

Revenue (1896) Department.

MISCELLANEOUS SERIES.

G.O., No. 2626.

DATED 4th July

[Despatch Abstract.]

Venkatadasa Aiyar late a gumastah, Satyamangalam taluk, Coimbatore district.

Informed that the Government declines to interfere on his behalf.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cm 2888/98	1802		25-4-98				

His Excellency The Governor in Council,

Fort Saint George,

MADRAS

THE HUMBLE MEMORIAL OF VENKATADASA
AIYAR LATE A GUMASTA SATTYAMUNGALAM
TALUK COIMBATORE DISTRICT.

MOST RESPECTFULLY SHOWETH:—

1. That the Memorialist has been dismissed the service for fraud in the disposal of a darkast vide Exhibit I. being the Proceedings of the Collector dated 20th April 1895 Reference on No. 27 of 1895.
Forest

2. The Honorable Board were appealed to but without success: vide Exhibit II. being the petition of appeal dated 23rd May 1895 and Exhibit III. being Proceedings of the Board dated 2nd July 1895 No. 3281 Mis. L. R.

3. And now as the only quarter where he can hope justice done him, he ventures to look up to and rely upon your Excellency's generous and just Government.

4. It is the humble hope of the Memorialist that upon ordinary consideration of the facts of his case, your Excellency's truly benevolent Government will be pleased to see that the finding as to his guilt both of the Board and Collector rests more upon possibilities than upon probabilities, more upon imagination than upon the reality of facts on record. It will be equally manifest to Government that the Memorialist cannot, upon any sensible hypothesis, be connected with the fraud if fraud there is.

5. The facts of the case are as follow:—

In August 1893, one Rame Goudan applied to the Collector for grant, under the darkast rules, of a block of abandoned sandalwood plantation, describing the locality by boundaries and roughly noting its area as 30 acres. vide Exhibit IV. Rame Goudan's application dated 11th August 1893. This, of course, was transferred to the Tahsildar for disposal; and on its receipt, the Tahsildar referred it to the Revenue Inspector for report after careful enquiry. The Revenue Inspector, after enquiring the village officers, vide Exhibit V. being the statement of the Carnam and Monegar to the Revenue Inspector and after personally inspecting the block darkasted, reported no objection to the grant and suggested that the required memorandum might be called for from the Village Officers. Owing to the denial of a copy of this report, the Memorialist cannot submit it herewith as an Exhibit. But the facts are admitted by the Collector himself vide para 2 of his letter to the Board dated 22nd June 1895, Reference on No. 1065 of 1895. Exhibit VI. Besides, there is a statement made by the Rev. Inspector before the Tahsildar in light of his report vide Exhibit XXII. The necessary orders accordingly issued to the Village Officers and No. 1 Memorandum with its enclosures:—1. Proclamation certificate, 2 Boundary statement, herewith submitted, dated 12th December 1893, was received in office with a list of trees on the land vide Exhibits VII and VIII. respectively.

