Revenue (1893) Department.

G.O., No. 369

Confidential No. 572

DATED 30 January 1893

[Despatch Abstract.]

Directing the Board of Revenue to obtain & submit to Govt the explanations of Messrs Demergue & Batten in connexion with the case of V. Nanjé Setty, Sirkr of Wallevanaikanahalli

Camp Cherpalcheri
1st May 1892

My dear Galton

I was glad to learn from your last telegram that you had found the Register you wanted.

I presume you are engaged upon the Wynaad settlement papers. Before final orders are passed I hope Govt will call

Revenue Board Office,
(Land Revenue),
MADRAS,
6th May 1892

My dear Galton -

Herewith I. Chiarti complaint - In the normal state of business in the District this matter would not come up at all - so far as Govt is concerned the only question is whether Chiarti has reason to complain of hostility and obstruction on the part of the Collector -

Yours sincerely

L. Gibson

for my letter No. 161
dated 30 April 1892
sent to the Board
in the Settlements Dept.
under instructions from
His Excellency the Govr.
whose Private Secretary
I am informing that
my complaints have
been submitted.
The facts recorded

in that letter - No. 161
of 30 April 1892 & its
appendices - will
I trust afford the
Govt. some insight
into the manner in
which I have been
treated and how
their operations have
been obstructed.

Very sincerely yours
H Fassbender Clerk.

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

G.O.	No.	Departm

Date.

REVENUE DEPARTMENT.

Current No. Letter from Lt. C. S. C
Stewart dated 30 Septr
No 161.

From

Dated 18 .

FOR ORDERS.

Lt Stewart informs me that he
has reading in the Board
(Government Records) a letter dr
stating the manner in which
he had been treated by the
Revenue Officials of Shahabad
and the way in which Serv
have questions had been dr
Stewart, request that it
might be considered in co
nection with the Boyant
Settlement papers. I asked
the Board to send it me
& Mr Gibson has forwarded
it. Lt Stewarts letter
60 pages of foolscap & is
accompanied by XXXI appe
dices running to something
like 600 pages.

I have read the report & find
that it consists of a com.
plaint of obstruction & pers
onal interference on the part of
the Collector & Collectorate
Canoongo Patna. It has
no bearing whatever on the

W
21 May

Mem Despatch Book sent to
print. 21 ult. & sent
4th Revt. Bs. for perusal
& remarks explanatory
Rec'd 24 ult. 24
8/5792

0. No.

0.

question was under the
jurisdiction of Govt. namely
whether there has been any
fraud in connection with
the Settlement of Tenants
in the Wynaad.

Lt Stewart makes 22 specific
charges against the Tahsildar
of Nilambur & Deputy &
Sub-Collector, and it is
quite clear there has existed
for the last two years
great friction between the
Revenue & Settlement Officials
in Malabar Talookas.
Some of the Tahsildars com-
plaints to Lt Stewart
are most unjustifiable and
it seems quite clear that
instead of affording all the
aid in his power to the
Settlement Dept he has done
back to obstruct their operations. Lt Stewart states that
he has brought the Tahsildars
conduct repeatedly to the notice
of the Divisional Officer, who
invariably replies that he
has forwarded the papers to
the Collector for orders but
that Mr Duncan has taken
no notice whatever of his
representations.

Always work for him
stopped if this one big
enough for whole
work!
HHS
1/5
Minor abuses, for merely w
work
WS

It seems probable that the
Settlement Officials have ex-
tortionate demands & the
of the Canara Officials an
that there is something t
said on the other side. It
could not be fair to deal
with Mr Stewart's complaint
without affording Mr Duncan
an opportunity of ex-
plaining and it is therefore
desirable that the Board
should receive the explana-
tion of the matter which
is within its competence, Es-
pecially as Mr Stewart re-
fers to several previous
letters of this character sep-
arately before the Board.
Mr Stewart states at the
foot of his letter that she
would not return with
the Tahsildars, the former of
whom he considers with this
may hold in order that

If correct
HHS
W
21 May
Thanks to
HHS
WS
Agree
HHS
WS

they may be allowed two
months from the date of
an opportunity of pleading
any objections they may
think desirable -
The papers disclose a case
somewhat out of the ordinary
and strongly indicate doubt
that the authorities at the
Admiralty have put the
Colonies which have not a
right to expect. The Surveyor
is responsible to their Board
and has no power to
settle part of the friction
which has existed and I
think the Colonies have a
right to have their steps to
assist or the Surveyor's
operations - Whilst the
petty quarrels between the
Surveyor & the Steward
is being fought out to the
bitter end the work is at a
standstill -

CL
6/5

The Hon^ble the Master
&c.

The Hon^ble the Storekeeper
&c.

I think that the Board should dispose of this complaint & that the papers should be returned to them. But the existence, which I believe cannot be doubted, of all this friction & obstruction of the fulfilment work of Yard labour is a fact which we cannot exclude from consideration in deciding on the measures to be adopted in regard to Mess^rs Dumergue & Stuart.

WO
18 May

W
21 May

8

GOVERNMENT OF MADRAS
REVENUE DEPARTMENT

FORT ST. GEORGE,
May 5. 1892

My dear Gustin

I send in a
letter just received from
MacCartie. I sent you
Stuarts letter of the 30.
April with its appendices
on Friday evening. The
box was so 26 thick.
Stuarts letter remarks
Report of witness Cyprian

D

Mr. Stuart's complaint of obstruction of Settlement operations.

Point put

CONFIDENTIAL.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

READ—the following letter from A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated Cherpalcheri, 30th April 1892, No. 161:—

During the last Christmas holidays I had the honour of representing in person to His Excellency the Right Honorable the Governor and to some Members of the Board certain facts, showing the hostile attitude that had been adopted towards me and the Settlement Party in this district and the grave obstruction that was being placed in the way of Settlement operations in the Walawanád taluk. On the 7th January 1892, I received, through the Private Secretary to the Governor, His Excellency's command to represent whatever I had to complain of "to the Member of the Board in charge of the Settlement Department, stating that I had taken this course under instructions received from His Excellency."

In obedience to this gracious command, I have the honour to submit the following facts and to request that the Commissioner will be so good as to forward them, with his remarks, at the earliest possible date, for the favour of the early consideration and orders of His Excellency the Governor in Council. The facts proved by the public records, copies of which are herewith submitted, throw considerable light on certain matters which are, I believe, at present under the consideration of the Government. I should, therefore, feel exceedingly obliged if these papers could be forwarded at once to the Government for favour of consideration along with the other matters referred to. I much regret that I have been unable to submit this report earlier, but, as the Commissioner is aware, until lately my time was wholly occupied in submitting my reply to certain very hostile criticisms—the outcome of nine months' incessant investigations conducted without any reference to me—and since then I have been fully engaged in disposing of my current work which had necessarily fallen into arrears. I trust, however, that this paper and its appendices may reach the Government before any final orders are passed.

2. When it was contemplated to extend the operations of this party to the Walawanád taluk, I requested the Collector of Malabar in my letter No. 1692, dated the 24th February 1891 (copy of which forms Appendix I), to "kindly instruct the Divisional Officer of that taluk, as also the Tahsildar, Deputy Tahsildar and Subordinate Revenue Officials to render the members of this party all possible assistance and to furnish me with such records, accounts or information as may from time to time be required for Settlement purposes." In reply, the Collector informed me in a post-card, dated the 27th February 1891, No. 209-P./Genl. (copy of which forms Appendix II), that a copy of my letter "had been communicated to the Special Assistant Collector, Malabar, for the issue of necessary orders."

3. The operations of this party were extended to the Walawanád taluk on the *2nd March 1891*, and in my Proceedings No. 1961, dated the 17th March 1891, I issued to the Tahsildar of that taluk detailed instructions as to what was required of him and his subordinates to facilitate the progress of the Settlement. A copy of my Proceedings above quoted formed Appendix III to my letter to the Board, No. 61, dated the 7th April 1892, which I request may be considered along with this report.

4. A few days after the receipt of my Proceedings above referred to and before the instructions therein contained could be communicated to all the village officials for their information and guidance, as desired by me, the then Tahsildar of the Walawanád taluk, viz., M.R.Ry. T. Kunhambu Avergal, was transferred to the Ponáni taluk, where he is now rendering every assistance to facilitate the operations of this party in progress in that taluk, and he was succeeded in the Walawanád taluk by the present Tahsildar, M.R.Ry. S. Ananta Pattar Avergal, who had been Deputy Tahsildar and Tahsildar of Wynaad during a portion of the time Settlement operations were in progress in that tract. During the time of the former Tahsildar, it was only necessary for the Supervisor to inform him what the requirements of this party were to enlist his hearty co-operation in the matter and ensure his issuing the necessary orders immediately to the village servants, as will be seen from the copies of his orders, which are in vernacular, and which, with their translations, form the first four papers of Appendix III. As long as Mr. Kunhambu was the Tahsildar of the Welawanád taluk, the operations of this party progressed satisfactorily; but, with the advent of the present Tahsildar, those operations began to suffer the most serious obstruction owing to his most unwarranted misconduct, of which I proceed to set forth some of the most glaring cases.

5. *First Case.*—At para. 3 of his order, dated the 19th March 1891, Reference on Mis. No. 2692, which appears to be the last order that he issued before he was transferred to Ponáni, and of which the fourth of the papers forming Appendix III is a copy, the former Tahsildar informed the Adhikaris and Menons of certain amsams that "detailed instructions were being prepared for their information and that, until those instructions were received, they should enter in a book the nature of the assistance which they were required to render to the Settlement Officers and the time taken to render that assistance and get the signatures of the Classifiers to it." The detailed instructions referred to in the above order of the Tahsildar were those contained in my Proceedings No. 1961, dated the 17th March 1891, and as they were stated to be under preparation when that Tahsildar was transferred from the taluk, it would be naturally supposed that they would have been issued immediately after his successor had assumed charge of his office; but, as a matter of fact, they were not issued by the present Tahsildar until the *18th May 1891, i.e.*, not until after two months had elapsed from the date of the Proceedings in which he was requested to issue them, though he was perfectly aware that Settlement operations were in progress and that the delay in issuing the instruction was most prejudicial to Settlement work. A copy of the instructions issued by the Tahsildar is embodied in his circular, dated 18th May 1891, Reference on C. No. 705 C.&D. and a copy of it with translation forms Appendix III (10). In May 1891, I personally asked this Tahsildar why he had not issued the instructions contained in my Proceedings No. 1961, dated the 17th March 1891. He replied that he wished himself to draft the translation of those Proceedings in Malayalam and that they would be shortly issued. Whilst encamped at Vaniyankulam on the 26th May 1891, I had the best possible reason to suspect that the Tahsildar had not even then issued the instructions contained in my Proceedings No. 1961, dated the 17th March 1891, and he was therefore requested in my Proceedings No. 329, dated the 26th May 1891 (copy of which forms Appendix IV), "to submit copies of any orders he might have issued to the village officials in his taluk in obedience to the instructions contained in Proceedings No. 1961, dated the 17th March 1891." To this the Tahsildar replied in his arzi No. 1287 C.&D., dated the 28th May 1891 (copy of which forms Appendix V), with which he forwarded not only a copy of his circular No. 705 C.&D., dated the *18th* May 1891, which was the only paper that he had been asked to send, but also copies of all orders which both his

predecessor in office and himself had issued from time to time in compliance with the requests made by the Supervisor. Copies of these orders form Appendix III (1) to (10). By sending me copies of these latter orders which he had not been asked to send along with the copy of his circular instructions, which alone he had been asked to send, the Tahsildar induced me to believe that the latter had been issued to the village officials just as the former had been; but this was not the case, for on my receiving on the 31st May 1891 the Tahsildar's arzi, dated the 28th idem, No. 1287 C.&D., and its enclosures above referred to, I circulated a vernacular order on the 1st June 1891 to the Menons of 27 of the 64 amsams of the Walawanád taluk, in which alone classification work was then in progress, directing them to note in the lists which I therewith sent the dates on which they had received the Tahsildar's circular, No. 705 C.&D., dated the 18th May 1891. It would appear from those lists received back from the Menons with the dates duly entered (copies of which, together with copy of my vernacular order, and their translations form Appendix VI) that *most* of the said *27* Menons had not received the Tahsildar's circular at the time he wrote his arzi, dated the 28th May 1891, No. 1287 C.&D., by which he induced me to believe that the said circular *had* been issued to all the village officials before the date of that arzi and that some of them had not received it even at the time my circular of the 1st June 1891 had been handed over to them. I do not know whether the Tahsildar has yet issued the circular to *all* the Menons of his taluk; but, from the fact that the Menon of one of the amsams of his taluk, stated in a written explanation furnished by him so late as the 3rd November 1891 regarding his failure to prepare desamwar accounts, that he had never received the circular and that the Tahsildar, who had been expressly requested at para. 8 of my Proceedings No. 2417, dated the 29th February 1892, to report on the said Menon's allegation, *has not yet done so*, though he was reminded of the fact at para. 2 of my Proceedings No. 2598, dated the 22nd March 1892. I have reason to believe that the said circular has not up to date been issued by the Tahsildar to all the Menons, though all the Classifiers have now left the taluk! Copies of the written explanation of the particular Menon above referred to and of the significant correspondence which took place with the Tahsildar on the subject have already been submitted to the Board with my letter No. 61, dated 7th April 1892, from which and from the facts above set forth I trust that the Board and Government will be pleased to see that the first case of the Tahsildar's misconduct, of which I have to complain, is that he deliberately delayed for about two months to issue the instructions which I had expressly asked him to issue to all his village subordinates in the interests of the operations of this party; that, when after the lapse of two months he chose to take some action, he did not issue the instructions to *all* the Menons of his taluk; that, when this omission was found out and he was questioned on the subject, he answered in a manner to mislead me to believe that they had been issued to *all* the Menons; and that, when this belief was subsequently found to be erroneous and he was asked to explain, he deliberately refrained from answering though more than four months have elapsed since he was first asked for his explanation and he was subsequently reminded of it on no less than three occasions. The object of the instructions was to explain to the village servants what was required of them, so as to prevent them being able to plead ignorance, which, in consequence of the Tahsildar's inaction, they constantly did. The Tahsildar sought to cause delay and friction and he unhappily succeeded.

6. *Second Case.*—The next case of the Tahsildar's misconduct which I shall set forth is the following:—From the 7th March 1891, *i.e.*, five days afer the operations of this party were started in the Walawanád taluk, up to the 15th April 1891, *i.e.*, about a month after he received my Proceedings No. 1961, dated the 17th March 1891, in which he was asked to issue certain instructions to all his village subordinates with a view to facilitate those operations and with which he did not comply even partially until after two months from that date, the Tahsildar was engaged in submitting to his Divisional Officer *behind my back* numerous complaints against the Classifiers of this party, with the alleged object of obtaining "sanction for the appointment of Gumastah Menons in Walawanád taluk *for assisting the*

Revenue Settlement Party." These complaints appear to have been submitted by the Divisional Officer, *without any reference to me*, to the Collector who thereupon—*also without any reference to me* but on the *ipse dixit* of this Tahsildar—passed his Proceedings No. 339-R/Genl., dated the 8th May 1891 (copy of which has already been submitted to the Board as Appendix Q to the memorandum submitted with my letter No. 648, dated the 7th July 1891). In these Proceedings, the Collector stated that "all the necessary assistance must be rendered to the Settlement officials by amsam officials, as prescribed in the Madras Settlement Manual," and that "the Board of Revenue had disapproved of the appointment of Gumastah Menons except in cases of absolute necessity and no such necessity was found to exist in the Pálghat taluk where Settlement operations were lately in progress." He also added: "At the same time from the numbers of complaints received on the subject, there appeared to be ground for considering that the Classifiers took undue advantage of their position and demanded more than legitimate assistance," and I was therefore requested to "issue strict injunctions to my subordinates against the detention of amsam officials longer than was absolutely requisite for carrying out the work of Settlement."

To the above Proceedings of the Collector, I replied in my letter No. 283, dated the 13th May 1891 (copy of which has also been already submitted to the Board as Appendix R to the memorandum submitted with my letter No. 648, dated the 7th July 1891), in which I thanked the Collector for having directed the amsam officials to render the Settlement officials all the necessary assistance as prescribed in the Settlement Manual; brought to his notice the fact that I had already informed the Tahsildar—a fact concealed by the Tahsildar—in my Proceedings No. 162, dated the 21st April 1891, an extract from which I sent the Collector, that there was no necessity for appointing Gumastah Menons; pointed out the advantages that would accrue to both the Revenue and Settlement Departments by the permanent Menons assisting the Classifiers; brought to notice the general tendency on the part of the village officials to prefer, and on the part of certain Subordinate Revenue Officials to support, wholly groundless complaints against Settlement officials; intimated my ignorance of any instance in which the Classifiers "took undue advantage of their position and demanded more than legitimate assistance"; and expressed my desire to be furnished with the particulars of any such instances, so that they might be duly inquired into and the Classifiers guilty of such conduct be suitably punished. To this letter of mine, the Collector has favored me with *no reply up to date*, though nearly a year has elapsed. I request that the whole of my letter may be carefully perused. Had any of the "numbers of complaints" submitted by the Tahsildar, and by which the Collector had apparently been induced to believe that there were "grounds for considering that the Classifiers took undue advantage of their position and demanded more than legitimate assistance," been established, may I respectfully ask whether it is likely that the Collector would have failed to comply with my request to be furnished with their particulars, or to take other steps to bring the offenders to book. As the Settlement Officer in charge of the Party, I was, I respectfully submit, entitled to know the nature of the charges brought by the Tahsildar against my subordinates, and, on being informed of them, it would have been my duty to have investigated the truth or falsity of the complaints. In this district, however, the Revenue officers apparently consider it their special province to make and investigate complaints against my Settlement subordinates without any reference to myself—the head of the party— a procedure wholly unprecedented so far as I am aware and subversive of public policy. Seeing that the Collector has not adopted either course so far as I am aware, I think I am justified in inferring that the complaints submitted by the Tahsildar against the Classifiers, without furnishing me with any information regarding the same, and which the Collector did not deem it necessary to refer to me or to furnish me with any particulars, were perfectly groundless. I am constrained to believe that, while submitting those complaints, the Tahsildar must have been aware that they were perfectly groundless or else he would presumably have submitted them to me, as they concerned my immediate subordinates. His object in submitting them direct to the Revenue

officers was firstly to prejudice the mind of the Collector against the Classifiers and secondly to get his proposal to appoint Gumastah Menons nominally "for assisting the Revenue Settlement Party," as he said, sanctioned, both of which he was deliberately desirous to have effected with a view to obstruct the progress of Settlement operations and to create delay and needless friction.

In this connection I beg also to invite special attention to the following significant dates:—

Settlement operations were started in the Walawanád taluk on *2nd March 1891.*

Tahsildar's reports, submitting complaints to the Revenue officers against Classifiers and requesting sanction for appointing Gumastah Menons were dated *7th, 11th, 12th, 17th and 20th March and 2nd, 10th, 11th, and 15th April 1891.*

My Proceedings, asking the Tahsildar to issue certain instructions to all his village subordinates with a view to facilitate Settlement operations, were dated *17th March 1891.*

Collector's Proceedings, disposing of the complaints against the Classifiers submitted by the Tahsildar and declining to sanction the appointment of Gumastah Menons, were dated *8th May 1891.*

And the Tahsildar's circular, embodying the instructions contained in my Proceedings No. 1961, dated the 17th March 1891, was dated *18th May 1891.*

From these dates as also from the facts already set forth above the following conclusions are, I think, irresistible:—

(i) That from the 7th March 1891, *i.e.*, only *5* days after Settlement operations were started in his taluk, up to the *15th* April 1891, *i.e.*, only six *weeks* after Settlement operations were started, the Tahsildar was engaged in submitting behind my back numerous complaints to the Collector with a view to prejudice him against the Classifiers and to obtain his sanction for appointing Gumastah Menons;

(ii) That ten days after he submitted the first and about a month before he submitted the last complaint he received my Proceedings No. 1961, dated the 17th March 1891, in which he was expressly asked to issue certain instructions to all the amsam officials of his taluk with a view to facilitate the progress of Settlement operations;

(iii) That he did not do so until ten days after he received the Collector's Proceedings declining to sanction his proposal to appoint Gumastah Menons;

(iv) That the delay in issuing those instructions was due to his deliberate desire to issue them to Gumastah Menons, whom he hoped the Collector would permit him to appoint on the strength of the complaints submitted by him and not to the permanent Menons; and

(v) That by thus deliberately delaying the issue of instructions which he was asked to issue with a view to facilitate the progress of Settlement operations, he obstructed those operations and caused friction, as the village officials, not knowing the nature of the duties required of them, resented the lawful requirements of this party which necessitated harder work on the part of the village servants than they had been accustomed to perform.

The above conclusions are also supported by the fact that the Tahsildar's application for sanction to appoint Gumastah Menons was made on the alleged ground that they were required "for assisting Revenue Settlement Party," though I had expressly disapproved of the Tahsildar's proposal which I readily appreciated at its real value. It cannot be supposed that the Tahsildar was ignorant of the fact that raw Gumastah Menons would not have been of the slightest use in assisting the Revenue Settlement Party, which can only be assisted by permanent Menons who have knowledge of their amsams and their accounts. If therefore the Tahsildar really wanted Gumastah Menons to promote the progress of Settlement operations, he ought to have applied for them on the ground that they were required to assist or relieve the permanent Menons in the discharge of their ordinary revenue duties and thereby to enable the latter to render proper assistance to the Revenue Settlement Party and not on the ground that the new men were required "for

March 1891 and No. 2842, dated the 4th April 1891, respectively, had been forwarded by the Special Assistant Collector, Malabar, with his endorsement, dated the 20th April 1891, to the Collector and that the Collector, after merely reading the Special Assistant Collector's endorsement, the Tahsildar's and the Deputy Tahsildar's reports above referred to, and my Proceedings No. 1953, dated the 17th March 1891, and imagining that he had read all the records, *some of the most important of which he has not seen up to the present date though he led the Board to believe that he had seen all the records which are now in the Board's office and which have never been dealt with by the Collector or the Board*, had cancelled my order suspending the Adhikari and reinstated him. In the ordinary course of things, if a man is suspended and considers himself aggrieved, he appeals to higher authority and the appellate authority does not usually, so far as I am aware, deal with the appeal with *part* of the records only and *without any reference to the suspending officer* for report, records, &c., and on *ex-parte* statements, many of which in this case the public records conclusively proved were false. In the present case, the suspended Adhikari does not even appear to have preferred *any* appeal, for, if he had, it would naturally have been read in the Proceedings of the Collector cancelling the suspension order, nor did the Collector call for the connected papers, most of which were in my office, or for any report, or, in fact, *make the slightest reference to me.* I have served with over a dozen Collectors and have *never experienced such treatment*, which, I submit, is quite unprecedented. I beg further to submit that it was a great grievance to me that the Collector did not even deem it necessary that his Proceedings cancelling my order of suspension and reinstating the Adhikari, in which he also erroneously declared that I had no power whatever to punish the village officials, whereas I had full power to do so under the special orders then in force, and even now have the power to fine them under the orders subsequently issued by the Board, should be communicated confidentially as even the Board and Government do in such cases, but communicated them to his Divisional Officer, by whom they were apparently communicated to this Tahsildar, whose knowledge of the contents of the Proceedings he did not fail to make insolent use of afterwards, as will be seen. It has been stated above that the results of the inquiries which I asked the Tahsildar to make into the Classifier's complaint, but which he entrusted to his deputy, were embodied in the Deputy Tahsildar's report, dated the 23rd March 1891, No. 202, and that they were forwarded to me by the Tahsildar, with his arzi No. 2842, dated the 4th April 1891. It has also been stated above that these very reports were submitted to the Collector by the Divisional Officer, with his endorsement, dated the 20th April 1891. This on its face seems rather strange and can be accounted for only by supposing that the reports forwarded to the Collector by the Divisional Officer must be copies of the report submitted to me by the Tahsildar. It is also not clear how the Divisional Officer came by these copies unless it be supposed that they were submitted by the Tahsildar. If so, may I respectfully ask what necessity there was for the Tahsildar to adopt this extraordinary procedure? The Adhikari was suspended by me pending result of the Tahsildar's inquiry and report to me. The result of the inquiry was received by me on the 8th April 1891, and the Tahsildar failed to await the receipt of my orders before forwarding the papers to his Divisional Officer who, apparently, it was confidently hoped, would sit in judgment on me. The impatience exhibited by the Tahsildar and the fact that neither the Divisional Officer while forwarding the papers to the Collector, nor the Collector while passing orders on them, deemed it necessary to make any reference to me or even to call for a single paper connected with them from my office, and that all this was done apparently without any appeal from the Adhikari against my order of suspension, are, I beg to submit, very significant and I trust the Board and Government will interpret it correctly and take such notice of it as it may be deemed to be deserving.

8. *Fourth Case.*—On the 25th March 1891, I had to forward with my Proceedings No. 2058 of that date a complaint preferred by one of my Classifiers regarding the apathy shown by certain* village officials to the Tahsildar for early inquiry and report. To this the Tahsildar replied in his arzi No. 2909, dated the

* Viz., of Perur amsam.

7th *May* 1891, that the Classifier's complaint having been found to be true, the village officials were reported *to the Divisional Officer for punishment.* That the Tahsildar should have taken so much time to reply to my Proceedings, which delay he must have known would be injurious to the interests of Settlement operations, and that he should have reported the results of the inquiry which he had been asked by me to make and report to me to the Divisional Officer with a view to have the village officials concerned punished by that officer, ignoring me altogether, appeared very strange, and I therefore asked the Tahsildar to explain. The Tahsildar explained (in his arzis Nos. 1317 and 2075, dated the 1st June and 2nd October 1891), but in a most impertinent manner, quite unwarranted and insolent, which I cannot but attribute (for the Tahsildar's explanation clearly proves this) to the Collector's Proceedings erroneously declaring me to have no power whatever to fine village officials having been communicated to the Tahsildar. I reported the Tahsildar's impertinent conduct to the Collector in my letter No. 1329, dated the *12th October 1891*, in which I requested him "to be good enough to issue such orders as would prevent any repetition of such misconduct and communicate the same to me at his earliest convenience." Though *some 7 months have since elapsed, the Collector has not had the courtesy to comply with my request, or so far as I am aware, to have taken the slightest notice of the Tahsildar's insolent letter* to me, which one Member of the Board was pleased to describe when I placed it before him as being that of a Tahsildar to one of his Revenue Inspectors and most improper, and the Tahsildar has been thereby distinctly encouraged to continue to behave most impertinently towards me and my subordinates, as will be seen from several of the following cases. From the facts that the Collector was not pleased to communicate his Proceedings erroneously declaring me to have no power whatever to punish village officials, *confidentially*, as is generally done in such cases, and that he has also *not chosen to take the slightest notice* so far as I am aware of my *complaint* regarding the unprecedented manner in which the Tahsildar behaved towards me, I am relunctantly constrained to infer—an inference warranted moreover by other facts within my knowledge—that it was and is the Collector's desire that the Tahsildar should so behave towards me. This is a great grievance, of which I can only seek redress at the hands of the Board and Government. Copies of the papers regarding this case form Appendix VIII, to which I beg to invite special attention. I am not the Tahsildar's subordinate and most respectfully ask to be excused if I decline to tolerate his insolence.

9. *Fifth Case.*—The next case of the Tahsildar's misconduct, of which I have to complain, is a case of deliberate misrepresentation of facts which the Tahsildar made with a view to support one of the Menons * who refused to go to the field with the Classifier and contended that the only orders he had received from the Tahsildar were to furnish the Classifiers with the necessary accounts and not to work with the Classifiers in the field. This contention of the Menon was made at a time when the Supervisor was on leave and the Chief Head Classifier of the Party was officiating for him. As the Chief Head Classifier was not aware of the fact that the Supervisor had already requested the Tahsildar to issue and the Tahsildar had already issued orders to the Menons asking them to work with the Classifiers in the field as provided for in the Settlement Manual, published under the authority of Government, he foolishly believed that the Menon's contention was true and therefore wrote to the Tahsildar, requesting him to issue the orders in question. To this the Tahsildar was not pleased to favour him with any reply and he therefore complained to me of the matter in his arzi, dated the 15th March 1891. I forwarded this arzi to the Tahsildar for report as to the correctness of the allegation therein contained. The Tahsildar thereupon reported in his arzi No. 2920, dated the 14th April 1891, that "the order issued by his predecessor to the officials of Nitirimangalam amsam did not contain express instructions that the Menons should work with the Classifier in the fields nor did the Supervisor want in the first instance to issue such an order (*vide* copy of his yadast to Tahsildar, dated the 8th March 1891, No. 844, on which the order to amsam officials was based). It was in his yadast, dated the 14th March, that the Supervisor made his first request for issue of an order of that kind and this yadast the Tahsildar sent to the Menon

* Of Nitirimangalam.

assisting the Revenue Settlement Party," for which the Tahsildar must have well-known they would be utterly useless. By stating that they were required for the latter purpose, the Tahsildar betrayed his real object which was to get the Collector to sanction his proposal to appoint Gumastah Menons by inducing him to believe that they would be of great use to the Revenue Settlement Party, and, after getting that sanction, to appoint Gumastah Menons with strict orders to assist the Settlement Party, which he knew they would have been wholly unable to do, being totally ignorant of the amsams and their accounts, and then order the permanent Menons to exclusively devote their time to their ordinary revenue duties and to cease rendering any assistance to the Revenue Settlement Party, on the ground that there was no necessity for their so doing, as Gumastah Menons had been appointed to assist the Settlement Party. Had the Tahsildar's cunning proposal been sanctioned by the Collector, it would have undoubtedly been a death below to the progress of Settlement operations in Malabar. The Collector fortunately did not sanction the Tahsildar's proposal, though not on the ground that it would, if sanctioned, be seriously prejudicial to Settlement, but on the ground that "the Board of Revenue had disapproved of the appointment of Gumastah Menons except in case of absolute necessity, and no such necessity was found to exist in the Pálghat taluk, where Settlement operations were lately in progress." The Tahsildar's disingenuous proposal was not sanctioned and the difficult settlement of Malabar was thereby saved from still further difficulties, the stratagem which the Tahsildar had devised having failed in its object. It is, however, a matter of great surprise to me, and I trust it will be so to the Board and Government, that Mr. Dumergue had not seen through this deep plot of the Tahsildar and failed to take such notice of it as it deserved.

7. *Third Case.*—The next case of the Tahsildar's misconduct is that of which I have already complained to the Board in my letter No. 648, dated the 7th July 1891, but which *up to date has not been investigated.* The practical shelving of that complaint has worked incalculable damage in this district where the facts are widely known. I shall not trouble the Board and Government with a recapitulation of the important facts therein set forth, but only beg to state a few facts regarding the extraordinary and unprecedented procedure adopted in connection with that case, which has not yet been clearly noticed.

On the 16th of March 1891, *i.e.*, just a fortnight after Settlement operations were started in the Walawanád taluk, I received a report from one of the Classifiers of this party, complaining of the gross misconduct of the village officials of one of the amsams of the said taluk, in which he was engaged in classification work and of his inability to go on with his work in consequence of that misconduct. Having had painful experience of the conduct generally of many of the village officials of the Pálghat taluk, from which classification operations had just been extended to the Walawanád taluk and knowing the excellent character of this Classifier, I believe that the Classifier's complaint was *primâ facie* well-founded and a reference to paras. 15 to 23 of the memorandum submitted with my letter No. 648, dated the 7th July 1891, will, I am sure, convince the Board and Government that my belief rested on very substantial foundations. With the sole object, therefore, of preventing the Classifiers having in the Walawanád taluk the difficulties they had experienced in the Pálghat taluk in the discharge of their public duties on account of the misconduct of village officials, which object I thought could best be realised by inflicting exemplary punishment on one or two turbulent village officials at the outset, whose misconduct might be satisfactorily proved, I, acting *bonâ fide* in virtue of the powers which I then possessed, as established conclusively by public records and in the interests of Settlement operations, passed my Proceedings No. 1953, dated the 17th March 1891 (copy of which forms Appendix VII), in which I placed the Adhikari under suspension pending result of an inquiry which I asked the Tahsildar to institute into the matter (and for which purpose the Classifier's complaint was forwarded in original) to arrange for the appointment of a substitute, to call upon the Menon to show cause why he should not also be punished, and to issue "stringent

orders to the various village officials in his jurisdiction, warning them that, if they obstructed the progress of Settlement operations by withholding the lawful aid which they were bound to afford to the officers of this party, they would be rigorously dealt with." While passing these Proceedings, I leave it to the Board and Government to judge whether I could possibly have had any other object in view except the public interests connected with my work.

These Proceedings having been issued on the *17th March 1891*, must have been received by the Tahsildar on the next or following day, when, a reference to the facts set forth at para. 6 *supra* will show, he was engaged in submitting to the Collector, through his Divisional Officer, "numbers of complaints" against the Classifiers of this party—though only a few of them had been but a few days in the taluk—with a view to remove from them the permanent Menons and give them raw Gumastah Menons instead and thereby cause serious obstruction to Settlement work. On receipt of my Proceedings and the Classifier's complaint therewith forwarded, the Tahsildar at once saw that, if the truth of the Classifier's complaint were recognized, the suspension of the Adhikari would be confirmed, that I would be regarded by the other village officials as having some power to punish them for neglect on their part to render the necessary assistance to the Settlement officials, and that his endeavours to obstruct Settlement would thereby be signally frustrated; but, if, on the other hand, the truth of the Classifier's complaint were not established, my order of suspension would be cancelled. He also saw that, if my order of suspension were cancelled by myself, the village officials would still regard me as an officer having power to punish them for neglect of Settlement duty on their part as also the power to cancel that punishment myself if necessary. This he perceived would equally prove fatal to his endeavours to obstruct Settlement and to detract from my authority in the district. He, therefore, appears to have made up his mind to have my order of suspension cancelled by the Collector and the following is the most disingenuous manner in which he succeeded in his aims:—

To my Proceedings No. 1953, dated the 17th March 1891, the Tahsildar sent me no reply until the 4th April 1891, though I expected to receive a reply immediately after receipt of my Proceedings, not regarding the report on the results of the inquiries he was asked to make into the Classifier's complaint which must necessarily take some time, but regarding the fact of his having placed the Adhikari under suspension and arranged for a substitute, of his having called upon the Menon to show cause why he should not be punished, and of his having issued the orders which he was requested to issue, warning the various village officials in his jurisdiction.

On the 8th April 1891 I received the Tahsildar's arzi No. 2842, dated the 4th April 1891 (which was submitted in original to the Board with my letter No. 648, dated the 7th July 1891), from which I learnt that the inquiry which I had asked *him* to make had been entrusted by him to his deputy, that the *deputy* had conducted some inquiry and reported its results to the Tahsildar in his arzi, dated the 23rd March 1891, No. 202 (copy of which was also submitted in original to the Board with the aforesaid letter), that those results were to the effect that the Classifier's complaint was utterly groundless and that the Tahsildar had with his arzi quoted above only forwarded his deputy's arzi in original, expressing his perfect concurrence with everything that was stated in it by his deputy, though he could personally have known nothing whatever of the real facts.

As soon as the above arzis were received, I carefully went through them and the numerous papers connected with them in my office and came to the conclusion, as already reported to the Board in my letter No. 648, dated the 7th July 1891, that the Classifier's complaint was well-founded, that the Deputy Tahsildar's report which had been accepted by the Tahsildar as correct was full of misrepresentation and non-representation of facts, made with ulterior objects, and that the matter should be reported to the Collector; but before I could submit this report, I was astonished to receive a Proceedings from the Collector, No. 440-P./Genl., dated the 1st May 1891 (copy of which has already been submitted to the Board as Appendix P to my letter No. 648, dated 7th July 1891), from which I was surprised to learn that the very reports of the Deputy Tahsildar and Tahsildar No. 202 of the 23rd

for compliance. It was, therefore, too premature for the Supervisor to have made a complaint on the 15th idem that the Tahsildar failed to issue the necessary orders."

As I then had not the insight into this Tahsildar's real character that I have since obtained, I believed what the Tahsildar stated and severely reprimanded the Supervisor for his conduct in my Proceedings No. 162, dated the 21st April 1891. On receipt of these Proceedings the Supervisor brought to my notice in his arzi No. 196, dated the 2nd May 1891, that his first yadast to the Tahsildar was not the one dated the 8th March 1891, No. 844, to which alone the Tahsildar had chosen to refer and in which he requested the Tahsildar to order the amsam officials to furnish the Classifiers with the necessary accounts whenever they were required for Settlement purposes, but another, dated *26th February 1891, No. 793*, in which he expressly requested the Tahsildar to order the Menons to remain with the Classifiers until the work in his amsam was completed." Copy of the Supervisor's first yadast referred to, No. 793, dated the 26th February 1891, was subsequently forwarded to me by the Tahsildar himself with his arzi No. 1287 C.&D., dated the 28th May 1891 (*vide* the first paper in Appendix III to this report). Had the Tahsildar's misrepresentation not been deliberate, but due to forgetfulness of the first yadast, he would have corrected his false report on discovering the real facts. Copies of all the papers connected with this case form Appendix IX.

In this connection I beg to invite special attention to the concluding sentence of the Tahsildar's arzi, No. 2920, dated the 14th April 1891, which forms one of the papers in Appendix IX, which runs as follows:—

"Your are well aware that amsam officials have multifarious works to attend to, and, unless Gumastah Menons are appointed in places where Settlement work is in operation, both Settlement work and general administrative work will suffer alike."

This arzi was written by the Tahsildar *a day previous to the date* on which he submitted the last of the numerous reports to the Collector regarding the complaints against Classifiers and the necessity for appointing Gumastah Menons, and yet he never said a word about those reports, but made me believe that he was making a fresh suggestion and hence I replied that "I was unable to support his proposal."

The above facts clearly show that the conduct of the Tahsildar was most disingenuous and crafty and I request that it may be deservingly noticed.

10. *Sixth Case.*—The next case of the Tahsildar's misconduct, of which I must complain, is the most impertinent tone of a letter which he wrote to the Supervisor of this Party on the 27th April 1891.

On the 20th April 1891 the Supervisor had to call upon the Menon of a certain amsam* for explanation as to why he left the Classifier with whom he was engaged on Settlement work and attended to his amsam work without getting the usual memorandum from the Classifier which he knew he ought to get on all such occasions as prescribed by the Settlement Manual. The Revenue Inspector secured from the Menon a copy of the Supervisor's requisition and forwarded the same to the Tahsildar for orders as to whether the Supervisor had the authority to call upon Menons for explanation whenever they attended to their amsam work, and added that, if so, it would be impossible for him to get them to do their amsam work. This extraordinary action of the Revenue Inspector discloses the spirit by which the Subordinate Revenue Officials of this taluk have been taught to regard this party. Thereupon, without having the patience to see that the Menon's explanation called for by the Supervisor was not for attending to his revenue work, but for doing so without getting the prescribed memorandum, the Tahsildar wrote a most impertinent and bombastic letter (of which a copy together with copies of connected papers forms Appendix X), which runs:

* Viz., Pattambipallipram.

"If you insist on *my* Menons attending only to Settlement work, to the exclusion of their other equally important works for which *I* am responsible, *I* will be compelled, however reluctantly, to issue orders to *my subordinates* to disregard *your* instructions. *This I need hardly mention will have a bad effect on Settlement operations.*"

The above letter besides being most *impertinent and bombastic in tone* also shows the Tahsildar's impression that it was completely within his power to produce "a bad effect on Settlement operations" by his action. It is significant that the above

letter, containing the Tahsildar's threat, was written seven days after the Divisional Officer had submitted to the Collector the Tahsildar's report on the results of his inquiry into the charges brought against the Adhikari of Panamanna and three days before the Collector passed his Proceedings erroneously declaring me to have no power whatever of punishing village officials.

11. *Seventh Case.*—The Collector having declined in his Proceedings No. 339 R. Genl., dated 8th May 1891, to sanction the Tahsildar's proposal to appoint Gumastah Menons and the Board having decided in its Proceedings, dated the 4th August 1891, Mis. No. 5497, that I had the power of punishing the village officials which neither the Collector nor the Tahsildar apparently wished that I should have, as pointed out at para. 7 *supra*, and having thereby been disappointed in both his attempts to obstruct the progress of Settlement operations, the Tahsildar resolved to resort to a third course, of which I must now complain.

On the 1st September 1891, the Menon of one of the amsams of the Walawanád taluk, viz., of Arakkuparamba, informed the Classifier engaged on classification work in that amsam that he had been ordered by the Tahsildar to absent himself from Settlement work from 6 A.M. to 10 A.M. every day and that he would therefore attend to that work only from 11 A.M. from the 2nd September 1891 [*vide* Appendix XI (1)]. The Tahsildar was perfectly aware that the nature of our work is such that our men work from 7 to 12 and from 3 to 6 daily and that by withdrawing the Menons from the Classifiers up to 11 o'clock A.M. daily he would successfully obstruct our work. I forwarded a copy of the Menon's report to the Tahsildar with my Proceedings No. 1486, dated the 7th November 1891 [copy of which forms Appendix XI (2)] for report as to whether he had given the Menon the instruction in question; if so, what explanation he had to offer for issuing such instructions which seriously interfered with the progress of Settlement operations, and, if not, what explanation the Menon had to offer for informing the Classifier that he had received such instructions. To these Proceedings the Tahsildar replied in his arzi No. 2371, dated the *10th* November 1891 [*vide* Appendix XI (3)] to say that he had given the instructions to the Menon that he had to do so in the interests of the revenue administration of his taluk, which he falsely said had been seriously affected and fallen in arrears on account of the Menons attending to Settlement work and that he had asked his Divisional Officer to devise in consultation with me some plan by which the Settlement and revenue works might be carried on without prejudice to either. It will be noted that the Tahsildar most disingenuously and craftily concealed the fact that, on the very previous day, 9th November 1891, he had on his own motion issued a general circular to all Menons to this effect, and not only to the particular Menon referred to. From Appendix XII (1) the Board will be pleased to see that the suggestion "to devise in consultation with me some plan by which the Settlement and revenue works might be carried on without prejudice to either," was made by the Tahsildar to his Divisional Officer in his endorsemeut No. 9665, dated the 26th September 1891 (copy appended), with which he forwarded, "for information," copy of a report from the Menon of Vettattur amsam, representing his inability to attend to his revenue work on account of his having to attend to Settlement work from 7 A.M. to 6 P.M. every day. This report and the Tahsildar's endorsement thereon containing the above suggestion were forwarded to me by the Divisional Officer with his letter No. 941, dated the 6th October 1891 [*vide* Appendix XII (2)] to be favored with my views as to the hours during which Menons should attend on Classifiers. In the aforesaid letter the Divisional Officer added that "numerous complaints were received from Menons that they could not do their regular work on account of their being taken away for Settlement work," that he thought "most of these complaints were frivolous," and that "nevertheless it would be better if some definite instructions could be drawn up jointly by him and me." In compliance with the Divisional Officer's request, I expressed to him my views in my letter No. 1496, dated the 7th November 1891 [copy of which forms Appendix XII (3)] which were that there was no necessity for prescribing exact hours when the village officials should work with the Classifiers, but if he wished there was no objection to the Menons of his division being instructed to work with the Classifiers from 7 A.M. to 12 noon and from 3 to 6 P.M. In reply to this letter, the Divisional Officer informed me in his

letter No. 789, dated the 21st November 1891 [copy of which forms Appendix XII (4)] that he agreed with me "in considering that there was no necessity to issue instructions regarding the particular hours Menons should attend on Classifiers" and that he was instructing the Tahsildar accordingly.

Before receipt of these instructions from the Divisional Officer the Tahsildar took *upon himself* to *issue a general circular* to all the amsam officials of his taluk, ordering them not to attend to Settlement work from 6 to 10 A.M. every day. Copy of this general circular, dated 9th November 1891, No. 10837, which is in Malayalam with its translation forms Appendix XIII (2). I trust further comment on my part is unnecessary.

The seventh case of the Tahsildar's misconduct, of which I must complain, is therefore—

(i) that, on the 1st September 1891, he, without any reference to me or his Divisional Officer, took upon himself to instruct the Menon of Arakkuparamba amsam not to attend to Settlement work from 6 to 10 A.M. every day and thereby seriously obstructed the progress of Settlement operations.

(ii) that, in his endorsement No. 9665, dated the 26th September 1891, in which he suggested to his Divisional Officer the desirability of his prescribing in consultation with me the hours of Menons' attendance on Classifiers, he deliberately withheld the fact that he had himself prescribed those hours so far as the Arakkuparamba Menon was concerned 25 days before he submitted his suggestion;

(iii) that, having submitted the said suggestion to his Divisional Officer, he without awaiting the orders of that officer took upon himself to issue, without any authority, a general circular on 9th November 1891 to all the Menons in his taluk, ordering them not to attend to Settlement work from 6 to 10 A.M. every day and he did this without reference to me, knowing that his procedure would effectually impede Settlement work and that, had he referred to me, I should certainly have objected in the public interests; and

(iv) that, though this general circular was issued on the 9th November 1891, he most carefully failed to make any mention of it in his reply of the 10th November 1891 [Appendix XI (3)] to my Proceedings No. 1486, dated the 7th November 1891 [Appendix XI (2)], which he wrote the very day after he had issued the said general circular and in which he stated that he had instructed only the Menon of Arakkuparamba amsam to absent himself from Settlement work from 6 to 10 A.M. In writing that reply he could not have forgotten what general circular he had written the very day before, and, in concealing this conduct, he was guilty of grave duplicity and cunning.

The above facts clearly show how glaring the duplicity and insolence of the Tahsildar was in respect of the operations of this party. I complained of it to the Divisional Officer in my letters No. 1496, dated the 7th November 1891 [*vide* Appendix XII (3), para. 6]; No. 1546, dated 12th November 1891 [Appendix XI (4)]; No. 2368, dated the 26th February 1892 [Appendix XIII (1)]; and No. 2370, of the same date [Appendix XI (5)]. In reply the Divisional Officer informed me that he had forwarded my letters to the Collector, who, though *almost six months have elapsed* since the date of the first of those latters, *has not, so far as I am aware, taken any action on them.* He has not had the courtesy to reply to me or favour me with any expression of opinion, but *has systematically treated my complaints against this Tahsildar with contempt.*

12. *Eighth Case.*—On the 2nd September 1891 the Tahsildar in his capacity as Taluk Magistrate summoned the Menon of one * of the amsams to appear before him as a witness and the Classifier on whom the Menon was attending and to whom the summons was shown permitted the Menon to leave Settlement work for the purpose of attending the Taluk Magistrate's Court, and furnished him with a memorandum under rule V (3), section VII, of the Settlement Manual, showing the date on which the Menon was permitted to leave Settlement and attend the Taluk Magistrate's Court, and requesting the Magistrate to note, at foot of the memorandum, the date on which his services were dispensed with by him. On the memorandum being shown to the Tahsildar-Magistrate exception was taken

* Viz., Kulattur.

by him to the wording of the memorandum and he scribbled in red ink across the memorandum the following remark:—

"Classifier's permission is not required for the Amsam Menon to attend a court of justice according to its summons."

