Scott. II-27—50,004—17-11-48

E & P. H. (1950) Department.

Ms. SERIES.

(1)

G.O. NO. [redacted] Edn.

177.

Dated 23 - 1 - 1950.

(3)

[Despatch Abstract.]

Madras Record Office - Sri. B. Mahabaleswar Rao, clerk - Petition for transfer to service in the South Kanara Dt. - 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.

Brahmavar,,S.Kanara,
24-8-1949.

(2)

From

Sri. B. Mahabaleshwar Rao,
Clerk, Madras Record Office, Chittoor,
(on leave)

Baikady village,
BRAHMAVAR POST,
Udipi Tq.,S.Kanara.

MADRAS RECORD OFFICE
27 AUG 1949
2297A
MADRAS

To

His Excellency the Governor of Madras,

Through

The Curator,
Madras Record Office,
CHITTOR

and

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

May It Please Your Excellency,

The humble petition for mercy of Sri B. Mahabaleshwar Rao, officiating Lower Division Clerk (on leave) Madras Record Office, Chittoor.

Humbly Sheweth,

1. That since your humble petitioner could not get a transfer to South Kanara District under G.O.No.1650 Edn. dated 20-5-1949, and faced with failure in life, Your humble petitioner craves the mercy of His Excellency through this petition on account of the new factors that have emerged consequent on the above G.O., which afford grounds for further consideration of the case and on account of the persistent refusal of the Curator to consider these new facts.

(E)/4442/7

2. That soon after Your humble petitioner received G.O.No.1650 Edn. 20-5-1949, the Curator informed him that his petitions dated 2-9-1948 had been forwarded to the Collector of South Kanara, the District Forest Officer, South Kanara and the Commercial Tax Officer, South Kanara and that his services could be spared only under rule 22(b) of the special

(E) 4442/7

encl 1 pp8.

(3)

rules for the Madras Ministerial Service. The Collector of South Kanara refused to consider Your humble petitioner's requests, but the Commercial Tax Officer, South Kanara -- appears to have written to the Curator stating that the transfer could be done under Sub rule (c) of rule 22[a] of the Special Rules for Madras Ministerial Services ~~Rules~~; while the District Forest Officer, South Kanara sent an order of appointment dated 17-6-1949 to your humble petitioner appointing him temporarily under sub-rule (b) of rule 22(a) of M.M.Rules (i.e. old rule 22(b) of MM Rules). Consequently Your humble petitioner applied to the Curator on 21-6-1949 for permission to join duty as Range Clerk at Karkala, South Kanara but the Curator told him that this appointment was not regular and that the District Forest Officer had been addressed to clarify the matter. Again, after anxiously waiting for nearly a month, Your humble petitioner himself clarified the position and begged of the Curator in his application dated 22-7-1949 for permission to join duty. Though Your humble petitioner, in all humility, requested the Curator in his applications dated 21-6-49 and 22-7-1949 to show the utmost consideration and sympathy in view of the order of appointment of District Forest Officer, South Kanara, the Curator negatived Your Humble petitioner's requests stating that the Madras Record Office and the Forest Department in South Kanara belong to different departments and that there was no provision in the rules to lend his services even temporarily. Since the District Forest Officer, knowing this very rule, had appointed Your humble petitioner temporarily, the Curator could have used discretion in permitting Your humble petitioner to join duty in the Forest Department. It is unfortunate that the Curator wants to --- thwart the ardent desires of Your humble petitioner in the matter of even a temporary transfer to South Kanara though he is prepared to spare the services of other clerks to the departments of their choice as explained by Your humble petitioner in his petition dated 15-11-1948 to His Excellency. On account of the objections raised by the Curator, the District Forest Officer, South Kanara had to cancel the order

Encl 2. pp 9

Encl 3. pp 10

Encl. 4. pp 11.

Encl 5. pp 12

pp. 10 and 12

Encl 6. pp 13

from 7 on page 7-8 46 ff (E)

(V)

of appointment on 11-8-49 after waiting for nearly two months.

(E) 4-42

2. That according to G.O.No.1650 Edn. dated 20-5-49, since Your humble petitioner had to refer to the Curator for orders, he submitted to the Curator two applications on 9-6-1949 and 2-8-1949, stating that it was not possible for Your humble petitioner to get any one for a mutual transfer under rule 22(b) of M.M.Rules, and beseeched the -- Curator to agree to Your humble petitioner's transfer under sub-rule (c) of rule 22(a) of M.M.Rules. With his application dated 9-6-1949 Your humble petitioner also enclosed two applications to the District Forest Officer, South -- Kanara and the District Supply Officer, South Kanara for temporary appointments in their offices. As no rules are involved in your humble petitioner's appointment under the District Supply Officer, South Kanara, the Curator could have at least forwarded Your humble petitioner's application to the District Supply Officer, South Kanara, though in - 1948 the Curator had spared the services of a clerk to the District Supply Officer, Tiruchirapalli. But the Curator has refused to forward ~~his~~ the two applications mentioned above. In his application dated 2-8-1949 Your humble petitioner placed before the Curator several alternatives for a transfer to South Kanara either temporarily or permanently including a transfer to the Judical Ministerial Service and appealed to the Curator to consider his case on compassionate grounds. In reply the Curator in his order No.1506 A N49-7 dated 16.8.49 not only refuses to budge an inch from the stand of mutual transfer, but warns Your humble petitioner "not to send unnecessary petitions to the office as by doing so he makes himself liable to disciplinary action". This is how the Curator rides roughshod over the feelings of Your humble petitioner. So no useful purpose will be served by your humble petitioner sending any more applications to the Curator for a transfer to the Judicial Ministerial Services also. The Curator states in the above order that " as the petitioner is not surplus to the re-

encls 7 and 8. pp 14-17

pp 16

pp 15

pp 17

encl 8

encl 9.

pp 18-19

pp 18

p 18 in fm

(40)

quirements of this office his services cannot be spared in favour of any department unless the conditions of rule 22(b) of the Special rules ~~of~~ for the M.M.~~Rules~~ Service are satisfied". i.e. The Curator insists on a substitute before your humble petitioner is transferred. The Curator can as well do without a substitute, for there are no less than 6 permanent clerks of this office working in outside office having their lien in this office and the Curator has a right to recall them at any time. Instead of pressing for a substitute, in the place of Your Humble petitioner, the Curator may recall one of the clerks who are in outside offices, if he really wants to do good to Your humble petitioner. The argument of the Curator that Your humble petitioner is not surplus to requirements of the office does not hold water, as explained by Your humble petitioner in his petition to His Excellency dated 15-11-1948. Since Your humble petitioner's application to the Curator dated 2-9-1948 for a transfer to South Kanara, the Curator has spared 3 clerks to -- other departments, among whom two were permanent members of the office, and who were certainly not surplus to requirements. Even if the vacancy position of the office is closely examined, there are no chances of Your humble petitioner getting a permanent footing in the Record Office. By --- sending away many of the clerks to outside offices, it --- passes one's comprehension to see that the Curator insists on the retention of Your humble petitioner, who is an unhappy man in Chittoor and who has expressed his sufferings in no uncertain terms to the Curator.

