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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No.	1611	Press.
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16/11

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

5th October 1878 No. 1,611.

Read the following paper :—

No. 37. Proceedings of the Board of Revenue, dated 20th September 1878, No. 2,595.

Read the following letter from J. GROSE, Esq., Collector of Nellore, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 4th September 1878, No. 3,578 :—

With reference to Board's Proceedings, 1st May 1878, No. 1,155, I have the honor to report that S. Chenchuramiah, the Sub-Magistrate of Kotah, has been acquitted by the Session Court of the two charges on which he was prosecuted and that the two chief witnesses in one of the cases have been convicted of perjury and sentenced heavily by the Head Assistant Magistrate. Copies of the judgments of the Session Court and of the Head Assistant Magistrate are herewith submitted.

2. The case referred to in paragraph 6 of my letter of the 15th April 1878, No. 1,506, has also been decided by me in Chenchuramiah's favor.

3. Further, it appears that the people of Kotah are so inimical to Chenchuramiah that most of the complaints against him may have been prompted by malice. The circumstances are thus described by the Session Judge in one of his judgments : " Before touching on the evidence I would observe that there is every appearance of truth in what the prisoner says both as to his having incurred the enmity of certain influential persons at Kotah and to the petition of complaint in this case having been made up by one of his enemies. The case alluded to as the Padava case is briefly this : Bhoemiah, the Curram, and Mallapareddi Ramachandra Reddy, the Munsif of Kotah Cusbah, Pembolu Marayana Reddi, the Munsif of Kottapalem, and Gumpaty Perai Reddi, the Munsif of Zarogoomalei, were convicted on the 20th December 1876 by the Deputy Magistrate of a stupendous fraud on the public revenue, and his decision was confirmed in appeal on the 27th February 1877. Without going into the details of the case it is sufficient to say that the prisoner was in a great measure instrumental in bringing the village officers to justice, and this Court placed much reliance on his testimony in upholding the conviction."

4. There remain against Chenchuramiah the improprieties which are described in paragraphs 7 to 12 of my letter, with reference to which I have recommended that he should be suspended for twelve months and degraded.

5. Now that the criminal inquiry has come to an end, I am disposed to modify this recommendation materially.

6. Though Chenchuramiah's conduct was insubordinate and improper, and though his accusations against the Deputy Collector Sudarsana Row were violent and disgraceful, it is some palliation that Chenchuramiah was then in the face of a combination (though the Deputy Collector knew nothing of it) which resulted from malice and seemed likely to ruin him unjustly. After all allowances have been made Chenchuramiah merits severe punishment on this account, but he has suffered such a punishment already by his suspension up to date, and by the expense he has been put to in establishing his defence (he brought down a High Court Vakil from Madras).

7. Moreover, though Chenchuramiah is a poor Sub-Magistrate and shows that his judgment is weak very frequently, it would be a bad precedent to let such a combination as I have spoken of result in his degradation.

8. Accordingly, I think it will be sufficient to limit the suspension to a term of six months, and to fix the subsistence allowance at one-half of the full pay.

9. From the state of feeling at Kotah it is obvious that Chenchuramiah would be useless as a Sub-Magistrate there, and I propose to transfer him to Addanki.

ENCLOSURES 1 to 4.—Copies of Judgments.

Read also Petition, No. 1,736, of 1878, from Chenchuramiah, ex Sub-Magistrate of Kotah, Division, Nellore District.

In their Proceedings, dated 1st May 1878, No. 1,155, the Board sanctioned the prosecution of S. Chenchuramiah, Deputy Tahsildar of Kotah, on two charges of receiving bribes.

2. The Collector now reports that he has been acquitted by the Sessions Court, and that the two chief witnesses in one of the cases have been convicted of perjury and sentenced heavily by the Head Assistant Magistrate.

3. In his letter requesting sanction for the prosecution of Chenchuramiah, the Collector brought to notice that he had been guilty of gross insubordination to the Deputy Collector of the Naidupet Division while he was engaged in conducting a departmental inquiry under instructions issued by the Collector, and for this insubordination he recommended that he should be suspended for twelve months and degraded from the post of Sub-Magistrate. Since the result of the criminal prosecution has been made known however Mr. Grose has reconsidered this recommendation, and now proposes that his punishment be limited to suspension for six months on half pay.

4. While not desiring to in any way excuse Chenchuramiah for the gross insubordination of which he has undoubtedly been guilty, the Board consider that more than usual consideration is due to a public servant who has passed so successfully through the ordeal of a criminal prosecution on charges trumped up by those whose enmity he had excited by the zealous discharge of his public duties. The mental suffering and pecuniary loss sustained by Chenchuramiah is, in the opinion of the Board, a sufficient punishment for the indiscretion and breach of discipline of which he has been guilty, and they resolve to direct his immediate restoration to office, and to request the sanction of Government to the disbursement of the full pay of the appointment during the time he has been under suspension. The proposal to transfer him to another locality seems judicious, and the Collector's selection of Addanki will not be interfered with.

5. With reference to his petition to the Board Chenchuramiah will be referred to the Collector.

(A true copy and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

No. 38.

ORDER THEREON,

October 1878, No. 1,611.

Miscellaneous.

THE Governor in Council sanctions the Board's proposal to disburse Chenchuramiah's pay for the time he was under suspension.

2. The Government are unfavorably impressed with the conduct of the case in its preliminary stage.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under Secretary to Government.To the Board of Revenue.
" the Account-General.

Exd. W. H. French.

1611
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No. 1,155.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st May 1878.

Read the following letter from J. GROSE, Esq., Collector of Nellore, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 15th April 1878, No. 1,506 :—

On receipt of Board's Proceedings, dated 11th January 1878, No. 87, declining to sanction the prosecution of the Deputy Tahsildar of Kotah, S. Chenchu Ramiah, until further inquiry into the charges against him had been made departmentally, I required the Naidupett Deputy Collector to hold the inquiry, and gave him specific directions in the following terms :—"The Deputy Collector will take down the evidence of the witnesses formally, but not on solemn affirmation. The Sub-Magistrate, too, should be examined, but he should not be present whilst the other witnesses are being examined. Then at the end the Deputy Collector will tell the Sub-Magistrate what is proved, and call upon him for his defence, letting him see all the papers. The inquiry should be instituted on the Revenue side." These instructions were prompted by the considerations that it was desirable to postpone the hostile cross-examination of witness and the intervention of lawyers to a later stage in the proceedings, and that it would suffice to elicit facts enough to enable the Board to decide whether magisterial inquiry was necessary. As the Sub-Magistrate has questioned the reasonableness of these instructions and declined to obey them, so far as he is concerned, it has been necessary for me to go into this detail.

