

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 3070

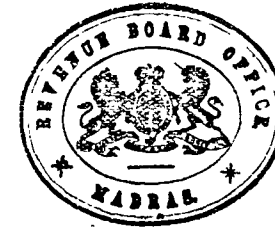
DATED 21st July -98

[Despatch Abstract.]

Forwarding to the Rt. Hon. the
Secy. of State memorial from C. Gouri Row
late at Bahadur of Kudliji, Bellary Dist

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

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
57/5/98							



No 3772 Vis dated 17th ^{August} April 1896.

Dis. No 2153 and reference thereon dated 24,
June 1896.

Also petition from Tambrakatti Eualther Bhat
c/o Chandra Bhat, 200. Govindappa Naick
Street, Black Town, Madras, dated 2.7.96.

Resolution :- The marginally noted individuals appeal against the orders of the Collector of Bellary, dismissing them from their posts in the Kudligi Taluk office, on the ground of their having been concerned in the mutilation of certain records of the Taluk office, and of having made

G.O.	No.	Depart

These statements in regard to them. Certain remarks recorded by the District Sessions Judge of Bellary in his judgment in Sessions Case No. 15 of 1875 led to enquiry into the conduct of the petitioner.

It was made out in that case that Guddappa, accused in that case was charged with the mutilation of the following records, which had been kept in the Kudligi Taluk office, of the Adampal and Chitta of Chikkareri.

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7157	

While acquitting Guddappa of the charge of mutilation of the records, the Judge observed that a large number of the records appeared to have been mutilated at a, assisted in the mutilation of the records, and he placed on record his opinion to the effect that four of the appellants 1, 2, 3 and 5, had not throughout given truthful evidence before him.

3. It is admitted by the 1st appellant Rama Rao, who was then record-keeper, that he gave the Adampal and Chitta of the village to Guddappa on his merely stating that he had obtained the permission of the 2nd

Appellant Chalacharn, by Head Accountant. Guddappa was a person officially unconnected with the Cutcherry and the 1st Appellant ought to have demanded at least a written permission before handing the records over to him, and further, the appellant ought to have seen that Guddappa made no proper use of the record. He has shown unfitness for any position of trust, and the Board accordingly rejects his petition for restoration.

4. The 2nd appellant Chalacharn (H. Genuastah and By Head accountant) not only admits having granted former permission to Guddappa to obtain the records, which he should never have allowed, considering the man's known antecedents, but he is shown to have given very different and discrepant accounts of the time and manner in which he first discovered the mutilation. The Board considers that for such conduct, the appellant merited dismissal and it accordingly rejects his petition for restoration.

The case against the other appellants, and on a somewhat different footing. I cannot be stated with any degree of certainty, that they assisted in the mutilation of the documents or that they arrived at it. But two Mallar Bhat (appellant no 3) & these men were called Sadananda Sastri (appellant no 6) upon on 29.9.95, to submit a report to the Tahsildar, as to what they had seen Guddappa do, and they did not then disclose the fact, (which they afterward spoke^{to} at the Sessions), that they had seen Guddappa at the Cutcherry on the morning of the offence. The dismissal of appellant No 3 Mallar Bhat, rests only on this charge of suppressing a fact within his knowledge and the Board considers that he will be adequately punished by suspension for 3 months.

C. Appellant no 6. Sadananda Sastri was not accused by the Dist. Judge of having given false evidence in the trial, but there is a second charge against him of abetting the preparation of the false

return, for which the Tahsildar Mr R. C. Gurn Rao, has been dismissed by Government. (G.O. 2370 in B.P. 2900 in 17.6.96 25.6.96). Such returns are prepared under the personal instructions of the officer concerned and the clerk who drafts them must rely upon the information furnished to him by the local officers. Errors in the return must therefore be primarily due to incorrect information being supplied by the township officers and his guilt does not necessarily incriminate the subordinate who reproduces the errors on paper. On these grounds the Board considers that Sadananda Sastri (appellant no 6) cannot be given an enhanced punishment for his share in Mr R. C. Gurn Rao's case. Sadananda Sastri will, like Mallar Bhat, be suspended for 3 months only.

