

CONFIDENTIAL.

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1147

Confidential 32

Dated 20th March 1899

[Despatch Abstract.]

Directing that the period of suspension undergone by Mr. G. Lakshminarayana Pantulu, Deputy Tahsildar & Sub-Magistrate of Tekkali Ganjam Dt. should be treated as a substantive punishment & that he should further be reduced to a ministerial appointment carrying a monthly pay of about Rs 40.

BACK PAPERS.

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

FURTHER PAPERS.

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

REVENUE

Confidential
Marine (1899) Department.

CURRENT No. 114

confd no 5



From

The Board of Revenue,
Land Revenue,
Madras.

Ref No. 7/Confdl.NO.1

Dated 3rd January 1899.

Received 6th do

Enclosures

Spare copies

SUBJECT.

Submitted
Submitting for orders letters from
the Collector of Ganjam reporting on -
certain charges against M. P. G. aksh-
mal a Patil, Deputy Tahsildar and
Sub-Magistrate of Tekkali, Ganjam Dist.

See
In Orders

The L.P. states the case in
detail & at length. The refs
& cross refs are marked

Me
17.1.99

BACK PAPERS.

FURTHER PAPERS.

Revenue Board Office

(Land Revenue)

Madras, ...3rd January 1899.

No.	Date.
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No.	Date.
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Read the following:-

1) Not submitted to Govt.

(1) Board's Proceedings NO.2005 Misc./Confdl.NO.63, dated 27th July 1898, recording letter from the Collector of Ganjam reporting the suspension of M.R.Ry. G.Lakshmayya Pantulu, Deputy - Tahsildar and Sub-Magistrate of Tekkali.

2) p.18 of file

(2) Board's Proceedings NO.2175 Misc./Confdl.NO.73, dated 13th August 1898.

3) pp.19-50 of file

(3) letter from H.D.Taylor Esq.; Ag.Collector of Ganjam, Disposal NO.30 Confdl, dated 29th September 1898, submitting a - further report on the charges brought against M.R.Ry.G.Lakshmayya Pantulu, Deputy Tahsildar of Tekkali.

4) pp.192-193 of the file

(4) also letter from the same officer Disposal NO. 31 Confdl. of 1898, dated 9th October 1898, forwarding translation of an extract of the schedule of assets as filed in the District Court of Ganjam by the Executor of the late G.Viraiya Setti.

5) p.189 of the file

(5) Endorsement of the Collector of Ganjam, dated 30th September 1898.

6) Not submitted to Govt.

(6) petition from Guruzada Lakshmaiya, Berhampore, Ganjam District, dated 31st October 1898, requesting that the disposal of his appeal may be postponed pending submission of further explanation and documents.

7) pp.194-197 of the file

(7) petition from the same person, dated 6th November 1898, submitting supplemental petition regarding his suspension.

(8) the following Reference NO.195/Confdl.NO.36, dated 22nd November 1898.

Referred to the Collector of Ganjam for very early remarks, with special reference to the statement made in para 7.

9) pp.206-222 of the file

(9) also letter from H.D.Taylor Esq.; Ag.Collector of Ganjam, Disposal NO.38/Confdl. of 1898, dated 4th ^{December} November 1898, offering remarks on petition NO.2241 presented to the Board of Revenue by M.R.Ry G.Lakshmaiya Pantulu.

See (7) above

The letters from the Collector of Ganjam reporting on certain -- charges against M.R.Ry.G.Lakshmaiya Pantulu, Deputy Tahsildar and Sub-Magistrate, Tekkali, Ganjam District, re submitted for the orders of Government.

2. The charges are divisible into two sets. Those constituting the first set arose out of the receipt by the Collector of certain pseudonymous telegrams in April 1898 bringing to notice that the Deputy Tahsildar was concealing some of the chittas belonging to the Nandigam estate. It may be mentioned that the proprietor of the estate died on 9th January '98 and the Deputy Tahsildar took charge of the property belonging to the estate on behalf of the minor heir. On receipt of the first of the telegrams in question the Deputy Tahsildar was directed to appear before the Collector with the chittas of the three previous faslis. He presented himself before the Collector at Chatrapur on 11th April 1898, accompanied by Pattabhiramaiya, sometime estate gumastah, and a peon and produced 28 books of accounts which the Collector stamped with his date stamp. Finding that the records were incomplete, Mr. Taylor decided to subject the whole of the estate records to a complete investigation, which the Principal Assistant Collector was directed to carry out at Tekkali. In the course of the examination of the records the attention of that officer was drawn first by his Head Clerk and subsequently by M.R.Ry. Mukunda Rao Nayudu, (who was acting as Deputy Tahsildar during the absence of M.R.Ry.G.Lakshmaiya Pantulu who had availed himself of three months privilege leave from 1st May 1898), to two erasures appearing in Chitta NO. 29, a cash book relating to the accounts of the years 1896 and 1897. The Principal Assistant Collector (Mr. Lys) also found entries in the same chitta of various sums paid to the Deputy Tahsildar at different times. Mr. Lys held a full enquiry into the conduct of the Deputy Tahsildar in this matter, took his statement and those of the witnesses against him and allowed him to call his own witnesses and cross-examine persons deposing against him. The Deputy Tahsildar availed himself of the permission to cite witnesses but declined to cross-examine the adverse witnesses. On receipt of Mr. Lys' report the Collector placed the Deputy Tahsildar under suspension and after getting his explanation addressed the Board for orders as to the disposal of the case. No formal charges had up to this stage been framed against the Deputy Tahsildar and

in its page No. 2175d1389 - p 18 of file.

the Board directed that the omission should be repaired at once. Mr. Taylor has now done so and in resubmitting the records of the case he also transmits the records of his enquiry into the charge of ~~his~~ secret land-holding which was brought against the same Deputy Tahsildar in 1896 or 1897 and has since been under enquiry.

3. The first set of charges is as follows:-

(1) accepting Rs. 116 from the late proprietor of the Nandigam estate as a gratification on the occasion of the birth ceremony of the Deputy Tahsildar's son about June 1897;

(2) receiving various sums of money at various times -- during the fasli year ending June 1897 by way of illegal gratification or payment as batta (in connection of with the attachment of the village of Nandigam for arrears of peshkash) as set forth in the zamindari chitta:

29-11-96	Rs. 33 - 0 - 0	(Ex.C)
do.	, 30 - 0 - 0	(Ex.D)
30-11-96	, 2 - 0 - 0	
1-12-96	, 7 - 10 - 0	
18-6-97	, 121 - 15 - 0	(Ex.A);

(3) erasing or causing to be erased portions of entries in the chitta relating to the two transactions, Rs. 116 and Rs. 121-15-0,

(4) withholding certain chittas including chittas referred to in (3) when ordered to appear before the Collector with all the chittas;

(5) neglecting to take proper care of certain property belonging to Nandigam estate which was entrusted to him for safe custody, viz., three boxes said to have contained valuable cloths, and thus causing loss of property to the estate.

4. The evidence on the first charge is that of Kalia Santho alias Vidyadhara Santho, brother and Dewan of the late zamindar, and of G. Adinarayana Rao, an estate clerk. The former deposes -- that he himself paid the sum referred to (Rs. 116) to the Deputy Tahsildar as a "mamul" at the birth ceremony of the Deputy Tahsildar's son but does not remember the exact date. The clerk, G. Adinarayana Rao says that he wrote the entry in the zamindari chitta at the direction of Vidyadhara Santho. In explanation the

Reference NO.7/Confid. NO.1, dated 3rd January 1899.

