

22

(1) பக்கங்களின் எண்ணிக்கை 20-35

(2) புதுக்கித் திருப்பிய நாள்

(3) ஆதாரம் குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

12.06. துறை

அரசாணை எண். 553
மு. கோப்புத் தரள் எண்.

அச்சகம்
பலவகை

நாள்: 31-7-1890

180.

மடிக்கவேண்டியபடி கையாள்வோ கூடாது.

CN. 993



HIS EXCELLENCY THE RIGHT HONORABLE,
THE GOVERNOR IN COUNCIL,

*The humble Memorial of N. RUNGASAWMY
NAIDU, late a second class Hospital Assis-
tant No. 181, of the subordinate Medical
Establishment, Madras.*

MAY IT PLEASE YOUR EXCELLENCY,

Your Petitioner was dismissed from the Public service by G. O. No. 714, Public, dated 26th August 1889.

2. Petitioner was Hospital Assistant attached to the Coimbatore Central Jail. His Service in the Department extended over a period of 11 years, for nearly 4½ years of which, (from 1882 1886) he served in the most notoriously malarious parts of the Ganjam District. Here his wife died and he himself suffered to a considerable extent from Enlargement of the spleen, Beri-Beri and Malarial Amblyopia. He was in consequence, recommended by the then District Surgeon, Doctor Vangeyzel, for 3 months Sick Leave, which was afterwards extended to 10 months. Petitioner's child is still suffering from Enlargement of the spleen, contracted in those parts.

3. In June 1887, when Petitioner was about to rejoin from sick leave, the Medical Officer of Tranquebar certified that he was not fit for duty in malrious parts. He was, thereupon, posted for duty in the General Hospital, Madras, on the 28th July 1887, where he continued for 4½ Months. On the 15th December 1887, he again took leave of Malarial Amblyopia, and was an Inpatient of the Madras Eye Infirmary, from which, he was discharged in February 1888.

4. Subsequently, Petitioner was on duty with the Trignomatrical Survey Party, from February to August 1888, when he was transferred to the Jail Hospital, at Coimbatore. Here he continued for 11 Months, when, to his misfortune, he was again transferred, to the Ganjam District, on the 12th July 1889.

5. It was in this Disrtict, that Petitioner served nearly 4½ years, and having been on 10 Months' Sick leave, was transferred from that District, only 2 years before (vide Para 3). The Medical Officer of Tranquebar had also certified that he was not fit for duty in malarions parts. His constitution had been greatly undermined and during a short stay of 2 years in these parts, he had not recovered from the effects of the Malaria. Being again transferred to the same District, Petitioner tendered his resignation but it was not accepted, and he was dismissed from the service, vide G. O. No. 714, Public, dated 26th August 1889.

6. The order of dismissal was not communicated to Petitioner. He was not aware of the charges on which he was dismissed. On the 1st October 1889, he addressed Superintendent, Central Jail, Coimbatore, for arrears of pay, and from an order of the officer, No. 849, * dated 2nd October 1889, he learnt that he had been dismissed. On he submitted a memo...

பாதுகாப்பு பிரதி-1

செய்தியைப் பெற: *Deemed to be*

செய்தியைப் பெற: எடுத்துக் கொள்ளப்பட்ட தாள்

2/10/89
செய்தியைப் பெற: 2ம் பிப்ரவரி 1890
செய்தியைப் பெற: 2ம் பிப்ரவரி 1890

2/10/89
செய்தியைப் பெற: 2ம் பிப்ரவரி 1890
செய்தியைப் பெற: 2ம் பிப்ரவரி 1890

7. This was declined in G. O. No. 896 Public, dated 7th November January 1890, he obtained copies of the correspondence relating to his case now begs to submit this appeal, for your Excellency's kind reconsideration, as he has been dismissed on charges, of which he is quite innocent, and against which he was not given an opportunity of defending himself.

8. The charges against Petitioner are 2. Viz:— (1) Insubordination in refusing to go to a station to which he had been posted and (2) Failing to reply to Surgeon General's letters.