This pompous Tahsildar, I may remark, is constantly describing himself as "the court."

The matter having been brought to my notice, I addressed the Tahsildar pointing out the rules on the subject, but the result was an arzi from the Tahsildar couched in a *most extraordinarily insolent and impertinent tone*, attempting to support himself by a hair-splitting and strained interpretation of the Settlement Rules with a view to put me in the wrong. Copy of this offensive report together with copies of the correspondence that led to it forms *Appendix XIV.* I trust that the Board and Government will take the most serious notice of the Tahsildar's arzi, dated 21st November 1891, Reference on C. No. 2393 C. & D., which, I beg to submit, he would not have dared to have written to his Divisional Officer or to the Collector or to any other officer in my position. He would not have dared to have written to me in this tone had he not felt confident that he would be supported.

13. *Ninth Case.*—The next case is also one of the Tahsildar's impertinence and strained interpretation of Settlement Rules. On the 4th and 5th September 1891, one * of the Menons of the Walawanád taluk absented himself from Settlement work without obtaining the necessary memorandum from the Classifier, and when called upon to explain his absence, stated that on the 4th he had to go to a Hospital Assistant to obtain a medical certificate and that on the 5th he was detained by the Tahsildar. I, thereupon, requested the Tahsildar to inform me if he had detained the Menon as alleged and, if so, why he had not furnished the Menon with the prescribed memorandum. To this the Tahsildar replied that he did detain the Menon on a portion of the day in question and that he did not furnish him with the prescribed memorandum, as he was not bound to do so under the Settlement Rules. I beg to invite special attention to this reply—Tahsildar's arzi, dated 18th November 1891, No. 2428 [*Appendix XV* (3)] *which is couched in the most insolent and unpardonable tone*—and to the strained interpretation which the Tahsildar puts upon the Settlement Rules with a view to put me in the wrong. All the papers connected with this case are appended and form Appendix XV.

* Pulakkattiri.

14. *Tenth Case.*—The next case of the Tahsildar's misconduct, of which I must complain, is about his deliberate delay in levying fines inflicted by me on the Menons for neglect of Settlement duty. Since Settlement operations were started in the Walawanád taluk I have up to date only fined 5 Menons, though there were several who deserved to be fined, but whom I had to excuse as the obstruction caused by them was mainly due to the Tahsildar's own misconduct. As I found that the Tahsildar was not prompt in levying the fines inflicted by me on the Menons, I asked him to report the date of his levying those fines within a reasonable time, and, when he failed to do so, I had to send him reminders. To one of these reminders, the Tahsildar sent me a most insolent answer and I beg to submit a copy of it (*vide* Appendix XVI) for such orders as may be deemed necessary.

About the Tahsildar's wilful and inordinate delay in levying the fines inflicted by me with a view to promote the interests of Settlement operations, I complained to his Divisional Officer in my letter No. 2366, dated the 26th February 1892 (Appendix XVII), to which he informed me that my letter had been forwarded to the Collector for orders; but these orders have not yet been passed, so far as I am aware, though more than two months have elapsed since I made the complaint. *As usual the Divisional Officer did nothing on my complaints beyond referring them to the Collector for orders and the Collector as usual did nothing so for as I know.* The Tahsildar being the immediate subordinate of the Divisional Officer, it might, I think, have been expected that he would not have permitted himself to be so completely effaced, but possibly he has acted under the instructions of Mr. Dumergue. If so, I trust the Board and Government will draw the only possible conclusion in respect of the treatment I have received.

15. *Eleventh Case.*—The next instance of the Tahsildar's misconduct, of which I must complain, is about the attempt made by him to deprive the Supervisor of his authority to summon amsam officials to appear before him and furnish information for Settlement purposes.

On the 10th October 1891, the Supervisor had to issue a notice * to the Menon of Panamanna amsam asking him to appear before the Supervisor at Cherpalcheri on the 14th idem with certain accounts and to furnish certain information which was necessary for Settlement purposes. The Menon deliberately disobeyed the Supervisor's notice and on the very day that he was required to appear before the Supervisor submitted a report † to the Tahsildar informing him of the fact of his having received a notice from the Supervisor and requesting orders as to how he should act in the matter. On receipt of this report the Tahsildar did not issue any orders to the Menon, but forwarded a copy of the Menon's report to his Divisional Officer in continuation of some other report, of which I have no knowledge, with the following remarks:—

* Appendix XVIII (1).

† *Vide* Appendix XVIII (2).

"Summonses to village officials issued even by courts have to be sent through Tahsildars and not direct. The Settlement Supervisor's procedure in issuing direct, instead of through me, notices to Amsam Menons compelling them to appear at distant places from their amsams, so as to suit the convenience of Settlement subordinates, is irregular and inconvenient I think" [*vide* Appendix XVIII (2)].

The Divisional Officer thereupon forwarded to me the Menon's report and Tahsildar's remarks above referred to "for favour of remarks." These remarks were furnished in my letter No. 2423, dated the 29th February 1892 [*vide Appendix XVIII (6)*]. In this letter I brought prominently to the notice of the Divisional Officer the unwarranted methods adopted by the Tahsildar to obstruct Settlement operations and the gross misconduct of the Menon (and I beg to invite special attention to the facts clearly set forth in this letter) and requested him to inflict exemplary punishment on the Menon and to instruct the Tahsildar that his suggestion that Settlement notices should be served through him could not be complied with. In reply to this letter the Divisional Officer *merely informed me that he had forwarded my* letter to the Collector "for orders." *No orders have yet been received and none have been passed by the Collector, so far as I am aware, though more than two months have elapsed* since I made my request. I trust it is unnecessary for me to ask the Board and Government to consider how the Settlement of Malabar is to proceed if this is the way in which the representations of the officer entrusted with the work are to be treated.

16. *Twelfth Case.*—The next case of the Tahsildar's misconduct, which I beg to bring to notice, is about his readiness to receive and forward false complaints from his subordinates against the subordinates of this party to his Divisional Officer.

On the 3rd November 1891 the acting Menon of Kodur amsam preferred a complaint to the Tahsildar stating that he had been abused and his amsam records thrown down by the Classifier for the Menon's failure to give certain information which ought to have been, but which was not, forthcoming in the Menon's accounts. The Tahsildar promptly forwarded a copy of the above complaint to his Divisional Officer with the following endorsement [*vide* Appendix XIX (1)]:—

"This complaint was handed over to me by the Menon when I went to the amsam for jamabandi work. The Adhikari corroborated the Menon's story. The Settlement subordinates treat amsam officials as their subordinates and this leads to much frictional and unnecessary correspondence. If the Menon's allegations are true, the Classifier is guilty of a criminal offence."

The Menon's complaint and the Tahsildar's remarks above referred to were forwarded to me by the Divisional Officer "for favour of remarks" and I furnished him with those remarks in my letter No. 2455, dated the 3rd March 1892, copy of which, with copies of its enclosures, forms Appendix XIX (2) to (24), and to which I beg to solicit careful attention. From this appendix it will be seen that the

Menon's complaint was perfectly groundless and the Adhikari's corroboration referred to by the Tahsildar was purely malicious. That they were so could have been easily ascertained by the Tahsildar had he chosen to do so, as he was in the amsam, where the matters complained of were said to have occurred, and as the complaint was handed over to him in person by the Menon; but the Tahsildar evidently saw that it would not suit his purpose to ascertain the truth of the complaints preferred by amsam officials against Classifiers and therefore forwarded a copy of it to the Divisional Officer with the endorsement above quoted, of which I trust, it will be noted that the concluding sentence was a distinct suggestion for the prosecution of the Classifier—a public servant—on the false statement of another public servant.

I beg here to observe that this is the *second* time that a Classifier of this party has been threatened with prosecution, the first threat being that contained in the concluding sentence of the Collector's Proceedings No. 440-P/Genl., dated the 1st May 1891, wherein Mr. Dumergue was pleased to record, on the strength of a false report submitted by this Tahsildar, that "the subordinates in the Settlement Party should, after the present instance, be warned that if false complaints were made, it would be necessary to protect amsam officials by instituting criminal proceedings." It is also significant that the Collector should have remarked in his Proceedings above referred to that the Classifiers of this party "must remember in future that amsam officials are certainly not their subordinates," and that the Tahsildar should echo this statement in his endorsement under reference that "Settlement subordinates treat amsam officials as their subordinates." I respectfully submit that it is obnoxious to public policy that one set of Government servants should be threatened with criminal prosecution at the hands of another set on the strength of one-sided and false statements and that village servants, who are, as a matter of fact, placed by the authority of Government as set forth in the Settlement Manual in temporary subordination for Settlement purposes to the Settlement officers, should be thus deliberately impressed with a sense of their complete independence.

17. *Thirteenth Case.*—The next case of the Tahsildar's misconduct is one wherein he has sown the seeds of discord between the Subordinate Revenue and Settlement Officials with a view to obstruct the progress of Settlement by issuing a *general circular* * to all his amsam officials ordering them not to use such respectful expressions as "arzi," "reports," &c., when addressing Settlement Classifiers, but to address them in the same terms as they themselves were addressed by the Classifiers, and instructing them that they should not be under the impression that they were in any way the subordinates of Classifiers. This circular was issued on the 10th November 1891, *i.e.*, the *very day* after the Tahsildar had issued his general circular ordering Menons not to attend to Settlement work from 6 to 10 A.M. every day and on the same day on which, when called upon by me to state whether the Arakkuparamba Menon's allegation that he had been personally instructed by him not to attend to Settlement work from 6 to 10 A.M. was true, he informed me that that particular Menon had been so instructed by him, *craftily suppressing* the fact of his having instructed the Menons of his taluk on the very day before to do likewise as pointed out at para. 11 *supra*. I leave it to the Board and Government to judge whether there was any necessity for the Tahsildar to issue the circular under reference after Settlement operations had been in progress in his taluk for nearly 9 months without such a circular and what his motive could have been in issuing it directly he was called upon by me to explain why he had instructed a Menon not to attend to Settlement from 6 to 10 A.M. every day without any reference to me or his Divisional Officer.

* *Vide* Appendix XX (1).

Of this misconduct of the Tahsildar I complained to the Divisional Officer in my letter No. 2410, dated the 29th February 1892 (*Appendix XX*), to which I respectfully solicit careful attention; but I was only favored with the stereotyped reply that my *complaint had been forwarded to the Collector "for orders."* These orders, so far as I am aware, *have not yet been passed by the Collector, and up to date, though more than two months have elapsed, I have had no answer.* Copies of papers connected with this case are appended and form Appendix XX.

18. *Fourteenth Case.*—The next case of the Tahsildar's misconduct is in connection with another general circular * issued by him *inciting the village officials to be disrespectful to the Supervisor* by wrongly informing them that the Supervisor has no authority to send orders to them and that they should not use the word "submit" when they have any occasion to correspond with him. This circular was instantaneously obeyed by the amsam officials who forthwith changed the form and tone of their correspondence with the Supervisor in accordance with the Tahsildar's distempered wishes.

* Appendix XXI (2).

Of this misconduct of the Tahsildar I complained in my letter No. 2391,† dated the 27th February 1892, to his Divisional Officer who informed me in reply that he had forwarded my complaint to the Collector for orders. *The Collector*, so far as I am aware, *has not yet been pleased to pass any orders, through more than two months have elapsed* since I made the complaint. Copies of papers connected with this case form Appendix XXI. If Tahsildars are to be permitted with impunity to thus publicly and officially insult the Settlement Officers—and I presume a Supervisor of a Party is entitled to the same respect as a Tahsildar or Deputy Tahsildar—I must ask the Board and Government to decide how Settlement operations are to make any satisfactory progress.

† Appendix XXI (5).

19. *Fifteenth Case.*—As an instance of the evil effects produced by the aforesaid circular of the Tahsildar I beg to bring to the notice of the Board the following:—

On the 12th February 1892 the Supervisor issued a notice to the village officials of the Trikideri amsam informing them that he was going to azmash certain desams of that amsam on certain days, requiring the Menon to be present on the occasion and asking them to have the notice therewith sent served on the landowners. This notice was received by the Adhikari of the amsam who scribbled on the back of it in red ink the following impertinent endorsement [*vide* Appendix XXII (3)]:—

"Notice received to-day only at 1 P.M. *We* need not inform you that for persons to attend to-morrow at half-past six there will be no time if notice is given to-day. *We* will, however, give notice to as many ryots as possible.

Not being satisfied with thus insulting the Supervisor this Adhikari actually sent a "notice"‡ to the Supervisor who had to detain the amsam kolkaran (peon) for about three hours one day to assist him in his azmash, calling upon the Supervisor to explain his conduct!! This notice was written in a most insolent manner as follows.—

‡ Appendix XXII (2).

From Trikideri Amsam Cutcherry, to the Settlement Supervisor.

"It is learnt that Paran has been sent with information that this amsam kolkaran Koppu Nair was retained with you without *our* (honorific plural) permission. Reply should be sent below showing what the cause is of your doing so. To-day urgent accounts have to be sent to the taluk and others. For having caused obstruction to this report had to be sent to higher authority (presumably to the Tahsildar). One kolkaran being engaged with the survey work there is only one kolkaran for work in the amsam. It being so the peon should have been taken with permission. You have not informed by your yadast also."

The notice sent to the village officials by the Supervisor on the 12th for service on the ryots has not yet been returned as desired by the Supervisor.

The above facts were reported by me to the Divisional Officer in my letters No. 2356, dated the 25th February 1892 [*Appendix XXII (5)*] and No. 2506, dated the 10th March 1892 [*Appendix XXII (7)*], to both of which I beg to invite special attention, in which I expressed my opinion that the misconduct of the Adhikari, as established by his own writing, was deserving of exemplary punishment and requested to be favored with a copy of his orders on the subject. To the first of the two letters above quoted the Divisional Officer replied that he had *forwarded it to the Collector for orders; but no orders, so far as I am aware, have yet been passed*

by the Collector, and none have been received, though upwards of two months have elapsed. To the second letter *not even the usual reply that it has been forwarded to the Collector for orders has yet been received*, and I am not aware that *any* notice has been taken of the matter. All the papers connected with this case are herewith submitted and marked as Appendix XXII.

20. *Sixteenth Case.*—The next case of the Tahsildar's misconduct is one of strained interpretation of Settlement Rules made with a view to obstruct Settlement operations and of extremely wanton impertinence towards the Supervisor of this party.

On the 5th December 1891 the Tahsildar wrote to the Supervisor as follows:—

"I understand from *my* village officials that the attendance of the Menon and a peon is insisted upon when you or your Head Classifier goes out for inspection in the amsams. *I see no provision for this in the Settlement Rules.* Please let me know if the presence of the Menon and a peon is absolutely necessary and what work these are expected to do in the course of your or Head Classifier's inspection."

To the above letter the Supervisor replied in his letter No. 1643, dated the 9th December 1891. Copies of these letters form Appendix XXIII.

That any honest doubt as to the necessity of the Menon and a peon attending on the Supervisor and Head Classifier during the time of their inspection could have existed in the Tahsildar's mind is disproved most completely by the fact that the Supervisor had informed him at para. 2 of his yadast No. 192, dated the 30th May (a mistake for April) 1891, copy of which the Tahsildar himself furnished to me with his arzi No. 1287, dated the 28th May 1891, and which is the seventh of the papers forming Appendix III, that the Menons of the amsams in which classification "has been completed are no more required by the Settlement Officers for the present *except for a few days, I don't know when*, on the occasion of the inspection by the Head Classifiers and the Supervisor." Moreover, Settlement operations had been in progress in the taluk for over 9 months and the Tahsildar was perfectly aware what was really necessary to forward the Settlement work. I request that the Board and Government will interpret correctly the real motive of Tahsildar's impertinent letter towards the Supervisor and will pass such orders as may be considered necessary.

21. *Seventeenth Case.*—The next case of the Tahsildar's misconduct is one of glaring duplicity similar to that brought to notice at para. 11 of this report and relates to his suppression of the fact of his having issued a general circular to all the Menons in the taluk ordering them not to attend to Settlement work from 6 to 10 A.M. every day.

In his arzi, dated the 25th November 1891, No. 1502, the Supervisor complained to me that the work in a certain amsam was suffering owing to the absence of the Menon under the orders of the Tahsildar from 6 to 10 A.M. In this arzi the Supervisor added "to add to this difficulty the Tahsildar appears to have given orders to the village officials of this amsam (*as also of others*) to attend to the amsam work from 6 to 10 A.M. every day." I forwarded a copy of this arzi to the Tahsildar with my endorsement No. 1641, dated the 28th November 1891, and requested him to report whether "he had, as alleged, ordered the Menon of Pulakkattiri amsam to attend to amsam work between 6 and 10 A.M. every day." To this the Tahsildar replied in his arzi No. 2530, dated the 30th November 1891, that "he had issued instructions to the Menon of Pulakkattiri amsam to attend to his revenue work from 6 to 10 A.M. till the arrears were cleared, but his Divisional Officer having recently intimated to him that that time would not suit the Settlement Department he had countermanded his orders."

By this arzi the Tahsildar deliberately attempted to lead me to believe—

(1) that he had instructed only the Menon of Pulakkattiri to attend to his amsam work from 6 to 10 A.M. every day, whereas he had in fact actually instructed all the Menons in his taluk to do so by his general circular, dated 9th November 1891, No. 10837, *i.e.*, 21 days before the date of the said arzi, and though the Supervisor distinctly stated in his arzi, copy of which was before the Tahsildar when he wrote his arzi under reference, that he had issued such a general circular; and

(2) that the instructions issued to the particular Menon were intended to be obeyed by him only "till the arrears were cleared" and not after that when he should devote all his time to Settlement work, whereas the instructions which that particular Menon received were the same as those contained in his general circular in which no such condition was stated.

It should also be said in connection with the said arzi of the Tahsildar that the Divisional Officer's intimation referred to in it was to countermand his circular issued to on the Menons and not that alone issued to the particular Menon of Pulakkattiri as was ambiguously stated by the Tahsildar in his arzi under reference.

The above is a very typical case of this Tahsildar's duplicity, whose cunning is only equalled by his unparalleled insolence and I complained of it to the Divisional Officer in my letter No. 2384, dated the *27th February 1892*. [Appendix XXIV (3)], to which he informed me in reply that he had forwarded it to the Collector for orders. *These orders*, so far as I am aware, *have not yet been passed* by the Collector *and I have received no reply* though upwards of two months have elapsed. Copies of papers connected with this case form Appendix XXIV.

22. *Eighteenth Case.*—The next case of the Tahsildar's misconduct is his deliberate and impertinent refusal to furnish the information which the Supervisor required for Settlement purposes in connection with an anicut across a certain river in desam No. 2 of the Walawanád taluk, by means of which a ryot not only irrigates his own land but also those of others and takes for himself certain profits thereby derived. The Classifier who was engaged in classifying this desam requested the Supervisor to obtain all the particulars connected with this anicut and to ascertain whether the appropriation of certain profits derived therefrom was with or without authority. The Supervisor forwarded the Classifier's arzi to the Tahsildar with his endorsement No. 1669, dated 10th December 1891, and requested that the information therein required might be furnished. On receipt of this requisition, the Tahsildar scribbled on it in red ink the following most impertinent remarks :—

"Returned to the Supervisor. The necessity for the information sought is not apparent and the points on which it is required are not clear."

In spite of this impertinent and disrespectful treatment, the Supervisor again wrote to the Tahsildar his arzi No. 1709, dated the 18th December 1891, explaining the necessity for the information and the points on which it was required. *Up to date* the Tahsildar has not replied *though more than three months have* since elapsed and though the Supervisor sent a *reminder* in his No. 1829, dated the 13th January 1892.

Of this impertinent conduct of the Tahsildar towards the Supervisor and of his refusal to furnish the information required for Settlement purposes I complained to the Divisional Officer in my letter No. 2424, dated the *1st March 1892*, and requested him to direct the Tahsildar to furnish the information at once. In reply, I was informed that my letter had been forwarded to the Collector *for orders*; but the Collector has not been pleased to pass any orders as yet so far as I am aware and nearly two months have elapsed.

I am at a loss to understand why the Divisional Officer failed to take action himself on receipt of my letter, but can only presume he is acting throughout under Mr. Dumergue's instructions. If so, I hope the Board and Government will be pleased to note the treatment I am receiving. If Mr. Batten is not acting under any instructions, he is apparently afraid of the Tahsildar and too timid to take effective action to promote the public interests.

Copies of papers connected with this case form *Appendix XXV.*

23. *Nineteenth Case.*—The next case of the Tahsildar's misconduct is his refusal to reply to my Proceedings No. 1810, dated the 19th December 1891, and No. 2135, dated the 30th January 1892. In the former Proceedings (copy of which has already been submitted to the Board with my letter No. 61, dated the 7th April 1892), I asked the Tahsildar to report why he had not issued orders to the Menon of Kuruvambalam amsam as he had been requested to do in my Proceedings No. 1961, dated 17th March 1891, to open desamwar accounts, the Menon having stated that he had received no such orders. Though reminders have been sent to

expedite this report in my Proceedings No. 1993, dated the 16th January 1892, No. 2417, dated the 29th February 1822, para. 8, and No. 2598, dated the 22nd March 1892, copies of all of which have been submitted to the Board with my letter quoted above, the Tahsildar has *not yet* submitted the report called for, though *more than four months have elapsed* since he was first requested to submit it.

In Proceedings No. 2135, dated the 30th January 1892, copy of which, together with copy of the Tahsildar's arzi, to which it is a reply, forms Appendix XXVI, I requested the Tahsildar to report the result of an application which he said he had made in his arzi, dated 4th December 1891, No. 2465, to the Deputy Superintendent for the return of list of railway lands as also of that which he said he had made to his Divisional Officer in his arzi No. 114, dated the 25th January 1892, on the same subject, and informed him that, unless the said list of railway lands was received, the preparation of the necessary statistics for the scheme report of the Walawanád taluk could not progress. To this also *no reply has yet been* received though more than two months and-a-half have elapsed since he has been requested to submit it.

As the report and the list of railway lands are necessary, I request that the Board may be pleased to direct the Tahsildar to submit them with any explanation he may have to offer for his deliberate refusal to reply to my Proceedings. The Board was recently pleased in its Proceedings, Mis. No 3358, dated the 6th April 1892, to request the Collector to instruct the Tahsildar to comply promptly with all requisitions from me; but *if* this order of the Board has been promulgated no effect has yet been given to it by this Tahsildar.

24. *Twentieth Case.*—The next case of the Tahsildar's misconduct is his obstruction of Settlement operations by not setting right the revenue accounts as directed by the Board in its Proceedings, Mis. No. 4230, dated the *16th October 1890*. Of this I have already complained to the Board in my letters No. 1666, dated the 3rd December 1891, and No. 2071, dated the 25th January 1892. On these letters, the Board has already passed orders in its Proceedings, Mis. No. 76, dated the 5th January 1892, and No. 3358, dated the 6th April 1892. *Up to date no result is apparent.*

25. *Twenty-first Case*—The next case of the Tahsildar's misconduct is his deliberate disobedience of my instructions to have desamwar accounts opened and the obstruction thereby caused to Settlement, of which I have already complained to the Board in my letter No. 61, dated the 7th April 1892, on which I request that early orders may be passed.

26. *Twenty-second Case.*—The next case of the Tahsildar's misconduct is the most disparaging and disrespectful manner in which he habitually and publicly speaks of me and my subordinates behind my back. This complaint is based on hearsay, but I have every reason to believe it to be true. I have no doubt the Tahsildar would promptly deny the impeachment, and, so long as he is in the taluk, it might be difficult to obtain the necessary legal evidence, so that I prefer that he should be judged by the public records herewith submitted, which I think prove at least he would not be incapable of the misconduct referred to.

27. Besides the above twenty-two specific cases, I could cite several others in which this Tahsildar has wilfully obstructed the progress of Settlement operations by granting long leave to permanent Menons, by appointing acting Menons who were unable to furnish the information required for the Settlement purposes, by frequently changing the acting Menons of an amsam, by permitting the Menons to appoint their private clerks as their substitutes to assist the Classifiers, by declining to grant leave to Menons who were really sick and unable to do any work, by delaying to appoint acting Menons when permanent Menons were unable to attend to Settlement work, &c.; but I trust I have cited sufficient cases to convince the Board and Government of the *open hostility displayed against the Settlement* by those from whom I, as head of this party, have a right to expect loyal support to enable me to carry out the policy of Government. Without that support neither I nor any other Settlement Officer can perform the work entrusted to them and I must therefore earnestly ask that necessary and immediate orders may be passed.

attend to the pymash of Kanni Palliyal lands from to-morrow, 2nd September, working daily from 6 to 10 A.M. I therefore beg to inform you that I shall be able to attend only at 11 A.M. from to-morrow forward and request you will allow me to do so until at least I finish measuring Kanni Palliyal lands.

APPENDIX XI (2).

PROCEEDINGS of the Special Settlement Officer, Malabar and South Canara, dated 7th November 1891, No. 1486.

Read report from SHANGUNNI NAIR, Menon of the Arakkuparamba amsam, to Head Classifier C. S. SUBRAMANI IYER, dated 1st September 1891.

Copy of the report read above will be communicated to the Tahsildar of Walawanád who is requested to state whether it is true, as alleged, that he directed the Arakkuparamba Amsam Menon to absent himself from Settlement duties from 6 to 10 A.M. from the 2nd September 1891 onwards and to attend to other work unconnected with the Revenue Settlement.

2. If the allegation is true, the Tahsildar should submit any explanation he may have to offer for issuing such instructions which seriously interfered with the progress of Settlement operations in the amsam aforesaid.

3. If the allegation is not true, the Tahsildar is requested to obtain the Menon's explanation in writing for making it and to submit the same for orders.

(Signed) A. E. CASTLESTUART STUART,
Special Settlement Officer, Malabar and South Canara.

To the Tahsildar of Walawanád.

APPENDIX XI (3).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 10th November 1891, Ref. on C. No. 2371 C.&D.

I beg to acknowledge receipt of your Proceedings No. 1486, dated 7th instant, and, in reply, to state that it is quite true that I issued instructions to the Arakkuparamba Amsam Menon to attend to his revenue works from 6 to 10 A.M. from 1st September last, as I found on that day when I visited the village that the jamabandi accounts of fugitive cultivation for current fasli were not ready as they should have been for my inspection and that the ordinary amsam work was not attended to on account of the Classifier insisting on the Menon to do the Settlement work from 6 in the morning to 6 in the evening to the exclusion of all other works. As such a state of things, if allowed to continue, could not but seriously interfere with the revenue administration of this taluk, for which I am primarily responsible, I deemed it necessary, in the public interests and to save myself from being blamed by my superiors, to issue an order to the Menon that he should devote a portion of his time, least inconvenient to Settlement work, for his legitimate ordinary duties. If fugitive cultivation is not inspected when the crop is on the land their pymash and azmash become very difficult and both Government and ryots' interests suffer. In several amsams, where Settlement work is in progress, these works are now sadly in arrears owing to the Menon's service not being available and the progress of revenue collections is also affected by the same cause. I have asked my Divisional Officer to devise in consultation with you some plan by which the settlement, the survey and the revenue works may be carried on without prejudice to any of them. I am supposed to complete all jamabandi accounts for current fasli before the end of this month, but this year, through the absence of the Menons on settlement and survey works, this work is thrown back considerably. The Adhikaris cannot be made responsible for account works and their time being wholly taken up by collection of revenue they cannot also be made available for amsam account works even if it is permissible. Further, ithe Adhikaris are, as a rule, not possessed of much capacity for writing and account works.

APPENDIX XI (4).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 12th November 1891, No. 1546.

With reference to para. 6 of my letter No. 1496, dated 7th November 1891, I have the honour to forward copy of the Walawanád Tahsildar's report, Reference on C. No. 2371 C.&D., dated 10th November 1891.

2. It will be observed that the Tahsildar admits that he took upon himself to remove the Menon of the Arakkuparamba Amsam from the Classifier between the hours of 6 and 10 o'clock A.M. from the 1st September last, the time which, in the plenitude of his ignorance, the Tahsildar describes as "the least inconvenient to Settlement work."

3. The Menon failed to obtain from the Classifier the memorandum prescribed in rule V (3), section VII, chapter VI, of the Settlement Manual, permitting him to be absent during the hours mentioned, nor does the Tahsildar pretend that he attempted to obey that rule by granting the Menon a similar memorandum showing from what date he permitted the Menon to resume his regular work with the Classifier between the hours specified. The Tahsildar cannot urge ignorance of the Settlement Rule as his attention to it has been frequently drawn and he has himself notified it to the village officials. This removal of the Menon from the Classifier during hours when his services were specially necessary was made without any reference to me and I believe I am right in assuming that the Tahsildar neither sought nor obtained your sanction for his obstructive instructions to the Menon.

4. The Tahsildar's excuses are (1) that the Menon had not prepared "the jamabandi accounts of shifting cultivation for the current fasli" and (2) that "the ordinary amsam work was not attended to on account of the Classifier insisting on the Menon to do (*sic*) the Settlement work from 6 in the morning to 6 in the evening to the exclusion of all other works." Neither of these excuses is tenable and the second is absolutely untrue.

5. The Arkkuparamba amsam consists of the three desams of Puttur, Alanallur and Arakkuparamba. The classification of this amsam was commenced on the 1st August 1891. On the 1st September, from which date the Tahsildar admits that he removed the Menon for 4 hours a day from the Classifier, the Settlement work had been in progress in the amsam for one month, but, of the 31 days in August, the 2nd, 9th, 16th, 23rd and 30th were Sundays, the 23rd "was the last Saturday but one" and the 19th was another authorised holiday on account of the Sravanam. On these 7 days in August the Menon's services were not required by the Classifier and he was free to do what he liked He certainly did no Settlement work on those days. On the 6th August, the Classifier was unable to do any work, as the Menon chose to absent himself without obtaining the requisite memorandum on the ground that he was engaged with Revenue Inspector. Again, on the 13th August, the Settlement work was stopped, because the Menon absented himself on the ground that he was suffering from "stomach-ache." Copy of his own report to the Classifier, dated 13th August 1891, is appended for your information (marked A): thus, in addition to the 7 days in August during which the Menon's services were not required by the Classifier as those days were Sundays or authorised holidays, on two other days the Menon absented himself from his Settlement duties; thus, out of 31 days in August, the Menon was with the Classifier on 22 days only.

6. Again, in September, the 6th, 13th, 20th, and 27th were Sundays, the 14th, 15th and 16th were Onam holidays and the 19th "was the last Saturday but one." On these 8 days the Menon services were not required by the Classifier and he was free to do what he liked He performed no Settlement work on those days. In addition to these days, the Menon absented himself from the Classifier, thereby delaying Settlement work for half a day on the 1st and half a day on the 2nd September. He again absented himself on the 8th and 9th September on the plea that he had gone to taluk cutcherry and on these days also the Classifier was therefore unable to do his work. On none of these occasions did the Menon obtain the Classifier's memorandum, permitting him to leave his work, and on none of them did the Tahsildar furnish the Menon with the similar memorandum required by the rules. Thus, in addition to the 8 days in September 1891, on which the Menon's services were not required by the Classifier, those days being Sundays or authorised holidays, on two whole other days and two half other days the Menon absented himself from Settlement duty. Thus, out of the 30 days in September, the Menon was with the Classifier only on 19 days; and during many of those 19 days he only attended the Classifier after 10 o'clock A.M. in consequence of the Tahsildar's unauthorised instructions.

7. It will thus be seen that, of the 61 days in August and September, the Menon was with the Classifier only on 41 days and from the 1st September only for certain hours every day after 10 o'clock A.M. During these two months the Classifier never had the Menon's services on 20 days and never during any of the 41 days that he did attend was he required by the Classifier to work from 6 A.M. to 6 o'clock P.M. The Menon could have utilised the 20 days on which he was not with the Classifier in working off any arrears that may have accumulated owing to his previous idleness. The statement of the Tahsildar that the ordinary amsam work was not attended to because the Classifier insisted on the Menon doing Settlement work from 6 A.M. to 6 P.M. to the exclusion of all other work is absolutely untrue. The other excuse that "the jamabandi accounts of shifting cultivation for the current fasli" were not ready was no fault of the Classifier, nor is it apparent how the Menon by attending to his Settlement duties could be said to have been prevented from preparing these accounts. Presumably they could not be correctly prepared without a personal inspection by the Menon of the lands on which such cultivation occurred. Had the Menon attended to his Settlement work and regularly accompanied the Classifier to the field, as he was bound to do, he would have been afforded the very best opportunity of correctly preparing these and other accounts and of bringing them into agreement with the actual conditions of the lands. The Classifier has to inspect every field in the amsam and the Menon, if he had rightly attended to his Settlement

28. Whilst taking such notice as the Board and Government may deem necessary of the gross public misconduct of the present Tahsildar of Walawanád towards me, my subordinates and the operations of this party, may I ask the Board and Government to kindly consider whether he could and would have dared to so misconduct himself in this most unwarranted and glaring manner had he not considered himself certain of support from his superior Revenue officers who would appear, from their proved inaction in respect of my complaints against this Tahsildar, to have determined to give me no assistance. I cannot help stating in this connection for such inference as the Board and Government may deem warranted that it was the son-in-law of this Tahsildar, one L. K. Subramania Iyer, who was dismissed by me from this party in 1889 for misconduct, that Mr. Dumergue did not deem it beneath his dignity *to examine behind my back* in connection with the alleged fraudulent erasures and interlineations in certain Wynaad records.

This Tahsildar has openly boasted that he expects to be made Huzur Sheristadar of Malabar, but on what basis this expectation is founded I am unable to state. I respectfully submit that his misconduct merits *public exemplary punishment*, the nature of which I beg the Board and Government will take into their earliest consideration. This Tahsildar and his family are wealthy janmis of the adjacent taluk of Ernád and in common with other persons, official and non-official, in this district it is their desire to obstruct by all means the progress of the Settlement which will bring about the most remarkable revelations. It is for Government to determine whether I, as Settlement Officer entrusted with this difficult and most troublesome work, am or am not to have loyal and adequate support. If not, I earnestly trust that I may be relieved of further Settlement responsibilities. Almost every man's hand is against me and the Settlement, and, unless I receive that support from the Board and Government which is essential to enable me to perform my duties, the task imposed is more than I or any other officer can accomplish. I respectfully request that this paper and its appendices may be forwarded to Government at once for consideration along with the other papers connected with Mr. Dumergue's attacks which are under disposal by Government.

APPENDIX VIII (12).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 2nd October 1891, Ref. on No. 2075 C.&D.

I beg to acknowledge receipt of your Proceedings, dated 29th September 1891, No. 1239, and in reference to paras. 1, 2 and 5 thereof, to state that, at the time I submitted my report, Ref. on C. No. 1317 C.&D., dated 1st June last, you were declared to have had no power to punish village officials (*vide* Collector's Proceedings, dated 1st May 1891), copy of which was forwarded to you, and the Revenue Board Proceedings declaring that Settlement Officer had the power to fine village officials were not passed. You will thus see that my impression that punishment of village officers rested with District Officers was not "erroneous" nor my procedure in referring to my Divisional Officer a case involving the punishment of suspension of village officers "objectionable" as you have remarked. On the other hand both my impression and procedure were, I respectfully beg to state, quite in accordance with the then existing order on the subject.

2. With reference to para. 6 of your Proceedings, I beg to observe that the delay in submitting my report on the conduct of Perur village officials, which you characterize as not satisfactory resulted not only from their failure to appear before me in time, but also, as I have remarked in my report, from pressure of my other work. If you were in a position to realize the amount of work I had on hand at the time in connection with the general administration of the taluk, I am sure your remark about the delay would have been different. When village officials disobey my orders issued in such cases I can only, as you are doubtlessly aware, report them for punishment other than fine to my Divisional Officer. The application of section 174, I.P.C., in such cases is of doubtful legality.

3. With reference to the concluding paragraph of your Proceedings I beg to state that I am not aware of having given you any just cause for complaint up to this and I can assure you that I will continue to do the very best to promote the public interests.

APPENDIX VIII (13).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Collector of Malabar, dated Camp Shoranore, 12th October 1891, No. 1329.

I have the honour to bring the following facts to your notice.

2. In March last one of my Classifiers had occasion to complain against the village officials of the Perur amsam, Walawanád taluk. I forwarded the complaint with connected papers to the Tahsildar of that taluk for "early inquiry and report."

3. Some five weeks afterwards the Tahsildar replied that the "complaint appearing to be true in the main on inquiry" he had reported the village officials to the Divisional Officer for punishment with certain recommendations.

4. The Divisional Officer, under the circumstances reported by the Tahsildar, "suspended the Menon for three months and the Adhikari for one month and warned them "to be very careful in future."

5. On the 28th May 1891 I requested the Tahsildar to explain why he had submitted his report to the Divisional Officer direct instead of replying to my reference and why some five weeks had been allowed to elapse before his report was made.

6. The Tahsildar replied in his Reference on C. 1317 C.&D., dated 1st June 1891, that "the delay in reporting on the complaint against the village officials of Perur amsam arose partly from pressure of work in the taluk and partly through failure of these officials to appear before him in time to give their explanations," and that he had adopted the procedure to which I had referred as he was "under the impression that the power of punishing village officials rested with the District Officers."

7. Having received the instructions of the Board on the subject of the powers of Settlement Officers to punish village officials I addressed the Tahsildar in my Proceedings No. 1239, dated 29th September 1891, copy of which forms Appendix A.

8. On the 3rd instant, I received the Tahsildar's reply, Ref. on No. 2075 C.&D., dated 2nd October 1891, copy of which forms Appendix B.

9. The docket runs: "Reporting on the expressions used in that Office Proceedings No. 1239, dated 29th September 1891." The whole tone of the communication is most objectionable. The Tahsildar would not in my opinion have addressed you or any Divisional Officer in this manner and I am therefore obliged to ask you to be good enough to issue such orders as will prevent any repetition of such misconduct and communicate the same to me at your early convenience.

APPENDIX X (3).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Supervisor, Revenue Settlement Party, dated Perintalamanna, 27th April 1891, Ref. on C. No. 3512 Mis.

I have the honour to forward, herewith, in original, a report, with its enclosure, from my Third Revenue Inspector for your perusal and return.

2. If you insist on my Menons attending only to the Settlement work to the exclusion of their other equally important works, for which I am responsible, I will be compelled, however reluctantly, to issue orders to my subordinates to disregard your instructions. This I need hardly mention will have a bad effect on Settlement operations. I, therefore, have to request that you will be good enough to pursue a more liberal policy which will enable the amsam officials to get through both Settlement and general administration works smoothly and without causing inconveniences to both.

TRANSLATION OF APPENDIX XI (1).

Report from SHANGUNNI NAIR, Menon of Arakkuparamba amsam, to C. S. SUBRAMANI IYER, deputed to do Settlement work in the said amsam, 1st September 1891.

Since 1st August I have been doing duty with you in accordance with your notice and attending to work daily from 6 A.M. in the morning to 5 or 6 P.M. in the evening. On reporting to the Tahsildar this day that I am not able to measure Kanni Palliyal lands and prepare the amsam accounts on account of your not permitting me to do so, I am directed that I should

work, would also have been able to inspect every field. The field inspection is done by the Classifier between 7 o'clock A.M. and 12 o'clock noon every day and the Tahsildar's action in removing the Menon from 6 to 10 o'clock A.M. from the Classifier could not have facilitated the correct preparation of the shifting cultivation accounts referred to, whilst it seriously obstructed the progress of Settlement work. Moreover, it is pertinent to require why those accounts had not been prepared before the Classifier ever entered the amsam? So far back as the 17th March last I instructed the Tahsildar in my Proceedings of that date, No. 1961, on the subject of accounts, the Settlement Rules so far as they affected village officers, &c., and made special reference to the shifting cultivation accounts at para. 4 thereof. The Tahsildar took no action on these instructions until the 18th May 1891 when he issued a circular to all the village officials, which has not been fully obeyed either by them or the Tahsildar himself. Moreover, as will be seen later on the Tahsildar himself issued instructions regarding the punctual preparation of the revenue accounts to this and other village officials long previously and had threatened them with punishment if they failed to obey his orders. His threats appear to have had little effect.

8. I append (marked B, C, and D) copies of papers submitted by the Menon to the Classifier which are most suggestive. In B, dated 7th September 1891, the Menon informed the Classifier that he had been directed by the Tahsildar to be present at the taluk cutcherry with all the amsam accounts before the 31st August, "that he was therefore going there to-morrow the 8th instant and that he would return for Settlement work on the 9th idem. On his own showing the Menon disobeyed the Tahsildar's order if he ever received such, directing him to go to the taluk cutcherry," before the 31st August, and it is not apparent how his disobedience justified his absence on the 8th and 9th September.

9. In Appendix D, dated 14th September 1891, the Menon reported to the Classifier that the reason he failed to do Settlement work on the whole of the 1st and 2nd September was because he was in attendance on the Tahsildar on those days, admittedly without having obtained leave. It is significant that the Tahsildar makes no mention of this in his explanation. He merely observes that he visited the village on the 1st September. The Menon also admits that he went to the taluk cutcherry on the 8th and 9th September and as his excuse Appendix C was furnished to the Classifier. This appendix is noteworthy. It contains copy of the Tahsildar's order No. 3513, dated 24th April 1891, in which the village officials to whom it is addressed (including those of Arakkuparamba) are directed to take all their accounts to the taluk cutcherry "in the month following each quarter" and this is explained by the instruction that they should be submitted "in the months of October, January, April and July." It is manifest that this Menon should have proceeded to the taluk cutcherry with his accounts for the quarter ending June 1891 during *July 1891* and for the quarter ending September 1891 in the month of October 1891. This order was therefore no excuse for the Menon to leave his Settlement work for the taluk cutcherry on the 8th and 9th September 1891. Moreover if there was no other order on the subject, the Menon's excuse in Appendix B that he had been directed to go to the taluk cutcherry before the 31st August was untrue. He should have gone before 31st July 1891 with his accounts for the quarter ending 30th June 1891 or not until October with his accounts for the quarter ending 30th September 1891. His going in September was not authorised by the records which he submitted as his justification. As the Settlement work in this amsam did not begin until 1st August 1891, the Menon's failure to maintain his revenue accounts cannot be attributed to Settlement work—the usual excuse urged by the Tahsildar and his subordinates.

10. The second order of the Tahsildar contained in Appendix C is the best refutation of the Tahsildar's general remarks regarding Settlement work having obstructed the ordinary amsam work. As Settlement operations affect every item of land in an amsam, it is difficult to see how Menons engaged in Settlement duty are prevented from doing their own work. Their presence with the Classifier enables them to acquire a much more intimate knowledge of their amsams than many of them ever possessed before. In the second order referred to the Tahsildar notices that certain accounts for fasli 1300 (which expired on 30th June 1891) had not been written up even on 3rd August 1891, the date of the order. As Settlement operations in the Walawanád taluk only commenced during the last few weeks of fasli 1300, even the Tahsildar of that taluk will find it difficult to adduce *sound* reasons to support his gaseous asseverations.

11. So far as the Menon is concerned it is conclusively established that he was absent without having obtained the requisite memoranda from the Classifier on the 6th and 13th August, parts of the 1st and 2nd September, and the whole of the 8th and 9th September. On none of these days did he obtain the requisite memoranda from the Subordinate Revenue officials, the Tahsildar and Revenue Inspector to whom he says he went. If he was called away, as alleged, on the 6th August by the Revenue Inspector, he should have obtained the memorandum from the Classifier and a similar memorandum from the Revenue Inspector. On the 13th he did no work saying he had "stomach-ache." This may or may not have been the case. On parts of the 1st and 2nd September, he says, he was attending the Tahsildar and admits he did not obtain the Classifier's permission and he received no memorandum from the Tahsildar. On the 8th and 9th September 1891 he went, he says, to the taluk cutcherry, on the alleged ground that he had been ordered by the Tahsildar to go there before the 31st August, though no such order was produced and the Tahsildar furnished him with no memorandum, the only order produced in justification of his absence shows that he ought to have gone either before the end of July preceding or not until October.

12. As regards the Revenue Inspector, he failed to give the Menon the requisite memorandum on the 6th August if in fact the Menon was with him on that day.

13. As regards the Tahsildar, the following facts demand notice:—

(1) Without authority he removed the Menon from 1st September 1891 from the Classifier between the hours of 6 and 10 o'clock A.M. and thereby obstructed the progress of the Settlement.

(2) He failed to obey the instructions issued to him in respect of granting memoranda to village officials whom he took off Settlement work not only on 1st and 2nd September and succeeding days from 6 o'clock to 10 o'clock, but also on the 8th and 9th September.

(3) His excuses for his action are both untenable and one is absolutely untrue.

(4) His general remarks are opposed to the facts as proved by his own orders to certain village officials and to the nature of Settlement and ordinary amsam work respectively.

14. For his absence from Settlement duties on the 6th August and 8th and 9th September, I have fined the Menon 1 rupee. On none of these dates had he permission to leave the Classifier and for none of these days has he produced any memoranda showing when he was permitted to resume his Settlement duties by the Subordinate Revenue officials, to whom, he says, he went. Of his absence on the 13th August, when he says he was suffering from stomach-ache, I have taken no notice. For his absence on parts of the 1st and 2nd September without leave and for his absence from Settlement work on succeeding days from 6 to 10 o'clock A.M., the responsibility rests with the Tahsildar whom I must ask you to be good enough to deal with. I shall be obliged by your furnishing me with a copy of your order in respect of the Tahsildar at your early convenience for the information of the Board of Revenue.

No. 1547.

Copy communicated to the Tahsildar of Walawanád for information with reference to his arzi, Ref. on No. 2371 C.&D., dated 10th November 1891.

2. The Tahsildar is requested to inform Shangunni Nair, the Menon of Arakkuparamba amsam, that he has been fined 1 rupee for his absence from Settlement duty with Classifier T. S. Sivasubramania Iyer on the 6th August and 8th and 9th September 1891, and to explain to him the contents of the letter, copy of which is now communicated, so far as they concern the Menon.

3. The Tahsildar is requested to see that the fine is duly levied and to report the fact to the undersigned for his information and communication to the Board of Revenue before the 10th December 1891.

(Signed) A. E. CASTLESTUART STUART,
Special Settlement Officer, Malabar and South Canara.

APPENDIX XI (5).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 26th February 1892, No. 2370.

