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Educational (1905) Department.

ORDINARY MS.

G.O., No 461

DATED 5-7-05

48

INDEXED.

C

[Despatch Abstract.]

Petition

Declining to interfere in the matter of the
petition from C. Somasundara Mudali,
and clerk in the office of the Inspector of
Schools, Southern Circle, Tanjore, appealing
against the Inspector's order suspending
them for one year.

7

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Duplicate Copy.

To

HIS EXCELLENCY THE GOVERNOR IN COUNCIL,

FORT ST: GEORGE,

MADRAS.

through the Inspector of Schools,

SOUTHERN CIRCLE.

The humble petition of C. Somasundaram,
2nd clerk, Office of the Inspector of
Schools, Southern Circle, Tanjore.

RESPECTFULLY SHEWETH:-

I. That the petitioner is a clerk on Rs 30/-
on the establishment of the Inspector of Schools,
Southern Circle, with a service of nearly 14 years
under Government.

II. That the petitioner has been suspended
by the Inspector (M.R. Ry. C. Nagojee Rau) for one
year with effect from 28th April 1904 with a fur-
ther punishment of reduction and transfer at the
end of suspension, on an alleged charge of having
overstayed 2 days casual leave granted to him by
4 days "accounting to clear disobedience of orders."

III. That, against this suspension, the peti-
tioner appealed to the Director of Public Instruction,
Madras, in his No. P 1 . But the Director in-
formed the petitioner that he saw no reasons to
interfere. Vide Pro: Dis: No. 5947 Enclos: A).
16-6-'04. 28-9-'04.
On the 3rd October, the petitioner applied to
the Director for copy of a certain paper and the
return

Please see
Original which
has been referred

7/11
30/5

return of certain enclosure to the Director's Pro:Dis:

No. 5947
28-9-'04.

On the 4th November 1904 the Director returned the enclosure but refused to furnish the petitioner with a copy of the paper asked for.

On the 18th January 1905, the petitioner submitted a review petition to the Director.

On the 13th March 1905 the Director (Dis:No.1583 of 1905, dated 13th March 1905.) stated that he saw no reasons to reconsider his Pro: Dis: No. 5947 28-9-'04. This was received by the petitioner on the 16th March 1905.

That the petitioner has, therefore, to approach His Excellency with this petition for mere justice as suspension for one year with subsequent reduction and transfer awarded to him unheard by M.R.Ry. C.Nagojee Rau as punishment for having overstayed 2 days casual leave by 4 days on account of illness and attended the General Hospital, Madras, as proved by the certificate from the Surgeon in charge of the Hospital (Enclos:B.) is deemed by the petitioner to be a failure of justice on the part of the officers of the Educational Department especially as no memorandum of charges was furnished to the petitioner and his defence obtained before the order (Memo No. 458 G. 31-5-'04. Rau.) was passed by the Inspector (M.R.Ry.Nagojee Rau.)

IV. That the facts of the case were as follows:-

On the 14th April 1904 the petitioner applied to the Inspector for six days' casual leave from 19th April 1904 to attend the marriage of the petitioner's brother-in-law in Madras and also to raise money to deposit the security demanded by the Department. But the Inspector granted the petitioner only 2 days casual leave and remarked that more

leave

^{would} leave ~~will~~ not be granted. Finding that 2 days would not be sufficient for obtaining the money for the security demanded, the petitioner wired on on the 16th April '04 to the Inspector, who was then in camp, for an extension of leave for at least 2 days. But the Inspector in his Memo No. 343 G 18-4-'04 (Enclos:C) called on the petitioner to show cause why the petitioner should not be suspended for troubling him.

[The petitioner begs to bring to His Excellency's kind consideration the fact whether the petitioner's application for extension of 2 days' casual leave, was such a trouble to the Inspector as to call on the petitioner to show cause why he should not be suspended for troubling him. The Inspector (M.R.Ry. C.Nagojee Rau) had thus a prejudiced mind to suspend the petitioner on some plea or other.]

The explanation was submitted on 20-4-'04 and the petitioner obtained a certificate of posting. Vide Enclos:D This memo was handed over to the petitioner on the evening of the 18th April 1904 when he availed himself of the two days' leave granted to him and was proceeding to Madras. The petitioner reached Madras on the 19th morning and fell ill probably owing to his uneasiness of mind and which kept him awake throughout the night in a railway car. On the morning of the 20th April '04 the petitioner attended the General Hospital, Madras, for a medical certificate. As without a requisition from the Head of the Office, the Surgeon could not grant to the petitioner a certificate in the prescribed form for sick leave, the petitioner was admitted as an out-patient and was under medical treatment from 20th April to 26th April '04. The petitioner was then granted the enclosed medical certificate

certificate (Enclos:B) as is usual in such cases. On the very same day the petitioner was admitted as an out-patient in the General Hospital -viz- 20th April '04,- the petitioner reported to the Inspector by means of a post card from Black Town, Madras and informed him that the petitioner had been taking^{en} ill of dysentery and was attending the Hospital as an out-patient and asked for leave of absence for the period required for the petitioner's recovery. This post card dated 20th April '04 reached the Inspector on 22nd April 1904 at Madras where he then was. The Inspector did not address the Surgeon of the Hospital regarding the petitioner's illness or send to him a letter of requisition for a medical certificate to the Surgeon of the Hospital in Black Town i.e. General Hospital or to a Surgeon of any other District in Madras though the petitioner's Madras address had been left in the Inspector's office. Even if the Inspector had at least addressed the petitioner by name with "Black Town, Madras." that communication would have then reached the petitioner. The Inspector cannot say that he is ignorant of the fact that there are the General Hospital in Black Town or other Hospitals in the same town, the Surgeon of which would grant a certificate to Government servants on the requisition of an Head of an Office. The Inspector cannot, therefore, plead that he was not aware which Surgeon he had to address. The Inspector could have awaited the petitioner's return to duty to see whether the petitioner had obtained a certificate or not. Even if the Inspector had asked the petitioner, giving him a requisition to produce a medical certificate from a Medical Board on the 27th April '04, the date on which the petitioner returned to duty after the period overstayed, the petitioner would have at his own cost proceeded to Madras and produced a certificate to show that the petitioner had just then been recovered from illness. The Inspector did not even call on the petitioner to show cause why he should not be suspended as was done on the petitioner's telegram for extension of leave (Enclos:C) nor did he

issue an order of suspension either on the very same day he received the petitioner's post card dated 20th April '04 or while the petitioner was attending the Hospital between the 20th and 26th April 1904. The Inspector did not even refuse to comply with the petitioner's request made in his post card dated 20th April '04 to excuse the petitioner's absence till the petitioner's return to duty; but he allowed the petitioner to join his duty on the 27th April 1904 (i.e.) immediately after the period overstayed and permitted the petitioner to draw his pay for that day.

The petitioner submitted his application for privilege leave dated 27 - 4 - '04 to the Director through the Inspector for the period overstayed viz. 21 to 26th April 1904.

