

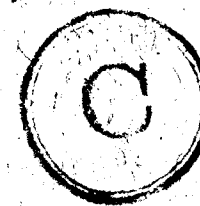
Public (1897) Department.

ORDINARY M.S.

G.O., No. 658

Dated 16 6/8

INDEXED.



[Despatch Abstract.]

Declining to interfere
in the matter of the petition from
P. San kammukkenon, clerk, Malagalam
Translator's Office, appealing against the
order of suspension passed upon him by
the Translator.

T
16/10

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cuo	1840	/99	(P.D.)				
D.O.	339	/99	(P.D.)				

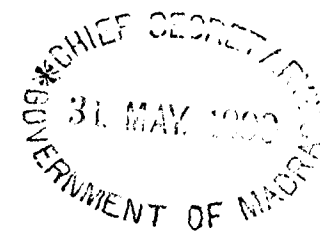
Public
Revenue (1899) **Department.**

CURRENT No.

From

Heag malayalam translator Bhat.

Order



No. 68

Dated 29th May 1899.

Received 7.31.

Registered

Enclosures 1

Spare copies -

Иср 1.6.99

SUBJECT

Submitting an appeal by C. P. Sankunni menon of the office against the proceeding of the a/m Malayalam Translator to Govt. dated 30th April 1899

BACK PAPERS.			
G.O.	No.	Department.	Date.

FURTHER PAPERS.			
G.O.	No.	Department.	Date.

To
HIS EXCELLENCY
THE GOVERNOR OF FORT ST. GEORGE
IN COUNCIL.

[THROUGH THE MALAYALAM TRANSLATOR TO GOVERNMENT.]

*The humble Memorial of C. P. SANKUNNI MENON,
lately Acting Munshi and now Head Clerk,
Government Malayalam Translator's Office
(on suspension),*

RESPECTFULLY SHOWETH,—

That the memorialist begs to submit this appeal against the order passed by the Acting Malayalam Translator to Government in his Proceedings dated 30th April 1899, suspending the memorialist for six months for having made one "very false" and another "very disingenuous" statement in his memorial to Government dated 13th March 1899.

2. That in his memorial dated 13th March 1899 the memorialist appealed to Government against the order of the Acting Translator refusing to grant him Privilege leave for which he was eligible; and in support of his appeal, adduced certain facts which went to show that, in refusing the leave, the Acting Translator was actuated by spite towards the memorialist. The memorial was forwarded with a covering letter from the Acting Translator, the contents of which are unknown to the memorialist, but which, he believes, contained certain charges against the memorialist. The Government passed orders declining to interfere with the discretion exercised by the Acting Translator, as the Head of the memorialist's office, in the matter of the grant of leave, and stating, apparently with reference to some request made by the Acting Translator, that he should formulate definite charges against the memorialist and, taking his explanation on them, deal with the matter himself. The Translator then called upon the memorialist, in his memo of the 24th April 1899, (1) to show cause why he should not be severely punished for the malicious, wanton and defamatory attacks on the head of his office contained in his memorial to Government dated 13th March 1899 and (2) to explain certain specific statements extracted from the memorial which the Acting Translator believed to be either "false or disingenuous." The explanation, which was required to be furnished within 3 days, was duly submitted, and the Acting Translator passed his Proceedings thereon, dated 30th April 1899, holding the memorialist guilty of having made one very false and one very disingenuous statement and punishing the memorialist therefor with suspension for six months.

3. That, for convenience of reference, the memorialist would submit in a tabular form the charges framed against, and the explanation offered by, him, the Acting Translator's finding with the reasons alleged by him and the memorialist's remarks on the finding in each case :—

