

Regular
Miscellaneous No.

of 189

MISCELLANEOUS SERIES.

G.O., No. 1861

DATED 6th April 97

[Despatch Abstract.]

Directing with remarks the restoration of Mr R Ry
J. Pompa's atty Sastery to his permanent post as Subsidary
or Assty a month in the Cuddapah St.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1750	Revenue	22-11-97				

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No. 1408



From The Board of Revenue
(Land Revenue)

Order

No. 525 mis.

Dated 11th February 1897
 Received 15 - 2 - 1897th Decemb.
 Registered 16 - 2 - 1897
 Enclosures 7
 Spare copies

SUBJECT.

Submitting to Government,
 with remarks, from Mr.
 S. Pompapathy Iestri, Tahsildar
 in Cuddapah D^o, appealing
 against his reduction from 3
 to 5th grade.

BACK PAPERS.

G.O.	No.	Department.	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

By resident
 Cuddapah District
 2905-
 Peta of 96

COLLECTOR'S OFFICE
 10-DEC-1896
 CUDDAPAH

To

THE SECRETARY

to the Government of Madras,

REVENUE DEPT.

The humble petition of RAO BAHADUR S. POMPAATHY SASTRI Tahsildar
 Cuddapah District.

Most Respectfully shewth,

That in its Proceedings Forest No. 1410/Mis: confidential No. 24 dated 22nd October 1896, the Board of Revenue ordered* the reduction of the petitioner from the post of Tahsildar on 3rd Grade (Rs. 200) to 5th Grade on the allegation that the petitioner availed of his Official knowledge to take advantage of the concession granted in G. O. No. 419/9-7-94, published in Cuddapah District Gazette, Forest Sheet, dated 24th October 1894, about the free felling of babul trees and that he gave disingenuous replies when explanation was called for. The Board states that in meting out the punishment it took into account "his previous history and other instances of unsatisfactory conduct."

*The Collector's Pros. Disposal No 117/Tour of 1896 dated 5th November 1896 is herewith submitted.

*That the petitioner is an excellent Tahsildar in the District and that unfortunately he had to report in connection with the babul trees.

2. So far as previous history and other instances of unsatisfactory conduct, therein referred to, are concerned, the petitioner is not aware of them, nor have they been communicated to him to enable him to refute them. The petitioner however respectfully begs to submit that to his knowledge his conduct has never been painted by any officer till now in the way it has been apparently done. The enclosed testimonials, granted by the various officers under whom the petitioner had the honor to serve, coupled with the statement* said to have been made by Mr. Tate the present Collector in his Jamabandy Report of Fusli 1305, sent after the report about this babul affair was despatched, will tell a different tale from what is insinuated in the Proceedings. If a successful career of 10 years as Tahsildar, attended with an uniform appreciation by his superiors and by the Government, is a bad one, the petitioner would rather sit silent in despair without urging any more. But as he is hopeful that such vague statements will not have any effect with the Government, when considering whether or not in the Specific Charge the petitioner is guilty, he begs leave to submit that this assertion may be set aside while so considering, but if the Government should think that it is necessary to base their final verdict on such past history &c. he prays he may be allowed an opportunity of knowing what they are and refuting them.

3. The facts that led to the charge are as follows.

(a) On the 30th October 1894 a Forest Sheet in the shape of a supplement to the Cuddapah District Gazette, intended for the public was received in Jamaladugu Taluk office, embodying the provisions of G. O. No. 419/9-7-94, and it enacted among other provisions, that the inhabitants of a village could freely fell trees other than those in the list of reserved and classified trees. Not having been supplied with a list of classified trees, the petitioner wrote on 2nd November 1894 in No. 4957, to the District Forest officer, for a list of those trees. The list was received with order No. 1290 dated 6th Idem. Then seeing that the orders injuriously affected the extensively preserved growth of Tumma trees in the Taluq and feeling doubtful of the expediency of the Commission, the petitioner wrote on 1st February 1895 to the District Forest officer requesting instructions if Tumma (Acacia Arcabica) which was not then included or classified trees could be felled free for domestic purposes. In order No. 2211/- 7-2-95, the District Forest officer intimated on a post-card that Tumma can be felled without a license if it be for home-side domestic use.