As usual, vide Exhibit XXI. the Memorialist worked out the value of the trees upon rates prescribed to each kind of trees and the Dy Tahsildar, then in charge of the Taluk, ordered the grant on 18th January 1894. Vide column 16 of Exhibit VII. The trees' value Rs.55-4-0 was collected and credited into the Treasury on 12-2-94. Thus was disposed of one Memorandum. Along with that Memorandum was also received another on behalf one of Veeraiya Goudan with his application dated 26-10-93 enclosed vide Exhibits IX and X. The Memorialist found that this Memorandum was bad for want of some signatures and through hurry of his work he did not notice the tree list that should be with it. He accordingly wrote an endorsement in English in his own hand referring the paper to the Revenue Inspector for the rectification of the defects. But when taking the paper to the Dy. Tahsildar's signature, he found the tree list which he had missed. The discovery necessitated some correction in the endorsement, the only thing rectifiable then being the omission of signatures. This, the Memorialist thought might be effected through the Village Officers by addressing them direct to save delay. as the chief defect being the non-existence of the Karnam's signature in the Memorandum. The result was that he crossed his pen over, but not scratched as the Collector put it, the English Endorsement and put up a Vernacular one above it to the Village Officers. The Deputy Tahsildar signed it vide the fly leaf attached to Ex. IX. The Memorandum No 3 thus went back to the Village Officers. It was returned with the defects set right and an application from Rame Goudan the former darkastdar protesting against the grant to Veeraiya Goudan and requesting that the land might be given to himself. This protest is dated 15th March 1894 vide Exhibit XI. When this Memorandum was taken for orders, the Dy. Tahsildar had gone and the Tahsildar had come in. The latter ordered the grant to Rame Goudan in preference to Veeraiya Goudan. The order is dated 19th March 1894 vide column 16 of Exhibit IX. and was made upon three considerations. First because, the area covered by Memorandum No. 3 merged with in the first application of Rame Goudan vide Exhibit IV. Secondly because, in the list of boundaries accompanying Memorandum No. 3 Rame Goudan has been described as the owner of lands on three sides; East, West and South. vide Exhibit XII. And thirdly because, Rame Goudan now protested against the grant to Veeraiya Goudan and represented the superior justice of his being allowed the whole block. It should be submitted in fairness that the valuation of trees in this case also was made by the Memorialist.

After the orders granting the lands to Rame Goudan had been passed upon these two Memoranda, one Senthallage Goudan goes up to the Collector with a petition dated 11th July 1894, vide Exhibit XIII. impugning the grant to Rame Goudan as informal for want of due publicity and stating that the block should be granted to him as he had some three years ago, applied for it and been then told that it was not available for grant. In the enquiry that arose upon this petition, the circumstances found were (1) that the Memoranda had not been sent to the Forest Department to know if it had any objection to the grant; (2) that the tree valuation was not referred to the Forest Department that the amount might be properly fixed without loss to Government; (3) that the value of the trees is more than 3 times the amount actually levied; (4) that the amount collected has been credited to Land Revenue instead of Forest Revenue.

The Divisional Officer, presumably, finding that the grant to Rame Goudan was all right under the rules and was not informal as complained by Senthallage Goudan, appears to have found also that the tree value levied ought to have been much more. But who is responsible for the loss resulting? In as much as the valuation was fixed in the Taluk Office upon the certificate of the Village

Officers and the Revenue Inspector that the trees were unfit for use otherwise than as firewood, the Divisional Officer naturally and reasonably traced the responsibility to the Village Officers and Revenue Inspector and even called for a report from the Tahsildar as to what evidence was available for their criminal prosecution. Vide Exhibit XIV Refce. on No. 1227 dated 3rd February 1895. The Memorialist

D.

presumes that the Tahsildar would have submitted the report called for to the Dy. Collector and this Officer has reported the result of his investigation to the Collector. What the nature of these reports is the Memorialist cannot say owing to the fact that copies of them have been refused to him Vide Exhibits XV and XVI.

On receipt of the above papers and others, the Collector records proceedings finding fraud in the disposal of the darkasts in question and holding the Memorialist accountable for the fraud vide Exhibit XVII.

An explanation is then taken from the Memorialist vide Exhibit XVIII. as a form and he is dismissed the service.

