

Revenue (1895) Department.

PRESS SERIES.

G.O., No. 321.

Dated 1st June

[Despatch Abstract.]

M. R. R. C. Kooposamy Esq., Tahildar of Sharnam

Passing orders on the petition of —, Salem

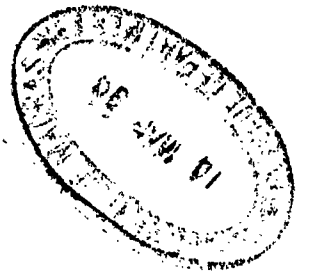
appealing against the orders of the Bd. of

Rev. reducing him from a fourth-grade

to a fifth-grade Tahildar.

Revenue (1008) Department.

CURRENT No. 2093



From

The Board of Revenue, Land
Revenue, Madras.

No.

Dated 10th March 1898

Received

Registered

Enclosures 8

Spare copies

SUBJECT,

Submg. to Govt. petition from ---
M.R.Ry.C.Coopposwami Iyer, late Tah--
sildar of Kallakurichi, S. Arcot Dt. &
present Tahr. of Dharmapuri, Salem Dt.
appealing against his reduction from
the fourth ~~grade~~ to the fifth grade.

K. S. / 15328

BP	1783	(LR)	16.4.86
	2598	(LR)	8.6.86
	135	(LR)	23.4.87
Go	358	JudC	18.2.84

Go 5830 Rev 12.12.87
FURTHER PAPERS.

G.O.	No.	Department.	Date.
cuo	640	8198.	

fr. no. 321
1.6.88.
Encl. D
Pt-3909
95

To
His Excellency the Governor
Fort St. George, Madras

The humble memorial of C. Kuppala
now 5th grade Tahildar of Dharmapuri
Salem district, respectfully sheweth,

No. 722

forwarded through the Secy
B. of Revenue (Land Rev.).
The petitioner is mistaken
in thinking I recommended
him. If I had not rightly
asked the Board of Revenue
in S.O. whether I should
consider his claims in
filling up a vacancy -
No. 175, & the answer

In 1895 and 1896. Petitioner
was 1st grade Tahildar in a
Taluk of Kallakurichi, South Arcot.
He has been reduced by the
Board of Revenue to a
5th grade Tahildarship on Rs 150
and transferred to Salem.
Recently a recommendation
by Mr. Innes, the Collector
opportunity to answer

The first two of the Proceedings
are based on a Report
made on Petitioner's conduct
by Mr. Leath Stuart Stuart.

Collector of South Arcot, Copy
dated 28th March 1896, Ref: on
C. No. 5799 of 1895.

These two orders of the
Board reached Petitioner
on 11th May and 25th June 1896

respectively and until then,

he respectfully submits, that

he was not made aware

of the number or nature of

the charges formulated by

the Collector. Petitioner was

about on sick leave (M.C.)

at the district from

x in Coimbatore

There are numerous
in carrying the great
weight in the matter
of the fact that
had been reported
Board in the condition
health at the time
and the absence of
that charges had been
formulated and the matter
one for which may appeal
the kindest consideration
The excellence in Com
On 21st June 1896, Pe
addressed the Board, for
opportunity to answer
raises the
emphasis he can

their resolution which
 numbered 3473³ was, the
 and stated that petitioner
 had been given opportunities
 representing his case
 and that the stone of his
 application to them must
 be considered as highly
 reprehensible. Petitioner
 proformed regret most
 respectfully

3. P. L. R. (P. L. R.)
 No. 17837, dated 16 April 1896.
 No. 2598, dated 8 June 1896.
 No. 2347, dated 23 April 1897.
 (Added to the number to be removed)

of Salinity to find from back
to the 4th grade I have been endeavoring
3. The order of the Board
reducing Petitioners names.

L. H. Newman

94-2-98

From
Novem
Item

Mr. Colver, Jr.
Box 100, New York

Public Library from private

made in 1890

Mr. J. C. ...
...
...
...
...

It is excusable, ^{in rising}
 Andy Lane, unwittingly.

the Board to such an
as to prevent them from

According to his justice,
the merits.

8. Petitioner now proffers
final appeal to Her

Excellency of Council
humbly requests that

he has to say may be considered

Considered as submitted
no spirit of argument

His wish is to make a
case for consideration

it is impossible for her
do so without

do so without some definite
direction.

9 The Charges of mischiefs
are six in number and

have never been known
to Pettibone.

to Petitioner who responds
well. London, April 11, 1870

emphasis he can't

of immovable.
Petitioner's report
of his revenue business letter
dated 19th October 1895,
at the time under
orders of transfer to Tanjore.
vide Fort St. Geo. Gazette dated
1st October 1895. It is
respectfully submitted that
and there being grave cause
for action, the report would
hardly have been delayed
until the Divisional Officer's
transfer was announced.
The Charge and Petitioner's
explanations are now given.

That he omitted to show
his revenue business state-
ment for June and July 1895,
darkasts pending for more
six months.
Petitioner admits there
many darkasts pending.
It arrears are under
the management of the
Collector.

vide para 4-6 of
the Collector's letter.

Thomson
November 1895.
Item - Darkast.

vide order of 13-9-94.
No 6115/94.

* vide Collector's Props:
of 10-10-94 No 217/Eng.

It is hardly surprising
that some confusion was
was caused. It does not
is one in which the
accumulations of 1893 and
1894 were especially heavy. So
much so that a special
report was made to the
Divisional Officer soon after
the Petitioner's arrival in the
the division. Petitioner himself
realised the state of things
and was doing his best to
cope with the heavy files.
Mr Stuart had even praised
him in his remarks dated 10th October.
His exact words are:-
"The Collector is glad to
notice that the Deputy Collec-
tor gives M. A. C. Kuppudanick
due credit for his efforts
to distribute the work of the
establishment in a most
and efficient manner."

of immovable.
 he reported
 which appreciated as soon
 as it makes itself visible.
 What Pektouer claims is
 that, under him, system
 and method were, for the
 first time introduced into
 the office in August 1894.

