

(1) Number of Pages..... 32.
(2) Date of repair..... 21-10-67.
(3) Initials of the Referencer..... 17.2.68.

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	830	Press
B.P. No.	.	Mis.
Dated	27-5-1875 196.	

Not to be folded or roughly handled

1/830

*Proceedings of the Madras Government, Revenue Department,
27th May 1875.*

No. 320. Read the following Proceedings of the Board of Revenue, dated 1st May 1875, No. 1,127:—

Read again Board's Proceedings, dated 9th December 1874, No. 3,571.

Read also the following letters:—

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to
H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated
Viruvasaram, 28th January 1875, No. 33.

WITH reference to the Proceedings of the Board of Revenue, No. 3,571, dated 9th December 1874, calling for the explanation of the Tahsildar of Tanuku Taluq on the charges brought against him, I have the honor to send the defence he sent me.

2. I called upon him in a Telugu order to send his explanation; the questions in his defence are his own translations from this order.

3. I consider his explanation unsatisfactory, and most of it I cannot believe.

4. In answer 1, he says he received information about the concealment of cultivation, and at once went out to the spot and examined the land. He admits that he did not see the cultivation accounts; yet, without seeing them, I cannot understand how he could form any opinion about the concealment, nor what good he could expect to derive from going to the village; he says he could not get the village officers to appear before him; he ought on that to have taken steps for having them punished for disobedience.

5. In answer 7, you will see that the Tahsildar admits having issued summonses to the defendant, and warrants for the complainant in a criminal case; there were three different days on which the case was heard; he says for the second day, he issued warrants for both. He says, he ordered warrants to be issued to both parties on all three occasions; I cannot see that he had the least occasion for supposing that the complainant would not appear on summons, and it was therefore extremely improper for him at once to issue a warrant. He says, his Gumastah did not obey his orders about the issue of the warrant to the defendant; if so, when the case came on for hearing, the Tahsildar must have seen that his orders had been disobeyed twice in exactly the same manner, but yet he does not seem to have taken any steps to punish him.

6. In answer 8, I cannot believe that the Tahsildar did not know that he was connected with Veeranah.

7. Looking at all of his answers, I see no reason to alter the recommendation I have already made.

ENCLOSURE No. 1.—Tahsildar's Defence.

From the same Officer, dated Cocanada, 3rd April 1875, No. 124.

REFERRING to the Board's Official Memorandum of the 25th February last, No. 282, I have the honor to forward, herewith, copy of the Head Assistant Collector's letter of the 11th ultimo, No. 79, together with its enclosures.

2. In these, I cannot observe any marks of insanity on the part of the Gumastah. I am not inclined to believe the statement made to the Board that he was insane at the time the warrant was issued. I am told that the individual in question is now at Madras, and that he is a relative of the Board's Head Sheristadar, who will probably know where he is, so that the Board can send for him, and judge for themselves. The Gumastah, however, told Mr. Sewell that he wrote the warrants under the orders of the Tahsildar; he did not then say he was insane at the time.

ENCLOSURE No. 1.

From W. AUSTIN, Esq., Acting Head Assistant Collector, to W. S. FOSTER, Esq., Acting Collector of the Godavery District, dated Tallapudy, 11th March 1875, No. 79.

REFERRING to your letter, No. 95, dated the 4th instant, forwarding to me a copy of the Board's Official Memorandum of the 25th ultimo, No. 282, I have the honor to send, as per enclosed list, a bundle of papers prepared by, and in the handwriting of, the Gumastah by whom the warrants in the Duva pound-keeper's case were written. These papers show pretty clearly that about the time of the issue of warrants and subsequent and prior to the same, the Gumastah was perfectly sane and capable of discharging his duties. There is not a single paper from which symptoms of insanity can be presumed.

(True Copy.)

(Signed) W. S. FOSTER,
Acting Collector.

ENCLOSURE No. 2.—Bundle of papers.