The letters from the Collector of Ganjam reporting on certain -- charges against M.R.R.G. Lakshmaia Pantulu, Deputy Tahsildar and Sub-Magistrate, Tekkali, Ganjam District, are submitted for the orders of Government.

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do.		,, 30 - 0 - 0	(Ex.D)
30-11-96		,, 2 - 0 - 0	
1-12-96		,, 7 - 10 - 0	
18-6-97		,, 121 - 15 - 6	(Ex.A)

(3) erasing or causing to be erased portions of entries in the chitta relating to the two transactions, Rs. 116 and Rs. 121-15-6;

(4) withholding certain chittas including chittas referred to in (3) when ordered to appear before the Collector with all the chittas;

(5) neglecting to take proper care of certain property belonging to Nandigam estate which was entrusted to him for safe custody, viz., three boxes said to have contained valuable cloths, and thus causing loss of property to the estate.

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x p. 117
Deputy Tahsildar says that the birth ceremony did not take place on the date given in the chitta viz., 19th June 1897, and that he was in fact absent at Berhampur on that day. He also brings forward the evidence of certain witnesses who say they were present at the birth ceremony and declare that Santho was absent therefrom and that they were "not aware" of any payment being then made, ^{to} the Deputy Tahsildar.

5. The evidence on the second charge is again that of Kalya Santho who has deposed that he himself paid Rs. 121-15-6 to the Deputy Tahsildar in December 1896 in order, as he says, to prevent fraud in connection with the attachment of Nandigan village for arrears of peshkash due to Government; that Rs. 30 and 33 (Exs. D and C) were also paid to the Deputy Tahsildar for palanquin expenses at the time the village was under attachment; that of the amounts entered in Ex. E the smaller items were paid for the lodging expenses of the Deputy Tahsildar and others while the deponent himself paid Rs. 25 to the Deputy Tahsildar under the orders of the zamindar. According to the witness' own words payment of the first sum, Rs. 121-15-6, "was made" at the time of attachment and entered in the rough chitta. He apparently intended to convey the impression that the entry in the rough chitta was made at or shortly after the date of attachment, for he adds that "in transcribing to fair chitta the original date is not entered but the date found therein is the date of transcription." The Board observes, however, that in fact the only date in the rough chitta entry is 18th June 1897, and all the other transactions on the same page of the rough chitta refer apparently to the same date for the Uriya date at the top of the page is 18th June 1897. This is also the date of transcription into the fair chitta. This fact detracts a good deal from the credibility of the rough chitta as a contemporary record of the transactions entered therein.

6. In defence the Deputy Tahsildar contends that the items constituting Exs. A, C and D are obviously false and made by Santho to cover his own dishonesty. He also points out that the amounts said to have been paid for palanquin expenses are absurdly high, being quite out of proportion to the actual rates and the distance travelled which was only five miles. The Deputy Tahsildar brings forward one witness who says that amounts tallying with the entries in question were paid to him and also cites other witnesses who affirm that the Deputy Tahsildar paid his own tour expenses.

7. With regard to the third charge, Kalya Santho is again the principal witness. He states that after the zamindar's death the Deputy Tahsildar

It is to be noted that the signature under the entry is 'Vediyatharam' please see sheet C tagged to the current

Tahsildar finding the two sums in question entered in the chitta as paid to him, sent for the witness and, putting him in fear made him erase the parts of the entries which showed him (the Deputy Tahsildar) as the payee and made the deponent add his initials or rather his signature to the erasures. The clerk who made the original entries under the direction of Santho has deposed that the word erased was the name of the Deputy Tahsildar. The answer of the latter to this charge is a flat denial of the whole transaction spoken to by the above witnesses.

8. With regard to the fourth charge, Exs. F and G purport to be receipts given for two sets of chittas, one set consisting of four bound and four unbound books, and another made up of ten -- bound and twelve unbound books, in all thirty books which were taken from the Deputy Tahsildar's and the zamindar's office respectively on 9th April 1898. Shroff, Marinarayana Patnaick and Pattabhiramaia, sometime estate gumastah, who signed the receipts and Venkataswami Nayudu, Head Gumastah, Tekkali Taluk office, who affixed his initials thereto, acknowledge their signatures and initials respectively. Pattabhiramaia explains that the chittas were taken, some from the Deputy Tahsildar's office and some from the zamindari records as noted in the receipts. He says thirty chittas were packed at Tekkali but that when he counted them at Chatrapur whither he accompanied the Deputy Tahsildar he found only twenty-eight. The evidence goes further as he states that he actually remembers packing chitta 29 along with the others.

The Collector stamped all the chittas produced before him; but chitta 29 and the other chitta, i.e., the rough chitta, which were subsequently produced before Mr. Tys, were found by that officer to be unstamped by the Collector which showed that they had not been produced before Mr. Taylor. The Deputy Tahsildar explains that the fact that certain chittas were missing was noticed by the Collector and accounted for on the spot by Pattabhiramaia who said some were in the District Court and some were with Santho, and that after his return to Tekkali he accordingly obtained some additional chittas from Santho. The Deputy Tahsildar impugns the genuineness of Ex. G in toto.

9. The record relating to the fifth charge has not been --

Ex. F his explanation d. 28.6.98. p. 116 at Ser

Ex. G pp. 97-98 for translation please see sheet A tagged with the current (1) p. 77 (2) p. 63 (3) p. 65

Please see para 2 supra

Mr. Tys' report p. 907

Ex. F explanation d. 28.6.98. pp. 123-4 also, from 2 of the colls. letters d. 28.7.98. - p. 3

pp 64-74

pp 57-58

pp 114 of the chitta

p. 57

* flagged A

p. 57

flagged A

Please see sheet made as tagged following

p. 106 at Ser

p. 84

only one

p. 72

p. 57 For a translation of the entry in the rough chitta please see sheet marked B

Para 6 of the collector's letter 29.9.98 - pp 25-30

forwarded by the Collector, but the facts on which it is based appear to be these:- a list of the property belonging to the Nandigam estate was -- handed to the Acting Deputy Tahsildar when he took over charge from M.R.Ry. G. Lakshmaia Pantulu. This is signed by the latter and contains an entry regarding three sealed boxes containing cloths, but, on examination no such boxes could at first be found. On a further search being made four boxes were discovered in the palace but none of them contained cloths or articles of value. The Deputy Tahsildar's explanation is that the missing boxes - must have been handed over to the Mahadevi at her request but no receipt from her is forthcoming to that effect. The Collector considers that if the Deputy Tahsildar's story is true, a receipt should be forthcoming as there are such receipts in the case of all other articles handed to the Mahadevi, and though he does not actually suspect the Deputy Tahsildar of having made away with the boxes or their contents, he is of opinion that he is responsible for their loss.

