

✓
E. J. P. H. (1949) Department.

MS. SERIES.

G.O. NO. 2872. Edu.

Dated

13-9-49.

29
clm
to

[Despatch Abstract.]

Museum — Govt. Museum —
Muthiah Pillai — Ex-Watchman —
Disciplinary action — Papers recorded.

Back Papers.

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

Further Papers.

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

From

Muthaiah Pillai,
Watch Man,
Govt Museum,
Egmore, Madras 8.

2766

17 JAN 1949

17/1/49

To

The Secretary,
Educational & Public Health Department,
Fort St George, Madras.

Respected Sir, I beg to bring this following few lines for your kind Consideration and favourable orders.

I am a watchman in the above office, and I am discharged from duty from 10.1.49. I did not know why it is happened so, and also I am a hard worker and obedient in all my works. I have planted much different plants in the Museum and I have worked honestly. Eventhough my services in this office more than three years.

I request to kindly Consider my Case Sympathetically and grant me the same job again. I found much hard to feed my family without a job in these hard days.

Hence I request once again to Enquire in this matter and save me from starvation.

True copy

Govt. Museum Madras.

17/1/1949

The watchman Muthaiah Pillai has been found very obedient & responsible in his duties & very intelligent in his behaviour to superiors officers. He is found to be just & fair to be retained as watchman. He is now free from the receipt of the museum.

Thanking you Sir,

I beg to remain,
Respected Sir,
Your most obedient Servant,

X X X

17/1/49
Sd. Supt.

2

From
Muttiah Pillai,
Watchman, Govt Museum,
Egmore, Madras.

3
(M) 3

4 JAN 1949

To
The Secretary,
Est P.H. Department
Fort. St. George, Madras 9.

Respected Sir,

P. 1 ante

1914
25/1/49

Further to my letter of the
12th instant I beg to write that after
my termination of service I did not
hear anything from my office. I will
be very grateful to you if you kindly
take such action which would be
conducting an enquiry so that
to give me a chance to represent
of what I have to say in this
matter

Thanking you in anticipation,

25. 1. 49
Madras.

Yours faithfully
Muttiah Pillai

4

Education and Public Health Dept.

Endowment No. 2766-1 C2: Edu., dt., 31.1.49.

Referred to the Superintendent,
Government Museum, for remarks.
(B.O.)

V. Ramanuni
Assistant Secretary to Govt.

28/1/49

28/1

The Superintendent,
Government Museum.

Egmore.

From

Muttaya Pillay

FEB 1949

No. 43 - Per Tank Road.

Egmore - Madras

W. V. Subramanyam Esq. & Co.
Secretary to the Government
Co. & P. H. Department
Fort Saint George
Madras

9/2

Repeated Sir,

I most humbly and respectfully
beg to bring the following lines
to your honourable kind and deep
consideration and favour of early
action -

I the undersigned Muttaya Pillay
watchman Government Central
Museum Egmore beg to bring my
humble grievances is kindly request
about the Superintendent character
from the clerks to last mesial ser-
vants and also watchmans, gardeners
& Peons.

2. Regarding the Petition
light drawn by his work and he

informed that we broken it. Since
 all these watchmen paid each
 0-4-0. In the hands of the clock
 broken then for this also he
 recovered from us each 0-8-0
 paid. Since then the fines we
 paid. In the 4th month when I
 was coming to the house one
 khadi saw as sleeping there.
 When I awakened him and shown
 some other place for his sleeping
 till morning. Since I gave a signal
 to the watchmen. At that time Rangaraj
 saw us have and wanted to beat him.
 Since I asked him not to beat him.
 and asked him to take to the
 manager's place. When they examined
 him that he is doing his work Mala-
 yali so he left him to go away.
 Since he arranged with the Vaara-
 nay watchman he paid money and
 given certificate and sent him quietly
 because that he will cite witnesses.
 Kindly enquire into the matter per-
 sonally and do the justice.

I beg to remain
 Respected Sir
 Your watchman
 Watchman Sd/- Muthia Pillai

From
 Sri A. Aiyappan, M.A., Ph.D.,
 Superintendent,
 Government Museum,
 Egmore, MADRAS-8.

To
 The Secretary to Government,
 Education and Public Health Department,
 Fort St. George,
 MADRAS-9.

No. 277/49-1

Dated the 7th February 1949.

Sir,

Sub: Establishment - Government Museum - Menials -
 Watchman Muthia Pillai - Complaint - Remarks.-

Ref: Government Endorsement No. 2766-1 C2 Edn. dated P.4 ante
 the 31st January 1949.

9 FEB 1949

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With reference to Government Endorsement cited,
 I have the honour to state that the watchman Muthia Pillai was
 appointed as a temporary watchman on the 18th August 1947. He had
 only put in a total service of about 1 year and 4 months. During
 the period of his service as watchman he was found to be irregular
 in his duties and unsatisfactory in his watch of the buildings
 especially in the night. Due to his unsatisfactory conduct he had
 been warned orally several times. On two occasions he had been
 fined Rs. 4 and annas 8 for gross neglect in his duties during the
 night. But these warnings and fines had no effect on him and he
 began to grow insolent and disobedient to the duty clerks and
 duffadars from whom I had several complaints against the watchman.
 Then on 8th December 1948, when the Office Assistant went for
 checking the attendance of the watchmen in the night, it was found
 that this watchman had shirked his duties and when he was asked
 for an explanation he began to indulge in abusive language and
 behaved in a very arrogant and insolent way. I considered his
 further retention in office as watchman would be a source of

P. T. O.

43, Fartank Road, Egmore,
Madras, Dated 2-3-1949.

To

The Secretary to Government,
Education and Public Health Department,
Fort St. George,
Madras.Through
The Superintendent Government Museum,
Egmore,
Madras.2 MAR 1949
9 MAR 1949

Sir,

Under rule 3 of the rules published with the Gazette notification appended to G.O. Press No. 2034 Public (Services) dated 10-12-1936, I, Muthiah Pillay, ex-watchman, Government Museum, Egmore, beg to submit this humble appeal of mine against the Museum Superintendent's accompanying Memo dated 10-12-48 dismissing me from service in the following circumstances.