9. Before explaining his innocence of the above charges, Petitioner begs to submit that the order of dismissal, (1) Without reducing to writing, the charges against him. (2) Without taking his defence and (3) Without communicating to him copies of such proceedings, is in direct opposition to the instructions issued in G. O. No. 1373, Public, dated 23rd September 1887.

10. Petitioner had not therefore the opportunity of, (1) Knowing the charges against him, (2) Defending himself and (3) Proving his innocence of the alleged charges.

1st Charge. Insubordination in refusing to go to a station to which he had been posted.

11. As regards this charge, Petitioner implores your Excellency's kind attention to the following facts which show that he did not refuse to obey any orders, nor did he ever mean so. He was ready to obey them, and would have done so, if they had been communicated to him.

12. Under the circumstances represented in paras 3 and 4 above, Petitioner begged of the Surgeon General, to consider his case, and transfer him to any other District, or to accept his resignation.

13. On receipt of a telegram from the Surgeon General, on the 18th July 1889, directing Petitioner to proceed, he addressed a petition to that officer, on the 19th Idem, praying for a reconsideration of the order, and was waiting for the orders thereon.

14. The Surgeon General's orders were issued in his memo No. 4005, * Urgent, dated 22nd July 1889, informing petitioner that passage was provided for him, per S. S.

* Vide Exhibit (B.)

"Canara" that sailed on the 24th Idem. But this memo was addressed to him "Through the District Surgeon of Coimbatore," and that officer did not forward or communicate the same to petitioner, although (1) He was there, (2) There is a Post office in that town, close to the District Surgeon's Office, (3) The District Surgeon's Clerk was well aware of his presence there, at the time, as he used to meet him and speak to him very often, (4) His address was given in the Surgeon General's memo itself and (5) A Telegram bearing the same address and from the same officer (the Surgeon General, vide para 13 above) had reached Petitioner, viz., Madras.

16. Again on the 31st July 1889, in his memo No. 4163, the Surgeon General requested the District Surgeon of Coimbatore to ascertain and report the whereabouts of Petitioner, and if he was there, to warn him to proceed.

* Vide Exhibit (D.)

17. To this, the District Surgeon seems to have satisfied himself simply by reporting, in his memo No. 3586* dated 3rd August 1889, that Petitioner, was not there, and on enquiry he heard that he had gone to Negapatam, whereas Petitioner was there all the time, as will be seen from paras 20 to 23 following, to which Petitioner begs to invite your Excellency's particular attention.

* Exhibit (E.)

18. In this instance also, the District Surgeon does not seem to have sent for Petitioner, agreeably to the instructions of the Surgeon General (vide Exhibit D. para 3) or to have posted any order in writing, directing him to see him (the District Surgeon,) and which might have been returned to him by the Postal authorities, as undelivered, if in fact, Petitioner was not there.

19. Nor does the Surgeon General before reporting* to Government that Petitioner had absconded and failed to acknowledge letters from his office (Petitioner received none, vide paras 14 to 18) appear to have caused any enquiries to be made at Negapatam whither Petitioner was reported * to have gone, for even in that case, it might have transpired that he was not at Negapatam, but at Coimbatore.

* In his No. 410-0, dated 5th August 1889.

* Exhibit (E.)

20. Whether Petitioner was at Coimbatore or not at the time, is the chief point now to be proved, for which he begs to enclose 2 covers * which he received through

* Exhibits (F.) and (G.)

Post, at Coimbatore, one on the 26th July, and the other on the 8th August, 1889, bearing the postal delivery Stamp of Coimbatore. Petitioner begs to enclose copies of

* Exhibit (A.)

* Exhibit (H.)

Endorsement* of the Superintendent, Central Jail, Coimbatore No. 849, dated 2nd October 1889 on his application for arrears of pay, and Endorsement* of the District Surgeon of Coimbatore No. 4901, dated 22nd October 1889, on his application for the return of his Service Book, both of which were received by him at Coimbatore. The latter Officer did not even on this occasion think it necessary to inform the Petitioner, either in person or in writing, of the receipt of the Surgeon General's communications * and of his reports * thereon. Petitioner is unable to account for this.

