

Public (1898) Department.

ORDINARY MS.

G.O., No. 1246

Dated 3-10-98

INDEXED.

[Despatch Abstract.]

Noting that the Govt declines to interfere in the matter of the petition from ex-2nd class Hospital Asst K. M. Rangaswamy Naidu appealing against his dismissal from the service.

T
31/10/98

BACK PAPERS.

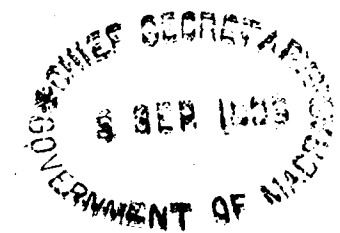
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Public (1898) Department.

CURRENT No. 2005



From

Surgeon-Major-General C. Sibthorpe,
C.B., F.R.C.P.I.,
Surgeon-General with the Government
of Madras.

No. 23/3

Order

Dated 8 September. 98

Received } 8

Registered

Enclosures 5

Spare copies -

SUBJECT.

Transmitting with his remarks a
petition from Ex 2nd Class Hospital
Assistant K.M. Rangasawmy Naidu No.
456 appealing against his dismissal
from the service.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

1002
6

(original)

To

HIS EXCELLENCY THE RIGHT HONORABLE

THE GOVERNOR-IN-COUNCIL OF THE PRESIDENCY OF

Through the Surgeon-General with the Government of Madras
FORT SAINT GEORGE.

The humble petition of K. M. Rangasawmy Naidu,

2nd Class Hospital Assistant No. 436 (now under dismissal)

lately attached to the Local Fund Dispensary, Ichapur, Ganjam District.

MOST RESPECTFULLY SHEWETH :—

I. Petitioner submitted an application for sick leave on the 15th March 1898, to the Surgeon General with the Government of Madras through the District Medical and Sanitary Officer, Ganjam, for a period of 6 months, under the unavoidable circumstances therein stated, to avail the said leave from the 10th April 1898. For which the Petitioner was relieved on the 21st March 1898 and was posted to Berhampore as Doing Duty and was kept over that date, he applied for leave and was suspended without reason on a private affair altogether, on the 16th April 1898, though the Petitioner had reminded on the 7th April 1898 about the leave, he applied for.

II. Petitioner, would, therefore, abstain from going again into the details of his case, but, he would, however for the purpose of this petition mention for your Excellency's merciful consideration the most painful unforeseen event which have rendered the position of the Petitioner lower than the lowest depth for having received a final and dismissal order on 10—5—98.

III. With Reference to the letter No. 539 dated the 11th April 98 of the District Medical and Sanitary Officer Ganjam, the petitioner was charged for the following 1st being.

(a) For gross and chronic intemperance. The Petitioner humbly begs to state here, that the charges were framed from the 11th April 1898. Petitioner worked under so many Doctors in several Districts, but he was not found guilty for the same charge, neither by the same Doctor under whom he served in the District Jail, Berhampore and also as D. D, at the Jubilee Hospital Berhampore for nearly one month, at each time ; nor he is accustomed to drink. He, the Petitioner, at the same time was charged for chronic intemperance. When the same District Medical and Sanitary Officer, had submitted the Annual confidential

Report on the Petitioner on the 31st January 98 he did not make mention for the 5th question or column of anything of that sort, as if he had observed at any time in a drunken state in the Hospital, when in working or in other hours. Within an interval of 2 months' time he presumed that the Petitioner became a chronic drunkard having had been prejudiced by the hearsay of the Assistant Surgeon. For which, he can give more reasons and also mention here that the District Medical and Sanitary Officer had doubted once or twice, when he was a Patient in the Hospital and when he was speaking with him in the Ward ; and he asked the Assistant Surgeon to examine his mouth for drunkenness in one morning ; but neither of them found anything of the kind, but simply having been doubted about the speech, when he was talking with excitement for the reason and right & was suffering from Malarial cachexia and Debility which can be seen by his own Report.

For absolute neglect of duty.