1. I was working as a Watchman in the Government Museum from 18-8-1947 to 9-1-1949. On 9-10-48 at 10-30 P.M. when I was on duty as Night Watchman, I had a call from the Museum Superintendent's Quarters. I therefore went there at 10-30 P.M. when the Museum Superintendent's wife asked me to go to the Bazaar and get Pansupari. Accordingly, I went and returned in a few minutes. On my return, the Office Assistant of the Museum Sri M. Damadaran scolded me for having left the compound in the Night and gave me several blows with his shoes, which resulted in causing grievous heart to me. I reported it direct to your Honour by a petition in Tamil. The Museum Superintendent got enraged at this, dismissed me from service. For the reasons given below, I pray that the dismissal order be cancelled and that I may be reinstated:-

2. (1) The Dismissal-Order is vitiated by procedural irregularities as shown below:-

(a) The procedure outlined in Rule 55 of the classification, Control and Appeal Rules was not followed in my case by the Museum-Superintendent.

(b) Section 240(3) of the Government of India Act, 1935, has been violated by the Museum Superintendent; and

(2) the punishment is excessive.

(for a precedent, please see your Honour's recent G.O. reinstating Museum Peon N. Govindarajulu Mudaliar who was dismissed by the Museum Superintendent)

Your obedient servant,

G. H. M. W.

E. H. H.

C₂

G.O. No. 2034. Pub (Ser), dated, 10-12-'36, quoted at x above, has been called for from the H.R.O. This may lie over till 12

9/3/49
JH
9/3/49

demoralisation and disobedience among other watchmen and decided to terminate his service. His services were accordingly terminated on 9th January 1949 after duly giving him notice for one month.

The enclosures are returned in original.

Yours faithfully,

A. Aiyappan
7.2.49

SUPERINTENDENT.

Encl.

Memo. No. 2766-4 C₂ Edu., dated, 7-5-49.

Govt. Museum — Muthiah

Pillay — Ex-Watchman — Petition
against termination of services.

Ref: from the S. G. M., No. 277/49-1, d., 7-2-49.

~~Ref~~ Petition of from Muthiah
Pillay, dated, 2-3-49.

The S. G. M. is informed
that his action in having
discharged the petitioner
from service without
giving him a "show cause"
notice, as provided for
under section 240(3) of the
Govt. of India Act, is not in
~~order~~. ~~The Govt. has~~ ^{direct} ~~therefore~~
~~informed~~ that ^{the S. G. M. is} his order
discharging the petitioner
from service should be
set aside and ^{that} the petitioner
should be kept under
suspension from the date of
his ~~discharge~~ discharge. The
S. G. M. is ~~requested~~ ^{advised} to
give the petitioner a
"show cause" notice ~~of~~ in
regard to the action
proposed to be taken against
him and ^{after} issue a fresh
order. Considering his representation
~~The petitioner~~
will be entitled to
subsistence allowance
during the period of
suspension.

He will be eligible
for subsistence allowance
during the period of
suspension

4/6/49.

2

12/2

23. The petitioner is referred to the S. G. H. for orders on his petition.

45/49.
JA
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6/5/49 17/5

To The S. G. H.
The petitioner
(para 3 only)
(thru the S. G. H.)
Copy to the A. J. (thru Fin.)
One spare copy

original at pages 11-12 ante.

13

GOVERNMENT OF MADRAS.
Education and Public Health Department.
Memorandum No. 2766-4, C2 Education dated 7th May 1949.

Sub: Government Museum - Muthiah Pillay - Ex-watchman -
Petition against termination of services.
Ref: From the Superintendent, Government Museum No. 277/49-
dated 7-2-1949.
Petition from Muthiah Pillay dated 2-3-1949.

The Superintendent, Government Museum Max is informed that his action in having discharged the petitioner from service without giving him a "show cause" notice, as provided for under section 240(3) of the Government of India Act, is not in order. The Government therefore directs that the Superintendent, Government Museum's order discharging the petitioner from service should be set aside and that the petitioner should be kept under suspension from the date of his discharge. He will be eligible for subsistence allowance during the period of suspension. The Superintendent, Government Museum is requested to give the petitioner a "show cause" notice in regard to the action proposed to be taken against him and issue a fresh order after considering his representation.

2. The petitioner is referred to the Superintendent, Government Museum for orders on his petition.

J.M. LOBO PRABHU,
Joint Secretary to Government.
To the Superintendent, Government Museum.
To the petitioner Sri Muthiah Pillay through the Superintendent, Government Museum.
Copy to the Accountant - General through Finance.

Forwarded/By order.
Superintendent.
RCB/11-5

Special

15

(10)

From
Dr. A. Aiyappan,
Superintendent,
Govt. Museum, Madras, 8.

To
The Secretary to Government,
Education & Public Health Department,
Fort St. George, Madras.

No. 277/49-2 dated the 25th May 1949.

Sir,

Subject: Govt. Museum-- Muthiah Pillai-- Ex-Watchman--
petition against termination of services.

Reference: Government Memorandum No 2766-4 C2 Edn dated
7th May 1949.

With reference to para I of the above Govt. Memorandum I have the
honour to state that, in order to carry out the instructions contained
therein, I stand in need of further instructions on the following
points :-

- (1) The petitioner, Muthiah Pillai, was a temporary Watchman belong-
ing to the category of menials paid from contingencies. As I am not
aware of any statutory rules or regulations governing the appointment
and discharge of these menials, and as these menials are not generally
eligible for any leave, not even casual leave, I solicit Government
instructions as to how the period of suspension should be treated.
- (2) As Government have declared that he is eligible for subsistence
allowance during the period of suspension, I may be instructed what rate
of subsistence allowance should be paid to him. His pay and D.A. at
the time of discharge were Rs 17 and Rs 18 respectively. I request clari-
fication as to whether the existing rules under F.R. 53 C prescribing
the rates of subsistence allowance to Government servants are applicable
in the case of the watchman paid from contingencies.
- (3) As there are no specific instructions regarding the procedure
to be followed in disciplinary action against menials, I may be
instructed as to whether the procedure prescribed under rule 15 of the
Civil Service (classification, control and appeal) rules should be
followed or not in this case, while issuing the show cause notice to him.

