

closed
Snpd

Education (1950) Department.

Ms SERIES.

(1) (2)

G.O. NO. 1542

Dated

18-5-50.

[Despatch Abstract.]

Gorst. Press - Sn. Kamalanathan,
Ex mono. caster, Appeal against dismissal
Rejected

Back Papers.

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

Further Papers.

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

3569

Madras, 1st December 1949.

FROM
N. Kamalanathan,
Ex-Mono Caster,
Government Press, Madras.
No.42, Pauliappan Street,
Seven Wells, Madras.

GOVERNMENT PRESS
3 DEC 1949
MADRAS
94701

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

Sir,

I beg to state that I was a permanent Mono-caster of the Government Press, Madras, having put in 18 years of service. On 3rd March 1948, I was not feeling well having vomitted thrice and did not take my tiffin also. I was on duty for the night shift. While going out of the Press at 10 p.m. after duty, the Gate peon demanded me to show my tiffin bag for search and found some lead types in it. I was greatly surprised at this, for I was under the impression that my cloth bag contained only a packet of food not taken by me on that day due to my unhealthy feeling. I reported sick the next day. I was called upon to see the Superintendent on 6th March 1948 when I was shocked to receive Orders of Superintendent dismissing me from service even without a word of any explanation from me. The circumstances leading to the purpose of search on my person at the gate was not at all enquired into and I was not given an opportunity to offer an explanation on any charge, which should have been given to me for any offence. My petition to Superintendent Government Press, Madras dated 8th April 1948 to enquire into the circumstances of my dismissal was rejected without assigning any reason therefor. Again my appeal petition dated 16th September 1948 was also negatived. My further petition dated 24th October 1949 has not yet been replied to by Superintendent, Government Press, Madras.

Under these circumstances, I pray that the Government may be pleased to enquire into the matter for removing me from service without giving an opportunity to defend myself as provided in the rules and thus depriving me of the benefits of permanent service rendered under Government. I am only appealing for the mercy of the Government to kindly reinstate me in service.

Yours faithfully,

Kamalanathan

Copy to the Superintendent, Government Press, Madras.

EPH

Encl. No. 94701 9/49-1 Encl. 6.12.49.

Referred to the Supt.

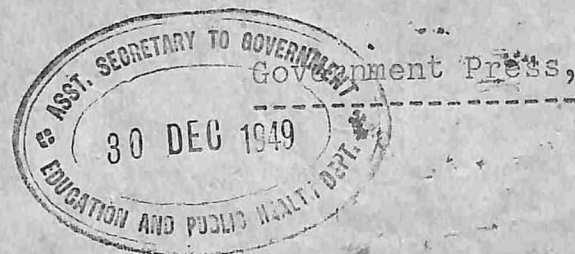
Govt. Press for remarks

2
The Supt. Govt. Press
Madras

V. Ramanam
Asst. Secretary to Govt.
E & P.H. Dept.

8.12.49

898
Endt. No. SBC dated 27th December 1949.



Submitted.

The petitioner was dismissed from service from 4-3-1948 for having been caught red-handed by the night-watchman at the gate for stealing 2 pounds of Monotype (lead) in his tiffin-bag from the Press at about 10 p.m. on 3-3-1948. His appeal petition dated 8-4-1948 requesting to conduct an enquiry into his case and re-instatement in service was rejected by my predecessor. For his petition dated 16-9-1948 on the subject, he was also informed by my predecessor that nothing could be done and that he had the right to appeal to Government, if he so desired.

In view of the above circumstances on record, I have filed his petition dated 24-10-1949.

There are also no papers on record to show the details of enquiry of his case as required under rule 16 (a) and (b) of the Civil Services (Classification, Control and Appeal) Rules and if Government consider that an enquiry should be made at this distant date, I should investigate the matter again.

The petitioner was a permanent Type-caster of this office having put in over 17 years of service.

Memo: 94701 C2/49-2 Edm d 16.1.50 C2

Gm. Pres - S. N.

Kannalunthe - 20 M mo.

operator - Reinstatement -

Repu S. G. P. is let me SBC

by 898 9 27 1245

The S. G. P. is request

to forward first all the documents

records in the case, so far

available.

12/1/50

7h SBC

Service was rejected by my predecessor on the subject, he was also informed by my predecessor.

No.SBC.3/208-50/654.

Office of the
Superintendent, Government Press,
Madras, 31st January 1950.

From

Janab R. Siddique,
Superintendent,
Government Press,
Madras.



