

Revenue (189 /) Department.

MISCELLANEOUS SERIES.

G.O., No. 1086

Expedited No 413

DATED 16 February 1891

[Despatch Abstract.]

*Passing on board papers relating to the conduct of
Mr. B. Jeppesumal Chetty in connexion with
an award made by him under the Land Acquisition Act*

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

8/1/89
8/2/89
8/3/89

use no. 1
Spring channel

Tan

Maistland
river drainage
8.1.89

8.1.89

Hindupur

5. S

R

T

5.

Shree no. 2

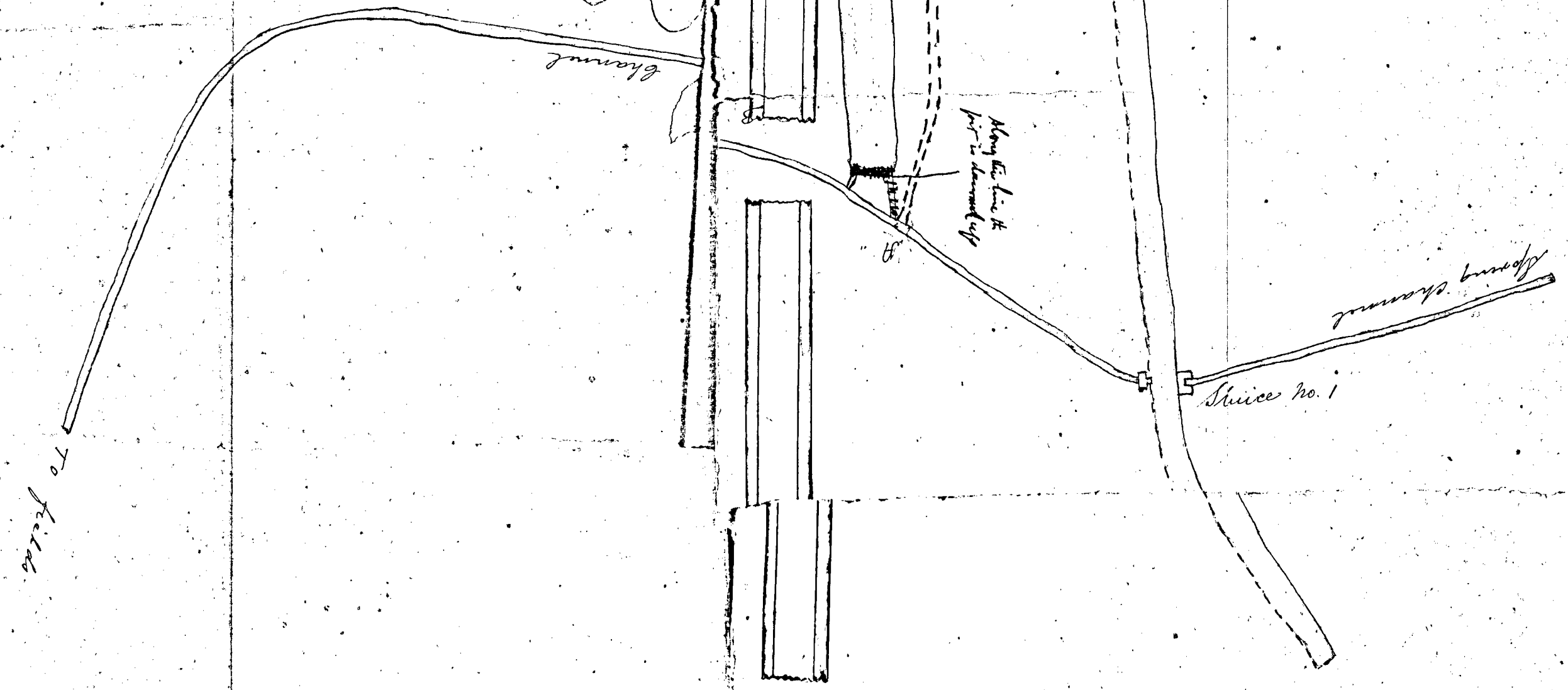
Damaged channel

Excavation pit

Excavation pit

8.1.89

of roughy survey plan of Thallan
 Dakh's tank in the village of Saman
 -dakh damages by the new rail road
 Near 100 yd. to our west



Rail road to Guntakal

8/1/84
 2nd
 180

List of Papers accompanying Report

1. Prices of correspondence^x regarding the Tank marked I
2. Award under Act X of 1870 " II
3. Statement taken by me from T. Balayya on 18-12-90. " III
4. Statement taken by me from B. Teperumal chetti at the Tank on 20-12-90. " IV
5. Statement filed by B. Teperumal chetti on 21-12-91. " V

X The return of Nos I & II is respectfully requested } returned with the O.C. - ac

O. Wolfe Drury
by Collr

Brantage
25-1-91

copy of the ...
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Distance

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1981

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III

Prantapur
18-12-70

Talam Balaga - 1st in Telugu

I am the man who owns the tank at Samudhoddi.

I got Rs. 1356 compensation for that tank

The Dy Collr

this was 4 or 5 months ago. The present Dy Collr

Rameshaya gave me the money, but Tejanna

Chetti made the award. I was paid the money

in the Hurur Antehery by Rameshaya, all in rupees.

I have spent all that money in ^{paying} debts. I had

previously borrowed money. I have papers in my

house & documents. I paid Kovur Gangappa

of this village sum Rs. 400 odd; Talapuri Narain-

appa sum Rs. 200; Karnataka Venkateswari

sum Rs. 300; there are the large debts I cannot

remember the other small ones. I have now some

pro-notes in my house executed by the three

men above mentioned; they returned them to me

when I paid the money to them. I was paid

that money Rs. 1300 in order to build a new bund

for my tank; which is held to be injured by the R/A

people. I have not yet built that new bund;

I mean to do so next hot weather. I have no

money to carry out that work, I must again

borrow money to do it. Bhunia Rao the clerk in

Collr's office came to see my tank; he measured it

& went away. He said nothing to me. I did not

pay him any money for this afterwards; I did

not see him. The Collr also came to see it after

the Chetti had settled the award; he said nothing.

for by the documents is therefore

Rs. 1130 + not Rs. 844-13.