(li) The Attender however
 who had been in charge
 of darkart work obtained
 leave and extensions of leave
 on various pretexts from the
 Divisional Officer and his
 successors were raw hands
 unable to afford the
 Tahildar proper assistance.
 Good clerking is indispensable
 in a Tahildars office
 and the difficulties of
 Pektouer were many. He
 has however been judged

many darkart requiring
 it arrears are...

51
 x vide arzi of 30-9-95
 C. No: $\frac{3732}{95}$

green in
 8/13-8-95
 Repts. $\frac{3243}{27}$

x. vide Collector's Progs
 of 29-7-95 to $\frac{1799}{ver.}$

29-8-95
 29-8-95
 29-8-95

the... from private
 were presented. What Pektouer
 urges is that
 it is hardly surprising
 that some confusion was
 found. Pektouer does not
 shirk his own responsibility
 in the matter, but the
 Taluk Head Accountant
 who is held responsible
 in South Arcot for
 accuracy in returns
 (including darkarts) was
 an indifferent workman
 and handicapped the
 Tahildar considerably.
 (d) The figures for July 1895
 were not furnished by the
 clerk till late on the
 night of the 9th August,
 the due date for their despatch
 being the 10th August. The
 return was signed and
 certified by the Taluk
 Head Accountant and

of, immovable.
 Petitioner, however, he had
 no reason to doubt their
 correctness. In Provincial
 Offices returns are so
 much pressed that few
 functionaries can hope to
 be absolutely perfect
 as regards figures. Petitioner
 confessed he has committed
 a fault but it is small &
 has been magnified.
 Petitioner was devoting
 his personal time & attention
 to dark work, but
 even a Tahildar may
 be too hard driven.
 (c) The Divisional Officer
 had pressed Petitioner
 to fix 15th August as
 the date on which all
 the existing confusion
 was to be rectified.
 His inspection was

just (not all) of it. x
 Ref on Regr 593
 Tahildar's argi 307-95

x vide Memo of 6-6-95
 Ref on Regr 593 &
 Exclur.
 Tahildar's argi 307-95
 Ref. No 2136
 95.

Ref. No. 3243
 95.

x vide Dy Collector's
 letter of 17-10-95
 Ref. No 1233 (para. 1)
 Petn.

Ref. No. 3243
 95.
 were present. What Petitioner
 respectfully urges is that
 he has been punished as
 the sole person responsible.
 His whole establishment
 was however indifferent
 and the darkest clerk
 "worthless." Mr. Stuart's
 previous appreciation shows
 that Petitioner had really
 worked hard and at the
 sudden inspection of his
 office (made upon a
 pseudonymous report by a
 dismissed Karnam) it
 was only natural that
 some confusion should
 be detected. The point
 calling for consideration is,
 whether Petitioner's conduct
 is so bad as to deserve
 reduction and whether the Confusion
 was chronic and due to Petitioner
 and Petitioner only.

The Collector's letter.

[Faint handwritten notes, possibly "The end of the world"]

[illegible]

1233 (Hawthorn)
1234 (Hawthorn)

1

Hand this information over
for study

No 935
Cur

is that the Comparison
was impossible within the
time given before 4th August
This is why the notices
were shown as issued for
statistical purposes, and
the figures in them had
been put in by the clerk
at the head quarters

was checked by the
the accountant but
Petitioner himself had
returned from camp only
on the 14th and did not
have full time for a
thorough scrutiny. His
best plan would have
been to append a
note to that effect
on the return itself but
this course did not
strike him as essential
and hence the apparent
informality. The collector
in his report says "Petitioner
is only adding one to the
list of misrepresentations
and distortions of facts
of which he is generally
guilty." Petitioner respect-
fully submits that hardly
any defence would be
acceptable

x vide para 10 of the
collector's letter.

x vide argi d/31.7.95
to 2861 (to the point)
95

x vide paras 12-13 of
the collector's letter.

the return from private
such an expression of opinion.
The whole thing may be put
in a few words. There is a
return submitted on 14th August
which shows by lists issued.
Petitioner had prepared
lists, but they had not
issued pending receipt of
the confidential notebook
from the Divisional Officer.
Petitioner frankly admits
that his action in so doing
was not literally correct,
but humbly pleads that
the fault was pardonable,
and that if collectors out
of 40 would have excused
an irregularity under the
circumstances.

Charges III.

That he furnished
erroneous and misleading
figures in the income
return for.

in 90% of the cases shown as "disposed", no regular decisions or judgments had been recorded. At the same time the inspecting officers admit that he saw memos of decisions and definite orders in all of these 34 cases. Petitioner's explanation is that he was too ill with fever at the time to sit up and write full judgments. But he briefly summarized evidence and passed a regular written order in every case.

The collector does not believe this explanation. It is however a fact that Petitioner had fever from 1st November 1895 and took medical certificate before...

+ vide Divisional Officer's Ref. 168
d/ 11-12-95.

+ vide arzi d/ 19-12-95
in reply to Divisional Officer's order (C. No 4807/1895)
Ref. to 1629 d/ 14-12-95.

vide collector's letter - para. 15-17.

Public knowledge from private to furlough. Petitioner pleads now, as he has pleaded before, that he, though ill, passed and wrote proper orders in every case and that he was too ill to do otherwise. He admits this irregularity but asks for some allowance on account of his ill health. Petitioner's constitution has never been very robust. Charge IV.

That he submitted completion report for 24th in Varagar tank without inspecting the work at completion.