4. That though Your humble petitioner is perfectly willing to abide by the conditions of Rule 22(b) of M.M.Rules for a mutual transfer, the real difficulty is that he is not able to find any one in South Kanara who is willing to ~~come~~ go over to Chittoor. So, Your humble petitioner now prays His Excellency that the Curator may be directed to agree to Your Humble petitioner's transfer under sub-rule (c) of rule 22(a) of M.M.Rules since both the Commercial Tax Officer, South --

(6)

Kanara and the District Forest Officer, South Kananra are understood to be willing to take Your Humble petitioner under this rule. What the Commercial Tax Officer, South Kanara wrote to the Curator on the matter is already in the concerned file of the office. When these outside appointing authorities in South Kanara are willing to appoint Your humble petitioner there is no reason why the Curator should not agree to Your humble petitioner's transfer. It may be stated that in 1944 the Curator agreed to transfer Your humble petitioner to the Revenue Department in South Kanara under this rule. The grounds that prompted the Curator to agree to Your humble petitioner's transfer in 1944 hold good even now for a transfer to the Commercial Taxes Department or Forest Department in South Kanara. The concerned rules have not changed since then. This being so, the Curator now refuses to give any consideration to Your humble petitioner's requests for a transfer to South Kanara, because the present Assistant Curator puts up all sorts of objections before the Curator. It is unfortunate that the Curator is easily carried away by the remarks of the present Assistant Curator. It is the opinions of the Assistant Curator that carry ---- weight with the Curator. But for the present Assistant Curator, who is dead against Your humble petitioner's transfer, and who is standing in the way between Your humble petitioner and the Curator, Your humble petitioner could have easily convinced the Curator in regard to his bonafides for a transfer to South Kanara. So, having pursued a negative attitude towards Your humble petitioner's transfer all through since 1948, the Curator will not agree, until unless and ~~and unless~~ he is directed to do so by His Excellency. Otherwise the existence of sub-rule (c) of rule 22(a) of Madras Ministerial Service Rules is sheer murder for Your humble petitioner. Hence this petition for exercise of mercy by His Excellency. If the Curator agrees under this rule, there is no trouble at all.

5. That Your humble petitioner has been suppressed, depressed and oppressed by the Curator in every possible way. Though it is unnecessary in the present context to

rake up old grievances that are rankling in the breast of your humble petitioner against the Curator, one instance will suffice to show as to how the Curator wanted to damn Your humble petitioner for life and which was the consummation of the Curator's policy towards Your humble petitioner's sufferings. In December 1948 when Your humble petitioner applied for leave on medical certificate for 2 months, he was sent before the District Medical Officer, South Kanara for invalidation from service, but the D.M.O. recommended the leave applied for, stating that there were no grounds for the invalidation of Your humble petitioner.

16. That finally Your humble petitioner submits that the question of his transfer to South Kanara is a grave issue, a vital issue and is a problem of life and death for Your humble petitioner. In no other way can Your humble petitioner lead a contented and purposeful existence. If he is not transferred to South Kanara his life is doomed to failure and utter misery, apart from the great loss and hardships to which he is subjected to by living in such a far away place as Chittoor. But his needs appear shadowy to the Curator. The new factors that are to be considered in this petition are that the Commercial Tax Officer, South Kanara appears to have written to the Curator that the transfer could be done under Sub-rule (c) of rule 22(a) of M.M.rules, and that Your humble petitioner has been given to understand that the District Forest Officer South Kanara is willing to take him under this rule. Since Your humble petitioner could not get a transfer under rule 22(b) of M.M. Rules, he is in the horns of a dilemma. It is only the Curator who is playing an obstructive role, and who is continuously refusing to recognize the existence of special circumstances in Your humble petitioner's case; notwithstanding the fact that several alternatives for a transfer to South Kanara were placed before the Curator by Your humble petitioner. The Curator has refused to give permission to Your humble petitioner to

pp13

(8)

join as Range clerk in the Forest Department in South Kanara. He has also refused to forward Your humble petitioner's applications to the District Forest Officer, The Dt. Supply officer, S. Kanara for temporary appointments in those offices. For having wept and wailed before the Curator in the form of petitions with his hardships, the Curator threatens to take disciplinary action against Your humble petitioner. So Your humble petitioner implores and beseeches His Excellency that Your humble petitioner may be transferred to the ---- Commercial Taxes or Forest Department or to the Judicial Ministerial Service in South Kanara under section 241(5) of the Government of India Act 1935 as quoted in page 2 of vol. I of the General Rules for Provincial and subordinate Services.

Or under any rules as deemed fit by His Excellency the Governor or purely as an act of mercy by His Excellency the Governor if the rules are against Your humble petitioner.

It is the fervent hope of Your humble petitioner that his case may be at least considered on compassionate grounds, if not on other grounds, consistent with the sympathetic policy of the Government towards N.G.Os.

Your Excellency's most obedient servant,

B. Mahabaleshwar Rao

24/8/49

Enclosures. 9
Pages 8-19.

encl

(6) (8)

No.1506-A/49-2.

Madras Record Office,
Chittoor, 28th May 1949.

MEMORANDUM.

Sub:- Mahabaleshwar Rao, Sri.B. - Officianating Lower Division Clerk Madras Record Office - Application for appointments in South Kanara District - For - warding of.

Read:- C.O.Ms. No.1650 Edn. dated 20 -5-1949.

Sri. B.Mahabaleshwar Rao is informed that his petitions dated 2-9-1948 have been forwarded to the Collector of South Kanara, District Forest Officer and Commercial Tax Officer, Mangalore, fo r disposal. His services in this office will however be spared only if his transfer satisfies the conditions laid down in Rule 22 (b) of the Sp ecial rule for the Madras Ministerial Service, an extract of which is furnished to him.

(Sd) B.S. BALIGA.

CURATOR,
30-5-1949.

To

Sri.B.Mahabaleshwar Rao,
C/O Sankara Narayana Rao,
Baikady Village,
Brahmavar Post,
South Kanara Dist.,

24/5/49.