This morning T. Balappa's receipt book for payments to the Social Benefit Society is shown me; according to it he paid some Rs. 90 on Oct. 20, 1890.

Thus Rs. 1220 is accounted for. A further payment of Rs. 100 for Takkar advance is said to have been made about this time, but no receipt was given.

There is nothing to show that the compensation money was used to pay this sum of Rs. 1220 except T. Balappa's word, but I consider the documents genuine, & I think he has satisfactorily accounted for payment of this sum at that time from some source or other, not improbably with the compensation money of Rs. 1356.

O. Wolfe Murray
By Collr.

I paid nothing to the Chetti gars. (P. 89.)

O. Wolfe Murray

The bonds mentioned have been sent for by my peer, who has been directed to go straight to the village & bring them here.

Pro-notes
Endorsed
as Paid

Rs. 52 -	Pd to Naikanti Priganna on	Year Vikrama. Solunja month
		1890 Sept.
Rs. 383 - 10	Pd to Kanna Gungappa	Sept. 1890
Rs. 228 - 6	Pd to T. Narainappa	Sept. 1890
Rs. 85 - 13	Pd to Karnataka Subbaraidu	Oct. 1890
Rs. 64 - 0	Pd to D ^o	in d. d.
Rs. 32 - 0	Pd to N. Priganna	(modest of payment)
<u>844 - 13</u>		

Rs. 1356 - 12

844

511

unaccounted for

given

18-12-91

26-1-91

x Mr. Teperumal Chetti has put the documents before me again, stating that only in the 7th document has the interest due been shown as paid, & that the interest payable on all the other documents must be added to the above amount of Rs. 844-13. Each document is endorsed "Recd. payment of principal & interest" without any specific sum being mentioned except in the case of the 7th document. I think therefore the interest due on each document must be added to the above sum. I have carefully calculated this out, and the total sum accounted

Panama Tank

Statement taken from
Mr Teperumel Chetti at T. Balappa's
Tank on 20-12-90.

The borrow pit immediately under the tank
was said to overflow when the tank was
full. It flows into the channel which
passes under the railway.
The reason why I attached no weight to
the Talukdar's opinion was because I
suspected corruption, he being a corrupt
man; he is now under suspension;
I thought he had given too low an
estimate. I had the pits measured
by the English Head clerk & found it was
cheaper to give him a new bund than
to fill up the pits. I did not go myself
to see the place as I was ill with in-
fluenza; Dr. Wilkins attended me for
two months.

Q. Why did you not get the opinion of the
Local D. P. W. officer or the Local Fund
Engineer?

Ans. We always depend on the minor
Immigration Overseer. I never did it with a
bad motive. My character has never
been called in question before (Note. I did
not call it in question). I had influenza

Statement filed

by B. T. ...

Memorandum of
explanation with regard
to the payment of Com-
-pensation of Rs 1356 for
lands taken up for the
Villu-puram, Guntakal
Railway, and the damages
alleged to have been caused
to Tallam Baliah's tank
at Pamroy, Anantapur Taluk

1 I respectfully beg
to submit that I had
charge of the Anantapur
Division for more than
three months between
April and July 1890.
The work of the Divisional
office both on the Revenue
and the Criminal sides
was considerably in
arrear. I was therefore
obliged to work from 6 A.M.

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by B. Teppan

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tank.

3. The records of the case came for disposal before me in the course of business. They were pending since 1885. On a perusal of them, I found that the recommendations of the different offices were greatly at variance with one another as specified below: —

A. The Revenue Inspector recommended a sum of Rs 600.

B. The Minor Irrigation Overseer, Mr. Abraham, recommended a sum of Rs 1980.

This report shows he knew nothing of the previous history of the tank.

C. The Talukdar's recommendation was the other extreme, being only for Rs 21.

D. The owner of the tank claimed Rs 6000 as being the final terms which

he would accept; his first contention was for Rs 7900 — —.

4. Naturally, my suspicions were aroused, and I called upon the clerk of the Divisional Office who was there employed for a long time to tell me if there was anything on record to show the sums offered by my predecessors, Messrs Jagannathan Pantulu and Ramu Iyer. In reply, the clerk informed me that there was nothing on record except that he had known Mr. Jagannathan Pantulu offering more than Rs 1000 and Mr. Ramu Iyer, Rs 750. Even to these terms, I was told the petitioner demurred.

I doubt this after perusing Mr. Ramu Iyer's letter.

5. I had seen the notice

Notice in the Fort-Saint
George Gazette sanctioning
the acquisition of the land
under the Act, but Mr
Ramesh Iyer's letter applying
for it was not put before
me then. The perusal
of the letter now shows that
both Mr Ramesh Iyer and
his predecessor had nego-
tiated with the Politicians
with the result that he
came to no reasonable
terms and that his claim
was absurdly exorbitant.

6. The opinion of
Major Lloyd, the Railway
Engineer, fixing the com-
pensation at Rs 475 for
the construction of a new
sluice and the lengthening
of the over-flow, and for the
occupation of a part of the
bund as Railway embankment

Major Lloyd knew nothing of
the previous history of the tank.

was not communicated
to the Divisional Office,
nor was there any requi-
sition from that Office
on record to show that
such was solicited. Major
Lloyd's estimate, I find,
does not embrace any
amounts for the lands
taken up.

7. Owing to these defects
in the record, I thought
it desirable to depute
some experienced Revenue
Officers to inspect and
furnish a complete report.
With this view, I requested
two Pensioned Tahsildars
Messrs. B. Narasimhaiah and
P. Subba Rao Gaud
to undertake the duty.
On their refusal, I had
with the permission of the
Collector

Collector, to pitch upon
Mr. N. Bheema Rao, the
acting English Head Clerk,
as a man of Revenue ex-
perience and as one
pronounced by several
Collectors a good Revenue
Officer. He never told
me that he had no outdoor
experience.