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

Sir,

Sub: Petition from Sri N. Kamalanathan, ex-Mono-Caster
of this office for reinstatement - Records in
the case - Furnished.

Ref: Government Memorandum No.94701/C2/49-2 Edn.,
dated 16th January 1950.

The available records connected with the case of
dismissal of Sri N. Kamalanathan, Mono Caster are sent herewith
as desired.

Enc: 1 file (Pages 1-11)

Superintendent.

service was rejected by my predecessor. For his not...

8/ If it is considered that some punishment is necessary,
2/ The S. G. P. is requested to
follow the prescribed procedure
and submit a report to Govt. in due course
3/ The petition is referred to the
S. G. P. for orders.
9/3/50
16/3/50
20.3.50

2/ 15/3/50
The S. G. P.
(with proper reference)
The Petitioner
(with para. 3
only)

OFFICE OF THE SUPERINTENDENT, GOVERNMENT PRESS, MADRAS.

No.

Dated 30th March 1950.

From

Janab R. Siddique,
Superintendent, Government Press,
Mint Buildings, MADRAS.



The Secretary to Government,
Education Department, Fort St. George,
MADRAS.

Sub: Government Press - Sri N. Kamalanathan - Ex-Junior
Foundry Worker - Dismissal - Procedure - Not followed.
Ref: Government Memorandum No. 94701 E/50-6 Edn., dated
10th March 1950.

With reference to the above, I submit that I have conducted
a thorough enquiry on 20th March 1950 on the conduct of Sri N. Kamalanathan
for the following charge:-

"He is reported for having stolen Mono (loose) type weighing about
2 lb. which was detected by Kem Prasad (Night Watchman) at the
gate of the Government Press, Mint Buildings, Madras at about
10 p.m. while leaving the Press after duty on 3rd March 1948."

2. My findings on the results of the enquiry are that he is guilty
of the offence and therefore the order of dismissal No. 898/SBC dated 6-3-1948
stands. Sri N. Kamalanathan has also been informed accordingly.

R. L. S. S. S.
31.3.50.

SUPERINTENDENT.

RGM/30/3

2/31-3-50

10

Handwritten text, mostly illegible due to bleed-through from the reverse side. Some visible words include "The S.C.P. is requested to", "forward the records of the enquiry held by him on 20.3.50, for perusal in respect of the above case.", and "The S.C.P. is requested to".

11

Edm/E

Srl: Govt. Press. Sri. N. Kamalanathan
Ex Furnis Foundry worker - dismissal.
Ref: From the S.C.P. No. nil & 30.3.50

40
18/4

pg 06

Memo. No. 94701 E/49.8Edm & 18.4.50

The S.C.P. is requested to
forward the records of the enquiry held by him on
20.3.50, ~~for perusal~~ in respect of the above case.

1520
mm
20/4
1574/50
N
1525

The Suptt. G.O. R. Madras

18/4/50

12

31.4.50

Mr. N. Kamalanathan, Ex-Junior
 Foundry worker - dismissal
 Govt. Memorandum No. 94701 E/49-8 Edn., dated
 18-4-50.

at Chennai is 9.2.2. 2B

in and published print 22.2.50 of a grosser all answers
 20.2.50. for forward in 22.2.50.

1/2
 27/4/50

and had 10/4/50 all
 27/4/50

From
 Janab R. Siddique,
 Superintendent,
 Government Press, Madras.

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

No. 50953/SBC. Dated 26th April 1950.



Sir,
 Sub: Government Press - Sri N. Kamalanathan, Ex-Junior
 Foundry worker - dismissal.
 Ref: Govt. Memorandum No. 94701 E/49-8 Edn., dated
 18-4-50. --- p. 11 ante

With reference to the above, I am forwarding herewith
 the records of the enquiry held by me on 20-3-1950 relating
 to the above individual.

Enc. One file containing
 papers relating to
 the enquiry.

5/26/4.

R. S. Digne
 27.4.50
 Superintendent.

Gen. Pres. Gen. Sec. M. M. M. Edw (E)
 C. C. C. - Gen. Sec. M. M. M. Edw (E)

Pri. N. Kamalanathan,
 Ex Mono Caster, Govt. Print
 Ptn. Dt. 1.12.49.

Page 9013 of 9013 from Resettled 9 data 30.3.50 953
~~1000~~ P.B.C - 27 26 4.50 -

18/1

Order 1542 Edw. D/18.5.50
Mr.