Charge framed.	Explanation offered.	The Acting Translator's reasons alleged with the	The memorialist's remarks.
I. The Memorialist should show cause why he should not be severely punished for the malicious, wanton and defamatory attacks on the head of his Office contained in his memorial to Government dated 13th March 1899.	The memorialist was not aware of having made any malicious, wanton and defamatory statement contained in his memorial to Government was, <i>bonafide</i> and, to the best of his knowledge and belief, true. As the Translator had not been pleased to specify the portions considered by him as malicious, wanton and defamatory, the memorialist was unable to show cause as directed.	No finding.	The Acting Translator is throughout his Proceedings silent about this charge which is the most serious of all the charges brought by him against the memorialist. The memorialist therefore leaves it to the kind consideration of Government whether the Head of his Office was justified in so lightly making a grave but unfounded imputation against him.
II. The statement that the translation of the article in the <i>Kerala Sauchari</i> of the 26th January 1898 about the Malayalam Translator to Government was executed by the memorialist and rejected by the Translator who from that time bore a grudge against him is false or disingenuous.	The translation of the article referred to was drafted by the memorialist, copied by the 2nd clerk, V. Govindan Nayar and given to the Translator, who omitted it from the report. This could be proved by a reference to the clerk and by other evidence. The memorialist did not say that the Translator bore a grudge against him from that time, but it was a fact that the Translator's treatment of the memorialist had been harsh insulting and annoying.	<i>Finding not specified.</i> 1. He was not aware of such a draft marked by him for translation, it was one out of his the part of the clerk to have thereof. 2. In any case it is false that the omission of the article from the report was down by the clerk who merely says that the article was omitted from the report.	1. It is not clear what is meant by saying that the Acting Translator was not aware of such a draft. If it is meant that he saw a draft but that he did not know that it was prepared by the memorialist, it is submitted that the question is not by whom a draft was prepared, but whether a draft, in whosever handwriting, was placed before him and rejected by him. If, on the other hand, he denies having seen any draft at all, it is respectfully submitted that it is not a fact. The Mss. sent to the Press of the second instalment of the Report on Malayalam Newspapers for the second fortnight of January 1898 will clearly prove either that in the draft prepared in the Office certain pages have been extracted and the pages re-numbered and the entry in the table of contents regarding the article in question scored out, or that the whole draft, as thus altered, was re-copied by some individual without the knowledge of the Office, so as to conceal the fact of the intentional omission of the article. The memorialist cited the Second Clerk of the Office as a witness to prove that a translation of the article in question was actually submitted to the Acting Translator and rejected by him, but it does not appear that the clerk was examined on the point. 2. The Acting Translator here admits that the omission of the article in question was intentional and deliberate, and he is obviously angry that the Office should have translated the same when he had not marked it for translation. His remark that the translation of the article was an act of impertinence indicates the vindictive spirit which characterised the treatment accorded by him to the memorialist. It is more natural to suppose that the Office made the translation under the idea that the failure to mark the article for translation was due to oversight and not deliberate than to consider that the memorialist was guilty of an impertinent act. It must be clear to unprejudiced minds that in translating the article, the importance of which cannot be denied, the memorialist, far from committing an impertinent act, exercised a wise discretion for which he deserved to be thanked rather than condemned. 3. The memorialist has not retracted the statement that he remonstrated with the Acting Translator about the omission of the article or in anyway toned it down. He said nothing about the statement in question as it was not one which he had been called upon to explain. The Acting Translator finding himself unable to bring home to the memorialist the charge framed, apparently holds the latter guilty of a charge which has not been formulated and on which his explanation has not been taken.
III. His statement that he was not allowed to avail himself of Easter and Christmas vacations during the past 27 months is false or disingenuous.	The statement in his memorial that he had not had any leave (not even the Christmas and Easter holidays) during the past 27 months was a fact. The Acting Translator would probably remember that during the holidays the memorialist remained at Madras, attended office now and then or whenever he was required and transacted all emergent work. If this fact had escaped the Translator's memory the memorialist begged to submit that it was capable of proof.	<i>Finding not specified. The Acting Translator simply states that he is unable to verify the statement about the leave, but that his recollection is that the memorialist insinuated in his memorial that he had been refused to avail himself of the vacations.</i>	There was no such insinuation. The memorialist simply stated the fact that he had not availed himself of the holidays and had done office work during the time.
IV. His statement that the Translator did absolutely no original work is false or disingenuous.	It would be seen from the context that the memorialist's contention was that the appointment of the Native Translator did not relieve the office of any appreciable portion of original translation work as was expected. This was a fact. It could hardly be asserted that the Translator had translated any Act, Bill or such other important document, in whole or in part, or that he offered to relieve the office of any portion of the translation work when urgent papers requiring publication within a specified time had been received and the members of the office establishment had to strain every nerve to finish the work in time.	<i>Finding—guilty of making a false statement.</i> The memorialist practically admits that the broad statement that the Acting Translator did absolutely no original work is false, and the memorialist explains that in certain circumstances no original work was done; the Acting Translator declines positively to accept the explanation which he considers is a disingenuous explanation of a most malicious and defamatory statement (para 9 of Proceedings).	Apart from the unfairness of finding fault with odd words and sentences picked out from a memorial without reference to the context, no attempt is made to disprove the memorialist's statement by showing that the Acting Translator actually did original translation work. A register is maintained in the Office in which all papers received for translation are entered together with the names of the individuals by whom each was translated. A reference to this register will convince Government that the facts stated in the memorial are true and that the memorialist is not guilty of the charge under consideration.
V. The insinuation that the Acting Translator invariably affixed his signature to translations which he had never read and sent them to the Press for being printed is false or disingenuous.	The statement that the Acting Translator invariably affixed his signature to translations which he had not read, before sending them to the Press for being printed, was a fact. The memorialist believed it was capable of proof in 99 out of a 100 cases.	<i>Finding—guilty of making a disingenuous statement.</i> This "most disingenuous" statement has been fully refuted in his covering letter forwarded to the memorial to Government and as no proof of the 99 out of a 100 cases has been afforded the Acting Translator finds the memorialist guilty of disingenuousness under this head (para 11 of Proceedings).	The memorialist is not informed of the contents of the Acting Translator's covering letter to Government and it is, to say the least, unfair to convict him on the strength of statements made behind his back. Further, the memorialist is found guilty because no proof of the 99 out of 100 cases referred to by him has been afforded. The proof lies in the records of the Office to which the memorialist had no access when he was on leave and it was unreasonable to expect him to tender the proof in such circumstances. He stated that the statement made in the memorial was capable of proof and the Acting Translator could have verified this by referring to the Office records which were in his custody.