Probably had he been asked he
would have done so, as he told
me so.

8. On receipt of his
exhaustive report, I put
him on oath and took
a statement from him
to corroborate the facts
in the Report. I also
examined on oath a
second time the Reddi and
the Karnam of the village,
who affirmed that the
percolation from the
tank was largely accel-
erated, to the injury
of the Petitioner's interests,
by the excavation of the
pits. Still, on perusing

The Reddi was the owner's debtor.
The Carnam's evidence was
rather the other way.

the plan, I made out that
the pits to the east of
the Railway embankment
could not affect the
tank, but that only one
large pit which was close
to the bund could have
anything to do with the
percolation. Mr. Bheema Rao
estimated the re-filling of
this pit at Rs 2450-4-
His alternative estimate for
re-constructing the tank
bund with foundation
to the extent affected by
the pit, for preventing per-
colation, was for Rs 1418-5-
My selection naturally
fell upon the latter pro-
posal. I entirely relied
on this report as well as
on Mr. Abraham's Report, bet-
ween which two I found
there was some measure
of agreement.

Mr. In fixing the compensation, I took no account of the loss sustained by the Petitioner Baliah during the last six years owing to the alleged non-irrigation of the lands under the sluice covered by the Railway embankment. I offered a sum of Rs 1356-10-0 as

The Record shows the sluice was in use before the Railway embankment was made.

Compensation for the four and odd acres of land taken up, the loss of crop on this extent for 6 years and for all other claims, both retrospective and prospective, that might be set up by the Petitioner in regard to the property, including also the fifteen per cent and interest at 6 per cent on the amount of compensation settled. He has executed a bond of agreement

waving all claims for compensation,

- (a) for the land,
- (b) for damages to the bund and the sluice of the tank,
- (c) for loss of water and the consequent loss of produce
- (d) and for any damages or injuries to other property connected with or arising from the same.

10. I beg further to state that I was unaware of the Special Sixty Years provision in the Easement Act. I was under the impression that the well-known twenty years limit applied to this case as the lands and the bund were private property.

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The Record shows the sluice was useless before the R-1 embankment was made.

The record shows this should not have been taken into account.

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11. Considering what sort of man the late Tahsildar ^{had} proved himself to be, I had good reasons to suspect the very low valuation given by him; and my suspicion of his remarks was further increased by the fact that the Tahsildar had made two inconsistent reports at different times. At the Jamabandi of Fasli 1298, he remarked in account No 5 of the village that owing to the intervention of the Railway in digging pits, the water percolated and the tank was not retaining water, and recommended ^{This is true.} Iriwa Kammi as the wet land was irrigated by a private nala and well. This Iriwa Kammi was accordingly granted by

the Head Assistant Collector who conducted the Jamabandi. But in his subsequent report made in April 1889, the Tahsildar's remarks were otherwise. In another similar case, he first recommended that the land taken up for the Railway were entitled to a compensation of upwards of Rs 30 per acre, while in a subsequent report he stated that the land was worth below that sum.

12. In conclusion, I respectfully beg to submit that I have acted bona-fide with good intention, and that in settling the amount of compensation as I have done, I had in view the desirability of making what would be deemed a fair valuation

valuation, so that there
might be no occasion
for the parties running a
risk, for redress to the
Civil Courts who have
in some cases granted
double and in one case
even ten times the award
made at the outset, as
in the case of one Kudar

Sardar Saibai in which

the award was for Rs 24,
while the Court decreed

9 Rs 259 besides the assessors' fees of Rs 40 or more. This
came on during my tenure
of office and I even took
exception to pay it on
other grounds, the amount
still remaining unpaid. In
the present case, I submitted
my proposals to the Collector,
who, after an inspection
of the place, sanctioned
the award after my
connection with the

This has no connection
with the present case.

I cannot say if this is true; it
is at variance with what
Major Hopd told me.

over 26/1/11

Divisional Charge had
ceased, and the amount
was disbursed to the party
by the present Divisional
Officer nearly three months
after my delivering over
charge of the office.

13 February

Secretary Dy Collector

20 January 1891-3. Amratapur

1891-3.

Amratapur

Amratapur

Amratapur

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Report

At Paimroy village to the west of the new Villapinam
Guntakal State Railway, and closely adjoining the same
is a so called Private Tank, belonging to F. Balappa.

GOVERNMENT OF MADRAS
11 JAN 91
REVENUE DEPARTMENT

Thirty years ago Balayya's father obtained leave to raise a bund to protect his fields from drainage, and, taking an ell where he received an inch, built this Tank. In 1862 the unauthorised construction of this Tank came to notice, and also the fact that such construction had filled up a Government Spring channel, ^{called} Trimmala Kalva, and was further obstructing the supply of natural drainage water to the Government Tank of Pannur village. In that year also the Sub Collector accordingly ordered the weir to be lowered, and Rs 4 per acre *terajasti* to be levied on all dry lands irrigated by this so called Private Tank. In 1880 the Tank bund breached and a new sluice not on plan, was opened at the spot a channel to the sluice was also excavated, with permission in the Tank bed; it still exists, ^{in the} place. The Divisional officer refused to allow any favourable assessment for lands irrigated by this channel, ^{from water} which of course was mixed with the Tank water, and came through the same sluice. In 1884 the Railway embankment was thrown up.

The owner Balappa complains that the effect of this was to fill up and render useless the high level sluice no 2, but the records fully establish that this sluice had ceased to be useful or used since 1880, that very fact having induced him to open sluice no 1.

Proof of this will be given further on.

Subjoined is a précis of the opinion of the various officials who saw and made suggestions about the Tank so that it may be seen what ground Mr. Leprinaud Chetty had to work on.

