

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 244

DATED 17th January 99

Paper taken out of the Records from the charge of the Record-keeper.

Regular
Miscellaneous No.

of 139

FOR WHAT CURRENT.

No.

Year.

To whom given.

When taken out.

[Despatch Abstract.]

Showing that the Govt. finds no sufficient reason to reconsider the orders already passed regarding the order by C. Kuppusami Iyer, Late Tahsildar, Channarayana Taluk, Sulem Dt., to the post of Tahsildar's Accountant.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cuo	1523		11-3-99				
	99						
Cuo	3639		1-99				
	8688		27-8-99				

Revenue Political (1898) Department.

CURRENT No. 6408

From

Read Bd Ref No 42 913 Sep 98

The Board of Revenue, Land
Revenue, Madras.

also Cuo 8128/98
G. Order Misc No 244 17th Jan 1899

No. 142 (Petn)
REF.

The Govt finds no
sufficient reason to
reconsider the order
already passed

Dated 13th September 1898

Received 16

Registered 17

Enclosures 27

Spare copies

SUBJECT.

Submitting petition from C. Kuppu-
swami Aiyar, late Tahsildar Dharma--
puri, Salem Dt., praying for a review
of the order reducing him from the
grade of Tahsildar to that of Head
Accountant.

2 Petn, with encls
Copy to the Bd & R

Please send to the petn. the
bundle of encls. tied with
red tape

17/1/99

BACK PAPERS.

G.O.	No.	Department.	Date.
10	2743	Rev	25.6.98
"	321	"	7-6-98
"	5830	"	12-11-97
"	680	"	17.2.98

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),
Madras, 13th September 1898.

READ— endorsement of Robert B. Clegg Esq., Ag. Collector
of Salem, No. 1649-Cur., dated 21st August 1898.

Reference No. 142 (Patn) dated 13th September 1898.

Submitted to Government.

2. The petitioner prays for a review of the orders --
passed in G.O. No. 321 Revenue, dated 1st June 1898, reducing him from
the grade of Tahsildar to that of Taluk Head Accountant.

3. As Government is aware, the Board considered in ---
April 1896 that reduction from a fourth to a fifth grade Tahsildar-
ship was a sufficient punishment. If it were to appear on enquiry --
that the appellant's conduct as a fifth grade Tahsildar for the in-
tervening period of over two years had been satisfactory, it would,
in the Board's opinion, afford some ground for a favourable consi-
deration of the present appeal.

Lonel Davidson
Ag. Secretary.

To the Secretary to Government, Revenue Department, with petition
and enclosures.

C.B.

His Excellency

Sir Arthur Elbank Habelock,

G. C. M. G., G. C. I. E.,

GOVERNOR OF MADRAS IN COUNCIL,

OOTACAMUND.

MOST RESPECTFULLY SHEWETH:—

<i>Degradation.</i>		post of a second
1892 by the Board	from Rs225 to 200.	class Tahsildar, on
<i>Enhanced.</i>		
1894 by Govt. on appeal	200 „ 175.	Rs 225 to that of a
1896 by the Board	175 „ 150.	Taluk Head Ac-
<i>Enhanced.</i>		countant on Rs 50,
1898 by Govt. on appeal	150 „ 50.	the last of the de-
Vide para 12 (<i>infra</i>).		

2. The history of this unfortunate case is briefly as follows:—

Vide para 11 of Board's Proceedings dated 22-9-92 No. 6060 Mis:

Vide Collector's Proceedings dated 25-3-92 No. 133-6.

Vide Collector's letter dated 27-7-92 No. 364-4.

4. The Board, after "a very careful examination of most voluminous records" came to the conclusion

that the first four charges were not very serious and were not proved against Your Excellency's Memorialist; but in respect of the supplemental or the 5th charge, they, without calling for an explanation on the specific charge and under a misapprehension, believed him

to be guilty and accordingly they directed his degradation by one grade, the charge being that Your Excellency's Memorialist had,

through bias, and with a view to satisfy his private animosity, heavily fined a Head Constable in a criminal case and remanded him to custody, refusing to accept bail. At the same time, the Board held that as regards one of the four charges, viz, of delay in enquiring into and mislaying the records in a criminal case, a Taluq

clerk (Srinivasier) was the officer primarily responsible, and they accordingly directed his dismissal.

The records were then submitted to Government

who merely recorded them, further action being considered as unnecessary.

5. Against the order of dismissal passed by the Board, the clerk appealed to

Government, who, without calling for a report from the Board or for

the records of the case, believed the *ex parte* allegations and mis-statements made by the clerk against the Taluk Magistrate in his appeal petition and restored him with arrears of pay, expressing their desire (in para 3) to take further notice of the conduct of Your Excellency's Memorialist.

6. The Board, however, protested and represented that, had the records been called

for and perused, the decision of Government might have been different from what it was. Government fully admitted

the force of the Board's representations but declined to re-open the

matter.

7. Nevertheless they re-opened the case against Your Excellency's Memorialist and

after perusing the records relating to charge v alone pronounced him

guilty of all the five charges and directed, by way of

enhancement, his further degradation by another grade and he was there-

upon transferred to Kallakuruchi in South Arcot.

8. Copy of this order was furnished only on 5th

December 1894 after repeated applications submitted by Your Excellency's Memorialist.

9. On joining Kallakurichi, Your Excellency's

Memorialist found there, instances of gross delays and of maladministration of several years' standing in almost every branch of

work. The case of the two Rev. Inspectors viz: Gurusami Naidu and

being kept out of their pay and made to shift for themselves as best as

they could, for two full years, and of delays in darkast cases may be

quoted as examples.

10. Your Excellency's Memorialist however set himself to work and worked hard with a view to

rectify these longstanding evils, submitting in the usual course, an

appeal petition on 3rd June 1895 against his degradation; and both the Collector, as

well as the Divisional Officer seemed to be satisfied with his work for some time.

But soon afterwards, the Divisional Officer apprehending an exposure of the mal-administration of

his Division, made reports to the Collector, against Your Excellency's

Memorialist, on certain matters of office routine, the report being

based on a pseudonymous petition. Your Excellency's Memorialist

prayed the Collector for an interview to enable him to explain

matters, but the Collector was not pleased to grant it.

11. At about this time, the petition of appeal submitted by Your Excellency's

Memorialist was with-held under Sec. III 3 (2) of B. Memorial Rules

and was returned to him for amendment. But before he could revise and resubmit it, Your Excellency's

Memorialist fell ill and had to proceed out of the district on a long leave, during which period, charges

(as reported by the Divisional Officer) were again formulated against him by the

Collector of South Arcot and were reported to the Board without Your

Excellency's Memorialist being made aware of the fact.

On this report and without notice to Your Excellency's Memorialist, the Board directed his

further degradation to the 5th or the last grade of Tahsil and his

transfer to the district of Salem.

12. Your Excellency's humble Memorialist then applied to the Board for a review of their orders; but the application which was *delayed in the Divisional office, Tirukoilur, for fifteen months*, was finally rejected by the Board.

Vide B. P. No. 5973
 21-10-1897 Mis.

13. The only course left open to Your Excellency's Memorialist was an appeal to Government which he submitted accordingly in February last. But unfortunately for Your Excellency's Memorialist, Government has been pleased *a second time to enhance* and direct his further degradation from the post of Tahsildar on Rs 150 to that of a Taluk Head Accountant on Rs 50 with the remark that he is unfit to be entrusted with responsible duties.

Vide G. O. R. D.
dated ¹⁸ June 1898.
No. 321.

14, It may be submitted in this connection that the earliest troubles of Your Excellency's Memorialist consequent on the charges framed against him by Mr. Welsh in Trichinopoly were but the outcome of a small clique of his subordinates who wished to get rid of him from Museri and are almost parallel with those which befell Mr. Gurusami Naidu, Tahsildar of Nandial in 1894, and Mr. Kodandaramier, Deputy Collector of Salem, and which have been favorably disposed of respectively by the Board in 1894 and by Government in their orders dated 29-3-94, No. 765, and 20-6-94, No. 1532. J.D. (Vide appendix XI annexed). Most if not all of the so-called enemies of the Magistrate (Vide Mr. Welsh's letter dated 27-7-92 No. 364-4) have since left Museri and it is a fact that Your Excellency's Memorialist was never disliked by the people in general of that or any other station.

15. Your Excellency's Humble Memorialist who belongs to a respectable family has served Government long and faithfully for upwards of 21 years during which period, he has established a name for integrity and industry (as his ancestors have done) as will be seen from the copies of testimonials granted to and opinion held of him by the several eminent officers under whom he has served and whose names are noted in the margin. And it is a fact that Your Excellency's Memorialist who has been depending during all his service, entirely on his salary and salary alone, *now* finds himself suddenly plunged in poverty and misery in the closing part of his official career; and it is in respect of these acts of degradation that he now most respectfully begs leave to approach Your Excellency with the present memorial of appeal for a reconsideration of his case and for mercy.

16. In conclusion

16. In conclusion, Your Excellency's Humble Memorialist most respectfully solicits pardon for his

intrusion and prays that on a kind consideration of all the circumstances detailed in the foregoing paragraphs, his past sufferings, long service and character and the utter helplessness of his present unfortunate condition, Your Excellency may be graciously pleased to forgive him for all the shortcomings with which he may have unwittingly offended the Board of Revenue and Government and to render him justice on the merits by ordering his restoration.

17. And Your Excellency's Humble Memorialist shall, as in duty bound, EVER PRAY.

Cotacamund
August 6th, 1898.

R. Laforest Laurival,

Charges and explanations.

[1]

1. 15. Taking the several orders of reduction *seriatim*, Your Excellency's Memorialist will next proceed briefly to submit in *juxta-position*, the grounds alleged for each order of degradation as well as his own explanation therefor.

2. 16. As regards the first order of the Board dated 22—9—92 No. 6060 Mis: the grounds alleged by the Board and based on the Head Assistant Magistrate's Judgment in Criminal Appeal No. 16 of 1892 and report dated 5—7—92 No. 1663, as well as the explanations are detailed below.

Grounds alleged.

Explanation.

(a) On November 4th 1891 the St. H. O. had sent to the Head Assistant Magistrate a petition charging the Taluk Magistrate with having hushed up the poisoning case which forms the ground of charge No. II. In December, the St. H. O. appeared as a witness in a case before the Taluk Magistrate. In the course of the enquiry the St. H. O. demurred to answering a question put to him by the Court and for this refusal he was dealt with by the Magistrate under Sec. 480 Cr. P. C. and fined Rs 30 or in default, to three weeks' simple imprisonment. He failed to pay the fine and was remanded to custody for the night and sent to jail the next day but was liberated on payment of the fine the same day. Vide para 12 of B. P. 6060.

(a) This petition was a *pseudonymous* one and is said to have been received by the Head Assistant Magistrate Mr. Mir Shujaet Ali Khan in November 1891. It was kept *confidential* by him until he reported about it to the District Magistrate in his Proceeding dated 27th Feb. 1892 in reply to an order dated 22-2-92 No. 48. The first and the earliest allusion to the petition was contained in the appeal petition dated 15-1-92 presented by the St. H. O. and forwarded to the Taluk Magistrate for his remarks. Till then, he had no idea or knowledge whatever about it. The Taluk Magistrate thereupon applied to the Head Assistant Magistrate to be allowed to peruse the petition and other records. Vide Arzi dated, 24-1-92 No. 59, para 4, 25-1-92 No. 62, and 2-2-92 No. 88.

But these requisitions were not complied with No. 305 dated 6-2-92. and the final order on the arzi was as follows:—

"The petition is under consideration and cannot be sent now"

* * *

3rd Feb. 1892.

(Sd.) MIR SHUJAET ALI,
Head Assistant Magistrate.

And it was only at the investigation held by the Collector

dated 22-9-92. Mis:

on 4th March 1892 that Your Excellency's Memorialist was allowed for the first and the last time to peruse it. Further, the Head Assistant Magistrate's Proceedings dated 27th Feb. 1892 shows that the St. H. O. when examined by him, did not admit himself to be the author of the petition. For these reasons, Your Excellency's Memorialist cannot be considered to have been actuated in December 1891 by any spite or private animosity against the St. H. O. on account of the petition in question of which he knew nothing about until more than two months; after December the month in which the St. H. O. was punished by him.

The dates are very important in this connection.

(b) The Taluk Magistrate was not justified in the Board's opinion in dealing with the Station House Officer under Section 480 Cr. P. C. at all. The relations existing at the time between himself and the witness were such as to require that the charge of contempt should be tried by a different tribunal; and to this end the Taluk Magistrate ought to have sent the case to another Magistrate under Sec. 482 Cr. P. C. Vide para 15 of B.P. No. 6060 Mis: 22-9-92

(c) The sentence was a severe one. Vide para 12 of B.P. No. 6060 Mis: 22-9-92 based on para 4 of the Head Assistant Magistrate's letter No. 1663 5-7-92

(c) A perusal of para 11 of Boards' Proceedings No. 6060 dated 22-9-92 will show that there was, at the time, "considerable insubordination towards the Tahsildar on the part of his She-ristadar and others, and that the Tahsildar was left without the support of his authority which he had a right to expect."

Further, paragraphs 2, 3, 5

and 6 of the Head Assistant Magistrate's Judgment in criminal appeal No. 16 of 1892 and the Judgment

of the Taluk Magistrate, will show that the Head Constable had been guilty of several irregularities in his investigation of the theft case and had felt himself nervous about them and had addressed the Superintendent of Police in view to get it transferred to some other court, and when he was questioned as a witness about this conduct of his, (exhibited subsequent to his referring it as false,) he refused to answer the question put to him by the Court. It was why a sentence of a fine of Rs 30 was considered necessary. It was more the outcome of a "righteous indignation" than of any bias or private animosity against the St. H. O. Vide para 5 of the Appeal Judgment referred to.

(d) Upon appeal the Head Assistant Magistrate Mr. Mir Shujaet Ali Khan, has quashed the conviction holding that it was not warranted. Vide para 12 of B.P. No. 6060 Mis: 22-9-92

& the Judgment of the Head Assistant Magistrate in criminal appeal No. 16 of 1892.

The grounds upon which the decision of the Lower Court was reversed were:-

(1) that the question put to the Head Constable and refused to be answered by him related to his conduct and irregularities in the theft case & was put for the elucidation of those irregularities.

(2) that it was not therefore "so relevant."

(3) that the Head Constable was not therefore bound to answer the question.

(d) But Mr. Hall his successor in office, was of a different opinion and has held that the decision of the Taluk Magistrate though inadvisable and wanting in tact, was quite legal (Vide paras 3 and 10 of his letter No. 1663 5-7-92)

And it is not free from doubt as to whether the reversal of the decision of the Taluk Magistrate on appeal was quite proper. The Bombay Ruling quoted in the appeal judgment is an authority as to a Judge's power to ask irrelevant questions under Sec. 165 of the Indian Evidence Act (I of 1872) and the obligation or otherwise of a witness to answer them under certain conditions. Under this Ruling, a Judge is at perfect liberty to ask an irrelevant question "if he only does so, in order to obtain proof of relevant facts, and it is only, if he asks questions with a view to criminal proceedings being taken against the witness, the witness is not bound to answer them and cannot be punished for not answering them under Sec. 179 of the Penal Code." Applying this Ruling to the present case, it will be seen that the Head Assistant Magistrate was not quite certain in the first place, whether the question which was put to the Head Constable and which he refused to answer, was really relevant or irrelevant. (Vide latter part of para. 3 of the Appeal Judgment).

(4) that his refusal to answer it did not in consequence constitute an offence under Sec. 179 I. P. C. and

Towards the close of para. 5 of his Judgment, he admits that the particular question related to the subsequent conduct of the Head Constable who was a party to the proceedings in the theft case, and that that conduct was irregular, and it thus follows that the question was, in consequence, quite relevant, and therefore one which the witness was bound to answer. Even if it should be held as *irrelevant* (in which case alone the Ruling is applicable to the case) there is this Magistrate's own admission in the same paragraph, that the purpose for which the question was put to the witness, was not with a view to criminal proceedings being taken against him, but, "for the elucidation of the irregular conduct of the witness" as the chief investigating Officer in the case of theft then under enquiry before the Taluk Magistrate. It follows again in consequence, that, under the very same authority quoted by him, the question was one which the Head Constable was bound to answer and his refusal to answer it was clearly an offence under Sec. 179 I.P.C., and the Head Assistant Magistrate's decision and Judgment to the contrary on appeal, were opposed to the Ruling quoted by himself and were therefore illegal.

(e) "In his Judgment the Taluk Magistrate says that the St. H. O. did make an attempt to get giddiness if he could. This shows I think that the Taluk Magistrate had a distinct prejudice against the St. H. O." Vide para 13 of letter dated 5-7-92, No. 1663, of Mr. Hall.

(e) A perusal of the statement given by the Head Constable on 22-12-91 and forming part of the records in Mis: case No. 3 of 1891 Museri Taluk will show that he did really allege and feign giddiness and the allusion to it contained in the Judgment was not therefore the outcome of any prejudice against him but was a fact in itself.

(f) In his appeal petition against the conviction and sentence the St. H. O. alludes to the pseudonymous petition of Nov. 18 and suggests that the Taluk

(f) This has been explained and disproved already under item (a) *supra*. A perusal of the latter part of para 5 of the Judgment in criminal appeal No. 16 1892 will show that the Head Assistant Magistrate was himself not sure

Magistrate had that there was any such bias evidently been working in the mind of Your Excellency's Memorialist at the time in question. That officer appears to characterize the feeling more as a "righteous indignation" at the irregularities of the St. H. O. than as bias.

(g) The St. H. O. urged "malice" again in a petition presented by him to the District Magistrate on 22-2-92.

(g) The order of the District Magistrate on the petition was as follows:—
"The petitioner did refuse to answer questions and thus it is hard to affirm that the

Sub-Magistrate did act maliciously."

Vide District Magistrate's Proceedings dated 27-2-92 No. 136.

(h) There was undue severity shown after conviction in that the St. H. O. was not let on bail but was made to suffer imprisonment for default of payment of fine, bail being refused.

(h) The St. H. O.'s allegation that he offered bail but it was refused is a mis-statement. As a matter of fact, bail was never offered by him nor was it ever refused. Vide Taluk Magistrate's arzi dated 25-6-92 No. 457.

(i) That there was delay in releasing him even after the fine had been paid.

(i) This has been found to be untrue. Vide para 11 of Mr. Hall's letter dated 5-7-92 No. 1663.

CONCLUSION:—The foregoing facts will thus show that in convicting and punishing the Station House Officer for contempt of Court, Your Excellency's Memorialist was not actuated by a desire to satisfy any private animosity as in fact no such animosity ever existed, and if only the Station House Officer had offered security for payment of the fine, he should have been at once let on bail and liberated. It is unfortunate that when submitting his final report dated 27-7-92 No. 364 to the Board, the Collector (Mr Welsh) omitted to make mention therein of his own proceedings dated 27-2-92 No. 136, wherein, he has himself admitted that the conviction and sentence of the Station House Officer were not malicious.

3 The grounds alleged for the 2nd order of degradation passed by Government and the explanation in respect of them are as detailed below:—

Grounds alleged. Explanation.

1. Except the bare assertion of the that the records were lost by the

1. Nor is there any evidence

4. The probabilities are, that the Magistrate did not record his decision and that he took the records with him into camp with the intention of writing the judgments and lost them there. That the Magistrate had the records with him in camp seems clear from his own admission before Mr. Welsh in his reply to that officer's 60th and 61st questions, that there were a number of Karnams and other clerks near his table during Jamabandi.

4. It has already been explained that the decision had been duly recorded and that the Magistrate had no further necessity for the records after the 28th March 1891. There is not an iota of evidence that the records were returned to him by the clerk on or after that date or that he ever took them with him into camp and lost them there. The first Jamabandy camp subsequent to that date was Seeplaputtur, whither the office moved only on the 19th April 91 which was the date on which the clerk, for the first time, intimated the loss of the records, and he was sent back to the Taluk Head-Quarters on the 21st idem for making a search there for the missing records and a search was also actually made there. These facts have been proved by oral as well as documentary evidence on record though the clerk has made several mis-statements in

Vide remarks on point 'I'—page 14; para 4, page 25 & para 7, page 31 of the Tahsildar's appeal petition to the Board dated 30-4-92; also the clerk's travelling allowance bill for April 1891.

respect of these and other facts in his appeal petition. It was the clerk himself who first conceived the idea and connected the loss of the records with *Jamabundy*. Vide his explanation reported to the Head Assistant Magistrate in the Taluk Magistrate's arzi, dated 13th November 1891, No. A. His next attempt was to connect it with *Jamabundy* held at the Taluk Head Quarters, and it was made at the Collector's enquiry held in March 1892. (Vide queries 60 and 61 of the Collector.)

In his appeal petition to Government, the clerk has made the attempt for the third time, pushing however, the time and place of their loss still further, viz. to some date subsequent to the 28th March 1891 (when he had possession of the records) and to the *Jamabundy Camp* Seeplaputtur where the office remained in camp from 19-4-91 to 20-5-91. This appears to have been done by the clerk with a motive to make it appear that the records were kept by the Magistrate for sometime and for some purpose and were then lost by him and so to shift the burden of his own responsibility. There is thus nothing to prove that the Magistrate had the records with him in *Jamabundy* camp or that he has made any such admission as is alluded to.

5. The clerk goes a step further and suggests that the records in question had never disappeared at all, but that the Magistrate had kept them in his own possession from 28th March to 12th October 1891. Vide paragraphs 3, 4, 10, 14 and 19. i, ii, iii of his appeal petition to Government.

5. If so, it is not understood why when a search was made for the records by himself and some of his fellow clerks and when he knew he was reported in November 1891 as the officer responsible, he did not at once reveal the truth of the matter to any of his superiors and why he waited until February 1892, (when the clique of the Tahsildar's enemies had joined him) to disclose what he has alleged. [Vide references quoted in the remarks on point I, at page 14 and in para 11 on page 23 of the Tahsildar's appeal petition to the Board, dated

30-4-92; also the last sentence of para 9 of Board's Proceedings, dated 22-9-92, No. 6060 Mis.]

6. When the Magistrate was called on to report what clerk was responsible for the loss of the records, he abstained from reporting Srinivasier. The inference seems obvious that the Magistrate knew that he himself had mislaid the papers, as otherwise, he would naturally have reported his Magisterial Clerk (Srinivasier) as the person responsible for their disappearance.

6. The name of Srinivasier had been duly reported as the Magisterial Clerk responsible. Vide Taluk Magistrate's arzi, dated 3-10-91, No. 638; and arzi dated 13-11-91, No. A, in the clerk's own handwriting and the allusion to him in the orders of Mr. Weir thereon. The clerk himself admits it in paragraphs 4 and 16 on pages 13 and 98 respectively of his appeal petition to Government; vide also para 10 on page 23, paragraphs 16 to 18 on page 27 and para 3 on page 30 of the Tahsildar's appeal petition to the Board, dated 30-4-92.

4. The probabilities are, that the Magistrate did not record his decision and that he took the records with him into camp with the intention of writing the judgments and lost them there. That the Magistrate had the records with him in camp seems clear from his own admission before Mr. Welsh in his reply to that officer's 60th and 61st questions, that there were a number of Karnams and other clerks near his table during Jamabandi.

4. It has already been explained that the decision had been duly recorded and that the Magistrate had no further necessity for the records after the 28th March 1891. There is not an iota of evidence that the records were returned to him by the clerk on or after that date or that he ever took them with him into camp and lost them there. The first Jamabandi camp subsequent to that date was Seeplaputtur, whither the office moved only on the 19th April 91 which was the date on which the clerk, for the first time, intimated the loss of the records, and he was sent back to the Taluk Head-Quarters on the 21st idem for making a search there for the missing records and a search was also actually made there. These facts have been proved by oral as well as documentary evidence on record though the clerk has made several mis-statements in

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5. The clerk goes a step further and suggests that the records in question had never disappeared at all, but that the Magistrate had kept them in his own possession from 28th March to 12th October 1891. Vide paragraphs 3, 4, 10, 14 and 19. i, ii, iii of his appeal petition to Government.

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6. The name of Srinivasier had been duly reported as the Magisterial Clerk responsible. Vide Taluk Magistrate's arzi, dated 3-10-91, No. 638; and arzi dated 13-11-91, No. A, in the clerk's own handwriting and the allusion to him in the orders of Mr. Weir thereon. The clerk himself admits it in paragraphs 4 and 16 on pages 13 and 98 respectively of his appeal petition to Government; vide also para 10 on page 23, paragraphs 16 to 18 on page 27 and para 3 on page 30 of the Tahsildar's appeal petition to the Board, dated 30-4-92.

7. The Tahsildar Magistrate is naturally interested in exculpating himself and his statement is therefore not to be relied on.

8. The Taluk Magistrate seems from the records of Mr. Welsh's enquiry, &c., to have been a most dilatory individual.

Vide Conduct Register (annexed) of Clerk Srinivasier. Vide also Appendix XIII annexed being extracts from paragraphs 7, 8, 9 and 10 of Board's Proceedings, dated 22-9-92 No. 6060 Mis.

*(a.) Mr. Welsh observes:—"I think he has proved himself an efficient Tahsildar in revenue matters"—Vide, para 26 of the Collector's Proceedings, dated 25-3-92, No. 133-6.

(b.) Reviewing the work done in the Museri Taluk in February 1892, when the charges were being enquired into and there was utter confusion and want of discipline in the Taluk in consequence, Mr. Welsh observes:—

"The Tahsildar must at an early date, bring back his file to its former condition when it was distinguished by prompt disposal of references"—Vide, Collector's Proceedings dated 1-4-92, No. 89-22.

(c.) Para 15 of Board's Proceedings, dated 22-9-92, No. 6060 Mis. regarding the high character for industry and integrity always borne by Kuppasami Aiyer the Tahsildar.

(d.) Enclosure IX to the appeal petition of Kuppusami Aiyer submitted to the Board on 30-4-92 showing the prospects he had of being made a Deputy Collector.

9. On the whole, the probabilities are all against the Magistrate and in favour of the clerk.

9. A perusal of para. 5 (1-8) on pages 27 and 28 and pages 55 and 56 of the annexed copy of the Tahsildar's appeal petition to the Board will show that the reverse is the case.