With reference to para. 14 of my letter No. 1546, dated 12th November 1891, I have the honour to request that I may be favored with a copy of any orders that may have been passed on the misconduct of the Tahsildar of Walawanád that was established in that letter.

2. In this connection I would invite your attention to copy of his unauthorised general order No. 10837, dated 9th November 1891, to all the amsam officials of the Walawanád taluk forwarded with my letter No. 2368 of this day's date, which read with his explanation, Reference on No. 2737 C.&D., dated 10th November 1891, copy of which was forwarded with my letter No. 1546, dated 12th November 1891, is very significant.

3. It will be remembered that I asked the Tahsildar to report on the truth or falsity of the statement of the Arakkuparamba Amsam Menon to the effect that he had absented himself from his Settlement duties at certain times and on certain dates from the 1st September 1891 in consequence of express orders issued to him by the Tahsildar. The latter answering my reference on the 10th November 1891, admitted the correctness of the Menon's statement and explained that "to save himself from being blamed by his superiors" he had issued an order to the Menon, &c. He deliberately concealed from me the fact that on the very day previous to his submission of this explanation, viz., on the 9th November 1891, he had issued, without authority, a general circular No. 10837 to the same effect to all the amsam officials in his taluk.

4. Moreover, it will be remembered that in writing to you his endorsement, Reference on C. No. 9665 M., dated 26th September 1891, on copy of the report from the Amsam Menon of Vettattur amsam, forwarded with your letter, Reference on 941 Mis. W., dated 6th October 1891,

the Tahsildar merely suggested, for your orders, that "it would be better to prescribe, in consultation with the Settlement Officer, the hours of working" and was careful to conceal from you the fact (which was not admitted till he was forced to do so in his explanation, dated 10th November 1891, referred to at para. 2 *supra*) that he had many days before writing to you that endorsement of the 26th September issued orders himself to the Menon of Arakkuparamba amsam on the very lines in which he hoped you would pass orders later on, though he knew perfectly well that the whole subject was *sub judice*.

5. The Tahsildar's duplicity and insolence in this matter has been so glaring that I must ask you to be good enough to take the most serious notice of it.

APPENDIX XII (2).

From J. K. BATTEN, Esq., Acting Special Assistant Collector, to the Special Settlement Officer, Malabar and South Canara, dated Camp Málápuram, 6th October 1891.

I have the honour to forward, herewith, the Walawanád Tahsildar's endorsement, Ref. on C. No. 9665 Mis., dated 26th September 1891, on copy of the report from the Amsam Menon of Vettattur amsam, Walawanád taluk, stating that he is not able to do any pymash work, as he has to attend on the Classifier daily from 7 A.M. to 6 P.M. for Settlement work.

2. I have the honour to request that you will be good enough to favour me with your views as to the hours during which Menons should attend on Classifiers, in order that I may issue the necessary orders to the Menons.

3. Constant complaints are received from Menons that they cannot do their regular work on account of their being taken away for Settlement work. I think most of these complaints are frivolous. Nevertheless, it would be better if some definite instructions could be drawn up jointly by you and the Divisional Officer.

APPENDIX XII (3).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant to the Collector of Malabar, dated Coimbatore, 7th November 1891, No. 1496.

With reference to your letter, Ref. on No. 941 Mis. W., dated 6th October 1891, I have the honour to make the following remarks.

2. The standard rate of work fixed for each Classifier in my party is 160 acres wet, dry and garden per diem, exclusive of Sundays and other authorized holidays. This includes the classification of soil, enumeration of the taxable trees, collection of complete information regarding the area classified, occupied and unoccupied, and the writing up of the Settlement register. Eight hours a day are required for this work which cannot be performed unless the village officials, or at least, the Menon, with their accounts, are in attendance on the Classifiers.

3. As in other parties, it is found that Settlement work can best be done by the Classifiers working from 7 A.M. to 12 o'clock noon and from 3 to 6 o'clock P.M. In the morning the attendance of the ryots is more easily secured and the field work proper can be performed with greater ease. In the afternoon all account and registry work is finished.

4. The following extracts from the Settlement Manual issued under the authority of the Board and Government prove that the necessity of the Karnam's presence with the Classifier has been fully recognized and provided for. Rule XXVI, section 6, chapter VI, authorizes Classifiers "to summon the village officers with their accounts in view to the classification and registration of lands in their respective villages." Rule VII, section 1, chapter IV, requires the Karnam (Menon) to "accompany" the Classifier in the field, whilst he is engaged in classification and registry of holdings. Rule XXX, section 6, chapter VI, requires Karnams to insert in their revenue accounts the corresponding survey numbers and letters, which they cannot do unless they work with the Classifiers. By rule V (2), section 7, chapter VI, "village officers are bound to attend Classifiers and to afford them all necessary aid and information." Rule V (3), section 7, chapter VI, directs that Karnams shall not, as a rule, "leave the village so long as the Classifiers are at work in them unless they are summoned by the Tahsildar or other competent authority." In such cases "they should be furnished by the Classifiers with a memorandum showing the date of departure" and "the summoning officer" is required "similarly to furnish the Karnams with a memorandum of the date when they were permitted to return." These rules clearly place the Menons at the disposal of the Settlement Officers during the progress of Settlement operations in their amsams.

5. Such being the case the necessity for prescribing exact hours when the village officers shall work with the Classifiers is not apparent. In no other district in the Presidency in which Settlement operations have taken place or are in progress has it been found necessary to do so,

though, if you so wish, I have no objection to the Menons of your division being instructed to work with the Classifiers from 7 o'clock A.M. to 12 o'clock noon and from 3 o'clock P.M. to 6 o'clock P.M. every day excepting Sundays and authorised holidays during the progress of Settlement work in their villages. As neither the Classifiers nor the Menons possess watches, I am afraid the fixing of definite hours may lead to complaints regarding unpunctual attendance, &c. Moreover, on some days, owing to rain, &c., it might be found necessary to somewhat vary the hours. As the classification of most of the amsams of the Walawanád taluk has been completed, the suggestion of the Tahsildar under reference would appear singularly inopportune.

6. In this connection I forward, for your information, copy of a report (Appendix D), dated 1st September 1891, *i.e.*, some twenty-five days previous to the date of the Tahsildar's suggestion to you, from the Menon of the Arakkuparamba amsam to the Classifier with whom he was employed on Settlement work.

It will be observed that the Menon states that he had been ordered by the Tahsildar to do work unconnected with the Settlement during the hours of 6 to 10 o'clock A.M. every day from the 2nd September onwards. Some of the hours when the Classifier specially required his services in the field, I have called upon the Tahsildar to state whether the Menon's allegation is true, and, if so, to submit any explanation he may desire to offer for his order which apparently was based on no authority from you and was certainly given, if given at all, without any reference to me or the public interests. On receipt of his reply, I shall communicate with you on the subject with a view to necessary action being taken to prevent this Tahsildar again obstructing the progress of Settlement work.

7. I agree with you in thinking that most of the complaints of the village officials referred to at para. 3 of your letter under reply are frivolous. The fact that a large number of days has been lost by the Classifiers being unable to do any work owing to the absence of the village officers has attracted the attention of the Board to whom I shall submit a large file of papers which conclusively prove the want of co-operation on the part of the Subordinate Revenue officials in the Walawanád taluk from the Tahsildar downwards with the Settlement officials.

8. No practical difficulties can arise in the conduct of ordinary revenue work during the progress of Settlement operations in any amsam if the Subordinate Revenue officials would only show a loyal desire to overcome them. If the Menon is attentive to his Settlement duties and has his accounts in fair order, the Classifier would rarely require his services for more than a month during which there would ordinarily be several holidays. The Adhikari might carry on during this time routine work and by a policy of friendly co-operation on the part of the Settlement and Revenue subordinate there should be no friction. I have done all in my power to impress this fact upon my men and shall be glad if you will be so good as to take similar action in respect of your subordinates.

9. As regards the issue of joint instructions I shall be happy to adopt any you may propose in the public interests of your division and which may be in accordance with the Settlement Manual which so far as Settlement work is concerned is sufficiently explicit.

10. The enclosure to your letter is herewith returned. I request that Appendices A, B and C may be perused in connection with it and that they may be returned to me at your early convenience.

APPENDIX XII (4).

From J. K. BATTEN, Esq, Acting Special Assistant Collector, to the Special Settlement Officer, Malabar and South Canara, dated Camp Perintalamanna, 21st November 1891, No. 789 Dis.

With reference to your letter, dated 7th November 1891, No. 1496, I have the honour to state that, under the circumstances mentioned by you and as you state that the classification of the taluk is almost complete, I agree with you that there is no necessity to issue instructions regarding the particular hours Menons should attend on Classifiers. I am informing the Tahsildar of the hours which you name as necessary for Settlement work.

2. I am issuing instructions to the Tahsildar that the rules of the Settlement Manual must be strictly attended to.

APPENDIX XIII (1).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 26th February 1892, No. 2368.

With reference to your letter No. 789 Dis., dated 21st November 1891, I have the honour to forward, for your information, copy of a general order No. 10837, dated 9th November 1891, issued by the Tahsildar of Walawanád to all the amsam officials of that taluk without your authority or any reference to me, though it seriously affected the progress of Settlement work.

2 It will be remembered that, in his endorsement, Ref. on C. No. 9665 Mis., dated 26th September 1891, on copy of the report of the Amsam Menon of Vettattur amsam, forwarded with your letter, Ref. on 941 Mis. W., dated 6th October 1891, the Tahsildar merely suggested, for your orders, that it would be better to prescribe, in consultation with the Settlement officer, the hours of working, &c. My reply to your reference on his suggestion was forwarded with my letter No. 1496, dated 7th November 1891, to which you were good enough to reply in your letter No. 789 Dis., dated 21st November 1891.

3. I am sure you could not have been aware that the Tahsildar had in the meantime before obtaining your orders on the subject taken upon himself to issue, on the 9th November 1891, a general order No. 10837 to all the amsam officials, directing all the Menons "to attend to their legitimate (*sic*) duties from 6 to 10 o'clock A.M. every morning," whereby the work of the Classifiers was seriously obstructed during November.

4. As this unauthorized order of the Tahsildar is opposed to the instructions to which you referred in your letter of the 21st November 1891, I request you will be so good as to direct that official to rescind his obstructive order, copy of which is now forwarded, and trust you will take such other action respecting his misconduct as you may consider necessary.

5. I take this opportunity of requesting that Appendices A, B and C to my letter No. 1496, dated 7th November 1891, may be returned as requested at para. 10 of that letter.

APPENDIX XIII (2).

TRANSLATION.

No. 10837.

Order from the Walawanád Taluk Cutcherry to the Amsam Officials.

In response to the yadast issued by the Revenue Inspector to the amsam officials for the non-preparation and submission of the jamabandi accounts on due dates, it is observed from the replies received that some of them urge that they are fully engaged in survey and settlement work and that consequently they had to leave the amsam and other work in arrears. It is to be understood that by rendering lawful and necessary assistance for the survey and settlement work, they are not to neglect all their duties allowing them to fall in arrears. The Menons who are engaged in the survey and settlement work should attend to their legitimate duties from 6 to 10 A.M. on every morning. I have reported the matter to the higher authorities for orders to the above effect. If this course be adopted there will be no obstruction to the discharge of the ordinary revenue duties and settlement work.

PERINTALAMANNA,
9th November 1891.

(Signed) S. ANANTA PATTAR,
Tahsildar.

APPENDIX XV (3).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 18th November 1891, No. 2428.

In reply to the queries contained in your Proceedings No. 1559, dated 16th instant, I beg to report as follows:—

Query 1.—The Menon was not detained by the Tahsildar on the evening of the 4th instant. Instructions were sent to the Menon on the 4th evening to meet the Tahsildar in the Pulakkattiri amsam on the following morning for the purpose of azmash of certain garden lands newly to be assessed in the fasli.

Query 2.—The Menon was engaged with the Tahsildar from 8 to 9 A.M. on the morning of the 5th instant.

Query 3.—The memorandum was not taken by the Tahsildar to the Menon for the simple and obvious reason that he had not to depart from the amsam and that the Tahsildar was not aware that the Menon was engaged with Settlement Classifier.

Query 4.—Certainly not. The Settlement Rules, as I understand them, do not contemplate cases in which the Menon does not leave the amsam It seems to me that the rules provide only for cases in which the Menon has to leave his village; but, assuming that a memorandum was required even in such a case as the one now under reference, it was for the Menon, if he was engaged with the Classifier when he was ordered to appear before the Tahsildar, to have obtained the requisite memorandum from the Classifier and produced it before the Tahsildar. The Tahsildar was not made acquainted with the fact that the Menon was engaged with the Classifier either when the former was ordered to appear or when appeared before Tahsildar.

APPENDIX XVI.

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 15th December 1891, Ref. on C. Nos. 2632 C.&D. & 2412 C.&D.

The pay bills of the two marginally-noted village establishments among others not having been received at the treasury up to date, the fines inflicted by you on these two Amsam Menons have not been collected.

1. Pulakkattiri.
2. Arakkuparamba.

2. In all cases in which you fined the Menon you asked me to collect the fines and to report the fact within a date fixed by you. Experience has proved that this is not feasible as pay bills of village establishments are received at the treasury generally with remittances long after the date fixed by you and much useless and unnecessary correspondence results in consequence. All this can be avoided if no particular date is fixed by you within which the fine has to be collected.

APPENDIX XVII.

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 26th February 1892, No. 2366.

I have the honour to bring the following facts to your notice and to request that the necessary orders may be issued to the Tahsildar of Walawanád, so that fines lawfully imposed by me on village officials may be duly levied within a reasonable date after orders for their infliction have been passed.

2. By my Proceedings No. 1595, dated 20th November 1891, the Menon of the Pulakkattiri amsam was fined Re. 1 and the Tahsildar was requested to levy the fine and report the fact by the 10th December 1891. He failed to take any notice of my Proceedings until a reminder was sent to him on the 10th December, when he replied on the 15th December that the Menon's pay bill had not been received and that therefore the fine had not been levied. Up to date I have received no intimation regarding the levying of this fine.

3. By my Proceedings No. 1732, dated 10th December 1891, the Menon of the Pulommontol amsam was fined Rs 2 and the Tahsildar was requested to levy the fine and report the fact by the 10th January 1892. It has not been reported up to date.

4. By my Proceedings No. 1896, dated 5th January 1892, the Menon of the Kuruvambala amsam was fined Rs. 3 and the Tahsildar was requested to levy the fine by deduction from the Menon's next pay bill. Up to date the levying of the fine has not been reported.

5. On the 29th January 1892 I requested the Tahsildar in my Proceedings No. 2114 of that date to report whether the fines imposed on the three Menons above mentioned had been collected and credited in the accounts. In his reply, Ref. on C. No. 180 C.&D., dated 9th February 1892, the Tahsildar stated that "the pay due to the Menons referred to has not yet been disbursed and consequently the fines inflicted on them have not yet been collected." No reason is given to explain why their pay has not yet been disbursed, but, if the statement is true, it would appear that the Menon of Pulakkattiri amsam has received no pay since the 20th November 1891—upwards of three months; that the Menon of Pulommontol amsam has received no pay since the 10th December 1891—a period of some two months and a half; and that the Menon of Kuruvambala amsam has received no pay since the 5th January 1892—a period of some seven weeks. I do not know whether you are aware that the poorly paid village establishments of the Walawanád taluk are being thus kept out of their official salaries for weeks and months together, but with that subject I am not personally concerned beyond bringing the fact to your notice. I am however interested in seeing that fines lawfully imposed by me are duly collected by the Tahsildar of Walawanád within a reasonable time. His alleged reasons for not having yet collected these particular fines cannot be accepted as satisfactory.

6. I must therefore ask you to be so good as to instruct the Tahsildar to levy the fines referred to at once and to report the fact of his having done so to me. I should also be obliged by your passing such orders to your Revenue subordinates on the subject as will render the necessity for a repetition of similar complaints in future improbable.

APPENDIX XVIII (2).

Report from the Panamanna Amsam Menon.

The pymash of gingelly and revision survey work are in progress in this amsam. When this is so I received a notice yesterday from the Supervisor to be present in his office at Cherpalcheri to-day, Wednesday the 14th, with certain amsam accounts. As I am in doubt whether I

could leave the amsam, considering the pressure of work on hand, I request that I may be furnished with an order in connection with the notice above referred to.

14th October 1891. (Signed) KOMAN NAIR, Menon.

Ref. on No. 10266 Mis.

True copy submitted to the Special Assistant Collector in continuation of this office report Ref. on No. 10113 Mis., dated 14th instant. Summonses to village officials issued even by courts have to be sent through Tahsildars and not direct. The Settlement Supervisor's procedure in issuing direct, instead of through me, notices to Amsam Menons, compelling them to appear at distant places from their amsams, so as to suit the convenience of Settlement subordinates, is irregular and inconvenient I think.

WALAWANAD, 23rd October 1891. (Signed) S. ANANTA PATTAR, Tahsildar.

Ref. No. 1021 Mis.

Forwarded to the Special Settlement Officer, Malabar and South Canara, for favour of remarks.

CALICUT, 6th November 1891. (Signed) J. K. BATTEN, Acting Special Assistant Collector.

APPENDIX XVIII (6).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 29th February 1892, No. 2423.

In returning, herewith, the paper forwarded with your endorsement, Ref. No. 1021 Mis. W., dated 6th November 1891, I have the honour to make the following remarks :—

2. Before dealing with the general question raised by the Tahsildar of Walawanád in his Ref. on No. 10266 Mis., dated 23rd October 1891, it will, I think, be instructive to set forth the facts connected with the Panamanna Amsam Menon's report to the Tahsildar, dated 14th October 1891, on which the Tahsildar's Ref. on No. 10266 Mis., dated 23rd October 1891, purports to be founded. These facts I have taken special pains to ascertain and they will, I trust, afford you further insight into the methods that have been adopted in the Walawanád taluk to obstruct the progress of the revenue settlement.

3. The work of classifying the Panamanna amsam devolved upon Classifier B. Nagoba Rao, a Telugu Classifier, who cannot read or write Malayalam. In his arzi No. 1035, dated 1st October 1891, the Supervisor reported :—

"At the recent inspection of the Panamanna amsam by me I discovered that in the classification registers particulars of tax-paying trees remain to be written in respect of certain gardens in the several desams of the amsam."

The Classifier explained that he had been unable to enter the necessary particulars as the Menon had "informed him that the information was not forthcoming from the amsam accounts, especially the tree register." As the Classifier could not himself read the accounts which were in Malayalam he had to accept the Menon's statement as true. The Supervisor, who is a Malayali, was not satisfied with the explanation and therefore sent for the Menon and his accounts which he examined "with the result that he found that the information was readily available in the tree register." The Supervisor writes: "The Menon was required to reconcile his explanation recorded on the Settlement Register with the facts disclosed by the account and he admitted, without the least sense of shame, that he did not understand the account properly." Yet this man has for upwards of ten years been the Menon of this amsam. A post for which, in my opinion, he is totally unfit. The foregoing facts explain sufficiently why it was necessary in the public interests for the Supervisor to have required this Menon's personal attendance. I now proceed to disclose the misconduct of this Menon before his attendance could be secured.

4. On the 10th October 1891 the Supervisor sent the Menon a notice No. 1130 requiring him to present himself with the necessary accounts before the Supervisor at his office, Cherpalcheri, where the Classifier's accounts of the Panamanna amsam were being scrutinized on the 14th idem. The notice was duly delivered to the Menon on the 13th idem and it was returned endorsed by the Menon in Malayalam: "Received 13th October 1891. (Signed) Koman Nair. Panamanna Amsam Menon." Nothing else was recorded by the Menon.

5. The Menon disobeyed the notice and did not appear on the 14th October 1891. Nothing having been heard of him up to the 18th idem and as the Settlement accounts could not be closed for want of the requisite information which the Menon was bound to furnish, the Supervisor in his No. 1183, dated 18th October 1891, requested the Menon to explain his disobedience of the previous notice and instructed him to furnish the Classifier (who had again to be deputed to the amsam, thereby causing further delay and public expense) with the necessary information. To this communication also, the Menon paid no attention.

6. On the 29th October 1891 the Supervisor sent him a third communication No. 1269, copy of which is appended (marked A). By this the Menon was *inter alia* required to state why he had failed to submit the explanation previously called for. The Menon then sent a reply, copy of which is also appended (marked B), and to which I must invite your special attention.

7. After acknowledging the receipt of the Supervisor's No. 1269, dated 29th October 1891, the Menon submitted what purported to be his explanation called for on the 18th October 1891, *i.e*, eleven days previously. This explanation was to the effect that he did not obey the previous orders as he had been prohibited from leaving the amsam without the orders of the Tahsildar or Deputy Tahsildar, adding that he had reported to the Tahsildar that he had received the Supervisor's notice to appear before him, but that, in spite of this, the Tahsildar had personally ordered him not to leave the amsam!

8. On receipt of this impertinent reply the Supervisor again communicated with the Menon in his No. 1310, dated 2nd November 1891, copy of which is appended (marked C). The Supervisor asked him to explain *inter alia*—

(1) When the Menon asked the Tahsildar for permission to obey the Supervisor's notice of the 10th October admittedly received by the Menon on the 13th idem.

(2) Why, if it was a fact that he had been ordered not to leave the amsam without the Tahsildar's permission, he failed to report the fact when acknowledging the receipt of the Supervisor's notice of 10th October.

(3) Whether he had in fact obtained the permission he said he had applied for.

(4) If so, when?

9. The Menon's reply is dated 3rd November 1891 (marked D). In this it will be observed he stated (1) that he applied to the Tahsildar on the 14th October to obtain permission to obey the Supervisor's notice of the 10th idem which he admitted he received on the 13th idem; (2) that he failed to say anything before about the alleged order of the Tahsildar prohibiting his departure from the amsam without previous leave, as he hoped to have received that permission soon; but (3) that up to 3rd November 1891 he had not received the Tahsildar's reply.

10. I must now ask you to be so good as to examine the Menon's report to the Tahsildar, dated, 14th October 1891, on which the Tahsildar's Reference on No. 10266 Mis. was made. It will be observed that the Menon says *nothing whatever about his having been prohibited from leaving his amsam* by the Tahsildar nor does the Tahsildar allege that *he had so prohibited the Menon nor does the Menon ask to be permitted to obey the Supervisor's notice.* He merely states that the pymash of gingelly crops was in progress, also revision survey work, and that, considering these matters, he is in doubt whether he could leave the amsam in obedience to the Supervisor's order, and asks to be furnished by the Tahsildar with orders. The purport of this reference to the Tahsildar by this indolent Menon on the 14th October 1891 is manifest. He raised difficulties which he wished the Tahsildar to consider would justify him not leaving his amsam.

11. The Menon is thus clearly convicted of the following public misconduct :—

(1) Giving false information to Classifier B. Nagoba Rao, of whose ignorance of Malayalam the Menon took advantage in stating that the information he required regarding certain gardens was not available in his accounts, whereas, as a matter of fact, it was available and was subsequently discovered to be so by the Supervisor to whom the Menon stated that he, the Menon, did not understand his own accounts.

(2) Having disobeyed the lawful orders of the Supervisor issued to him on the 10th October and which he admittedly received on the 13th idem by failure to present himself with his accounts on the 14th idem.

(3) Having again disobeyed the Supervisor's lawful orders of the 18th October, which he treated with contempt.

(4) Having, in reply to the Supervisor's No. 1269, dated 29th October 1891, sent the Supervisor a false explanation, in which he asserted that he had been instructed by the Tahsildar personally not to leave his amsam without the Tahsildar's leave and that he had on 14th October

7. I must ask you to be good enough to direct the Tahsildar to cancel his order No. 10782 Ind., dated 10th November 1892, and to issue in its place an order informing the village officials that they should address the Head Classifiers and Classifiers of the Settlement Department in the same respectful manner as they address the Revenue Inspectors, failing which they will be punished, and I request that the Tahsildar may be directed to submit, for my information, a copy of his cancelling order and that you will take such further action regarding his repeated public misconduct in respect of this department as you may consider necessary.

8. I must also invite your kindly attention to para. 6 of my letter No. 2391, dated 27th February 1892.

APPENDIX XX (1).

TRANSLATION.

Ref. No. 10782 M.P.

From the Walawanád Taluk Cutcherry. Order to the Amsam Officials.

It is observed that when occasion arises for addressing Settlement Classifiers some amsam officials use such expressions as "arzi," "report," &c. This is not correct. Amsam officials can address Classifiers in the same terms as they themselves are addressed by the Classifiers. It is certain that amsam officials are not the subordinates of Classifiers.

(Signed) S. ANANTA PATTAR,
Tahsildar.

10th November 1891.

APPENDIX XXI (2).

TRANSLATION.

No. 11644.

From the Walawanád Taluk Cutcherry. Order to all the Amsam Officials.

It has come to our knowledge that the Settlement Supervisor sends orders to the amsam officials. The Supervisor has no authority for this. The use of the term ബോധിപ്പിക്കണം (submit) by the amsam men in their replies to the Supervisor is wrong. It should be stopped.

(Signed) S. ANANTA PATTAR,
Tahsildar.

15th December 1891.

APPENDIX XXI (5).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 27th February 1892, No. 2391.

I have the honour to forward, for your information and the favour of necessary action, extract from arzi No. 1855, dated 14th January 1892, from the Supervisor of this party with copies of enclosures A, B and C therein referred to.

2. Enclosure A is a true copy of an extraordinary general order, No. 11644, dated 15th December 1891, issued by the Tahsildar of Walawanád to all the amsam officials of that taluk, whereby he has publicly and officially insulted the Supervisor and has deliberately incited the village officials to be disrespectful to that officer who holds an honorable position in the Settlement Department of trust and responsibility not inferior to that held by the Tahsildar in the Revenue Department.

3. The Tahsildar's statement that the Supervisor has no authority to issue orders to the amsam officials is, I need scarcely point out, as incorrect as it is gratuitously offensive. During the progress of Settlement operations in a taluk, the Supervisor, by virtue of his appointment, has full authority to send orders to the village officials on matters connected with Settlement work. The Tahsildar's pompous direction to the village officials that they should desist from writing to the Supervisor respectfully by ceasing to employ the term ബോധിപ്പിക്കണം (submit) is not only grossly insulting but subversive of official decorum and proper subordination.

4. Enclosure B is a sample of the form of address used by the village officials in corresponding with the Supervisor before the issue of the Tahsildar's impertinent order. Enclosure C is a sample of the form of address and after the issue of that order. A comparison of the two forms shows the evil effect produced by the Tahsildar's order.

5. I request you will be so good as to direct the Tahsildar to cancel his order and to issue in its place an order informing the village officials that they are bound to attend to the lawful orders of the Supervisor on Settlement matters and to address him in the same respectful manner as they are in the habit of addressing the Tahsildar and warning them at the same time that failure to do so will involve their punishment. I request that the Tahsildar may also be directed to submit, for my information, a copy of his cancelling order and that you will take such further action regarding his gross public misconduct as you may consider necessary.

6. I would suggest that, as this is by no means the only order which this Tahsildar has taken upon himself to issue to the village officials tending to obstruct the progress of Settlement work in the Walawanád taluk and calculated to create serious friction, it is expedient in the public interest that this Tahsildar should be expressly prohibited from issuing any more general orders to his village officials in any way connected with the Settlement officials or their work without having previously obtained your special authority. I am confident that to promote public cordial co-operation and to further the public interests, you will not sanction the issue of any orders touching Settlement matters without previously consulting me. I shall always be happy to do all in my power to meet your views.

APPENDIX XXII (1).

From M.R.Ry. M. DAMODARAN NAIR, Supervisor, to the Special Settlement Officer, Malabar and South Canara, dated Cherpalcheri, 17th February 1892, No. 2229.

I beg to submit, herewith, for such action as may be deemed proper, an order (marked A) to me in original with literal translation from the Adhikari of Trikideri amsam, dated the 16th instant, and received this day at about 10 A.M. In this order the Adhikari has called upon me to explain why I utilized the services of one of the amsam peons for my work without his permission. The facts of the case are as follows.

2. On the 12th instant I issued the appended notice (marked B) to the officials of Trikideri amsam in which I informed them that I would azmash the amsam on the dates therein specified and required that the Menon should attend on me on those dates. This notice was accompanied by another to the ryots which I required the village officials to serve on as many of the ryots as possible and return to me before the 18th instant.

3. On the 13th before 7 A.M. I went to the appointed place of meeting, but the Menon was not ready although I had summoned him to appear before me at half past 6 A.M., and even after I waited for him for about half an hour he did not turn up. I therefore proceeded with my work with the assistance of the few ryots, whom I chanced to meet in the field. Towards the close of the work the Menon joined me at about 11 A.M, and, when asked why he came late, he explained that his house was five miles distant from the appointed place, which was in one of the desams of the amsam I had arranged to azmash that day. He also added that he waited some time for the amsam peon who did not arrive. I did some work with the Menon and at about 12 I dispensed with his services asking him to return early on the next azmash day which was Monday, the 15th instant.

4. That day too he came late and met me at half past 8 only, accompanied by one of the amsam peons, named Eranda Taragan. We worked till about half past 12 when the Menon and the peon were left to their amsam work.

5. On the 16th yesterday the Menon attended in time. We were engaged in the field, but, for want of information about a certain survey number, which the Menon was unable to give me, my work was delayed. I was anxious to examine that survey number as I doubted that there were some mistakes. No ryots were available and my peons were employed in finding the demarcation stones for me. Just then at about 9 A.M. the Menon saw at a distance the amsam peon, Koppu Nair, going to the Adhikari. He called the peon over to us, but he would not come as he was going to the Adhikari; however, he was called a second time by the Menon. I also called him and he accordingly attended. He was acquainted with the lands covered by the survey number in question and gave me the necessary information. He wanted to go, but I detained him for some hours as I knew he was able to give me the information which I had no other source of getting on account of the Menon's ignorance and the absence of the ryots. About half an hour afterwards an individual, named Paran, came to us and said that the Adhikari had sent him to call away to him the said kolkaran. Thereupon I sent word by Paran to the Adhikari that I detained the kolkaran for some hours. I left the field at about quarter past 12 when I sent away the Menon and the kolkaran.

6. This morning I worked in Kuttikod desam of that amsam, and, when I was employed in the field, the Adhikari's order in question, which was sent by a private individual with no cover

applied for that leave which he was expecting to receive soon, whereas, as a matter of fact, his own reference to the Tahsildar of the 14th October proves that he was raising objections in the hope that he might receive orders not to obey the Supervisor.

For such gross misconduct, I consider this Menon should be exemplarily punished, and, if you concur with me, I request that you will pass sentence on them accordingly.

12. I now come to the general question raised by the Tahsildar who "*thinks*" that the action of the Supervisor in issuing notices to village servants direct, instead of through the Tahsildar, is "irregular and inconvenient," citing this case as an example. The Supervisor is provided by Government with peons for the special purpose of assisting him in securing the attendance of village servants and ryots whom he is fully empowered to summon before him with their accounts, &c., for Settlement purposes, and in every party, in the presidency, such notices are invariably issued direct. Settlement work could not proceed otherwise. There is no analogy, as the Tahsildar appears to think, between the summonses issued by courts for the attendance of village servants as witnesses and the notices issued by the Supervisor for their attendance for Settlement purposes. The village servants are in no way, even temporarily, the subordinates of courts. Moreover cases are usually fixed in courts days before the attendance of the witnesses is required and sufficient time is thus given to have such summonses served upon the village servants through their immediate revenue superiors by the taluk peons. Moreover such summonses are naturally few in number; but, in the case of Settlement work, the village servants are temporarily subordinate to the Settlement officers having Settlement work to perform in their amsams. Their attendance cannot for the most part be anticipated days before it is required and the service of large numbers of Settlement notices upon them through the Tahsildar would not only be most inconvenient to him, as the time of his limited taluk peons' establishment would be fully occupied in effecting service and this would give rise to natural complaint on the part of taluk officers, but the unavoidable delay would be most inconvenient to the Settlement Department and prejudicial to the public interests. The particular case in question is an excellent example. The Menon wrote to the Tahsildar on the 14th October 1891, but, up to the 3rd November 1891, the Tahsildar had sent him no reply. It does not appear when the Menon's reference of 14th October 1891 actually reached the Tahsildar, but probably on or about the 15th idem. The Tahsildar's reference to you is dated 23rd October 1891. If the Tahsildar's wishes were complied with, weeks of valuable time would of necessity be lost and there would be the possibility of constant friction arising owing to delays on his part to serve the Supervisor's notice—delays which with his comparatively few revenue peons, who have quite enough to do as it is to cope with their own work, might be unavoidable. The practice of the department cannot therefore be altered to meet the views of this Tahsildar and the Supervisor's notices to the village accounts will have to be served by the field settlement peons Government has provided him with for the purpose. In this particular instance the distance from the Menon's house to where the Supervisor required his attendance was only 12 miles and he could have gone to the Supervisor and returned to his house had he chosen on the same day. Moreover, it is seldom that it is necessary for the Supervisor to require the Menon's attendance before him out of the Menon's own amsam, though occasionally it cannot be avoided, as, in this case, where it was due to the Menon's own ignorance of his accounts and the false information he furnished the Classifier whilst the Classifier was in the Menon's amsam. The Supervisor and his subordinates have received strict orders not to detain the village officials longer than is absolutely necessary for Settlement purposes. In view of these facts, I must ask you to be good enough to instruct the Tahsildar that his suggestion that Settlement notices should be served through him by his revenue peons cannot be complied with, as such procedure would not only tend to delay Settlement work and create friction, but would be most troublesome and inconvenient to the taluk officials.

APPENDIX XX.

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 29th February 1892, No. 2410.

In continuation of my letter No. 2391, dated 27th February 1892, I have the honour to forward, for your information and the favour of necessary action, copy of a general order, No. 10782-Ind., dated 10th November 1891, issued by the Tahsildar of Walawanád to all the amsam officials of that taluk, which I *lately* received from one of my Classifiers.

2. In this circular order (marked A) the Tahsildar has deliberately gone out of his way, publicly and officially, to insult the Head Classifiers and Classifiers of the Settlement Department and has stimulated the village servants to become disrespectful and insubordinate.

3. The Tahsildar "observed" on the 10th November 1891—and the date of his observation is important as will be seen—that when occasion arose for the village servants to reply to notices sent to them by the Settlement officials, some of the former were so unmindful of their own dignity

and importance that they had actually been guilty of the heinous offence of having replied respectfully to some of the latter in the form of "arzis" or "reports." The Tahsildar was so exercised by this evident absence of a sense of equality, if not of superiority, on the part of his *five rupees dependants* that he considered it necessary to promulgate his bombastic edict. In this he assumes the rôle of an instructor in the science of official etiquette and informs the village servants that their employment of such terms as "arzi" or "report" in replying to the Settlement officials is incorrect. He gives them his lordly permission to address these officials in the same way as they are themselves addressed and to inflate them with a superlative appreciation of their exalted positions winds up by enunciating his *dictum* that the village servants are certainly not the subordinates of the Classifiers.

4. A reference to my letter No. 2368, dated 26th February 1892, will show that it was on the *9th* November 1891 that this Tahsildar issued his unauthorised general order No. 10837, removing all village servants from the Classifiers during certain hours. It will also be remembered that it was on the *10th November 1891* that the Tahsildar submitted to me his disingenuous explanation, Ref. on No. 2737 C.&D., copy of which was forwarded to you with my letter No. 1546, dated 12th November 1891, and which is referred to in my letter No. 2370, dated 26th February 1892. It is highly suggestive that it was on that very date, 10th November 1891, that the Tahsildar should have issued his general order No. 10782-Ind., under present review. These facts distinctly convict the Tahsildar of having done all in his power to sow the seeds of discord between the Subordinate Revenue and Settlement officials and to obstruct the progress of Settlement ordered by Government. I must now retun to the particular order under reference.

5. There are in this party 4 Head Classifiers and 30 Classifiers whose salaries range from 60 to Rs. 15 per mensem. Among them is a graduate of the Madras University, many undergraduates and a few of inferior educational qualifications. Though their rank relatively to village servants finds no place in any "warrant of precedence," the fact that they all draw from twelve to three times the pay of village servants together with the fact that the latter having been distinctly placed by the Government in a position of temporary subordination to the former whilst Settlement operations are in progress is sufficient to stultify the Tahsildar's general remarks.

6. "The Manual of the Madras Settlement Department" is published by the authority of Government. This very Tahsildar has received the orders of the Collector and of yourself to obey the provisions of that manual. I have frequently drawn his attention to various rules in the manual and he has himself translated the purport of some of these, bearing on the relations between the settlement classification staff and the village officials and has himself circulated his translations throughout the taluk. He is precluded therefore from pleading ignorance and he must be held guilty of deliberately attempting to foment discord by his order under review. It is scarcely necessary for me to do more than to recall your attention to a few of the rules which distinctly imply the temporary subordination of the village servants to the Classifiers while the latter are engaged in the amsams on Settlement duty, *e.g.*, rule XXVI, chapter VI, p. 59, authorises Classifiers to summon the village officials; rule VII, section 1, chapter IV, p. 26, requires the Menon to accompany the Classifier in the field; rule V, clauses (2) and (3), chapter VI, p. 66, makes it obligatory on "village officers" to attend upon Classifiers and "to afford them all necessary aid and information." It prohibits village officers leaving their villages so long as the Classifiers are at work in them unless they are summoned by the Tahsildar or other competent authority, in which event the village officers are required to obtain permission from the Classifiers and to be furnished with a memorandum showing the date of departure and the summoning officer is similarly required to furnish the village officials with a memorandum showing when they were permitted to return to the Classifiers. Rule XXX, chapter VI, p. 60, requires certain action to be taken with respect to the adjustment of the revenue and Settlement accounts and authorizes the Classifiers to compel the village officials, if necessary, to insert certain entries. All this and much more leaves it beyond the possibility of doubt what the relative official positions of Head Classifiers, Classifiers and village servants respectively are. The Classifiers in the department are in the habit, by virtue of the authority conferred upon them by Government, of issuing *notices* to village servants when they require the attendance of or information from the latter and the village officials have, until the issue of the Tahsildar's unauthorised, officious and insolent order of the 10th November 1891, been in the habit of replying for the most part courteously to the Classifiers in the same form as they use in replying to references made to them by the Revenue Inspectors. Their attitude has, however, in some cases, changed since the issue of the Tahsildar's order. I append, for your information, a sample (marked B). One of the Classifiers had sent the usual "notice" to the Adhikari of the Pulikkattiri amsam requesting him to send the amsam kolkaran. Acting on the evil council of the Tahsildar the Adhikari replied in the form of a "*notice* to the Classifier doing Revenue Settlement duty in the Pulikkattiri amsam." He would not have dared to have sent such a reply to his Revenue Inspector, nor would it have occurred to him to have so addressed the Settlement Classifier before receipt of the Tahsildar's order inciting him to be disrespectful and insubordinate. Hitherto village officials have answered the Settlement officials in the form of an "arzi" or "report" addressed to "Classifier, Avergal," just as they answer their Revenue Inspectors, communications for whom are "to Revenue Inspector, Avergal." The sudden change is entirely due to the Tahsildar's action, of which I must ask you to take very serious notice.

was delivered to the Menon. He was reading it aloud in the presence of my peons and certain others when I learned that it was addressed to me and I accordingly received it.

7. The above are briefly the facts connected with the case. It will be observed from them that for about 3 hours on the 16th instant I utilized the services of one of the kolkarans of Trikideri amsam without the Adhikari's permission in the discharge of the public duties with which I am entrusted. For this conduct of mine to which the Adhikari has objected, I am called upon by him to submit an explanation on the ground that one peon being employed in connection with the survey work there was only one other available for the ordinary amsam work, that that work has been obstructed by me by having utilized one of the amsam peons for my work and that I should have had his previous permission for such utilization.

8. As stated above, my inspection of the amsam was commenced on the 13th instant and since then up to date the field surveyor did not do survey work in that amsam as the records were all with me. No amsam peon was consequently employed during that time on survey work. The field surveyor testifies to this and his statement is appended (marked C). On the 13th instant, therefore, both the kolkarans were available to the Adhikari, none having been employed that day on either survey or settlement work. The 14th being Sunday, no work was done by me in that amsam. On the 15th one kolkaran was present with the Menon (*vide* para. 4 *supra*) and got me a few ryots in accordance with which I had asked the amsam officials to serve. In doing so the kolkaran was only acting for them. On the 16th yesterday one of the kolkarans was with me for about three hours and this morning none was available at all. It will thus be observed that from the 13th up to date, during which my azmash was conducted in Trikideri amsam, both the kolkarans were available for the amsam work on all days except for a short space of 6 hours on two days when one of them was employed with me, the other having been completely at the Adhikari's disposal. The amsam work cannot therefore have suffered in the slightest degree on account of the retention of the peon by me and the Adhikari's statement that one peon having been set apart for survey work, his amsam work was obstructed by me as I called away the other peon, is wholly false.

9. As regards the Adhikari's next charge that I did not obtain his permission beforehand to employ the kolkaran, I beg to state that it is not necessary to obtain such permission. The Settlement officials have been made competent to summon direct the officials of any amsam at any time they like for the performance of work connected with that amsam, and, in requiring the services of any one of them, it is not necessary to have the permission of the other to whom he may or may not be subordinate. I hold, therefore, that I was quite right in having required the peon to attend on me without the previous consent of the Adhikari, who himself could have been made to attend on me if I wanted. Even supposing that my view is not correct it will be observed that, under the circumstances above explained, it was impossible to obtain the Adhikari's consent previously, but, however, as a matter of courtesy, I informed the Adhikari through his man, Paran, that I retained the kolakaran for a short time with me and he should have accepted this message in good parts.

10. Under these circumstances I trust that the Special Settlement officer will be pleased to hold that my conduct in having utilised the services of one of the amsam kolkarans of Trikideri amsam for a few hours on the 16th instant in connection with public work is not in any way blameable.

11. I must now turn to the conduct of the Adhikari in having addressed to me this objectionable communication and called upon me for explanation.

12. There are several points on which I take objection to this communication.

(*a*) The first and the most important of them is that, even supposing that I was wrong in having retained the amsam peon, he had no authority to call upon me for an explanation. The official position of the officials of an amsam towards the Supervisor of Settlement Party conducting Settlement operations in that amsam is one of subordination and not of superiority. If, therefore, the Adhikari thought himself entitled to criticize my conduct, his proper course should have been to report the matter to his immediate superior, the Tahsildar, who would have taken steps to have the same investigated by the Special Settlement Officer to whom alone I am subordinate. The Adhikari, therefore, chose to ignore his relation to me as a public servant when he addressed this objectionable communication, whereby he has subjected me to great indignity.

(*b*) Secondly, he addressed his order "to the Settlement Supervisor." This is against official etiquette, and, proceeding as it does from an Adhikari who is a subordinate, it is greatly insulting. Official communications to me in Malayalam by my equals and subordinates are addressed "To M.R.Ry. Settlement Supervisor, Avergal."

(*c*) Thirdly, he says "the amsam kolkaran was retained with you നിങ്ങൾ without our നമ്മുടെ permission. Here also he assumes superiority over me. In Malayalam he should have said "the amsam kolkaran was retained with you നമ്മുടെ without my എന്റെ permission. This is how the Tahsildar and myself address each other.

(*d*) So much for the order. I next beg to invite the Special Settlement Officer's attention to the remarks recorded by him on my notice (Appendix B) and the manner in which they have been received.

13. The above facts clearly show that the Adhikari of Trikideri amsam, Trikideri Nair Vittil Chokraunni Nair, has grossly insulted me in my official capacity and has shown himself to be of opinion that the Supervisor of the Settlement Department is subordinate to an Amsam Adhikari. I feel much aggrieved in this matter, if, as already remarked by the Special Settlement Officer in Proceedings No. 1665, dated 3rd December 1891, "the Supervisor is a controlling field officer in an honorable position of trust and responsibility," and I feel confident that I have only to represent my grievance to the Special Settlement Officer who will redress it immediately and take such steps as may be necessary to see that I am in future treated with due regard by the amsam officials of Walawanád taluk.

* * * * * *

APPENDIX XXII (2).

From Trikideri Amsam Cutcherry, to the Settlement Supervisor.

It is learnt that Paran has been sent with information that this amsam kolkaran Koppu Nair was retained with you without our (honorific plural) permission. Reply should be sent below showing what the cause is for your doing so. To-day urgent accounts have to be sent to the taluk and others. For having caused obstruction to this, report had to be sent to higher authority. One kolkaran being engaged with survey work there is only one kolkaran for work in the amsam. It being so the peon should have been taken with permission. You have not informed by your yadast also.

APPENDIX XXII (3).

From the Office of the Malabar Settlement Supervisor, Avergal. Notice to the Amsam Officials of Trikideri Amsam of the Walawanád Taluk.

It is hereby required that, as we have to azmash and ratify the classification of lands assigned by the Classifier and the Head Classifier for Settlement purposes in the marginally-noted desams on the dates specified against each, the Menon should be with us on those dates and not go away without our permission till the azmash of the amsam is over.

Karuwanakurissi and a portion of Mongotu on the 13th February.
Chemenanur, Pummokod and the rest of Mongotu on the 15th.
Viramangalam, 16th.
Trikideri, 17th.
Kullikkolu, 18th.

2. Notice to be served on the ryots is herewith sent. It should be served on as many land-owners in each desam as possible and returned to this office before the 18th instant duly obtaining their signature on it with those of the amsam officials in token of its service. A general notice should be given to all.

3. As any objection which the land-owners may wish to make should be made to us at the time of the azmash the amsam officials will be held responsible for the evils arising out of the omission to give notice to the land-owners.

4. Spades also may be required as the soil may have to be examined by digging.

5. This should be returned by the peon duly signed. The Menon should be present on the road leading to Pálghat through Karuwanakurissi at 6-30 A.M. to-morrow.

CHERPALCHERI,
12th February 1892.

(Signed) M. DAMODARAN NAIR,
Supervisor.

APPENDIX XXII (5).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 25th February 1892, No. 2356.

In forwarding the marginally-noted papers for your information and such action as you may consider necessary to take in the public interests, I have the honour to express my opinion that the misconduct of the Adhikari of the Trikideri amsam, Walawanád taluk, as established by his own writings, is deserving of exemplary punishment.

* Extract from arzi No. 2229, dated 17th February 1892, from the Supervisor, Revenue Settlement Party No. VI, with copies of its enclosures.

2. I shall feel obliged by your furnishing me with a copy of your orders on the subject.

APPENDIX XXII (6).

From M.R.Ry. M. DAMODARAN NAIR, Supervisor, to the Special Settlement Officer, Malabar and South Canara, dated Camp Kuruvambalam, 6th March 1892, No. 2384.

I beg to state as follows.