Early orders on the above points may be issued so as to enable me
to carry out the directions contained in para 1 of the Government Memo-
randum cited.

Yours faithfully,

A. Aiyappan
Superintendent, Government Museum.

Pl. 12. 2 to. Day.

10/11

P. 13 ante

P. 15 ante

Public dept. note
on P. 2 N. 7.

Ibid

Ibid

Finance dept. note on
P. 3 N. 7.

Memo. No. 40356-3 C₂ Edu., d., 5-7-49.

Museum — Govt. Museum —
Muthiah Pillai — Ex-Watchman —
Placing under suspension — Procedure

Read: Govt. Memo. No. 2766-4 C₂ Edu.,
dated, 7-5-49.

Ref: From the S. G. H., No.
277/49-2., dated, 25-5-49.

With reference to the
letter cited, the S. G. H. is
informed that the procedure
to be followed under Section
240(3) of the Govt. of India
Act in the case of regular
Govt. servants should alone
be followed in the case of
persons paid from Contingencies
in disciplinary matters and that
the elaborate procedure prescribed
in rule 15(b) of the Civil Services
(Classification, Control and
Appeal) Rules need not be
followed in such cases. The
simple procedure prescribed
in rule 15(a) ^{of the above rules} which corresponds to
the provisions in Section 240(3)
of the Govt. of India Act will
be sufficient.

2. The Supdt. is also
informed that the question as
to how the period of suspension
in the present case should be
treated will arise only if the
watchman

2 18
Watchman is reinstated in service.

He is to be discharged from service as a result of disciplinary proceedings, the discharge will take effect from the date on which he was placed under suspension.

The watchman will not be eligible for any subsistence allowance during the period of suspension.

The orders issued in the Memo. cited will stand modified to this extent.

3. The action taken in the matter should be reported to Govt.

30/6/49.
JP ul
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4-7-49
15
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Finance Dept. note
on p. 311.7.

7 bid

(X)/13 d. 7.

To
The S. G. M.
The A. G. (The 7th)
S/c file

19
Cargl. on 11.11-18 ante.

Government of Madras
Education and Public Health Department
MEMORANDUM No. 40356 - 3 C2 Education dated 9th July 1949.
ooo

Sub: Museum - Government Museum - Muthiah Pillai - Ex-Watchman - Placing under suspension - Procedure.

Ref: Government Memo No. 2766 - 4 C2. Education dated 7-5-1949
From the Superintendent Government Museum No. 277/49-2
dated 25-5-1949. P. 15 ante

With reference to the letter cited, the Superintendent Government Museum is informed that the procedure to be followed under section 240(3) of the Government of India Act in the case of regular Government servants should alone be followed in the case of persons paid from contingencies in disciplinary matters and that the elaborate procedure prescribed in rule 15(b) of the Civil services (classification, control and Appeal) Rules need not be followed in such cases. The simple procedure prescribed in rule 15(a) of the above rules which corresponds to the provisions in section 240(3) of the Government of India Act will be sufficient.

2. The Superintendent is also informed that the question as to how the period of suspension in the present case should be treated will arise only if the watchman is reinstated in service. If he is to be discharged from service as a result of the disciplinary proceedings the discharge will take effect from the date of suspension. The watchman will not be eligible for any subsistence allowance during the period of suspension. The orders issued in the Memo. cited will stand modified to this extent.

3. The action taken in the matter should be reported to Government.

J.M. Lobo Prabhu,

Secretary to Government

To

The Superintendent Government Museum.
The Accountant General.

Forwarded/By Order.

S/c

Superintendent

EJ/-5-7-49

Government of India
Ministry of Labour
Circular No. 10008 - 3 of 1948 dated 1st July 1948
Subject: Government of India - Industrial Disputes Act - 1947
Reference: Circular No. 10008 - 3 of 1948 dated 1st July 1948
From the Superintendent Government Museum, No. 277/48-2
Dated 23-8-1948

With reference to the letter cited, the
Superintendent Government Museum is informed that the procedure
to be followed under section 240(3) of the Government of India
Act in the case of regular government employees should also
be followed in the case of persons paid from contingencies in
discharge of their duties and that the elaborate procedure prescribed
in rule 18(b) of the Civil Services (Classification, Control and
Appeal) Rules need not be followed in such cases. The simple
procedure prescribed in rule 18(a) of the above rules which
corresponds to the provisions in section 240(3) of the Govern-
ment of India Act will be sufficient.

2. The Superintendent is also informed that the
question as to how the period of suspension in the present
case should be treated will arise only if the employee is
reinstated in service. If he is to be discharged from service
as a result of the disciplinary proceedings the discharge will
take effect from the date of suspension. The employee will
not be eligible for any assistance allowance during the period
of suspension. The orders issued in the Memo. No. 277/48-2
dated 23-8-1948 are hereby confirmed.

3. The action taken in the matter should be
reported to Government.

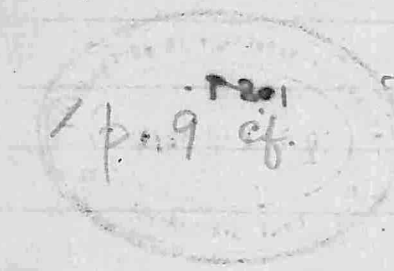
Secretary to Government
The Superintendent Government Museum
Forwarded by order.

Superintendent

21/2

3.44
C2

Memo. Gov. Museum.
Pehli again khamchi
of service. D. Muthu Pillai -
in. Wairama. Pehli of 2.3.49



The Gov. declined to

interfer.

The Pehli
CA SGM.

Note: Please see the SGM
in p. 5.6 of the
Pehli is an
A / employee paid

*for consideration. The Minister / A. S. ...
 to no right of appeal in
 his case. Draft also is for
 approval. Public (Ser) may
 see.*

31-3-49 Public (Ser) *D*



E. & P. H. W. O. No.
 2766-2C2
 1-4-49.

Public (Services) Dept.