(b) The Petitioner humbly begs to state here that this charge was framed on the 14th April 1898 ; for which, he begs to state that he applied for 6 months' sick leave as stated already from Ichapur alone, when he was in charge of Ichapur Dispensary dated the 15th March 98 to avail the said leave from the 10th April 98, requesting the District Medical and Sanitary Officer to forward his sick leave application to the Surgeon General giving or allowing him an interval of 25 days stating about his bad health. Hence he was relieved by 1st Class Hospital Assistant M. Raja Row Doss No. 228 the senior Hospital Assistant from Berhampore. After the Petitioner went and reported himself for duty, he

* Copy herewith enclosed.

was purposely detained till the fifteenth April 98 & was suspended for nothing without reason as if he went and asked for meals, the new mid-wife who came to Berhampore, being a caste woman. The District Surgeon was on circuit to Ramagiri Udiagiri hills, when the Petitioner had the Posting order to Berhampore. The petitioner was told by the President also at Itchapore that he would be granted the said leave, which he applied for, as soon as the District Medical and Sanitary Officer comes from the circuit, as the President saw the Petitioner's bad state of health by coming to the Petitioner's quarters at Itchapore and Berhampore and seeing his condition suffering from Diarrhoea and Cough with expectoration of blood, consequently debility. The Assistant Surgeon who was then acting for District Medical and Sanitary Officer instead of giving the Petitioner a reply either a negative or an affirmative for the leave, he applied for, detained him purposely having had a previous grudge, induced the Junior Hospital Assistant also who was then in charge for the Senior to find fault with the Petitioner, when he was a patient admitted into the Hospital as an inpatient for the sprain he had in his right foot and to remark in the Diary Book consecutively. The first remark he made was for not having taken his bed in the Hospital, when the pain was an excruciating one and when he had been to his quarters to take his bed in a rented house, which was situated just behind the compound wall of the Hospital. The 2nd remark was that the Petitioner was not found in the ward one day from 11 to 4 p. m. and absented himself on the same night from his bed. For which, the Petitioner begs to state here that he went to the President's Office, situated close to the Hospital gate to receive his pay that day, as the same Office had to be closed for 8 days for the commencement of the Easter, and as the Petitioner was hard up for money at Berhampore being a new place for him. The 3rd remark was an utter falsehood in having entered in the Diary Book. The Junior Hospital Assistant removed to the new quarters one day evening at 6-30 p. m. without Petitioner's knowledge, and without the permission of the District Medical and Sanitary Officer or the Municipal Chairman but by the instigation of the Assistant Surgeon alone, when the same quarters were intended for the Petitioner or for a senior like himself, if he were to be granted leave. Here, the Petitioner would like to mention that he saw a light in the quarters before 7-30 p. m. and found a new face, in the quarters, who was not connected with the Hospital but was a Photographer from Cuttack. When there was moonlight and a light also, and when the gate was freely opened, the Petitioner had to pass by that road and to ask the new gentleman who he was. For which, the Junior Hospital Assistant all in a sudden came out from within and told the Petitioner that he had no business to question any man at all and that he would charge the Petitioner for trespass, when the Petitioner came away to his rented quarters telling him that he would report the matter to the District Medical and Sanitary Officer the next day morning. The Junior Hospital Assistant, on the next day morning, put in the Diary Book before the Petitioner came to report the matter to the Acting District Medical & Sanitary Officer. For which the same Acting D. M. & S. O. told him before 3 Government servants that the Junior Hospital Assistant would not talk lies and he went on further to call the peon of the Hospital to drive him off to his house, as if the Petitioner is his own servant, without giving him a written order for it, even though the Petitioner asked for it, in the presence of 3 Government Officers and without ordering him to work in the ward. For the same, the Petitioner had submitted his full explanation dated the 13th April 1898 at 5-45 p. m. and pleaded not guilty as the Petitioner was coming and attending to the Hospital work keeping witnesses of the servants of the District Medical & Sanitary Officer, which can be seen in the operation Register that the Petitioner having reduced a Paraphymosis on the 13th April and an Urinary calculi extracted with forceps on the 14th April 98. For which the Petitioner can also state that he received his pay from the 1st to 15th April 98 (both days inclusive). If the Petitioner had been absent from work and if he had not worked in the hospital, he does not think that his pay bill might have been passed by the same District Medical & Sanitary Officer and the Petitioner would have got his pay for the 4 days he was charged for absenting himself from duty without permission. For which the Petitioner had submitted his full explanation on the 13th April 98 at 5-45 p. m. with Reference to the memo No. 120 dated the 13th April 93 of the District Medical & Sanitary Officer, Ganjam as already stated.