* Exhibits (B.) and (D.)

* Exhibits (C.) and (E.)

21. If further proof is required to establish the fact that he was at Coimbatore since he was relieved of his duties on the 13th July 1889, till January 1890 (when alone he came to Madras, to obtain copies of the correspondence relating to his case) Petitioner begs to be ordered to be held at Coimbatore, when he will prove it.

and about the time he is reported to have been at the residence of M. R. Ry. Kunjoo Pillay, Police Station, Coimbatore, his arrival at Coimbatore.

24. Petitioner has been during the above period living with one Parthasarath Naidu, a Warder in the Coimbatore Central Jail, as his co-tenant. He also will testify to the above fact.

25. From the foregoing it will be seen that Petitioner is not guilty of the charge, viz:—Insubordination in refusing to go to a station to which he had been posted. For, in fact, the orders were not communicated to him (vide paras 14 to 18 above.) nor did he refuse to obey any orders.

2nd Charge. Failing to reply to the Surgeon General's letters.

26. From paras 12 to 24 above, it will be seen that the 2nd charge also falls to the ground, as the Surgeon General's letters themselves were not communicated to Petitioner by the District Surgeon of Coimbatore (vide Paras 14 to 20 above) and Petitioner could not therefore be expected to reply to these letters, which he did not receive, and is not therefore guilty of this charge also.

27. If Petitioner had only received the orders of the Surgeon General (Exhibits B. and D. providing passage for him, and warning him to proceed to Ganjam,) he would have proceeded to Berhampore availing himself of the Surgeon General's warnings, and thus avoided the punishment now inflicted on him.

28. In conclusion, Petitioner begs to add that, during a service of over 11 years, he served as Hospital Assistant in many places, was in charge of many Dispensaries, camps and parties, all along gave entire satisfaction* to his Superiors, and rendered meritorious services in the malarious parts of Ganjam, for 4½ years, at the loss of his health and his wife, contending against difficulties and misfortunes.

29. The punishment awarded, is unmerited, excessively severe and to his utter ruin.

30. Petitioner, therefore, most humbly prays, that, your Excellency in Council, will take the foregoing facts, into your Excellency's favourable consideration, and (1) restore him to his former position, with arrears of pay and benefit of past service, or, (2) to accept his resignation.

31. For which act of kindness, Petitioner shall, as in duty bound, ever pray.

TRIPPLICATE,
24th March 1890. }

Rungasawmy Naidoo

Late a Second class Hospital assistant No. 181.

c/o Post master, Triplicate

EXHIBIT (A)

Extract of order on letter from N. Rungasawmy Naidoo, lately attached to Central Jail, as Hospital Assistant—No. 849, dated 2nd October 1889.

Applicant has, it is understood, been dismissed the service; the undersigned cannot draw his pay without authority from the Surgeon General.

(Signed) W. J. PICKANCE COLONEL.

Superintendent Central Jail, Coimbatore.

EXHIBIT (B)

From, Secretary to the Surgeon General with the Government of Madras, to 2nd class Hospital Assistant N. Rungasawmy Naidoo late of Central Jail, Coimbatore, dated Fort Saint George, 22nd July 1889, No. 4005, Urgent,

Through The Civil Surgeon Coimbatore.

This office Telegram of 18th July 1889.

In continuation of the above, has the honor to inform that passage has been secured for him and one servant by S. S. "Canara" leaving Madras on the 24th Instant, at 2 P. M.

2. The passage ticket which is intended for two Hospital Assistants, has been forwarded to 3rd class Hospital Assistant S. Ananthaya Naidoo No. 389, whom he is directed to meet, either at the Port Office, or at his residence, No. 58, Shunmugayen Street, Black Town Madras, as may be convenient to him, and proceed without fail by the above Steamer. He will be reported to Government, if he fails to obey this order.

(Signed) C. M. THOMPSON, M. B. SURGEON.

