M.R.O. 1—77,006—8-6-37.

(1) Number of pages 126

(2) Date of repair 30.11.46

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 505 — Press / Mis.

Dated 18. 8. 1890.

Not to be folded or roughly handled

REVENUE BOARD OF MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 11th January 1889.

No. 113 mis.

Mr. H. S. Thomas.
Mr W. S. Whitecide.

READ Letter from the Collector of South Arcot, dated 28th November 1888, No. 356.

Resolution:—

Recorded, pending further report.

2. The Collector should have given the Board some information as to the nature of the charges. This he will furnish.

True Extract
(Signed) H. A. Sim.
Ag. Secretary

To
The Collector of S. Arcot.

True copy

18

Board of Revenue

(Land Revenue),

MADRAS.

To

True copy of Board's

Proceedings, dated 11 January 1890.
No. 113 Mis. ~~Revenue.~~

Subject.

1/ Rev. Copy 90

2

BOARD OFFICE MADRAS.

3 3

Proceedings of the Board of Revenue

(Land Revenue).

Dated 2 April 1889.

No. 1976 Mis.

Mr. W. S. Whiteside.
The Hon. J. Grose

READ Letter from the Collector of S. Arcot, dated 10 March 1889, No. 312 Indexed.

Resolution

Recorded.
The report referred to in para 2.
2 is awaited.

(True Extract)

(Signed) A. Hammond
Secretary

To,
The Collector of S. Arcot.

(True Copy)

Secretary

18

Board of Revenue

(Land Revenue),

MADRAS.

True Copy

Proceedings, dated 2nd April 1889.

No 1976 Mis. ~~Routine.~~

2/ Rev: 2084/90

REVENUE BOARD OFFICE, MADRAS.

5

5 5

Proceedings of the Board of Revenue

(Land Revenue),

Dated 18th June 1889.

No. 3577 Mis

Mr. W. S. Whiteside

The Honorable J. Grose

READ Letter from the Collector of South Arcot of 11th June 89 Ref on Reg No 370/B.L

Resolution:-

The Board call upon Mr Tate to explain by return of post (1) as to why the report against the Deputy Tahsildar is not complete (2) why the Collector's letters have not been answered. His report should be submitted through the Collector at once

(True Extract)

To

A.C. Tate Esq Sub: Collr of S. Arcot thro' Collr S. Arcot.

(Signed) M. Hannick

Secretary.

(True Copy)

Secretary.

18 .

Board of Revenue

(Land Revenue),

MADRAS.

True Copy of

Proceedings, dated 18th June 1889
No. 3577 Mis. / ~~Routine.~~

3
Rev. 208/1890

REVENUE BOARD OFFICE MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 30th July 1889.

No. 4545 Mis.

Mr. W. S. Whiteside.
The Hon. J. Grose

READ Endorsement of the Collector of South Arcot, dated 10th July 1889 on letter from the sub Collector, dated 9th July 1889, No. 418.

Resolution

The Board regret that they cannot regard Mr. Tate's explanation as satisfactory. He should have replied to the Collector's reminder without any delay and not waited nineteen days to reply to the Board's Proceedings, dated 18th June 1889, No. 3577. His conduct towards the Collector in this matter has been wanting in the respect due to that officer.

2. As regards the report on the case of the deputy tahsildar, the Board cannot but think that Mr. Tate could have disposed of the matter before this. He should have arranged to devote a short time to it daily. They expect that the sub Collector will now do his utmost to complete his report and submit it to the Collector.

/True Extract/

(Signed) W. Hammick
Secretary.

To/ The Collr of S. Arcot.

/True Copy/

Secretary.

Board of Revenue
(Land Revenue),
MADRAS.

(True Copy)

Proceedings, dated 30th July 1887.
No. 4545 Mis. ~~Routine.~~

4
Rev: 2088/90

9

Proceedings of the Board of Revenue
(Land Revenue),

Dated 17th June 1887.

No. 1372 Mis:-
Mr. H. S. Thomas;
Mr. J. H. Garstin;
Mr. W. S. Whiteside.

READ Endorsement ~~from~~ of the Collector of South Arcot dated 17th March 1887, No. 176, submitting petition from Seshagiri Row, late Volunteer in the Dy. Tahsildar's Office, Gingi.

Resolution:-

The petitioner was a volunteer and had no permanent post in the district. His removal was within the Collector's discretion and the Board will not interfere.

2. The Collector, however, went beyond his powers in ordering that he should never be employed again in the District; all he could do was to order that as long as he was Collector, he should not be again employed.

3. The petitioner appears to have brought several specific charges against the Deputy

deputy Tahsildar [illegible]ingi and it is not clear wha[illegible] portunity was offered him to [illegible]antiate those charges. The B[illegible]d desire that a report shoul[illegible] be submitted on the point and that all the records should be submitted for their perusal.

4. The Board observe that the Deputy Tahsildar appears to have kept the collections made in one or 2 villages with him. This appears to have been very irregular and should be explained.

5. The Board wish also to see the record in the Criminal case brought against the petitioner.

(True Extract)

(Signed) M. Hammick.

Acting Secretary

To The Collector of South Arcot.

(True copy)

Secretary

11

188 .

Board of Revenue

(Land Revenue),

MADRAS.

To

True Copy of Board's

Proceedings, dated 17th June 1887,

No. 1372 Mis. ~~Routine~~ Enclosures.

Subject.

5/
Rev: 2088/00

13

REVENUE BOARD OFFICE MADRAS

13 13

Proceedings of the Board of Revenue

(Land Revenue).

Dated 14th February 1888.

No. 1005, Mis.

Mr. H. S. Thomas.

Mr. J. H. Garstin.

the following papers:-

(1) Petition from C. V. Seshagiri Rao lately a volunteer in the office of the Sub Collector of South Arcot dated 18th July 1887; and the following Reference thereon, dated 8th August 1887.

Referred to the Collector in continuation of Board's Proceedings 17th June 1887, No 1372. The Collector should communicate para 1 of those Proceedings to the petitioner.

(2) Letter from the Collector of South Arcot dated 10th November 1887, No 149; and the following Reference thereon dated 14th ~~February~~ December 1887.

The Collector of South Arcot is requested to return Board's Petition No 1250 of 1887 which was forwarded to him with Board's

Secretary.

Board's Reference dated 8th August 1887, but which does not appear to have accompanied his letter read above

(3) Petition from the Same individual dated 16th November 1887.

(4) Letter from the Same officer, dated 22nd December 1887, No 196.

Resolution:-

The Notice published by the Collector in the District Gazette dated 4th September 1886, forbidding the employment of Petitioner Seshagiri Rao in the district, should be specifically cancelled, and such orders should not be entered in the Prohibitive Order book in future.

2. Petitioner will be informed, with reference to his Petition dated 16th November 1887, that the Board decline to order his re-entertainment. They consider that sufficient notice to substantiate the charges brought by him against Vijiaragava Charri, Deputy Tahsildar of Gingee, was given him in the acting Sub Collector Mr. O'Farrell's order dated 19th October 1885 in which he was warned that unless he at once established his allegations against

against the Deputy Tahsildar he would be declared ineligible for Government Service.

3. The ons[illegible]tion for consideration is whether the Sub Collector should not have held a regular enquiry into the charges. He called on the Deputy Tahsildar for explanation, which is among the papers now sent to the Board, and appears to have been satisfied with it. The Board, however, are of opinion that it will be more satisfactory if the charges are regularly gone into, notwithstanding that more than two years have elapsed since the matters to which they relate occurred. They accordingly direct that this be now done under the Collector's orders.

(True copies & Extract)
(Sd) R. S. Benson
Ag. Secy.

To
The Collr of Sitrcot.
Petr thro' the Collr: (para 2 only)
(True copy)

Secretary

Proceedings of the Board of Revenue

(Land Revenue),

Dated 13th March 1890.

No. Mis.

Mr H. M. Bliss

Mr W. S. Whiteside.

READ letter from the Collector of South Arcot dated 4th October 1889 Ref: on No 6199 English

Resolution:-

The above papers will be submitted to Government for orders.

2. In Board's Proceedings dated 14th February 1888 No ~~1605~~ 1005, the Board directed the Collector of South Arcot to cause an enquiry to be made into the conduct of the Deputy Tahsildar of Gingi, Vijayaraghava Chari, in consequence of certain charges which had been made against him by Sesha Giri Rao, a Volunteer in his office. The deputy Tahsildar, who was at the time on sick-leave, was suspended from the

the 27th November 1888 by the Collector who did not consider it right that he should return to duty. In June 1889, the Collector whose attention had been drawn by the Board to the delay which had occurred in the conduct of the enquiry against the Deputy Tahsildar, reported that he was unable to obtain any reply from the Sub-Collector as to when his report on the subject would be ready. The Board, from June until the date of the receipt of Mr. O'Farrell's letter in its office, continually reminded the Sub-Collector as to the necessity for expedition in the matter. It regrets to be compelled to record its opinion that the inquiry was unsatisfactorily conducted by Mr. Tate. The difficulty the Board has had in disposing of the case has been much increased by the way Mr. Tate recorded the explanation of the Deputy Tahsildar. Mr. O'Farrell was obliged to dispose of the case at the close of his tenure of office as acting Collector of the district, and it is much to his credit that in the course of a few days he should have been able to draw up such a clear and concise report as that he has submitted.

3. The first charge against the Deputy Tahsildar is that he fraudulently altered the date of the receipt into his office of a durkhast from 1st February 19 to the 31st January 19. His motive is not very clear, but he probably in the first instance desired to favour one of several Durkhastdars for certain land, and subsequently desired to prevent the land being given upon durkhast at all. Throughout the business the Deputy Tahsildar's conduct was marked by prevarication and suppression of the truth, and the reasons which he gave for recommending the reservation of the two fields nos 5 & 72 as Peramboke were simply untrue.

4. The Deputy Tahsildar is next charged with having allowed a relative of his, a clerk in his office, to take leave for eleven days in October 1884 and to draw pay for all that period, and that in November 1885 when called upon for an explanation, he gave to the Sub-Collector an incorrect version of what had occurred. The charge was a small one in itself, but it has become a grave matter in consequence of the proof it affords that the Deputy Tahsildar did not hesitate deliberately to give a false account of the transaction to the acting Sub-Collector.

5. The next charge taken by itself is also

also a small matter. It appears that the Deputy Tahsildar was away from Gingi for Som[illegible] in 1884 and yet drew hi[illegible] [illegible]ule as Subregistrar for [illegible] [pe]riod contrary to the rules. [illegible] conduct of the Deputy Tahsildar shows that for the sake of a few rupees he does not hesitate to make false entries in an official diary.

6. On the fourth charge the Deputy Tahsildar is, in the Board's opinion, convicted either of having been grossly negligent and incompetent or of having been a party to a serious fraud upon Government. In July 1883 an influential ryot applied for land about 46 acres in extent upon cowle, and although the land was situated within a short distance [illegible] Deputy Tahsildar's stati[on] [no] more apparently than 3/4 o[f a] mile, it took him

him ten months to report on a petition against the assignment of the land, and when the report was made although the Deputy Tahsildar had visited the spot he furnished a report which was misleading and false. The land was in part Puttah land and contained valuable trees and was not suitable for a cowle grant. The Collector has since cancelled the grant. The Deputy Tahsildar much undervalued the trees on the land, & omitted to report that it was Puttah land, and that the village officers were related to the applicant. The Deputy Tahsildar was clearly careless, inaccurate and lazy, if nothing worse. Looking to the other matter dealt wit[h] in the papers the Board would convic[t] him of fraud.

This does not seem accurate — He would appear to have reported that a portion of the land [illegible] [illegible]

fraud.

7. The next two charges are of gross delay in the Conduct of his official duties. In the first the Deputy Tahsildar was clearly guilty of wilful delay of no less than eight months in an enquiry into a serious charge made against a village officer, of having Concealed cultivation and taken money from the village which was never brought to account. In Consequence of the delay the village accounts which were required as evidence were made away with. The explanation given by the Deputy Tahsildar is grossly unsatisfactory. He admitted his negligence and apparently made false statements to excuse his delay. There is good reason to Consider that his object in acting as he did was to screen one of the persons who was responsible for the fraud which had been Committed. This is the Collector's opinion, and the Board Concurs in it.

8. The seventh charge against the Deputy Tahsildar is that in order to favour the ryot referred to in paragraph 6, he gave a Completion Certificate for work as having been Carried out by the man, though he had not Completed it properly. The Deputy Tahsildar was here again either grossly negligent or Connived at a fraud. The probability is that the work was never inspected at all and that the Deputy Tahsildar's statements are false.

9. The eighth charge is not dealt with at much length by the Subcollector and is somewhat Complicated, but it is clear at all events that the Deputy Tahsildar was guilty of great delay in the disposal of an enquiry entrusted to him. There is moreover strong reason to believe that he was actuated

actuated by Corrupt motives and that he Connived at false charges brought by one Subramony aiyar in order to procure the wrongful dismissal of Certain village officers, and the Confirmation of Subramony aiyar in the Karnam's post.

10. As to the next charge — the Deputy Tahsildar obtained from the Taluq Board Rs 1,000 for the Construction of a road. He entrusted the work to two Brahmans who had no knowledge of the work. The work should have been Completed by November 1887. In January 1888 the Taluq Board called on the Deputy Tahsildar to report why the work was not finished. The Deputy Tahsildar professed an extension of time and reported, when Camped on the road, that the work was almost Completed and tried to get an advance of nearly Rs 600 for work done without producing any accounts. Subsequently, when the Taluq Board found that the work had been disgracefully done, he recommended that

that Rs 391 only should be paid to the Contractors, who then accused him of having received bribes from them in the first instance. The Deputy Tahsildar in March 1888 reported that he had measured the work, but it is impossible to believe that he could have done so and his reports were, the Board considers, false. The Deputy Tahsildar showed gross carelessness in giving the work out to utterly incompetent men and his conduct in attempting to obtain for them an advance was highly suspicious. There can be little doubt that his conduct throughout was influenced by corrupt motives.

11. The Board does not lay stress on the next, the tenth, charge. The Deputy Tahsildar did no doubt act irregularly in taking supplies from the village officers and there is room for suspicion that the supplies were not given for a proper consideration, but it is no doubt too late now to enter into the question of the Deputy Tahsildar's

Tahsildar's relations with the village officers and the matter may be dropped.

12. The Deputy Tahsildar's action in the last case was strongly suggestive of fraud. He was ordered to sell certain valuable lands situated about ten miles from his head-quarters, instead of granting them on durkhast, the lands having been bought in at a previous revenue sale on behalf of Government. The lands were put up for sale on 9th April 1885 and the Deputy Tahsildar stopped the sale when a bid of Rs. 20 had been made, as a Muhammedan said the sale was irregular by reason of his having already a Puttah for the lands. The Deputy Tahsildar made no report on the matter and later on he ordered the assignment of the land to the Mohammedan in spite of the report of the village officers and without following out the procedure necessary in such cases. His explanation admits the greatest carelessness, but it is impossible to acquit him of fraud in the matter.

13. This concludes the list of specific charges

charges made against the Deputy Tahsildar. There are, however, papers submitted to the Sub-Collector which show that the magisterial work of this officer has been almost as unsatisfactory as his revenue work. He is convicted of grave irregularities and serious delays in the disposal of cases taken on his file, and his explanations are not satisfactory. In 1877 (G.O. 23rd February 1877 No. 791) he was degraded to the post of Taluq Sheristadar under circumstances of grave suspicion; since then his conduct has not given satisfaction. The Board has no hesitation in supporting the proposal of the district officers that Vijiaraghava Chari should be removed from the Public service. No Confidence can ever again be placed in him

(True extract)

Secretary

(P. J. G.)

To

The Secretary to Government R.D

with Collector's letter (G.R 3191/89) and its 4 enclosures and other connected papers in a locked box with petition in P.R. 1040/87 with Collector's endorsement thereon and Sub-Collector's report; petition in P.R. 1264/87; Collector's report in P.R 2826/87; petition in P.R 2879/87 & Collector's report in P.R 105/88; Collector's letters in G.R 4016/88, G.R 857/89, G.R 1866/89 & G.R 2154/89 all in original to be returned; and with Copies of B.P. of 17-6-87 / 1372 mis; 14-2-88 / 1005 mis; 11-1-89 / 113 mis; 2-4-89 / 1976 mis; 18-6-89 / 3577 mis; & 30-7-89 / 4545 mis.

Copy to the Collector of South A.Cot.

29

1889.

Board of Revenue

(Land Revenue),

MADRAS.

No 2088

To

The Secretary to Government R.D.

R. C. C. CARR 14 MAR 90

Proceedings, dated 13th March 1889

No. Mis. Routine. Enclosures.

Rec'd 15 March

15 MAR 90 REVENUE DEPARTMENT

Subject.

Recommending to Government the removal from Service of Vijaraghavachari Dy Tahsildar of Ginji, South Arcot Dt.

Gov. 24/3 R 2/8 R 18/8

31

B 88 M/3/90

To

His Excellency the Right Honorable
Robert Bourke, Baron Connemara, G.C.S.I.,
Governor in Council,
Fort St. George.

The suppliant prayer of K. I. VIJAYA RAGHAVA CHARLU, *Deputy Tahsildar and Sub-Magistrate of Gingee, South Arcot.*

RIGHT HON'BLE SIR,

May it please Your Gracious Government to lend a merciful ear to my sad tale. I am an old and faithful servant whom the Acting Sub-Collector, A. C. Tate, Esq., has resolved upon dismissing from the service.

2. I understand that my case is now before the Government and beg that Your Excellency in Council may be pleased to render me justice.

3. The facts of the case are :—One day in September, 1885, I was at Alampundi on duty, and held my office on the pial of a small house, and in the evening, I left my box inside close to the threshold and went in for my meals. Seshagiri Row, the Acting Dafterband, who was working on the pial outside and the office peon saw some body go into the house, and a few minutes after the box was missing. The suspected party was subsequently apprehended by the police and was recognized both by Seshagiri Row and the peon as the person that entered into the house. But Seshagiri Row retracted his statement before the Magistrate, and so the prisoner was enabled to escape. I therefore reported Seshagiri Row as unworthy of being employed in my office. He then preferred to the Acting Sub-Collector, Mr. O'Farrell, certain charges against me out of which two* are included in those now taken up by Mr. Tate. Seshagiri Row's complaint was referred for my remarks, on the submission of which, Mr. Horsfall then Ag. Sub-Collector got him declared ineligible for public employ in the South Arcot District. The Sub-Collector and also the Collector, Mr. Gordon, who, in 1886, had to deal with the charges preferred against me by Seshagiri Row and now taken up by Mr. Tate, were then satisfied that my conduct was not blamable with reference thereto. On this Seshagiri Row preferred an appeal to the Board of Revenue wherein he referred to the above charges. And the Hon'ble Board while confirming the orders of the District authorities so far as Seshagiri Row was concerned, directed† the disposal of the charges in due course. In the meanwhile Mr. Tate had become the Acting Sub-Collector, and wished to provide for one‡ of the Clerks that had served under him when he was Assistant Collector in the District ; and so he resolved upon shelving me to make room for his protege. He desired§ the Tahsildar of my Taluk (Tindivanam,) to write to me a demi-official, making me understand that I should at once retire from the service. But a difficulty arose as regards my procuring a Medical Certificate of

* 1. Omission to report the absence from duty of one Desika Chari Traffic Clerk.
2. My conduct in connection with a Darkast.

† Early in 1888.

‡ Sundaresa Aiyar.

