

PENSION

Financial (1899) Department.

CURRENT No. 126

From

The Board of Revenue, Land
Revenue, Madras.

Order, 22nd Feb^y 1899 No. 117.

The Govt. sees no reason to comply
with the petitioner's request

REF. E. No. 1



11/11/99

Do the P.A.
thru the Bd of Rev.
(L.R.)

11/11/99

11/11/99

Dated 9th February 1899

Received 10.2.99

Registered 10.2.99.

Enclosures -

Spare copies -

Note

For the facts of the pet's case, please

see the Board's Pregs No. 1 of 9.2.99. flagged A.

On his being invalided for a specific disease

by the D^r. Surgⁿ, he asked the Board of Rev

to be examined by a medical Board,

but the request was negatived. He

appealed again, but the W^d. of Rev declined

to modify its order. He now appeals to

Govt & the W^d. makes no recommendation

on his behalf

11/11/99

SUBJECT.

Submitting to Government memo-
rial from M. Govinda Rao, late Head -
Clerk, Stationary Sub-Magistrate's -
Office, Udumalpet, Coimbatore Dt., ---
appealing against his compulsory re-
tirement from the service on an in-
validating certificate.

11/11/99

BACK PAPERS.

G.O.	No.	Department.	Date.
599	880	Pen	26-11-98
"	827	As	8-11-98
58	1287	Puls	5-12-96

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclosure in a letter from
the Collector of Coimbatore
to the Board of Revenue
(L. R.) & Dis No 366 of 99
Res
Dated 27th January 1888.

1, 2 and 3



G. A. C. 259 of 98. (Initialled) ^{le. V}
^{Magt} 25.5.98
 Proceedings of the Head Assistant Collector of
 Coimbatore dated 23rd May 1898. Ref. on le. No. 688 of 98
^{Sub}

Read the udamalpet Stationary sub. Magistrate's
 arzi R. a. Petu. No. 51(C) dated 11-5-98 submitting
 the certificate of the ^{Magt} District Medical and
 sanitary officer No. 112 dated 6th May 1898 declaring
 M. Govinda Row Head clerk Stationary sub. Magistrate's
 office udamalpet to be completely and ~~permanently~~
 permanently incapacitated for further service—

Order

M. Govinda Row Hd. clerk stationary sub. Magistrate's
 office, udamalpet aged 42 has been on sick leave
 from 22-10-97, and on his application for further
 extension, he was sent on 20-4-98 to the District
 Medical and Sanitary officer for a medical certificate.
 But the officer thinks that further extension of
 leave in the clerk's case is not likely to render him
 fit and has, on the requisition of the stationary
 sub. Magistrate, granted the Head clerk a certificate
 for retirement on invalid pension. M. Govinda Row
 will, therefore, be ordered to retire at once.

2. The Stationary sub. Magistrate of udamalpet is requested
 to submit immediately a draft pension application in
 favour

At

1st of 2 sheets

OK

The Petitioner with four enclosures returned.

FOR COPIES ONLY



favour of M. Govinda Row for approval and submission to the collector. His service register is enclosed - (signed) A. C. Dutt. Ag. Head Asst. collector.

(True copy)

Copied by T. S. Gundara Rajulu

C. T. Krishnakas

compared by the 8th Deputy Magistrate

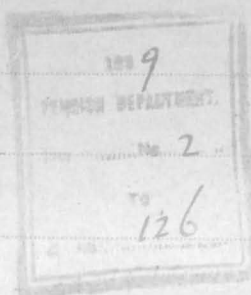
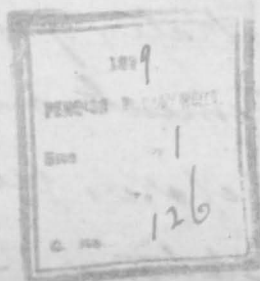
Hd. clerk

This copy contains 224 words & this cannot be produced before any court as evidence unless it bears a court fee stamp of 8 annas for every 300 words & fraction thereof -

C. T. Krishnakas

2nd & the last sheet.