(b) The Publication of the Concession in the Local Gazette preceded by the extensive comment on the G. O. in the news-papers as well, had led to the Officials and others of the reading public, knowing the nature of the concession. If it had not been freely availed of till February it was by reason of the ignorance of the public here that the Tumma was not one of the trees protected under the rules. In the Correspondence that ended with the District Forest Officer's post card dated 7th February 1895 it became evident that the said tree was unprotected.

(c) The above information having thus become public, the Police Inspector of the place was anxious to avail himself of his right to have a Tumma tree cut free for his use. Before the 15th February and sometime after the receipt of the post card above referred to, he enquired of the petitioner whether it was a fact that such an order had been received. Under the circumstances the petitioner though he held a different view, yet was not in any other position than to answer him in the affirmative but told him at the same time that the petitioner intended to make a protest on the subject.

(d) Afraid of the mischievous consequences of the concession, the petitioner again addressed the District Forest Officer on the subject on 24th February (despatched 25th) in Arzee No. 426. On 8th March he left Jammalamadugu, having but returned to the Station on 4th Idem being out from 25th February, on circuit.

The reply of the District Forest Officer received on the 9th March at Jammalamadugu by the then Stationary Sub-Magistrate and now Acting Tahsildar of Badvail (M.R. Ry. T. N. Govindarajulu Naidu) intimated that the Government was addressed on the subject. This was received by the petitioner on the 11th March in camp.

(e) The reply of the District Forest Officer showed that there was a danger of the concession being withdrawn. And as it appears from the record of enquiry held by the Divisional Officer the felling commenced on the 9th March and ended by the 14th; this order of the District Forest Officer must have been naturally, as expressed by the petitioner in his explanation No. 1297/3-6-95 to the Collector, a prime factor in inducing the Officials and others to take immediate advantage of the privilege while it lasted. The presence of the petitioner in Jammalamadugu had no doubt, as expressed by the ryots of the place in their Mahajir to the Collector dated 15th March, had a deterrent effect up to 8th March; but as would appear from the subsequent incidents the moment his back was turned there was no control.

The example set by the Police Inspector immediately after the petitioner left the Head Quarters was eagerly followed by others, among them by a Taluk Revenue peon (Naraina), who is alleged to have cut one tree in Jammalamadugu on 9th or 10th March for the benefit of the petitioner. The petitioner returned to Head Quarters on the 16th and on reaching home, saw only a branch of Tumma near his house. He then became aware of the mischief committed in the interval.

(f) On the 14th night the Village Munsiff of Jammalamadugu considering that the babul plantation round about the place was in danger of being denuded and learning of the contrary views held on the subject, published by a beat of tom-tom that free felling will not be permitted. The result was a murmur among the public who had not all availed themselves of the opportunity. In a petition dated 5th March addressed to the Collector, ryots of Jammalamadugu stated that some people including Officials, had felled babul trees at Jammalamadugu from 8th to 14th March during the absence of the Tah. Mr. (P. Pillai) from Head Quarters. The petition was referred to the petitioner for enquiry and report.

(g) The District Forest officer came to Jammalamadugu on 6th April, the date of receipt of that endorsement. He and the petitioner held an enquiry about the allegations in the petition, as about 200 ryots had appeared before the former and the result of all this enquiry was reported to Divisional officer in Arzi No. 1297/11-4-95.

The District Forest Officer expressed that the felling could not be prevented under the existing orders and that the Village Magistrate had gone beyond his powers in tom-tomming that babul could not be felled.

Such were the incidents that led to the free felling for a time.

While reporting to the Collector, the Divisional Deputy Collector expressed his surprise that the petitioner should have availed himself of the concession, and that he did not report about the officials; though it was done to the extent it could be then ascertained, Vide report No. 1297/11-4-95. This very Deputy Collector, when asked in Arzi No. 1813/17-5-95 as to whether officials could take advantage of the concession, said in reply to it in order No. 1011/31-5-95, that "the Tahsildar has to execute the orders of the Collector recently received" though nothing was said about the officials in this order. The Collector Mr. Hewetson asked the petitioner so far back as 1st June 1895, why he let the officials to fell Tumma trees, when he had made the reference of 25th February 1895 and had received the order of the D. F. O. No. 2516/8-3-95, which only said that Government had been moved to include Tumma in classified list. The petitioner explained in his report No. 1297/3-6-95, that he did not let any officials to fell the trees. He pointed out that they did so behind his back and without his knowledge. The petitioner regrets to see that the Boards Charge is not what the Collector asked him to explain. The Board says that the petitioner availed himself of his official knowledge to his advantage, to wit, one babul tree worth not more than Rs. 2. It would be seen from the above that when peon Naraina cut a tree following the course of the Stationary Sub-Magistrate and others, the petitioner was not in Jammalamadugu at all, and it could not be for the benefit of the petitioner, as Naraina is himself a ryot of the village. Any way it is unjust to hold petitioner responsible for actions done behind his back. As regards the side remark that he gave disingenuous replies in his explanation when called for by the Collector, on 1st June 1895, the petitioner regrets to say that his candid and straight forward statements to the only question of the Collector were to his misfortune misconstrued. If the Collector had called on the petitioner to explain why petitioner, through Naraina, cut a tree as the Board have since put it, he would have explained as above.