F. There remain the cases of clerk Venkata Narayanappa (appellant no 4) who spoke at the Sessions to having seen Guddappa at the Cutcherry, on the alleged date of the offence, and appellant no 5 Suman Sahib who swore to having seen Guddappa tear off some pages of a book on the

the date. Neither of these appellants was
held upon on 29.9.95, to make a report
the Tahsildar. They must therefore be
quitted of the charge of withholding
information at the enquiry held by the
Tahsildar and the Board directs that
if he restored to office with arrears of
pay.

The appellants are referred to the Collector
for orders on their petitions.

(True Extract)

(Signed) R.C.C. Carr.

Secretary.

The Collector of Bellary with
records & 2 Encls. which formed
part of the record in Tahsildar
R. Dy. Gurus Rao's appeal returned
petitioners' Encls. to be returned
to them

Copy to each of the petitioners
(page 8 only)

(True Copy)

Ld. Wamikaunne

Asstt Secretary

him of abetting the preparation of the
false

100-19-9-97

3

1/5/97

1/5/97

Revenue (1898) Department.

CURRENT No. 3271.

From

G. Gurus Rao
Late Tahsildar & 2nd Class
Magistrate of Bellary
Rayachoti Taluk
No. Bellary Dist.

Order

Dated 12th Mar.

Received 1st May

Registered 3rd

Enclosures 3.

Spare copies.

SUBJECT.

Praying for the transmis-
sion of the enclosed Memorial
to the Secretary of State for India

U.S.
25-2/5-10

me date. Neither of these appellants was

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Public Dep.

BACK PAPERS.

G.O.	No.	Department.	Date.
	2813 Rev		10.6.97
	+ connected papers		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PETITION PETITION

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REVENUE DEPT

List of papers to accompany the despatch to the

Right Hon'ble the Secretary of State, for India.

~~Six~~.

- 1 . Copy of Collector's Proceedings d/ 6-3-96 (printed copy)
- 2 . Do. Do. letter d/ 8-3-96.
- 3 . Do. B.P. No. 1730 Misc. d/ 15-4-96
- 4 . Do G.O. No. 2370 Misc. d/ 17-6-96
- 5 . Do. G.O. (Public) 2290 d/ 3-12-83.
- 6 . *The enclosures forwarded by the appellant.*

Read memorial from M.R.Py

C. Guru Rao, dated 30th April 1898.

(C. No. 5271 of 1898.)

G.O. Misc. No. 3070 d/21st July 1898.

Ordered that the memorial be forwarded to the Right Hon'ble the Secy. of State for India and that the memorialist be informed accordingly.

to the Petitioner.

Letter. no. 8 d/28th July 1898

To the Right Hon'ble the Secretary of State for India.

My Lord,

We have the honour to submit to your Lordship the accompanying memorial from M.R.Py. C. Guru Rao late Tahsildar and Second Class Magistrate of the Raydrug taluk, Bellary district who ~~was~~ dismissed from the public service ~~in~~ in June 1896. Against this ~~in~~ in dismissal the memorialist now

(1) H.M.
(2) H.G.

See overleaf.

MT 22.6.98

25/7/98

Despatched
28.7.98.

8/6/98.

appeals to your Lordship and concludes with the specific prayer that he may be completely acquitted of the charges against him and restored to the appointment from which he was removed.

2. *Following are the* circumstances which led to the ~~dismissal~~ *dismissal* of the memorialist ~~as follows~~. In January 1895 the memorialist was

the Tahsildar of Kudligi taluk. In his diary or *tour* report for the month of

January of that year, he ~~reported~~ *entered the statement* that he

had on the 30th of the month left his head

quarters at Kudligi at 5 p.m. and proceed-

ed to a village called Gudikota 18 miles

away where he spent the following day on

duties connected with the annual settlement

of land revenue. Some time afterwards the

Collector had reason to suspect the cor-

rectness of this report, and on making en-

quiries learnt that the memorialist had

on the 30th January proceeded to Kottur

a village 12 miles from Kudligi in an

opposite direction to Gudikota. The memo-

rialist when questioned on the matter

admitted that he had gone to Kottur on

the 30th but maintained that he had re-

turned thence ^{*to Kudligi*} and ^{*had*} started for Gudikota

the same day. In corroboration of his

statement the memorialist instanced the

business done at Gudikota on the 31st.

