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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	869	Press
B.P. No.		Mis.
Dated	3 - 6 - 1875	196 .

Not to be folded or roughly handled

No. 26. Read the following Proceedings of the Board of Revenue, dated 11th May 1875, No. 1,230:—

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Cocanada, 31st March 1875, No. 115:—

In an appeal petition under Regulation VI. of 1831, No. 5-83 of 1874, I decided that the plaintiff had a better claim to the office of Curnam than the defendant, but I declined to appoint him on account of a false statement in his appeal petition to the effect that the late Collector, Mr. Fraser, had appointed his opponent owing to the latter being a friend of the late Huzur Sheristadar.

2. The Board in their Proceedings, No. 8,476, dated 5th December 1874, directed me to appoint the plaintiff, saying that the statement was made unintentionally. I asked the Board to reconsider this order as the statement was not made unintentionally, as the man had repeated it verbally before me when I pointed it out to him. The Board, however, declined to reconsider the matter in their Proceedings, No. 914, dated 8th February 1875.

3. I should feel very much obliged if the Board would refer the matter to Government. This order has pained me very much. I cannot help thinking that the Board believe there is a great deal of truth in the statement the plaintiff made, or that the Board think it a light thing for the people of the district to make false and malicious statements against the Collector.

4. Now I do not think that the Board will really, when they think the matter over carefully, believe the statement is true that Mr. Fraser appointed the plaintiff's opponent because his Sheristadar was not a friend of the plaintiff. I think the Board will allow that the statement is false.

5. The plaintiff then made the statement either knowing that it was false or believing it to be true. He did not make it inadvertently; he made it knowingly.

6. If he knew it was false when he made it, I cannot think that he is fit to be a Curnam; it must be remembered that I did not dismiss a man for this who had been in office any time; he had not been in office; he was claiming the office, and he sought to strengthen his claim by this false remark. I am not sure that I should have thought it right to dismiss him for this had he been in office; but as he was only applying for the place, and as his claim was not very much stronger than his opponent's, I think that he deserved not to be put in office.

7. But now he has made this false statement knowingly; he has done that for which he might be tried for defamation, and no notice is taken of it. He is notwithstanding put into an office of responsibility and trust. He has not only spoken falsely of the late Collector, but I consider it great disrespect towards me

*Proceedings of the Madras Government, Revenue Department,
3rd June 1875.*

that he should think that I should be more likely to assist him if he told me something to the detriment of my predecessor.

8. Now I would ask would it have been right for me to put this man in office if he had made this statement of a Member of the Board of Revenue, if my predecessor instead of retiring had left this district to go into the Board? I think it would have been most unbecoming on my part if I had put a man into office on an application imputing dishonest motives to my superiors, and I cannot conceive that a man's conduct is worse if he imputes such motives to a Member of the Board than to any other former Collector.

9. If the man really believed what he said, I can still hardly think him fit for the place of Curnam. If he thinks that this is the usual conduct of Collectors, I cannot but suppose that he is prepared to act in the same way himself. I do not believe he would act in his office with more honesty than he thinks characterizes the conduct of Collectors.

10. But I do not believe the man thought he was telling the truth. If he had, he would probably have appealed long ago against Mr. Fraser's order.

SUBMITTED for the orders of Government as requested by the Collector.

2. In deciding rival claims to the office of Curnam of Doddanapooddy, the Collector, whilst admitting that one M. Venkatramanah had the best title to the office, declined to appoint him on the ground of a statement in his appeal petition to the effect that the late Collector, Mr. Fraser, had appointed his opponent owing to the influence of the Huzur Sheristadar. The Board reversed the Collector's decision considering that their petitioner, who had admittedly the best claims, ought not to forfeit this advantage owing to exaggerated statements in his petition.

3. The Board regret that Mr. Foster should have taken so serious a view of the matter, but they see no reason to alter their opinion on the case. Similar statements to that complained of are frequently made in petitions, but are generally treated with contempt. The Board have no wish to withhold their support from Mr. Foster in any reasonable way, but they think the notice taken of this matter is injudicious.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 27.

• ORDER THEREON, 3rd June 1875, No. 839.

Miscellaneous

THE Government approve the decision of the Board that an hereditary claim should not have been set aside for the offence described. Some indulgence was due to an angry expression by one who had been long kept out of his rights.

2. In the interests of the standard of morality among their servants, Government are, as a rule, averse to anything like treating statements of this kind lightly and as a

*Proceedings of the Madras Government, Revenue Department,
3rd June 1875.*

matter of course, and they sympathize with Mr. Foster's feeling on the subject though not prepared, under the peculiar circumstances of this case, to go the length of depriving the man of a clearly-established civil right.

(True Extract.)

(Signed) A. M. GREGOR,
Acting Secretary to Government.

To the Board of Revenue.
„ the Accountant-General.

Exd J. W. Fischer.

No. 1,230.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th May 1875.