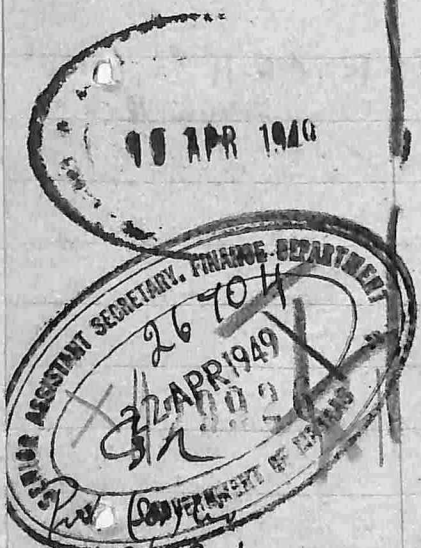
*JD
 21-3-49*

The petitioner has raised the question that he was not given a 'show cause' notice in accordance with the provisions of section 240(3) of the Govt. of India Act before he was discharged from service. From the Superintendent's memorandum dated 10-12-48 at p.1 c.f., and his remarks in his letter at pp.5-6 c.f., it would appear that the petitioner was given a month's notice of discharge, but not the 'show cause' notice provided in

*para 3, p.9 c.f.
 ✓ p.1, Bk.112*

CSR 103/3 (3)

*P.1, Bk.112
 A. S. H. 1-2 and
 P.1, Bk.112
 vide extract of
 note at (M).*



*1089/48-1
 14/4/49.
 E. & P. H. W. O. No.
 2766-2C2
 1-4-49.*

section 240(3) of the Act. E. & P.H. have stated that the petitioner is an ex-employee of the Govt. Museum paid from contingencies. But monials paid from contingencies ~~are~~ also ~~are~~ governed by section 240(3) of the Act, and therefore that section applies to the petitioner's case also. In the circumstances the Superintendent's order discharging him from service ~~does~~ *without giving him a 'show cause' notice* not seem to be in order. This department may therefore advise that the above order be set aside, and the petitioner kept under suspension from the date of discharge, and the Superintendent, Govt. Museum, may be directed to give him a 'show cause' notice against the action proposed to be taken in regard to him and issue a fresh order after considering his representation. The petitioner ~~will~~ *may* be entitled to subsistence allowance during the period of ~~discharge~~ *suspension*. Finance also may therefore see the case.

Subject to orders the file may be returned to E. & P.H.

*11.4.49.
 14/4/49.
 11.4.49.
 With reference to ^C 2 above, the file may be sent to Finance W.O.
 11/4/49
 Finance*

P.O. C.No. 40356.

From the S.G.M., No. 277/49-2, dated 25-5-'49.

Govt. Museum - Muthiah Pillai - Ex-Watchman - Placing under suspension - Procedure -

'X'

In the Memo. at/13 c.f. the S.G.M. was informed that his action in having discharged a certain watchman of the Museum, without giving him a "show cause" notice as provided for under section 240(3) of the Govt. of India Act, was not in order and hence he was directed to place the watchman under suspension and issue a "show cause" notice to him and also to allow him a subsistence allowance during the period of suspension. The S.G.M., in requests to be informed whether the procedure to be followed in the case of regular Govt. servants in the matter of taking disciplinary action should be followed in the case of the watchman under reference also, as he was only a menial paid out of contingencies. It is submitted that the question whether the provisions of section 240(3) of the Govt. of India Act, applicable in the case of regular Govt. servants, can be applied in the case of menials paid out of contingencies also, has already been examined. Public and Finance then held the view that the menials paid out of contingencies also are governed by section 240(3) of the Govt. of India Act, vide note on pages 2-4 N.F. of 'X'. In the circumstances, it is submitted that the S.G.M. may be informed that the procedure to be followed in the case of regular Govt. servants in the matter of taking disciplinary action may be followed in the case of menials paid out of contingencies also. Pub.(Ser.) and Finance may see for remarks on this point.

2. The S.G.M. also requests instructions on certain specific points viz.,

- (1) As to how the period of suspension of the watchman should be treated;
- (2) Whether the existing rules under F.I. 53C, prescribing the rates of subsistence allowance to Govt. servants may be applied to him;

P.1, Book No. 112.

P.1 d. 7.

P.1, Book No. 112.

(X) 2-4 N.7.

P.1, Book No. 112.



32188

Issued as Memo. No. 2766-4 C2. Edn., dated, 7-5-'49. P.1.30.7.

The remarks of Finance on the above points (1) and (2) and Public (Services) on point (3) may be invited u.o.

PUBLIC (SERVICES) DEPARTMENT

Please see the note of E. & P.H. at pp.1-2 ante.

With reference to 'B' on p.1 ante it is submitted that the procedure to be followed under section 240(3) of the Government of India Act in the case of regular Government servants should alone be followed in the case of persons paid from contingencies in disciplinary matters.

With reference to 'A' above it is submitted that the elaborate procedure prescribed in rule 15(b) of the Civil Services (Classification, Control and Appeal) Rules need not be followed in such cases. The simple procedure *which corresponds to the para* prescribed in rule 15(a)/will be sufficient.

The file may be passed on to Finance.

Finance (C.S.R)

Please see the notes from p. 1 above

This dept. has already agreed with the view of Public that the mental in this case may be allowed subsistence allowance. But it is submitted that the fundamental

F. & P. H. No. 2. o. No.

40356-1@2.Edm
2-6-'49.

p. 1 of Bk. 112

Pp. 20-21 ibid.

in the Dec 1940 (3)
p. 20 ibid

+. P. 2 Bk. 154

✓ p. 29 B/C. 154

Yes; in most parts
view expressed
p. 4 n. f. v
(X)

hmg
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2561

$$\frac{AS}{\frac{2}{PH}}$$

Bin No 39122 Cnr27

25.6.20

28-6.
ASST. SECRETARY TO GOVERNMENT
27 JUN 1929
4885
EDUCATION AND PUBLIC HEALTH DEPT.

14 NF
7(x)

Rules do not apply to menials paid from contingencies - Vide F.R 2. A(1). A member of the contingent establishment placed under suspension cannot therefore claim as a matter of right the subsistence allowance ordinarily granted to Govt. servants under F.R 53(b). It is ~~also~~ not unusual to pay subsistence allowance ~~to~~ under F.R 53(b) to such ^{menial} establishment ^{during period of suspension}.