Hd. clerk



2/24

Row
5798

... with four enclosures returned.

Enc: 2 to
 Petition Regn. No. 11 of 1897.
 Rev. Mr. [Signature]

$$\begin{array}{r} 224 \\ \hline 2 \end{array}$$

Application No. 219 for	} on	10-7-98
copy received		
Stamp Papers called for	"	10-7-98
Stamp Papers produced	"	10-7-98
Copy ready	"	12-7-98
Copy ~~delivered~~ sent	}	13-7-98
by post to		

16. Govinda Rao Late H. A. Clerk at
Coimbatore.

сш

Countdown Collectors of
6th September 98.

Dis to $\frac{2665}{200}$ 7/98

Official Memo

Referring to his petition to the Board of Revenue (Land Revenue) dated 11th August last appealing against the certificate of the District Medical and Sanitary Officer, Coimbatore, declaring him unfit for further service and requesting to be sent before a Medical Board, Mr. Govind Rao, Late Head Clerk, Stationary Submagistrate's office, Adamalpet, is informed that that authority has passed orders that, in the circumstances set out in his petition, it is not prepared to request the Surgeon General to convene a special Medical Board.

Ernst
for Ag Collector

To the Petitioners with four enclosures returned.

as follows

Case No. 1 to 1898
No. 11 of 1898
Coimbatore Collector's Office.

FROM

THE COLLECTOR OF
COIMBATORE

TO

THE PETITIONER M. GOVINDA RAO
18 NOV 1898
LAND REVENUE DEPT.,
MADRAS.

Dated 6th
Despatched 8th September 1898.
Received

Dis No. 2665 of 1898
Rev.

ENCLOSURE: 4

SUBJECT.

Informing him that the
Board of Revenue is not
prepared to request the Surgeon
General to convene a special
Medical Board for his
examination.

TO

His Excellency the Governor in Council,
Fort Saint George,
MADRAS.

THROUGH THE COLLECTOR OF COIMBATORE.

The humble memorial of M. GOVINDA RAO,
late Head Clerk, of the Stationary Magistrate's
Court, Udampet Taluq, Coimbatore District.

RESPECTFULLY SUBMITS,

THAT your petitioner was Head Clerk of the Stationary Magistrate's Court, Udampet till the 23rd May last, on which date he was compulsorily retired from the service by the Head Assistant Collector of Coimbatore in his proceedings dated the same day reference on C No. 688 Sub of 1898 copy of which is herewith submitted.

2. That the circumstances which led to the above order are as follows:—

Your petitioner suffered from dyspepsia and was obliged to take leave on medical certificate for six months from the 22nd October 1897. At the end of that period he had not completely recovered, and therefore applied for an extension of leave for two months. He was ordered to appear before the District Surgeon of Coimbatore, which he did. The District Surgeon being of opinion that further extension of leave was not likely to render your petitioner fit for service appears to have invalidated him for further service.

3. Your petitioner begs to submit that the District Surgeon came to that conclusion without even keeping your petitioner under his observation for some time.

4. Your petitioner has now completely recovered his health and strength and is perfectly fit for further service, of 13 years, his present age being only 42.

5. Your petitioner appealed to the Collector of Coimbatore and to the Board of Revenue to be sent to Medical Board for examination but those authorities have refused to sanction the prayer. Copies of the orders are herewith submitted.

6. Your petitioner, subsequent to his recovery, appeared before Mr. Simpson the District Surgeon of Coimbatore on the 12th October last and he was pleased to state that unless the Collector required him to examine the petitioner and certify about his fitness for further service, he could not do so.

7. Your petitioner thereon applied once again to the Collector for a letter to the District Surgeon for further examining the petitioner; and this time also met with a repulse.