2. At para. 2 of my arzi No. 2229, dated the 17th February 1892, I remarked that, on the 12th idem, I sent a notice to the village officials of Trikideri amsam for service on the ryots of that amsam and return to my office before the 18th idem. This notice has not been received back up to date. The village officials have therefore disobeyed my lawful direction. I do not wish any longer to have communication with them.

APPENDIX XXII (7).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 10th March 1892, No. 2506.

In continuation of my letter No. 2356, dated the 25th February 1892, I have the honour to forward a further * communication from the Supervisor of this party disclosing continued misconduct on the part of the village officials of the Trikideri amsam of the Walawanád taluk. I must request you to be so good as to take necessary action at a very early date.

* Arzi No. 2384, dated the 6th March 1892.

2. The arzi referred to at the beginning of para. 2 of the enclosure to this letter formed one of the papers forwarded to you with letter No. 2356, dated the 25th February 1892, quoted *supra*.

APPENDIX XXIII (1).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Supervisor, Revenue Settlement Party No. VI, dated Perintalamanna, 5th December 1891, Ref. No. 29311 Mis.

I understand from my village officials that the attendance of the Menon and a peon is insisted upon when you or your Head Classifier go out for inspection in the amsams. I see no provision for this in the Settlement Rules. Please let me know if the presence of the Menon and a peon is absolutely necessary and what work these are expected to do in the course of your or Head Classifier's inspection.

APPENDIX XXIV (2).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 30th November 1891, Ref. on No. 2530 C.&D.

In reference to para. 2 of your Proceedings No. 1640, dated the 28th instant, I beg to state that I had issued instructions to the Menon of Pulakkattiri amsam to attend to his revenue work from 6 to 10 A.M. till the arrears were cleared, but my Divisional Officer having recently intimated to me that this time would not suit the Settlement Department, I have countermanded my orders.

APPENDIX XXIV (3).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 27th February 1892, No. 2384.

In continuation of my letters, Nos. 2368 and 2370, dated 26th February 1892, I have the honour to bring to your notice another instance of the duplicity of the Tahsildar of Walawanád.

2. With his arzi No. 1502, dated 25th November 1891, the Supervisor brought to my notice that the Classifier then employed in the Pulakkattiri amsam was being seriously obstructed in his work on account of (1) the permanent Menon being ill and having applied for 14 days' leave, (2) the incompetency of the substitute and (3) because the Tahsildar appears to have given orders to the village officials of this amsam (as also to others) to attend to the amsam work from 6 to 10 A.M. every day.

3. With my endorsement No. 1641, dated 28th November 1891, I forwarded copy of the Supervisor's arzi read above with copy of my order thereon No. 1640, dated 28th November 1891, to the Tahsildar and requested him to report whether, as alleged, he had ordered the Menon of the Pulakkattiri amsam to attend to amsam work between 6 and 10 A.M.

4. The Tahsildar replied in his Reference on No. 2530 C.&D., dated 30th November 1891, in which he wrote:—

"I beg to state that I had issued instructions to the Menon of Pulakkattiri amsam to attend to his revenue work from 6 to 10 A.M. till the arrears were cleared; but my Divisional Officer having recently intimated to me that this time would not suit the Settlement Department I have countermanded my orders."

5. It will be observed that, though the Supervisor had distinctly recorded in his arzi, copy of which the Tahsildar had before him when he wrote his reply, dated 30th November, quoted above, that the Tahsildar "appears to have given orders to the village officials of this amsam as also to others," &c., the Tahsildar carefully concealed the fact that he had by his general order No. 10837, dated 9th November 1891, copy of which was forwarded to you with my letter, No. 2368, dated 26th February 1892, given general instructions to all village officials and not only to the Menon of Pulakkattiri amsam.

6. As pointed out in my letter No. 2370, dated 26th February 1892, this Tahsildar behaved in exactly the same way when asked to report regarding the Arakkuparamba Amsam Menon's absence, concealing in that case also the fact that he had all the time kept both you and myself in the dark regarding his unauthorized general order No. 10837, dated 9th November 1891.

7. There is nothing in his reply No. 2530 C.&D., dated 30th November 1891, to show that he had issued any such general order and his explanation that having recently received intimation from you "that this would not suit the Settlement Department" he had countermanded his orders is so cunningly worded as to give no indication that the countermanding order referred to anything but the case of the Pulakkattiri Amsam Menon. Further comment would appear to be unnecessary.

APPENDIX XXV (2).

From M.R.Ry. M. DAMODARAN NAIR, Supervisor, to the Tahsildar of Walawanád, dated Cherpalcheri, 18th December 1891, No. 1709.

With reference to your Reference on Mis. No. 11531, dated the 14th instant, I have the honour to state as follows.

2. I understand that there is an anicut across the "Thuppanad river" in Kalladikod amsam which is reported to have been constructed some years ago by a Mussalman, named Mahomed Sahib, pattadar No. 268 of that amsam, by means of which the pattadar not only irrigates his own wet land but also those of others in the amsam. For purposes of Settlement connected with this amsam it is necessary to have information connected with this anicut. I therefore request you will be so good as to furnish me with complete information regarding the same if you are in a position to do so. Information on the following heads among others is necessary.

(*a*) In what year it was constructed and whether it was constructed with the permission of Government or not.

(*b*) If permission was granted, whether it was granted free or on payment of any remuneration; the extent and nature of remuneration, if any, should be known.

(*c*) Whether he is obliged to fulfil any conditions as long as he derives benefit from this anicut.

3. As the field operations connected with this amsam have almost been completed, I hope you will give me the information at your earliest convenience if you will ever give me the same at all.

APPENDIX XXV (5).

Reference on Mis. No. 11531.

Returned to the Supervisor. The necessity for the information sought is not apparent and the points on which it is required are not clear.

(Signed) S. ANANTA PATTAR,
Tahsildar.

14th December 1891.

APPENDIX XXV (6).

PROCEEDINGS of the Special Settlement Officer, Malabar and South Canara, dated 26th February 1892, No. 2373.

Read Supervisor's arzi No. 2001, dated 30th January 1892, with enclosures.

The Supervisor should report at once whether he has yet received any reply to his letter, No. 1709, dated 18th December 1891, from the Tahsildar regarding the anicut referred to, and, if so, a copy of the reply should be submitted.

2. The Supervisor apparently sent the Tahsildar a reminder on the subject on a post-card No. 1829, dated 13th January 1892. A copy of the reminder should be submitted to the undersigned at once.

3. If any further communication on the subject has been had with the Tahsildar since 13th January 1892, copies of the same should also be submitted.

4. If no reply has yet been received from the Tahsildar, the Supervisor need have no further communication with him on the subject, as, on receipt of the Supervisor's reply to this Proceedings, all necessary action will be taken by the undersigned.

5. In future in writing to the Tahsildar on any subject, the Supervisor must be particular to use no expressions likely to cause offence. Thus the last ten words of his letter No. 1709, dated 18th December 1891, were unnecessary and objectionable, viz., the words "if you will ever give me the same at all," though the undersigned makes every allowance for the provocation received by the Supervisor.

(Signed) A. E. CASTLESTUART STUART,
Special Settlement Officer, Malabar and South Canara.

APPENDIX XXV (8).

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant Collector of Malabar, dated Coimbatore, 1st March 1892, No. 2444.

I have the honour to bring the following facts to your notice for the favour of early action.

2. Classifier M. S. Koneri Rao was engaged in Settlement work in the Kalladikod amsam of the Walawanád taluk in December last. On the 8th December 1891, in his arzi No. 260, copy of which with translation forms Appendix A, he brought to the Supervisor's notice the existence of an anicut across the Thuppanad river in the Karimba desam and furnished the Supervisor with such particulars regarding it as he had been able to obtain.

3. The Supervisor forwarded this arzi with his endorsement No. 1669, dated 10th December 1891, to the Tahsildar "for favour of information regarding this anicut," adding "presumably the anicut was constructed with the sanction of Government; but it is desirable to know the circumstances under which it was constructed and what, if any, income Government derived or is deriving on its account" and requesting the Tahsildar to return the Classifier's arzi with the information asked for at the Tahsildar's earliest convenience.

4. The Tahsildar's reply, dated 14th December 1891, was scribbled in red ink across the paper. It runs as follows:—"Ref. on Mis No. 11531. Returned to the Supervisor. The necessity for the information sought is not apparent and the points on which it is required are not clear."

5. The Supervisor replied in his letter No. 1709, dated 18th December 1891, copy of which forms Appendix B. Having received no answer from the Tahsildar up to the 13th January 1892, the Supervisor sent him a post-card, No. 1829, dated 13th January 1892, requesting the Tahsildar to send an early reply. Up to yesterday the Tahsildar had not taken the slightest notice of these legitimate requests for information which is required for Settlement purposes and which were properly made by the Supervisor in pursuance of his public duty to the local Revenue subordinate who might reasonably be supposed to be in a position to supply what was wanted.

6. I have instructed the Supervisor to hold no further communication with the Tahsildar on this subject as I cannot permit him to be insulted any longer by Mr. Ananta Pattar.

7. I must request you to be so good as to order this Tahsildar to furnish the Supervisor with the requisite information at once and to report the fact of his having done so. I shall feel obliged by your requiring the Tahsildar to submit to you any explanation he may desire to offer for his culpable neglect to answer the Supervisor's urgent reference. His disregard of three communications on the subject which would not have been made had there been no necessity will, I hope, meet with your grave displeasure.

8. The tone of the Tahsildar's gratuitously offensive endorsement quoted at para. 4 *supra* also demands serious notice. Athough "the necessity for the information sought" may not have been "apparent" to this Tahsildar, who is as singularly ignorant as he is conspicuously insolent and obstructive, the reference itself was perfectly "clear" to any ordinary mind. A perusal of the Classifier's arzi and the Supervisor's endorsement, both of which the Tahsildar had before him when he penned his "Ref. on Mis. No. 11531, is conclusive proof of the fact. Unless, therefore, the Tahsildar wishes to be credited with inability to comprehend plain language, he must be held responsible for the disingenuousness of his crude criticism.

APPENDIX XIX (1).

To the Taluk Cutcherry, Walawanád.

Athrayil Kunju Nair, who has been appointed as Acting Menon of Kotur amsam, submits as follows:—In accordance with the order, dated 27th October 1891, No. 10374, I went to the Adhikari on the 31st idem, and thence we together to the Classifier and afterwards took charge of the records from the permanent Menon, Thappunni Nair. I remained with the Classifier and attended to my work on that day. On the 1st and the 2nd November I went with the Classifier for work and on the evening of the 2nd the Classifier told me that there would be work only after the noon of the 3rd. On the morning of the 3rd, when I went to the Classifier with records for the preparation of the register, he wanted me to get him the patta and pymash numbers of a certain paramba having fruit trees, and, as the same could not be found out on a search therefor having been made in the counterparts of pattas, I told him that the paramba might be one for which janna had not been fixed. Thereupon he said "what do you know? You will be of no service to me in my work." In reply to which I asked him how I could give him the patta and pymash numbers of the paramba without the patta. Then he saying "under whose orders did you come here to work with me? If you sit by me to work, I will shove you out"; threatened me most disrespectfully and threw the amsam records into the courtyard. I picked up the records and standing a while by his side returned. I, therefore, humbly beg for orders per bearer as to what I should do in the matter.

(Signed) KUNJU NAIR,
Acting Menon.

3rd November 1891.

True copy submitted to the Special Assistant Collector of Malabar for orders. This complaint was handed over to me by the Adhikari when I went to the amsam for jamabandi work. The Adhikari corroborated the Menon's story. The Settlement subordinates treat amsam officials as their subordinates and this leads to much frictional and unnecessary correspondence. If the Menon's allegations are true, the Classifier is guilty of a criminal offence.

(Signed) S. ANANTA PATTAR,
Tahsildar.

PERINTALAMANNA,
7th November 1891.

Ref. No. 1075 Mis. D.

Forwarded to the Special Settlement Officer, Malabar and South Canara, for favour of remarks.

(Signed) J. K. BATTEN,
Acting Special Assistant Collector.

APPENDIX XII (1).

To the Office of the Second Revenue Inspector.

The Menon of Vettattur amsam submits as follows:—

As the Classifier of the Revenue Settlement has commenced work in this amsam on the 3rd of this September and as I am engaged in work with him from 7 A.M. to 6 P.M. every day from the 3rd idem, I have not been able to measure the Kanni Palliyal up to this time, and on this account I am also prevented from measuring the gingelly cultivation, &c. As it is probable that reminders will be sent by coolies when the accounts are not received in time and as I shall be liable to pay the coolies in that case which is very grievous to me, I beg for orders of remedy in the matter.

(Signed) SANKARA MENON,
Menon.

15th September 1891.

Report No. 322.

Submitted for perusal. Requests for orders to the Adhikari to look after the Menon's work also.

(Signed) D. GOVINDA MENON,
Second Revenue Inspector.

Ref. on C. No. 9665 Mis.

True copy forwarded to the Special Assistant Collector of Malabar for information. I think it will be much better to prescribe, in consultation with the Special Settlement Officer, the hours of working as there seems at present no fixed time for work and frequent complaints are therefore made by village officers.

PERINTALAMANNA,
26th September 1891.

(Signed) S. ANANTA PATTAR,
Tahsildar.

From A. E. CASTLESTUART STUART, Esq., Special Assistant Collector, Nílgiris and Malabar, to the Collector of Malabar, dated Coimbatore, 13th May 1891, No. 283.

I have the honour to acknowledge the receipt of the copy of your Proceedings No. 339 R., dated 8th May 1891, and to thank you for directing the amsam officials to render the Settlement officials all the necessary assistance as prescribed in the Settlement Manual. If they obey that direction, nothing more is expected or required of them by this department.

2. As observed by you there is not the slightest necessity for the appointment of Gumastah Menons in the Walawanád taluk and the entertainment of such men is not approved by the Board of Revenue. I am at a loss to understand why the present Tahsildar of Walawanád should have recommended the employment of these men, for, on a suggestion of the kind recently made to me by him, I pointed out that there was no necessity for the adoption of such a course. An extract from my Proceedings No. 162, dated 21st April 1891, containing my remarks on the subject is appended for your information.

3. Each Classifier is required to classify and write up the register for 175 acres—wet and dry—daily. Taking twenty-four days as the number of working days in an ordinary month, each Classifier would complete some 4,200 acres in a month. There are few amsams of greater extent. Consequently, provided the amsam officials give the requisite aid, each set of amsam officials would not be required to assist the Classifiers for more than a month. As the Classifiers have to go through every field, the Amsam Menons would be afforded the opportunity of becoming thoroughly acquainted with the existing conditions of their amsam with which many of them appear to be inadequately familiar. Moreover some of these officials do not live within the limits of their jurisdiction—a course which I believe is opposed to explicit orders on the subject.

4. I am not aware that the Classifiers have taken any undue advantage of their position, or have demanded more than legitimate assistance. Strict instructions have been issued frequently on the subject, and, if any such case were established against any of the Classifiers, I should be glad to punish them severely. I am again issuing strict orders on the subject and should be glad if, on receipt of complaints against any of my subordinates, you would kindly furnish me with particulars so that the necessary inquiries and action may be taken. I may state that I have been inundated with complaints against the village officials for failing to do what they are required to do by the Settlement Manual which is published under the orders and authority of of Government. If the village officials will only attend to the duties therein specified, my subordinates will have no cause for complaint, and, if I find any of the latter endeavouring to get the village officials to do more than their legitimate duties, they will be punished. I may add, for your information, that I have had the greatest possible difficulty in getting correct figures for several amsams and this difficulty has been mainly caused by the apathy or ignorance and incompetence of the village officials concerned. Many of these persons do not appear to be accustomed to hard daily work in the sun, and, when required to perform it, are ever ready to prefer groundless complaints which there is a tendency on the part of some Subordinate Revenue officials to view not unfavorably. Their accounts are often hopelessly incorrect and have been pronounced by Government to be practically valuelesss. I trust therefore that you will not permit yourself to believe any such complaints against my Classifiers unless they have been duly established. Up to date the only complaint against any of the members of this party that has been preferred to my knowledge relates to Ayyakkat in the Pálghat taluk and that complaint is being thoroughly investigated. I have myself prosecuted one of my Classifiers for falsifying his diaries and cheating and succeeded in getting him convicted. As you are aware, the operations of the Settlement Department are always viewed with disfavor, and where, as in Malabar, the village officials are themselves frequently interested in obstructing our work as far as they can, it is natural to expect groundless complaints on their part.

No. 284.

Copy, with copy of the Collector's Proceedings No. 339, dated 8th May 1891, communicated to the Supervisior for information and guidance.

2. The Supervisor will issue strict orders to every Classifier that, if he is found to be demanding more than legitimate assistance from the village officials, he will be severely punished. The village officials are bound to render the assistance specified in the Settlement Manual and the Classifiers are entitled to require them to render it, but the Classifiers must be careful not to exceed their authority.

(Signed) A. E. CASTLESTUART STUART,
Special Assistant Collector, Nílgiris and Malabar.

Reference on the above, dated 9th June 1892.

Mr. Stuart's complaints against the Tahsildar of Walawanád will be referred to the Collector of Malabar for report, which should be submitted together with the explanation of the Tahsildar.

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Collector of Malabar, with Mr. Stuart's letter
and 26 appendices (to be returned).

READ—the following letter from A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated Coimbatore, 7th April 1892, No. 61 :—

In continuation of my letter No. 2246, dated the 13th February 1892, and with reference to Board's Proceedings (Revenue Settlement, Land Records and Agriculture), dated the 1st March 1892, Mis. No. 2092, I have the honour to state that, of the fifteen statements, which, in my letter No. 1591, dated the 20th November 1891 (copy of which was submitted to the Board with my letter quoted above), I requested the Acting Collector of Malabar to be so good as to furnish me, or to direct the Tahsildar of Walawanád to furnish me, for Settlement purposes, *nine* statements, viz., Nos. 3, 4, 5, 6, 8, 9, 10, 13 and 14, were furnished by the Tahsildar with his vernacular arzi, dated the 29th February 1892, Ref. No. 2554 C.&D., and *one*, viz., statement No. 7, by the Acting Collector with his letter No. 305 Genl., dated 26th March 1892. Of the remaining five statements, viz., Nos. 1, 2, 11, 12 and 15, the Tahsildar promised to furnish the last three in due course, but the first two, he says, he cannot furnish, and, unless the Board is pleased to issue the necessary orders, there is apparently not the slightest prospect of my being ever furnished with them.

2. The reason assigned for the Tahsildar's inability to furnish me with statements Nos. 1 (Desamwar statement showing the area, Government, Inam and Poramboke) and 2 (Desamwar statement showing the latest agricultural statistics of the taluk, such as population, number of houses, cattle, pattas and ryots) is that "desamwar accounts have never been maintained in the taluk." Before proceeding to show how far this excuse of the Tahsildar can be accepted, I beg to invite the special attention of the Board to Appendices I and II to this letter, which are a true translation of the Tahsildar's arzi and a true copy of the Acting Collector's letter above referred to, respectively, and to observe—

(i) that a copy of my letter, No. 1591, dated the 20th November 1891, requesting the Acting Collector to be so good as to furnish me, or to direct the Tahsildar to furnish me, with the fifteen statements therein mentioned, was duly

communicated to the Tahsildar with the Collector's endorsement, No. 4298, dated the 30th November 1891, but that from that date up to the 29th February 1892, when he sent me *all* the statements that had up to that date been prepared, *i.e.*, for a period of *three* months, the Tahsildar prepared only *nine* statements and promised that three more, which he admits can be prepared from the taluk records, would be furnished in due course. I may here observe that these three statements have not yet been furnished, though more than a month has elapsed since he promised to furnish them;

(ii) that the Tahsildar so ambiguously worded his arzi to me that he induced me to suppose that his inability to furnish me with the remaining statements, viz., Nos. 1, 2 and 7, was due to his not having the necessary records in the taluk, that these records were in the Collector's office and that therefore he had submitted a report on the subject to the Collector;

(iii) that whereas, as a matter of fact, the records in the Collector's office were only necessary to prepare one statement, viz., No. 7, which was accordingly prepared and furnished me from the Collector's office, and his inability to furnish the other two statements, viz., Nos. 1 and 2, was really due to the taluk accounts not having been prepared desamwar, which fact it did not suit the Tahsildar's purpose to state plainly in his arzi to me for reasons stated in para. 3 *infra*; and

(iv) that the Collector, to whom the Tahsildar reported his inability to prepare statements Nos. 1 and 2 on account of the reason above referred to, did not apparently deem it necessary to take any other action in the matter beyond merely communicating to me the Tahsildar's representation.

3. As regards the Tahsildar's excuse that "statements 1 and 2 cannot be furnished as desamwar accounts have never been maintained in the taluk" and the apparent impression of the Collector that the only action that was necessary for him to take in the matter was to merely communicate to me the fact that the Tahsildar had reported to him his inability to furnish the accounts in question on the ground that taluk accounts had never been maintained desamwar and not to direct the Tahsildar to immediately get his taluk accounts prepared desamwar and furnish me with the statements required for Settlement purposes, I think I need only point out to the Board the following facts to enable it to pass necessary orders on the subject:—

(i) Government decided that *desams* and not amsams should be the unit of village administration and that Settlement registers should all be prepared *desamwar* and not amsamwar;

(ii) that when Settlement operations were extended to the Pálghat taluk, the first taluk in the Malabar district that was brought under these operations, several serious difficulties were experienced in bringing the Settlement registers into accord with the revenue accounts owing to the latter not having been maintained desamwar, and I brought them to the notice of the Board in my letter, No. C. 143, dated the 18th September 1890. The Board was thereupon pleased to communicate a copy of my letter to the Collector of Malabar "with the request that arrangements might be made for examining the accounts of holdings, &c., in the other taluks and for setting them right where necessary before the Settlement Party begins work in those taluks."

(iii) When Settlement operations were extended to the Walawanád taluk, I issued detailed instructions to the Tahsildar of that taluk informing him of what was required of him and his subordinates to facilitate the progress of the Settlement operations in his taluk. A copy of these Proceedings No. 1961, dated the 17th March 1891, forms Appendix III. A perusal of paras. 4 to 9 of these Proceedings will, I trust, convince the Board that I distinctly requested the Tahsildar "to instruct the Karnams of all the amsams in his taluk to prepare accounts for *each desam separately* from their present amsam accounts," and that I specifically mentioned the names of those accounts which I wished him to have prepared desamwar for Settlement purposes. I was under the impression that the Tahsildar was having these necessary accounts prepared desamwar as requested until December 1891, when one of my Classifiers brought to my notice that the revenue accounts of the amsam in which he was engaged had not been prepared desamwar and in support

of his statement submitted in original his takid to the Menon asking him to explain his omission to prepare the accounts of his amsam desamwar and the Menon's explanation. Copies of the file of correspondence * which took place on this subject form Appendix IV, from which the Board will, I hope, be pleased to see that the Tahsildar has admitted his disobedience of orders, but has attempted to justify it by saying (firstly) that the instructions issued were not clear; (secondly) that the Menons were otherwise engaged and (thirdly) that he had not been supplied by me with the requisite quantity of stationery! I leave it to the Board to judge from the papers whether the attempt made by the Tahsildar to justify his disobedience of my orders has not aggravated his offence and whether the tone of his arzis to me is not most impertinent. I request that serious notice may be taken of this Tahsildar's misconduct. I may state that the instructions issued in my Proceedings No. 1961, dated the 17th March 1891, have all been deliberately disobeyed by this Tahsildar, and he has conducted himself most insultingly towards me and my subordinates. On this subject I am separately submitting a report to the Board in obedience to the command of His Excellency the Governor, to whom I personally complained of some of the friction caused by this Tahsildar's obstruction to the progress of Settlement work in his taluk.

* (1) Classifier's takid to Menon, dated 30th November 1891, with Menon's explanation at foot.
(2) My Proceedings No. 1810, dated 19th December 1891.
(3) My reminder No. 1993, dated 16th January 1892.
(4) Tahsildar's arzi, No. 95 C.&D., dated 26th January 1892.
(5) My Proceedings No. 2417, dated 29th February 1892.
(6) Tahsildar's arzi No. 320 C.&D., dated 6th March 1892.
(7) My Proceedings, No. 2598, dated 22nd March 1892.

4. I regret to have to trouble the Board with this complaint, but, as Mr. Dumergue has not, so far as I am aware, taken the slightest notice of similar complaints I have already made against this Tahsildar, I have no alternative but to ask the Board to issue such orders as it may deem necessary in the interests of the work I am required to do in the face of the most unprecedented opposition offered by this Tahsildar.

APPENDIX I.

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated 29th February 1892, Ref. on C. No. 2554 C.&D.

The statements which have up to date been prepared in obedience to the Collector's order No. 4298, dated 30th November 1891, endorsed at foot of your letter No. 1591, dated the 20th idem, are herewith forwarded as per the appended list.

I beg to submit that, of the remaining statements referred to in your letter, those numbered 11, 12 and 15, which can be prepared from the taluk records, will be sent in due course. As regards the others a report has been submitted to the Collector direct from here.

APPENDIX II.

From J. W. F. DUMERGUE, Esq., Acting Collector of Malabar, to the Special Settlement Officer, Malabar and South Canara, dated Calicut, 26th March 1892, No. 305-R/Gl.

In compliance with the orders issued from this office on your letter No. 1591, dated 20th November last, the Tahsildar of Walawanád reports that statements Nos. 3, 4, 5, 6, 8, 9, 10, 13, and 14 were forwarded to you on the 29th ultimo; that Nos. 11, 12 and 15 will be forwarded in due course and that statements 1 and 2 cannot be furnished as desamwar accounts have never been maintained in the taluk.

The price lists for the district (statement No. 7) prepared in this office for the marginally-noted grains for 18 years are enclosed.

* Paddy, 1st and 2nd sort.
Rice do.
Ragi.
Horse-gram.

APPENDIX III.

PROCEEDINGS of the Special Assistant Collector, Nilgiris and Malabar, dated 17th March 1891, No. 1961.

In this office letter No. 1692, dated the 24th February 1891, the Collector of Malabar was informed that, under orders of the Board of Revenue, the Settlement operations of this party would be extended to the Walawanád taluk of the Malabar district with effect from the 2nd March 1891, and he was therefore requested to issue the necessary orders to the taluk and village officials of that taluk to render the members of this party the necessary assistance and to furnish them with such records and information as may from time to time be required for Settlement purposes. The Collector has intimated to the undersigned that the necessary instructions have been issued through the Divisional Officer. It is therefore presumed that the Tahsildar of Walawanád has received these instructions. The Officers of this Party are now employed in the amsams about Shoranore, which has temporarily been fixed as the head-quarters of the Supervisor of this party.

2. As it is of the utmost public importance that the members of this department and the local Revenue officials should work in harmony and that the latter should afford the former all lawful assistance, the Tahsildar is requested to issue a circular to all the amsam officials of his taluk requiring them to render all lawful aid to the Settlement officials by furnishing the latter with detailed information and rendering available to them the revenue accounts without which the Settlement registers cannot be prepared. It has been reported that the amsam officials of some of the amsams in which Settlement operations have already been commenced have yet to learn that they are required to perform this duty, failing which they will be severely punished. The Tahsildar will now be furnished with extract from the Settlement Manual published under the authority of His Excellency the Governor in Council so far as they relate to the village Karnams, from which he will understand the nature of the work required from the village officials. The Tahsildar is therefore requested to impress upon his village subordinates the imperative nature of these requirements and will warn them that, should they be remiss in the execution of these public duties, they will not only be severely punished now, but will have little chance of being retained in the public service when the reorganization of the village staff is undertaken along with the introduction of the Revenue Settlement. It should be clearly pointed out that from the dates on which the Classifiers begin Settlement operations in the respective amsams assigned to them for work till the dates on which they may leave the amsams, the amsam officials are not at liberty to leave the Classifiers without express permission previously obtained.

3. All the Classfiers of this party have been authorized to summon the village officers with their accounts and any disregard of such summons will be dealt with as provided for by law. They have also been instructed to furnish the village officers, when summoned by the Tahsildar or other competent authority, with the requisite memorandum as provided for in rule V (2) of section VII, chapter VI, page 66, of the Manual (*vide* extracts appended), and the Tahsildar is requested to adhere strictly to this rule when these officials are permitted to return to their respective amsam.

4. The attention of all the village officers in the taluk should be specially drawn to rules XXVI, XXIX and XXX of section 6, chapter VI, of the Manual. It is most important that the grand total of the revenue demand, as entered in the classification register on the basis of the information furnished by the Menons, should tally with the total demand according to the Karnams' accounts and in accordance with the figures reported by them to the taluk. The experience already gained in the course of the Settlement operations in the Pálghat taluk showed that no reliance whatever could be placed on the information furnished by the Menons of that taluk. In the first place the total revenue demand for the amsam, as recorded in the amsam accounts, did not tally with that reported by the village officials to the taluk and which was subsequently reported to this office. Secondly the grand total of all the figures furnished by the Menons in respect of each land entered in the classification register did not tally with that of the amsam accounts and the Menons were unable to satisfactorily explain the discrepancy. This state of things was due to the facts that the Pattaya Prathis had not been duly corrected according to the fasli changes, the alterations having been carried out only in the totals of each patta, but not in respect of the detailed items which make up each patta, and that correct accounts of shifting cultivation had not been maintained. The Menons should first be instructed to see that agreement between their accounts and those furnished to the taluk is established especially in respect of the figures affecting the shifting cultivation and tree tax.

5. The above are only a few of the numerous mistakes which the village Karnams are likely to make while furnishing information from the revenue accounts to the Classifiers; but the experience already gained by the latter in connection with the Settlement operations in the Pálghat taluk and the numerous difficulties which they had to contend against have taught them how best to overcome them. The Classifiers are required to obtain accurate information and this is not possible unless the village officials give correct details. The Tahsildar should therefore instruct all the Karnams of all the amsams in his taluk to prepare the accounts for each desam separately from his present amsamwar accounts. The total figures for the several desams must necessarily tally

with the total figures for the amsam. This course is indispensable as Government has directed that all Settlement accounts are to be prepared desamwar and that in future desams and not amsams will be the units of village administration. When the amsam officials have correctly prepared the desamwar accounts and when the totals of these accounts tally with the amsamwar figures, the preparation of the Settlement accounts will be rendered possible and no difficulty will be experienced in arriving at correct figures. It was also observed in Pálghat that Marapalam registers were not available in certain amsams and that, even where available, they were almost invariably found to be inaccurate, this tending to prove the utter incompetency of the local revenue subordinates. These accounts require special attention. In cases where they are not available for ready reference, they should be prepared in proper form desam by desam. Where such accounts are available, their accuracy must be tested and they should also be prepared desamwar. Similar remarks apply *mutatis mutandis* to shifting cultivation accounts also. In many amsams such accounts were not available, and, even where available, the details and totals under each crop were not forthcoming.

6. It is hoped that the above general remarks will convey to the Tahsildar an idea of what is required and the undersigned trusts that the Tahsildar will make such arrangements in respect of the accounts as will facilitate the progress of the Settlement operations in his taluk. An agreement between the grand total of the classification register and that of the revenue accounts must be insisted upon.

7. The village officials should be required to pay special attention to the case of lands held on special tenures, such as railway, cowl and quit-rent lands, &c. In the case of the first class of lands above referred to, viz., railway lands, the Classifiers should be informed of the several classes of lands under which each of them falls. They should also be required in desams, where such exist, to prepare separate lists for each desam and for each class of the railway lands. Similar remarks apply to quit-rent and cowl lands. The terms on which such lands are held should also be specially noted in the separate lists above referred to.

8. The village officials should be required to submit these separate lists to the taluk office where a consolidated list for the whole taluk should be prepared and submitted to the undersigned in due course. There are numerous other accounts which the Tahsildar will be required to submit to the undersigned in connection with the Settlement operations in his taluk. Regarding these separate instructions will be issued later on. The desamwar accounts which the village officials should now be called upon to submit will facilitate the preparation of the accounts in the taluk where they should be carefully checked with the information availabe in the taluk office.

9. Similar remarks apply to the case of Government escheat lands on which janmabhogam is now collected on behalf of the State. The rate and amount of janmabhogam now levied should be recorded against each item of land entered in the classification register. A separate desamwar list of such lands should also be prepared and submitted through the taluk. In the case of lands regarding which the escheat inquiry has already been commenced, but not completed, or in respect of which no inquiry has yet been commenced, separate lists should be carefully prepared, so that the Escheat Deputy Collector of Malabar may be addressed on the subject. Any other special cases of escheat which the taluk and village officials think require special mention should be separately reported.

10. The Tahsildar is also requested to communicate (with the necessary orders) a copy of these Proceedings to the Deputy Tahsildar of Cherpalcheri, in whose jurisdiction Settlement operations are in progress.

(Signed) A. E. CASTLESTUART STUART,
Special Settlement Officer, Nilgiris and Malabar.

APPENDIX IV (1).

To the Kuruvambalam Amsam Menon.

Have you not received orders from the taluk cutcherry to have the garden and wet land assessment, &c., prepared desamwar separate? If so when did you receive that order? Have you prepared your statement accordingly? Let me know this sharp.

(Signed) N. N. BALAKRISHNA IYER,
Classifier.

KURUVAMBALAM,
30th November 1891.

Reply.

I never received such orders. I was on leave, being ill. When I returned to duty after leave, there was no desamwar accounts prepared.

(Signed) VARIAKUTTI,
Menon.

30th November 1891.

APPENDIX IV (2).

PROCEEDINGS of the Special Settlement Officer, Malabar and South Canara, dated 19th December 1891, No. 1810.

Read Supervisor's endorsement No. 1642, dated the 9th December 1891, submitting Kuruvambalam Amsam Menon's explanation for his failure to keep desamwar accounts.

Copy of the paper read above will be communicated to the Tahsildar of Walawanád for early inquiry and report.

2. In this Office Proceedings No. 1961, dated 17th March 1891, the necessary instructions on the subject were issued to the Tahsildar and in his vernacular order to all the village officials in his taluk, dated 18th May 1891, the Tahsildar promulgated the orders, which, however, do not appear to have been obeyed. It is believed that few, if any, of the village officials of Walawanád taluk have carried out the orders referred to, and the Tahsildar is requested to report how many village officials have up to date done so with any explanation that may be offered regarding the disregard of the orders on the part of the remaining officials.

(Signed) A. E. CASTLESTUART STUART,
Special Settlement Officer, Malabar and South Canara.

APPENDIX IV (3).

Reminder No. 1993.

The Tahsildar is requested to expedite the submission of his reply to this Office Proceedings No. 1810, dated 19th December 1891.

COIMBATORE,
16th January 1892.

(Signed) A. E. CASTLESTUART STUART,
Special Settlement Officer, Malabar and South Canara.

To the Tahsildar of Walawanád.

APPENDIX IV (4).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 26th January 1892, Ref. on C. No. 95 C.&D.

In reply to your Proceedings No. 1810, dated 19th December last, I beg to state that none of my village officials has been able to prepare desamwar accounts as yet as desired by you. In the first place no clear instructions have been given as to what accounts should be reduced into desamwar. Secondly from the beginning of Settlement operations all the Menons had to work uninterruptedly with Classifiers every day which left them no time to attend to this special work. When the Settlement work was finished the Menon had to bring up the arrears of revenue work which greatly accumulated while the Settlement work was in progress. Then commenced the annual jamabandi work of the taluk which is now being conducted by the Sub-Collector. The collection of revenue which commenced from October last in this taluk has also stood in the way of the Menons in preparing the desamwar accounts. Thus you will see that since the commencement of Settlement work in this taluk there was hardly any time for the Menons to undertake the writing of desamwar accounts. As soon as the pressure of work is lessened I shall issue fresh orders to the Menons to set to work in reducing the amsamwar accounts into desamwar and I request that I may be furnished with clear instructions as to which of the village accounts you wish to be so handled. I also beg to request that the requisite amount of stationery may be supplied.

2. I take this opportunity of bringing to your notice that the marginally-noted accounts already contain the desamwar particulars and I presume that, what you now desire me to do, is to group together all lands in each desam with the assessment thereon in each separate book. I beg to know if this view is correct.

1. Pattaya Prathi.
2. Nilam register.
3. Paramba register.

APPENDIX IV (5).

PROCEEDINGS of the Special Settlement Officer, Malabar and South Canara, dated 29th February 1892, No. 2417.

Read arzi from the Tahsildar of Walawanád, dated 26th Jan. 1892, Ref. on C. No. 95 C.&D.

The Tahsildar admits that none of the village servants have yet obeyed the instructions issued nearly a year ago in this Office Proceedings No. 1961, dated 17th March 1891, which was translated and circulated by the Tahsildar with his Ref. on No. 705 C.&D., dated 18th May 1891.

2. Two excuses are offered for the alleged inability of the village servants to carry out those instructions, viz.—

(1) that "no clear instructions have been given as to what accounts should be reduced into desamwar" (*sic*) and

(2) that "since the commencement of Settlement work in the taluk, there was hardly any time for the Menons to undertake the writing of desamwar accounts."

Neither of these excuses can be accepted.

3. It will be remembered that one of the excuses personally tendered to the undersigned by the Tahsildar for not having taken necessary action to issue the instructions contained in this Office Proceedings No. 1961, dated 17th March 1891, until 18th May 1891, was that the Tahsildar wished himself to draft the translation in Malayalam and that his order to the village servants, Ref. on No. 705 C.&D., dated 18th May 1891, was accordingly drafted by himself. He then entertained no doubt as to the clearness of the instructions, for presumably he could not have translated what he did not understand, nor did he give the undersigned the slightest hint that he did not understand the instructions which he had translated. Moreover his own translation, to which he is referred, is perfectly clear.

4. The second excuse is obviously absurd. All the Menons have not been simultaneously employed with the Classifiers since the commencement of Settlement work in the Walawanád taluk, but some have been employed for a few weeks at one time and others for a few weeks at other times. It is certain that, assuming that the amsam accounts were correct and that the Menons were acquainted with their desams—and this may very likely be an unwarranted assumption in the Tahsildar's taluk—each Menon could have prepared desamwar accounts from his amsam accounts in a few days had he chosen to do so, or had the Tahsildar taken the least trouble to see that the provisions of his own circular order, dated the 18th May 1891, were obeyed.

5. In any case, it is significant that it was not until after the lapse of some ten months from the date of the issue of the instructions regarding desamwar accounts and of a month after it came to the knowledge of the undersigned from other sources that desamwar accounts had not been prepared for a particular desam and until the Tahsildar was called upon to explain the particular omission that, for the first time, the Tahsildar reported that in no single instance had desamwar accounts been prepared for the two reasons alleged. It was clearly the duty of the Tahsildar—had those reasons been real—to have brought the facts to notice months ago.

6. What is urgently required is a certified copy of all the revenue accounts for the fasli written up desamwar and the Tahsildar is requested to make adequate arrangements to supply such accounts for Settlement purposes without further delay.

7. It is not the function of the Settlement Department to provide the Revenue Department with stationery. If the Tahsildar requires more stationery than he has been supplied with, he should submit his indent to the office from which he usually obtains his supply.

8. It is observed that the Tahsildar has not noticed in his arzi under reply the remark of the Kuruvambalam Amsam Menon to the effect that he had never received any orders regarding the preparation of desamwar accounts. The Tahsildar led the undersigned to believe that he had circulated his general order, Ref. on No. 705 C.&D., dated the 18th May 1891, to all village servants. This particular Menon denies that any such orders were communicated to him. The Tahsildar is requested to report on this point. Of course, village officials cannot be held responsible for disobedience of orders if they have not received them. The responsibility in such cases rests with the Tahsildar or other Subordinate Revenue officials if they have been remiss in issuing the orders.

(Signed) A. E. CASTLESTUART STUART,
Special Settlement Officer, Malabar and South Canara.

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APPENDIX IV (6).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 6th March 1892, Ref. on C. No. 320 C.&D.

Referring to para. 6 of your Proceedings No. 2617, dated 29th February last, asking me to prepare desamwar accounts, I beg to forward, herewith, a list of all revenue accounts now maintained in amsams and to request that you will be good enough to let me know if all these accounts require to be written desamwar and if not to mark out those that are so required. Had clear instructions been conveyed in your Proceedings No. 1961, dated 17th March 1891, as to what accounts you desired to be prepared desamwar, instead of leaving the Tahsildar to guess it, some little progress could have been made by this time in this direction.

2. I respectfully beg to state that my translation of your Proceedings referred to in para. 2 *supra* could not possibly contain more information than what was conveyed in the Proceedings themselves and the Proceedings were unfortunately not quite explicit regarding the accounts required to be written desamwar.

LIST showing the particulars of registers that are being maintained in the amsams attached to the Walawanád taluk cutcherry.

	Description.	NO.
No.	1. Register of wet lands	1
„	2. Register of paramba lands	1
„	3. Marapalam register to bring to account the taxable trees from out of the under-aged trees	1
„	4. Register showing the extent cultivated under each crop	1
„	5. Register of mines and quarries	1
„	6. Patta transfer register No. 4	1
„	7. Pattaya Prathi register	1
„	8. Register of daily collection No. 13	1
„	9. Theruttu showing the abstract of collections from each individual ..	1
„	10. Register of kist collections	1
„	11. Register of rent roll No. 23	1
„	12. Register showing Government lands rented on pattam	1
„	13. Quit-rent register	1
„	14. Register showing railway lands rented on pattam	1
„	15. Cowle register	1

(Signed) S. ANANTA PATTAR,
Tahsildar.

8th March 1892.

APPENDIX IV (7).

PROCEEDINGS of the Special Settlement Officer, Malabar and South Canara, dated 22nd March 1892, No. 2578.

Read arzi from the Tahsildar of Walawanád, dated 6th March 1892, Ref. on C. No. 320 C. & D.

The Tahsildar's attention will be drawn to paras. 4 to 9 of this Office Proceedings No. 1961, dated the 17th March 1891, wherein it is very clearly stated that the

Pattaya Prathi,
Shifting cultivating accounts,
Marapalam register,
Register of railway lands,
Register of cowle lands,
Do. of quit-rent lands,
Do. of Government escheat lands,

should be prepared *desamwar*. These instructions have been embodied in the vernacular circular No. 705 C.&D., dated the 18th May 1891, which the Tahsildar himself issued on the subject. In the face of these facts as also of those pointed out in this Office Proceedings No. 2417, dated the 29th February, the Tahsildar's present contention that the instructions issued in this Office Proceedings No. 1961, dated the 17th March 1891, were not clear cannot be accepted.

2. The accounts specified in the beginning of the preceding paragraph form items Nos. 7, 2, 3, 14, 15, 13 and 12 of the list submitted with the Tahsildar's arzi under reference, and the Tahsildar should have them written up *desamwar* without further delay. It is presumed that all the information contained in item No. 1 (Nilam register) is contained in item No. 7 (Pattaya Prathi). If not, it should also be prepared *desamwar*.

3. The Tahsildar's reply to para. 8 of this office proceedings, No. 2417, dated the 29th February 1892, should be expedited.

(Signed) A. E. CASTLESTUART STUART.
Special Settlement Officer, Malabar and South Canara.

To the Tahsildar of Walawanád.

Reference on the above, dated 25th June 1892.

Forwarded to the Collector of Malabar, for remarks, in continuation of Board's reference, dated 9th June 1892, on G.R. No. 3979 of 1892.

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Collector of Malabar, with papers in original (to be returned).

READ the following letter from H. BRADLEY, Esq., Acting Collector of Malabar, to the Secretary to the Commssioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated Calicut, 23rd August 1892:—

I have the honour to return the papers (will follow) forwarded to me with the Board's references on General Register No. 3247 of 1892, dated 25th June 1892, and No. 3979 of 1892, dated 9th June 1892, together with letter Ref. on No. 873 C.&D., dated 11th August 1892, from the Special Assistant Collector, forwarding reports, Ref. on C. No. 1237 C.&D., dated 29th July 1892, and Ref. on No. 1102 C.&D ., dated 29th July 1892, from the Tahsildar of Walawanád.

2. The Special Assistant Collector has entirely refrained from expressing any opinion upon the points at issue between the Settlement Officer and the Tahsildar, but has merely confined himself to explaining that all the papers referred to him by the Tahsildar for orders, upon which no orders have been issued, were sent on to the Collector for instructions, and to taking exception to Mr. Stuart's personal attack upon himself. He states that he received orders, both written and verbal, from Mr. Dumergue to forward all such papers to him. Under the circumstances, as Messrs. Dumergue and Stuart are both so much senior to him, Mr. Batten's action in sending on the papers without comment appears justifiable. I cannot help thinking, however, that, if Mr. Batten had stopped the very first symptoms of insubordination on the part of the Tahsildar by a sharp reproof, the whole of this correspondence would never have taken place. Mr. Batten has not stated when he received the orders from Mr. Dumergue just referred to, but they cannot have been given before the present Tahsildar began to take part in the unfortunate dispute between Mr. Dumergue and Mr. Stuart.

3. I propose first to deal with Mr. Stuart's first letter, dated 7th April 1892, No. 61, Board's General Register No. 3247 of 1892, which formed the subject of the Board's reference dated 25th June 1892. In this letter Mr. Stuart complains that the instructions contained in his Proceedings, No. 1961, dated 17th March 1891, calling upon the Tahsildar of Walawanád to cause the Amsam Menons to prepare certain statistics desamwar, and that the requests made in his letter to the Collector, dated 20th November 1891, No. 1591, were neglected, and that the Tahsildar's conduct was insulting. Mr. Stuart's complaint, upon the whole, is in my opinion well-founded. In his Proceedings, dated 17th March 1891, Mr. Stuart issued certain instructions to the Tahsildar of Walawanád which were communicated to the Amsam officials by the Tahsildar on the 18th May, and yet it came

to Mr. Stuart's notice soon after the end of November that the Menon of Kuruvambalam had not received these instructions at all. The Tahsildar was at once called upon to explain, and in his letter, dated 26th January 1892, Ref. on C. No. 95 C. & D. [Appendix IV (4)], to Mr. Stuart's letter, the Tahsildar explained that the Menons had been unable to prepare the accounts required because (1) Mr. Stuart's instructions had not been clear, (2) the Menons had been at work uninterruptedly with the Classifiers and on other duty, and the Tahsildar proceeded to apply to the Settlement Officer for a supply of stationery for the preparation of the accounts. These excuses are absurd. With regard to the first, the Tahsildar should have asked Mr. Stuart to make his instructions more explicit if he did not understand them, and the second is untrue. The demand for stationery appears to have been an intentional piece of impertinence. The Tahsildar then wrote his letter, Ref. on C. No. 320 C. & D., dated 6th March 1892 [Appendix IV (6)] in reply to a Proceedings of Mr. Stuart's, No. 2417, dated 29th February 1892. This letter is most impertinent and its tone most improper, and the Tahsildar must be supposed to understand the meaning of what he was writing as he elected to write the letter in English.