2. I now forward the record of the Deputy Collector's inquiry and the letter submitting it to me. Under the circumstances, I have mentioned the record does not contain either an examination of the Sub-Magistrate or his defence, but that is his own fault, and I consider there is sufficient evidence on record to justify the prosecution of the Sub-Magistrate on two of the eight charges against him which formed the subject of investigation, and to necessitate his dismissal from the Public Service, unless he can satisfactorily explain his conduct in a third. With regard to the other charges I need say nothing more than that it seems to me evident that there is not sufficient evidence to warrant their being brought before a Criminal Court.

3. The two charges on which I think the Sub-Magistrate should be prosecuted are thus referred to by the Assistant Collector Mr. Power, who has examined the record at my request and with whom I concur as regards them :—

"(a) That the Deputy Tahsildar shortly before the Jamabandi of last year received a bribe of Rupees 100 from V. Kristna Reddy of Jarugumalli.

In case (a) we have a detailed account by Venambaka Kristna Reddy, who says that about a year-and-a-half ago he complained to the Sub-Magistrate of Kotah that Duvvur Kristna Reddy trespassed on his lands in Ponnayolu, but that his complaint was not inquired into for a long time, and that he heard no inquiry would be made until he spoke to the Sub-Magistrate's mother, which he accordingly did. She the next day told him she had spoken to her son, and he thereupon went to the Sub-Magistrate, who, after some discussion, agreed to take Rupees 100 and dispose of the case. Accordingly he got the money and paid it to the Sub-Magistrate, who soon afterwards arranged the dispute.

4. This story is corroborated by the evidence of Tulasea Ram who accompanied V. Kristna Reddy and saw the money paid to the Sub-Magistrate. A few discrepancies in points of detail between the two accounts serve, I think, to give an air of truthfulness to the story when it is remembered that it is dated eighteen months ago. It appears further from the Sub-Magistrate's records that V. Kristna Reddy's case was pending for thirty-nine days, and that it ended by the complaint being withdrawn. Hence, I think, there is a *prima facie* case against the Sub-Magistrate which calls for further investigation.

"(c) That the Deputy Tahsildar habitually and corruptly receives from the owners of betel gardens in Kotah a sort of tribute of betel leaves. Here also there is *prima facie* evidence of corruption on the part of the

Govt. of (1878) Mysore.

Z.

REVENUE.

THE BOARD OF REVENUE.

Secy. Secy. Secy.

Dated October 31st.

Printed 9th.

Recd.

Recd.

G.O. No. 1000 of 1878, No. 1,611.

OCTOBER

NOV. 3/78

Chenchu Ramiah's Petition.—Sanctioning the Board's proposal to disburse — for the period he was under suspension, and observing that the Government are not infrequently imposed with the conduct of the case in its preliminary stage.

Deputy Tahsildar. Ten persons owning betel gardens or shares in betel gardens appear to have been examined, and they all say that they send two bundles of betel leaves every fortnight to the Deputy Tahsildar. Each bundle appears to contain about a hundred leaves. The Kavilgar of Kotah also says that he takes the bundles to the Deputy Tahsildar's house. It is explained by several of the betel gardeners that this tribute of betel leaves is paid to secure the favor of the Deputy Tahsildar, and that it has not been paid to other Deputy Tahsildars, but only to S. Chenchu Ramiah. Further inquiry into this charge seems necessary."

5. I have the honor therefore to request sanction for the prosecution of the Sub-Magistrate and Deputy Tahsildar of Kotah on these two charges.

6. With regard to the third charge mentioned above (about the Sub-Magistrate's conduct with reference to a sale of unclaimed property), I need not trouble the Board at present. The Sub-Magistrate will be called upon for his defence with regard to it.

7. I have next to represent that the Sub-Magistrate deserves, and ought to receive, punishment for insubordination independently of these charges.

8. As I stated above the Deputy Collector was told first to ask the Sub-Magistrate questions suggested by the evidence and afterwards to take his defence, giving him free access to all the papers. Accordingly, Sudarsana Row sent a takid to the Sub-Magistrate on the 18th of March directing him to appear. On the 20th the Sub-Magistrate asked for the records to be sent to him and said he would appear before the Deputy Collector on being informed that they could not be sent. Acting in accordance with my instructions Sudarsana Row sent the Sub-Magistrate another takid on the 21st March directing him to appear at once and promising to give him access to the records after his arrival at Naidupett. Believing that this order would be disobeyed Sudarsana Row sent the Sub-Magistrate a formal summons on the 25th March.

9. The summons was returned unsigned with the remark written on it that S. Chenchu Ramiah refused to sign it "under the authority conveyed in the Bombay High Court Criminal Reports, page 34," whatever that may be. The Deputy Collector issued the summons under Madras Act III of 1869, and as the inquiry at which appearance was required was certainly an inquiry which he had been authorized to hold, the Sub-Magistrate seems to me to have committed a criminal offence in wilfully disobeying it. In such a case as this, however, the matter is one of minor importance.

10. The Sub-Magistrate's Arzi, No. 30, of the 26th March 1878, (of which a translation is submitted) shows that the Sub-Magistrate was perfectly aware of what was wanted of him, and deliberately resolved to disobey the orders of his superior. He states that he cannot submit his explanation without consulting a lawyer. My instructions had been intended in part to prevent lawyers being introduced into the case at this stage. As shown above the takid is dated the 21st March and the summons the 25th, but the Sub-Magistrate writes with studied disrespect, "You wrote me a takid directing my attendance. This takid reached me yesterday, and on the same date you issued a summons. This proves my surmise to be correct, viz., that you would act in accordance with what you had done in the case of other officers."