/true copy/

Encl 2.

R.C.2197/49.C1
SO.169/49

Dt.Forest Office, South Kanara
Mangalore, dated 17-6-1949.

APPOINTMENT.

Sri. B.Mahabaleshwara Rao, an approved probationer of the Madras Record Office Chittor Unit, is temporarily appointed to Officiate as Range Clerk, Karkal under Rule 22(b) of the Madras Ministerial Service Rules ousting Sri. Thimmayya Shetty.

(Sd.)
For Dt. Forest Officer South Kanara.
20-6-49.

ToSri.B.Mahabaleshwara Rao C/O The Branch Post Master Kukkundur P.O. Karkal, South Kanara.
Copy to Range O fficers Karkal and Puttur for information and guidance
Copy to Curator Madras Record Office, Chittor with reference to his Endt. 1506.A.59.1. dated 28-5-1949 on Mahabaleshwara Rao's petition.
The Clerk's Service Register and Personal file may be sentto this Office.
Copy to S.O.file
Copy to File C. /49-C1.
Copy to Service Register and Personal file.

Copies: 8
Pbr.20-6.

/true copy/

24/8/49

Encl 1.

No.1506-A/49-2.

Madras Record Office,
Chittoor, 28th May 1949.

MEMORANDUM.

Sub:- Mahabaleshwar Rao, Sri.B. - Officianating Lower Division Clerk Madras Record Office - Application for appointments in South Kanara District - For - warding of.
Read:- C.O.Ms. No.1650 Edn. dated 20 -5-1949.

Sri. B.Mahabaleshwar Rao is informed that his petitions dated 2-9-1948 have been forwarded to the Collector of South Kanara, District Forest Officer and Commercial Tax Officer, Mangalore, fo r disposal. His services in this office will however be spared only if his transfer satisfies the conditions laid down in Rule 22 (b) of the Sp ecial rule for the Madras Ministerial Service, an extract of which is furnished to him.

(Sd) B.S. BALIGA.
C U R A T O R,
30-5-1949.

To
Sri.B.Mahabaleshwar Rao,
C/O Sankara Narayana Rao,
Baikady Village,
Brahmavar Post,
South Kanara Dist.,

/true copy/

24/8/49.

End 3. (11) 10)

Copy of petitioner's application dated 21-6-49 to the Curator.

Sir,

I have received an order from the District Forest Officer, South Kanara Mangalore (No.R.C.2197/49-C1, S.O. 169/49 of D.F.O.Mangalore) stating that I have been appointed temporarily to officiate as Range clerk Karkala. I humbly request that I may be permitted to join duty as range clerk Karkal at Karkal during the period of my leave. If the Curator permits me to join duty at Karkal Forest Office, the remaining period of my leave may be canceled with effect from the date of my joining duty in that office. With tears in my eyes I request and beg of the Curator to accede to the D.F.O's request, since I shall be free from my sufferings at Chittoor and I shall be a happy man.

/true copy/ Sd. B. Mahabaleshwar Rao

BD/21814

Encl 4

(11)

No.1506-A/49-4-

Madras Record Office,
Chittoor, 25th June 1949.

MEMORANDUM.

Sub: Mahabaleshwar Rao, Sri.B. - Permission to join duty at Range Office, Karkal, Cancelling his leave.

Read: His application dated 21-6-1949.

Sri.B.Mahabaleshwar Rao is informed that his temporary appointment as Range clerk, Karkal, under Rule 22 (b) of the Madras Ministerial Service Rules does not appear to be regular and that therefore the District Forest Officer, South Kanara, has been requested to clarify the position.

His application for permission to join duty at the Range Office Karkal, and for concellation of the unexpired portion of his leave from the date of his joining duty at that Office, can therefore be considered only on receipt of a reply from the District Forest Officer South Kanara.

Sd/- M.C.Subramaniam.
For CURATOR,
27-6- 1949.

C.Ps.
To

Sri.B.Mahabaleshwar Rao,
S/O B.Shankernarayana Rao,
Baikady Village,
Post, Brahmavar,
South Kanara.

24/8/49.

(True copy)
/true co...

Encl 5

(13) 12)

Copy of petitioner's application dated 22-7-49 to the Curator.

Sir,

In continuation of my application dated 21-6-49 for permission to join duty as Range Clerk, Karkal. I beg to submit as follows:-

Rule 22 (b) of M.M. Rules Under which the District Officer, S.K. was pleased to appoint me as range clerk relates to temporary transfers from one district to another, in the previous editions (1942 addition) of the Madras Ministrial Service Rules; which is exactly the same as sub rule (b) of rule 22 (a) in the new edition of M.M. Rules. The District Forest Officer must have appointed me as Range clerk with reference to the previous edition of M.M Rules. So I humbly request that I may be considered to have been transferred temporarily under sub rule (b) of rule 22 (a) of M.M. rules. Since this is only a temporary transfer, I pray that my case may be considered sympathetically since my hardships are already known to the Curator. I hope that the Curator will permit me to join duty at Karkal or atleast lend my services temporarily to the District Forest Officer, South Kanara.

/ True Copy / Sd. B. Mahabaleshwar Rao.

Copy to the District Forest Officer, South Kanara. Mangalore

BMR 24/8/49

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No.1506-A/49-6

Madras Record Office,
Chittor, 29th July, 1949

MRMORANDUM,

Sub: Mahabaleshwar Rao Sri B. Officiating L.D.C. - Madras Record Office (one leave) - Petition of transfer to the Forest Range Office at Karkal under Sub Rule (b) under rule 22 (a) of the Madras Ministerial Services Rules - Negatived

Read: Petition datedn22-7-1949 From Sri. B. Mahabaleshwar Rao.

Sri B Mahabaleshwar Rao is informed that the Forest Department in South Kanara District and the Madras Record Office belong to different departments and that therefore the question of his transfer to the Karkal Range office cannot be considered under sub rule (b) of rule 22 (a)(old rule 22 (b)) of the Special Rules for the Madras Ministerial Service. As the special rules for the Madras Ministerial Service do not admit of the loan of his service to the District Forest Office, South Kanara even temporarily, the question of lending his service to the District Forest Office, South Kanara cannot also be considered.

Sd/ M.C.Subramaniam
for CURATOR,

/true copy/

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2/6/49.

To

The Curator,
Madras Record Office,
CHITTOOR.