CONCLUSION.—The foregoing facts and references will show that on two occasions, viz, once on 28-3-91, when the enquiry in the Kamalapuram cases (charge I) was closed, and again on 22-5-91, when the enquiry in the Natham or Vendampatti murder case, (charge

7. The clerk Srinivasier is none the less so. For, his position and predicament were no better than those of the Tahsildar. On the other hand, they were even worse, as detailed in para 6 on page 18 and para 7 on page 32 of the Tahsildar's appeal petition to the Board, dated 30-4-92.

8. A glance at the annexed copies of testimonials and the extracts noted below* containing the views of Mr. Welsh himself and of the Board will show, that the Tahsildar has always shown great efficiency and aptitude for prompt and good work, but has not been a dilatory Officer.

Whereas,

Clerk Srinivasier has had 4 warnings (one being of suspension) and 4 fines awarded to him, and out of these 8 punishments 7 were for gross delays and dilatoriness in his duties.

III) was closed, the clerk wrote the Magisterial Diary in his own handwriting and noted therein the decisions as part of the records of the respective cases. In both cases the records were temporarily mislaid and delay had to be accounted for and explained by him, as for writing the Dairy, he had had the records last in his possession before they disappeared. The explanations given by him were accordingly reported then and there on three different occasions as noted in the margin, the reports being again in his own handwriting. Not a word of

demur was expressed by him at the time or for three months afterwards as to the accuracy or otherwise of the entries, even though he knew that the superior officers had been attaching some importance to the affair. But, when matters looked a little serious, he suddenly turned round and threw the entire blame on his superior, the Taluk Magistrate, and behind his back, alleging that the decisions in both cases had not been written on the dates indicated in the diary, that the Magistrate had kept the records with himself for the purpose and hence the delay, and that the entries made in the Diary as well as in the arzis referred to, were not quite true or accurate. The records in both these cases were however finally discovered and produced by the clerk himself, those in the Natham case (charge III) being traced out and secured from the possession of a friend of his in the Divisional Office. He was further found to have taken home and kept to himself without authority, some more records in a few cases of Referred Charge Sheets and they were delivered up by him only after he had left the office on a long leave. All these facts and his antecedents point to a chronic and not merely an accidental carelessness of the clerk in the matter of the custody of important official records entrusted to him and in the discharge of his official duties, and consequently, the unreliable nature of his explanations in general. Nevertheless, the orders of Government restoring him to his post with arrears of pay and directing the further degradation of Your Excellency's Memorialist, have been based almost solely but unfortunately on the many misstatements contained in the clerk's appeal petition, (but not on any fresh evidence or records of enquiry) as has been fully represented already by the Board in their Resolution, dated 30th August 1893, No. 5032 Mis. It is also a matter for Your Excellency's kind consideration, that while G. O. dated 25th May 1893, No. 1916 Mis. deals with the records relating only to two charges (I and V), punishment has been awarded to Your Excellency's Memorialist in G. O. dated 27th February 1894, No. 823 Mis. for all the five charges formulated by the Collector, in spite of the fact, that the Board had found charges III and IV not proved and charge II had been withdrawn by the Collector himself.

4. The third order of degradation was passed by the Board of Revenue on a report made by Mr. Castle Stuart Stuart, who framed six charges on the eve of his departure from India, on a report made by the Divisional Officer after his transfer out of the district was announced in the Gazette. The charges

as well as the explanations of Your Excellency's Memorialist are briefly detailed below:—

- | CHARGES. | EXPLANATION. |
|---|--|
| I. That he omitted to show in his revenue business returns for June & July 1895, 149 darkasts pending for more than six months. | The omission is not denied; but it was a clerical and not an intentional one. The state of darkast arrears all over South Arcot had been always unsatisfactory; (vide annexed extracts from the monthly reviews of the Collector. App. VIII) and the Taluk of Kallakurichi was no exception. Your Excellency's Memorialist himself realized the state of things and was doing his best to cope with the heavy files and Mr. Stuart had even *praised him for it. The figures for July 1895 were not furnished by the clerk till late on the night of the 9th August (the due date for their despatch being the 10th). The return was checked and certified by the Taluk Head Accountant and Your Excellency's Memorialist having had no time, could only examine the figures briefly. He had however, no reason to doubt their correctness and he signed the return. On the 10th, the Divisional Officer made a surprise inspection on a pseudonymous report and discovered some confusion in figures. In South Arcot, Taluk Head Accountants are held primarily responsible for the accuracy of figures in returns, but in the present instance, Your Excellency's Memorialist has been reported and punished as the sole officer responsible for the inaccurate entry. |
| *Vide Collector's Proceedings dated 10th October 1894. Appendix X (b) 9 and 10 annexed. | |
| II. That inaccurate figures were furnished in the incometax return for July 1895. | The return was prepared and submitted on the 4th August (the due date being the 5th). The irregularity consists in the exhibition under the item " <i>G lists issued</i> ," of a number of cases in which <i>G</i> notices had been prepared but not signed or issued pending a detailed comparison with the confidential note book which had been submitted to the Divisional Office on the 1st and had not been returned till the 9th of the month. The figures in the return had been put in by the clerk at the head quarters during the absence of Your Excellency's Memorialist on circuit and the return was checked by the Head Accountant. Your Excellency's Memorialist had returned from camp only on the 4th and did not have full time for a thorough scrutiny. It was how, for statistical purposes of the return, the <i>G</i> notices came to be shown as <i>issued</i> . |
| III. That erroneous figures were furnished in the incometax return for November 95. | The irregularity is that in 90 objection cases shown as " <i>disposed</i> ," no regular decisions or judgments had been recorded in 34. At the same time, the Inspecting Officer admits that he saw memo of evidence and definite orders in all of these 34 cases. Your Excellency's Memorialist was too ill with fever at the time to sit up and write full |

judgments and hence he briefly summarized evidence and passed a regular written order in every case. It is a fact that he had fever from 1st November '95 and took medical certificate, after which he did not rejoin duty till May 1896, thereby forfeiting his claim to furlough.

IV. That he submitted a completion report for two sluices in Varagur tank without inspecting the work after completion.

The work had been nearly completed on the 24th March '95, and there was only two days' labour left to do. The Overseer was told to wait at the place and see the work out. He reported completion on the 28th. Your Excellency's Memorialist was then busy with collections and jamabundy, and could not re-visit the place for a formal and final inspection before the official year closed. He represented this inconvenience to the Divisional Officer and submitted a completion report on the 29th, which the Divisional Officer countersigned the next day without objection. The work was, however, re-inspected by Your Excellency's Memorialist a fortnight later and found to be completed with excess work to the amount of Rs. 42.

V. That he similarly submitted a completion certificate for the cattle-pound at Pallagacheri without inspecting the work after completion.

The entire work except a masonry trough estimated at Rs. 5 had been completed when Your Excellency's Memorialist inspected it on 4th February 1895. The trough was then condemned as the site was marshy and a stone one ordered and the contractor told to replaster some of the chunam. He did the replastering and claimed the amount of the estimate on 28-2-95. Objection was then taken in the Taluk (Audit branch) to the technical incompleteness of the masonry trough and it was also built by 2-3-95. Your Excellency's Memorialist signed a completion report on 28-3-95, and did so, because he was the officer who last saw it (i. e. on 4th February '95). The Collector regards this entry as wrong and says that the name of the Overseer who reported the completion verbally should have been substituted. Your Excellency's Memorialist in the absence of any voucher or record to prove the Overseer's inspection, took it upon himself to certify the completion. The work was properly finished and there are now two troughs—one of stone and one of masonry—in the pound.

The sixth charge relating to alteration of dates for the sales of avenue produce has been settled by the Board in favour of your Excellency's Memorialist on the Collector's letter, dated 3-5-96 No. 128—Cur. The loss was general throughout the Presidency and due to other causes.

CONCLUSION.—It may not be out of place to submit here that the administration of the Taluk of Kallakurichi had been most unsatisfactory for several years owing to gross mismanagement and almost all its Tahsildars had successively come to grief in consequence. Your Excellency's Memorialist on assuming charge of the Taluk, grew alarmed at the state of things and he examined the root of the evil and brought it to the

notice of the Collector through the Divisional Officer. It may be quoted as instances that a Revenue Inspector on Rs. 40, against whom there were serious charges reported, was being compelled to work in his Firka without his salary being passed or disbursed to him for two full years together. Another Revenue Inspector against whom also there were serious charges formulated and reported by the Divisional Officer, was kept in a state of suspense and without pay, also for two full years. There were hundreds of cases of darkasts pending on the registers, the records in several being found missing. There were several references and reports submitted from the Taluk to the divisional office, for which no replies had been received, the records relating thereto having been lost, if not hushed up. The Collector seemed at first to appreciate the attempt made by Your Excellency's Memorialist to remedy the evils and to set matters right, but the Divisional Officer looked upon it with disfavour, evidently apprehending an exposure of his bad supervision of the Division, and the situation of Your Excellency's Memorialist was rendered too hot for him in consequence and he was reported and reduced from the 4th to the 5th grade of Tahsil.

A glance at the Collector's Proceedings (Vide Appendix IV and V annexed) disposing of the case of the two Revenue Inspectors and passed on the eve of his departure from India, is sufficient to form some idea of the delays and the ways in which far more serious charges have been dealt with in South Arcot.

5. The 4th and the last order of reduction passed by Government is the result of an appeal submitted against the orders of the Board in the third instance. The reasons alleged are:—

GROUND.	EXPLANATION.
Though Government might be inclined to leave without interference, the matter of the Cuddalore report, the misconduct of the Tahsildar, proved by the records of previous years, shows him to be unfit for the exercise of responsible powers.	A kind perusal of the foregoing paragraphs will show in the first place, that there is no proof whatever of the alleged misconduct in previous years; secondly, that nevertheless the Tahsildar has been punished therefor under a misapprehension of the truth of the charges reported against him and thirdly, that he has suffered also sufficiently well, the punishment thus awarded to him already for such misconduct.

6. Your Excellency's Memorialist may now be permitted to sum up the whole briefly and to submit a few remarks in conclusion about himself.

As regards charge I framed by Mr. Welsh, it has been shown that,

1. (a) the Taluk Magistrate has not been a dilatory officer but had established a name for prompt and good work,
- (b) the decision in both the cases had really been written by the Magistrate on the day on which the enquiries were closed,

- (c) the records remained last in the possession of the clerk (for writing the Diary) before they were mislaid and he had been searching for them afterwards,
- (d) the clerk has admittedly no evidence to prove his alleged subsequent return of the records to the Magistrate,
- (e) the Magistrate had actually no further necessity himself for the records,
- (f) he did not take them to his camp or mislay them there as suggested,
- (g) the clerk had been duly reported as the officer responsible for the loss of the records and
- (h) all such reports were in the handwriting of the clerk himself and were known to him.

On the other hand,

- i. the clerk was generally most dilatory in the discharge of his duties,
 - ii he has been mislaying and keeping to himself unauthorizedly, important records in other criminal cases as well, and his carelessness in the matter of custody of records has been chronic,
 - iii. he never questioned or reported to his superiors about the alleged inaccuracy of the entries made in the Diary or in the reports made against him, for several months after they were written or until he was driven to despair, and then his last explanation was, that the entries made by himself in the official records in each and every case were incorrect and deliberately untrue,
 - iv. the missing records were traced out and produced by himself finally in all the cases,
 - v. the clerk is equally interested as the Taluk Magistrate is alleged to be, in exculpating himself and,
 - vi. most of the *ex parte* allegations contained in his appeal petition on which the orders of Government are based, are groundless and untrue.
- The probability therefore is that it was the clerk and not the Taluk Magistrate who had mislaid the records. This is also the conclusion at which the Board has arrived.

2. Charge II has been withdrawn by the Collector himself and dismissed by the Board as groundless.
3. Charge III has been proved by the Board itself to be groundless, with the remark that the clerk is much to blame for the temporary loss of the records.
4. Charge IV has also been found to be groundless and was dismissed by the Board, with a remark that

5. In respect of charge V, the supplementary matter, it has been shewn that,

- (a) the petition of 4th November 1891 had nothing to do with the Magistrate's conduct towards the Station House Officer in December 1891, and the Board was under a misapprehension for want of a specific explanation on the point and hence their order of degradation by one grade. *This explanation had never been called for or obtained ;*
- (b) such conduct was actuated by a "righteous indignation" at certain irregularities of the Station House Officer but not by any *malice or bias*. The District Magistrate had himself disbelieved the theory of malice ;
- (c) the procedure of the Magistrate in trying and convicting the Head Constable was quite legal ;
- (d) the reversal of the conviction of the Station House Officer (Syed Hussain) on appeal by Mr. Mir Shujaet Ali Khan the Head Assistant Magistrate, was illegal and opposed to the Ruling quoted by him in the appeal judgment ;
- (e) the alleged severity of the sentence of fine was due to the then refractory condition of the Taluk ;
- (f) the alleged severity after conviction was due to the Head Constable's own neglect to offer bail about which he has made incorrect statements ;
- (g) the Station House Officer has made several misstatements in the appeal and complaints made by him against the Magistrate ;
- (h) the most that can be assumed against the Magistrate is, that he has perhaps shown an error of judgment and want of tact. In almost a similar case in South Arcot, ~~a~~ Sub-Magistrate (Sundarier) has been excused and promoted as Tahsildar, ~~(G.O. dated 24 Nov 1891)~~ ~~N.D.~~ even though the Sessions Judge as well as the High Court had commented very unfavourably about him.

6. The Board has represented to Government that Government has not had the full records before it, that its decision was liable to be unduly influenced by the *ex parte* allegations contained in the clerk's appeal petition and that, had a reference been made to it on the appeal, "the decision of Government might have been different."

7. Nevertheless, Government has been pleased to order that the matter cannot be re-opened but that Your Excellency's Memorialist be reduced

by another grade in respect of *all the five charges* and he was transferred accordingly to Kallakurichi in South Arcot.

^x vide question XVIII. Proceedings
of the Legislative Council of
Madras - p. 29. of the Supple-
ment to the Fort. St. Geo.
Gazette, dated 3rd May 1898

- (a) affairs in Kallakurichi were in a state of chaos owing to maladministration of several previous years;
- (b) strenuous attempts were made in right earnest to remedy the evils;
- (c) this was appreciated for a time by the Collector himself;
- (d) but Your Excellency's Memorialist had not the support of his Divisional Officer;
- (e) errors of a purely statistical and technical nature were magnified and reported against Your Excellency's Memorialist and the Board, while exonerating him from all corrupt motives, has reduced him to the last class of Tahsil, for carelessness and inaccuracy;

9. An application was made to the Board for a review, but after a delay of fifteen months in the Divisional Office Tirunkeilur, it was rejected with a remark that the tone of the application was reprehensible.

10. The next course open to Your Excellency's Memorialist was an appeal to Government which he submitted, with the result, that Government has now unfortunately ordered his further reduction, from Rs. 150 to Rs. 50, observing that though the charges reported from South Arcot are not very serious, his *misconduct in previous years* shows him to be unfit for the exercise of responsible powers and that the punishment awarded by the Board is inadequate. But Your Excellency's Humble Memorialist begs with the most profound respect, to submit that he has *already suffered sufficient punishment for the past misconduct*, and his appeal to Government had reference only to the matter of the Cuddalore report. Vide the latter half of his appeal petition to Government, dated 15th February 1898.

L. P. Lowmire.

COPIES OF TESTIMONIALS &c.,

OF

C. COOPOOSWAMIAH.

M. Kenny Esquire B. A. 1873.

I have much pleasure in being able to testify to N. Coopoo-swamy's character as a hardworking regular, respectful and intelligent young man. He read under me for about 2 years and during that time his conduct was everything that could be wished. He passed the Matriculation Examination in December 1872, very creditably securing a place among the first 30 boys in the second class. He is a very good English scholar and writes a nice hand. I am confident he will give satisfaction in any post to which he may be appointed as he has the chief requisites for success, viz ability and perseverance.

(Signed) M. KENNY B. A.,

HEAD MASTER,

Government Zillah School Berhampore,

7th September 1873

& formerly of Coimbatore,

HIGH SCHOOL.

P. Krishna Row Esq. 1877.

I hereby certify that C. Coopoo-swamiyah was in charge of the Rice Depot under me at Kurnul for 9 months, during which time he gave me every satisfaction. He is very intelligent, hardworking and trustworthy. He is a member of a respectable family and is a very promising young man. I hope he will soon rise in the public service.

(Signed) P. KRISHNA ROW,

Kurnool, }
8th September 77. }

TAHSILDAR OF,
Ramulcottah.

H. F. Clogstoun Esq. M. C. S.
1877.

C. Coopoo-swami Aiyar was employed as an English Clerk for a period of about 2 years and 2 months in the Office of the Deputy Director of Revenue Settlement, Coimbatore, during which time he gave entire satisfaction. He has a very fair knowledge of English. His conduct was good.

(Signed) HERBERT CLOGSTOUN,

17th September 1877, }

AG. DY. DIRECTOR OF REVENUE,
Settlement on
Special duty.

BANAGARAPALLI. }

No. 952.

S. Ramaswamier Esq. B. A.
1878.

C. Cocpooswamiyah having asked me to record my opinion of him, I cheerfully comply with his request.

He has been my Head Clerk for the last 4 months. He is a young man and has that stuff in him which will one day make him occupy a conspicuous position in the Uncovenanted Civil Service. He discharges any work however arduous entrusted to him with great despatch and to my entire satisfaction. His integrity is above doubt.

Tellichery Registrar's Office, }
7th December 1878. }

(Signed) S. RAMASWAMIER,
Registrar.

A. F. Cox Esquire M. C. S.
1882.

C. Coopooswamiah has been my Head Clerk during the five months that I have had charge of the Chengleput Sub-Division. During that time he has worked with great industry and pains and his work has been thoroughly good. I believe him to be an honest and reliable public servant.

September 1882.

(Signed) A. F. COX,
Ag. Sub-Collector.

E. J. Sewell Esquire M.C.S.
1883.

I have known Coopuswamiah for two months but have had ample opportunity to discover his merits. He is quick at mastering new work and is thoroughly to be depended on for good and quick work. I shall be glad to hear of his promotion.

April 20th 1883.

(Signed) E. J. SEWELL,
Ag. Sub-Collector.

Chengleput District Collector's Office,
CAMP ACHERVANK 8th December 83.

No. 9 E.

From

J. F. PRICE Esq. M. C. S., 1883.

J. F. PRICE Esq.
Collector of the
CHENGLEPUT DISTRICT.

To

The Ag. Sub-Collector
CHINGLEPUT.

SIR

* * * * *

3. Coopoosawmier the Head Clerk of your office has been so well spoken of by the officers under whom he has served, that I should be very willing to see him nominated to the Acting Deputy Tahsildari of Sriperumbudur, but I understand that he is unwilling to go out of the office line and taking him away just now and with the Sheristadar not in good health, would perhaps weaken you too much. If you do not think so, and would wish to nominate him, please let me hear from you as soon as possible on the subject.

* * * * *

Chingleput District, Sub-Collector's Office
12th December 1883.

From

The Sub-Collector of
CHINGLEPUT.

To

The Collector of
CHINGLEPUT DISTRICT.

Reference— Your letter No. 9 E. of 8th Instant.

SIR

My Head Clerk Kuppasamier, is, I find, desirous of accepting the appointment of Deputy Tahsildar if you should offer it to him.

What he wished to decline in preference to his present appointment was a Taluk Sheristadarship. I have much pleasure in recommending him for the present promotion. As I understand

H. TREMENHERE Esq.
M. C. S. 1883.

from you that you can supply his place in my office with a clerk experienced in Revenue work, the inconvenience of his loss will be much lessened.

3. He cannot have Magisterial powers conferred upon him until the issue of the next Gazette on the 18th; I therefore hope I may retain him till that date.

*

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*

(Signed) H. TREMENHERE,
Ag. Sub-Collector.

CAMP UTRAMALLUR,
17-12-83.

No. 706.

From

J. F. PRICE Esq. M. C. S.
1883.

To

The Collector of Chingleput.

The Secretary to the

BOARD OF REVENUE

MADRAS.

SIR

Adverting to para 6 of my letter No. 686 of 8th Instant, I have the honor, on the recommendation of the Ag. Sub-Collector of which I approve, to nominate Coimbatore Coopoosawmi Aiyar Head Clerk of the Sub-Collector's office, to act as Deputy Tahsildar of Sriperumbudur vice Pichai Pillay ordered to Mayaveram Town.

2. Ceopooswami Ayer has been very highly spoken of by all the Officers under whom he has served and is a very intelligent and hardworking official. I do not consider that any of the Taluk Sheristadars of the District are fit for the particular appointment which becomes vacant and I wish therefore to give Coopooswami Ayer a trial; three months will give an opportunity of seeing what he is likely to turn.

3. He has passed all the necessary tests. I enclose a statement of these and Coopoosawmy Ayer's Service Register.

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(Signed) J. F. PRICE,
Collector.

H. Tremenhare Esquire
M. C. S. 1884.

C. Kuppasawmi Ayer during the last four months has fully proved his claim to the high character he bears. He is unwearying in work, and yet does it both quickly and well. His knowledge of Revenue business is very exact.

He is honest and unassuming.

7th June 1884, }
CHINGLEPUT. }

(Signed) H. TREMENHERE,
Ag. Sub-Collector.

(Here enter)

J. F. Price Esq. M. C. S.
1884.

Chingleput Collector's letter No. 198 dated 17th April 1884 to the Board of Revenue and Board's Proceedings Mis. No. 3602

dated 30th April 1884, and No. 1786 dated 1st March 1883 appointing C. Kuppusamier as Ag. Sub-Division Sheristadar of the Chingleput District.

CHINGLEPUT,
21-6-84.

Sheristadar,

S. Russell Esquire M. C. S.
1884.

I am very well pleased with the list of pending papers that you have forwarded yesterday evening. You have worked very well during my short stay here and under difficulties.

* * * *

I may say that the office generally have done as well as they could under the circumstances, considering that the permanent Sheristadar was absent on leave and that you had but recently joined the office and I myself was a complete stranger to the District.

To

(Signed) S. RUSSELL,
Ag. Sub-Collector.

M. R. Ry.

C. KUPPUSAWMIER,
Ag. Sub-Dn. Sheristadar.

The Hon. H. E. Sullivan 1884.

In a letter addressed to C. Kuppusami Aiyar, by the Honorable H. E. Sullivan late member of Council Madras.

He writes:—

My good friend.

I am delighted to help your father's son. He was a great friend of mine—a man of superior intelligence, who always did his work thoroughly and honestly and against whom I never heard a word of complaint. I am glad to think you are following in his footsteps.

* * * *

Ooty.
28-7-84.

(Signed) H. E. SULLIVAN

To

Mr. C. KUPPUSAWMI AIYAR,
Sriperumbudur.

Dear Sir,

Colonel A. T. Cox
15th Regiment M. N. I. 1885.

I shall have much pleasure in bringing you prominently before Mr. Price for your earnest and hearty endeavours in arranging for supplies for the 15th Regiment when marching through the Chingleput District. In consequence of our having cholera, you had an unexceptionably hard time of it, but you never failed us.

I wish you every good luck in the way of advancement which I hope will be as speedy as you deserve.

PALAVARAM,
16th February 85.

I remain
Yours truly.
(Signed) A. T. COX 15th M. I.

15th June 1885.
OOTACAMAND.

M. R. Ry.

C. KUPPUSAMI AIYAR Ayl.

H. Tremenhare Esq. M. C. S.
1885.

I am glad to hear from your letter that you are well, and that you have been getting on in the Public Service until now you are acting as Tahsildar.

I am sure that in this, as in your previous appointments, you will practise the two virtues of every respectable official; viz honesty, and hardwork. With kind wishes, yours.

Very faithfully.
(Signed) H. TREMENHERE.

H. R. Farmer Esq. M. C. S.
1885.

In a letter written by Mr. H. R. Farmer Ag. Collector of Trichinopoly, to the Board of Revenue in 1885, nominating C. Cooposawmiah for the Perambalur Tahsildar he says:—

I have selected the best man I know of. He has worked under me for 7½ months, and I can speak highly of his industry, capacity, and general character. He is the son of the late Narayana Ayar, Sheristadar of Malabar and Bellary and the nephew of pensioned Dy. Collector Vencatesiayer of Coimbatore. I enclose the usual nomination roll for Cooposawmiah. The Board will see that he is 30 years of age, has 10 years service, of which 4 years are in the grade of Tahsildar or in grades qualifying for that post and has passed all the necessary examinations for the post of Dy. Collector.

* * * *

He is more likely than any man I know of to get through the accumulated arrears; when I get accurate figures showing what these arrears are, I shall be able to decide whether some extra special hands should not be applied for to help him.

* * * *

If the Board know of any one whom they consider more worthy of promotion and better fitted to cope with the exceptionally heavy work of the office now vacant, I shall be glad to accept the Board's nominee.

* * * *

SAIDAPET,
5th November 1885.

A. Pinto Esquire 1885.

I have known C. Cooposawmiah from his infancy. He has worked under me as Ag. Tahsildar of Trivellore for many months. He is honest and energetic, and deserves promotion.

(Signed) A. PINTO,
Dy. Collector.

BARGUR,
6th June 1886.

Kuppusawmi Ayar,

H. Tremenhare Esq. M. C. S.
1886.

I am very much pleased to hear that you have been appointed Tahsildar, and feel sure you will maintain the high standard of honesty and industry which you had when I knew you.

Yours truly,
(Signed) H. TREMENHERE.

Here enter:—

W. P. Austin Esq. M. C. S. 1887.

Memo by Mr. W. P. Austin Ag. Collector of Trichinopoly recommending the confirmation of C. Cooposwami Aiyar in his appointment as Tahsildar of Musiri, sanctioned in G. O. No. 5852 dated 30th September 1887 communicated in Board's Proceedings No. 3966 dated 22nd October 1887. (Vide Takid No. 47 dated 26th October 1887 from the Collector of Trichinopoly to C. Cooposwami Aiyar.)