This work had been completed on 24th March.

very through exhibit
Cur.

in 90 days. The
was told to wait at the
place and see the work
out as Petitioner, being
Tahildar, was busy with
Collections and Jamabundy.
On the 28th March the
Overseer reported Completion
but Petitioner could not
visit the place then for a
formal and final inspection
owing to Jamabundy.
He represented this
inconvenience to the Divisional
Officer and submitted a
completion report on the
9th which the Divisional
Officer countersigned the
next day without objection.
The work was inspected
by Petitioner a fortnight
later and found to be

* Vide para 18 of the
Collector's letter.

Vide para 19-21 of
the Collector's letter.

Public hearing from private
to the am
The Collector regards
Petitioner's omission to inspect
the work formally in the
middle of Jamabundy time
as very serious and characterizes
it as subordination of
public interests to private
convenience. Petitioner
submits that the matter
was not of such importance
as to warrant such severe
strictures.

Charge V.

That he similarly
submitted a completion
certificate for the cattle pound
at Pallagachari without
inspecting the work after
completion.

The entire work except
in a very thorough estimate
cur.

inspected it on 4th February
1895. The trough was then
condemned as the place
was marshy and a stone
one ordered and the
Contractor told to replaster
some of the Chunan. The
Contractor did the replaster-
ing and claimed the
amount of the estimate
on 28-2-95. Objection
was taken in the Audit
branch to the technical
incompletion of the
masonry trough and a
masonry trough was
built by 2.3.95. Petitioner
signed a Completion Report
on 28.3.95 and did so
because he was the Officer
who last saw it (i.e. on
4th February 1895). The
before me

Vide para 22-23 of
the Collector's letter.

96
Petitioner from private
source
entry as now and
that the name of the
Overseer who reported
completion verbally should
have been substituted
Petitioner, in the absence
of any voucher or record
to prove the Overseer's
inspection, took it upon
himself to certify the completion.
The work was properly finished
and there are now 2 troughs,
one of stone and one of masonry
in the Pond.
Petitioner ventures to think
that his fault has been
magnified in the Collector's
report.
A sixth charge relating to
the alteration of dates for the
sales of avenue produce has
been settled by the Board in
Petitioner's favour in the
Collector's letter dated 3-5-95
No 138. The loss was gen.

On causes.
Vide L. O. No 1544 L.
dated 26th August 1896.

In conclusion Petitioner asks to be allowed to say a few words about himself. He has been 20 years in Government service and has had the misfortune to be reduced in 1892 and 1894. He respectfully begs that he may be judged now not upon any past delinquencies, but on his conduct as reported by Mr. Stuart.

He would justly desire that the South Arcot Collector's report (written on the eve of that gentleman's departure from India) be carefully read.

That document is couched in sweeping and not altogether judicial language. Petitioner is accused of deliberate

* Vide para 13-14.
of the collector's letter

... from private malice ...
of facts to escape severe strictures in the collector's reviews and his conduct is characterized as a general tendency to try and hoodwink his superiors by systematic evasiveness. In the last para. Mr. Stuart strengthens his position by referring to Petitioner's unfavorable record in 1892 and 1894. His indictment could hardly have been stronger had Petitioner been guilty of the most criminal malpractices. As a matter of fact, Petitioner has been uniformly honest and hardworking since he entered Government Service. His misfortunes have been due in a marked degree to his being placed under an exacting task-master.

causes...
that...
Petitioner's faults are -
(1) the confusion of his office
where he had been nine months,
as regards darkasts,
(2) the technical error in
recording G-lists as issued
when they had not issued
(an omission which Petitioner
honestly and truly deprecates
is due to the detention of the
Confidential note book with
the Divisional Officer)
(3) the absence of scrupulously
exact judgments in the
income tax objection Register.
(4 & 5) minor inaccuracies in
completion reports which
Petitioner ventures to think
are not so significant as to
merit the Board's censure.
Upon the first three charges
Petitioner has been punished
by reduction to the lowest
grade of Tahsildar.

10. The... from private
malice...
13.
12. Although it might seem
highly unbecoming in a Tahsil-
dar to refer to it, it may be
known both to the Board
and to Government that
the Collector of South Arcot
relations with his subordinates
are occasionally rather
strained and the language
of his charges against Petitioner
evinces some personal animus
which Petitioner believes was
caused by the exaggerated
representations of the Divisional Officer.
Petitioner's main explanation
quoted by the Collector
and to be dismissed, is that
he is doing his best to
restore the darkasts and the
work of the Tahsildar's office
that his Divisional Officer
though fully aware of what
he was doing, took no
motives.

...now that
Petitioner's faults and
giving him the required
time and that the clerks
of the Taluk establishment
who were in charge of
darkast work during the
period were largely responsible
for the omissions.

The facts are however as
stated. The unpleasant
relations between Petitioner
and his Divisional Officer,
Messrs. Rajaratna Mudaliar,
have not been adequately dealt
with in the Collector's report.

Few English Officers can
fully realize the temperament
of our Native subordinates
towards one another. In England,
it is true, men who figure
as parliamentary or public
enemies are privately
the best of friends. Exactly
the opposite feeling is
found in India where the

10
The ... from private
malice ...

Messrs. Rajaratna Mudaliar
is a gentleman whom
Government have advanced
to high honors. At the
same time it is entirely
owing to misunderstandings
with him that Petitioner's
prospects in South Arcot
were blighted. Even his
creditable exertions in
income tax work go for
nothing: see para 11 of the Report.

"There is no doubt some increase

It may be an arguable
question whether the
Honorable Board did not
decline to rehear Petitioner
from a loyal feeling that
their first duty was to
support the Collector on
principles. Petitioner, we

from all corrupt motives,

appeals to the Executive
in Council on the principle
of justice to the wronged.
Since 1894, Petitioner has
been laboring to retrieve
his lost reputation but
was unfortunate in not
finding favour from the
Divisional Officer. If only
it were possible to read
between the lines of the
Divisional Officer's report,
it would be seen that
the faults found at his
inspection were nothing
more than what could be
found in any Infussil
Cutcherry taken by surprise.
Every little circumstance
has been magnified and
the inclusion of such matters
as want of signature to
completion reports is
noticeable.