In conclusion the petitioner begs to submit that he feels very much aggrieved that he should have been put to the necessity of submitting an appeal to the Government in such a matter at all. His endeavours from the very commencement, as will be seen from a statement of correspondence on the subject, herewith submitted, were to keep the District Officers informed that the concession was a dangerous one; that it was likely to denude the parts of all the babul plantations and urged firstly to impose some restrictions and subsequently for the cancellation of the orders. The District Forest Officer and the Collector agreed with the petitioner and made a reference to the Board, through the Conservator of Forests, sending a copy of the Petitioner's report, Vide B. P. Forest No. 164 dated 27th March 1895, but the two latter authorities disagreed, though the Conservator endorsed all the apprehensions of the petitioner on the subject. The petitioner having again renewed the protest in Arzi No. 2357/1-6-95, a reference was made by the Collector and the concession was withdrawn. The unexpected punishment inflicted looks like the reward for his earnest endeavours.

*Extract from Revenue Diary.

	Miles.
25th Feb, Muddanur ...	13
26th } Casual leave.	
27th }	
28th }	
1st March Kondapuram ...	20
2nd Lavanur ...	25
3rd Thummapuram to Gundler ...	22
4th Gundler to Jammalamadugu ...	12
5th Kaderabad inspecting 3 villages ...	7
6th Morning	
7th Mala Mudi, Kambaladinsky inspecting 6 villages ...	13
8th after noon.	
9th Dhodiam ...	14
10th Do ...	20
11th Do from Hd. Qrs. inspecting 6 villages ...	11
12th Do do 4 villages ...	10
13th Chinna Venutharla ...	15
14th Kallutia inspecting 8 villages ...	12
15th Gollapally do 3 do ...	7 1/2
16th Jammalamadugu inspecting 5 villages ...	13

6 The report of the Local officers against the petitioner, seems to have been based on the mis-apprehension that the Officials had no right to cut the trees. Even then the culprits ought to have been punished. But now that it has been distinctly ruled that when they did so, they did not transgress the law and they exercised their civil rights conceded to them by law (vide reply of the Honorable Mr. Grose to a question in the Legislative Council which met on 9th Instant), the petitioner humbly begs the Government to exonerate him from all blame and restore him to 3rd Grade Tahsil, with all the prospects of promotion he had, as would be disclosed by the accompanying copies of testimonials &c. Until August last, the petitioner, who has put in about 22 years service, was sub-protem Tahsildar of 3rd grade, on Rs. 200, and the present Collector deprived him of it, apparently as the subject of babul trees was pending with him and made the petitioner revert to his permanent post of Rs 175 (4th grade) though he had held the 3rd grade in all for 3 years and though there were 2 vacancies of Rs. 200 one permanent and one sub-protem in the District.

For this act of kindness the petitioner shall as in duty bound ever pray.

The petitioner humbly begs to remain as

Sombhukha Ray

Dated 18th December 1896.

SARADA PRAS, Doliary.



Proceedings of the Board of Revenue

(Land Revenue),

Dated 11 *February* 1897.

No. 525.

Miscellaneous.

READ — letter from A. C. Sate, Esq., as: Collector of Cuddapah, to the Secretary to the Commissioners of Land Revenue, Madras, Dis: No. 136 of 1897, Rev: Dated 6th January 1897.
 — also ^{the following} letter from the same Officer, Dis: No. 41 of 97, dated 28th January 1897.

With reference to the Board's Proceedings No. 276 Routine, dated 25 January 1897, I have the honor to forward herewith — Copies of the Statements of the Tahsildar and peon Narayana called for by the Board.

Resolution:- Submitted to Government.