Finance may now advise that no allowance need be paid in this case.

The question as to how the period of suspension ^{in this case} should be treated will arise only if the watchman is reinstated in service. If he is to be discharged from service, the discharge may take effect from the date on which he was placed under suspension.

With the above remarks, the case may be returned to E.P.H.

$$\frac{11}{246.49} \frac{1110}{24648}$$

24. Cup

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Am
29 blug

E 88. H.

C 2

Please see this depth
note on H-1-2 and especially
at H on 1-1 and 1-2. This
agrees with Pub. (Series)
before issuing the Memo. on 1/11/42
cf. at ~~*~~ (X) that the
petitioner was entitled to
subsistence allowance during

The period of suspension should
 submit finance now state that
 a member of the contingent est. 13 and
 placed into suspension cannot as
 a matter of right claim sub-
 sistence allowance conveniently
 granted to Govt servants under
 F.R. 53 (b). Pub. (Serv) Comr
 that the procedure to be followed 12 ante
 under section 240 (3) of the G.O. of
 Dadie Aar in the case of
 regular Govt servants shall be
 followed in the case of persons
 paid for contingencies in dis-
 ciplinary matters. In the case
 of this petitioner, the S.A.M.
 has summarily dismissed him
 without following any procedure
 the merit has been stands
 exposed to starvation. It seems
 that in view of the very irregular
 procedure adopted by the S.A.M.
 the merit may be paid something
 in the shape of subsistence
 allowance during the period from
 the date of his dismissal to
 the date of his enquiry under
 the statutory rules. The
 result of Public (Serv) may
 be made up ~~afterwards~~.

A draft in accordance with the views
 of Public and Finance should be put up.
 28/11/49

Draft subd. for approval.

30/11/49

W.R.H.

S

10/11

P.19d.7.

Signed as Memo. No. 40356-302
 5-11-49

From M. Munian Pillai
 43. Spur tank Rd.
 Egmore. Madras.
 To J.M. Lobo Prabhu,
 Joint Secretary to Government
 Madras.
 Respected Sir,

I submit this humble petition as an appeal that justice
 will be meted out in the long run under the National Government
 of which men like Pandit Nehru and Sardar are at the helm of
 affairs. I am a poor watchman in the Office of the Government
 Museum, Madras doing honest work for the last three years.
 I have been unjustly dismissed from service for no fault of
 mine. I was an obedient servant to the Superintendent,
 Dr. A. Aiyappan and was literally working as his slave, both
 during office hours and out of office hours to please him,
 whatever the domestic job may be from house cleaning, bearing
 heavy loads of provisions like rice on my old back including
 firewood, to watch his house like a dog - I did them with zeal.

One day his wife sent me out of the Museum Compound to
 purchase betel leaves from a nearby shop, while I was on duty
 in the night at about 10.30 P.M. I obeyed her implicitly.
 At that time, Office Assistant Mr. V. Damodaram Menon came to
 my post and asked me when I had been before. I explained the
 errand on which I went. He disbelieved me and bawled out
 that I was a liar and a rascal. He made a criminal assault
 on me by beating me with his shoes. I am too poor to seek
 a legal remedy for this assault, perhaps he thought himself
 to be a high police officer (His uncle is an Assistant
 Commissioner of Police). As I protested against his assault,
 he pushed me down and went away. He misrepresented the whole
 affair to the Superintendent and got me dismissed. He never
 followed the elementary principles of independent enquiry
 into the incident.

The Government have recently recognized the sorry plight
 of the menial servants and have granted many concessions in
 regard to the status such as stability of service, appeals etc.
 I earnestly request my case may be enquired in full with
 relevant witnesses and pray that justice is done to me. There
 was co-watchman Veeraswamy who was an eye witness to the
 episode, whom the Office Assistant with a view to protect
 himself from any possible legal action sent him away to some
 other job outside giving a strong recommendation letter that
 his night-watchman work was very satisfactory. (This watchman
 was practically blind during nights).

In this connection, I have to submit a detailed history
 of the antecedents in the Museum Administration, as a back
 ground to the present affairs clearly proving the logical
 outcome of the past regime.

The Superintendent is reported to be not a fit officer
 to be put in the administrative post for the Museum with a big
 establishment. It is really understood that he was not
 confirmed immediately after his probation was over. As the

P.T.O

There are about ten big tamarind trees and five mango trees. Previously the fruits were auctioned in public and the amount credited to Government. Now the menalls must collect them from trees, dry them, and preserve them for being sold to neighbours and parceled out to his native place. The menalls are asked to cut grass from the Museum compound and give them to the cows.

Contd. . . .

6

This is a copy of a letter from the Director of the Federal Bureau of Investigation to the Director of the Federal Reserve Bank of New York. The letter is dated June 14, 1949, and is marked "Confidential". It contains information regarding the activities of the Federal Reserve Bank of New York and the Federal Bureau of Investigation.

The letter is marked "Confidential" and contains information regarding the activities of the Federal Reserve Bank of New York and the Federal Bureau of Investigation. It is dated June 14, 1949, and is marked "Confidential".

I have taken pains to detail the above facts to show the impartiality of the officer who summarized the information and the impartiality of the officer who summarized the information. I have taken pains to detail the above facts to show the impartiality of the officer who summarized the information and the impartiality of the officer who summarized the information.

Yours obediently,
Wm. J. C.

6

Sectt. II-16-5,004-23-1-48.

20 JUN 1949

Public (Secret)

40354-102

Department may be asked to expedite their reply to the unofficial reference noted on the margin regarding which reminders have already issued on 1-6-1949.

Subject: Allegation against the Supdt., Govt. Museum, Madras, by an ex-employee of the Museum.

To The Department u.o.

16/6/49 176

40354-102

17-6-49

Depd
Aug
28/49

(20)

9

E.O.P.H.

T. N. (by post), dated 28-6-49

From

The Asst. Secy. to Govt.,
E.O.P.H. Dept.

To

The S. G. M.