Secretary, Surgeon General with the Government of Madras.

EXHIBIT (C)

From, the District Medical and Sanitary officer, Coimbatore, to the Secretary, Surgeon General with the Government of Madras, dated 24th July 1889 No. 3164.

Reference:—Docket No. 4005, dated, 22nd July 1889.

Has the honor to return the above mentioned docket, as 2nd class Hospital Assistant N. Rungasawmy Naidoo is not here.

(Signed.) J. F. FITZPATRICK, SURGEON MAJOR.

District Medical and Sanitary officer.

EXHIBIT (D)

From, the Secretary, Surgeon General with the Government of Madras, to the District Surgeon, Coimbatore, dated Fort Saint George, 31st July 1889, No. 4163.

Has the honor to request that he will be so good as to ascertain and report to the Secretary, Surgeon General with the Government of Madras, the date when N. Rungasawmy Naidoo will be in Madras.

Should he be found in Coimbatore, the District Surgeon will send for him, warn him that if he does not proceed immediately, he would be reported to Government and dismissed from the service, and his dismissal notified in the Gazette.

(By order.)

(Signed.) C. M. THOMPSON, M. B. SURGEON.

Secretary, Surgeon General with Government.

EXHIBIT (E)

From the District Medical and Sanitary Officer, Coimbatore to the Secretary, Surgeon General with the Government of Madras, dated 3rd August 1889 No. 3586. Sir.

With reference to your docket No. 4163 dated 31st July 1889, I have the honor to inform you that 2nd class Hospital Assistant Rungasawmy Naidoo No. 181, is not at Coimbatore, and on enquiry, I hear that he has gone to Negapatam.

I have &c.

(Signed.) J. F. FITZPATRICK, SURGEON MAJOR.

District Medical and Sanitary Officer.

Exhibits F. and G, 2 Covers attached.

No. 4901

EXHIBIT (H)

The Hospital assistant will address the Secretary, Surgeon General with the Government of Madras, for his Service Book.

Coimbatore, }
22nd October 1889. } (Signed.) J. F. FITZPATRICK M. D. SURGEON MAJOR.

District Medical and Sanitary Officer.

EXHIBIT (I)

(1) Rungasawmy Naidoo C. H. Assistant was attached to the C. Dispensary at Negapatam for two years. I found him a very intelligent industrious man and took great interest in his work.

Negapatam 7th August 1880.

(Signed) J. F. FITZPATRICK M. D.

Civil Surgeon.

(2) The bearer N. D. Rungasawmy No. 181. Hospital Assistant 3rd class was in Medical charge of the survey party, Purla-kimidy under my orders from September 1882 to March 1883. He did well and showed himself, as far as I could judge, very competent, professionally.

Kimidy }
10-3-83 }

(Signed.) T. A. TOMLINSON,
Madras Survey.

(3) I have much pleasure in testifying to the good services of Hospital

31/5/89
Referred to the Surg.
General for remarks

From

N. Rungasawmy Naidoo

Lab 2 ref. & pleat.

Ag. Chief Secretary

7. 24-3 }
R. 1-4 } 80.

Subject

Rajapratnam

Pub. Co 533
31-7-90

5/4

2nd May 1890.

No. 1538

FROM

THE DISTRICT MEDICAL AND SANITARY OFFICER,
COIMBATORE.

To

THE Secretary Surgeon General Madras.

SIR,

Not Recd in this office.

With reference to your Memo 2291
dated 18th instant forwarding Memorial of
A. Rangasami Saider late 2nd class Hospital
Assistant No 181 for promotion I have the
honor to report as follows:—

* herewith returned.

1- The order of Surgeon General transferring
Rangasami Saider dated 12th July 1889 was
received here on the following day and he
was relieved in the same afternoon. This
was communicated to Surgeon General vide
letter No 8296 of 16th July 89. The Hospital
Assistant's initial is on the office copy of
the above order.

* Not Recd in
Office

2- On the 17th of July a telegram was
received to send Rangasami Saider
at once. It was replied to the same

3.