On the 28th April 1904 at 11-40 A.M. (i.e.) the very next day, the petitioner had joined his duty after the overstay, Memo No. 361 G of the Inspector suspending the petitioner summarily until further orders was put into the petitioner's hand. Against this order, the petitioner submitted his appeal dated 28th April 1904 to the Director but no orders have as yet been passed on it.

On the 16th May 1904, the petitioner applied to the Inspector for arrears of pay and subsistence allowance; the Inspector then treated the period from 19 to 26th April as absence without leave including also the 19th and 20th April 1904, the period for which casual leave was granted. (Enclos:E). Pay was allowed for the 27th April '04 and the suspension was ordered to have effect from the 28th April '04.

On the 24th May '04, seeing that no orders have been passed by the Director on the petitioner's appeal dated 28th April 1904, he appealed to the Inspector's generosity to get the order of suspension cancelled. [Here the petitioner begs to say that by writing his letter dated 24 May 1904 to the Inspector, the petitioner never admitted any offence

offence nor was it a defence for any memo of charges as no memo of charges was ever furnished to the petitioner.]

On the 31st May 1904 Memo No. 458 G ^(enclos X) of the Inspector ₃₁₋₅₋₁₉₀₄ summarily suspending the petitioner for one year with subsequent punishment of reduction and transfer was despatched to the petitioner.

The petitioner begs to submit that the Inspector, in his memorandum No. 412 ^(Enclos E) stopped the petitioner's pay ^{from} 16-5-'04 for 19 to 26th April 1904, the period of absence including also 19th and 20th April 1904 for which casual leave was granted. Thus the case was finally disposed of and still in the same order the Inspector suspends petitioner for the same act. Suspension for one year with subsequent reduction and transfer referred to in Inspector's memorandum ^(enclos X) No. 458 G _{31-5-'04} is, therefore, a second punishment for one and the same act, if there was any offence at all on the part of the petitioner.

In the memorandum No. 458 G _{31-5-'04} suspending the petitioner unheard for one year, the Inspector has inserted certain alleged previous irregularities ^{as} on the part of the petitioner to strengthen his case. These matters have been explained in the petitioner's appeal No. P 1 _{16-6-'04} read in Director's Pro: Dis: No. 5947 ^(Enclos: A) and in petitioner's review petition No. P 2 _{28-9-'04} read in Director's Pro: Dis: No. 1583 of '05, _{18-1-'05} dated, 13th March 1905 (Enclos: A1). In none of the alleged irregularities, the prescribed memo of charges was furnished to the petitioner nor was the petitioner's defence obtained. They cannot, therefore, be now taken as cases of previous bad character of the petitioner for this present case.

V. That the Inspector (M.R.Ry.C.Nagojee Rau) says in his Memo No. 458 G ^(enclos X) _{31-5-'04} that the petitioner's conduct in having overstayed the 2 days' casual leave by 4 days owing to attendance at the Government General Hospital for medical treatment was one "accounting to clear disobedience of orders" meriting

meriting suspension for one year with subsequent reduction and transfer.

No orders were disobeyed by the petitioner. When the petitioner left Tanjore for Madras with the 2 days' sanctioned casual leave, he had no intention at all to overstay the sanctioned leave. The petitioner was fully aware that the Inspector refused more than 2 days' leave and on the telegram submitted by the petitioner for extension of leave, the Inspector called on the petitioner to show cause why the petitioner should not be suspended for troubling him. These things occurred before the petitioner availed himself of the sanctioned leave. Knowing all these, it is impossible even to expect that the petitioner would have intended to overstay the sanctioned leave. The petitioner, on his arrival at Madras, accidentally fell ill, immediately attended the General Hospital, Madras, for medical treatment and the Surgeon retained the petitioner for medical treatment and discharged him only on the 26th April 1904 granting him a medical certificate. This led to the petitioner's overstay and over this matter the petitioner had no control. The petitioner was not ^{at} ~~in~~ fault as he had no control over his sickness and could not avoid his remaining under medical treatment till the Surgeon discharged him.

The petitioner has, therefore, been suspended for one year transferred and degraded for having attended the ^{Hospital} General for illness and produced a medical certificate usually granted to Government servants in cases in which Heads of offices fail to send a letter of requisition for the medical certificate in the prescribed form. The petitioner reported, on the 20th April 1904, to the Inspector that he was under treatment in the General Hospital, Madras. The petitioner was in Madras up to 26th April 1904. If the Inspector had any misgivings about the petitioner's illness, there was thus sufficient time for the Inspector to address the Surgeon on the subject or to send the petitioner a letter of requisition for a medical certificate in the prescribed

prescribed form; but the Inspector did not do so. 10

That, from the above it may be seen that there was no case against the petitioner, that no memorandum of charges was furnished to the petitioner nor was his explanation obtained from him before the final orders were passed by the Inspector (M.R.Ry. C.Nagojee Rau.); but the Inspector has summarily dealt with the petitioner without hearing what he had to say and without proper enquiry.

VI. That the petitioner, therefore, submits this petition to His Excellency to consider the following points:-

(a) Whether any order of the Inspector was disobeyed by the petitioner by his having fallen ill and attended the General Hospital and produced ~~a produced~~ a medical certificate from a commissioned Medical Officer.

(b) Whether the Inspector was right in having punished the petitioner without first giving him a memorandum of charges and obtaining his defence.

(c) Whether the Inspector was right in having punished the petitioner unheard in several ways as follows for one and the same act.

(1) Stoppage of pay for the period.

(2) Suspension for one year.

(3) Transfer after the period of suspension.

and (4) Reduction after the period of suspension.

(d) Whether the punishment is not extraordinarily heavy for the offence, if any, on the part of the petitioner in having been sick and produced a medical certificate from a commissioned Medical Officer.

That the petitioner, therefore, humbly implores that His Excellency would be graciously pleased to take into consideration the merits of the case in which the petitioner has been punished in 4 different ways unheard and to grant him justice.

For which act of generosity the petitioner will ever pray.

Madras,
Dated 26-4-1905.)

C. Somasundaram.

9 Eucelos X
Official Memorandum.

Dated 31" May 1904.

No.458. G.

x x x x x x x x x x x

On the 14th of April this year while I was in camp Somasundara Mudali applied for 6 days' casual leave from the 19th idem for attending the marriage of a brother-in-law of his in Madras. He was granted 2 days leave only and was distinctly told more leave would not be granted yet he sent the undersigned a telegram on the 16th idem asking for more leave and on the back of it I wrote asking him why he should not be suspended for troubling me in the way he did. He not only gave no explanation but coolly availed himself of the 2 days' casual leave that had been granted to him, left for Madras on the evening of the 18th April and on the 20th of April wrote a post card from Madras to say that he was suffering from dysentery, was attending Hospital as an out-patient and wanted to be excused for his absence until he joined duty. From this it was clear that he wanted to stay away more than the time for which leave had been granted to him and that in spite of the fact that I had asked him to state why he should not be suspended for even asking for more than the 2 days' leave that had been granted. On receipt of this post card I ordered his suspension until further orders and a report was made to the Director of Public Instruction on this.

x x x x

Somasundara Mudaly was absent from the 19th to the 26th April that is, exactly 6 days the period for which he had applied for casual leave, in addition to Saturday and Sunday which were holidays and which he could have added to the 6 days' casual leave if that had been granted

to him. His staying away in this fashion in spite of what he had been told accounts to clear disobedience of orders. Dismissal would not be too severe a punishment for conduct such as this; but I content myself at present with suspending him for a year with effect from the 28th April '04. He will be reduced and transferred from this office at the end of his period of suspension.

