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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.
B.P. No.

725

Press
Mts.

Dated

1.6.1876 196 .

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
1st June 1876.*

No. 1. Read the following Proceedings of the Board of Revenue, dated 11th April 1876, No. 998:—

Read again:—

MISCELLANEOUS No. 148.

Proceedings of the Board of Revenue, dated 10th January 1876.

Read the following Proceedings of the Madras Government, dated 20th December 1875, No. 1,821, Revenue Department:—

ABSTRACT.—*C. Venkata Ramanayya, Sub-Magistrate of Itchapore.*—Resolving, with reference to the recommendation for the dismissal of —, to request the Board of Revenue to furnish detailed information as to what the Sub-Magistrate's default was, and what resulted from it.

COMMUNICATED to the Collector of Ganjam who will furnish the detailed report called for by Government.

(A true Extract.)

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

To the Acting Collector of Ganjam.

Read also the following letter from R. DAVIDSON, Esq., Acting Collector of Ganjam, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Aska, 18th March 1876, No. 209:—

I HAVE the honor to furnish the report called for by Government in G.O., dated 20th December 1875, No. 1,821, communicated with Board's Proceedings, dated 10th January 1876, in regard to the neglect of duty on the part of C. V. Ramanayya, Deputy Tahsildar and Sub-Magistrate of Itchapore, in the matter of the Chikati murder case.

2. On May 29th, at 3 P.M., information reached the Itchapore Police Station that Narno's body had been discovered, and it was immediately communicated to the Sub-Magistrate.

3. The Police reached Chikati that night, the Sub-Magistrate the following morning, but not until after the Police had viewed the body and were about to hold a Punchayet.

4. The Punchayetnamah, which the Sub-Magistrate retained until I obtained it from him at Itchapore on the 20th June, stated clearly that it was a murder and not a suicide, and had he not put in an appearance when he did, the verdict would have been recorded in his absence.

5. As previously mentioned, the Sub-Magistrate after holding the inquest on the 30th May, and after having admittedly visited the Raja and put up at his Diwan Kamarauze's house, left Chikati early in the morning of the 31st, and did absolutely nothing more in the matter.

6. He has explained his inaction by alleging, falsely I think, that he considers it his duty, as a rule, to abstain from assisting the Police when they are engaged in detecting crimes within his jurisdiction, and that had he made an exception in

this case, his motives might have been suspected, especially as he had been anonymously accused of having accepted a bribe of Rupees 500 as hush-money. The anonymous petition was written to explain the cause of his inaction. His original inaction was prior to, and was not the result of the, anonymous petition having been written.

7. I believe it to be a most important part of a Sub-Magistrate's duty to hold local inquiries in cases of importance, to co-operate cordially with the Police, and to afford them every assistance in his power.

8. In this particular case his assistance was specially needed, and, from what he told me, he was fully aware that in 1832 the then Raja had been murdered in cold blood by his brothers in the heart of the palace, and that they were hanged for it. He had in his possession the Punchayetnamah, and was perfectly aware that Narno, one of the Raja's trusted treasury guards, had been basely murdered and his body carefully concealed in a most inaccessible and secret spot in the jungle adjoining the palace.

9. The crime was committed within his jurisdiction; the Police were not, as Government would appear to think (paragraph 2), "at once put on to the investigation under the personal direction of the District Superintendent," as that officer did not reach Chikati until the 10th June, he having been engaged with a murder case in Berhampore, and it was on my hearing from him from Chikati that I posted there, express, and remained there.

10. Up to the time of the Superintendent's arrival, the Police obtained no assistance nor advice of any sort from the Sub-Magistrate, and it was during that time that the Chilingi plot was concocted. In my humble opinion, the Sub-Magistrate was not only bound to have taken up so important a case himself, but he should have directed the Police, have seen that they did their duty; and he ought certainly to have reported the matter to the Senior Assistant, his Divisional Officer, and perhaps to myself also as District Magistrate. He did neither.

11. Viewed by the light of subsequent disclosures, it was all important to the probable success of the Chilingi (sorcery) plot that the Diwan Kamarauze should have time to arrange his plans.

12. This was effectually secured to him between the 31st May and the date of the Superintendent's arrival by the absence and inaction of the Sub-Magistrate.

13. I am clearly of opinion that had the Sub-Magistrate discharged what I believe to have been his duty by pushing inquiries at once, after he became aware from the report of the Jury that a murder had been committed, and at a time when people were excited and naturally anxious to discover the perpetrators of so cruel a murder in their midst, the true facts connected with Narno's murder would have been discovered at once.