6. That the Government have been cheated of their dues is more than clear from the evidence on record. The question for the consideration of the Government is whether the Memorialist has had any hand in the fraud. In the first place, it must be admitted that the Memorialist has had no personal knowledge of the nature of the block under darkast. His knowledge is only derived from papers. These papers were furnished him by the Revenue Inspector and the Karnam. These men reported that the sandal wood trees on the land were withered young plants fit only for firewood and the Memorialist valued them on the prescribed firewood rate. The other trees on the land not being shown in the list as fit only for firewood, their value has been fixed at the rates prescribed for them. The fact that the Memorialist calculated the value instead of having it done by the Forest Department, was once made a ground of inference against him. But the ground has been withdrawn by the Collector himself. vide para 4 (2) of the Collector's letter to the Board Exhibit VI. So that it will be clear to the Government that, in the valuation of the trees, it is not the Memorialist who is to blame. There is a sort of undertone in the Collector's arguments to the effect that the Memorialist should not have believed the acting Karnam. But the Collector would seem to overlook the fact that both the permanent Karnam and Monegar say that the sandalwood on the land were small ones and withering vide Exhibit V. and their statement has been checked by the Revenue Inspector by a personal inspection of the block itself. How then, can the Memorialist distrust the reports before him? If the number and nature of the trees reported be incorrect and a loss results to Government, is it not more reasonable and just to hold the reporters responsible rather than the clerk who worked out the total value on prescribed rates? Thus one of the grounds from which the Collector infers fraud on the part of the Memorialist disappears. It is submitted that this ground is the only rational ground upon which the theory of fraud can be built as against the Memorialist.

It is the hope of the Memorialist that the Government will not find him wrong even in the matter of the non-reference of the darkasts to the Forest Department. The settlement register shows that the block as an assessed waste. The village Officers who ought to have known the history of the block do not say in their statements that the land was an abandoned sandalwood plantation or that it was once before applied for and refused vide Exhibit V. and columns 10, 11 and 13 of Exhibits VII. and IX. Nor does the Revenue Inspector who was directed to make careful enquiry say so. How, then, can the Memorialist know that the land was once under the Forest

Before the
Memorandum
was written

Why?
Query?

Department? If he knew it, certainly he would have made the reference to that Department to ascertain the objection existing for its grant. As it was, he had no reason whatever to make the reference. Nor was there any suggestion in this direction from the Village Officers or the Revenue Inspector so that it might be said that the non-reference to the Forest Department was intentional on the part of the Memorialist. It is for your Excellency's generous Government to say whether there is justice in drawing from this item of non-reference any inference of malafides against the Memorialist. It might be asked as the Collector has done, why was the valuation statement not sent to the Forest Department to be checked by it? The Memorialist has explained that it was because he was then in an uneasy state of mind. He might have said also that it was unnecessary to do so as the Village-Officers and Rev. Inspector had represented the sandalwood trees as withering young plants. No doubt the omission to forward the valuation for approval to the District Forest Office is a defect in the business. But then the question is whether that omission was on purpose? Under the circumstances appearing on the record, no such purpose can be deduced against the Memorialist. First because it is not alleged that the course was suggested or ordered by the Dy. Tahsildar or Tahsildar before grant was made and it was evaded by the Memorialist. Secondly because, the Memorialist is not the final authority to dispose of the matter on his own responsibility. There was the Tahsildar to enquire *at least* whether the Forest Department has concurred in the valuation. With his limited intelligence and knowledge it is just possible that the Memorialist might have unwittingly gone wrong. But who could tolerate the idea of a more intelligent and better informed Officer such as a Deputy Tahsildar or Tahsildar not caring to see into the papers to know if the form was gone through or even so much as to enquire whether it was done. So that it will be evident to the Government that in the matter of this omission the Memorialist has erred with his superior officer and that if the superior officer is entitled to excuse, much more so is the Memorialist. Was it then that the Memorialist was sacked because of his inferior position? This indeed is unfortunately the sense of the Memorialist and his hope with regard to this finding of the Collector lies in the justice of your Excellency's Government with which the rule has been to deal with a matter on its own merits independent of personal considerations.