11. Subsequently the Sub-Magistrate addressed a letter to me, dated the 8th April, which contains a most violent and insubordinate attack on Sudarsana Row. He says, "The bribery charges against me are only the product of a conspiracy, the ring-leader of which is Sudarsana Row." "With his usual hatred to mankind except Mardhawa caste, to which Sudarsana Row belongs, he began to hate me. Sudarsana Row is sure to do injury to every body except to those who belong to Mardhawa caste." "He induced every body that came into his presence to give evidence against me, to bring up bribery charges against me, and the like, which when they refused to do, he abused them with the vilest words, and he actually punished several persons who refused to give evidence against me; whereas on the

other hand he rewarded those who spoke against me." "At last in November 1877, owing to my misfortune and to the great delight of Sudarsana Row, there was an assault case against Gunupati Rami Reddy, the brother of the convicted Munsif of Zarugumalli, in which Penubolu Narayana Reddy, the convicted Munsif of Kottapalem, came up as a witness. On the 6th November 1877 I fined the said Rami Reddy and one of his witnesses. Narayana Reddy was also confined in the station on a warrant issued by me. As usual there was an appeal on the 3rd or 4th December. Sudarsana Row seized this opportunity, reversed one of my decisions to please the parties, and then asked them to bring up bribery charges against me, which request they gladly complied with * *." "Anyhow Sudarsana Row is determined to punish me."

12. Although the Sub-Magistrate gives a pretentious list of witnesses, the charges are so obviously vague and passionate, and Sudarsana Row's well-known character is so sufficient an answer to them, that I consider no inquiry is necessary.

13. S. Chenchu Ramiah having thus shown himself utterly unfit for the position he holds, I have the honor to recommend that he be suspended for twelve months and degraded from the post of Sub-Magistrate.

ENCLOSURE No. 1.

From A. SUDARSANA ROW, Deputy Collector on General Duty, to J. GROSE, Esq., Collector of Nellore, dated Naidupett, 1st April 1878, No. 202.

As directed in your endorsement on the Proceedings of the Board of Revenue, dated 11th January 1878, No. 87, I beg to report the results of the departmental inquiry held by me into the charges preferred against Survepally Chenchu Ramiah, Deputy Tahsildar and 2nd-class Magistrate, Kotah Division.

2. The origin of this case and the correspondence passed about it are as detailed below.

3. Patloor Subbaya, an inhabitant of Pallamala, has sent a petition to me by post on the 13th December 1877 accusing the Deputy Tahsildar with corruption, &c. On the 14th December I sent a notice to the petitioner directing him to appear before me without loss of time on the 21st December; he having appeared before me, I took at once a deposition from him on solemn affirmation and submitted it to you for orders with my letter of the same date, No. 909.

4. Thereupon in your docket, dated 26th December 1877, No. 6,066, I was directed to report whether, in my opinion, the Deputy Tahsildar should be put on his trial. My reply was in the affirmative in my letter, dated 28th December, No. 94. Then the matter was reported to the Board in your letter, dated 4th January 1878, No. 50. The Board thereupon passed Proceedings, dated 11th idem, No. 87, declining to sanction the prosecution of the Deputy Tahsildar. On this I was directed in your endorsement, No. 156, to hold a departmental inquiry into this matter and report the result.

5. In your docket, No. 231, dated 18th January 1878, I was directed as follows in reply to my letter, No. 38, dated 16th idem:—

"The Deputy Collector will take down the evidence of witnesses formally, but not on solemn affirmation. The Sub-Magistrate too should be examined, but he should not be present while the other witnesses are being examined. Then at the end the Deputy Collector will tell the Sub-Magistrate what is proved and call upon him for his defence, letting him see all the papers."

"The inquiry should be instituted on the Revenue side."

6. I have strictly observed the above instructions in examining the witnesses, but I regret to represent that I was not able to close the inquiry as the Deputy Tahsildar refused to appear before me, and give his defence on the points which, in my opinion, have been proved. The details of this misbehavior of the Deputy Tahsildar will be given at the appropriate place. I was unable to submit this report earlier as I had to attend the census work, and to refer to several records.

7. Now I will proceed to touch *seriatim* upon the charges preferred by the complainant and the evidence bearing upon each charge:—

1stly.—That the Deputy Tahsildar has received from the late Curnam of Eswaravaka a woman cord of gold wire (Molatandoo) worth Rupees 300 and odd for the favor shown to him by dismissing the complaint of concealed cultivation preferred against him by a certain person. A goldsmith, named Kotah Gurusawmy, was said to know everything about this affair. The said Gurusawmy denied the knowledge of the matter *in toto*. So this charge is not proved.

2ndly.—That the Deputy Tahsildar in his capacity of 2nd-Class Magistrate has ill-treated the woman named Vomma Reddy Mungamah, an inhabitant of Kurugondah, when she was under trial, and extorted from her a sum of Rupees 50 and dismissed the complaint which was pending against her; subsequently the complainant has deposed that the correct name of his woman is Annaw Reddy Mungamah, but not Vomma Reddy Mungamah. I have issued fresh summons to her and to one Moomma Reddy, Poli Reddy who was said to be a witness in the case. The woman was reported to be dangerously ill and Poli Reddy was not found, so there was no opportunity to inquire into this charge.

3rdly.—That the Deputy Tahsildar has received a bribe of Rupees 100 from one Vanumbauka Kristna Reddy (3rd witness) when in his magisterial capacity in disposing of a dispute which was pending between him and one Duvouru Kristna Reddy. One Tulasea Ram was named to be a witness in the case. Both the said Vanumbauka Kristna Reddy and Tulasea Ram deposed supporting the case for the prosecution. I see no ground to doubt the veracity of the witnesses in this case. In my opinion this charge is substantiated. The witnesses depose that as the Deputy Tahsildar never took up for days the complaint which Vanumbauka Kristna Reddy (one of them) has preferred against Duvouru Kristna Reddy, they inquired of certain people into the cause of it and satisfied themselves that he will not take up the case till something is paid to him; that therefore they went to the Deputy Tahsildar's house, spoke to him, settled the bargain, and paid to him a sum of Rupees 100; and that soon after this he has induced the parties to settle the matter of dispute amicably. The records in Case No. 58 of 1876 on the file of the Court of the 2nd-Class Magistrate shows that the aforesaid Vanumbauka Kristna Reddy has charged the said Duvouru Kristna Reddy with having entered upon the land which was in his possession; that the case was pending before the Magistrate for thirty-nine days; and that ultimately the prosecutor Vanumbauka Kristna Reddy has withdrawn his complaint.