13. As regards his past
career, Petitioner is content
to suffer and be still,
but as regards the matters
of the Cuddalore report,
Petitioner, even at this late
hour, protests that he has
been reduced for routine
informalities and pardonable
errors which a gentleman
of kindly feelings might have
visited with a mere warning.
Petitioner like every other
Jahuldar was toiling on
in the rear of his work
and had done his duty
honestly. Not a word is
insinuated against his
personal probity, though
the report accuses him of
every kind of administrative
badness. The Board have
believed this report and
while exonerating Petitioner
from all corrupt motives,

say that he must be reduced for his carelessness and inaccuracy.

The Board, in rejecting the Review application, censured Petitioner severely for his presumption. Possibly, one reason why the Honorable Board took offence at Petitioner's memorial was, that it contained a criticism of Mr Raja-ratna Mudaliar's administration. Petitioner however, protests even to this hour that his opportunities for making a defence were not adequate.

14. His ^{also} character has been to some extent misjudged.

He is a person of sensitive spirit and what is really independence of disposition, has been construed by the Collector and Divisional

10. Officer to be impertinence. Such was not the opinion formed of Petitioner by his former Officers, Mr Price, Mr. Triemken, Mr. Farmer and Mr. Russell a copy of whose testimonials is enclosed.

15. The recent action of the Board in barring Petitioner's promotion as recommended by Mr. Mounsey last April, is a matter Petitioner submits before His Excellency in Council. His prayer is that his degradation by Mr. Stuart may be modified. For, it is hardly possible for any Officer to have suffered more than Petitioner has done for faults which are in many ways either technical or statistical. Enclosed are copies of Mr. Stuart's report, o

These are the
only copies on file
of the report

The Board of Directors in Council
 has approved the report of the
 Committee on the subject of the
 proposed amendment to the
 Constitution of the State of
 New York, and has resolved
 to recommend the same to the
 Convention to be called in
 1893.

2093

2. The petitioner, M.R.Ry.C.Cooppooswami Iyer, was until 1892 the second grade Tahsildar of ^{the} Musiri Taluk, Trichinopoly District. In 1892 the Collector reduced him to the fifth grade on account of certain charges of misconduct and recommended his transfer to the Tanjore District. The Board, however, after reviewing the charges brought against him, ordered his reduction to the third grade and his retention in the Trichinopoly District. Board's Proceedings No. 6060 Mis. dated 22nd. September 1892. In pursuance of this order, the Tahsildar was posted to the Udayarpalayam Taluk, Trichinopoly District. A copy of these Proceedings was submitted to Government for information, and subsequently the conduct of M.R.Ry.Cooppooswami Iyer came under the notice of Government in connection with an appeal preferred to it by a clerk, named Srinivasier. Government thereupon, in its order, Mis. No. 358 Judl., dated 15th February 1894, directed the Tahsildar's reduction to the Fourth grade. The Collector, however, represented that the Tahsildar, who had already been degraded from the second to the third grade, might, instead of trying to ~~xxxx~~

40 1913
24-11-83

5

40 1916
25-5-84

40 1925
2-1-84

retrieve his position, sink under ^{the} further reduction now ordered by -----
Government and recommended his transfer to some other District. The -----
Board accordingly sanctioned M.R.Ry. Coopposwami Iyer's transfer to the
fourth grade Tahsildari of Kallakurichi in the South Arcot District. -----
Board's Proceedings No. 2168 Mis. dated 23rd April 1894.

3. Soon after his transfer, the Collector of Trichinopoly brought
to ^{the} notice of the Board the bad work done by the petitioner in the Uda-
yarpalayam Taluk, of which he had been last in charge; but the Board, in -
view of the punishment recently inflicted on him, considered that no ac-
tion was called for beyond an expression of ^{the} grave displeasure of the -----
Board which the Tahsildar had incurred. Board's Proceedings No. 628 Misc. -----
dated 7th February 1895.

4. M.R.Ry. Coopposwami Iyer was in charge of the Kallakurichi --
Taluk till March 1896, when, the Collector of South Arcot, in his letter -
No. 5499 dated 28th March 1896, brought to the Board's notice certain ---
fresh charges of misconduct against him, and the Board thereupon reduced
him to a fifth grade Tahsildari on Rs. 150 (Board's Proceedings No. ~~1783~~ ¹⁷⁸³ -----
Mis. dated 16th April 1896) and transferred him to the Salem District --
(Board's Proceedings No. 2598 Mis. / Confl. No. 65, dated 8th June 1896). M.R.Ry. -----
Coopposwami Iyer was first posted to the Krishnagiri Taluk; but, owing -
to the regrading of taluks, he was afterwards sent to the Dharmapuri Ta-
luk, of which he is now in charge.

5. In his petition dated 24th June 1896, which was submitted to -
the Board only in October 1897, M.R.Ry. Coopposwami Iyer requested the -
Board to re-consider its Proceedings No. 1783 Mis. dated 16th April 1896,
quoted above; but the Board rejected the petition with an expression of
its strong disapproval of the tone in which it was couched, adding at --
the same time that the review petition opened with a deliberate mis-----
statement that the petitioner had been punished without being informed
of the nature of the charges framed against him. Board's Proceedings No.
3973 Mis. dated 21st October 1897 recorded in G.O. No. 5830 Mis. dated 12th
November 1897. The said assertion is again repeated in the present ap-
peal.

6. M.R.Ry. Coopposwami Iyer now appeals to Government against --
the Board's order directing his last reduction, but adduces no grounds -
which were not before the Board when it passed its Proceedings No. 1783
Mis. dated 16th April 1896, and the Board has no recommendation to make -

on his behalf.