Vide para 11 of his explanation 28.6.98 - pp 126-127

10. With regard to the first four charges generally, the Deputy Tahsildar suggests that the whole case against him and also the supporting documents and accounts have been concocted by M.R.Ry. Mukunda Rao Nayudu, the Acting Deputy Tahsildar, in the hope of supplanting him and with a view to wreak vengeance for a fancied injury in the past. The Collector's reports show that this theory is extremely improbable, and there can, in the Board's opinion, be little doubt that the part played by M.R.R. Mukunda Rao Nayudu has been greatly exaggerated. The Deputy Tahsildar, however, alleges that the witnesses who have deposed against him were either under obligation to or on friendly terms with the Acting Deputy Tahsildar. He contends that the evidence of the principal witness, Santho, is unreliable as he is a man of bad character and addicted to ganja-smoking and was on terms of bitter enmity with him owing to his having excluded him from the Fort on the complaint of the Mahadevi after the zamindar's death, to his having disarmed him and sealed up some property claimed by him together with property of the late proprietor; witnesses have been produced who speak to the disarming of Santho, his exclusion from the Fort, his habits of intoxication and his dissatisfaction with the Deputy Tahsildar, but it should be observed that there is little if anything to prove that the two men were on bad terms at the time when the damaging entries appear to have been made in the zamindari chittas. The Deputy Tahsildar likewise impugns the evidence of the Shroff Marinarayana Patnaick, the writer of and one of the

Para 11 of the collector's letter 23.7.98 - pp 9-10 + 13-14
Para 12 of the collector's letter 23.7.98 - pp 9-10 + 13-14
Para 13 of the collector's letter 23.7.98 - pp 9-10 + 13-14

p 127

signatories to Ex.G, and points out that his indebtedness and untrustworthiness had been brought to the Collector's notice by himself so far back as February 1897 and that he has since been dismissed by the Collector on a charge of embezzling Government money.

Para 14 of the collector's letter 29.9.98 - pp 30-50

Para 15 of the collector's letter 29.9.98 - pp 30-50

Para 16 of the collector's letter 29.9.98 - pp 30-50

Para 17 of the collector's letter 29.9.98 - pp 30-50

p 31

p 34

p 39

Vide sub-decree - p 152 + p 164

* p 170

pp 170-171

pp 136-137

11. Coming to the second set of charges, the facts elicited by the Collector after enquiries extending over two years appear to be as follows:-

M.R.Ry. G. Lakshmaia has an elder sister, Govindarazula Suramma, a childless widow living in a house belonging to the Deputy Tahsildar at Perhampur. She apparently pays no rent to her brother, whose son, a student in the F.A. Class in the Kallikota College also stays with her. Her husband who was a trader died

about thirty or forty years ago, and appears to have left her property which the Collector says was worth Rs 3,000 or Rs 4000.

Two doors from Suramma's residence lived Viraiya Chetti, who acted as banker to Suramma and to the Deputy Tahsildar also, though in his case to a smaller extent. On the 29th January 1896 Viraiya Chetti bought one-eighth share of Malagan Hunda in Tekkali Taluk (where the Deputy Tahsildar held office) for Rs 1900 and on

12th February 1896 certain lands in Bijapur for Rs 300. He bought some more lands in Bhattukumarada and died about a year later on

7th February 1897. His executor Appalanara Chetti, has admitted before the Collector that the real owner of the lands bought by

Viraiya Chetti is Govindarazula Suramma, the Deputy Tahsildar's sister, and other evidence to the effect has also been produced.

The following charges have been formulated against the Deputy Tahsildar with regard to these lands:-

(1) that the Deputy Tahsildar infringed rule 13 of the Rules for the personal conduct of Government servants by failing to report the acquisition by his sister, Govindarazula Suramma, through Viraiya Chetti of the lands in Malagan Hunda, Tekkali Taluk, and in Bijapur and in Bhattukumarada in Perhampur Taluk;

(2) that the Deputy Tahsildar was the real purchaser of the said lands bought in the name of his sister under a benami transaction and thereby infringed rule 2 of the Rules for the personal conduct of Government servants;

12. That the lands in question were acquired by Viraiya Chetti

on behalf of Suramma is established by the following evidence:-

(1) testimony of Appalarasaiya Chetti, executor to the estate of Viraiya Chetti, to the effect that he has received no rent or produce from the lands and has paid no assessment thereon; p. 171

(2) the same person's testimony that agreements were in existence, two of which he had seen, transferring the lands in question to Suramma.--- p. 171

This statement is repeated by Appalarasaiya in the schedule of assets of Viraiya Chetti filed by him in the District Court, Ganjam; p. 190

(3) testimony of the vendor of the Bijapur lands that he had been told that the lands were required for a Brahman woman, the sister of a Sub-Magistrate residing near Viraiya Chetti; (p. 172 - portion marked A)

(4) receipt for payment of assessment by G. Suramma on account of Viraiya Chetti; p. 151

(5) patta given by Suramma to the tenant of the lands in Bhattukumarada; p. 150

(6) statement of tenants of the Bhattukumarada lands that they were cultivators under Suramma. p. 172 - portion marked D

13. The following evidence pointing to M.R. Ry. G. Lakshmaiya Pantulu's connections with these transactions has also been adduced:-

(1) accounts of Suramma's dealings with Viraiya Chetti in which Lakshmaiya's name figures frequently as having paid or received various sums; pp. 182-183 -

(2) statement of the vendor of the Bhattukumarada lands to the effect that he sold them to a Sub-Magistrate who lived two doors from Viraiya Chetti; p. 172. portion marked C

(3) statement of Narasinga Pandu, late Karji, that he sold the Bhattukumarada lands to G. Lakshmaiya who said he wanted them for his sister and authorized him to pay the vendors from his (Lakshmaiya's) deposit with Viraiya Chetti. Deponent also sent the produce of the lands on one occasion to G. Lakshmaiya under his orders. p. 173

14. By way of answer to the second set of charges the Deputy Tahsildar denies all knowledge of the transactions which he says he had no means of knowing as he lived apart from his sister. He declares that his sister was absolutely independent of him, and contends that the facts of his sister living in his house at Berhampur and of his son living with her do not prove that she was dependent on him. The Deputy Tahsildar seeks to discredit the oral evidence against him from the fact that it was not subjected

to cross-examination. Mr. Taylor explains that the omission was due to the fact that the Deputy Tahsildar himself did not express any desire to cross-examine the witnesses and points out that the documentary evidence alone is sufficient to establish the Deputy Tahsildar's guilt. Moreover, as observed by Mr. Taylor, the Deputy Tahsildar has, by his tardy admission of his sister's interest in the lands in question and of her dependence on him for at least her lodgings in Berhampur laid himself open to the charge of having infringed rule 13 of the Personal Conduct Rules; the other evidence against him on this charge is in comparison of minor importance and may be neglected in dealing with his case.

15. Having sketched the evidence for and against the Deputy Tahsildar in both sets of charges, it remains for the Board to say that as regards the first set it has come to the conclusion that there is a good deal that is unsatisfactory about the evidence. The testimony of the principal witness, Kalya Santho, who is probably an unprincipled man, is not entirely reliable and the probative value of the rough and fair chittas is discounted by the fact that they are not contemporary records of the transactions entered in them. On the other hand the evasive and obstructive attitude adopted by the Deputy Tahsildar in the enquiry --

held by Mr. Lys, the nature of the defence which he set up, the reluctance of the witnesses to give evidence against him and the mysterious disappearance of Chitta 29, not satisfactorily explained except on the hypothesis that he withheld it from production

before the Collector, are circumstances which lead to grave suspicion against him. On the whole, the presumption is strong that the Deputy Tahsildar is guilty, but in view of the undoubted elements of weakness in the case, the Board considers that these charges cannot be pressed. The Deputy Tahsildar is entitled to a verdict of "not proven".