Encl 7 (16) 14)

copy of petitioner's application dt 9-6-49 to the Curator

Sir,

With reference to office memo No.1506A/49-2 dated 30-5-49 I beg to state that it is difficult for me to satisfy the conditions laid down in rule 22(b) of M.M.Rules, regarding my transfer to South Kanara, since no one is willing to go over to Chittoor from this place though I am prepared to forego my seniority for a mutual transfer. I humbly request that my case for a transfer may kindly be considered under sub rule (c) of rule 22(a) of M.M. Rules. I also implore and beseech the Curator to agree to my transfer under this rule if the appointing authorities in South Kanara are prepared to take me. Meanwhile I pray that the enclosed applications may be forwarded to D.F.O.,S.K. amd Dt. Supply Officer,S. K. for temporary appointments in these offices.

2. In this connection I beg to state that I feel there is neither health nor happiness for me in Chittoor. Besides the financial situation in my home is extremely distressing. The circumstances are such that I must help my people in maintaing and managing a large family. I shall be a happy and contented individual only if I am employed in my native District. Hence I appeal to the Curator to show mercy to me and forward these two applications.

Yours faithfully,

/true copy/ Sd. B. Mahabeshwara Rao.

Pr 7/10/49

(16) 15

Brahmavar, S .K.
9-6-1949.

From

Sri. B. Mahabaleshwar Rao,
Offg. Lower Dn. Clerk, (on leave)
Madras Record Office, Chittoor,
S/o. B.Shankernarayana Rao,
Baikady village,
BRAHMAVAR POST, Udipi. S.K.

To

The District Supply Officer,
South Kanara, MANGALORE.

Sir,

Being given to understand that there are vacancies for the post of clerks in the Civil Supplies Department in South Kanara I beg to submit this application for the post of a clerk in this department requesting to be employed under the provisions of G.O.No.449 Food dated 16-4-1947 (relating to appointments to gazetted and non-gazwtted posts created in connection with Civil Supplies work). I am an approved probationer in the category of Lower Division Clerk in the Madras Record Office, Chittoor and I have been working in that office as clerk from February 1944. I had also worked as temporary clerk in Taluk Office, Karkal for 8 months in 1943-44. I am the son of the former Shanbogue of Kukkundura and belong to the Baikady family. I am also enclosing a copy of the testimonial issued by the Revenue Divisional Officer, Coondapur in 1943. I am anxious to come back to my native district and I have also submitted a separate application to the Collector of South Kanara for a permanent transfer to the Revenue Department in this District, but since transfer will take some more time owing to the rules involved in the case, I humbly request that I may be appointed as clerk in the Civil Supplies Department. Owing to the great financial difficulties at home it would have been a real blessing to me if I were appointed in your department.

Should I be fortunate in getting an employment, I shall prove myself to be a willing and good worker.

Yours faithfully,
Sd/- B. Mahabaleshwar Rao.

Copy to the District Supply Officer,
South Kanara in advance.

/true copy/

16)

(17)

Copy of petitioner's application dated 9-6-1949 to the District Forest Officer, South Kanara.

S ir,

In continuation of my application dated 2-9-48 for a permanent transfer to the Forest Department in South Kanara District, I beg to request that I may be appointed temporarily for the present in the Forest Department, pending the consideration of the question of my permanent transfer, which will take some more time owing to the rules involved in the case. Owing to my financial hardships at home, it will be a great blessing to me if I am appointed temporarily in some long standing vacancies since I am anxious to come back to my native District.

Sd. R. Mahabaleshwara Rao.

/ True Copy /

24/8/49

End 8

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(18)

Copy of petitioner's application dated 2-8-49 to the Curator.

Sir,

I submit that I did not request for the loan of my services to the Forest Department in S.Kanara under the special rules for the Ministerial Services. What I meant was that my services should be lent temporarily without any rules. The services of Sri T.S. Visvesan and Sri Tirukuttalalingam Pillai, who belong to the Madras Ministerial Service have been lent by the Curator to other departments under no rules whatsoever. I request that my services may be transferred to the Forest Dept. in S.Kanara on similar lines.

(2) I also request to be informed whthe whether my two applications dated 9-6-49 to the Dt. Supply Officer, S.Kanara and the Dt. Forest officer sent along with my petition dated 9-6-49 have been forwarded.

(3) In my petition dated 9-6-49 I also requested the Curator to consider my transfer to South kanara under sub rule (c) of rule 22 (a) of M.M.Rule, since it was not possible for me to get any one for a mutual transfer under rule 22 (b) of M.M.rules. It appears that both the Dt. Forest Officer, South Kanara and the Commercial tax officer south Kanara are prepared to take me under sub rule (c) of rule 22 (a) of M.M. rules if only the Curator requests these authorties to state whether they have any objection to do so. I pray that both these officers may be addressed. The grounds that prompted the Curator to agree to my transfer to the Revenue Department in South Kanara in 1944 hold good even now.

(4) In case the Curator negatives all my above requests, I request to be informed whetger the Curator will agree to my transfer to the Judicial Ministerial Service in South Kanara.

(5) Lastly I appeal personally to the Curator to consider my requests at least on compassionate grounds.

Sd. B. Mahabaleshwa Rao.

/ True Copy /

No. 1506-A/49-7. 19 Madras Record Office,
Chittor, 16th August, 1949.

MEMORANDUM.

Sub:- Mahabaleshwar Rao, Sri B - Officiating Lower Division Clerk, Madras Record Office - Petition for transfer to South Kanara District.

Read:- Petition dated 2-8-1949 from Sri B. Mahabaleshwar Rao.

The petitioner is informed that there is no provision in the Service Rules to lend his services to the Forest Department in South Kanara District. His statement in the petition that "the services of Sri T.S.Visvesan and Sri P. Thirukuttalalingam Pillai who belong to the Madras Ministerial Service have been lent by the Curator to other departments under no rules whatsoever" is incorrect and improper. He is warned that if he makes such statements hereafter disciplinary action will be taken against him. He is further informed that the question of his transfer to any department in South Kanara District can be considered only under rule 22 (b) of the special Rules for the Madras Ministerial Service referred to in G. O. No. Ms. 1650 Edn. dated 20-5-1949. He is warned not to send unnecessary petitions to the office as by doing so he makes himself liable to disciplinary action.

2. The petitioner's request for information whether the Curator will agree to a transfer to the Judicial Ministerial Service before putting in a petition for such a transfer is presumptuous and he is informed that the Curator is not prepared to give any undertaking in the matter.

2. As the petitioner is not surplus to the requirements of this office his services cannot be spared in favour of any department unless the conditions of rule 22 (b) of the special Rules for

the Madras Ministerial Service are satisfied. The petitioner's petitions dated 9-6-49 to the District supply Officer and the District Forest Officer, South Kanara have not been forwarded in the light of the above decision. The District Forest Officer South Kanara has also stated already that it is not possible to satisfy the conditions for a transfer of the petitioner under rule 22 (b).

