

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 2240

DATED 23rd May 1898

[Despatch Abstract.]

Stating that as suggested by the collector of Cuddalore, the village magistrate should attend the monthly pargana defaulters in the Kadim taluk after he has received it and receive the amount of loan due from him at the rate of Rs 3 per mensem, and directing the collector to award suitable punishment of suspension to the Karam and the Inspector who valued the defaulter's land at Rs 200 and who must be held guilty either of fraud or the gross incompetence in matters.

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 (1898) Department.

CURRENT No. 2824.

Order

From The Board of
Revenue, Revenue
Settlement, Land
Records and
Agriculture,
No. 2416 ^{Madras} _{his}

Dated 5th April 1898

Received 13

Registered 13

Enclosures /

Spare copies

SUBJECT.

Loans

Requesting the
Sanction of Government
for writing off the acco.
the sum of Rs. 124-2-8
reported to be irrecoverable
under the — Acts in the
Kadiri Taluk, Kudday
District.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Cuddapah Collector's Office
Dated 3-8-96.

Ref. on C. No. $\frac{3634}{Rev.}$ of 96

From

A.C. Tate Esq.

Collector of Cuddapah,

To

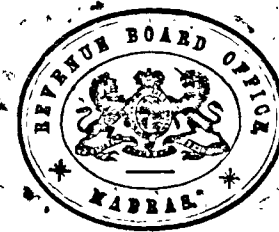
The Secretary to the Com-
-missioner of Revenue
Settlement and Director
of the Department of Land
Records and Agriculture,
Madras.

Sir,

A loan of Rs. 250-0-0
was applied for by one Roddam
Chinnapa of Malakavemula,
Kadiri Taluk, for constructing
a new well in Survey No. 206
measuring 9^a 24^c, and assessed
at Rs. 2-5-0 and five acres of
the above field : - proposed
as the ayacut of the well. The value
of the land (full field) pledged

no security was fixed at ~
Rs. 200-0-0 by the village officers
and the estimate was endorsed
by the Revenue Inspector, who
recommended the grant of the
loan. The payment of instalment
was made on 9th May 1892 and
time was allowed up to 11th June 1892
for working out the first instalment.
On 30th July 1893, the party deposed
^{before} ~~that~~ M.Ry. A. Ramanjachari
(now deceased) that work was
done to the value of Rs. 48 and
that he will repay the loan within
8 days from that date. The well
was inspected on 10th October 1893
and recovery was recommended,
as only work to the value of Rs. 33-10-8
was found to have been done -
against Rs. 125 advanced. The
order of recovery was issued in
July 1894 by my predecessor,
and by the sale of the land
pledged as security for the grant
of the loan, a sum of Rs. 7-8-0
was realised. One Rupee was
also

also realised by the sale of the
defaulter's hut. The assessment
of the land pledged as security
is only Rs. 2-5-0 and the market
value of the land comes to Rs. 35-0-0,
taking it at 15 times the assessment.
The Tahsildar M.Ry. S. Krishna
Rau, who granted the loan, has
retired from service. The borrower
is reported to possess no other
property and is now employed
as a gang Cooly in the South
Indian Railway Company.
He promises to pay Re. 1-0-0
per mensem out of his monthly
pay of Rs. 6-0-0 and the ~
Sub-Collector Mr. Munro issued
orders to the Tahsildar to attach
his pay under Act II of 1884 on
every pay day. If the borrower's
request is complied with it will
take more than 12 years to liquidate
the amount ^{due} in the case (Rs. 123-1-8
under principal and Rs. 1-1-0 under
the interest). I have the honour
to request the orders of the Board



Proceedings of the Board of Revenue
(Revenue Settlement, Land Records and Agriculture),

Dated 5th April 1898.

No. 2416 Mis.

READ the following letter from the
Collector of Cuddapah, Ref. on
Cur no. 3634 of 1896 dated —
Rev.
27th March 1897.

Referring to the Board's
Memorandum of 19th March 1897
No. 449 Routine, I have the
honour to forward herewith
a copy of my letter. Reference
on Current no. 3634 of 1896
Rev.
dated 3rd August 1896.

Read also the following
letter from the Collector of
Cuddapah, Ref. on Cur: no. 3634
Rev.

in the matter. I think that after
the gang cooly received his pay
every month, the village magistrate
should attach it and recover at
the rate of Rs. 3 per mensem. ~
I am also of opinion that partial
recovery to the extent of Rs. 30 should
be made from the Karnam and
Revenue Inspector who is an
incompetent officer and did
not exercise proper discretion
in estimating the value of the
land pledged as security. The
village magistrate is dead.

I have &c
(Signed) A. C. Tate

Collector
(True copy)

(Signed) J. G. Roberts
for Collector

30. 3. 97

(True copy)

R. V. Srinivasan
Secretary

attached

of 1896 dated 6th July 1897.-

I have the honour to request that I may be favoured with the early orders of the Board on this office letter, Reference to on current No. 3634 Rev. of 1896 - dated 3rd August 1896 regarding the recovery of a loan from Re one Roddam Chinnapa, in a Railway fang colony in Kadiri Taluk.

Resolution

The letter read above will be submitted for the orders of Government.