8. Your petitioner therefore is put to the necessity of appealing to the throne of grace for justice and mercy.

9. Your petitioner's memorial dated the 16th September last submitted directly to His Excellency the Governor has been returned with Government Endorsement No. 880 pension department, dated the 24th November last,—ordering submission of the same through the proper channel.

10. Your petitioner is prepared to stand the test of any Medical examination and is confident that his fitness for service will be unequivocally declared.

11. Your petitioner having been invalidated when he is capable of serving the state is reduced to a poor condition, and is made an unnecessary burden on the revenues of the state.

12. Your petitioner therefore prays that His Excellency in council may be graciously pleased to order that your petitioner be examined by a Medical Officer or by a Medical Board and be saved from the condition to which he has now been reduced.

For which act of justice and mercy your petitioner will, as in duty bound, ever pray.

Ref 12th January 1899.
Coimbatore.

M. Govind Rao
late Head Clerk
Stationary Magistrate's Court
Udampet Taluq
Coimbatore District

Printed at the Literary Sun Press, Coimbatore

Reg. No. 11 of 1899.

Rev. Appeal

Office of the Board of Revenue

(Land Revenue)

Madras, dated 9th February 1899.

Read letter from C.H. Mounsey Esq., Ag. Collector of Coimbatore to the Secretary to Government, Revenue Department, Madras through the Secretary to the Commissioners of Land Revenue, Madras, D. Dis. No. 366-Rev./99, dated 27th January 1899.

Reference E. No. 1, dated 9th February 1899.

The Board submits for the orders of Government a memorial from M. Govinda Rao, late Head Clerk, Stationary Sub-Magistrate's Office, Udumalpet, Coimbatore District, appealing against his compulsory retirement from the service in consequence of an invalidating certificate granted by the District Medical and Sanitary Officer, Coimbatore.

2. The order of retirement was originally passed by the Head Assistant Collector, Coimbatore, and the memorialist thereupon appealed to the Collector praying that he might be sent before a Medical Board under ^{Section} ~~para~~ 487 (a) Civil Service Regulations. The Collector, however, considered that he was not entitled to the concession as he had been found to be suffering from a specific disease, viz. valvular disease of the heart.

3. The petitioner next addressed a similar request based on G.O. No. 1281 Public, dated 5th December 1896 to the Board, which, as already reported in Board's Proceedings No. 2793 Routine, dated 14th November 1898 saw no reason to justify its moving the Surgeon-General to convene a Medical Board.

4. ^{Nearly} ~~After~~ three months later the petitioner submitted a second petition setting out that on his again appearing before Surgeon Captain Simpson, I.M.S., the officer who had invalidated him, the latter had told him that he was sorry he could not cancel his former certificate unless requested by the Collector to do so. This petition was referred to the Collector of Coimbatore for enquiry.

Captain Simpson had by this time proceeded on leave but the Asst.

* Terminating in Octr. 1899

Surgeon at Coimbatore, M.R. Ry. Am. Ta.

swami Pillai, reported that as far as he recollected Surgeon Captain Simpson's reason for declining to cancel his previous certificate

was that the memorialist's disease had not been cured, not, as alleged, that no requisition to ^{re-examine him} ~~examine him~~ had been received from the Collector. In the circumstances the Board declined to re-consider its previous ^{orders.} ~~orders.~~ 5. The memorial discloses no grounds which would warrant a compliance with the memorialist's request, and the Board has no recommendation to make on his behalf.

Donel Davidson

Ag. Secretary.

To the Secretary to Government, Pension Department, with memorial and enclosures.

Q.B.

Jala

G.O. No. 1281, 5th December 1896

DECEMBER

Handwritten mark

Appeal to a Medical Board against a Medical Officer's Certificate

9
126

Government { 1896 } of Madras. PUBLIC.

Recd.

Enclosures

1896.

Regd.

Spare copies

G.O., No. 1281, 5th December 1896.