Please refer me to
the orders of Govt. relating to
the reinstatement of N.
Govindarajulu, from Govt. Museum

27/6/49

I forward a copy of the
Go as the same is not
easily traceable

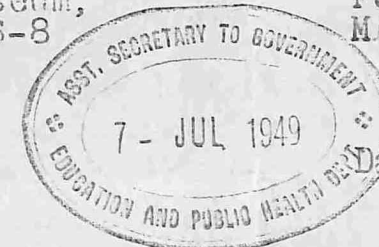
28/6/49

28/6/49

From
Sri A.A. iyappa M.A., Ph.D.,
Superintendent,
Government Museum,
Egmore, MADRAS-8

To
The Assistant Secretary to Government,
Education & Public Health Department,
Fort St. George,
MADRAS-9.

No. 1839/49-1



Dated the 30th June 1949.

Sir,

Sub:- Establishment - Peon N. Govindarajulu - Re-instatement order of Government - Copy - Supply.

51593 P. 9 ante Ref:- P.C. of Government T.M. No. nil. D/28-6-49.

I have the honour to furnish herewith a copy of Government order (Memorandum No. 8544 C2/46-1 Edn. D/28-3-'46.) relating to the re-instatement of N. Govindarajulu, peon Government Museum.

Yours faithfully,

A. Aiyappa
517/49
SUPERINTENDENT.

Encl 1.

GOVERNMENT OF MADRAS.
Education & Public Health Department.
Memorandum No.8544 C2/46 - 1 Edn., dated 28th March 1946

Sub: APPEAL - N.Govindarajulu, Ex-peon, Government Museum - Against orders of dismissal.
Ref: From the Superintendent Government Museum, No.274-1/46 D/9-2-46

In his Office Order No.97.1/46 dated 12-1-1946 the Superintendent Government Museum, passed orders dismissing from service N.Govindarajulu, a peon in the Government Museum, Madras, on the charge of soliciting illegal gratification from a person who visited the Museum on 26-12-45. Govindarajulu has preferred an appeal to the Secretary to Government, Education and Public Health Department, against the Superintendent's orders. The Secretary, Education and Public Health Department accepts the finding of the Superintendent, Government Museum, that the charge was proved. As to the punishment, however, he considers that having regard to the particular type of misconduct involved and even allowing for such portion of the peon's previous record to count here as could legitimately be taken into account for the purpose, the punishment awarded was too severe. He therefore directs that the punishment be modified as stoppage of increment without cumulative effect for a period of two years and that the peon be re-instated in service. The period of two years referred to will be exclusive of the periods spent on leave. For the period Govindarajulu was out of service he should be granted the leave for which he is eligible.

2. The appellant is referred to the Superintendent, Government Museum, for orders on his appeal.

(Sd) M.V.Subramanian,
Secretary to Government

To the Superintendent, Government Museum (With Two office files returned)
Appelant (para 2 only)
Forwarded/ By order.

XXXXXXXXXXXXX
SUPERINTENDENT

*Free
copy
A. Govindarajulu
sent.*

14

15

23

C. P. B.

Sectt. II-70a

REQUISITION FOR RECORDS.

Madras Government Secretariat E.P.H. Department C₂ Section Record Issue No. _____
Date _____

To The Curator, Madras Record Office, Egmore.
The Superintendent, Central Record Branch, Fort St. George.
The Librarian, Secretariat Library, Fort St. George.

The following records are required :—

Serial num- ber.	Nature of record (G.O. (Ordinary or Routine), Memo- randum, En- closures, Dis- patches, Lodged papers, etc.)	Number.	Depart- ment.	Date.	Whether Ori- ginal (O), Sp. copy (S.C.), or Sp. copy with Notes (S.C.N.).	PURPOSE.		If not furnished, reasons.
						Current number.	Year.	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Hemo.	8544	C2/46-1.Ed.		dated, 28-3-46.	X	4035	4C2/49.	
				Nohkew				

Date 8-8-'49.

Signature M. Md. Zaeharna
Designation clerk, E. J. P. H. (C2)

ACKNOWLEDGMENT.

Received the abovementioned records except items

Signature _____
Designation _____

16

Received of the Secretary to Government
Education and Public Health Dept.
Hassas.

To

The Secretary to Government
Education and Public Health Dept.
Hassas.

17

8.7.49

(17)

Sir,

I humbly beg to state that I sent an appeal
by registered post on 26.5.49 for your kind and sympathetic
consideration and favourable order against the order of
the Superintendent, Government Museum, Hassas in dismissing
me from the services for no fault of mine. I request
that your honour will be kind enough to consider my
appeal with justice and re-employ me as a
watchman again and also to direct that
Entertainment grant be granted for the period of
my dismissal and ~~not~~ re-employment. I am
a poor man and am actually begging during
this period for my livelihood.

Please do me justice.

Yours obediently
G. H. M. W.



18

E. J. P. H.

Orders have already
issued on the subject. Vide
Memo. No. 2766-402. Memo. on 19.7.49 at flag (X).
7-5-49 may be lodged. The file should be
kept open to watch
this case.

7/7/49.

8/7/49

JP
7/7/49

C.S. (Cappal)

E. J. P. H. U. O

Don
24/8/49
M
M/8/49

U. O. 1668/49-1
24/8/49

Regd. for ackmt.

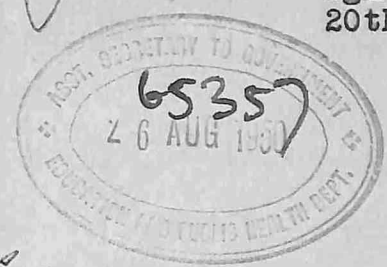
From

M. Muthiah Pillai
Ex-Watchman
Government Museum,
Egmore, Madras.

To The Chief Secretary
To the Govt. of Madras.
75 St. George, Madras.

Sir,

Explanation submitted to order of suspension in
Memo No; 1431 d/11-7-49-very severe neither just
nor justifiable-innocent- well behaved.



43, Spur Tank Rd.,
Egmore P. O. Madras
20th August '49.

In reply to the above memo, I humbly submit the following
few lines for favour of your Honour's kind and sympathetic consi-
deration in these hard times.