T. M. Swaminatha Aiyar Esq.
M. C. S. 1888.

C. Cuppuswami the Tahsildar of Musiri has been in charge of that Taluk since October 1886. He is a very industrious and intelligent officer and manages his office in a capital manner. He has passed the Special Tests required for a Deputy Collector's place and I have no doubt that he will ere long fill a far higher appointment than the one he now occupies. I am thoroughly satisfied with him.

TRICHINOPOLY, } (Signed) T. M. SWAMINADHA AIYAR,
8th March 1888. } Ag. Dy. Collector.
H. A. S.

TRICHINOPOLY,
May 11, 1889.

My Dear Sir,

P. Ramachandra Row Esq.
M. C. S. 1889.

I have much pleasure in informing you that I have formed a high opinion of your efficiency as an intelligent, industrious energetic officer, and to express my confidence that so long as you maintain your character for strict impartiality and uprightness, you will serve the country with credit to yourself and advantage to the state.

To

M. R. Ry.

C. COOPOSAMI AIYAR

Avergal,

Tahsildar of Musiri.

Yours sincerely

(Signed) P. RAMACHANDRA ROW

Ag. Hd. At. Collector.

TOTTIYAM,
8—1—90.

The bearer, C. Cuppuswami Iyer, Tahsildar of Musiri Taluq accompanied the Regiment through his Taluq and has rendered me assistance in his power, especially at Musiri, where there was some difficulty about water; there has been no hitch of any kind.

He has been uniformly civil and obliging.

(Signed) H. M. BARNETT COLONEL,
Commandant IV. Pioneers.

Colonel H. M. BARNETT,
IV. Madras Pioneers
1890.

Lt. C. R. KEATE,
IV. Madras Pioneers 1890.

C. Cuppuswami Iyer, Tahsildar of Musiri was extremely helpful and obliging when the Regiment passed through his Taluq. The camps in his District were clean and well looked after, and the trouble he took to arrange about supplies and more especially water being readily available for the men, rendered their march through his Taluq much more easy and comfortable than would otherwise have been the case.

(Signed) C. R. KEATE Lint.,
AG. QR. MASTER,
IV Pioneers Tottiyam.

8—1—90.

1st Madras Pioneers.

Colonel E. H. EYRE,
I. Madras Pioneers, 1890.

This is to certify that C. Cuppuswami Iyer, Tahsildar of Musiri made satisfactory arrangements regarding supplies &c. at Tottiyam.

Camp Tottiyam, } (Signed) E. H. EYRE, Colonel,
20th February 1890. } Commandant 1st Madras Pioneers.

1st Madras Pioneers.

Colonel E. H. EYRE,
I. Madras Pioneers, 1890.

This is to certify that C. Cuppuswami Iyer, Tahsildar of Musiri made satisfactory arrangements regarding supplies &c. at Musiri.

Camp Musiri, } (Signed) E. H. EYRE, Colonel,
21st February 1890. } Commandant, 1st Madras Pioneers.

Colonel E. G. Blenkinsop
IV Madras Pioneers 1890.

The arrangements made by C. Cuppuswami, Tahsildar of Musiri regarding supplies &c, both at Musiri and Tottiyam have been in every way most satisfactory. Supplies have been abundant, good, and cheap. He has been civil and attentive throughout.

Camp Totiam, } (Signed) E. G. BLENKINSOP COLONEL,
3rd March 90 } Commanding Detcht.,
4th Pioneers.

Camp Rayacottah,
20th June 1890.

DEAR SIR,

Mir Shujaet Ali Khan Esq.,
M. C. S. 1890.

I am sorry to hear that you are troubled by the unscrupulous clique of your enemies, but I am sure Mr. Jardine will soon discover the true state of things. I do not know him, or, I should be very glad to write to him. Nor can I now, I am sorry, send you a testimonial as I have left your District. But you may use this letter in any way you please. I believe you are perfectly honest and trustworthy and very active and hardworking. You are one of the best Tahsildars that I have had to deal with. The very fact of your not having asked me for a testimonial while I was leaving you and while every body else secured one will show to Mr. Jardine that you depend more on your own ability and character than on any thing that others may say of you. I should indeed be very sorry should Mr. Jardine's want of knowledge of men and things at Musiri caused you any trouble or inconvenience.

Yours truly,
(Signed) SHUJAET ALI.

MY DEAR SIR,

Mir Nalain Ali Khan Esq., B. A.
1890.

We hear that things are just now not very pleasant to you. Please write how they really stand in full detail. Brother will do all he can to help you. He has wished me to write and tell you

this because he believes you innocent and that your enemies are merely trying to get you into trouble.

MADRAS, }
25th July 1890 }
(Signed) I am
Yours truly,
MIR NALAIN ALL.

Coimbatore,
14-8-90.

MY DEAR KUPPUSAMI AIYAR,

H. Subbaraya Aiyar Esq. 1890.

I am very sorry your name has not been sent up to Government for Deputy Collector's position. I think you should work your way. It is a sheer illuck that you have been so long in your present position and I am anxious that you should get out of it soon.

(Signed) H. SUBBARAYA AIYAR,

Deputy Collector, now of Coimbatore
formerly of Ariyalur Division where
Coopusaemier was Tahsildar of
Perambalore in 1886.

/ True Copies /

H. Subbaraya Aiyar

APPENDIX.

I. The Board's protest and representations made in 1893.

"In its Proceedings dated 22nd September 1892, Mis. No.6060, the Board ordered the reduction of Kuppasami Aiyer, Tahsildar of Museri * * * * and in connection with the charges made against him, having occasion to consider the conduct of his Magisterial clerk—one Srinivasier—directed his dismissal. The grounds of that decision are set forth in the Board's Proceedings quoted above, which was the outcome of a very careful examination of most voluminous records * * and many of them bear members' notes on the margin".

2. "By G. O. dated 25th May 1893, Mis. No.1916, the Government upon the appeal petition of the said Srinivasier, set aside the Board's decision in his case as 'based upon erroneous assumption and on no evidence'". * * *

3. The Board observes "that the decision of Government was passed without any reference to the Board, upon the *ex-parte* statement of the appellant and so far as the Board knows, without any records. * * * The Government order speaking as it does, of the Board's erroneous assumptions and findings unjustified by evidence, practically amounts to a severe censure on that body, and this is passed, without allowing it an opportunity of justifying its action and without (as it believes) a full examination of the records on which the decision censured was based". * * * The Board "would respectfully urge upon Government that in cases of appeal it will be more conducive to the interests of the public service if a reference is made to the Board before its decisions are set aside. Had this been done in the present instance, the Board ventures to believe that the decision of Government might have been different".

3. "The matter cannot be re-opened now but His Excellency the Governor in Council desires to dis-avow any intention of conveying any censure to the Board of Revenue for its action by the order passed in this case and has no doubt that the matter received the most careful attention at the hands of the Land Revenue Members of the Board".

II. Heavy arrears in South Arcot in February 1894.

Proceedings of the Board of Revenue (Land Revenue), dated 19th February 1894,
No.595. Routine.

On the Revenue Business statement of South Arcot, dated 3rd February 1894,
No. ⁶³ Per. Resolution.

Recorded with the following remarks:—

2. "Arrears have increased in nearly all offices, the largest increase being in the Sub-Collector's and the Head Assistant Collector's offices".

this because he believes you innocent and that your enemies are merely trying to get you into trouble.

MADRAS, }
25th July 1890 }
(Signed) I am
Yours truly,
MIR NALAIN ALL.

Coimbatore,
14-8-90.

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H. Subbaraya Aiyar Esq. 1890.

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(Signed) H. SUBBARAYA AIYAR,

Deputy Collector, now of Coimbatore
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G. O. dated 8th January
1894, No.4 R. D. Mis:

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On the Revenue Business statement of South Arcot, dated 3rd February 1894,
No. ⁶³ Per. Resolution.

Recorded with the following remarks:—

2. "Arrears have increased in nearly all offices, the largest increase being in the Sub-Collector's and the Head Assistant Collector's offices".

abstracts and Registers are properly kept and that the entries are posted in them from time to time. * * * He will examine the accounts prepared in the Taluk and sign all such returns as are sent to the Deputy Collector in charge of Treasury". Vide para 22 of Board's Standing Order No. 218. Vide also para 22-A extending the order to the case of Head Accountants.

Vide also Circular No. $\frac{1194}{\text{Dis a/c}}$ of 1895 of the Treasury Deputy Collector, and Collector's Proceedings South Arcot, dated 9th November 1895, Ref. on No. $\frac{4380}{\text{Acc.}}$ of 1895.

VII. Inaccuracies in Returns.

Extracts from the monthly reviews of the Collector of South Arcot showing the inaccuracies in and the unreliable character of the Business Returns and the gross delays in the District.

- (1) Para 3. "The Head Assistant Collector is requested to expedite the submission of the report on the alleged unreliable character of the returns previously submitted from Vridhachelam". Para 7. "The Board have commented unfavorably on the business returns of the last quarter. By systematic efforts alone can all the old papers be cleared off at an early date".

Vide Collector's Proceedings, dated 20th March 1894, on the Return for February 1894.

- (2) "In Tindivanam, 312 orders were shown as pending at the end of March 1894. According to the return for April, the number pending at the beginning of the month is only 146. Even including communications from other officers, the number comes up to only 155. There were 761 orders for disposal in March but only 422 in April. This is remarkable. For such a large Taluk the figures are open to grave suspicion and the return is evidently incorrect. The Taluk office Tindivanam requires a thorough overhauling".

Vide para 3 of Collector's Proceedings, dated 19th May 1894, No. 128, on the Return for April 1894.

- (3) "The chief feature noticeable in the return of the present month is the increase in old arrears especially in Tindivanam. The increase in this office is said to be due to the fact that the return is accurate while its predecessors were incorrect. * * * The Tahsildar of Kallakurichi also says that a thorough examination of papers pending with each gumastah is being made. This accounts for certain discrepancies in his return".

Vide para 8 of Collector's Proceedings, dated 20th July, 1894, No. 16, on the Return for June 1894.

- (4) "The figures furnished by the Tahsildars of Tirukoilur and Kallkurichi for the month under review greatly vary from those for June and this is explained by the statement that the gumastahs have not maintained personal registers. This irregularity should be stopped at once. The gumastahs must be drawn out of the groove in which they have hitherto been moving and should be punished if they fail to keep out of it".

Vide para 7 of Collector's Proceedings, dated 20th August 1894, No. 203, on the Return for July 1894.

- (5) "The Cuddalore Tahsildar's return is evidently incorrect. The clerk concerned in the preparation of the incorrect return should be fined Re one".

Vide para 3 of Collector's Proceedings, dated 19th September 1894, No. $\frac{425}{\text{Ver.}}$, on the Return for August 1894.

- (6) "The number for disposal was less than in the previous month in all the Tahsildars' offices. * * * It is explained that the increase in the

Vide para 3 and 4 of Collector's Proceedings, dated 26th October 1894, No. $\frac{682}{\text{Ver.}}$, on the Return for September 1894.

number for disposal is due to the inclusion of many papers which were discovered when an arrear list was obtained from each clerk. The fall in 'the number for disposal' from 642 to 294 in Cuddalore and the rise from 199 to 286 in Bhuvanagiri are very striking. In the absence of satisfactory explanation the Ag. Collector cannot but believe that the returns have been carelessly prepared and are therefore unreliable".

- (7) "In Vanur, no petitions are shown as pending for more than one year, but the Tahsildar of Villupuram in his return says that 3 such are pending with the Deputy Tahsildar. If so, the Vanur return * * * was inaccurate. Such mistakes are serious".

Vide para 7 of Collector's Proceedings, dated 23rd November 1894, No. $\frac{888}{\text{Ver.}}$, on the Return for October 1894.

- (8) Instances are given of gross discrepancies in the returns in several offices as compared with their previous ones and "such mistakes lead to the inference that the number of pending papers in each office is not correctly calculated".

Vide para 1 of Collector's Proceedings, dated 23rd June 1895, No. $\frac{1464}{\text{Ver.}}$, on the Return for May 1895.

- (9) "In the Panruti Deputy Tahsildar's office the number for disposal was only 82 (smaller than in any other office except that of the Sea Customs Superintendent's). It is rather difficult to believe that the figure is correct as Panruti is one of the heavier Deputy Tahsildars' offices".

Vide para 4 of Collector's Proceedings, dated 28th October 1895, No. $\frac{2565}{\text{Ver.}}$, on the Return for September 1895.

VIII. On the state of the Darkasts in the District of South Arcot.

- (1) "The number pending over one year in Kallakurichi is excessive. It has come to the notice of the Collector that darkasts for the coming Fasli are being omitted in some of the returns. This is irregular".

Vide para 4 of Collector's Proceedings, dated 19th April 1894, No. $\frac{904}{\text{Genl.}}$ on the Business Return for March 1894.

- (2) Para 5.—"The Tahsildar of Kallakurichi disposed of only 20 darkasts out of 1710. Of the number pending, 494 are more than 1 year old. This state of things is simply disgraceful. The largest number pending appears to be with the village officers. This proves want of strict supervision by Tahsildars".

Vide paras 5 and 6 of Collector's Proceedings, dated 19th May 1894, No. 128, on the Business Return for April 1894.

- Para 6.—"It appears to be the special feature of this district that there should be unusually large numbers of darkasts and transfer razinamahs pending"

Vide para 4 of Collector's Proceedings, dated 20th June 1894, No. 141, on the Business Return for May 1894.

- (3) "In Tirukoilur there were only 109 darkasts for disposal. This is satisfactory if the correct number has been given".

(4) "In the Deputy Tahsildar's office Tittagudi, it is rather curious to find that out of 666 darkasts pending, not even one is pending for over one year. In Tirukoilur, the number for disposal shows an increase and the Tahsildar explains that in the previous returns certain darkasts and many Transfer Razinamahs were omitted. He blames the clerk and the Head Accountant. The Deputy Collector (G. D.) Tirukoilur is requested to enquire into and dispose of the matter. On the whole the disposal of darkasts still continues to be unsatisfactory throughout the district. All officers should make strenuous efforts to reduce the unseemly state of the arrears under darkasts".

Vide para 5 of Collector's Proceedings, dated 19th September 1894, No. $\frac{425}{\text{Ver.}}$, on the Business Return for August 1894.

Vide para 5 of Collector's Proceedings, dated 23rd November 1894, No. $\frac{888}{\text{Ver.}}$, on the Business Return for October 1894.

(6) "The disposals under the head (darkasts) were unsatisfactory. The delay of the village officers is causing heavy arrears in almost all offices and Divisional officers should adequately punish them".

N. B.—The return for November shows 450 darkasts as pending on 30th November 1894, but the return for December shows 1414 as the number for disposal on 1st December 1894.

(7) Instances are given of gross discrepancies in the returns as compared with their predecessors in several offices of the district. "In Vridhachelam out of 1812 darkasts 377 are shown as disposed of but only 1038 are shown as pending. The above remarks show that the returns are carelessly prepared and Jamabundy cannot serve as an excuse for the submission of incorrect statements".

Vide para 5 of Collector's Proceedings, dated 24th April 1895, No. $\frac{935}{\text{Ver.}}$, on the Business Return for March 1895.

(8) "The Tahsildar of Vridhachelam states that the exact number of darkasts pending cannot be ascertained in his Taluk till all the villages are settled".

Vide para 4 of Collector's Proceedings, dated 23rd June 1895, No. $\frac{1464}{\text{Ver.}}$, on the Business Return for May 1895.

(9) "It is not easy to believe that the number pending over one year is 'Nil' in Tindivanam and Ulundurpett, 2 in Villupuram, 8 in Tiruvannamalai and 5 in Cuddalore".

(10) "The Chengam Deputy Tahsildar says that he found many old darkasts not included in the previous returns. It is strange that whenever there is a change of officials it is generally found that some papers were not included in the business returns. This does not say much for the check exercised by officers in the preparation of the returns. Head Accountants especially appear to be ignorant of the contents of the returns certified to by them".

Vide para 4 and 7 of Collector's Proceedings, dated 29th July 1895, No. $\frac{1799}{\text{Ver.}}$, on the Business Return for June 1895.

"The work done in the District was most unsatisfactory under 'Darkasts'."

(11) "The Head Quarter Deputy Collector and the Head Assistant Collector are requested to see that the unsatisfactory way of the Tahsildars dealing with darkasts is put an end to at once".

(12) "It is noteworthy that in the heavy Taluk of Tindivanam, the number of darkasts for disposal was smaller than in the Ulundurpett Deputy Tahsildar's office. In the Chidambaram Taluk no darkasts are pending with Rev. Inspectors. This is probably due to the incorrect nature of the returns submitted".

IX ATTITUDE OF THE COLLECTOR OF SOUTH ARCOT IN DECEMBER 1895.

"The Tahsildar can submit whatever he has to say regarding Taluk administration to his Divisional Officer. It is quite unnecessary for him to come to Cuddalore to see the Collector for that purpose. He should experience no difficulty in "compressing in writing" the actual state of things referred. The undersigned declines to receive communications from the subordinates of Divisional Officers behind the back of the latter officers".

(Signed) A. E. CASTLE STUART STUART,

22-XII-95.

Collector.

X. TESTIMONIALS OF GOOD WORK DONE BY C. COOPOOSAWMIAH.

(a) Trichinopoly.

(1)

C. Cuppuswamier the Tahsildar of Museri has been in charge of that Taluk since October 1886. He is a very industrious and intelligent officer and manages his office in a capital manner. He has passed the Special Tests required for a Deputy Collector's place and I have no doubt that he will ere long fill a far higher appointment than the one he now occupies. I am thoroughly satisfied with him.

T. M. Swaminatha
Aiyar Esq. M. C. S.
1888.

(Signed) T. M. SWAMINATHA AIYAR,
Ag. Hd. Assist. Collector.

(2)

TRICHINOPOLY,
MAY 11, 1889.

My Dear Sir,

I have much pleasure in informing you that I have formed a high opinion of your efficiency as an intelligent, industrious and energetic officer, and to express my confidence that so long as you maintain your character for strict impartiality and uprightness, you will serve the country with credit to yourself and advantage to the State.

P. Ramachandra Row
Esq. M. C. S. 1889.

Your's sincerely
(Signed) P. RAMACHANDRA ROW,
Ag. Hd. Assist. Collector.

To

M. R. Ry.

(3)

C. COOPOOSAMI AIYAR Avergal,

Tahsildar of Museri.

DEAR SIR,

I am sorry to hear that you are troubled by the unscrupulous clique of your enemies, but I am sure Mr. Jardine will soon discover the true state of things. I do not know him, or, I should be very glad to write to him. Nor can I now, I am sorry, send you a testimonial as I have left your district. But you may use this letter in any way you please. I believe you are perfectly honest and trustworthy and very active and hardworking. You are one of the best Tahsildars that I have had to deal with. The very fact of your not having asked me for a testimonial while I was leaving you and while every body else secured one will show to Mr. Jardine that you depend more on your own ability and character than on any thing that others may say of you. I should indeed be very sorry should Mr. Jardine's want of knowledge of men and things at Museri caused you any trouble or inconvenience.

Your's truly,

(Signed) SHUJAET ALI.

MY DEAR SIR,

(4)

We hear that things are just now not very pleasant to you. Please write how they really stand *in full detail*. Brother will do all he can to help you. He has wished me to write and tell you this because he believes you innocent and that your enemies are merely trying to get you into trouble.

I am

(Signed) Your's truly,
MIR NALAIN ALI.

(5)

"C. Kuppusamier has proved himself an efficient Tahsildar in revenue matters". Vide para 26 of Collector's Proceedings dated 25th March 1892 No. 133-6.

W. H. Welsh Esq.,
I. C. S. 1892.

(b) South Arcot.

Vide para 8 of Collector's Proceedings, dated 19th September 1894, No. 425 Ver., on the Business Return for August 1894, South Arcot.

Vide para 5 of Collector's Proceedings, dated 26th October 1894, No. 682 Ver., on the Business Return for September 1894.

Vide Collector's Proceedings, dated 25th January 1895, No. 180 Ver., on the Business Return for December 1894.

(1) "On the whole the work done by the Tahsildar of Kallakurichi and Vridhachelam was satisfactory. The first officer has considerably reduced his old arrears".

(2) "In Kallakurichi the disposals were satisfactory".

(3) Para 4.—"The work done in Kallakurichi was satisfactory".

Para 7.—"In Kallakurichi the work turned out was more satisfactory than in the previous months and the Tahsildar promises to clear off his heavy old arrears soon".

(4) "The disposals were satisfactory in Kallakurichi, where the number of papers more than one year old was reduced from 27 to 17". Vide para 2 of Collector's Proceedings, dated 23rd February 1895, No. 412 Ver., on the Business Return for January 1895.

(5) "The disposals were satisfactory in Kallakurichi". Vide para 5 and 6 of Collector's Proceedings, dated 26th March 1895, No. 721 Ver., on the Business Return for February 1895.

(6) "The disposals were satisfactory in almost all the offices. The number of papers over one year old was reduced from 13 to 3 in Kallakurichi while in other offices it is almost stationary".

"The number disposed of was satisfactory in Kallakurichi". * * * Vide para 3 and 6 of Collector's Proceedings, dated 24th April 1895, No. 935 Ver., on the Business Return for March 1895.

(7) "The work turned out was satisfactory in Kallakurichi. * * * The number pending for over one year is 'nil' in Kallakurichi". * * * Vide para 2 of Collector's Proceedings, dated 23rd June 1895, No. 1464 Ver., on the Business Return for May 1895.

(8) In submitting to the Collector, the Tahsildar's arzi, Ref. on No. 5878, dated 25th August 1894, explaining certain discrepancies in the Progress Report of Minor Irrigation Works for July 1894, the Divisional Officer (Mr. Rajaratna Mudaliar) writes:—

"The Tahsildar has done good work after he joined the Taluk. Both the Head Accountant and the Head Gumastah are to blame for the errors noticed in the Progress Report".

(9) On the Tahsildar's arzi, dated 13th September 1894, Ref. on No. 6115, regarding the chaotic condition of affairs in the Taluk, the Divisional Officer observes as follows in his letter, dated 3rd October 1894, No. 1674:—

"It must however be said in justice to M. R. Ry. Kuppusami Aiyar that after he took charge he distributed the work of the office among the gumastahs and began to get work from them in a much more systematic manner than his predecessors. The Divisional Officer was very glad that the Tahsildar did this as the former Tahsildars were sadly wanting in method in getting work from their subordinates".

(10) The Collector wrote thereon as under:—

"The Ag. Collector is glad to notice that the Deputy Collector gives to M. R. Ry. C. Kuppusami Aiyar due credit for his efforts to distribute the work of his establishment in a more systematic manner than had previously been done. He may rest assured that all good work that he may perform will be duly appreciated as soon as it makes itself visible". Vide Collector's Proceedings, dated 10th October 1894, No. 217 Eng.

(11) In his review on the inspection of Income Tax records for the Quarter ending 31st December 1894, the Divisional Officer observes:—

"General. It is satisfactory to note that the assessment of the Taluk has received attention this year inasmuch as there is an increase of Rs.1054 over that of the last year. The Registers are neatly kept and objection petitions except in some cases have been promptly disposed of. The assessments began late owing to change of Tahsildars and hence there was delay in collection. It is hoped the present Tahsildar will set matters right". Vide Dis. No.2230, dated 30th December 1894.

(12) On the business return for October 1894, the Divisional Officer observes:—

"It is gratifying to note that the Tahsildar has made special arrangements by fixing the programme with reference to the arrears with the Rev. Inspectors". Vide order Ref. No. ⁶⁵²_{Per.}, dated 20th February 1895.

(13) In the matter of Survey work, Mr. Hasted Assistant Superintendent of Survey writes:—

"The Tahsildar was very energetic in assisting to supervise the school and examination of the karnams, and has taken a great deal of trouble over the same. He has been a great assistance to me and seems to take a genuine interest in the progress of the Survey work". Vide his letter to the Collector, dated 7th November 1895, No. ¹⁰³_{M.}.

(14) The Divisional Officer writes thereon:—

"It is satisfactory to note that the Tahsildar evinced interest in the Survey school and rendered assistance to the Assistant Superintendent". Vide Divisional Officer's order, Ref. on ⁶¹⁰_{Ex-Cur.} of 1895, dated 29th November 1895, on Collector's letter, dated 15th November 1895, No. ⁵⁴⁵⁴_{Ver.} of 1895.

(c) Salem.

(1) "The undersigned has much pleasure in noting that M. R. Ry. Kuppusami Iyer the new Tahsildar of Krishnagiri has worked exceedingly well since his arrival in the Division. His touring has been excellent and inspection of villages thorough. Moreover, though he found heavy arrears in Krishnagiri, he has cleared off a great many of them. The undersigned tenders him his thanks and trusts other Tahsildars will follow his example".

(2) On the D. C. B. statement of Land Revenue, Krishnagiri Taluk, for March 1897, the Collector (Mr. Mounsey) remarks:—

"The balance in the Taluk is no doubt low and this is satisfactory. The Ag. Collector is also glad to note that the Tahsildar has taken steps for the prompt collection of the balance". Vide Collector's endorsement, dated 7th April 1897.

(3) In his remarks on the D. C. B. statement of Land Revenue, Dharmapuri Taluk, for the month of June 1897, the same Collector observes:—

Para 8.—"All the Tahsildars have done their collection work splendidly and the Acting Collector is much pleased with it". Vide Collector's order, dated 9th July 1897, No.3663.

XI.

THE INHABITANTS OF SALEM VERSUS DEPUTY COLLECTOR MR. KOTHANDARAMIAH.

Judicial Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—From the District Magistrate, Salem, dated 26th May 1894, No. Ex. A.

Order, 20th June 1894, No. 1532.

The delay in the disposal of his criminal appeals which the Deputy Magistrate allowed to occur is to be regretted. When he found that in consequence of the extra work thrown on him by his duties in connection with the cases against C. Manikka Moodelly his ordinary work was falling into arrears, the Deputy Magistrate's clear duty was to represent the state of the case to the District Magistrate who would then no doubt have made arrangements for his relief. He was to blame for not doing this and the District Magistrate should draw his attention to the fact.