M. C. Subramaniam.

Sd/- For CURATOR.
16-8-1949.

(True copy)

To

Sri B. Mahabaleshwar Rao,
S/O Sri B. Sankaranarayana Rao,
Baikady Village,
Brahmavar P.O.,
Udipi, S. Kanara Dist.

Endt.No. 2297-A/49-1. Madras Record Office,
Chittoor, 5th September, 1949.

SECRETARIAT, EDN. AND PUBLIC HEALTH DEPTT. 8 SEP 1949 GOVERNMENT OF MADRAS

Forwarded.

2. This Memorial has arisen because the petitioner has not gained his object, namely, a transfer to an office in South Kanara, under the procedure pointed out for my guidance in G.O. 1650, Education, dated 20-5-1949.

3. Before dealing with the several points raised by the petitioner, I have to state that, if this memorial is to be regarded as a petition addressed to His Excellency, it cannot be said to satisfy all the conditions laid down in G.O.No. 1306, Public (Services), dated 7th August, 1935. The petitioner has not availed himself of the remedies provided by the rules, since, if he is dissatisfied with my orders, he should send an appeal to the Secretary to Government, Education and Public Health Department, and not, as he has done now, to His Excellency. Nor has he petitioned to His Excellency now, about any new matter; the sole point which he raises now, i.e., a transfer under clause (c) of Rule 22(a) of the Madras Ministerial Service Rules, was exactly the point on which orders have already been passed in G.O.No. 1650, Education, dated 20-5-1949 (Please see the last paragraph of the petitioner's memorial dated 15-11-1948 disposed of in G.O.No. 1650, Education, dated 20-5-1949).

4. How the petitioner has been harassing this office again and again for a transfer to South Kanara and how I have been precluded by the Service Rules from complying with his requests are matters which are fully known to the Government. I invite attention to my Endorsement No. 2326-A/48-1, dated 5-10-1948 disposed of in Government Memorandum No. 75281-48 G3-1, Edn., dated 28-10-1948 wherein they are made clear. I now beg to offer the following remarks on the memorial.

5. Paragraphs 1 - 3 of the petition:- In G.O.No. 1650, Edn., dated 20-5-1949 I was asked to deal with the petitioner's applications for appointments in other offices in the light of Rule 22 (b) of the Madras Ministerial Service Rules and was, at the same time, informed that it was open to me either to agree or not to agree to the transfer. Accordingly, I forwarded the petitioner's applications to the Collector of South Kanara, to the District Forest Officer, South Kanara, and to the Commercial Tax Officer, South Kanara, pointing out to them, at the same time, that the petitioner's services could be spared if the conditions of Rule 22(b) are satisfied. The Collector of South Kanara rejected the request of the petitioner. The District Forest Officer, South Kanara, appointed him temporarily as Range Clerk at Karkal, stating that the appointment was made under Rule 22(b), but when I pointed out to him, that, if the appointment had been made under that rule, it was necessary for him to send a substitute in his place to this office, as the rule related only to mutual transfers permanently from an office in one district to an office in another district, subject to the conditions specified therein, he replied that no probationer from his division was willing to come to this office and asked me whether I would be willing to transfer the petitioner permanently to his division under Rule 22(a)-(c). I then informed him that I was unable to transfer the petitioner permanently to his office under Rule 22(a)-(c) since the conditions requisite for such a transfer are not satisfied. Before, however, this reply reached him, he cancelled his previous order appointing the petitioner as a temporary clerk at Karkal. The Commercial Tax Officer retransmitted

the

the petition stating that the transfer prayed for by the petitioner did not come under rule 22(b) as it was not a case of mutual transfer, but that he was prepared to consider the transfer under Rule 22(a)-(c). While the correspondence with the District Forest Officer and Commercial Tax Officer was going on, the petitioner submitted two petitions for temporary appointments (1) to the District Supply Officer, South Kanara and another (2) to the District Forest Officer, South Kanara. I could not however, forward these applications inasmuch as the applicant was not surplus to the requirements of this office, and by forwarding them I would not have secured any substitute in his place. The petitioner also wanted me to consider whether he could not be transferred under sub-Rule (c) of Rule 22(a), as he could find none in South Kanara willing to come to this office, or transferred under sub-rule (b) of Rule 22(a), or, at least, whether I could not lend his services temporarily to the District Forest Officer, South Kanara. I informed him that, as the District Forest Office, South Kanara and the Madras Record Office belong to different Departments, the question of his transfer under sub-rule (b) of Rule 22(a) could not be considered, and also that the Madras Ministerial Service Rules do not admit of the loan of his services, even temporarily, to the District Forest Officer, South Kanara. Subsequently the petitioner sent another application to me stating that his services might be lent temporarily without any rules, and saying that the services of two clerks of this office had been lent to other Departments "under no rules whatsoever". He again urged that his transfer to South Kanara might be considered under sub-Rule (c) of Rule 22(a). He was again informed that there was no provision in the Service Rules to lend his Services to the Forest Department, South Kanara, that his statement regarding the lending of the services of the two clerks to other Departments "under no rules whatsoever" was incorrect and improper, that the question of his transfer can be considered only under rule 22(b) and, as he was frequently troubling the office, he was also warned not to send such unnecessary petitions. Now the circumstances under which the transfer of the clerks in question to other offices was made have already been explained to the Government in my Endorsement No. 2775-A/48-1, dated 30-11-1948 on the petitioner's previous Memorial to His Excellency dated 15-11-1948, disposed of in G.O.No. 1650 Edn., dated 20-5-1949 (Please see para 3 of my Endorsement No. 2775-A/48-1, dated 30-11-1948, portion dealing with para 7 of the petitioner's memorial dated 15-11-1948). In one case, the clerk transferred was an Upper Division Clerk and there was no dearth of Upper Division Clerks in this office at that time, and in the other case the person transferred was about to be reverted as a typist for want of a vacancy and therefore his services could be spared. The statement now made by the petitioner that there are six permanent clerks of this office working in outside offices and having their lien in this office, is wrong. There are only four such men. Nor is the suggestion made by him to recall one of these permanent men, just to oblige him, in the least proper. Such a recall might be attended with serious inconvenience to the other offices. As regards the other statement made by him that three clerks were spared to other Departments since 2-9-1948, two of them were upper division clerks, and, as has already been stated, there was no dearth of upper division clerks in this office and the other was a lower division clerk about to be reverted as a typist for want of a lower division clerk's vacancy and was therefore surplus to the requirements of this office. The only reason why I am unable to spare the services of the petitioner to other offices under Rule 22(a)-(c) is that he is not surplus to the requirements of this office; nor are there any public grounds which justify such a transfer under that Rule.