I humbly submit that, as a servant I am bound to obey and
satisfy all my superiors in the discharge of my duties. As usual,
I do not mind doing them any hard jobs, when I am off duty.

At 11 P.M. on 9-12-1948, I handed over charge to my suc-
cessor, signed the register and then went out to fetch betel and
nuts for our Superintendent's wife; for then I will be deemed
to be "in waiting" to join my turn at 2 A.M. that very night.
On my return, our office Assistant Sri N. Damodaram abused me and
without even listening to my explanation for an act in obedience
to the order of the wife of my office Head-Superintendent, he
slapped on my neck and necked me down the steps, whereby I sustained
injuries. As I was a very poor watchman, I did not go to court
against him, but expecting barest justice, I reported the matter
the next morning to the Superintendent himself who quite unexpectedly
gave me an order of dismissal, without as usual asking me to
explain in writing to a written charge for any dereliction of
duty on my part. Till then I have had no opportunity to offer any
explanation either about my behaviour or about my service in the
discharge of my duties. I offered no explanation nor got any
warning, black-mark or fine, or even suspension at the worst.
In the absence of any such alternative equally stinging to a poor
servant like me in these hard times I humbly and earnestly appeal
to your Honour's sympathetic and kind nature to judge whether
under the circumstances set out above, I should be so severely
punished with an order of "dismissal" with no reason recorded.
I can only submit that to shield or support his subordinate, the
Office Assistant Sri N. Damodaram, the Superintendent had to
remark that I was "unsatisfactory etc.," only to prejudice me
by way of caution before the Appellate authority in the event
of my appeal against the order of dismissal, in the absence of
any record against me.

Even the Discharge certificate does not as usual state
the reason for the termination of my services and my conduct
during service.

So I humbly submit this appeal and beseech that I may be
restored to service and my back pay directed to be paid to me
from the date of "suspension" 10-12-1948 considering the absence
of any enquiry and order thereon- in these hard days, when some
people have to die even of starvation.

I remain,
Respected sir,
Your most obedient servant,

JP

Ex-Watchman.-Govt. Museum.
Egmore, Madras.

Memorandum for the Secretary

Mr. Secretary
Government Museum
Chennai, Madras

To

Sir,

Explanation submitted to order of suspension in
No. 1431/49-5 dated 19th August 1949.
not suitable-innocent well behaved.

In reply to the above memo, I would like to state
few lines for favour of Mr. Nuthia Pillai and
discretion in these hard times.

I humbly submit that as a servant of the State
I do not mind doing any hard work, when I am
called upon to do so.

At 11.30 on 9-12-1948, I handed over charge to my
successor, Mr. Nuthia Pillai, and then went out to
fetch my wife. On my return, I found that Mr.
Nuthia Pillai had been to my office and had
asked me to show cause within 15 days from the
receipt of the memorandum why his services should
not be terminated as charges of the insolent and
insubordinate behaviour to his superior officers
irresponsible and unsatisfactory discharge of his
duties, quarrelsome behaviour with his co-workers
and disobedient conduct, were reported against him.
In the above memorandum he was specifically informed
that if a reply is not received within the time of
15 days allowed in the memo it will be deemed
that he has no explanation to give. Though the
memorandum sent to him by Registered post
acknowledgment due was acknowledged on 13th July
1949, no report has so far been received from him
by way of explanation. It is therefore considered
that he has no explanation to offer and the charges
against him are deemed to have been admitted by him.
I consider therefore that he is quite unfit to be
retained as watchman of the Government Museum
and accordingly his services as watchman of the
Government Museum are terminated with effect from
the date of his suspension i.e. 9th January 1949.

Even the slightest negligence to do so is
the reason for the termination of my services and
during service.

So I humbly submit that I am a servant of the State
and I do not mind doing any hard work, when I am
called upon to do so.

I am, Sir, your obedient servant,
A. Aiyappan

PROCEEDINGS OF THE SUPERINTENDENT GOVERNMENT MUSEUM
No. 1431/49-5 DATED THE 19th AUGUST 1949.



Establishment - Menials - Watchman Nuthia Pillai -
Disciplinary Action.-

-000000-

In this office Memorandum No. 1431/49-3
dated the 9th July 1949 watchman Nuthia Pillai was placed
under suspension with effect from 9th January 1949 pending
enquiry into the charges against him. In Memorandum No.
1431/49-4 dated the 9th July 1949 watchman Nuthia Pillai
was asked to show cause within 15 days from the receipt of
the memorandum why his services should not be terminated as
charges of the insolent and insubordinate behaviour to his
superior officers irresponsible and unsatisfactory discharge
of his duties, quarrelsome behaviour with his co-workers and
disobedient conduct, were reported against him. In the above
memorandum he was specifically informed that if a reply is
not received within the time of 15 days allowed in the memo it
will be deemed that he has no explanation to give. Though
the memorandum sent to him by Registered post acknowledgment
due was acknowledged on 13th July 1949, no report has so far
been received from him by way of explanation. It is therefore
considered that he has no explanation to offer and the charges
against him are deemed to have been admitted by him. I consider
therefore that he is quite unfit to be retained as watchman
and accordingly his services as watchman of the Government
Museum are terminated with effect from the date of his
suspension i.e. 9th January 1949.

Sd/- A. Aiyappan.
Superintendent.

To
Nuthia Pillai,
No. 43, Spur Tank Road, Egmore, MADRAS-8. P.T.O.

PP-1-3d.7. C.No. 40354. From Sri M. Muthiah Pillai, Ex dated, Nch.

Supdt., Govt. Museum — Allegation
against — Petition from M. Muthiah Pillai,
Ex-Watchman in the Museum.

Please see the petition from
one Sri M. Muthiah Pillai, an Ex-Watchman
PP-1-3d.7. in the Govt. Museum, Madras, in the C.7.
and the query of the Secy. on
page 1 C.7. It is submitted that the
Public (Secret) Dept., ^{which} was consulted
informally, that as the allegation
PP-1-3d.7. made in the petition does not relate
to cases of corruption, the matter
cannot be sent for investigation by
the ~~C.I.D.~~ C.I.D. branch but it ~~can~~
can be sent to the Supdt. of
Police, Special Branch, for investigation.
Subd. that the petition may be
accordingly be sent to the Supdt. of
Police, Sfb. Branch, for investigation
and report. A draft Memo. is
subd. for approval. Pub (Secret) may
see before issue.