THESE papers will be submitted for the orders of Government. The Acting Head Assistant Collector and the Acting Collector of Godavery recommend the dismissal of the Tahsildar of Tanuku on the ground of general inefficiency, disobedience, and untrustworthiness; and furnish what are described as merely a few instances of his misconduct as a Revenue officer and as a Magistrate.

2. Mr. Sewell says, "his whole revenue administration is characterized by gross injustice, glaring partiality, utter indifference to the state of his taluq, constant and vexatious delays;" and as to his carelessness, neglect of duty and disobedience, opinions recorded by Mr. Sewell's two predecessors in the charge of the Head Assistant's division, and of Mr. Sullivan, late Acting Collector of the district, are quoted. Mr. Foster adds his testimony, saying that the Tahsildar is untruthful, dilatory and disobedient and unjust and harsh towards his ryots and others within his jurisdiction.

3. The following instances are given in support of these general charges, and the Tahsildar's explanation is now before the Board:—

(a.) That he reported in a case of concealment of cultivation, without ever having examined the cultivation accounts, but recommended the village officers for suspension and trial. The Tahsildar states that he inspected the land, made his recommendation, his summons to the parties to appear with the accounts having been procured; and that the case ultimately fell through owing to delay in the Head Assistant's office.

(b.) The parties in the same case having brought a charge of bribery against the Tahsildar, they were handed up for punishment for absence from duty, and the same thing happened in another case. The Tahsildar replies that in the first case the village officers handed up were not the complainants and that the bribery charge was dismissed before they were handed up; and that in both cases he merely acted in pursuance of his duty. The explanation on these charges is not satisfactory.

(c.) The Tahsildar's answer to the 3rd question is not a sufficient reply to the charge of harshness in fixing so short a period for the appearance of the party.

(d.) The 4th is merely a general charge of undue delays, and cannot be discussed in detail.

(e.) The 5th relate to alleged differences between the taluq and village accounts which the Tahsildar says are unavoidable. There ought to be no such differences.

(f.) The 6th is to the same effect as the second.

(g.) The 7th question relates to a serious charge of partiality in the exercise of magisterial powers, and falsehood in excuse. In a charge of embezzlement against a pound-keeper, the Tahsildar is alleged to have made unnecessary delay, in view to the escape of the accused, and to have caused the complainant and his witnesses to be arrested three times on warrants while summons only was issued to the defendant. The case which was *prima facie* a strong one is stated to have failed when taken up by the Head Assistant, owing to the Tahsildar's proceedings. He lays the blame on his Gumastah, and maintains that he signed the processes without knowing what they were. The Gumastah states that he did everything by the Tahsildar's orders. It was brought to the Board's notice that the Gumastah is now insane, and they inquired on the points; but from the Collector's second letter, there seems no reason to suppose that he was so at the time.

(h.) The Tahsildar is accused of further partiality in having, as Magistrate, taken up and recommended the dismissal (which seems a curious proceeding) of a case against one Veeranna who is a connexion of his; and with having then denied all knowledge of the connexion. Veeranna and the Tahsildar have given their daughters in marriage to the sons of the same man, and are shown to have met at wedding festivities in his house. The Board cannot but believe that the Tahsildar has, in this matter, been guilty of deliberate falsehood.

4. The Tahsildar further impudently asserts that the proceedings against him are due to the enmity of a subordinate clerk in Mr. Sewell's office.

5. On the whole, the Board consider that the case against him is not in any way weakened by his explanation; and they resolve to support the recommendation of the district officers and to ask Government to sanction his dismissal from the public service. He cannot be permitted to continue in charge of a taluq, or in any revenue position of authority; he cannot be trusted with any magisterial powers; and the Board cannot point out any appointment in which he could be placed with justice or advantage to the public service.

(True Copies and Extract.)

(Signed) H. E. STOKES
Acting Secretary.

*Proceedings of the Madras Government, Revenue Department,
27th May 1875.*

No. 321.

ORDER THEREON, 27th May 1875, No. 830.