2. The main facts of the case have already been fully stated in B.D. ¹⁴¹⁰ Conf: 24 dated 22nd October '96 recorded with ^{Miss No 4738} _{Rev:} dated 23rd November '96.

3. The Collector took Appellant's previous history into consideration when recommending that he should be transferred to the post of Head Clerk, but in ordering his reduction to a 5th grade Schildership the Board considered only the offence described in para 5 of its proceedings viz that he availed himself of his official knowledge to take advantage of a concession which he himself had recommended to be withdrawn on the ground that it would "necessarily lead to injurious consequences" and gave disingenuous replies when explanation was called for. para 15

4. As now pointed out ^{by} Mr. Dordev the question has been fully dealt with in paras 8, 9 and 10 of Mr. Lake's letter which formed an enclosure to the Board's Proceedings quoted above, and is now resubmitted for reference with copies of statements given ^{by}

by the Appellant and by person Saraina on the 30th April 1895 and referred to in para 8 of the Collector's letter.

5. The papers have been detained in the Board's Office until receipt of copies of certain statements. These were submitted with the Collector's letter of January 28 - 1897.

/ True extract /

Recd
Secretary

Q. The Secretary to Government, R.D., with fl: Rep: No 92/97 & its 4 enclosures and two enclosures in Pet: No 181/97 & with Cuddapah Collr's letter dated 24-9-96, No 112 in origl

Relh. ^{12/10/97}

Appeal by a reduced Tahsildar
Rameshett

1-11-97

Read C 1408 of 97

For orders.

The Tahsildar of Erode C. 97

I have gone carefully through the papers & arrived at the conclusion that it is not proved that the work of two officials in the Babels on the 7th March, & that the person may have cut down the wood that was taken to the Tahsildar's house without his knowledge at the time that he knew this is the charge of it of forward.

It must have known, however, how far he & other officials (probably friends of his) were involved when he submitted his report in April, 1896, & so, wishing to Burke the inquiry, he did not hold his investigation properly, or report properly. For this he deserves a punishment. He does not, however, deserve so severe a punishment as is indicated by the great damage which originated by his cutting of Babels & officials in Samudra Nagar. As the Board says in its order of 24.10.96 & No 1410 he could hardly have been given the actual

C 24/10/97

The petitioner, S.

Pompa Pathy Sastri, was a sub-protein Tahsildar on Rs 200 a month and permanent on Rs 175 in the Cuddalore district and was reduced to Rs 150 Tahsildari by the Board of Revenue on the ground that he availed himself of his official knowledge to take advantage of a concession which he himself had recommended to be withdrawn on the score that it would necessarily lead to injurious consequences and gave disingenuous replies when explanation was called for. (B.P. Forest rules No 1410, dated 22nd October 1896).

The circumstances out of which this charge arose are as follows:-

The Govt. in sanctioning the revised rules under section 26 of the Forest Act, did not

included the Summa tree (Babul or acacia arabica) in the list of reserved trees. G.O. No 489 dated 8th July/94 p. 20. In pursuance of the G.O. a supplement to the Cuddalore district Gazette was published in October 1894, stating among other matters that the inhabitants of a village could freely fell trees other than those included in the list of reserved and classified trees. Finding that the order injuriously affected the Summa which was extensively grown ~~and carefully~~ in the Jammalamadugu taluk, the P.T. wrote on the 2nd Feb'y 1895 to the D. Forest Officer for instructions as to whether the tree which was neither reserved nor classified could be freely felled for domestic purposes. The D.F.O. replied on the 7th idem ^{on a post card} that it could be felled without a licence for bonafide domestic purposes.

This concession gradually became known to the officials and to the reading portion of the public. The petitioners again wrote to the D.F.O. on the 25th idem protesting against the concession and stating that

Flagged B

consequences of his acts. He is to blame, too, — especially as he fully appreciated the importance of the matter — for the erroneous translation of the Circular of May 1894 implied that the concession allowing Babul trees to be cut free of tax was granted only for a limited period. He has been unjustly punished for all this by his degradation from a Sub Post Town Tahsildarship on R 200 to a confirmed Tahsildarship on R 175 to a Tahsildarship on R 150 since November. He had now be allowed to revert to his R 175 grade. He prays that he may be restored to his Sub Post Town grade of R 200 with all the prospects of promotion which he then had. To judge from the record of mistakes (which for the last few years he has been ignorant of) his prospects of promotion could not have been bright, & it would be wrong to order that he should be put in a R 200 place.