It was considered by the Revenue Inspector who first reported on the matter, that two acres of land had been rendered incapable of being irrigated by the filling up of this sluice, and he suggested Rs 50 per acre as compensation. It is also fully established that owing to the tank bed being constructed in porous soil, there has always been a great percolation of water underneath it, and that while this percolation continued, the irrigation used to be conducted by this percolated water, shutting up the sluice.

The Railway made large barrow-pits under the tank, vide the plan, which are said by the Revenue Inspector to draw the water out of the tank. The bund itself is very weak and porous, and is scored with deep gullies, it is faced on the water side with loose rough stones, the water mark on these stones is only some $2\frac{1}{2}$ or 3 feet up. The same,

the full height of the rough stone facing being some 8 or 9 feet, a very sure gauge of what amount of water the bund is capable of retaining. The Revenue Inspector proposed to deprive Balappa of his right to irrigate, and pay him Rs 500 for the same, besides the Rs 100 for the supposed damage caused by the filling up of no 2 sluice. This proposal is based on the danger to the Railway if the Tank breached. I should mention here that the Railway embankment pierces along a certain portion of the bund; its effect is of course to strengthen the bund at this point, and in many similar cases no compensation has been paid, I understand on other Railways, but the Executive Engineer here agreed to give the owner the cost of constructing such a portion as the Railway was utilising the same, this cost came to Rupees 123.

The Revenue Inspector reports the whole extent of land taken by the Railway to be about 4 acres assessed at Rs 8. Balappa claimed Rs 7300 as damages.

The Tahsildar, Raghavendra Rao now under suspension, also inspected the tank. In April 1889, he recommended Rs 5 as the amount of compensation awardable at the rate of 10 annual times the assessment. He thought no compensation need be paid for filling up sluice no 2, because for several years before the Railway embankment was constructed it became useless, its usefulness being the reason for the construction of the sluice no 1, and the village officer told me on my

visit to the tank. The Tahsildar proves this from the village accounts. These show that for 20 years previous to the ^{existing} Railway 4 out of 6 acres under sluice nos 2 were irrigated by a well during only four years, and the other two acres only occasionally, and then by the channel from sluice no 1. The Tahsildar also thought, and thought rightly, that Balappa could not claim any compensation for damage caused, if any, by the Railway borrow pits (he claimed Rs 5000 on this head) because the tank was originally constructed without having any obstruction of the supply to the Government tank below, and because the irrigation had all along paid Rs 4 per acre to Government, hence the right to the supply in the tank vested in Government. He did not consider the leakage to be caused solely by the borrow pits, but rather by the substantial bund built without foundation, it having leaked long before the Railway came on the scene. The late Deputy Collector Mr Jagannathan Pant was of the same opinion. In May 1890 Mr Ramu Iyer, then Deputy Collector, who has certainly left behind him a high or excellent reputation as an official, inspected the tank. I quote some of his remarks. The Railway authorities have dug deep pits between the Rail road and the bund at a distance of from 2 to 10 chains from the latter. The

Petitioner says that the tank is emptied by the percolation of the water in it into the pits, and in consequence of this emptiness the supply in the channel passing through the northern sluice no 1, which was sufficient to raise two crops in wet fields no 8 & 6, has failed. It is to be noted however that there was no percolation as the Ramu says, before the pits were dug, because the bund was built without foundation. I have carefully inspected the locality and failed to see that the pits dug, which are at a distance varying from 66 to 330 feet, could in any way be held responsible for the leakage in the bund. One would have thought this opinion might have carried some weight. The Executive Engineer, Major Lloyd R. E., proposed in April 1890 to pay the man Balappa Rs 300 for putting in a new sluice in lieu of the one said to be filled up by the action of the Railway, but which was not really so; also Rs 123 for the cost of earth work saved to the Railway by utilising a portion of the bund as embankment and also Rs 52 for lengthening the overflow at the western side. Total Rs 475. The Engineer of the Corse thought the tank was a bona fide private tank, and knew nothing of the circumstances of its origin. He proposed the man should only be paid if he could carry out the above work.

Balrajya still holding out for a more
compensation, the land was notified under
Acquisition Act of 1870, and Mr. Seprenal chetty
und took award. He never went to inspect the
spot, although it is only some three miles from
Arantapur, close to the Gooty road, and easily
accessible by bullock coach, nor did he ask
for the opinion of any competent D.O. or local
tribe office on the matter; he had no doubt on the
record the opinion of one Mr. Abraham, but
sent the gentleman Head Clerk, one Mr. Bhurad Rao,
who has no experience whatever of any out door
work, to report on the same.

Bhurad Rao measured, not at all accurately,
the borrow pits, and estimated the expense of
refilling the same at 4 annas per cubic yard,
saying earth must be carried half a mile,
though there is a plenty a few yards away
from the pits. He however confirms the Sahildar's
view that the sluice not was useless several years
before the Railway came in the same, stating
the accounts prove the fact, and he considered
no new sluice was necessary. His ignorance is
displayed in his remark that the Rail-
way by crossing the bund renders

it useless, which is both untrue and absurd.
I will refer shortly to Mr. Abraham's opinion given to
the Sahildar on 7. 12. 1889. His statements
regarding the irrigation levy petitions are of
course only based on hearsay, and are not to be
balanced against the reports of the Sahildar
and Revenue Inspector, which are based on the
accounts. He however states that water
percolates from the tank into the borrow pit
near the bund, and the tank will not retain
water for any considerable period; he estimates
that the petitioners lost Rs. 15.00 in crops between
1885 and 1888, stating that they had been yielding
regularly up to 1885 at that rate. This statement
which is quite sufficient to show that Mr. Abraham's
opinion was to be received with much caution; he
later on says he thinks the claim is inadmissible.
He of course was ignorant that sluice no 2 had
become useless before the Railway came in the
same, and proposed to construct a new one, and
to restore the tank to a condition capable of
retaining water. He then gave off the opinion
that it was no use filling up the borrow pit,
as such a measure would not enable the
tank to hold water nor prevent its supply

Balajiya still holding out for an enormous
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Acquisition Act of 1870, and Mr. Sepurmal Chetty
undertook award. He never went to inspect the
spot, although it is only some three miles from
Ampalapur, close to the Gooty road, and easily
approachable by bullock coach, nor did he ask
for the opinion of any competent D.O. or local
field office on the matter; he had no doubt on the
record the opinion of one Mr. Abraham, ^{whom I know nothing,}
sent the engineer head clerk, one Mr. Bhim Rao,
who has no experience whatever of any out door
work to report on the same.