16. It is otherwise with regard to the second set of charges. As pointed out by Mr. Taylor the secrecy observed by the Deputy Tahsildar for so long a period leads to the presumption that he was himself interested in the lands. But even if this is not considered as established, the Board is of opinion that he has

④
vide para 4 & 14 of Collyer's letter dated 23.7.95
pp. 5 & 16

* This is apparently based on the statement in para 7 of the Collyer letter dated 23.7.95 (p. 9) that the witnesses were at first unwilling to give evidence. The Collyer letter does not appear to say that they were not cross-examined.

pp. 46-49

the Deputy Tahsildar was not cross-examined. The Board is of opinion that he has not been properly cross-examined.

* p. 121

infringed rule 13 of the Rules for the personal conduct of Government servants under which he was bound to include in his own land return the acquisition of land by his widowed sister who was dependent on him. The questions whether the Deputy Tahsildar was aware of his sister's dealings in land and whether she was dependent on him are answered partly by the direct evidence mentioned above and partly by the presumptions arising -- from the facts that his sister had no children of her own and was living in his own house at Perhampur in charge of his son who was studying in the local College. These presumptions by the selves are so strong as to amount in the circumstances to positive proof against the Deputy Tahsildar. Again, the Deputy Tahsildar vouchsafed no information whatever on the subject of his sister's ownership of land so long as he was able to elude the Collector's enquiries, which, as mentioned already, commenced two years ago. When it was past denial that Viraiya Chetti had bought lands, he admitted the fact and said he had heard of the transaction in January 1896, but totally disclaimed all connection therewith. Later on when it was established by abundant evidence that his sister held lands, he admitted that it might be so but pleaded that he did not know it was his duty to enquire about her landholding or mention it in his land return. This dissingenuousness suffices to disqualify the Deputy Tahsildar for any place of trust. On the whole the Board is of opinion that his failure to report his sister's trafficki-
-ing in land in his own taluk cannot in the circumstances be condoned and recommends his dismissal from the service.

Lonel Davidson

Ag. Secretary.

+ p. 35-38 - pp. 174-175

pp 147

To the Secretary to Government, Revenue Department, with letters, petitions and enclosures (all to be returned) with translations of Chitta entries & 2 receipts (all to be returned)

Revenue (1899) Department.

CURRENT No. 505

The Sec cannot use his discretion as to whether the supplementary explanation should be given or not before my note in case is circulated - Intended the box yesterday 24-1-99

Order

From

The Board of Revenue
Land Revenue,
Madras.

Ref. No. 12 Petn.

To Under Secretary.

Board's Reference No. 7 (Conf).

No. 1) d. 3rd January 1899, in which the Deputy Tahsildar's case was submitted for the orders of Govt (C.No. 114 of 1899), was sent to the Hon'ble Member on the 19th instant in Conf. Box No. 8.

Dated 19th January 1899.

Received } 20/1
Registered }

Enclosures /

Spare copies

SUBJECT.

This may go in continuation of Submittal to Government telegram from Mr. R. P. J. Lakshmaiah Pantulu, Deputy Tahsildar and Submagistrate, Tekkali, Ganjam Dt. requesting that the disposal of his case may be deferred until the receipt of a further explanation submitted by him.

The pet has had ample time to submit his explanations

24/1/99

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),

Madras, 19th January 1899.

READ—

Telegram
~~Petition~~ from Guruzada Lakshmaiya,
Berhampore, Ganjam District, dated
19th January 1899.

Reference No. 12 (Ptn) dated 19th January 1899.

Submitted to Government in con-
tinuation of Board's Reference No. 7
Conf. No. 1
dated 3rd January 1899.

Lionel Davidson
ag. Secretary.

To
The Secretary to Government, Revenue Depart-
ment with telegram in original.

Jila

PETITION

0050

REVENUE DEPT.

123 0206

Code
Class.

INDIAN



TELEGRAPHS.

Monthly
Number.

To

(Office)

Words

Day

Hour

Minute

From

(Office)

To

(Person)

From

(Person)



Secretary
to Board of
Land Revenue

Muzasada
Lakshmayya

64 Word Form.

Further Explanation
posted pray
defer orders
pending receipt

F.C.2.

MADRAS 19-1-99

Recd. from

LN.

Sent to

LN.

At

Hrs.

Mts. by

At

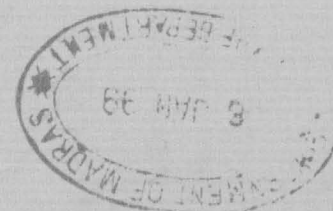
Hrs.

Mts. by

Telegraph Master.

Revenue (1899) Department.

CURRENT No. 647.



From The Board of Revenue
(Land Revenue)
Madras

Order

Ref No. 16 Petition

Dated 25 January 1899.

Received 26th

Registered 26th

Enclosures two.

Spare copies

SUBJECT.

Submitting a further explanation from Mr. R. R. G. Lakshminayya, Dy. Tahsildar, Tekkali, Ganjam District, in regard to the charges against him.

nd R.
78/11

Revenue (1899) Department.

CURRENT No. 647



From
The Board of Revenue
(Land Revenue)
Madras

Order

Ref No. 16 Pethon

Dated 25 January 1899.

Received 26th

Registered 26th

Enclosures two.

Spare copies

SUBJECT.

Submitting a further explanation from M. R. Ry. G. Lakshminayya, Dy. Tahsildar, Tekkali, Ganguan District, in regard to the charges against him.

nd R.
75/11

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),

Madras, 25th January 1899.

READ— petition from Guruzada Takshmaiyya,
Deputy Tahsildar (under Suspension) Gaijam
District, dated 18th January 1899.

Reference No. 16(Pet) dated 25th January 1899.

Submitted to Government in
continuation of Board's Reference N^o 12
(Petition) dated 19th instant.

Lonel Dodson
Ag. Secretary.

To The Secretary to Govt. R.D.
with petn. + Encls. in original

CS
D.D.

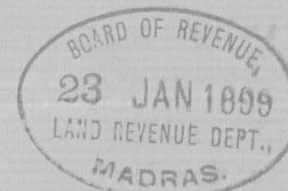
To

RL603

THE SECRETARY TO THE HON'BLE

BOARD OF REVENUE, LAND REVENUE

MADRAS.



The humble further representation of Guruzada Lakshmayya a Deputy Tahsildar under suspension in the Ganjam District.

MOST RESPECTFULLY SHOWETH

1. That your humble petitioner has as yet been favoured with no orders either from the collector or from the Honourable Board since he submitted his further explanation on 5th November 1898, and your humble petitioner is put to much anxiety and enbarassment since he has been kept under suspension, which means withholding of pay and loss of reputation for upwards of seven months.

2. That your humble petitioner begs to enclose copy of a will lately executed by one of his sisters named Govindurajulu Soorammah; from which, your Honourable Board will be pleased to observe that the motive of Soorammah in the purchase of the three lands under dispute in the name of the deceased Veerayya Setti was simply to prevent her cousins from claiming the same property and to eventually alienate the same to her sister's son by name Timmaraju Ramakristnayya who has been brought up, educated and married by her as foster son. The will has been attested by several respectable people including one M. R. Ry, A. Thyagaraya Aiyer late P. W. D. Head Accountant of the Ganjam Division and now Head Accountant at Caddalore in the South Arcot District.