23
31/3/97

It was thereupon decided to address the Board of Revenue recommending the inclusion of Babul among the list of classified trees, & the P.T. was informed of the fact in the District Forest Officer's letter of the 8th March.

at m. The order had been passed on the 1st March but was actually despatched on the 8th idem. The Coll. excuses that the Tahsildar got news of it before the final copy reached him.

upon the cutting of Babul, unless some restriction was placed the whole of the trees would be destroyed by the ryots and that pending final orders, he had issued no orders to the village officers.

While matters stood in this state, certain officials, pleaders &c. residing in Jammalamadugu, some of whom had obtained licence, and others had none whatever, cut Summa for firewood, to the latter class of people belonged the Tahsildar's person & Varayana, who had cut a Summa and carried away firewood to the Tahsildar's house.

Now the questions for consideration are (1) whether this person had procured licence with or without the knowledge of the Tahsildar and (2) if he had done it under the express direction of the Tahsildar, whether the latter was aware at the time of the contents of the D.F.O.'s order of 8th March/95 which was to the effect that the concession should be held in abeyance pending orders of the Board of Revenue to which a reference had been made on the

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Flagged B

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subject.

It is admitted by all parties concerned that the cutting of trees by jammalamadugu officials took place in March/95. The date on which the Tahsildar's firm had the tree cut is of prime importance in the case. The Colls discusses the question at great length in paras 5, 6, 7, 8 and 9 of his letter dated 24th Sept/96 and concludes that "it may be reasonably gathered that the cutting of the firewood for the Police Inspectors and Tahsildar took place sometime between the 4th and 7th March, when both officers were present at their Headquarters and not during their absence as alleged by them; and assigns the following reasons for his conclusion.

i. The Forest Ranger of Chodolabre reported to the District Forest Officer in his letter no 254 dated 10th March/95 that the Tahsildar, Head accountant, the Village Munsiff and others of jammalamadugu had felled timber of this date of cutting.

ii. The Police Inspectors admitted having obtained a cart load of firewood for his use after consulting the Tahsildar, the Inspectors of

It is of importance with reference to the Tahsildar's explanation that the tree was cut behind his back & during his absence.
 74/3/97
vide place marked with red tape

This is the only direct evidence

The Colls reports that he has seen "of individuals" but does not say who they were. It is not clear whether the Colls is referring to the Tahsildar or to the Police Inspectors.

vide para 3, (C) & 4 of his final report.



The Tahsildar says it was just before he went into camp (i.e. on 8th March).

A note to this effect is in all probability have been entered in an earlier diary, but the Police Inspector learnt from the Tahsildar before the 15th February that the cutting was not an offence; for the incident which gave rise to the note took place on the 9th February & forced to the effect of a police occurrence report dispatched before the 12th idar.

Police was in camp from 15 to 28th February/96 and returned to the Head quarters on the 1st March. The Tahsildar was engaged in jamalbandi with the Colls from 15th Feb to 21st idar; he was on casual leave from the 28th to 28th Feb and was in camp from 1st to 3rd March and again from the 8th to 16th March. The Colls ^{argues} thinks that the consultation between the Tahsildar and the Inspectors must have taken place either before the 15th Feb or after the 3rd March. It could not, ^{he} before the 15th Feb as the necessity for firewood arose only in the latter part of Feb according to the Police Inspector's statement. Again the ^{had occurred} previous Police Inspector's ^{had occurred} recorded in the Station House Officer's diary of 4th March/95 that the cutting of babul trees on jamalbandi land for domestic use was permitted.

that no offence was committed. ^{Inspector} were no doubt the remarks and the result of his consultation of the Inspectors with the Tahsildar and consequently could not have taken place before the 15th March, the Tahsildar being in camp until the 3rd. The evidence of the Tahsildar

person clearly shows that the Police Inspector was getting firewood cut about the same time as the Sahildar's firewood was cut. (The second prosecution witness in C.C. 22100 of 1895 on the file of the Muddalore Stationary Sub-magistrate deposes that when the accused in that case was questioned by him on the 7th March/95 as to why he cut a *Gumma* in *poramillake*, he replied that an order was received permitting free cutting and that officials in *Jammalmadugere* were also cutting trees in pursuance of that order.

