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30-7-06-5
12-11-07 ✓

ORDINARY, MS.

Public DEPARTMENT.

G.O., DATED 9. 9. 93

No. 742.

INDEXED.

When given for copying.

[Despatch Abstract.]

Stating that no good ground has been
adduced by Paul Nallabambay Pillai
for a reconsideration of the order
withholding his memorial to the Govt
of India for restoration.

FURTHER PAPER, No.

234

of 18

94

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

ENCLOSURE.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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N.B.—

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

Paul Mullach amb
je t'embrasse

Hon. Sir H. C. St. John

Issue

303

9/9

CBP
R 89/

2378

Pub go. 6118 8-8-92
" - 328 25-4-93
" - 760 25-4-11-92

Pub Dept -

Public Dept

current 2378.

Order of 9th Sept 1893, No 742

MS slip The petitioner has adduced no good ground for a reconsideration of G.O. d/ 25.4.93, No 611. The transmission of his Memorial is further barred by Memorial Rules, Section III (7).

(H.E. copy of it).

5/9/93

note
It is submitted that (7) applies as the man is appealing against G.O. d/ 25.4.93, No 328. The fact that the dismissal was by G.O. itself wd. seem to make the case even stronger than that contemplated in (7).

2/3.5.12.
5/9

Feb 21
with 6 enclos.

III.7. coms apply at all

MS slip

2/3.5.12.
5/9

From

Pant Nallatambay

Dated 29. viii. 93

Recd 1. 9. 93

Enc. 6.

Subject

Requesting that his appeal petn submitted on the 19th July 1893 may be forwarded to Govt of India

obtained. The memorialist most respectfully begs to submit that he was not furnished with copy of any of the charges brought against him but that he was only asked how it was that he fell sick so suddenly. It is the universal practice to furnish every person with a copy of the charges brought against him. Not only was that rule not complied with in the case of the memorialist but he was even refused a copy when specially applied for. (Vide Exhibit III)

(e) The memorialist was labouring under very great difficulty for want of the charges against him and with all that he, the memorialist applied to your Excellency on the 28th March 1893 for reconsidering G. O. No 760 dated 4th November 1892 and got G. O. No. 328 dated 25th April 1893, declining to cancel or modify the decision therein passed. This order was received by the memorialist on the 4th May 1893 (Vide Exhibit IV.)

(f) Soon after the receipt of the said order from your Excellency the memorialist sent in ignorance of the rules an appeal petition directly to his Excellency the Governor General in Council on the 27th May 1893 and received on the 4th July 1893 an endorsement No. 346 Home Department Medical dated 28th June 1893 from his Excellency that the appeal petition should be submitted through the Local Government. (Vide Exhibit V.)

(g) That soon after the memorialist sent on the 19th July 1893 to your Excellency an appeal petition for being forwarded to his Excellency the Governor General in Council, upon which the memorialist received the endorsement order dated 8th August 1893 No. 611 that it will be withheld because there was no satisfactory explanation of the delay. (Vide Exhibit VI.)

6. From the facts contained in para 5 and the documents referred to therein it is clear that the memorialist has not in the least been negligent but has been actively taking steps for restoration to his office and that the delay has been caused merely through ignorance of the rules.

7. It is further clear that the appeal petition on the 28th May 1893 directly sent to his Excellency the Governor General in Council (through memorialist's ignorance of the rules that it should be submitted through the Local Government) and also to your Excellency on the 19th July 1893 for being forwarded is within time, having been made within 6 months from the date of the final Government order No. 328 dated 25th April 1893.

8. Under the circumstances, the delay in sending the appeal petition to your Excellency for being forwarded to his Excellency the Governor General in Council should be excused and the appeal petition should be forwarded to his Excellency, the Governor General in Council.

Prays therefore that your Excellency may be graciously pleased to take all the above circumstances into your Excellency's kind consideration and forward the appeal petition submitted to your Excellency on the 19th July 1893 to his Excellency the Governor General in Council.