(2) It is alleged by the Collector in para 9 of his letter to the Board vide Exhibit VI. that the Memorialist's motive is clear from his unwarranted cancellation of an English endorsement and substitution of a vernacular one in its stead. A little reflection will show that the Collector is wrong in his conclusion. The Collector says that the Memorialist modified the order of reference by the Deputy Tahsildar to suit his own purpose, because the Deputy Tahsildar was going out and the pukka Tahsildar was coming in and this afforded him the favorable opportunity to effect his nefarious object. Fortunately for the Memorialist, the Collector credits him with some cunning. Now the very same cunning must have told the Memorialist that to place a Memorandum with a mutilated and substituted endorsement before a new officer was too surely to court suspicion. He would, then, think of replacing the Memorandum itself by a fresh one. This was as easier to him as safer. For the Memorandum paper had no initials of the Dy. Tahsildar or Tahsildar to show the date of its receipt into the office and the Karnam was, according to the conspiracy theory of the Collector, ready to furnish a fresh one if so required. That this course was open to the Memorialist is inferentially admitted by the Collector when he says that the tree list for the second of the Memoranda-to wit No. 3-has been subsequently introduced into the record. The fact, then, that the Memorialist did not take the easier and safer step available to him completely refutes the arguments of the Collector in this behalf. On the other hand, the preservation of a suspicious

paper only argues that the Memorialist was consciously innocent and therefore not anxious about it and negatives with equal force the theory of the Collector as to the subsequent introduction of the tree list relating to it. The Government will be pleased to note in column 9 of this Memorandum Exhibit IX. a statement to the effect that the tree list has been attached to it. While reasonable considerations point to the genuineness and innocence of the alteration of the endorsement, is it just to suspect the Memorialist simply because the Deputy Tahsildar denies knowledge of it? Such a denial being liable to proceed from various causes. It may be that the Deputy Tahsildar could not remember the circumstances as indeed it is not reasonable to expect him to do so among so many things he has attended to and after a lapse of time long enough to affect the memory. It may be that he finds himself in a delicate position as one who had something to do with the matter and prefers to enter a denial. Thus either through bad memory or through timidity, the Deputy Tahsildar has said that he knew not of the alteration of the endorsement. This is just as probable as possible. It is for the generous Government of Your Excellency to declare upon the matter. There is a set of circumstances infering innocence on the part of the Memorialist. On the contrary there is the denial of the Deputy Tahsildar of any knowledge of the alteration, which raises suspicion against the Memorialist. In these circumstances, is it not the character of the Memorialist to be adjudged upon by a reference to the several Tahsildars under whom he has worked as to the impressions they have formed of him? There is, however a confidential register maintained in the office in which the conduct of the Memorialist and his humble service for over a period of 4 years, out of his 5 year's service, has been recorded. This, the Memorialist has represented in his explanation before the Collector vide concluding portion Exhibit XVIII. An extract from the register, the Memorialist is unable to produce before the Government as a copy of the same has been refused. vide Exhibit XV. It is the misfortune of the Memorialist that the Collector did not choose to do so.

(3) The Collector further utilises an argument for him, the fact that the value has been credited to Land Revenue instead of Forest, saying that the wrong credit was meant to keep the Forest Department ignorant of the grant. It will suffice to state that the head of credit is determinable in the Treasury branch of the office to which the Memorialist does not belong. Nor is it alleged that this Treasury called upon him to assign the head of credit and he assigned a wrong one even orally. The Chellans for the credit are herewith submitted for the observation of the Government. vide Exhibits XIX and XX.

(4) The Collector in all his proceedings, would seem to imply that these irregularities were committed by the Memorialist to help Rame Goundan. The Government will be pleased to note, from what has already been submitted that Rame Goundan has succeeded solely upon the merits of his case as represented by the Village Officers and Rev. Inspector.

There is another thing stated by the Collector which needs explanation. He observes that the Memoranda have not been initialled by the superior officer and seem to have been received by the Memorialist direct from the Village Officers. This is an error. It is a fact that these Memos have no initials. An examination of the office will furnish thousands of such instances. So that no inference can legitimately be drawn that they never came through the superior officer-Tahsildar. Be it remembered such papers belong to periods anterior to Memorialist's connection with the office and even after his unfortunate disconnection with it. The reason for their existence is that Tahsildars usually initial the paper uppermost when a batch is received by them.