An entirely disinterested individual, namely,

As the Collo observes there is some mystery about the date of his (Sahil's) cutting. There is no positive proof or evidence of persons who had them selves seen the act done. The statements of persons quoted above were hearsay.

The Sahildar says that the Police Inspector consulted him sometime before the 15 Feb'y and the firewood was cut during his absence from the Head quarters. (1895/16th March/95) The divisional officer held an enquiry into the case.

I.E. during *Turki's* absence 1/24/95.

When the charge is an evidence this is not so important a matter. It is plain that this cutting was not after the receipt of the order which with a considerable approbation of the officer. 1/24/95.

The Collo quotes the Sahil's subsequent conduct as corroborative? evidence of the truth of his statement (para 9, of his letter)

under instructions from Mr. Hewitt fixed the date of cutting as the 9th or 10th March in case of the Police Inspector and the Sahil.

~~The Sahildar has submitted evidence to support this date.~~

If it be held that the cutting of firewood took place sometime between the 4th and 7th March, it cannot be safely asserted that the Sahildar could have any knowledge of the D & O's order of 8th Idem which reached the Taluk Head quarters on the 9th Idem. It was received by the Stationary Sub-magistrate as the Sahildar had gone on tour. It was received by the latter on the 11th Idem in camp. The Collo thinks that the Sahildar must have received private information of the D & O's order which was, though dated 8th March, drafted on the 1st Idem. This is only a surmise and there are no circumstances to lend support to it. It is in this connection that the D & O said that the concession should be held in abeyance pending orders of the Board of Revenue to whom a reference had been made on the subject.

Reference is made both by the Collr and Sahildar to the petition presented by the ryots of Jammalmaduge on the 15th March wherein they stated that the govt. officials cut trees as they pleased from 8 to 14th idar. The petition was transferred to the civil officer for disposal on the 31-3-95, who in his turn referred it to the Sahildar for enquiry and report; the latter sent in ^{his} report on the 11th April which the Collr considers was quite opposed to the attitude he had taken in his correspondence with the D. F. O. The Sahr stated that the D. F. O. whom he had met, thought that under the existing orders, tree felling for domestic purposes was permitted (vide para 10 of the Collr's letter.) In his deposition given before the Dy Collr on the 30th April/95 the Sahr stated that he was unable to find out who the officials were that felled trees with licenses and who felled without licenses. The Collr considers this is incredible as it is disingenuous and that apparently the Sahr did not

but that when the ryots began to cut firewood there was a "ban" from the village magistrates "prohibiting it"

It certainly is. The D. Collector found out that the officials concerned were the Sahr himself, The Police Inspr, the Stationary Sub-mag, the Taluk head accountant, the Sub-mag, the local headman, &c. &c. who between them took away the wood from the ryots.

Flagged C

in it and wished to suppress the matter if he could. A copy of the deposition accompanies the records. ~~The Sahildar's connection with the cutting of trees is shown.~~ The collector states that there was no wholesale cutting from the 14th March till the latter ^{part} of May. In the events that followed, the Sahr does not seem to have had much to do. Upon the reference made in March/95, the Board declined to place any restriction upon the cutting of Tumma (vide B.P. Forest No 164 & 27-3-95 recorded in G.O. No 1783 & 4-5-95) and when the Board's orders were known, the people took to indiscriminate and wholesale felling of the babul tree, not only in Jammalmaduge but also in the Proddatree and Mulivendla Taluks and this useful tree was in ^{imminent danger} of total extermination. The Sahildar again ^{made representations} in his report of 4th June/95 ^{urging} the wholesale destruction and urged the necessity of placing restrictions upon tumma cutting. People vied with one another to procure as much wood as possible

Flagged D

vide paras 12-16 of the coll's letter
Thousands of trees were cut, in
53,068
pammalnadu alone ~~50,000~~ trees
were destroyed. Then the Board

of Revenue upon a second representation
by Mr. Thurston recommended
the inclusion of the tree in the
classified list and the Govt sanctioned
it (vide G.O. no 445 of 13 July 1906) I lagged

In commenting upon the
conduct of the petrs, the Board
says that the extraordinary haste
with which the people proceeded
to fell the trees was undoubtedly
to some extent a consequence of
the action of the petitioners. In
awarding punishment the Board
took into consideration his previous
history and some other instances
of unsatisfactory conduct. (Para 12 of BP)

In 1890 the then Head Asst
Colls reported against the petrs
as Tahsildars of Pulimudla

(a) That he purchased some
lands in Kempalli in the name
of Saluk in the name of his son-in-law.