210
Secretary

To the Secretary to Government, Revenue Department, with petition
& the Collr's. endt. thereon and seven enclosures-the last to be
returned.

Q.B.

Head Board's Reference date
10th March 1898 (C.No.2096 of 1896).

- * -

NOTE -

On a report by the Collector of South Arcot bringing to the notice of the Board of Revenue certain charges of irregularities in the conduct of office work on the part of -- M.R.Ry.C. Coopposwami Aiyar, while -- Tahsildar of the Kallakurichi taluk, the Board ordered the Tahsildar's reduction from the fourth grade (Rs.175 to the fifth grade (Rs.150), and his transfer to another district. (B.P. No.1783 Mis. Land Revenue, dated 18th April 1896). In his petition dated -- 24th June 1896, which did not reach the Board till October 1897 owing to a delay of over one year due to Deputy Collector M.R.Ry.A. Sundaresa Mudaliyar, the Tahsildar requested a reconsideration of the order directing his degradation. The Board rejected the petition expressing at the same time a strong disapproval of the tone in which it was couched. (B.P. in G.O. 5830 d/12-11-97). With the Current -- read above the Board submits for the consideration of Government a petition from the Tahsildar appealing --

The three charges above mentioned are probably proved. As for the explanations being written at a time of illness, they were called for in August, & not submitted till Decr. They were probably known -- now Tahsildar of Dharmapuri

taluk, Salem.

into shape long before that. His representations that he did not know of the charges reduce itself to this, that, though he knew of the substance of the charges and had submitted explanations about p.64 of the file A

then, he did not know the way in which they were formulated, this is of no consequence whatever. The punishment awarded to the Tahsildar is, no doubt, lenient. Accordingly the petition must be dismissed dismissed.

It is recommended in the office note that he should be reduced to the post of Tahsildar Head accountant. This is evidently because of what happened in 1892. I think he should have been reduced out of the grade of Tahsildar then, but as the Govt. of that time, through the question whether he should be reduced or not, was specifically before them, decided not to do so, I do not think we should do so now. B

29/4/98
R.2/5/98
R.C. 7/5/98
R.C. 14/5/98
R.C. 21/5/98
1/5/98

against his reduction.

2. In forwarding the petition, the Board invites the attention of Government to the unfavourable antecedents of the petitioner. In the early part of 1892 when the petitioner was the Tahsildar of the Musiri taluk, Irichinopoly Dt., the Collector of Irichinopoly reduced him from the second grade (Rs.225) to the fifth grade -- (Rs.150) on some charges of delay and irregularity in the disposal of certain magisterial cases and on the charge of general mal-administration of his office. (Paras 1 to 11 of the B.P. disposed of by G.O. 5113 dated 24th Novr. 1892). On appeal by the Tahsildar, the Board found him guilty of scandalous delay in the disposal of two magisterial cases and of abusing his powers as a magistrate in convicting a head-constable against whom he had a private grudge. The Board however in view of the petitioner's past record of good service, modified the Collector's order and directed the petitioner's ^{his} reduction to the third grade (Rs.200) and his transfer to the ^{ya} ~~33~~arpaliem taluk in the same district. Paras 12 to 15 of the B.P. referred to last). Attention is, in this connection, invited to the Notes stitched with the G.O. of 1892 quoted above in

paras 2 + 3 of the current.

Disturbances in disposing of magisterial cases, & trying to convicting a head constable for conviction of Court & trying to remove a constable through personal animosity, when he ought to have sent this case to another mag.

And recommended his transfer to Tanjore

*Please see the Hon'ble Members' Note stitched with G.O. 1916 Vis. 6/25th May 1893. D

Arising out of the above mentioned cases of Delinquencies in disposing of Magisterial cases

*In G.O. 823 Rev. 18/27-2-94. E

3
which it ^{was} observed that the Tahsildar Magistrate seemed to have ^{been} leniently treated, seeing that he was found guilty of a gross abuse of magisterial powers to gain his private ends. The petitioner's conduct came before Government again ⁱⁿ 1893 in connection with an appeal preferred by one Srinivasa Aiyar, a clerk of the Musiri taluk office, whose dismissal the Board had ordered (para 17 of the B.P. under G.O. 5113 6/24th November 1892) on the grounds that the scandalous delay -- above referred to in the disposal of the magisterial cases was due to the clerk's negligence and that he endeavoured to shift upon his superior officer the blame properly belonging to himself. In G.O. 258 Judicial, dated 15-2-94, the Government ordered the reduction ^{to the fourth grade} of the Tahsildar (Rs.175) on account of the conviction of the head-constable and the other cases of misconduct proved against him in the discharge of his magisterial duties. On the representation of the Collector of Irichinopoly that the Tahsildar who had already been degraded from the 2nd to the 3rd grade might instead of trying to ^{re}trieve his position sink under the further reduction ordered by Government, the Tahsildar was transferred to the Kallakurichi

taluk of the South Arcot Lt. (para 2 of the Current). Soon after this transfer, the Collector of Irichinopoly reported to the Board the bad work done by the petitioner in the Udayarpaliam taluk of which he had last been in -- charge; but the Board in view of the punishment which had recently been inflicted on him considered that no action was called for beyond an expression of its grave displeasure at his conduct. (para 3 of the Current).

Coming to the case of the punishment against which the petitioner has now appealed to Government, it is submitted that as already stated above, the Board's order directing his reduction to the fifth grade, was based on the report made by the Collector of South Arcot of certain irregularities in the work of the petitioner while in charge of the Kallakurichi taluk. From the Collector's report, a copy of which is among the papers submitted by the petitioner, it will be seen that the charges framed against him were six in number, that the Collector considered all of them to have been fully proved and that the Collector was of opinion that the petitioner could no longer be entrusted with the administrative work of a taluk. It is submitted that it will

pp. 40-63 of the file

Paras 24 to 26 of the Collector's report d/28-3-96. Pages 60-63 of file 7

Paras 3 to 7 of the Collector's report d/28-3-96. Pages 41-46 of file

He took charge 9 months before

Paras 8 to 11 of the Collector's report d/28-3-96. Pages 45-49 of file H

be sufficient here to notice only 3 of the charges viz. those on the strength of which the Board based its remarks in para 1 of its Proceedings dated 16-4-96, No. 1783 Vis. and ordered the petitioner's reduction. These three charges together with the explanations with reference to them furnished by the petitioner to the Collector, will be examined below.