The Appeal is rejected

20
 ① The Appellant Sri 2. Kamalanathan,
 No 42 Pauliakram Street
 Seven Wells
 Madras
 ② S. S. P. Subramanian
 ④

20
 16.5.50
 27.5.50

C.No. 94701 C2/49



4-1-50



EPH No. 94701 C2/49
5-1-50

Pub Ser B20
65/50-1
2-1-50

6.1.50.

12/1/50

Smt: Govt. Press - Sri. N. Kamalanathan
Ex. Mono. Operator - Reinstatement
Ref: From Sri. N. Kamalanathan, petition
D. 1.12.49.

From the S.G.P. No. S.B.C. 898 & 27.12.49

Please see the petition from Sri. N. Kamalanathan on p. 1 of and the remarks of the S.G.P. on p. 2 of.

2. Sri. N. Kamalanathan was dismissed from service from 4.3.48 for having stolen two pounds of monotype lead on 3.3.48. The petitioner however admits that the lead was found in his bag at the time of his leaving the office that day. It is however seen that no opportunity was given to him for offering his explanation as reqd under rule 15 (b) of the Civil Services (Classification Control and Appeal) Rules. No records are available with the S.G.P. to show details of enquiry in ~~this case~~ the case as reqd. under rule 16(a) of the same Rules.

3. In the circumstances it is for orders whether the S.G.P. may be requested to investigate the matter as reqd. under the rules and submit his ^{report} statement to Govt. Perhaps a re-enquiry may be made. Pub. (Ser) may see.

4-1-50

5/5/50 | Pub (Ser) | B

Pub (Ser) Dept.

E & B. H. may be requested to obtain first all the connected records ~~with~~ of the case

7.1.50 EPH

Draft memo. subd.

30th (Based on Memo. No. 94701 C2/49-2E)
12/1/50 (From the S.G.P. No. S.B.C. 13/308/50/6544)

EPH/C

With reference to Pub (Ser) note on p. 1 ante, the
 case connected records have been obtained at put up
 at flag ⑤. May be sent to Pub (Ser) again for remarks

8/1/50

11-2-50

Pub (Ser)

E & P H 22094701/50

14.2.50

Public (Services) Department.

Please see the petition from Sri N. Kamalanathan,
 Ex-Mono Caster of the Government Press and the remarks of
 the Superintendent, Govt. Press thereon on p. 2 c.f.

Sri N. Kamalanathan was a permanent Mono-caster of
 the Government Press. He was dismissed from service with
 effect from 4-3-1948 for having stolen two pounds of Monotype
 (lead). From the records put up, it appears that the pres-
 cribed procedure was not been followed before he was dismissed.

The order of dismissal is therefore ultra vires and should
 be set aside. If it is however considered that the
 appellant deserves some punishment, the procedural ^{defect} should
 first be got rectified by the S.G.P. and then the appeal
 considered on merits.

With the above remarks the file may be returned to

E & P.H.

11/2/50

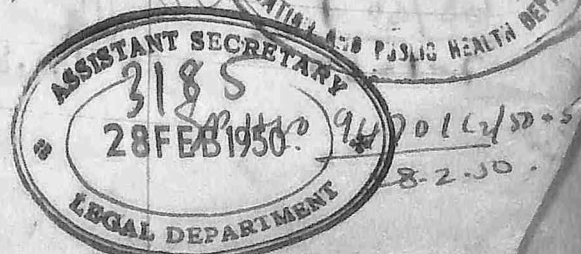
21-2-50

11/4/50

12/4/50

EPH/C

Pub (Ser. B.) OYAN
 as no. 678/50-1
 22.2.50



The note of Pub (Ser) above may be perused
 For orders whether the order of dismissal may be
 set aside and the S.G.P. asked to follow the
 prescribed procedure and submit a report to Govt.
 With the date of final orders the petition may be
 kept under suspension. Legal may do
 as represented

11/4/50

Legal

Legal Department

Seen in Legal. Action may be taken as proposed at M on
 the previous page.



Legal 26. 3185/50-1
 4-3-50.

8/3/50

11/3/50

Edu
 E.

A draft memo. to the S.G.P. is subd. for
 approval. Secy. is to appellate authority (p. 61 of the Manual
 Services Manual vol. I)

9/3/50

10/3/50

10.3.50

(Dashed as Memo. No. 94701 E/50-6 Edn. 10.8.50)
 (From the S.G.P. letter of 30.8.50)

Please see the letter from the S.G.P. on p. 9 c.f.