3. That your petitioner is personally known to the undermentioned members of the Board and several European Officers who had been in Ganjam and who are now Collectors and Judges &c

1. C S. Crole Esquire who visited the petitioners Taluk during the famine of 1897.
2. Le Fanu Esquire Do
3. A. W. B. Higgins Esquire who was Collector and District Judge Ganjam while petitioner was Submagistrate at Purushottapore Berhampore, Ganjam &c places.
4. George Stuart Forbes Esquire, now Rev. Secretary to Government, who was Senior Assistant Collector, Ganjam, and who brought the petitioner into the Revenue Department from D. P. W. and under whom he had served for three years.
5. A. E. C. Castle Stuart Esquire, who was Assistant Collector Ganjam, when petitioner was employed as Ag. Submagistrate of Surada.
6. C. H. Mounsey Esquire, who was special Assistant Collector Ganjam, when petitioner was employed as a Hill Submagistrate in his division.

pat
Laksh
yes -
Commission
considered
MS

That
must have
been in 1894
or 1895
remember
nothing
at all
MS

7. S. Russel Esquire, who was the Principal Assistant Collector Chicacole, when petitioner was employed as Taluk Seristadar of Chicacole and Acting Submagistrate of Narasannapeta,
8. Arthur Thompson Esquire, who was Senior Assistant Collector Berhampore, when the petitioner was employed as his clerk and Head clerk for some years and Taluk Seristadar of Berhampore,
9. E. A. Elwin Esquire, who was Principal Assistant Collector and acting District Judge of Ganjam, when the petitioner was Dy. Tahsildar and Submagistrate of Tekkali,
10. F. C. Parsons Esquire, Acting Principal Assistant Collector when the petitioner was ditto,
11. J. G. D. Partridge Esquire, Acting Principal Assistant Collector and Acting District Judge of Ganjam, when petitioner was ditto,
12. C. J. Weir Esquire, Collector of Ganjam, when the petitioner was employed as Dy. Tahsildar of Purushottapore and Tekkali,

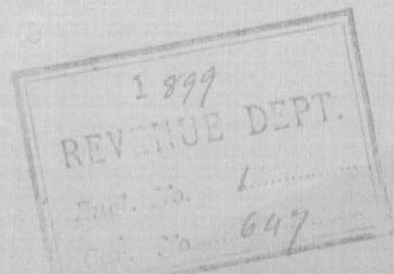
4. That your humble petitioner once more begs leave to declare on his honour that with the exception of the immoveable property shown in his land statement A., he does not possess any more landed property in the district, nor any interest in the lands in the name of any other person. Should the Honourable Board still entertain any doubt on this point, on the strength of the confidential report of the Acting Collector, who has been seriously prejudiced against the petitioner by the false and malicious representations of the petitioner's enemies, he humbly begs to submit that he has not only no objection to his being transferred to any District in the Northern Circars, but on the contrary he will accept the change with great pleasure and thankfulness, especially because, should his reinstatement to his long standing, hard earned and permanent appointment of Deputy Tahsildar and 2nd class magistrate on Rs. 120, be ordered, as the justice of his case demands, and should he resume charge of the office at Surada in the Gumsoor Division, to which he has been since transferred, a brother-in-law or a close relation of the Huzur Sheristadar, by name Thaye Venkatareddi Naidu, now acting Dy. Tahsildar of Sompot, and a relation of the Collectors English Head clerk, the Head Quarters Deputy Collector and of the Tahsildar of Berhampore, by name S. Alwardoss Naidu acting Deputy Tahsildar of Narasannapeta would be affected, as both of them aspiring for confirmation in their respective appointments (if not for the petitioners post itself) in the petitioner's arrangement, would have to vacate their present acting appointments with a good deal of chagrin and heart-burning which may, as your petitioner fears, result in further estranging the feelings of the influential officials of the Collectorate towards your humble petitioner.

For which act of benevolence, your humble petitioner ever prays.

BERHAMPORE

18th January 1899.

*i.e. the brother-in-law of the Berhampore Tahsildar (who is father-in-law of the English Head Clerk and brother of the Head Quarters Deputy Collector.)



విశించినామనంవర్తక ఆర్థిక బు 7 ఆం నమయిన 1898-99 సంవత్సరం వరకు కేంద్ర కలెక్టరేట్ లోని గ్రామీణ భూమిలకు
బరంపురం తాలూకాలోని గోవిందరాజుల మూలపు అనే పేరు మనోహరిగా వ్రాయించిన విషయం

బరంపురం తాలూకాలోని సుడికా పీఠయ్యకెట్టెనార్కి. నేను యిదివరలో యిచ్చియున్న బాబు నాచెల్లెడు సో
య్యపెట్టి ఆయన నా పేరేనెట్టి ఆయనచెల్లెడులో నమూదు చేయబడినట్లుంటిన్ని నాకహక్కు అయిన యాదినకు నుద
హరించబడిన 31 భూములు నాఅక్క మహారాష్ట్ర సటువంటిన్ని నాపోషనగ్రములోనుండి నాకల్లవిద్యార్థులు కెప్పించి బ
డినట్లుంటిన్ని నేను అభిమాన పుక్కుడుగా నిర్మించుకున్నట్లు వంటిన్ని ప్రస్తుతం విశాఖపట్నం జిల్లా యొనుచితి
నబురిజ్జువారుగారి ఆఫీసులో క్లర్కుగావున్న తిమ్మరాజు రామకృష్ణయ్య పంతులుకు యిందువల్ల దఖలు పరిచినాను. యీ
వీలు నాకదనంరం అమలులోకి రావలెను.

(1) బరంపురం తాలూకా మొహరిఖండం బెజ్జిపురం గ్రామంలోని 5-13-0లు కిన్న చెల్లె య 31 కె 33.

మెట్టుపల్లం భూములు నవ్వీ నెం 86- 94- 98- 67- 139- 148- 150- 162- 168 బల్లగల భూములు.

(1) డిబ్బా తాలూకా పుల్లభండంఖండం భాటుకుమరదా గ్రామంలోని రామపాడి వస్త్రాలపల్లె కొనబడిన భూములు
య 15-0-0లు చిల్లర కిల్లటంబు చెల్లె భూములు య 13ల చిల్లరయినాం మెట్టు పల్లం భూములు.

(2) శ్రీకృష్ణ తాలూకా ముగం హుందాలోని 8 యొనిమిదోవంతు.

గోవిందరాజుల మూలపు.

మాయదటను నదిగు గోవిందరాజుల్ల మూలపుగారివల్ల సంతకం చేయబడినది. వారియెదుటను యాదినకు నుదహ
రించబడిన మేము అందరము సాక్షిసంతకములు చేయుచున్నాము.
సాక్షులు.

సాక్షి యర్రవల్లి ముద్దారావు Merchant Berhampore.

సాక్షి రుద్రావర్మల హనుమత్స్వయంబ్రాహ్మణులు వృత్తి వయదికం సాక్షి బరంపురం

సాక్షి శివంకెట్టి రాయారావు వ్యవహారం బరంపురం.