(Signed) C. Nagojee Rau,
Inspector of Schools,
Southern Circle.

(True extracts)

G. Somasundaram.

[E.]
[6a]
12-11-65



Memorandum No. 333 d/13-6-5

~~Memorandum No. 333 d/13-6-5~~

The Director of Public Instruction is requested to be so good as to state whether he has received any petition for submission to Government from C. Somasundaram 2nd Clerk, Office of the Inspector of Schools Southern Circle, complaining against his suspension and reduction by the Inspector of Schools, ^{Southern circle} ~~and transfer at the end of~~ suspension; and if so, to forward it to Government state when it may be expected.

nsd
10/6/5
Fh.
10-6-5

expected.
H
12/6

To the D.P. 9. Del'd
13/6/5

18
14
Educational (190⁵) Department.

CURRENT No. 1201

From

[Name] The Hon'ble Mr. A.G. Bourne, D.Sc., F.R.S.,

[Designation] Director of public instruction,

[Station] M a d r a s

Ref. on Cur No. 4132/05

Dated 23rd JUNE 190⁵

Enclosures 16

Received 26 JUN 1905 190 .

Registered 27-6 1905

SUBJECT.

Submitting with remarks a petition dated 26th April 1905
addressed to His Excellency the Governor in Council by C. Soma
sundra Mudali, second clerk, office of the Assistant Inspector
of Schools, M a d u r a D i v i s i o n .

BACK PAPERS.

FURTHER PAPERS.

19
The Secretary to Government,
Educational Department.

Sir,

With reference to Memorandum of Government

on page 17 of
the file. No. 333 dated 13th instant I have the honour to submit the enclosed petition dated 26th April 1905 addressed to His Excellency the Governor in Council by C. Somasundra Mudali, 2nd clerk Office of the Assistant Inspector of Schools, Madura Division, together with the endorsement of the Inspector of Schools, Southern Circle No. 338/G d/4th May 1905. The petitioner complains of his suspension for one year with effect from 28th April 1904 to be accompanied by transfer and reduction. It may be mentioned here that he has since been reduced from the post of 2nd clerk on Rs 30/ in the office of the Inspector of Schools Southern Circle to that of 2nd clerk in the office of the Assistant Inspector of Schools, Madura Division on Rs 20.

2. I shall here do nothing more than refer

Government to the enclosed copies of letters from the Inspector

1 Inspectors' letter No. 376 G. /4-5-04 on page 22 of Schools, Southern

2 M.R.Ry Rao Bahadur Nagoji Rau's Circle to me which letter dated 27th August 04 to the acting furnish complete

Inspector of Schools, S.C. on page 25 answers to every one of

3 Letter from the acting Inspector of Schools the points dealt with /Mr. J.M. Hensman/ No. C. 128 d/5-9-04. on page 29 in Somasundra Mudali's petition and a detailed and succinct account of his misconduct which led to his punishment. Like the Inspector I did not believe in the petitioner's plea of illness during the period he overstayed his casual leave in Madras, viz, from the 19th to the 26th April 1904; for apart from the circumstance that

he did not specify in his card to the Inspector the hospital

The statement on p. 22 seems to be a mistake. See p. 25. H

20
-2-

in which he was being treated for dysentery and that he did not apply to the head of his office for the usual requisition to the Medical Officer in view to his being granted a Medical certificate he did not in his interview with me on one of those days, probably the 23rd April 1904, mention to me the fact of his illness and consequent overstayal of the casual leave granted by the Inspector but he merely sought a transfer to Madras on the score of the illness of his wife whom he said he had then come to visit. Dr. Kemp who signed the outpatient certificate /Enclosure B to the petition / himself wrote to me in reply to my letter to him on the subject saying that Somasundram might or might not have been suffering from dysentery but that he was treated as an outpatient for that disease upon his own statement.

3. The petitioner complains that no orders were passed by me on his petition dated 28th April 1904. As the Inspector himself sought my orders on the point raised in the petition referred to above both the Inspector's letter and the petitioner's letter were disposed of in one and the same Proceedings Ref on Cur No. 3880/04 dated 23rd May 1904. A copy of Somasundram's petition dated 28th April 1904 and that of my Proceedings Ref on Cur No. 3880/04 dated 23rd May 04 are herewith submitted for the perusal of Government.

4. The petitioner points out in para 3 of his petition that I refused to grant him a copy of a certain paper. This paper is none other than the Inspector's letter to me No. C. 128 dated 5th September 1904 a copy of which forms one of the enclosures to this communication. I held and still hold that a copy of the above letter was not necessary for his purpose.

5. In conclusion I beg to point out that though the punishment inflicted by the Inspector might appear at first sight to be severe as it is my opinion that the petitioner deliberately arranged the whole business connected with the hospital in order to deceive I refused to interfere.

vide the enclosed note from the petitioner dated 10th Aug 04 on page 49. p. 13.

on page 33 p. 31 p. 33

on page 29
the statement on p. 22 seems to be a mistake. See p. 25. H

he said
annual
hospital
p. 22

The clerk seems to have an unfavourable record throughout almost the whole of his official career and has been a constant source of annoyance to his superior officers by his vagaries and incessant applications for transfer to Madras and for leave. I have however advised the Inspector to consider the question of restoring him to an appointment on Rs 30/ if his work in his present post is for some time found to be satisfactory.

6. The petitioner has not appended to his petition copies of the several petitions addressed to me as required by the memorial rules. I shall submit them to Government in original if they are required.

I have the honour to be,

S i r ,

Your most obedient servant,

A. P. Bawa

Director of public Instruction.

P.S.

Since writing this I am informed that C. Somasundara mudali has been appointed by the Inspector to act as Head clerk, office of the Assistant Inspector of Schools, Tinnevely Division on Rs 30/.

Am

D.P.I.