(c) *Conduct most prejudicial to discipline and to the good name of the service.* For this offence the Petitioner was not charged at any time. This shows that the Assistant Surgeon

himself framed this charge simply to spoil the poor family man during the absence of the District Surgeon by instigating him by giving him false information. The Petitioner would like to mention here that he had rendered good and meritorious service to the Government within a period of 9 years full service in having opened a new Dispensary at Thammapputti Atur Taluk, Salem District without a compounder and with a new Warder on the 15th December 89 and holding independant charges in several other places, when he was a 3rd class hospital Assistant alone and that when he had a few months' service; and even had to open new Unions in the same District and had to be the Chairman of 2 or more Unions.

IV. (2) *Hospital Assistant's explanation for the above charges is not satisfactory.* No written explanation was received from the Petitioner for the above charges except the one which he submitted for the cause of the absence from duty for 4 days as the Assistant Surgeon wanted him not to come and work in the hospital before 3 Government Officers. With all that the Petitioner was going and attending to his work and got pay for the 4 days for which he was charged for absence without leave as stated in the above column.

V. (3) *Charged for the gross misconduct towards the midwife &c.* For having been asked by the midwife to come and take his meals being a caste woman and as she told him at the same time that she was told by his people when they came away to Madras to look after him. When the Petitioner complied with her request with compulsion, she was instigated by the same Assistant Surgeon, by the junior Hospital Assistant, and by one Nagannah, a Tahsildar's Peon to present a complaint against the Petitioner. For which, the Petitioner represented the matter what had occurred on the previous day, by the 3rd mentioned Peon to his master M. R. Kameisvera Row Naidugaru, the Tahsildar of Berhampore. By taking into notice of this Petition which is a private affair altogether, the District Medical and Sanitary Officer suspended the petitioner without asking his explanation by written statement and without a showing also the Petition received from the midwife. All these show clearly and undoubtedly that the District Medical and Sanitary Officer was prejudiced by the Assistant Surgeon who had a previous grudge on the Petitioner for having demanded his legal fee in a private case and who had a great mind to spoil him from the beginning; and the Petitioner's conduct will be known if your excellency were to be graciously pleased to enquire into the public of the Berhampore station or any other place in which he served. Whereas, he the Assistant Surgeon bore a very bad character which can be known if enquired into there.

VI. In conclusion, if your Excellency were to be graceously pleased to ask the Surgeon General to revise (Petitioner's) his case and see the records it may clearly put to your Excellency's mind that the charges were framed all after the 11th April 1898 wantonly by detaining him without granting him the said sick leave asked for. The 1st charge was on the 11th April 98, the 2nd on the 14th, and the 3rd on the 15th consecutively. For which, the Petitioner got his pay showing the work in the operation register as stated already. The Petitioner's conduct will be known by enquiring into the District Surgeons under whom he served 1st at South Arcot for 6 months nearly, 2nd at Salem nearly 6 years and the rest in the same District under his predecessors for 2 years without a fine, or a Warning or suspension in a period of 9 years full service and with a privilege leave of only 10 days during his service. Therefore the Petitioner humbly requests that your Excellency will be good enough to show mercy in granting him the 6 months sick leave which he applied for, from the date of his dismissal from Ichapur i. e. the 15th March 98 and to reinstate him in the service. The District Medical and Sanitary Officer, after he came to the District, had spoiled 3 or 4 Hospital Assistant, who had long service. The Petitioner had enclosed the original letters written to him by the President for having liked him to make him permanent at Ichapur or at Sompet, with the appeal Petition presented to the Surgeon General on the 22nd July 1898.

For which act of kindness, Petitioner shall as in duty bound ever pray for your Excellency's long life and prosperity.

K. M. RANGASAWMY NAIDU,
Late 2nd Class Hospital Assistant,
No. 436

Chinnamaniakara Street,
CHINGLEPUT.

[INDIAN PRESS CHINGLEPUT.]

CURRENT No.

[1]

OFFICE OF SURGEON-GENERAL

No. *13/3* *Colacoin* WITH THE GOVERNMENT OF MADRAS,
Madras, the *7* September 1898.

From

SURGEON-MAJOR-GENERAL C. SIBTHORPE, C.B., F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT,

SIR,

I have the honor to transmit the accompanying petition from Ex 2nd Class Hospital Assistant K.M. Rangasawmy Naidu No. 486 appealing against his dismissal from the service.

2. I enclose a copy of my Proceedings No. 2200 dated 29th April 1898 in which I have dealt with this case, for the information of Government - also copies of the District Medical and Sanitary Officer's letters referred to therein.