4. To turn to the portion of Mr. Stuart's letter to the Board which deals with his own letter to the Collector, dated 20th November 1891, which was communicated to the Tahsildar on the 30th of that month, Mr. Stuart asked for 15 accounts, 9 of which were prepared and supplied on the 29th February. One could only be supplied from the huzur, and this was done. The Tahsildar promised to supply 3 others, but explains that this promise was lost sight of, and the other two he reported himself unable to prepare. These two accounts were (1) a desamwar statement showing the area, Government, Inam, and Poramboke, and (2) a desamwar statement showing the latest agricultural statistics of the taluk, such as population, number of houses, cattle, pattas and ryots. Mr. Stuart, in para. 2 of his letter, charges the Tahsildar with deliberately leading him to suppose that these statements could and would be prepared in the Collector's office. In my opinion this charge will not stand. I cannot see why it should not have suited the Tahsildar's purpose to state plainly that the accounts desired had not been prepared desamwar as Mr. Stuart hints in para. 2 (iii) of his letter, and the Tahsildar's letter appears to have been despatched when he was absent from head-quarters.

5. With regard to para. 3 of Mr. Stuart's letter, I have to point out that in no portion of his Proceedings No. 1961, dated 17th March 1891, did he direct the Tahsildar to instruct the Menons to prepare Nos. 1 and 2 of the accounts called for in his letter, No. 1561, dated 20th November 1891, and that Mr. Stuart has not succeeded in showing that these two accounts could be prepared from the taluk accounts. He has, however, chosen to obscure the issue by mixing up the accounts called for in the Proceedings of March with those called for in the letter of November, which appear to me to be perfectly separate matters. The result has been that the Tahsildar, in his explanation, Ref. on C. No. 1237 C. & D., has avoided all allusion to the accounts called for in March. I have no doubt that he thoroughly understood that he was called upon to explain both the matters, but having no satisfactory explanation, he has gladly seized the opportunity given to him by Mr. Stuart. The whole file received with Mr. Suart's No. 61 was sent to the Tahsildar and he must have known that there were in reality two charges against him in respect of two separate sets of accounts.

6. With regard to accounts Nos. 1 and 2 (*vide* para. 4 *supra*), I consider the Tahsildar's explanation satisfactory to a certain degree. As to No. 1, this being an unsurveyed district, accurate areas of Government, Inam and Poramboke lands could not be given, though the areas under cultivation might have been supplied. As to No. 2, desamwar statistics of population, houses, and cattle could not have been given. Now that the census figures are supplied, statistics of population and houses can be furnished. Statistics of pattas might have been supplied, and I do not understand what Mr. Stuart wanted when he called for desamwar statistics of ryots. Thus some part of the statistics called for in accounts Nos. 1 and 2 of Mr. Stuart's list might have been supplied.

7. The Tahsildar has chosen in para. 5 of his explanation to state that "no instructions were issued to prepare desamwar accounts." This is scarcely true, *vide* para. 5 of Mr. Stuart's Proceedings No. 1961, dated 17th March 1891:—"The Tahsildar should therefore instruct all the karnams of all the amsams in his taluk to prepare the accounts for each desam separately from his present amsamwar accounts." On the other hand, Mr. Stuart, in his letter No. 61, states: "I specifically mentioned the names of the accounts which I wished him to have prepared desamwar for Settlement purposes," but he did not, as far as I can find, specifically mention by name in that letter the account for the failure to prepare which he found fault with the Menon of Kuruvambalam.

8. Upon the whole I consider that Mr. Stuart's original instructions were wanting in conciseness and clearness; that the Tahsildar, if he was unable to understand them, should have applied for further orders; that his explanation for his failure to have the amsam accounts prepared desamwar is unsatisfactory; that his explanation for his failure to prepare the two first of the accounts called for in Mr. Stuart's letter, No. 1591, dated 20th November 1891, may be accepted, but that he has been most impertinent to Mr. Stuart.

9. To turn now to Mr. Stuart's second letter, No. 161, dated 30th April 1892, twenty-two charges have been formulated against the Tahsildar, and it will, I think, be most convenient to deal with them one by one in the order in which they appear in the letter. Mr. Stuart, in para. 4 of his letter, without formulating a specific charge against the present Tahsildar, states that as long as Mr. Kunhambu was Tahsildar, the Settlement operations went on satisfactorily, but that they began to be obstructed with the advent of the present Tahsildar. He draws special attention to the first four papers of Appendix III to his letter, which are copies of orders issued by Mr. Kunhambu, but he entirely omits to mention that the next four papers of the same appendix, which are copies of orders issued by Mr. Ananta Pattar to the village officers, are quite as peremptory and quite as favorable to the progress of Settlement operations as those of Mr. Kunhambu. Mr. Stuart's first contention, viz., that the present Tahsildar's obstruction began with his advent to the taluk therefore falls to the ground.

10. The first specific charge against the Tahsildar, in Mr. Stuart's own words, is "that he deliberately delayed for about two months to issue instructions which I had expressly asked him to issue to all his village subordinates in the interests of the operation of this Party; that, when after the lapse of two months he chose to take some action, he did not issue the instructions to all the Menons of his taluk; that, when this omission was found out and he was questioned on the subject, he answered in a manner to mislead me to believe that they had been issued to all the Menons; and that, when this belief was subsequently found to be erroneous and he was asked to explain, he deliberately refrained from answering, though more than four months have elapsed since he was first asked for his explanation, and he was subsequently reminded of it on no less than three occasions."

In the first place Mr. Stuart has omitted to notice the fact that the present Tahsildar did not take charge of the taluk until 31st March, a fortnight after the issue of the instructions referred to. He has therefore to account for only six weeks' and not two months' delay. As soon as he took charge he applied for a copy of the orders issued by the Collector quoted by Mr. Stuart in his Proceedings, No. 1961, of the 17th March 1891; he was then on circuit with the Collector until the 20th April. On the 14th May he received the Collector's Proceedings disposing of the question of appointing Gumastah Menons, raised originally by the former Tahsildar, and, on the 18th, he signed his order to the Menons. I do not think that the Tahsildar can be blamed for delaying the issue of his instructions to the Menons while he was waiting for the orders of the Collector upon connected questions raised by his predecessor. There may have been some friction caused by the Menons not knowing what was expected of them, but the Tahsildar cannot be blamed for this, seeing that Mr. Stuart's proceedings was not written until, according to his own showing, Settlement operations had been in progress in the taluk for fifteen days.

With regard to the charge of misleading the Settlement Officer into the belief that the instructions had been issued to all the Menons when such was not the case, Mr. Stuart was not misled for more than 24 hours, for he shows that he received the Tahsildar's "misleading" arzi on the 31st May, and on the 1st June he issued his circular to 27 Menons to ascertain when they received the Tahsildar's circular of the 18th May. Whether these Menons had received this circular or not on the 28th May, when the Tahsildar wrote his arzi received by Mr. Stuart on the 31st, there can be no doubt that it had been issued to them [*vide* Mr. Stuart's Appendix VI (4)] and was received by them all by the 2nd of June. The Tahsildar's Appendix I (*c*) also shows that the circular had been received by all the village officials in the taluk by the 7th June. This portion of Mr. Stuart's first case is therefore bad. The Tahsildar does not appear to have intended to mislead him, and the Tahsildar appears to have been perfectly correct in stating that the circular had been *issued* to the Menons. The statement that the Tahsildar deliberately refrained from replying to Mr. Stuart's call for an explanation is incorrect, as the Tahsildar replied to Mr. Stuart's No. 1810, dated 19th December 1891, and his reminder No. 1993, dated 16th January 1892, in his arzi, No. 95 C. & D., dated 21st January 1892. Mr. Stuart's further Proceedings, No. 2417, dated 29th February 1892, was replied to by the Tahsildar in his arzi, No. 1956, dated 24th April 1892.

11. The second charge is that between the 7th March and the 15th April 1891 the Tahsildar submitted to his Divisional Officer behind Mr. Stuart's back a succession of complaints against Mr. Stuart's subordinates. Mr. Stuart further complains that the Collector on the *ipse dixit* of the Tahsildar issued his Proceedings No. 339 R./Genl., dated 8th May 1891 [Appendix I (*b*) to the Tahsildar' report]. Mr. Stuart then addressed the Collector in his No. 283, dated 13th May 1891, to which he complains he has not yet received any reply. He states that the Tahsildar in addressing the Collector "concealed" the fact that he had already informed him that Gumastah Menons were not needed. Mr. Stuart further says that one of the Tahsildar's objects in submitting these complaints was "to get his proposal to appoint Gumastah Menons nominally 'for assisting the Revenue Settlement Party' as he said, sanctioned" . . . "which he was deliberately desirous to have effected with a view to obstruct the progress of Settlement operations and to create needless friction." Mr. Stuart bases this charge partly on the fact that the complaints against the Classifiers began on the 7th March. He has apparently forgotten that the present Tahsildar only took charge of the taluk on the 31st of that month, so that, with the exception of the last four, all the complaints quoted by him were made by Tahsildar Kunhambu, who was of such great assistance to him in the Settlement operations at their commencement (*vide* para. 4 of his letter). I can see no reason why the Tahsildar should not address his Divisional Officer when he has complaints to make against the Classifiers, but as a matter of fact, the Tahsildar's reports are not really complaints against the Classifiers; they simply detail the difficulties experienced by the amsam officials in obeying both the Settlement and the Revenue authorities, and ask for relief by the appointment of Gumastah Menons. Mr. Stuart's complaint that accusations were made against his subordinates behind his back therefore falls to the ground. I can see no ground for Mr. Stuart's objection to Mr. Dumergue's Proceedings, No. 339 R./Genl., dated 8th May. It is couched in perfectly general terms, and it practically conveys a warning to the Settlement subordinates not to be too exacting in their demands, and to the Revenue subordinates to assist the Settlement as far as possible. As for Mr. Stuart's letter, No. 283, dated 13th May 1891, I enclose a copy of it and in my opinion it requires no answer. It was lodged in this office. There was no concealment by the Tahsildar in addressing the Collector of the fact that Mr. Stuart had stated that Gumastah Menons were unnecessary because the 21st April, the date of Mr. Stuart's Proceedings to the Tahsildar, was subsequent to the last of the Tahsildar's reports on the subject, which was dated 15th April. The charge against the Tahsildar quoted in inverted commas *supra* is absolutely without foundation. There is nothing on record to show that the Tahsildar ever applied for Gumastah Menons "for assisting the Revenue Settlement Party." The applications, so far as I can find out, were always made for the purpose of giving relief to the Amsam Menons, and

Mr. Stuart himself has not stated where he obtained this phrase from. The only place in which I can find it is in the abstracts of the correspondence read in the Collector's Proceedings, No. 339 R./Genl., dated 8th May 1891. Upon this slender foundation Mr. Stuart has built up a theory of deliberate obstruction against the Tahsildar for which I can find no justification whatever. In my opinion the Tahsildar is entitled to be acquitted on the second charge.

12. The third case against the Tahsildar is connected with Mr. Stuart's Proceedings, No. 1953, dated 17th March 1891, by which he suspended a certain Adhikari for misconduct towards a Classifier. Mr. Stuart complains that the Tahsildar made no reply to his Proceedings until 4th April, that he entrusted the inquiry into the case to the Deputy Tahsildar and that the Collector passed his Proceedings, No. 440 P./Genl., dated 1st May 1891 (disposed of in Board's Proceedings, No. 5497, dated 4th August 1891), reinstating the Adhikari upon the Tahsildar's report forwarding that of the Deputy Tahsildar without any reference to the Special Settlement Officer. With regard to the Tahsildar's delay in replying to Mr. Stuart's Proceedings, it must be remembered that he did not take charge of the taluk until the 31st March, and he replied on the 4th April. Under the circumstances, there was no excessive delay. With regard to the inquiry being made by the Deputy Tahsildar, there was nothing in Mr. Stuart's Proceedings to imply that he desired the Tahsildar himself to make the inquiry; it is obvious that, if the Tahsildar had really conceived the deliberate plan of obstructing the Settlement attributed to him by Mr. Stuart in para. 7 of his letter with regard to this particular case, he would have held the inquiry himself and not entrusted it to his deputy. A great portion of Mr. Stuart's remarks on this case is devoted to a discussion of Mr. Dumergue's conduct in issuing his Proceedings, No. 440 P./Genl., dated 1st May 1891, without reference to him. This is entirely irrelevant to the complaints against the Tahsildar, and I know of no reason why the Collector should not reinstate the Adhikari, who had been irregularly suspended by Mr. Stuart without consulting the latter. Upon the third charge therefore I consider the Tahsildar is entitled to be acquitted.

13. The fourth case is a complaint that the Tahsildar did not reply to Mr. Stuart's Proceedings, No. 2058, dated 25th March 1891, until the 7th of May; that the Tahsildar forwarded his report on the case to the Divisional Officer instead of to Mr. Stuart to whom he had been asked to report; and that when called upon to explain his conduct the Tahsildar replied in an impertinent and insolent manner in his arzis, Nos. 1317 and 2075, dated 1st June and 2nd October 1891, respectively. Mr. Stuart further complains that he reported the Tahsildar's conduct to the Collector in his letter, No. 1329, dated 12th October 1891, to which he has received no reply. Mr. Stuart attributes the Tahsildar's subsequent conduct to Mr. Dumergue's failure to reply to this letter, to his neglect to notice the Tahsildar's conduct and to his omission to communicate his Proceedings referred to in the last paragraph confidentially. The Tahsildar's explanation for such delay as there was in replying to Mr. Stuart's Proceedings of the 25th March is that he did not take charge until 31st March and that he did not get the explanation of the Adhikari in the case until 26th April. Under the circumstances there was no great delay on his part. The Tahsildar was, I think, justified in reporting to his Divisional Officer when he recommended the village officials for punishment. The Collector had only recently issued his Proceedings, dated 1st May stating that Mr. Stuart had no authority to punish village officials, and the Tahsildar reported the result of his inquiry to Mr. Stuart and to the Divisional Officer on the same day. The first of the letters to which Mr. Stuart objects, No. 1317 C. & D., dated 1st June, is perhaps not intended to be impertinent. Judging from the other letters written by the Tahsildar, I believe that it was, but read alone it may not be intended to be so; but the letter of the 2nd October, No. 2075, is a most improper one. Hitherto I have never met with or heard of anything of a similar nature from a Tahsildar to an officer in Mr. Stuart's position. The Tahsildar says that it was not intended to be impertinent, and, if it is considered so, expresses his regret for writing it. This explanation is, I consider, unsatisfactory. Mr. Stuart's letter, No. 1329, dated

12th October 1891, was received in this office. It has not been replied to, and I am unable to offer any explanation. The tone of the Tahsildar's explanation upon this case is, in my opinion, somewhat disrespectful.

14. The next charge is that the Tahsildar with a view to support a Menon, who refused to go into the field with a Classifier, deliberately misrepresented facts. It appears that on the 26th February 1891, before the present Tahsildar joined the taluk, the permanent Supervisor of Mr. Stuart's Party applied to Mr. Kunhambu to order the Menons to remain with the Classifiers until the work in each amsam was finished. During the absence of the Supervisor on leave a certain Menon declined to go into the fields with the Classifier, and the Tahsildar supported him in his refusal on the ground that the order issued by his predecessor did not expressly require Menons to work in the fields. This report was accepted at first by the acting Supervisor and by Mr. Stuart and it was not until the return of the permanent Supervisor from leave that the truth was discovered. The Tahsildar explains that he was not aware of his predecessor's order on the Supervisor's first yadast. I do not see why this explanation should not be accepted. Mr. Stuart and his acting Supervisor were mistaken and I do not see why the Tahsildar should not also have made a mistake. Mr. Stuart accuses the Tahsildar of being disingenuous and crafty, but I do not consider he has substantiated his case. He points to the Tahsildar's arzi, No. 1287 C. & D., dated 28th May 1891, one of the enclosures to which was the Supervisor's first yadast, as proving that the Tahsildar knew of its existence, but this arzi by no means proves that the Tahsildar knew of the existence of the yadast when he wrote his arzi of the 14th April, No. 2920, as Mr. Stuart would suggest. The Tahsildar himself says that he did not know of the yadast when he passed his arzi of the 28th May, as he did not look at the list of enclosures, and, if he had really deliberately kept back the existence of the yadast of the 26th February, I cannot see why he should have sent a copy of it to Mr. Stuart with his last arzi. Under the circumstances I consider that the Tahsildar is entitled to be acquitted on this charge.

15. The sixth case is that the Tahsildar wrote an impertinent letter to the Supervisor without examining the facts of the matter. The Supervisor of Mr. Stuart's Party called upon a certain Menon to explain why he had left the Classifier without obtaining the memorandum prescribed by the Settlement Manual. The Revenue Inspector obtained a copy of the Supervisor's requisition and sent it to the Tahsildar, who addressed the Supervisor in a very improper manner. The Tahsildar's lettter forms Appendix X (3) to Mr. Stuart's report and it appears from it that the Tahsildar, without taking the trouble to ascertain the nature of the Supervisor's requisition, informed the latter that, if he insisted on the Menons' attending only to Settlement work to the exclusion of their other duties, he would be compelled to issue orders to his own subordinates to disregard the Supervisor's instructions, which would have a bad effect upon Settlement operations. The Tahsildar endeavours to justify this by quoting a letter of the Supervisor's. In a most disingenuous manner he has neglected to state that the Supervisor's letter was subsequent and written in answer to his own. This explanation, in my opinion, aggravates the Tahsildar's offence, and I consider that he deserves severe censure for threatening to do anything which would have a bad effect on Settlement operations.

16. The seventh is a charge of deliberate obstruction to the Party. On the 1st September 1891, the Menon of Arakkuparamba informed the Classifier that he had received orders from the Tahsildar to absent himself from Settlement work from 6 to 10 A.M. daily, and to attend to his revenue work. On the 7th November Mr. Stuart called upon the Tahsildar to report whether he had done so, and, if so, to explain his conduct, and the Tahsildar, on the 10th November, admitted having done so, and explained that he had been obliged to do so as he found that the Settlement work was interfering with the revenue work of the taluk. In making this report the Tahsildar omitted to state that on the previous day he had issued a circular to all the Menons directing them to absent themselves from Settlement work from 6 to 10 A.M. Previously to this correspondence with Mr. Stuart, the Tahsildar had addressed the Divisional Officer in his endorsement, No. 9665, dated 26th September

1891, upon a report from another Menon stating his inability to do his revenue work on account of having to attend to Settlement work, suggesting that some plan by which the settlement and revenue work might be carried on without prejudice to either, should be devised by the Special Assistant Collector and the Settlement Officer in consultation. When the Tahsildar's circular, dated 9th November, was issued to all his Menons he had received no reply whatever to his reference to the Divisional Officer. The Tahsildar explains that his order to the Arakkuparamba Menon was issued because that Menon was in arrears with his revenue work and that he was not aware that the hours fixed by him would interfere with Settlement work. The Tahsildar says that his order made no difference in the Settlement work of the amsam and bases this statement on the Menon's diary (enclosure to the Tahsildar's demi-official to the Collector, dated 4th December 1891, *infra* para. 35), which he states shows that the Menon worked with the Classifier every day and on all holidays and Sundays. This statement is incorrect, as, although the Menon's diary seems to have been initialled by the Classifier opposite the entry for nearly every day, it also contains a note signed by the Classifier that the Menon worked with the Classifier on the days when there was classification duty and it is not at all clear that there was this duty daily. Moreover, the enclosures to the Settlement Officer's report, dated 12th November 1891, No. 1546, show that the Menon was sick on the 13th August and absent on the 8th and 9th September at the taluk cutcherry and yet the Classifier has initialled the diary on those dates. The Tahsildar explains that in asking the Divisional Officer to arrange some hours for the attendance of Menons upon Classifiers on the 26th September, there was no necessity to mention the instructions given by him to the Arakkuparamba Menon and in this no doubt he is justified; but, in issuing his general circular upon a subject which he had referred to his Divisional Officer before receiving orders, the Tahsildar was assuming authority which he must have known he did not possess, and which he would hardly have dared to do if his Divisional Officer had been stronger and more experienced than Mr. Batten. The Tahsildar says that he issued this circular *bonâ fide* in the interest of revenue administration. However this may be, the circular was quite unjustifiable. The Tahsildar, moreover, showed his disingenuousness in his arzi of the 10th November, No. 2371 C. & D., to Mr. Stuart in that he failed to state that he had issued a circular on the previous day instructing all Menons to do that which Mr. Stuart found fault with in the case of the Arakkuparamba Menon. It is true that the Tahsildar informed his Divisional Officer on the day of his general circular that he had ordered the Menons of the amsams in which Settlement was going on to do revenue work from 6 to 10 A.M., but he did not send a copy of his circular nor mention it and he made no reference to the fact that the question of the hours which should be set apart for Settlement was already before Mr. Batten. Upon the whole it is, I think, sufficiently proved that the Tahsildar issued a most improper order without consulting the Divisional Officer, while the matter was pending the orders of the latter; but I do not consider that it is proved that it was the Tahsildar's intention to obstruct Settlement. The Tahsildar takes exception in his explanation to Mr. Stuart's translation of his circular No. 10837, dated 9th November 1891. He states that an expression meaning "6 to 10 in the morning" has been translated to "6 to 10 every morning" and that "amsam work" has been rendered "legitimate work." This is a mere quibble. Although the circular did not say 6 to 10 every morning, it was clearly intended to bear that meaning. The second objection is unimportant.

17. The eighth charge is that, when the Tahsildar, in his capacity of Taluk Magistrate, summoned one of the Menons to appear as a witness, the Classifier under whom he was working furnished him with the usual memorandum under rule V (3) section VII, of the Settlement Manual, permitting him to leave Settlement and requesting the Magistrate to note the date on which the Menon was permitted to return. The Tahsildar scribbled across the memorandum in red ink that the Classifier's permission is unnecessary to enable a Menon to attend a summons from a court of justice. Mr. Stuart addressed the Tahsildar upon the subject and the Tahsildar replied in his letter, No. 2393 C. & D., dated 21st November. This letter, which forms Appendix XIV (5) to Mr. Stuart's letter, is a most insolent

one. If written by an equal, it would have been obviously intended to cause annoyance, but from a Tahsildar to an officer of Mr. Stuart's standing it is a piece of impertinence unparalleled in my experience. The Tahsildar states that the Classifier's memorandum was written on the back of his summons, and endeavours to justify the remark written across it. He points out that he was acting as a magistrate, and submits that his interpretation that the Settlement Rules required no permission for the Menon to attend the court is not strained. The Tahsildar of course should have furnished the Menon with a memorandum in reply to the one given by the Classifier.

18. The ninth case is similar to the last. The Tahsildar detained a certain Menon from his Settlement duties on the 5th September 1891, and when called upon to explain why he had not furnished him with the prescribed memorandum stated that he was not bound to do so under the Settlement Rules, because the Menon had not left his amsam. The Tahsildar's arzi, No. 2428, dated 18th November 1891, furnishing this explanation is another specimen of his impertinence, and, instead of expressing his regret in his present explanation, he attempts to justify his conduct, thereby aggravating his offence.

19. The tenth case is that the Tahsildar was not prompt in levying the fines imposed by Mr. Stuart on certain Menons, and that he addressed an impertinent letter to the latter officer. On the 20th November Mr. Stuart fined a certain Menon and requested the Tahsildar to report the collection of the fine by the 10th December. As he did not do so, Mr. Stuart sent him a reminder and on the 15th December the Tahsildar, in an impertinent letter (Appendix XVI to Mr. Stuart's letter), explained that the pay bill of the village establishment had not been received. On the 10th December Mr. Stuart fined another Menon, requesting the Tahsildar to report the collection of the fine by the 10th January, and on the 5th January Mr. Stuart fined another Menon. Up to the 26th February the levy of these fines had not been reported. The Tahsildar expresses regret if the Board considers his letter of the 15th December insolent. He further explains the delay in the collection of the fines by the dilatoriness of the village officials in sending in their pay bills; but Appendix X (*f*) to the Tahsildar's explanation shows considerable slackness in the collection of these fines. The latter part of para. 13 of the Tahsildar's explanation is most impertinent. He draws attention to what he is pleased to term the violent hurry exhibited by the Settlement Officer in sending him reminders and the threat used by that officer in his Proceedings forming Appendix X (*b*) to his letter. A Tahsildar has no right to criticise promptitude on the part of his superiors in sending reminders or to characterise it as "violent hurry," and, when a Tahsildar fails to comply with the orders of his superiors, such a Proceedings as Mr. Stuart's No. 1529, dated 11th November 1891 [Appendix X (*b*)] to the Tahsildar's letter, is justifiable and it should not be open to the Tahsildar to criticise it.

20. The next charge is that the Tahsildar attempted to prevent the Supervisor from summoning Amsam officials to give information for Settlement purposes. On the 10th October 1891, the Supervisor issued a notice to a certain Menon to appear before him at Cherpalcheri on the 14th. The Menon on that day reported to the Tahsildar the receipt of the notice and asked for instructions how to act. The Tahsildar forwarded the Menon's report to the Divisional Officer in continuation of a previous report remarking that summonses to village officers ought to be served through him. In the previous report [*vide* Appendix XI (*a*) to his letter], he raised the question whether Menons could be summoned by Classifiers otherwise than through him and announced that he had directed the Menons not to obey any notices which they might receive otherwise than through him. The Divisional Officer approved of the Tahsildar's action, a most unfortunate order in my opinion, as whatever might be the merits of the case, the Tahsildar's action must obstruct the Settlement. Mr. Batten was evidently dissatisfied with his order, for, when the matter came up again in the Supervisor's case, he referred it for remarks to Mr. Stuart on the 6th November, about 10 days after he had endorsed the Tahsildar's action. In his explanation the Tahsildar naturally enough repeats the facts and

shelters himself behind the instructions of the Divisional Officer. His conduct seems to me to have been quite indefensible in that he took upon himself to instruct the Menons to disobey the summonses of the Settlement officials while the matter was pending the orders of the Divisional Officer, and when he must have known that his action must cause annoyance and delay to the Settlement officials. The Tahsildar in commenting upon Mr. Stuart's letter has ignored the fact that Mr. Stuart states that he does not and obviously does not know the nature of the Tahsildar's first reference to the Divisional Officer and of course of the latter's orders thereon.

21. The twelfth charge is as follows. On the 3rd November 1891 a certain Menon complained to the Tahsildar that the Classifier had abused him and throwu his records across a courtyard because he could not supply certain information. The Tahsildar forwarded it to the Divisional Officer with certain remarks (*vide* Appendix XIX to Mr. Stuart's letter) stating that it was corroborated by the Adkihari. He made no inquiry into it, and when it was inquired into, it was found to be false and the Menon was found to have been guilty of misconduct himself. The Tahsildar's error appears to have been in submitting the complaint with general remarks against the Settlement officials without inquiry. The Settlement does not appear to have been prejudiced at all, and if there has been any harm done by the Tahsildar's action, it is, I think, for the Special Assistant Collector and not the Settlement Officer to find fault. The Tahsildar's explanation is neither satisfactory nor respectful.

22. The next case is that the Tahsildar issued a circular to the Amsam officials, dated 10th November 1891, No. 10782 M.P., instructing them that they are not to address Settlement Classifiers by arzi or report, but they are to address them in the terms used by the Classifiers themselves as they are not their subordinates. It is noticeable that this circular was issued on the very same day as that instructing Menons not to attend Classifiers between 6 and 10 A.M. (*vide* para. 16 *supra*). The Tahsildar explains that there was ill-feeling between the Settlement and Village officials and that he thought it would improve matters if he informed the latter that they are not subordinate to the former, and he takes credit to himself for refraining from communicating the purport of two orders from the Collector passed early in May to this effect. He must have known that he was not likely to improve the relations between Settlement and Village officials by his circular and if he really thought it his duty to communicate the purport of the Collector's orders of May to village officials, he most certainly ought to have done it before November. The explanation is, in my opinion, disrespectful in tone and aggravates the Tahsildar's misconduct.

23. The fourteenth is a somewhat similar case. It refers to a circular, dated 15th December 1891, No. 11644, issued by the Tahsildar to the Amsam officials informing them that the Supervisor has no authority to issue orders to them and directing them not to use the word "submit" in addressing the Supervisor. The Tahsildar explains that, on the 1st May 1891, he addressed report Mis. No. 325, asking for instructions as to the relations between Supervisors and Village officers, to which the Collector replied that Supervisors have no authority to issue orders to Revenue officials. He goes on to say that for fear of creating misunderstanding he refrained for nearly 7 months from communicating this order to village officers, but, as the Supervisor became very insolent towards the latter, he thought it necessary to publish it. Of course the Tahsildar has no authority to withhold any order of the Collector's which ought to be communicated to Village officers, and to use his discretion in this manner. The order should have been communicated at once if at all. The Tahsildar goes on to quote, as though this would be any justification, a letter of Supervisor's dated 14th January 1892, No. 1855, and one of Mr. Stuart's, dated 29th February, No. 240, utterly obvious of the fact that these letters were long subsequent to his circular, and then enters into a diatribe upon the misconduct of the Supervisor. Of course, however bad that may be, it does not justify the Tahsildar's misbehaviour, and I have littte doubt that this circular and the one related to in the last paragraph were issued with the deliberate intention of causing annoyance and trouble to the Settlement officials.

24. The fifteenth case is made up of examples of the results of the Tahsildar's circulars. Mr. Stuart complains that the Supervisor received an impertinent reply from a certain Adhikari to whom he had issued a notice. The Adhikari wrote his reply in red ink accross the Supervisor's notice. He also called upon the Supervisor by a notice to explain why he had detained the amsam peon. It is obvious that these incidents could not have occurred unless the Village officers felt sure of support from the Tahsildar. The Supervisor also complained that the Village officers of the same village had not returned up to the 6th March a notice sent to them on the 12th February for service before the 18th. The Tahsildar points out that there is no specific charge against him in this case, and draws attention to a letter from himself to his Divisional Officer, Mis. No. 1739, dated 11th May 1892, in which he recommended that the Supervisor's complaint against the amsam officials should be allowed to drop. The chief point about the letter is the strong *animus* against the Supervisor exhibited in it.

25. In case No. 16 Mr. Stuart alleges that the Tahsildar placed a strained interpretation on the Settlement Rules and behaved with wanton impertinence towards the Supervisor. The Tahsildar addressed the Supervisor asking him to state what work was done by Menons and peons when they went out with him or the Head Classifier, as he could see no provision for this in the Settlement Rules. Mr. Stuart considers that as Settlement work had been going on in the taluk for 9 months and the Supervisor had informed him 6 months before that the services of the Menons would be required at the time of inspection by the Supervisors and Head Classifiers, the Tahsildar must have known that the attendance of the Menons and peons was necessary. I do not think there can be any doubt that the Tahsildar's objection was taken with the intention of annoying and, if possible, obstructing the Supervisor. The Tahsildar says that he required the Menons and peons for revenue work and asserts he courteously asked the Supervisor whether they were required. He goes on to attack the Supervisor for not informing him of the time when the Village officials would be required by him. This, of course, is no defence, and, if the Supervisor's conduct was irregular, the Tahsildar should have addressed Mr. Stuart or the Divisional Officer. The Tahsildar's letter to the Supervisor was not a courteous one.

26. In the next case the Tahsildar is charged with duplicity in that he suppressed the fact that he had issued a circular to the Menons directing them not to attend to Settlement work from 6 to 10 A.M. daily. In consequence of a complaint from the Suprvisor, Mr. Stuart addressed the Tahsildar requesting him to report whether he had ordered the Menon of Pulakkatiri amsam to attend to amsam work between 6 and 10 A.M. every day. The Tahsildar replied in his arzi, No. 2530, dated 30th November 1891, that he had issued instructions to the Menon to attend to revenue work from 6 to 10 A.M. till his arrears were cleared, but had withdrawn them as the Divisional Officer had told him that the hours did not suit the Settlement Department. Mr. Stuart asserts that the Tahsildar's reply implies that these instructions had been given to this Menon only, whereas they were general and the Supervisor's letter which stated that they were general was before the Tahsildar when he wrote his arzi; that the instructions to this Menon consisted of the general circular only, in which the limit "until the arrears were cleared" was not mentioned, and that the Divisional Officer's orders were to countermand the circular and not only the order to the Pulakkatiri Menon as implied by the Tahsildar. The explanation given by the latter in para. 19 of his letter is most impertinent in tone and the excuse that he did not refer to his circular because Mr. Stuart did not ask him about it is simply quibbling. The Tahsildar's objections to the translations of his circular in 10837, dated 18th May 1891, are frivolous as stated in para. 16 *supra*. Undoubtedly the Menons were intended to absent themselves from Settlement work every day although the literal translation of it implies "in the morning," and the Tahsildar's objection to the same passage being translated "every morning" in one place and "every day" in another is silly. The contention that the wording of the circular implies that the order contained in it was to be followed only until the jamabandi accounts were completed is untenable.

27. The next charge is that when the Supervisor wrote to the Tahsildar for certain information about an anicut across a certain stream, the Tahsildar wrote across the Supervisor's endorsement in red ink: "Returned to the Supervisor. The necessity for the information sought is not apparent and the points on which it is required are not clear." The Supervisor again addressed the Tahsildar in December 1891, explaining the necessity for the information and the points on which it was required, and the Tahsildar did not reply until the 17th of May 1892. The Tahsildar does not attempt to explain the extremely discourteous tone of his endorsement, but says that he thought that he was justified in returning it to the Supervisor in the same manner as the Supervisor sent it to him. This explanation cannot be accepted. The Tahsildar's endorsement was insolent in form as well as in language; the Supervisor's was an ordinary endorsement upon a subordinate's letter asking for information. The explanation for the delay may be accepted. The Tahsildar is clearly guilty of sending an offensive endorsement to the Supervisor.

28. The nineteenth case is a charge that the Tahsildar neglected to reply to Mr. Stuart's Proceedings, Nos. 1810, dated 19th December 1891, and 2135, dated 30th June 1892. The first letter is closely connected with the charges contained in Mr. Stuart's letter, No. 61, dated 7th April 1892, dealt with at the commencement of this report. The Tahsildar points to his letter, No. 95, dated 26th January 1892, as the answer to the former Proceedings. This letter quotes the Proceedings and Mr. Stuart replied to it in his Proceedings, dated 29th February 1892, No. 2417. In this he pointed out that the Tahsildar had not replied to the portion of his Proceedings No. 1810 referring to the Kuruvambalam Amsam Menon. In replying to Mr. Stuart's No. 2417, the Tahsildar, in his No. 320 C.&D., dated 6th March 1892, did not mention the Menon, and, in replying to the last, in his No. 2578, dated 22nd March 1892, Mr. Stuart once more drew the Tahsildar's attention to the subject (*vide* Appendix IV to Mr. Stuart's No. 61, dated 7th April 1892). The Tahsildar explains that he did not mention the Kuruvambalam Menon in his No. 95, dated 26th January 1892, because he reported that none of the Menons had time to prepare desamwar accounts. This is not a very satisfactory explanation, but as the Tahsildar complied with the reminder contained in Mr. Stuart's No. 2578, dated 22nd March 1892, in his report No. 1986, dated 29th April 1892, it may be accepted. The Tahsildar attributes his failure to reply to Mr. Stuart's Proceedings, No. 2135, dated 30th January 1892, to an oversight in his office.

29. In his twentieth case Mr. Stuart charges the Tahsildar with obstructing Settlement by not setting right the revenue accounts as directed by the Board in Proceedings No. 4230, dated 16th October 1890. The Tahsildar has mistaken the subject of these Proceedings and his explanation is consequently irrelevant. His attack upon the Settlement subordinates is unnecessary, as, whatever may have been their misconduct, the Tahsildar is not justified in misbehaving himself. As the Board has already disposed of this matter in its Proceedings Nos. 76, dated 5th January 1892, and 3358, dated 6th April 1892, no further remarks are necessary.

30. The twenty-first case is the matter referred to in Mr. Stuart's No. 61, dated 7th April 1892, dealt with in the beginning of this letter—the charge of failure to prepare desamwar accounts. The Tahsildar's statement that Mr. Stuart did not ask for any of the desamwar accounts till the end of 1891 is inaccurate (*vide* his Proceedings, No. 1961, dated 17th March 1891). There can be no doubt, I think, in the mind of any one going through the correspondence that the Tahsildar neglected to prepare the accounts called for by the Settlement Officer for nearly a year and that it was not until the receipt of Mr. Stuart's Proceedings, No. 2417, dated 29th February 1892, that he realized that the accounts would have to be prepared. He then set to work to protect himself against any charge of neglect that might be brought against him by asking for instructions in his letter, No. 320 C.&D., dated 6th March 1892. The fact that the Tahsildar of Pálghat has not furnished desamwar accounts is no defence for the neglect of the Walawanád Tahsildar and the manner in which it has been introduced appears to me impertinent. The Board is aware that Mr. Stuart found the Plághat accounts very

defective and it was with a view to remedy the defects that he called for desamwar accounts for the Walawanád taluk.

31. The twenty-second charge is a general one based upon hearsay, and the Tahsildar denies it. He must, of course, be acquitted of it.

32. The general charges made in para. 27 of Mr. Stuart's letter may also be passed over without notice. They are answered as satisfactorily as they deserve in para. 25 of the Tahsildar's letter.

33. The best portion of the Tahsildar's defence is contained in para. 28 of his letter and Mr. Stuart's. The Tahsildar points out that the Divisional Officer and the Collector were aware of all that was going on and never blamed him, and Mr. Stuart hints that the Tahsildar would not have behaved as he did had he not felt certain of the support of his superiors. I cannot help thinking that the whole of this dispute might have been prevented had the Special Assistant Collector been a stronger and more experienced officer. How far Mr. Batten was bound by the Collector's instructions I am not aware. That the Tahsildar addressed Mr. Stuart many times in a most insolent and improper manner—a manner probably unparalleled in the history of this and every other district in the Presidency—there can, I think, be no doubt; and it is equally certain that towards the end of 1891, he did every thing in his power to obstruct and annoy the Settlement officials. He may have received more or less provocation, but, if so, it was his duty to address his Divisional Officer and not to have issued *suo motu* such circulars as those referred to in the seventh, eleventh, thirteenth, and fourteenth charges. The tone of his communications to the Settlement officials and to Mr. Stuart and of his present explanation shows that he is quite unable to realize his official position, and that he requires some sharp lesson to bring him to his senses. It is for the Board and Government to decide how the Tahsildar should be punished, but, in consideration of the fact that in no single instance was he censured by his superiors during the course of the misconduct with which he has been charged, I venture to recommend that he should be dealt with as leniently as possible. Full publicity can be given to whatever form of punishment is inflicted upon him, so that the force of the example to others, who might feel disposed to attempt a similar course of opposition to the Settlement, may not be lost.

34. I have myself dealt with an instance of impertinence on the part of this Tahsildar in relation to Mr. Stuart which came before me very shortly after I joined the district. A copy of my Proceedings No. 883 R. Genl., dated 18th July 1892, is enclosed.

35. During the course of his letter, No. 161, Mr. Stuart complains that a number of letters were sent by him to the Special Assistant Collector, who gave him the stereotyped answer that his letter has been sent on to the Collector, but has never been answered. These statements are true. The following is a list of letters from Mr. Stuart to the Special Assistant Collector referred by the latter to the Collector for orders and now pending in this office:—

No.	1496	7th Nov. 1891.
"	1546	12th " "
"	2368	26th Feb. 1892.
"	2370	26th " "
"	2366	26th " "
"	2423	29th " "
"	2410	29th " "
"	2391	27th " "
"	2356	25th " "
"	2384	27th " "
"	2506	10th Mar. "
"	2444	1st " "
"	2455	3rd " "

These letters form appendices to Mr. Stuart's letter, No. 161, dated 30th April 1892. They are practically all complaints against the Tahsildar of Walawanád, with the exception of No. 1546. I have not submitted the originals. I think it my duty, however, to submit this letter, which is placed in the records with a confidential demi-official letter from the Tahsildar, dated 4th December 1891, for the

perusal of the Board. I make no comments upon it as it is I think necessary that it should be sent to Mr. Dumergue for explanation. Mr. Stuart's letter appears to have been endorsed to the Tahsildar for full and early report by Mr. Batten in his own handwriting, but this endorsement was not issued from the office as the letter was called for by the Collector. There are also a number of arzis from the Tahsildar to the Special Assistant Collector which were all forwarded to the Collector for orders and upon which no orders have been passed. It is unnecessary to trouble the Board with them as nearly all of them form appendices to the Tahsildar's report.

36. I regret the length of this report. The papers upon which it is based are voluminous, and I have endeavoured to deal with them as thoroughly as possible. The Board has found it necessary to call for this report by urgent reminder, and I therefore beg to state that the Tahsildar's report was not received in my office until the night of the 12th August and that the vernacular appendices to it have since been translated in the office.

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ENCLOSURES.

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Collector of Malabar (through the Special Assistant Collector, Málápuram), dated Perintalamanna, 29th July 1892, Ref. on C. No. 1102 C. & D.

I beg to acknowledge receipt of copy of Revenue Board Proceedings (Settlement, Land Records and Agriculture), dated 9th June 1892, No. 3979, with their enclosures (herewith returned) forwarded to me with your endorsement, Ref. on C. No. 3063 R. 92, dated 14th June 1892, and to submit the following explanations regarding the various charges brought against me by the Special Settlement Officer, Malabar and South Canara, in his letter to the Board of Revenue, dated 30th April 1892, No. 161. Many of these charges are, I beg to submit, only very vaguely stated, and consequently considerable difficulty is experienced in refuting them effectually.

2. Before proceeding to enunciate these charges the Special Settlement Officer at the outset of his report to the Board (*vide* para. 4) states that my predecessor during his time issued prompt orders to the village servants on the requisition of the Settlement Supervisor, while *I*, on my arrival, began to obstruct Settlement operations, and draws the attention of the Board to the four orders issued by my predecessor which form the first four papers to Appendix III to Mr. Stuart's report. If the Board were pleased to refer to the papers which form Appendices III (5), III (6), III (7) and III (8), to Mr. Stuart's report, and to Appendix I (*g*) to this, it will find that I also promptly issued similar orders to village servants asking them to render every assistance to Classifiers and warning them that any failure in this respect would be seriously noticed on requisitions made by the Supervisor from time to time. I do not know why my orders should have been ignored and those of my predecessor should *alone* have been prominently brought to the notice of the Board by Mr. Stuart in the body of his report.

3. *Case No. 1.*—The charge in this case is that I with a view to obstruct Settlement work "*deliberately*" delayed for about two months to issue instructions contained in the Special Settlement Officer's Proceedings, No. 1961, dated 17th March 1891, to the Village officials in the taluk; that even after two months I failed to communicate the above instructions to *all* the Village officials in the taluk; that, when my omission was found out and I was questioned by the Special Settlement Officer, I answered him so as to mislead him to believe that I had issued instructions to all the Village officials, and that when the Special Settlement Officer found out his mistake and I was asked to explain I failed to tender any explanation. The Proceedings of the Special Settlement Officer containing instructions to the Village officials were dated 17th March 1891 (copy of which forms Appendix III to Mr. Stuart's letter to Board No. 61, dated 7th April 1892). These were received

in the taluk office on the 19th idem, but absolutely nothing was done by my predecessor in respect of these instructions though he stated in his orders to the Village officials that these were under preparation. I took charge of this taluk on the 31st March 1891. The same day I addressed a letter [copy of which forms Appendix I (*a*) to my Divisional Officer] enclosing copy of the Special Settlement Officer's Proceedings above quoted, and requested that I might be favored at an early date with copy of Collector's instructions (the same being not forthcoming in this office) referred to in the opening paragraph of the Special Settlement Officer's Proceedings above quoted, so that I might issue the necessary orders to the Village officials in conformity with both instructions. In the first week of April 1891, the Collector happened to come on a tour in this taluk as scarcity threatened to overtake it and the question of suspending revenue collections, which was in a very backward state owing to adversity of season, was pending disposal. I then personally explained to the Collector that several complaints which were received from the Village officials bringing to notice their inability to attend to their revenue work owing to the Settlement Classifiers having insisted upon them to attend to Settlement work *only* were submitted for orders to the Divisional Officer by my predecessor with a strong recommendation for the appointment of Gumastah Menons to give help to the Village officials in places where Settlement work was then in progress and that I also submitted some similar complaints but that no orders were passed. I also explained to the Collector that extra help would be necessary to the present village staff if the instructions contained in the Special Settlement Officer's Proceedings, No. 1961, dated 17th March 1891, were to be carried out in their entirety and if the Menons were to do only Settlement work. To this Collector replied that he would soon pass orders on the whole question as soon as all the papers were received from the Divisional Officer. In the meanwhile I had to attend on the Collector in his famine tour till the 20th April 1891, and had therefore to entrust the preparation of circular instructions to Village officials on the lines indicated by the Special Settlement Officer to my Sheristadar. Collector's Proceedings, dated 8th May 1891 [copy of which forms Appendix I (*b*)] disposing of the whole question referred for orders were communicated by the Divisional Officer to me only on the 14th May 1891, and, on the 18th idem, I issued my circular instructions [copy of which forms Appendix III (10) to Mr. Stuart's report to Board] to all the Village officials. I signed the circular order on the 18th May 1891. A list, which forms Appendix I (*c*), showing the various dates on which each of my sixty-four village officials acknowledged under their signatures the receipt of circular instructions is herewith submitted. From this document it will be proved beyond the shadow of a doubt that *all* the Village officials received my circular and that the latest date on which it was received was 7th June 1891. There is no postal communication to the majority of villages in this taluk and the practice followed was to prepare a few copies of circular orders in the taluk office and send them round for circulation by taluk peons and ask the Village officials to take copies for their use. The above facts account for the delay in issuing instructions and I cannot understand how I was stated by the Special Settlement Officer to have "*deliberately*" delayed to issue them with a view to cause "delay and friction." If the delay of two months in issuing instructions to Village officials really proved "prejudicial" to Settlement work as now stated by the Special Settlement Officer, I respectfully beg to ask why the fact was not brought to the notice of my superior *at the time*, and why the Special Settlement Officer delayed reporting about it for *nearly a year?* He complained against me of so many other things to my Divisional Officer and Collector that his omission to complain about this delay and the consequent obstruction seems to me to be very significant. According to the Special Settlement Officer's own showing, the Settlement work was in progress between the 17th March 1891, the date of his circular instructions, and 18th May 1891, the date of my issuing these instructions to Village officials, only in twenty-seven out of sixty-four amsams in this taluk [*vide* Appendix VI (2, 3 and 4) to Mr. Stuart's report] and therefore the work in these twenty-seven amsams *alone* could have suffered if at all for want of these instructions. A list is herewith submitted [*vide* Appendix I (*d*)], partly compiled from diaries kept by the Menons and initialled by Classifiers

and partly from information furnished by the Menons, showing the date on which the Classifiers commenced and completed their work in each of the twenty-seven amsams. It will be seen from this list that in twelve out of twenty-seven amsams the Settlement work was started before the middle of March 1891, that is, a week or two before the Special Settlement Officer issued his instructions and about three weeks before my arrival in this taluk. Now the Special Settlement Officer himself admits that the Settlement work did not suffer before my arrival. Therefore the work in these twelve amsams admittedly suffered no obstruction till my arrival on 1st April 1891. There were only fifteen amsams therefore where the work could have suffered if at all. Strict orders were issued by me to these fifteen villages to render all assistance to Classifiers [*vide* Appendix III (6, 7 and 8) to Mr. Stuart's report]. If the Settlement work could have proceeded on satisfactorily in twelve out of twenty-seven amsams enumerated by the Special Settlement Officer without his instructions and on the instructions issued from the taluk, I do not know, I respectfully beg to submit, how the work in the remaining fifteen amsams could be said to have suffered precisely under similar circumstances. The Special Settlement Officer states that he was misled into believing that circular orders were issued to *all* the Village officials when they were not issued, because I forwarded to him along with copy of this circular order copies of certain other orders issued to Village officials about Settlement work. On these facts I leave it to Board to judge if I acted in any way by forwarding to the Special Settlement Officer copies of certain other orders so as to mislead him. As a matter of fact, the circular instructions were issued to *all* villages on the 22nd May 1891, as is proved by public records, and I respectfully beg to submit that I am not open to the charge of having either deliberately delayed or misled the Special Settlement Officer in the matter of issuing these instructions to the Village officials. Indeed the Special Settlement Officer himself admits in his letter, No. 1546, of 12th November 1891, to the Divisional Officer and in several other communications that I published throughout the taluk his instructions to the Village officials. My answer to the first charge is that I am not responsible for the delay up to 31st March 1891, as I took charge of the taluk only on that day; that the delay from 1st April to 22nd May, the date on which the circular order to the Village officials actually left my office, was caused firstly by my having to attend on the Collector in his famine tour, secondly, by my having to wait for Collector's orders, to whom my predecessor and myself had referred the question, and, thirdly, by the time required for translating the Special Settlement Officer's long Proceedings and for circulating the same among the sixty-four villages extending over 963 square miles. In respect of the case of the Menon who stated that he had not received the circular instructions of 18th May 1891 even on 3rd November 1891, I respectfully beg to draw the attention of the Board to the list [Appendix I (*b*)], from which it will be clear that the circular in question was received by the Adhikari owing to the absence of the Menon as early as 30th May 1891 and that this fact was reported to the Special Settlement Officer in my arzi, No. 95 C. & D., dated 26th January 1892, and Mis. No. 1956, dated 29th April 1892 [copies of which form Appendices I (*e*) and I (*f*)]. The Special Settlement Officer has not stated his reasons for suspecting that I had not issued his instructions to Village officials even on the 26th May 1891, although as a matter of fact the instructions were in course of circulation then among the various Village officials. In this connection, I beg to say a few words about the circular instructions issued by the Special Settlement Officer. These instructions required that the Village officials should render all assistance to Classifiers, that agreement should be maintained between the several village accounts and taluk accounts and that amsam accounts should be written desamwar. Several orders to Village officials were issued by my predecessor and myself directing them to render every help to Classifiers before the issue of the general circular instructions and there was only a single instance where assistance was not rendered and the offenders were punished for their failure with suspension. There was not a single case in which the village accounts were found to disagree with the taluk accounts and the state of both the village and taluk accounts was found to be "excellent" by Mr. Twigg, when he did the jamabandi of my taluk in fasli 1301, the year of Settlement operations.