14. It was when men became emboldened by the time obtained in consequence of the Sub-Magistrate's inactivity and omission to report the case that the deep and daring Chilingi scheme was matured, which had for its object the utter defeat of justice, and which was with so much difficulty unmasked and foiled.

15. I am therefore of opinion that the Sub-Magistrate's default consisted, 1st, in his omission to make any inquiry into the cause of Narno's murder; 2nd,

in having absented himself without any sufficient reason from Chikati instead of remaining there and co-operating with the Police; 3rd, in failing to report so important a murder case to his Divisional Officer, the Senior Assistant, and to myself; 4th, in making what I believe to be a false explanation in attempting to vindicate his conduct.

16. The result of his default was that ample time was allowed Kamarauze to mature his Chilingi scheme and to bring immense pressure to bear on witnesses who at first would not have bent themselves to his will: that the difficulty of arriving at the true facts of the case was immeasurably increased; that the time of the Police and Magistracy was occupied for months with the case; and that the boldest attempts at wholesale corruption were made to defeat justice; all of which might, I think, have been avoided had the Sub-Magistrate done his duty by prosecuting a local inquiry in the first instance, and communicating promptly with his superiors.

SUBMITTED for the information of Government.

2. It will be observed that, though the Sub-Magistrate did hold an inquest on the body of the murdered man on the 30th May, he did not, as Government presume, report the case at once to superior authority, or leave it under the direct investigation of the District Superintendent of Police. The latter officer did not arrive at Chikati till some ten days after the Sub-Magistrate had left. The Sub-Magistrate made no immediate report, as he should have done in so important a case, to his Divisional Officer and the District Magistrate; he left the scene of the crime, though no superior officer was there, instead of remaining, as he should have done, to assist and stimulate inquiry, and to the Board his conduct seems to indicate conclusively corrupt motives or apathy almost equally culpable in the circumstances. The result was greatly increased difficulty in bringing home the crime to its perpetrators and risk of justice being defeated altogether in a most serious case.

3. The Board consequently have no hesitation in urging their support of the Collector's proposal that the Sub-Magistrate be dismissed.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 2.

ORDER THEREON, 1st June 1876, No. 725.

Miscellaneous.

On the further explanation now furnished, His Grace the Governor in Council is pleased to sanction the Sub-Magistrate's dismissal. The retention by that officer of the inquest report, and his neglect to bring the murder to the immediate notice of his superiors, cannot be explained except on the supposition that he acted from corrupt motives.

2. In regard to the duty of the Magistracy in personally directing the operations of the Police in such cases, it is impossible to frame any precise rules. Much

Proceedings of the Madras Government, Revenue Department,
1st June 1876.

must be left to individual discretion. Certainly no Magistrate can be permitted to sit idly looking on, while justice is being obviously defeated, on the plea that he has no concern in the matter until the case is brought before him, on the bench.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

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

Exd. W. J. Lewis.

Mr W. Lewis

2/4

Revenue Department.

Proceedings of the Board of Revenue

Dated 11th April 1876.

No. 998:-

Read the following:-

No. 209.

From.

The Acting Collector

Gangjore.

To

The Secretary to the

Board of Revenue, Madras.

Sir,

I have the honor to furnish the report called for by Government in Government Order dated 20th December 1875- at 1821 Communicated with Board's Proceedings dated 10 January 1876 in regard to the neglect of duty on the part of S. V. Rammannappa, Deputy Tahsildar and Sub Magistrate of Ichhapore in the matter of the Chikate murder case.

2. On May 29th at 3 P.M. information

reached

Cal. of 1876

REVENUE.

THE BOARD OF REVENUE,

Sec. to Sec.

Cal. June, 1876.

Recd.

Recd.

G.O., 14 June 1876, No. 725.

JUNE.
Nos 1-2.

Sub-Magistrate of Ichhapore in the Gangjore District. Sanctioning dismissal of the — on account of neglect of duty on his part in the matter of the Chikate murder case; and expressing opinion in regard to the duty of the Magistrate in personally directing the operations of the Police in such cases.



reached the Itchapore Police Station that
Karnoo's body had been discovered and it was
immediately communicated to the Sub-
Magistrate.

3. The Police reached Chikate that
night, the Sub Magistrate the following
morning, but not until after the Police
had received the body and were about to
hold a Panchayat.

4. The Panchayatsnamah, which the
Sub Magistrate retained until I obtained it
from him at Itchapore on the 20 June, stated
clearly that it was a murder and not a sui-
cide and had he not put in an appearance
when he did the verdict would have been
recorded in his absence.

5. As previously mentioned, the Sub
Magistrate after holding the Inquest on the
30th May and after having admittedly visited
the Rajah and put up at his Dewan Thamm-
rao's house, left Chikate early in the
morning.