§ May 1888.

incapacity which Mr. Tate thought was a creation of mine. So, that gentleman was only too glad to welcome the orders of the Board for a disposal of the charges preferred against me by Seshagiri Row; and adding other minor faults, he got me suspended from my duties on the 28th November, 1888. After an enquiry which lasted from 24th November, 1888 to 5th March, 1889, he prepared a voluminous report by the end of September last. I beg to add here that, as advised and recommended by the District Surgeon, I took three and a half months' sick leave which expired on the 27th November, 1888. On my asking to resume my duties Mr. Tate requested the Collector to order *by wire* my suspension pending enquiry into certain charges against me, and it was accordingly done on the 28th, *i. e.*, just the day after the expiry of my sick leave *without any explanation being taken from me.* There is therefore ground for presuming that Mr. Tate would not have suspended me and much less proceeded with the enquiry against me if the Doctor had given me a Medical Certificate of incapacity as he (Mr. Tate) had expected.

4. The first charge is:—"That he made entries in the records of his office "as *ex-officio* Sub-Registrar of Gingee, the purport of which was that he was "present at Gingee, attending to his duty as Sub-Registrar, whereas in truth "he was not so present attending to his duty, and that he drew pay to which he "was not entitled for the days of his absence. The period to which this charge "relates are the days in September, October, and December, 1884 and February "1885, specified in Seshagiri Row's petition, dated 22nd October, 1885." This would imply that I was each time absent from the station for more than 24 hours and then I omitted to make over charge of the Sub-Registry office to somebody in my Cutcherry as I was only *ex-officio*. I beg to explain I was never absent for a whole day except once in the middle of December, 1884, when I was overtaken by heavy floods which then inundated the country and which kept me from the station for 3 days together. Besides there is nothing in my office Diary and other papers which would bear out the charge. I was never absent for whole days in September, October, and November, 1884 and February, 1885, as alleged by Seshagiri Row. The wording that "he drew pay to which he was not entitled for the days of his absence" is calculated to imply that the amount of pay involved was very large. But the allowance granted to me as *ex-officio* Sub-Registrar was only Rs. 7 a month, and even supposing I had been absent during the days in question, I would have drawn no more than Rs. 2 at the most during the period. It is for your Lordship in Council to judge whether I would make false entries and risk my post for a paltry sum, even supposing for argument's sake that I was really absent from the station. Further, no complaint was preferred by *parties* sure to be affected by my absence.

5. With regard to the 2nd charge that I passed Desika Charri's pay for the days he was absent without leave because he was a relation of mine, I beg to explain that Desika Chari was not employed in my office, but was employed as traffic clerk in registering carts, on a temporary traffic-taking establishment, and that he is only a relative of a distant cousin of mine. I at first granted him casual leave for 5 days which he overstayed by 5 days owing to severe illness, and this I did not consider a serious fault because the ruling on the subject was not then strictly enforced, the number of days for which casual leave could be granted at a time not having been fixed. I converted the period of overstay into an extension of the leave and did not report the matter, because I thought it was

quite within my competence. But the matter came afterwards to be noticed by Mr. Horsfall and the absentee's pay mulcted and disbursed to the peon who had acted for him; and in the circumstances of the case that gentleman did not deem it fit to take any notice of my conduct with reference thereto. The subject is now raked up by Mr. Tate with a view to add to the number of charges against me.

6. The 3rd charge on which much stress is laid runs as follows:—"That his action with regard to the darkast of one Kuppa Goundan for certain "land in Narasingarayampettai relinquished by Kumarasami Pillai, the Maniya-"gar of the village was throughout improper, and that in order to show favor im-"properly to the said Maniyagar he altered the date of the receipt of darkast No. "518 of 1885 from 1st February to 31st January 1885." Or in other words, I wished to favor the Maniyagar by making it appear that the darkast No. 518 tendered by his kinsman was received prior to that of Kuppa Goundan, and so although the former's darkast came to hand on the 1st of February, this date was altered into 31st January to suit my purpose. I most humbly beg to submit that I once* explained to Mr. Horsfall that this was purely an error. Thinking that January came to a close on the day previous to the receipt of the darkast No. 518, I at first dated 1st February, but finding out my error I corrected it at once into 31st January and duly initialed the same. That the alteration of 1st into 31st was merely a rectification of an error and not an after-thought, will be evident from the fact that the entry No. 518 in the Register is made *with the same pen and ink* as ten other numbers received on the 31st January. Moreover there is *the Post Office mark* showing 31st as the date of receipt. This fact alone is sufficient to show that the alteration was made *bona fide* and that the correct date was 31st and not 1st. I would certainly have been to blame if I had allowed 1st February to stand. This slight error is made the basis on which to impute a bad motive to me. After all, all the darkasts were thrown over-board as most part of the land included therein was shortly after taken up for the endowment of the Gingee Local Fund Choultry, and what land was left after the assignment, was made over to the Maniyagar's relatives because their tender had to be preferred to that of Kuppa Goundan by reason of their fields adjoining the same. Of the lands darkasted, certain fields were excluded as required for communal purposes such as passing of cattle, outlet for water in winter, village site, &c. The Sub-Collector makes it appear that this exclusion was made with intent to benefit the Maniyagar who is the biggest ryot of the village. There is no reason to suppose that the lands were intended to be used by the Maniyagar only as there was nothing to prevent other ryots from using them. It is to be noted that Kuppa Goundan appealed to the Sub-Collector from my proceedings, but that officer saw fit only to confirm my orders.† That the Maniyagar is no friend of me will be apparent from the fact that I once got him suspended for six months‡ for misappropriating the produce of certain tamarind trees; and in the matter of the darkast under reference which was in fact for lands apparently relinquished by him with the ulterior object of getting them transferred to his relatives I had in my Arzi No. $\frac{212}{21\text{-}8\text{-}85}$ to the Sub-Collector laid bare his bad motive and he has been served aright by the assignment of his land to the Choultry endowment as above noted. But he had without my knowledge obtained the permission of Mr. Horsfall to till the land attached to the Choultry because he saw that I wanted to lease out the land to other ryots to the best advantage.

* 17th November 1885.

† Vide Mr. Horsfall's appeal decision No. 28 of 1887.

‡ Vide Sub-Collector's Takid No. 26 28-7-85.

All these circumstances I humbly trust will go to show that I had no particular predilection for the Maniyagar which is assumed as the motive for my altering the date of the darkast No. 518 from the 1st into the 31st.

7. The three charges noted above are those that were formally framed against me with reference to the accusations contained in Seshagiri Row's petition to the Board. And these were supplemented by certain other alleged faults and misdemeanors which were set forth in a series of questions to each of which I had to submit my answers in explanation. As the report which the Sub-Collector has sent to the Board against me is a sealed packet to me, and I have had no opportunity of refuting any erroneous statements therein made regarding my conduct. I have ventured to submit a brief statement elucidating the various other faults and misdemeanors imputed to me, and regarding which I have submitted my explanation to Mr. Tate in the shape of answers to his several queries referring thereto with reference to the records shown to me. I humbly beg that Your Excellency's noble Government may be pleased to judge how far the statements made against me by the Sub-Collector are to be relied upon.

Charge IV

8. Of these, I believe the foremost is the Cowle-assignment affair. From the substance of the questions put to me by Mr. Tate, this subject divides itself into 4 principal parts; Namely,—my omission to bring to notice certain irregularities in connection with a Cowle-assignment for land,—failure to report that a certain other darkast was pending,—and to get certain village officers criminally prosecuted for their conduct in connection with the Cowle,—and delay on my part to report on the said Cowle when it was ordered by the Sub-Collector to be revised.

9. It is submitted that when my predecessor was in office the Cowle darkast of one Narayanasami Nainar of Sirukadambur was approved, and the fields included therein, made over to him. But on a complaint to the Sub-Collector, Mr. Horsfall, with reference thereto by one Muniyappa Naik, I discovered certain irregularities in connection therewith *viz.*;—that the Cowle-assignment made to the Nainar included lands lying waste for a period *less* than 10 years, that it did not show the tamarind trees standing thereon, and that the prescribed number of trees had not been planted thereon and so forth. As these irregularities were sufficient to warrant the cancelment of the Cowle-assignment to Narayanasami Nainar, I recommended in my Arzi No. $\frac{307}{9\text{-}10\text{-}86}$ the cancelment of the assignment. But the Sub-Collector directed that the land be made over to the Nainar under Cowle tenure *minus* the trees and the fields lying waste for less than 10 years which were ordered to be fully assessed. It was then that I made a particular inspection of the lands and got the accounts of the same prepared with plans, &c., in order to ascertain what extent of land should be so made over to the Nainar. And then I submitted the same to the Sub-Collector with my Arzi No. $\frac{87}{31\text{-}3\text{-}88}$. The Arzi of the Tahsildar No. $\frac{283}{19\text{-}5\text{-}88}$ contained the very same particulars. So it will be seen that I never kept back any information from the authorities as surmised by Mr. Tate. Moreover Muniyappa Naik's appeal was, on the report of the Sub-Collector, rejected by the Collector. I did not give all the above particulars in my 1st Arzi No. 307, because it concerned *only the points* contained in Muniyappa Naik's complaint on which alone I was called upon to report. That I was not a friend of the Nainar will be

apparent from my recommendation to cancel the assignment made to him of the Cowle land. It will be seen from the records that Mr. Tate has eventually carried out my recommendation by getting this assignment cancelled. It is not therefore apparent wherein I am to blame.

10. With regard to the omission in my Arzi No. 307 to make mention of one Subbaraya Nainar's darkast referred to in the Sub-Collector's query No. 2, I beg to explain that it was unnecessary to refer to it in my Arzi. And, moreover, I could not find any clue to the darkast which had been submitted to my predecessor. It is unjust to attach any blame to me on account of the above so-called omission.

11. In respect to the charge that I did not take any serious notice of the conduct of the village officers, I beg to submit that I did, at first in my Arzi No. 307, recommend them for criminal prosecution. But the Sub-Collector wanted me to submit punishment rolls that he might deal with them departmentally. But I found all of them had been turned out of their posts except the Maniyam Munsiff Raghava Nainar, which fact I duly brought to notice in my Arzi No. $\frac{289}{26\text{-}9\text{-}87}$. Afterwards I saw that Raghava Nainar was not to blame and as the real culprit, the Karnam, was out of office, I brought this to notice in my Arzi No. $\frac{87}{31\text{-}3\text{-}88}$. As the order last given to me was to submit punishment rolls, it was unnecessary to mention the names of those who were out of office. The only man who was in office was the Maniyam Munsiff, and as he was not primarily responsible for the mistake, he was not recommended for a severe punishment, but was recommended for a "black mark." I need not say that in all these cases I had only to submit facts as they were, and it is for the higher authorities to deal with the delinquents as they thought fit.

12. With reference to delay in submitting the revised Cowle darkast I beg to explain that it was owing to circumstances beyond control. When Mr. Horsfall's order No. $\frac{197}{8\text{-}11\text{-}86}$ was received, the old Karnam Gumastah had absconded, and 3 months after, another was put in his place. The latter was quite new to his work, and required time to take his own measurements of the land for the preparation of the revised Cowle; and then he could not complete the work as the Paimash and Land Registers had to be traced out in the District Munsiff's Court of Tirukkoilur, where they had been filed by the late Karnam in connection with a Civil Suit. Shortly after, I and the Karnam were called away for the settlement of Fusli 1296. When the measurements were finally made by the Karnam, we discovered a wrong inclusion by Narayanasawmi Nainar of some patta fields in his Cowle. Then he requested the Sub-Collector that the measurements might be made by the *Tahsildar* to whom all the papers had to be forwarded. But the Tahsildar took time, in consequence of which the work was thrown back on me by the Sub-Collector. This was at the end of August, 1887. There then arose a difficulty in procuring the simultaneous attendance of the parties interested *viz*:—Narayanasami Nainar, the Cowle darkastedar, his opponent Muniyappa Naik, the Reverend Father Gabillet, a French Missionary holding fields adjoining the Cowle darkast land and some other individuals. I specially brought to notice this circumstance in my Arzi No. $\frac{289}{1887}$. Moreover, the village officers and myself were for 3 months together exclusively engaged in the preparation of the Fusliwar balance

accounts in the new forms prescribed by the Board. By the time the measurements were completed by the Karnam, which was at the close of the year, I was taken ill and could only resume my duties in February, 1888, when, owing to the accumulation of the work during my absence and pressure of Jamabandi* business, I could not submit my final report on the revised Cowle darkast before the end of March, 1888. I beg apology for encroaching on the precious moments of Your Excellency with such a lengthened account of the delay in the matter of a revised Cowle for a small extent of land, because I fear the wording of Mr. Tate's report might convey the impression that I have generally been dilatory in the discharge of my duties.

* Fusli 1297

13. In connection with this Cowle-assignment, I humbly beg to submit that the Sub-Collector is disposed to bring home to me one and all the irregularities connected therewith, without reference to the party primarily responsible for the same. Mr. Tate unfairly charges me with omission to report the fact of the Cowledar having neglected to plant the prescribed number of trees. It is the duty of the *Revenue Inspector* to report this to the Tahsildar on the eve of the Jamabandi in the form furnished from the Taluk, whence the return is forwarded direct to the Huzur. In connection with this subject, I beg to bring to the prominent notice of Your Excellency in Council that the Tahsildar's English Arzi No. 283 is *made up of two parts*; that is, in the 1st part his statements coincided with those contained in my Arzi No. 87. This the Sub-Collector initialed as having been received by him on the 19th May 1888. But finding on a perusal of the same that it did not contain any points *against me*, Mr. Tate *desired the Tahsildar to append in the very same communication some paras to suit his wishes* which the Tahsildar did below his first signature and dated the same *20th idem underneath*. And these two dates, *viz.*, the 19th and 20th, will be found marked on the one and the same Arzi of the Tahsildar. I humbly beg to submit this anomalous proceeding as one instance of the many, the Sub-Collector had adopted to ruin me. The Sub-Collector charges me also with having reported favorably about the said Narayanasami Nainar in the matter of a complaint brought against him by his opponent Muniyappa Naik. The complaint was that the Nainar who was contractor for the repair of a supply channel to a drinking-water-pond had instead of merely deepening the channel made a straight cut on street Poramboke causing inconvenience thereby to the public. My report on this complaint was that the straight cut was on Mányam land in which the channel is situate and did not encroach on street Poramboke and did not cause any inconvenience to the public. The Sub-Collector perhaps taxes me with not having reported that the straight cut was contrary to the estimate. But I beg to submit that the estimate was not sent to me and I had no idea that such diversion of the channel was contrary to it. In this case therefore it will be clear that I had done nothing to favor Narayanasami Nainar, but merely reported facts as gathered from my inspection and enquiry in the ordinary course of my duty.

14. Another subject which has been taken up against me by Mr. Tate is one that relates to my proceedings in connection with a Local Fund road. This is a short road estimated to cost Rs. 1,000. It was sanctioned in August, 1887, and given out on contract on condition that it was to be completed by the end of November following; but from circumstances beyond control it was not completed by the end of the official year as was expected; and even then it was done so badly that the contractors had to be recommended to be fined. I am herein blamed

on three counts:—i. My measurements of the works done are not trustworthy. ii. There is ground for presuming that I took loans from the contractors. iii. I did not stir them up but allowed an unusual delay in the execution of the work.

15. The first count, I humbly beg to submit, cannot be maintained. The Sub-Collector in asking* the Local Fund Engineer to report on the value of the works done by the contractors, hints "the Deputy Tahsildar to whom the work "was entrusted to be superintended could not be relied upon." But the Engineer does not cast any reflections on me. He finds from his measurements the quantity of earthwork done to be 8,345 cubic yards, and in my report it is 8,506; the difference of 161 cubic yards was because some of the pits were almost filled up when Mr. Norfor took measurements six months later. Moreover my statement in Arzi No.† $\frac{20}{6\text{-}7\text{-}88}$ that the contractors had still to do earth-work to the extent of 1,000 and odd cubic yards is corroborated by the Engineer's measurements. And he also concurs with me in condemning‡ the road-dams. And so I humbly beg to submit that the measurements are *not untrustworthy* as stated by Mr. Tate.

* Letter No. $\frac{502}{22\text{-}12\text{-}88}$.

† Addressed to President of the Tindivanam Taluk Board.

‡ Vide his letter to the Sub-Collector No. $\frac{461}{4\text{-}2\text{-}89}$.

16. That I took loans from the contractors amounting in all to Rs. 87 is a mere *assertion of the contractors* with no proof. This story, Mr. Tate was only too eager to believe as the following extracts would show. In his letter§ to Mr. Swaminadha Aiyer Avergal, Head Assistant Collector, after noting that the contractors, the Office Daffadar and the Clerk state that when the contractors brought a petition¶ to Mr, Swaminadha Aiyer Avergal, they accused me of taking loans from them, he (Mr. Tate) hints "I have personally no doubt that what the "petition Clerk, the Daffedar and the contractors say is true." But Mr. "Swaminadha Aiyar says in his reply ‖ "I cannot however say if the Aiyangars * "then told me the reason why the Deputy Tahsildar had found fault with their "execution of work. But I am inclined to think that it is not likely they would "have made any statement accusing the Deputy Tahsildar, for, firstly, if they "had done so, I should certainly have received their petition, which they sent "by post the day following." According to Mr. Tate's admission, "whereas in the "first petition no mention is made of the alleged loan, in the 2nd petition † after I "had returned to duty the charge was brought." This was because the contractors knew that Mr. Tate was not well disposed towards me. Besides during the enquiry, the contractors were recommended by the Sub-Collector for a part-payment of Rs. 100 and actually paid though the Sub-Collector himself had been condemning their work. This circumstance must have induced the contractors to please the Sub-Collector by bringing unfounded accusations against me.

§ No. $\frac{1116}{30\text{-}12\text{-}88}$. enclosing the Clerk Balakrishna Row's statement alone.

¶ Dated 20th July 1888.

‖ No. $\frac{3}{11\text{-}1\text{-}89}$.

* Contractors.

† Dated 6th August 1888.

17. As regards the nature of the evidence in respect of the loans, it is not at all a reliable one. One of the contractors Krishna Aiyangar states that in my presence he gave Rs. 20 to Ramaswami Aiyangar (his co-contractor) to be handed over to me in November, 1887. and that he afterwards demanded at Tindivanam repayment of the loans in April, 1888, when a private maistry Darmasiva Mudali was also present. I beg to submit that there is not a particle of truth in these allegations. It is strange that Krishna Aiyangar should not have made the least mention of it to the private maistry Darmasiva Mudali, when both of them were returning together to Gingee from Tindivanam in April 1888. Moreover the contractors could not account for their glaring omission to make mention of the loans in their *first petition* to Mr. Swaminadha Aiyar Avergal, in July, 1888, and for their having

made mention of it in their subsequent petition presented *to Mr. Tate* in August, 1888. Krishna Aiyangar deposes that I asked him for Rs 10 worth of ghee and that this was delivered by him to one Narayanasami Goundan for transmission to me; and the latter says that he sent it on to me by two of his servants who were not examined. Yet Mr. Tate notes down that Krishna Aiyangar "seems to be "speaking the truth. His manner is not at all that of an untruthful witness"; while Mr. Tate has remarked with regard to the statement of Darmasiva Mudali the private maistry that "witness gave his reply in a very hesitating manner," because he could not get him to say any thing against me. It will be observed that the contractors were recommended by me to be fined both for their delay and for their bad work. They were only too glad therefore to take advantage of the Sub-Collector's displeasure towards me to trump up a false charge of having taken loans from them. Amirbek, the office Daffedar, simply deposes to the fact of the contractors appearing before Mr. Swaminadha Aiyar with a petition and states that he "does not know particulars of what those petitioners said." As for the Clerk Balakristna Row, who has stated that the contractors complained to Mr. Swaminadha Aiyar Avergal orally against me, Government will be pleased to note how far his statement could be relied upon as at the time he was under the Sub-Collector's control. Thus your Excellency in Council will perceive that there is every ground for believing that the loan affair is any thing but true.