89
28-6-05

22 17

Copy of a letter from the Inspector Schools, Southern
Circle No. 376/G dated 4th May 1904--

"I have the honour to report that C. Somasundra
Mudaliar the acting 2nd clerk of this office applied to me
on the 9th April 1904 for six days casual leave on account of
his brother-in-law's marriage which was to take place in
Madras. This was refused as he was then under orders of
transfer to Kumbakonam. After the receipt of your Proceedings
Ref on Cur No. 864/04 dated 8th April 1904 keeping the
order in abeyance he renewed his application on the 14th idem.
Knowing as I did that two days leave was quite sufficient for
the purpose he was granted two days casual leave and was told
that no more leave would be sanctioned. In spite of this order
he telegraphed to me when I was in camp on the 16th requesting
that two more days leave may be granted and wrote also his
letter enclosed stating among other things that he would require
one day to go to Madras one day to return which is absurd as
the journey to Madras from Tanjore is done in one night as
well as the journey from Madras to Tanjore. On receipt of his
telegram I called on him to show cause why he should not be
suspended for troubling me with a telegram when he had been
distinctly told that he would not be granted leave for more
than two days. Without giving me any explanation whatever
and with the deliberate intention of staying away he availed
himself of the two days leave which had been given him from the
19th and on the very next day wrote his Post Card /Enclosed/
from ^{Madras} stating that he was suffering from dysentery and was
attending the General Hospital as an outpatient and requesting
me to excuse his absence till he joined duty. As I was quite
sure that this was only an excuse for staying away more than
two days and for setting at defiance my order "that no more
than 2 days' casual leave would be given especially as he had
recourse to this trick on two previous occasions when he
happened to go to Madras on short leave I have ordered his
suspension in anticipation of your approval. In the meantime

he returned to duty on the 27th April after staying away 8 days or six working days excluding the last Saturday but one and Sunday -the exact period for which he had first applied for leave. It is after the suspension order was given him on the 28th at about 11-40 A.M. as reported by the Head clerk I was absent then from Headquarters Somasundara Mudaliar put in an application for privilege leave /enclosed/ for 7 days from the 20th leaving out of account the 19th the day on which he actually availed himself of the two days leave. This application is dated 27th April 1904 though it was put on the Head clerk's table by Somasundara Mudali himself at 2.45/P.M. on the 28th.

My reasons for not believing Somasundara Mudali suffered from dysentery or any other complaint after going to Madras are that I know Somasundara Mudali to be a great liar; that this is the impression of other officers also could be seen from your Proceedings No. 6360 dated 8th June 1899 and that dysentery does not attack or leave people just when people want it to attack or leave them. Any man may go and tell an Apothecary or a Dresser that he is suffering from dysentery and take some medicine from him and throw it away afterwards. A doctor has no means of finding out whether an outpatient who comes and tells him he is suffering from dysentery is really suffering from it or not. That Somasundara Mudali was an outpatient for dysentery is therefore no proof he was ill. It only shows that he is a clever rogue and knows how to deceive people.

Another objectionable feature in his conduct which has come to light in this connection is that he is up to stealing official papers and deliberately omitting to make certain entries in the Receipt Register to suit his own purpose. For instance his first application for leave dated 9th April with my order on it is missing nor has it been registered his second application dated 14th April with my order on it is missing and has not been registered and his telegram dated 16th April with my order on it is also missing

But see para
(2) of 1st letter
on p. 25
The Inspector
produced the
in Aug. 04

though the telegram has been registered in the Receipt Register and a copy of my order on it was found on somasundara Mudali's table.

In making this report I wished to send you all the papers connected with the case and when I called for them I was told that they were not all in the office and that such of them as were missing must have been taken away by Somasundara Mudali to whom every paper received in the office is given for registration in the receipt register and when I sent for this register to see if they had been at least registered I was surprised to find some of them had not been registered.

For deliberately overstaying the leave that had been given him and for thus defying my orders if for nothing else he deserves dismissal. If conduct like this clerk's is not punished it would be impossible to maintain discipline.

If however you think that dismissal would be too severe a punishment I would recommend at least a year's suspension and reduction after that. I cannot punish him myself as his provisional appointment is one on Rs 20-2-40 at Kumbakonam. If the man is to be dismissed his explanation will have to be obtained and considered.

/True Copy/

A. G. Bawa

Director of public instruction.

68.
23-6-58

26 20

Copy of a letter from Rao Bahadur C. Nagoji Rau Avargal to J.M. Hensman Esquire acting Inspector of Schools, S.C. d/ 27th August 1904.

I have the honour to return herewith your endorsement No. C.A.2/dated 15th August 1904 with connected papers and to make the following remarks on the appeal petition of C. Somasundara Mudali 2nd clerk office of the Inspector of Schools, Southern Circle now under suspension.

(1) In his card dated Black Town 20th April 1904 /enclosed/ Somasundara Mudali reported that he was suffering from dysentery after going to Madras and was attending Hospital /which hospital it was he was attending he did not state/ and wanted leave until he joined duty. It was on the receipt of this card that I ordered his suspension. He has been punished for deliberately overstaying the two days' casual leave he had been granted and the post card referred to above was his explanation for having done so. There was no necessity therefore for calling for any other explanation. His statement that he has been punished unheard is therefore not true.

(2) Somasundara Mudali states that the Inspector's statement that he applied for leave for marriage alone is not true. Well, his first application dated 9th April 1904 /enclosed/ shows that he wanted the leave only to attend his brother-in-law's marriage. In the application which he made again on the 14th idem/also enclosed/ he did mention that he also wanted to try for money for furnishing security. But this was only an additional plea for the leave and showed no honest intention on his part to make an attempt to get money for the purpose; for in his letter of the same date /14th April 1904/ submitted to the Director of public Instruction on the 15th idem with the Inspector's No. C.4. Somasundara Mudali clearly stated that he was not prepared to furnish any security then. If he honestly intended to try to get money he would have asked for time but he did nothing of the kind.

not received

not received

25

21

(3) Somasundara Mudali states in his present petition that he went to the General Hospital on the 20th April 1904 for treatment and for a medical certificate. If as he states now he went for a medical certificate and the Surgeon would not grant one without a requisition from the Inspector he would have reported the fact to me and asked for a requisition but he did not do this. /Vide his card of the 20th April 1904/. He had been granted only two days' leave was distinctly told he would not be given more leave and when he telegraphed for additional leave he was threatened with suspension for troubling me in the way he did. It was after this that Somasundara Mudali availed himself of the two days' casual leave and if he had really fallen ill and had ^{to} stay away more than two days he would have submitted a medical certificate in proof of his illness and if he could not get one without a requisition from me he would have written asking for it. This was what any honest man in his senses would have done. From Somasundara Mudali's failure to do so and from his getting himself admitted as an outpatient only the only conclusion I could draw was that his illness was feigned and was put forward as an excuse for staying away without leave. His statement that he went to the General Hospital for a medical certificate cannot in the circumstances stated above be accepted as true.

(4) I have been asked to state why if I suspected his statement regarding his illness I did not write to the Medical officer concerned to obtain corroboration of the truth of his statement. I did not do this for two reasons. In the first place I did not merely suspect but from what I knew of the character of the man I was sure that his statement was false. In the second place Somasundara Mudali did not say which Hospital it was that he was attending and I could not know to whom to write even if I thought it necessary to do so.

He said
General Hospital
- vide 23 letter
on p 22

Statement on p 22
probably a
mistake
My

(5) In para 4 of his petition Somasundara Mudali pretends not to know why he was transferred from the Kumbakonam

College. The Proceedings of the Director of Public Instruction No. 6360 dated 8th June 1899 transferring him contained a warning which must have been communicated to him. The process of reasoning by which he wants to make out that his transfer from a /20 Rs to 40 Rs / appointment to one on Rs 25 to 30 was ^{not} intended as a punishment shows extreme disingenuousness.