7. It is the humble hope and prayer of the Memorialist that upon the foregoing considerations, the Benevolence of Your Excellency's Government, will be pleased to take his case into favourable consideration, hold out to him a succouring hand and restore him to office; thereby vindicating the cause of justice.

For which act of chairity and justice, he shall ever pray, as in duty bound.

He begs to remain

Most Respected and Honored Sir,

Your Excellency's most obedient and
humble servant.

Princetalia

17 April 1896

Madras



Appeal Petition

Princetalia

Madras

17 April 1896

Appeal Petition

Princetalia

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Current No 1445/96

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Proceedings of the Board of Revenue
(Land Revenue).

No. 2401 Mis., dated 27th May 1896.

Read the following letter from Herbert Bradley Esqr., Collector of Coimbatore, to the Secretary to Government, Revenue Department, Thro' the Commissioners of Land Revenue, Madras., Ref. on Cur. No. 1462/Rev. of 96, dated 16th May 1896.

I have the honor to forward an appeal to Government from one Venkata Dasa Iyer appealing from an order of the Board confirming my order dismissing him from the Service. The facts of the case have been fully stated in this office letter to the Board dated June 22nd 1895, Ref. on No. 1065/petn. of 1895; I have little to add to that letter.

2. With reference to the remarks in the latter half of page 4 of the petition, I have to point out that the petitioner could not have substituted a fresh Memorandum because the one on the record ^{before} the Deputy Tahsildar's signature.

Resolution

Submitted to Government.

2. The Board has no remarks to offer upon the present appeal petition which has been presented 9 months after the issue of the order appealed against.

(True Copy and Extract)

[Signature]
Ag. Secretary.

To The Secretary to Govt. R.D., with Petn. to Govt. and its enclosures, the latter to be returned.
Copy to the Collector of Coimbatore, with two files of records returned.

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Current No 1462
Rev 96

Appeal peti:
- tion of Venka:
- tadasilr Cate
Jaluk Gunna:
- tah, Satyaman:
- galam Jaluk, Jim:
- kator & Dis to

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Rev 1896 Sept



Board of Revenue, Land Revenue.

To The Secretary of Government.
Rev. Dept.

Pro. No. 2401 Mis.

dated 27th May 1896.

Recd 2-6-96.

Subject.

Submitting to Government petition
from Venkatadasier, late Gumasta,
Satyamangalam Taluk, Coimbatore Dt.
appealing against his dismissal from
public service.

REVENUE DEPARTMENT

C No. 4004 of 96

From

the Board of Revenue (L.R.)

Dated 27.5.1896.

FOR ORDERS.

With the Current
read above, the Board of Revenue
Submits an appeal petition
from one Venkatadasa aiyar,
who was dismissed by the
Collector of Coimbatore, from
the post of Taluk Gumastah
in the Satyamangalam Taluk,
on the ground of his having
acted fraudulently in a certain
darkast case. The facts
are as follows:-

On the 11th August 1893, one
Rames Gowndau presented a
petition to the Collector praying
for the assignment to him of
a block of some 30 acres of
waste land, on which, he said,
there was a Gout sandalwood
plantation which had failed.
On the 5th September 1893, the
Tahsildar to whom the above

End. IV.

petition the petro must be

FOR ORDERS.

petition was, ~~being~~
the Collector, referred it
to the Revenue Inspector for
report 'after careful enquiry.'
The village officers from whom
the Revenue Inspector took
Statements, said that the
grant of the land in question
to Rame Gowndau for Cultiva-
tion, was unobjectionable and
that the Sandalwood and other
trees standing on the land
were 'small ones and had
'withered away'. The Revenue
Inspector also reported to the
same effect to the Tahsildar
and orders were accordingly
issued to the village officers,
directing the submission of
the necessary darkast Memoran-
dum. Two A. memoranda
~~were~~ dated 12.12.93 were
received from the village officers,
one for the grant of 18 acres,
prepared in favor of Rame
Gowndau, ^{the petr above mentioned,} and the other for
the assignment of about 8
acres, in favor of one Veeraya
Gowndau. In dealing with
the first memorandum, ~~the~~
which

x Encl No V.