6. Paragraph 4 of the petition: The real difficulty, as I have pointed out above, and, as the petitioner says, is that none of the persons employed in the offices in South Kanara are willing to come to this office on the basis of mutual transfer under Rule 22(b). It is also true, as I have already stated, that the District Forest Officer, South Kanara, and the Commercial Tax Officer, South Kanara, are willing to employ the petitioner under Rule 22(a)-(c). But as per the Government Order 1650, Edn., dated 20-5-1949 I can transfer the petitioner only under Rule 22(b). I cannot transfer him, as I have already stated, under Rule 22(a)-(c), because he is not surplus to the requirements of the office, and there are no public grounds for such a transfer. In 1944, I was willing to transfer the petitioner to South Kanara because there was then no dearth of Lower Division men in this office, and therefore he could be regarded as being surplus to the requirements of this office. But now the position is not so. There are at present no less than two persons employed as Lower Division Clerks under the emergency provisions, and the petitioner cannot therefore be regarded as surplus. The petitioner's remarks against the Assistant Curator are not only baseless but highly impertinent. If it was possible under Rule 22(a)-(c) to transfer the petitioner, I would have done so long ago, considering his persistent attempts to get away from this office.

7. Paragraph 5 of the petition:- The petitioner's statement that he has been oppressed by me in every possible way is, to say the least, quite unfounded. Even though his conduct and behaviour were thoroughly unsatisfactory, whenever there was a vacancy in the upper division to which he could be promoted, I have promoted him. Even now, but for his going on leave, he would have been officiating in an Upper Division vacancy. He seems to think that my requesting the District Medical Officer, South Kanara, to examine him as to his fitness for further service was wantonly done to cause him misery. But, in truth, he was himself answerable for this. In his previous petition to the Government and the Memorial to His Excellency he has himself stated that he was frequently compelled to go on leave on account of ill health (Please see paragraph 5 of the petitioner's appeal dated 24-9-1948 to the Government disposed of in Government Memorandum No. 75281-48 G3-1, Edn., dated 28-10-48 and paragraph 5 of his memorial dated 15-11-1948 disposed of in G.O.No. 1650, Education, dated 20-5-1949). In fact, within a period of less than 5 years of service, he had taken leave on medical certificate for 9 months and 8 days, and, besides this, he had also taken leave for 3 months and 29 days without producing a medical certificate, part of which also was on grounds of ill health. I therefore naturally wanted to know whether he was really suffering from any serious illness or constitutional infirmity and, if so, whether he was physically fit for further service, or whether he was simply malingering. I may add that, after his return to duty at the end of February last, he again applied for earned leave for 8 days on grounds of ill health towards the end of May and immediately proceeded to South Kanara and from there applied for extraordinary leave for 4 months. He is still on extraordinary leave.

8. Paragraph 6 of the petition:- In this paragraph the petitioner mostly repeats what he has stated before and

about

about which I have already offered my remarks. His statement that there are special circumstances in his case cannot carry any weight, since, as I have already pointed out in my remarks on the petitioner's previous memorial to His Excellency, there are two other clerks from South Kanara, recruited about the same time as the petitioner, working in this office without making any complaint (Please see para 3 of my Endorsement No. 2775-A/48-1, dated 30-11-48 disposed of in G.O.No. 1650 Education, dated 20-5-1949, portion dealing with paras 5 and 6 of the petitioner's memorial dated 15-11-1948).

9. In conclusion I cannot but remark that the petitioner has, by frequently going on leave, by repeatedly putting in petitions and by needlessly using insubordinate and impertinent language, set a bad example to others. In the interests of discipline I beg to submit that his conduct deserves to be taken serious notice of.

10. The personal file of the petitioner is enclosed.

CPS.

CURATOR,
8-9-1949.

To

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

M.R.O - Chittoor - Sri. B. Mahabaleshwar Rao, Clerk - Transfer to South Kanara -

From The Curator, M.R.O, Chittoor
Endt No: 2297 A/49-1 dt 5-9-'49.

Memo No: 69548/49-2 dt 8th dt. 1/11/49

In this letter cited, the Curator has reported that Sri. B. Mahabaleshwar Rao frequently goes on leave on grounds of ill-health and that he is insubordinate and sets a bad example to others. The Curator is requested to state whether

C.F. 30.

EDUCATION & PUBLIC HEALTH **DEPARTMENT.**

Received ..... 19 . *Registered* ..... 19 .

SECRETARY TO GOVERNMENT
16 NOV 1949
EDUCATION AND PUBLIC HEALTH DEPT.

Subject.

Madras Record Office - Sri B. Mahabaleshwar Rao, Clerk - Transfer to South Kanara.

Ref:- Government Endorsement No. 69548/49-2. G2, Education, dated 1st November 1949.

89434

ENCLOSURES.
No. .....
.....
Spare copies .....

No. 2297 A/49-2.

Station Chittoor., *Dated the* 15th November 1949.

From (Name) Dr.B.S. Baliga, Ph.D.(Lond.).

(Designation) Curator, Madras Record Office, Chittoor.

To The Secretary to the Government of Madras,

Education & Public Health Department.
Fort St. George, Madras.

Sir,

In the Government Memorandum referred to above I have been asked to state whether, in view of Sri Mahabaleshwar Rao's frequent absences on grounds of ill health, the work of the office does not suffer, and whether in the interest of the office itself it is not desirable to transfer the clerk to the South Kanara district. Undoubtedly it will be good to transfer him from this office and I have already stated long ago that I am quite willing to part with him. I invite attention to paragraph 8 (4) of my letter No.2583 A/47-1 dated 2-2-1948 sent in reply to Government Endorsement No. 96655. C2/47-1, dated 13-12-1947. It was only when the clerk began to harass me with a number of strongly worded petitions that I stated that it was not desirable to comply with his request. (Please see my Endorsement No.2326-A/48-1 dated 5-10-1948 read in Government Memorandum No.76281-48 G3-1, Education, dated 28-10-1948). If the clerk had been transferred in the beginning of last year, there would have

been

does not-
work in his office ~~to suffer~~ suffer by the clerk's frequent absences, presumably on grounds of ill health and whether in the interest of the office itself it is not desirable from health point of view and that it would not seem desirable to retain a disgruntled clerk all the more when he was wanted by other offices — The Curator is requested to offer his remarks on the desirability of having the clerk replaced.