2. As regards the other allegations contained in the memorial, the petitioners will be given a copy of the fourth paragraph of G. O. dated 29th March 1894, No.765, Judicial, and informed that the Government after a complete and thorough enquiry into matters does not consider it necessary to take any further action.

(True Extract)

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Order, 29th March 1894, No.765.

* * * *

4. The only question now remaining for consideration is the conduct of the Salem Deputy Collector, M. R. Ry. G. Kothandaramayya Garu. The Sessions Judge has come to the conclusion that he exceeded his powers in the course of his enquiries regarding the income of Hari Chetti and Muthusami Muthali, and that he showed over-eagerness and great want of tact in his interview with Vakil Balakrishnayya. The Government concurs in these remarks and regrets that his zeal in other respects worthy of high praise should have led the Deputy Collector into these grave indiscretions.

XII.

Magisterial Diary.

Proceedings of the Madras High Court dated 10th December 1862.

* * * *

Para 2.—"The entries in the diary are to be recorded and attested with the initials of the Magistrate on the same day that the proceedings take place, and any omission on the part of the principal officer of the Magistrate's Court to prepare such record and produce it for signature, is to be duly noticed by the Magistrate".

XIII.

Conduct of clerk Srinivasier.

Regarding clerk Srinivasier's delays and conduct, the Board observes as follows in Proceedings, dated 22nd September 1892 No.6060 Mis:—

7. * * * "It does not follow that no blame attaches to the Clerk in whose charge the records were placed by the Magistrate" for this delay. * * * "Srinivasier attempts to deny that he wrote this, but it is clear that he did write it".

8. * * * "Clerk Srinivasier is primarily responsible for the second period of delay. * * * He is infurably dilatory. * * * The despatch of the records after they were found, was delayed for a week after the Taluq Magistrate had signed the arzi sending them". * * *

9. * * * "The Board merely notes in this connection the animus of Srinivasier and the Station House Officer Syed Hussain, against the Taluk Magistrate as shown by their action in this matter".

10. * * * "In the matter of the records in *The Natham murder case. * this case, the Taluq Magistrate's Clerk was greatly to blame in allowing them to be lost sight of".

17. "Holding as the Board does that the scandalous delays above referred to were due to the negligence if nothing worse—of the Clerk Srinivasier, and having regard to the fact that he has made false statements regarding his hand-writing and endeavoured to shift upon his superior officer the blame properly belonging to himself, the Board orders his immediate dismissal".

/ True Extracts/

L. S. Srinivasier.

1898.

1634 OF 1898
From LAND REVENUE

C. Cooroo Suomiah,
Late Tahsildar of
Wharmpure,
Salem District.

To
His Excellency
The Governor of Madras
In Council,
Cotacamund.

Related to
Desp. 14th } August
Received No. 699 } 1898.
108.

24 AUG 1898
ASSI. SECRETARY.

Enclosures - as per list
enclosed.

Respectfully submitting
for favour of reconsideration
and orders, an application
for a review of his
hard case of reduction
from Rs 150 to Rs 50 ordered
in G. O. R.D., dated
June 1st, 1898, No. 321.

1898
REVENUE DEPT.
No. 1634
Cur. No.

Endorsement No. 1647
cur

Submitted through the
Secretary to the Commission
of Land Revenue, Madras.

Run of bless
ag collector

21.8.98

21.8.98

List of records submitted as enclosures to the
Memorial of appeal to His Excellency the Governor of Madras
* For references marked x in Col. 1. vide Appendix quoted annex 2.

Consecutive number	Paragraph number of the Memorial	Particulars of references quoted.
Part I. Memorial proper - Pages 1 to 4.		
A. Trichingopoly District.		
1	3.	Progs d/25.3.92, No 133-b. of the Collector together with explanations thereon and the petition of appeal to the Board of Revenue d/30.4.92, in one file.
2	3.	Letter d/27.7.92, No 364-4, from the Collector to the Board
3.	4.	Board's Progs d/22.7.92, No 6060 Mis.
4	4.	G. O. (R.D.) d/24.11.92, No 5113.
5.	5.	Appeal petition of Clerk Srinivasan to Govt. d/3.4.93.
6.	5.	G. O. thereon, d/25.5.93, No 1916 Mis.
x 7.	6.	Board's Progs d/30.8.93, No 5032 Mis. (Vide printed Appendix I.)
x 8	6.	G. O. thereon, R.D. d/8.1.94, No 41 -
9	7.	G. O. R.D. d/8.1.94, No 16 R.
10.	7.	G. O. d/27.2.94, No 823 Mis. Communicated with Board's Progs L. R. d/23.4.94, No 2168 Mis.
B. South Arcot District.		
Kallakurichi Taluk.		
x 11.	9.	Board's Progs L. R. d/19.2.94, No 595 Rontue (Vide App.
x 12.	9.	Board's Progs L. R. d/31.5.95, No 1364 - (Vide App. II)
x 13	9.	Collector's Progs d/31.3.96 & 1.4.96 (Vide App. IV and extracts from his monthly Reviews to VIII)
x 14	10.	Collector's Progs d/10.10.94, No 217. (Vide App. IX & 8-9 d.)

March, April

7. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

10 (Office Copy) of Clerk

| From | Paragraph Number of the Memorial | Particulars of references quoted. |
|------|----------------------------------|--|
| 15 | 10 | Mem. Official letters d/11-9-95 & 27-9-95 of the Taluk H. Accountants showing the animus of the D. Officer against the memorialists. |
| 16 | 10 | Letter d/17-10-95 No 1233 from D.O. to the Collector. |
| 17 | 10 | Petition d/15-11-95 to the Collector & his order thereon d/22-12-95 Cur. Rept No. 5290 of 1895 (Vide App. IX) |
| 18 | 11 | G.O. d/25-9-95 to 1998. |
| 19 | 11 | Board's Drop L.R. d/17-1-96 to 80 Routine. |
| 20 | 11 | Board's Drop L.R. d/16-4-96 to 1783. Misc orders on Board's Drop d/8-6-96 to 2598 Mis. Conf. No 5. |
| 21 | 12 | Board's Drop L.R. d/21-10-97 Mis. on an application d/24-6-96 for a review. |
| 22 | 13 | G.O. d/1-6-98 to 321. |
| 23 | 14 | Correspondence at page 6 of "The Hindu" d/7-9-94. |
| 24 | 14 | G.O. d/29-3-94 to 765 and 20-6-94 to 1532. J.D. (Vide App. XI) |
| 25 | 15 | Copies of Testimonials & the letter of Mr. Farmer on page 5 thereof. |

Part II. Charges and Explanations. Pages 1 to 17.

A. Trichinopoly District.
Maseri Taluk.

| | | |
|---|------|---|
| 1 | 2 | Maseri H. Assistant Magistrate's report d/5-7-92 to 1663. |
| 2 | 2(c) | M. H. Officer's petition to the D. Magistrate d/22-2-92. |
| 3 | 2(g) | District Magistrate's Drop thereon d/27-2-92 to 136. |
| 4 | 3(i) | Extract from the Taluk Magistrate's diary d/28-3-92. |

| From | Paragraph Number of the Memorial | Particulars of references quoted. |
|------|----------------------------------|---|
| 5 | 3 (2) | Extract from Drops of the Madras High Court d/10-12-6 (Vide App. XII) |
| 6 | 3 (8) | Conduct Register of Clerk Srinivasan. |
| 7 | 3 (8) | Extracts from Board's Drop d/22-9-92 to 60 to him on the misconduct of Clerk Srinivasan. (Vide App. XIII) |
| 8 | 3 (8-d) | Enclosure IX to the petition of appeal submitted to the Board on 30-4-92. |
| 9 | 3 (Conclusion) | Extracts from Talukdar Srinivasan's diary d/22-3-91. |

B. South Arcot District.
Kallakurichi Taluk

| | | |
|----|--------|--|
| 10 | 4 (ii) | Ag. Gurnastan Jagadillag's letter d/21-10-95 showing that he himself was the Clerk to blame in the matter of the Income-tax returns. |
|----|--------|--|

P. J. Q.

| Discrepancy
number. | Paragraph
number
of the
Memorial. | Particulars of references quoted |
|------------------------|--|----------------------------------|
|------------------------|--|----------------------------------|

| Consequence number | Paragraph number of the Memorial | Particulars of references quoted |
|--------------------|----------------------------------|---|
| | | Part II. Charges and Explanations. Pages 1 to 17.
A. Trichinopoly District.
Muzeri Taluk. |
| 1. | | Muzeri Hd Assistant Magistrate's Judgment in Criminal Appeal No 16 of 1892. |
| 2. | 2(a) | Petition of 4-11-91 purporting to have been addressed by the St. H. Officer. |
| 3. | 2(a) | Records in C.C. No $\frac{170}{1891}$ with extracts from the Diary and of this: Case No 3 of 1891 on the file of the Tahsil Magistrate. |
| 4. | 2(a) | St Magistrate's order of 22-2-92. No: 48. |
| 5. | 2(a) | Hd Assistant Magistrate's Draft of 27-2-92 in reply thereto. |
| 6. | 2(a) | St. H. Officer's appeal petition of 15-1-92. |
| 7. | 2(a) | Tahildar Magistrate's argis of 24-1-92 No 59-Para 4.
" 25-1-92 " 62.
" 2-2-92 " 88. |
| 8. | 2(a) | Hd Assistant Magistrate's order of 3-2-92 } " 305.
" 6-2-92 } |
| 9. | 2(a) | Ruling of the Bombay High Court in Queen Emp. v. Har Lakshman. I.L.R. 10 Bom-1895. |
| 10. | 2(c) | St. H. Officer's Statement given before the Tahildar Magistrate on 22-12-91 in his Cause No. 3 of 1891. |
| 11. | 2(b) | Tahildar Magistrate's argis of 25-6-92 No 457. |
| 12. | 3(2) | Collector's investigation queries 60 & 61 of March 1892. |
| 13. | 3(2) | Statement given by Clerk Srinivasa before the Hd Assistant Collector & Magistrate on 4-2-92. |
| 14. | 3(3a-b) | The Tahildar's Revenue & Magisterial Diaries for March, April & May 1891. |
| 15. | 3(4) | Travelling all morning. 11 (Office Closed) at 10 o'clock. |

| Paragraph Number of the Memorial | Particulars of references quoted |
|----------------------------------|---|
| 16. | 3 (4) Tahildar Magistrate's order d/13-11-91 No A, to the H ^d Assistant Magistrate. |
| 17. | 3 (6) Do d/3-10-91 No 638. to Do. |
| 18. | 3 (8) Collector's Order d/1-4-92 No 89-22. |
| 19. | 3 (Concluding) Tahildar Magistrate's order d/3-8-91 No 447. |
| | <u>B. South Arcot District.</u>
<u>Kallakurichi Taluk.</u> |
| 20. | 4 Fort St. Geo. Gazette d/8-10-95 announcing the transfer of Dr. Collector R. N. Rajaratnam from S. Arcot. |
| 21. | 4 (I) The original Copies of the Business Returns together with the Memo of figures furnished by <u>S. Ar. Col.</u> <u>Sub. Lakshmanan</u> Run for June & July 1995. |
| 22. | 4 (III) (a) Tahildar's order to D.I. Officer Ref no: 4244 d/4-11-95.
(b) Tahildar's letter to the Civil Apothecary d/23-11-95.
(c) Collector's letter Ref on Refr no 2167 d/7-12-95.
(d) Collector's order Ref do d/22-11-95.
(e) Board's order Ref do d/10-12-95.
(f) Board's order Ref do d/9-1-96.
(g) Board's order Ref do d/3-7-96 No 3026 This. |
| 23. | 4 (Concluding) Application for Review and Statements A & F submitted to the Board thro the Collector on 24.6.96 and disposed of in Board's Order d/21-10-97 No 5973. |
| 24. | 6 (5) Question No XVIII in the Order of the Legislative Council of Madras - vide page 29 of the Supplement to the Fort St. Geo. Gazette d/3-5-98. |
| | <u>L. S. S. S. S. S.</u> |
| 13. | Memorial Appeal to Govt d/15-2-98 retained in the Government Office and not returned yet. |

Revenue (1898) Department.

CURRENT No. 8128

From

A. A. Sime Esquire ICS
Private Secretary to
H.E. the Governor.
No.

Order

To the Under Secy.

This is a copy of the petition already forwarded by the Board to Govt. (Cus. 3408/98). The original petn. was resubmitted to the Under Secy. on the 26th ultimo.

Pl. 29/11/98. It is now with the Secy. Rest to the P.H. with the file after the main file is disposed of.
h/son A

Dated 25th November 1898.

Received }
Registered } 28/11
Enclosures 5
Spare copies..

SUBJECT.

Transfers a petition dated 6 July 1898 from C. Coopooasame, late Tahildar of Dhareasapur, Salem D., praying to be restored to his former post.

/By order

L. S. S. S. S.

BACK PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
| | | | |
| | | | |
| | | | |

FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
|------|-----|-------------|-------|
| | | | |
| | | | |
| | | | |

PETITION

0095

REVENUE DEPT.

TO

His Excellency

Sir Arthur Elibank Havelock,

G. C. M. G., G. C. J. C.,

GOVERNOR OF MADRAS IN COUNCIL,

OOTACAMUND.

The humble Memorial of Coimbatore
COOPOOSAWMIAH, late Tahsildar of Dharmapuri, Salem District.

MOST RESPECTFULLY SHEWETH:—

That Your Excellency's Memorialist has been reduced in regular succession during the past six years, from the

| | | | |
|--------------|-------------------------|--------------------|---------------------|
| Degradation. | 1892 by the Board | from Rs225 to 200. | post of a second |
| Enhanced. | 1894 by Govt. on appeal | 200 " 175. | class Tahsildar, on |
| Enhanced. | 1896 by the Board | 175 " 150. | Rs 225 to that of a |
| Enhanced. | 1898 by Govt. on appeal | 150 " 50. | Taluk Head Ac- |
| | Vide para 13 (infra). | | countant on Rs 50, |

the last of the degradations being a second enhanced punishment from Rs 150 to Rs 50 and ordered by the Government of Madras in June 1898, as the result of an appeal submitted against a previous order of degradation passed by the Board of Revenue in 1896.

2. The history of this unfortunate case is briefly as follows:—

3. Your Excellency's Memorialist was Tahsildar (2nd class) of Museri, Trichinopoly District, from 1886 to 1891. In 1891 a few of his sub-

Vide para 11 of Board's Proceedings dated 22-9-92 No. 6060 Mis: ordinates in the Taluk office formed themselves into a clique and

some anonymous and pseudonymous petitions were sent up against him. In 1892, the Head Assistant Collector and the Collector held local enquiries into the allegations and the Collector

framed at first four different charges against Your Excellency's Memorialist and reported him to the Board. Subsequently, he added

and reported on a supplemental or 5th charge also.

4. The Board, after "a very careful examination of most voluminous records" came to the conclusion

in the Government Office and not returned yet

that the first four charges were not very serious and were not proved against Your Excellency's Memorialist; but in respect of the supplemental or the 5th charge, they, *without calling for an explanation on the specific charge and under a misapprehension*, believed him

Vide para 12 & 15 of B. P. dated 22-9-92 No. 6060 Mis:

to be guilty and accordingly they directed his degradation by one grade, the charge being that Your Excellency's Memorialist had, through *bias*, and with a view to satisfy his private animosity, heavily fined a Head Constable in a criminal case and remanded him to custody, refusing to accept bail. At the same time, the Board held that as regards one of the four charges, viz, of delay in enquiring into and mislaying the records in a criminal case, a Taluq

Vide para 17 of B. P. 6060 Mis. dated 22-9-92.

clerk (Srinivasier) was the officer primarily responsible, and they accordingly directed his *dismissal*.

The records were then submitted to Government who merely recorded them, further action being considered as unnecessary.

5. Against the order of dismissal passed by the Board, the clerk appealed to Government, who, without calling for a report from the Board or for the records of the case, believed the *ex parte* allegations and mis-statements made by the clerk against the Taluk Magistrate in his appeal petition and restored him with arrears of pay, expressing their desire (in para 3) to take further notice of the conduct of Your Excellency's Memorialist.

6. The Board, however, protested and represented that, had the records been called for and perused, the decision of Government might have been different from what it was. Government fully admitted the force of the Board's representations but declined to re-open the matter.

Vide B. P. dated 30-8-93 No. 5032 Mis. Appendix I.

Vide G. O. R. D. dated 8-1-94 No. 4.

7. Nevertheless they re-opened the case against Your Excellency's Memorialist and after perusing the records relating to *charge v alone* pronounced him guilty of *all the five charges* and directed, *by way of enhancement*, his further degradation by another grade and he was thereupon transferred to Kallakuruchi in South Arcot.

Vide G. O. R. D. dated 8-1-94 No. 16.

Vide G. O. dated 27-2-94 No. 823 Mis. & B. P. L. R. dated 23-4-94 No. 2168 Mis:

8. Copy of this order was furnished only on 5th December 1894 after repeated applications submitted by Your Excellency's Memorialist.

9. On joining Kallakurichi, Your Excellency's Memorialist found there, instances of gross delays and of *maladministration of several years' standing* in almost every branch of work. The case of the two Rev. Inspectors viz: Gurusami Naidu and Ramanujacharry being kept *out of their pay* and made to shift for themselves as best as they could, *for two full years*, and of delays in darkest cases may be quoted as examples.

Vide B. P. L. R. dated 19-2-94 No. 595 Routine. Appendix II. B. P. L. R. dated 31-5-95 No. 1364 Routine. Appendix III & Tahsildar's Arzi dated 13-9-94. Ref. on No. 6115-94. Vide Collector's Proceedings dated 31-3-96 & 1-4-96, and extracts from Collector's monthly reviews. (Appendix No. IV, V, VI, VII and VIII annexed).

10. Your Excellency's Memorialist however set himself to work and worked hard with a view to rectify these longstanding evils, submitting in the usual course, an appeal petition on 3rd June 1895 against his degradation; and both the Collector, as well as the Divisional Officer seemed to be satisfied with his work for some time.

Vide Proceedings of the Dy. Collector, Tirukoilur Division, dated 18-6-95. Ref. on Regr. No. 1136 of 1895. Ex cur. of 1895. & his letter dated 1233 17-10-95 No. Petn. Vide petition dated 15-11-95, & Collector's order thereon dated 22-12-95 Cur. Regr. No. 5290 of 1895. Pet. Appendix No. IX annexed.

11. At about this time, the petition of appeal submitted by Your Excellency's Memorialist was with-held under Sec. III 3 (2) of B. Memorial Rules

Vide G. O. J. D. dated 25-9-95 No. 1998. & B. P. L. R. dated 17-1-96 No. 80 Routine.

Vide Collector's report dated 28-3-96 Ref. C. No. 5499 of 95 Ver.

aware of the fact.

Vide B. P. L. R. dated 16-4-96 No. 1783 Mis: & No. 2598 Conf. No. 65 dated 8-6-96.

On this report and without notice to Your Excellency's Memorialist, the Board directed his further degradation to the 5th or the last grade of Tahsil and his transfer to the district of Salem.

12. Your Excellency's humble Memorialist then applied to the Board for a review of their orders; but the application which was *delayed in the Divisional office, Tirukoilur, for fifteen months*, was finally rejected by the Board.

On the 24th June 96

Vide B. P. No. 5973
21-10-1897

Mis.

13. The only course left open to Your Excellency's Memorialist was an appeal to Government which he submitted accordingly in February last. But unfortunately for Your Excellency's Memorialist, Government has been pleased *a second time to enhance* and direct his further degradation from the post of Tahsildar on Rs 150 to that of a Taluk Head Accountant on Rs 50 with the remark that he is unfit to be entrusted with responsible duties.

14, It may be submitted in this connection that the earliest troubles of Your Excellency's Memorialist consequent on the charges framed against him by Mr. Welsh in Trichinopoly were but the outcome of a small clique of his subordinates who wished to get rid of him from Museri and are almost parallel with those which befell Mr. Gurusami Naidu, Tahsildar of Nandial in 1894, and Mr. Kodandaramier, Deputy Collector of Salem, and which have been favorably disposed of respectively by the Board in 1894 and by Government in their orders dated 29-3-94, No. 765, and 20-6-94, No. 1532. J.D. (Vide appendix XI annexed). Most if not all of the so-called enemies of the Magistrate (Vide Mr. Welsh's letter dated 27-7-92 No. 364-4) have since left Museri and it is a fact that Your Excellency's Memorialist was never disliked by the people in general of that or any other station.

15. Your Excellency's Humble Memorialist who belongs to a respectable family has served Government long and faithfully for upwards of 21 years during which period, he has established a name for integrity and industry (as his ancestors have done) as will be seen from the copies of testimonials granted to and opinion held of him by

Mr. J. F. Price.
" H. R. Farmer.
" J. H. A. Tremeneheere
" S. Russel.
" E. L. Thornton.
" J. J. Cotton.
" C. H. Mounsey.

the several eminent officers under whom he has served and whose names are noted in the margin. And it is a fact that Your Excellency's Memorialist who has been depending during all his service, entirely on his salary and salary alone, *now* finds himself suddenly plunged in poverty and misery in the closing part of his official career; and it is in respect of these acts of degradation that he now most respectfully begs leave to approach Your Excellency with the present memorial of appeal for a reconsideration of his case and for mercy.

16. In conclusion, Your Excellency's Humble Memorialist most respectfully solicits pardon for his

x vide letter of Mr^r Farmer
on page 5 of the annexed
copies of testimonials.

[5]

intrusion and prays that on a kind consideration of all the circumstances detailed in the foregoing paragraphs, his past sufferings, long service and character and the utter helplessness of his present unfortunate condition, Your Excellency may be graciously pleased to forgive him for all the shortcomings with which he may have unwittingly offended the Board of Revenue and Government and to render him justice on the merits by ordering his restoration.

17. And Your Excellency's Humble Memorialist shall, as in duty bound, EVER PRAY.

Colacum und
July 6th, 1898

Professors

Charges and Explanations.

[1]

1. ~~15~~ Taking the several orders of reduction *seriatim*, Your Excellency's Memorialist will next proceed briefly to submit in *juxta-position*, the grounds alleged for each order of degradation as well as his own explanation therefor.

2. ~~16~~ As regards the *first order* of the Board dated 22—9—92 No. 6060 Mis: the grounds alleged by the Board and based on the Head Assistant Magistrate's Judgment in Criminal Appeal No. 16 of 1892 and report dated 5—7—92 No. 1663, as well as the explanations are detailed below.

Grounds alleged.

Explanation.

(a) On November 4th 1891 the St. H. O. had sent to the Head Assistant Magistrate a petition charging the Taluk Magistrate with having hushed up the poisoning case which forms the ground of charge No. II. In December, the St. H. O. appeared as a witness in a case before the Taluk Magistrate. In the course of the enquiry the St. H. O. demurred to answering a question put to him by the Court and for this refusal he was dealt with by the Magistrate under Sec. 480 Cr. P. C. and fined Rs 30 or in default, to three weeks' simple imprisonment. He failed to pay the fine and was remanded to custody for the night and sent to jail the next day but was liberated on payment of the fine the same day. Vide para 12 of B. P. 6060.

(a) This petition was a *pseudonymous* one and is said to have been received by the Head Assistant Magistrate Mr. Mir Shujaet Ali Khan in November 1891. It was kept *confidential* by him until he reported about it to the District Magistrate in his Proceeding dated 27th Feb. 1892 in reply to an order dated 22-2-92 No. 48. The first and the earliest allusion to the petition was contained in the appeal petition dated 15-1-92 presented by the St. H. O. and forwarded to the Taluk Magistrate for his remarks. Till then, he had no idea or knowledge whatever about it. The Taluk Magistrate thereupon applied to the Head Assistant Magistrate to be allowed to peruse the petition and other records. Vide Arzi dated, 24-1-92 No. 59, para 4, 25-1-92 No. 62, and 2-2-92 No. 88. But these requisitions were not complied with No. 305 dated 6-2-92. and the final order on the arzi was as follows:—
“The petition is under consideration and cannot be sent now”

* * *

3rd Feb. 1892.

(Sd.) MIR SHUJAET ALI,
Head Assistant Magistrate.

And it was only at the investigation held by the Collector

dated 22-9-92. on 4th March 1892 that Your Excellency's Memorialist was allowed for the first and the last time to peruse it. Further, the Head

Assistant Magistrate's Proceedings dated 27th Feb. 1892 shows that the St. H. O. when examined by him, did not admit himself to be the author of the petition. For these reasons, Your Excellency's Memorialist cannot be considered to have been actuated in December 1891 by any spite or private animosity against the St. H. O. on account of the petition in question of which he knew nothing about until more than two months after December the month in which the St. H. O. was punished by him.

The dates are very important in this connection.

(b) The Taluk Magistrate was not justified in the Board's opinion in dealing with the Station House Officer under Section 480 Cr. P. C. at all. The relations existing at the time between himself and the witness were such as to require that the charge of contempt should be tried by a different tribunal; and to this end the Taluk Magistrate ought to have sent the case to another Magistrate under Sec. 482 Cr. P. C. Vide para 15 of B.P. No. 6060 22-9-92 Mis: (b) The relationship supposed to have been existing at the time between the Taluk Magistrate and the Station House Officer, on account of the petition in question, having been thus disproved, the conduct of Your Excellency's Memorialist in having himself tried the charge of contempt may be taken to have been legal and open to no objection. It is hardly necessary to add that if such a relationship had really existed, Your Excellency's Memorialist would never have ventured to try the case at all.

No. 6060 22-9-92 Mis:

(c) The sentence was a severe one. Vide para 12 of B.P. No. 6060 22-9-92 Mis: based on para 4 of the Head Assistant Magistrate's letter No. 1663 5-7-92 (c) A perusal of para 11 of Boards' Proceedings No. 6060 dated 22-9-92 will show that there was, at the time, "considerable insubordination towards the Tahsildar on the part of his She-ristadar and others, and that the Tahsildar was left without the support of his authority which he had a right to expect."