Miscellaneous.

THE Government do not think the specific charges are sufficient to warrant the summary dismissal of a servant of twenty-three years' standing and upwards, and a Tahsildar of upwards of eleven years' standing.

2. His exculpation seems quite candid, and not that of a dishonest defendant; while the terms in which his conduct is characterised and denounced appear to be somewhat exaggerated. The Government are always most unwilling not to uphold the Revenue Board and the district authorities in their efforts to secure purity of administration and integrity of conduct among their subordinates: but in this instance they do not think a case is made out.

3. Sundara Raz has evidently been very careless in some detail work: and the Collector should be directed to transfer him to another taluq.

(True Extract.)

(Signed) D. F. CARMICHAEL,

Officiating Chief Secretary.

To the Board of Revenue.

Ed. W. H. French.

Revenue Department.

Proceedings of the Board of Revenue

Dated 1st May 1875.

Read again Board's Proceedings of 9th December 1874 No. 357.

Read also the following

No. 33.

From

W. S. Fisher Esquire

Ag. Collector

J. Gore Esquire

Secretary to the
Board of Revenue
Madras.

Sir,

With reference to the Proceedings of
the Board of Revenue No. 357, dated
December 9th 1874 calling for the expla-
nation of the Tahsildar of Tanjore Sahib
on the charges brought against him, I
have the honor to send the defence he sent
me.

2. I called upon him in a Sahib
order

Obdt. of 1875 Madras

REVENUE.

To

THE BOARD OF REVENUE

Dated May 27th.

Recd.

Encl.

G. O., 27th May 1875, No. 830.

MAY.

No. 320-321.

A. Sundara Rao, Tahsildar of Tanjore in the
Gobur District. Suggesting that the Collector
should be directed to transfer — to another taluk
instead of being summarily dismissed, as no
case appears to be made out against him, with
remarks.



order to send his explanation; the questions in his defence are his own translations from this order.

3. I consider his explanation unsatisfactory, and most of it I cannot believe.

4. In Answer 4, he says he received information about the concealment of cultivation, and at once went out to the spot and examined the land. He admits that he did not see the cultivation accounts; yet without seeing them, I cannot understand how he could form any opinion about the concealment, nor what good he could expect to derive from going to the village. he says he could not get the village officers to appear before him; he ought

6/23
ought on that to have taken steps for having them punished for disobedience.

5. In answer 7, you will see that the Tahsilwar admits having issued summonses to the Defendant, and Warrants for the complainant in a Criminal case: there were three different days on which the case was heard: he says for the second day, he issued Warrants for both. He says he ordered Warrants to be issued to both parties, on all three occasions. I cannot see that he had the least occasion for supposing that the complainant would not appear on summons and it was therefore extremely improper for him at once to issue a Warrant. He says his Sumnaster did not obey his orders about the issue of the Warrant to the Defendant; if so, when

when the case came on for hearing, the
Sahibdar must have seen that his
orders had been disobeyed twice in exactly
the same manner, but yet he does not
seem to have taken any steps to punish
him.

6. In Answer 8. I cannot believe
that the Sahibdar did not know that
he was connected with Veeranaik.

7. Looking at all of his answers
I see no reason to alter the recommenda-
-tion I have already made.

Godavery District
Collectors office.

Camp Viruvacharam
Pheemavaram Sahibdar
28 January 1875

I have &c

(Sigs) W. L. Foster
Ag Collector

No 124

From W. L. Foster Esquire
Ag Collector

To H. E. Stokes Esquire
Ag Secretary to the Board of Revenue
Madras.
Referring

Sir,

Referring to the Board's Official
Memorandum of the 25th February last here
I have the honor to forward herewith copy
of the Head Assistant Collector's of the
11th ultimo No. 79 together with its enclosures.