On the 22nd July a Memo to the address of the Hospital Assistant (No 4005 dated 22nd July 89) was received, ^{Exhibit 13. 7} it was returned on the 24th July as he could not be found here.

4. On the 2nd August a Memo (No 4168 of 31st July 1889) was received asking to ascertain and report the whereabouts of the Hospital Assistant. It was replied to on the following day to the effect he was not in Colombo and that information had been obtained that he had gone to Negapatam.

5. This Medical Subordinate should have gone to Madras at once on the receipt of the original order. He did not do so and appears to have left Colombo and gone to Negapatam.

he ought to have come and seen the District Surgeon.

I have the honor to be
Sir,

Your most Obedt Servant,

J. J. Hazlett
Surgeon Major
D. O. M. D. & Co. & Co.

From

The District Medical
and Sanitary Officer,
Coimbatore.

To

THE *Sanitary Surgeon General*
With the Govt. of Madras
Madras.

No. *153*

Dated *2-5-1890*

Despatched *— 10 —*

Received

Enclosures

Reference

Memo 2291/dated 18 April 90.

SUBJECT.

Reporting about the
Memorial of late
2nd class Hospital Asst
Rangasami Naidu

144-1440
1/90.

Sub No 31-790

11/23/90

With the Government of Madras
Fort St George 2 May 1890

No 410

From H. Fargahar Esq. & D.
By Surgeon General with Govt of Madras
Fort St George.

The Chief Secretary to Government
Public Department

Sir,
On returning the Memorial
of N. Rangasami Naidu, late
a second class hospital assistant of
the subordinate medical establishment
Madras, referred to me for remarks
under your Endorsement No 993 current
of the 15 ultimo, I have the honor to
state that the case of this individual
was reported to Government in Surgeon
General Bidie's letter of 5 August 1890
printed in G.O. No 714 Public of the
26th idem.

Memorial, I have to remark that it was impossible to carry out the provisions of G.O. No. 1373 Public of 23rd September 1887 as the man had absconded and his whereabouts was not definitely known to this office or to his District Surgeon. The statement contained in para 13 of the Memorial is a mere falsehood as nothing was heard from Rungtaunmy after he had submitted his resignation.

Paras 14 to 18 of the Memorial referred by me to the District Surgeon Coimbatore and his reply is with forwarded for the information of Government.

I am of opinion that the present memorial is the result of an after

a reconsideration of the case. That he wilfully disobeyed orders at a crisis has been amply proved from the fact that he failed to report himself at this office on relief at Coimbatore and sent in his resignation, and subsequently took no notice of orders from this office. A subordinate who has been guilty of disgraceful conduct is hardly deserving of any consideration.

I have the honor to be
Sir
Your most obedient servant

W. Tangahar M
Ag. Surgeon General
With the Govt. of Mad

20

From
Off Farguhar Sept 2
Ag. Surgeon General
With the Govt of Madras
Fort St George

Ref 12 June
With reference to
12 & 13 of the Enclos
the Surgeon General

requested to furnish
all communications
between his office
and the Surgeon General
between 12 & 13 June
which appeared to be
under the purview
of the petition.

The hospital officer
letter printed in
No. 714 Public of 2
August, 1889, except
10 June

No. 410
12th May 1890
14th June 1890
recd. 993
returned

Subject
Submits remarks
the Memorial of late
Gen. H. H. Asstt.
Rangaswamy Naidu

14-80 553
3-7-90

AD 9/6
To the Surgeon General
with petition
to be set
Desp 12/6

From person
District Surgeon
From place
Coimbatore

To person
The Secy. Surgeon General
with the Govt. of Madras
To place
Fort St George

"Rangaswamy relieved and
order given thirteenth instant."

(True copy)

W. H. H. Asstt.
Surgeon General
with the Govt. of Madras

MA.

From person

The Secy. Surgeon General
with the Govt. of Madras

From place

Fort St. George

To person,

M. Rungaswamy, Esq. Secy.
late of central jail, Coimbatore

To place

Coimbatore

"Resignation cannot be accepted
proceed forthwith Madras otherwise will
be reported to Government."