Further, paragraphs 2, 3, 5 and 6 of the Head Assistant Magistrate's Judgment in criminal appeal No. 16 of 1892 and the Judgment

of the Taluk Magistrate, will show that the Head Constable had been guilty of several irregularities in his investigation of the theft case and had felt himself nervous about them and had addressed the Superintendent of Police in view to get it transferred to some other court, and when he was questioned as a witness about this conduct of his, (exhibited subsequent to his referring it as false,) he refused to answer the question put to him by the Court. It was why a sentence of a fine of Rs 30 was considered necessary. It was more the outcome of a "righteous indignation" than of any bias or private animosity against the St. H. O. Vide para 5 of the Appeal Judgment referred to.

(d) Upon appeal the Head Assistant Magistrate Mr. Mir Shujaet Ali Khan, has quashed the conviction holding that it was not warranted. Vide para 12 of B.P. 6060 22-9-92 Mis: (d) But Mr. Hall his successor in office, was of a different opinion and has held that the decision of the Taluk Magistrate though inadvisable and wanting in tact, was quite legal (Vide paras 3 and 10 of his letter No. 1663 5-7-92.) And it is not free from doubt as to whether the reversal of the decision of the Taluk Magistrate on appeal was quite proper. The Bombay Ruling quoted in the appeal judgment is an authority as to a Judge's power to ask irrelevant questions under Sec. 165 of the Indian Evidence Act (I of 1872) and the obligation or otherwise of a witness to answer them under certain conditions. Under this Ruling, a Judge is at perfect liberty to ask an irrelevant question "if he only does so, in order to obtain proof of relevant facts, and it is only, if he asks questions with a view to criminal proceedings being taken against the witness, the witness is not bound to answer them and cannot be punished for not answering them under Sec. 179 of the Penal Code." Applying this Ruling to the present case, it will be seen that the Head Assistant Magistrate was not quite certain in the first place, whether the question which was put to the Head Constable and which he refused to answer, was really relevant or irrelevant. (Vide latter part of para. 3 of the Appeal Judgment).

The grounds upon which the decision of the Lower Court was reversed were:-

(1) that the question put to the Head Constable and refused to be answered by him related to his conduct and irregularities in the theft case & was put for the elucidation of those irregularities.

(2) that it was not therefore "so relevant."

(3) that the Head Constable was not therefore bound to answer the question.

power to ask irrelevant questions under Sec. 165 of the Indian Evidence Act (I of 1872) and the obligation or otherwise of a witness to answer them under certain conditions. Under this Ruling, a Judge is at perfect liberty to ask an irrelevant question "if he only does so, in order to obtain proof of relevant facts, and it is only, if he asks questions with a view to criminal proceedings being taken against the witness, the witness is not bound to answer them and cannot be punished for not answering them under Sec. 179 of the Penal Code." Applying this Ruling to the present case, it will be seen that the Head Assistant Magistrate was not quite certain in the first place, whether the question which was put to the Head Constable and which he refused to answer, was really relevant or irrelevant. (Vide latter part of para. 3 of the Appeal Judgment).

(4) that his refusal to answer it did not in consequence constitute an offence under Sec. 179 I. P. C. and

Towards the close of para. 5 of his Judgment, he admits that the particular question related to the subsequent conduct of the Head Constable who was a party to the proceedings in the theft case, and that that conduct was irregular, and it thus follows that the question was, in consequence, quite relevant, and therefore one which the witness was bound to answer. Even if it should be held as *irrelevant* (in which case alone the Ruling is applicable to the case) there is this Magistrate's own admission in the same paragraph, that the purpose for which the question was put to the witness, was not with a view to criminal proceedings being taken against him, but, "for the elucidation of the irregular conduct of the witness" as the chief investigating Officer in the case of theft then under enquiry before the Taluk Magistrate. It follows again in consequence, that, under the very same authority quoted by him, the question was one which the Head Constable was bound to answer and his refusal to answer it was clearly an offence under Sec. 179 I.P.C., and the Head Assistant Magistrate's decision and Judgment to the contrary on appeal, were opposed to the Ruling quoted by himself and were therefore illegal.

(e) "In his Judgment the Taluk Magistrate says that the St. H. O. did make an attempt to get giddiness if he could. This shows I think that the Taluk Magistrate had a distinct prejudice against the St. H. O." Vide para 13 of letter dated 5-7-92, No. 1663, of Mr. Hall.

(e) A perusal of the statement given by the Head Constable on 22-12-91 and forming part of the records in Mis: case No. 3 of 1891 Museri Taluk will show that he did really allege and feign giddiness and the allusion to it contained in the Judgment was not therefore the outcome or any prejudice against him but was a fact in itself.

(f) In his appeal petition against the conviction and sentence the St. H. O. alludes to the pseudonymous petition of Nov. 18 and suggests that the Taluk

(f) This has been explained and disproved already under item (a) *supra*. A perusal of the latter part of para 5 of the Judgment in criminal appeal No. 16 of 1892 will show that the Head Assistant Magistrate was himself not sure

Magistrate had that there was any such bias evidently been working in the mind of Your Excellency's Memorialist at the time in question. That officer appears to characterize the feeling more as a "righteous indignation" at the irregularities of the St. H. O. than as *bias*.

(g) The St. H. O. urged "malice" again in a petition presented by him to the District Magistrate on 22-2-92. (g) The order of the District Magistrate on the petition was as follows:—
"The petitioner did refuse to answer questions and thus it is hard to affirm that the Sub-Magistrate did act maliciously."

Vide District Magistrate's Proceedings dated 27-2-92 No. 136.

(h) There was undue severity shown after conviction in that the St. H. O. was not let on bail but was made to suffer imprisonment for default of payment of fine, bail being refused. (h) The St. H. O.'s allegation that he *offered* bail but it was *refused* is a mis-statement. As a matter of fact, bail was never offered by him nor was it ever refused. Vide Taluk Magistrate's arzi dated 25-6-92 No. 457.

(i) That there was delay in releasing him even after the fine had been paid. (i) This has been found to be untrue. Vide para 11 of Mr. Hall's letter dated 5-7-92 No. 1663.

CONCLUSION:—The foregoing facts will thus show that in convicting and punishing the Station House Officer for contempt of Court, Your Excellency's Memorialist was not actuated by a desire to satisfy any private animosity as in fact no such animosity ever existed, and if only the Station House Officer had offered security for payment of the fine, he should have been at once let on bail and liberated. It is unfortunate that when submitting his final report dated 27-7-92 No. 364 to the Board, the Collector (Mr Welsh) omitted to make mention therein of his own proceedings dated 27-2-92 No. 136, wherein, he has himself admitted that the conviction and sentence of the Station House Officer *were not malicious*.

3 The grounds alleged for the 2nd order of degradation passed by Government and the explanation in respect of them are as detailed below:—

| Grounds alleged. | Explanation. |
|-------------------------------------|---|
| 1. Except the bare assertion of the | 1. Nor is there any evidence that the records were lost by the- |

6.

Tahsildar Magistrate, there is no proof whatever that the records in the two magisterial cases to which the main charge against the clerk relates, were lost by him.

Tahsildar Magistrate. (Vide para 7 on page 32 and para 11 on page 23 of the Tahsildar's appeal petition to the Board dated 30-4-92). On the other hand, the entries about these cases in the Diary of the 28th March 1891, in the handwriting of the clerk Srinivasier, furnish some evidence, that at least for writing up the Diary, the records

in question were put into and remained *last* in his possession and custody on the 28th March 1891 and immediately after the Diary was closed and before they were mislaid. The clerk admits this and does not deny the genuineness of the entries in the Diary as he has denied that of an endorsement under his initials and relating to a search made by him for the missing records.

2. He alleges that after completing the Diary, he returned the records to the Taluk Magistrate to enable him to write the decision (which he asserts had not been written) and an allusion is made to what seemed to be an admission made on the part of the Taluk Magistrate during the course of the Collector's investigation held in March 1892 in answer to his questions No. 60 and 61, that the records were on the Magistrate's table and therefore in his possession and were lost from there.

2. This is an ingenious attempt of the clerk to shift his responsibility. But the allegations are misleading and untrue. In the first place, it is not true that the decision had not been written. For, the entry of the word "Proceedings" (as forming part of the records of the case) at the foot of the Magistrate's Diary of the 28th March 1891

and in the handwriting of the clerk Srinivasier, is some evidence of the Proceedings having been read by him and added as part of the records, since, if it had not

been written, it could not properly be read or recorded as such in the Diary. Comments seem to be unnecessary on the clerk's explanation that "such entries are made as a matter of

course and that Magistrates usually write Judgments after they are pronounced". As a matter of fact, the Proceedings had been written already and the Taluk Magistrate had no further necessity for the

Vide para 7 of B. P. dated 22-9-92 No. 6060 Mis.

Vide entry in the Magistrate's Diary dated 28-3-91 & Proceedings, dated 10-12-92 of the Madras High Court. Appendix No. XII. annexed

Vide also para 4 on page 18 and para 24 on page 19 of the Tahsildar's appeal petition to the Board dated 30-4-92.

Vide latter part of para 17 on the 5th ground in the clerk's appeal petition—page 104 of the annexed copy.

records which were therefore never returned to him as alleged. Further, in a statement given by the clerk on 4th February 1892, before the Head Assistant Collector and Magistrate, he says, "I have no evidence to prove handing over the Kamalapuram records to the Tahsildar and I don't remember there were any present then; nor were there any when Tahsildar gave me the records in his house." As regards the so-called admission in answer to the Collector's queries No. 60 and 61, it is respectfully submitted, that the clerk explained to the Collector that after writing up the Diary, he had left the records in question on the Magistrate's table and he could not therefore be held answerable for the loss of the records, as there were then, several clerks and Karnams around the table, on

Regarding the Collector's enquiry, Vide remarks on pages 48 & 49 of the Tahsildar's appeal petition to the Board.

Vide para 11 on page 23 of the Tahsildar's appeal petition to the Board dated 30-4-92.

account of the Jamabandy business The Collector appeared inclined to favor this version and asked the Magistrate whether on that explanation he was able definitely to fix the responsibility on the clerk himself but on no others. The answer to this question was in the negative, subject however to the proviso that the clerk's explanation was true and there was evidence to support it. It

does not thus amount to an admission that the records were really placed by the clerk on the Magistrate's table and were lost from there and in Jamabandy camp as he wishes it to be understood.

3. The Magistrate had no time to write the proceedings and he kept the records with him for the purpose. (Vide pages 30 & 110 of the annexed copy of the clerk's appeal to Government.)

3. The Proceedings was a short one not more than two pages in length and could not have occupied the Magistrate for more than ten minutes at the most. It is therefore absurd to suppose that for a month he had no time to write it and that he had therefore kept it for more than six months!

(a) Partly owing to the pressure of Jamabandy work.

(a) Jamabandy work commenced only on the 13th April 1891 i.e. 16 days after the disposal of the Kamalapuram cases.

(b) But mainly owing to the arrangements for his son's marriage.

(b) The son's marriage took place only on the 30th April 1891 i.e. more than a month after the cases were disposed of and no special arrangements had to be made for it.

4. The probabilities are, that the Magistrate did not record his decision and that he took the records with him into camp with the intention of writing the judgments and lost them there. That the Magistrate had the records with him in camp seems clear from his own admission before Mr. Welsh in his reply to that officer's 60th and 61st questions, that there were a number of Karnams and other clerks near his table during Jamabandi.

4. It has already been explained that the decision had been duly recorded and that the Magistrate had no further necessity for the records after the 28th March 1891. There is not an iota of evidence that the records were returned to him by the clerk on or after that date or that he ever took them with him into camp and lost them there. The first Jamabandi camp subsequent to that date was Seeplaputtur, whither the office moved only on the 19th April 91 which was the date on which the clerk, for the first time, intimated the loss of the records, and he was sent back to the Taluk Head-Quarters on the 21st idem for making a search there for the missing records and a search was also actually made there. These facts have been proved by oral as well as documentary evidence on record though the clerk has made several mis-statements in

Vide remarks on point 'I'—page 14; para 4, page 25 & para 7, page 31 of the Tahsildar's appeal petition to the Board dated 30—4—92; also the clerk's travelling allowance bill for April 1891.

respect of these and other facts in his appeal petition. It was the clerk himself who first conceived the idea and connected the loss of the records with *Jamabundy*. Vide his explanation reported to the Head Assistant Magistrate in the Taluk Magistrate's arzi, dated 13th November 1891, No. A. His next attempt was to connect it with *Jamabundy* held at the Taluk Head Quarters, and it was made at the Collector's enquiry held in March 1892. (Vide queries 60 and 61 of the Collector.)

In his appeal petition to Government, the clerk has made the attempt for the third time, pushing however, the time and place of their loss still further, viz. to some date subsequent to the 28th March 1891 (when he had possession of the records) and to the *Jamabundy Camp* Seeplaputtur where the office remained in camp from 19-4-91 to 20-5-91. This appears to have been done by the clerk with a motive to make it appear that the records were kept by the Magistrate for sometime and for some purpose and were then lost by him and so to shift the burden of his own responsibility. There is thus nothing to prove that the Magistrate had the records with him in *Jamabundy camp* or that he has made any such admission as is alluded to.

5. The clerk goes a step further and suggests that the records in question had never disappeared at all, but that the Magistrate had kept them in his own possession from 28th March to 12th October 1891. Vide paragraphs 3, 4, 10, 14 and 19. i, ii, iii of his appeal petition to Government.

5. If so, it is not understood why when a search was made for the records by himself and some of his fellow clerks and when he knew he was reported in November 1891 as the officer responsible, he did not at once reveal the truth of the matter to any of his superiors and why he waited until February 1892, (when the clique of the Tahsildar's enemies had joined him) to disclose what he has alleged. [Vide references quoted in the remarks on point 1, at page 14 and in para 11 on page 23 of the Tahsildar's appeal petition to the Board, dated 30-4-92; also the last sentence of para 9 of Board's Proceedings, dated 22-9-92, No. 6060 Mis.].

6. When the Magistrate was called on to report what clerk was responsible for the loss of the records, he abstained from reporting Srinivasier. The inference seems obvious that the Magistrate knew that he himself had mislaid the papers, as otherwise, he would naturally have reported his Magisterial Clerk (Srinivasier) as the person responsible for their disappearance.

6. The name of Srinivasier had been duly reported as the Magisterial Clerk responsible. Vide Taluk Magistrate's arzi, dated 3-10-91, No. 638; and arzi dated 13-11-91, No. A, in the clerk's own handwriting and the allusion to him in the orders of Mr. Weir thereon. The clerk himself admits it in paragraphs 4 and 16 on pages 13 and 98 respectively of his appeal petition to Government; vide also para 10 on page 23, paragraphs 16 to 18 on page 27 and para 3 on page 30 of the Tahsildar's appeal petition to the Board, dated 30-4-92.

7. The Tahsildar Magistrate is naturally interested in exculpating himself and his statement is therefore not to be relied on.

7. The clerk Srinivasier is none the less so. For, his position and predicament were no better than those of the Tahsildar. On the other hand, they were even worse, as detailed in para 6 on page 18 and para 7 on page 32 of the Tahsildar's appeal petition to the Board, dated 30-4-92.

8. The Taluk Magistrate seems from the records of Mr. Welsh's enquiry, &c., to have been a most dilatory individual.

8. A glance at the annexed copies of testimonials and the extracts noted below* containing the views of Mr. Welsh himself and of the Board will show, that the Tahsildar has always shown great efficiency and aptitude for prompt and good work, but has not been a dilatory Officer.

Vide Conduct Register (annexed) of Clerk Srinivasier. Vide also Appendix XIII annexed being extracts from paragraphs 7, 8, 9 and 10 of Board's

Whereas, Clerk Srinivasier has had 4 warnings (one being of suspension) and 4 fines awarded to him, and out of these 8 punishments 7 were for gross delays and dilatoriness in his duties.

Proceedings, dated 22-9-92 No. 6060 Mis.

* (a.) Mr. Welsh observes:—"I think he has proved himself an efficient Tahsildar in revenue matters"—Vide, para 26 of the Collector's Proceedings, dated 25-3-92, No. 133-6.

(b.) Reviewing the work done in the Museri Taluk in February 1892, when the charges were being enquired into and there was utter confusion and want of discipline in the Taluk in consequence, Mr. Welsh observes:—

"The Tahsildar must at an early date, bring back his file to its former condition when it was distinguished by prompt disposal of references"—Vide, Collector's Proceedings dated 1-4-92, No. 89-22.

(c.) Para 15 of Board's Proceedings, dated 22-9-92, No. 6060 Mis. regarding the high character for industry and integrity always borne by Kuppasami Aiyer the Tahsildar.

(d.) Enclosure IX to the appeal petition of Kuppasami Aiyer submitted to the Board on 30-4-92 showing the prospects he had of being made a Deputy Collector.

9. On the whole, the probabilities are all against the Magistrate and in favour of the clerk.

9. A perusal of para. 5 (1-8) on pages 27 and 28 and pages 55 and 56 of the annexed copy of the Tahsildar's appeal petition to the Board will show that the reverse is the case.

CONCLUSION.—The foregoing facts and references will show that on two occasions, viz, once on 28-3-91, when the enquiry in the Kamalapuram cases (charge I) was closed, and again on 22-5-91, when the enquiry in the Natham or Vendampatti murder case, (charge

III) was closed, the clerk wrote the Magisterial Diary in his own handwriting and noted therein the *decisions* as part of the records of the respective cases. In both cases the records were temporarily mislaid and delay had to be accounted for and explained by him, as for writing the Dairy, he had had the records *last* in his possession before they disappeared. The explanations given by him were accordingly reported then and there

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| Arzi dated 3-8-91, No. 417. | on three different occasions as noted in the |
| „ 3-10-91 „ 638. | margin, the reports being |
| „ 13-11-91 „ A. | again in his own handwriting. Not a word of |

demur was expressed by him at the time or for three months afterwards as to the accuracy or otherwise of the entries, even though he knew that the superior officers had been attaching some importance to the affair. But, when matters looked a little serious, he suddenly turned round and threw the entire blame on his superior, the Taluk Magistrate, and behind his back, alleging that the decisions in both cases had not been written on the dates indicated in the diary, that the Magistrate had kept the records with himself for the purpose and hence the delay, and that the entries made in the Diary as well as in the arzis referred to, were not quite true or accurate. The records in both these cases were however finally discovered and produced by the clerk himself, those in the Natham case (charge III) being traced out and secured from the possession of a friend of his in the Divisional Office. He was further found to have taken home and kept to himself without authority, some more records in a few cases of Referred Charge Sheets and they were delivered up by him only after he had left the office on a long leave. All these facts and his antecedents point to a chronic and not merely an accidental carelessness of the clerk in the matter of the custody of important official records entrusted to him and in the discharge of his official duties, and consequently, the unreliable nature of his explanations in general. Nevertheless, the orders of Government restoring him to his post with arrears of pay and directing the further degradation of Your Excellency's Memorialist, have been based almost solely but unfortunately on the many misstatements contained in the clerk's appeal petition, (but not on any fresh evidence or records of enquiry) as has been fully represented already by the Board in their Resolution, dated 30th August 1893, No. 5032 Mis. It is also a matter for Your Excellency's kind consideration, that while G. O. dated 25th May 1893, No. 1916 Mis. deals with the records relating only to two charges (I and V), punishment has been awarded to Your Excellency's Memorialist in G. O. dated 27th February 1894, No. 823 Mis. for *all the five charges* formulated by the Collector, in spite of the fact, that the Board had found charges III and IV not proved and charge II had been withdrawn by the Collector himself.

4. The *third order* of degradation was passed by the Board of Revenue on a report made by Mr. Castle Stuart Stuart, who framed six charges on the eve of his departure from India, on a report made by the Divisional Officer after his transfer out of the district was announced in the Gazette. The charges

as well as the explanations of Your Excellency's Memorialist are briefly detailed below:—

| CHARGES. | EXPLANATION. |
|---|---|
| I. That he omitted to show in his revenue business returns for June & July 1895, 149 darkasts pending for more than six months. | The omission is not denied; but it was a clerical and not an intentional one. The state of darkast arrears all over South Arcot had been always unsatisfactory; (vide annexed extracts from the monthly reviews of the Collector. App. VIII) and the Taluk of Kallakurichi was no exception. Your Excellency's Memorialist himself realized the state of things and was doing his best to cope with the heavy files and Mr. Stuart had even *praised him for it. The figures *Vide Collector's Proceedings dated 10th October 1894. Appendix X (b) 9 and 10 annexed. |
| | for July 1895 were not furnished by the clerk till late on the night of the 9th August (the due date for their despatch being the 10th). The return was checked and certified by the Taluk Head Accountant and Your Excellency's Memorialist having had no time, could only examine the figures briefly. He had however, no reason to doubt their correctness and he signed the return. On the 10th, the Divisional Officer made a surprise inspection on a pseudonymous report and discovered some confusion in figures. In South Arcot, Taluk Head Accountants are held primarily responsible for the accuracy of figures in returns, but in the present instance, Your Excellency's Memorialist has been reported and punished as the sole officer responsible for the inaccurate entry. |
| Vide Appendix VI. | |

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|---|--|
| II. That inaccurate figures were furnished in the incometax return for July 1895. | The return was prepared and submitted on the 4th August (the due date being the 5th). The irregularity consists in the exhibition under the item " <i>G lists issued</i> ," of a number of cases in which <i>G</i> notices had <i>been prepared but not signed or issued</i> pending a detailed comparison with the confidential note book which had been submitted to the Divisional Office on the 1st and had not been returned till the 9th of the month. The figures in the return had been put in by the clerk at the head quarters during the absence of Your Excellency's Memorialist on circuit and the return was checked by the Head Accountant. Your Excellency's Memorialist had returned from camp only on the 4th and did not have full time for a thorough scrutiny. It was how, for statistical purposes of the return, the <i>G</i> notices came to be shown as <i>issued</i> . |
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| | |
|---|---|
| III. That erroneous figures were furnished in the incometax return for November 95. | The irregularity is that in 90 objection cases shown as " <i>disposed</i> ," no <i>regular</i> decisions or judgments had been recorded in 34. At the same time, the Inspecting Officer admits that he saw memo of evidence and definite orders in all of these 34 cases. Your Excellency's Memorialist was too ill with fever at the time to sit up and write full |
|---|---|

judgments and hence he briefly summarized evidence and passed a regular written order in every case. It is a fact that he had fever from 1st November '95 and took medical certificate, after which he did not rejoin duty till May 1896, thereby forfeiting his claim to furlough.

IV. That he submitted a completion report for two sluices in Varagur tank without inspecting the work after completion. The work had been nearly completed on the 24th March '95, and there was only two days' labour left to do. The Overseer was told to wait at the place and see the work out. He reported completion on the 28th. Your Excellency's Memorialist was

then busy with collections and jamabundy, and could not re-visit the place for a formal and final inspection before the official year closed. He represented this inconvenience to the Divisional Officer and submitted a completion report on the 29th, which the Divisional Officer countersigned the next day without objection. The work was, however, re-inspected by Your Excellency's Memorialist a fortnight later and found to be completed with excess work to the amount of Rs. 42.

V. That he similarly submitted a completion certificate for the cattle-pound at Pallagacheri without inspecting the work after completion. The entire work except a masonry trough estimated at Rs. 5 had been completed when Your Excellency's Memorialist inspected it on 4th February 1895. The trough was then condemned as the site was marshy and a stone one ordered and the contractor told to replaster some of the chunam. He did the replastering and claimed the amount of the estimate on 28-2-95. Objection was then taken in the Taluk (Audit branch) to the technical incompleteness of the masonry trough and it was also built by 2-3-95. Your Excellency's Memorialist signed a completion report on 28-3-95, and did so, because he was the officer who last saw it (i. e. on 4th February '95). The Collector regards this entry as wrong and says that the name of the Overseer who reported the completion *verbally* should have been substituted. Your Excellency's Memorialist in the absence of any voucher or record to prove the Overseer's inspection, took it upon himself to certify the completion. The work was properly finished and there are now two troughs—one of stone and one of masonry—in the pound.

The sixth charge relating to alteration of dates for the sales of avenue produce has been settled by the Board in favour of your Excellency's Memorialist on the Collector's letter, dated 3-5-96 No. 138—Cur. The loss was general throughout the Presidency and due to other causes.

CONCLUSION.—It may not be out of place to submit here that the administration of the Taluk of Kallakurichi had been most unsatisfactory for several years owing to gross mismanagement and almost all its Tahsildars had successively come to grief in consequence. Your Excellency's Memorialist on assuming charge of the Taluk, grew alarmed at the state of things and he examined the root of the evil and brought it to the

notice of the Collector through the Divisional Officer. It may be quoted as instances that a Revenue Inspector on Rs. 40, against whom there were serious charges reported, was being compelled to work in his Firka without his salary being passed or disbursed to him for *two full years* together. Another Revenue Inspector against whom also there were serious charges formulated and reported by the Divisional Officer, was kept in a state of suspense and without pay, also for two full years. There were hundreds of cases of darkasts pending on the registers, the records in several being found missing. There were several references and reports submitted from the Taluk to the divisional office, for which no replies had been received, the records relating thereto having been lost, if not hushed up. The Collector seemed at first to appreciate the attempt made by Your Excellency's Memorialist to remedy the evils and to set matters right, but the Divisional Officer looked upon it with disfavour, evidently apprehending an exposure of his bad supervision of the Division, and the situation of Your Excellency's Memorialist was rendered too hot for him in consequence and he was reported and reduced from the 4th to the 5th grade of Tahsil.

A glance at the Collector's Proceedings (Vide Appendix IV and V annexed) disposing of the case of the two Revenue Inspectors and passed on the eve of his departure from India, is sufficient to form some idea of the delays and the ways in which far more serious charges have been dealt with in South Arcot.

5. The 4th and the last order of reduction passed by Government is the result of an appeal submitted against the orders of the Board in the third instance. The reasons alleged are:—

| REASONS. | EXPLANATION. |
|--|---|
| Though Government might be inclined to leave without interference, the matter of the Cuddalore report, the misconduct of the Tahsildar, proved by the records of previous years, shows him to be unfit for the exercise of responsible powers. | A kind perusal of the foregoing paragraphs will show in the first place, that there is no proof whatever of the alleged misconduct in previous years; secondly, that nevertheless the Tahsildar has been punished therefor under a misapprehension of the truth of the charges reported against him and thirdly, that he has suffered also sufficiently well, the punishment thus awarded to him already for such misconduct. |

6. Your Excellency's Memorialist may now be permitted to sum up the whole briefly and to submit a few remarks in conclusion about himself.