2. In these, I cannot observe any
marks of insanity on the part of the Sumast
I am not inclined to believe the statement
made to the Board that he was insane
at the time the Warrant was issued. I am
told that the individual in question is now
at Madras and that he is a relative of
the Board's Head Sheristadar, who will
probably know where he is, so that the
Board can send for him, and judge
for themselves. The Sumast however
told Mr. Sewell that he wrote the
Warrant.

Warrants under the orders of the Sahibdar.
he did not then say he was insane at
the time.

I have for
Godaverry District }
Collectors office } signed, W. S. Foster
Coconada. } Ag Collector.
3rd April 1875 }

These papers will be submitted
for the orders of Government. The Acting
Head Assistant Collector and the Acting
Collector of Godaverry recommend the dis-
missal of the Sahibdar of Sambar on
the ground of general inefficiency, disobe-
dience, and untrustworthiness; and furnish
what are described as merely a few instances
of his misconduct as a revenue officer and
as a magistrate.

2. Mr Sewell says "His whole revenue
administration is characterized by gross
injustice."

injustice, glaring partiality, utter in-
difference to the state of his bag, con-
stant and vexatious delays; and as to his
carelessness, neglect of duty and disobedience,
opinions recorded by Mr Sewell's two
predecessors in the charge of the Head Assis-
tant's Division, and of Mr Sullivan, late
Acting Collector of the district are quoted.

Mr Foster adds his testimony, saying that
the Sahibdar is untruthful, dilatory,
and disobedient and unjust and harsh
towards his ryots and others within his
jurisdiction.

3. The following instances are given in
support of these general charges and the
Sahibdar's explanation is now before
the Board.

(a) That he reported on a case of
concealment

concealment of cultivation without ever having examined the cultivation accounts, but recommended the village officers for suspension and trial. The Sahiloar states that he inspected the land, made his recommendation, his summons to the parties to appear with the accounts having failed to procure their attendance; and that the case ultimately fell through owing to delay in the Head Assistant's office.

(c) The parties in the same case having brought a charge of bribery against the Sahiloar, they were handed up for punishment for absence from duty, and the same thing happened in another case.

The Sahiloar replies that in the first case the village officers handed up were not

not the complainants and that the bribery charge was dismissed before they were handed up; and that in both cases he merely acted in pursuance of his duty. The explanation on these charges is not satisfactory.

(C) The Sahiloar's answer to the 3rd question is not a sufficient reply to the charge of harshness in fixing so short a period for the appearance of the party.

(d) The 4th is merely a general charge of undue delay, and cannot be discussed in detail.

(e) The 5th relates to alleged differences between the taluk and village accounts which the Sahiloar says are unavoidable. There ought to be no such differences.

The

(P) The 6th is to the same effect as the 2nd

(Q) The 7th question relates to a serious charge of partiality in the exercise of magisterial power, and falsehood in ex-
-case. In a charge of embezzlement against a pottokuper, the Sahildar is alleged to have made unnecessary delay in view to the escape of the accused, and to have caused the complainant and his witnesses to be arrested three times on warrants while summons only was issued to the defendant. The case which was *prima facie* a strong one is stated to have failed when taken up by the Head Assistant owing to the Sahildar's proceedings. He lays the blame on his gumastah, and maintains that he signed the processes without

without knowing what they were. The gumasta states that he did everything by the Sahildar's orders. It was brought to the Board's notice that the gumasta is now insane and they enquired on the point; but from the collector's second letter there seems no reason to suppose that he was so at the time.

(h) The Sahildar is accused of further partiality in having as magis-
-trate taken up and recommended the dis-
-missal (which seems a curious proceeding) of a case against one Veeranna who is a connexion of his; and with having then derived all knowledge of the connexion Veeranna and the Sahildar have given their daughters in marriage to the sons of the same man, and are shown to have met

met at wedding festivities in his home.

The Board cannot but believe that the Tahsilwar has in this matter been guilty of deliberate falsehood.

4. The Tahsilwar further independently asserts that the proceedings against him are due to the enmity of a subordinate clerk in Mr. Sewell's office.