31/X/49

to transfer the clerk to the South Kanara Dist. It may also be considered that the clerk cannot be replaced

31-10-49

1-11-49

no great harm. For he had not at that time begun to act in the manner in which he has since acted. All the time and labour wasted by me and by the Government over his numerous representations could also have been saved and some unpleasantness could have been avoided. The transfer of the clerk at this stage would naturally be felt by him as a victory scored over me. I do not, however, mind that. I am only concerned with the effect which it might produce upon the other members of the office. It is needless to say that they will conclude that, if they have got any object to gain, they have only to annoy the office, the Government and His Excellency with strongly worded petitions, appeals and memorials again and again and they will gain it. I submit it for the consideration of the Government how far it is desirable to produce this effect. If there is any way by which the clerk can be made sensible of the irregular conduct pursued by him and then transferred, it might not perhaps produce such a bad effect and the office would have got rid of a person who does not take any interest in the work and who is extremely undesirable.

2. In the second part of the Government Memorandum I have been asked to explain "how it is considered that the clerk cannot be replaced". I am afraid the Government are under a misapprehension if they think that I have stated that he cannot be replaced. I have gone through the various reports about this clerk sent by me to the Government and I do not find that I have stated in any of them that he cannot be replaced. I have only said that he is <u>not surplus</u> to the requirements of this office and this is a fact in support of which I need only say, what I have already said more than once, that there are at the present moment no less than two clerks appointed temporarily under the emergency provisions for want of probationers and candidates approved by the Service Commission. One of them was appointed as long ago as July 1948 and the other was appointed in May 1949. I have not yet been able to discharge them. As it is, unless Sri Mahabaleshwar Rao returns to duty I will have to continue to employ these two temporary clerks until February next when the Service Commission is expected to allot one candidate for regular appointment in this office. In the meantime all the trouble taken over their training will be a waste of energy. The experience gained by them will be lost to the office since they cannot be absorbed into the regular service. Nor can they be expected to show an adequate sense of responsibility seeing that they know always that they will be discharged finally sooner or later.

3. I am, however, even willing to put up with the inconvenience arising from the employment of such temporary hands. But the Circular of the Service Commission, to which I have referred again and again in my reports, definitely states that a probationer should be surplus to the requirements of the office in which he is a probationer before the Commission would give its consent to his transfer to another unit. And when there are two temporary clerks appointed under the emergency provisions, I do not see how I can say that ~~that~~ there is a surplus of probationers. This is my sole difficulty. If it were not for this difficulty, I would

have

have gladly got rid of him long ago and would have managed with a temporary hand until I could get a regular candidate from the Commission.

Yours faithfully,

15.11.49.

CURATOR.
15-11-1949.

BR.

29

30

Endt.No.2297-A/49-3.

Madras Record Office,
Chittoor, 1st December 1949.

ASST. SECRETARY TO GOVERNMENT
2 - DEC 1949
EDUCATION AND PUBLIC HEALTH DEPT.

Forwarded.

2. The petition referred to by the clerk was sent to the Government with this office Endt.No.2297-A/49-1, dated 5-9-49.

3. I invite the attention of the Government to the fact that the clerk has not indicated in the communication that it is to be forwarded by me.

CPS.
To

CURATOR,
-12-1949.

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

3/

From

B. Mahabaleshwar Rao
clerk, M.R.O. Chittoor (on leave)
Baikady village
Brahmavar Post
S. Kanara

Brahmavar S.K.
27-11-1949

MADRAS RECORD OFFICE
29 NOV 1949
2962
MADRAS

To

The Secretary to Government,
Education and P.H. Dept
Fort St. George.

Sir,

I beg to be informed whether any orders have been passed on my petition for mercy of 24-8-1949 to His Excellency the Governor, in regard to my request for a transfer to South Kanara dt.

Yours faithfully,
B. Mahabaleshwar Rao

37

27

Edn (G2)

Madras Record Office - Sri B. Mahabaleswar Rao, Clerk - Petition for transfer to Service in the South Kanara Dt. - Rejected.

124/23/1

Read: 9 o.Mo. 1650 Edn. dated 20/5/49

from Sri B Mahabaleswar Rao Clerk, MRO - ~~Memorial~~ dated 24.8.1949.

from the Curator MRO. No. 2297-A-49-2 Dy 15.11.49

Order Ms 177 Edn 23-1-50

The Memorial is Rejected -

2

2. The Curator is Requested to inform the Clerk that his conduct is very objectionable -

3. The personal file of the Clerk is returned -

20.1.50

VR 20/1/50

To Bks with file 2m 31/1/50

Sri B. Mahabaleshwara Rao Clerk thro' the Curator Govt. MRO (Govt. only) The Curator MRO (with personal file)

Ext 34 (82)

Madras Record Office - Chittoor - Sri B. Mahabaleshwara Rao, clerk - Transfer to South Kanara - Petition to H.E. the Gov.

CPro 9548/49

From Sri B. Mahabaleshwara Rao - Petn. dated 24.8.49.

From the Curator, M.R.O, Endt. No. 2297-A-49-1 dt. 5.9.49.

The petitioner has been urging his transfer to some office Govt. dept. in the South Kanara district with no success. He is a lower division clerk in the Madras Record Office and when he submitted applications for appointment to the Authorities (Collector, D.F.O, Commercial Tax Officer etc) in that district, the Curator declined to forward them. Now a petition from the Clerk which he addressed to H.E. the Gov. in Nov. 1948, the Govt. in G.O.Ms. 1650 Edn dated the 20th May 1949 asked the Curator to forward the Clerk's applications to the Authorities to whom they had been addressed, for being dealt with under rule 22 (b) of the Madras Ministerial Service Rules, so that mutual transfers can

can, if possible, be effected.

The clerk has again submitted a memorial to the Govt. "on account of the new factors which have emerged" after the issue of the Govt. order referred to in the previous paragraph. These new factors are that there is none willing in South Kanara for a transfer to Chittoor & so there is no question of mutual transfer. The Commercial Tax Officer, South Kanara was prepared to take the clerk on transfer under rule 22 (a) (c) of the Ministerial Service Rules and D.F.O. actually sent an order of appointment. The Curator declines to agree to carry the appointment except on terms of mutual transfer on the ground that the clerk is not surplus to the requirements of the M.R.O. The clerk has thus not succeeded in his attempt even after the intervention of the Govt. & in chagrin has sent up a lengthy petition containing complaints of injustice against the Curator, tot. Curator and endless arguments in his own favour.