As regards charge I framed by Mr. Welsh, it has been shown that,

1. (a) the Taluk Magistrate has not been a dilatory officer but had established a name for prompt and good work,
- (b.) the decision in both the cases had really been written by the Magistrate on the day on which the enquiries were closed,

[15]

- (c.) the records remained *last* in the possession of the clerk (for writing the Diary) before they were mislaid and he had been searching for them afterwards,
- (d.) the clerk has admittedly no evidence to prove his alleged subsequent return of the records to the Magistrate,
- (e.) the Magistrate had actually no further necessity himself for the records,
- (f.) he did not take them to his camp or mislay them there as suggested,
- (g.) the clerk had been duly reported as the officer responsible for the loss of the records and
- (h.) all such reports were in the handwriting of the clerk himself and were known to him.

On the other hand,

- i. the clerk was generally most dilatory in the discharge of his duties,
- ii. he has been mislaying and keeping to himself unauthorizedly, important records in other criminal cases as well, and his carelessness in the matter of custody of records has been chronic,
- iii. he never questioned or reported to his superiors about the alleged inaccuracy of the entries made in the Diary or in the reports made against him, for several months after they were written or until he was driven to despair, and then his last explanation was, that the entries made by himself in the official records in each and every case were incorrect and deliberately untrue,
- iv. the missing records were traced out and produced by himself finally in all the cases,
- v. the clerk is equally interested as the Taluk Magistrate is alleged to be, in exculpating himself and,
- vi. most of the *ex parte* allegations contained in his appeal petition on which the orders of Government are based, are groundless and untrue.

The probability therefore is that it was the clerk and not the Taluk Magistrate who had mislaid the records. This is also the conclusion at which the Board has arrived.

2. Charge II has been withdrawn by the Collector himself and dismissed by the Board as groundless.

3. Charge III has been proved by the Board itself to be groundless, with the remark that the clerk is much to blame for the temporary loss of the records.

4. Charge IV has also been found to be groundless and was dismissed by the Board, with a remark that

there was considerable insubordination on the part of his subordinates towards the Tahsildar who was not given proper support by his superiors.

5. In respect of charge V, the supplementary matter, it has been shewn that,

- (a) the petition of 4th November 1891 had nothing to do with the Magistrate's conduct towards the Station House Officer in December 1891, and the Board was under a misapprehension for want of a specific explanation on the point and hence their order of degradation by one grade. *This explanation had never been called for or obtained;*
- (b) such conduct was actuated by a "righteous indignation" at certain irregularities of the Station House Officer but not by any *malice* or *bias*. The District Magistrate had himself disbelieved the theory of malice;
- (c) the procedure of the Magistrate in trying and convicting the Head Constable was quite legal;
- (d) the reversal of the conviction of the Station House Officer (Syed Hussain) on appeal by Mr. Mir Shujaet Ali Khan the Head Assistant Magistrate, was illegal and opposed to the Ruling quoted by him in the appeal judgment;
- (e) the alleged severity of the sentence of fine was due to the then refractory condition of the Taluk;
- (f) the alleged severity after conviction was due to the Head Constable's own neglect to offer bail about which he has made incorrect statements;
- (g) the Station House Officer has made several mis-statements in the appeal and complaints made by him against the Magistrate;
- (h) the most that can be assumed against the Magistrate is, that he has perhaps shown an error of judgment and want of tact. In almost a similar case in South Arcot, a Sub-Magistrate (Sundarier) has been excused and promoted as Tahsildar, (C.O. dated No. R.D.) even though the Sessions Judge as well as the High Court had commented very unfavourably about him.

6. The Board has represented to Government that Government has not had the full records before it, that its decision was liable to be unduly influenced by the *ex parte* allegations contained in the clerk's appeal petition and that, had a reference been made to it on the appeal, "the decision of Government might have been different."

7. Nevertheless, Government has been pleased to order that the matter cannot be re-opened but that Your Excellency's Memorialist be reduced

by another grade in respect of *all the five charges* and he was transferred accordingly to Kallakurichi in South Arcot.

* Vide answer to question
XVIII - Proceedings of the
Legislative Council
of Madras - page 29
of the Supplement to the
Fort St. George Gazette,
dated May 3rd, 1898.

*
Vide answer to question
XVIII - Proceedings of the
Legislative Council
of Madras - page 29
of the Supplement to the
Fort St. George Gazette,
dated May 3rd, 1898.

8. With regard to the charges framed by Mr. Castle Stuart Stuart in South Arcot, it has been shewn that :

- (a) affairs in Kallakurichi were in a state of chaos owing to maladministration of several previous years ;
- (b) strenuous attempts were made in right earnest to remedy the evils ;
- (c) this was appreciated for a time by the Collector himself ;
- (d) but Your Excellency's Memorialist had not the support of his Divisional Officer ;
- (e) errors of a purely statistical and technical nature were magnified and reported against Your Excellency's Memorialist and the Board, while exonerating him from all corrupt motives, has reduced him to the last class of Tahsil, for carelessness and inaccuracy ;

9. An application was made to the Board for a review, but after a delay of fifteen months in the Divisional Office Tirukkoilur, it was rejected with a remark that the tone of the application was reprehensible.

10. The next course open to Your Excellency's Memorialist was an appeal to Government which he submitted, with the result, that Government has now unfortunately ordered his further reduction, from Rs. 150 to Rs. 50, observing that though the charges reported from South Arcot are not very serious, his misconduct in previous years shows him to be unfit for the exercise of responsible powers and that the punishment awarded by the Board is inadequate. But Your Excellency's Humble Memorialist begs with the most profound respect, to submit that he has *already suffered sufficient punishment for the past misconduct*, and his appeal to Government had reference only to the matter of the Cuddalore report. Vide the latter half of his appeal petition to Government, dated 15th February 1898.

COPIES OF TESTIMONIALS &c.,
OF
C. COOPOOSWAMIAH.

M. Kenny Esquire B. A. 1873.

I have much pleasure in being able to testify to N. Coopoo-swamy's character as a hardworking regular, respectful and intelligent young man. He read under me for about 2 years and during that time his conduct was everything that could be wished. He passed the Matriculation Examination in December 1872, very creditably securing a place among the first 30 boys in the second class. He is a very good English scholar and writes a nice hand. I am confident he will give satisfaction in any post to which he may be appointed as he has the chief requisites for success, viz ability and perseverance.

(Signed) M. KENNY B. A.,

HEAD MASTER,

Government Zillah School Berhampore,

7th September 1873

& formerly of Coimbatore,
HIGH SCHOOL.

P. Krishna Row Esq. 1877.

I hereby certify that C. Coopoo-swamiah was in charge of the Rice Depot under me at Kurnul for 9 months, during which time he gave me every satisfaction. He is very intelligent, hardworking and trustworthy. He is a member of a respectable family and is a very promising young man. I hope he will soon rise in the public service.

(Signed) P. KRISHNA ROW,

Kurnool, }
8th September 77. }

TAHSILDAR OF,
Ramulcottah.

H. F. Clogstoun Esq. M. C. S.
1877.

C. Coopoo-swami Aiyar was employed as an English Clerk for a period of about 2 years and 2 months in the Office of the Deputy Director of Revenue Settlement, Coimbatore, during which time he gave entire satisfaction. He has a very fair knowledge of English. His conduct was good.

(Signed) HERBERT CLOGSTOUN,

17th September 1877, }

AG. DY. DIRECTOR OF REVENUE,
Settlement on
Special duty.

BANAGARAPALLI. }

No. 952.

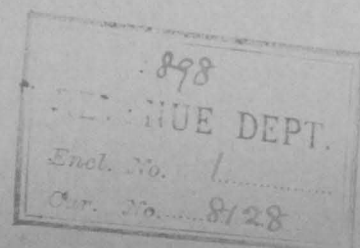
S. Ramaswamier Esq. B. A.
1878.

C. Cocpooswamiah having asked me to record my opinion of him, I cheerfully comply with his request.

He has been my Head Clerk for the last 4 months. He is a young man and has that stuff in him which will one day make him occupy a conspicuous position in the Uncovenanted Civil Service. He discharges any work however arduous entrusted to him with great despatch and to my entire satisfaction. His integrity is above doubt.

Tellichery Registrar's Office, }
7th December 1878. }

(Signed) S. RAMASWAMIER,
Registrar.



A. F. Cox Esquire M. C. S.
1882.

C. Coopooswamiah has been my Head Clerk during the five months that I have had charge of the Chingleput Sub-Division. During that time he has worked with great industry and pains and his work has been thoroughly good. I believe him to be an honest and reliable public servant.

September 1882.

(Signed) A. F. COX,
Ag. Sub-Collector.

E. J. Sewell Esquire M.C.S.
1883.

I have known Coopuswamiah for two months but have had ample opportunity to discover his merits. He is quick at mastering new work and is thoroughly to be depended on for good and quick work. I shall be glad to hear of his promotion.

April 20th 1883.

(Signed) E. J. SEWELL,
Ag. Sub-Collector.

Chingleput District Collector's Office,
CAMP ACHERVANK 8th December 83.

No. 9 E.
From

J. F. PRICE Esq. M. C. S. 1883.

J. F. PRICE Esq.
Collector of the
CHINGLEPUT DISTRICT.

To
The Ag. Sub-Collector
CHINGLEPUT.

SIR

3. Coopoosawmier the Head Clerk of your office has been so well spoken of by the officers under whom he has served, that I should be very willing to see him nominated to the Acting Deputy Tahsildari of Sriperumbudur, but I understand that he is unwilling to go out of the office line and taking him away just now and with the Sheristadar not in good health, would perhaps weaken you too much. If you do not think so, and would wish to nominate him, please let me hear from you as soon as possible on the subject.

From
Chingleput District, Sub-Collector's Office
12th December 1883.

The Sub-Collector of
CHINGLEPUT.

H. TREMENHERE Esq.
M. C. S. 1883.

To
The Collector of
CHINGLEPUT DISTRICT.

Reference— Your letter No. 9 E. of 8th Instant.

SIR
My Head Clerk Kuppasamier, is, I find, desirous of accepting the appointment of Deputy Tahsildar if you should offer it to him.

What he wished to decline in preference to his present appointment was a Taluk Sheristadarship. I have much pleasure in recommending him for the present promotion. As I understand

from you that you can supply his place in my office with a clerk experienced in Revenue work, the inconvenience of his loss will be much lessened.

3. He cannot have Magisterial powers conferred upon him until the issue of the next Gazette on the 18th; I therefore hope I may retain him till that date.

(Signed) H. TREMENHERE,
Ag. Sub-Collector.

CAMP UTRAMALLUR,
17—12—83.

No. 706.

From

The Collector of Chingleput.

To

The Secretary to the
BOARD OF REVENUE
MADRAS.

SIR

Adverting to para 6 of my letter No. 686 of 8th Instant, I have the honor, on the recommendation of the Ag. Sub-Collector of which I approve, to nominate Coimbatore Coopoosawmi Aiyar Head Clerk of the Sub-Collector's office, to act as Deputy Tahsildar of Sriperumbudur vice Pichai Pillay ordered to Mayaveram Town.

2. Coopooswami Ayer has been very highly spoken of by all the Officers under whom he has served and is a very intelligent and hardworking official. I do not consider that any of the Taluk Sheristadars of the District are fit for the particular appointment which becomes vacant and I wish therefore to give Coopooswami Ayer a trial; three months will give an opportunity of seeing what he is likely to turn.

3. He has passed all the necessary tests. I enclose a statement of these and Coopoosawmy Ayer's Service Register.

(Signed) J. F. PRICE,
Collector.

H. Tremenhare Esquire
M. C. S. 1884.

C. Kuppasawmi Ayer during the last four months has fully proved his claim to the high character he bears. He is unwearied in work, and yet does it both quickly and well. His knowledge of Revenue business is very exact.

He is honest and unassuming.

7th June 1884,
CHINGLEPUT.

(Signed) H. TREMENHERE,
Ag. Sub-Collector.

(Here enter)

J. F. Price Esq. M. C. S.
1884.

Chingleput Collector's letter No. 198 dated 17th April 1884 to the Board of Revenue and Board's Proceedings Mis. No. 3602

4
dated 30th April 1884, and No. 1786 dated 1st March 1883 appointing C. Kuppusamier as Ag. Sub-Division Sheristadar of the Chingleput District.

CHINGLEPUT,
21-6-84.

Sheristadar,

S. Russell Esquire M. C. S.
1884.

I am very well pleased with the list of pending papers that you have forwarded yesterday evening. You have worked very well during my short stay here and under difficulties.

* * * *

I may say that the office generally have done as well as they could under the circumstances, considering that the permanent Sheristadar was absent on leave and that you had but recently joined the office and I myself was a complete stranger to the District.

To
(Signed) S. RUSSELL,
M. R. Ry. Ag. Sub-Collector.
C. KUPPUSAWMIER,
Ag. Sub-Dn. Sheristadar.

The Hon. H. E. Sullivan 1884.

In a letter addressed to C. Kuppusami Aiyar, by the Honorable H. E. Sullivan late member of Council Madras.

He writes:—

My good friend.

I am delighted to help your father's son. He was a great friend of mine—a man of superior intelligence, who always did his work thoroughly and honestly and against whom I never heard a word of complaint. I am glad to think you are following in his footsteps.

* * * *

Ooty.
28-7-84. } (Signed) H. E. SULLIVAN

To
Mr. C. KUPPUSAWMI AIYAR,
Sriperumbudur.

Dear Sir,

Colonel A. T. Cox
15th Regiment M. N. I. 1885.

I shall have much pleasure in bringing you prominently before Mr. Price for your earnest and hearty endeavours in arranging for supplies for the 15th Regiment when marching through the Chingleput District. In consequence of our having cholera, you had an unexceptionably hard time of it, but you never failed us.

I wish you every good luck in the way of advancement which I hope will be as speedy as you deserve.

I remain
Yours truly.
(Signed) A. T. COX 15th M. I.
PALAVERAM, }
16th February 85.

15th June 1885.
OOTACAMAND.

M. R. Ry.
C. KUPPUSAMI AIYAR Avl.

H. Tremenhere Esq M. C. S.
1885.

I am glad to hear from your letter that you are well, and that you have been getting on in the Public Service until now you are acting as Tahsildar.

I am sure that in this, as in your previous appointments, you will practise the two virtues of every respectable official; viz honesty, and hardwork. With kind wishes, yours.

Very faithfully.
(Signed) H. TREMENERE.

H. R. Farmer Esq. M. C. S.
1885.

In a letter written by Mr. H. R. Farmer Ag. Collector of Trichinopoly, to the Board of Revenue in 1885, nominating C. Cooposawmiah for the Perambalur Tahsildar he says:—

I have selected the best man I know of. He has worked under me for 7½ months, and I can speak highly of his industry, capacity, and general character. He is the son of the late Narayana Aiyar, Sheristadar of Malabar and Bellary and the nephew of pensioned Dy. Collector Vencatesiayer of Coimbatore. I enclose the usual nomination roll for Cooposawmiah. The Board will see that he is 30 years of age, has 10 years service, of which 4 years are in the grade of Tahsildar or in grades qualifying for that post and has passed all the necessary examinations for the post of Dy. Collector.

* * * *

He is more likely than any man I know of to get through the accumulated arrears; when I get accurate figures showing what these arrears are, I shall be able to decide whether some extra special hands should not be applied for to help him.

* * * *

If the Board know of any one whom they consider more worthy of promotion and better fitted to cope with the exceptionally heavy work of the office now vacant, I shall be glad to accept the Board's nominee.

* * * *

A. Pinto Esquire 1885.

SAIDAPET,
5th November 1885.

I have known C. Cooposawmier from his infancy. He has worked under me as Ag. Tahsildar of Trivellore for many months. He is honest and energetic, and deserves promotion.

(Signed) A. PINTO,
Dy. Collector.

BARGUR,
6th June 1886.

Kuppusawmi Aiyar,

H. Tremenhere Esq. M. C. S.
1886.

I am very much pleased to hear that you have been appointed Tahsildar, and feel sure you will maintain the high standard of honesty and industry which you had when I knew you.

Yours truly,
(Signed) H. TREMENERE.

Here enter:—

W. P. Austin Esq. M. C. S. 1887.

Memo by Mr. W. P. Austin Ag. Collector of Trichinopoly recommending the confirmation of C. Cooposwami Aiyar in his appointment as Tahsildar of Musiri, sanctioned in G. O. No. 5852 dated 30th September 1887 communicated in Board's Proceedings No. 3966 dated 22nd October 1887. (Vide Takid No. 47 dated 26th October 1887 from the Collector of Trichinopoly to C. Cooposawmi Aiyar.)

T. M. Swaminatha Aiyar Esq.
M. C. S. 1888.

C. Cuppuswamier the Tahsildar of Musiri has been in charge of that Taluk since October 1886. He is a very industrious and intelligent officer and manages his office in a capital manner. He has passed the Special Tests required for a Deputy Collector's place and I have no doubt that he will ere long fill a far higher appointment than the one he now occupies. I am thoroughly satisfied with him.

TRICHINOPOLY, } (Signed) T. M. SWAMINADHA AIYAR,
8th March 1888. } Ag. Collector.

TRICHINOPOLY,
May 11, 1889.

My Dear Sir,

P. Ramachandra Row Esq.
M. C. S. 1889.

I have much pleasure in informing you that I have formed a high opinion of your efficiency as an intelligent, indutrious energetic officer, and to express my confidence that so long as you maintain your character for strict impartiality and uprightness, you will serve the country with credit to yourself and advantage to the state.

To

M. R. Ry.

C. COOPOOSAMI AIYAR

Avergal,

Tahsildar of Musiri.

Yours snicerely

(Signed) P. RAMACHANDRA ROW

Ag. Hd. At. Collector.

TOTTIYAM,
8-1-90.

The bearer, C. Cuppuswami Iyer, Tahsildar of Musiri Taluq accompanied the Regiment through his Taluq and has rendered me assistance in his power, especially at Musiri, where there was some difficulty about water; there has been no hitch of any kind.

He has been uniformly civil and obliging.

(Signed) H. M. BARNETT COLONEL,
Commandant IV. Pioneers.

Lt. C. R. KEATE,
IV. Madras Pioneers 1890.

C. Cuppuswami Iyer, Tahsildar of Musiri was extremely helpful and obliging when the Regiment passed through his Taluq. The camps in his District were clean and well looked after, and the trouble he took to arrange about supplies and more especially water being readily available for the men, rendered their march through his Taluq much more easy and comfortable than would otherwise have been the case.

(Signed) C. R. KEATE Lint.,
AG. QR. MASTER,
IV Pioneers Tottiyam.

8-1-90.

1st Madras Pioneers.

Colonel E. H. EYRE,
1. Madras Pioneers, 1890.

This is to certify that C. Cuppuswamy Iyar, Tahsildar of Musiri made satisfactory arrangements regarding supplies &c. at Tottiyam.

Camp Tottiyam, } (Signed) E. H. EYRE, Colonel,
20th February 1890. } Commandant 1st Madras Pioneers.

1st Madras Pioneers.

Colonel E. H. EYRE,
1. Madras Pioneers, 1890.

This is to certify that C. Cuppuswamy Iyer, Tahsildar of Musiri made satisfactory arrangements regarding supplies &c. at Musiri.

Camp Musiri, } (Signed) E. H. EYRE, Colonel,
21st February 1890. } Commandant, 1st Madras Pioneers.

Colonel E. G. Blenkinsop
IV Madras Pioneers 1890.

The arrangements made by C. Cuppusamier, Tahsildar of Musiri regarding supplies &c, both at Musiri and Tottiyam have been in every way most satisfactory. Supplies have been abundant, good, and cheap. He has been civil and attentive throughout.

Camp Totiam, } (Signed) E. G. BLENKINSOP COLONEL,
3rd March 90 } Commanding Detcht.,
4th Pioneers.

Camp Rayacottah,
20th June 1890.

DEAR SIR,

Mir Shujaet Ali Khan Esq.,
M. C. S. 1890.

I am sorry to hear that you are troubled by the unscrupulous clique of your enemies, but I am sure Mr. Jardine will soon discover the true state of things. I do not know him, or, I should be very glad to write to him. Nor can I now, I am sorry, send you a testimonial as I have left your District. But you may use this letter in any way you please. I believe you are perfectly honest and trustworthy and very active and hardworking. You are one of the best Tahsildars that I have had to deal with. The very fact of your not having asked me for a testimonial while I was leaving you and while every body else secured one will show to Mr. Jardine that you depend more on your own ability and character than on any thing that others may say of you. I should indeed be very sorry should Mr. Jardine's want of knowledge of men and things at Musiri caused you any trouble or inconvenience.

Yours truly,
(Signed) SHUJAET ALI.

MY DEAR SIR,

Mir Nalain Ali Khan Esq., B. A.
1890.

We hear that things are just now not very pleasant to you. Please write how they really stand in full detail. Brother will do all he can to help you. He has wished me to write and tell you

this because he believes you innocent and that your enemies are merely trying to get you into trouble.

MADRAS,
25th July 1890

I am
Yours truly,
(Signed) MIR NALAIN ALI.

Coimbatore,
14-8-90.

MY DEAR KUPPUSAMI AIYAR,

H. Subbaraya Aiyar Esq. 1890.

I am very sorry your name has not been sent up to Government for Deputy Collector's position. I think you should work your way. It is a sheer illuck that you have been so long in your present position and I am anxious that you should get out of it soon.

(Signed) H. SUBBARAYA AIYAR,
Deputy Collector, now of Coimbatore
formerly of Ariyalur Division where
Coopusawmier was Tahsildar of
Perambalare in 1886.

APPENDIX.

I. The Board's protest and representations made in 1893.

"In its Proceedings dated 22nd September 1892, Mis. No.6060, the Board ordered the reduction of Kuppasami Aiyer, Tahsildar of Museri * * * * and in connection with the charges made against him, having occasion to consider the conduct of his Magisterial clerk—one Srinivasier—directed his dismissal. The grounds of that decision are set forth in the Board's Proceedings quoted above, which was the outcome of a very careful examination of most voluminous records * * * and many of them bear members' notes on the margin".

2. "By G. O. dated 25th May 1893, Mis. No.1916, the Government upon the appeal petition of the said Srinivasier, set aside the Board's decision in his case as 'based upon erroneous assumption and on no evidence'". * * *

3. The Board observes "that the decision of Government was passed without any reference to the Board, upon the *ex-parte* statement of the appellant and so far as the Board knows, without any records. * * * * The Government order speaking as it does, of the Board's erroneous assumptions and findings unjustified by evidence, practically amounts to a severe censure on that body, and this is passed, without allowing it an opportunity of justifying its action and without (as it believes) a full examination of the records on which the decision censured was based". * * * The Board "would respectfully urge upon Government that in cases of appeal it will be more conducive to the interests of the public service if a reference is made to the Board before its decisions are set aside. Had this been done in the present instance, the Board ventures to believe that the decision of Government might have been different".

3. "The matter cannot be re-opened now but His Excellency the Governor in Council desires to dis-avow any intention of conveying any censure to the Board of Revenue for its action by the order passed in this case and has G. O. dated 8th January 1894, No.4 R. D. Mis: no doubt that the matter received the most careful attention at the hands of the Land Revenue Members of the Board".

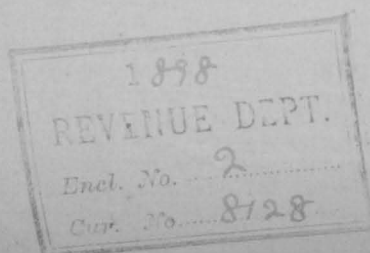
II. Heavy arrears in South Arcot in February 1894.

Proceedings of the Board of Revenue (Land Revenue), dated 19th February 1894, No.595. Routine.

On the Revenue Business statement of South Arcot, dated 3rd February 1894, No. ⁶³ Per. Resolution.

Recorded with the following remarks:—

2. "Arrears have increased in nearly all offices, the largest increase being in the Sub-Collector's and the Head Assistant Collector's offices".



3. "Papers of more than a year's standing are numerous in the Collector's, Sub-Collector's and Head Assistant Collector's offices and also those of six months' standing in the two latter and in the General Duty Deputy Collector's offices and many of those of the former class in the Collector's and Sub-Collector's offices appear from the separate list forwarded by the Collector to have been pending for 2 and 3 years. The Collector is requested to take steps for reducing these arrears".

4. "The list above referred to likewise shows that the disposal of a very large number of papers of a year's standing and more in the sub-division is delayed pending receipt of replies from the Tindivanam Tahsildar. Due notice should be taken of the Tahsildar's neglect in the matter".

III. Heavy arrears in South Arcot in March 1895.

Proceedings of the Board of Revenue (Land Revenue), dated 31st May 1895, No. 1364. Routine.

On the despatch of Revenue Business and old arrears for the Quarter ending 31st March 1895.

Resolution:—

* * * * *

7. "The Board has noted these details in order to give prominence to the more serious features of the arrear list now submitted, but there are various other items which show that business is very much in arrears in all the main offices of the District. As the jamabandi must now be over, the Collector should give his special attention to clearing off these old arrears in his own office and should direct his subordinates to do likewise. As it now stands, South Arcot District compares unfavorably with every other District in the Presidency and the Board trusts that the present most unsatisfactory state of affairs must not be allowed to continue".

* * * * *

IV. Payment of salary delayed for two years.

"Revenue Inspector Gurusami Naidu's period of suspension expired on the 11th October 1893. From 12th October 1893 until the 1st April 1894 when he rejoined his duties, he will be considered to have been on leave without pay. From 1st April 1894 his pay should be passed".

(Signed) A. E. CASTLE STUART STUART,
Collector.

V. Another instance of similar delay.

Proceedings of the Collector of South Arcot, dated 1st April 1896.
Read the following:—

1. Letter from the Deputy Collector Tirukoilur, Ref. on No. $\frac{2289}{Ver.}$ of 93, dated 20th November 1893, with records.
2. This office Ref. on No. $\frac{6316}{Eng.}$ of 93, dated 20th December 1893.
3. Explanation furnished by Ramanuja Aiyengar, dated 9th January 1894, and his statement of the same date and order placing him under suspension.