Encl. VII & IX.

Encl VIII.

x fly leaf attached to
Encl. NO IX.

of the trees were credited
a list prepared by the
officers showing the number
and dimensions of the trees
standing on the land, the
petr who was doing darkast
work in the Taluk office, fixed
the value of the trees at 55 Rs.
4 as. and on the 18th January
1894, the Dy Tahsildar ^{then} in
charge of the Taluk, ordered the
grant of the land to Rame
Gowndau who subsequently
paid the tree value into the
Treasury on the 10th Febry 94.
As regards the second memo-
randum, the petr first ^xre-
ferred it to the village officers
for want of the signatures of
the adjacent landholders.
On its receipt back into the Taluk
with the omission supplied,
the petr himself, as in the
first Case, fixed the values
of the trees reported to be
standing on the land, at
Rs 44-11 as, and on the 19th
March 1894, the Tahsildar
granted this ~~land~~ piece of land
also to Rame Gowndau, in
petition the petr must be

... was
own up by the village officers,
on the ground that Rami
Gowndau who had in the mean-
time sent ⁱⁿ a petition praying
for the grant of the whole
block^{themselves} was reported to be
the owner of lands adjoin-
ing lands.

2. On the 11th July 1894, one
Senthalai Gowndau presented
a petition to the Collector, pro-
testing against the grant of
the lands to Rami Gowndau
and praying that they might
be assigned to him, in view
of the fact that he had already
applied for them some 3 years
before. In the course of
the enquiry which followed,
it was found that the
block of lands in question
was in the neighbourhood
of a reserved forest and
formed part of an abandon-
ed sandalwood plantation,
upon which a large sum had
been spent, and that the
Forest Deptt had already

the first memorandum, which

4/13.3.94 Encl. XI.

1- Encl. no. XII

of the view was credited
'Land Revenue' and not to
'Forests,' with the apparent
object of keeping the
Department in ignorance
of the assignment of the
lands.

(5) Fifthly, the two dark
Memoranda submitted by the
village officers did not bear
the initials of the Tahsildar
or the Head accountant, to
show the date of their re-
ceipt into the Taluk office,
and were, ^{in the Collector's opinion,} most probably
handed over to the petitioner
himself by the village officers
with whom he was acting
in collusion.

(6) The sixth and most serious
charge against the petitioner
was that after the Dy Tahsil-
dar had passed signed an
order in English, directing the
Revenue ^{Inspector} to submit a tree
valuation statement and to
get the signatures of the
Kam and the adjacent
with regard to the

petr set on the out the
English order and substi-
tuted in its place an endorse-

immediately above h.
W.E. place flagged B.
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ment in Tamil, directing the
village officers to get the
signatures of the adjoining
landholders; the apparent
object of this alteration
being to prevent the Revenue
Inspector from getting the
papers and making a ~~tree~~
valuation of the trees.

The petr was summoned ^{to appear} be-
fore the Collector on the 17th April
1895, and the explanation
which he offered in reply to
the above charges being deemed
unsatisfactory, the Collector,
Mr Bradley, ~~has~~ ordered his
dismissal from public service.
The petr thereupon preferred
an appeal to the Board of
Revenue, without success,
and has now come up to
Govt after the lapse of
nearly 9 months from the
date of the Board's order.
His explanations with
regard to the several

x para 5 in Encl XVII.

* Encl. XVIII.

Encl I.

