Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 54.
Confidential 1006.

Dated 6 January 1898

[Despatch Abstract.]

Directing ~~that the~~ period of suspension undergone by M. Nagabushanam Dy Tahr of Tenali be treated as a substantive punishment ~~& that~~ he be reduced to the post of a clerk or accountant on Rs 25 per mensem

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

~~Political~~ (1897) Department.

CURRENT No. 1056 ~~Confidential No 116~~

SEC. GOVT. MADRAS 9 DEC 97 REV. DEPT.

From Board of Revenue
Land Revenue

No. 4657 Rev
Confl No 152

Dated 7 December 1897
Received 8th Dec.
Registered 8th " "
Enclosures Three.
Spare copies

Orders

The Board reports the case of M.R.Ry. Mr Nagabhushanam Dy Tahsildar of Tenali. The case is clear & ~~[illegible]~~ completely & yet briefly set out in the Collector's letter Flag D which please see. The points against the Dy Tahr may be summarised as follows

(1) He borrowed a sum of money (600 Rs) from a landholder within his jurisdiction in violation of Rule 23 of the Rules for the personal conduct of Govt servants

(2) He gave contradictory explanations with ref thereto. (Please see paras of the Collector's report flag D)

There is reason for suspecting that the transaction was but the winding up of a series

SUBJECT.

Submitting for orders of Government, with remarks, report from the Collector of Kistna regarding the conduct of M.R.Ry. Mr. Nagabhushanam, Deputy Tahsildar of Tenali in borrowing money from a person within his jurisdiction.

of similar transactions between the Dy Tahsildar & the landholder. This winding up was ~~occas~~ rendered necessary by the Dy Tahsr's transfer. (para 7 of the Collector's letter D)

(3) The Dy Tahsildar has not a good record (please see para 10 of the Collector's letter D)

The Dy Tahsildar has 23 years service & is aged 44 (acc to list dated 1st Jany 97) Pay R. 100

The Board recommends that the period of suspension already undergone – from 20th April 97 should stand as a substantive punishment and that he shd be reduced to the post of a clerk or an accountant on Rs 25.

16/12/97

HOY The Boards recommendation may be accepted.

Cases such as this are difficult of detection & shd not be lightly ~~dealt~~ with when detected. 17.12.97

Yes
20/12/97

Ley Please add draft G.O. on the docket

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Revenue (1897) Department.

CURRENT No. 10560.

Confidential No 116

Read Cur No 10560

From Board of Revenue (L.R.)

No. 4657 Mis
Confl No 152

Dated 7th December 1897

Received 8th "

Registered 8th "

Enclosures three

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SUBJECT.

Submitting for orders of Govt with remarks report from the Collector of Kistna regarding the conduct of Mr Ry M. Nagabhushanam Dy Tahr of Tenali in borrowing money from a person within his jurisdiction.

Order Mis No 54 Dy 6 January 1898

The Govt considers that it has been clearly proved that Dy Tahsildar M. Nagabhushanam borrowed a considerable sum of money ~~[illegible]~~ from a landholder in his range in violation of Rule 23 of the Rules ~~[illegible]~~ for the Personal Conduct of Govt servants.

It has been further shown that the Dy Tahsildar gave contradictory explanations in the matter & that his record has not been good.

In the circumstances, the Govt accepts the Bd's recommendation & directs that the period of suspension undergone by the Dy Tahsildar

P.T.O.

from the 20th April 97 should be treated as a substantive punishment and that he should be reduced to the post of a clerk or accountant on Rs 25 p.m.

5.1.98

To the Bd of R. with the encl returned

Despd 7/1/98

No.

5/1/98

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Copy of B.P. of 26 April 1883 No 1177

PROCEEDINGS OF THE BOARD OF REVENUE.

---:---

Read the following letter from H.P.Gordon Esq., Collector of Bellary, to the Secretary to the Board of Revenue, - dated 19th April 1883, No.1204:-

In Dr.Macleane's Edition of the Board's Standing Orders, the notification of Government, prohibiting pecuniary transactions between the superior officers in the Uncovenanted service and persons resident in their official ranges, which was communicated in Board's Standing Circular No.43 of 1865, has not been included although reference is made to the Government Order in the list of orders quoted at the foot of the Standing Order No.276.

2. I have the honour to suggest that if its omission in the revised edition was unintentional, a Circular order may be issued directing its addition to the revised edition of the - Standing Orders.

RESOLUTION :- dated 26th April 1883, No.1177.

The omission to insert the notification of -- 1865 prohibiting pecuniary transactions between the superior officers of the Uncovenanted Service and persons resident within their official ranges in Mr.Macleane's Edition of Standing Orders was apparently unintentional. The following should be inserted as Standing Order No.248 A :-

" 1. Officers in positions of trust and responsibility in the Uncovenanted Service are absolutely prohibited from entering into any money or other dealings whatever with persons resident within their official ranges and liable to be brought into any - official relations with them, if such transactions are of a nature to place the Government Officer under an obligation to the private individual incompatible with perfect freedom and ----- independence of official action.

