

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2690

Press

~~Mis.~~

240.241

Dated 14-11-1867.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
14th November 1867.*

Read again Government Proceedings, dated 22nd July 1867.

No. 240. Read also the following letter from the Sub-Secretary to the Board of Revenue, to the Secretary to Government, Revenue Department, Fort St. George, dated Madras, 5th October 1867, No. 6,350:—

1. I am directed to acknowledge receipt of the Order of Government, dated the 12th July 1867, calling on the Board to give a distinct expression of opinion as to each of the five revenue cases reported on by the Collector of Salem in his letter of the 18th December 1866, and as to the notice that should be taken of Teagarajah Pillai's conduct in connection with them, if the Board consider them proved.

2. The Government have no doubt observed, from paragraphs 1 and 3 of the Board's Proceedings disposing of the Collector's report, that they consider it proved generally that Teagarajah Pillai did obtain land in his talook whilst Tahsildar of Ahtoor, and that he has thereby broken existing rules. I am now to state the conclusions at which they have arrived with regard to each particular case.

3. It is desirable to point out that the subject of the complaint in each case was not the fact of the Tahsildar's possessing land, but the allegation that he had obtained it by oppressive and improper means. The evidence as to the oppression was not essential to the revenue inquiry, and the Board have not been called upon to deal with this part of the charge. This will explain why it has not been found necessary to notice most of the arguments urged by Teagarajah Pillai in the Appeal Petitions presented by him to Government.

4. In the first case it is clearly proved that the land in dispute was parted with by its owner because the Tahsildar wished it; that it was sold in the first place to a stranger from another district named Mira Rowten on the 11th February 1864; that Mira Rowten took no interest in the land whatever; and that he sold it to an individual named Mootoosami Pillai on the 28th March, or about six weeks after it had come into his hands.

5. Mira Rowten asserts that he acted as Mootoosami's agent.

6. Mootoosami is the name both of the son and the father-in-law of the Tahsildar. The Collector believes that the son was the person designated in the Deed of Sale; the Tahsildar declares that it was his father-in-law; but this point is one of very little importance.

7. It is clear that both the sales took place in the presence and at the instance of the Tahsildar, and that no one named Mootoosami was present when Mira Rowten executed the second Deed of Sale. It is clear, too, that many months after the sales took place the Tahsildar had an expensive well dug in the land, and it is in evidence that he did not pay the full value of the work, and that what he did pay, was paid through the village officers. It is shewn, further, that although the Jummahbundy for the year was closed on the 18th January, and the second sale did not take place till the 28th March, the land was transferred to the name of Mootoosami Pillai in the accounts of the Fusly, contrary to the usage of the district, and that this irregular entry was made in accordance with instructions from the Tahsildar.

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8. The tenant, Ari Naick, an old and feeble man, "who appeared afraid to speak out," before the Collector, states that he pays rent to the Tahsildar's father-in-law; but admits that he first undertook to cultivate the land, contrary to his own wish, at the desire of the Tahsildar himself. Ari Naick's son declares that the rent is paid to the Tahsildar.

9. Teagarajah Pillai says that the land was bought for his father-in-law; and this is confirmed, as might be expected, by his father-in-law's evidence; but the Board cannot reconcile the conduct of the Tahsildar with reference to the sale, the transfer in the accounts, and the improvement and occupancy of the land afterwards with any other hypothesis than that the land belongs to him, and that he has been desirous of concealing the fact.

10. In the second case it is clear from the evidence of Vencat Soobien, Moonsiff of Ahtoor, a witness called by Teagarajah Pillai in his defence, that the Tahsildar directed Vencat Soobien to apply for a piece of land, and some time afterwards made him give it up to Vurda Pillai, a relation of the Tahsildar's, and that the Tahsildar afterwards obtained it from Vurda Pillai and improved it at some cost. It is now a valuable piece of land.

11. Teagarajah Pillai declares that he has obtained a lease of the land from Vurda Pillai as a vegetable garden, and draws attention to the fact that he has noticed the lease in an account of the lands held by him which was presented to the Collector for Fusly 1274.