Encl III. d. 22.7.95
petition allowed, 17.4.96.

x Encl. NO IV.

Several charges above mentioned
are as follows:-

(1) He says that he made no
reference to the Forest de-
partment, because he never
knew that the lands were
once under the Forest Deptt.,
and ~~that~~ neither the village
officers who ought to have
known the history of the
block, nor the Revenue
Inspector who was directed
to make a careful enquiry
ever mentioned the fact that
it was an abandoned sandal-
wood plantation the fruit of
which on darkast ^{had been} ~~was once~~
^{previously} refused ^{at the instance of} by the Forest Deptt.
It is, however, to be noted
that the facts ^{that the block contained} ~~was~~ a Govt
sandalwood plantation, and
that its assignment for culti-
vation was being refused
by the village officers, are
clearly stated in Ramu's
Gownden's petition to the
Collector which was ~~subse-~~
quently referred to the Rev.
Inspector for report, and the
petition the petr must have

the absence of the Tahsildar's initials ^{is} that Tahsildars usually initial the paper uppermost in the file when a batch is received by them. - This is possible.

(6) With reference to the 6th and most serious charge that the petr had unauthorisedly substituted a vernacular endorsement to the village officers, in the place of an order in English signed by the Dy Tahsildar and addressed to the Revenue Inspector, the petr gives the following version. He says that he first drafted an order in English, directing the Revenue Inspector to submit a true valuation statement and to get the signatures of the adjacent landholders & but, that before sending it up for signature, he found the ^{village officers'} tree measurement list among the records, which he ~~omitted~~ ^{failed} to notice in the first instance, and consequently ~~he~~ struck out the order in English first drafted, and put up another in Tamil in the village

Encl XVIII.
(flagged B)

village officers to obtain the signatures of the owners of the adjoining lands. The petr adds that when the paper was signed and returned by the Tahsildar, he did not see whether the cancellation of the draft order in English, was initialled by the Dy Tahsildar, and that he sent it off as it was to the village officers.

In the first place, the Dy Tahsildar himself contradicts the petr by saying that the alteration was made 'without his knowledge or consent', although the petr attributes the Dy Tahsildar's denial either to his bad memory or to his ~~bad~~ 'timidity'. The original of the document is not now among the records submitted to Govt. From the authenticated copy of the paper submitted by the petr, it would appear that the Dy Tahsildar has signed at the bottom of the English order which ^{has been} ~~was~~ struck

* Flyleaf attached to
Encl NO IX.

(flagged B.)

and that the vernacular endorsement is at the top. If the order in English had been struck out (the Collector says it has been clumsily scratched out) before the paper went ~~up~~ to the Dy Tahsildar for signature, it seems likely that the Dy Tahsildar would have at least initialed the portion struck out, or signed his name ^{immediately beneath} at the bottom of the Tamil endorsement.

Andly, the Collector points out that the pet had a motive in making the unauthorized alteration; the object being to prevent the Revenue Inspector from getting the papers connected with the second darkast Memorandum and making a correct valuation of the trees.

In his appeal to the Board, the pet urged, that he could not have had any motive in making the unauthorized alteration of

para 8 page 4 of Encl II

Rev. Commencement of
Encl No XXII.

This seems correct; but he may have been appointed to act again; the records do not show, but it is probable that this was the only occasion on which he so acted for his deposition taken on 12 August 1894, refers to "I acted for 19 days from 1st Oct: 1893 as Rev. Inspt."

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of the order, on the ground that the Revenue Inspector who had already reported that the grant of the lands was unobjectionable and that the trees had withered and were not expected to thrive, would not now change his mind. It is however, to be noted that the individual who submitted the above report on Rami Gowdan's petition was the pound gumastah of the Taluk, who acted as Revenue Inspector for 19 days from the 1st October 1893, and that his acting appointment had apparently ceased, long before the 14th January 1894, when the order directing the Rev. Inspector to submit a tree valuation statement for the lands referred to in the second darkast Memorandum, was passed by the Dy Tahsildar. The pet's contention that he need not have been afraid of the Rev. Inspector's valuation is therefore ^{probably} untenable, because the order

valuation would have been made not by the poud gumastah who had probably acted ^{previously} in collusion with the village officers and the petr, but by a new man.