4. Charge (1): That the Tahsildar omitted to show in his revenue business return for June and July 1895, 149 -- per Dakhast cases pending for more than 6 months. The Tahsildar admitted the fact, but urged in explanation of the omission that the condition of the ^{Taluk Office} office was chaotic before he took charge of it, that he had very heavy work ^{to do} to do, and that the clerks of the establishment, who were in charge of Dakhast work were primarily responsible. It is submitted that the explanation would seem to be beside the mark.

Charge (2) That the petitioner furnished false figures in his income-tax return for July 1895. On the 15th July 1895, it was noticed that the Tahsildar had failed to take steps for income tax assessment for 1895-96 till the end of June 1895; and he was accordingly called on to explain this

6

omission. In his return for July 95 submitted on the 4th August following, the tahsildar showed Rs. 2,215 as the current demand for which G. lists had been issued during the month. The Divisional officer who inspected the records of the taluk office on the 10th and the 11th August 1895 discovered that as a matter of fact not a single G. list had been signed and sent out of the office. It was found that lists for Rs. 1760 had been prepared but not signed and that for the remaining amount of Rs. 465 no lists had even been prepared. Called upon to explain this irregularity, the tahsildar would appear to have ignored the serious aspect of the matter and to have confined himself to an explanation of what he spoke of as delay in the issue of G. lists which he ascribed to the non-return by the Divisional officer of the tahsildar's Confidential register which had been sent to him (the Divisional officer). It is submitted that the plea is beside the point and goes no way in justifying the incorrect entry in the income-tax return. The Collector moreover shows that the explanation involves a misstatement of fact, for the Confidential register having been sent to the Divisional officer only on the 1st

*Dy. Collr. M. B. R. P. Rajaratne
Mudaliyar.

This was the return for July. The Confidential Register was not sent to the Div. officer on the 1st Aug.
25

Paras 12 and 13 of the Collr's report d/28-8-96. *Page 49-51 of file*

*V. R. V. T. Raghavayya Garu, Dy. Collr.

7

August 1895. It is submitted that the Collector would appear to be right in concluding that the false entry in question was deliberately made with the object of escaping the censure that would have been passed if the real state of things had been disclosed.

Charge (a) That the petitioner furnished erroneous and misleading figures in his Income tax return for November 1895. The Divisional Officer who inspected the Income-tax records of the taluk office on the 7th December 1895 found that the tahsildar had again furnished false figures in his return for November 1895 in having shown 20 objection petitions as having been disposed of while the actual number was only 56. That in the remaining 34 cases the tahsildar only noted the word "confirmed" or "remitted" as the case may be on the records of enquiry in each case. No orders had been recorded in Register No. II. nor was the disposal as noted on the records communicated to the parties concerned. In explanation of this charge the tahsildar urged that the omission to record the decisions in the Register was due to the fact that he was then suffering from high fever and was unable to sit

up and write. The Collector thought, and it would appear rightly, that the explanation was unsatisfactory. As regards the omission to communicate his decisions to the parties concerned the Iahsildar would not seem to have furnished any explanation.

In passing orders on the Collector's report the Board viewed with grave reprehension the conduct of the petitioner with reference to the above charges and observed that he was -- shown to be careless and inaccurate & to be wanting in a due sense of the responsibilities attaching to his office. The Board would not seem to have thought that the petitioner's removal from the post of Iahsildar would be too heavy a punishment, but in view of the fact that the petitioner's irregularities were not promoted by any -- "corrupt motives", was pleased to give him one more chance and ordered his reduction to the last grade. (Vide H.P. No. 1783 Mis. 3/16th April 1896, copy in the file).

In the appeal now under consideration the petitioner adduces no new grounds to justify the irregularities above adverted to. He admits the irregularities, but seeks to belittle their seriousness and urges in their excuse such circumstances as the chaotic condition of the taluk office when

But he had recorded notes of his evidence in these cases in his own hand writing.

Obviously it is the same - that he was too ill to see whether this was done or not

They intended to say, & should have said, "there was no cause to suspect any corrupt motive."

A

9
he took charge of it, the imperfections of his establishment and his illness at the end of 1895. The petitioner was found ^{fault with for} ~~guilty of~~ furnishing information which, there is little doubt was false to his knowledge; and it is submitted that the excuses urged by him ^{seem to} have little to do with the matter and ~~seem to~~ evade the point really at issue. The petitioner complains -- that he was not given a fair opportunity of exculpating his conduct and that his explanations were offered at a time when he was laid up with fever, and could not therefore be very coherent. It is submitted that the petitioner would appear to have been allowed every opportunity of defending himself and that he is himself to -- blame for ~~his~~ great delay in the submission of his explanations (Please see the last para but one of the Divisional Officer's report 3/17th Oct. 1895 - page 20 of the file - and para 3 of the Collector's report dated 28th March 1896 - page 41 of the file).

It is submitted that taking into consideration the petitioner's bad record since 1892 and the serious nature of the charges above examined, the reduction by one grade -- which the Board has ordered would -- seem to be a punishment rather lenient.

than otherwise, and that there are no grounds for interference in the petitioner's favour.