5. On the whole the Board considers that the case against him is not in any way weakened by his explanation, and they resolve to support the recommendation of the District officers and to ask Government to sanction his dismissal from the public service. He cannot be permitted

10/30
permitted to continue in charge of a taluk or in any revenue position of authority; he cannot be trusted with any magisterial powers; and the Board cannot point out any appointment in which he could be placed with justice or advantage to the public service.

/ True Copies & Extracts

W. H. M. M.

Acting Secretary

To The Secretary to Government
Revenue Department with copy
of Head Assistant Collector's
letter & of Board's Proceedings dated
9 December 1874 No 357, and
3 other enclosures to be returned

W. H. M. M.
Copy to

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REVENUE DEPARTMENT.

No. 1653

No. 830

27 May/75

From B. of Rev.

Dated 1st May

1875

FOR ORDERS.

I do not think the
specific charges are sufficient
to warrant the summary dismissal
of a servant of 23 years standing
of 11 years standing
of 11 years standing

The man's defence seems
fair and I think that for
dishonest defendant. While
the time for B. his conduct
is characterised & disapproved
and I think somewhat

12/1653
Revenue 1875 before
receiving of the

Board of Revenue

Letter 1st May 1875

Page 1

as per note

Amarendra Nag. I. - 1st

of same kind & being in possession
of it. - Letter from J. B.

recommending dismissal

of - on other charges

of misconduct as a revenue

officer & as a Magistrate

& explanation of facts

received & submitted report

with Board's opinion that

the individual has remained

from public service

altogether - 1st

No 1830. 27 May 1875

C. 13 May 75. No 26 May 75

14th Feb 1875

disappointed. I am always most
willing to uphold the Govt.
& the D. authorities in their efforts
to secure purity of administration
in every respect among their
subordinates. But in this instance
I do not think a case is made
out. He has evidently been very careless
in some of his work. & I do not
think the Govt. to have put him
down for this.

19.5.75

I have gone carefully thro' these papers - &
think that there has been exaggeration in
the statement of the Tahsildars short-
comings. There is no charge of actual
dishonesty against him. I quite agree

13/6/80
with Mr. Huddleston in wishing generally to pro-
vide support to our officers in maintaining
regularity in the work of their subordinates
& protecting the people from oppression - but
in this instance I do not think there are
sufficient grounds for the severity advocated
by the Com. L. B. of Revenue. I would
transfer the Tahsildar to another

Tahsil.

Mr.

22 May 75

Now our - and
we are about to
transfer Howa pay
of Rs 100 to Rs 120
of the lowest rate
20% MB

FOR ORDERS.

*Principal of School
Care, taking primary
and intermediate
grades in the
winter term
and in summer
in school*

No 79

Godavery District

Head Assistant Collr Office

Camp Lallapady 11 March 1875

From

W. Austin Esquire

Ag. Genl. Asst. Collector

W. S. Foster Esquire

Ag. Collector of the
Godavery District.

Sir,

Referring to your letter No 95 dated

~~the 4th inst.~~ 11th March 1875

Board's Official Memorandum of the

25th ultimo No 282, I have the honor to send

as per enclosed list, a bundle of papers

prepared by and in the hand writing of the

Gumasta by whom the Warrants in the

Dura Pundkeer's case were written.

These papers show pretty clearly that

about the time of the issue of Warrants

and

and subsequent and prior to the same,
the Gomasta was perfectly sane and
capable of discharging his duties. There
is not a single paper from which symptoms
of insanity can be presumed.

I have &c.
Signed W. Austin
Ag Head Apptd. Secy.
True Copy

Signed W. J. Foster
Ag Collector

True Copy

H. W. M.
Ag Secretary

Ed. M. H.
Capt.

No. 3,571.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th December 1874.

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Cocanada, 12th November 1874, No. 414:—

I HAVE the honor to forward a copy of a letter* I have received from the Head Assistant Collector, reporting on the conduct of the Tanuku Tahsildar.

* Dated 3rd November 1874, No. 402.