(6) That the Inspector allowed Somasundara Mudali to join his appointment on the 27th April is false. I was in camp then. Somasundara Mudali returned to Tanjore on the 27th and was allowed by the Head clerk to go to the office as the order of suspension had not reached the office then. The order reached the Head clerk on the 28th April and was communicated to Somasundara Mudali by him the same morning. Somasundara Mudali had therefore to be considered to have been on duty on the 27th April his absence from 20th to 26th April being for the reasons stated above treated as absence without leave. His permanent appointment is still in this office but he is to be transferred on reduced pay after the period of suspension.

(7) The testimonials copies of which Somasundara Mudali submits show that testimonials often testify to the kindness of the officers granting them rather than to the worth of the recipients. Somasundara Mudali states that I myself have given him good testimonials. A perusal of them will however show that I have never said that Somasundaram's character is good.

(8) The petition is full of lies. It would be waste of time to point them all out, enough having been said to show that the petition itself shows what a bad liar Somasundaram Mudali is and how undesirable his retention in the Inspector's office is if discipline and respect for authority are not to be altogether sacrificed. Somasundara Mudali ought to have been removed from this office or dismissed from service long ago /Vide Inspector's Office Nos. / 47/G. d/

18th January 1901 C. 2 dated 13th February 1901 126 C dated
18th August 1901 722 G. dated 27th October 1902 81 G dated
8th February 1903 C. 15 dated 9th July 1903 C. 52 dated 29th
July 1903 C. 65 dated 22nd September 1903 753 G. dated 13th
October 1903 and 78 C dated 14th October 1903.

/True Copy/

A. J. Baines

Director of public Instruction.

61.
25-6-03

29 24

Copy of a letter from M.R.Ry J.M. Hensman, Avergal B.A.
acting Inspector of Schools, Southern circle No. C/128 d/5th
September 1904.

"With reference to your Proceedings Ref on Cur No.
3 8 8 0/04 dated 5th August 1904 I have the honour to state
that I forwarded the proceedings and Somasundara Mudali's appeal
petition to M.R.Ry Rao Bahadur C. Nagoji Rao Avargal for his
remarks. His letter to me in which he gives his remarks on
Somasundara Mudali's case I submit in original .

2. In doing so I think it right that I should place
before you my own opinion regarding Somasundara Mudali's
character though perhaps it is hardly necessary considering
that in the light of the remarks of M.R.Ry Rao Bahadur C.
Nagoji Rao Avargal Somasundara Mudali's appeal petition by
itself is sufficient evidence against him since from beginning
to end it is a tissue of barefaced falsehoods and perversions
of facts . He worked as the college clerk under me in Kumba-
konam in 1899 and I found in the course of some months that he
was a man whose statement at no time could be depended upon as
true. To him truth and falsehood were equally means to an end
and no more to tide over a difficulty the difficulty in every
case being such as he constantly found himself in by persistent
neglect of duty. This is a brief but perfectly true and
complete description of his official life in Kumbakonam. With
such a man as my only clerk I felt my position very dangerous
and so I wrote to the Director of Public Instruction requesting
that the man should be transferred . Knowing him as I do it
is to me a matter for wonder how M.R.Ry Rao Bahadur C. Nagoji
Rao Avargal has been able to keep him in his Office for so long
as 5 years. Possibly as a mere copying clerk whose work was
under the constant scrutiny of the Head clerk there was not
much scope for him to indulge in his inveterate habits of
shirking work and lying. That he did not however wholly give
up his ways will be evident from the letters noted in the last

29 30

25

page of M.R.Ry Rao Bahadur C. Nagoji Rau's letter.

3. As regards the various points on which you call for a report I have the honour to state that No. 1 is dealt with in para 1 of M.R.Ry Rao Bahadur C. Nagoji Rau's letter. No. 2 in the concluding part of para 3 and in para 4. No. 3 in para 6 viz that "his/Somasundara Mudali's / absence from the 20th to the 26th April was treated as absence without leave" and No. 4 in the same para viz that "his permanent appointment is still in this office but he is to be transferred on reduced pay after the period of suspension".

4. The papers received with your Proceedings under reference are herewith returned."

/True Copy/

A. G. Bowring

Director of public Instruction.

25
28-6-26

30 26

Copy of a petition from C. Somasundara Mudali dated 28th April 1904.

I respectfully beg to submit the following:-

At 11.40/A.M. this day the enclosed Memo No. 361.G. dated 27th April 1904 was put into my hands. The Memo has been issued on my card dated 20th April 1904. I was not called for an explanation to show cause why I should not be suspended. I am kept perfectly in the dark as to the nature of the offence I am guilty of by writing my card dated 20th April 1904 to the Inspector to merit such a serious punishment as suspension.

My permanent appointment being of Rs 20-2-40 grade the power of punishing me with suspension &c. rests with the Director self and the procedure to be adopted by the Inspector is laid down in Article 2 section 3 chapter III of the Inspection Code.

I am confident that I have not done anything serious by writing the post card dated 20th April 1904 read in Memo No. 361. G. dated 27th April 1904 as to be treated as of so emergent nature by the Inspector to suspend me even in anticipation of approval of his action by the Director.

My post card dated 20th April 1904 to the Inspector is a report from me stating that I am attending the hospital for dysentery and requesting to excuse my absence till I join duty.

I therefore pray that the suspension order of the Inspector be cancelled by wire and that the matter may be fully enquired into by the Director and orders passed on the merits of the case. I beg to add that as I am under suspension I addressed this letter direct to you."

/True Copy/

A. G. Bhowmik

Director of public Instruction.

61.
23-6-04

37 27
Copy of Memo of the Inspector of Schools, Southern Circle
No. 361 G. dated 27th April 1904.

C. Somasundara Mudali is suspended until further
orders.

/True Copy/

A. G. Bowring

Director of public instruction.

88.
23-6-04

Please quote this in the reply.

Ref on C. 3880 4
Dis. No. of 190
Dated 23rd May 1904



Edl. R. 10,000-1-7-04.
26

PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION.

Read the following papers—

Petition from C. Somasundara Mudali dated 28th April 1904

Letter from the Inspector of Schools, Southern Circle, No. 376 G, 2. 4th May 1904.

As C. Somasundara Mudali has been confirmed in Proceedings Dis No. 2 4 8 6 dated 9th May 1904 in an appointment on Rs 30/ per mensem and as under article 3 7 1 of the Civil Service Regulations his confirmation has effect from the date of his original appointment to the Inspector's office the Inspector can himself pass orders on Somasundaram's case.

2. The enclosures to the Inspector's letter are returned herewith.

Signed/ A.G. Bourne,

Director of Public Instruction.

/True Copy /

A.G. Bourne

Director of public instruction.

23-6-05

Dated 31st May 1904.