18. As regards the delay in the construction of the road, I beg to explain that the work was given out on contract in August, 1887, when Mr. Horsfall was President of the Taluk Board, on condition that it was to be completed by the end of November following. On the 22nd October, measurements of the work then done were taken and a bill for Rs. 212, submitted by me for payment which was passed. But owing to heavy rains which then flooded the country, the work could not be proceeded with. In January, 1888, in reply to a call and at the request of the contractors, I recommended that time might be given to the end of February 1888, which was accordingly allowed. When Mr. Tate took charge in the beginning of March, I brought to his special notice that as the official year was on the close, the balance payable to the contractors on the completion of the work might be placed in deposit that it might not lapse at end of the year. I also recommended that the contractors be fined for their neglect. On this Mr. Tate taxed me with delay in the execution of the work. I humbly beg to submit, as already stated, that the delay was purely unavoidable. After my inspection of the work there was heavy rain for two months together, or till the end of December. I was ailing from Dyspepsia at the beginning of January; Mr. Horsfall saw me and gave me privilege leave for 15 days; and when I returned from the leave, I was ordered to attend to the Malayanur festival which occupied me for more than a week, and then I had to go to the Cusba station for Jamabandi where I had to stay until the 3rd March 1888. Mr. Horsfall is fully aware of all these circumstances. But as soon as Mr. Tate took charge he was in no good humour towards me as he was bent on ruining me. He only took exception to the delay in the construction of the road and did not choose to make any allowance for the unavoidable causes explained by me.

19. I also beg to submit that at the very commencement I asked for the help of a maistry in connection with this road; but it was not given me; and that I should have been allowed such a help is borne out by the remarks of the

Local Fund Engineer, Mr. Norfor, in his letter of 4th February, 1889, namely, that "it was a pity that this work was given to Revenue Agency." I need not submit here how many of the public works came to be delayed under exceptional circumstances similar to the one under reference.

20. As regards the remaining charges there are two which are blended together. That is, I retained in employment against orders one Subramanya Aiyar, Acting Karnam of Kadappanandal, and some other villages, and further that I supported his false complaint in respect of some concealed cultivation, &c., against the villagers of Kundalampat. The facts of the case are:—With reference to an endorsement* favored to Subramanya Aiyar by the Sub-Collector, I appointed him Acting Karnam of Kadappanandal and another village subject to approval. Mr. Horsfall, sanctioned† the arrangement with a proviso that the permanent incumbent was to be produced when the villages were taken up at Jamabandi then progressing. But no body appeared, and Subramanya Aiyar was ordered‡ to be retained for a year under the same conditions. Subsequently in August, 1886, one Aiyamperuma Pillai, doing Karnam's duty in a village of North Arcot, turned up as the Mirassi Karnam and presented an application to me that his minor son Dorasami Pillai, might be put in the room of Subramanya Aiyar, with the aid of Ramasami Pillai, as his Gumastah. Then the Taluk records had to be searched with a view to ascertain Aiyamperuma Pillai's right to the Karnamship: this took some weeks. And then as the Jamabandi of Fusli 1296 was close at hand the matter was submitted to the Sub-Collector: but as Aiyamperuma Pillai did not put in his appearance Mr. Horsfall desired§ me to report on the subject when the parties came up. And at last Aiyamperuma Pillai, and his son presented themselves before me in November, 1887 and requested that *Subramanya Aiyar* might be retained as their Gumasta, which arrangement I proposed in my Arzi dated 8th December, 1887. And then the Sub-Collector wished to know how Aiyamperuma Pillai came to lose his post and in reply to his refere .ce I referred¶ Mr. Horsfall, to his Diary No. 157 of Fusli 1296. After some more correspondence with the Huzur, I recommended the further retention of Subramanya Aiyar, which was approved‖ with a proviso to procure Aiyamperuma Pillai and ascertain his wishes. I sent notice to him through the Tahsildar of Polur in North Arcot for his appearance by the 1st August, 1888, and even then Aiyamperuma Pillai did not appear; and I had no alternative but to recommend** the further retention of Subramanya Aiyar for the conduct of business connected with the villages.

Ch. VIII

* Dated 11-1-86.

† Order No. 19 18-2-86.

‡ Vide Jamabandi Diary No 292 16-3-86. of Fusli 1295.

§ Diary No. 157 of Fusli 1296.

¶ On 28th February 1888.

‖ Diary No. 322 of Fusli 1297 communicated to me at the end of June 1888.

** Arzi No. 282 7-8-88.

21. Then for the *first* time Mr. Tate took exception to Subramaniya Aiyar continuing as Karnam Gumasta and ordered†† the Tahsildar to remove him at once. Mr. Tate contends that I ought not to have retained Subramaniya Aiyar because he had brought false charges of chapàvani (concealment of cultivation, &c.) against the village officers of Kundalampat and was also insubordinate to the Revenue Inspector. I beg to explain that Mr. Tate did not choose to believe in the chapàvani, at the instigation of his office people who supported the Revenue Inspector in his conduct to favor the village officers of Kundalampat. The papers noted in the margin‡‡ and especially the statements I forwarded with my communication No. $\frac{288}{9\text{-}8\text{-}88}$ showing a clear loss to Government of Rs. 150 prove the fact of the existence of the chapávani, and show that the Revenue Inspector Samudravijaya Nainar had been trying to screen the village officers. The delay imputed to me by the Sub-Collector in reporting upon this chapávani, was

†† 2nd September 1888.

‡‡ Note of the Ag. Deputy Tahsildar on Rev. Inspector's report dated 26th Oct. 1886 & Jamabandi Diary No. 292 of Fusli 1296.

purely owing to the contumacy of the village officers who evaded me whenever I found it possible to go to their village, and further they had *made away with the Adangal* account of Fusli 1295 which would go to show the chapàvani. They were not in any way punished although I had brought* their conduct to the special notice of the authorities in April 1888 at the time of the settlement for Fusli 1297. Then I was simply ordered to complete the Azimoish which I had to do with the help of my own peons as the village servants could not be got to do the work properly. In connection with this chapávani I forwarded my final report on the 9th August 1888 regarding the concealed cultivation and also Kassar, that is, omission to charge water-cess. I could not then inspect the taxable trees which were enjoyed free by the villagers as my health did not then permit of my inspecting them which were scattered over a large area; but I ordered the person then acting for the Revenue Inspector to do the work as it was *his duty* to attend to it. The Sub-Collector impugns the statement made in my Arzi confirming the truth of the chapàvani brought to notice by Subramaniya Aiyar and merely taxes me with the delay which I could not help. Mr. Tate does not take any notice of the wanton conduct of the Revenue Inspector in omitting to bring to light the chapávani made by the village officers. Thus Subramaniya Aiyar was removed from his Acting Karnam's post for *watching the interests of Government*, while the Revenue Inspector was given promotion shortly after, notwithstanding his conduct has been such as to *connive at losses to the State*.

* Vide Diary No. 322 of Fusli 197.

22. Another fault imputed to me was that I had once recommended the letting off of one Devasigamani Pillai, Acting Karnam of Tadagam, with a "black mark" for serious omission on his part to bring to account Kassar (water-cess) to the amount of Rs. 127, while the permanent man was recommended to be dismissed from his post.

23. I humbly beg to explain that Rangasami Pillai, the permanent Karnam Gumasta was at the time under suspension for persistent disobedience of orders when Devasigamani Pillai was made to act for him in Tadagam and in four other villages. He being comparatively *new to the work*, had to depend to some extent on the Maniyagar Velayuda Goundan for the conduct of the same and so it happened that he omitted to bring to account the above Kassar. But as Devasigamani Pillai was a new man and as he had *rendered good service* in connection with the discovery of Kassar, &c., in Vadugappundi and other villages to the amount of Rs. 600 and further as he *had no motive* in omitting the Kassar in Tadagam and as I had every reason to believe that he was led to the mistake by the Maniyagar, I thought that a "black mark" was a sufficient punishment for his unwitting error. But the case was otherwise with Rangasami Pillai. He had been doing duty in the village for a good number of years, knew all the ins and outs and he had resumed his duty in sufficient time before Jamabundi and ought to have brought this error on the part of Devasigamani Pillai to notice. Moreover, there were other serious charges against him of which the alteration of the Taram or class of some of the fields in Pôttuvayi village stood foremost. It was all these considerations that led me to recommend a heavier punishment in Rangasami Pillai's case. After all it was a matter of opinion; and I recommended the punishment which *I thought* the circumstances of the case warranted, and it was left for the superior officer to deal with it as he thought best.

24. The delay of one year imputed to me in connection with this case is an error. The matter was at first reported by me to Mr. Horsfall and it was only when it was referred back to me for some particulars, there happened some unavoidable delay and this was because Rangasami Pillai made himself scarce whenever I went over to his village which is at a distance of some 16 miles (not 8 as noted by Mr. Tate) from my head-quarters. About this contumacy on his part I duly reported* to Mr. Tate who had then (March 1888) taken charge. I humbly beg to submit that almost the whole of the proceedings in connection with this case took place during Mr. Horsfall's tenure of office and Mr. Tate had only to pass final orders on the subject. This was done on the 13th May 1888, when Mr. Tate merely disapproved of my recommendation to let off Devasigamani Pillai with a "black mark" and removed him from the Acting Kurnam office then held by him. His sole object in raking up this frivolous charge so late as in November, 1888, or fully *six months after its disposal* once by him, was merely to swell the number of charges against me.

* Vide Arzi No. 101 dated 4th April 1888.

25. Another fault ascribed to me is a delay of 10 months in the disposal of a Revenue suit brought by a Toti of Tadagam. This case was taken up and disposed of by Mr. Swaminadha Aiyar Avergal, under date 22nd June, 1888, when in charge of the Sub-Collector's office. I have to explain that this case was referred to me by Mr. Horsfall on the 26th May, 1887, for report by arbitration by me and the village Munsiff. Owing to the non-appearance of the parties concerned, and as the extent of the Inam land involved in the suit had to be measured in their presence, no final steps could be taken by me till the 11th October, 1887. Then the parties agreed to come to an amicable settlement after consulting their respective relatives who were not on the spot and this took some time, after which the Christmas holidays intervened; and then I was laid up for some time; and when I resumed my duties I had to go and attend to the sanitation of a feast at Malayanur and then to attend to the Jamabandi of Fasli 1297. By the time I returned to my head-quarters the parties had come to an amicable settlement which was in the middle of March, 1888. It is submitted that the complainant in the case who was most affected by the delay, made no representation on the subject, much less did Mr. Horsfall take any notice of the same. When in due course I reported† the above settlement, Mr. Tate, with his usual *animus* against me recorded a remark about the delay and went away on leave. Then Mr. Swaminatha Iyer in charge, *was satisfied* with this settlement and confirmed the same on the 22nd June, 1888, *without passing any remark about the delay.* It will thus appear strange to Your Lordship in Council, that Mr. Tate should think *in November* 1888 *or after the lapse of six months*, of taxing me for the delay in a simple case referred to me for arbitration. His object in so doing, as already submitted, was merely to multiply the number of my so-called misdemeanors in the eyes of the higher authorities.

† Arzi No. 98 of 7th April 1888.

26. Another charge is based on the fact of my having purchased some black and green gram worth Rs. 7 from one Gopala Aiyar, Maniyagar of Periya Nolambai. The facts are; one Arunachala Aiyar Karnam of the village, who owed a grudge to me complained that I got the gram from him under a threat. Mr. Tate admitted the complaint but it was taken up for enquiry by Mr. Swaminadha Aiyar Avergal in charge; and the latter being convinced that the gram was actually purchased of Gopala Aiyar, dismissed‡ the complaint with a reproof that I should not have had any such dealings with Gopala Aiyar who

‡ Order No. 140 of the 23rd July 1888.

was a village Officer under me. It is however respectfully submitted that it is the practice in the Mofussil to obtain articles that may be required from village officers on payment. This system of village officers supplying on payment has been recognised as proper by the authorities. But in February, 1889 or fully six months after when all the office records were being ransacked for all the available faults against me, Mr. Tate purposely re-opens this complaint of Arunachala Aiyar and after a farce of an enquiry he gives the records of enquiry into my hands desiring me to offer my explanation thereon. I beg to submit that the evidence in the case shows that the requisition for the gram was not made to Arunachala Aiyar but to Gopala Aiyar who sent over my chit calling for the gram to Arunachala Aiyar, as the former had no pulse with him. This chit was submitted by Arunachala Aiyar to Mr. Tate with his complaint and was perused by Mr. Swaminadha Aiyar when he held the enquiry into the case and that gentleman had dismissed the complaint as he considered that there was nothing serious about the matter; because it was proved that I *had paid* for the gram. I beg to submit that Arunachala Aiyar wanted to make it appear that I got the gram from him under a threat to deal with him severely in the matter of a tree cut down by him which was then pending before me; and he gives the date of the threat as the 13th or 14th April 1887, but the village Munsiff's report about the misappropriation of the tree was received by me on the 19th idem or nearly *a week after*; and so Arunachala Aiyar's allegation about the threat falls to the ground. Similarly his assertion that I got up a false case against him in connection with a darkast, because he demanded payment for the gram, is also false, as it is clear that the complaint about the darkast was lodged before the Sub-Collector on the 4th April, 1887, or *fully a fortnight previous* to the supply of the gram which is alleged to have been made *on the 22nd idem*. Mr. Tate has not probably noted these glaring inconsistencies in his eagerness to glean all possible matter that might enable him to work my ruin.

27. The only remaining fault against me, as I believe, on the file of the cases Mr. Tate has brought to notice is one that relates to an assignment of certain lands without obtaining the Sub-Collector's permission. I beg to explain that one Chap Gouse Moideen Saheb occupied about 3 cawnies of wet land in the village of Sennalur purchased from a non-resident pattadar Appaswamy Pillai. This was put to sale in 1883 at a so-called public auction, because no payment of the kist due on it was found credited in the Maniyagar's accounts, but as nobody bid for the fields owing to the intrigues of the village officers it was bought in on behalf of Government. Subsequently the land was included by the Village Officers in the fieldwar memo of darkast No. $\frac{156}{10\text{-}5\text{-}84}$ tendered for Fasli 1294 by the said Saheb and another and its disposal was pending. But as the fields were bought in for Government, permission for their re-sale was obtained in the ordinary course. When, however, the sale commenced, it became manifest that the assessment due on the land had been paid up by the occupier who raised objections against the sale. I then ordered the sale to be stopped and permitted the holder to occupy the land pending the receipt of formal orders from the Huzur for the issue of the required patta to him. I had marked this subject for report to the Sub-Collector in due course; but owing to wanton neglect on the part of Venkatachella Naidu (my office Gumasta), since removed, the required orders were omitted to be obtained. Mr. Tate makes a capital out of this unwitting omission. He says that I have set at naught the orders

of the Huzur for the re-sale of the land and that I wantonly permitted Chap Gouse Moideen Saheb to re-occupy the land without getting the Sub-Collector's sanction. Mr. Tate intends thereby to attach a bad motive to me. It is for Your Excellency's noble Government to judge whether I had acted properly or otherwise in not executing the orders for the re-sale under the circumstances of the case; and whether I would not have been taxed with a want of discretion, if I had carried out the orders of the Huzur which were issued in ignorance of the real facts of the case. The papers show that I had no bad motive either in stopping the sale or in allowing the holder to re-occupy the land. It is submitted that the Sub-Collector has taken no notice of the conduct of the subordinate who conducted the *first* sale and that no credit is allowed me for having brought to light the malpractices of the village officers whose object was first to misappropriate the kist on the land and then to purchase the same in the name of their kinsmen. I acted in a *bona fide* manner in first seeking* permission for the re-sale of the land and at once stopping the sale when I found out the nefarious transactions connected with the original sale. This I had noted in the Jamabandi Diary No. 544 of Fusli 1294 under date 11th July 1885, for the information of the Huzur authorities pending the receipt of formal orders for the cancelment of the sale and the grant of putta to the holder Chap Gouse Moideen Saheb. The proceedings connected with the above land took place in 1885, and they are now questioned and entirely misrepresented simply with the object of making up a serious case against me. It appears to have been so dragged into light with the help of Sundaresa Aiyar on whom my post was conferred when I was on sick leave and it was thought I would not return.

* Arzi No. 45 dated 20th March 1885.

28. I humbly beg to repeat that I am ignorant of most of the charges brought against me, as I was furnished with copy of the first three only, and the construction placed on them by Mr. Tate, whether borne out by the records or based on his own impressions in his voluminous report about my conduct, which is *a sealed packet to me*. My application to the Collector for a copy of Mr. Tate's report was endorsed that I should apply to the Board of Revenue as it was then pending before them. But when I saw Mr. Hammick, the Board Secretary, on Friday, the 14th Instant, I was told by that gentleman that all the papers connected with my case have been sent up to Government for final orders with a recommendation for dismissal as proposed by Mr. Tate along with my petitions of the 15th and 19th October, 1889, to the Board asking for a copy of the Sub-Collector's report or of the substance thereof. I have endeavoured to give my explanations to the above charges which I believe———as far as I could gather from the proceedings conducted against me by Mr. Tate during a period of nearly four months———to be those which are contained in the Sub-Collector's report. The above explanations are in addition to those already furnished by me to Mr. Tate and now on record, I believe, forming enclosures to his report. But if, in guessing the nature of the above charges, I am far from the mark and if there are others on which Government may wish to hear me, I beg that they will condescend to give me an opportunity of explaining my conduct with reference thereto before passing their final orders in my case. I humbly beg that Your Excellency will, before passing any orders, be pleased to peruse the answers given by me to Mr. Tate's questions and the explanations then submitted to him as these will furnish satisfactory reasons for the one-sided charges which the Sub-Collector might have made against me in his report.

† Vide Collector's endorsement No. 3843 2-12-89 enclosed.

29. It will be seen that of the charges noted and explained above :—

Vide para. 4 supra.

I. The alleged fact of my having been absent from the station for whole days and having drawn pay for this period as ex-officio Sub-Registrar is not believable.

Vide para. 5 supra.

II. My omission to report the overstay by Desikachari, Traffic Clerk, of his sick leave was due to the absence of any rules at the time and was not considered blamable by Mr. Horsfall in 1885.

Vide para. 6 supra.

III. As regards the entry of a wrong date in a darkast for land, it is purely an oversight and Mr. Horsfall was satisfied with my explanation thereon.

Vide para. 8 to 13 supra.

IV. My proceedings in connection with a Cowle-assignment is also a subject with which I had to deal during Mr. Horsfall's tenure of office. And the animus of Mr. Tate in connection therewith is seen from the fact of the Tahsildar's English Arzi to him containing *two* parts with *two* dates, the one giving facts as they are and the other, unfounded remarks against me in order to please Mr. Tate.

Vide paras. 14 to 19 supra.

V. Regarding my conduct in connection with a Local Fund road work I am in no wise to blame as my measurements coincide with those taken by the Engineer, Mr. Norfor, notwithstanding that Mr. Tate had hinted to him that I could not be relied upon. The Head Assistant Collector, Mr. Swaminadha Aiyar, did not believe that I took any loans from the contractors of the above road although Mr. Tate hinted to him also that he "had personally no doubt, in the matter." The delay in the construction of the road without the help of any professional maistry was caused by circumstances beyond control.

Vide paras. 20 and 21 supra.

VI. Another charge is that I retained against orders one Subramaniya Aiyar as Acting Karnam. The whole of the proceedings connected with this case took place in the ordinary course during the time of Mr. Horsfall and the said Subramanya Aiyar was removed from his post by Mr. Tate for being faithful to the interests of Government.

Vide para. 22 to 24 supra.

VII. That one Devasigamani Pillai was recommended by me to be let off with a simple "black mark," was because he was new to the village and the fault was not wholly his, he having been misled by the old Maniyagar and he had rendered also good service to Government. The delay in this affair has been fully explained.

Vide para. 25 supra.

VIII. Another charge is the delay in the enquiry and settlement of a (Revenue suit) case brought by a Toti. The Head Assistant

Collector Mr. Swaminadha Aiyar was satisfied with my proceedings in the case. This matter has been merely raked up by Mr. Tate like the others.

Vide para. 26 supra.