DECEMBER.

Appeal to a Medical Board against a Medical Officer's Certificate.

Permitting, with remarks, Muhammad Abdul Khadir, on the establishment of the Court of the District Munsif, Cocanada, to appear before a Medical Board in Madras for examination; and agreeing with the Surgeon-General that an — should be allowed only at the request of the head of a department and subject to the Surgeon-General's approval.

In the circumstances reported, His Excellency the Governor in Council has no objection to the petitioner being allowed to appear before a Medical Board for examination. He should be warned that, whatever the result, he must pay his own expenses.

2. For purposes of identification the District Munsif should furnish the petitioner with a sealed letter and a certified descriptive roll, which should further be supported by a set of finger-tip impressions.

3. The Government agrees with the Surgeon-General that an appeal to a Medical Board against a medical officer's certificate should be allowed only at the request of the head of a department and subject to the Surgeon-General's approval.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following papers:—

From D. W. G. COWIE, Esq., Registrar of the High Court of Judicature, Madras, to the Chief Secretary to Government, dated 7th October 1896, Ref. on Cur. No. 4905.

I am directed to forward a memorial addressed to Government by Muhammad Abdul Khadir, a copyist on the establishment of the Court of the District Munsif of Cocanada.

2. The memorialist states that, on his being appointed as a permanent amin of the Court of the District Munsif of Tanuku, he was directed by that officer to appear for medical examination before the Civil Surgeon of Rajahmundry (Surgeon-Major Marsden), who on 11th February 1896 certified that he was disqualified by heart disease for employment in the public service; but that, when thirteen days afterwards he underwent a private examination by the Civil Surgeon of Cocanada (Surgeon-Major Sarkies), he was found free from any disease and given a certificate. He prays, therefore, that on the strength of this second certificate he may be confirmed as an amin. The Surgeon-General, on a reference made to him, has replied that there is no rule authorizing a candidate for Government service to appeal against, or to apply for a review of, the decision of a medical officer who refuses to give a certificate of fitness.

3. I am directed to suggest that an appeal to a Medical Board might be allowed in such cases.

From Surgeon-Major-General C. SIBTHORPE, F.R.C.P.I., Surgeon-General with the Government of Madras, to the Chief Secretary to Government, dated Madras, 11th November 1896, No. 524.

In returning your endorsement, No. 2242, dated the 2nd November 1896, I have the honour to state that it would not be possible, except at considerable expense, to convene a Medical Board at Cocanada, as Surgeon-Major Sarkies, the District Medical and Sanitary Officer, Rajahmundry, being the officer who granted the second certificate, cannot sit on the Board. I would, therefore, suggest that the appellant may, if Government consider it desirable, be brought before a Board in Madras.

2. As regards paragraph 3 of the Registrar's letter, I am of opinion that an appeal to a Medical Board may be allowed against a medical officer's certificate, but only in cases which are supported by heads of departments and in which the Surgeon-General is satisfied from a perusal of the reasons of the certifying officer that a reference to the Medical Board is justifiable. Unless these restrictions are used, there is sure to be an abuse of the privilege, and the time of a Medical Board will be unnecessarily taken up in deciding cases which ought not to be placed before them.

ORDER—No. 1281, Public, dated 5th December 1896.

In the circumstances reported, His Excellency the Governor in Council has no objection to the petitioner being allowed to appear before a Medical Board for examination. He should be warned that, whatever the result, he must pay his own expenses.

2. For purposes of identification the District Munsif should furnish the petitioner with a sealed letter and a certified descriptive roll, which should further be supported by a set of finger-tip impressions.

3. The Government agrees with the Surgeon-General that an appeal to a Medical Board against a medical officer's certificate should be allowed only at the request of the head of a department and subject to the Surgeon-General's approval.

(True Extract.)

A. T. ARUNDEL,
Ag. Chief Secretary.

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Edw. A. Raith.