4thly.—That the Deputy Tahsildar in his capacity received a bribe of Rupees 100 from Seekakolloo Veerasawmy (7th witness) Munsif of Kottapatam, in the case in which he was charged by a certain person with having cut down some of his Casuarina trees and dismissed the case, and that the Munsif borrowed the money from one Gundala Rama Chendra Reddy (6th witness) on a bond and paid it to the Deputy Tahsildar. The Munsif Seekakolloo Veerasawmy denies his having paid a sum of Rupees 100 in the case and adds that he gave him, at the request of his mother, three-quarter toom of green-gram and that therefore the case was dismissed. Gundala Rama Chendra Reddy (6th witness) denies every knowledge of the matter. So this charge is not proved.

5thly.—That the Deputy Tahsildar in his magisterial capacity received one maund of chillies from one Pernanty Venkatesa Reddy (8th witness) and acquitted him of rioting which was pending against him. The said Venkatesa Reddy deposed to his having given six viss of chillies to the Magistrate. I see no ground to doubt the veracity of the witness. His servant, who is a Yanadi, is ready to corroborate the evidence, but it was not possible to secure his attendance in time as Yanadies are of a wandering tribe.

6thly.—That the Deputy Tahsildar is in the habit of receiving betel leaves from the betel gardeners of Kotah, &c., as tribute. Ten witnesses, viz., 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19. The evidence of these witnesses, who are betel gardeners, shows that they are in the habit of giving once a fortnight one bundle, consisting not less than 100 leaves, to the Deputy Tahsildar as a tribute through the 9th witness. The 9th witness admits the fact. The 11th witness further states that the Deputy Tahsildar sent for him once and asked him why he was not sending good betel leaves to him and warned him to send to him good ones in future. This charge is proved satisfactorily.

7thly.—That the Deputy Tahsildar sold a wooden box containing medicines together with its silver key and silver chain belonging to one Kasi Reddy, who died without heirs, and caused his cook to purchase them for a nominal price of 1 Rupee; that all these things are in possession of the Deputy Tahsildar, and that the medicines were sold to his friend Vallabha Charry for a low price. Probolu Nagayah, 4th witness, who is a servant of the Deputy Tahsildar, deposed to his having purchased only the wooden box of Kasi Reddy in the public auction held by his master for Rupees 1-2-0. He denies of his having purchased the key of the box, and states that the box is his pay in it, and that the box was in the house of the Deputy Tahsildar always. Penubolu Narayana Reddy (5th witness), the late Munsif of Kottapatam hamlet of Kotah, states that in May 1875, while he was holding the office, has forwarded to the then Deputy Tahsildar the property of the aforesaid Kasi Reddy with a list; that

the property was consisting of a wooden office box, its silver key and silver chain and others; that he saw recently the key and the chain in possession of the Deputy Tahsildar; and that Ratna Pillay (21st witness) Head Gumastah of the Deputy Tahsildar's office, told him that the Deputy Tahsildar caused the box, silver key and silver chain to be purchased in public auction fictitiously by his cook and is using them himself. Ratna Pillay (21st witness), the Head Gumastah of the Deputy Tahsildar's office, admits the fact of the Deputy Tahsildar having sold in public auction the property of Kasi Reddy; that he cannot give the details of the property, nor can he say who has purchased the various things; that he knew well that Probolu Nagayah, servant of the Deputy Tahsildar, purchased the box of the deceased; that he cannot say whether the box was purchased by the said Nagayah with the key, &c., thereof or without them; that the box was in the house of the Deputy Tahsildar; that he cannot say who was using it; that he was Head Gumastah of the Deputy Tahsildar's office for eighteen years so far back as October 1877; that he has been lately promoted; that it was not usual to forward to the Tahsildar's office lists of unclaimed property; and that they must be in the Deputy Tahsildar's office. The Tahsildar states that the sale list of the property is not in his office, and that it is not usual to send sale lists to his Cutcherry. The Deputy Tahsildar states in his Arzi, dated 11th February 1878, No. 9, that the sale lists of the property was sent to the Tahsildar's Cutcherry. This statement is not worthy of a credence. In my opinion the sale list of the property was removed from the records of the Deputy Tahsildar's office by reason that it would throw much light on the true state of things if it were to remain where it was.

8. A list of the property in question was appended to the notice published at page 184 of the District Gazette, dated 12th June 1875, inviting claimants, if any, to appear within three months to establish their claim to the property. The list shows that the box had a silver key and silver chain. The statement of the servant of the Deputy Tahsildar that he had purchased in public auction the box only is not worthy of reliance. The presumption is, if the box only had been sold, its silver key and silver chain should have been stolen by the custodian thereof; and if the box had been sold together with its silver key and silver chain, they should have been sold for the nominal price of Rs. 1-2-0. In either case the fraud is evident. It is to be remembered here that the 5th witness, Penubolu Narayana Reddy, stated that he has seen the silver key and chain in possession of the Deputy Tahsildar. From the chittah of the Deputy Tahsildar's office here for the month of January 1876 it appears that the property of Kasi Reddy, above referred to, was sold for Rupees 10-8-6, but details thereof are not given. In consequence of a strong combination in the Deputy Tahsildar's office, none of the office servants speak the truth. I have trans-ferred lately one of the very intriguing Gumastahs to the Gudur Tahsildar's office. There is no ground to say that the statement of the complainant regarding this point is not well founded.