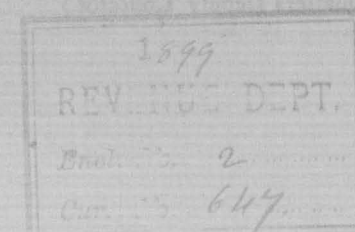
A. THEYAGARAJIER

Head Accountant P. W. D.

5-11-98

Ganjam Division Berhampore.

దస్తూరి శ్రీపాద వెంకటనర్సుది వృత్తి యిహందారు సాక్షి భాపురం.



Please see the H. M's
note on Cus. 505/99.
Cus. 114 of 1899 in which
the Board submits the
Deputy Tahsildar's case
for the orders of Govt, was
sent in circulation to
His Excellency this morn-
ing. The Deputy Tahsildar's
supplemental explanation
has since been received from
the Board - vide Cus. 547/99
submitted herewith.

H. B. Th. Jansen

This may go to H.D. for consideration
with the file negative.

List of the papers in the file.

1. Collector's letter d. 23.7.98. Pages 1-17
2. B. P. No. 2175 d. 13.8.98. 18.
3. Collector's letter d. 29.9.98. 19-50.
4. Depositions recorded by Mr. Dys. 57-86.
5. List of additional witnesses
cited by the Dy: Dahildar. } 87-90
6. List of chittas 91-94.
7. Letter from the Dy: Dahildar to }
the Principal Asst. Collector } 95-96
8. Two receipts for chittas - Exhibits 7. & 8. 97-98
9. Statement of the Dy: Dahr. }
regarding witnesses absent to } 99-102
10. Letter from the Dy: Dahr. to Mr. Dys. 103
11. Mr. Dys' report d. 11.6.98. 104-114.
12. Dy: Dahildar's explanation d. 28.6.98. 116-130
13. Printed copy of testimonials. 131.
14. First list of charges. 132-134
15. Second list of charges. 136-137
16. Statement made by the Dy: Dahr. in answer }
to the first set of charges } 138.
17. — do — do — Second set of charges. 139.
18. Written explanation of the Dy: Dahildar d. 5.9.98. 140-148
19. Translation of a patra given by Suramma. 150.
20. — do — receipt in favor of — do — 151.
21. Translation of two sale-deeds. 152-168.
22. Appala Narasimha Chetty's statement 170-171

C No. 114 of 99

From Board of Res No 72. 3 Jan 99

Dated

189

Case of Lakshminaraya Pantulu - Dy Tah of Tekkali
FOR ORDERS. Jangam Dtd

H M.

The B.P. states the cases in full detail.

There are two sets of Charges

A. Those relating to the receipts of illegal gratifications & sums of money from the Kandigam estate & making away with or concealing evidence of the transactions.

The Board finds the evidence unsatisfactory, ~~and that~~ and that the Dy Tah. is entitled to a verdict of "not proven". There are at the same time circs. of grave suspicion, which are recited.

As to the general verdict on this set of charges, the Jt. will no doubt agree with the Board.

In respect of the two chief payments of Rs 121-15-6 & Rs 116 it will be noticed that the erasures might

23. Statements taken by Mr. Ashe — 172-173.
24. Extract from explanation d. 16.9.97 of the Dy. Tah. re: the purchase of Malagum Hunda } 174-175
25. Palkonda Tahsildar's letter. } 176-177
26. Letter from Appalarasaiya Chettur the Collr. with a Telugu account. } 178-180.
27. Translation of the Telugu account referred to in item 26 } 182-183
28. Dy. Tahsildar's letter to the Collr. d. 28.9.98 with Collr's endorsement } 184-189
29. Collr's letter d. 9.10.98 with its encl. } 190-193
30. Dy. Tahsildar's petn. to the Board d. 6.11.98 with its encl. } 194-199.
31. Collr's letter d. 4.12.98 with its encls. } 200-222.

cover any other transactions which Malga Santia might be desirous of concealing. The whole case, ^{against the D.T.} turns too much on the single evidence of this man to be entitled to ^{be reported} ~~be reported~~ as conclusively made out.

B. The second set of charges relates to the D.T.'s alleged violation of the departmental rules regulating the conduct of Pub. Servants.

The Board finds these charges proved to the extent ~~that~~ of finding him guilty of breach of rule 13 & recommends the D.T.'s dismissal.

The charges under this head were twofold - (a) that the D.T. made extensive purchases of land really on his own account but in the name of his sister & thus infringed Rule 2 by acquiring land in the district in which he was employed: (b) that if the purchases were really not his but his sister's then he infringed rule 13 inasmuch as she was

dependent on him & he was therefore bound to include her acquisitions in his own returns.

As I have noted above the Board convicts him only under the 2nd head only.

This conclusion seems to be of somewhat doubtful validity.

If the ~~other~~ purchases were really the sister's & she had the means to make them, can it be said that she was "dependent" on her brother merely because she lived in a house of his at Berhampore? There seems to be a lurking fallacy in the D.T.'s reasoning. Assuming that the sister had sufficient means to make the purchases, & that there was nothing else against the D.T., it wd. be hard perhaps to ^{go the length of} dismissing him for not reporting her acquisitions, even if she were held to be in some sort of way "dependent" within the intention of the rule.

The fact no doubt is that underlying the Board's decision

cover any other transaction which Malga Sautto might be desirous of concealing. The whole case ^{against the D.T.} hangs too much on the single evidence of this man to be entitled to ~~be reported~~ ^{be reported} as conclusively made out.

B. The second set of charges relates to the D.T.'s: alleged violation of the departmental rules regulating the conduct of Pub. Servants.

The Board finds these charges proved to the extent ~~that~~ of finding him guilty of breach of rule 13 & recommends the D.T.'s dismissal.

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This conclusion seems to be of somewhat doubtful validity.

If the ~~other~~ purchases were really the sister's & she had the means to make them, can it be said that she was "dependent" on her brother merely because she lived in a house of his at Berhampore? There seems to be a lurking fallacy in the D.T.'s reasoning. Assuming that the sister had sufficient means to make the purchases, & that there was nothing else against the D.T., it w^d. be hard perhaps to ^{go the length of} dismissing him for not reporting her acquisitions, even if she were held to be in some sort of ~~sort of~~ "dependent" within the intention of the rule.

The fact no doubt is that underlying the Board's

with regard to this portion of the charge
is the conviction in their
convinced that the purchases
were really benami. I think
the evidence of his obtaining
on occasion the rents of the
orland, & of his shuffling &
lying & concealment of his
sister's transactions might
have been well considered
by the Board to justify a
decision that Rule 2 itself had
been infringed. If ^{by} his sister
had the means to purchase
these lands, the D.T. would have
had no difficulty in indicating
^{at the time} the precise source of the funds
from which were used. He
appears simply to have contented
himself with saying that
the his sister's deceased husband

was a "rich man; my
sister inherited the property".
The Board's decision
has more to support it
in the lies which the D.T.
told regarding his sister's
transactions. He says he did
know of them. No one can

p 139 file

The Collector ascertained that she might
have been left Rs 3000 or Rs 4000 :
(vide p 33-34 of file - para 7 of Collar's letter)
but the D.T. have cleared up any
doubt if he had desired to do so at
the time. He did, subsequently to the Collector's
report to the D.T., submit a petition ex-
plaining his sister's resources vide
p. 196 of file

vide para 14 of Collar's letter p 45 of file
p 147 ibid

believe this for a moment.
So that whether he was
bound to report or not he
proved himself to be unworthy
of any "place of trust" as the
D.T. puts it.

