

- (1) பக்கங்களின் எண்ணிக்கை 4
 (2) புதுக்கித் திருப்பிய நாள் 7/8/84
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 6/8/84

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

அங்கிப்பனி துறை

அரசாணை எண். மு.கோப்புத் தாள் எண்.	184(W)	அச்சகம் பிள்ளை
நாள் :	21-1-1890	108.

② செய்ய
மடிக்கவோ கண்டபடி கையாளவோ கூடாது

To

His Excellency the Right Honorable the Governor,

in Council,

Fort St. George,

Madras.

The humble petition of Amrutavakula Lakshminarayana, late Lock Superintendent of Chintalapudi, Central Division, Godavari District.

MOST RESPECTFULLY SHOWETH.

That Your Lordship's humble petitioner being agrieved by the endorsement of the Chief Engineer, dated 3rd September 1889 No. 3918 C, begs respectfully to appeal to Your Lordship, with the hope that his hard case will be favourably considered and justice done to him.

2. The facts of his case are briefly as follow:—

Your humble petitioner was taken on the permanent petty establishment * Vide appointment order on the 1st November * 1886 as Lock Superintendent of the Executive Engineer of Chintalapudi on Rs3 a month and was promoted to dated 1st Nov. 86 No. 187. Rs10 on the 1st February † 1887; but on the 16th † Vide No. 360 of the Executive Engineer dated 25-1-87 February 1889 the Executive Engineer ordered him to appear before Medical Officer and to produce health certificate. Your humble petitioner accordingly went to Rajahmundry, the Head Quarters of the Zilla Surgeon and presented himself at the Hospital on the 14th March for examination. The Assistant Surgeon who was incharge in the absence of the Zilla Surgeon who was then on circuit in the District, examined your petitioner and certified that he was free from any constitutional disease and was fit for service. But the Executive Engineer was unfortunately not satisfied with this certificate and directed your petitioner to produce a certificate from the Zilla Surgeon. Your humble petitioner was therefore obliged to appear again for the examination of the Zilla Surgeon on the 6th April 1889, who certified that your petitioner was above 25 years and possesses no chest. On the strength of this second certificate Executive Engineer Mr. Lewis dispensed with the services of your petitioner as being unfit for further service.

3. It is to be observed that your Lordship's petitioner entered the Public Service in 1886 when he was below 25 years of age. Before he was taken on the establishment he was not sent to any Medical Officer. The petitioner's service being inferior, no health certificate was necessary by the rules then in force, while such is the case the reason which prompted the Executive Engineer to direct your humble petitioner to produce health certificate in the fourth year of his service is not apparent. Your petitioner was during the time he was in service discharged his duties to the satisfaction of his superiors. Your humble petitioner is aware that a rule has recently come into force requiring even candidates for inferior service to produce health certificate, but he begs to submit that the benign Government never intended that it should have retrospective effect. Even this rule, it is believed, was not come into force at the time your petitioner was directed to produce health certificate. In case the certificate was necessary there was no reason why the one granted by the Assistant Surgeon in charge, should have been discarded, seeing that his certificates in the case of many inferior and Upper Subordinates have been accepted not only in this Division, but in the District throughout. It is perhaps the misfortune of your petitioner that the Assistant Surgeon's certificate has been distrusted in your humble petitioner's case alone.

4. It is respectfully submitted that there is no reason why your Lordship's poor petitioner should be declared unfit for service on the strength of the Second certificate. This certificate moreover does not declare that your Lordship's petitioner had been 25 years of age at the time of his first entertainment in Public Service nor do the rules of the P. W. D. nor the nature of the work with which your humble petitioner was entrusted required the possession of a broad chest as in the case of men applying for Military service. It is submitted that your petitioner

was on the petty establishment, temporary and permanent, for nearly 9 years during the period he was incharge of important works, which he executed to the satisfaction of his superiors without the possession of a small chest interfering in the least with the discharge of his duties. Mr. Jopp who was pleased with the promptitude and smartness, which your humble petitioner displayed while in temporary charge of Gannavaram Aqueduct works, appointed your petitioner permanent Superintendent of the Lock at Chintalapudi, a portion of which was constructed under the superintendence of your petitioner. The same officer was pleased to promote the petitioner to Rs10 a month.

5. During the time your humble petitioner was in service he discharged his duties assiduously and to the satisfaction of all his superiors. During this period he was not fined nor even warned for any dereliction of a specific duty. In the Service Book which has been returned to your petitioner on his application, a remark has been made in column 11 to the effect "*Services dispensed with having been incapacitated for duty by Zilla Surgeon.*" Thus it will be observed that the incapacity certified by Zilla Surgeon is the possession of a small chest which, as has already been submitted, not interfered with the discharge of your petitioner's duties. It is also observed that no instances of unfitness have been stated against your petitioner; if there is any, it is respectfully submitted he should have been allowed an opportunity for submitting his explanation.

6. When two Medical officers differ in their professional opinion, there is no reason, it is submitted, why the adverse opinion only should be accepted and acted on. In many instances it is believed that where there is a difference of opinion between Medical Officers, the Government has referred such cases for the decision of Medical Board. But your petitioner was thrown out of service on the strength of an adverse medical opinion.

7. In conclusion Your Lordship's petitioner having detailed his hard case as above most humbly begs that your Lordship in Council will be graciously pleased to cancel the order of dismissal and order the restoration of the petitioner to his former post.

8. For which act of charity and Justice petitioner as in duty bound

SHALL EVER PRAY

7th January 1890.
Penugonda, Tanuku Taluq.
Godavari District. }

A. K. Minarayana

No. 184 Wd/21-1-90

18 Jan

The Government declines to modify the order dispensing with the services of the petitioner.

WVW
17-1-90
17-1-90

3918. CD/3-9-89

To: The Petitioner.

02/11 2/3/11 ETC 3/11

P. W. DEPARTMENT.

Current No. 441

From

A. Lakshminarayana
Bale Lock Superintendent
Chintalapudi, Central
Dist. Godavari 85.
ENCLOS. - 13

No.

Dated 7-1-90

Received 16-1-90

SUBJECT.

Praying the order his restoration to his former post.

DISPOSAL.

No. 184 Wd Dated 21-1-90