9. Ninthly, or lastly, the complainant charges the Deputy Tahsildar with having received a sum of Rupees 15 from Venumbauka Rama Chendra Reddy (20th witness), Village Magistrate of Nellorepalle, on the ground that he failed to hold an inquest on the body of a washerman who died of snake-bite suddenly. The Village Magistrate denies of his having paid the money to the Deputy Tahsildar; so the charge is not proved.

10. The complainant was representing throughout the inquiry that the Deputy Tahsildar and his friends tampered with the witnesses and made the case as lame as possible. I cannot disregard this statement. The attender of the Deputy Tahsildar's office is one Jagannayakulu. The Police have once complained to me that the Deputy Tahsildar in his magisterial capacity sent him to tamper with the defence witnesses in a certain case then pending before him. He (Jagannayakulu) had not been at Naidupett at all, though I am here since the last three years. He was found with the witnesses in this case at Naidupett, while I was inquiring into it.

11. After closing the examination of the witnesses, whose attendance was secured, I have issued a takid to the Deputy Tahsildar on the 18th March 1878, No. 226, directing him to appear before me as soon as possible, in order to offer explanation on certain points connected with this case. In his Arzi No. 29, dated 20th March 1878, the Deputy Tahsildar has stated in reply to the above takid, that if the records in the case are furnished, and a sufficient time is granted to him, he will prepare an appropriate defence and file it before me; and that, if the records cannot be furnished to him, he will appear before me at once as soon as that fact is made known to him. Upon this, on the 21st March 1878, No. 240, I have issued a takid to him, directing him to appear before me at once and promising to give him every access to the records after his arrival here.

12. As I had no confidence that the Deputy Tahsildar will appear before me soon, I have issued a summons to him on the 25th March 1878 on the Revenue side, returnable on the 29th idem. He has returned both the original and duplicate copies of the summonses (marked H) with an endorsement on the back of them to the following effect:—

"I refuse to sign the summons under the authority conveyed in the Bombay High Court Criminal Reports, page 34."

He has not affixed his signature to the endorsement.

13. I further beg to state that at the same time he addressed to me the Arzi, No. 30, dated 26th March 1878, couched in a very objectionable term, if I am not mistaken. He has stated, among other things, that he finds no reason why the records in this case should not be sent to him; that he does not know what complaints were preferred against him, what witnesses deposed, what I have recorded, and what proved and what is not proved; that the world talk of many things, but they are of no use; that if the records are furnished to him, he will have to prepare necessary explanation either on consulting with a lawyer or pleader or himself; and that he cannot come to Naidupett, leaving his office records, &c. He further stated that I can bring to the notice of the Collector his failure in attending before me in obedience to the orders; that he cannot give his defence without consulting with a lawyer.

14. The tone of the above arzi will show how he would have behaved towards the persons who were to give evidence against him. My personal experience of the last three years forces me to represent respectfully, for the sake of common justice, that the Deputy Tahsildar cannot safely be entrusted with any of the magisterial powers, and that he cannot be retained for a moment longer in the Kotah Division.

15. Papers connected with this case accompany this as per separate list.

(True Copy.)

(Signed) J. GROSE,
Collector.

ENCLOSURE No. 2.

From S. CHENCHU RAMIAH, Deputy Tahsildar, Kotah Division, to J. GROSE, Esq.,
Collector of Nellore, dated Kotah, 8th April 1878, No. 33.

I most humbly beg to submit a brief report regarding the complaints of bribery brought up against me. The bribery charges against me are only the product of a conspiracy, the ringleader of which is Sudarsana Row, the late Acting Deputy Collector, and a few Kapus are the members.

2. Before describing the conduct of Sudarsana Row, I beg to represent a brief outline of my past services. I served as a Magisterial Munshi under the late Head Assistant Collectors Messrs. McCarthy, Wallace, and Mackenzie. I was then appointed as Sub-Magistrate of Stribari-kota in 1873. In 1874, when the Town Sub-Magistrate was temporarily vacant, I was appointed to act. In December 1875, I was obliged to revert to my present post. Unhappily, Sudarsana Row was appointed Deputy Collector a few months previously with his usual hatred to mankind except Mardhawa caste, to which Sudarsana Row belongs; he began to hate me. Sudarsana Row is sure to do injury to everybody except to those who belong to Mardhawa caste as may be seen from the adjoining table:—

Name of Officer.	Office.	Remarks.
Kunnathur Bhasika Charlu ...	Late Acting Tahsildar of Gudur ...	Has written against. He is a Mardhawa.
Madakasira Raja Row ...	Tahsildar of Gudur ...	Do. do.
Duppali Venkat Row ...	Late Sub-Magistrate of Polur ...	
Vangur Venkatanarasimha Row ...	Sub-Magistrate of Polur ...	Has written against. Has filed several complaints of bribery and kept up a sort of inquiry. He is a Mardhawa.
Arni Kesava Row ...	Tahsildar of Rapur ...	

As I am not of Mardhawa caste, he began to entertain animosity against me since I took charge in December 1875. Previously I have borne a good character. So soon as I came into the service of Sudarsana Row he began to speak against me, which retarded my promotion, though I had been a Sub-Magistrate on Rupees 70 for the last five years. Not being satisfied with this, Sudarsana Row plotted my ruin. He began to speak and write against me which your Honor is well aware of. Though your Honor spoke with me about these points when I paid a personal visit to your Honor, I refrained from speaking anything against Sudarsana Row, because it is always my principle not to speak against superiors, but as I am now in risk I relinquish that principle, and am now resolved to defend myself to the last.

3. Sudarsana Row being disappointed in doing me any injury by his reports, he resorted to other means. He induced everybody that came into his presence to give evidence against me to bring up bribery charges against me and the like, which when they refused to do he abused them with the vilest words, and he actually punished several persons who refused to give evidence against me, whereas, on the other hand, he rewarded those who spoke against me. I will prove all these points by the witnesses in the enclosed list.