IX. Another charge was that I purchased some gram worth Rs. 7 from a Maniyagar. Mr. Swamnadha Aiyar was satisfied that the gram was actually bought for money. This was also raked up by Mr. Tate six months after simply to serve his purpose.

Vide para. 27 supra.

X. The last accusation is that I did not execute the orders of the Huzur for the re-sale of certain land. This was because the Huzur had at first issued the orders under a wrong impression.

30. I apprehend that Mr. Tate has also placed my conduct in a bad light in connection with some trees which I was charged by Mr. Wallace in 1876 with having misappropriated. I beg to submit that it was set up by the then Sub-Division Sheristadar, Kanakasabhai Mudali, and a report thereon to my prejudice was sent up to Mr. (now the Hon'ble) J. H. Garstin, then Collector of the District. But that gentleman reported that I had no bad intention in the matter, and on this the Government acquitted* me. In conclusion I beg to bring prominently to notice that the Sub-Collector had been trying to make up a number of other charges; but when he found from my answers and explanations that there was no use in reporting them, he might have omitted to make mention of them. Particularly in his judgment in Criminal Appeal No. 46 of 1888, on the file of the Joint Magistrate, Mr. Tate made several severe remarks about my proceedings and reported against me to the Collector (District Magistrate) in his letter 183 of 1888. My explanation in that case given on 29th November 1888 must have convinced the Sub-Collector that there was no foundation for his own remarks against me. In another case also (Calender case No. 27 of 1888 on the file of the Ginjee Sub-Magistrate) the Sub-Collector had made many remarks unfavorable to me (*vide* Sub-Collector's letter to Collector No. 182 of 1888); but as he must have found from the judgment of the Sessions Court in an appeal in a connected case as well as from my explanation given on the 4th December 1888 that his remarks were unwarranted, the Sub-Collector must have dropped that matter altogether. These facts will show how much Mr. Tate was prejudiced against me and how he tried every possible means to find *fault with me*. The opinion of such an officer should be received with considerable caution and I very humbly solicit that the Government will not be carried away by the severity of his strictures against me as he bore no small animus and was bent upon my removal from service.

*Vide G. O. No. 791 23-2-77.

31. Under all the circumstances stated in this petition, more especially as Mr. Tate's main object was to shelve me in order to make room for Sundaresa Aiyar, his protege, as is evident from the fact of his having, in May, 1888, desired me through the Tahsildar of my Taluk to retire from the service, and from the fact of Mr. Tate having procured the permission of the Collector by wire—as if great interests were at stake—to suspened me just on the 28th November 1888,

the day after the expiry of my sick leave when he was surprised and chagrined to find that I came to resume my duties against his implied wishes, and his endeavours to place throughout every possible misconstruction on all my proceedings and to throw insinuation about my conduct to other officers who had to deal with me in certain important points, I humbly beseech that your Lordship in Council may not be led, as the Acting Collector and the Board were, by the contorted view taken by Mr. Tate with the object of ruining me, and that Your Excellency be graciously pleased to do justice to me (your poor petitioner) who is *for the last 16 months under suspension pending enquiry*, by ordering my immediate restoration to the service with all arrears of pay. I had been in Government employ for *more than* 30 *years** and conducted myself without any blemish of character and to the satisfaction of the several officers whom I had the honor to serve, as copies of testimonials herein enclosed will show to your Lordship in Council.

* But lose 2½ years on account of underage and some breaks.

For this act of mercy and justice I, as in duty bound,

SHALL EVER PRAY.

K. D. Vijaya Raghava Chetty

Deputy Tahsildar and
Sub-Magistrate of Gingee,
South Arcot.

TRIPLICANE, MADRAS,
22nd March 1890.

PETITION from K. Vijaya Raghava Chetty

47

Dated 27th March 1890.

TRANSFERRED to the Chief Secretary to Government for disposal.

(By Order.)

Private Secretary.

GOVERNMENT HOUSE,
Madras
24th April 1890.

Revenue (1890) DEPARTMENT.

From No. 2339.

THE PRIVATE SECRETARY

TO THE RIGHT HON. THE GOVERNOR,

To

THE CHIEF SECRETARY TO GOVERNMENT,

Revenue DEPARTMENT.

24 } March 1890.
24 }

GOVERNMENT OF MADRAS
24 MAR 90
REVENUE DEPARTMENT

ENCLOSURES 2.

Subject.

Transfers a petition from K. Vijia Raghava Charlu, Dy Tahsildar and Sub-Magistrate of Gingee, S. Arcot, now under suspension praying to be restored to [illegible]

a 8/8

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GOVERNMENT OF MADRAS
21 APR 90
REVENUE DEPARTMENT

To

His Excellency the Right Honorable
Robert Bourke, Baron Connemara, G.C.S.I.,
Governor in Council,
Fort St. George.

The suppliant prayer of K. I. VIJAYA RAGHAVA CHARLU, *Deputy Tahsildar and Sub-Magistrate of Gingee, South Arcot.*

RIGHT HON'BLE SIR,

May it please Your Gracious Government to lend a merciful ear to my sad tale. I am an old and faithful servant whom the Acting Sub-Collector, A. C. Tate, Esq., has resolved upon dismissing from the service.

2. I understand that my case is now before the Government and beg that Your Excellency in Council may be pleased to render me justice.

3. The facts of the case are :—One day in September, 1885, I was at Alampundi on duty, and held my office on the pial of a small house, and in the evening, I left my box inside close to the threshold and went in for my meals. Seshagiri Row, the Acting Dafterband, who was working on the pial outside and the office peon saw some body go into the house, and a few minutes after the box was missing. The suspected party was subsequently apprehended by the police and was recognized both by Seshagiri Row and the peon as the person that entered into the house. But Seshagiri Row retracted his statement before the Magistrate, and so the prisoner was enabled to escape. I therefore reported Seshagiri Row as unworthy of being employed in my office. He then preferred to the Acting Sub-Collector, Mr. O'Farrell, certain charges against me out of which two* are included in those now taken up by Mr. Tate. Seshagiri Row's complaint was referred for my remarks, on the submission of which, Mr. Horsfall then Ag. Sub-Collector got him declared ineligible for public employ in the South Arcot District. The Sub-Collector and also the Collector, Mr. Gordon, who, in 1886, had to deal with the charges preferred against me by Seshagiri Row and now taken up by Mr. Tate, were then satisfied that my conduct was not blamable with reference thereto. On this Seshagiri Row preferred an appeal to the Board of Revenue wherein he referred to the above charges. And the Hon'ble Board while confirming the orders of the District authorities so far as Seshagiri Row was concerned, directed† the disposal of the charges in due course. In the meanwhile Mr. Tate had become the Acting Sub-Collector, and wished to provide for one‡ of the Clerks that had served under him when he was Assistant Collector in the District ; and so he resolved upon shelving me to make room for his protege. He desired§ the Tahsildar of my Taluk (Tindivanam,) to write to me a demi-official, making me understand that I should at once retire from the service. But a difficulty arose as regards my procuring a Medical Certificate of

* 1. Omission to report the absence from duty of one Desika Chari Traffic Clerk.
2. My conduct in connection with a Darkast.

† Early in 1888.

‡ Sundaresa Aiyar.

§ May 1888.

incapacity which Mr. Tate thought was a creation of mine. So, that gentleman was only too glad to welcome the orders of the Board for a disposal of the charges preferred against me by Seshagiri Row; and adding other minor faults, he got me suspended from my duties on the 28th November, 1888. After an enquiry which lasted from 24th November, 1888 to 5th March, 1889, he prepared a voluminous report by the end of September last. I beg to add here that, as advised and recommended by the District Surgeon, I took three and a half months' sick leave which expired on the 27th November, 1888. On my asking to resume my duties Mr. Tate requested the Collector to order *by wire* my suspension pending enquiry into certain charges against me, and it was accordingly done on the 28th, *i. e.*, just the day after the expiry of my sick leave *without any explanation being taken from me.* There is therefore ground for presuming that Mr. Tate would not have suspended me and much less proceeded with the enquiry against me if the Doctor had given me a Medical Certificate of incapacity as he (Mr. Tate) had expected.

4. The first charge is :—"That he made entries in the records of his office "as *ex-officio* Sub-Registrar of Gingee, the purport of which was that he was "present at Gingee, attending to his duty as Sub-Registrar, whereas in truth "he was not so present attending to his duty, and that he drew pay to which he "was not entitled for the days of his absence. The period to which this charge "relates are the days in September, October, and December, 1884 and February "1885, specified in Seshagiri Row's petition, dated 22nd October, 1885." This would imply that I was each time absent from the station for more than 24 hours and then I omitted to make over charge of the Sub-Registry office to somebody in my Cutcherry as I was only *ex-officio*. I beg to explain I was never absent for a whole day except once in the middle of December, 1884, when I was overtaken by heavy floods which then inundated the country and which kept me from the station for 3 days together. Besides there is nothing in my office Diary and other papers which would bear out the charge. I was never absent for whole days in September, October, and November, 1884 and February, 1885, as alleged by Seshagiri Row. The wording that "he drew pay to which he was not entitled for the days of his absence" is calculated to imply that the amount of pay involved was very large. But the allowance granted to me as *ex-officio* Sub-Registrar was only Rs. 7 a month, and even supposing I had been absent during the days in question, I would have drawn no more than Rs. 2 at the most during the period. It is for your Lordship in Council to judge whether I would make false entries and risk my post for a paltry sum, even supposing for argument's sake that I was really absent from the station. Further, no complaint was preferred by *parties* sure to be affected by my absence.

5. With regard to the 2nd charge that I passed Desika Charri's pay for the days he was absent without leave because he was a relation of mine, I beg to explain that Desika Chari was not employed in my office, but was employed as traffic clerk in registering carts, on a temporary traffic-taking establishment, and that he is only a relative of a distant cousin of mine. I at first granted him casual leave for 5 days which he overstayed by 5 days owing to severe illness, and this I did not consider a serious fault because the ruling on the subject was not then strictly enforced, the number of days for which casual leave could be granted at a time not having been fixed. I converted the period of overstay into an extension of the leave and did not report the matter, because I thought it was

quite within my competence. But the matter came afterwards to be noticed by Mr. Horsfall and the absentee's pay mulcted and disbursed to the peon who had acted for him; and in the circumstances of the case that gentleman did not deem it fit to take any notice of my conduct with reference thereto. The subject is now raked up by Mr. Tate with a view to add to the number of charges against me.

6. The 3rd charge on which much stress is laid runs as follows :— "That his action with regard to the darkast of one Kuppa Goundan for certain "land in Narasingarayampettai relinquished by Kumarasami Pillai, the Maniya- "gar of the village was throughout improper, and that in order to show favor im- "properly to the said Maniyagar he altered the date of the receipt of darkast No. "518 of 1885 from 1st February to 31st January 1885." Or in other words, I wished to favor the Maniyagar by making it appear that the darkast No. 518 tendered by his kinsman was received prior to that of Kuppa Goundan, and so although the former's darkast came to hand on the 1st of February, this date was altered into 31st January to suit my purpose. I most humbly beg to submit that I once* explained to Mr. Horsfall that this was purely an error. Thinking that January came to a close on the day previous to the receipt of the darkast No. 518, I at first dated 1st February, but finding out my error I corrected it at once into 31st January and duly initialed the same. That the alteration of 1st into 31st was merely a rectification of an error and not an after-thought, will be evident from the fact that the entry No. 518 in the Register is made *with the same pen and ink* as ten other numbers received on the 31st January. Moreover there is *the Post Office mark* showing 31st as the date of receipt. This fact alone is sufficient to show that the alteration was made *bona fide* and that the correct date was 31st and not 1st. I would certainly have been to blame if I had allowed 1st February to stand. This slight error is made the basis on which to impute a bad motive to me. After all, all the darkasts were thrown over-board as most part of the land included therein was shortly after taken up for the endowment of the Gingee Local Fund Choultry, and what land was left after the assignment, was made over to the Maniyagar's relatives because their tender had to be preferred to that of Kuppa Goundan by reason of their fields adjoining the same. Of the lands darkasted, certain fields were excluded as required for communal purposes such as passing of cattle, outlet for water in winter, village site, &c. The Sub-Collector makes it appear that this exclusion was made with intent to benefit the Maniyagar who is the biggest ryot of the village. There is no reason to suppose that the lands were intended to be used by the Maniyagar only as there was nothing to prevent other ryots from using them. It is to be noted that Kuppa Goundan appealed to the Sub-Collector from my proceedings, but that officer saw fit only to confirm my orders.† That the Maniyagar is no friend of me will be apparent from the fact that I once got him suspended for six months‡ for misappropriating the produce of certain tamarind trees; and in the matter of the darkast under reference which was in fact for lands apparently relinquished by him with the ulterior object of getting them transferred to his relatives I had in my Arzi No. $\frac{212}{21\text{-}8\text{-}85}$ to the Sub-Collector laid bare his bad motive and he has been served aright by the assignment of his land to the Choultry endowment as above noted. But he had without my knowledge obtained the permission of Mr. Horsfall to till the land attached to the Choultry because he saw that I wanted to lease out the land to other ryots to the best advantage.

* 17th November 1885.

† Vide Mr. Horsfall's appeal decision No. 28 of 1887.

‡ Vide Sub-Collector's Takid No. $\frac{26}{28\text{-}7\text{-}85}$.

All these circumstances I humbly trust will go to show that I had no particular predilection for the Maniyagar which is assumed as the motive for my altering the date of the darkast No. 518 from the 1st into the 31st.

7. The three charges noted above are those that were formally framed against me with reference to the accusations contained in Seshagiri Row's petition to the Board. And these were supplemented by certain other alleged faults and misdemeanors which were set forth in a series of questions to each of which I had to submit my answers in explanation. As the report which the Sub-Collector has sent to the Board against me is a sealed packet to me, and I have had no opportunity of refuting any erroneous statements therein made regarding my conduct. I have ventured to submit a brief statement elucidating the various other faults and misdemeanors imputed to me, and regarding which I have submitted my explanation to Mr. Tate in the shape of answers to his several queries referring thereto with reference to the records shown to me. I humbly beg that Your Excellency's noble Government may be pleased to judge how far the statements made against me by the Sub-Collector are to be relied upon.

8. Of these, I believe the foremost is the Cowle-assignment affair. From the substance of the questions put to me by Mr. Tate, this subject divides itself into 4 principal parts; Namely,—my omission to bring to notice certain irregularities in connection with a Cowle-assignment for land,—failure to report that a certain other darkast was pending,—and to get certain village officers criminally prosecuted for their conduct in connection with the Cowle,—and delay on my part to report on the said Cowle when it was ordered by the Sub-Collector to be revised.

9. It is submitted that when my predecessor was in office the Cowle darkast of one Narayanasami Nainar of Sirukadambur was approved, and the fields included therein, made over to him. But on a complaint to the Sub-Collector, Mr. Horsfall, with reference thereto by one Muniyappa Naik, I discovered certain irregularities in connection therewith *viz.*;—that the Cowle-assignment made to the Nainar included lands lying waste for a period *less* than 10 years, that it did not show the tamarind trees standing thereon, and that the prescribed number of trees had not been planted thereon and so forth. As these irregularities were sufficient to warrant the cancelment of the Cowle-assignment to Narayanasami Nainar, I recommended in my Arzi No. $\frac{307}{9\text{-}10\text{-}86}$ the cancelment of the assignment. But the Sub-Collector directed that the land be made over to the Nainar under Cowle tenure *minus* the trees and the fields lying waste for less than 10 years which were ordered to be fully assessed. It was then that I made a particular inspection of the lands and got the accounts of the same prepared with plans, &c., in order to ascertain what extent of land should be so made over to the Nainar. And then I submitted the same to the Sub-Collector with my Arzi No. $\frac{87}{31\text{-}3\text{-}89}$. The Arzi of the Tahsildar No. $\frac{283}{19\text{-}5\text{-}88}$ contained the very same particulars. So it will be seen that I never kept back any information from the authorities as surmised by Mr. Tate. Moreover Muniyappa Naik's appeal was, on the report of the Sub-Collector, rejected by the Collector. I did not give all the above particulars in my 1st Arzi No. 307, because it concerned *only the points* contained in Muniyappa Naik's complaint on which alone I was called upon to report. That I was not a friend of the Nainar will be

apparent from my recommendation to cancel the assignment made to him of the Cowle land. It will be seen from the records that Mr. Tate has eventually carried out my recommendation by getting this assignment cancelled. It is not therefore apparent wherein I am to blame.

10. With regard to the omission in my Arzi No. 307 to make mention of one Subbaraya Nainar's darkast referred to in the Sub-Collector's query No. 2, I beg to explain that it was unnecessary to refer to it in my Arzi. And, moreover, I could not find any clue to the darkast which had been submitted to my predecessor. It is unjust to attach any blame to me on account of the above so-called omission.

11. In respect to the charge that I did not take any serious notice of the conduct of the village officers, I beg to submit that I did, at first in my Arzi No. 307, recommend them for criminal prosecution. But the Sub-Collector wanted me to submit punishment rolls that he might deal with them departmentally. But I found all of them had been turned out of their posts except the Maniyam Munsiff Raghava Nainar, which fact I duly brought to notice in my Arzi No. $\frac{289}{26\text{-}9\text{-}87}$. Afterwards I saw that Raghava Nainar was not to blame and as the real culprit, the Karnam, was out of office, I brought this to notice in my Arzi No. $\frac{87}{31\text{-}3\text{-}88}$. As the order last given to me was to submit punishment rolls, it was unnecessary to mention the names of those who were out of office. The only man who was in office was the Maniyam Munsiff, and as he was not primarily responsible for the mistake, he was not recommended for a severe punishment, but was recommended for a "black mark." I need not say that in all these cases I had only to submit facts as they were, and it is for the higher authorities to deal with the delinquents as they thought fit.

12. With reference to delay in submitting the revised Cowle darkast I beg to explain that it was owing to circumstances beyond control. When Mr. Horsfall's order No. $\frac{197}{8\text{-}11\text{-}86}$ was received, the old Karnam Gumastah had absconded, and 3 months after, another was put in his place. The latter was quite new to his work, and required time to take his own measurements of the land for the preparation of the revised Cowle; and then he could not complete the work as the Paimash and Land Registers had to be traced out in the District Munsiff's Court of Tirukkoilur, where they had been filed by the late Karnam in connection with a Civil Suit. Shortly after, I and the Karnam were called away for the settlement of Fusli 1296. When the measurements were finally made by the Karnam, we discovered a wrong inclusion by Narayanasawmi Nainar of some patta fields in his Cowle. Then he requested the Sub-Collector that the measurements might be made by the *Tahsildar* to whom all the papers had to be forwarded. But the Tahsildar took time, in consequence of which the work was thrown back on me by the Sub-Collector. This was at the end of August, 1887. There then arose a difficulty in procuring the simultaneous attendance of the parties interested *viz*:—Narayanasami Nainar, the Cowle darkastedar, his opponent Muniyappa Naik, the Reverend Father Gabillet, a French Missionary holding fields adjoining the Cowle darkast land and some other individuals. I specially brought to notice this circumstance in my Arzi No. $\frac{289}{1887}$. Moreover, the village officers and myself were for 3 months together exclusively engaged in the preparation of the Fusliwar balance

accounts in the new forms prescribed by the Board. By the time the measurements were completed by the Karnam, which was at the close of the year, I was taken ill and could only resume my duties in February, 1888, when, owing to the accumulation of the work during my absence and pressure of Jamabandi* business, I could not submit my final report on the revised Cowle darkast before the end of March, 1888. I beg apology for encroaching on the precious moments of Your Excellency with such a lengthened account of the delay in the matter of a revised Cowle for a small extent of land, because I fear the wording of Mr. Tate's report might convey the impression that I have generally been dilatory in the discharge of my duties.