" 2. It is not necessary or expedient to attempt to define all the transactions to which the prohibition applies. It clearly includes all gifts of value, loans, credits, advances, supply of articles, or accommodation at unduly low rates or for insufficient consideration, and sales of property for inordinate prices; and while it is evident that no honest man will find any difficulty in applying the rule to his individual case, the Government will not be induced by any unworthy plea of non-violation of the letter of the rule to pass unpunished any disregard of its spirit, but will, on the other hand, visit such cases with their severest displeasure.

" 3. This rule will apply in the Revenue Department to all Deputy Collectors, District and Sub-Division Sheristadars, Tahsildars, Taluk Sheristadars, Sub-Magistrates, Deputy Tahsildars Forest Range Officers and all Government servants in corresponding positions of responsibility and trust."

(A true copy and extract)

(Signed) E. Gibson,

Acting Secretary.

B.P. 26- April 1883 No. 1177

CONFIDENTIAL.

200 copies
30-7-96.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 7th December 1897.

No. 4657 Mis
Confl. No. 152

READ again Board's Proceedings, No. 1295 Mis / Confl. No. 53, dated 6th April 1897 recording letter from the Collector of Kistna reporting on the conduct of M.R.Ry. M. Nagabhushanam, late Deputy Tahsildar of Kykalore and present Staty: Sub-Magistrate of Tenali.

Read also letter from R. Morris Esqre, Acting Collector of Kistna, to the Secretary to the Commissioners of Land Revenue, dated 22d November 1897, No. 2093 Ver.

Resolution.

Submitted for the orders of Government.

2. In his letter No. 2093 Ver, dated 29th March 1897 recorded in the Board's Proceedings read again above, Mr. J. N. Atkinson, as Collector of Kistna, brought to notice that M.R.Ry. M. Nagabhushanam, Deputy Tahsildar and Stationary Sub-Magistrate of Tenali, had, while serving as Deputy Tahsildar and Sub-Magistrate of Kykalore, borrowed money from one Aousumalli Subramaniyam, a merchant and rich land-holder

residing

within his jurisdiction. The Collector stated that up to the date of his report he had taken no steps against the Deputy Tahsildar beyond recording an explanation from him, but that he was then issuing an order suspending the Deputy Tahsildar and calling on him to show cause why he should not be dismissed. Mr. Atkinson left the district soon afterwards, entrusting the enquiry to the Head Quarters Deputy Collector, who submitted his report on the 5th June 1897. Mr. Batten, then acting as Collector, seems to have done nothing in the matter, and Mr. Morris, the present Collector, now submits the case for the Board's orders. The Board considers that the delay of over 5 months in the Collector's office is discreditable. The Deputy Tahsildar has remained under suspension since April 20, 1897, and the Collector should have reported at once the result of the further enquiry.

3. The Deputy Tahsildar admits that he took a loan of Rs 600 from Adusumalli Subramanyam, a person "subject to his official authority or influence", contrary to Rule 23 of the Rules regulating the personal conduct of Government servants, and under the strict letter of the rule he is liable to dismissal. The Deputy Tahsildar pleads that the money was taken in 1891, whilst the rules were not published till 1893. This plea is untenable, for, as the Collector shows, the rule in a modified form has existed since 1865, and in 1883 it was circulated to all Collectors under Board's Proceedings No. 1174, dated 26th April 1883. There was also a District Circular in 1891 (but this was issued after the loan had been taken by the Deputy Tahsildar) drawing attention to the rule. The plea of ignorance must therefore be rejected.

D. Vide G.O. 2 June 1865 No. 185. Flag A.

(typewritten copy put up) Flag B.

4. It is clear from the record that the sum of Rs 600 referred to above was the balance due by the Deputy Tahsildar to his creditor when the Pro: Note was given in June 1894, on his transfer from the Kykalore to the Tenali division, and it may be presumed that other sums were received from the same creditor. This is denied by the Deputy Tahsildar, but in any case it is evident that for years he was under pecuniary obligations to a wealthy individual within his jurisdiction, who was afterwards convicted of giving illegal gratification to various public servants.

5. The Collector reports that, in the opinion of previous Collectors, this Deputy Tahsildar did not bear a good character but there appears to be nothing definite against him. The Board is not prepared to recommend the extreme punishment of dismissal from service, but considers that the disobedience to the rules requires to be severely dealt with. The Board submits that the period of suspension already suffered by M.R.Ry. M. Nagabhushanam should stand as a substantive punishment, and that he should be reduced to the post of a clerk or accountant on Rs: 25.

(True Extract)

R...

Secretary

To

The Secretary to Government,
Revenue Department,
with Collector's letter & enclosures in original to be returned

20 G.W.L.
Copd ...

CONFIDENTIAL.

1896.

Board of Revenue

(Land Revenue),

MADRAS.

To

THE

Proceedings, dated 1896.

No.

Confl. No.

Abstract.

When given for copying ______
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When examined ______
When signed ______ 189 .

READ AGAIN G.O., No. DATED 189 ,

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. .. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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