Pt. 1/4/98
See

The man's past career is set out above. A large number of proposals for conferring on Tahildars enhanced powers & responsibilities are now before the Govt; and the main ground on which they are put forward is that the Tahildars of the present day is an officer of superior status & education & honesty to the Tahildars of 15 or 20 years ago. If Govt is to accept this proposition, it is submitted that men like the petitioner should not be kept in the service as Tahildars at all events. He has been found guilty at various times of abuse of official power to satisfy private grudges, dilatoriness, irregular & bad work, and lastly of sending in deliberately false returns to cloak the disordered state of

* Only once - in 1892
25

I understood his statement was that he was not informed what the charges were against him when formulated.

See above. There is
something reason to suspect
corrupt practices though
they are not proved.
B.P. 1783 hinc.
16 Apr 96
A

25

public business in his Taluk. His explanation show that he is in no way conscious of the seriousness of his misconduct. His persistent repetition of the misstatement that he was punished without being informed of the nature of the charges against him shows that he has not much regard for truth or discipline. The Board apparently did not recommend his removal from the post of Tahildar, and there was no proof that his misconduct was prompted by "corrupt" motives. Had there been such proof, I submit, the man should have been dismissed. But seeing that there is no such proof, it is submitted that the man should be at least retained in the post of Tahildar.

10
2
at least. He has over-
score again proved
his incompetence for the
post of Tahildar &
making him a Tahildar
on less pay. does not
seem to meet the require-
ments of the case at all.

W.H.
23/4/88

H.M.

The most important con-
sideration in dealing with
the petitioner is whether it
is right & proper to place
the people at the mercy
of a man who is neither
honest nor upright in
the exercise of his executive
& magl. authority & who
as in the present case - which
is amply established - does
not scruple to conceal his
irregularities & neglect by
making false returns.

I don't think it is
fair to the people to retain
such a man in a position
of authority & w. as the H. suggests.

H. A. S. H. 27. 4. 98

See

With reference to the
portion of H. M. note
marked A. I beg to
submit that ~~the~~ it
was not with reference
to his past misconduct
in 1892 (his punish-
ment for which has
been already before
the Govt.) but with
reference to the
present case of his
appeal. that it was
submitted for consider-
ation whether reduction
in pay coupled with
retention of
the same powers &
responsibilities
was an adequate or
appropriate punish-
ment.

The charges in the
present case on which
the Bd. based its order
of reduction (W.P. 1783 of 16-4-
are set forth on pages
5, 6 & 7 of the note ab-
they are under-

They show that the work
in the Taluk office presides
over by the petitioner for
some months was in
the most disgraceful
state of arrears and that
the petitioner sought
to conceal this by
sending in false
returns.

It was thought
that this officer, having
consideration to his previous
reference to his previous
record as shown by
his previous punish-
ments of reduction and
suspension, it was thought
that this offence might
be considered as a final
proof of his incapacity
for the position of a
Talukdar & viewed in
this light, the punish-
ment of reduction from
which he was appealing
seemed inadequate
& inappropriate.

10th
6.5.18
The office explains the
reduction as being
unwarranted. It was
recommended that the
reduction be dealt with
in 1892.

14

* I did not understand the note
as suggesting that the reductions
recommended should revert back to
I thought, however, that the punish-
ment inflicted by the collector was
harsh for the present misconduct
and have been deemed sufficient,
if it had not been for the pre-
vious misconduct of 1892. As
the facts of that time showed
that this misconduct might
be wiped out by a one-grade
reduction, it seemed some-
what wrong that we should let
it influence us now so as to
exacerbate the man &
create what a bad precedent.

13/5/98

I must say that I think this man
ought to leave to be a Talukdar. - He evidently
cannot in any way be trusted & it would
move him to another Taluk. ^{governor} will do it. ^{of course}
He will be the same man there as before -
This is a case of the old adage "Colum was
anxious instant" - I don't think the
people should be left at the mercy of
such a man.

14/5/98 To the Governor
H.C. The Governor
8/7/98

explains the reduction in the original
reduction intended that the reduction
be dealt with in 1892. ^{that this man has shown his}
misconduct dealt with in 1892. ^{unfitness to be a Talukdar}
and he has had a full trial
of his capacity. A.S. 1892.

15

Draft accordingly; & circulate
the draft to the Hon. Mr.
Gore

P.R. 207578

Draft submitted
11/6
23.1.98

10 may 8A

670.
7/6/98

30

Seen
JK
26/5/98

2

12/5/98

8/2.27.4.28

~~Let a court view~~
~~of the matter & consider~~
to interfere with
the punishment
awarded by the Board
although ~~Heul~~ considers it ~~on the side of leniency~~
~~insufficient~~. But it

appears that in 1892
when Tabulwan of
Musini in the Trehump
District, the petitioner
was ~~found~~ guilty
of scandalous &
dilatory work as
a magistrate and of
abuse of magisterial
powers in convicting
a head constable
against whom he
had a private
grudge. For these
former petitioner
was successively
reduced from the
2nd grade to the 3rd grade,
& from the 3rd to the
4th grade, of Tabulwan.
Soon afterwards, he
was found guilty
of bad work in the

the ~~in~~ Lalagau Taluk, of the same dist
D/O 27.6.98

and severely censured.
3. In these circumstances
the Govt is of opinion
that the petitioner ^{after a full}
has by his recent mis-
conduct in the Taluk
Kumili Taluk, finally
proved his unfitness
for the post of Tabulwan
and ^{that he} cannot, in future be entrusted
with a post of independent responsibility
that the Govt accordingly
directs that he be
reduced to the post
of Taluk head acct
from the date of this
order.

23.11.98 *[Signature]*

Depd. 14.6.98
To the Bd & R. *[Signature]*
with encls. *[Signature]*
Copy to the Genl Secy. *[Signature]*
Dytl
40/3

Government {1898} of Madras.
REVENUE.

Recd.

Regd.

} 1898.

Enclosures

Spare copies

G.O., No. 321, 1st June 1898.

JUNE.