* Fusli 1297

13. In connection with this Cowle-assignment, I humbly beg to submit that the Sub-Collector is disposed to bring home to me one and all the irregularities connected therewith, without reference to the party primarily responsible for the same. Mr. Tate unfairly charges me with omission to report the fact of the Cowledar having neglected to plant the prescribed number of trees. It is the duty of the *Revenue Inspector* to report this to the Tahsildar on the eve of the Jamabandi in the form furnished from the Taluk, whence the return is forwarded direct to the Huzur. In connection with this subject, I beg to bring to the prominent notice of Your Excellency in Council that the Tahsildar's English Arzi No. 283 is *made up of two parts*; that is, in the 1st part his statements coincided with those contained in my Arzi No. 87. This the Sub-Collector initialed as having been received by him on the 19th May 1888. But finding on a perusal of the same that it did not contain any points *against me*, Mr. Tate *desired the Tahsildar to append in the very same communication some paras to suit his wishes* which the Tahsildar did below his first signature and dated the same *20th idem underneath*. And these two dates, *viz.*, the 19th and 20th, will be found marked on the one and the same Arzi of the Tahsildar. I humbly beg to submit this anomalous proceeding as one instance of the many, the Sub-Collector had adopted to ruin me. The Sub-Collector charges me also with having reported favorably about the said Narayanasami Nainar in the matter of a complaint brought against him by his opponent Muniyappa Naik. The complaint was that the Nainar who was contractor for the repair of a supply channel to a drinking-water-pond had instead of merely deepening the channel made a straight cut on street Poramboke causing inconvenience thereby to the public. My report on this complaint was that the straight cut was on Mányam land in which the channel is situate and did not encroach on street Poramboke and did not cause any inconvenience to the public. The Sub-Collector perhaps taxes me with not having reported that the straight cut was contrary to the estimate. But I beg to submit that the estimate was not sent to me and I had no idea that such diversion of the channel was contrary to it. In this case therefore it will be clear that I had done nothing to favor Narayanasami Nainar, but merely reported facts as gathered from my inspection and enquiry in the ordinary course of my duty.

14. Another subject which has been taken up against me by Mr. Tate is one that relates to my proceedings in connection with a Local Fund road. This is a short road estimated to cost Rs. 1,000. It was sanctioned in August, 1887, and given out on contract on condition that it was to be completed by the end of November following; but from circumstances beyond control it was not completed by the end of the official year as was expected; and even then it was done so badly that the contractors had to be recommended to be fined. I am herein blamed

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on three counts:—i. My measurements of the works done are not trustworthy. ii. There is ground for presuming that I took loans from the contractors. iii. I did not stir them up but allowed an unusual delay in the execution of the work.

15. The first count, I humbly beg to submit, cannot be maintained. The Sub-Collector in asking* the Local Fund Engineer to report on the value of the works done by the contractors, hints "the Deputy Tahsildar to whom the work "was entrusted to be superintended could not be relied upon." But the Engineer does not cast any reflections on me. He finds from his measurements the quantity of earthwork done to be 8,345 cubic yards, and in my report it is 8,506; the difference of 161 cubic yards was because some of the pits were almost filled up when Mr. Norfor took measurements six months later. Moreover my statement in Arzi No.† $\frac{20}{6\text{-}7\text{-}88}$ that the contractors had still to do earth-work to the extent of 1,000 and odd cubic yards is corroborated by the Engineer's measurements. And he also concurs with me in condemning‡ the road-dams. And so I humbly beg to submit that the measurements are *not untrustworthy* as stated by Mr. Tate.

* Letter No. $\frac{502}{22\text{-}12\text{-}88}$.

† Addressed to President of the Tindivanam Taluk Board.

‡ Vide his letter to the Sub-Collector No. $\frac{461}{4\text{-}2\text{-}89}$.

16. That I took loans from the contractors amounting in all to Rs. 87 is a mere *assertion of the contractors* with no proof. This story, Mr. Tate was only too eager to believe as the following extracts would show. In his letter§ to Mr. Swaminadha Aiyer Avergal, Head Assistant Collector, after noting that the contractors, the Office Daffadar and the Clerk state that when the contractors brought a petition¶ to Mr, Swaminadha Aiyer Avergal, they accused me of taking loans from them, he (Mr. Tate) hints "I have personally no doubt that what the "petition Clerk, the Daffedar and the contractors say is true." But Mr. "Swaminadha Aiyar says in his reply ‖ "I cannot however say if the Aiyangars * "then told me the reason why the Deputy Tahsildar had found fault with their "execution of work. But I am inclined to think that it is not likely they would "have made any statement accusing the Deputy Tahsildar, for, firstly, if they "had done so, I should certainly have received their petition, which they sent "by post the day following." According to Mr. Tate's admission, "whereas in the "first petition no mention is made of the alleged loan, in the 2nd petition † after I "had returned to duty the charge was brought." This was because the contractors knew that Mr. Tate was not well disposed towards me. Besides during the enquiry, the contractors were recommended by the Sub-Collector for a part-payment of Rs. 100 and actually paid though the Sub-Collector himself had been condemning their work. This circumstance must have induced the contractors to please the Sub-Collector by bringing unfounded accusations against me.

§ No. $\frac{1116}{30\text{-}12\text{-}88}$. enclosing the Clerk Balakrishna Row's statement alone.

¶ Dated 20th July 1888.

‖ No. $\frac{3}{11\text{-}1\text{-}89}$.

* Contractors.

† Dated 6th August 1888.

17. As regards the nature of the evidence in respect of the loans, it is not at all a[illegible]one. One of the contractors Krishna Aiyangar states that in my presence he g[illegible]s.20 to Ramaswami Aiyangar (his co-contractor) to be handed over to me in November, 1887. and that he afterwards demanded at Tindivanam repayment of the loans in April, 1888, when a private maistry Darmasiva Mudali was also present. I beg to submit that there is not a particle of truth in these allegations. It is strange that Krishna Aiyangar should not have made the least mention of it to the private maistry Darmasiva Mudali, when both of them were returning together to Gingee from Tindivanam in April 1888. Moreover the contractors could not account for their glaring omission to make mention of the loans in their *first petition* to Mr. Swaminadha Aiyar Avergal, in July, 1888, and for their having

made mention of it in their subsequent petition presented *to Mr. Tate* in August, 1888. Krishna Aiyangar deposes that I asked him for Rs 10 worth of ghee and that this was delivered by him to one Narayanasami Goundan for transmission to me; and the latter says that he sent it on to me by two of his servants who were not examined. Yet Mr. Tate notes down that Krishna Aiyangar "seems to be "speaking the truth. His manner is not at all that of an untruthful witness"; while Mr. Tate has remarked with regard to the statement of Darmasiva Mudali the private maistry that "witness gave his reply in a very hesitating manner," because he could not get him to say any thing against me. It will be observed that the contractors were recommended by me to be fined both for their delay and for their bad work. They were only too glad therefore to take advantage of the Sub-Collector's displeasure towards me to trump up a false charge of having taken loans from them. Amirbek, the office Daffedar, simply deposes to the fact of the contractors appearing before Mr. Swaminadha Aiyar with a petition and states that he "does not know particulars of what those petitioners said." As for the Clerk Balakristna Row, who has stated that the contractors complained to Mr. Swaminadha Aiyar Avergal orally against me, Government will be pleased to note how far his statement could be relied upon as at the time he was under the Sub-Collector's control. Thus your Excellency in Council will perceive that there is every ground for believing that the loan affair is any thing but true.

18. As regards the delay in the construction of the road, I beg to explain that the work was given out on contract in August, 1887, when Mr. Horsfall was President of the Taluk Board, on condition that it was to be completed by the end of November following. On the 22nd October, measurements of the work then done were taken and a bill for Rs. 212, submitted by me for payment which was passed. But owing to heavy rains which then flooded the country, the work could not be proceeded with. In January, 1888, in reply to a call and at the request of the contractors, I recommended that time might be given to the end of February 1888, which was accordingly allowed. When Mr. Tate took charge in the beginning of March, I brought to his special notice that as the official year was on the close, the balance payable to the contractors on the completion of the work might be placed in deposit that it might not lapse at end of the year. I also recommended that the contractors be fined for their neglect. On this Mr. Tate taxed me with delay in the execution of the work. I humbly beg to submit, as already stated, that the delay was purely unavoidable. After my inspection of the work there was heavy rain for two months together, or till the end of December. I was ailing from Dyspepsia at the beginning of January; Mr. Horsfall saw me and gave me privilege leave for 15 days; and when I returned from the leave, I was ordered to attend to the Malayanur festival which occupied me for more than a week, and then I had to go to the Cusba station for Jamabandi where I had to stay until the 3rd March 1888. Mr. Horsfall is fully aware of all these circumstances. But as soon as Mr. Tate took charge he was in no good humour towards me as he was bent on ruining me. He only took exception to the delay in the construction of the road and did not choose to make any allowance for the unavoidable causes explained by me.

19. I also beg to submit that at the very commencement I asked for the help of a maistry in connection with this road; but it was not given me; and that I should have been allowed such a help is borne out by the remarks of the

Local Fund Engineer, Mr. Norfor, in his letter of 4th February, 1889, namely, that "it was a pity that this work was given to Revenue Agency." I need not submit here how many of the public works came to be delayed under exceptional circumstances similar to the one under reference.

20. As regards the remaining charges there are two which are blended together. That is, I retained in employment against orders one Subramanya Aiyar, Acting Karnam of Kadappanandal, and some other villages, and further that I supported his false complaint in respect of some concealed cultivation, &c., against the villagers of Kundalampat. The facts of the case are:—With reference to an endorsement* favored to Subramanya Aiyar by the Sub-Collector, I appointed him Acting Karnam of Kadappanandal and another village subject to approval. Mr. Horsfall, sanctioned† the arrangement with a proviso that the permanent incumbent was to be produced when the villages were taken up at Jamabandi then progressing. But no body appeared, and Subramanya Aiyar was ordered‡ to be retained for a year under the same conditions. Subsequently in August, 1886, one Aiyamperuma Pillai, doing Karnam's duty in a village of North Arcot, turned up as the Mirassi Karnam and presented an application to me that his minor son Dorasami Pillai, might be put in the room of Subramanya Aiyar, with the aid of Ramasami Pillai, as his Gumastah. Then the Taluk records had to be searched with a view to ascertain Aiyamperuma Pillai's right to the Karnamship: this took some weeks. And then as the Jamabandi of Fusli 1296 was close at hand the matter was submitted to the Sub-Collector: but as Aiyamperuma Pillai did not put in his appearance Mr. Horsfall desired§ me to report on the subject when the parties came up. And at last Aiyamperuma Pillai, and his son presented themselves before me in November, 1887 and requested that *Subramanya Aiyar* might be retained as their Gumasta, which arrangement I proposed in my Arzi dated 8th December, 1887. And then the Sub-Collector wished to know how Aiyamperuma Pillai came to lose his post and in reply to his reference I referred¶ Mr. Horsfall, to his Diary No. 157 of Fusli 1296. After some more correspondence with the Huzur, I recommended the further retention of Subramanya Aiyar, which was approved‖ with a proviso to procure Aiyamperuma Pillai and ascertain his wishes. I sent notice to him through the Tahsildar of Polur in North Arcot for his appearance by the 1st August, 1888, and even then Aiyamperuma Pillai did not appear; and I had no alternative but to recommend** the further retention of Subramanya Aiyar for the conduct of business connected with the villages.

* Dated 11-1-86.

† Order No. 19 18-2-86.

‡ Vide Jamabandi Diary No 292 16-3-86. of Fusli 1295.

§ Diary No. 157 of Fusli 1296.

¶ On 28th February 1888.

‖ Diary No. 322 of Fusli 1297 communicated to me at the end of June 1888.

** Arzi No. 282 7-8-88.

21. Then for the *first* time Mr. Tate took exception to Subramaniya Aiyar continuing as Karnam Gumasta and ordered†† the Tahsildar to remove him at once. Mr. Tate contends that I ought not to have retained Subramaniya Aiyar because he had brought false charges of chapàvani (concealment of cultivation, &c.) against the village officers of Kundalampat and was also insubordinate to the Revenue Inspector. I beg to explain that Mr. Tate did not choose to believe in the chapàvani, at the instigation of his office people who supported the Revenue Inspector in his conduct to favor the village officers of Kundalampat. The papers noted in the margin‡‡ and especially the statements I forwarded with my communication No. 288 9-8-88 showing a clear loss to Government of Rs. 150 prove the fact of the existence of the chapávani, and show that the Revenue Inspector Samudravijaya Nainar had been trying to screen the village officers. The delay imputed to me by the Sub-Collector in reporting upon this chapávani, was

†† 2nd September 1888.

‡‡ Note of the Ag. Deputy Tahsildar on Rev. Inspector's report dated 26th Oct. 1886 & Jamabandi Diary No. 292 of Fusli 1296.

purely owing to the contumacy of the village officers who evaded me whenever I found it possible to go to their village, and further they had *made away with the Adangal* account of Fusli 1295 which would go to show the chapàvani. They were not in any way punished although I had brought* their conduct to the special notice of the authorities in April 1888 at the time of the settlement for Fusli 1297. Then I was simply ordered to complete the Azimoish which I had to do with the help of my own peons as the village servants could not be got to do the work properly. In connection with this chapávani I forwarded my final report on the 9th August 1888 regarding the concealed cultivation and also Kassar, that is, omission to charge water-cess. I could not then inspect the taxable trees which were enjoyed free by the villagers as my health did not then permit of my inspecting them which were scattered over a large area; but I ordered the person then acting for the Revenue Inspector to do the work as it was *his duty* to attend to it. The Sub-Collector impugns the statement made in my Arzi confirming the truth of the chapàvani brought to notice by Subramaniya Aiyar and merely taxes me with the delay which I could not help. Mr. Tate does not take any notice of the wanton conduct of the Revenue Inspector in omitting to bring to light the chapávani made by the village officers. Thus Subramaniya Aiyar was removed from his Acting Karnam's post for *watching the interests of Government*, while the Revenue Inspector was given promotion shortly after, notwithstanding his conduct has been such as to *connive at losses to the State*.

* Vide Diary No. 322 of Fusli 197.

22. Another fault imputed to me was that I had once recommended the letting off of one Devasigamani Pillai, Acting Karnam of Tadagam, with a "black mark" for serious omission on his part to bring to account Kassar (water-cess) to the amount of Rs. 127, while the permanent man was recommended to be dismissed from his post.

23. I humbly beg to explain that Rangasami Pillai, the permanent Karnam Gumasta was at the time under suspension for persistent disobedience of orders when Devasigamani Pillai was made to act for him in Tadagam and in four other villages. He being comparatively *new to the work*, had to depend to some extent on the Maniyagar Velayuda Goundan for the conduct of the same and so it happened that he omitted to bring to account the above Kassar. But as Devasigamani Pillai was a new man and as he had *rendered good service* in connection with the discovery of Kassar, &c., in Vadugappundi and other villages to the amount of Rs. 600 and further as he *had no motive* in omitting the Kassar in Tadagam and as I had every reason to believe that he was led to the mistake by the Maniyagar, I thought that a "black mark" was a sufficient punishment for his unwitting error. But the case was otherwise with Rangasami Pillai. He had been doing duty in the village for a good number of years, knew all the ins and outs and he had resumed his duty in sufficient time before Jamabundi and ought to have brought this error on the part of Devasigamani Pillai to notice. Moreover, there were other serious charges against him of which the alteration of the Taram or class of some of the fields in Pôttuvayi village stood foremost. It was all these considerations that led me to recommend a heavier punishment in Rangasami Pillai's case. After all it was a matter of opinion; and I recommended the punishment which *I thought* the circumstances of the case warranted, and it was left for the superior officer to deal with it as he thought best.

24. The delay of one year imputed to me in connection with this case is an error. The matter was at first reported by me to Mr. Horsfall and it was only when it was referred back to me for some particulars, there happened some unavoidable delay and this was because Rangasami Pillai made himself scarce whenever I went over to his village which is at a distance of some 16 miles (not 8 as noted by Mr. Tate) from my head-quarters. About this contumacy on his part I duly reported* to Mr. Tate who had then (March 1888) taken charge. I humbly beg to submit that almost the whole of the proceedings in connection with this case took place during Mr. Horsfall's tenure of office and Mr. Tate had only to pass final orders on the subject. This was done on the 13th May 1888, when Mr. Tate merely disapproved of my recommendation to let off Devasigamani Pillai with a "black mark" and removed him from the Acting Kurnam office then held by him. His sole object in raking up this frivolous charge so late as in November, 1888, or fully *six months after its disposal* once by him, was merely to swell the number of charges against me.

* Vide Arzi No. 101 dated 4th April 1888.

25. Another fault ascribed to me is a delay of 10 months in the disposal of a Revenue suit brought by a Toti of Tadagam. This case was taken up and disposed of by Mr. Swaminadha Aiyar Avergal, under date 22nd June, 1888, when in charge of the Sub-Collector's office. I have to explain that this case was referred to me by Mr. Horsfall on the 26th May, 1887, for report by arbitration by me and the village Munsiff. Owing to the non-appearance of the parties concerned, and as the extent of the Inam land involved in the suit had to be measured in their presence, no final steps could be taken by me till the 11th October, 1887. Then the parties agreed to come to an amicable settlement after consulting their respective relatives who were not on the spot and this took some time, after which the Christmas holidays intervened; and then I was laid up for some time; and when I resumed my duties I had to go and attend to the sanitation of a feast at Malayanur and then to attend to the Jamabandi of Fasli 1297. By the time I returned to my head-quarters the parties had come to an amicable settlement which was in the middle of March, 1888. It is submitted that the complainant in the case who was most affected by the delay, made no representation on the subject, much less did Mr. Horsfall take any notice of the same. When in due course I reported† the above settlement, Mr. Tate, with his usual *animus* against me recorded a remark about the delay and went away on leave. Then Mr. Swaminatha Iyer in charge, *was satisfied* with this settlement and confirmed the same on the 22nd June, 1888, *without passing any remark about the delay*. It will thus appear strange to Your Lordship in Council, that Mr. Tate should think *in November* 1888 *or after the lapse of six months*, of taxing me for the delay in a simple case referred to me for arbitration. His object in so doing, as already submitted, was merely to multiply the number of my so-called misdemeanors in the eyes of the higher authorities.

† Arzi No. 93 of 7th April 1888.

26. Another charge is based on the fact of my having purchased some black and green gram worth Rs. 7 from one Gopala Aiyar, Maniyagar of Periya Nolambai. The facts are; one Arunachala Aiyar Karnam of the village, who owed a grudge to me complained that I got the gram from him under a threat. Mr. Tate admitted the complaint but it was taken up for enquiry by Mr. Swaminadha Aiyar Avergal in charge; and the latter being convinced that the gram was actually purchased of Gopala Aiyar, dismissed‡ the complaint with a reproof that I should not have had any such dealings with Gopala Aiyar who

‡ Order No. 140 of the 23rd July 1888.

was a village Officer under me. It is however respectfully submitted that it is the practice in the Mofussil to obtain articles that may be required from village officers on payment. This system of village officers supplying on payment has been recognised as proper by the authorities. But in February, 1889 or fully six months after when all the office records were being ransacked for all the available faults against me, Mr. Tate purposely re-opens this complaint of Arunachala Aiyar and after a farce of an enquiry he gives the records of enquiry into my hands desiring me to offer my explanation thereon. I beg to submit that the evidence in the case shows that the requisition for the gram was not made to Arunachala Aiyar but to Gopala Aiyar who sent over my chit calling for the gram to Arunachala Aiyar, as the former had no pulse with him. This chit was submitted by Arunachala Aiyar to Mr. Tate with his complaint and was perused by Mr. Swaminadha Aiyar when he held the enquiry into the case and that gentleman had dismissed the complaint as he considered that there was nothing serious about the matter; because it was proved that I *had paid* for the gram. I beg to submit that Arunachala Aiyar wanted to make it appear that I got the gram from him under a threat to deal with him severely in the matter of a tree cut down by him which was then pending before me; and he gives the date of the threat as the 13th or 14th April 1887, but the village Munsiff's report about the misappropriation of the tree was received by me on the 19th idem or nearly *a week after*; and so Arunachala Aiyar's allegation about the threat falls to the ground. Similarly his assertion that I got up a false case against him in connection with a darkast, because he demanded payment for the gram, is also false, as it is clear that the complaint about the darkast was lodged before the Sub-Collector on the 4th April, 1887, or *fully a fortinght previous* to the supply of the gram which is alleged to have been made *on the 22nd idem*. Mr. Tate has not probably noted these glaring inconsistencies in his eagerness to glean all possible matter that might enable him to work my ruin.