Further enquiry however satisfied the

Collector that the memorialist had not

gone to Gudikota till late on the 31st

and that he had transacted no public bu-

siness whatever on that day. In the

course of this inquiry it also came to

the notice of the Collector that three

days after the memorialist ~~had been~~ *on his*

first ~~examination~~ *after had been* told that the case

against him would be further enquired

into, he wrote the following letter to

to the headman of the Gudikota village,

one of the principal persons examined as

to the memorialist's doings in Gudikota

on the 31st January:-

"On January 31st last I had come from

Kudligi to Gudikota between 7 and 8 O'

clock in the forenoon to go to Bellary

*Appendix A of review petition
in G.O. 29/13 msi
10.6.97.*

through your village and Appayanahalli. I was put up in the temple. I had to camp there the whole of that day for the sake of the Preliminary jamabandi. Revenue Inspector Vasudeva Rao and the head gumastah also came there late from Choranur. All these facts may be in your recollection. While such is the case I have come to learn that some bad or ill-disposed persons have given false information to the Collector that I came to your village about 8 or 9 in the night of the 31st and that I did not arrive there on that forenoon. I beg to request you will please inform them not to tell falsehood like that, make them tell the truth, and write to me a letter of your having done so....."

3. It thus appeared that the memorialist had not only furnished a false return of his doings to the Collector but had also when questioned on the subject lied to that officer and attempted to suborn evidence in support of his falsehoods. These faults were in the Collector's opinion such as to deserve ^{dismissal} ~~expulsion~~ from

B.P. 2/15.4.96 in G.O. $\frac{2370 \text{ mi}}{17.6.96}$

from public service. The Board of Revenue were satisfied that the Collector had correctly determined the facts of the case but, ^{deeming} ~~deeming~~ the offence to have been in the beginning but ~~a~~ trivial, though subsequently enhanced through the memorialist's falsehoods and prevarications, recommended that the memorialist should be reduced to the post of Taluk Head Accountant.

4. After a careful and detailed consideration of the evidence and arguments adduced in the case both by and against the memorialist we agreed with the Board of Revenue and the Collector that the charges against the memorialist were fully established. The offence was a serious one for an officer holding the important and responsible office of Tahsil ^{magistrate} ~~dar~~ but had ^{this} ~~there~~ been the first instance of ^{mis} ~~his~~ conduct in the memorialist's official career we ^{would not} ~~should~~ have been indisposed to have dealt with it leniently. We have adopted the course proposed by the Board of Revenue. The memorialist's

past career however, unfortunately furnished but too many instances of habitual want of truthfulness. The district confidential register showed that several of the officers under whom the memorialist had served considered him to be a ~~bandana~~ ^{trustworthy} and thoroughly unreliable officer. In March 1884 he was reduced a grade in the ranks of Tahsildars for disobedience, disingenuousness and untruthfulness. Again in May 1893 he was punished with suspension for a year for disobedience of orders and ~~giving~~ ^{furnishing false} explanations.

3. Having regard to the above circumstances we were convinced that the memorialist was an officer on whom no reliance ~~whatsoever~~ could be placed and that the public interests would indubitably suffer if he were retained in the public service. ~~in any capacity whatsoever~~ We accordingly directed his dismissal. In February 1897 the memorialist prayed for a reconsideration of our orders; but, as he ~~had~~ ^{adduced} no ~~grounds~~ ^{sufficient reasons} for such ~~interference~~ ^{a course} we declined to accede to his request.

Better say "habitually untruthful"
MA.

G.O. 542
14.4.84

G.O. 1687 mis
5.5.93

For "lying" I wrote "false"
MA.

[] omit
MA.

[] omit.
MA.

22.6.98

5.5.8
37.98

G.O. 2913 mis
10.6.97

6. The present memorial states no new facts and adduces no fresh argument bearing on the memorialist's case. We have therefore no recommendation to make on the memorialist's behalf.

MA
14.12.98

8/7/98

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

189 .

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO G. 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.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.