Bhim Rao measured, not at all accurately,
the borrow pits, and estimated the expense of
refilling the same at 11 annas per cubic yard,
saying earth must be carried half a mile,
though there is a plenty a few yards away
from the pits. He however confirms the Sahildar's
view that the sluice was useless several years
before the Railway came on the scene, stating
the accounts prove the fact, and he considers
no new sluice necessary. His ignorance is
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to restore the tank to a condition capable of
retaining water. He then gave off the opinion
that it was no use filling up the borrow pit,
as such a measure would not enable the
tank to hold water nor prevent its supply

from precolating, because of the want of
foundation in the present build; a pretty sure
proof that precolation must have been always
taking place, and suggested a masonry founded
bund at Rs 1480, and a new sluice at Rs 500.
Apparently on the bare and self-contradictory
opinion of this man, and on the opinion of the
ignorant catchery official above alluded to,
and ignoring or putting on one side the opinion
of the Revenue Inspector and Subiloh of the former
Dy Collector, all of whom knew the locality,
with the fact fairly before him that this man
had built the tank only 30 years ago without
previous obstruction of a Government supply,
and had been charged Rs 4 per acre for the water
of the canal, and taking no account whatever of
the Cessments Act which prescribes 60 years as
the time for validating such claims as against
Government, Mr. Sepurab Chetti, without even
troubling to see the place awarded Rs 1356
as compensation money, with which the man
was to build a new masonry founded bund.
Has the money been spent for the above purpose?
I ask from him; he only says he has spent it
all in paying his debts but he has

left Rs 511 of the same entirely unaccounted for.
A guess may fairly be hazarded as to the
destination of that Rs 500.
The Executive Engineer drew Mr. Ludwood's attention
to the enormous sum awarded; he latter called for
papers, but went home before they were furnished to him.
Major Lloyd informs me Mr. Ludwood did not see
the tank and said it was a "swindle". Major
Lloyd then applied to me, & I went to the tank.
Before Mr. Lloyd the chief engineer had arrived.
With Major Lloyd on the scene, I inspected the whole
bund, and concluded that it had been a "swindle".
Also I had previously glanced at the papers and sus-
pected strongly from them that all was not above
board. My opinion on Engineering is not much worth
having, but I hold with the other officials above
as Mr. Lloyd & Lloyd, that the borrow pits can
hardly affect the tank at all; I confess I cannot
see whence they get their supposed power of suction.
Let us suppose that the only nearest to the bund does
attract in some mysterious way water from the tank,
then the tank supply is only diminished by the
cubic capacity of that pit, a very infinitesimal
matter when compared with the cubic capacity of
the tank. If it be said that the borrow pits
attract so much water from the tank as to occasion
ally overflow, it only overflows into the irrigating

from circulating, because of the want of

channel which carries from the tank so that
the water still goes to the owner's fields.

My inspection showed me the rotten nature of the bund, its scored gullies the water mark low down on its face, showing it can never have held a good supply of water, the damp ground $\frac{1}{2}$ mile or more far away from the borrow pit, showing a constant exhalation, and the nature of the soil.

soil porous everywhere, all conditions which Mr
2 Sepurual Chetti might have seen for himself
Therefore the advised 11

Therefore the ^{for himself}aid and able compensation if the
bank were the bona fide private property of the
owner, and if the borrowings did attract wages

Shrub 5 to 20
4 acres approximately
on the 5 acre
= 10 times the
cases of. Panama

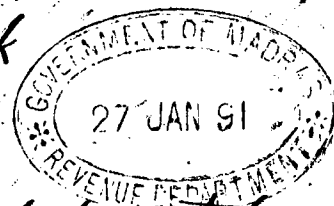
Sum of Rs 1350, in order that the owner might put the tank into a condition in which it was before in all its history seems to me explainable in only one way, the more particularly when one considers what has been done with the money, and that a large part of it cannot be accounted for in any way by the receiver.

9th January 1891
Camp Sangiripeta
O. Wolf Murray
Collector

Additional Report

on
T. Balappa's Tank

at
Dandroy



Antiquary
26-1-91

x marked B. Teperimul chetti has filed a statement in reply to my first report, which was duly shown to him. I have made a few notes thereon. With regard to the compensation money paid to T. Balappa Rs. 1356, the expenditure of Rs. 1220 has now been accounted for. The statement taken from him is also forwarded. It seems that on the first occasion I failed to take into account the interest payable on his documents. The total amount of principal & interest due was written on the first document examined, but no specific sum was mentioned as repaid in the other papers, hence the sum entered in the body of the document was taken to represent the amount due.

It is thus apparent that Balappa spent in Oct. 1890 some Rs. 1220 from some source or other, he says from the compensation money. This may be true.

The insinuation therefore that there was any motive underlying the excessive award must ~~therefore~~ be withdrawn,

and the amount paid must be attributed to Teperumal chetti's failure to inspect the tank himself and to make himself acquainted, as he admits, with the opinion of his predecessors on the subject, as also to his relying on the opinion of persons in regard to the tank who were not competent to give an opinion of much value, then he might easily have had the opinion of experienced persons. He also admits his ignorance of the 60 years provision in the Endowments Act; his own award, which is herewith forwarded* - which should be perused, shows he was aware Balappa had built this tank without permission and had to pay for the use of its water, and I cannot alter my opinion based on a perusal of the records & inspection of the tank several times supported as it is by the deliberate authority of Mr. Hogarth, the Chief Engineer, that the Railway, ^{actions little or} had little or no effect on the tank or its surroundings, and that if Rs. 500 had been awarded, Balappa would have been ^{obtained} ~~been awarded~~ more than the full compensation he was entitled to;

* II

I say this looking at the question from an equitable point of view & putting aside all question of the Easements Act which a Court of law would presumably apply to the case.