No. 458. G.

x x x x x x x x x x

On the 14th of April this year while I was in camp Somasundara Mudali applied for 6 days' casual leave from the 19th idem for attending the marriage of a brother-in-law of his in Madras. He was granted 3 days leave only and was distinctly told more leave would not be granted yet he sent the undersigned a telegram on the 16th idem asking for more leave and on the back of it I wrote asking him why he should not be suspended for troubling me in the way he did. He not only gave no explanation but coolly availed himself of the 3 days' casual leave that had been granted to him, left for Madras on the evening of the 18th April and on the 20th of April wrote a post card from Madras to say that he was suffering from dysentery, was attending Hospital as an out-patient and wanted to be excused for his absence until he joined duty. From this it was clear that he wanted to stay away more than the time for which leave had been granted to him and that in spite of the fact that I had asked him to state why he should not be suspended for even asking for more than the 3 days' leave that had been granted. On receipt of this post card I ordered his suspension until further orders and a report was made to the Director of Public Instruction on this.

x x x x

Somasundara Mudali was absent from the 19th to the 25th April that is, exactly 6 days the period for which he had applied for casual leave, in addition to Saturday and Sunday which were holidays and which he could have added to the 6 days' casual leave if that had been granted

to him. His staying away in this fashion in spite of what he had been told amounts to clear disobedience of orders. Dismissal would not be too severe a punishment for conduct such as this; but I content myself at present with suspending him for a year with effect from the 28th April '04. He will be reduced and transferred from this office at the end of his period of suspension.

(Signed) C. Nagojee Rau,
Inspector of Schools,
Southern Circle.

(True & exact)

C. Somasundaram

To

HIS EXCELLENCY THE GOVERNOR IN COUNCIL,

FORT ST. GEORGE,

MADRAS.

through the Inspector of Schools,

SOUTHERN CIRCLE.

The humble petition of C. Somasundaram,
2nd clerk, Office of the Inspector of
Schools, Southern Circle, Tanjore.

RESPECTFULLY SHEWETH:-

I. That the petitioner is a clerk on Rs 30/-
on the establishment of the Inspector of Schools,
Southern Circle, with a service of nearly 14 years
under Government.

II. That the petitioner has been suspended
by the Inspector (M.R. Ry. C. Nagojee Rau) for one
year with effect from 28th April 1904, with a fur-
ther punishment of reduction and transfer at the
end of suspension on an alleged charge of having
overstayed 2 days casual leave granted to him by
4 days "accounting to clear disobedience of orders."

III. That, against this suspension, the peti-
tioner appealed to the Director of Public Instruction,
Madras, in his No. P 1 16-6-'04. But the Director in-
formed the petitioner that he saw no reasons to
interfere. (Vide Pro: Dis: No. 5947 28-9-'04. Enclos: A).
On the 3rd October, the petitioner applied to
the Director for copy of a certain paper and the
return

return of certain enclosure to the Director's Pro:Dis:

No. 5947
28-9-'04.

On the 4th November 1904 the Director returned the enclosure but refused to furnish the petitioner with a copy of the paper asked for.

On the 18th January 1905 the petitioner submitted a review petition to the Director.

On the 13th March 1905, the Director (Dis:No.1583 of 1905, dated 13th March 1905,) stated that he saw no reasons to reconsider his Pro: Dis: No.5947 28-9-'04. This was received by the petitioner on the 16th March 1905.

That the petitioner has, therefore, to approach His Excellency with this petition for mere justice as suspension for one year with subsequent reduction and transfer awarded to him unheard by M.R.Ry. C.Nagojee Rau as punishment for having overstayed 2 days casual leave by 4 days on account of illness and attended the General Hospital, Madras, as proved by the certificate from the Surgeon in charge of the Hospital (Enclos:B.) is deemed by the petitioner to be a failure of justice on the part of the officers of the Educational Department especially as no memorandum of charges was furnished to the petitioner and his defence obtained before the order (Memo No. 458 G. 31-5-'04. Rau.) was passed by the Inspector (M.R.Ry.Nagojee Rau.)

IV. That the facts of the case were as follows:-

On the 14th April 1904 the petitioner applied to the Inspector for six days' casual leave from 19th April 1904 to attend the marriage of the petitioner's brother-in-law in Madras and also to raise money to deposit the security demanded by the Department. But the Inspector granted the petitioner only 2 days' casual leave and remarked that more

leave

38 32

would -3-
leave ~~will~~ not be granted. Finding that 2 days would not be sufficient for obtaining the money for the security demanded, the petitioner wired on on the 16th April '04 to the Inspector, who was then in camp, for an extension of leave for at least 2 days. But the Inspector in his Memo No. 343 G 18-4-'04 (Enclos: C) called on the petitioner to show cause why the petitioner should not be suspended for troubling him.

[The petitioner begs to bring to His Excellency's kind consideration the fact whether the petitioner's application for extension of 2 days' casual leave, was such a trouble to the Inspector as to call on the petitioner to show cause why he should not be suspended for troubling him. The Inspector (R. Ry. C. Nagojee Rau) had thus a prejudiced mind to suspend the petitioner on some plea or other.]

p-15
The explanation was submitted on 20-4-'04 and the petitioner obtained a certificate of posting. Vide Enclos: D. This memo was handed over to the petitioner on the evening of the 18th April 1904 when he availed himself of the two days leave granted to him and was proceeding to Madras. The petitioner reached Madras on the 19th morning and fell ill probably owing to his uneasiness of mind and which kept him awake throughout the night in a railway car. On the morning of the 20th April '04, the petitioner attended the General Hospital, Madras for a medical certificate. As without a requisition from the Head of the Office, the Surgeon could not grant to the petitioner a certificate in the prescribed form for sick leave, the petitioner was admitted as an out-patient and was under medical treatment from 20th April to 26th April '04. The petitioner was then granted the enclosed medical certificate

h 13 certificate (Enclos:B) as is usual in such cases. On the very same day, the petitioner was admitted as an out-patient in the General Hospital -viz- 20th April '04,- the petitioner reported to the Inspector by means of a post card from Black Town, Madras and informed him that the petitioner had been ^{on} taking ill of dysentery and was attending the Hospital as an out-patient and asked for leave of absence for the period required for the petitioner's recovery. This post card dated 20th April '04 reached the Inspector on 22nd April 1904 at Madras where he then was. The Inspector did not address the Surgeon of the Hospital regarding the petitioner's illness or send to him a letter of requisition for a medical certificate to the Surgeon of the Hospital in Black Town i.e. General Hospital or to a Surgeon of any other District in Madras, though the petitioner's Madras address had been left in the Inspector's office. Even if the Inspector had at least addressed the petitioner by name with "Black Town, Madras." that communication would have then reached the petitioner. The Inspector cannot say that he is ignorant of the fact that there are the General Hospital in Black Town or other Hospitals in the same town, the Surgeon of which would grant a certificate to Government servants on the requisition of an Head of an Office. The Inspector cannot, therefore, plead that he was not aware which Surgeon he had to address. The Inspector could have awaited the petitioner's return to duty to see whether the petitioner had obtained a certificate or not. Even if the Inspector had asked the petitioner, giving him a requisition to produce a medical certificate from a Medical Board on the 27th April '04, the date on which the petitioner returned to duty after the period overstayed, the petitioner would have at his own cost proceeded to Madras and produced a certificate to show that the petitioner had just then ~~been~~ recovered from illness. The Inspector did not even call on the petitioner to show cause why he should not be suspended as was done on the petitioner's telegram for extension of leave (Enclos:C) nor did he

2940

issue an order of suspension either on the very same day he received the petitioner's post card dated 20th April '04 or while the petitioner was attending the Hospital between the 20th and 26th April 1904. The Inspector did not even refuse to comply with the petitioner's request made in his post card dated 20th April '04 to excuse the petitioner's absence till the petitioner's return to duty; but he allowed the petitioner to join his duty on the 27th April 1904 (i.e.) immediately after the period overstayed and permitted the petitioner to draw his pay for that day.