In his appeal to the Board, the petr also urged that if the English endorsement had been struck out by him with any dishonest motive, he must have naturally thought that as the endorsement then passed, was not final, the Tahsildar would detect the fraudulent alteration, on the presentation of the application before him for final disposal.

The Collector, however, has met this argument by saying that the Dy Tahsildar who signed the order to the Rev. Inspector did not pass the final order in the darkast case, that it was passed by the Tahsildar who had returned from leave, and that the

para 8, page 4 of Encl II.

para 9 in Encl VI.

the petr would not have dared to alter the order had he not known that the Dy Tahsildar was on the point of being relieved.

In his appeal to Govt, the petr urges that if it is ~~not~~ ^{not} ~~thought~~ ^{had} that he made the alteration knowing that the Dy Tahsildar was about to be relieved, he ~~would~~ ^{would} not have thought of placing a 'mutilated and substituted' endorsement before the coming Tahsildar so as to court suspicion, ~~but~~ while it was within his power to substitute a fresh memorandum itself, seeing that the one already on the record had not the initials of the Superior officers, and that the Kusun would, according to the Conspiracy theory, be ready to furnish a fresh memorandum. The Collector, however, points out that it would have been impossible for the petr to substitute a fresh memorandum a

as the one already among the
records bore the Dy Tahsil-
dar's signature.

It will be seen from the
above facts, that, besides the
Dy. Tahsildar's denial of the
petr's allegation that the
substitution of the vernacular
endorsement was made with
that officer's knowledge, there
is no direct evidence to
connect the petr with the
Conspiracy to get the lands
assigned to Ramé Gowndan,
and that all the irregulari-
ties in the case, put together,
only create a very strong sus-
picion against the petr.

If the Dy Tahsil-
dar's statement as quoted
by the Colr is true, & the position of his
signature corroborates it, I submit, that
the petr must be regarded as guilty
of wilfully altering the record, & the
other circumstances of the case bear
no doubt that such alteration must
have been made with fraudulent
intention. I submit that Govt
should decline to interfere.

LD
28/7/96

I do not understand this, whether
the A memoranda was signed or
initialled or not, would have been
just as easy to destroy it & substitute
a fresh. Moreover in his letter
to the Board - Enclosure VI - para
3 the Colr says that the A. mem^o
bore no initial or date of receipt,
how he speaks of it as "bearing the
Dy Tahsil-
dar's signature".

It is submitted, however, that neither
the petr's argument nor the Colr's
comment deserves ^{much} consideration; his
always by mistakes of this kind that
frauds are brought to light

LD
29/7/96

There is no reason to doubt it.
MS

Mr Colr's order of dismissal
seems to have been thoroughly
warranted.
MS

The dismissal seems to have been
fully deserved, & no more to be interfered
with.
MS
31/7/96

C. 4004

P.O. Muris N- 26264 4th July 1896

The Govt declines to interfere
on the petr's behalf.

MS
LD
4/7/96

The Honble of Rev (Sd) Mr. ...
The petr.
MS
7/7/96

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

189 .

READ AGAIN G.O., No.
 189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH

PAPERS NOT FILED UP, RECOMMENDANT FOR DESPATCH
 IN ORIGINAL

N.B.—

A = Copy in full.
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 Q = Copy heading only.

C No 4004 of 96

Petition from S. Venkatesh
 Coimbatore Dist

re. his dismission from the
 post of Talukgumast

The Hon^{ble} J Grose C.I.E

8/4/97

over 117
 R 3/5