A more appropriate
punishment for the facts as
actually proved would be degradation
to a clerk's post.

8/7/19

Shd be circulated
to H. de. & H. E. -

I have plodded through the
File -

As regards the first set of
charges it appears to me
to be highly improbable
that the evidence, direct
& circumstantial, against
G. Lakshmya should be
(as he would wish it to be
believed) the result of
a plot concerted to
compromise his ruin -

Mukunda Rao Naider

The Ag. Deputy Tah.
appears to have done no
more than his duty, &
the accused's imputations
against him are rightly
stigmatised by the Collector
as utterly unfounded &
reckless - The obstructive-
ness displayed by the
accused during the enquiry
by Mr. Lys, and the
imputations of prejudice
made against Mr. Lys
do not tell in accused's
favour -

however
I would, in ^{the} ~~cut~~ ^{while} ~~with~~
the Board that the
Circumstances cannot
but leave a violent
Suspicion of the
accused's guilt, &
the only safe verdict
is one of "not
proven" -

2. As regards the second
set of charges, and
with reference to the
Rev. Secretary's
Concluding Remark, I
would point out that
Rule 17 provides
that "any failure to
give full & correct
information, will be
punished with instant
& summary dismissal
from the public
Service"

If the accused is found
guilty of a breach of
Rule 13, his dismissal
should follow -

Rule 13 requires an
officer to declare all
acquisitions of land
made by his wife "or
any other member of his
family living with, or
in any other way
dependent on, him" -

In this case
the accused Deputy
Tah. has a childless
widowed sister living
in his house at
Berhampur, in
charge of his minor
son. The Deputy
Tahsildar stayed in
this house whenever
he came to Berhampur
to attend District
Board meetings, or on

other occasions -
Prior to 1882, when he
was officially stationed
at Berhampur the
said sister was
actually living with
him in the said house.

It does not appear
that the woman has any
other adult male relatives
at Berhampur to whom
to look for advice or
assistance -

The Deputy Tah^l admits
that in the month of
Jan'y 1896, it came to
his knowledge that one
Virayya Chetti, a
Smeat, had purchased
certain lands in

his (the Deputy
Tahsildar's) Division.

Virayya Chetti
is next door neighbour
to the Deputy Tah^l in
Berhampur, and

was Banker to the
Deputy Tahsildar's
sister - In the sister's
account the name
of the Deputy Tah^l
figures several times
as paying-in or
receiving money -
The Deputy Tah^l
declares that he keeps
no ~~private~~ account of
his own money
transactions, and

The Collector would
infer from this
that the account
in the sister's
name ^{included} in truth
the Deputy Tahsildar's
own
transactions -

The said Virayya
Chetti died, and in
the proceedings taken
to prove his will,
it came out that
the deceased had
conveyed the said lands
secretly to the
Deputy Tahsildar's
sister by an un-
registered conveyance

other occasions -
Prior to 1882, when he
was officially stationed
at Berhampur the
said sister was
actually living with
him in the said house.

It does not appear
that the woman has any
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The Deputy Tah^l admits
that in the month of
Jan'y 1896, it came to
his knowledge that one
Virayya Chetti, a
Soneat, had purchased
certain lands in
his (the Deputy
Tahsildar's) Division.
Virayya Chetti
is next door neighbour
to the Deputy Tah^l in
Berhampur, and

was Banker to the
Deputy Tahsildar's
sister - In the sister's
account the name
of the Deputy Tah^l
figures several times
as paying-in or
receiving money -
The Deputy Tah^l
declares that he keeps
no ~~private~~ account of
his own money
transactions - and

the Collector would
infer from this
that the account
in the sister's
included in Trust
Name of the Deputy Tahsildar's
his own
transactions -

The said Virayya
Chetti died, and in
the proceedings taken
to prove his will,
it came out that
the deceased had
conveyed the said lands
secretly to the
Deputy Tahsildar's
sister by an un-
registered conveyance

and had done the same in respect to two other properties purchased by him in the Berhamput taluk? — The accused Deputy Tah^l has not made the slightest attempt to show that his sister had any reason for concealing her investments in land from him. — Such a line of defence seems not to have suggested itself to him, though the burden of proof lies heavily on him to show why such secrecy was practiced —

within the spirit
of Rule XIII.

B In the absence of explanation the presumption is strong that the transaction was concealed to prevent the necessity of the Deputy Tahsildar revealing it under Rule 13 — The Deputy Tah^l appears to enjoy a bad reputation, & the purchase by his widowed sister of lands within his jurisdiction would assuredly have been challenged —

I would hold that the facts proved clearly show that the Deputy Tahsildar's sister was living with and dependent on him, though

and had done the same in respect to two other properties purchased by him in the Berhamput Taluk? — The accused Deputy Tah^r has not made the slightest attempt to show that his sister had any reason for concealing her investments in land from him. Such a line of defence seems not to have suggested itself to him, though the burden of proof lies heavily on him to show why such secrecy was practiced.

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I would hold that the facts proved clearly show that the Deputy Tahsildar's sister was living with and dependent on him, though

not necessarily
dependent in a
pecuniary sense:
that he was certainly
aware of the
purchase of lands
^{both} made, within his
jurisdiction by
Vratty Chethi,
secretly in her
behalf; & that he
has flagrantly
transgressed Rule 13
by not revealing the
transactions to
the Collector, even
when he knew that
that officer was
making inquiries
the subject —
in reference to Rule 17
I think he should be
dismissed as
recommended R.S.

The only charge brought against 23-1-99-

against this Deputy Tahsildar is an
infringement of Rule 13, in that he
did not report that his sister had
bought lands. For this offence, dismissal
is recommended. There are offences
which are more serious than this one,
such as ~~the~~ dishonesty (such as taking
bribes, buying lands etc., but not to
be inflexible); then, there is a still more
serious class, for example, dishonesty
of an aggravated type (such as taking
money for doing an unjust act,
taking bribes etc.). But, the main
punishment is dismissal.
I would suggest that in dealing with
these cases, we should, as far as we can,
try to make the "punishment meet
the crime". The criminal cases, one
hangs for murder, one incarcerates
for theft, and one fines for abusive
language. It seems to me that
the

the principle which governs their pro-
-cedure should, to some extent at any
rate, apply to our measures of dealing
with acts of personal misconduct
of Government Servants.

In pursuance of this line of argu-
-ment, I think the case of these
Deputy Tahsildars would be met
by a punishment short of dismissal;
and I am inclined to agree with the
Secretary that a more appropriate
punishment would be degradation
to a Clerk's post.

I understood that the Hon. Mr. W.
Winterton considers that the last
sentence of para. 17 of the Rules,
applies to the preceding paras. The
Rules are loosely put together, but
I hardly think this could have been
deliberately intended. I would point
out that Rules 12 and 13, which are
held

17
This phraseology is now inaccurate
+ it is unsuitable to the
deliberate procedure of these
days. I wd. alter the rule
as proposed by H.C. &
so make it accord with fact.

M.L.

I agree H.C.

11-3-99

held to have been broken by their Deputy
Tahsildar, one applicable only to
officers in superior service; and there is
no process by which officers in superior
service can be punished by

"imposed and summary dismissal
from the public service". It
was probably intended that the Rule
should be run, "will be liable to
dismissal from the public service".