I have little doubt from what I have heard that Balayya would have accepted this sum himself; I have no means of taking evidence on this point. My informant is absent, and Mr. Ramu Balayya is also absent & perhaps would not now remember the particulars. To further examine Balayya at this date would of course be useless.

It is therefore satisfactory to be able to acquit Teperumal, chetti of aught but negligence in causing this loss to Government, which negligence can be ^{partially} accounted for by the amount & description of work allotted at that time to a man who by his physical habit is quite unfitted for the position of a Divisional Officer.

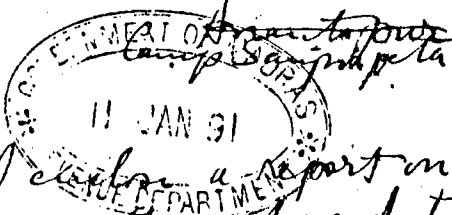
O. Wolfe Inman.
R Coll.

26-1-91
Arantejour

T. Balazs & Tank

Additional Report

8-1-91



My dear Galton
I enclose a report on the other last matter referred to in my D.O. This T.D.C. Teperumal Chetti is Underwood's right hand man, I have to say, and is known as "Mr. Parnell", because he is the "Uncrowned King" of the district, all appointments are said to be in his hands. One of the clerks through whom he works is called "Mr. Rees". I am just going to dismiss "Mr. Rees" for taking bribes of which I have certain proof.

I am sorry to say I have heard many little things against the T.D.C. both from Natives

T. Balayya & Tank

and Europeans. He was lately chairman of the Mepl Council; when removed he got one of his creatures made chairman, a retired Tahvolder ignorant of English, & he is said to still drive the coach in reality. A Mepl Councillor has begged me to overhaul Municipal affairs in the office, when he says many abuses will come to light. I have not yet attacked this. You will see from my report about the Tank that it is a very fishy affair, and I cannot doubt you too

been done out of hundreds of rupees in the matter. The Chief Supt came on purpose to see this, and I believe they have complained; I told them there was no appeal in our Court.

Whatever happens I certainly think it high time this Chetty was sent to exercise his talents in some other district; of course I have no personal prejudice against the man, as I never saw him before except I believe once in Karnool.

Yours sincerely
D. Wolfe Murray

T. Balazs & Tank

P.S. I took a statement in private
from the owner of the Tank, and
also from Teperumal Chetty. If
you think it necessary to have all
the records in which I have based
my report, they will be forwarded
over

Handwritten text, likely a signature or name, written in cursive script.

From

Dated

18

F O R O R D E R S.

The above report relates to
the loss of an amount
under the Land Revenue
tax Act given by the
Treasury ^{Department} Dr. Education
Department. Chetty Chitti
Rao is the Manager of the
Co. and he has been
found guilty of fraud. The
claim was proposed on
account of alleged damage
to a private tank by
the obstruction of a sluice
by the Railway Embankment.
The amount of damages
claimed was Rs. 7300.
It is found that the
sluice itself has been
obstructed and not in use
at the time when the
Railway Embankment
was built up; and the

72 5th Avenue, New York
the case is sent, as the
"compensation payable for
the land actually occupied
by the railway works," which
the New Inspector reported
to be about 26 acres. "He
did not consider the leakage
to be due to the pits dug
by the New York Engineers."

On his report & life.
Due to the record of him
of one Killebrew, it was
then the [illegible] says he
knew nothing but who
appears to have been an
owner, [illegible] Chetty
numbered No 1356 as com-
pensation, with which the
owner of the tank was to
build a new tank.

FOR ORDERS.

Conduct of Deputy
Commissioner
Chetty.



Revenue Secretariat,

16 January 1891.

My dear Wolf Murray

With reference to your d.o.

of the 11th instant forwarding a report
on the conduct of the Treasury Deputy C.M.

in connection with the award under the
Land Acquisition Act, I am directed to

say that a full enquiry with due regard
to all formalities should be held at once.

And the result reported to Govt. for approval.

The Hon. Mr. Justice
The Hon. Mr. Justice
H. E. The Honourable.

A full enquiry into due
regard to all formalities
should be held at once.
It would not be right to
suspend the Deputy C.M. at
Chetty without hearing what
he has to say for himself.

Hf 16/11
Hf 14 Jan
Hf 12/11

He should look into the
as soon as he can.

He has spent the money
in paying his debts with
the exception of Rs 500
for which he cannot account.
I hope Murray says he
has taken a statement
in private from the owner
of the bank & also from
Deputy Commissioner Chetty but
he has not come away
of the record up.

I think he should have
a formal enquiry &
have the evidence clearing
Deputy Commissioner Chetty &
defend himself. I am
a great fan of the Deputy
Commissioner Chetty but with
suspension but I always
think it is necessary at
present.

I hope Murray says he
knows that there are
charges on the Municipal
Commissioner's property
he must go look into
them. He has taken
note of his acquisition
before the Land Revenue
Commissioner.

Chetty should be allowed every facility
for defending himself.

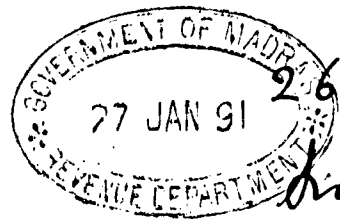
I am also to say with reference
to your allusion to suspected abuses in
the administration of the Municipality that
it is desirable that you should look into
the matter as soon as you can.