3. It will be seen from the above quoted correspondence that the Hospital Assistant is both from his habits and character unfit to be retained in the service and I trust that Government will reject his appeal.

I have the honor to be,

Sir,

Your most obedient servant,

C. Sibthorpe

Surgeon-Major-General,

Surgeon-General with the Government of
Madras.

Colacoin

N

Pub. cor. 2863
Dm. No. 19770714-990

The S.G. is requested
to submit the original
records in the case
of 2nd Lt. Houghton
K. M. Humphreys
has been disposed of
in his order to 22001-29-4-26.

AX
13/9/55

Y
L
12-9-55

S.G. (v) 14/1/56

Public (1898) Department.

CURRENT No.



Order

From

Surgeon-Major-General C. Sibthorpe,

C.B., F.R.C.P.I.,

Surgeon-General with the Government
of Madras.

No. 73/71

Dated 22nd September.

Received 24. "

Registered 26. "

Enclosures 2.

Spare copies -

SUBJECT.

Forwarding the original records in
the case of 2nd Class Hospital
Assistant K.M. Rangasami Naidu No.
456 as requested in memorandum No.
1977, Public, dated 1st September
1898.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT NO.

[1]

No. $\frac{73}{71}$

OFFICE OF SURGEON-GENERAL

WITH THE GOVERNMENT OF MADRAS,

Camp Bangalore 22nd September 1898.

From

SURGEON-MAJOR-GENERAL C. SIETHORPE, C.B., F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT.

SIR,

D

With reference to your memorandum No.1977,

Public, dated 14th September 1898, I have the honor to

forward the original records in the case of 2nd Class

Hospital Assistant K.M. Rangasami Naidu No.436.

I have the honor to be,

Sir,

Your most obedient servant,

C. Siethorpe

Surgeon-Major-General,

Surgeon-General with the Government

of Madras.

Camp

copy
13/10
3
C-14

Subject: Appeal against his
dismissal by 2nd.
Hospital. K. M. Kumpasani Naidu.

Public Department.

H. M.

Read current No. 2863 d/7th Sept. '98
from the Surgeon Genl. -
" " No. 3029, d/22-9-98, from
the Surgeon Genl. -

FOR ORDERS

Enclosure 2 to current No. 2863
1898

Enclosure 1 to current No. 3029
1898

Petitioner appeals against his
dismissal in the S.G.'s order at A,
which was based on charges referred to
in the District Medical and Sanitary
Officer's letter at C, viz.,

- (1) gross and chronic intemperance;
- (2) absolute neglect of duty; and
- (3) conduct most prejudicial to

discipline and to the good name of the
service.

Further charges of gross misconduct
to a midwife, absence from duty without
leave, and insubordinate and obstructive
conduct are also referred to by
the S.G.

2. Petitioner was called upon
at E to explain his absence from
duty

SS

Dr. S.G.'s letter No. 120
1898

2
duty during a portion of the 8th of April 1898 and again from the morning of the 9th April 1898 to the afternoon of the 13th April 1898. In his explanation at I^r petitioner explained that

he was discharged from hospital on the 8th April 1898 although he was not fully cured, and it appears from the *in the explanation* marginal notes by Asst. Surgeon Mr.

Powell that when petitioner was discharged

his right ankle was sprained. On

account of the Asst. Surgeon reprimand-

ing him, the petitioner states that

he decided to represent matters to the

Dt. Surgeon. It is not clear whether

he did do so.

3. In the letter at G the Dt.

Medical and Sanitary Officer reports

petitioner for misconduct to the midwife

attached to the Jubilee Hospital. The

midwife's statement which is not signed,

is flagged H and the petitioner's

"verbal" explanation is flagged J.

4. Submitted that with the

exception of absence from duty from

the

Letter to 5
13-4-18.

Enclosure 3 to current letter 3029
1898

Telugu statement with translation
Statement dated 15-4-18.

3
from the 8th to the 13th April 1898 the

other charges have not been proved, nor

has the petitioner been given an oppor-

tunity of contradicting charge

(1) gross and chronic temper-

ance

Charges (2) and (3) would result

from an absence from duty, but it is

submitted that the punishment of dis-

missal is out of proportion to the of-

fence. In other departments on days

absence entails a forfeiture of two

days pay and has been found to work

well. Orders are requested as to whether

instructions should be issued reinstat-

ing the petitioner and granting him

the leave he alleges he applied for,

or whether the papers should be sent

back to the S.G. for a fuller enquiry

and for the petitioner to be given an

opportunity of cross-examining the

witnesses who have testified against

him on the several charges.

