

[L. & M.
1,000-20-9-99.]

Local & Muni. (1899) Department.

MISCELLANEOUS.

G.O., No. 1899/M

DATED 20-12-99.

[Despatch Abstract.]

Petition

Informing V. Jagannatha Mudaliyar,
late Sanitary Inspector, Vellore Municipality
that under the rules there is no appeal to
Govt in his case in the matter of his
dismissal from the Municipal Service.

BACK PAPERS.

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

FURTHER PAPERS.

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

Local & Munl. (189) Department.

CURRENT No. 3192m

From The Collector of North Arcot

Mis Order No 1899 10/12/99

The Petitioner is informed that under the rules there is no appeal to Government in his case.

Dis No. 2139 of 99

1/2 19/12/99

10/12/99

Dated 10th December 1899

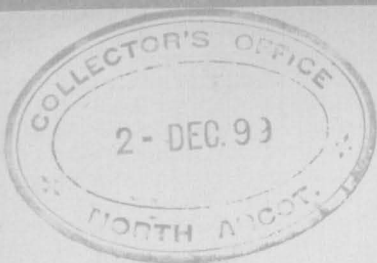
Received 15/12/99
Registered

Enclosures

Spare copies

SUBJECT.

note
Please see the Collector's endorsement. Forwarding with remarks, the appeal petition of V. Jagannada Mudalyar, late Sanitary Inspector Vellore Municipality in the matter of his dismissal from the Municipal Service.
The Petitioner was removed on the ground of inefficiency and as his pay was less than Rs 50 he has no right of appeal to Govt. vide No 2 of the rules issued in notification No on page 3 of go 9184 25.4.89.
The circumstances are exactly the same as those of the Petitioner whose case was disposed of in go 1847 11.12.99.



VELLORE,
1st December 1899.

To

THE SECRETARY TO GOVERNMENT,
LOCAL AND MUNICIPAL DEPARTMENT,
Fort Saint George.

(Through the Collector of North Arcot.)

The humble appeal petition of V. JAGANNADA MUDALIAR,
Late Sanitary Inspector, Vellore Municipality.
(North Arcot.)

Most Respectfully Sheweth,

That the Memorialist's service in the Vellore Municipality aggregates over 13 years, during which period, he held the post of Sanitary Inspector for about 5 years. Though the petitioner was not actually trained as Sanitary Inspector in the institution especially provided for the purpose, yet the petitioner's past experience and attention to orders on sanitation during his long service, gave him every facility to understand the nature of his duties as Sanitary Inspector, and with the knowledge thus acquired, he is able enough to discharge the duties satisfactorily. The petitioner may here mention that in support of this view, the Late Chairman Mr. M. Habibullah Sahib and the Divisional Officers passed their remarks on previous occasions, on these grounds, the petitioner was allowed to continue in his appointment.

2. That on the 20th April 1899, a resolution was passed by the Vellore Municipal Council to the effect, that the untrained Sanitary Inspectors should be given notice to vacate their appointments on the 1st of August 1899. As this was contrary to the provisions of G. O. No 4 dated 4th January 1897. L. M. Dept., two of the Councillors addressed the Chairman Delegate and the Council to reconsider the above order, this was done without any success, thereupon the Collector of North Arcot on an appeal being made by the petitioner and other Ex-Sanitary Inspectors made the following order:—

"From perusal of the records the Ag. Collector is of opinion that the resolution of the Council appealed against was perhaps passed under the impression that G. O. No. 4 dated 4th January 1897 applied to the case of the petitioners. The G. O. does not however apply to them, as they have been in service for periods ranging from 12 to 27 years, and the G. O. does not require that such men should undergo any training."

"Under these circumstances the Ag. Collector requests the Municipal Council under Section 34 (1) (IV) to reconsider its resolution dated 20th April 1899."

"In any case the petitioners might be allowed to take leave and get themselves trained."

These papers were accordingly brought at the General Meeting of the Council held on the 5th October 1899, in which, it was decided by a narrow majority that the Council was unable to reconsider its former resolution, on the ground that the petitioners were removed for inefficiency.

2

3. Against this order, petitioner now begs leave to appeal on the ground (a) that during the past 12 years of his service, he served for more than 5 years as Sanitary Inspector, and discharged his duties to the entire satisfaction of his superiors, a fact, which the records will prove, and to which memorialist crave leave to refer. (b) The mere fact of being untrained, cannot justify the plea of inefficiency.

4. The petitioner who was designated as Sanitary Inspector, was only on receipt of Rs. 15 per mensem. His services should have been retained at least for purposes stated in para 4 of the above G. O. Without giving due consideration to these matters, the Council with a view to confirm their former resolution, insisted upon the removal of the Petitioner on the ground, that the whole staff was inefficient as they were untrained. This is unfair as it is improbable, that a class of servants, who have faithfully rendered their service for a period ranging from 12 to 25 years, should all be found inefficient at one time. From these Your Honour will clearly observe that the ground of inefficiency is simply introduced as no other plea was found suitable to confirm the resolution already passed.

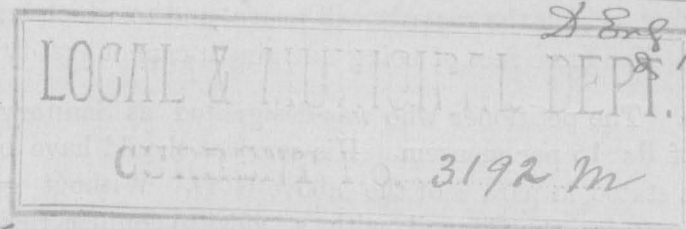
5. That even in case the entertainment of trained men is compulsory it would be hard to oust those, who are already in service, and much more so in the case of the petitioner who have long and faithfully served with good reputation for series of years especially when he could be appointed as Overseer or Maistry on Rs. 15 per mensem under the above G. O.

6. The petitioner also begs to submit that the Chairman's appointment of an untrained Sanitary Inspector in the room of the petitioner who was removed as untrained, is quite irregular and is in violation of the terms of the G. O. quoted in para 2 supra. In these circumstances your humble memorialist prays that an order may be passed for the restoration of his appointment, from which he was unjustly removed.

7. For which act of benovolence and charity, the memorialist as in duty bound will ever pray.

G. M. K. / [Signature]

Endorsement.



Forwarded in continuation of this office

18217 Sub.
11-12-99. Endorsement Dis 1900 of 99 dated 7th November 1899.
D. Eng.

2. The Services of the memorialist were dispensed with as the District Medical and Sanitary Officer reported him to be deficient in zeal and activity and unfit for his responsible duty. The Chairman has also reported that he can neither read nor write English and that till recently he held only an acting appointment.

North Arcot Collectors Office }
Camp Palur, 10th December 1899.

Memorandum
Hon Ag Collector.

CRK
11/12/99

RECEIVED
13 DEC 1899

When given for copying
When copied
When examined
When signed 21/12 1899

READ AGAIN G.O. No. 189 DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

ORDER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING WANT FOR DESPATCH IN ORIGINAL.

N.B. -

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.