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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No.	2803	Press.
B.P. No.		Mis.
Dated	19-11-1878	197

Not to be folded or roughly handled

PROCEEDINGS OF THE BOARD OF REVENUE, dated 27th September 1877.

Read again letter from the Collector of Vizagapatam, dated 30th May 1877, No. 541, recorded in Board's Proceedings, dated 24th July 1877, No. 3,448.

Read also the following letter from H. St. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 2nd August 1877, No. 807:—

In reply to the Board's Proceedings, dated 24th ultimo, No. 3,448, I have the honor to report that the enclosure herein is the only further information which Mr. Rees submitted.

2. The strength of the case against the Taluq Magistrate seemed so little affected that I did not think it necessary to forward it to the Board when received.

ENCLOSURES Nos. 1 and 2.—Copies of Depositions.

Read also Petition No. 1,580, of 1877.

With the first of the foregoing letters the Collector of Vizagapatam submits the records of an inquiry held by his Assistant Magistrate into a complaint of corruption preferred against the Sub-Magistrate of Chepurapalli and expresses his opinion that the evidence adduced is sufficient to warrant a prosecution. The case arose as follows:

2. A person called Appya preferred a complaint of theft of jewels against his son-in-law Narayana, and the Police brought the case before the Sub-Magistrate. The latter inquired into it and dismissed it. During the inquiry one of the stolen articles, a gold bangle, was produced in the Sub-Magistrate's Court by a man called Bussey, a witness in the case, who held the jewel in mortgage. The Sub-Magistrate, while disposing of the case, instead of returning the bangle to Bussey, the mortgagee, ordered it to be given to the defendant Narayana. Bussey subsequently complained to the District Magistrate, who directed the Sub-Magistrate to make over the bangle to Bussey, or to record his reasons for disposing of it otherwise. The Sub-Magistrate summoned Narayana to appear with a view to the restoration of the bangle, and when it was not produced he made a reference to the Magistrate asking him whether he could issue a search warrant for the recovery of the jewel and collect its value if not forthcoming. The Magistrate was dissatisfied with the Sub-Magistrate's proceedings and instructed the Assistant Magistrate to make an inquiry into the case.

3. The Assistant Magistrate examined ten witnesses, the first four regarding the alleged delivery of the bangle to Narayana in open court. The examination of the fifth witness Narayana, the defendant in the theft case, brought to light the alleged charge of corruption against the Sub-Magistrate. This witness stated that, while he was in custody on the charge of theft, the Sub-Magistrate sent a peon to him and offered to release him on payment of Rupees 50. Narayana agreed; next day he was released, and the bangle was given to him. He had it melted, sold the gold, and gave Rupees 50 to the Sub-Magistrate at the Chavadi in front of the Sub-Magistrate's house, a peon keeping watch to see that there were no lookers-on. The peon just named was not the peon who brought the message to the jail. Narayana admitted that the Sub-Magistrate had summoned him subsequently, and that he did not come. He stated, however, that he came to the Sub-Magistrate two days before his examination by the Assistant Magistrate, when the Sub-Magistrate offered to give back the rupees and asked witness to make a compromise. Witness declined on the ground that, as the Assistant Magistrate had come, he must let him know all the circumstances. The other witnesses examined deposed to facts connected with the melting of the

bangle and its sale. The Assistant Magistrate sent for all the peons in the Sub-Magistrate's Office for identification by Narayana of the two peons, one of whom came to him while in the jail and the other of whom kept watch at the Sub-Magistrate's office when the alleged bribe was given. Narayana was not able to identify the two peons.

4. In addition to the charge of corruption brought against the Sub-Magistrate certain irregularities are noticed in the records of the case of theft which was disposed by the Sub-Magistrate. These are—

1st.—The delivery of the bangle to Narayana instead of to Bussey, who had produced it in Court.

2nd.—The order for the disposal of the stolen property which was not written in the body of the judgment, but below it and without date.

5. No explanation has been taken from the Sub-Magistrate regarding the bribe, but, as regards the procedure just mentioned, he explains in the statement taken from him by the Assistant Magistrate that he gave the jewels to Narayana because Bussey did not ask for them, and that he did not record the order for the restoration of the property in the body of the judgment as it was not his custom to do so.

6. The Collector observes in paragraph 4 of his letter that the Sub-Magistrate bears a bad reputation, that he has been obliged to transfer him from one station to another, and that in each place his work has been unsatisfactory.

7. It appears that the only evidence to support the charge of corruption against the Sub-Magistrate is that of the fifth witness Narayana, the very person who is responsible for the restoration of the bangle. This witness has not been able to identify the two peons said to be concerned in the matter, although all the peons of the office were produced. Petitioner had no opportunity of cross-examining the witnesses. The Board consider that there is no evidence of bribery, and direct the restoration of petitioner to office.

8. The magisterial case out of which this complaint arose seems to have been irregularly disposed of, but it is worthy of note that no appeal was made against the Sub-Magistrate's action in the matter for a month after the disposal of the case.

9. The petitioner states that the Assistant Magistrate, on arrival at Chepurapalli, proceeded to invite complaints against the Sub-Magistrate by beat of tom-tom. The Collector should ascertain whether this was the case and report to the Board.

(A true Copy and Extract.)

(Signed) C. D. MACLEAN,
Additional Sub-Secretary.

To the Collector of Vizagapatam, with petition.

Encl. A. Grubert.

Sub-Magistrate of Chepurapalli in Vizagapatam District—who has been suspended for misconduct.—Directing restoration of — to office.

SEPTEMBER
No. 4,537.

Received

11/22/2003 9/19/2007

11/22/2003 9/19/2007

Encl.

PROCEEDINGS, 27TH SEPT. 1877, No. 4,537.

1877.
Board of Revenue
MADRAS.

Revenue Department

Miscellaneous No. 11487

2803

Proceedings of the Board of Revenue.

Dated 11th November 1878

Read Petition No. 454 of 1871 from Virasami Nayudu late Sub-Magistrate and Deputy Sub-Magistrate of Chepurapalli, Vizagapatam District, requesting the payment of his full salary of Rs. 311-9-10 during the period of his suspension from 30th May 1877 to 13th October 1877.

In their Proceedings dated 27th September 1877 No. 4537 the Board directed the restoration to office of Virasami Nayudu Sub-Magistrate of Chepurapalli who had been under suspension pending an enquiry into a charge of corruption. The Collector had passed only one-fourth of his pay during the period of suspension on the ground that the remaining three-fourths had been passed to his locum tenens.

2. As nothing was proved against the Sub-Magistrate, the Board consider that he is entitled to his full salary for the time he was under suspension and the sanction of Government is solicited to the disbursement of the amount.

(True Extract)

J. H. Smith

Sub-Secretary

To the Secretary to Government

Revenue Department
with Petition to be returned & Copy of Board's Res. 27/27th Sept 77 No. 4537

11/22/2003 9/19/2007

Summ 1898 Receipts

No 5705

Proceeds of the
Board of Trustees

Total 11 Nov 78.

Dec 14th — do — do

Jan 23rd 1898 — " — "

Mar 2 14

Sum 21st
1898

Oct 23000 - 1901 Nov 1898

With Order.

Johning Sanction

of 500[£] for the disburse-
ment of full salary to
Vernon's Smith, full. Aug 1898.
of 1000[£] fully, 1898 & 1899
1898, during absence of
Sanction on a charge of
conspiration.

No 2803

Sanctioned.

19 Nov 98

To the Secretary of the Board of Trustees
of the Oregon Agricultural Experiment Station

C. 18. 1898/98/18/19/1898/98