2. I would specially call attention to paragraphs 18, 19 and 20 of his letter. In them Mr. Sewell gives the history of a Magisterial case: the case was referred to the Taluq Magistrate for inquiry, and during his inquiry, whenever he fixed a day for the hearing, and further hearing, he issued summons to the defendant while the complainant and his witnesses were arrested on warrant.

3. Then the Tahsildar was asked about this, and he says that he does not know what processes are issued, and that he has no time to give orders as to whether to issue summons or warrant.

4. If what he says is true, he is scarcely fit for his position; if it is untrue, I can hardly imagine conduct worse, to arrest people who have committed no offence, and then to tell a lie in order to shift the blame to his own subordinate.

5. I certainly think the Tahsildar's statement is untrue.

6. In some other cases the Tahsildar appears to have given batta to the witnesses most extravagantly. One man for coming eight miles and giving evidence one day, got Rupees 2-4-0; another for the same time and distance, Rupees 2-8-0; another for the same time and twelve miles, Rupees 3-4-0; and a fourth for three days and eleven miles received Rupees 4-4-0. Mr. Sewell called his attention to the largeness of the batta he was giving, but he continued to give such large sums in spite of such warnings.

7. The Tahsildar tried a relation of his own, and dismissed the charge against him. When asked about this, he said he did not know the man was a relation until after the trial. But he had been at a wedding with him a short time before. The Tahsildar may not have intended to do any thing wrong in trying the man himself; but in that case I hardly think he would have denied knowing the relationship.

8. I consider this another instance of the Tahsildar's want of carefulness.

9. In his revenue business the Tahsildar seems just as bad. He recommended village officers for suspension and trial, stating that he had personally inquired into the matter. It was a case of concealment of cultivation, and yet the Tahsildar had never looked in the village accounts to see if the cultivation was entered or not.

10. Again, he recommended that an Inam should be attached as the Inamdar had not appeared, and he had only given him three days' time to appear.

11. I think these instances are sufficient to prove that this Tahsildar should not remain in his post; but these, as Mr. Sewell says, are but a few cases out of many that could be brought.

12. Mr. Sewell also complains of his dilatoriness and indifference to the state of his taluq.

*Enclosed in Proceedings
of the Board of Revenue
to the Secretary of the
Revenue Dept. dated 1st
May 1875.*

Rev. T. S. J. S.

*Copy of Head Office
Letter.*

B. N. 320/321

24/5/75

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13. This Tahsildar has been warned repeatedly: he has been punished. I have had to threaten him before this that I would recommend his dismissal if he would not send me up some statement that I wanted, which reminder after reminder failed to get for me.

14. At the beginning of this year when I was at Tanuku, I spoke very seriously to the Tahsildar, as I had reason to think he was not doing his work properly. He has disregarded my warning.

15. His conduct is bad, not only as he is untruthful, dilatory, and disobedient, but also as he is unjust and harsh towards his ryots and others within his jurisdiction, I cannot therefore but recommend his dismissal. It would not, I think, be advisable to transfer him even in a subordinate position to any other taluq, nor would it be well to reduce him in his own.

ENCLOSURE No. 1.—Copy of letter from Head Assistant Collector.

BEFORE submitting the case to Government an opportunity must be given to the accused of defending himself.

2. He must be furnished with an abstract of the complaints against him, and required to send in any explanation he may wish to make within a fortnight.

(A true Copy and Extract.)

(Signed) J. GROSE,
Secretary.

To the Acting Collector of the Godavery District.

Exd. T. O' Connor.

1874.
Board of Revenue,
MADRAS.

PROCEEDINGS, 9TH DECEMBER 1874, No. 3,571.

Encl.

Received

DECEMBER.

No. 3,571.

Sundarrao, A.—Tahsildar of Tanuku Taluq in Godavery District, who has been charged with misconduct.—Collector informed that this person should be furnished with an abstract of complaints against him, and required to send in any explanation within a fortnight.

48 27 Dec 1874 No 3571