If the Hon. Mr. Winterton's
reading of the Rule is right, the
Rule in my opinion should be

X altered forthwith.

A.H. 29.1.99

The Hon. Mr. Arcundel

J.H. 30-1-9

I agree with the Hon. Mr. Winterton
botham that a case ^{has been} ~~is~~
made out of a breach of
Rule VIII, and that therefore
the Dy. Tahs. according to
the letter of the rules

is liable to dismissal.

At the same time it may be remembered that the reason for imposing the penalty of dismissal was the fear ^{or} likelihood of the officer making purchases of land nominally for another but in reality for himself. In the present case it seems clear that the Dy. Tahsildar had money wherewith to effect the purchases of land made in her name. That the Dy. Tahsildar was privy to these purchases there can be no doubt whatever, and the falsity of his denial is shown among other ways by the evidence of the Vendor & of the Head man and by the accts. of Parayya Chetty.

The Dy. Tahsildar has been broken the rule & been guilty of concealment & of lying, but I think he may be spared the extreme penalty of dismissal (he has he says nearly 24 years service); and ~~that~~ that retaction to a clerkship or other post on say Rs 40 will

be sufficient penalty - Is Under Secy.
added to his long suspension.

20.2.99. ^{Pl. 27/2/99}

Draft accordingly ^{27/2/99}

I was in favour of dismissal because as the result of his long service the offender has acquired a bad reputation, and has only escaped by the skin of his teeth being found guilty of taking bribes - By reputation he is a black sheep who might be got rid of W.S.

11-3-99-

x This has been misquoting a reference to the Rev. Secy. Secy for 1898.

Please see draft order submitted below

Secy

27/2/99

8/3/99

Revenue Department

Read Board's Proceedings (Land Revenue)

Ref. No. 7 / Confidential No. 1

d. 3.1.99. (Cus. 114 of 1899)

Read also Board's Proceedings (L. R.)

Ref. No. 12 Petn. d. 19.1.99. (Cus. 50)

" " " " (L. R.)

Ref. No. 16 Petn. d. 25.1.99. (Cus. 64)

G.O. Mis. No. 1147 d. 20 March 1899
conf. no 36

With the first of its Proceedings read above, the Board of Revenue submits for the orders of Government certain charges of misconduct brought by the Collector of Gajam against Mr. By G. Lakshmaiyya Pantulu, Deputy Tahsildar and Sub-Magistrate of the Dekkati Taluk, now under suspension.

2. The charges referred to may be divided into two sets. ~~The first set~~

of charges ~~which~~ relate to the alleged ^{by the Dy. Tahsildar} receipt of illegal gratifications and sums of money from

~~land by his widowed~~
 sister who was dependent
 on him. The Board considers
 that the Deputy Dahildar's
 failure to report his sister's
 trafficking in land in his own
 taluk cannot be condoned,
 and recommends his dismissal
~~from the service.~~ His Excellency
 the Governor-in-Council is
 satisfied that it has been
 clearly proved that the Deputy
 Dahildar's sister was, with in the
 spirit of rule 13 of the Rules ~~for the~~
~~personal conduct of Government~~
~~servants~~, living with and
 dependent on him, though
 not necessarily dependent in
 a pecuniary sense, that he
 was certainly aware of the
 purchase of lands made both
 within and beyond his juris-
 diction by Virayya Chetti se-
 cretly in his sister's behalf,
 and that he has ~~flagrantly~~
 transgressed rule 13 of the Rules
 "for the personal conduct of
 Government servants" by not revealing
 these

This is not a quotation
 from the Rule & the
 inverted commas shd.
 go out. W -

The
 name

N. app. accounts 28/2/19 8/3/19

these transactions to the
 Collector, even when he
 knew that that Officer
 was making enquiries on
 the subject. By his failure
 to report his sister's acquisition
 of land, the Deputy Dahildar
 has made himself liable to
 dismissal under rule 17 of the
 "Rules for the personal conduct of
 Govt servants". In considera-
 tion, however, of his long
 service, His Excellency the
 Governor-in-Council ~~expressed~~
~~with no exact~~
~~before~~ the extreme
 penalty of dismissal, ~~and~~
 directs that the period of
 suspension undergone by him
 should be treated as a sub-
 stantive punishment and
 that he should further be
 reduced to a ministerial
 appointment carrying a
 monthly pay of about Rs. 40.

(From orders).

M
 17/1/19

8/3/19

HW-
 11-3-89-
 A.S.K.
 17.3.99

To the Board of Rev., L.R.,
 (B+D) with the Coll's letters and other
 records returned.

copy to "Public Deptt.", with extracts
 from H's and the Hon. ~~Secretary~~
 notes for the necessary action.

Pk.
 27/1/19

from the late proprietor
of the Nandigam estate
making away with or
concealing evidence of ^{such} ~~these~~
actions, the Govt. con-
sider it ~~highly improbable~~
~~that the evidence, direct and~~
~~indirect, against the~~
~~Deputy Tahsildar, could be~~
the result, ~~as a result of~~

~~as a result of~~ of a plot con-
cocted to compass the ^{by Tahsildar} ~~min~~,
in view, ~~at~~ however, of the
undoubted elements of weak-
ness in the case, the Govt.
agrees with the Board that
the charges in question
cannot be pressed, and that the
Deputy Tahsildar may be
allowed a verdict of "not
proven".

3. The other ~~cases~~ charges
against the Deputy Tahsildar are
~~concerned with the following~~:-

- (i) that he infringed rule 13
of the "Rules for the Personal
Conduct of Govt. Servants"
by failing to report the
acquisition

but agrees with the Bd of Revenue
that, ^{while} ~~they~~ establish a strong
suspicion ~~of~~ against the ^{by} ~~Tahsildar~~,
they must be ~~reported~~
held to be not proven.

Deft according to ^{Mr. G. C. 27/12/51} ~~8/2/52~~
8/2/52

acquisition by his sister
through one Virayya Chetti
of certain lands in the Tekka
and Berhampur taluk
and (ii) that he was himself
the real purchaser of the
lands referred to bought in the
name of his sister under a
benami transaction and that
he thereby infringed rule 2 of
the "Rules for the personal
conduct of Govt. servants".

With reference to these
charges, ^{the Board} ~~the Board~~ finds that
the secrecy observed by the
Deputy Tahsildar in the
matter of the purchase of the
lands on his sister's behalf
raises a strong presumption
that he was himself interest-
ed in the lands; and that
even if this is not considered
established, he has infringed
rule 13 of the "Rules for the per-
sonal conduct of Govt. servants"
under which he was bound
to include in his landed
property return the acquisition

from the late proprietor
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near accordance with the
Office from
22/1/89

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The
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Draft accounts 8/2/18 8/2/18

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(From order.)

H.W.-
11-3-89-
A.S.K.
17.3.89

2. the Board of Rev., L.R.,
(Q+O) with the Coll's letters and other
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copy to "Public Deptt.", with extracts
from H.S.'s and the Hon. ~~Secretary~~
notes for the necessary action.

17/1/88
8/3/18
P.L. 27/3/89

When given for copying _____
When copied _____ } 189 .
When examined _____
When signed _____

READ AGAIN G.O. No.
189 .

DATED

CURRENT No.

RECURS TO O. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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Q = Copy heading only.