12. The Board consider it unnecessary to pronounce on the doubtful part of the case, which relates to the question whether the men who brought the complaint relating to this land before the Collector were in possession of the land when Vencat Soobien applied for it, or not.

13. The note with reference to the lease was not appended to the Tahsildar's returns till after a complaint regarding his occupation of the land had been made before Mr. Thomas at Jummahbundy, nor until, as the Board believe, the land had been in the Tahsildar's hands for nearly two years.

14. The Board consider it proved that the land belongs to the Tahsildar.

15. The third case is somewhat similar to the first. Two pieces of land in Sharvoy Poodoor were transferred by the owner, in accordance with the desire of the Tahsildar, to a man named Chokalinga Pillai, an uncle of the Tahsildar's, who lives at Salem, and was not present when the transfer was effected. The document was signed in the presence of the Tahsildar. Vencat Soobien, the village Moonsiff of Ahtoor, and Vencatachela Pillai, the Curnum of Narasingapuram, caused a well to be dug on the land under orders from the Tahsildar. The tenant who cultivates the land states that he was directed to do so by the Tahsildar.

16. From the manner in which the transfer was induced, and the interest in the land subsequently shewn by Teagarajah Pillai, the Board believe that the land belongs to him, and not to Chokalinga Pillai.

17. The fourth case is not so strong. The evidence of the witnesses is sufficient, as far as it goes, to bring the possession of the land home to the Tahsildar, but there are none of the incidental circumstances which tend to support the charge in all the other cases. Discrepancies are to be found, as Teagarajah Pillai

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points out, in the evidence, and, although they are not such as absolutely to warrant disbelief, the Board hesitate to pronounce Teagarajah Pillai guilty.

18. In the fifth case it is in evidence that, by request of the Tahsildar, Kist-nappa Naik gave up land in favor of a Curnum named Ramien, and that Ramien cultivated it, also by request of the Tahsildar, sent him the produce annually, gave brick and chunam for the construction of a sluice, and transferred it to the name of the Vurda Pillai who has been mentioned in the third case.

19. The Tahsildar made no defence before the Collector, but he has addressed Government with the view of shewing that Ramien was a personal enemy of his.

20. The Board considered it proved that this land also belongs now to Teagarajah Pillai.

21. The Board consider it proved therefore not only that Teagarajah Pillai, whilst Tahsildar of Ahtoor, broke the rules regarding the acquisition of lands by public servants, but that he did it in so surreptitious a manner, and told so many falsehoods to conceal it, that he has increased beyond measure the blame that must attach to his original error.

22. Teagarajah Pillai insists upon deducing the conclusion that the Collector himself had no confidence in these revenue cases from the fact that he left them to inquire into Magisterial charges; but it must be remembered that the origin even of the revenue cases lay in complaints of extortion and oppression, and that the Collector having reason to believe as he had from personal observation, as well as from universal report, that crimes might have been committed was bound, in the first place, to try the criminal charges laid before him as a Magistrate; and as it turned out, he had not time to enquire into a tenth part of the accusations which were made directly the people were freed from the dread that Teagarajah Pillai could injure them.

23. The Board have stated in their Proceedings of the 8th March 1867, No. 1,428, that if the Tahsildar had been proved, whilst still in office, to have acquired lands in the manner in which he has since been shewn to have done, they would not in all probability have dismissed him after so many years of service. They would, however, most certainly, have required him to apply for pension, and they would not have permitted him to continue in the responsible post of Tahsildar.

24. Hence the Board's reply to the inquiry as to what notice they consider should be taken of the conduct of Teagarajah Pillai in obtaining lands contrary to the rules, is, that they are of opinion that he should not be allowed again to exercise the powers of a Tahsildar, and that he should be directed to apply for pension.