4. Petition from Ramanuja Iyengar, dated 21st February 1895, requesting to be allowed to retire and this office reference thereon to the District Medical Officer, dated 21st February 1895.

5. District Surgeon's Certificate, No. $\frac{59}{G.}$, dated 22nd February 1895.

6. District Surgeon's letter, No. 20, dated 20th January 1896.

Order:—"The Deputy Collector Tirukoilur reported against M. R. Ry. P. Ramanuja Iyengar Avergal 2nd Grade (old scale) Revenue Inspector Kallakurichi Taluk, formulating various charges against him. Before the paper came on for disposal, he asked to be allowed to retire on pension. He was sent to the District Medical and Sanitary Officer, who certified that he was unfit for further service in his post and he was accordingly ordered to be retired. But on a careful perusal of the records connected with his case, it was found that though it was undesirable that he should be a Revenue Inspector, the evidence in support of the more serious charges formulated against him were not such as to justify dismissal. He has since been certified by the District Medical and Sanitary Officer to be fit for further work in a sedentary post and I have therefore ordered his transfer on equal pay to the Head gumastahship of a Taluk office".

2. "Though in consideration of his long service I have been willing to give him a *locus jae interterm* in the manner above mentioned, it is necessary that for the misconduct which has been brought to notice by the Deputy Collector and much of which has been brought home to him, Ramanuja Iyengar should be punished, and I accordingly order that he will be suspended from date of relief at Kallakurichi to 25th March 1896".

(Signed) A. E. CASTLE STUART STUART,
Collector.

VI. The Taluk Head Accountant is the Officer held primarily responsible for delays in and the correctness of returns in South Arcot.

(a) "In some of the Taluk returns the Head Accountants concerned failed to annex the usual certificate as to its correctness. In Vridhachalam the Head Accountant initialled the return after the clerk had annexed the certificate. This is absurd. The Head Accountant will devote personal attention to the correctness of the return and will sign the certificate himself. If it is subsequently found to be incorrect he will be held responsible. His predecessor was fined Rs. 10 for not checking the returns himself and then appending the certificate. The Head Accountant will now show cause why he should not be similarly dealt with".

Vide para 2 of Collector's Proceedings, dated 19th April 1894, No. 904 on the Business Genl. Return for March 1894.

(b) "The Head Accountants are warned that they will be fined for each day of delay in the submission of the return. They should see that the clerks prepare it in due time".

Vide para 1 of Collector's Proceedings, dated 19th September 1894, No. $\frac{425}{Ver.}$ on the Business Return for August 1894.

(c) "The Sheristadar is the Chief Accountant in the Taluk, and will be held responsible for the correct preparation and punctual transmission of all the periodical returns to be submitted to the Huzur. He will see that the several

4
abstracts and Registers are properly kept and that the entries are posted in them from time to time. * * * He will examine the accounts prepared in the Taluk and sign all such returns as are sent to the Deputy Collector in charge of Treasury". Vide para 22 of Board's Standing Order No. 218. Vide also para 22-A extending the order to the case of Head Accountants.

Vide also Circular No. $\frac{1194}{Dis a/c}$ of 1895 of the Treasury Deputy Collector, and Collector's Proceedings South Arcot, dated 9th November 1895, Ref. on No. $\frac{4380}{Acc.}$ of 1895.

VII. Inaccuracies in Returns.

Extracts from the monthly reviews of the Collector of South Arcot showing the inaccuracies in and the unreliable character of the Business Returns and the gross delays in the District.

- (1) Para 3. "The Head Assistant Collector is requested to expedite the submission of the report on the alleged unreliable character of the returns previously submitted from Vridhachelam". Para 7. "The Board have commented unfavorably on the business returns of the last quarter. By systematic efforts alone can all the old papers be cleared off at an early date".

Vide Collector's Proceedings, dated 20th March 1894, on the Return for February 1894.

- (2) "In Tindivanam, 312 orders were shown as pending at the end of March 1894. According to the return for April, the number pending at the beginning of the month is only 146. Even including communications from other officers, the number comes up to only 155. There were 761 orders for disposal in March but only 422 in April. This is remarkable. For the figures are open to grave suspicion and the return is evidently incorrect. The Taluk office Tindivanam requires a thorough 'overhauling'".

Vide para 3 of Collector's Proceedings, dated 19th May 1894, No. 128, on the Return for April 1894.

- (3) "The chief feature noticeable in the return of the present month is the increase in old arrears especially in Tindivanam. The increase in this office is said to be due to the fact that the return is accurate while its predecessors were incorrect. * * * The Tahsildar of Kallakurichi also says that a thorough examination of papers pending with each gumastah is being made. This accounts for certain discrepancies in his return".

Vide para 8 of Collector's Proceedings, dated 20th July, 1894, No. 69, on the Return for June 1894.

- (4) "The figures furnished by the Tahsildars of Tirukoilur and Kallkurichi for the month under review greatly vary from those for June and this is explained by the statement that the gumastahs have not maintained personal registers. This irregularity should be stopped at once. The gumastahs must be drawn out of the groove in which they have hitherto been moving and should be punished if they fail to keep out of it".

Vide para 7 of Collector's Proceedings, dated 20th August 1894, No. 203, on the Return for July 1894.

- (5) "The Cuddalore Tahsildar's return is evidently incorrect. The clerk concerned in the preparation of the incorrect return should be fined Re one".

Vide para 3 of Collector's Proceedings, dated 19th September 1894, No. $\frac{425}{Ver.}$, on the Return for August 1894.

- 5
(6) "The number for disposal was less than in the previous month in all the Tahsildars' offices. * * *

Vide para 3 and 4 of Collector's Proceedings, dated 26th October 1894, No. $\frac{682}{Ver.}$, on the Return for September 1894.

It is explained that the increase in the number for disposal is due to the inclusion of many papers which were discovered when an arrear list was obtained from each clerk. The fall in 'the number for disposal' from 642 to 294 in Cuddalore and the rise from 199 to 286 in Bhuvanagiri are very striking. In the absence of satisfactory explanation the Ag. Collector cannot but believe that the returns have been carelessly prepared and are therefore unreliable".

- (7) "In Vanur, no petitions are shown as pending for more than one year, but the Tahsildar of Villupuram in his return says that 3 such are pending with the Deputy Tahsildar. If so, the Vanur return * * * was inaccurate. Such mistakes are serious".

Vide para 7 of Collector's Proceedings, dated 23rd November 1894, No. $\frac{888}{Ver.}$, on the Return for October 1894.

- (8) Instances are given of gross discrepancies in the returns in several offices as compared with their previous ones and "such mistakes lead to the inference that the number of pending papers in each office is not correctly calculated".

Vide para 1 of Collector's Proceedings, dated 23rd June 1895, No. $\frac{1464}{Ver.}$, on the Return for May 1895.

- (9) "In the Panruti Deputy Tahsildar's office the number for disposal was only 82 (smaller than in any other office except that of the Sea Customs Superintendent's). It is rather difficult to believe that the figure is correct as Panruti is one of the heavier Deputy Tahsildars' offices".

Vide para 4 of Collector's Proceedings, dated 28th October 1895, No. $\frac{2565}{Ver.}$, on the Return for September 1895.

VIII. On the state of the Darkasts in the District of South Arcot.

- (1) "The number pending over one year in Kallakurichi is excessive. It has come to the notice of the Collector that darkasts for the coming Fasli are being omitted in some of the returns. This is irregular".

Vide para 4 of Collector's Proceedings, dated 19th April 1894, No. $\frac{904}{Genl.}$ on the Business Return for March 1894.

- (2) Para 5.—"The Tahsildar of Kallakurichi disposed of only 20 darkasts out of 1710. Of the number pending, 494 are more than 1 year old. This state of things is simply disgraceful. The largest number pending appears to be with the village officers. This proves want of strict supervision by Tahsildars".

Vide paras 5 and 6 of Collector's Proceedings, dated 19th May 1894, No. 128, on the Business Return for April 1894.

- Para 6.—"It appears to be the special feature of this district that there should be unusually large numbers of darkasts and transfer razinamahs pending"

Vide para 4 of Collector's Proceedings, dated 20th June 1894, No. 141, on the Business Return for May 1894.

- (3) "In Tirukoilur there were only 109 darkasts for disposal. This is satisfactory if the correct number has been given".

(4) "In the Deputy Tahsildar's office Tittagudi, it is rather curious to find that out of 666 darkasts pending, not even one is pending for over one year. In Tirukoilur, the number for disposal shows an increase and the Tahsildar explains that in the previous returns certain darkasts and many Transfer Razinamahs were omitted. He blames the clerk and the Head Accountant. The Deputy Collector (G. D.) Tirukoilur is requested to enquire into and dispose of the matter. On the whole the disposal of darkasts still continues to be unsatisfactory throughout the district. All officers should make strenuous efforts to reduce the unseemly state of the arrears under darkasts".

Vide para 5 of Collector's Proceedings, dated 23rd November 1894, No. 888 Ver. on the Business Return for October 1894.

(5) "The real fault for the enormous pendency of darkasts appears to be with the village officers".

(6) "The disposals under the head (darkasts) were unsatisfactory. The delay of the village officers is causing heavy arrears in almost all offices and Divisional officers should adequately punish them".

Vide para 5 of Collector's Proceedings, dated 8th January 1895, No. 12 Ver. on the Business Return for November 1894.

N. B.—The return for November shows 450 darkasts as pending on 30th November 1894, but the return for December shows 1414 as the number for disposal on 1st December 1894.

(7) Instances are given of gross discrepancies in the returns as compared with their predecessors in several offices of the district. "In Vridhachelam out of 1812 darkasts 377 are shown as disposed of but only 1038 are shown as pending. The above remarks show that the returns are carelessly prepared and Jamabundy cannot serve as an excuse for the submission of incorrect statements".

Vide para 2 of Collector's Proceedings, dated 26th March 1895, No. 721 Ver. on the Business Return for February 1895.

Vide para 5 of Collector's Proceedings, dated 24th April 1895, No. 935 Ver. on the Business Return for March 1895.

(8) "The Tahsildar of Vridhachelam states that the exact number of darkasts pending cannot be ascertained in his Taluk till all the villages are settled".

Vide para 4 of Collector's Proceedings, dated 23rd June 1895, No. 1464 Ver. on the Business Return for May 1895.

(9) "It is not easy to believe that the number pending over one year is 'Nil' in Tindivanam and Ulundurpett, 2 in Villupuram, 8 in Tiruvannamalai and 5 in Cuddalore".

(10) "The Chengam Deputy Tahsildar says that he found many old darkasts not included in the previous returns. It is strange that whenever there is a change of officials it is generally found that some papers were not included in the business returns. This does not say much for the check exercised by officers in the preparation of the returns. Head Accountants especially appear to be ignorant of the contents of the returns certified to by them".

Vide para 4 and 7 of Collector's Proceedings, dated 29th July 1895, No. 1799 Ver. on the Business Return for June 1895.

"The work done in the District was most unsatisfactory under 'Darkasts'."

(11) "The Head Quarter Deputy Collector and the Head Assistant Collector are requested to see that the unsatisfactory way of the Tahsildars dealing with darkasts is put an end to at once".

Vide para 4 of Collector's Proceedings, dated 25th September 1895, No. 2286 Ver. on the Business Return for August 1895.

(12) "It is noteworthy that in the heavy Taluk of Tindivanam, the number of darkasts for disposal was smaller than in the Ulundurpett Deputy Tahsildar's office. In the Chidambaram Taluk no darkasts are pending with Rev. Inspectors. This is probably due to the incorrect nature of the returns submitted".

Vide para 5 of Collector's Proceedings, dated 28th October 1895, No. 2565 Ver. on the Business Return for September 1895.

IX. ATTITUDE OF THE COLLECTOR OF SOUTH ARCOT IN DECEMBER 1895.

"The Tahsildar can submit whatever he has to say regarding Taluk administration to his Divisional Officer. It is quite unnecessary for him to come to Cuddalore to see the Collector for that purpose. He should experience no difficulty in "compressing in writing" the actual state of things referred. The undersigned declines to receive communications from the subordinates of Divisional Officers behind the back of the latter officers".

(Signed) A. E. CASTLE STUART STUART,
Collector.

22-XII-95.

X. TESTIMONIALS OF GOOD WORK DONE BY C. COO POOSAWMIAH.

(a) Trichinopoly.

(1)
C. Cuppuswamier the Tahsildar of Museri has been in charge of that Taluk since October 1886. He is a very industrious and intelligent officer and manages his office in a capital manner. He has passed the Special Tests required for a Deputy Collector's place and I have no doubt that he will ere long fill a far higher appointment than the one he now occupies. I am thoroughly satisfied with him.

T. M. Swaminatha
Aiyar Esq. M. C. S.
1888.

TRICHINOPOLY,
8th March 1888.

(Signed) T. M. SWAMINATHA AIYAR,
Ag. Hd. Assist. Collector.

(2)

TRICHINOPOLY,
MAY 11, 1889.

My Dear Sir,

I have much pleasure in informing you that I have formed a high opinion of your efficiency as an intelligent, industrious and energetic officer, and to express my confidence that so long as you maintain your character for strict impartiality and uprightness, you will serve the country with credit to yourself and advantage to the State.

P. Ramachandra Row
Esq. M. C. S. 1889.

Your's sincerely
(Signed) P. RAMACHANDRA ROW,
Ag. Hd. Assist. Collector.

To
M. R. Ry.

(3)

C. COOPOOSAMI AIYAR Avergal,
Tahsildar of Museri.

DEAR SIR,

I am sorry to hear that you are troubled by the unscrupulous clique of your enemies, but I am sure Mr. Jardine will soon discover the true state of things. I do not know him, or, I should be very glad to write to him. Nor can I now, I am sorry, send you a testimonial as I have left your district. But you may use this letter in any way you please. I believe you are perfectly honest and trustworthy and very active and hardworking. You are one of the best Tahsildars that I have had to deal with. The very fact of your not having asked me for a testimonial while I was leaving you and while every body else secured one will show to Mr. Jardine that you depend more on your own ability and character than on any thing that others may say of you. I should indeed be very sorry should Mr. Jardine's want of knowledge of men and things at Museri caused you any trouble or inconvenience.

Your's truly,
(Signed) SHUJAET ALI.

MY DEAR SIR,

(4)

We hear that things are just now not very pleasant to you. Please write how they really stand in full detail. Brother will do all he can to help you. He has wished me to write and tell you this because he believes you innocent and that your enemies are merely trying to get you into trouble.

I am
Your's truly,
(Signed) MIR NALAIN ALI.

MADRAS,
25th July 1890.

"C. Kuppusamier has proved himself an efficient Tahsildar in revenue matters". Vide para 26 of Collector's Proceedings dated 25th March 1892 No.133-6.

(b) South Arcot.

Vide para 8 of Collector's Proceedings, dated 19th September 1894, No. 425 Ver., on the Business Return for August 1894, South Arcot.

Vide para 5 of Collector's Proceedings, dated 26th October 1894, No. 682 Ver., on the Business Return for September 1894.

Vide Collector's Proceedings, dated 25th January 1895, No. 180 Ver., on the Business Return for December 1894.

(1) "On the whole the work done by the Tahsildar of Kallakurichi and Vridhachelam was satisfactory. The first officer has considerably reduced his old arrears".

(2) "In Kallakurichi the disposals were satisfactory".

(3) Para 4.—"The work done in Kallakurichi was satisfactory".

Para 7.—"In Kallakurichi the work turned out was more satisfactory than in the previous months and the Tahsildar promises to clear off his heavy old arrears soon".

(4) "The disposals were satisfactory in Kallakurichi, where the number of papers more than one year old was reduced from 27 to 17". Vide para 2 of Collector's Proceedings, dated 23rd February 1895, No. 412 Ver., on the Business Return for January 1895.

(5) "The disposals were satisfactory in Kallakurichi". Vide para 5 and 6 of Collector's Proceedings, dated 26th March 1895, No. 721 Ver., on the Business Return for February 1895.

(6) "The disposals were satisfactory in almost all the offices. The number of papers over one year old was reduced from 13 to 3 in Kallakurichi while in other offices it is almost stationary".

"The number disposed of was satisfactory in Kallakurichi". * * * Vide para 3 and 6 of Collector's Proceedings, dated 24th April 1895, No. 935 Ver., on the Business Return for March 1895.

(7) "The work turned out was satisfactory in Kallakurichi. * * * The number pending for over one year is 'nil' in Kallakurichi". * * * Vide para 2 of Collector's Proceedings, dated 23rd June 1895, No. 1464 Ver., on the Business Return for May 1895.

(8) In submitting to the Collector, the Tahsildar's arzi, Ref. on No. 5878, dated 25th August 1894, explaining certain discrepancies in the Progress Report of Minor Irrigation Works for July 1894, the Divisional Officer (Mr. Rajaratna Mudaliar) writes:—

"The Tahsildar has done good work after he joined the Taluk. Both the Head Accountant and the Head Gumastah are to blame for the errors noticed in the Progress Report".

(9) On the Tahsildar's arzi, dated 13th September 1894, Ref. on No. 6115, regarding the chaotic condition of affairs in the Taluk, the Divisional Officer observes as follows in his letter, dated 3rd October 1894, No.1674:—

"It must however be said in justice to M. R. Ry. Kuppusami Aiyar that after he took charge he distributed the work of the office among the gumastahs and began to get work from them in a much more systematic manner than his predecessors. The Divisional Officer was very glad that the Tahsildar did this as the former Tahsildars were sadly wanting in method in getting work from their subordinates".

(10) The Collector wrote thereon as under:—

"The Ag. Collector is glad to notice that the Deputy Collector gives to M. R. Ry. C. Kuppusami Aiyar due credit for his efforts to distribute the work of his establishment in a more systematic manner than had previously been done. He may rest assured that all good work that he may perform will be duly appreciated as soon as it makes itself visible". Vide Collector's Proceedings, dated 10th October 1894, No. 217 Eng.

(11) In his review on the inspection of Income Tax records for the Quarter ending 31st December 1894, the Divisional Officer observes:—

“General. It is satisfactory to note that the assessment of the Taluk has received attention this year inasmuch as there is an increase of Rs.1054 over that of the last year. The Registers are neatly kept and objection petitions except in some cases have been promptly disposed of. The assessments began late owing to change of Tahsildars and hence there was delay in collection. It is hoped the present Tahsildar will set matters right”. Vide Dis. No.2230, dated 30th December 1894.

(12) On the business return for October 1894, the Divisional Officer observes:—

“It is gratifying to note that the Tahsildar has made special arrangements by fixing the programme with reference to the arrears with the Rev. Inspectors”. Vide order Ref. No. ⁶⁵²Per., dated 20th February 1895.

(13) In the matter of Survey work, Mr. Hasted Assistant Superintendent of Survey writes:—

“The Tahsildar was very energetic in assisting to supervise the school and examination of the karnams, and has taken a great deal of trouble over the same. He has been a great assistance to me and seems to take a genuine interest in the progress of the Survey work”. Vide his letter to the Collector, dated 7th November 1895, No. ¹⁰³M.

(14) The Divisional Officer writes thereon:—

“It is satisfactory to note that the Tahsildar evinced interest in the Survey school and rendered assistance to the Assistant Superintendent”. Vide Divisional Officer's order, Ref. on ⁶¹⁰Ex-Cur. of 1895, dated 29th November 1895, on Collector's letter, dated 15th November 1895, No. ⁵⁴⁵⁴Ver. of 1895.

(c) Salem.

(1) “The undersigned has much pleasure in noting that M. R. Ry. Kuppusami Iyer the new Tahsildar of Krishnagiri has worked exceedingly well since his arrival in the Division. His touring has been excellent and inspection of villages thorough. Moreover, though he found heavy arrears in Krishnagiri, he has cleared off a great many of them. The undersigned tenders him his thanks and trusts other Tahsildars will follow his example”.

(2) On the D. C. B. statement of Land Revenue, Krishnagiri Taluk, for March 1897, the Collector (Mr. Mounsey) remarks:—

“The balance in the Taluk is no doubt low and this is satisfactory. The Ag. Collector is also glad to note that the Tahsildar has taken steps for the prompt collection of the balance”. Vide Collector's endorsement, dated 7th April 1897.

(3) In his remarks on the D. C. B. statement of Land Revenue, Dharmapuri Taluk, for the month of June 1897, the same Collector observes:—

Para 8.—“All the Tahsildars have done their collection work splendidly and the Acting Collector is much pleased with it”. Vide Collector's order, dated 9th July 1897, No.3663.

XI.

THE INHABITANTS OF SALEM

VERSUS

DEPUTY COLLECTOR MR. KOTHANDARAMIAH.

Judicial Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper:—From the District Magistrate, Salem, dated 26th May 1894, No. Ex. A.

Order, 20th June 1894, No. 1532.

The delay in the disposal of his criminal appeals which the Deputy Magistrate allowed to occur is to be regretted. When he found that in consequence of the extra work thrown on him by his duties in connection with the cases against C. Manikka Moodelly his ordinary work was falling into arrears, the Deputy Magistrate's clear duty was to represent the state of the case to the District Magistrate who would then no doubt have made arrangements for his relief. He was to blame for not doing this and the District Magistrate should draw his attention to the fact.

2. As regards the other allegations contained in the memorial, the petitioners will be given a copy of the fourth paragraph of G. O. dated 29th March 1894, No.765, Judicial, and informed that the Government after a complete and thorough enquiry into matters does not consider it necessary to take any further action.

(True Extract)

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Order, 29th March 1894, No.765.

4. The only question now remaining for consideration is the conduct of the Salem Deputy Collector, M. R. Ry. G. Kothandaramayya Garu. The Sessions Judge has come to the conclusion that he exceeded his powers in the course of his enquiries regarding the income of Hari Chetti and Muthusami Muthali, and that he showed over-eagerness and great want of tact in his interview with Vakil Balakrishnayya. The Government concurs in these remarks and regrets that his zeal in other respects worthy of high praise should have led the Deputy Collector into these grave indiscretions.

XII.

Magisterial Diary.

Proceedings of the Madras High Court dated 10th December 1862.

Para 2.—“The entries in the diary are to be recorded and attested with the initials of the Magistrate on the same day that the proceedings take place, and any omission on the part of the principal officer of the Magistrate's Court to prepare such record and produce it for signature, is to be duly noticed by the Magistrate”.

XIII.

Conduct of clerk Srinivasier.

Regarding clerk Srinivasier's delays and conduct, the Board observes as follows in Proceedings, dated 22nd September 1892 No.6060 Mis:—

7. * * * "It does not follow that no blame attaches to the Clerk in whose charge the records were placed by the Magistrate" for this delay. * * * "Srinivasier attempts to deny that he wrote this, but it is clear that he did write it".

8. * * * "Clerk Srinivasier is primarily responsible for the second period of delay. * * * He is infuriably dilatory. * * * The despatch of the records after they were found, was delayed for a week after the Taluk Magistrate had signed the arzi sending them". * * *

9. * * * "The Board merely notes in this connection the animus of Srinivasier and the Station House Officer Syed Hussain, against the Taluk Magistrate as shown by their action in this matter".

10. * * * "In the matter of the records in *The Natham murder case. *this case, the Taluk Magistrate's Clerk was greatly to blame in allowing them to be lost sight of".

17. "Holding as the Board does that the scandalous delays above referred to were due to the negligence if nothing worse—of the Clerk Srinivasier, and having regard to the fact that he has made false statements regarding his hand-writing and endeavoured to shift upon his superior officer the blame properly belonging to himself, the Board orders his immediate dismissal".

COPIES OF TESTIMONIALS &c.,

OF

C. COOPOOSWAMIAR.

M. Kenny Esquire B. A. 1873.

I have much pleasure in being able to testify to N. Coopoo-swamy's character as a hardworking regular, respectful and intelligent young man. He read under me for about 2 years and during that time his conduct was everything that could be wished. He passed the Matriculation Examination in December 1872, very creditably securing a place among the first 30 boys in the second class. He is a very good English scholar and writes a nice hand. I am confident he will give satisfaction in any post to which he may be appointed as he has the chief requisites for success, viz ability and perseverance.

(Signed) M. KENNY B. A.,

HEAD MASTER,

Government Zillah School Berhampore,

7th September 1873

& formerly of Coimbatore,

HIGH SCHOOL.

P. Krishna Row Esq. 1877.

I hereby certify that C. Coopposwamiar was in charge of the Rice Depot under me at Kurnul for 9 months, during which time he gave me every satisfaction. He is very intelligent, hardworking and trustworthy. He is a member of a respectable family and is a very promising young man. I hope he will soon rise in the public service.

(Signed) P. KRISHNA ROW,

Kurnool, }
8th September 77. }TAHSILDAR OF,
Ramulcottah.H. F. Clogstoun Esq. M. C. S.
1877.

C. Coopposwami Aiyar was employed as an English Clerk for a period of about 2 years and 2 months in the Office of the Deputy Director of Revenue Settlement, Coimbatore, during which time he gave entire satisfaction. He has a very fair knowledge of English. His conduct was good.

(Signed) HERBERT CLOGSTOUN,

17th September 1877, }

AG. DY. DIRECTOR OF REVENUE,

BANAGARAPALLI. }

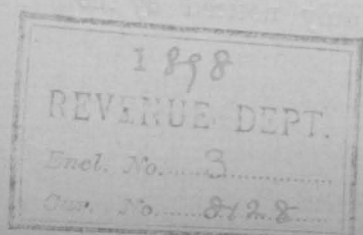
Settlement on
Special duty.

No. 952.

S. Ramaswamier Esq. B. A.
1878.

C. Cocpooswamiar having asked me to record my opinion of him, I cheerfully comply with his request.

He has been my Head Clerk for the last 4 months. He is a young man and has that stuff in him which will one day make him occupy a conspicuous position in the Uncovenanted Civil Service. He discharges any work however arduous entrusted to him with great despatch and to my entire satisfaction. His integrity is above doubt.

Telliery Registrar's Office, }
7th December 1878. }(Signed) S. RAMASWAMIER,
Registrar.