The omission to prepare desamwar accounts forms a separate charge, and it has been separately answered.

4. *Case No. 2.*—The complaint in this case is that I submitted, from 7th March to 15th April 1891, to the Divisional Officer, behind Special Settlement Officer's back, "several foundless complaints" against Classifiers with a view to prejudice the Collector against them and with the ulterior object of getting Gumastah Menons appointed to obstruct Settlement work and that I concealed from the Collector the fact that the Special Settlement Officer had disapproved of my proposal for the appointment of Gumastah Menons when I submitted my application for the same to the Collector. The number of complaints which the Village officials brought against Classifiers and submitted to the Divisional Officer for orders without reference to the Special Settlement Officer, from 7th March to 15th April 1891, was thirteen in all. Six of these complaints [(copies of which form Appendices II (*a*), II (*b*), II (*c*), II (*d*), II (*e*), and II (*f*)] were received and submitted by my predecessor before the 20th March 1891, that is, about ten days before my arrival in this taluk, with his reports Nos. 2391, dated 7th March 1891, 2485, dated 11th March 1891, 2476, dated 12th March 1891, 2560 and 2561, dated 17th March 1891, 2255, dated 20th March 1891, and 2676 Mis. [copies of which form Appendices II (*g*), II (*h*), II (*i*), II (*j*), II (*k*), and II (*l*)] without any reference to the Special Settlement Officer. From 2nd to 15th April 1891, I submitted five such complaints with my reports Nos. 2752, 2904 Mis., 2867, 906 and 3203, dated 2nd, 10th, 11th and 15th April 1891, respectively. Copies of two of these complaints and of my reports 2752 and 906 form Appendices II (*m*), II (*n*), II (*o*), and II (*p*). The other complaints having been submitted in original with my endorsements thereon, I am unable to submit herewith copies either of the complaints or of my endorsements. All these complaints contained allegations that the Settlement Classifiers did not permit the Menons to do their revenue work and that they were compelled to work from morning to evening with Classifiers. My predecessor in submitting the first batch of complaints to the Divisional Officer brought to his notice the extreme difficulty of getting through revenue work as the Menons and peons were *wholly* employed on Settlement duty and urged the appointment of Gumastah Menons at once. I respectfully beg to invite the special attention of the Board to my predecessor's report, No. 2391, dated 7th March 1891 [which forms Appendix II (*g*)], which will show how bitterly my predecessor complained of the conduct of the Settlement Classifiers in insisting on the Menons to do *only* Settlement work and how vehemently he advocated the appointment of Gumastah Menons only a week after the Settlement operations were started in this taluk though the Special Settlement Officer would have the Board to believe that my predecessor never did anything of the kind, that he was all that could be desired, and that every complaint against Settlement subordinates originated with me. In the same report my predecessor clearly pointed out how disastrous it would prove if the Classifiers were permitted to tie down the Menons by taking depositions from them almost in the terms of a bond to do *only* Settlement work to the exclusion of all other work. Acting on the precedent set by my predecessor, I submitted such complaints as were received by me after I joined this taluk to the Divisional Officer for orders and repeated the request made by my predecessor "for the apointment of Gumastah Menons to give relief to the Amsam Menons" in places where Settlement work was then in progress. It will thus be apparent, I submit, that the majority of complaints against Settlement subordinates were received and submitted by my predecessor without any reference to the Special Settlement Officer, that it was my predecessor who first proposed the appointment of Gumastah Menons, and that I simply followed the example set by him. The Special Settlement Officer blames local officials for having made inquiries into the village officials' complaints against Classifiers without first referring them to him. In his case No. 12 against me he, however, blames me for not making inquiries into a complaint brought against a Classifier. The Special Settlement Officer states that Village officials' complaints were groundless, for, if they were true, I should have referred them to him as they concerned his subordinates. The complaints were that the Village officials were not allowed to attend to revenue work by Settlement

Classifiers and the proper authority to whom complaints from Revenue subordinates should be referred seemed to me, as it did to my predecessor, to be the Divisional Officer. The Special Settlement Officer states that my object in referring Village officials' complaints against Classifiers to the Divisional Officer was to get Gumastah Menons appointed "for assisting the Settlement Party." This statement is, I respectfully submit, wholly incorrect and is not borne out by records. Neither my predecessor, with whom the proposal to appoint Gumastah Menons first originated and which was afterwards repeated by him six times before he left the taluk, nor I after I joined the taluk wrote a single word in any of our applications for sanction to the appointment of Gumastah Menons "that they were for assisting the Revenue Settlement Party" as the Special Settlement Officer puts its. On the contrary we both wanted Gumastah Menons when appointed to relieve the permanent Menons to enable the latter to attend to the Settlement work. That this was my idea will be apparent from a perusal of my circular order, No. 7335, dated 6th June 1891 [copy of which forms Appendix II (*q*)] in which I expressed in unmistakable terms as follows:—"That the Settlement work would seriously suffer if the permanent Village officials even including peons were not on duty; that such of them as were on leave at the time should return to duty at once, unless prevented by sickness; that leave would be granted to permanent men only on production of medical certificate, that such of the Village officials who failed to return to duty on receipt of the order or to produce medical certificate would be dismissed the service." These being the facts I could not understand how the Special Settlement Officer stated that Gumastah Menons were intended by me "for assisting the Revenue Settlement Party." I went very minutely through the voluminous Settlement papers to find out who used the expression "for assisting the Revenue Settlement Party" and I find the words occur only in the preamble to Collector's Proceedings which form Appendix I (*b*). I therefore respectfully beg to ask whether the attack made on me by the Special Settlement Officer was justifiable under the circumstances and whether my having only repeated a proposal made by my predecessor six times in the interest of revenue administration constituted "a stratagem and a deep plot" to obstruct Settlement work. The Special Settlement Officer does not even suggest a motive to me for obstructing Settlement work before I was hardly a week in this taluk. The first application that I submitted for the appointment of Gumastah Menons was dated 2nd April [copy of which forms Appendix II (*o*)] and the last dated 15th April 1891 and the Special Settlement Officer's Proceedings disapproving of such appointment was dated 21st April 1891 [copy of which forms Appendix II (*r*)], that is, a week after I submitted my last application to the Divisional Officer. The charge that I concealed from the Collector from 4th to 15th April 1891 what the Special Settlement Officer communicated to me *only* on the 21st of that month is a physical impossibility. I humbly pray that the Board will be pleased to exonerate me from this charge.

5. *Case No. 3.*—The charge in this case so far as it relates to me is not, I submit, quite clear. All that I can find stated against me is that instead of making an inquiry myself into certain complaint brought by a Classifier against certain Village * officials and referred by the Special Settlement Officer, I entrusted that task to my Deputy Tahsildar; that I failed to report the fact of placing the Adhikari of this village under suspension as ordered by the Special Settlement Officer and that, with a view to get the Adhikari's suspension cancelled and thereby to cause obstruction to Settlement work, I submitted a report to the Divisional Officer without any reference to the Special Settlement Officer before that officer could communicate his orders to me. The Proceedings of the Special Settlement Officer in which he asked the late Tahsildar to place the Adhikari under suspension and to inquire and report on the Classifier's complaint against the Adhikari were dated 17th March 1891, No. 1953 [copy of which forms Appendix III (*a*)]. These Proceedings were received in the taluk on the 19th idem, that is, two weeks before I came to the taluk. Mr. Kunhambu (my predecessor) sent these Proceedings the same day they were received to the Deputy Tahsildar, Cherpulcheri, with his letter, No. 704 C & D [copy of which forms Appendix III (*b*)] for early inquiry

* Panamanna.

and report. Mr. Kunhambu also issued the order of suspension to the Adhikari the same day [copy of which forms the Appendix III (*c*)]. The Deputy Tahsildar in his report [copy of which forms Appendix III (*d*)], dated 23rd March 1891, stated that the Classifier's complaint was false and requested "that early steps may be taken to have the suspension of the Adhikari cancelled and to place the whole matter before the Divisional Officer" as the Deputy Tahsildar entertained doubts as to the powers of the Special Settlement Officer to suspend or dismiss the village servants. This report of the Deputy Tahsildar was received by my predecessor on the 25th March 1891, but he took no action upon it. On the 1st April 1891, that is, the next day after I joined this office, I received the Special Settlement Officer's Proceedings, No. 2077, dated 30th March 1891 [copy of which forms Appendix III (*e*)] requiring me to expedite the report called for in his Proceedings, dated 17th March 1891, No. 1953. It was on receipt of Proceedings, dated 30th March 1891, that I first came to know that a case of this nature was pending. On the 4th April 1891, that is, three days after my arrival, I reported to the Special Settlement Officer, in my No. 2842 Mis. [copy of which forms Appendix III (*f*)] the result of inquiry into this complaint of the Classifier against the Adhikari. On the same date I also submitted to my Divisional Officer another report No. 2842 [copy of which forms Appendix III (*g*)] together with copies of all connected papers as the Deputy Tahsildar, Mr. Subramania Aiyar, who is dead, requested my predecessor to get the suspension cancelled and to place the whole matter before the Divisional Officer for reasons stated above. Thus it will be clear, I submit, to the Board that *I* did not ask the Deputy Tahsildar to make the inquiry nor did I place the matter before the Divisional Officer on my own motion to get the suspension cancelled with ulterior motive as stated by the Special Settlement Officer, but solely at the request of the Deputy Tahsildar. A perusal of my report [Appendix III (*g*)] to the Divisional Officer will, I humbly trust, convince the Board that I did not wish in the least the suspension of the Adhikari to be cancelled as stated by the Special Settlement Officer. The Special Settlement Officer never wanted, in his Proceedings, No. 1753, dated 17th March 1891, nor in any other Proceedings subsequently sent by him, that intimation of the suspension of the Adhikari should be given to him and therefore no blame could possibly rest either on my predecessor or on myself for not doing it. Here I respectfully beg to invite the special attention to the fact that the Adhikari was suspended on the one-sided report of the Classifier and without any reference to the District authorities and before taking any explanation from the Adhikari himself.

6. *Case No. 4.*—The complaint in this case is that I reported to my Divisional Officer for punishment certain Village officials who were complained against by a Settlement Classifier although the complaint was referred to me for inquiry and report by the Special Settlement Officer; that when I was called upon by the Special Settlement Officer why I submitted my report to the Divisional Officer, instead of to him, I answered him impertinently, and that there was inordinate delay of five weeks in the disposal of the complaint. The Proceedings of the Special Settlement Officer, No. 2058, dated 25th March 1891 [copy of which forms Appendix VIII (4) to Mr. Stuart's report] with which the complaint of the Classifier against the Village officials was forwarded for inquiry and report to the late Tahsildar was received in the taluk before I joined it. On the 4th April 1891, that is, four days after I joined this taluk, I called upon these Village officials to explain their conduct in the order No. 2872 [copy of which forms Appendix IV (*a*)]. The Village officials having failed to render explanation, I issued to them order No. 2909, dated 14th April 1891, [copy of which forms Appendix IV (*b*)] directing them to appear before me on the 19th idem (this village is situated about 30 miles away from the taluk head-quarters). On the 14th April 1891, the Menon sent in his written explanation [copy of which forms Appendix IV (*c*)]. On the 21st April the Menon appeared before me and gave another explanation [copy of which forms Appendix IV (*d*)]. The Adhikari submitted his explanation on the 26th April 1891 [copy of which forms Appendix IV (*e*)]. On the 7th May 1891, I reported, in my No. 2909 Mis. [copy of which forms Appendix VIII (5) to Mr. Stuart's report] to

the Special Settlement Officer that the complaints preferred by the Classifier against the Village officials was true and that recommendation for their punishment was submitted to the Divisional Officer. The Special Settlement Officer, in his Proceedings, No. 345, dated 26th May 1891 [copy of which forms Appendix VIII (6) to Mr. Stuart's report] asked me to explain why I submitted the recommendation for the punishment of the Village officials concerned to the Divisional Officer, who had nothing to do with the members of the Settlement Party, instead of to him, and also to explain the delay of 5 weeks in reporting on the matter. As the Collector had, in his Proceedings, dated 1st May 1891 [copy of which forms Appendix IV (*f*)] already decided that the power to punish village officials was vested in the District Officers and not in the Special Settlement Officer, I informed the latter accordingly in my report No. 1317 C & D, dated 1st June 1891 [copy of which forms Appendix VIII (7) to Mr. Stuart's report] and stated that the delay in reporting was caused by pressure of work in the taluk. Apparently, this explanation seemed to have satisfied the Special Settlement Officer, for I never heard anything from him for about three months; but in reality it was not the case, for, on the 29th September 1891, the Special Settlement Officer, after receipt of Board's Proceedings declaring that Settlement Officers have power *to fine* Village officials, sent me his Proceedings [copy of which forms Appendix VIII (11) to Mr. Stuart's report] severely criticising my procedure in submitting *direct* to the Divisional Officer the recommendation for the punishment of the Village officials who failed in the performance of Settlement duty and laying down certain instructions for my guidance. On receit of these Proceedings I submitted my report, No. 2075 C & D, dated 2nd October 1891 [copy of which forms Appendix VIII (12) to Mr. Stuart's report] to the tone of which the Special Settlement Officer has *now* taken exception. I respectfully beg to submit that I am not aware of any rule prohibiting me from directly communicating with my Divisional Officer on such matters without the intervention of the Special Settlement Officer. Nor did the Divisional Officer object to my procedure in referring to him such matters direct. I never intended my report to be disrespectful in any way to the Special Settlement Officer, and if it is so considered I beg to express my sincere regret. In this connection I beg to state that I submitted to my Divisional Officer report No. 2082 C & D, dated 2nd October 1891 [copy of which forms Appendix IV (*g*)] in which I asked for definite orders regarding my position in relation to the Special Settlement Officer, who all along treated me as one of his own direct subordinates. I also submitted to my Divisional Officer report No. 2128, dated 8th October 1891 [copy of which forms Appendix IV (*h*)] requesting for orders as to the procedure to be followed by me when instructions on general matters were issued for my guidance by the Special Settlement Officer. To these references I have received no reply up to date. The Board will thus be pleased to see that I acted throughout this case in comformity with Collector's orders and that my procedure to which the Special Settlement Officer took exception was not questioned by my direct superiors even though they were made fully acquainted.

7. *Case No. 5.*—The charge in this case is that I *deliberately* misrepresented certain facts to the Special Settlement Officer with a view to support a certain Menon who refused to go to field work with the Classifier. On the 1st April 1891, that is, the day after I took charge of this taluk, I received Special Settlement Officer's Proceedings No. 2079, dated 30th March 1891 [copy of which forms Appendix IX (2) to Mr. Stuart's report] forwarding certain complaint against the Menon of Nedirimangalam. The Menon was then called upon to explain his conduct and he stated that the order [copy of which forms Appendix V (*a*)] issued to him by my predecessor simply required the production of village accounts before Classifiers and not to go to field work. I referred to that order and found the Menon's statement to be true. The Supervisor also endorsed the correctness of the Menon's statement by stating that in the Tahsildar's order "he did not find that the Menon should work with the Classifier." I then wrote my report Mis. No. 2920, dated 14th April 1891 [copy of which forms Appendix IX (3) to Mr. Stuart's report]. When I submitted this report to the Special Settlement Officer, the Supervisor's yadast dated *26th February 1891, No. 793*, was not brought to my

notice. I joined this taluk only on the 31st March 1891, that is, a full month after the receipt of the yadast of 26th February 1891, and it was not my fault, I respectfully beg to submit, that this yadast was not brought to my notice when I wrote my report on the 14th April. The Special Settlement Officer presumes that I was aware of this yadast when I wrote my report, from the fact that I subsequently sent to him copy of this very yadast with my report, No. 1287 C & D, dated 28th May 1891. The office copy of this latter report, forwarding to the Special Settlement Officer copies of various orders issued to village officials regarding Settlement work as required by him, was drafted by my clerk and I paid no particular attention to the subject of its enclosures as there was no necessity for it. The office copy itself is herewith submitted as Appendix V (*b*) for perusal. Thus it will be seen that the charge that I made deliberate misrepresentation of facts is not true and I humbly pray that the Board will be pleased to acquit me of that charge. I only incidentally alluded to the appointment of Gumastah Menons in my report, No. 2920, dated 14th April 1891, to the Special Settlement Officer, and that report was never intended as an application to that officer for the appointment of Gumastah Menons. The report simply dealt with the complaint brought forward by a Classifier against certain village officials and there was therefore no necessity for me to refer in this report either to other complaints made by the village officials against other Classifiers or to the proposal to appoint Gumastah Menons already submitted to the Divisional Officer by my predecessor and myself. I therefore respectfully beg to deny emphatically the charge of being "disingenuous and crafty" in my conduct.

8. *Case No. 6.*—The complaint in this case is that the tone of my letter [copy of which forms Appendix X (3) to Mr. Stuart's report] to the Supervisor was impertinent. The Special Settlement Officer having omitted to quote in full my objectionable letter in the body of his report I beg permission to transcribe here the portion omitted, so that the Board may judge by reading the whole letter:—"I therefore have to request that you will be good enough to pursue a more liberal policy which will enable the amsam officials to get through both Settlement and general administration work smoothly and without causing inconvenience to both." This portion of my letter, I venture to submit, clearly indicates how anxious I was that no Government work should suffer by the amsam officials being employed solely on one particular work. In judging the tone of my letter I beg that the Board may be pleased to read the Supervisor's letter to me [copy of which forms Appendix X (4) to Mr. Stuart's report], in which the following passages occur: "That during the progress of Settlement operations in an amsam its officials, especially the Menon, are at the disposal of this department and that they will not be available for your ordinary amsam work at the sacrifice of Settlement work for which they have been temporarily deputed except in very urgent and unavoidable cases, and if, under these circumstances, you see me insisting on the Menons devoting so much of their time and energy as is necessary to Settlement work, you have no cause for complaint, and if, in consequence of my so doing, the general administration work suffer, it is clearly because *proper arrangements are not made by responsible officers*. I have not the slightest objection for your Menons performing multifarious functions if possible, but I should certainly object to their doing them at the neglect of Settlement work for which their services have been specially lent and for prompt and proper conduct of which I am as much responsible as you are for the administration work." The following passage occurs in Supervisor's yadast, No. 128, dated 20th April 1891 [copy of which forms Appendix X (1) to Mr. Stuart's report] to the menon of Pattambi Palliprom. "ക്ലാസിഫയരുടെ ഒന്നിച്ചപ്രവൃത്തി ചെയ്യുന്ന കാലത്ത മേനവൻ അംശത്തിലെ മറ്റപ്രവൃത്തിക്ക പോകേണ്ടത ആവശ്യമില്ലെന്നും അഹവാകൂടിയെ കഴിയു എന്നുള്ള സംഗതികളിൽ പോകുന്നതിന്ന മുമ്പായി ക്ലാസിഫ്യരുടെ മെമ്മോണ്ടപ്രകാരം മാത്രമെ പാടുള്ളുഎന്നും നാം പറഞ്ഞത ഓർമ്മയുണ്ടായിരിക്കുമല്ലൊ."

(The Menon may remember that we (Supervisor) personally informed him that when the Classifier was at work in an amsam he should not do any amsam work and if in any unavoidable cases such a thing was found necessary he should obtain the Classifier's memorandum.) After this, is it necessary for me, I respectfully beg

to ask to give other instances to prove that the village officials, especially the Menons, were compelled to attend to Settlement work to the exclusion of all other work. I respectfully beg to ask again in connection with this whether I had not sufficient grounds to address the Supervisor in the manner in which I did. I respectfully beg to state that I do not consider Supervisor as my superior. What I intended to express by my remarks "that this will have a bad effect on Settlement operations" was that Settlement would suffer if I were to draw away Menons to do revenue work while engaged in Settlement work.

9. *Case No. 7.*—The charge in this case is (1) that, with a view to obstruct the Settlement work, I instructed the Menon of Arakkuparamba amsam to do revenue work from 6 to 10 A.M. from 1st September 1891 on my own responsibility; (2) that I deliberately withheld this fact from my endorsement, No. 9665, of 26th September 1891, in which I asked my Divisional Officer to prescribe in consultation with the Special Settlement Officer the hours of Menon's attendance on Classifiers; (3) that without waiting for orders from the Divisional Officer I issued a general circular on the 9th November to all the Menons not to attend to Settlement work from 6 to 10 A.M. daily, and (4) that my issuing of the general circular was not mentioned by me in my report to the Special Settlement Officer dated 10th November 1891, and that I was therefore guilty of grave duplicity and cunning. With reference to the first head of the charge I respectfully beg to draw the attention of the Board to my report, No. 2371 C & D, dated 10th November 1891 [copy of which forms Appendix XI (3) to Mr. Stuart's report], wherein I have stated fully the reason for my asking this particular Menon to do the revenue work from 6 to 10 A.M. and I intended that the Menon should follow the instructions only till the pressure of work in the amsam was lessened. Nowhere in any of his numerous communications did the Special Settlement Officer inform me the hours for Classifier's work and it is therefore unreasonable, I submit, to presume that I was aware, as stated by the Special Settlement Officer, that Classifiers worked from 7 to 12 A.M. and 3 to 6 P.M. daily. The Special Settlement Officer states that "I falsely said that the revenue administration of the taluk was seriously affected and had fallen in arrears on account of the Menon's attending to the Settlement work." In proof of the truth of what I stated I beg to submit, herewith, reports from my (subordinates [copies of which form Appendices VII (*a*), VII (*b*), VII (*c*), VII (*d*), VII (*e*), VII (*f*), VII (*g*), VII (*h*), and VII (*i*)], which will clearly show that revenue work was really in arrears. I can submit several more complaints of the same nature, but I think the above ones are suffiicient to show that revenue work was really in arrears, and that my statement was not false as stated by the Special Settlement Officer. That my having given an order to the Menon of Arakkuparamba amsam to work off his revenue arrears from 6 to 10 A.M. did not in the least obstruct the Settlement work in that amsam, as stated by the Special Settlement Officer, will be clear if a reference is made to the diary kept by the Menon and initialled by the Classifier. This diary I submitted to the Collector in November last. It will show that the Menon worked even on all holidays and Sundays with the Classifier. With reference to the second head of the charge that I deliberately withheld the above facts in my report, dated 26th September 1891, No. 9665, to my Divisional Officer, I beg to state that this report was only an endorsement on a report from the Menon of Vettattur amsam, expressing his inability to do revenue work as his time was wholly occupied in doing Settlement work and that therefore there was, I submit, no necessity to mention in this report the fact of having given an order to the Menon of another amsam (Arakkuparamba) about doing revenue work from 6 to 10 A.M. Complaints from village officers about the delay in the pymash of fugitive cultivation to get numerous only after 1st September 1891 as that was the time for pymash. It was only when such complaints became numerous that I thought that it was necessary to move the Divisional Officer to address the Special Settlement Officer to give the hours of Menon's attendance on Classifiers. With reference to the third head of the charge that I on my own responsibility fixed 6 to 10 A.M. for the despatch of revenue work before receipt of Divisional Officer's orders and without reference to the Special Settlement Officer, I beg to state that no orders having been received from the Divisional Officer to my reference dated 26th

September 1891, about prescribing hours of Menon's attendance on Classifiers till the 9th November 1891, and numerous complaints having been received in the meanwhile from village officials and Revenue Inspectors about their inability to attend to jamabandi work owing to the Menons being fully occupied by Settlement work, I in order to prevent further complaints and solely with a view to complete the pymash of modan and gingelly crops before they were harvested and removed from the lands *bona fide* and in the interest of revenue administration issued on 9th November 1891 a general circular [copy of which forms Appendix VII (*j*)] fixing 6 to 10 A.M. for revenue work. The Special Settlement Officer's attributing motive to me in issuing the circular is, I beg to submit, quite unwarranted, and nothing was more foreign to my mind than obstruction to Settlement work. The English translation of my circular order [copy of which forms Appendix XIII (2) to Mr. Stuart's report] is not quite correct. I never used the words "legitimate" and "every morning" which are found in the translation. The expressions I used were "amsam work" and "6 to 10 A.M. in the morning." By introducing the words "legitimate" and "every morning" in the English translation it was evidently intended to convey to the Board that I considered Settlement work as not the "legitimate" work of the village officers and that I wanted the village officials to do the revenue work from 6 to 10 A.M. *every day* and not till the pressure of the revenue work was lessened as I had intended. The very day I issued my general order I intimated the fact to my Divisional Officer in my report Mis. No. 1084 [copy of which forms Appendix VII (*k*)], giving fully my reasons for the steps I had taken. I respectfully beg to invite the special attention to this report. The fact that I reported to my Divisional Officer of what I had done without a moment's delay will, I humbly trust, completely exonerate me from the charge of duplicity so vehemently and frequently made against me by the Special Settlement Officer. Having communicated to my Divisional Officer the fact of my issuing such a general circular I thought that there was no necessity to intimate the same to the Special Settlement Officer also.

10. *Case No. 8.*—The charge in this case is that I justified by strained interpretation of Settlement Rules the following remarks:—"Classifier's permission is not required for the Amsam Menon to attend a court of justice according to its summons" made on a memorandum furnished by the Classifier to the Menon of Kolattur Amsam when the latter attended my court, and that my report to the Special Settlement Officer [copy of which forms Appendix XIV (5) to Mr. Stuart's report] was most extraordinarily insolent and impertinent in tone. In this case the Classifier furnished no separate memorandum to the Menon as required by Settlement Rules. What the Menon presented to me in "court" was the duplicate copy of my summons as Magistrate [*vide* enclosure to Appendix XIV (1) to Mr. Stuart's report], on the back of which the Classifier scribbled the words "Uppilapettai Kunju Nair, Menon of Kolattur Amsam, now engaged with me in Settlement operations, is this day permitted to leave the amsam to attend to the Tahsildar Second-class Magistrate's court, Walawanád, No. *nil*, dated 2nd September 1891. The Tahsildar-Magistrate is requested under the Settlement Rules to return this memorandum noting at the foot the information when the Menon's services with him were dispensed with." I beg permission to leave it to the Board to decide whether I was or was not justified in making my remarks above quoted in my capacity as Taluk Magistrate and whether my interpretation of the Settlement Rules was strained or not. If my reply is considered objectionable I beg to express my sincere regret. In this connection I beg that the Board will be pleased to peruse the Proceedings addressed to me by the Special Settlement Officer [copy of which forms Appendix XIV (2) to Mr. Stuart's report]. I beg to state that the Classifier acted, it seems to me, improperly in scribbling on the back of the summons sent by a court. I beg to state that I deserve no blame whatever in having styled myself "court" when I was sitting as a judge and trying criminal cases. There was no justification, I beg to submit, for the Special Settlement Officer describing me as "pompous Tahsildar."

11. *Case No. 9.*—The charge in this case is the same as the previous case, viz., strained interpretation of Settlement Rules and the objectionable tone of my report

of 18th November 1891, No. 2428 [copy of which forms Appendix No. XV (3) to Mr. Stuart's report]. As stated in the previous case it is for the Honorable Board to decide if I interpreted the rules wrongly and if my report is objectionable. In both the above cases I interpreted the rules according to my lights and not with a view to put the Special Settlement Officer in the wrong. In deciding about the tone of my reports, I would respectfully beg to invite the attention of the Board to query No. 4 contained in Special Settlement Officer's Proceedings, No. 1559, dated 16th November 1891 [copy of which forms Appendix XV (2) to Mr. Stuart's report], wherein he distinctly insinuated that no control was exercised over village officials in *my* taluk,—a remark quite unwarranted and uncalled for. The query runs thus:—"Whether village officials are ordinarily permitted to walk about the taluk leaving their amsams whenever they like without having obtained previous leave or unless they are summoned away by competent authority."

12. *Case No. 10.*—In this case the charge is that there was *deliberate* delay on my part in levying fines inflicted by the Special Settlement Officer on the Menons for neglect of Settlement duty and that when reminders were sent I replied the Special Settlement Officer insolently in my report Nos. 2632 and 2412 C & D, dated 15th December 1891. In his Proceedings, No. 1294, dated 7th October 1891 [copy of which forms Appendix X (*a*)] the Special Settlement Officer inflicted a fine of 1 rupee on the Menon of Panga amsam and requested me to levy it and report the fact before 10th November 1891. On the 11th November 1891, that is, the day following the date on which the levy of fine was fixed for reporting, the Special Settlement Officer forwarded to me Proceedings No. 1529 [copy of which forms Appendix X (*b*)] asking me to report if the fine was levied and also to explain why I failed to report before the date fixed by him and threatened me with serious consequences for my failure. His remarks on this occasion were as follows:—"Instructions issued to him (Tahsildar) are intended to be obeyed and the Tahsildar will understand that any continuance of the attitude he has for some time assumed in respect of instructions from the undersigned *can have but one ending*." In reply I reported on the 13th November 1891 in my No. 2376 [copy of which forms Appendix X (*c*)] that the pay of this village official as well as of some others for October was not disbursed as they failed to collect arrears of the previous fasli. This explanation for the non-levy of fine was accepted by the Special Settlement Officer, *vide* his Proceedings No. 1558, dated 16th November 1891 [copy of which forms Appendix X (*d*)]. On the 13th December 1891, I reported to the Special Settlement Officer the levy of the fine in my report No. 2414 C & D [copy of which forms Appendix X (*e*)]. In his letter, No. 1546, dated 12th November 1891 [copy of which forms Appendix XI (4) to Mr. Stuart's report] to the Special Assistant Collector, the Special Settlement Officer stated that he had fined the Menon of Arakkuparamba amsam 1 rupee and requested me to collect it and report before 10th December 1891. On the 12th December 1891 he sent me a reminder, No. 1747, asking me to report if the fine was levied and why I failed to report before 10th idem. In reply I sent my reports Nos. 2632 and 2412 C & D of 15th December 1891 (copy of which forms Appendix XVI to Mr. Stuart's report) in which I stated that the pay bills were not received and that much unnecessary and useless correspondence ensued by fixing a particular date for collecting the fines and reporting thereupon, as amsam officials submitted their bills only with remittances. It is to this report he now takes exception. I leave it to the Board to decide if this report was insolent. If it is so considered I beg to express my sincere regret. A statement [which forms Appendix X (*f*)] is herewith submitted showing the names of amsam officials fined, the dates and numbers of the Special Settlement Officer's Proceedings under which they were fined, the dates on which the pay bills were received at the treasury and the fines were collected and reported to the Special Settlement Officer. The delay in collecting fines, I beg to submit, was entirely owing to the delay in the submission of pay bills by the village officials concerned and not through my wilful and deliberate neglect as stated by the Special Settlement Officer. I respectfully beg to draw the special attention to the violent hurry exhibited in sending me reminders about the collection of these fines and to the threat used by the Special Settlement Officer in his Proceedings which form Appendix X (*b*).

13. *Case No. 11.*—*In this case the complaint is that I made an attempt to deprive the Supervisor of his authority to summon village officials to appear before him. Before proceeding to deal with the particular case referred to by the Special Settlement Officer, I beg to place certain facts which I humbly trust will convince the Board that the charge is perfectly groundless. On the 13th of October 1891 the Menon of Poral Amsam sent in a report [copy of which forms Appendix XI (a)] stating that he was required to go to another amsam 18 miles distant to attend on a Classifier, and requesting me to issue instructions on the subject. This report I submitted to the Divisional Officer on the 14th idem, with the following remarks:*—"Submitted to the Special Assistant Collector for orders. I doubt the competency of a Classifier to summon away a Menon from his amsam to attend on the Classifier in a different amsam. The Settlement Manual is silent on the point. In the present case the Classifier wants the Menon to travel 18 miles from the amsam to do some Settlement work. Further the Classifier has taken upon himself to summon the Menon without my knowledge. This is highly irregular and should, I think, be stopped at once. Pending your orders, I have asked the Menon not to go to this Classifier." Subsequent to this, the Menon of Panamanna amsam submitted a similar report [copy of which forms Appendix XVIII (2) to Mr. Stuart's report] stating that he was required by the Supervisor to attend at Cherpalcheri, 11 miles from his amsam. As no orders were passed by the Divisional Officer on my previous reference, I submitted this report also to him with the following remarks:—"True copy submitted to the Special Assistant Collector in continuation of this office report Ref. on C. No. 10103 Mis. dated 14th instant. Summonses to village officials issued even by courts have to be sent through Tahsildar and not direct. The Settlement Supervisor's procedure in issuing direct instead of through me notices to Amsam Menons compelling them to appear at distant places from their amsams, so as to suit the convenience of Settlement subordinates, is irregular and inconvenient, I think." To the first reference, I received on the 27th October 1891 the following reply from the Divisional Officer:—"The Tahsildar's action in ordering the Menons not to obey the Classificer's orders summoning him to a long distance from his amsam is approved." The Special Settlement Officer never complained of this order of the Divisional Officer though he now complains of my having given occasion to that order. The Board will kindly perceive that in making this reference to Divisional Officer, I was soley actuated by a desire to promote public interest which I *bona fide* thought would be seriously affected if Settlement subordinates were to remove without my previous knowledge village servants from their villages to distant places to suit the convenience of the former and not to cause obstruction to Settlement work or to deprive the Supervisor of his power to summon village officials as was imagined by the Special Settlement Officer.

14. *Case No. 12.*—In this case the charge is that I showed great readiness to receive and forward false complaints from my subordinates against the subordinates of the Settlement Party to the Divisional Officer. During the whole time the Settlement operations were going on in my taluk, I submitted but one complaint of a criminal nature (intentional insult) from a Menon against a Classifier and that was the one referred to by the Special Settlement Officer, and I do not know how the Special Settlement Officer stated that I showed great readiness in receiving and forwarding complaints. The Special Settlement Officer charges me with not having inquired into this complaint before I submitted it to the Divisional Officer. If I had only done this the Special Settlement Officer, I submit, would not have spared me at all, for he would have instantly charged me as he had actually done in other cases with making inquiry into complaints against his subordinates behind his back. Whether a complaint is false or true can only be ascertained after inquiry and no inquiry having been made by me into this complaint I do not think the Special Settlement Officer was right in presuming that the complaint was false. I cannot refuse either to entertain complaints when presented or to keep them without taking any action when received.

15. *Case No. 13.*—In this case the charge is that I caused misunderstanding between amsam officials and Settlement subordinates by issuing circular [copy of

which forms Appendix XX (1) to Mr. Stuart's report] to all village officials ordering them not to address Classifiers by arzis, but to address them in the same way they themselves were addressed and instructing them not to consider themselves as subordinates of Settlement Classifiers. The following are the facts that induced me to issue the order in question. Immediately the Settlement operations were started in the taluk, both Classifiers and Supervisor commenced to treat Amsam officials with great disrespect and as their own subordinates. Indeed, one Head Classifier, who was acting for the Supervisor, officially wrote to my predecessor, so early as 22nd March 1891, that is, 10 days before my arrival in this taluk, that a certain Menon should be prosecuted criminally and punished for disobeying a Classifier's notice [copy of this letter forms Appendix XIII (*a*)]. Of this treatment several village officials frequently complained to me. Some of these complaints, I referred to the Divisional Officer who submitted them to the Collector. In disposing of one of such complaints the Collector made the following remarks so early as 2nd May 1891, that is, two months after the Settlement operations were started in this taluk:—"The facts of the case appear to be that the Classifiers most unreasonably insisted on the Menon's copying certain notices late one evening, lost his temper when the Menon said he would make the copies next morning in an unwarrantable tone of superiority. The Adikhari took the Menon's part and no doubt a squabble ensued, but it was brought about entirely by the arrogance of the Classifier, who must remember in future that *amsam officials are certainly not his subordinates.*" In disposing of certain other complaints brought forward by village officials against Classifiers, the Collector, so early as 8th May 1891, remarked as follows:—"At the same time from the number of complaints received on the subject there appears to be ground for considering that the Classifiers take undue advantage of their position and demand more than legitimate assistance. The Special Assistant Collector, Nilgiris and Malabar, is, therefore, requested to issue strict injunctions to his subordinates against the detention of the amsam officials longer than is absolutely requisite for carrying out the work of Settlement." The above facts, I beg to submit, will clearly show that Classifiers, owing to their misbehaviour, were getting on very badly with the village officials even at the outset of Settlement operations and that the ill-feeling, if any, was not caused, as the Special Settlement Officer would have the Board to believe, by my circular dated 10th November 1891, that is, 8 months after the working of the party in this taluk commenced and when the classification was admittedly completed in this taluk as stated in Special Settlement Officer's letter to the Divisional Officer, para. 5, No. 1496, dated 7th November 1891 [copy of which forms Appendix XII (3) to Mr. Stuart's report]. Although the Collector said in so many words that village officials were not the subordinates of Settlement Classifiers as early as 2nd May 1891, I refrained from issuing instructions to them to that effect for eight months solely to avoid giving any possible room for misunderstanding. I was, however, compelled to issue instructions to this effect in my general circular only when the treatment of village officials by Classifiers became unbearable. It was on the 3rd November 1891, that is, a week before the issue of the general circular that the Menon of Kodur amsam complained of ill-treatment (which amounted to a criminal offence) he received at the hands of a Classifier. The Menon of Nemini amsam complained officially that Classifier abused him using very coarse language [*vide* Appendix VII (*h*)], and I thought it was high time to instruct village officials that they were not subordinates of Classifiers in accordance with Collector's instructions. Further I respectfully beg to state that I am not aware of any authoritative rule prescribing the form of address between village officials and Settlement Classifiers.

16. *Case No. 14.*—The charge in this case is that I issued a general circular to village officials inciting them to be disrespectful to the Supervisor by "wrongly informing" them that the Supervisor has no authority to send orders to them. The circumstances under which I issued the order are as follows:—So early as 1st May 1891 I referred to my Divisional Officer in my report No. 325 Mis [copy of which forms Appendix XIV (*a*)] wherein I sought for certain instructions as regards the official relations of the Supervisor and village officials as one of the Revenue Inspectors raised that question. In his proceedings, dated 18th May 1891 [copy

forms Appendix XIV (*b*)) the Collector remarked as follows:—"*The Supervisor certainly has no authority to issue orders to Revenue officials.*" But for fear of creating any misunderstanding, I withheld this order from communicating to the village officials for nearly seven months. In the meanwhile, the Supervisor behaved himself very insolently towards village officials and publicly insulted them on all possible occasions. He used to intimidate them by saying that their appointment rested on the "tip of his pen," meaning of course that he could get them dismissed if he chose. That Supervisor was capable of such conduct will be evident if a reference is made to one of his own letters to the Special Settlement Officer, dated 14th January 1892, No. 1855, para. 3, copy of which was sent to my Divisional Officer (which forms Appendix XXI. to Mr. Stuart's report). In this letter the Supervisor described village officials as "beggarly-paid, ill-educated Adhikaris and Menons of a taluk," and the Special Settlement Officer himself, I am sorry to say, styled them as "5-rupee dependants of the Tahsildar" (*vide* para. 3, letter No. 240, dated 29th February 1892, copy of which forms Appendix XX. to Mr. Stuart's report). When I saw that village officials were abused by Classifiers and Supervisor, I thought it was time to issue circular instructions to village officials on the lines laid down by the Collector in his Proceedings dated 18th May 1891. In the absence of any authoritative rule laying down the form of address in official communications between village officers and the Supervisor, I respectfully beg to state that I do not deserve blame for following the instructions issued by Collector on the subject. I may mention in this connection that this Supervisor (Mr. Damodaran Nair), while employed in the Wynaad taluk, took upon himself to grant leave to village officials, that while employed in Pálghat taluk, he struck a taluk peon for no other offence than that the peon went with his shoes on in the presence of the Supervisor, that the Supervisor had to settle the peon's case out of court, that it was this Supervisor who wrote what I cannot but characterize as a very objectionable memorandum to a Moplah Adhikari in my taluk abusing him for his ignorance and for wearing shoes in Supervisor's presence, for not attending to his (Supervisor's) personal wants and comforts, and for the Adhikari's transacting official business in the amsam cutcherry while the Supervisor was holding office there. I believe this matter is now before the Board. I respectfully beg to invite the special attention to the objectionable tone of several letters the Supervisor wrote to me. Indeed, the tone of his letters to me became so outrageous that the Special Settlement Officer had himself to remind him not to write offensive letters to me, in his Proceedings, No. 2373, dated 26th February 1892 [copy of which forms Appendix XXV (6) to Mr. Stuart's report] in which the Special Settlement Officer made the following remarks:—"In future in writing to the Tahsildar on any subject, the Supervisor must be particular to use no expressions likely to cause offence. Thus the last ten words of his letter, No. 1709, dated 18th December 1891, were unnecessary and objectionable, viz., the words, 'If you will ever give me the same at all,' though the undersigned makes every allowance for the provocation received by the Supervisor."

17. *Case No. 15.*—In this case there is no specific charge against me requiring an answer. The case relates to an Adhikari of which I reported to the Divisional Officer in my Ref. No. 1739 Mis., dated 11th May 1892 [copy of which forms Appendix XV (*a*)].

18. *Case No. 16.*—In this case it was stated that I strained the Settlement Rules and showed wanton impertinence towards the Supervisor. The facts of this case are these:—The Special Settlement Officer stated, in his letter, No. 1496, dated 7th November 1891 (copy of which forms Appendix XII. (3) to Mr. Stuart's report], to the Divisional Officer that classification was almost complete in this taluk, and that there was therefore no necessity to prescribe hours for the Menon's attendance on Classifiers. But in December 1891, I still found the Menon and a peon engaged on Settlement duty. On inquiry I found the Supervisor and the Head Classifiers wanted the Menons during their inspections. As that was the time for kist collection and preparation of annual jamabandi accounts, for which I was being hurried by the Sub-Collector (Jamabandi Officer), I courteously asked the Supervisor

whether the services of a peon and the Menon were absolutely necessary for his or Head Classifier's inspection, and if so what work these village officials were expected to do. I was induced to write this because the Supervisor did not choose to inform me that he was employing the Menon and a peon on Settlement duty. In his yadast dated 30th April 1891 [copy of which forms Appendix III. (7) to Mr. Stuart's report] the Supervisor stated that he did not know when his inspection would commence. But when it actually commenced, he failed to let me know about it, and so I had to write the letter complained of, and I beg to leave it to Board to judge if I had shown "wanton impertinence" towards Supervisor in so doing. In this connection, I beg to state that it was only at the beginning of Settlement operations that intimation was given to me for a month or two that Settlement work was being carried on in such and such amsams on such and such dates, but this practice was altogether abandoned by Settlement Supervisor and I had to write to him continually for this information so as to avoid clashing of Settlement with Revenue work by drawimg away the village officials by each of the departments [copies of my letter and of Supervisor's reply form Appendices XXIII. (1) and XXIII. (2) to Mr. Stuart's report]. The above information was systematically withheld from me by the Supervisor. If previous intimation had been given to me, as it should have been, of the places and dates where the Settlement Party was working in the taluk no cause for complaint would have arisen at all.