(Signed) Yours sincerely
C. A. Gallon.

Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 11th inst. in relation to the case of Chetty.

I am sorry to hear that Chetty is in a bad way. I have been thinking of writing you for some time, but have been so busy that I have not had time. I have, however, been looking into the matter and have found that there are some abuses in the administration of the Municipality.

I am sorry to hear that Chetty is in a bad way. I have been thinking of writing you for some time, but have been so busy that I have not had time. I have, however, been looking into the matter and have found that there are some abuses in the administration of the Municipality.



26-1-91

Dr. S. S. Srinivasan

My dear Galton,

Herewith the
report about B. Tippan
Chetti.

I think the insinuation
of bad motive may be
withdrawn; but he has
been guilty of negligence
no doubt in giving this
excessive award. I
continue to think he
should be transferred,
he is no use of course

except for a Treasury;
you have seen his worth.

Yours truly

O. Wolfe Murray

P.S. I suppose Underwood
is certain to return
here

proposed to report
and will come out

Yours truly

W. H. Murray

Underwood is expected
to return here

W

Current No.

Demi official report

From the Mr. of Anantapur

Dated 26 January

1891.

FOR ORDERS.

In the paper read above, the Ag. collector

of Anantapur submits a further report

on the conduct of Treasury Deputy collector

Jeppernmal Chetti in connection with an

Award that he ^{had} made under the LandAcquisition Act. A piece of land ~~was~~

under a tank having been required for the

Railway embankment of the Guntakal

Extension, the Act was put in force. The

owner of the land - named Balayya -

claimed compensation amounting to Rs

7300 for the following items: —

The case is not free
from certain elements of
suspicion & it is clear.

that even if T. Chetti
was not guilty of corruption
he was extremely careless
& that through his carelessness

the Govt. paid Rs 1356
instead of about 5 or 10 or
some ~~very~~ small
amount - I think

that he sh. be paid good
1000 Rs. for his trouble -

It might be even better
to him & with his various
to others who are disposed to

be paid ^{extrajudicially} 7300 for the following items: —
of Govt. money as compensation

as soon as he can
12/1/91 Hg Ws

(1) For land taken up - acres 4 kuntas 9

and also 4 or acres 4.25 assessed at 8 annas;

(2) For the closure of a high level sluice

(No 2 in the plan sent up by the collr)

and for the non-irrigation of six acres of wetland resulting therefrom;

+(3) for the digging up of certain pits by

the Railway Company which, it was alleged

drew off the water from the tank and

thereby diminished the supply for irrigation.

2. The locality was inspected by the Rev.

Inspector, Tahsildar and Deputy collr.

Namin Aggar. The Revenue Inspector

suggested Rs 100 as compensation for the

obstruction of the sluice and Rs 500 for

buying up the owner's rights in the tank

which he considered a source of danger

to the Railway. The Tahsildar thought

FOR ORDERS.

that they run a death risk.

having promised to
found a pond for irrigation.

8/2/91 Lf

I do not think this is a case in which a pecuniary fine should be imposed. In the first place it is not clear how the amount is to be assessed, for the proper amount of compensation is a mere matter of opinion and the exact sum cannot be estimated with any certainty. In the next place I don't think large pecuniary fines are a good way of punishing superior officers for errors of judgment or negligence. The proper thing to do is to give T. S. Chatterjee a good reprimand and to promote him over his promotion when next there is a vacancy.

U.S.
9/7/91

I agree in toto with the Hon^{ble} Mr. Stokes - I don't see how else we can deal with the man

W
13/2/91

REVENUE DEPARTMENT.

Current No.

From

Dated

18

FOR ORDERS.

no compensation necessary for the sluice

as it had not been in use for years and

recommended the payment of Rs 5 or ten

2/2/92 51. times the assessment as the compensation

payable for the land actually occupied by

the Railway works. He did not consider

the leakage to be due to the pits dug by the

Railway Engineers. Deputy collr Namin

Aggar who inspected the tank was of the

same opinion. The Executive Engineer

offered Rs 475 as compensation in igno-

rance of the fact that the sluice obstructed

by the embankment was not in use.

(1) For land taken up - acres 4 kuntas 9

and also 4 or acres 4.23 assessed at 8 annas;

(2) For the closure of a high level sluice

(No 2 in the plan sent up by the collr)

and for the non-irrigation of six acres of wetland resulting therefrom;

(3) for the digging up of certain pits by

the Railway Company which, it was alleged,

drew off the water from the tank and

thereby diminished the supply for irrigation.

2. The locality was inspected by the Rev.

Inspector, Tahsildar and Deputy collr.

Naresh Ayyar. The Revenue Inspector

suggested Rs 100 as compensation for the

obstruction of the sluice and Rs 500 for

buying up the owner's rights in the tank

which he considered a source of danger

to the Railway. The Tahsildar thought

FOR ORDERS.

that they run a death risk.

having promised to
find a permanent water.

8/2/91 Lf

I do not think this is a case in which a pecuniary fine should be imposed. In the first place it is not clear how the amount is to be assessed, for the proper amount of compensation is a mere matter of opinion and the excess thereon cannot be estimated with any certainty.

In the next place I don't think large pecuniary fines are a good way of punishing superior officers for want of judgment or negligence. The proper thing to do is to give T. S. Chatterjee a good digging and to pass him over for promotion when next there is a vacancy.

U.S.

9/7/91

I agree in toto with the Hon^{ble} Mr. Stokes - I don't see how else we can deal with the man

W

13/2/11

REVENUE DEPARTMENT.

Current No.

From

Dated

18

FOR ORDERS.

No compensation necessary for the sluice

as it had not been in use for years and

recommended the payment of Rs 5 or ten

2 1/2 or 5 times the assessment as the compensation

payable for the land actually occupied by

the Railway works. He did not consider

the leakage to be due to the pits dug by the

Railway Engineers. Deputy collr. Naresh

Ayyar who inspected the tank was of the

same opinion. The Executive Engineer

offered Rs 475 as compensation in igno-

rance of the fact that the sluice obstructed

by the embankment was not in use.