Read the following letter from W. S. FOSTER, Esq., Acting Collector of the Godavery District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Cocanada, 31st March 1875, No. 115:—

In an appeal petition under Regulation VI. of 1831, No. 5-83 of 1874, I decided that the plaintiff had a better claim to the office of Curnam than the defendant, but I declined to appoint him on account of a false statement in his appeal petition to the effect that the late Collector, Mr. Fraser, had appointed his opponent owing to the latter being a friend of the late Huzur Sheristadar.

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3. I should feel very much obliged if the Board would refer the matter to Government. This order has pained me very much. I cannot help thinking that the Board believe there is a great deal of truth in the statement the plaintiff made, or that the Board think it a light thing for the people of the district to make false and malicious statements against the Collector.

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5. The plaintiff then made the statement either knowing that it was false or believing it to be true. He did not make it inadvertently; he made it knowingly.

6. If he knew it was false when he made it, I cannot think that he is fit to be a Curnam; it must be remembered that I did not dismiss a man for this who had been in office any time; he had not been in office; he was claiming the office, and he sought to strengthen his claim by this false remark. I am not sure that I should have thought it right to dismiss him for this had he been in office, but as he was only applying for the place, and as his claim was not very much stronger than his opponent's, I think that he deserved not to be put in office.

7. But now he has made this false statement knowingly, he has done that for which he might be tried for defamation, and no notice is taken of it. He is notwithstanding put into an office of responsibility and trust. He has not only spoken falsely of the late Collector, but I consider it great disrespect towards me that he should think that I should be more likely to assist him if he told me something to the detriment of my predecessor.

8. Now I would ask would it have been right for me to put this man in office if he had made this statement of a Member of the Board of Revenue, if my predecessor instead of retiring had left this district to go into the Board?

Cobl. of 1875

REVENUE.

THE BOARD OF REVENUE.

Esq., Secy, to

2nd June 1875

2nd

G O, 2nd June 1875, No 813

JUNE

1875

For the purpose of the Board of Revenue, the following is the list of the members of the Board of Revenue, as appointed by the Government of India, in the year 1875. The members of the Board of Revenue are:—
1. Mr. W. S. Foster, Esq., Acting Collector of the Godavery District.
2. Mr. H. E. Stokes, Esq., Acting Secretary to the Board of Revenue.
3. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.
4. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.
5. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.
6. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.
7. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.
8. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.
9. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.
10. Mr. J. H. Fraser, Esq., Acting Collector of the Godavery District.

I think it would have been most unbecoming on my part if I had put a man into office on an application imputing dishonest motives to my superiors, and I cannot conceive that a man's conduct is worse if he imputes such motives to a Member of the Board than to any other former Collector.

9. If the man really believed what he said, I can still hardly think him fit for the place of Curnam. If he thinks that this is the usual conduct of Collectors, I cannot but suppose that he is prepared to act in the same way himself. I do not believe he would act in his office with more honesty than he thinks characterizes the conduct of Collectors.

10. But I do not believe the man thought he was telling the truth. If he had, he would probably have appealed long ago against Mr. Fraser's order.

SUBMITTED for the orders of Government as requested by the Collector.

2. In deciding rival claims to the office of Curnam of Doddanapooddy, the Collector, whilst admitting that one M. Venkatramanah had the best title to the office, declined to appoint him on the ground of a statement in his appeal petition to the effect that the late Collector, Mr. Fraser, had appointed his opponent owing to the influence of the Huzur Sheristadar. The Board reversed the Collector's decision considering that their petitioner, who had admittedly the best claims, ought not to forfeit this advantage owing to exaggerated statements in his petition.

3. The Board regret that Mr. Foster should have taken so serious a view of the matter, but they see no reason to alter their opinion in the case. Similar statements to that complained of are frequently made in petitions, but are generally treated with contempt. The Board have no wish to withhold their support from Mr. Foster in any reasonable way, but they think the notice taken of this matter is injudicious.

(A true Copy and Extract.)

E. W. Fischer
Acting Sub-Secretary.

To the Secretary to Government, Revenue Department,
with copies of Board's Proceedings, dated 5th December 1874,
Miscellaneous No. 8,476, and 8th February 1875, Miscellaneous No. 914.
Copy to the Acting Collector of the Godavery District.

Erd. J. W. Fischer.

Venkatramanah—late Curnam of Doddanapooddy in Bhimavaram Taluk in Godavery District, ordered to be restored to his office.—Letter from Collector objecting to reinstatement in his appeal petition on the ground of a false statement in his appeal petition to the effect that the late Collector, Mr. Fraser, had appointed his opponent owing to the influence of the Huzur Sheristadar, and requesting that the matter be referred to Government, submitted for orders of Government with remarks.

MAY.
No 1,230.

June 27: Aug

Dec 29: Jan 1875

Oct 29: Nov 1874

PROCEEDINGS, 11th May 1875, No 1,230.

BOARD OF REVENUE,
MADRAS.

1875.

1874.

Dec 1875: 24th
Jan 2006

Revenue Department

Miscellaneous No. 914.