4. I further beg to state that I have disposed of several magisterial cases since I was appointed a Sub-Magistrate, especially from December 1875, and that there were several appeals against my decisions. From December 1875 till February 1877 Sudarsana Row reversed every one of my decisions to please the parties, and then asked the appellants to bring bribery charges against me, which, of course, they refused to do. At last in February 1877 I sentenced Swami Naidu, the Village Munsif of Chittamur, in a case of theft which was clearly proved against him. Even this Sudarsana Row reversed, and when Swami Naidu appeared before him Sudarsana Row gave him (Village Munsif of Chittavaram) food in the house and then asked him to bring a bribery charge against me, which he frankly refused. From that time forward Sudarsana Row showed no mercy to the appellants. He confirmed every one of my decisions. It cannot be supposed that I have passed unjust decisions from December 1875 till February 1877 and just decisions subsequently. Undoubtedly not. Certainly Sudarsana Row disposed of appeals only to suit his own objects.

5. In this interval the Village Munsifs of Kotah and its hamlets were convicted of abetting the embezzlement of public money and the preparation of false accounts solely on my evidence. After they were convicted I appointed, under the orders of the Tahsildar, persons who were wholly unconnected with the families of the convicted Munsifs; but Sudarsana Row clearly saw that the convicted Munsifs will be enemies to me, and therefore dismissed the persons who were already appointed and nominated the cousins of the convicted Munsifs as Munsifs of Zarugumally and Kottapalem, hoping by this means to exhort the convicted Munsifs to bring up bribery charges against me. Even in this Sudarsana Row was disappointed. At last in November 1877, owing to my misfortune and to the great delight of Sudarsana Row, there was an assault case against Ganapati Rami Reddy, the brother of the convicted Munsif of Zarugumally, in which Penubolu Narayana Reddy, the convicted Munsif of Kottapalem, came up as a witness. On the 6th November 1877, I fined the said Rami Reddy and one of his witnesses. Narayana Reddy was also confined in the station on a warrant issued by me. As usual there was an appeal on the 3rd or 4th December; Sudarsana Row seized this opportunity, reversed one of my decisions to please the parties, and then asked them to bring up bribery charges against me, which request they gladly complied with owing to the long-standing enmity. A Brahmin beggar was selected as the puppet complainant. Penubolu Narayana Reddy and Ganapati Rami Reddy, cousin, and a host of others were selected as witnesses. After all there is no evidence against me except what the said Narayana Reddy's cousin dictated. The charges came on for hearing before the conspiracy was mature. Sudarsana Row was disappointed in procuring the necessary evidence as he expected. So far as I hear Sudarsana Row has committed several irregularities in framing the record against me. He had written in the depositions several points which the witnesses never dictated, and omitted several points which seemed to be in my favor. I will prove all this if the record be placed in my hands. Sudarsana Row knew this quite well and therefore refused to give the record to me, though I have repeatedly requested him.

6. Notwithstanding all this Sudarsana Row was not disheartened. He had recourse to other means. He had transferred my experienced Gumastas and Attender and appointed in their stead Gudur Tahsildar's brother-in-law as Head Gumasta, the father-in-law of Sudarsana Row's brother as 2nd Gumasta, and another Mardhawa casteman as Attender. In the appointment of this Attender there is one peculiarity to be observed. A month previously one Gati Veerasami was appointed; he was suddenly dismissed without any reason, only to give place to the said Mardhawa casteman. Sudarsana Row made these appointments with the object of forming a better conspiracy against me. These Mardhawas are to speak to the ryots and form a conspiracy. I will also prove this. In the midst of these preparations the Madras Government in great kindness to me transferred Sudarsana Row to Madras. Then Sudarsana Row wrote a takid to me directing me to appear before him and give explanation for the charges against me. I asked the record or a copy of it to be sent up to me for the reasons set forth in my arzi to Sudarsana Row, but he peremptorily refused, and directed me to appear before him immediately. On the very day I received the takid he issued a summons to me. His object in issuing the summons is two-fold: 1st, if I appear before him he will abuse me with vile words as usual for him and thus keep up a quarrel and punish me for contempt of Court; 2ndly, if I do not appear in obedience to the summons he will, of course, prosecute me. Anyhow Sudarsana Row is determined to punish me. Considering all this I refused to receive the summons as it is no offence, simply to avoid falling into the hands of Sudarsana Row. It may be observed that though Sudarsana Row completed the inquiry in the beginning of February 1878, he purposely delayed to ask my explanation because he was waiting for further charges through the conspiracy of my present Gumastas as I have stated above. So soon as he was transferred he thought not proper to wait any longer and began to complete the affair.

16/1/6

7. I am not the only person that Sudarsana Row conspired against. He instigated several ryots to bring up complaints against the Zemindar of Venkatagiri and his Diwan, promising the ryots that he will send them (Zemindar and Diwan) to jail. He instigated several persons to bring up complaints against the present Sub-Magistrate of Sulpurpet. In short, I beg to say that it is the avowed principle of Sudarsana Row to ruin everybody except Mardhawas.

8. Having described the conduct of Sudarsana Row, I shall now give a brief outline of the character of the Kapus. The rich Kapus in this division are the most wicked. They are constantly entangled in some case before me. When the Government official does them any injury they bring up bribery charges. For instance, in 1873 when I issued a warrant for Nallapa Reddy Veeraraghava Reddy, he brought up a suit against me for Rupees 500. In 1876, when the Station Officer of Kotah charged the rich Kapus under the Police Act, they brought up a bribery charge against the Station Officer before the Police Superintendent. From that time the Station Officer of Kotah is afraid to charge anybody. In February 1877, when the Police Constable of Tupili confined the Village Munsif of Chittampur, he brought up a bribery charge against the Police Constable. In November 1877 when I fined a Kapu and confined another they have brought up bribery charges against me, and though Sudarsana Row knew all this he had given so much support in the matter because he is armed against mankind.

9. Such is the conspiracy formed against me by Sudarsana Row, and such are the measures adopted by him for the last two years. I will prove all these points by witnesses in the enclosed list. I therefore earnestly beseech your Honor will be pleased to summon the witnesses and inquire from them by which your Honor will be convinced that Sudarsana Row is the person that concocted the cases against me. I will not now say what each witness is to speak as several points are to be proved, because evidence will be tampered with, but I will appear in time and will put questions to each witness.

10. In conclusion, I beg to state that I am ready to offer full explanation for every point brought forward against me, whether proved or not, if the record be placed in my hands.

(True Copy.)

