been no conceivable means of detecting these frauds. I also spared no pains in collecting all old records available and examining them, and reported to the Collector a few suspicious cases, as well as that of the pensioned Tahsildar, Oomurdaraz Khan, before I left Kurnool on sick certificate. My information, thus given, brought several delinquents to punishment, and yielded a saving of a large sum to Government. I respectfully beg to ask how the fraud was brought to light, and how the consequent saving was effected except by the information which I gave. I believe the Collector himself is of opinion, when dwelling on the case of the Serishtadar Chowdapa, that there was no one in the office independent enough to oppose Mr. Blake. From the collusion that existed, it is doubtful whether these frauds would have been detected had I not moved in the matter.

11. In proof of my vigilance and independence of those in the Cutcherry, I beg to state that, on one occasion, I brought to the notice of the then Acting Collector that certain pensioners were employed in Government service, and I solicited instructions regarding the payment of pensions to them. The reply I received thereto was to pay them notwithstanding their employment. I have reason to believe that Mr. Blake did not like this reference.

12. It is for superior authorities to decide whether I acted independently or not, and if I did not, in the exercise of this independence, incur not only the opposition and enmity of officials in the office, but also of those of the pensioned Tahsildar and peons, as well as of those related to them. After giving the information, and brought forth evidence to prove it, I saw the disaffection and ill-will evinced towards me by all those concerned; but I did not cease to do my duty to Government faithfully and fearlessly.

13. About a fortnight after Mr. Chase's joining the district, I was obliged to leave it on three months' sick leave. A few days after my rejoining the district, Mr. Chase, for some reason or other, but for no fault of mine, required me to submit my resignation. I complied with this order when I was in a state of confusion; but, on the following morning, I begged the gentleman not to forward the resignation. Notwithstanding my solicitation, Mr. Chase forwarded, and, I believe, recommended Gopal Kristama Chetty to be appointed in my place, even without a final medical certificate. Subsequently I applied to my medical attendant, the Civil Surgeon, to grant me a certificate as to the state of my health. That officer certified that a visit to Bangalore and sea coast would restore my health. Instead of pitying my case, Mr. Chase was angry with me for not applying for pension, and, I believe, the Collector, in his letter recommending me for leave, made some remarks inimical to my interests.

14. I implore the Honorable Board, in justice to myself, to take into their consideration the manner in which Mr. Chase uses the purport of the Tahsildar's report against me. It will suffice to say that that gentleman was unwilling to use the other portion, or whole of the Tahsildar's report, to give force to the part he quoted.

15. If a superior, on account of some private or public motive, shows a dislike to his subordinate for no fault of the latter, what alternative is left except the protection of higher authorities.

16. I humbly solicit the Collector will be good enough to transmit, to the Board of Revenue, copies of the papers mentioned in the margin.

1. My letter to the Collector about the pension of Baday Sahib, &c.
2. The deposition I gave on the trial of the said Baday Sahib.
3. The statement I made on the 8th August 1867.

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30th June 1868.*

17. If the Collector had asked me for an explanation before reporting me to the Board, I would not have been placed in the unpleasant position in which I now stand.

18. Previous to the passing of the Board's Proceedings, dated 18th February last, requesting the Collector to call on me for explanation, I solicited the Collector, on the 8th of the same month, to favor me with copies of any papers in which he may have had occasion to make any remarks against me. Is this not a good proof that I voluntarily wished to explain, because my conscience tells me that I am innocent.

19. I further beg to submit a Memoranda of my services, and copies of some of the testimonials granted me by the undermentioned gentlemen:—

T. B. A. Conway, Esq., Agent to the Governor, Kurnool.

Captain J. G. Russell, Officiating do.

Captain H. L. Grove, Assistant Commissioner, Kurnool.

Honorable D. Arbuthnott, Collector and Magistrate, Kurnool.

G. Thornhill, Esq., Acting do.

G. Banbury, Esq., do.

The Honorable J. I. Minchin, Collector and Magistrate, Kurnool.

H. E. Sullivan, Esq., do.

The Honorable L. C. Innes.