The first instalment amounting to Rs. 125, in respect of a loan of Rs. 250, was granted under the Special Well rules to one Roddam Chinnapa of Malakavemula, Kadiri Taluk, on the 9th May 1892 for constructing a new well on

the Security of certain lands estimated at Rs. 200 by the village officers and the Revenue Inspector. On the 30th July 1893, the borrower deposed before the Revenue Inspector (now deceased) that work to the value of Rs. 48 had been executed and that he would repay the loan in 8 days from that date. The well was inspected and it was found that work to the value of only Rs. 33-10-8 had been done. The then collector thereupon ordered the recovery of the instalment advanced. The lands pledged as security and a hut belonging to the defaulter were proceeded against but they fetched only Rs. 8½. After crediting this amount to the principal and interest, it is reported that there remains a balance of Rs. 123-1-8 under principal and Rs. 1-1-0 under interest or Rs. 124-2-8 in all which are irrecoverable. The Collector reports that the defaulter possesses

no other property; but that he
of, promises to pay Re. 1 per mensem
from his pay of Rs. 6 as a fong
Cooly in the South Indian Railway
re. And that the Sub-Collector
wis has issued orders to the Tahsildar
on to attach his pay under Act II
of 1864 on every pay day. As it
d will take more than 12 years to
th liquidate the debt in this manner,
o the Collector thinks that the
a Village Magistrate should attach
K his pay and recover it at the
rate of Rs. 3 per mensem; but
having regard to the provisions
of Section 266, Exception h, of the
Civil Procedure Code, the Board
is not prepared to sanction this
course. Nor is it prepared to
sanction the Collector's proposal
to make a partial recovery
of Rs. 30 from the Kurnam and
Revenue Inspector who it is
reported, did not exercise
proper discretion in estimating
the value of land pledged as
security, as the valuation might
have

have been made in good faith.
3. In these circumstances,
the Board recommends that
sanction may be recorded
for writing off the accounts
the sum of Rs. 124-2-8 reported
to be irrecoverable.
(True copies and Extract)
D. B. Jinnawala
Secretary
To
The Secretary to Government,
Revenue Department
Copy to the Collector of Cuddapah.

Recd
9.5.98

B.P. 2416 - Cus. (2824)
5-4-98

To Secretary

Pl see Board's
Profs (Curren?) in which the
facts are concisely stated.

Orders are requested
whether sanction may be
accorded for writing off
Rs 124-2-8. reported to be
irrecoverable.

RS
22-4-98

Secy

As to the amount
recoverable from the
man himself, it is
submitted that ^{see} act 266
of the Civil Proc. Code
has nothing to do with
the case. The recovery
is made under act II of
1864. It is obvious that
provisions for the
recovery of public money
must be more stringent
or more stringently
enforced than those for
the recovery of
private debts. The

as
t. 19/5/98.
Recd
22/5/98
29

C29/4/98.

does not seem to be any
objection to 3 Rs. being
attached monthly from
his pay as suggested
by Mr. Colclough. If this
course is adopted, the
balance of the money
will probably be soon
forth coming.

As for the Rev
Inspector, it is submitted
that a ^{Karnam} Res Inspector
who values land at
Rs 200, which when
Rs 800 afterwards
fetches less than Rs 800,
must be held either
guilty of either fraud
or the grossest incompetence.
He should be removed
from his position about
the sale, for the same reason.

I submit that it may
be well made to pay
Rs 30 (5 Rs & 25 Rs say)

Ull
23/4/88

Hu. It is difficult to decide
the action to be taken against

They had no purchased
the land. It is a
Karnam who has
been appointed to
the post of Res Inspector
and he has been
found to be incompetent
and dishonest.

the deputation himself. No
doubt we have sold up
his land; & we are told
he has only Rs 6 a month
pay as a cooly. If we
accept this statement his
present means as correct
— which we may — no
further action against
him need be taken.

As to the Carnam &
Rev. Inspector their estimate
of the value of the land must
have been grossly erroneous
if not fraudulent. These
cases are ~~occasional~~ frequent
occurring; & an example
should be made. The J.M. W.
did not have recommended
them being called on to re-
fund unless he had been
satisfied of their culpability.
& I do not see why his
recommendation should
not be given effect to.

was written the

put up G.O. 1/12/86 no

in which apparently for

that the J.M. should not be in-
flicted as R.D. in such cases

J.P. 1/4/88

B.P. 2416 (Civ. 2824)
5-4-98

G.O. Memo. 2240 d/23rd May 98.

The Govt sees no objection to the course suggested by the collector, that after the ~~defaulter~~ ^{defaulter} has received his ^{monthly} pay every month the village magistrate should attach it and recover the arrears at the rate of Rs 3 per mensem. ~~This suggestion should be acted on.~~

This should accordingly be done.

2. The Govt is ^{also} of opinion that the Karam and the Revenue Inspector who valued the land at Rs 200 must be held guilty of either fraud or the grossest incompetence, and should be punished by suspension. The collector's report, however, does not show the extent to which each of them is in fault; ^{he} ~~he~~ ^{should} be called upon to report more

19
21/5/98

It is not clear whether the doctrine was meant of general application or limited to the particular case, in which the D. had already paid Rs 120 in fines in other cases. The point may perhaps be reconsidered. It seems to depend on the circumstances. If the gross carelessness of a D. has let the pt. in for loss it is not quite clear why he should not repay some part of it.

21/5/98

de should be punished in some way for his gross carelessness in letting the pt. in for loss.

21/5/98

These see draft. The Govt will probably think it sufficient to leave the suspensions to the D. 21/5/98

Secy

Please see draft below. The draft at end follows. H.M. note literally is. Order the collector to report more fully to Govt & recommend periods of suspension. Submitted that the H.M. would probably prefer to leave the punishment to the collector & which case an alternative

A = Copy in full.
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