(Signed) J. GROSE,
Collector.

LIST OF WITNESSES.

1. Madakasira Raja Row, Tahsildar of Gudur.
2. Tipparaz Latchunaru, Acting Taluq Sheristadar of Gudur.
3. Somasundaram Moodelly, Wood Overseer.
4. Cherukur Kodanramiah, Gumasta, Gudur Taluq.
5. Ratna Pillay, Acting Revenue Inspector, Gudur Taluq.
6. Aregela Jagannaikulu, Attender, Kotah Division.
7. Mallavarapi Chenchu Ramiah, Acting Gumasta of Gudur Taluq.
8. Patapraty Seshiah, Clerk, Deputy Collector's Office, Naidupett.
9. Raviprolu Venkatasubbiah, Extra Gumasta, Gudur.
10. Tippavajjala Latshmi Narayanappa, Accountant, Deputy Collector's office.
11. Tummalala Veerasami, Peon of Kotah Division.
12. Gundala Ramachandra Reddy, Village Munsif of Kotah.
13. Pocha Reddy Venkatakrishna Reddy, do. of Yellaseri.
14. Ganapati Narayanappa Naidu, do. of Chittampur.
15. Mallavarapu Pitchiah of Kotah.
16. Nallapa Reddy Veeraraghava Reddy of Kotah.
17. Do. Varadah Reddy of Kotah.
18. Palapu Rami Reddy of Kotah.
19. Allareddy Narayana Reddy of Kotah.
20. Nakkalapalli Krishniah, Zemindar's Peabkar of Kanupur.
21. Vemulapati Veerabhadraya, Curnam of Reddipallem.
22. Nallappa Reddy Ramachandra Reddy of Kotah.
23. Biradavolu Ragaviah of Kotah.
24. Durgati Krishniah of Pungunlapalur.
25. Do. Chenchu Ramiah of do.

(Signed) S. CHENCHU RAMIAH,
Deputy Tahsildar.

(True Copy.)

(Signed) J. GROSE,
Collector.

ENCLOSURE No. 3.

Translation of Arzi No. 30, dated 26th March 1878, from Survapalli Chenchu Ramiah, Deputy Tahsildar of Kotah, to the address of Adakki Sudarsana Row, Deputy Collector of Naidupett.

Reply to order, No. 240, dated 21st instant.

I am perfectly aware that if I come to Naidupett the record will be given to me and what steps you intend to take afterwards. If the record can be shown to me at Naidupett, what reason is there for not sending the same to me here. I am ignorant as to what charges have been preferred against me, what the witnesses stated, how you put their statements in writing, and which of the charges have been proved and which of them have not been proved. People talk variously on the subject and nothing will come out of their talk.

2. If you furnish the record to me I shall be in a position to learn the facts of the case and then to draw up my explanation either independently or in consultation with a lawyer or pleader. From what I have heard I believe I have to refer to the papers in my records of the last two or three years in preparing the explanation, and I do not know how many and what papers may thus be required after perusal of the record. It is not convenient for me to bring up all the records with the office to Naidupett. To prepare my explanation it would at least take ten or fifteen days. While such is the case I see no benefit in going to Naidupett and there see the record casually and submit a constrained explanation according to your liking and without referring to any previous papers in my records bearing on the subject. If therefore you send to me all the record made out and all the papers connected with it, the necessary explanation will be submitted.

Since writing the above arzi the summons issued to me on the 25th March has reached me. You have issued summons to me as I have already anticipated. If I fail to appear before you according to your takid the matter may be brought to the Collector's notice. You wrote to me a takid directing my attendance. This takid reached me yesterday, and on the same date you issued a summons. This proves my surmise to be perfect, viz., that you would act in accordance with what you had done in the case of other officers. I cannot give my explanation on this subject without consulting a lawyer. If you inform me whether or not you will give me either the original records or copies thereof, I shall act how I should thereafter.

(True Translation.)

(Signed) J. GROSE,
Collector.

ENCLOSURE No. 4.—Records.

THE Board consider that a *prima facie* case has been made out against S. Chenchu Ramiah, Deputy Tahsildar of Kotah, and they sanction his prosecution accordingly.

2. Final orders regarding his position in the public service will be passed when the result of the criminal trial has been reported. In the meantime he will be considered under suspension.

(True Copies and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

To the Collector of Nellore.

Copy to the Accountant-General.

Exd. A. Grubert W. H. French and W. J. Lewis.

No 2575. Revenue Department

Proceedings of the Board of Revenue
Dated 20 September 1878.

Read the following
No. 3578

From James Grose Esq^r
Collector of Nellore

To C. A. Galton Esq^r
Ag. Secretary to the Board of Revenue
Madras

Sir,
With reference to Board's
Proceedings 1st May 1878 No. 1155, I have
the honor to report that S. Chenchu-
ramiah the Sub. Magistrate of Kotah
has been acquitted by the Session Court
of the two charges on which he was
prosecuted and that the two chief
witnesses in one of the cases have been
convicted of perjury and sentenced
heavily by the Head Assistant Magistrate.
Copies of the judgments of the Session
Court and of the Head Assistant Magistrate
are herewith submitted.

1878.

Board of Revenue,
MADRAS.

PROCEEDINGS, 1ST MAY 1878, No. 1,155.

Encl.

Received

Rec^d 1/20/78.

MAY.

No. 1,155.

S. Chenchu Ramiah, Deputy Tahsildar and
Sub-Magistrate of Kotah — in Nellore District.
—Sanctioning prosecution of — on charges of
bribery, &c., and stating that he will be consi-
dered under suspension pending the result of
his criminal trial.

40.5.1878
2/1/78

2. The case referred to in para 6 of my letter of the 15 April 1878 No. 1155, has also been decided by me in Chenchuramiah's favor.