A. W. Sullivan, Esq.

W. A. D. Ingles, Esq., Special Commissioner at Cuddapah for the trial of the rebel Narasima Reddy and others.

T. Onslow, Esq.

W. Elliot, Esq.

The Revds. P. Doyle, John Clay, and R. D. Johnston.

Captain J. Beatty, Royal Engineers.

H. C. Cotton, Esq., Engineer, Madras Irrigation and Canal Company.

Doctor James Keess, M. D.

Captain H. S. Robinson, Superintendent of Police.

Colonel M. Galway, C. B.

20. In conclusion, I beg to state that I served the Government honestly and willingly. I am sorry Mr. Chase has not taken into his consideration my past service and my present conduct in bringing to light the frauds, and more so because I was not considered worthy of the opinion entertained by my superiors, other official and independent gentlemen. I, therefore, crave the Honorable Board and His Lordship in Council will be graciously pleased to do me justice.

MADRAS,
14th April 1868.

(Signed) V. COMARASWAMY MOODELLY,
Deputy Collector.

ENCLOSURE No. 2.

ABSTRACT.—Statement of services of V. Comaraswamy Moodelly, Deputy Collector of Kurnool.

ENCLOSURE No. 3.

ABSTRACT.—Translation of an Arzi from Tahsildar of Koilkuntla Talook, to V. Comaraswamy Moodelly, dated 5th November 1866.

ENCLOSURE No. 4.

ABSTRACT.—Comaraswamy Moodelly's letter to the Collector about Baday Sahib's pension.

1. The Board consider that Comaraswamy's explanation is satisfactory so far as regards the pension frauds. He was absent from the district when the fraudulent lists were prepared, and although he made a great mistake in paying Venkata's

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pension after receiving the report of the Tahsildar of Koilkuntla about it, he evidently acted in good faith, and not without making some inquiry.

2. Nevertheless, the Collector's statements regarding Comaraswamy's incapacity are so strong and decided that the Board are of opinion he should be required to apply for pension.

No. 664.

ORDER THEREON, 30th June 1868, No. 1,822.

Miscellaneous.

1. The Government find that Deputy Collector Comaraswamy Moodelly has not sufficient pension-service to enable him to retire without a Medical Certificate, and there is certainly nothing in these papers to warrant his removal from the service without pension.

2. The Board have acquitted him of blame in the matter of the pension frauds, and the Government fully concur in this judgment.

3. In the matter of Baday Sahib's pension, and the other frauds brought to light by him, the Government see no ground whatever for imputing any dishonest motive to him, and although he may have erred in judgment in the case of C. Venkata's pension, the Government are of opinion that the Collector has laid undue stress on the Tahsildar's Urzi, which is by no means clear against the admission of the claim, and that the Deputy Collector manifested a decided intention to act fairly in the matter.

4. In regard to the reference as to the employment of pensioners on full pay, the Government consider that the Deputy Collector very fairly and properly brought to notice the existence of a seeming irregularity, and is in no way to be blamed, because the Collector directed its continuance.

5. As Comaraswamy's continued employment in the Kurnool District is evidently inexpedient, he will be transferred elsewhere.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

No. 4,128.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 4th June 1868.

Read the following letter from T. A. N. CHASE, Esq., Collector of Kurnool, to the Acting Secretary to the Board of Revenue, dated 23rd April 1868, No. 147:—

1. In reply to Proceedings of the Board of Revenue, dated 18th February 1868, No. 1,177, paragraph 4, I have the honour to forward Deputy Collector Comaraswamy's explanation, with the following remarks:—

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ENCLOSURE No. 1.

From V. COMARASWAMY MOODELLY, Deputy Collector, to the Collector of Kurnool, dated Madras, 14th April 1868.

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1872. No. 4128.

4 June 68.

Recommending that
Dy. Col. Comaraswamy
should be pensioned &
take his pension.

In order to

the Dy. Col. of his acquit.

The Dy. Col. of the specific
charges laid against him
by the Dy. Col. but recommending
that he be pensioned & take
pension in consequence
of the Dy. Col. my desired
opinion as to his incapacity.

21/3 I do not think he
has sufficient service
to entitle him to pension.
He has not had a certificate
of his service & the
Dy. Col. of his acquit.

But in respect of
the Dy. Col. I think
that the man has merit.
On the basis of treatment
& service to be done
justice.