He will
come here
against
the Palace
people

25/6
morning of the 31st and did absolutely
nothing more in the matter.

6. He has explained his inaction by
alleging, falsely I think, that he considers
it his duty as a rule to abstain from as-
sisting the Police when they are engaged in
detecting crimes within his jurisdiction
and that had he made an exception in
this case his motives might have been
suspected, especially as he had been

anonymously accused of having accepted
a bribe of Rs 500 as hush money. The
anonymous petition was written to explain
the cause of his inaction. His original in-
action was prior to and was not the
result of the anonymous petition having
been written.

7. I believe it to be a most important
part of a Sub Magistrate's duty to hold local
enquiries in cases of importance, to co-
operate

operate cordially with the Police, and to afford them every assistance in his power.

8. In this particular case his assistance was specially needed and from what he told me, he was fully aware that in 1832 the then Rajah had been murdered in cold blood by his brothers in the heart of the Palace and ^{not far} were hanged for it. He had in his possession the Pannshayetrannah and was perfectly aware that Karno, one of the Rajah's trusted Treasury guards had been basely murdered and his body carefully concealed in a most inaccessible and secret spot in the jungle, adjoining the Palace.

9. The crime was committed within his jurisdiction; the Police were not, as Government would appear to think (para 2) at once put on to the investigation under the personal direction of the District Superintendent

Superintendent" as that officer did not reach Chikate until the 10th June, he having been engaged with a murder case in Berhampore and it was on my hearing from him from Chikate that I posted there, express and remained there.

10. Up to the time of the Superintendent's arrival, the Police obtained no assistance nor advice of any sort from the Sub Magistrate and it was during that time that the Chikate plot was concocted. In my humble opinion ^{the} Sub Magistrate was not only bound to have taken up so important a case himself but he should have directed the Police, have seen that they did their duty, and he ought certainly to have reported the matter to the Senior Assistant, his Divisional Officer, and perhaps to myself also as District Magistrate. He did neither.

Viewed

11. Viewed by the light of subsequent disclosures, it was all important to the probable success of the Chilingi (sorcery) plot that the Dewan Hamarawze should have time to arrange his plans.

12. This was effectually secured to him between the 31st May and the date of the Superintendent's arrival, by the absence and inaction of the Sub Magistrate.

13. I am clearly of opinion that had the Sub Magistrate discharged what I believe to have been his duty by pushing enquiries at once after he became aware from the report of the jury that a murder had been committed and at a time when people were excited and naturally anxious to discover the perpetrators of so cruel a murder in their midst, the true facts connected with Karno's murder would have been discovered at

once

once.

14. It was when men became emboldened by the time obtained in consequence of the Sub Magistrate's inactivity and omission to report the case, that the deep and daring Chilingi scheme was matured, which had for its object the utter defeat of justice and which was with so much difficulty unmasked and foiled.

15. I am therefore of opinion that the Sub Magistrate's default consisted 1st in his ^{omission} ~~omission~~ to make any enquiry into the cause of Karno's murder, 2^d in having absented himself without any sufficient reason from Bhikati instead of remaining there and co-operating with the Police, 3^d in failing to report so important a murder case to his divisional officer, the Senior Assistant and to myself, 4th in making what

what I believe to be a false explanation
in attempting to vindicate his conduct.

16. The result of his default was
that ample time was allowed Kammaraunge
to mature his Chikingsi scheme and to bring
immense pressure to bear on witnesses
who at first would not have bent
themselves to his will; that the difficulty
of arriving at the true facts of the case
was immeasurably increased; that the
time of the Police and Magistracy was
occupied for months with the case and
that the boldest attempts at wholesale
corruption were made to defeat justice —
all of which might I think have been
avoided had the Sub Magistrate done his
duty by prosecuting a local enquiry
in the first instance and communi-
cating promptly with his
superiors

Superiors.

Camp Atoka }
18 March 1896. }

I have the

/signed/ B. Davidson

As Collector.

Submitted for the information of Govern-
ment.

2. It will be observed that though the Sub
Magistrate did hold an inquest on the body of
the deceased on the 30 May, he did not
as government presume report the case at
once to superior authority or leave it under the
direct investigation of the District Superin-
tendent of Police. The latter officer did not
arrive at Chikati till some ten days after
the Sub Magistrate had left. The Sub Magis-
trate made no immediate report as he should
have done in so important a case to his
Divisional officer and the District Magis-
trate; he left the scene of the crime though

no superior officer was there instead of remaining as he should have done to assist and stimulate enquiry; and to the Board his conduct seems to indicate conclusively corrupt motives or at the very least equally culpable in the circumstances. The result was greatly increased difficulty in bringing home the crime to its perpetrators and peak of justice being defeated altogether in a most serious case.