30/5/49.

JP
30/5/49

30/5/49

1/6/49 Pub (Secret)

E.O.P.H. No. No.
40354-1C₂ Edn.
1-6-49.

Public (Sec)
of 435/49
2/6/49.



Please see the petition on pp. 1-5 of
and Edn. & P.H. note above.

Public (Sec)

Copy to Secretary to Government,
Education and Public Health Department,
Fort George, MADRAS-9. with reference
to Government Memorandum No. 40356-3 C2 Edn dated the
5th July. 1949.

Yours faithfully,

A. Arisappan
Superintendent.

It is an appeal from a dismissed watchman in the Govt. Museum for reinstatement in service - vide the last para on p. 5 c.f. In this appeal ~~he~~ he alleges that

- (1) the office Asst. assaulted him with shoes for neglect of duty;
- (2) the Supt. dismissed the watchman on misrepresentation by the office Asst. without enquiring into the incident;
- (3) the Supt. uses peons, & too domestic work;
- (4) he keeps a list of persons refusing to do formal work, so that they may be dismissed;
- (5) he dismissed a watchman by name Arakiaswamy, whose leg was fractured while tendering the Supt. case;
- (6) he dismissed another peon on a trivial charge, but the latter was reinstated on appeal to Govt.
- (7) he made a malicious charge against his own P.A. late Mr. Kalumbar;
- (8) he ill treats his subordinates
- (9) he misappropriates usufructs of trees etc in the Museum Compound.
- (10) the office Asst. has Inlet Govt. quarters allotted to him and the Supt. who knows about this has not taken any action.

2) As already stated, the petition is an appeal against dismissal and

most of the items listed in para 1 above do not fall within the purview of "Corruption" as defined in Go. 2572, Public (Services) of 20-10-1948 (vide extract of the Go. of 20-10-1948 with Sec. 5 of the Prevention of Corruption Act, p. 9 flag F - stock file). These do not seem to be much for investigation by the X Branch who are concerned with cases of Corruption.

para 2 p. 1 c.f.

para 6 p. 3 ibid

para 7 p. 3 ibid

para 8 p. 3 ibid

para 9 "

para 9 & 10 "

para 11 "

para 12 on p. 5 ibid

Thru Public (Services)

C.No. 2218
11/6/49

This Public (Services)

But if it is desired to refer the matter to X Branch, C.I.D. orders may be obtained in circulation in accordance with U.O. No. 2999/48-1, Pub (Ser) & 17.9.1948.

(2)

10/6/49

Pub (Ser-D)

As the petition is from a dismissed watchman of the Govt. Museum for reinstatement it seems that it should be dealt with as a petition to Govt. against dismissal, and therefore it does not seem necessary to refer the ^{matter} petition to the X-Branch C.I.D. for investigation of the allegations made by the petitioner.

10/6/49

14/6/49

17.6.49

Public (Ser)

W. no. C/435-1/49
20/6/49



Here refer to A above, a petition in 15 of this report is now circulating. No action necessary in this petition as advised by P. (Ser)

BOX



47469

Please put it up. The papers relating to Govindaswami referred to in para 8 on p. 3 of should also be put up.

25/6/49

Please see the orders of Jt. Secy. above. The file referred to at X above was sent to Pub (Ser) and Finance Departments on 2-6-49.

gt



It has not yet been received back in the Section. A reminder was also had already been sent on 17-6-49 for the return of that file. The Department may again be reminded now. A draft reminder is subd. for approval.

With reference to the papers relating to the reinstatement of Poon Goundarajulu, the S. G. M. may be asked to refer to the orders of Govt. in the matter, as the papers are not readily traceable. A draft to M. is subd. for approval.

27/6/49

28/6/49

27/6/49

Issued as T. N., dated, 28-6-49.

d. No. 51593. From the S. G. M., No. 1839/49-1, d., 30-6-49. PP. 11-13 C. 7.

Please see the orders of the A. S. Secy. at Q on page 3 ante. The detention of the Watchman Muthiah Pillai referred to therein has since been dispensed of in Memo. No. 40356-3 C2. Edn., dated, 5-7-49. A copy of Memo. No. 8544 C2/46-1 Edn., dated, 28-3-46, in which the Poon Goundarajulu has been reinstated in service is found at page 13 C. 7.

The view of Public on the previous page may be agreed to. The S. G. M.'s reply to the Memo at p. 19 of X may be accepted.

12/7/49

12/7/49

12/7/49

12/7/49

It has since come back

P. 21 C. 7.

A



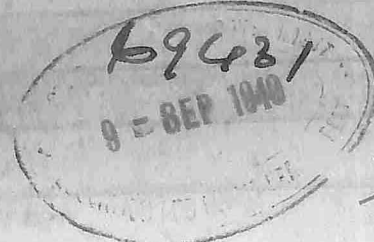
E. & P. H. W. O. No. 40354-3 C2. 1-9-49.

Pub (Sec) U. O. No.

3513/49-1 dated 9.9.49

Through Section.

12/9/49



8.0. 2873 Edn., dated, 13-9-49. Museum - Govt. Museum - Muthiah Pillai - Ex-Watchman - Disciplinary action - Papers recorded.

Please see the note of A. S. Secy. at the bottom of page 4 above. The S. G. M.'s reply has been received and it will be found at pages 21-22 C. 7. The Supdt. has terminated the services of the Watchman as he has failed to submit a reply, within the time prescribed, to the show cause notice issued to him. No further action seems necessary. The papers may be lodged and added to the Memo. at X. Public may see.

21/8/49

31/8/49

1-9-49

Public (Sec)

Pub (Sec) Dept

(Previous note on p. 3 ante) The subsequent notes of E & P. H. from the middle of p. 3 ante may be perused and the file returned to that dept.

5.9.49

8.9.49

E. P. H.

E. O. P. H. C2

The papers may now be filed as already suggested at "A" above and recorded.

12/9/49

12/9/49

13/9/49