27. The only remaining fault against me, as I believe, on the file of the cases Mr. Tate has brought to notice is one that relates to an assignment of certain lands without obtaining the Sub-Collector's permission. I beg to explain that one Chap Gouse Moideen Saheb occupied about 3 cawnies of wet land in the village of Sennalur purchased from a non-resident pattadar Appaswamy Pillai. This was put to sale in 1883 at a so-called public auction, because no payment of the kist due on it was found credited in the Maniyagar's accounts, but as nobody bid for the fields owing to the intrigues of the village officers it was bought in on behalf of Government. Subsequently the land was included by the Village Officers in the fieldwar memo of darkast No. $\frac{156}{19\text{-}5\text{-}84}$ tendered for Fasli 1294 by the said Saheb and another and its disposal was pending. But as the fields were bought in for Government, permission for their re-sale was obtained in the ordinary course. When, however, the sale commenced, it became manifest that the assessment due on the land had been paid up by the occupier who raised objections against the sale. I then ordered the sale to be stopped and permitted the holder to occupy the land pending the receipt of formal orders from the Huzur for the issue of the required patta to him. I had marked this subject for report to the Sub-Collector in due course; but owing to wanton neglect on the part of Venkatachella Naidu (my office Gumasta), since removed, the required orders were omitted to be obtained. Mr. Tate makes a capital out of this unwitting omission. He says that I have set at naught the orders

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of the Huzur for the re-sale of the land and that I wantonly permitted Chap Gouse Moideen Saheb to re-occupy the land without getting the Sub-Collector's sanction. Mr. Tate intends thereby to attach a bad motive to me. It is for Your Excellency's noble Government to judge whether I had acted properly or otherwise in not executing the orders for the re-sale under the circumstances of the case; and whether I would not have been taxed with a want of discretion, if I had carried out the orders of the Huzur which were issued in ignorance of the real facts of the case. The papers show that I had no bad motive either in stopping the sale or in allowing the holder to re-occupy the land. It is submitted that the Sub-Collector has taken no notice of the conduct of the subordinate who conducted the *first* sale and that no credit is allowed me for having brought to light the malpractices of the village officers whose object was first to misappropriate the kist on the land and then to purchase the same in the name of their kinsmen. I acted in a *bona fide* manner in first seeking* permission for the re-sale of the land and at once stopping the sale when I found out the nefarious transactions connected with the original sale. This I had noted in the Jamabandi Diary No. 544 of Fusli 1294 under date 11th July 1885, for the information of the Huzur authorities pending the receipt of formal orders for the cancelment of the sale and the grant of putta to the holder Chap Gouse Moideen Saheb. The proceedings connected with the above land took place in 1885, and they are now questioned and entirely misrepresented simply with the object of making up a serious case against me. It appears to have been so dragged into light with the help of Sundaresa Aiyar on whom my post was conferred when I was on sick leave and it was thought I would not return.

* Arzi No. 45 dated 20th March 1885.

28. I humbly beg to repeat that I am ignorant of most of the charges brought against me, as I was furnished with copy of the first three only, and the construction placed on them by Mr. Tate, whether borne out by the records or based on his own impressions in his voluminous report about my conduct, which is *a sealed packet to me*. My application to the Collector for a copy of Mr. Tate's report was endorsed that I should apply to the Board of Revenue as it was then pending before them. But when I saw Mr. Hammick, the Board Secretary, on Friday, the 14th Instant, I was told by that gentleman that all the papers connected with my case have been sent up to Government for final orders with a recommendation for dismissal as proposed by Mr. Tate along with my petitions of the 15th and 19th October, 1889, to the Board asking for a copy of the Sub-Collector's report or of the substance thereof. I have endeavoured to give my explanations to the above charges which I believe————as far as I could gather from the proceedings conducted against me by Mr. Tate during a period of nearly four months————to be those which are contained in the Sub-Collector's report. The above explanations are in addition to those already furnished by me to Mr. Tate and now on record, I believe, forming enclosures to his report. But if, in guessing the nature of the above charges, I am far from the mark and if there are others on which Government may wish to hear me, I beg that they will condescend to give me an opportunity of explaining my conduct with reference thereto before passing their final orders in my case. I humbly beg that Your Excellency will, before passing any orders, be pleased to peruse the answers given by me to Mr. Tate's questions and the explanations then submitted to him as these will furnish satisfactory reasons for the one-sided charges which the Sub-Collector might have made against me in his report.

† Vide Collector's endorsement No. 3843 2-12-89 enclosed in the Copy submitted to His Excellency the Governor on the 22nd instant.

29. It will be seen that of the charges noted and explained above :—

Vide para. 4 supra.

I. The alleged fact of my having been absent from the station for whole days and having drawn pay for this period as ex-officio Sub-Registrar is not believable.

Vide para. 5 supra.

II. My omission to report the overstay by Desikachari, Traffic Clerk, of his sick leave was due to the absence of any rules at the time and was not considered blamable by Mr. Horsfall in 1885.

Vide para. 6 supra.

III. As regards the entry of a wrong date in a darkast for land, it is purely an oversight and Mr. Horsfall was satisfied with my explanation thereon.

Vide para. 8 to 13 supra.

IV. My proceedings in connection with a Cowle-assignment is also a subject with which I had to deal during Mr. Horsfall's tenure of office. And the animus of Mr. Tate in connection therewith is seen from the fact of the Tahsildar's English Arzi to him containing *two* parts with *two* dates, the one giving facts as they are and the other, unfounded remarks against me in order to please Mr. Tate.

Vide paras. 14 to 19 supra.

V. Regarding my conduct in connection with a Local Fund road work I am in no wise to blame as my measurements coincide with those taken by the Engineer, Mr. Norfor, notwithstanding that Mr. Tate had hinted to him that I could not be relied upon. The Head Assistant Collector, Mr. Swaminadha Aiyar, did not believe that I took any loans from the contractors of the above road although Mr. Tate hinted to him also that he "had personally no doubt in the matter." The delay in the construction of the road without the help of any professional maistry was caused by circumstances beyond control.

Vide paras. 20 and 21 supra.

VI. Another charge is that I retained against orders one Subramaniya Aiyar as Acting Karnam. The whole of the proceedings connected with this case took place in the ordinary course during the time of Mr. Horsfall and the said Subramanya Aiyar was removed from his post by Mr. Tate for being faithful to the interests of Government.

Vide para. 22 to 24 supra.

VII. That one Devasigamani Pillai was recommended by me to be let off with a simple "black mark," was because he was new to the village and the fault was not wholly his, he having been misled by the old Maniyagar and he had rendered also good service to Government. The delay in this affair has been fully explained.

Vide para. 25 supra.

VIII. Another charge is the delay in the enquiry and settlement of a (Revenue suit) case brought by a Toti. The Head Assistant

Collector Mr. Swaminadha Aiyar was satisfied with my proceedings in the case. This matter has been merely raked up by Mr. Tate like the others.

Vide para. 26 supra.

IX. Another charge was that I purchased some gram worth Rs. 7 from a Maniyagar. Mr. Swaminadha Aiyar was satisfied that the gram was actually bought for money. This was also raked up by Mr. Tate six months after simply to serve his purpose.

Vide para. 27 supra.

X. The last accusation is that I did not execute the orders of the Huzur for the re-sale of certain land. This was because the Huzur had at first issued the orders under a wrong impression.

30. I apprehend that Mr. Tate has also placed my conduct in a bad light in connection with some trees which I was charged by Mr. Wallace in 1876 with having misappropriated. I beg to submit that it was set up by the then Sub-Division Sheristadar, Kanakasabhai Mudali, and a report thereon to my prejudice was sent up to Mr. (now the Hon'ble) J. H. Garstin, then Collector of the District. But that gentleman reported that I had no bad intention in the matter, and on this the Government acquitted* me. In conclusion I beg to bring prominently to notice that the Sub-Collector had been trying to make up a number of other charges; but when he found from my answers and explanations that there was no use in reporting them, he might have omitted to make mention of them. Particularly in his judgment in Criminal Appeal No. 46 of 1888, on the file of the Joint Magistrate, Mr. Tate made several severe remarks about my proceedings and reported against me to the Collector (District Magistrate) in his letter 183 of 1888. My explanation in that case given on 29th November 1888 must have convinced the Sub-Collector that there was no foundation for his own remarks against me. In another case also (Calender case No. 27 of 1888 on the file of the Ginjee Sub-Magistrate) the Sub-Collector had made many remarks unfavorable to me (*vide* Sub-Collector's letter to Collector No. 182 of 1888); but as he must have found from the judgment of the Sessions Court in an appeal in a connected case as well as from my explanation given on the 4th December 1888 that his remarks were unwarranted, the Sub-Collector must have dropped that matter altogether. These facts will show how much Mr. Tate was prejudiced against me and how he tried every possible means to find *fault with me*. The opinion of such an officer should be received with considerable caution and I very humbly solicit that the Government will not be carried away by the severity of his strictures against me as he bore no small animus and was bent upon my removal from service.

* Vide G. O. No. 791 23-2-77.

31. Under all the circumstances stated in this petition, more especially as Mr. Tate's main object was to shelve me in order to make room for Sundaresa Aiyar, his protege, as is evident from the fact of his having, in May, 1888, desired me through the Tahsildar of my Taluk to retire from the service, and from the fact of Mr. Tate having procured the permission of the Collector by wire—as if great interests were at stake—to suspened me just on the 28th November 1888,

the day after the expiry of my sick leave when he was surprised and chagrined to find that I came to resume my duties against his implied wishes, and his endeavours to place throughout every possible misconstruction on all my proceedings and to throw insinuation about my conduct to other officers who had to deal with me in certain important points, I humbly beseech that your Lordship in Council may not be led, as the Acting Collector and the Board were, by the contorted view taken by Mr. Tate with the object of ruining me, and that Your Excellency be graciously pleased to do justice to me (your poor petitioner) who is *for the last 16 months under suspension pending enquiry*, by ordering my immediate restoration to the service with all arrears of pay. I had been in Government employ for *more than* 30 *years** and conducted myself without any blemish of character and to the satisfaction of the several officers whom I had the honor to serve, as copies of testimonials herein enclosed in the copy submitted to His Excellency the Governor on the 22nd Instant. will show to your Lordship in Council.

* But lose 2½ years on account of underage and some breaks.

For this act of mercy and justice I, as in duty bound,

SHALL EVER PRAY.

K. D. Vijaya Raghavan Chaik

Deputy Tahsildar and
Sub-Magistrate of Gingee,
South Arcot.

TRIPLICANE, MADRAS,
22nd March 1890.

Despatched on the 27th March 1890.

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(1890.)

REVENUE DEPARTMENT.

No. 3934

ABSTRACT.

From K. I. Vijaya Raghava Charlu, Dy Tahsildar & Sub Magr of Gingee South Arcot at Triplicane, Madras

Dated 27 March.

Received 21 April.

Enclosures

No.

SUBJECT.

Praying for restoration to his office with all arrears of pay.

(Nos: 24/7 & 4/8) & 18/8

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REVENUE DEPARTMENT.

No. 88, 2339, & 2924

From Board of Revenue (Land Revenue) & K. I. Vijaya Raghava Chari

Dated 13th, 24, & 27th March 1890.

FOR ORDERS.

In the first of these papers the Board submits with its recommendations the ~~collector~~ report of the Collector of South Arcot on the several charges brought by the Subcollector Mr. Tate against K. I. Vijaya Raghava Chari, Dy Tahsildar of Gingee (now under suspension). The second is a petition from the Deputy Tahsildar & the third is an exact copy of ~~the third~~ it.

2. The several charges against Vijaya Raghava Chari are as follows:—

i. Fraudulent alteration of the date of receipt of a darkhast;

ii. Drawing the pay of a clerk who is his relation for the time he was absent from Dy;

iii. Drawing the allowance due to him as Sub-registrar the days he was abs from the Head Quarters & making false entries in the Diary for the purpose;

iv. Fraudulent assignment of certain lands on cowle.

v. Wilfully delaying the enquiry into a charge of misappropriation of revenue collections against a village officer;

vi. Delaying the submission of a report called for;

vii. Falsely certifying that a certain work had been done in accordance with the Estimate while as a matter of fact it had not been done so;

viii. Conniving at false charges brought by one Subramaniya Aiyar against certain village officers and retaining him in Employment contrary to orders;

ix. Submitting false report in connection with the construction of a road and accepting an illegal gratification from the contractors;

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x. Receiving illegal supplies from village officers; &

xi. Fraudulent conduct in the matter of resale of certain lands.

3. Charge i :- Fraudulent alteration of date of receipt of a dockhook.

The facts relating to this charge are set out at length in paras 4 to 7 of the Sub-Collector's report and are briefly as follows:—

One Kumarasami Pillai, an influential & a well-to-do man & a friend of the Deputy Tahsildar, is the monigar & munsif of Narasingaraganpettai & Gettiyar tangal — two villages adjoining Ginjee — in which he owns extensive landed property. As he was growing old, he wished to make some provision for his son-in-law by re-linquishing some of his lands and getting them assigned

to him (son-in-law) on
darkhast — a curious pro-
cedure indeed. According
in F. 1293 & 1294, he & his
son Manickam Pikai re-
linquished a portion of
their lands. According to
the district practice, the
latest date for the presen-
of darkhasts is 31st Jany.,
and one Kuppa Gounadan,
an enemy of the monigar,
somehow discovering that
the lands had been relinquis-
put in a darkhast for them
on 29th Jany. 1885. This
was immediately followed
by darkhasts of the moni-
-gar's relatives, among
whom was one Saravana
Mudali (monigar's brother-
-law's son) who possessed
a preferential right as ad-
-joining land-holder for
some of the fields. It is
this man's darkhast that
has been tampered with.
It was originally dated 31st
Jany. 1885, but the date ha

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FOR ORDERS.

This is marked XXVII in
blue pencil & 13 in
red pencil side packet
relating to charges I. II. III.
Cl.

since been altered into
30th Jany. The Deputy Tah-
-sildar initialled it in two
places, at the top & bottom,
entering the date of receipt
as 1st February 1885 in
both places; & the docket
on the back of the darkhast
prepared by the Gumastah
was also dated 1st Feby/85.
These dates have since been
altered into 31st Jany. 1885.
All the darkhasts were even-
-tually dismissed by the
Deputy Tahsildar on the
10th May 1885 on the ground
that the lands were required
for assignment as Inam
for the Local Fund Choultry
at Ginjee. The Deputy Tahsildar's
report on the selection of lands
for the Choultry Inam did

not, however, reach the Divisional Officer (Mr Horsfall) until the 13th Jany 1886. In the meantime, the above mentioned Kuppa Goundan petitioned Mr Horsfall questioning the Deputy Tahsildar's good-faith and asserting that he (Dy Tahs.) had selected inferior dry lands for the choultry instead of rich wet lands which were available and that his object in doing so was to favor Kumarasami Pillai, the monigar above referred to. This was followed up by further petitions from the same individual which led to the ~~inspection~~ selection of the land ~~spot~~ by Mr Horsfall, who included in his selection every one of the fields indicated by Kuppa Goundan as valuable and which had been

omitted by the Deputy Tahsildar. Mr Horsfall then directed that the remainder of the land should be disposed of under the darkhast rules. Fresh darkhasts were thereupon presented for the remaining lands and Kuppa Goundan was among the applicants, though not the earliest this time. The Deputy Tahsildar rejected the darkhasts for fields Nos 57 & 72 on the score that they were required for communal purposes & the remaining fields were assigned to Kumarasami Pillai & his relatives. In the correspondence which ensued regarding the reservation of the fields Nos 57 & 72, the Deputy Tahsildar was persistently submitting inaccurate & misleading reports with the evident object of showing disfavor

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no Kuppa Goundan & favor to Kumarasami Pillai. The inaccuracies & misrepresentations in the Dy Tahs reports were brought to notice by his successor in office, whereupon Mr Tate inspected the spot himself. His personal inspection ~~only~~ confirmed the correctness of the report made by Vijaya Raghava Chari's successor.

Vijaya Raghava Chari urges in explanation that the darkhast in question was received by tappal on the 31st Jany 1885, that it bears the Ginger Pot mark of the same date; that by mistake he first entered the date of receipt as 1st Febr 1885 and, on finding out the error immediately after, corrected it into 31st Jany 1885; that the fact that all the darkhasts were eventually dismissed by him is a sufficient proof that he had no motive in

× vide No. 47 in the list of papers

I do not see any ground for supposing that the alteration of the date was made with any fraudulent or sinister motive. There is no attempt at concealment the alteration being palpable and the clerks in the office knew of it. The idea that the Deputy Tahsildar meant to favor the Darkhastar is completely negatived by the fact that he did not assign the land to him or to anyone. However as the Darkhast was posted on the 31 Jany 1885 it was a simple matter for the Deputy Tahsildar to regard it as presented on that date & within time & there was no necessity for him to resort to Forgery (which he as a Magistrate must have known to be a heinous crime) in order to enable him to favor the claimant. Mr Tate's theory appears to me ridiculous on the face of it and I see no reason for disbelieving the Dy Tahsildar's assertion that the alteration was made simply with the view of correcting an error made in dating the document. As to the Deputy Tahsildar's subsequent conduct it seems to have been suspicious and afford

antedating the particular darkhast in question; and that Kumarasami Pillai, the monigar, is no friend of his as will be evident from the fact that he once got him suspended for six months for misappropriating the produce of certain tamarind trees.

The subcollector points out that the Deputy Tahsildar's statements are not worthy of credence. In the first place he is a clever English-knowing Aiyangar Brahmin of long official experience and must have known that January has 31 days. In the next, the alteration in the docket indicates that when the Gumastah first got the paper it bore a different receipt date,

to what it does not. This is confirmed by the testimony of the two Gumastahs of the Deputy Tahsildar's office who have no motive for falsely deposing against the Deputy Tahsildar whose statements there is no reason to discredit. The fact that the darkast in question is entered in the register as having been received on the 31st January 1885 is, the Subcollector admits, a point in favour of the Deputy Tahsildar, but he (Subcollector) is inclined to believe that the register was not kept up to date and that the Gumastah must have registered it in the way he did on account of his subordinate position. The Subcollector is of opinion that the Deputy Tahsildar was, throughout, actuated

strong ground for believing that he did not want Kuppa Gounden to succeed. It is not clear that any great significance can be attached to the fact that either land originally selected from the Survey Chittagony was ultimately selected by Mr Thompson, seeing that the Deputy Tahsildar originally selected lands adjacent to Kuppa's from those lying West of which the Munsiff and his relations had a preferential right in order to favour the latter. Mr Thompson appears to have hurriedly read the Memo. in a cursorily and it is strange that he did not notice any objection on this ground. Mr Francis states in para 8 that Mr Thompson "seems to have framed" this Memo

Kuppa Gounden cannot, but I do not know what the entry in the statement is. Regarding the discrepancy of fields 57 & 72 the Deputy Tahsildar made it open to doubt, but I cannot see any consistent explanation, but I cannot see why, if he wanted to favour the Munsiff Kumaraswamy Pillai, this relation, he did not assign to him fields to their own liking to the east. The whole case appears to me to be one of suspicion only.