(True copy)

Wm. Surgeon General
With the Govt. of Madras.

THE SURGEON GENERAL WITH THE
GOVERNMENT OF MADRAS,
Fort St. George.

No.

Dated

189

Reed.

No.

Subject.

Sub 553
55790

From 1897
The Surgeon General
with the Government of Madras
Fort St. George
To Second Class Hospital Assistant
N. Rungasamy Naidu
late of Central Jail, Coimbatore

N^o 4005

Dated 22 July

Reference. This office telegram of 18 July 1889
Subject. In continuation of the above,
has the honor to inform that passage
has been secured for him and one servant
by S. S. Kanara leaving Madras on the
24 instant at 2 P. M.

2. The passage ticket which is intended
for two hospital assistants has been
forwarded to third class hospital assistant
S. Ananthya Naidu N^o 389 whom
he is directed to meet either at the

Shunmoozagoon Street Black Town
Madras as may be convenient to him
and proceed without fail by the above
steamer. He will be reported to Government
if he fails to obey this order.

(By Order)

(Signed) L. du. Thompson & Co.

Secy. Surgeon General with Govt.

(True Copy)

Wm. F. K. K. K.
Surgeon General

With the Govt of Madras

From
The Secy. Surgeon General
with the Government of Madras
Fort St George
To
The District Surgeon
Coimbatore

N^o 4163

Dated 31st July

Reference.

Subject. Has the honor to request that
he will be so good as to ascertain and
report to this office the whereabouts of
2nd Class Hospital Assistant

N. Rungasawmy Naidu N^o 181 lately
attached to the Central Jail Coimbatore
who was ordered to do duty at Berhampore.

2. The man has not yet reported
himself at this office, nor is anything
known about him.

the District Surgeon will send for him
and warn him that if he does not
proceed immediately, he would be reported
to Government and dismissed from the service
and his dismissal notified in the Gazette.

(By Order)

(Signed) S. M. Thompson D.O.

Secy. Surgeon General with Govt.

(True copy)

W. M. Subbarao
Surgeon General
with the Govt. of Madras.

1015 Pub

Subbarao 553

WITH THE GOVERNMENT OF MADRAS,
Fort St. George, 17th June 1890.

No.
From

506
THE SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,

FORT ST. GEORGE,

To

THE Chief Secretary to Government
Public Department.

SIR,

Adverting to your Reference on
N^o. 1440 dated the 12th instant, I have
the honor to state for the information
of Government that the letters referred to
in paras 12 and 13 of Pungazamy Naidu's
Memorial were not received in this office
and could not have been despatched by
him. This has already been pointed out
in this office letter N^o. 410 of 12th May
last para 2.

2. It will be seen from G.O. N^o. 714
Public of 26th August 1889 that the
Posting Order from this office directing
him to proceed to Ganjam is dated
12th July and his resignation was
submitted on the 17th idem so that it
is not possible that he could have
addressed a letter to this office two
days after submitting his resignation.

Surgeon

3. I enclose copies of the following correspondence for the information of Government.

(a) Telegram dated 17 July 1889 addressed to Medical Officer, Bangalore.

(b) do. dated 18 July addressed to the Hospital Assistant.

(c) Memo No. 400 dated 22 July 1889 addressed to the Hospital Assistant.

(d) Memo No. 4163 dated 31 July 1889 to Civil Surgeon Bangalore.

It will be seen from the above correspondence and specially from memo marked (d) that beyond the resignation submitted by the Hospital Assistant no other communication was ever received from him nor was his whereabouts known in this office.

I have the honor to be
Sir

Your most obedient servant

W. S. S. S. S.
Surgeon General
With the Govt. of Madras.

DEPARTMENT

From

THE SURGEON GENERAL WITH THE

GOVERNMENT OF MADRAS,

Fort St. George.

No. 506

Dated

Reed.