(b) That he received bribes from
parties in magisterial cases.

(c) That he had several other instances

he; the Gov took his previous
history into consideration but
the Board did not, viz para 3
of the current order disposal
I lagged

It is unnecessary to go into these
matters as the Board awarded the
punishment appealed against, merely
because the appellant "availed
himself of his official knowledge
to take advantage of a concession
which he himself had recommended
to be withdrawn on the ground that
it would lead to injurious consequences
and gave disingenuous answers
in reply when explanation was
called for." I lagged

Mr. Sewell the then colls reported
to the Board of Revenue - "The charges
seem to me to justify the removal
of the colls from this St. and, I
think, his degradation. He is one
of the most energetic and success-
ful Sahrs in the dist. and if the
Board remove him, I trust a
thoroughly good man may be sent
in his place". The Board directed
that explanation should be
taken from the petrs in the matter
of land owning. ~~But~~ the colls trans-
ferred him to Vizulpad and
removed his name from the
list of officers recommended for
the post of Dy colls. This was considered
a sufficient punishment at the
time.

again in April 1901 the H. & Asst
Colls brought to notice further facts
against the Tahsildar, Mr. Wolfe
Murray called upon him for an
explanation & upon receiving it,
the colls recorded the papers, having
sent the following d.O. dated 20-8-91
to the petitioners.

"I am sorry to say I have
during the last ten days received
two petitions regarding you

your proceedings at Voyalpad during the last 2 or 3 weeks and one of them is not anonymous. you cannot pretend that the H^d assistant Col^l is at the bottom of all these. She matters will be enquired into in due course. you told me at Gwarahonda that it was ridiculous to suppose that you would buy such a paltry piece of land as a mere two acres. I answered that that would depend whether it was a rich tope or what not. you said it was not a tope at all and left me to understand it was a mere ordinary land. I was as I now find that the land - a fact I did not know then - was bought for Rs 1000 - a very trifling sum so small; and that Rs 1170 had been offered by another party for the same. Can I consider your conduct open and above board after this? A thick cloud seems to be collecting round you, if you do not take great care, the very least you can expect will be degradation to a considerable degree if not dismissal. The idea of your putting forward your

"some of your transactions is superlatively ridiculous."

In the matter of loans, the work done by the Sahaidar is ^{said to be} satisfactory. He did not devote proper attention to securing the maintenance of records in such important matters. The Col^l has promised a separate report on loans work to the Board in the settlement Sept.

His work in connection with the repair of a Sasabandham tank was severely criticised by Mr Wolf Newnham thus.

"The idleness of the Sahi Pimpasari Sastri who spent Rs 244-1-9 of public money in order that Govt might hereafter lose some ten rupees is most remarkable. He certainly should be called upon to show cause why he should not pay for the undoing of what he has done in this connection. The village officers assure me that he did this on his own motion and not on their recommendation."

In the case referred to in para 27 regarding repairs to another tank, the Col^l has not completed his inquiries.

The Sahaidar assigned

14
an acre of land to an influential ryot of Gundlur in Pullampet Taluk from the village poramboke. The Col is taking steps to set matters right.

The matter referred to in para 29 regarding the registry of of an Imam in the Jammalmaduge Taluk is another instance of irregularity. The Col says that the matter is being rectified.

His conduct in expending Govt. money is unsatisfactory in the following instance. Rs 71 for purchasing furniture and 140 Rs for whitewashing were sanctioned for the pet's Taluk. He drew the money and paid it to the village munsiff of Jammalmaduge whose receipt he forwarded to the Treasury officer as a voucher. When called on to explain he said that the money had been given to the village munsiff for buying best furniture and for whitewashing. When detailed bills were called for, he reported that he had submitted them for the countersignature of the Divl officer, the bills were in fact submitted to the Divl officer only on the 11th idar 1284 of the Col's calendar.

15
As pointed out supra, pet. was reduced solely on account of his action in the matter of the felling of babul in Jammalmaduge. The Board did not take his previous misconduct into consideration. It is merely relevant as showing that the pet's past record is not such as to entitle him to lenient treatment for his present misconduct.

17/2/57.
25. 3. 57

Tahsildar did his work very superficially. He got a sasalbandh well in Muddanur repaired by a contractor, a relation of the village munsiff of Jammalmaduge. The Tahs. inspected and paid the contractor nearly Rs 200 and the work gave away the best day.