Col
23/7

There seems to me no reason to believe that the alterations in the dates was made dishonestly & Mr Taber's belief that it was so is one of many things that shows he was prejudiced against Vijia Ragavachari but Vijia Ragavachari took and very hardly about fields 57 & 72. As I understand the papers he would have had to give them to Kuppa Gounden if they had been grown as darkast as all, but whether this is so or not

Electric remarks are contained in paras 4 to 8 of his letter No. 6199 dated 4th Oct. 1887 (stitched with the Document No 2088). While being of opinion that the charge of altering the dates with a dishonest intention is open to doubt, he is decidedly alone with the Subcollector in thinking that throughout the transaction the Deputy Tahsildar was acting dishonestly. In this view of the case the Board concurs, and it is submitted that a perusal of the records leaves no doubt as to the correctness of the conclusion. An illustration of the audacious character of the Deputy Tahsildar, referred to in para 6 of his petition (C. No. 2339) wherein he says that the Munsiff is no friend of his, that he once got him suspended, and that in his appeal No. 212

dated 21st August 1885 to the Subcollector he said bare the monigar's bad motive. Papers relating to the monigar's suspension are not to be found among the records sent up; but para 3 of the Dy Tahsildar's arzi 212/21.8.85 × shows that, instead of exposing the bad motive of the monigar as now alleged, he (Dy Tahs) endeavoured to justify the monigar's conduct. His statement in the petition is thus an audacious falsehood & shows that he is not to be relied upon.

4. Charge II :— Failure to report the absence without leave of clerk Desikachari, his relative, & drawing & paying him his salary for the period of his absence.

The facts connected with this charge are set forth in paras 8 to 19 of the Subcollector's report. One Desika Chari was the traffic registration clerk

FOR ORDERS.

he caused loss to Govt and the suspicion of dishonesty is very strong. DG

It seems to me that the only explanation of his conduct is that he has actuated by dishonest motives in the matter. DG 29/7

× In the file marked as No. 49 in the list of papers.

This is to see translation of the passage.

79.

REVENUE DEPARTMENT.

No.

From

Dated 18

FOR ORDERS.

at Ginjee working immediately under the orders of the Deputy Tahsildar, to whom he is related. He absented himself for 11 days from 15th Oct /84 without permission. On the 25th Octr the Dy Tahsildar prepared a takid calling upon the clerk to explain his absence. In this takid it was clearly stated that the clerk had taken leave and had absented himself without permission for 11 days. The takid, however, was not despatched as the clerk had returned before it could be, but it was handed over to him on his arrival & an explanation obtained from him. This

⊗ No. 30 in the list

Explanation is not now forthcoming on the records. The clerk's pay for the period of his absence was then drawn & disbursed to him by the Dy Tahsildar who, however, made no report of any kind on the subject to his Divisional Officer. When the matter came to the notice of Mr. Horsfall, he called for an Explanation. The Deputy Tahsildar stated that he granted Desika Chari 4 days' casual leave to go & see his father who was ill; that after that period had been overstayed by six days he drew up a takid calling upon the clerk to explain his absence; that the clerk's Explanation was to the effect that his father had been very seriously ill and that he had sent in an application for an extension of leave which had apparently miscarried; that the clerk was thereupon severely re-primanded, but that

as he was only on the temporary establishment, it was not considered necessary to report on the matter; & that, if ordered, the pay disbursed for the period of absence would be re-covered from the clerk. The amount paid was accordingly recovered afterwards. It will thus be seen that the takid above re-ferred to and the Expla-nation furnished to Mr. Horsfall were conflicting. According to the former, no leave of any kind had been granted to the clerk whereas it was stated in the latter that 4 days' casual leave had been granted to him. Mr. Tahe called the attention of the Dy Tahsildar to this contradiction and demanded an Explanation. The Dy Tahsildar stated that the clerk had verbally applied to him for leave which he

consented to give and that it was therefore that he reported that he had given him leave. As Mr. Tate rightly observes, such a verbal promise did not warrant the Deputy Tahsildar in reporting to Mr. Horsfall that he had granted the leave and it is clear from his mutahid that he did not treat his promise as equivalent to the grant of leave. The Dy Tahsildar's remarks in para 5 of his petition (C. No. 2339) are beside the point and do not ~~[illegible]~~ explain the contradiction above referred to. The Subcollector is of opinion that the Dy Tahsildar deliberately gave an incorrect version of what had occurred to Mr. Horsfall, and this opinion the Collector concurs. The Board takes the same view of the matter

FOR ORDERS.

I think this is a Tensor the explanation of the discrepancy between the tahid & the explanation. The pay might not to have been disbursed but the Dy Tahsildar probably treated the absence as casual leave, and I do not attach so much importance to this charge as the Board appears to do.

Cls
23/7

He wished wrongly & reported carelessly but it is not proved that he wished dishonestly
JG

* vide his marginal notes on the Subcollr's report.

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I think that the Dy Tahsildar's tahid & the clerk calling on him to explain his absence for 11 days without leave & his subsequent statement on report that the clerk had verbally asked him for 4 days leave & that he had granted it are so inconsistent as to prove falsehood on the part of the Dy Tahsildar. I agree on this point with the Cdr & the Bd.
JG

& observes, rightly, it is submitted, that ~~[illegible]~~ the charge, though a small one in itself, has become grave in consequence of the proof it affords that the Deputy Tahsildar did not hesitate to give a deliberately false account of the transaction.

5. Charge III. — Drawing allowance as Ex-officio Subregistrar for the periods of absence from the Head Quarters & making false entries in the Diary for the purpose.

This charge is dealt with in paras 20 to 28 of the Subcollector's report. The Dy Tahsildar was the Ex-officio Subregistrar of Ginjee [illegible]

in receipt of an allowance of Rs 7 per mensem for doing registration work. It is shown by the Subcollector that, on several occasions when the Dy Tahsildar was away from the Head Quarters he entered 'no registration' in ~~the~~ office journal (A-register) and drew the allowance for such periods of absence. The Dy Tahs. admits that the entry 'no registration' meant that he was present at Ginjee ~~&~~ that no parties came to register documents. He tried to explain that on the dates in question he was out ~~on tour~~ only for a part of the day & used to return to the Hd Quarters before the night, but he was at last obliged to admit that on the 14th Decr/84 & following days he had stayed away from the Head Quarters & ought not to have drawn the allowance for those days.

I concur in the Board's remarks in this case. The Dy Tahsildar's conduct was improper but I dare say a man of his stamp did not attach so much importance to the drawing of the allowances for days when he was absent from the station.

Cahs
23/7

He drew Registration allowance for days when he was not at Ginjee & made false entries in his Registration diary. There was only a small amount to get, but he showed petty dishonesty in getting it

JG

Yes & taken with other small matters of the same kind show habitual dishonesty

[illegible]

The Collector is satisfied that the charge is proved, & the Board observes that this is also a small matter but the conduct of the Dy Tahsildar shows that for the sake of a few rupees he does not hesitate to make false entries in an official diary. Submitted that the facts of the case as established lead to no other conclusion than what the Board has come to.

6. Charge iv :- Fraudulent assignment of certain lands on cowle.

This charge is dealt with in paras 29 to 64 of the Subcollector's report. In June & July 1883 one Narainaiami ~~[illegible]~~ — an influential ryot of Sirukadambur — applied for the grant of certain lands in that village & in matters under the private Tope rules. The grant could be made only if the lands had been waste for more than 10 years. This, however, was not the case, a considerable portion, lands having

been under occupation shortly before the application for the cowle. Further, portions of the lands applied for were held on patta by other [illegible] and a darkhast had also been made for some of the lands. There were also on the lands a small temple, a pond with stone revetment, 15 tamarind trees & 1 banian tree of the aggregate value of Rs 126. Had these facts been brought to the notice of the Divisional officer, he would not certainly have granted the application of Narainasami Naiman; but the village officers and the then Deputy Tahsildar (who is ~~[illegible]~~ now dead) reported that the lands applied for had been waste for over 10 years; that the whole of the lands were unfit for cultivation; that they contained no trees, buildings, ponds &c; and that there was no objection to the assignment of the land free of assessment

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for 20 years. Thereupon the Sub-Collector ordered the grant of the cowle applied for & directed the Deputy Tahsildar to send up muchilikas &c. In the meanwhile, Vijaya Raghava Chari — the man now reported against — had become Dy Tahsildar of Ginjee & he submitted the muchilikas &c called for by the Subcollector, ~~[illegible]~~ who then signed the cowles. Sometime after, one Muniappa Naick petitioned the Sub-Collector alleging that a grave fraud had been committed in the matter; that he had been under the impression that the lands had been assigned to Narainasami Naiman on assignment — but had

nice
learnt that he had been granted to him on 20 years cowle free of assessment, that the bulk of the lands had been under cultivation up to 2 or 3 years before the assignment & had not been waste for over 10 years as reported by the village officers; that the lands in question were the first rate lands that he & another had dark hasted for; & that he & others were still ready to take them on assessment whereby the government would get a revenue of Rs 1025-10-0. This petition was sent ~~to~~ Vijaya Raghava Chair for report. Although the lands in question lay within 3/4 of a mile from his cutcherry he took a year to complete his enquiries & then reported that the lands had not all been waste for more than 10 years; that they con-
-tained

contained a temple, 11 tamarind trees, & 1 banian trees of the aggregate value of Rs 32; that there were patta holdings in the midst of the cowle lands in the Sionkadambur village; that the trees planted by the cowledar fell short of the prescribed number; that the cowledar was willing to pay the value of the building, trees &c on the lands & to plant within two months the number of trees found deficient; that the village officers who made a false report as to the nature of the lands should be criminally prosecuted; and prayed that orders might be passed either confirming the cowle on the cowledar undertaking to pay for the building, trees &c on the lands & to plant up the deficient number of trees or cancelling the cowle as the sub collector should think fit. Thereupon the

⊗
1. Raghava naiaar – Monigar & Munsif
2. Aggasami mirar – Late Do.
3. Munnusami naiaar – Late Karnam

Subcollector Mr. Horsfall passed the following order:

"Patta for lands of less than 10 years waste & revised cowle for remainder. + + + + Send comprehensive puraish-ment roll against Karnam & Monigar on all charges."

After a long delay, the Deputy Tahsildar reported that lands in the enjoyment of others & lands which did not exist had been improperly in-cluded in the cowle ori-ginally granted, and that consequently some additions & subtractions were required to be made, and wound up by stating that, of the 3 village officers who made a false report originally, only one Rajagopal Nainar was still in office but that he ought not in his opinion to be held responsible as he was new to his work at the time.

The Subcollector points out that the Dy Tahsildar's first report dated 9th Oct/86

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8.11.86

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was incomplete and inaccurate because it did not bring to notice that the cowledar had entered upon & planted land not com-prised in his cowle & that 6.09 acres of patta lands were included in the cowle lands; & because the number of trees on the lands & their valuation were not correctly reported, ~~that~~ the existence of a pond was not mentioned. He ex-presses his opinion that the Dy Tahsildar was in-fluenced by dishonest motives in making such an imperfect report & that this is rendered highly probable by the fact that, although he must have been aware of it, ~~the Dy Tahs.~~ he ~~failed~~ omitted

bring to notice the relation-
-ship between the Cowledar
& the village officers upon whose
false representations the
cowle was granted. The
Collector observes that it is
difficult to avoid the con-
-clusion that the Deputy-
Tahsildar was wilfully blind
to the ~~irregularly~~ irregularities
going on around him. The
Board would ~~hi~~ convict
him of fraud. It is sub-
-mitted, however, that there
is no positive evidence of
fraud. The false reports
which led to the grant of
the cowle were made during
the time of Vijaya Raghava
Chari's predecessor who is
now dead. Vijaya Raghava
Chari is in no way respon-
-sible for them. In submitting
his ~~fr~~ report on the petition
of Muniappa Naich, he
duly brought to notice the
fraud committed by the
village officers, ~~[illegible]~~ the existence

of a building & [illegible]
lands, ~~and~~ the inclusion
of patta lands therein, and
the omission of the cowledar
to plant the required number
of trees. No doubt his state-
-ment of the no. of trees
& their value was incorrect,
but this shows his careless-
-ness rather than an intention
on his part to favor the
cowledar, ~~[illegible]~~ for the
facts reported by him
were sufficient to cause
the cowle if the subcr
was so disposed. The
-traordinary delay which
he made in reporting on
the matter although the law
were ~~[illegible]~~ very near ~~[illegible]~~ to his
office & the friendly terms
which existed between him
& the cowledar as evidenced
by the facts of another case
(Charge No. VIII) are, however,
circumstances which tend
to show their suspicion on his
conduct. In the most

I agree in this view,
there is nothing in the
Dr Tahsildar's conduct
to raise a suspicion
of fraud; he was most
-Dictory, as appears to
have been characteristic
of him in his work
generally, and his reports
were inaccurate, but
this may have been due
to carelessness only and
I do not see any grounds
for supposing that he
wished to favor unduly
the applicant for the
cowle.

Calg
23/7

Land which certainly ought not to
have been assigned on Cowle
for very obvious reasons was so
assigned in the time of Vijia Raghavachari's
predecessor. It was within 3/4 of a
mile of the cutcherry & the circum-
stances of such a case must

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charitable view of the case, the Deputy Tahsildar cannot, it is submitted, be acquitted of gross negligence or incompetence.

7. Charge V :— Wilfully delaying the Enquiry into the charge of misappropriation of revenue collections against a village Munsif.

Paras 65 to 74 of the Subcollector's report deal with this matter and show clearly that the Dy Tahsildar omission to take prompt measures to bring the delinquent to justice was due to a desire to screen him. The Collector and the Board accept the Subcollector's view of the matter, which, it is submitted, is the only one possible in the circumstances reported.

8. Charge VI :— Delaying the Submission of a report called for. (Vide para 7 of the Subcollector's letter).

This is a case of mere delay which, as the Collector

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have been widely known. Nevertheless it was after he had been in charge Vijiaraghavachari sent up the Cowles for signature with no remark. When afterwards called on for report he delayed excessively & then sent in a report which though it showed that assignment of part of the land was wrong did not mention obvious circumstances which showed that the assignment as a whole was wrong & ought to be cancelled. If it were proved that Vijiaraghavachari was a friend of the wrongdoer I should think this conclusion must be worse than dishonest would not be rejected. As it is all that can be said is that he was grossly deluding & careless & fortunately dishonest

I agree JHS JG.

I do not see that there is to suspect that the Dy Tahsildar was actuated by sinister motives in asking Kumaran to draw the ceiling Kumaran charges. The ceiling contract is compatible with Subramaniam's report which appears to be his characteristic style. Failure to secure the Tendril case gives Conclusive proof that I do not see any ground for Mr G Francis's conclusion that it was based wrong with a view to convict the Dy Tahsildar

This is a case of Abetment into which Cole 23/7

Charge II The Deputy Tahsildar does having been ordered to make enquiry & submit report to make it properly would have failed to secure the Tamil deal first hand, & it was in Vijiaraghavachari's province more than not duty so & his great duty therein at the least in completeness but I am not aware that he meant to show undue favour to Devasigamony Pillai

Charge III Simple dilatoriness as shown.

JG

Charge V. It is not proved that the Dy Tahsildar was a party to Devasigamony Pillai in this case, but his conduct is inconsistent with such a view & his general character & conduct must be considered in arriving at a conclusion on the point. Often seen to be from Kelly's report of his being actuated by friendship in the matter.

observance, would seem to have been very common with the Deputy Tahsildar.

9. Charge VII :— Falsely certifying that a certain work had been done in accordance with the estimate which in fact it had not been done so. (Vide para 7 of the Subcollector's letter).

The construction of a cattle pound at Sinkadumbai was given on contract to one Ponnuswami Naicker — the Ponnuswami concerned in the Cowle assignment case (charge IV) — and the Dy Tahsildar, after inspecting the work, certified that it had been executed in accordance with the estimate

Reference is solicited to page 29 of the Subcollector's report and to page 150 of the Collector's letter for a statement of the case. In a matter like this, the opinions of the local officers are entitled to great weight. The Subcollector & the Collector appear to think that the Deputy Tahsildar imposed on the Cannanore at Subramania acted in good faith, and the Board takes the same view.

11. Charge ix :- Submitting false reports in connection with the construction of a road & accepting an illegal gratification from the contractor.

This charge is fully dealt with in pages 80 - 111 of the Subcollector's report & is carefully summarized in pages 17 to 19 of the Collector's letter. Briefly stated the facts are as follows :-

The Deputy Tahsildar was

Estimate. But the Surveyor, on inspection that the drain had not been traced & the walls had not a trace of white-wash though both were provided for in the estimate, and that, besides, the whole work had been most disgracefully done - the Dy Tahsildar's explanation is that he mentioned the matter in the estimate - regarding the door and that the rain might have taken away the whitewash from the walls. The Collector & the Board are of opinion that the Dy Tahsildar was influenced by a desire to favor Kunjanambiar in the case and this, if admitted, seems perfectly

10. Charge viii :- Conniving at false charges brought by the Subramania Raja against village officers & obtaining ... in Sub Magistrate's Court (vide page 79 of the Subcollector's

This case probably a case for suspicion and, as the Board remark, the Dy Tahsildar should have examined the witnesses. The Collector's letter stands as evidence for a desire to favor Kunjanambiar in the Cannanore case. But as I have already said I do not see any justification for a desire to favor the same in the Dy Tahsildar's conduct in the Cannanore case

CS
23/7

I agree entirely

work was well done. This is shutting a fraud at back. Whether the facts of the case can be taken into consideration to Dy Tahsildar's character will be a question

The Dy Tahsildar's conduct in this case is suspicious, and he seems to have been anxious to favor Kunjanambiar by giving him a post of honour but there is nothing very definite on the record. The Dy Tahsildar must [illegible]

CS
23/7

I agree entirely

[illegible] and [illegible] false [illegible] a case [illegible] for a [illegible] and [illegible] [illegible] [illegible]

entrusted with the con-
-struction of a road from
Avalur to Chelpat for which
a sum of Rs 1000 was allotted
by the Taluk Board. The work
was given on contract in
August 1887 and an agreement
taken providing for the com-
-pletion of the work by the
End of November following on
pain of forfeiture by the
contractors of Rs 5 for each
day that the work remained
incomplete after 30th Nov.
The contractors selected
by the Dy Tahr were two
Castemen of his own who
were possessed of neither
capital nor professional
skill. In his Aozi No. 26
dated 11th July 1887 the Dy
Tahsildar asked that the
allotment for the work
might be placed at his
disposal. This was not
complied with. On 23rd
Oct/87, he sent in a bill
for Rs 212-8-6 & a cheque
for the amount was sent

FOR ORDERS.

REVENUE DEPARTMENT.

No.