FOR ORDERS.

REVENUE DEPARTMENT.

Current No.

From

Dated

18 .

FOR ORDERS.

that he could not account for Rs 500 remaining. The collr. therefore suspected that a large part of it must have gone to the chetti. He was then requested to hold a full enquiry and give the Dy collr. every facility for defending himself. The result of the further enquiry is that the collr. withdraws the insinuation of bad nature. The collr. had failed to take into account the interest paid by Balaji to his several creditors. When the omission was supplied, it was found that Rs 1220 out of Rs 1356 was accounted for. There is no evidence

3. Deputy collr. Jeppenmal chetti never inspected the tank which is only three miles from Anantapur, close to the road, nor did he ask for a professional opinion, but sent the English Head clerk who had no experience of outdoor work to report on the claim. This officer reported that the pits dug by the Railway company did draw off the water from the tank and recommended that either the pits should be filled in or that the tank bund should be rebuilt with a good foundation. The Deputy collr. preferred the latter recommendation as the cheaper of the two and awarded a compensation of Rs 1356.
4. The collector at first reported that he had taken a statement from Balaji, the latter that he had spent all but Rs 500 of the compensation in paying his debts.

12/1/91

beyond the statement of Balappa himself
that the debts were paid from the
compensation money, but the collr. thinks
that the statement may be true.

5. As regards the non-inspection of the
tank, the Deputy collr. pleads that he ^{was}
was a Divisional officer's work in
addition to his own work as Treasury
Deputy collr and that he was also unwell
at the time. His reason for setting
aside the recommendation of the Tahsildar
was that he was known to be a dishonest
officer and that he had made two
inconsistent recommendations regarding
the same tank. He did not consult the
officers of the O. W. Dept as he considered
the report of the Irrigation Ministry to
be quite sufficient. He states also that
he did not see Dammayya's letter and that

FOR ORDERS.

REVENUE DEPARTMENT.

Current No.

From

Dated

18

FOR ORDERS.

1) The correspondence with the Executive
Engineer was not communicated to the
Divisional officer. The collr. does not
comment on each of these points fully, but
considers that the Deputy collr. was very
careless in making the award and that
it was very high.

2) b. It is submitted that presumed that in
this opinion the Govt. will concur. The
tank was constructed by an ancestor of the
person who received the compensation,
but he did so without permission and
he moreover obstructed a spring channel
which irrigated Govt. lands lower down.

12/1/91

out

1/10

FOR ORDERS.

Successive collectors declined to treat the tank as a private one and charged Jiriyarti or water-rate on dry lands irrigated from the tank. Most of the officers who have seen the work are of opinion that the bund was not properly made at the beginning and that it was therefore leaky and that the Railway works did not increase the leakage. On a question of so much importance the Dy. Col. should not have satisfied himself with the opinion of the Irrigation Ministry or the English Head clerk, but should have obtained the opinion of competent officers. As the tank has not been recognised as a private tank, the only compensation that need have been awarded was the value of the land actually taken up and nothing more.

REVENUE DEPARTMENT.

Current No.

From

Dated .

18

FOR ORDERS.

Mr. Wolfe he may regret
 that although Tappan
 had Chetty was guilty of
 gross carelessness there is
 no reason to suspect his
 bona fides and the aspect
 of the case is, therefore,
 clear. He has clearly
 been transferred to the (under
 the Treasury and the only
 question for consideration is
 whether he should be held
 responsible for any portion
 of the loss incurred through
 his carelessness. The answer
 cannot be clear other but
 the answer cannot be correct.
 I am not aware that there
 has been anything against
 Tappan or Chetty previously
 and has to answer with, I
 think suffice. Cal
 4/2

FOR ORDERS.

Confidential

Re. the Anantapur collector's report
regarding the Treasury Deputy coll.
Jeppemmal chetti.

NOTE FOR THE SECRETARY.

I have taken the liberty to
alter the word 'averab' in
line 3 of the draft, into 'Gan',
as Jeppemmal chetti is a
Telugu man + 'averab' is a
Tamil termination.

L.P.
17/2 The original +
fair copy are
submitted.

Copy should go to the Board
The + Mr. J. L. Laddypah
L

Signature
17/2/51.
to the fair copy

FOR ORDERS.

8

Confidential

REVENUE DEPARTMENT.

Re the Ananta pur collector's report

reg. *any Deputy coll.*

*Amteso Accts
S. S. S. S. S.
17/2/91.*

FOR ORDERS.

Confidential

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read Demi official reports from the
collector of Anantapur dated 9th & 26th
January 1891

G.O. No. 1086 d. 16. 2. 91.

In the papers read above, the Ag. collr. of
Anantapur submits a report on the conduct
of B. Jeppernmal Chetty in connection with
an award ^{made} ~~that he had made~~ under the

After a careful perusal of
the report the Gov. Council has read
that although there are certain
elements of suspicion in the papers very carefully and is not satisfied
that there is no proof that
the Deputy Collector was guilty that the case is not free from certain
of any more serious offence
than very gross carelessness elements of suspicion. It is clear that even
the consequence of which a very
large sum was paid if Jeppernmal Chetty is not guilty of corruption
as compensation then the
circumstances justify it. he was extremely careless. The collr. is
Jeppernmal Chetty has now
been transferred to another dis-
trict and the Collector was requested to convey to him in person his
warning that he has
incurred the severe displeasure
of Gov. & that he will be that he has incurred the grave displeasure of
the Gov. for his conduct when a valuable officer.
To the collr. of Anantapur with 2 copies of the order.

Copy to the Commr. of the
Collector of Anantapur
17/2/91

16/2

17/2/91
12/1/91

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

READ AGAIN G.O., No.
 189

DATED

URGENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only

Draft. G.O. re. Jeppernual cletion