25. The Board are very sensible of the importance of giving public servants security of tenure, but they are of opinion, looking to the facts which have been brought to light since Teagarajah ceased to act as Tahsildar, and to the opinions

expressed regarding his general character

by Messrs. Arbuthnott and Pochin* officially, and by every Officer of the district whom they have had opportunity of consulting verbally, that it would be unjust to the people, as well as injurious to the State, to allow him to re-assume his Tahsildarship. The powers of Tahsildars

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have been so greatly increased of late years, and their position and prospects have simultaneously improved so far that they should, now more than ever, be men of tried integrity, and unsullied character.

No. 241. ORDER THEREON, 14th November 1867, No. 2,690.

Miscellaneous.

The Government concur in opinion with the Board that, under the circumstances of the case, Teagaraja Pillai cannot be allowed to resume the post of Tahsildar, but must be required to take his pension.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Petition Department.

Exd. S. T. Augustin.

Letter from C. N. POCHIN, Esq., Collector of Salem, to the Secretary to the Board of Revenue, dated 23rd August 1867, No. 226.

1. I have to acknowledge the receipt of your Official Memorandum, No. 859, dated 15th August 1867, in which I am asked to give my opinion of the character of Teagarajah Pillai, late Tahsildar of Ahtoor talook.

2. When in charge of this District in 1865, I carried on the Jummahbundy of the Ahtoor talook, I then issued orders on several matters connected with the lands in different villages, Navacoorchy, Patootoorai, Aragaloor, &c., in which the subtle Government officials (Curnums) had been discovered guilty of embezzlement and concealed cultivation. The reports I received from the Tahsildar (Teagarajah Pillai) were of the most unsatisfactory description; omitting the very pith of all that was wanted. I issued repeated orders bringing to his notice the incompleteness of the work he had done, and requiring full inquiry and report, and at the same time, in the two former villages above referred to, ordered the suspension of the Curnum Ramien as he had been carrying on concealed cultivation to the loss of Government to the amount of Rupees 1,500. Instead of attending to this latter order he allowed the Curnum to perform the duties of the office; and as I have found since I came to the District this year, gave the man the run of the talook office; the result of which has been that the Paymaish accounts, which constituted the principal evidence against the man, have been abstracted. I find that this same Curnum was a great friend of Teagarajah Pillai, and as he had proved useful to him in the acquiring of land indirectly for himself, (Teagarajah Pillai,) he together with his subordinates in the shape of Serishtadar, Revenue Inspector, assisted in every possible means in hindering the culprit being brought to justice, and thus set at naught and defiance the orders issued from the Huzoor. On the close of the Jummahbundy in 1865, I was never more dissatisfied with the state of a talook than I was with Ahtoor. Teagarajah Pillai had been in charge as Tahsildar for three or four years, and the neglect in some instances, and I might fairly infer his connivance in others, was, in my opinion, the cause. I remember on his first seeing me, my making inquiries of him as to his former career, and found that he had previously been a Gumastah in Ahtoor, but had got his promotion to a Tahsildarship in either Denken-cottah or Sankaridrug, and that he had returned to Ahtoor as Tahsildar at his own request. On the close of the Jummahbundy it occurred to me, from the unsatisfactory state of things, that his application to return to Ahtoor (Talook) was an acquisition of land discovered during the past year, and the other disclosures which were brought to light during Mr. Arbuthnott's inquiry no doubt were the reasons which determined his (Teagarajah Pillai) seeking permission to be allowed to change to the talook of Ahtoor. The complaints in Salem and Trichengode, which are both larger talooks than Ahtoor, of the want of justice done to them by the Sub-Magistrates and Tahsildars were very few, in fact not one-eighth in comparison with those preferred to me at the Jummahbundy in Ahtoor; and at the past settlement several of the petitioners, whose grievances were then and there inquired into, showed the very unfit, if not unjust, orders that had been passed during the reign of the Tahsildar whose character I am thus sorry to be obliged to consider and report on. If I remember right Teagarajah Pillai's service was some thirty odd years, and I put down at first the bad internal state of his talook to the fact that he was getting past his work, and was thinking of retirement should the tide of events go against him. My return to the District has now satisfied me that he was totally unfit for the post he held; and that his conduct was such as quite warranted the opinion expressed by Mr. Arbuthnott, who had been in the District for some six or seven years, and therefore knew his subordinates. In compliance with the Memorandum under reply, I have the honour to forward the depositions of witnesses in the five revenue cases referred to. The Board Petition No. 2,320 of 1866, which is herewith sent, shows that forty complaints were made to the Board against Teagarajah Pillai, of which, Mr. Arbuthnott only inquired into six. The late Superintendent of Police had fifteen complaints made before him against the same officer, in four of which he laid charge sheets before the Magistrate. Mr. Arbuthnott's letter to the Board, dated 18th December 1866, No. 251, shows that he did not file or entertain one-tenth of the complaints preferred, as he would otherwise have been engaged in nothing else but their inquiry for some six months.