3. Further, it appears that the people of Kotah are so inimical to Chenchuramiah that most of the complaints against him may have been prompted by malice. The circumstances are thus described by the Session Judge in one of his judgments. "Before touching on the evidence I would observe that there is every appearance of truth in what the prisoner says both as to his having incurred the enmity of certain influential persons at Kotah and to the petition of Complaint in this case having been made up by one of his enemies. The case alluded to as the Padava case is briefly this. Bhenuiah the Curman and Kallapaareddi Ramachandra Reddy the Mooniff of Kotah Casaba, Perumbolu Narayana

Narayana Reddi the Mooniff of Kottapalem and Gumpaty Pera Reddi the Mooniff of Barogomalei, were convicted on the 20th December 1876 by the Deputy Magistrate of a Stupendous fraud on the public revenue and his decision was confirmed in appeal on the 27th February 1877. Without going into the details of the case it is sufficient to say that the prisoner was in a great measure instrumental in bringing the Village officers to Justice and this Court placed much reliance on his testimony in upholding the conviction."

4. There remain against Chenchuramiah the improprieties which are described in paras 7 to 12 of my letter with reference to which I have recommended that he should be suspended for twelve months & degraded.

5. Now that the Criminal enquiry has come to an end. I am disposed to modify this recommendation materially.

6. Though Chenchuramiah's conduct was insubordinate and improper and though his accusations against the Dy. Collector, Sudarsana Rao, were violent and disgraceful, it is some palliation that Chenchuramiah was then in the face of a combination (though the Dy. Collector knew nothing of it) which resulted from malice and seemed likely to ruin him unjustly. After all allowances have been made, Chenchuramiah merits severe punishment on this account, but he has suffered such a punishment already by his suspension up to date, and by the expense he has been put to in establishing his defence (He brought down a High Court Vakil from Madras).

7. Moreover, though Chenchuramiah is a poor Sub. Magistrate and shows that his judgment is weak very frequently

frequently, it would be a ^{16/11}bad precedent to let such a combination as I have spoken of result in his degradation.

8. Accordingly, I think it will be sufficient to limit the suspension to a term of six months, and to fix the subsistence allowances at one half of the full pay.

9. From the state of feeling at Kotah it is obvious that Chenchuramiah would be useless as a Sub. Magistrate there and I propose to transfer him to Addanki.

Nellore
Collector's Office } I have &c
4th September 1878 } J. J. Grose
Collector

Read also Petition No. 1736 of 1878 from Chenchu Ramiah - Ex. Sub. Magistrate of Kota Division - Nellore District.

In their proceedings dated 1st May 1878 No. 1155 the Board sanctioned the

the prosecution of S. Cheuchu Ramiash Deputy Tahsildar of Kotah on two charges of receiving bribes.

2. The Collector now reports that he has been acquitted by the Sessions Court and that the two chief witnesses in one of the cases have been convicted of perjury and sentenced heavily by the Head Assistant Magistrate.

3. In his letter requesting sanction for the prosecution of Cheuchu Ramiash the Collector brought to notice that he had been guilty of gross insubordination to the Deputy Collector of the Naidupett Division while he was engaged in conducting a departmental enquiry under instructions issued by the Collector, and for this insubordination he recommended that he should be suspended for twelve months and degraded from the post of Sub Magistrate - Since the result of the criminal prosecution has been

been made known however Mr Grose has reconsidered this recommendation and now proposes that his punishment be limited to suspension for six months on half pay. 16/11

4. While not desiring to in any way excuse Cheuchu Ramiash for the gross insubordination of which he has undoubtedly been guilty, the Board consider that more than usual consideration is due to a public servant who has passed so successfully through the ordeal of a criminal prosecution on charges trumped up by those whose enmity he had excited by the zealous discharge of his public duties.

The mental suffering and pecuniary loss sustained by Cheuchu Ramiash is in the opinion of the Board a sufficient punishment for the indiscretion and breach of discipline of which he

1611/12

has been guilty and they resolve
to direct his immediate restoration
to office and to request the sanction
of Government to the disbursement
of the full pay of the appointment
during the time he has been under
suspension. The proposal to transfer
him to another locality seems judicious,
and the Collector's selection of Addanki
will not be interfered with.

With reference to his petition
to the Board Chenchu Raniiah will
be referred to the Collector.

/True Copy and Extract/

J. Sturrock

To
The Secretary to Acting Sub Secretary

Government R.D.

with 4 enclosures to be returned
and copy of Board's Proceedings
dated 1st May 1878 No. 1155.

No. 4226

16/11/13

From Board of Revenue

Dated 20th September 1878.

FOR ORDERS.

For sanction
at once
I confess that I think
that Superintendent Rao
is at the bottom of this
discreditable per-
secution. The Regt-
ment we have ven-
-tured to unbacked
I think that the
Sd. Superintendent has
it kind to let the
conduct of the

Learned

1/3/10

10.70.
Board of Revenue

Revenue Board of Revenue
Proceeding of the

Dated 20 September 1878
Recd 23/10/78

Recd 16/11/78
Recd 23/10/78

S. Chundakaram, Deputy
Inspector of Police in Malabar
District — who has been
presented in charge of receiving
bribe and acquitted by the
Sessions Court — directing the
same date restoration of — to
his office, regarding sanction of
leave to the district of the
pay of the Superintendent during the
absence of the Superintendent. The
Orders in respect of the transfer
him to the district of the
for orders.

10.70.
10.70.
10.70.

10.70.

I impress them
favorably - It is
scarcely credible
that a miserable
conspiracy of the
kind should have
been discovered by
the officer holding the
preliminary invest-
igation had he been
unpartisan & not
biased

27/9 1861

1611
14

to 10.78.
to Board of Revenue & Col
Accountant General

(4)
FOR ORDERS.

D. 4226

C24-9-78
A27-9-78
RC28-9-78
R2-10-78

Revenue Department.

No 1611

Proceedings of the Madras Government.
Under date the 5 October 1878

16/15

Read the following
Proceedings of the Board of
Revenue dated 20 Sept. 1878.
No 2595.

1. The Governor in Council sanctions the Board's proposal to disburse Chenchu Raminah's pay for the time he was under suspension.
2. The Government are unfavorably impressed with the conduct of the case in its preliminary stage.

From Orders in Council
4.10.78.

14 To the Board of Revenue on 11 Oct
6. The Accountant General

Y. M.

G.O.
Regard Church
Ramsdell

Deaf-felt

0607-08