The petitioner submitted his application for privilege leave dated 27 - 4 - '04 to the Director through the Inspector for the period overstayed viz. 21 to 26th April 1904.

On the 28th April 1904 at 11-40 A.M. (i.e.) the very next day, the petitioner had joined his duty after the overstay, Memo No. 361 G of the Inspector suspending the petitioner summarily until further orders was put into the petitioner's hand. Against this order, the petitioner submitted his appeal dated 28th April 1904 to the Director but no orders have as yet been passed on it.

On the 16th May 1904, the petitioner applied to the Inspector for arrears of pay and subsistence allowance; the Inspector then treated the period from 19 to 26th April as absence without leave including also the 19th and 20th April 1904, the period for which casual leave was granted. (Enclos: E). Pay was allowed for the 27th April '04 and the suspension was ordered to have effect from the 28th April '04.

On the 24th May '04 seeing that no orders have been passed by the Director on the petitioner's appeal dated 28th April 1904, he appealed to the Inspector's generosity to get the order of suspension cancelled. [Here the petitioner begs to say that, by writing his letter dated 24 May 1904 to the Inspector, the petitioner never admitted any

offence nor was it a defence for any memo of charges as no memo of charges was ever furnished to the petitioner.]

On the 31st May, 1904 Memo No. 458 G ^{encl. 8} of the Inspector summarily suspending the petitioner for one year with subsequent punishment of reduction and transfer was despatched to the petitioner.

The petitioner begs to submit that the Inspector, in his memorandum No. 412 ^{Encl. E} stopped the petitioner's pay ^{from} ~~for~~ 19 to 26th April 1904, the period of absence including also 19th and 20th April 1904 for which casual leave was granted. Thus the case was finally disposed of and still in the same order the Inspector suspends petitioner for the same act. Suspension for one year with subsequent reduction and transfer referred to in Inspector's memorandum No. 458 G ^(encl. 8) is, therefore, a second punishment for one and the same act, if there was any offence at all on the part of the petitioner.

In the memorandum No. 458 G ^{31-5-'04} suspending the petitioner unheard for one year, the Inspector has inserted certain alleged previous irregularities ^{thus} on the part of the petitioner to strengthen his case. These matters have been explained in the petitioner's appeal No. P 1 ^{16-6-'04} read in Director's Pro: Dis: No. 5947 ^{28-9-'04} Enclos: A and in petitioner's review petition No. P 2 ^{18-1-'05} read in Director's Pro: Dis: No. 1583 of '05, dated, 13th March 1905 Enclos: A1. In none of the alleged irregularities, the prescribed memo of charges was furnished to the petitioner nor was the petitioner's defence obtained. They cannot, therefore, be now taken as cases of previous bad character of the petitioner for this present case.

V. That the Inspector (M.R.Ry.C.Nagojee Rau) says in his Memo No. 458 G ^{encl. 8} ^{31-5-'04} that the petitioner's conduct in having overstayed the 2 days' casual leave by 4 days owing to attendance at the Government General Hospital for medical treatment was one "accounting to clear disobedience of orders"

meriting

meriting suspension for one year with subsequent reduction and transfer.

No orders were disobeyed by the petitioner. When the petitioner left Tanjore for Madras with the 2 days' sanctioned casual leave, he had no intention at all to overstay the sanctioned leave. The petitioner was fully aware that the Inspector refused more than 2 days' leave and, on the telegram submitted by the petitioner for extension of leave, the Inspector called on the petitioner to show cause why the petitioner should not be suspended for troubling him. These things occurred before the petitioner availed himself of the sanctioned leave. Knowing all these, it is impossible even to expect that the petitioner would have intended to overstay the sanctioned leave. The petitioner, on his arrival at Madras, accidentally fell ill, immediately attended the General Hospital, Madras, for medical treatment and the Surgeon retained the petitioner for medical treatment and discharged him only on the 26th April 1904 granting him a medical certificate. This led to the petitioner's overstay and over this matter the petitioner had no control. The petitioner was not ^{at} fault as he had no control over his sickness and could not avoid his remaining under medical treatment till the Surgeon discharged him.

The petitioner has, therefore, been suspended for one year transferred and degraded for having attended the ^{Hospital} General for illness and produced a medical certificate usually granted to Government servants in cases in which Heads of offices fail to send a letter of requisition for the medical certificate in the prescribed form. The petitioner reported, on the 20th April 1904, to the Inspector that he was under treatment in the General Hospital Madras. The petitioner was in Madras up to 26th April 1904. If the Inspector had any misgivings about the petitioner's illness, there was thus sufficient time for the Inspector to address the Surgeon on the subject or to send the petitioner a letter of requisition for a medical certificate in the prescribed

prescribed form; but the Inspector did not do so. 38

That from the above it may be seen that there was no case against the petitioner, that no memorandum of charges was furnished to the petitioner nor was his explanation obtained from him before the final orders were passed by the Inspector (M.R.Ry. C.Nagojee Rau.); but the Inspector has summarily dealt with the petitioner without hearing what he had to say and without proper enquiry.

VI. That the petitioner, therefore, submits this petition to His Excellency to consider the following points:-

(a) Whether any order of the Inspector was disobeyed by the petitioner by his having fallen ill and attended the General Hospital and produced ~~a produced~~ a medical certificate from a commissioned Medical Officer.

(b) Whether the Inspector was right in having punished the petitioner without first giving him a memorandum of charges and obtaining his defence.

(c) Whether the Inspector was right in having punished the petitioner unheard in several ways as follows for one and the same act.

(1) Stoppage of pay for the period.

(2) Suspension for one year.

(3) Transfer after the period of suspension.

and (4) Reduction after the period of suspension.

(d) Whether the punishment is not extraordinarily heavy for the offence, if any, on the part of the petitioner in having been sick and produced a medical certificate from a commissioned Medical Officer.

That the petitioner, therefore, humbly implores that His Excellency would be graciously pleased to take into consideration the merits of the case in which the petitioner has been punished in 4 different ways unheard and to grant him justice.

For which act of generosity the petitioner will ever pray.

Madras,
Dated 26-4-1905.)

B. Somasundaram.

RR No 1954 of 05

Recd 2/5/05.