A. F. Cox Esquire M. C. S.
1882.

C. Cooposwamiah has been my Head Clerk during the five months that I have had charge of the Chingleput Sub-Division. During that time he has worked with great industry and pains and his work has been thoroughly good. I believe him to be an honest and reliable public servant.

September 1882.

(Signed) A. F. COX,
Ag. Sub-Collector.

E. J. Sewell Esquire M.C.S.
1883.

I have known Cooposwamiah for two months but have had ample opportunity to discover his merits. He is quick at mastering new work and is thoroughly to be depended on for good and quick work. I shall be glad to hear of his promotion.

April 20th 1883.

(Signed) E. J. SEWELL,
Ag. Sub-Collector.

Chingleput District Collector's Office,
CAMP ACHERVANK 8th December 83.

No. 9 E.
From

J. F. PRICE Esq. M. C. S. 1883.

J. F. PRICE Esq.
Collector of the
CHINGLEPUT DISTRICT.

To

The Ag. Sub-Collector
CHINGLEPUT.

SIR

3. Cooposawmier the Head Clerk of your office has been so well spoken of by the officers under whom he has served, that I should be very willing to see him nominated to the Acting Deputy Tahsildari of Sriperumbudur, but I understand that he is unwilling to go out of the office line and taking him away just now and with the Sheristadar not in good health, would perhaps weaken you too much. If you do not think so, and would wish to nominate him, please let me hear from you as soon as possible on the subject.

Chingleput District, Sub-Collector's Office
12th December 1883.

From

The Sub-Collector of
CHINGLEPUT.

To

The Collector of
CHINGLEPUT DISTRICT.

Reference— Your letter No. 9 E. of 8th Instant.

SIR

My Head Clerk Kuppasamier, is, I find, desirous of accepting the appointment of Deputy Tahsildar if you should offer it to him.

What he wished to decline in preference to his present appointment was a Taluk Sheristadarship. I have much pleasure in recommending him for the present promotion. As I understand

H. TREMENHERE Esq.
M. C. S. 1883.

from you that you can supply his place in my office with a clerk experienced in Revenue work, the inconvenience of his loss will be much lessened.

3. He cannot have Magisterial powers conferred upon him until the issue of the next Gazette on the 18th; I therefore hope I may retain him till that date.

(Signed) H. TREMENHERE,
Ag. Sub-Collector.

CAMP UTRAMALLUR,
17-12-83.

No. 706.

From

The Collector of Chingleput.

To

The Secretary to the
BOARD OF REVENUE
MADRAS.

SIR

Adverting to para 6 of my letter No. 686 of 8th Instant, I have the honor, on the recommendation of the Ag. Sub-Collector of which I approve, to nominate Coimbatore Cooposawmi Aiyar Head Clerk of the Sub-Collector's office, to act as Deputy Tahsildar of Sriperumbudur vice Pichai Pillay ordered to Mayaveram Town.

2. Ceoposwami Ayer has been very highly spoken of by all the Officers under whom he has served and is a very intelligent and hardworking official. I do not consider that any of the Taluk Sheristadars of the District are fit for the particular appointment which becomes vacant and I wish therefore to give Cooposwami Ayer a trial; three months will give an opportunity of seeing what he is likely to turn.

3. He has passed all the necessary tests. I enclose a statement of these and Cooposawmy Ayer's Service Register.

(Signed) J. F. PRICE,
Collector.

H. Tremenhare Esquire
M. C. S. 1884.

C. Kuppasawmi Ayer during the last four months has fully proved his claim to the high character he bears. He is unwearying in work, and yet does it both quickly and well. His knowledge of Revenue business is very exact.

He is honest and unassuming.

7th June 1884, }
CHINGLEPUT. }

(Signed) H. TREMENHERE,
Ag. Sub-Collector.

(Here enter)

J. F. Price Esq. M. C. S.
1884.

Chingleput Collector's letter No. 198 dated 17th April 1884 to the Board of Revenue and Board's Proceedings Mis. No 3602

dated 30th April 1884, and No. 1786 dated 1st March 1883 appointing C. Kuppusamier as Ag. Sub-Division Sheristadar of the Chingleput District.

CHINGLEPUT,
21-6-84.

S. Russell Esquire M. C. S.
1884.

Sheristadar,

I am very well pleased with the list of pending papers that you have forwarded yesterday evening. You have worked very well during my short stay here and under difficulties.

I may say that the office generally have done as well as they could under the circumstances, considering that the permanent Sheristadar was absent on leave and that you had but recently joined the office and I myself was a complete stranger to the District.

To

M. R. Ry.

C. KUPPUSAWMIER,
Ag. Sub-Dn. Sheristadar.

(Signed) S. RUSSELL,
Ag. Sub-Collector.

The Hon. H. E. Sullivan 1884.

In a letter addressed to C. Kuppusami Aiyar, by the Honorable H. E. Sullivan late member of Council Madras. He writes:—

My good friend.

I am delighted to help your father's son. He was a great friend of mine—a man of superior intelligence, who always did his work thoroughly and honestly and against whom I never heard a word of complaint. I am glad to think you are following in his footsteps.

Ooty.
28-7-84.

(Signed) H. E. SULLIVAN

To

Mr. C. KUPPUSAWMI AIYAR,
Sriperumbudur.

Dear Sir,

Colonel A. T. Cox
15th Regiment M. N. I. 1885.

I shall have much pleasure in bringing you prominently before Mr. Price for your earnest and hearty endeavours in arranging for supplies for the 15th Regiment when marching through the Chingleput District. In consequence of our having cholera, you had an unexceptionably hard time of it, but you never failed us.

I wish you every good luck in the way of advancement which I hope will be as speedy as you deserve.

PALAVARAM,
16th February 85.

I remain
Yours truly,
(Signed) A. T. COX 15th M. I.

15th June 1885.
OOTACAMAND.

M. R. Ry.

C. KUPPUSAMI AIYAR Avl.

I am glad to hear from your letter that you are well, and that you have been getting on in the Public Service until now you are acting as Tahsildar.

I am sure that in this, as in your previous appointments, you will practise the two virtues of every respectable official; viz honesty, and hardwork. With kind wishes, yours.

Very faithfully.
(Signed) H. TREMENHERE.

H. Tremehere Esq M. C. S.
1885.

H. R. Farmer Esq. M. C. S.
1885.

In a letter written by Mr. H. R. Farmer Ag. Collector of Trichinopoly, to the Board of Revenue in 1885, nominating C. Cooposawmiah for the Perambalur Tahsildar he says:—

I have selected the best man I know of. He has worked under me for 7½ months, and I can speak highly of his industry, capacity, and general character. He is the son of the late Narayana Ayar, Sheristadar of Malabar and Bellary and the nephew of pensioned Dy. Collector Vencatesiayer of Coimbatore. I enclose the usual nomination roll for Cooposawmiah. The Board will see that he is 30 years of age, has 10 years service, of which 4 years are in the grade of Tahsildar or in grades qualifying for that post and has passed all the necessary examinations for the post of Dy. Collector.

He is more likely than any man I know of to get through the accumulated arrears; when I get accurate figures showing what these arrears are, I shall be able to decide whether some extra special hands should not be applied for to help him.

If the Board know of any one whom they consider more worthy of promotion and better fitted to cope with the exceptionally heavy work of the office now vacant, I shall be glad to accept the Board's nominee.

A. Pinto Esquire 1885.

SAIDAPET,
5th November 1885.

I have known C. Cooposawmiah from his infancy. He has worked under me as Ag. Tahsildar of Trivellore for many months. He is honest and energetic, and deserves promotion.

(Signed) A. PINTO,
Dy. Collector.

BARGUR,
6th June 1886.

H. Tremehere Esq. M. C. S.
1886.

Kuppusawmi Ayar,

I am very much pleased to hear that you have been appointed Tahsildar, and feel sure you will maintain the high standard of honesty and industry which you had when I knew you.

Yours truly,
(Signed) H. TREMENHERE.

Here enter:—

W. P. Austin Esq. M. C. S. 1387.

Memo by Mr. W. P. Austin Ag. Collector of Trichinopoly recommending the confirmation of C. Cooposwami Aiyar in his appointment as Tahsildar of Musiri, sanctioned in G. O. No. 5852 dated 30th September 1887 communicated in Board's Proceedings No. 3966 dated 22nd October 1887. (Vide Takid No. 47 dated 26th October 1887 from the Collector of Trichinopoly to C. Cooposwami Aiyar.)

T. M. Swaminatha Aiyar Esq.
M. C. S. 1888.

C. Cuppuswamier the Tahsildar of Musiri has been in charge of that Taluk since October 1886. He is a very industrious and intelligent officer and manages his office in a capital manner. He has passed the Special Tests required for a Deputy Collector's place and I have no doubt that he will ere long fill a far higher appointment than the one he now occupies. I am thoroughly satisfied with him.

TRICHINOPOLY, } (Signed) T. M. SWAMINATHA AIYAR,
8th March 1888. } Ag. Dy. Collector.

TRICHINOPOLY,
MAY 11, 1889.

My Dear Sir,

P. Ramachandra Row Esq.
M. C. S. 1889.

I have much pleasure in informing you that I have formed a high opinion of your efficiency as an intelligent, industrious energetic officer, and to express my confidence that so long as you maintain your character for strict impartiality and uprightness, you will serve the country with credit to yourself and advantage to the state.

To

M. R. Ry.

C. COOPOOSAMI AIYAR

Avergal,

Tahsildar of Musiri.

Yours sincerely

(Signed) P. RAMACHANDRA ROW

Ag. Hd. At. Collector.

TOTTIYAM,
8-1-90.

Colonel H. M. BARNETT,
IV. Madras Pioneers
1890.

The bearer, C. Cuppuswami Iyer, Tahsildar of Musiri Taluq accompanied the Regiment through his Taluq and has rendered me assistance in his power, especially at Musiri, where there was some difficulty about water; there has been no hitch of any kind.

He has been uniformly civil and obliging.

(Signed) H. M. BARNETT COLONEL,
Commandant IV. Pioneers.

Lt. C. R. KEATE,
IV. Madras Pioneers 1890.

C. Cuppuswami Iyer, Tahsildar of Musiri was extremely helpful and obliging when the Regiment passed through his Taluq. The camps in his District were clean and well looked after, and the trouble he took to arrange about supplies and more especially water being readily available for the men, rendered their march through his Taluq much more easy and comfortable than would otherwise have been the case.

(Signed) C. R. KEATE Lieut.,
AG. QR. MASTER,
IV Pioneers Tottiyam.

8-1-90.

1st Madras Pioneers.

Colonel E. H. EYRE,
I. Madras Pioneers, 1890.

This is to certify that C. Cuppuswami Iyar, Tahsildar of Musiri made satisfactory arrangements regarding supplies &c. at Tottiyam.

Camp Tottiyam, } (Signed) E. H. EYRE, Colonel,
20th February 1890. } Commandant 1st Madras Pioneers.

1st Madras Pioneers.

Colonel E. H. EYRE,
I. Madras Pioneers, 1890.

This is to certify that C. Cuppuswami Iyer, Tahsildar of Musiri made satisfactory arrangements regarding supplies &c. at Musiri.

Camp Musiri, } (Signed) E. H. EYRE, Colonel,
21st February 1890. } Commandant, 1st Madras Pioneers.

Colonel E. G. Blenkinsop
IV Madras Pioneers 1890.

The arrangements made by C. Cuppuswami, Tahsildar of Musiri regarding supplies &c. both at Musiri and Tottiyam have been in every way most satisfactory. Supplies have been abundant, good, and cheap. He has been civil and attentive throughout.

Camp Totiam, } (Signed) E. G. BLENKINSOP COLONEL,
3rd March 90 } Commanding Detcht..
4th Pioneers.

Camp Rayacottah,
20th June 1890.

DEAR SIR,

Mir Shujaet Ali Khan Esq.,
M. C. S. 1890.

I am sorry to hear that you are troubled by the unscrupulous clique of your enemies, but I am sure Mr. Jardine will soon discover the true state of things. I do not know him, or, I should be very glad to write to him. Nor can I now, I am sorry, send you a testimonial as I have left your District. But you may use this letter in any way you please. I believe you are perfectly honest and trustworthy and very active and hardworking. You are one of the best Tahsildars that I have had to deal with. The very fact of your not having asked me for a testimonial while I was leaving you and while every body else secured one will show to Mr. Jardine that you depend more on your own ability and character than on any thing that others may say of you. I should indeed be very sorry should Mr. Jardine's want of knowledge of men and things at Musiri caused you any trouble or inconvenience.

Yours truly,
(Signed) SHUJAET ALI.

MY DEAR SIR,

Mir Nalain Ali Khan Esq., B. A.
1890.

We hear that things are just now not very pleasant to you. Please write how they really stand in full detail. Brother will do all he can to help you. He has wished me to write and tell you

this because he believes you innocent and that your enemies are merely trying to get you into trouble.

MADRAS,
25th July 1890 }

I am
Yours truly,
(Signed) MIR NALAIN ALL.

Coimbatore,
14-8-90.

MY DEAR KUPPUSAMI AIYAR,

H. Subbaraya Aiyar Esq. 1890.

I am very sorry your name has not been sent up to Government for Deputy Collector's position. I think you should work your way. It is a sheer illuck that you have been so long in your present position and I am anxious that you should get out of it soon.

(Signed) H. SUBBARAYA AIYAR,

Deputy Collector, now of Coimbatore
formerly of Ariyalur Division where
Coopusaumier was Tahsildar of
Perambalor in 1886.

EXTRACT FROM THE CONDUCT REGISTER RELATING TO THE
MUSERI TALUK.
SRINIVASIER :—Gumastah

| Punishment. | By | For |
|----------------------------|--|---|
| 1. Warned ... | by the Head Assistant Collector... | Alterations and erasures in the return of small pox. |
| 2. „ ... | by the Tahsildar on 31-7-39... | Delaying the D & B returns for Vide Collector's Circular No. 86 June 1889. |
| 3. Fined Rs. 0-3-0 | by the Tahsildar on 30-7-39... | Delay in sending all the D & B returns for June 1889 in time. |
| 4. „ Rs. 0-4-0 | Do. in January 1890. | ... Delay in sending the season report properly addressed to T. D. C. |
| 5. „ Rs. 0-3-0 | Do. in February 1890. | ... Keeping heavy arrears of papers. |
| 6. Warned ... | by the Head Assistant Collector... | Delay in the submission of a certain application for refunds. |
| 7. Warned with suspension. | Do. Do. in order No. 920... dated 25th May 1891. | Delay in the submission of the Income-tax and Opium returns. |
| 8. Fined Rs. 5-0-0 | Do. Do. 27-10-91 | ... Delay in the preparation and submission of the Taluq establishment batta bills from January to August 1891. |

Read Proceedings of the Board of
Revenue, L. R. Reference No. 142
(Peth) dated 13-9-98. (C.No. 6400/98)

13

Note.

Attention is solicited to G.O.
No. 321 Rev. dated 1-6-98, in which---
M. R. Ry. C. Kuppaswami Aiyar, late Tah-
sildar, Dharmapur taluk, Salem Dt.,
was reduced from the last grade of Tah-
sildars to the post of Taluk Head Ac-
countant. With the paper read above the
Board forwards to Government with its
remarks a petition from M. R. Ry. Kupu-
swami Aiyar in which he prays for a re-
consideration of the order of ^{the} 1st June
last referred to. It is submitted that
the petitioner does not ^{adduce} ~~produce~~ any
satisfactory reasons in support of his
prayer. The Board, however, considers
that if it were to appear on enquiry
that the petitioner's conduct as a 5th
grade Tahsildar during the period of
two years intervening between the date

of P.P.

Vide para 3 of the Current.

1878
REVENUE DEPT.
No. 5.
C. No. 8128

of F.P. No. 1783 dated 18th April 1896
and the date of the G.O. reducing him
to the post of Taluk Head Accountant
had been satisfactory, the fact would
afford some ground for a favourable
consideration of the present review
petition. Orders are requested as to
whether the Board may be asked to call
for a report from the Collector of Salem
on the petitioner's ^{work and} conduct during the
period in question, or whether the
petitioner may be informed that the
Government sees no sufficient reason
to reconsider the orders already passed
on his case.

Please see para 4 of the Bd's
Procs. in No. 321 d 1-6-98. B

Secy
This petition has
been delayed to make
a more careful scrutiny
of some of petitioner's
statements or, rather,
as they prove to be
mis-statements. For these
points please see
pp 3 to 14 of the note
below. The case is
summarised at pp. 14 to 18.
25/11/98

Flagged C

What R. can be done for the
benefit of the petitioner
in the present case?

E. Naidu.

On a separate sheet
note specifically whether
or not the statements
in the present petition
shall marked with a
red pencil even are
correct or not.

He
27/12/98

Recd 4.10.98.
P.P.

To the Under Secretary
need not appear to be
I. In obedience to the
above instructions of the
Under Secretary, the
following statements of
the statements marked by
the Under Secretary have
been numbered consecutively
for facility of reference
and are examined below
statement
Statement No. I. (a) That in
passing orders on the appeal
petition of one Srinivasan

4
A Clerk of the Mission Sahuk
Office, who was dismissed
by the Board of Revenue,
the Government without
calling for a report from the
Board or for the records of the
case, believed the ex parte
allegations and misstatements
made by the Clerk; and (b)
that when the Board of
Revenue protested and re-
presented that had the
records been called for and
perused, the decision of
Govt. might have been
different from what it
was; Govt. fully admitted
the force of the Board's
representations.

3-2-94
In disposing of Srinivasier's
appeal the Govt. had before
it only such records as were
produced by him. His appeal
was not submitted through
the Board, nor did the Govt.
call for any report or records
from it. On a consideration
of the papers before it, viz.,
the

What these were in 1904
nowday. But at the time
the Govt. seems to have
found them complete
the
25/11

Go. No. 1916 Rv. d. 25-5-93 A

In Go. No. 4 d. 8-1-94 Rv. D

5
the Clerk's appeal and the
records submitted by him
therewith, the Government
was satisfied that his dis-
missal was not justified
and accordingly ordered his
restoration.

(b) The Board of Revenue
in paragraph 3 of its Progn. No.
5032 d. 30-8-93, protested
that the above decision of
Govt. was passed without
any reference to it upon
the ex parte statement of
the Clerk and without any
records except such as he thought
fit to produce being before
Government. In a note
on the margin of the draft
order on the Board's Progn.
referred to above, His Excellency
the Governor (Lord Wellesley)
observed: "The Govt. has no
"deference to the argument that
"the full records were not
"before it, and that it has
"only ex parte assertion
"and selections from records
before

"1

in his reduction to a 4th grade
in Sabildan. From the above
it will be seen that the peti-
tioner's statement that the
"Govt. after perusing the re-
cords relating to charge IV
alone" pronounced him guilty
of all the five charges" is
partly right and partly wrong.
The Govt. did not find the
petitioner guilty of all the
five charges. The Govt. per-
used only the records relating
to "charge IV" alone and was
satisfied that it was made
out. As regards the other
charges the Govt. did not
go into them, but merely
ordered that the petitioner
should be reduced to the
4th grade for his conduct in
connection with the convic-
tion of the Head Constable
for the other charges
and will be for him apparently
examined in the Board had
d. 22-9-92 Reits Proceedings
d. 1892 referred to
above.

Co. 358 Judl. d. 15-2-94
in Co. 823 Rev. d. 27-2-94

(1) Co. 358 Judl. d. 15-2-94 in Co. 823 Rev.
d. 27-2-94
(2) B.P. No. 2168 Rev. d. 23-4-94

for
other charges
or "him" and
for

J+K

above.

Statement III. That
copy of a certain order was
furnished to the petitioner
only on the 5th December 1894
after repeated applications.
It is not quite apparent
whether the petitioner refers
by "this order" to the judicial
order of 1894 (with the Rev. Co.
the order reducing him to the
4th grade or to the Board's
Proceedings transferring him
to the Malakowchi Taluk
of the South Arcot district.
In either case, it is submitted
the above statement does
not appear to be correct, for
as will be seen from the
entries on the authenticated
copies of these papers now
produced by the petitioner,
the application for copies
was received on 15th Sept. 1894 and fifteen months
thence we be seen from
the petitioner B.P. referred
by

24th September following.

his Statement No. II. "That the Divisional Officer [the 'General Duties, Dy. Collr., S. Arcot] apprehending an exposure of the maladministration of his division, made reports to the Collector, against your Excellency's Memorialist, on certain matters of office routine, the report being based on a pseudonymous petition".

The petitioner quotes in support of his statement three papers of which only one is now before Govt, viz. the Dy. Collr's report d. 17-10-95 No. 1233 Petn. From this it appears that the Deputy Collr's report was based on a complaint made by [?] for the [?] and will be for [?] in the [?] examined [?] [?] d. 22-9-92 [?] from the service

on service on a report made by the petitioner. From the Deputy Collector's report, it will be observed that he held a departmental enquiry before bringing the petitioner's irregularities to the notice of the Collector. The petitioner's statement that the Divisional Officer in reporting against him apprehended an exposure of the maladministration of his division, is ~~not~~ probably unwarranted.

Statement No. IV. That certain charges were formulated by the Collector of South Arcot against the petitioner and were reported to the Board without his being made aware of the fact.

A copy of the Collector's report d. 28-3-96 referred to by the petitioner, for among the fifteen months fore Govt. It be seen from Submitted B.P. referred

Vide position marked with blue chalk
at p 4 of the notes under E.O. 321
1-6-94

Please see the portion marked with blue chalk in the label Hon. Mr. Graessle's note as p. 1 of the notes under No. $\frac{321}{1-6-98}$ B

Para 1 of B.P. (L.R) no: 3973d 21-10-97
in g.v. 5830d 12-11-97. M

notice to the petitioner. In ordering the petitioner's reduction on the Collector's report the Board was satisfied that ~~that~~ he had been given a full opportunity of defending his conduct. Attention is invited to the fact that the Board has had to find fault with the petitioner for stating that he was punished "without his being informed of the nature of the charges framed against him or an explanation in respect of such charges being obtained from him".

As will be seen from
para 2 of the B.P. referred

B.P. 3973 Missd 21-10-97 in Ex.
5830 d 12-11-97. M

by the petitioner, the review
petition in question was
delays in the Divisional
office for a period of 18 1/2
months, and not 15 months as
stated by the petitioner.

From 13th August '96 to 28th Sept. 97

Secy

The conduct of this
petitioner has been before
the Govt more than once
& with reference to the
last order directing his
reduction (G.O. 821 & 1 June 95) ^B
the petitioner sets forth
at ^{length} & discusses all
his past history.

~~Referred to the~~

It may be well
here to state briefly what
did occur.

In 1892 the Govt
reduced the petitioner from
the 2nd grade to the 3rd grade
of Tahildar for various
instances of ^{scandalous} [dilatory] work
& for ~~various~~ indignities
abuse of his powers as a
Magistrate in committing &
sentencing to imprisonment

a ~~the~~ constable against whom
he had a private grudge
(vide G.P. 6560 & 22-Sept-92 ^F)
The Collector had recommended
reduction to the last grade, but
then props the Govt severely
criticised the Collector and withheld
when the props came before
Govt, it was these criticisms
that attracted notice rather
than the merits of the case
against the petitioner. The
G.P. was finally recorded (G.O.
5113 & 24 Nov 92 ^F). A few
months afterwards, the Tahsil
clerk who had been punished
in the same connection
appealed to the Govt. He seems
to have submitted the records
to Govt in a fairly complete
state; for on them the
whole matter was considered
by the Govt & the conclusion
came down that the Tahsil
& not the clerk was chiefly
to blame (G.O. 1916 & 25 May 93 ^A)
The records of the case against
the ~~the~~ constable were called
for & when received &
considered, the Govt found
April 96 to June 98 during

that the order of reduction by one grade passed by the Bd was insufficient & enhanced it by reducing the petitioner another grade, viz to the 4th grade. (G.O. 358 Jule 8 15 Feb 94)

As a new correction but an enhancement of punishment

97

The petitioner submitted an appeal to the Govt of India but this was withheld being couched in improper language. In forwarding the Bd reported that further instances of misconduct had been reported against the petitioner for which they had severely censured him. (G.O. Jule no 1998 25 Sep 1895) R

It appears that about this time the petitioner was transferred from Trichy to the Kallahurchi Taluk in S. Arcot.

There he misconducted himself again; was dilatory & negligent in his work & sent in false returns to cloak the state of business in Taluk. He collected Mr Collett's report against him with his explanation & reported them to the Bd.

In B.P.
17838
16 April 96

The Bd^r thereupon reduced him to the last 5th grade of Tahildar (Vide Bd's Refd 10 Mar '98 in G.O. 321 & 1.688)

After putting in a review petition couched in improper language to the Bd, the petitioner appealed to the Govt.

After considerable discussion it was decided that the petitioner had had a full trial as Tahildar & had failed in that capacity & that it would be unfair to the public to keep him in that position any longer. He was accordingly made a Taluk M.D. acct. in G.O. 321 & 1 - June 98 B.

The petitioner now submits a review petition but adduces nothing in support of his petition which was not before Govt when G.O. 321 & 1 - June 98 was passed. The Board however suggests that if during the period from April 96 to June 98 during

which the petitioner was
5th Jirga Talukdar of
Sharnapuri ~~Office~~
Taluk (Kour-Sub collector's Divn)

The petitioner's conduct
were found to have been
satisfactory, there might
be some ground for
a reconsideration of the
case.

Submitted that there
appears to be no suffi-
cient reason for experimenting further
on the people in order
possibly to benefit this
individual

He
25/1/98

H.M.

C/HM
H/E

It is submitted that
the case should not be reopened.
Whatever irregularities may
have been committed in
the considⁿ of the earliest
case against him, it is quite
clear, I think, from the character
& conduct of the man that he is
not a person to whom the independent
responsibilities of a Talukdar should
be conferred. It is not fair to the people
to have his explanation supported when he has

I concur in this view, and find
no sufficient reason for
reconsidering the order already
passed H.E.
5-12-98

A.94
13.1.99

Secy Please see draft
on docket below

W. J. 18/1/99

When given for copying
When copied
When examined
When signed

189

AGAIN G.O., No.

189

DATED

ST No.

LES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

A = Copy in full.
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