17th
19th

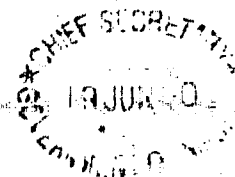
June

1892

No.

Enclos. 4

and No. 993 ref.



Subject.

Submits remarks
regarding the dismissal of
Pungarawmy Naidu and
forwards certain correspondence
asked for.

Publ. 533
31-7-90

Reference 2000/1000/590

The Surgeon General is

requested to forward a copy of his
telegram dated 17 July 1889, addressed
to the Medical Officer, Bangalore,
and referred to as enclosure (a).

The copy forwarded embodies only
the reply of the D. & Surgeon to
the Surgeon General.

27 June

G.

The Surgeon General 2000/1000/590

25/6

W.O.

On the 17th the latter wire to the District
Surgeon

Copy of Telegram from Secretary
Surgeon General with Government
of Madras dated 17 July 1889 to
the Medical Officer Central Jail
Coimbatore.

"Send Rungasamy at
once Madras for passage."

(True copy)

J. M. Subramanyam
Surgeon G. H. with the
Govt. of Madras

DL

On the 17th the latter wired to the District
Surgeon

GOVERNMENT OF MADRAS,

Fort St. George,

1

No. 545

Dated 14th July 1890.
Received

No.

SUBJECT.

Forwarding Copy of
telegram dated 17 July 1889
addressed to the Medical Officer
Central Jail Coimbatore.

Public Cls 993, 1440, 1815 and 1915

For orders.

In August 1889 the Surgeon General reported that 2nd Class Hospital Assistant Rangasami Nayudu, attached to the Central Jail Coimbatore, having been selected for furlough duty in Coimbatore in common with other Telugu medical subordinates, declined to proceed to Berhampore as ordered, tendered his resignation, subsequently disappeared and failing to acknowledge letters from the Surgeon General's office. He was therefore dismissed from the public service, in G.O. 714 dated 26th August 1889.

2. In the present memorial the petitioner contests the facts of the case, which were briefly as follows:—

The Surgeon General's order of transfer dated 12th July was received by the District Surgeon Coimbatore on the 13th and the Hospital Asst. was relieved in the afternoon of the same day; but this was reported to the Surgeon General only on the 16th.

On the 17th the latter wired to the District

Surgeon

Part 1 of Dr. Nayudu's letter
No. 15523, 2nd Aug 1890.

to Madras for passage on the same day
to Hospital Asst wrote the letter tendering
his resignation (printed in G. P. 714 dated
26th August 1889); on the 18th he received
a telegram saying "Resignation cannot
be accepted, proceed forthwith Madras,
otherwise will be reported to Government."

3. The fact, after this, as entered on
both sides: "Rangaswami Angadappa says,
that he begged the Surgeon General to transfer
him to some other district or accept his
resignation and addressed a petition to the
19th praying for ^a reconsideration of the order;
and that he was waiting for instructions
(paras 12 & 13 of memorial).
The Surgeon General says he never received
any such communication from the
Hospital Asst and that the letter referred
to could not have been possibly written
or despatched by him. (Ct 1255)

(ii) The petitioner says he knew nothing of the
memoranda addressed to the District Surgeon
by the Surgeon General viz 124005 dated
22nd July giving instructions for the passage
and 124162 dated 31st July warning him
to proceed immediately and that therefore
he was not to blame - The District Surgeon

reported

53/19
to be found in Comitalore but had probably
gone to Negapatam. The petitioner contends
that he was all the time at Comitalore,
that he frequently saw and spoke to the
District Surgeon Clark, that he treated several
private patients at Comitalore from July 89
to July 90 and that he was living in a
jail-warden as Coleman & Co (paras 14, 21,
22, 23 & 24 of the memorial).

4. The District Surgeon says "the medical
subordinate ought to have gone to Madras
as soon as he received the original order.
If he was in Comitalore, he ought to have
come and seen the District Surgeon."
(paras of Dr Hazlett's letter dated 2.5.90)

The Surgeon General says "he was had
absconded and his whereabouts was not
definitely known to this office or to the
District Surgeon. - he wilfully
disobeyed orders as a crisis, and failed
to report himself at the office on relief
at Comitalore" (Ct 1440).