19. *Case No. 17.*—In this case the charge is that I suppressed the fact of having given a general circular to all the Menons in the taluk ordering them not to attend to Settlement work from 6 to 10 A.M. every day, when I was asked to report about issuing such instructions, and that I was therefore guilty of "glaring duplicity." The Special Settlement Officer, in his endorsement, No. 1641, dated 28th November 1891, requested me to report if I had issued instructions to the Menon of Puzhakatiri Amsam to attend to revenue work from 6 to 10 A.M., and I beg to submit that I deserved no blame for failing to give what was not asked for by him. It is true that the Supervisor's arzi to which the Special Settlement Officer refers was forwarded to me by him with his endorsement above quoted, but I beg to state that as I was answering the Special Settlement Officer's reference to me, I took no notice of the Supervisor's reference to him. I respectfully beg to deny emphatically the charge of "glaring duplicity" so frequently levelled against me by the Special Settlement Officer without any justification. I have already pointed above that my circular to the Menons about 6 to 10 A.M. was communicated to my Divisional Officer the very day it was issued. In this connection I again respectfully beg to invite the attention to another incorrect English translation of my circular [which forms Appendix XXIV. (1) to Mr- Stuart's report]. I never used the words "from 6 to 10 A.M. every day." The expression I used was "6 to 10 A.M. in the morning." It is much to be regretted, I beg to submit, that what I never said should be put into my mouth by the Special Settlement Officer simply to make his case stronger against me. In another translation [which forms Appendix XIII. (2) to Mr. Stuart's report] of my circular the expression used was "every morning" and not "every day" as given in a previous translation. All that I stated in my circular order was that the Menons should attend to amsam work from 6 to 10 A.M. in the morning. Of course, I intended this to be followed only till the jamabandi accounts were completed as the preamble to the order clearly indicates. This circular order was issued only when classification was almost completed in the taluk and it remained in force only for about three weeks, after which it was cancelled, *vide* order No. 2492, dated 27th November 1891 [copy of whith forms Appendix XVII. (*a*)].

20. *Case No. 18.*—In this case the complaint is that I did not give the Supervisor certain information regarding a certain anicut in my taluk. The Supervisor forwarded to me, with his marginal endorsement, the Classifier's Tamil report. This report was very unintelligible and none who knew Tamil and to whom I showed this report could exactly say what it meant. I therefore returned to the Supervisor, with my remarks, in the same manner the Supervisor sent it to me. On the Supervisor again writing to me giving more explicit information, I issued orders to my

Record-keeper to collect all papers relating to this anicut and also to the village officials of Kalladikode amsam to search for any records that might be forthcoming in the amsam [copy of the order to the village officials forms Appendix XVIII. (*a*)]. I also wrote to the Pálghat Tahsildar [copy of which forms Appendix XVIII (*b*)] to obtain information as regards the anicut from the persons who constructed it and who were residents of that taluk. This accounts for the delay in furnishing the information till 17th May 1892, when I communicated to the Supervisor what I could get from my office in my letter No. 2236 [copy of which forms Appendix XVIII (*c*)].

21. *Case No. 19.*—In this case the charge is that I refused to reply the Special Settlement Officer's Proceedings, dated 19th December 1891, No. 1810, and 30th January 1892, No. 2135. In the first of the above Proceedings [copy of which forms Appendix XIX. (*a*)] the Special Settlement Officer asked me to report how many village officials had up to date prepared Desamwar accounts. He also forwarded to me Supervisor's endorsement, No. 1642, dated 19th December 1891, submitting Kuruvambalem Amsam Menon's explanation for the failure to keep Desamwar accounts. These Proceedings were received in my office during Christmas holidays, when I was busily engaged with the preparation of the annual jamabandi accounts as the Sub-Collector wanted to begin jamabandi immediately after the Christmas holidays. Mr. Twigg commenced the jamabandi in the second week of January 1892 and I was moving with him constantly in the taluk till 7th February 1892. On the 26th January 1892 I replied in my report No. 95 [copy of which forms Appendix I (*c*)] to the Special Settlement Officer with reference to his Proceedings, dated 19th December 1891, No. 1810, that "none of my village officials were able to prepare Desamwar accounts" for the reasons given therein. I cannot understand how the Special Settlement Officer now reports to the Board that I refused to answer his Proceedings of 19th December 1891, No. 1810. In my reply to the Special Settlement Officer I made no particular mention of the failure of the Menon of Kuruvambalem amsam to prepare Desamwar accounts simply because I had pointed out *generally* in my report No. 95, dated 26th January 1892, that "none of the Menons in my taluk was able to prepare Desamwar accounts." When the Special Settlement Officer again wanted information about the Menon of Kuruvambalem amsam I submitted to him my report, dated 29th April 1892, No. 1086 [copy of which forms Appendix I. (*d*)] giving the necessary information. As regards the list of Railway lands required by the Special Settlement Officer in his Proceedings, No. 2135, dated 30th January 1892, I beg to state that these lists had been sent to the Survey Department under Collector's orders and when they were returned to the taluk in January 1892 the clerk who was in charge of these lists through an oversight delayed their submission to the Special Settlement Officer. These lists were, however, submitted to the Special Settlement Officer on the 22nd June 1892 with my report No. 1110 [copy of which forms Appendix XIX. (*b*)].

22. *Case No. 20.*—In this case the charge is that I obstructed the Settlement operations by not setting right the Revenue accounts as directed in Board's Proceedings, No. 4230 Mis., dated 16th October 1890. The Board's Proceedings referred to are not with me and I do not know what accounts the Special Settlement Officer alludes to in his report. I believe they are the Nemini village accounts. If this be correct, I beg to state, that the accounts were set right so early as October last and my explanation, dated 24th March 1892, No. 230, was submitted to the Collector (copy of which forms Appendix XX. with one enclosure). I respectfully beg to invite attention to this report wherein I have clearly shown what difficulties were thrown in my way by Settlement subordinates and how they were trying to discredit the Revenue administration. In this connection I beg to quote the remarks of the Sub-Collector, Mr. Twigg—who did the annual jamabandi of this taluk for fasli 1301, regarding the state of village and taluk accounts which were declared by the Special Settlement Officer to be incorrect Mr. Twigg's remarks are as follows:—"*Amsam accounts generally.*—The accounts. generally were excellently kept and show that much pains have been taken." * * * * * "*General remarks.*—On the whole, the condition of the taluk and village accounts was extremely good and the taluk seems to be in excellent order." The above remarks

were made on completion of jamabandi in February last after a careful scrutiny of these accounts for 18 days.

23. *Case No. 21.*—In this case the charge is that I deliberately disobeyed the Special Settlement Officer's instructions to have the Desamwar accounts opened and I thus caused obstruction to Settlement. It was in his Proceedings, No. 1961, dated 17th March 1891, that the Special Settlement Officer first asked me to instruct Karnams to prepare Desamwar accounts from their Amsamwar accounts and these instructions were communicated to the village officials on the 18th May 1891. As Settlement operations were in full swing from March to October 1891 as also the Survey sub-division work and the pymash of modan and gingelly cultivation, the Menons had hardly any time to spare to the preparation of Desamwar accounts up to that date. When these works were closed the preparation of annual jamabandi accounts commenced, which lasted till the first week of February last. In the meanwhile, the Revenue collection had also to be attended to, earlier in 1891 as the collection of a portion of revenue of the previous fasli was suspended owing to scarcity. Further, the Special Settlement Officer did not ask me for any of the Desamwar accounts till the end of 1891, and I therefore thought that there was no pressing necessity to take this work in hand as the Menon's time was fully occupied otherwise. There were also other causes that stood in the way of preparing the Desamwar accounts. Beyond stating that Desamwar accounts should be prepared from Amsamwar accounts the Special Settlement Officer did not specify the particular accounts he wished to be so dealt with. On the 19th December 1891, when the Special Settlement Officer asked me, for the first time, in his Proceedings No. 1810 [copy of which forms Appendix XIX. (*a*)] how many village officials prepared Desamwar accounts, I replied him in my report No. 95/C and D, dated 21st January 1892 [copy of which forms Appendix I (*c*) to this report], that "none of my Menons was able to prepare Desamwar accounts" firstly because they had no time to attend to it and secondly that no clear instructions were issued as to the accounts which required to be written Desamwar. In reply the Special Settlement Officer, in his Proceedings, No. 2417, dated 29th February 1892 [copy of which forms Appendix XXI. (*a*)], informed me that what he wanted was that "a certified copy of *all* the Revenue accounts for the fasli written up Desamwar," without further delay. As several accounts were maintained in the amsams which could not be of the slightest use to the Settlement Department and as the preparation of *all* these accounts would cost much time, labour, and stationery, I thought it better to submit a complete list of all the Revenue accounts kept in the amsams to the Special Settlement Officer and to request him to mark those that were actually required to be written Desamwar. This list I submitted with my report, No. 320/C and D, dated 6th March 1892 [copy of which forms Appendix XXI. (*b*)]. I then received the Special Settlement Officer's Proceedings, No. 2598, dated 22nd March 1892 [copy of which forms Appendix XXI. (*c*)] giving me the required particulars. I brought to the notice of the Divisional Officer all the correspondence that passed between me and the Special Settlement Officer regarding the preparation of Desamwar accounts, and in reply I received Collector's Proceedings, No. 423-R/G1., dated 25th April 1892 (copy of which forms Appendix XXI. (*d*)] in which I was asked to inform the Special Settlement Officer that preparation of Desamwar accounts "by the present staff would occupy some months." The Board will be thus pleased to see that I did not deliberately disobey the Special Settlement Officer's instructions and the preparation of Desamwar accounts was not proceeded with simply owing to causes over which I had no control. In this connection I respectfully beg to draw the special attention of the Board to the following significant fact. The Settlement operations in Pálghat taluk were completed before they were extended to this taluk and yet up to date the Desamwar accounts of the following village accounts, which I have been asked to prepare for this taluk, have not yet been prepared and furnished by the Palghat Tahsildar:—

1. Pattaprathi.
2. Nilam.register.
3. Cowle lands.
4. Railway lands.
5. Fugitive cultivation.
6. Escheat lands.
7. Lands paying quit-rent.
8 Inam lands.

vide his letter No. 5276, dated 4th July 1892 [copy of which forms Appendix XXI (*e*)]. If the Settlement operations of Palghat taluk could have suffered no obstruction by the non-preparation of Desamwar accounts, I do not know, I respectfully beg to submit, what special circumstances existed in this taluk which obstructed the Settlement work for want of these accounts. These accounts are, I beg to submit, too numerous and some of them are very bulky that they could not be prepared Desamwar without much time and labour.

24. *Case No. 22.*—In this case the charge is that I spoke disrespectfully and disparagingly of the Special Settlement Officer, his subordinates, and the Settlement operations both publicly and habitually. This charge is stated to be founded only on hearsay evidence. I deny the charge *in toto*. I am not responsible, I beg to submit, for what others stated. In this connection I beg to state for the information of the Board the following fact. No sooner the Special Settlement Officer submitted his report accusing me of the above charges (the report was dated from Cherpalcheri—the head-quarter of my Deputy Tahsildar) than the Settlement Supervisor, in whose handwriting a portion of the report was written, began to spread the news in my taluk and he publicly stated that I was going to be reduced as a Taluk Sheristadar. Hearing this news a pensioned first-class Sub-Judge wrote me a letter containing the above information. I could, if ordered, submit this letter and other evidence to prove how I used to be reviled by Settlement subordinates, but I do not wish to take up the most valuable time of the Board with such silly things. I mention the fact simply to show that I, instead of sinning in this respect, have been much sinned against. These facts will, I humbly trust, convince the Board how facts were distorted with a view to put me in the wrong.

25. With reference to the remarks made in para. 27 of the Special Settlement Officer's report, wherein I was accused of having obstructed the progress of Settlement operations by granting long leave to permanent Menons, by appointing acting Menons who were unable to give the necessary informations, by frequently changing the acting Menons, by permitting the Menons to appoint their private clerks as their substitutes to assist the Classifiers, by declining to grant leave to Menons who were really sick and unable to do any work, and by delaying to appoint acting Menons when permanent Menons were unable to attend to Settlement work, &c., I beg to state that the charge being of a very sweeping nature, I am unable to meet it adequately and I can only show to the Board in a general way that I never did anything of the kind. The Board will kindly observe from Appendix II. (*r*) to my report that I, instead of granting long leave to permanent Menons, insisted upon such of them as were on leave so early as June 1891 to return to duty at once to assist Settlement operations and threatened them with dismissal in case of failure: Appendix XXIII. (*a*), which is copy of a letter I addressed to the Supervisor, will; I trust, convince the Board that I was not guilty of the charge of which I was accused. In this letter I asked the Supervisor to furnish me with a list of villages where the Settlement Party was working so that I might dispose of leave applications of those amsam officials. From this it will be clear that I did not want to grant leave to the village officials in whose villages Settlement work was going on: Appendix XXIII (*b*), which is also copy of another letter I addressed the Supervisor in which I requested him to let me have a list of the amsams in which the Settlement work was completed and also of the amsams in which it was progressing so that I might decide whether memoranda should or should not be given to the Karnams when they were summoned by me for Revenue work. I was obliged to address this letter to the Supervisor as I was completely kept in the dark as to the places where the settlement work was going on and I had therefore constantly to ask the Supervisor for list of amsams where his party was working. These facts, I respectfully beg to submit, cannot fail to convince the Board how I was harassed by the Settlement subordinates and what difficulty I had to administer one of the admittedly most troublesome taluks in this district. I am not competent either to grant leave to village officials for more than a fortnight or to appoint substitutes. Both have to be done, as the Board is aware, by the Divisional Officer. If the Special Settlement Officer had given specific instances wherein I did all that he said I had done, I should have been able to disprove them completely by facts. But as he had not chosen to

do it, I could only deny what he alleged against me. Indeed, the Special Settlement Officer, in his Proceedings, No. 250, dated 11th May 1892, made the following remarks: "The Tahsildar very properly refused the Menon's application without the production of a medical certificate." Nowhere in his report to the Board does the Special Settlement Officer make the slightest allusion to the motive which must have actuated me to obstruct Settlement—a charge so persistently and vehemently made. In one place he, however, states that "I and my family are wealthy janmis of an adjacent taluk," and it is our desire in common with others, officials and non-officials, to obstruct Settlement as it will bring out "remarkable revelations." I admit that my family owns extensive property, but I respectfully beg to submit that I have no fear whatever that that fact would in any way affect my official position or that Settlement would bring out any "remarkable revelations," as is imagined by the Special Settlement Officer. It is all very easy to make insinuations, but I beg permission to challenge my accuser to produce an iota of evidence to show that I acted in other than honorable ways during my service extending over twenty-one years. My work was favorably noticed by all the Collectors and Divisional Officers under whom I have had the honour to serve and even Mr. Stuart himself noted with approbation the good work I did in connection with the Wynaad Settlement when I was Tahsildar there. In a letter he wrote to Mr. Winterbotham [copy of which forms Appendix XXIII. (*c*)] he made the following remarks: "I take this opportunity of bringing to your notice the good work performed by the Tahsildar Mr. Ananta Pattar and his subordinates named in the appended list during the time they were under my orders. The work in connection with the last jamabandi of the Malabar-Wynaad was unusually heavy as the new Settlement was introduced at the recent Jamabandi, and this required undivided attention both in and out of office hours." What could have induced me to change front now and obstruct Settlement in Walawanád from the very day I set my foot there, I can only leave the Board to find out.

26. Before closing this I beg to place certain facts which, I humbly trust, will convince the Board with what contempt and discourtesy I was treated by the Special Settlement Officer. He for the first time found fault with my signature which he had seen perhaps a thousand times before while in the Wynaad. His remarks about my signature contained in a Proceedings he sent to me [copy of which forms Appendix XXIII. (*d*)] are as follows:—"It is observed that the hieroglyphic scribble purporting to be the Tahsildar's signature is wholly illegible. If he is unable to sign his name so that it can be read in English he can sign it in future in his vernacular provided the latter is legible." This, I respectfully beg to submit, cannot fail to convince the Board how most trivial things were made subject of offensive remarks against me by the Special Settlement Officer. In a letter [copy of which forms Appendix XXIII. (*e*)] which the Special Settlement Officer wrote to my Divisional Officer and which the latter communicated to me for explanation, the following disparaging remarks were made against me and my subordinates without any justification:—"That the Tahsildar of Walawanád and his subordinates should not have taken action whilst the boundary stones recently put down by the Survey Department were being removed and used for private purposes, *e.g.*, blocking up water-courses, only prove their *unfitness for their respective official position*. It is undoubtedly true that many of the amsam officials knew next to nothing of what is going on in their amsams, and it is equally certain that the Tahsildar's visits to spots off the main lines of roads are like those of the angels. As long as this state of things is allowed to continue so long will Government interests suffer." That this attack was quite unmerited and unwarranted will be evident if a reference is kindly made to my explanation [copy of which forms Appendix XXIII (*f*)] submitted to the Divisional Officer. I strongly protested against such remarks being made by an officer who, I thought, was not my direct official superior, in ignorance of facts and before making any inquiry. I also took objection to the Special Settlement Officer's sending me Proceedings instead of memorandum as directed in Board's Standing Order No. 269 [*vide* copy of my report forming Appendix XXIII. (*g*)]. In most of his communications to me as well

as to my Divisional Officer, the Special Settlement Officer made most offensive and unwarranted personal remarks of which I complained to my Divisional Officer. In judging the tone of my replies I earnestly and respectfully beg that the Board will be pleased to consider the violent language always used by the Special Settlement Officer towards me. On one or two occasions the Special Settlement Officer asked his clerk to sign papers intended for me. Of this I complained to the Divisional Officer [copy of my report forms Appendix XXIII. (*h*)]. If the Settlement subordinates had not been influenced by the attitude which the Special Settlement Officer assumed towards me from the very outset I am sure that none of them would have misbehaved himself either towards me or my subordinates and these trivial complaints would have been consigned to oblivion. Instead of cultivating close friendship with the local Revenue officials as laid down in the Settlement Manual, the Settlement Party commenced from the very first to treat Revenue officials with positive contempt and as their own subordinates and this was very naturally resented.

27. Several of the cases brought against me by the Special Settlement Officer merely relate to small personal matters and matters of opinion, such as form of address, tone of correspondence and interpretation of Settlement Rules, and I respectfully beg to leave it to Board to decide whether they could have in any way obstructed the real Settlement operations as was repeatedly urged by the Special Settlement Officer.

28. Copy of every correspondence that passed between me and the Special Settlement Officer were from the very commencement submitted to my Divisional Officer and Collector from time to time so that they might know how the Settlement Party was working in this taluk and how I was harassed by it. Not in one single instance was I blamed for anything done by me either by my Divisional Officer or Collector. There were some delays in furnishing certain informations to the Settlement Officers; but they arose purely out of causes beyond my control and from pressure of other work in the taluk, but I respectfully beg to deny that these delays were "deliberate" as pointed out by the Special Settlement Officer.

29. In conclusion I most respectfully beg to repeat that I have not done any act so as to obstruct Settlement. On the contrary, I did all in my power as the records forming appendices to this will prove to help the progress of Settlement in every way by issuing strict and timely orders to my subordinates. It was only in my anxiety to see that my taluk administration did not suffer that I issued certain orders to my subordinates to attend to it and not with a view to cause the slightest obstruction to the Settlement work. I have twenty-one years' service and for the last five years I have been a Tahsildar and have served in the four taluks of Chirakal, Wynaad, Calicut and Walawanád, giving complete satisfaction to my superiors. I most humbly beg for permission to state here that it was only my great misfortune that I was transferred to this taluk when the Settlement work was started and when the relation of the head of the Settlement Party with the Collector became strained. With these humble representations I beg to leave my case in the hands of my superiors.

APPENDIX IV (*f*).

PROCEEDINGS of the Collector of Malabar, dated Karimala, 1st May 1891.

Read the following papers:—

Endorsement dated, 20th April 1891, of the Special Assistant Collector, Malabar, forwarding for orders the Walawanád Tahsildar's report, dated 4th idem, Ref. No. 2842, submitting correspondence regarding the complaint of Classifier B Nagoba Rao against the Adhikari and Menon of Panamanna amsam.

Proceedings, dated 17th March 1891, No. 1953, of the Special Assistant Collector, Nilgiris and Malabar, placing the Adhikari of Panamanna amsam under suspension for gross misconduct towards Classifier B. Ragoba Roa.

Report of the Cherpalcheri Deputy Tahsildar, dated 23rd March 1891, Ref. No. 202, and other papers on the subject.

The Special Assistant Collector, Nilgiris and Malabar, has, by his Proceedings No. 1953, dated 17th March 1891, suspended the Adhikari of Panamanna amsam, Walawanád taluk, "for gross misconduct towards Classifier B. Nagoba Rao" and has at the same time called upon the Menon of the same amsam to show cause why he should not be severely punished for having failed to give Classifier B. Nagoba Rao the necessary assistance in the execution of his public duties.

These Proceedings were passed on the report of the Classifier and in anticipation of inquiry. But the inquiry which has been made, as desired by the Special Assistant Collector, in the presence of the Classifier, shows that the report was entirely without foundation and was therefore false and malicious.

3. The facts of the case appear to be that the Classifier most unreasonably insisted on the Menon copying certain notices late one evening, lost his temper when the Menon said he would make the copies next morning, and addressed the Menon in an unwarrantable tone of superiority. The Adhikari took the Menon's part and no doubt that a squabbie ensued, but it was brought about entirely by the arrogance of the Classifier, who must remember in future that amsam officials are certainly not his subordinates.

4. Such being the circumstances of the case as elicited by inquiry the conduct of the Classifier in not contenting himself with a report to his immediate superior, the Head Classifier, but sending a copy of that report direct to the Special Assistant Collector when this course was not justified by any urgency, shows that he had some ulterior object in view. Finally, the falsity of the complaint is still further proved by the fact that it was made on the 13th March, while on the 12th March the Classifier had assured the Deputy Tahsildar, who saw him at Panamanna and questioned him regarding the conduct of the amsam official, that he had no complaint to make against him.

5. On the merits of the case therefore the order passed by the Special Assistant Collector must be set aside and the Adhikari must be reinstated. At the same time the Acting Collector is bound to observe that the order was in itself *ultra vires*. Any complaints which are made against amsam officials will be inquired into promptly, but their punishment must rest with the officers of the district, who are invested with jurisdiction over them. There is no doubt that punishment will be duly inflicted if such complaints are proved to be true, but the subordinates in the Settlement Party should, after the present instance, be warned that, if false complaints are made, it will be necessary to protect amsam officials by instituting criminal proceedings.

(Signed) J. W. F. DUMMERGUE,
Acting Collector.

To the Special Assistant Collector, Malabar and Nilgiris.
" " " Malabar.

(True Copy.)

Forwarded to the Tahsildar of Walawanád for information and guidance.

(Signed) J. K. BATTEN,
Acting Special Assistant Collector.

6th May 1891.

APPENDIX IV (*h*).

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Special Assistant Collector, dated 8th October 1891, Ref. on C. No. 2128 C.&D.

In his letter, No. 1239, dated 29th September last, copy of which was already submitted to you with my report, Ref. No. 2082 C.&D., dated 2nd instant, the Special Settlement Officer lays down certain procedure for my guidance whenever complaints are made against village officials by Settlement Officers. As instructions for my guidance on such matters should, I believe, emanate from my direct superiors, I request to be furnished with your orders on the subject. I have considerable doubts as to the Special Settlement Officer's power to refer to me for inquiry and report complaints by Settlement subordinates against village officers and to direct me to submit my recommendation for their punishment to him instead of to my superiors.

2. I also beg to request that the Special Settlement Officer may be addressed with a view that in future his communications may be sent not direct to me but through my official superiors so that they may be in a position to form their own opinions about them and issue instructions to me. The procedure now adopted by the Special Settlement Officer of directly communicating with me on such matters is found very inconvenient as I am driven to the necessity of troubling you

now and then with references whenever I find occasion to differ from the Settlement Officer's views. All this can be avoided if the Special Settlement Officer is asked to communicate through you and not direct to me except on matters routine.

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád, to the Collector of Malabar (through the Special Assistant Collector of Malabar), dated Walawanád, 29th July 1892, Ref. on C. No. 1237 C.&D.

In returning herewith the papers forwarded with your foot-note No. 726 C.&D., dated 5th July 1892, on copy of Revenue Board's Proceedings, Reference on General No. 3247, dated 25th June 1892, I beg to submit this my explanation regarding the non-preparation of certain statements required by the Special Settlement Officer in his letter No. 1591, dated 20th November 1891, copy of which was forwarded to me for compliance.

2. Out of 15 statements required by the Special Settlement Officer, I submitted to him 9 with my report No. 2554, dated 29th February 1892, and promised to send 3 more statements, viz., Nos. 11, 12 and 15, in due course. In this report, I also stated that a separate arzi was submitted to the Collector regarding the other statements, viz , 1, 2 and 7. In my report to the Collector, dated 29th February 1892, Ref. on C. No. 2554 C.&D., para. 3, I explained that statements Nos. 1 and 2 could not be prepared as no desamwar accounts were maintained and that statement No. 7 could only be prepared from huzur, as necessary materials did not exist in the taluk. The Special Settlement Officer's present complaint, so far as it concerns me, seems to be that, I so ambiguously worded my report No. 2554, dated 29th February 1892, that he was induced to think that my inability to furnish him with statements Nos. 1, 2 and 7 was due to my not having the necessary records and that these records were in the Collector's office, whereas my inability to furnish statements Nos. 1 and 2 was really due to the taluk accounts not having been prepared desamwar as directed by him, and so I worded my report ambiguously. I respectfully beg to state that report No. 2554 C.&D., dated 29th February 1892, which was said to have been ambiguously worded, was prepared and submitted to the Special Settlement Officer by my sheristadar, while I was absent in Calicut to attend the Taluk Board Meeting on the 29th February last. The omission to prepare desamwar accounts formed a separate case against me in the report of the Special Settlement Officer to the Board of Revenue, dated 30th April 1892, No. 61, and I explained that omission in my report No. 1102 C.&D., dated 29th July 1892.

3. In addition to that explanation, I beg to state a few facts which I humbly trust will clearly show that sufficient materials do not exist in the taluk to prepare statements 1 and 2. No. 1 is the desamwar statement showing the area of Government, inam and poramboke. In this district, there is no register of poramboke maintained. As regards the Government and inam lands, there are two registers * maintained in the taluk which purport to give, among other information, the extent of each item of permanently-assessed wet and garden lands respectively; but on carefully examining these registers, I found the columns headed "Desam and extent," omitted against innumerable items of lands pymashed in early times in several amsams, and so these registers proved practically useless for preparing statement No. 1. I then turned to the Pattaya Prathi book kept for each amsam. These books have been so prepared that it is found impracticable to collect the necessary information for the preparation of statement No. 1, except at enormous expenditure of labour and time. There are 64 books of Pattaya Prathi each containing 600 to 700 pages, relating to 98,994 items of lands, lying in 318 different desams. I earnestly beg that a reference be made to a Pattaya Prathi book, so that some idea may be formed as to the extent of difficulty of preparing statement No. 1 from it. No. 2 is the statement showing desamwar population, houses, cattle, pattas and ryots. The census of 1881 was not taken desamwar. The census of 1891 was taken desamwar, but its result has not yet been communicated to the taluk. At present, there is no record in the taluk to give desamwar population. The census of cattle was never taken desamwar at any time, and unless a fresh census is now ordered, desamwar particulars of cattle cannot be obtained. Pattas were issued only amsamwar and they could not be split desamwar. At present, a patta comprises all the lands, owned by a single individual, lying in an amsam, without any reference to desam in which the lands lie. These were the reasons for my stating that statements Nos. 1 and 2 could not be prepared in the taluk. There are materials only for preparing desamwar statements of houses and ryots.

* Nilam register, Paramba register.

4. As regards the non-preparation of statements Nos. 11, 12 and 15, I respectfully beg to state that the clerk who was entrusted with their preparation, through an oversight, delayed it and, no reminders having been received from the Special Settlement Officer, the matter was lost sight of till now. I greatly regret the delay. The statements Nos. 11, 12 and 15 were submitted on the 25th July 1892.

5. No instructions were issued to prepare desamwar accounts as suggested by the Special Settlement Officer in his letter No. 143 A., dated 18th September 1890. In circular order, Ref. on C. No. 6811 R., dated December 1890, issued from huzur, Tahsildars were required only to see that all fasliwar charges were entered in the Pattaya Prathi against each item of land, that pymash numbers were entered in the Pattaya Prathi, and that nilam and paramba registers were kept correctly. These instructions, which were received during my predecessor's time, appear to have been carried out as far as possible. I was transferred to this taluk only in April 1891.

From J. K. BATTEN, Esq., Acting Special Assistant Collector of Malabar, to the Collector of Malabar, dated Málápuram, 11th August 1892, Ref. on No. 873 C.&D.

I have the honour to forward the explanations of the Walawanád Tahsildar, Ref. on No. 1102 C.&D. and Ref. on C. No. 1237 C.&D., both dated 29th July 1892, called for in your endorsements 3063 R-92, dated 14th June 1892, and No. 726 C.&D., dated 5th July 1892.

There are certain papers referred to by the Tahsildar as having been sent to me for orders, without orders having been passed. I have the honour to state that all such papers, as well as those referred to by the Special Settlement Officer in his letter to the Board No. 161, dated 30th April 1892, as having been sent by me to the Collector for orders, have been referred by me from time to time to the Collector for orders. If necessary I can state the numbers and dates of my references to the Collector.

3. The Special Settlement Officer makes certain remarks regarding me in paras. 14 and 22 of his letter to the Board, No. 161, dated 30th April 1892. He states that I have "permitted myself to be effaced" and that he presumes that in forwarding his complaints against the Tahsildar to the Collector, instead of dealing with them myself, I was acting under Mr. Dumergue's instructions. He continues: "If Mr. Batten is not acting under any instructions, he is apparently afraid of the Tahsildar and too timid to take effective action to promote the public interests." I respectfully beg to take exception to these remarks. I did, as a matter of fact, receive instructions, both written and verbal, from Mr. Dumergue to forward such papers to him; but as the charges were so serious that I could not, if I considered them established, have myself adequately dealt with the Tahsildar's conduct, I should have in any case referred them for the decision of the Collector. The Special Settlement Officer's suggestion that I may have been afraid of the Tahsildar is, I respectfully beg to submit, most uncalled for and injurious.

From A. E CASTLESTUART STUART, Esq., Special Assistant Collector, Nilgiris and Malabar, to the Collector of Malabar, dated Coimbatore, 13th May 1891, No. 283.

I have the honour to acknowledge the receipt of copy of your Proceedings, No. 399 R., dated 8th May 1891, and to thank you for directing the amsam officials to render the Settlement officials all the necessary assistance as prescribed in the Settlement Manual. If they obey that direction, nothing more is expected or required of them by this department.

2. As observed by you, there is not the slightest necessity for the appointment of Gumastah Monons in the Walawanád taluk, and the entertainment of such men is not approved of by the Board of Revenue. I am at a loss to understand why the present Tahsildar of Walawanád should have recommended the employment of these men, for on a suggestion of the kind recently made to me by him, I pointed out that there was no necessity for the adoption of such a course. An extract from my Proceedings, No. 162, dated 21st April 1891, containing my remarks on the subject is appended for your information.

3. Each Classifier is required to classify and write up his register for 175 acres—wet and dry—daily. Taking 24 days as the number of working days in an ordinary month, each Classifier would complete some 4,200 acres in a month. There are few amsams of greater extent. Consequently, provided the amsam officials give the requisite aid, each set of amsam officials would not be required to assist the Classifier for more than a month. As the Classifiers have to go through every field, the Amsam Menons would be afforded the opportunity of becoming thoroughly acquainted with the existing conditions of their amsams, with which many of them appear to be inadequately familar. Moreover, some of these officials do not live within the limits of their jurisdiction—a course which I believe is opposed to explicit orders on the subject.

4. I am not aware that the Classifiers have taken any undue advantage of their position or have demanded more than legitimate assistance. Strict instructions have been issued frequently on the subject, and if any such case were established against any of the Classifiers, I should be glad to punish them severely. I am again issuing strict orders on the subject and should be glad if on receipt of complaints against any of my subordinates you would kindly furnish me with particulars, so that the necessary inquiries and action may be taken. I may state that I have been

8. I append (marked B, C and D) copies of papers submitted by the Menon to the Classifier which are most suggestive. In *B*, dated *7th September 1891*, the Menon informed the Classifier that he had been directed by the Tahsildar to be present at the taluk cutcherry with all the amsam accounts "*before the 31st August*," that he was therefore going there "to-morrow the 8th instant" and that he would return for Settlement work on the 9th idem. On his own showing the Menon disobeyed the Tahsildar's order, if he ever received such, directing him to go to the taluk cutcherry "before the 31st August" and it is not apparent how his disobedience justified his absence on the 8th and 9th September.

9. In Appendix D, dated 4th September 1891, the Menon reported to the Classifier that the reason he failed to do Settlement work on the whole of the 1st and 2nd September was because he was in attendance on the Tahsildar on those days, admittedly without having obtained leave. It is significant that the Tahsildar makes no mention of this in his explanation. He merely observes that he visited the village on the 1st September. The Menon also admits that he went to the taluk cutcherry on the 8th and 9th September, and, as his excuse, Appendix C was furnished to the Classifier. This appendix is noteworthy. It contains copy of the Tahsildar's order No. 3513, dated 24th April 1891, in which the village officials, to whom it is addressed (including those of Arakkuparamba), are directed to take all their accounts to the taluk cutcherry "in the month following each quarter" and this is explained by the instruction that they should be submitted "in the months of October, January, April and July." It is manifest that this Menon should have proceeded to the taluk cutcherry with his accounts for the quarter ending June 1891 during July 1891 and for the quarter ending September 1891 in the month of October 1891. This order was therefore no excuse for the Menon to leave his Settlement work for the taluk cutcherry on the 8th and 9th September 1891. Moreover, if there was no other order on the subject the Menon's excuse in Appendix B that he had been directed to go to the taluk cutcherry before the 31st August was untrue. He should have gone before 31st July 1891 with his accounts for the quarter ending 30th June 1891 or not until October with his accounts for the quarter ending 30th September 1891. His going in September was not authorised by the records which he submitted as his justification. As the Settlement work in his amsam did not begin until 1st August 1891, the Menon's failure to maintain his revenue accounts cannot be attributed to Settlement work—the usual excuse urged by the Tahsildar and his subordinates.

10. The second order of the Tahsildar contained in Appendix C is the best refutation of the Tahsildar's general remarks regarding Settlement work having obstructed the ordinary amsam work. As Settlement operations affect every item of land in an amsam it is difficult to see how Menons engaged in Settlement duty are prevented from doing their own work. Their presence with the Classifiers enables them to acquire a much more intimate knowledge of their amsams than many of them ever possessed before. In the second order referred to, the Tahsildar notices that certain accounts for fasli 1300 (which expired on 30th June 1891) had not been written up even on 3rd August 1891—the date of the order. As Settlement operations in Walawanád taluk only commenced during the last few weeks of fasli 1300, even the Tahsildar of that taluk will find it difficult to adduce sound reasons to support his gaseous asseverations.

11. So far as the Menon is concerned it is conclusively established that he was absent without having obtained the requisite memoranda from the Classifier on the 6th and 13th August, parts of the 1st and 2nd September, and the whole of the 8th and 9th September. On none of these occasions did he obtain the requisite memoranda from the Subordinate Revenue officials—the Tahsildar and Revenue Inspector—to whom he says he went. If he was called away, as alleged, on the 6th August by the Revenue Inspector he should have obtained the memorandum from the Classifier and a similar memorandum from the Revenue Inspector. On the 13th he did no work, saying he had "stomach-ache." This may or may not have been the case. On parts of the 1st and 2nd September, he says, he was attending the Tahsildar and admits he did not obtain the Classifier's permission. He received no memorandum from the Tahsildar. On the 8th and 9th September 1891, he went, he says, to the taluk cutcherry on the alleged ground that he had been ordered by the Tahsildar to go there before the 31st August, though no such order was produced and the Tahsildar furnished him with no memorandum; the only order produced in justification of his absence shows that he ought to have gone either before the end of July preceding or not until October.

12. As regards the Revenue Inspector he failed to give the Menon the requisite memorandum on the 6th August if, in fact, the Menon was with him on that day.

13. As regards the Tahsildar the following facts demand notice:—

(1) Without authority he removed the Menon from 1st September 1891 from the Classifier between the hours of 6 and 10 o'clock A.M. and thereby obstructed the progress of the Settlement.

(2) He failed to obey the instructions issued to him in respect of granting memoranda to village officials whom he took off Settlement work not only on 1st and 2nd September and succeeding days from 6 o'clock to 10 o'clock but also on the 8th and 9th September.

(3) His excuses for his action are both untenable and one is absolutely untrue.

(4) His general remarks are opposed to the facts as proved by his own orders to certain village officials and to the nature of Settlement and ordinary amsam work respectively.

14. For his absence from Settlement duties on the 6th August and 8th and 9th September, I have fined the Menon Re. 1. On none of these dates had he permission to leave the Classifier and for none of these dates has he produced any memoranda showing when he was permitted to resume his Settlement duties by the Subordinate Revenue officials to whom he says he went. Of his absence on the 13th August, when he says he was suffering from stomach-ache, I have taken no notice. For his absence on parts of the 1st and 2nd September without leave and for his absence from Settlement work on succeeding days from 6 to 10 o'clock A.M., the responsibility rests with the Tahsildar whom I must ask you to be good enough to deal with. I shall be obliged by your furnishing me with a copy of your order in respect of him at your early convenience for the information of the Board of Revenue.

From M.R.Ry. S. ANANTA PATTAR, Tahsildar of Walawanád Taluk, to the Special Settlement Officer, Malabar and South Canara, dated Perintalamanna, 10th November 1891, Ref. on C. No. 2371 C.&D.

I beg to acknowledge receipt of your Proceedings, No. 1486, dated 7th instant, and, in reply, to state that it is quite true that I issued instructions to the Arakkuparamba Amsam Menon to attend to his revenue work from 6 to 10 A.M. from 1st September last, as I found on that day, when I visited the village, that the jamabandi accounts of fugitive cultivation for current fasli were not ready, as they should have been, for my inspection and that the ordinary amsam work was not attended to on account of the Classifier insisting on the Menon to do the Settlement work from six in the morning to six in the evening to the exclusion of all other works. As such a state of things, if allowed to continue, could not but seriously interfere with the revenue administration of this taluk, for which I am primarily responsible, I deemed it necessary, in the public interests and to save myself from being blamed by my superiors, to issue an order to the Menon that he should devote a portion of his time, least inconvenient to Settlement work, for his legitimate ordinary duties. If fugitive cultivation is not inspected when the crop is on the land, their pymash and azmash become very difficult and both Government and ryots' interests suffer. In several amsams where Settlement work is in progress, these works are now sadly in arrears owing to the Menons' services not being available and the progress of revenue collection is also affected by the same cause. I have asked my Divisional Officer to devise in consultation with you some plan by which, the settlement, the survey, and the revenue works may be carried on without prejudice to any of them. I am supposed to complete all jamabandi accounts for current fasli before the end of this month, but this year through absence of Menons on settlement and survey works, this work is thrown back considerably. The Adhikaris cannot be made responsible for account works and their time being wholly taken up by collection of revenue, they cannot also be made available for amsam account works, even if it is permissible. Further the Adhikaris are, as a rule, not possessed of much capacity for writing and account works.

RESPECTED SIR,

Herewith I beg to submit, in original, for your information, a diary kept by the Menon of Arakkuparamba amsam who was lately fined by the Special Settlement Officer for alleged neglect of duty, showing the dates on which he (the Menon) was engaged with the Classifier on Settlement work. The entries in the diary were initialled by the Classifier and he could not therefore now repudiate their correctness. This diary will, I trust, completely demolish Mr. Stuart's statement, made in his letter * to Mr. Batten, dated 12th November 1891, No. 1546, that the Menon worked only 41 out of 61 days in August and September last. Further the diary will conclusively prove the very contrary of Mr. Stuart's assertion that the Menon did no Settlement work on Sundays and other authorised holidays. Except for 3 days in September the Menon worked with the Classifier on all holidays. If I am now to make an official report to you, through Divisional Officer, refuting Mr. Stuart's allegations made against the Menon in the letter above quoted, it is more than likely that Mr. Stuart will come to know of the existence of this crushing evidence and may therefore wisely refrain from reporting to the Board of Revenue as he has threatened to do and thus save placing himself in an awkward position. If I am required to make an official report on this subject, I request that the diary may be returned with Mr. Stuart's letter and its enclosures.

* Is now with the Collector.

I beg to remain,
Respected Sir,
Your most obedient servant,
(Signed) S. ANANTA PATTAR,
Tahsildar.

PERINTALAMANNA,
4th December 1891.

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inundated with complaints against the village officials for failing to do what they are required to do by the Settlement Manual, which is published under the orders and authority of Government. If the village officials will only attend to the duties therein specified, my subordinates will have no cause for complaint, and if I find any of the latter endeavouring to get the village officials to do more than their legitimate duties, they will be punished. I may add for your information that I have had the greatest possible difficulty in getting correct figures for several amsams, and this difficulty has been mainly caused by the apathy or ignorance and incompetence of the village officials concerned. Many of these persons do not appear to be accustomed to hard daily work in the sun, and when required to perform it are ever ready to prefer groundless complaints which there is a tendency on the part of some Subordinate Revenue officials to view not unfavorably. Their accounts are often hopelessly incorrect and have been pronounced by Government to be practically valueless. I trust, therefore, that you will not permit yourself to believe any such complaints against my Classifiers unless they have been duly established. Up to date the only complaint against any of the members of this party that has been preferred to my knowledge relates to Ayakkat in the Pálghat taluk and that complaint is being thoroughly investigated. I have myself prosecuted one of my Classifiers for falsifying his diaries and cheating and succeeded in getting him convicted. As you are aware the operations of the Settlement Department are always viewed with disfavor, and where, as in Malabar, the village officials are themselves frequently interested in obstructing our work as far as they can, it is natural to expect groundless complaints on their part.

PROCEEDINGS of the Special Assistant Collector, Nílgiris and Malabar, 21st April 1891, No. 162.

* * * * *

9. The undersigned, whilst admitting that many duties devolve upon village officials, is unable to support the Tahsildar's recommendation that Gumastah Menons should be appointed in places where Settlement operations are in progress. Each Classifier is rarely more than a month in any one amsam, and as he has to inspect and deal with every field, the undersigned is of opinion that the attendance of the Menon, which is necessary, will afford the latter an opportunity (which many Menons much need) of becoming familiar with every portion of their amsam, and of qualifying to be permanently retained when the revision of village statements is carried out. There is no reason why the Menons should not perform their ordinary duties whilst with the Classifiers, and the necessity for going with the Classifiers through the whole amsam should enable each Menon to bring his revenue accounts into good order and to make himself thoroughly acquainted with existing conditions.

(Signed) A. E. CASTLESTUART STUART,
Special Assistant Collector, Nílgiris and Malabar.

From A. E. CASTLESTUART STUART, Esq., Special Settlement Officer, Malabar and South Canara, to the Special Assistant to the Collector of Malabar, dated Coimbatore, 12th November 1891, No. 1546.

With reference to para. 6 of my letter, No. 1496, dated 7th November 1891, I have the honour to forward copy of the Walawanád Tahsildar's report, Ref. on No. 2371 C.&D., dated 10th November 1891.

2. It will be observed that the Tahsildar admits that he took upon himself to remove the Menon of the Arakkuparamba amsam from the Classifier between the hours of 6 and 10 o'clock A.M. from the 1st September last, the time which, in the plenitude of his ignorance, the Tahsildar describes "as the least inconvenient to Settlement work."

3. The Menon failed to obtain from the Classifier the memorandum prescribed in rule V, (3), section VII., chapter VI, of the Settlement Manual, permitting him to be absent during the hours mentioned, nor does the Tahsildar pretend that he attempted to obey that rule by granting the Menon a similar memorandum showing from what date he permitted the Menon to resume his regular work with the Classifier between the hours specified. The Tahsildar cannot urge ignorance of the Settlement Rule as his attention to it has been frequently drawn and he has himself notified it to the village officials. This removal of the Menon from the Classifier during hours when his services were specially necessary was made without any reference to me, and I believe I am right in assuming that the Tahsildar neither sought nor obtained your sanction for his obstructive instructions to the Menon.

4. The Tahsildar's excuses are (1) that the Menon had not prepared "the jamabandi accounts of shifting cultivation for the current fasli" and (2) that "the ordinary amsam work

was not attended to on account of the Classifier insisting on the Menon to do (*sic*) the Settlement work from 6 in the morning to 6 in the evening to the exclusion of all other works." Neither of these excuses is tenable and the second is absolutely untrue.

5. The Arakkuparamba amsam consists of the three desams of Puttur, Alanallur, and Arakkuparamba. The classification of this amsam was commenced on the 1st August 1891. On the 1st September, from which date the Tahsildar admits that he removed the Menon for four hours a day from the Classifier, the Settlement work had been in progress in the amsam for one month, but of the 31 days in August, the 2nd, 9th, 16th, 23rd and 30th were Sundays, the 22nd was the "last Saturday but one," and the 19th was another authorised holiday on account of the "Sravanam." On these seven days in August the Menon's services were not required by the Classifier, and he was free to do what he liked. He certainly did no Settlement work on those days. On the 6th August, the Classifier was unable to do any work as the Menon chose to absent himself without obtaining the requisite memorandum on the ground that he was engaged with the Revenue Inspector. Again, on the 13th August the Settlement work was stopped, because the Menon absented himself on the ground that he was suffering from "stomach-ache." Copy of his own report to the Classifier, dated 13th August 1891, is appended for your information (marked A). Thus, in addition to the seven days in August during which the Menon's services were not required by the Classifier as those days were Sundays or authorised holidays, on two other days the Menon absented himself from his Settlement duties. Thus out of 31 days in August, the Menon was with the Classifier on 22 days only.

6. Again in September, the 6th, 13th, 20th and 27th were Sundays, the 14th, 15th, and 16th were the Onam holidays, and the 19th was the "last Saturday but one." On these eight days the Menon's services were not required by the Classifier, and he was free to do what he liked. He performed no Settlement work on those days. In addition to these days, the Menon absented himself from the Classifier, thereby delaying Settlement work, for half-a-day on the 1st and half-a-day on the 2nd September. He, again, absented himself on the 8th and 9th September on the plea that he had gone to the taluk cutcherry and on these days also the Classifier was therefore unable to do his work. On none of these occasions did the Menon obtain the Classifier's memorandum permitting him to leave his work and on none of them did the Tahsildar furnish the Menon with the similar memorandum required by the rules. Thus in addition to the eight days in September 1891 on which the Menon's services were not required by Classifier, those days being Sundays or authorised holidays, on two whole other days and two half other days the Menon absented himself from Settlement duty. Thus out of the 30 days in September the Menon was with the Classifier only on 19 days, and, during many of those 19 days, he only attended the Classifier after 10 o'clock A.M. in consequence of the Tahsildar's unauthorized instructions.