Proceedings of the Board of Revenue

Dated 8th February 1875.

Read the following:—

From No. 472.

W. S. Foster Esq.
To Acting Collector.

J. Grove Esq.
Secretary to the Board of Revenue,
Madras.

Sir
I have the honor to acknowledge the receipt of the Board's Proceedings of the 5th Instant Miscellaneous No. 8476 directing the appointment of Mr. Venkatramanah of Doddanapooddy as Curnam.

2 The Board consider that the exaggerated statements of which he possibly was unaware. I beg to submit that the Board are wrong in this conjecture. The man was perfectly aware of the statements as he reiterated them before

before me in person and made them
the best friend for appeal. The state-
ments were not merely exaggerated,
they were utterly false; and I would
ask the Board to reconsider their
order, and not compel me to
appoint a man as Carnan, who
not only makes false statements,
but makes them even against the
Collector. It will have a very
bad effect, if it is known that
the Board do not think a man
is wrong, who accuses a Collector
without reason of injustice.

Godavery District
Collector's Office
Camp Rajahmundry
Do - 2nd -
28th Decr 1874.

I have &c
(Sd) W. S. Foster
By Collector.

The Board decline to re-
consider their order, the imputations
referred to being of too common
occurrence

occurrence to be deserving of serious
notice.

5/67
/ True copy & extract /
(Sd) C. A. Galton
By Sub-Secretary

To
The Collector of the Godavery
District
Enclosurement to Petitioner.

/ True copy /
C. A. Galton
By Sub-Secretary

[Signature]

Revenue Department

Miscellaneous No. 8476

Proceedings of the Board of Revenue
dated 5th December 1874.

Read Petition No. 2763 of 1874
from Mr. Venkataram annah late
Curran of Goddampoddy in Bi-
mawaram Taluk. Goddavery District
praying that he may be appointed
to that office.

The Board are of opinion -
that petitioner had the best
claim to the office, having held
it prior to the reorganization for
more than 20 years. They do not
agree with the Collector that he
has forfeited this advantage
owing to exaggerated statements
in his petition statements of
which he possibly was unaware.
He should be now appointed
to the office and will be referred
to the Collector.

(True Extract)
(Sd) H. E. Stokes
As Secy Secretary

Encls. in Pro. of the
Board of Rev. & the
Secretary to Govt. No. 1230
11th May 1875 No. 1230

Mr. 224/75
No. 2066/75

Cy. of Govt. Pro.
No. 914 dated
8th February 1875

To
The Clerk of the Goddard Dist.
with Petition &
Endorsement & Petitioners
/ True copy /

W. H. G.
As Secretary

W. H. G.

Encls: in No. of the
Board of Revenue
to the Secretary to Govt.
No. dated 11th May
1895, No. 1230

Recd 22.4.95

Dec 1/95
2006/95

Copy of Board's No.
No. 8476, dated
5th Decemr 1894

REVENUE DEPARTMENT.

No. 2006

From

B. J. of Rev.

Dated

11 May

1875

FOR ORDERS.

I think W. Foster
is right in his
opinion that
the best way to
dispose of the
amount of the
cases as now
pending is
to close them.
I would request

to be & mean this

Excuse - [Signature]

I sympathize with Mr.
Foster's anger. & I think
the Board treat the matter
rather lightly.
The proper & proper punishment
would have been to fine
the man for contempt of
court if the law allows
it. But I do not think
an hereditary claim can
be set aside for the
offense described.

To you what I wish to do
is to [Signature]

Wm. M. Hall

The book may be true otherwise
why was not notice done at the time?

The man is long kept out of
his rights - wrongfully - and rapidly
alleges his belief of sincere intention
It was impossible not by gentle
means to persuade him - but
I am not prepared to deprive him
of a clear established right
with a view of a ~~comparatively~~
expression of my own and
29/11 - But what way

Let your own
conscience

FOR ORDERS.

*Wm. L. Garrison
State of New York
Commissioner
J. May 1851*

[illegible]

Subj. for orders, with remarks of the Genl. Asst.
obj. to & reinstated in Kathmandu, & the Council of Doodhans.
- party in Kathmandu. Subj. for orders, with remarks of the Genl. Asst.
in his capacity to the effect that the late Asst. Secy. had offered
his services to the influence of the Rajah Shrivastava, and requesting
that the matter be referred to the Genl. Asst.

14. E. 11. May 1875 N. 1230

The Govt approve
the decision of the
Board that an
hereditary claimer
should not have been
set aside for the
offense described -
Such indulgence was
due to an angry
separation by which
had been long kept
out of his rights.

In the interests of
the standard of morality
raising their standards
high as a rule.
never to anything
like treating students

of this kind lightly
& as a matter of course,
& they sympathize
with Mr. Foster's
feeling in the subject.
though not prepared
under the peculiar
circumstances of this
case to go the length
of depriving the man
of a clear established
civil right -

A. H.

14 Soledad Island of Cleveland D.
6 The Accountant General

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