No further action is necessary. The papers may be recorded
 for future reference. q/c perused by P. M. (Ser.)
 The party may appeal to Govt.

6/4/50

Edn. 10

Recorded

Abstract:

Govt. Press - Sri. IV.
 Kamalanathan -
 Ex Mono. operator.
 Dismissal - papers
 Reunder.

6/4/50

JP
 8/5/50

10/4/50

Pub (Ser)

Pub (Ser) Dept.

[Seen on p. 2 ante]

The further notes may be perused and
 the file returned to Edn. It is perused
 that the S.G.P. has now followed the
 detailed procedure prescribed in the
 Manual of Govt. Press before passing the
 order at 'A' on p. 9 c.f.

An enquiry directed towards the dismissal
 12.4.50 go forth. cannot be over in one day

Edn. 10 94701 E/50
 11-4-50



A
E
unless the delinquent admits the charge. The dept. has records of the enquiry on 20.3.1950 maybe obtained from the S.G.P. Hunt is this dept for perusal.

18.4.50

Edm
E.

Pub Ser Buro
1682/50-1
14.4.50

With reference to A above, a draft memo to the S.G.P. is subd. for approval

14 APR 1950
7106

81
15/4/50
JA
15/4/50

18/4/50

(Dashed as memo. No. 94701 E/49-8 Edm 18.4.50) p11 of

Secy E.

I did not like the use of the word "Some" in the draft at Page 8 of 27. In this. Let me see the report of the S.G.P. when it comes.

SECRETARY
26 APR 1950
EDUCATION DEPARTMENT

2078
6 - MAY 1950
PUBLIC DEPARTMENT

Handwritten signature

p.13 of (From the S.G.P. No. 50953 8BC 26.4.50)

Edm/E.

The S.G.P. has forwarded the records of enquiry held by him on 20.3.50 and is put up at flag (Y). Pub (Ser) may perhaps see prior to circulation.

pp 12-18 (Y)

24/5/50
JA
25/5/50

Pages 13 - 16 of Rs S.G.P. file at (Y) may be perused

11/5/50

The ex. mono operator has admitted the charge of having stolen 2 lbs of monotype from the press. The S.G.P. has therefore decided not to surify the order of dismissal. This may be agreed to.

5.5.50.

Publ (Ser).

Edm. No. 94701 E/49-9
5/5/50

Publ (Ser) Dept.

11-13-14
11196
17 MAY 1950
EDUCATION DEPARTMENT

[Seen at pp. 3-4 ante]

Wrt. AS's note on pp 3-4 ante, the record of enquiry held by the S.G.P. on 20.3.50 at (Y) may be perused. The delinquent has admitted the charge of having stolen 2 lbs. of mono (loose) type. This dept. may agree with the view of Edm. Secy. above.

The case may be returned to Edm.

Publ (Ser)
2078/50-1
11-5-50

11.5.50
11.5.50

11.5.50

Edm.

Sri N. Kamalanathan, Ex. Mono-caster, Govt. Press submitted a petition to Govt. in December 1949 requesting Government to enquire into the ^{action of the S.G.P. in removing having removed} ~~matter~~ ^{renewing} him from service without giving him an opportunity to defend himself as provided in rules. The Govt. considered his request and directed the S.G.P. to follow the prescribed procedure and submit a report to Govt. in due course.

2/ The S.G.P. conducted an enquiry on the conduct of Sri N. Kamalanathan on the following charges:-

" He is reported for having stolen Mono(loose) type weighing about 2 lb. which was detected by Kem Prasad (Night Watchman) at the gate of the Govt. Press, Mint Buildings, Madras at about 10 p.m. while leaving the Press after duty on 3-3-1948."

3 The S.G.P. decided that he should be dismissed. Attention is invited to pages 13 to 16 of the S.G.P.'s file at flag 'Y'.

4 The Secretary noted as follows:-

✓ " The ex.Mono Operator has submitted~~the~~ admitted the charge of having stole, 2 lb of Mono-type from the Press. The S.G.P. ^{not} has therefore decided ~~that~~ to modify the order of dismissal. This may be agreed to."

5 Pub(Services) have agreed with the views of the Secretary. The file may be circulated to H.M.(E.& L.) *for*

and the Gov. may decline to interfere.

The Secretary is the appellate Authority (Page 61 of the Madras Services Manual, Vol I) - He need not be troubled with

Bk no
42 on
Boyle's
study

the 5th - The order below

May 1881

16.50 2 B

57550