It will be remembered
that this man has been
instrumental in bringing
Narasimha Puntulu to his
death & light. & has

I think my case is covered
show this way

don't see himself
a very unscrupulous enemy
in consequence. I read & influence.

no doubt

It appears to me that there
is no ground for the J. P.'s imputation
of a dishonest action against Lumsden
in the matter of the purchase of badger
skins. or in the other frauds brought
forward by him. The man seems
to me to deserve commendation
rather than blame.

I am full of this
opinion W. J.

In the matter of C. P. Bates
purchase I think he probably
committed an error of judgment
but the J. P.'s laxness in not
making the J. P.'s large (see. III) P. is
by no means clear against the
claim. & there seems every reason
to think that the J. P.'s did act
fairly in the matter.

I think so
W. J.

The case of the J. P. at St. Louis
being employed full pay also
seems to me to bring out his credit
in the J. P.'s. He found a certain
state of things existing & apparently
driving it irregular. He asked
the J. P.'s if it was to be allowed &
continued under orders that it
was so. I imagine he may have been
wrong. But it is of the function.

clearly so W. J.

W. J.

It must be so, I think -
for certainly there is nothing
in there on which a deputy could
possibly participate in the
from the public service -

but if it was wrong. How the
first established & then
the order of continuation
was & blame. That is also
printed on the irregularity.

I know nothing personally
of the J. P.'s but his
testimonials are
naturally good in
kind & substance. &
I don't help thinking
that W. Chase has
an excessive & allowed
himself to be prejudiced
against the man by interested
parties. No doubt the J.
P.'s must have raised
a host of enemies against
himself by bringing these
frauds to light. His
temperament was so hot & he
& also his kind & humble
adherence. I think it was
not the view of
others & I have
become in the ground.

I see no sufficient
reason for requiring

to Dept. & take his
pension. But he evidently
can't return to Kurnool
might perhaps be moved
to Suddapur where his
leave expires. His letter
does not mention inefficiency
nor his act either.

Request order.

20 June 68. L.B.

For order

There will be a proper
arrangement under

no letter written
in a very proper
tone, especially when
we recollect the rapid
abuse papers which our
Kurnool & other Kurnool
permitted to be
submitted.

Yes. When he moved.
N.

Ch.

1822 Rev. Dept. 1
21-1822.

Proceedings of the Madras Govt.
Under date the 30th June 1868.

Read the following
Proceedings of the
Board of Revenue.

Submitting letter from
Colly. of Kurnool for
awarding of pension
Komarasaoni's expla-
nation with remarks
regarding pension granted.

(Here entered June 68 No 4128)

N.

W.H.

The Govt. find
that Deputy Collector
Komarasaoni's ex-
-dali has not suf-
-ficient pension
service to enable
him to retire without
a Medical Certificate
and there is certainly
nothing

nothing in these papers
to warrant his removal
from the service
without pension.

The B. have
acquitted him of
blame in the matter
of the Pension frauds
and the Govt. fully
concurs in this
judgment.

In the matter
of Basay Sahib's
pension and the
other frauds brought
to light by him, the
Govt. see no ground
whatever for im-
puting any dishonest
motive to him, and
altho' he may have
erred

8
erred in judgment in
the case of C. Ventata's
pension, the Govt. are
of opinion, that the
Coll. has laid undue
stress on the Sahib's
Alrzi which is by no
means clear against
the admission of the
claim, and that the
Off. manifested
a decided intention
to act fairly in the
matter.

In regard to
the reference as to
the employment of
Pensioners on full
pay, the Govt. consider
that they ^{do} very fairly
and properly brought
to notice the existence
of

of a seeming irregu-
-larity and is in no
way to be blamed
because the collector
directed its continuance.

As Komarasawmi's
cont. employment
in the Chinnool dis-
-trict is evidently
inexpedient he will
be transf. elsewhere.

S. A.

14 Copies To the D. of Revenue & 3 to the District Officer, July

21/3

C. A.

L. O.

Regarding D. H. L.
Komarasawmi
Mudali

Received 1868 Sept 14
No of Govt of on June

17/822

No of the steamer Govt
of 30 June 1868.

Per
1000

Com. 349-51
20/3/68

No 663-664