The Curator's note is on pages 20-23/c. He takes his stand on

on the orders in G.O.Ms. 1650 F.D. dated 20.5.49 and states that he can agree to a transfer under rule 22 (b) and that he cannot transfer (permanent transfer) for him under rule 22 (a) (c) because the clerk is surplus to his requirements and there are no public grounds for a transfer. The Curator has stated that the clerk's conduct deserves to be taken notice of.

H.O + 3 Though the Curator is technically correct in his view it is not known why they should allow technicalities to stand in the way of the transfer of a clerk who is apparently useless to him as he appears to be frequently on leave on grounds of ill health. As the work in the M.R.O is bound to suffer by the clerk's frequent absences on account of unsuitability of climate from his health point of view, it is for consideration whether in the interest of the M.R.O it is not desirable to have him transferred to South Kanara Dt.

A 25-10-49

Pub(Ser) may be asked to offer remarks on the case, in the light of the facts which now emerge.

Pub(Ser) 25-10-49

22-10-49

The Curator is being "censured" and there appears no

reason why he should keep a disgruntled clerk, wanted by other officers. He can surely be replaced.

26/10 | Pub (Ser)

Pub (Ser) Dept

Please see the note of E & P.H. on pp. 1-4 ante. That dept may refer back the point at "A" on p. 3 ante to the Curator and obtain his remarks thereon.

The file may be returned to E & P.H.

27.10.49.

28.10.49. E.P.H.

Q2

A draft memo to the Curator is submitted.

31/X/49 | 1+11-49 | 5/1/X1

31.10.49.

[Issued as memo No: 69548/49-2 Pr Ex dt 11-11-49]
[C.no: 89634/49- From the Curator, H.R.O., Chittoor
No 2297 A/49-2 dt 15-11-49]

pp 24-25 cf
pp 26-28 cf

With reference to the point raised by Public Dept, attention is invited to the Curator's letter at pp 26-28 cf - May be sent to Public (Services) for further remarks in the light of his letter.

18/11/49 | 19-11-49

18/11/49

Public (Ser)

19/11

no: 69548/49-3 Pr Ex
19/11/49

ASSISTANT SECRETARY TO GOVERNMENT
No. 4314.
27 OCT 1949
PUBLIC DEPARTMENT

ASSISTANT SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
29 OCT 1949
82416

ASSISTANT SECRETARY TO GOVERNMENT
No.
21 NOV 1949
4713.
PUBLIC DEPARTMENT

Pub (Ser) U.O
No 4314/49-1
dated 29.x.49.

Pub (Ser) U.O
No 4713/49-1
dated 30.11.49

ASSISTANT SECRETARY TO GOVERNMENT
EDUCATION AND PUBLIC HEALTH DEPT.
9398
1 DEC 1949

(30)

Pub (Ser) Dept

The notes on pp. 1-4 ante may be perused. In the circumstances set forth in the Curator's letter at pp. 26-28 c.f. it does not seem desirable to interfere on behalf of the petitioner. This department may accordingly advise that the petition may be rejected.

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

28.11.49.

30.11.49. E.P.H. (42)

29/11/49

The view of Public (Ser) may be accepted and the petition of the Clerk may be rejected in the interests of discipline. Attention is particularly invited to para 1 of the Curator's letter on pages 26-27 cf.

The draft order below is for approval.

The (Ed 2) & H P2 may see.

21.12.49.

Apart from grounds causing annoyance to him, the Curator states that his sole difficulty is that when there are two temporary clerks working, he will not be able to satisfy the Commission that the applicant is surplus and can be transferred to another unit. In view of the relations which have developed between the Curator and this clerk, it is administratively undesirable to retain the latter when his transfer is possible. Could we not explain this to the Commission

and ask for its consent? Public(Services) may see.

Public(Ser.)

22/12

G.O.P.(Ed.Co.)No 6954 8/2/49-4
22/12/49

ASSISTANT SECRETARY TO GOVERNMENT 5246 23 DEC 1949 CHIEF SECRETARIAT

Public (Services) Dept.

(Last noted on p.5 ante)

The further note of E & P.H. on pp.5-6 ante may be perused. The M.P.S.C. can be consulted as suggested by the Secy. E & P.H., and the clerk may be transferred from the M.R.O. with the consent of the Commission and the appointing authorities concerned under rule 22(a)(c) of the M.M.S.Rules. But such a transfer is bound to produce the undesirable effect pointed out by the Curator in para 1 of his letter at p.27 c.f., and so it is administratively not desirable to follow such a course. The above course does not therefore appear appropriate in the larger interests of discipline among the M.R.O. staff. If the clerk is not amenable to discipline, the proper course would seem to be to take suitable disciplinary action against him-- vide rule 8 of the M.C.S. (C.C. & A) Rules--and not to transfer him from the M.R.O. to another office. It is in this view that this dept. have advised that the petition might be rejected. ✓ 2 on p. 5 ante

With the above remarks the file may be returned to E & P.H.

The transfer, if really necessary, may be effected after the clerk is made to realise that he should first observe discipline, so as not to produce any bad effect on the other members of the staff.

HSq 4.1.50

E.P.H.

Pub(Ser)H.O. No 5246/49-1 5-1-50.

ASST. SECRETARY TO GOVERNMENT 1462 6 JAN 1950 EDUCATION AND PUBLIC HEALTH DEPT.

E&P.H(S/2)

It is for orders whether, in view of the Public Dept's note on the previous page, any disciplinary action need be thought of in this case, or whether, as formerly advised by the Public in their note at the top of p.5 ante, it will suffice if the clerk's petition is Rejected.

The draft below is for approval.

h 9-1-50

$1.50

h 9-1-50

There has been so much correspondence and noting in respect of a clerk of the office of the Curator at Chittoor, asking for a transfer to South Kanara where the District Forest Officer and the Commercial Tax Officer are willing to employ him. The Curator considered that the transfer cannot be made without reference to the Public Service Commission, as the clerk is not surplus. Public Dept. thinks that as the clerk has shown a lack of discipline in the language and in the number of his applications, his request should not be complied with until he shows a better sense of discipline. This may be agreed to and the memorial rejected.

H.M.(E.& L.) It must be

H. Pr. rejected. There is Considerable force in the arguments of the curator at X on pg 27 c.f. The clerk should be made to realise that his Conduct towards the curator this references him as very objectionable.

16/1

8/1/51

SECRETARY, EDN. AND P.H. DEPT. 20 JAN 1950 GOVERNMENT OF MADRAS

The draft order below is approved.

20.1.50