ENCLOSURE No. 1.

ABSTRACT.—List of papers forwarded to the Board with Collector's letter, dated 23rd August 1867, No. 226.

ENCLOSURE No. 2.—Petition.

Exd. J. Wright.

Reve DEPARTMENT.

No. 2734

From the Sub. Secretary to the OP of Reol.

Dated 5th October 1867.

FOR ORDERS.

In disposing of the Letterson case and now stands on the revenue side of our records, we have to omit from consideration the fact of the treasonable services having, by the Special Comptroller of the Treasury, been deemed insufficient to justify treasonable convictions. We have simply, then, to determine whether there is enough in these services to support a belief that the old Thacker has used his official position and influence to ^{urge for himself} ~~advance~~ ^{advance} his interests in certain holdings or to bring an interest in them to relations.

Original letter from the
Sub. Secy to the OP of Reol.
to the Sub. Secy to the OP of Reol.
dated 17th 1867.

Rev. 2734/67

Copy of letter from C. W.
of the Sub. Secy to the OP of Reol.
to the Sub. Secy to the OP of Reol.
dated 22nd 1867.

17th 1867

I have carefully looked through the papers and am of opinion, notwithstanding what is urged in the Letr. address dated the 22 July last, that his proceedings, when Marshal of the town are liable to suspicion of having been dictated. The cases are chiefly and fairly stated in the Board's memos. of the 5th ultimus, and certainly lead to an impression that Letr. improperly had some concern in the disposal of land with which as the head Revenue officer of a division, he should not have been in any way connected. It is always easy for a Marshal to put forward, on occasions of the kind, a near or remote relation of a wife, or one of his own, if the others have been used up - but such purchases, mortgages or transfers, must be viewed with doubt & mistrust, and the Board's views of the matter which they have brought under consideration are I think diametrically to the Letr. - He is an old man and judging from what I saw of him some months ago when he called

on me, introducing himself as a person whom I had promoted from a bad delook to a good one - a certificate of which I have no recollection - 25th - should say he is clearly past his efficiency for the post of Marshal, and as the agreement of foot with the opinion of the Bds. that he should not be permitted to resume his position as such will result in his being subjected to no other hardship than that of forcing him to retire on a pension for which the production of a Medical Certificate will not be necessary, I would decline to order his actual reemployment - ADJ
4 Oct 67

I agree with the Hon.
Board of Revenue
by A.

Revenue Department

N. 2690.

Proceedings of the Madras Government
Under date 16th November 1867.

Read again Govt.

Proceedings dated 22nd July 1867.

Read also the following
letter from the Sub Secretary
to the Board of Revenue.

Submitting Board's
opinion as to each of the five
Revenue cases reported on by
the Collector of Salem in his
letter of the 18th December
and as to the notice that
should be taken of the con-
duct of Teagaraya Pillai late
Tahsildar of Chittoor in con-
nection with them.

Here is the 5th Dec 1867

The Government
concur in opinion with
the Board that, under
the circumstances of
the case Teagaraya
Pillai cannot be al-
lowed to resume the

part of Tahsildar but
must be required to
take his pension

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14 Copies to the B. of Rev. Dec 15th
1 Copy to Pension Dept. N
with 4 Encls. B

1772-0-241

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Revenue 1857 Bapit
No of Court for Nov

202690

12/1/67

No of the Madras Gov.
8/11/17 Nov 1867

12/7/67
12/7/67
12/9/67