

[11]

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30-7-06
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ORDINARY, MS.

250582
6/8/06

Public DEPARTMENT.
G.O., DATED 25-4-93
No. 328.

INDEXED.

When given for copying.

[Despatch Abstract.]

Informing P. Nalla.
thanking him for
the Velgode Kurmore
district. that for de-
clines to cancel or
revokes the order dis-
missing him for the
second time.

Public
LOCAL AND MUNICIPAL DEPARTMENT.

1105 L

Petition

From

Paul Nallathamby.
Late Hospital Assist
Velgode,
Kurnool District.

No. —

Dated 28th march 1893.

Received 6th april 1893.

Enclosures 8

SUBJECT.

Complaining against the order
of dismissal, & praying that he
may be restored to his post or be
allowed to resign.

Pub go. No 7602, 4-11-92

mis

nu.

Order dated 25th April 1893 No. 328
23 Apr

The petitioner will
be informed that his
case was fully consider-
ed before G.O. of 4. 11. 92
No. 760 was passed, and
that ~~it cannot now~~
~~be withdrawn or~~
~~modified.~~ ^{the decision being final}
21/4/93

25/3
19/4

DESPATCHED

29 APR 93

IN MS

Public - use

with three enclosures.

27/4

C. 21/4

R 24/4

BACK PAPER, No.

FURTHER PAPER, No. 1995

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

Relieve the other
steps of the petition

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.

explanation obtained; whereas the appellant was only asked how it was that he fell sick so suddenly. The delay of the reply shows that the District Surgeon Dr. Maidment had prejudiced the Surgeon General also. (It is the express order of the Government that when any one is dismissed from public service, he should be provided with copies of the charges for which he was dismissed). But in the petitioner's case no charge of dishonesty, disobedience or neglect of duty are mentioned either in the suspension or dismissal orders.

(g) And when the appellant begged the Surgeon General again on the 17th January 1893 to furnish him with a copy of the charges, he received a reply dated 24th January 1893, stating it was inadmissible. This petition though dated the 17th January 1893 was replied on the 24th January 93, that is in a week's time, but the petition dated 5th December 1892 was replied on the 18th February 1893, that is after two and a half months. This long delay will clearly prove that the unfortunate appellant was wilfully ruined.

Under these circumstances the humble appellant most humbly begs your Excellency to take his poor circumstances into your Excellency's most benign consideration and give orders that the order of dismissal be withdrawn and appellant restored to duty again, or if your Excellency thinks it otherwise, may it please your Excellency graciously to allow him to resign.

For which act of charity and benevolence the appellant will, as in duty bound, ever pray.

28 March 1893. }
Shermadedvi }

P. N. Kallathambay
Hosp/ant

the District Surgeon sent an order of suspension without making any inquiry into appellant's state of health. This order though dated on the 3rd August was not put into the appellant's hands till the 15th. Meanwhile the District Surgeon sent another order through the Deputy Tahsildar Atmakur stating "Hospital Assistant Nallathamby Pillai who is under suspension will hand over charge of his Dispensary to the Reddy and Carnam whom the deputy Tahsildar may depute and proceed forthwith to Cambam and report himself to the General Deputy Collector in charge of Famine works. He will report to this office the date of his departure and arrival."

7. In accordance with this order appellant tried to hand over charge of his Dispensary to the Reddy and Carnam, but none of them could understand anything about medicines and Instruments. Whereupon appellant represented the matter to the District Surgeon and asked him to send a qualified person to take charge of these medicines and Instruments. (Here appellant humbly begs Your Excellency to notice that this order of the District Surgeon to hand over charge to non-medical men is quite contrary to the orders of the Surgeon General, which strictly prohibits handing over charge even to a compounder)

8. On receiving this report the District Surgeon removed the order of suspension and ordered appellant to send in his returns and prepare fresh indents for medicines, which order was instantly obeyed.

9. Eight days after, appellant received another order from the District Surgeon to proceed to Cumbam and report himself to the General Deputy Collector in charge of famine works taking with him the keys of the dispensary. As appellant was not still strong enough for a long journey he applied for a months leave. On receiving this application the District Surgeon sent the appellant an order of suspension enjoining him to hand over charge of his Dispensary to Hospital Assistant Samuel, and the appellant did accordingly (copy of the suspension order is enclosed).

10. The appellant then represented his circumstances to the Surgeon General through the District Surgeon and begged him to cancel the order of suspension. In reply to which petition appellant received the order of dismissal without mentioning any reason for the same.