7. It will thus be seen that of the 61 days in August and September, the Menon was with Classifier only on 41 days, and from the 1st September only for certain hours every day after 10 o'clock A.M. During these two months the Classifier never had the Menon's services on 20 days and never during any of the 41 days that he did attend was he required by the Classifier to work from 6 A.M. to 6 P.M. The Menon could have utilised the 20 days on which he was not with the Classifier in working off any arrears that may have accumulated owing to his previous idleness. The statement of the Tahsildar that the ordinary amsam work was not attended to, because the Classifier, insisted on the Menon doing Settlement work from 6 A.M. to 6 P.M. to the exclusion of all other work is absolutely untrue. The other excuse that the jamabandi accounts of shifting cultivation for the current fasli were not ready was no fault of the Classifier, nor is it apparent how the Menon by attending to his Settlement duties could be said to have been prevented from preparing these accounts. Presumably they could not be correctly prepared without a personal inspection, by the Menon, of the lands on which such cultivation occurred. Had the Menon attended to his Settlement work and regularly accompanied the Classifier to the field as he was bound to do, he would have been afforded the very best opportunity of correctly preparing these and other accounts and of bringing them into agreement with the actual condition of the lands. The Classifier has to inspect every field in the amsam and the Menon, if he had rightly attended to his Settlement work, would also have been able to inspect every field. The field inspection is done by the Classifier between 7 o'clock A.M. and 12 o'clock noon every day, and the Tahsildar's action in removing the Menon from 6 to 10 o'clock A.M. from the Classifier could not have facilitated the correct preparation of the shifting cultivation accounts referred to, whilst it seriously obstructed the progress of Settlement work. Moreover, it is pertinent to inquire why these accoun's had not be prepared before the Classifier ever entered the amsam? So far back as 17th March last I instructed the Tahsildar in my Proceedings of that date, No. 1961, on the subject of accounts, the Settlement Rules so far as they affected village officers, &c., and made special reference to the shifting cultivation accounts at para. 4 thereof. The Tahsildar took no action on these instructions until the 18th May 1891, when he issued a circular to all the village officials which has not been fully obeyed either by them or the Tahsildar himself. Moreover, as will be seen later on, the Tahsildar had himself issued instructions regarding the punctual preparation of the revenue accounts to this and other village officials long previously and had threatened them with punishment if they failed to obey his orders. His threats appear to have had little effect.

PROCEEDINGS of the Collector of Malabar, dated 18th July 1892, No. 883 R./Genl.

Read endorsement, Reference on 481 Mis.-W., dated 15th July 1892, by the Special Assistant Collector, forwarding, for the orders of the Collector, letter No. 1104, dated 20th June 1892, from the Tahsildar of Walawanád.

The Acting Collector is surprised that the Special Assistant Collector should have allowed such a production as the Tahsildar's letter to have passed through his office.

2. The Tahsildar obviously does not realize his position towards the Settlement Officer, or he could never have penned the last sentence of his letter. With the exception of some letters from an officer who proved to be mad, the Acting Collector has never seen such an impertinent statement as that contained in the words—"I have myself asked the Special Settlement Officer to issue the necessary instructions to his subordinates on the subject, but a letter from you will, I presume, have better effect—" in any official communication from a subordinate, for the Tahsildar is just as much the subordinate of the Special Settlement Officer as of the Special Assistant Collector.

3. The Tahsildar will, in future, understand that he is to address the Special Settlement Officer with the respect due to his position and that the next offence on his part will result in summary and severe punishment.

4. In the Tahsildar's correspondence now sent up for orders there are many pieces of impertinence, to say nothing of the general tone of the letters, for instance, the admission that the Tahsildar, knowing that the Menon had been directed by the Supervisor to be present at his azmash, deliberately ordered him to come to the taluk cutcherry. In this and in the whole of this correspondence it is evident that the Tahsildar completely misunderstood his position and deliberately attempted to throw obstacles in the way of the Settlement.

5. The Tahsildar's duty on finding that the Supervisor had instructed the Menon to be present at his azmash without consulting him as the principal executive officer in the taluk was to respectfully address the Settlement Officer, requesting him to direct the Supervisor to arrange his work so as not to interfere more than was absolutely necessary with the revenue work of the taluk. The Tahsildar's action in directing the Menon to disobey the Supervisor's order shows a disregard of official decency, to say nothing of ordinary courtesy which is almost inconceivable. The Tahsildar is warned that a repetition of such conduct, if brought to the Acting Collector's notice, will be followed by his immediate suspension.

6. The Acting Collector believes that other matters of the kind are pending disposal, so that it is at present unnecessary to inflict any particular penalty upon the Tahsildar.

7. The Special Settlement Officer will of course issue such instructions to his subordinates as will prevent a repetition of this most unseemly correspondence. There can be nothing to prevent the Supervisors from letting Tahsildars know the dates on which they require the services of village officers.

(Signed) H. BRADLEY,
Ag. Collector.

Reference on the above, dated 1st September 1892.

In forwarding the explanation of the Tahsildar of Walawanád regarding the charges brought against him by the Special Settlement Officer, the Special Assistant Collector, Mr. Batten, states that he simply forwarded to the Collector all complaints received from Mr. Stuart in accordance with orders, both written and verbal, received from Mr. Dumergue. Mr. Bradley has also forwarded, for the perusal of the Board, a confidential demi-official letter from the Tahsildar of Walawanád, dated 4th December 1891, with reference to Mr. Stuart's letter, dated 12th November 1891, No. 1546. Mr. Dumergue is requested to report what orders he issued to Mr. Batten and whether he took notice of the conduct of the Walawanad Tahsildar in addressing to him the communication referred to. He is also requested to explain why no action was taken on the several letters from Mr. Stuart to the Special Assistant Collector quoted at para. 35 of Mr. Bradley's report.

2. Mr. Bradley's letter and its enclosures III. to IX. are forwarded to Mr. Dumergue for reference and return.

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

READ—the following letter from J. W. F. DUMERGUE, Esq., I.C.S., Acting District Judge, Trichinopoly, to the Secretary to the Commissioner of Revenue Settlement, and Director of the Department of Land Records and Agriculture, dated 20th October 1892.

I regret the delay which has occurred in my acknowledging receipt of the Board's Proceedings, dated 2nd September 1892, Reference on Board's General Register No. 7710 of 1892. It has been unavoidable owing to my change of appointment and pressure of work in connection with my present duties.

2. In the matter of alleged obstruction to Settlement in the Walawanád taluk of the Malabar district, it is conceded by the present Acting Collector that the Special Assistant Collector and myself knew all that was going on and never once censured the Tahsildar. It is, I submit, obvious from this circumstance that, as the Tahsildar's conduct was sanctioned by his superiors, he must be entirely exonerated.

3. With regard to the Special Assistant Collector, I regret that I must differ from the view taken by the present Acting Collector, who, while acknowledging that Mr. Batten acted under my instructions, holds Mr. Batten culpable. Mr. Batten could not have acted otherwise than he did without insubordination to his superior officer. Hence Mr. Batten also must be entirely exculpated and the whole responsibility rests on myself.

4. The question is therefore limited to my conduct. My conduct has already been declared by the Madras Government, in para. 47 of its order, dated 17th June 1892, No. 624, Revenue, to be unpardonable, and for the offence I am said to have committed I have already been censured and punished. The Board is further aware that the Madras Government refused, in its order, dated 23rd July 1892, Mis. No. 3351, to reconsider its former order.

5. So far, therefore, as regards the Madras Government and all authorities under the Madras Government, the question of my conduct has been finally decided and cannot, I submit, be re-opened here. Against the orders of the Madras Government I am preferring an appeal to higher authority and praying for a full inquiry into the subject of my conduct, which was finally disposed of by Government in June 1892 and in respect of which the Board has called on me for an explanation in September 1892.

6. If, after a consideration of these facts, the Board in the Settlement Department still requires an explanation from me, not only am I ready to obey its wishes, but the Board is also aware that several months ago, before the disposal of the case, I repeatedly sought for the inquiry which has been instituted now after judgment has been passed.

7. But if I am to furnish an explanation now, there are many records essentially connected with the case which have not been supplied to me and without which I am unable to offer an explanation. For instance, the enclosures to the Board's Proceedings (Revenue Settlement, Land Records and Agriculture), Mis. No. 76, dated 5th January 1892, are absolutely necessary for the purpose as also are copies of correspondence regarding the preparation of desamwar accounts. On this subject I addressed the Board, I think, more than once, but I regret that I cannot give the precise reference. There are also some other records for which, in the event of an explanation being required, I must apply, but, in order to avoid causing any unnecessary trouble and delay, I will reserve my application until I have been able to study carefully the papers which form enclosures to the Board's Proceedings under reply, and are, as the Board is aware, intricate and voluminous.

Resolution—dated 26th October 1892, No. 8333 Mis. (Sett.).

With reference to his letter, dated 20th October 1892, Mr. Dumergue is requested to return the records forwarded to him with the Board's Reference on General Register No. 7710, dated 2nd September 1892.

(Singed) P. RAJARATNA MUDALIAR,
Secretary.

RESOLUTION—dated 14th December 1892, No. 717.

At para. 4 of his letter, No. 161, dated 30th April 1892, to the Board, in the Settlement Department, Mr. Castlestuart Stuart lays the following indictment against the Tahsildar of Walawanád taluk, M.R.Ry. S. Ananta Pattar:—"With the advent of the present Tahsildar those operations of the Settlement Department [a] began to suffer the most serious obstruction, owing to his most unwarranted misconduct, of which I proceed to set forth some of the most glaring cases." This letter and another on the same subject, dated 7th April 1892, No. 61, having been sent to the Collector of Malabar for report with the Tahsildar's explanation, Mr. Bradley replied in his letter dated 23rd August 1892. This was sent to Mr. Dumergue with the Board's Reference dated 2nd September 1892, which is answered by his letter dated 20th October 1892.

(a) Of the Settlement Party.

2. The Special Settlement Officer has made against the Tahsildar twenty-two more or less definite charges. In his report, the Acting Collector has dealt with these charges *seriatim*, and it will be convenient to retain them in the order in which Mr. Bradley, following Mr. Stuart, has set them forth.

CHARGE I.

(a) *Delay in issuing instructions to village officers in pursuance of the Settlement Officer's proceedings dated 17th March 1891, and*

(b) *Misleading Mr. Stuart in regard to the time when the Tahsildar's orders were issued.*

3. Mr. Stuart's complaint is that the Tahsildar's circular embodying instructions was not issued until May 18th, and that, when the Tahsildar reported to him, on the 28th May, that orders had been sent out on the former date, as a matter of fact the circular had not reached many villages by June 1st. Mr. Bradley considers that this charge is not established, and the Board agrees with him. This Tahsildar took charge of the taluk only on March 31st, and the subsequent delay is adequately accounted for by the Tahsildar [b] on the ground that the Settlement Officer's proceedings had to be translated, and that reference had been made to the Collector. The circular is said to have left the taluk office on May 22nd. Moreover, the Acting Collector points out that the appendices to Mr. Stuart's letter, No. 161, dated 30th April 1892, show conclusively that up to April 30th, 1891, this Tahsildar had assisted the Settlement Party as effectively as his predecessor.

(b) Explanation—para. 3.

CHARGE II.

That from March 7th, 1891, to April 15th, the Tahsildar was occupied in sending up reports against the Settlement subordinates, and urging the appointment of gumastah Menons, unknown to Mr. Stuart, with a view to obstruct the work of the party.

4. Upon this charge the Acting Collector considers the Tahsildar is entitled to an acquittal. The Board concurs with Mr. Bradley. Mr. Stuart's arguments in this case go round in a circle, and are of no value in proving that the Tahsildar intended, by what he did at this time, to obstruct the work of the party. In connection with this case Mr. Stuart complains that his letter [b], No. 283, dated 13th May 1891, was not answered by the Collector. This complaint is not reasonable, for the letter did not require an answer.

(b) Printed as the last Appendix to Mr. Stuart's letter, No. 161, dated 30th April 1892.

CHARGE III.

Delay and irregular procedure in inquiring into, and reporting upon, the conduct of an Adhikari suspended by Mr. Stuart.

5. Mr. Bradley acquits the Tahsildar of misconduct. The Board considers, however, that the Tahsildar was out of order in reporting to the Divisional Officer on

the matter, instead of to Mr. Stuart, from whom the order to inquire emanated. The Board observes that, at this time, the Tahsildar could have had no doubt upon the question of his subordination to Mr. Stuart, whose official title was then "Special Assistant Collector." Upon the Tahsildar's report the Collector [a] reinstated the Adhikari, whom Mr. Stuart had suspended; observed that the order of suspension was *ultra vires*, and warned Settlement subordinates that if false complaints were made it would "be necessary to protect amsam officials by instituting criminal proceedings."

(a) Proceedings dated 1st May 1891. Appendix IV. (*f*) to Tahsildar's Report.

CHARGE IV.

Neglecting to reply to Mr. Stuart's proceedings, dated 25th March 1891, reporting to the Divisional Officer instead, and sending an impertinent answer to Mr. Stuart.

6. In regard to this matter the Board agrees with Mr. Bradley in thinking the Tahsildar must be acquitted except in respect of his letter to Mr. Stuart, dated 2nd October 1891,[b] which the Acting Collector rightly describes as most improper, adding that, in his official experience, he has never met with, or heard of, anything similar. So far as the Board knows, this communication is, for insolence of tone from an inferior to a superior officer, happily without precedent. The following sentence is a sample of the whole:—"You will thus see that my impression that punishment of village officers rested with District Officers was not 'erroneous,' nor my procedure in referring to my Divisional Officer a case involving the punishment of suspension of village officers 'objectionable' as you have remarked. On the other hand, both my impression and procedure were, I respectfully beg to state, quite in accordance with the then existing orders on the subject." The insolent tone of a passage such as this is not purged by the introduction of a few conventional words of affected humility. On October 12th, [c] Mr. Stuart forwarded this communication to the Collector, but received no reply to his complaint. Mr. Bradley cannot say why this letter was not answered. About this time, the Tahsildar went a step further in writing to Mr. Batten a letter [d] (not an arzi) in which, after asserting his independence of the Special Settlement Officer, he "requests" that, for the future, the Settlement Officer may be instructed to send his communications, "not direct to me but through my official superior," because "the procedure now adopted by the Special Settlement Officer of directly communicating with me on such matters [e] is found very inconvenient." It is true that, at this time, Mr. Stuart's title had been changed from Special Assistant Collector to Special Settlement Officer, but his official relation to the subordinate Revenue officials in the districts to which he was appointed was not thereby altered. Mr. Batten sent no reply to the Tahsildar's letter.

(b) Appendix VIII., 12.

(c) Appendix VIII., 13.

(d) No. 2128, dated 8th October 1891, Tahsildar's Appendix IV. (*h*).

(e) *i.e.*, Other than routine.

CHARGE V.

Deliberate misrepresentation of facts in a certain matter.

7. As regards this charge the Tahsildar's explanation is sufficient.

CHARGE VI.

Writing an impertinent letter to the Supervisor.

8. In the letter [f] referred to, the Tahsildar said that, in certain circumstances, he would be compelled to issue orders to his subordinates to disregard the Supervisor's instructions, and added: "this, I need hardly mention, would have a bad effect upon Settlement operations." Upon this Mr. Bradley says that the Tahsildar's explanation aggravates the offence. This is true.

(f) Appendix X. (3), dated 27th April 1891.

CHARGE VII.

Deliberate obstruction to Settlement work by issuing, on his own responsibility, a circular order to Menons not to attend the Classifiers between 6 and 10 A.M., and disingenuously concealing the fact of its issue.

9. Mr. Bradley considers that the issue of the circular in question was most improper, and that the Tahsildar's conduct in the matter was disingenuous. This is one of the most serious charges of obstruction against the Tahsildar. It appears that on September 1st, 1891,[a] he issued orders to a certain village officer not to attend to Settlement work but to perform his ordinary duties from 6 to 10 in the morning. Upon hearing of this case Mr. Stuart[b] called upon the Tahsildar to explain. The Tahsildar, in an impertinent letter,[c] dated 10th November 1891, replied that he had issued the order to the Menon in question in the interest of his ordinary work, and added that he had addressed the Divisional Officer with a view to arrangements being made with Mr. Stuart "by which the settlement, the survey, and the revenue works may be carried on without prejudice to any of them." The Tahsildar's reference[d] to the Divisional Officer here alluded to was written on September 26th, 1891: it suggests that certain hours of the day be prescribed for Settlement work. While this matter was under disposal by Mr. Batten in consultation with Mr. Stuart, the Tahsildar took upon himself to issue, on November 9th, 1891, a circular,[e] to all Menons, that, from 6 to 10 A.M., they should attend to their ordinary duties, disregarding calls from the Settlement Department. The Divisional Officer presently issued very different orders. The Board observes that Mr. Stuart's call upon the Tahsildar for explanation in regard to the issue of an order in this sense to one Menon is dated November 7th, and the Tahsildar's reply is dated November 10th. These dates suggest the suspicion that the circular of the 9th was sent out after receipt of Mr. Stuart's proceedings; but, however this may be, the abstention of the Tahsildar, in his reply to Mr. Stuart, from all allusion to this objectionable circular was most disingenuous. The Board is unable to believe the Tahsildar's protestations either of good faith in the issue of the circular, or of ignorance as to its probable effect on Settlement work. He must have known that its effect would be seriously to delay the operations of the party. Mr. Stuart complained to the Divisional Officer of the Tahsildar's conduct, in his letters dated[f] 7th November 1891, No. 1496,[g] 12th November 1891, No. 1546,[h] 26th February 1892, No. 2368, and[i] 26th February 1892, No. 2370. All these letters lie[j] undisposed of in the Collector's office.

(a) Appendix XI. (1), 1st September 1891.
(b) Appendix XI. (2), 7th November 1891.
(c) Appendix XI. (3), 10th November 1891.
(d) Appendix XI. (1), 26th September 1891.
(e) XIII. (1), 9th November 1891.
(f) Appendix XII. (3).
(g) Appendix XI. (4).
(h) Appendix XIII. (1).
(i) Appendix XI. (5).
(j) Mr. Bradley's Report, para. 35.

CHARGE VIII.

Writing to Mr. Stuart in an insolent manner.

10. The document referred to here forms Appendix XIV. (5), and is dated 21st November 1891. It is quoted in the margin. Mr. Bradley says of it that it is a piece of impertinence unparalleled in his experience. It is difficult to understand how a subordinate could venture to address his superior in such a tone.

SIR,

Adverting to your proceedings, No. 1288, dated 6th October last, I beg to state that my remarks which were plain enough were intended to be understood only in the sense in which the Classifier understood them and not in either of the senses in which they were interpreted in para 4 of your proceedings.

2. I am not quite certain if the Settlement Rules are binding on courts, but assuming that they are, the particular rule quoted by you simply required the Menon when he was summoned to obtain a memorandum from the Classifier, noting only the date of departure of the Menon from the amsam and nothing more. If the Classifier had simply contented himself with complying with this plain requirement, there would have been no occasion for my remarks at all. But instead of doing that the Classifier wrote on the back of the summons itself without taking the trouble to furnish a separate memorandum as required by the rule that he had permitted the Menon to leave the amsam and to attend the court, as if the court could not enforce the attendance of the Menon without the Classifier's permission. In this, the Classifier was not, in my opinion, warranted.

3. I respectfully beg to differ from your interpretation of the rule as stated in para. 5 of your proceedings. The word "permitted" occurring in the rule can only relate to the summoning officer and not to Classifier.

CHARGES IX. AND X.

Sending impertinent replies to Mr. Stuart.

11. These are charges similar to the preceding one, and differ from it only in degree. The communications form Appendix XV. (3)[a] and XVI.[b] Mr. Bradley rightly holds that the Tahsildar's explanation aggravates his offence. In connection with this matter Mr. Stuart complained to Mr. Batten in his letter, dated 26th February 1892, No. 2366.[c] This was sent on to Mr. Dumergue, who did not reply.

(a) 18th November 1891.
(b) 15th December 1891.
(c) Appendix XVII.

CHARGE XI.

Preventing the Supervisor from summoning Menons except through the Tahsildar, and encouraging the Menons to disobey the orders of the Supervisor.

12. The fact that the Menon concerned disregarded the Supervisor's summons[d] and thereby hindered the work of Settlement, is quite plain, and the Acting Collector considers, and the Board agrees with him, that the Tahsildar's action in this matter is quite indefensible. At the same time the Board observes that Mr. Batten's endorsement, dated 27th October 1891, confirmed the Tahsildar's action in telling the Menons to disregard Classifiers' summonses to places far from their amsam.[e] Upon this matter also the Special Settlement Officer[f] complained to Mr. Batten, who sent on the letter to the Collector. This is another reference[g] which lies undisposed of in the Collector's office.

(d) Menon's arzi to the Tahsildar, Appendix XVIII. (2), 14th October 1891.
(e) Tahsildar's explanation, para. 13; Collector's letter, para. 30.
(f) Appendix XVIII. (6), No. 2423, 29th Feb. 1892.
(g) Mr. Bradley's para. 35.

CHARGE XII.

Sending on a false complaint against a Classifier without inquiry.

13. In this case the Tahsildar's explanation is not satisfactory.

CHARGE XIII.

Issuing a general circular to village officers not to use, in writing to Classifiers, such respectful terms as "arzi," &c., and telling village officers that they are in no way subordinate to Classifiers.

14. The circular[h] in question is dated November 10th, 1891, the day, it is observed, on which the Tahsildar wrote to Mr. Stuart about the hours of Settlement work. In his explanation (para. 15) the Tahsildar relies on the Collector's proceedings dated 2nd May 1891, but it is one thing to recite as a fact in disposing of a complaint that the village officers are not the subordinates of the Classifiers and another to incite village officers to insubordination, which was the necessary effect of addressing to them such a circular as that of which Mr. Stuart justly complains. Upon this charge the Board regards the Tahsildar's explanation as worthless. Moreover, as found by Mr. Bradley, it is disrespectful in tone and aggravates the original offence. Once more Mr. Stuart wrote[i] to Mr. Batten with the result that his letter was sent on to the Collector, in whose office it is still pending.[j]

(h) Appendix XX. (1).
(i) Appendix XX., No. 2410, 29th Feb. 1892.
(j) Mr. Bradley's para. 35.

CHARGE XIV.

Issuing another circular to village officers instructing them that the Supervisors had no authority to send orders to them, and telling them not to address Supervisors by the word "submit."

15. This circular, which forms Appendix XXI. (2), is dated 15th December 1891, and is of a piece with that to which the last charge relates. In his defence the Tahsildar quotes the Collector's [a] proceedings, dated 18th May 1891, which certainly does not justify his action. Mr. Bradley is of opinion that this circular was issued with the deliberate intention of causing annoyance and trouble to the Settlement officials. The Board agrees with the Collector. This matter also was reported [b] by Mr. Stuart to Mr. Batten, and was, by him, sent on to Mr. Dumergue, [c] who failed to pass orders thereon.

(a) Tahsildar's explanation, Appendix XIV. (*b*).

Proceedings of the Collector of Malabar, dated 18th May 1891.

Read reference on C. No. 325 Mis., W., dated 7th May 1891, from the Special Assistant Collector, Malabar, on Walawanad Tahsildar's report, Reference C. No. 3617 Mis., dated 1st May 1891, forwarding, for orders, copy of Settlement Supervisor's circular to the Classifiers.

The Supervisor certainly has no authority to issue orders to Revenue officials although Classifiers are authorized to summon the village officers. But the order in this case is addressed to Classifiers and the explanation would probably be that a copy was sent merely for information. No notice need therefore be taken. A copy of the rules on the subject in the Settlement Manual is forwarded for information and all that the Tahsildar need do is to see that it is strictly followed so that there may be no ground for complaint.

(b) Appendix XXI. (5), No. 2391, 27th February 1892.

(c) Mr. Bradley's para. 35

CHARGE XV.

That the effect of this circular was to induce village officers to write impertinently to the Supervisor.

16. This result is shown by the Adhikari's communication, which forms Appendix XXII. (2), dated 16th February 1892. This, as Mr. Bradley says, could not have occurred unless the village officers felt sure of support from the Tahsildar. Mr. Stuart reported the matter to Mr. Batten in two letters [d]. The first Mr. Batten sent on to the Collector, who passed no orders on it. To the second Mr. Stuart received no answer at all. These letters are quoted at para. 35 of Mr. Bradley's report as pending in the Collector's office.

(d) Appendix XXII. (5), No. 2356, 25th February 1892.
Appendix XXII. (7), No. 2506, 10th March 1892.

CHARGE XVI.

Putting a strained interpretation on Settlement Rules.

17. In this case Mr. Bradley considers that the Tahsildar's objection was taken with the intention of annoying and, if possible, obstructing the Supervisor. The Board agrees with him.

Appendix XXIII. (1).

CHARGE XVII.

Suppressing the fact that the Tahsildar had issued his circular of November 9th.

[*Appendix XXIV. (2).*]

18. This is dealt with at para. 9 *supra*. Of the Tahsildar's explanation, Mr. Bradley says it is impertinent in tone and simply quibbling. This matter was reported [e] by Mr. Stuart to Mr. Batten, who forwarded it to Mr. Dumergue. The letter is one of those still pending in the Collector's office. [f]

(e) Appendix XXIV. (3), No. 2384, 27th February 1892.

(f) Mr. Bradley's para. 35.

CHARGE XVIII.

Refusing to furnish information to the Supervisor about an anicut.

19. That the Tahsildar was obstructive and rude is shown by his letter to the Supervisor [a] dated 14th December 1891. The Supervisor replied, [b] indeed, in an equally improper manner, but Mr. Stuart noticed this in his proceedings [c] of 26th February 1892. As regards the delay the Tahsildar's explanation may be accepted. About this matter Mr. Stuart wrote to Mr. Batten on 1st March 1892.[d] This letter is also in Mr. Bradley's list at para. 35 as undisposed of.

(a) Appendix XXV. (5).
(b) Appendix XXV. (2), 18th Dec. 1891.
(c) Appendix XXV. (6).
(d) Appendix XXV. (8), No. 2444.

CHARGES XIX., XX., XXI.

Delay in the matter of revising accounts.

20. It is clear that the Tahsildar failed to have the Amsam accounts prepared Desamwar as required by Mr. Stuart, and it is clear also that, in explaining his neglect to do so, in his arzi to Mr. Stuart, [e] he used expressions which, addressed to a superior, are not to be excused. That the object sought by the Settlement Officer was a very desirable one may be admitted, and the present Collector, satisfied of the advantages which will accrue from the introduction of this modification in the system of village accounts, has consented to its being carried out in the taluks of the district in which classification remains to be completed. It means, however, a very great amount of extra labour to the Menons unless the work is carried out at such a time of the year as will admit of the accounts in the new form being prepared in substitution of, and not in addition to, the accounts in the old form. Mr. Stuart was fully aware of the large extra amount of work involved by his requisition, and was not justified in requiring the work to be done without first obtaining the full consent of the Collector, or obtaining the orders of the Board.

(e) Appendix XXVI. (1), 25th January 1892.

The complaint made in Mr. Stuart's letter of 13th February 1892, that his application to Mr. Dumergue for statistics in regard to the Walawanád taluk had been entirely neglected, is shown in Mr. Dumergue's letter, of 7th March 1892, to the Board (Board's Proceedings, No. 3358, of 6th April 1892), to be without foundation.

The statistics required some time for preparation, and if, at the date of Mr. Stuart's application for them, they were urgently required, there was nothing to prevent him applying for them months before he did. It would, moreover, have been in accordance with the general practice to offer some assistance from the Settlement office in the preparation of the statistics required.

21. The last charge is of a general character. It is not proved and the Tahsildar denies it.

22. The presence of a Settlement Party in a taluk inevitably causes a considerable amount of hindrance in the progress of ordinary revenue work, owing to the fact that the Classifiers are absolutely dependent on the Menon for all information as to the existing registration, rate of assessment, &c., of each individual field in the villages, that it is impossible for the Classifier to do his work in the absence of the Menon, and that, therefore, it is necessary to lay down strict rules debarring the Menon from leaving his village save for urgent reasons. The absolute necessity of giving the head of each Settlement Party a large share of control over the village Menon, upon whom the progress of his work so greatly depends, has been recognised by Government and this authority is conferred by giving to Settlement Officers the rank of Special Assistant to the Collector of the district in which Settlement is proceeding. The arrangement has hitherto been found as suitable as could be devised. Its proper working, however, of course, depends upon the Settlement Officer and the Collector and Divisional Officers working in harmony. So far as the Tahsildar is concerned, the papers before the Board show, however, that he has been guilty of very grave misconduct in connection with the Settlement Officers and

Settlement work in his taluk. His behaviour towards Mr. Stuart has been most insolent, and his issue, without authority, of the circulars[a] to the village officers in regard to their attitude towards the Settlement Party had, if not for its object, at all events, the effect of retarding the progress of the Settlement in the Walawanád taluk. The Board holds that these circulars were promulgated by the Tahsildar with full knowledge of their effect. So far as the Tahsildar's explanation is concerned, he has failed in his attempt to shelter himself behind orders issued by his superior officers. On the other hand, Mr. Bradley urges in extenuation of his misbehaviour that, throughout its course, the Tahsildar was never once reprimanded by those in authority over him, although they were aware of what was going on. Some weight may be allowed to the Collector's recommendation to mercy upon this ground. It should also be allowed in the Tahsildar's favour that the manner in which Mr. Stuart addressed him on more than one occasion was far from calculated to enlist his willing services on behalf of the Settlement Department, but nothing can justify or excuse such grave misconduct on the part of an officer in this position, who has had upwards of twenty years' official experience. After a full consideration of all the circumstances of the case, the Board is of opinion that M.R.Ry. S. Ananta Pattar should be reduced to the post of Deputy Tahsildar on Rs. 120, and accordingly makes this recommendation to Government.

(a) Referred to in Charges VII., XI., XIII., and XIV. *suprâ*.

23. With reference to Mr. Stuart's statement that his numerous complaints about the Tahsildar were disregarded by the Divisional Officer and the Collector alike, Mr. Bradley, at para. 35 of his letter, gives a list of no less than thirteen communications addressed by Mr. Stuart to the Divisional Officer, and by him forwarded, under the Collector's order, to Mr. Dumergue. These letters bear dates ranging from 7th November 1891 to 10th March 1892, and show that if the work of Settlement was to proceed smoothly, they needed prompt attention; but it appears that not one of them was answered by Mr. Dumergue. Mr. Stuart quotes all these letters in his communications to the Board.

24. In connection with the Special Settlement Officer's letter No. 1546, dated 12th November 1891, Mr. Bradley forwarded a demi-official,[b] dated 4th December 1891, addressed by Tahsildar Ananta Pattar to Mr. Dumergue, and bearing, apparently, Mr. Dumergue's initials under date 6-12-91. It shows that the Collector had not failed to consider, though he had neglected to answer, the complaints made by Mr. Stuart. The fact that the Tahsildar was allowed to address the Collector demi-officially and direct, and the terms in which the Tahsildar was permitted to write of Mr. Stuart, leave no reasonable doubt that the Collector had made himself thoroughly cognizant of all that was going on in Walawanád. His failure to notice the Tahsildar's conduct was, in these circumstances, to condone it, and lent colour to any supposition the Tahsildar may have entertained that the Collector would support him in his misdoings. This letter, together with the Acting Collector's report, was referred to Mr. Dumergue by the Board (Settlement Department) by its Reference dated 2nd September 1892. Shortly after this, Mr. Dumergue was appointed to act as Judge

(b)

RESPECTED SIR,

Herewith I beg to submit in original for your information a diary kept by the Menon of Arakaparamba amsam who was lately fined by the Special Settlement Officer for alleged neglect of duty showing the dates on which he (the Menon) was engaged with the Classifier on Settlement work. The entries in the diary were initialled by the Classifier and he could not therefore now repudiate their correctness. This diary will, I trust, completely demolish Mr. Stuart's statements made in his letter (is now with the Collector) to Mr. Batten, dated 12th November 1891, No. 1546, that the Menon worked only 41 out of 61 days in August and September last. Further the diary will conclusively prove the very contrary of Mr. Stuart's assertion that the Menon did no Settlement work on Sundays and other authorised holidays. Except for three days in September the Menon worked with the Classifier on all holidays. If I am now to make an official report to you through Divisional Officer refuting Mr. Stuart's allegations made against the Menon in the letter above quoted, it is more than likely that Mr. Stuart will come to know of the existence of this crushing evidence and may therefore wisely refrain from reporting to the Board of Revenue as he has threatened to do and thus save placing himself in an awkard position. If I am required to make an official report on the subject, I request that the diary may be returned with Mr. Stuart's letter and its enclosures.

I beg to remain,
Respected Sir,
Your most obedient servant,

(Signed) S. ANANTA PATTAR,
Tahsildar.

PERINTALMANNA,
4th December 1891.

of Trichinopoly, and was therefore no longer under the Board. His reply to the reference quoted is his letter dated 20th October, in which Mr. Dumergue maintains that his conduct in this matter having been already judged and condemned by Government, the subject is no more open to discussion. He added, however, that if the Board, in the Settlement Department, still desired an explanation from him, he would furnish it upon receipt of certain records. The Board's object in making the reference to Mr. Dumergue was to afford him an opportunity to explain his conduct as it appeared from Mr. Bradley's report; and the offer having been declined, the Board, not being disposed to discuss the matter further as Mr. Dumergue is no longer under its orders, requested him to return the records. In these circumstances the Board resolves to submit the papers to Government for disposal so far as Mr. Dumergue's conduct is concerned.

(True Extract.)

(Signed) W. S. MEYER,
Ag. Secretary.

To the Secretary to Government, Revenue Department.
" Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture.
" Collector of Malabar.

Exd. E. Fernandez.

Services & that he was commended in his conduct by his superior Officers the penalty recommended was perhaps slight as it is & merely a severe reprimand.

The most important question, however, in connection with these papers is the conduct of Mr. Barton the Special Assistant & Mr. Duncan the Collector in having taken no notice whatever of the repeated complaints of the Special Settlement Officer & Mr. Duncan assumes the whole responsibility for the course of action & says that Mr. Barton acted under his instructions para 3 of his letter of 20 October/92 - Mr. Barton in his letter of the 8th August/92 says, "I did as a matter of fact receive instructions both written & verbal from Mr. Duncan to forward such papers (i.e. the Tenants complaints) to them". It is important to ascertain when & on what terms these instructions were given but the papers afford no information on this point. Mr. Barton's statement stands at the

? Also The Collector

Written enquire in Dy Secy Dept

accusation of the Proceedings but as he left at the end of November he must be cross-examined & explanations might be taken in writing.

Mr. Duncan replied to the Board's call for explanation by stating that "so far as regards the Tenders &c. & the contractors under the Tenders for the Construction of my Camp. Orders have been finally decided & carried out. I submit, in explanation, that at the time I was ready to lay the Board's wishes & orders in the matter before them for consideration & action I was detained on Special Duty at Dispersal of the Tenders."

That Mr Duncan's explanation should be considered & the Board should have called on it being submitted.

Yes

It is proposed that the papers be forwarded to the Secretary of State with Mr Duncan's Memorial & it is submitted that he should be required to furnish his explanation at once.

The records of the office showing the dates on which the letters specified in para 35 of Mr Bradley's letter of 23 Aug/92 were received by Mr Duncan. See para 66 of his Memorial herewith.

Mr Hicks. Memo in draft attached. 24/9

the complaints by Lt Stuart are forwarded to him by Lt Butler on the 9 March/92 this he denies & explains that he was not aware of these specific charges upon which the decision for not taking action at the time was based, but that complaints existed in matters of fact or substance were then pending before the Board which recorded all the papers on the 6th April/92 but that Rs 25 had reference to complaints of failure to furnish accounts & only not the specific instances of obstruction & violence. The action of the Board appears to be sufficient for the Dewan's direction. In para 6 of the Memorial he admits receipt of Mr Stuart's letter of the 12 October/91 bringing a specific charge of impertinence against the Tahsildar on which he took no action & he has also to explain why he took no notice of the Tahsildar's demi official of the 6 Dec/91 printed on the last page but one of the Bds Proc. a most extraordinary production which ought to have elicited some censure or reprimand. Unless Lt Duncan is called upon to explain this conduct & not Stuart the exact date of which the letters quoted by Lt Butler

FOR ORDERS.

Board's Proc. in the Walconda Tahsildar's case.

The Hon'ble Mr Carter, Offg.
The Hon'ble Sir H. F. Stokes, KCSI.
H.E. the Governor.

Put 7/1/93

Offg 6 Jany/93

It is possible, as the Tahsildar says in his para 26, that he had difficulty in hitting it off with Mr Stuart - but I fail to find that at all events at first Mr S. "employed any violent language" as these stand. His later remarks were certainly discourteous - but considering the insolent & impertinent remarks made by the Tahsildar, they were not altogether unwarranted. Nor do I believe that there was at first any trouble between the Tahsildar and Mr Stuart. In para 15 of his explanation, the Tahsildar says "immediately the Settlement operations were started in the Taluk - both Classifiers and Supervisor commenced to treat Ameens officials with great disrespect and as their own subordinates". There is nothing here against the Special Settlement Officer. But there has evidently all along been friction in this particular taluk, but nothing can in my opinion justify the tone taken up by the Tahsildar in his communications to Mr Stuart, though I am willing to admit that his position was a difficult one, and that his punishment might in consequence be mitigated below what is recommended by the Board. I am not able to find myself in accord with the hon. Mr Carter that 3 months suspension would be sufficient - and think that the sentence proposed by Sir H. Stokes is the least that should be inflicted on him. - His regard

In the Walconda Tah[si]
case

I believe that the Tah[si] says at the end of para 26 of his explanation in the most positive terms, that the real cause of the ill-feeling & trouble which has culminated in the complaints against him, was the fact of Mr Stuart having found himself unable to grant the request of the Tahsildar, or Sub Collr Officer, to have arrangements made by the Inspectors to bring to their notice from the Police Boards to whom & for what they were in the habit of writing. When in the first place Mr Stuart's instructions did not allow of any such communications from the Police Boards coming to the notice of the Inspectors, & in the second place, from the Tahsildar's own showing, the Police Boards themselves were not in the habit of writing to the Inspectors, it is difficult to see how Mr Stuart could have granted the request. Moreover, the Tahsildar's own letter to Mr Stuart, dated 6th Dec/91, which is printed on the last page but one of the Bds Proc. is a most extraordinary production which ought to have elicited some censure or reprimand. Unless Lt Duncan is called upon to explain this conduct & not Stuart the exact date of which the letters quoted by Lt Butler

[illegible]

Dumergue - ~~[illegible]~~ ~~Board~~. I think he should now be called on by the Govt. to furnish the explanation called for by the Board from him on Sep. 1. 1892 - and I must say that I think his refusal to answer it was most insubordinate. He has thought fit all along to represent himself as an injured individual in this matter, and I think when calling on him for this explanation it should be clearly shewn that this subject is now being considered by the Govt. for the first time and that the "judgment which has been passed" has had no connection with the "inquiry which is now being instituted". Mr. Batten too should be called on to explain his order of Oct 27. 91. and state what were his instructions from Mr. Dumergue, and how he proceeded in carrying them out.

W
16 Jan.

[illegible]

[illegible] to dismiss Mr Stuart
recommend the transfer to
Tobago to be suspended £, if it
can not be for Mr Stuart's
own conduct towards that
Officer which is known to them
by communicating the appro-
bation mentioned in Mr
Bullen's letter to Mr
Bullen 29/2/92 - No 2460
copy (at pages 32 + 33 of Mr
Bullen's letter) in which
point, viz the Lords have
found his subordinate
conduct towards Mr Stuart
perfectly correct - that Officer will take
exception at the latter he will forget him-
self in his part, Mr Bullen not
only agreed to this being
done - On it
is now the intention of Mr
discipline & think it will
appear to suspend him for
3 months -

10/1/93

I am unable to discover the ground
upon how Mr Allaqui's theory that the
origin of all the trouble was Mr Stuart's
bullying demeanour & that the Tobago
being a man of some force of cha-
racter & courage could not endure to
such treatment and was goaded
into insolence towards Mr Stuart.
Mr Stuart's letter to Mr Bullen dd 29 Feb 92
No 2410 is not a nice one, but it
cannot be cited in support of my
hon. colleague's theory as it was long
subsequent to the Tob's misconduct
& indeed, has probably never been
seen by him. I daresay that it is the
case that in the beginning, i.e. from
April to about June or July 91, the Tob's was
not actuated by a desire to obstruct
the settlement or to oppose or be insu-
lent to Mr Stuart. It was only in
proportion as the quarrel between
Messrs Stuart & Brunesque became
acute, and as the Tob's found that
he was not disavowed or reprimanded
by his superiors in
the Revenue department that he
was emboldened to go on in the
course which he had commenced
until his misconduct culmi-
nated in his proceedings of November

The Tob's speaks
from it in his
explanation - &
Ld C

I don't agree
Ld C

December 91. I refer to his circulars
to the village officers this Do to Mr.
Binnerfeu of 4th Dec 91. The latter
document shows as the Board say,
that the Collector had made himself
thoroughly cognizant of all that was
going on in Wallawanad, and that
the Talk. felt that he would be backed
by the Collector in his insolence and
opposition to Mr Stuart & the Settlement
department. It is probable that he
had a direct assurance to this effect
or something of the kind, or he would
not have dared to write such a letter
to his Collector. Hindrance what cannot
only be designated as an intrigue between
them; but we shall probably never
know the truth on this point. Mr.
Binnerfeu's participation in the record
can only be explained by his complete
confidence of victory in his contest
with Mr Stuart he must have for-
gotten to remove it when he with him-
self transferred.

The Tahsildar had the direct and
official approval of Mr Batten for
one of his worst offences — a matter
which that officer must explain. If
in giving his approval he acted under
Mr Binnerfeu's instructions, they should
be produced. The Tahs. also had

Tahs. explains
para 13.

it is certain the tacit if not the express
approval of Mr Binnerfeu to the course
of conduct he adopted. It is this consi-
deration which makes me inclined to
deal leniently with him, and I hesitate
to endorse the Board's recommendation
for his reduction to a 5th Tahsildarship
— which however the Govt. should as
lenient sentence. At the same time
I think three months suspension
proposed by my hon colleague, allow the
too light. I think a year's suspension
without reduction would be proper.
There must the same expense for
Mr Batten as for the Tahs.; but he
must explain his order of the 27 Oct
91 & state fully what instructions
he received from Mr Binnerfeu and
when he got them. Copies of those which
were in writing should be furnished &
also copies of his com.ns forwarding
Mr Stuart's complaints to the Coll.r
If they were all sent in a batch in
Feb. 92 as alleged by Mr Binnerfeu
in his memorial, Mr Batten must
explain why he took no action on that
which reached him in Nov. 91.

Full explanation must also be forced
from Mr Binnerfeu. Paras 62–70 of
his memorial & the Postscript in which he professed
to deal with the treatment of

Mr. Stuart's complaints seem to me to contain many perversions of the truth but we cannot fully dispose of them without further documents & dates. The correspondence relating to the inquiry which in para 64 of the Memorial Mr. Brunyate says he made ready Mr. Stuart's complaint of Oct 12, 1891 should be sent up. Mr. Brunyate having made such inquiry & arrived at the conclusions stated should have communicated them to Mr. Stuart & his explanation (if not having any to it may come indeed, if the latter part of para 64 is intended for an explanation) Mr. Brunyate should have also the Bds Mems and all the papers he wants. Mr. Bradley should be instructed to send him copies of any that he may ask for.

HLS
12/Jan.

Read & No. C0782/92

G.O. No 369 mid 30.1.93

Before passing orders upon the foregoing Proceedings of the Board the Govt should direct a copy to be forwarded to Mr. Brunyate for information & instruction to endeavour to without delay the application for by the Board on Sept 2nd The Board and the Collr labor will furnish you with copies of any wh. he may require -

Mr. Brunyate's para 64 of his letter to the Board - 20th 1892 - it is observed that he has not communication with the Madras Govt on the subject, which relates to matters now brought under the notice of Government for the first time.

Trichinopoly
4th Novr 1892

My dear Mr Gallon

With regard to your d.o. of the 1st instant, I write to say that in reply to a reference I made to the Board (R.S. 2 R+A) by the proceedings dated 26th Ultimo No 8333, Mis: recalled all the papers forwarded to me in connection with the complaints of obstruction to settlement in the Wallawanad taluq.

Yours sincerely
W. Brunyate.

Mr.

23. The Collector of Madura sole report through the Board of Revenue the date upon which the letters quoted at para 35.

disposal but merely a call for further information; and seems kindly the places for meeting his 10 questions. The proper place to do that will be the final order on the despatch forwarding Mr's Memorial. I think it would be better to omit para 2 altogether

on reading para 2. I think it is controversial and if as Sir H. Stokes says he did read the papers now under consideration before passing orders of June '92 it is not correct. I have no objection to its going out.
W
26 Jan

Her letter of 23 August 1892 was
was received in the Colonies Office
and was entered in the records of
copies of Mr Batten's
any inquiry made by the Law
communications forwarding them
and also.
LG
advisers to the Secretary of State. Mr Chamberlain
by Mr Strachey the complaint made
by Mr Strachey in his letter
by 1329
12.10.91.

3. Mr Bradley will also call
upon his Special Assistant,
Mr Batten, to explain his
evidence in giving his order
regarding the summoning of
Jurors by Settlement Officers
which is referred to at page 13 of
the Tabulated explanation & is
said to have been received
by the Letter of Feb 27th 1891.
It should be stated whether
this order was issued under
instructions from Mr Chamberlain
and if so, those instructions
should be forwarded -

54. In his letter of the 8th of
11 August 1892. Mr Batten says
that he received "instructions
both written and verbal from
Mr Chamberlain to forward such
papers to him - any written
instructions etc. may have
been issued should be forwarded.
LG 20/11

It should state clearly
what verbal instructions were
taken they were given, & and
the copies of
LG

In the Colonies of L.R.
Dft 30/1/93

Disph. G.G. -

Wallawoora Tahsildar -

Calling for explanation from Mons Dannyan & Ratten &c -

G.O. No- 369

Despatch - 30-1-93

Rg 2/6.

Painful

First copy sent to Press.

Returned for Signature.

Despatched.

READ AGAIN G.O., N. DATED
189 ,

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. ..

LETTER OF GOVERNMENT.

DITTO

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

NUMBER OF COPIES REQUIRED. { Order complete. / Letter only. / Order complete with Letter

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