For which act of charity and kindness the memorialist as in duty bound shall for ever pray.

List of Documents proving that the delay was caused simply because of the memorialist's ignorance of the rules prescribed for preferring appeals to his Excellency the Governor General in Council.

No. of the Exhibit.	Date.	Description.	What the document proves.
1	4th Nov. 1892.	G. O. No. 760.	Dismissing the memorialist.
2	24-1-93.	Order No. 384 by Surgeon General.	Proves that memorialist sent a reminder for obtaining copy of charges on the 17th January 93 and that it was refused.
3	18-2-93.	Order No. 1067 by Surgeon General.	Proves that the memorialist applied for a copy of the charges on the 5th December 1892 and that it was refused.
4	25-4-93.	G. O. No. 328.	Proves that memorialist applied for review of G. O. No. 760. 4-11-92. and that the prayer was declined—
5	28-6-93.	No. 346 Home Department Medical Simla.	Proves that the memorialist appealed directly against the order of dismissal to his Excellency the Governor General in Council on the 27th May 1893 and he was directed to submit it through Local Government.
6	25-4-93.	G. O. No. 611.	Proves that the memorialist applied to your Excellency on the 19th July 1893 for forwarding the appeal petition to his Excellency the Governor General in Council and that it was withheld because of the non-explanation of the delay—

29 August 1893 }
 Pulamittuh }

Paul Hallattamby
 Ho. Secy

SECRET
31 SEP 93

To

HIS EXCELLENCY, THE GOVERNOR IN COUNCIL

MADRAS.

The humble memorial respectfully submitted by Paul Nallathamby, late Hospital Assitant No. 892 of the Local Fund Dispensary, Velgode, Kurnool District now residing at Palamcottah, Tinnevely District.

Most respectfully Sheweth:—

1 That the memorialist submitted to your Excellency on the 19th of July 1893 an appeal petition against the Government order dismissing him from office, that it may be forwarded to his Excellency, the Governor-General in Council.

2. That the memorialist has received on the 19th August 1893 Government order No: 611 dated 8th August 1893 that the appeal petition will be with-held under section III Rule 3 (10) of the B. memorial rules, because the appeal petition was against an order passed more than 6 months after the communication of such order to the memorialist without satisfactory explanation of the delay.

3. That the memorialist was not aware of the rules with regard to preferring appeals to his Excellency, the Governor General in Council and did not know that the appeal should be made within 6 months and through the Local Government, or that the delay should be explained.

4. That the memorialist begs to submit that the appeal petition sent to your Excellency for being forwarded to his Excellency, the Governor General in Council was sent after 6 months, simply because of the ignorance of the memorialist with regard to the rules.

5. That the memorialist begs respectfully to bring to your Excellency's benign consideration the following facts which go to show that the memorialist has not been guilty of any lache, but has been actively diligent, and that the delay was simply due to his ignorance of the rules.

(a) G. O. No. 760 dated 4th November 1892 by which the memorialist was dismissed from service was communicated to him on the 16th November 1892. (Vide Exhibit I).

(b) The memorialist was not aware of the charges brought against him. And as it was necessary that he should know the charges brought against him to enable him to give an explanation and either apply for review of the order or prefer an appeal, the memorialist applied to the Surgeon General that he may be furnished with a copy of the charges brought against him. The application was made on the 5th December 1892. (Vide Exhibit III.)

(c) The memorialist did not receive any reply on the said application, whereupon he sent a reminding letter on the 17th January 1893, upon which he received an endorsement No. 384, dated 24th January 1893 that his request was inadmissible. (Vide Exhibit II.)

(d) The memorialist received a reply to the letter of the 5th December 1892 on the 4th March 1893, vide letter No. 1067 dated 18th February 1893 to the effect that the request was inadmissible and that he was duly informed of the charges brought against him and his explanation

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Exhibit III