11. The appellant then wrote to the Surgeon General on the 5th December 1892 requesting him to supply him with a copy of the charges brought against him for which he was dismissed from public service. To this he received a reply on the 4th March 1893 No. 1067 dated 18th February 1893, stating that the request was inadmissible and that appellant was duly informed of the charges brought against him and his explanation obtained. The appellant humbly begs to bring to the notice of Your Excellency that the only thing that the District Surgeon, Kurnool asked the appellant is how it was that the appellant fell sick when he looked healthy on leaving Kurnool. To which the appellant had replied that the attack was sudden and unexpected owing to hard travel. Besides this the District Surgeon brought no charge against the appellant and no explanation obtained from him.

12. When the appellant received no reply to his letter of the 5th December

1892 he made an application on the 17th January 1893 to the Surgeon General, requesting to send him a copy of the charges brought against him. To this he received a reply No. 384 dated 24th January 1893 stating that it was inadmissible (copies of appellant's petition and the replies he received and the Post office receipts are enclosed).

13. Hence the appeal.

(a) The appellant most humbly begs your Excellency to notice the following things which will prove that the District Surgeon was prejudiced against the appellant and did everything out of ill-feeling towards him. The appellant even after 7 years of service as a third class Hospital Assistant was not allowed to appear for the 2nd grade examination and this is contrary to the orders of the Surgeon General which allows a 3rd class Hospital Assistant to appear for the 2nd grade examination after 4 years of service.

(b) When there were so many medical men in the Town of Kurnool itself, namely The District Surgeon, the Assistant Surgeon, a civil Apothecary doing duty, 2 Hospital Assistants on the Municipal Dispensary and one Police Hospital Assistant, the appellant was ordered to go on cholera duty at Kurnool, leaving so many urgent cases behind him at Velgode. And one case of serious internal injury which was under the appellant's treatment and which was improving, suddenly proved fatal on account of appellant's absence.

(c) And again after being 10 days on cholera duty at Kurnool, the appellant was ordered to go on cholera duty at Cumbam at a distance of about 100 miles from Kurnool. And when the appellant fell sick on the way owing to hard travel, he was suspended simply for being sick without assigning any reason for the suspension.

(d) Before this order of suspension was received the District Surgeon sent another order through the Deputy Tahsildar Atmakur pressing the appellant to proceed to Cumbam, handing over the charge to the Reddy and Carnam who were quite incapable to understand the medicines or the instruments. And this order of the District Surgeon is quite contrary to the express orders of the Surgeon General which does not allow even a compounder to take charge of a dispensary.

(e) Besides when the District Surgeon sent the order of suspension he did not ask one word about the appellant's state of health, when he was still unable to go on a long journey. A week after, the District Surgeon again sent an order compelling the appellant to proceed to Cumbam, though he had applied for a month's leave, showing that he had not taken a single day's leave for a period of 6 years. The repeated orders of compulsion will evidently show that the District Surgeon was determined to ruin the prospects of the appellant.

(f) When the appellant petitioned on the 5th December 1892 requesting the Surgeon General to send him a copy of the charges brought against him to enable the appellant to appeal to Government for justice, The Surgeon General simply said in his reply dated 18th February 1893 that the appellant's request was inadmissible and that he was duly informed of the charges brought against him and the appellant's

Paper taken out of the Records from the charge of the Referencer.

Press
Miscellaneous No. 328, dated 25/4/93 -100-
Routine

Date taken out.

12-11-07

12-11-07
105-493
1893
Public Dept.
Enclos. No. 1
To
C. No. 1085

Referenced to the
Public Dept.
105-493
1893
Public Dept.
Enclos. No. 1
To
C. No. 1085

CURRENT NO. 1085

CHIEF SECRETARY
GOVERNMENT OF MADRAS
25 APR 93

To.

His Excellency the Governor in Council,
MADRAS.

The humble appeal petition from Paul Nallathamby
late hospital assistant No. 392 of the Local
Fund Dispensary, Velgode, Kurnool District,
now residing at Shermadevi, Tinnevelly
District.

MAY IT PLEASE YOUR EXCELLENCY.