3. The Board consequently have no hesitation in urging their support of the Collector's proposal that the Sub Magistrate be dismissed.

/ True Copy & Extract /

L. M. D. D. D.

Acting Sub Secretary.

J. The Secretary to Government R. D.
 & 2. W. J. D. D.

Prop. Bd. Ren. 11/4/76.

With reference to his letter, recom-
-mending the dismissal of the Sub
Magistrate of Ichhapore, the Collector
of Purnea is requested to submit
further explanations.

2. It appears, the Sub Judge, after presiding at the inquest at which the body was declared to be that of a murdered person - kept the Record in his pocket for about 3 weeks, and never made any report to the Superior Magistrate.

He was bound by law to send up the
Inquest Record; and obliged by every
consideration of duty to do the same
being - no doubt he was biled to keep
quiet, by the Rapa's people - who wished
the whole affair to blow over; as the
murder was committed by the Rapa's
women, who has since been hanged for it.

3. But while the last page is thus obviously
unfit for further public employment, I
submit it is desirable to disallow

I entirely agree with the Collector's dictum that he Sub Magna
the views of the Magistrate and have personally directed the detection
as & the last - & be operations of the Police. The functions
taken w such of Police & Magistrate are quite

S. 133 Criminal
Procedure Code

His whole conduct-
points & corrupt-
motives and his
universal sloth.
Sanct?

I entirely agree with
 the view of the Magna
 as & the fact - & be
 taken is such

Dec. 1876

1498 J⁸

2) necessity of the

Bureau of Revenue

~~Date~~ 11 June 1876

Desf 11

Dec. 13 1896

2210725-31 June 1874

Submitting for information

Good report - of the day

Organism in the Refractory

C. V. Remondino Pindito.

B) Value of net input/output of labor

here in Canada in 1888

the Oct. 4. 19

a case of the Sub. Mag. from the first
He has done all he can
to stimulate & direct distinct; and if the
the conduct of the Police
the effect of his corrupt
apathy on them would a case, or who commits a case for
have been most-permi- trial, employing himself as a
vions - Policeman in it in its instructory

The Keenness & traps - he will be a formidable
noticed both the Chief Justice & the Police
of the Magistrate, who sat in review of his very
the Police under their expressions of dissatisfaction, the
direct guidance & irregularities committed by the
this Keenness was Police - They arose of course from
directed & remove the great anxiety to detect the culprits -
serious consequences but don't let his sort of Keenness
of the corrupt neglect of extend to the Magistracy -
this open & do his duty

23/5/6
that object - I earnestly deprecate fully the
national Magistracy that they are irresponsi-
ble of the management of cases & the Police
in their initiatory stages I hold that -

25/7/6
The reverse is the
right policy &
proper execution of
the Law

97/11
I think the sub-magistrate
should be dismissed. His
retention of the impact upon
and delay in reporting are
irretrievably caught
supposition ^{that} he acts
corrupt motives.

I think we had better not
lay down any precise rule
for the guidance of the Mag-
istracy as indicated in opposite
directions by my month colleagues
& the Chief Secretary. -
Much must be left to in-
dividual discretion. In most
cases, it is better to leave
the Police to do their own
work of detection and the
Magistrate to his judicial
functions. But it is also
no doubt the duty of the
Magistrate to advise the
Police - to see that they
are actively ^{fulfilling} their
detection ~~and~~ duty. to

Sub Major of the 1st

Campy

apart any misconduct & neglect and to remove any obstacles in their way.

The Magistrate must not be looking on with indifference when he foresees the defeat of justice & then plead that as a Magistrate he had no concern in the matter till the case was brought before him on the bench.

MR

29/5

The Sub mag: should be at once dismissed -

I agree with Mr. W. in minute as to the duty of mag. guard the public - but it is almost impossible to frame any rule on this subject.

C. 24. May/76 R. 1. 4 June

14. To the District Officer, D. 17 June 1876. The District Officer, D. 17 June 1876. The District Officer, D. 17 June 1876.

from orders No. 725

On the further explanation now furnished, His Grace has been pleased to sanction the Sub Major's dismissal. The retention by that Officer of his request reports, & his neglect to bring the matter to the immediate notice of his Superiors, cannot be explained except on the supposition that he acted from corrupt motives.

2. In regard to the duty of the Magistrate in personally directing the operations of the Police in such cases, it is impossible to frame any precise rules. Much must be left to individual discretion. Certainly no Magistrate can be permitted to sit idly looking on, while justice is being trifled with, on the plea that he has no concern in the matter until the case is brought before him, on the bench.