5. The petitioner never appeared before
the District Surgeon or even the Supdt of
Jail Comitalore till 1st October; when he
came

6 of memorial) He did not go to Madras till January 90 (para 21). It is clear therefore that he avoided the receipt of orders, and absented himself from his duties. If he was in Coimbatore and knew the District Surgeon's clerk, there must have been collusion between them.

6. The contentions in paras 14, 15, 18 and 20 of the memorial that the orders should have been posted to him, while living in the same town, are not valid, as such letters could always be delivered at home even in his absence, and their delivery is no proof that he himself received or read them. As to para 19 it was quite out of the question for the Surgeon General to make enquiries at Negapalan on the basis of a rumour that he was there.

7. He must therefore be held to have "absconded" so the Surgeon General says of 60, no explanation could be taken from him in writing (para 9 of memorial) under G.O. 1373 Public dated 23.9.87. Further these rules do not apply in the case of persons who abscond with an accusation
repona

5/20

accusation over their heads (vide para 1 of the Govt of India's Resolution in L.O. 1404 dated 10.9.79).
The only extenuating feature in the case is that he had already served 4 1/2 years in malarious parts of Gough, that he lost his wife there and that himself and his children were suffering from intertrigo of spleen to (para 2 & 3 of memorial) but he could have gone to Madras and represented matters to the Surgeon General in person if he had liked.

The facts of the case are merely distorted by the petitioner. It makes nothing what of his telegrams posted after the 13th July, at which date the hospital appointment received his orders, saying of 10.8.87 a telegram suspending those orders reached him.
He was in prison. The things circum- stances of the kind. a medical subordinate is

is ordered
 of a certain plan, he
 may of course appeal
 for reconsideration of
 the order, but he must
 at the same time proceed
 to obey it. ^{which was illegal}
 Here the order was
 not obeyed, & the
 petitioner ^{which was illegal} ~~was~~
 named in ^{which was illegal} ~~the~~ ^{which was illegal}
 by his own admission,
 until he received (on
 the 18th July) a telegram
 in reply to his appeal.
 Even then (again by
 his own story) he did
 not proceed to obey
 the original order,
 but made a second
 if not a third appeal.
 These appeals remained
 the Surgeon Genl. but
 if they had the pet.
 discharged would he
 have the life.
 Nor is it any excuse that
 (whether for fault or had
 reason) the St. Surgeon's
 office failed to effect
 delivery of the Surgeon
 General's order of
 22nd & 31st July. The petitioner
 disobeyed the 12th July, &
 might have been dismissed for
 that. He had an opportunity
 on the 18th, of appealing.

Dismissed Hospital Assistant
 Rungaswami Nayadu
 Circulate.
 After a full investigation into
 the facts of the case, the
 Govt is satisfied that the
 punishment awarded was
 well deserved, & much desire
 to entertain further representa-
 tions from the memorialist.
 (From adus)
 7 AUG 99
 To the Surg Genl
 the memorialist
 them, & was more failed
 in his duty.
 It is submitted that
 on the facts of the case, his
 punishment was well de-
 served & that there is no occasion
 to go into what happened
 or didn't happen after
 the 18th, when he committed
 his first offence of dis-
 obedience.
 18/7

18 No. 18

READ AGAIN ORDER OF GOVERNMENT, DATED 18 No. 18, MISCELLANEOUS.

ENCLOSURE.

ORDER OF GOVERNMENT.

STATEMENT WITH DITTO.

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Pet. Surg. Genl. with Govt.

21

22/7/98

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Public DEPARTMENT.

G.O., DATED 31-7-90

No. 553.

When given for copying 4/2

[Despatch Abstract.]

Declining

*Submitting to petitioners,
dionipad Hospital A.P. to
Ruegawami Kayadur,
that the punishment awarded
in his case was well deserved
& declining to entertain any
further representations.*