1. The humble memorialist humbly and respectfully begs permission to approach your Excellency with the following few lines for favour of kind consideration and orders.
2. The appellant was a medical subordinate in the Medical Department and has been serving the Government faithfully for over 8 years in different parts of the Madras Presidency and was suspended on the 12th September 1892 and afterwards dismissed from public service (Vide G. O. No. 760 dated 4th November 1892.)
3. Dr. Staunton M. B. late acting District Surgeon Kurnool and M. R. Ry. L. D. Swamikanu Pillay Avergal M. A., B. L. late General Deputy Collector and President Kurnool Taluq Board have remarked in the visitor's book that the Dispensary at Velgode had very much improved and the attendance greatly increased under the medical charge of the appellant.
4. While at Velgode the appellant applied for permission to appear for the 2nd grade Hospital Assistant examination as he had already been in service 7 years and also for the allowance of Rs 2 for colloquial knowledge of Telugu, the appellant being a tamil man. On receiving this application Dr. Maidment asked the appellant the length of his service, but did not permit him to appear for the examination, nor made any provision to test his colloquial knowledge of Telugu.
5. On the 19th July 1892 the appellant was ordered by the said District Surgeon to proceed to Kurnool without handing over charge of the dispensary to any one, and on arriving here appellant was ordered to do cholera duty in the Town of Kurnool. There were many medical men besides the District Surgeon in the place at the time namely the Assistant Surgeon, a civil Apothecary doing duty, 2 Hospital Assistants in the Municipal Dispensary and one Police Hospital Assistant. Still petitioner was ordered to leave of his dispensary and go to Kurnool.
6. After ten days were spent on cholera duty the appellant was ordered to proceed to Cumbam on cholera duty again and report himself to 1st class Hospital Assistant Lazarous. On the way to Cumbam by the shortest route by Velgode the appellant was badly attacked with acute dysentery and reported the matter at once to the District Surgeon and begged him to grant 15 days leave. Receiving this report

Memorandum No 1143

To The Staff Cavalry Brigade

Under instructions received from the Surgeon General
Hospital Assistant Charles Thwait is placed under the supervision
of the full order. He will therefore have charge of the
Dispensary attached to Hospital Assistant Samuel.

J. Macdonald
Surgeon Captain
As Assistant Medical and
Sanitary Officer

Mineral }
(Mucosa)
p. 1891-1892

From Secretary to the Surgeon General
The Surgeon General
The Surgeon General

For the Surgeon General
The Surgeon General
The Surgeon General

10 1891
The Surgeon General
The Surgeon General

The Surgeon General
The Surgeon General
The Surgeon General

The Surgeon General
The Surgeon General
The Surgeon General

1105/1891

1085
C. No. 1085
1105/1891

From Secretary to Surgeon-General
with the Govt of Madras
Madras

To P. Nallathambi
Ex-Hospital Assistant

No 384
Dated 24 January 1893

Reference
His application dated 17 January 1893

Subject
His request is inadmissible

(By order)

(True copy)

J. Crawford M.D.
Surgeon-Captain
Adj. Secretary Surgeon-General
with Govt of Madras

To The Surgeon General with the Government of
Madras
Through the Secretary to the Surgeon General
Sir

The humble petition of Paul Mallathambay
residing at West Gate, Madras, humbly
sheweth.

That the petitioner on the 5th Decemr 92
made application to you to favor him
with copies of letters of the Surgeon General
with the Govt of Madras to the Government of
Madras and the District Surgeon Kurnool
to the Surgeon General. The petitioner has
not been favoured with these copies up to
date and respectfully begs to furnish
him with copies of the same as an early
date

He begs to remain

Sir
your most Obedt. Servant.

P. Mallathambay
Hosplank.

17. Janry 1893
West Gate
Madras

(True copy)

have been paid from my own money and request
you will be so good enough to direct the District
Surgeon Kurnool for an early payment of the said
sums. I am in possession of vouchers for all the
sums I have paid on account of the dispensary

I beg to remain
Sir
Your most obedient servant
P. Mullaiah
Hospital Kurnool
(True Copy)

5. 12. 92 }
Madras }
1105493

Office of Surgeon General with
the Govt of Madras 18 Feb 93

No 1067

To P. Mullaiah Nuthar
Late Hspl asst, Madras Sub Medl Depart
West Gate

Madras

He is informed with reference to his letter
dated the 5. December 1892 that the pay to
due to him while in service will be
remitted to him by the District Surgeon
Kurnool.

The request in para 1 of his letter
is inadmissible. He was duly informed
of the charges brought against him and
his explanation obtained

(By order)

J F Crawford MD

Surg. Capt

As Secretary Surg. Genl with Govt of Madras

(True Copy)

To The Surgeon General with the Government of Madras 7

Through the Secretary Surgeon General 6

Sir

I humbly beg to request you will be so good enough to furnish me with copies by of letters submitted to the Government of Madras regarding my conduct by the Surgeon General and also of the District Surgeon 92 Kurnool to the Surgeon General.

2. I beg to say that my pay for July, August and up to the 12th September 1892 has not been paid by the District Surgeon Kurnool up to date, and request you will be so good enough to order the payment of the same at an early date.

3. The contingent charges of the Local Fund Dispensary helgode incurred during the months of July, August and September 1892 have

[illegible]