⁴⁴
Proceedings of the Director of Public Instruction. Equals A. 39
Read the following paper: —

Petitions from C. Somasundara Mudali, 2^d Clerk, office of the
Inspector of schools, Southern Circle (under suspension 16 August 04)
No. P. dated 16 June 1904.

Also from the Inspector of schools, Southern Circle,
No. C/128, dated 5 September 1904.

His No. 5947, dated 28 September 1904.

The petitioner is informed that Director sees no
reason to interfere with the order of the Inspector passed
in his O.M. No. 4584, dated 31 May 1904.

2. The enclosures to the petitioner, dated,
16 June 1904, including the "Record of Service"
are returned herewith.

Sd/- F. R. Scott
For Director of Public Instr.

(True Copy)

C. Somasundaram

Dis N^o. 1583 of 05

Dated 13th March 1905.

45 Encls A1. 40

Proceedings of the Director of Public Instruction.

Read the following paper:—

An appeal petition submitted by C. Somasundara Mudali,
2nd clerk, office of the Inspector of schools, Southern Circle
(now under suspension) N^o. P2, dated, 18 January 05,
requesting to reconsider the order passed on his
first petition in Proceedings N^o. 5947, dated,
28 September 1904.

The Director sees no reason to reconsider
the order passed in Proceedings Dis N^o. 5947,
dated 28 September 1904.

Sd/- A.G. Boume.

Director of Pub. Instru.

(True Copy)

C. Somasundaram.

163. Enu Browne B. ⁴⁵ Civil Medical Book x1.
(Vide para 596. C.M. Code.)

Civil Medical Department, Madras.

Admission and discharge Certificate

Name of Institution General Hospital,
Madras

This is to certify that C. Somasundaram
Clerk, Inspector of Schools, S.C. was admitted as
an out-patient on the 20 April 04 for Syphilis.
He was discharged from the Hospital on
the 26 April 04.

Name. M.D. Kemp.

Rank. Captain M.S.

Designation Ag. Resident
Medical Officer

(True Copy)

C. Somasundaram

Enclor to.

Telegram. 46

42

Day. Hour Minute Sec.
16. 18 50.

To (Person)

School Inspector.

From (Person) Somasundaram.

Pray extension leave two.

No. 343 G.
18.4.04

Clerk Somasundaram Mudali will show cause why he should not be suspended for troubling the undersigned in this way, when he has been distinctly told that he will not be granted more than two days' leave.

Sd/ C. Nagapetrai
Ses.

(True Copy)

C. Somasundaram.

Encls E

46.A

43

From, The Inspector of schools,
Southern Circle,

To, B. Somasundra Mudali
under suspension.

Dated 16 May 1904.

No. 4124.

Reference:-- His letter of 16.5.04.

Pay for the days that B. Somasundra Mudali was on duty in the month of April will be drawn & paid to him. The period of his absence will be treated as absence without leave. The order of suspension is to have effect from the morning of the 28 April 04 when it was communicated to the clerk. No subsistence allowance will be granted.

Sd/ C. Rajasekari
Inspector of schools
SC.

(True Copy)
B. Somasundaram.

Recd 29/4.

Enclosures to
Petition to
Government
of 26 April 05

Enclos D. 46 47 44

To, Mr. R. V.

Rai Bahadur, C. Nagjee Rai A. B. A.,

Inspector of schools.

Southern Circle,
Tanjore.

$\frac{1}{2}$ Anna stamp
& Postal seal.

C. Somasundaramudali,

Ag: 2 Clerk

20/4/04.

(True Copy)

C. Somasundaram

[E. 3]
1,500-2,12,01

C. No. 819 From the C. Somasundaram ^{2nd} clerk, No. , dated 26 4 - 1905.
Office of the Inspector of Schools.
S-circle.

SUBJECT.

Regarding his suspension, reduction
& transfer from Tanjore at the end of
suspension.

Original awaited.

H.D.T.
4.5.5.

The Secretary ordered as follows against this current
in the Educational arrears list submitted to him on the
8th instant:—

Has not original been received? ask D.P.O.

H.D.T.
9.6.05.

A draft memo is placed below for approval.

226
10/6/5
74.
10.6.05

Y. S. S.
12/6/05

[Memo: no. 333 of 13-6-'05.]

From the D.P.O. no. 4132 of 23-6-'05.

In the first of the currents C. Somasundaram
late 2nd clerk on Rs. 30 in the office of the Inspector
of schools, Southern Circle, submitted a duplicate
copy of a petition to Govt: appealing against
the orders of the D.P.O., declining to interfere
with the punishment inflicted on ^{him} by the
Inspector

h6

on page 17 of the Ob. file.

para. 5 of his letter on
page 20 of the Ob. file.

page 21 of the Ob. file.

Inspector suspending him for one year and further reducing ~~him~~ and transferring him for clear disobedience of orders. Thereupon the Director was asked in memo: no. 323 of 13-6-'05, to state whether he received the original petition of Somasundram and if so, when it might be expected.

2. In reply the Director, while forwarding it, states that though the punishment inflicted by the Inspector might appear at first sight to be severe, ^{he is of opinion that} the petitioner arranged the whole business connected with the hospital in order to deceive and that ~~he~~ seems to have an unfavourable record throughout almost the whole of his official career and has been a constant source of annoyance to his superior officers by his vagaries and incessant applications for transfer to Madras for leave. In the postscript to his letter, however, the Director says that Somasundram has since been appointed to act as head clerk on Rs. 30 in the office of the Assistant-Inspector of schools, Dinnevelly Division. ~~In the circumstances Orders are solicited, as to whether the correspondence may not now be recorded.~~

Ru $\frac{7\frac{1}{2}}{30-605}$
29/6/5.

The medical certificate

42

provis nothing. Submitted that there is no reason to interfere.

Sec 4

11.7.05

Petition was considered under the Imp. of School
Further rule on 31.5.04, to advise without
leave - with further order. that he would be
resumed - hampered at the close of the year.

SP.9 on appeal, with orders

of 28.9.04. 14.3.05 declined to ~~re~~ interfere

He said: the same has been appointed to act on
T.F.30, the same pay as formerly.

God: need not interfere

ADJ

3.7.05

Approved

4705

Sup. place

11.7.05

A draft is placed below for approval.

7/4
5.7.05

M. Stone

11.7.05

[12]
1,000-24-9-04.

READ AGAIN G.O., No. , dated 190 .
" " " " " " 190 .

READ ALSO:-

C. No. 819 , From the C. Somasundaram , No , dated 26- 4 - 1905.
" " 1207 , " " D.P.I. , " 4132 , " 23- 6 - 1905.
" " " " " " " " " " 190 .

ORDER No. 461 , dated 5- 7 - 1905.
Mis.

Resp. 5-7

The Govt. see no reason
to interfere on behalf of the petr.

F.H.
5-7-05
H
5-7-05

To

The D.P.I.
with original encls. ret'd.

Desp. 10/7/5
with 10 encls. (10)

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

190 .

READ AGAIN G.O., No.
 190 .

, DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

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