From

Dated 18

FOR ORDERS.

to him. Nothing further was
heard from him till the
8th Jany/88 when he was
called upon by the President
to report upon the progress
of the work. He replied that
the work had been retarded
by rain and requested that
the time allowed for its com-
-pletion be extended upto
the End of Febry/88. This
request was sanctioned. On
3rd March he was again
asked to report whether the
work had been completed.
On the 9th idem he reported that
the work had been almost
completed, ~~and~~ that he
had arranged to inspect
it soon, and that it would
be completed by the 20th
idem. On the 14th March

he was directed to make a further report at a very early date as the official year was drawing to a close, and reminders were sent to him on the 21st, 25th, & 27th. In his reply dated 26th March No. 6 it was stated that he had inspected & measured the work, that 3 of the road dams were almost complete & the 4th was in progress, &c, and requested that Rs 521-9-4 might be placed at his disposal for payment to the contractors. It was also stated that the entire work would be completed by the 20th April following, that the contractors were to blame for not completing the work in time, and that they would be sufficiently punished if they were required to do over for Rs 35 worth of earth-

work which had [illegible] carried away by rain. This was followed up by another Arzi No. 7/28.3.88 in which he stated that owing to an error of calculation Rs 65-14-2 was left out & should be added to the sum already asked for and requested that the balance of allotment yet remaining (Rs 200) might also be placed at his disposal. None of the money asked for was, however, sent to him, but he was directed on the 18th April to report without fail about the progress of the work on the 21st idem and it was pointed out to him at the same time that his wish to screen the contractors was apparent. On the 24th April he reported that he could not report about the progress of the work until after Jamabandi, reproduced the idea that

he was unduly favorable to the contractors, and recommended that the penalty of Rs 5 a day for delay be enforced. Balakrishna Reddi, ~~in~~ a member of the Taluk Board, was now asked to inspect & report upon the work, who sent in his report on the 24th May to the effect that the road dams had been very unsatisfactorily made. On this being forwarded to the Deputy Tahsildar, he reported on the 7th July 1888 that he had inspected & measured the work in company with Balakrishna Reddi above referred to, that only work to the value of Rs 391-15-0 for ~~[illegible]~~ which he now sent in bills should be paid for, & that 3 out of the 4 road dams were so badly constructed with bad mortar that they required to be rebuilt. It will

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From

Dated 18

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be seen that the Dy Tahsildar's avzis of March /88 were conflicting with those of July following. In the former, the Dy Tahs stated after inspection & measurement that 3 out of the 4 road dams had been almost completed, that the entire work would be completed by the 20th April, and that a sum of Rs 587-7-6 should be placed at his disposal for payment to contractors. In the latter, it was reported that the 3 dams above referred to had been badly constructed & that work to the value of Rs 391-15-0 only had been done. This

	Rs	a	p
6 —	521	9	4
7 —	65	14	2
	587	7	6

inconsistency the Dy Collr is unable to explain satisfactorily. His explanation is stated in para 17 of the Collrs letter. The Dy Collr also accused of by the contractors of having accepted from them an illegal gratification of Rs 89-8-...

The Subcommittee of the Board have no doubt that the Dy Collr's conduct was throughout influenced by corrupt motives. The Collector thinks this highly probable though he feels unable to express a decided opinion on this point. Submitted that a perusal of the records leaves little room for doubt that the Dy Collr was actuated by dishonest motives.

12. Charge X :- Receiving illegal gratification from [illegible]

There is certainly no proof of corruption and the charge of the receipt of a bribe of Rs 89-8 is not satisfactorily established. The Dr Subcommittee is of opinion that in view of the fact that the Dy Collr was allowed to draw the amount of the advance and it was open to him to check the work properly before he drew the bill there is nothing to show that his application for the release of the Electric Lights without furnishing accounts was with a view to his corrupt motives. He should be asked to pay the contractor only the cost of the work as certified by the Executive Engineer.

Charge XI :- Fraudulent conduct in the matter of the lease of certain lands.

Paras 128 & 138 of

[illegible] that conclusions we can formulate and allegations are shown but it is not proved that Vyra Raja was [illegible] took money

Sd

If H.E. Tell was a man of proved unblemished character I might [illegible] but having regard to the circumstances as set forth in the allegations [illegible] I would be admitted [illegible] (Note in connection with Charge No 3) I consider the action in officially reporting falsely that the work was finished while he really knew that it was not to inform the Executive Engineer of the [illegible] for 589 Rs 5 as shown in the [illegible] contractor, of whom [illegible] then he has [illegible] he should officially admitted, he stigmatised Officially admitted, he struck the most serious note of [illegible] Brick the most serious note of [illegible] in his conduct viz: [illegible] having [illegible] in his conduct viz: [illegible] that the Executive admitting the [illegible] first official report [illegible] for the [illegible] money was taken in [illegible] to [illegible] [illegible] [illegible]

Collector's report deal with this matter. Certain lands were brought in by government at a sale for arrears of revenue and deducted from the Chitta in F. 1293. Subsequently one Ghouse Moidin Sahib, a wealthy inhabitant of Minamur, applied for the transfer of the lands in his name alleging that he had purchased them from the pattadar, but his prayer was not granted. Subsequently the Subcollector on the representation of the Dy Tahs ordered the lands to be resold and the Dy Tahs went to the village to hold the resale on the 9th May 1885. The lands were put up for sale & one Appa Pillai bid Rs 20. Objection having then been taken by the aforesaid Ghouse Moidin Sahib, the Dy Tahs stopped the resale but made no report to the Subcollector for he ought to have done

FOR ORDERS.

is that Vijiaragavachari must very careless in quiry

JG

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The validity or otherwise of the claim setup by the said Ghouse Moidin Sahib was not satisfactorily enquired into & he was not even required to produce the sale-deed on which he based his claim (it was found during his rates enquiry that he never had had any sale deed). Nothing further was done until 28th April 1888, although in the meantime the said Ghouse Moidin Sahib had been allowed to cultivate the lands. On the 28th April 88 a D. Form memo was submitted by the village officer & the Dy Tahs passed orders on it the same

[illegible] 3 years

day assigning the land to the said Ghouse Moidin Sahib. The D. form contains a col^n to show the date on which the required notice was published in the village & this col^n was left blank in the present case. Again, it was stated in the memo that the lands had been once held on patta & bought in by Govt. at a Revenue sale, & this should have opened the Dy Tahs eyes but it did not. His explanation for assigning the lands on Dadkhash & thereby causing loss to Govt. is that he did not look into the D. Form means himself at the time of passing orders, and that he relied upon his gumastah who ~~had~~ was ordered to look through a number of similar papers & place before him for orders ~~such~~ as

impossible to acquit him of fraud.

14. This concludes the list of charges specifically brought against Vijaya Raghava Chari. But the Subcollector has sent up other papers to show the Dy Tahs delays & irregularities in the disposal of Revenue & magistrial work and the Collector briefly refers to them in paras 24 to 30 of his letter. The Dy Tahs antecedents are bad. In Febr. /77 he was reduced to the post of Tahsil Shiradhdar for gross irregularities, but on the recommendation of the then Collector he was given another trial & appd. ~~to the~~ Dy Tahs in Sept /77. He has since then been continually ~~been~~ found fault with by almost every subcollector under

FOR ORDERS.

I have noted against each case my opinion on the specific charges and I do not think that there is any proof of fraud although in some of the cases the Dy Tahsildar's conduct is so suspicious as to give rise to doubt regarding the purity of his motives. That he was dilatory & careless to an astonishing degree is amply shown but dishonesty is not I think satisfactorily proved. The man's antecedents are bad and it is clear that he is quite unfit for the post he holds but it is a question whether there is sufficient on the record to warrant his dismissal. According to the Revenue list he is 52 yrs old & has 32 yrs total service.

REVENUE DEPARTMENT.

NO.

From

Dated 18 .

FOR ORDERS.

The Dy Collector's action in this case is suspicious on the face of it. If the Dy Collector was anxious to assign the land to Ghanashidas I submit it is not apparent why he did not do so when he made the application of 17 Aug 84 para 13 of his letter dated 2 December 84 in which he requested that the land might be assigned to Ghanashidas. The Dy Collector's explanation is plausible and I think it is possible that this is merely another instance of his gross carelessness.

Ch
2.1.85

There is grave reason to suspect fraud and but nothing more. Dy

case in which there was no objection to assign the lands and the applicable land included the present-encumbering item. This explanation speaks for itself and, if true, shows clearly how unfit he is for the responsible post of Dy Collector. But the omission to give due publicity to the matter in the village & the rapidity with which he, who is shown to be generally dilatory, passed orders in this instance, coupled with his failure to report the stoppage of the issue of the lands to the Inbe Members & Ghanashidas evidence something worse than mere carelessness. In the circumstances of the case, it is submitted that, as the Board points out, it is

It must be borne in mind that the enquiry into these charges has not been very satisfactory. The documents on which the Collector took action in 1884 & 1885, and the investigation originated in the complaint of a man who had been acting as Deputy Collector and is the Dy Collector's sister's husband. The latter, therefore, enjoyed a peculiar opportunity of knowing (as he stated) the whole history of the case. He was in possession of all the documents & was examined by the Collector & Commissioner. He was also examined by the Collector & Commissioner in 1889 when he had no object to conceal anything. The subordinate officials, therefore, examined on both occasions, were those who could best explain the matter. The Board refused to accept the explanation of the Dy Collector & ordered his dismissal from the service. The Collector points out that, though the man has been in Government service for 30 years & 3 months, he does not deserve any special treatment

until the 24 Nov /88 & was not completed until the 5 March /89. Meanwhile the Dr Tahsildar was suspended on the 28 Nov /88 & he has been under suspension ever since. Mr Tate reported on the 30 Sept /89. Mr O'Farrell sent the report on with his letter dated 4 Oct 89 & the Bd's Pcs are dated 13 March /90. The delay in this office of 4 months is due to the dilatoriness of the Head Clerk & I had to send the papers down to the Registrar about a month ago. His excellent note places ~~[illegible]~~ all the facts in a clear light.

Mr Tate's long winded note shows, in my opinion great prejudice against the Dr Tahsildar and he seems to me to be only too ready to

Mr Tate's note certainly does show prejudice against Vijiakagavachari, but it was almost impossible to avoid that considering Vijiakagavachari's antecedents. The note is much too long and too full of harsh judgments and mere conjectures, the fact, too, that none of the charges except the first three have been formulated & given in their final form to Vijiaragavachari, though the papers show that he knew all about them, & had full opportunities of explaining them, must be taken into consideration. This has made it necessary to examine the papers carefully. I have come to the conclusion, & in this I

A very good note indeed JG

agree with the Sub-Cour, the Cour & the Board that Vijiakagavachari cannot be trusted and is unfit to serve even as a clerk. Dishonesty seems to me to be proved in Charge III & to be so very probable in Charges I, IV & XI that when they are considered together it is impossible to doubt

that there was fraud in them. Great apparent inefficiency which in the case of such a man must be attributed to something worse & extreme dilatoriness are shown by the papers about the other charges. I think Vijiakagavachari must be dismissed, though his age & service make this a very severe punishment.

JG 29/7

I concur with the Hon: Mr Gross. JG 2/8/90

place the worst construction on his actions. The Enquiry was protracted for an unconscionable time & the results are not placed before the Board & Govt in a convenient form a large mass of Vernacular papers having been sent up and the evidence not having been properly analyzed. There is much of conjecture & little proof in Mr Tate's report. The Dr Tahsildar appears to have been furnished with copies of the first 3 charges only (side para 7) of his petition (.2339 but he has gathered the purport of the others from the questions put to him by Mr Tate & has given an explanation regarding each of the accusations so that he does not appear to have been prejudiced by Mr Tate's method of hold the Enquiry.

FOR ORDERS.

Ginjee Dy Tahs case.

The Honble Mr Grose
The Honble Mr Gaustin
— (8)

Please see para 13 of the petition (2339. The addition to the Tahsildars Crys no 283 d. 19 May 1888 after Mr Tate had received & initialled. Looks very much as if Mr Tate had directed the Tahsildar to add the unfavorable remarks on the Dy Tahsildar which appear in the subsequent portion. Cols

Stiff allowance must be made for the fact that the charges were not precisely formulated and that the Dy Tahsildar was not called upon to answer them and to allowed to meet them as he pleased. Mr Tate took explanations from him on such points as he chose apparently but did not frame definite charges (with the exception of the first 3 p. & allow him to produce his evidence in answer to them. Mr Tate's in fact attitude was rather that of a prosecutor than that of a judge. The petitioner states in para 3 that Mr Tate tried to induce him to retire but the letter referred to is not produced.

It is difficult to know how to deal with the man. He is clearly unfit for the post of a Subhagiri tract, but unless the Honble Members adopt the view that he has been proved guilty of dishonesty it is hard to dismiss him after 32 yrs service. If he is thought to have been guilty rather of gross neglect & incapacity he might be allowed to complete his service for pension in a subordinate position where he cant do much harm. Cols

Revenue Department

Read current nos 2088, 2339 and 2924 of 1890.

G.O. ~~[illegible]~~ No. 5105 of 18 August 1890

In the first of the papers read above, the Board of Revenue submits for orders a report from the collector of South Arcot on several charges brought against K. I. Vijayaraghavachari, Dy Tahsildar of Ginjee (now under suspension) by the sub-collector, Mr. Tate. The other two papers are petitions submitted by the Deputy Tahsildar, praying for restoration. The Govt. will consider the charges seriatim.

JG 12/8

JAG 16/8/90

2. The first charge is that the Dy Tahsildar altered the date of receipt of a darkhast (application for land) from 1st February

to 31st January and that this was done with a fraudulent intention. The idea that he intended to favour the darkhastdar is completely negatived by the fact that he did not assign the land to him or to any one else. The Govt. sees no reason for disbelieving the Deputy Tahsildar's statement that the alteration was made merely to correct an error made in dating the document. His subsequent conduct, however, appears to have been suspicious especially as regards the disposal of two fields nos 57 and 72: these fields ~~be~~ were reported by the Dy Tahsildar to be required for communal purposes, while as a matter of fact they were not so required; and ~~this~~ it is ~~that~~ that this report was made alleged ~~to have done~~ with the intention of ~~keeping them from going to~~ preventing one Kuppa Goundan, to whom ~~they~~ the fields should have been ~~given~~ assigned if they were given on darkhast at all. ~~whether this was~~ from obtaining them ~~[illegible]~~ what his real motive was it is difficult to say ~~[illegible]~~ ~~[illegible] it is not easy to say~~, but it is

certain that he caused loss to Govt. by not granting the lands for cultivation, and there is a very strong suspicion of his having acted dishonestly in the matter.

3. The Second charge is that the Dy Tahsildar allowed a clerk to draw pay for eleven days during which he was absent ~~for~~ without leave and that when called upon for explanation, he gave an incorrect version of what had occurred. The Govt. is not prepared to attach so much importance to this charge as the Board appears to do. The Deputy Tahsildar certainly acted improperly in disbursing the pay and in reporting carelessly, but he will be acquitted of dishonesty ~~in the~~

4. The third charge is that the Deputy Tahsildar ~~was away from his Head quarters for some days and yet contrary~~

to the rules drew allowances as sub-
days during which he was absent from Head Quarters
Registrar for ~~the period~~ an - made false
entries in his Registration diary. The Govt.
Concurs in the Board's remarks that for
the sake of a few rupees the Deputy
Tahsildar did not hesitate to make
false entries in his official diary.

5. The fourth charge is that the Deputy
Tahsildar was a party to a serious
fraud on Govt. ~~Lands~~ A piece of land which certainly
ought not to have been assigned on
Comle for very obvious reasons was
so assigned in the time of the Deputy
Tahsildar's predecessor. It was within
three-quarters of a mile of the Cutcherry
and the circumstances of such a case
must have been widely known. Nevertheless
five months after he had been in
charge, the Deputy Tahsildar sent on
the ~~[illegible]~~ comle Muchilkas for signature
without remark. When he was subsequently

called upon for report, he delayed its
submission for an excessively long period
and then sent in a report which, though
it showed that the assignment of part
of the land was wrong, did not mention
obvious circumstances which proved that
the assignment as a whole was ~~wrong~~ improper
and ought to be cancelled. It is certain
that he was grossly dilatory and careless,
and he was probably dishonest.

6. The fifth and sixth charges against
the Deputy Tahsildar are that he was
guilty of gross delay in the conduct of his
official duties. In the former of these,
he was ordered to make an enquiry into
a serious charge of embezzlement brought against a
village officer ~~of having taken money~~
~~from the village which was never~~

~~brought to account.~~ An officer who ~~was~~ is directed to make such an enquiry and who intends to make it properly would ~~be~~ first secure the village account of collections. ~~That~~ The fact that the Deputy Tahsildar did not do so and the delay of no less than eight months that he allowed to occur in the matter proves that at the least he was grossly incompetent. In the other cases, the Govt. is of opinion that simple dilatoriness is shown.

7. The Seventh charge is that the Deputy Tahsildar sent in a completion certificate for a work as having been executed in accordance with the estimate, while as a matter of fact it was not so completed. The Govt. is of opinion that this case was probably a case of mere neglect and that, as the Board surmises, the Deputy Tahsildar ~~probably~~ never examined the work at all.

8. The eighth charge is that the Deputy Tahsildar connived at false charges brought by one Subbramani ayyar and that he ~~confirmed~~ retained him ~~in the~~ as Karnam contrary to Rules ~~post~~. The Deputy Tahsildar's conduct in this case is suspicious and he seems to have been anxious to keep Subramani ayyar in his post, but there is nothing very definite against him except gross delay.

9. The ninth charge ~~was~~ is that the Deputy Tahsildar accepted an illegal gratification from a contractor and submitted false accounts in connection with the construction of a road entrusted to him. The charge ~~that~~ of the receipt of a bribe is not satisfactorily established. The Deputy Tahsildar sent in inaccurate reports of measurement and it is clear that he did not check the work properly. He applied for the balance of the estimate

without furnishing accounts probably
with a view to pay the contractor, say that
the work was finished and get rid of
the business. —— Great carelessness, incompetence and dilatoriness are shown but there is no proof of dishonesty.

10. The Board would not lay stress on
the tenth charge which may therefore be
left out of account.

11. The eleventh and the last charge is
that the Dy Tahsildar was guilty of fraud in the
matter of the resale of certain lands
which had been purchased by Govt. at a revenue
sale. The lands were put up for sale in
October 1886, ~~but the sale~~ the sale was stopped known
on the solicitation of ~~a Mahomedan~~ one Ghouse Mohiddin Sahab who
alleged ~~to have~~ that he had purchased the land
from somebody, and after a delay of
nearly three years, during which ~~the land~~ the Mahomedan
was allowed to ~~be~~ cultivate ~~by him~~ the land,
was formally assigned to him on
Markhast. The Deputy Tahsildar's
explanation that he ~~also~~ relied on his
~~[illegible]~~ to bring to his notice
~~[illegible]~~ objections which might exist
~~[illegible]~~ shows that
the grant of the land
was extremely ~~careless~~ careless, and

Draft G.O. re-Ginger
Deputy Tahsildar's case
for approval

G.O. 5[illegible]
18/8
18.8.91

The Honble Mr Gross
The Honble Mr Earston
C.S.

there is grave reason to suspect fraud

12. After carefully considering all the facts
of the case, H.E. the Governor-in-Council
has come to the conclusion that ~~Dy Tahsildar~~
~~Vizayaraghavachari~~ dishonesty is proved
in respect of the third charge, and that it is so reer
probable in respect of the first, fourth and eleventh
charges, ~~and~~ that when all of them are
considered together it is impossible to
doubt that there was fraud in those
cases also. ~~The papers about~~ In regard to the other
charges ~~[illegible]~~ the papers show at best great ~~apparent~~ inefficiency
in competency and extreme dilatoriness which
in the case of an officer of ~~an~~ the
~~[illegible]~~ Deputy Tahsildar's character & antecedents must be attributed
~~[illegible]~~ than mere inefficiency
some thing worse. No confidence can
ever again be placed in ~~Deputy Tahsildar~~
Vizayaraghavachari and ~~that~~ the Gov
~~is of opinion that he is unfit to serve~~

resolves to direct that he ~~even as a clerk and that he must~~ be

dismissed, though his age and service

render ~~make~~ this a very severe punishment —

13. In conclusion H.E. the Governor in Council has express his concurrence in the Board's structures in the manner in which the Enquiry was conducted. There was inordinate delay in completing the investigation & from order. And the results have not been placed before the Board in a convenient shape, & go at a voluminous mass of records, chiefly in the Revenue Culture, having been set up without any attempt at analysis. Sir Tati's lengthy report evinces bias and is full of harsh judgments & mere conjectures. Moreover some of the charges except the first three were distinctly formulated & given in their final shape to Vijiaraghavachari, as they should have been; this explanation contained in the second & third papers read above shows, however, that he was aware of their nature & had an opportunity of furnishing his defence, so that he does not appear to have been prejudiced by the omission.

To the Board of Revenue (Land Revenue) with the enclosures to their Profs returned.

Accountant-General (para 12)

Copy to Deputy Tahsildar. Vijiaraghavachari

Except para 13 — with 2 encs:

Dec. 26-8-90