M.R.Ry. C. Coopooosamy Iyer, Tahsildar of Dharmapuri

Passing orders on the petition of —, Salem district, appealing against the orders of the Board of Revenue reducing him from a fourth-grade to a fifth-grade Tahsildari.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Reference from the Board of Revenue (Land Revenue) dated 10th March 1898, on petition from M.R.Ry. C. COOPOOSAMY IYER Avargal, Tahsildar of Dharmapuri, Salem district, dated 15th February 1898, and the endorsement of the Collector of Salem thereon, No. 722, dated 21st February 1898:—

Submitted to Government.

2. The petitioner, M.R.Ry. C. Coopposamy Iyer, was until 1892 the second-grade Tahsildar of the Musiri taluk, Trichinopoly district. In 1892 the Collector reduced him to the fifth grade on account of certain charges of misconduct and recommended his transfer to the Tanjore district. The Board, however, after reviewing the charges brought against him, ordered his reduction to the third grade and his retention in the Trichinopoly district (Board's Proceedings, Mis. No. 6060, dated 22nd September 1892). In pursuance of this order, the Tahsildar was posted to the Udaiyarpalaiyam taluk, Trichinopoly district. A copy of these Proceedings was submitted to Government for information, and subsequently the conduct of M.R.Ry. Coopposamy Iyer came under the notice of Government in connection with an appeal preferred to it by a clerk named Srinivasier. Government thereupon, in its order, Mis. No. 358, Judicial, dated 15th February 1894, directed the Tahsildar's reduction to the fourth-grade. The Collector, however, represented that the Tahsildar, who had already been degraded from the second to the third grade, might, instead of trying to retrieve his position, sink under the further reduction now ordered by Government and recommended his transfer to some other district. The Board accordingly sanctioned M.R.Ry. Coopposamy Iyer's transfer to the fourth-grade Tahsildari of Kallakurchi, in the South Arcot district (Board's Proceedings, Mis. No. 2168, dated 23rd April 1894).

3. Soon after his transfer the Collector of Trichinopoly brought to the notice of the Board the bad work done by the petitioner in the Udaiyarpalaiyam taluk, of which he had been last in charge; but the Board, in view of the punishment recently inflicted on him, considered that no action was called for beyond an expression of the grave displeasure of the Board which the Tahsildar had incurred (Board's Proceedings, Mis. No. 628, dated 7th February 1895).

4. M.R.Ry. Coopposamy Iyer was in charge of the Kallakurchi taluk till March 1896, when the Collector of South Arcot, in his letter, No. 5499, dated 28th March 1896, brought to the Board's notice certain fresh charges of misconduct against him, and the Board thereupon reduced him to a fifth-grade Tahsildari on Rs. 150 (Board's Proceedings, Mis. No. 1783, dated 16th April 1896) and transferred him to the Salem district (Board's Proceedings, Mis. No. 2598—Confidential No. 65, dated 8th June 1896). M.R.Ry. Coopposamy Iyer was first posted to the Krishnagiri taluk, but, owing to the re-grading of taluks, he was afterwards sent to the Dharmapuri taluk, of which he is now in charge.

5. In his petition, dated 24th June 1896, which was submitted to the Board only in October 1897, M.R.Ry. Coopposamy Iyer requested the Board to reconsider its Proceedings, Mis. No. 1783, dated 16th April 1896, quoted above; but the Board rejected the petition with an expression of its strong disapproval of the tone in which it was couched, adding, at the same time, that the review petition opened with a deliberate mis-statement, that the petitioner had been punished without being informed of

the nature of the charges framed against him (Board's Proceedings, Mis. No. 3973, dated 21st October 1897, recorded in G.O., Mis. No. 5830, dated 12th November 1897). The said assertion is again repeated in the present appeal.

6. M.R.Ry. Coopposamy Iyer now appeals to Government against the Board's order directing his last reduction, but adduces no grounds which were not before the Board when it passed its Proceedings, Mis. No. 1783, dated 16th April 1896, and the Board has no recommendation to make on his behalf.

(Signed) R. C. C. CARR,
Secretary.

To the Secretary to Government, Revenue Department,
with petition and the Collector's endorsement thereon
and seven enclosures (the last to be returned).

ORDER—No. 321, Revenue, dated 1st June 1898.

Miscellaneous.

M.R.Ry. C. Coopposamy Iyer
appeals against the orders of the Board
of Revenue reducing him from a fourth-

grade to a fifth-grade Tahsildari. From the records, it is clear that the petitioner was guilty of much bad and negligent work when in charge of the taluk of Kallakurchi, in the South Arcot district, and that he did not scruple to attempt to conceal his negligent administration by making false returns.

2. Were this the first occasion on which the petitioner has been found fault with, the Government would perhaps be indisposed to interfere with the punishment awarded by the Board, although His Excellency in Council considers it to err on the side of leniency. But it appears that, in 1892, when Tahsildar of Musiri, in the Trichinopoly district, the petitioner was guilty of scandalously dilatory work as a Magistrate and of abuse of magisterial powers in convicting a head constable against whom he had a private grudge. For these offences petitioner was successively reduced from the second-grade to the third-grade, and from the third to the fourth-grade, of Tahsildars. Soon afterwards he was found guilty of bad work in the Udaiyarpalaiyam taluk of the same district and severely censured.

3. In these circumstances the Government is of opinion that the petitioner, after a full trial, has, by his recent misconduct in the Kallakurchi taluk, finally proved his unfitness for the post of Tahsildar, and that he cannot, in future, be entrusted with a post of independent responsibility. The Government accordingly directs that he be reduced to the post of Taluk Head Accountant from the date of this order.

(True Extract.)

(Signed) G. STOKES,
Secretary to Government.

To the Board of Revenue (Land Revenue),
with enclosures.

Copy to the Judicial Department.

Encl. W. D'Moss.

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189

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