The petitioner submits that he has not been given an opportunity of refuting the charges based upon his previous history and other instances of unsatisfactory conduct. It is submitted that with regard to previous history, both Messrs Sewell and Wolf Murray allowed him sufficient opportunities for explaining, and their observations were based upon full consideration of all facts.

With regard to recent instances of unsatisfactory conduct, both the Colrs. will perhaps allow him an opportunity to explain matters for the Colr. does not appear to have completed his enquiries into some of them.

The pet. prays the Govt. will exonerate him from all blame and restore him to 3rd grade Tahs.

with all prospects of promotion

almost the only question for consideration is whether the punishment awarded is excessive.

The Sub: certainly gave ^{disingenuous} replies to the D: Collector, & did not make a real enquiry into the matter referred to him for report.

This leaves little doubt that, as the Col: says, he was trying to suppress the investigation of an accident in which he & his fellow officials were concerned.

It is probable that he is not telling the truth in saying that the Police Inspector consulted him before the 15th of February.

Per contra it is to his credit that he was himself at the outset engaged in trying to get Babal placed on the classified list, and there was nothing illegal in the action taken by any of the taluk officials with D.F.O.'s order that to all the effect he had been in absence ultra vires, & the Sub: was not legally bound to give effect to it.

but he appears to have acted most improperly in taking no action thereon from the 11th March to the 13th May.

it must be allowed that I submit this ~~disproportionate~~ charge as framed by the B: is proved. The Sub: admits that the wood was burnt in his house - hence fact technically ^{first part of the} this charge is established but ^{to prove} it is not clear that it was with his connivance or knowledge, & that the evidence in this respect is very weak & inconclusive. Blame attaches to him only on the presumption that he knew or authorized all that went on in his house.

His conduct in regard to this investigation into the petition is however clearly disingenuous. What he ~~seems~~ ^{seems} to have urged was quite true perhaps but he put it forward & did not say he was himself involved.

Taking however the offences as proved I think the man has had somewhat hard measures. I knew him in Ludhiana & I can not give him a good word. He is unscrupulous but that is hardly a reason for clearing him of everything.

apt him and punishing
him with undue severity.
His officers are men of mission
these commission & I think
he should be treated in
a just manner.

124/2187

op

See

Read C N 1408 of 1897

G.O. No. 1861 of 6th April 1897

After a careful consideration
of the case ^{G.O.} ~~H.E.~~ the ~~governor~~ ^{governor} council has
arrived at the conclusion that it is
not proved that the petitioner Mr. R. R.
Pompapathy Sastry was one of the
officials who cut the babul trees on
the 7th March 1895. ^{It is possible that} the wood
that was taken to his house ^{was} might
have been cut by his peon without
his knowledge at the time

2. The Sahr must have known
however, how far he and other Subik
officials were involved in the matter. It
when he submitted his report in
April following and it is plain that
with the object of ^{giving further information} ~~banking the enquiry~~ ^{into the matter} ~~it is plain~~ ^{he did not hold the investigation}
properly or ^{openly} ~~submit a full report~~.
He is also responsible - especially as
he fully appreciated the importance
of the matter - for the erroneous trans-
lation of the circular of May which
implied that the conversion of free

allowing of balul was granted for a limited period only.

3 For all this the pels no doubt becomes punishment but in the opinion of Govt. the punishment to be awarded should not be measured by the extent of the damage which he has with. the cutting of balul trees by officials in jammalwadga. As the Board has rightly put it, the Tahsildar could hardly have foreseen the actual consequences of his acts.

In these circumstances the Govt. considers that the pels who was a permanent Tahsildar on Rs 175 with a sub. problem appointment on Rs 200 has been sufficiently punished by his degradation since now he is reduced to a post on Rs 150 and is accordingly pleased to direct that he be now restored to his permanent Tahsildar post on Rs 175. This is great honor to him in view of his past record. Govt. does not consider that it is wrong to direct that he should be restored to his sub. problem appointment on Rs 200. is inadmissible in view of his past official record of which he has not done any more.

Y.B.P. No 1410 vis 22-10-96.

In view of petitioner past record, Govt. does not consider that it is wrong to direct that he should be restored to his sub. problem appointment on Rs 200.

To The Board of Revenue (L.R. 7.90) with a/c

A.G. 470

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189

SHAD AGAIN G.O., No. 189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO

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