Am
29.4.18

P.T.O

4
Dr. Thomson's letter at
Key C shows clearly
that the man was either
under the constant influence
of drink, or that his
mind was disordered.
If the former was the case
it should, it is submitted,
have been possible to
prove that he was
addicted to drink. The
pet. in para III of his
appeal petition at N
states that no
doubt that he was
addicted to drink existed
in the mind of Dr. Thomson
on Jan 1 last when a full
and complete report was
drawn up.

If the petitioner's mind
is disordered he should it
is submitted be committed,
not dismissed. Dr. Thomson
considers that he is quite
sane (vide his letter at M)
but on page three of the
letter at C there is a reference

5
to a previous occasion
on which the petitioner's
mind was unimpaired, and
it appears from para 6
of the letter (page 5) that
the Joint Surgeons have
doubt as to his sanity.
Under the circumstances it
is submitted that the
S.C. may be told to send
the pet. before a Board
with a view to committing
him. If the Board finds
that he is sane his conduct
will merit dismissal. If
it is found that his
mind is in such a state
that he cannot be retained
the Board will say that
as the illness has been
caused by his own act, i.e.
by drunkenness, and
if it was he will get
no pension. If the Board
finds that his mental
disorder, if it
exists, is not due to his own
act he will be entitled

and will receive any
 person that may be
 permitted. It is submitted
 that the dismissal of
 a public servant on this
 ground found that he
 is unfit for the service,
 in that proof of specific
 cases of misconduct leading
 to dismissal should only be
 permitted in very exceptional
 cases.

27/9/55

I have gone through all the
 papers in this case and regret I cannot
 concur with the arguments put forward
 in the above notes.

2. I have no doubt at all that
 at no time was this Hospital Asst. mad.
 He began by having delirium tremens
 which all the people at Itchapur called
 madness. As soon as he was ordered
 into the Jubilee Hospital at Berhampur
 every one connected with that institution
 knew he was drunk. The Asst. Surgeon,
 the other Hospital Asst. and Dr. Thomson
 himself all expressly say so. The truth
 is that he was on a drinking bout.

3.

3. It appears from the papers
 that his conduct in the hospital at
 Berhampur was most troublesome and dis-
 obedient. For example he seems to have
 gone into the out-patient department
 and to have written a prescription in
 a manner which he himself admits to
 have been quite wrong. The slip is there.
 He was also irregular in his attend-
 ance at the hospital.

4. But he was guilty of quite
 outrageous conduct towards the midwife.
 It requires little knowledge of how
 natives look at things to know that
 such conduct as he was guilty of was a
 direct assault on the woman's chastity.
 The neighbours found it necessary ac-
 tively to interfere to protect her
 and his conduct was such that if it
 were generally known ^{what he did} ~~that he was up to~~
^{how} no decent person would have employ-
 ed as a midwife. His explanation is
 false on ^{the} face. In this connection
^{I may mention} he is also reported to have sprained
 his ankle in a ^{brawl} in the house of

some prostitute in Berhampur.

5. It appears that he also tres-
 passed into the quarters of one of the
 other Hospital Assts. In regard to this
 he makes out that the quarters would
 have been his "if he had got his leave,"
 but this is obviously incorrect and it is
 undoubted that the quarters were not
 his and hence he was a trespasser.
 Females are again mentioned in this
 connection.

6.

6. I think that the S.G.'s order
should be maintained in this case.

Lagne
30/9/98

11/9-9-98.

[$\frac{G}{24}$]
1,000-22-11-97.

Public DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., No.	, dated	189 .
Again G.O., No.	, dated	189 .
Current No. 2861	of 189 , dated	, from
" " 3025	" 189 , "	" "
" "	" 189 , "	" "

K
55

OR I ER. *W. 1246 of 3rd Oct-98*
Min.

The Govt. declines to
interfere

(from orders)

Ar
3. x. 55

11/10/98.

To be S.G.(9) with records ret'd.
Desp'd 6. x. 98

When given for copying _____
When copied _____ } 189
When examined _____
When signed _____

READ AGAIN G.O., No. _____, DATED
189 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

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