4. That it will be seen from the above that out of five charges formulated by him against the memorialist, the Acting Translator has not been able to bring home to the memorialist three, while as regards the remaining two the finding is not only not supported by any evidence but runs counter to the evidence available in the office records but ignored by him (the Acting Translator). It is perhaps not unnatural that the Acting Translator sitting in judgment on his own conduct should fail to notice pieces of evidence which tell against him, but that the memorialist should be made to suffer for this partiality is a source of great grievance to him.

5. That it is noteworthy that the Acting Translator has not impugned the truth of the following statements contained in the original memorial to Government:—

- (1) That unimportant articles are from interested motives enlarged and written at length and that the memorialist expressed his disapproval in this matter;
- (2) That when proofs are received the Translator reads out the vernacular version and the person who translated it, or worse still, some other clerk who has never seen it before is supposed to follow the English original;
- (3) That the Newspaper Report is written by the least paid clerk in the office who sometimes omits articles or portions of them which he finds it difficult to understand or translate;
- (4) That there are instances in which translations which the Translator has never read have been issued and those in which translations correctly made by the Munshi or clerk have been altered by the Translator into a wrong form which in some cases has since been found out and corrected while in others it remains so to this day;
- (5) That the memorialist represented the inconveniences felt in the matter of office accommodation, &c, &c.

6. That the memorialist begs respectfully to invite the attention of Government to the strange procedure adopted by the Acting Translator in order to convict the memorialist of the offences laid to his door. Justice and fairplay demand that the charges formulated against a man should be substantiated before he could be convicted. But without adducing even a particle of evidence in support of the charges framed by him, the Acting Translator called upon the memorialist to disprove those charges and on the ground that some of them were not disproved to his (the Acting Translator's) satisfaction, the memorialist was convicted and punished. The memorialist need hardly submit that if it is allowable to thus shift the burden of proof from the accuser to the accused, no public servant can for a moment consider himself safe.

7. That the memorialist begs also to invite the attention of Government to para 14 of the Proceedings appealed against which furnishes an instance of the inability of the Acting Translator, blinded as he is by prejudice against the memorialist, to view facts in their proper light, and his tendency to imagine offences which do not exist. In his haste to convict and punish the memorialist, the Acting Translator does not appear to have paused to consider how, as he alleges, the false and disingenuous statements addressed to Government could have brought his character into contempt with the public.

8. That the memorialist begs leave to submit that it is clear from the foregoing representations that the charges formulated against the memorialist have not been substantiated, that the statements made by the memorialist in his memorial dated 13th March 1899 are in the main true, that the Acting Translator's treatment of the memorialist was characterised by spite and vindictiveness, that he could not therefore form a proper judgment in matters affecting the memorialist, that the memorialist's conviction was not only unsupported by any evidence but was also in direct conflict with the evidence available in the Office records and that the punishment inflicted on the memorialist was wholly unmerited. The memorialist therefore humbly and respectfully prays that Your Excellency in Council will be graciously pleased to cancel the order of suspension and reinstate the memorialist with arrears of pay from the date of suspension and to grant such other redress as Your Excellency may deem fit.

EGMORE, MADRAS, }
12th May 1899. }

C. P. Sankaruni Memorialist

The following papers are attached:—

The Acting Translator's memo dated 24th April 1899.

Copy of the memorialist's explanation dated 26th April 1899.

The Acting Translator's Proceedings dated 30th April 1899.

Memo.

With reference to para 2 of G.O. No. 433, Public, dated 15th April 1899, regarding the undersigned's charges against the memorialist and to call for an explanation in respect of those charges, clerk C. P. Sankaruni memo is hereby called upon to state the cause why he should not be severely punished for the malicious, wanton and defamatory attack on the head of his office contained in his memo to Government dated 13th March 1899. His attention is specially called to the following statements and others which the undersigned believes to be either false or disingenuous.

1. His statement that the translation of the article in the Kerala Sanchari of the 26th January 1898 about the Malayalam Translator to him was concocted by him and rejected by the undersigned who from that time bore a grudge against him.

2. His statement that he was not allowed to avail himself of Easter and Christmas vacat. during the past 27 months.

3. His statement that the undersigned does ^{absolutely} no original work.

4. His insinuation that the Translator invariably affixes his signature to translations.

W. L. 1

which he has never read and sends them to the press for being printed.

The clerk is required to furnish explanation to the above charges within 3 days from this date.

The clerk is also directed to furnish the undersigned with a copy of the memorial to Government above referred to within two days of the receipt of this order in order to enable the undersigned to verify the above quotations.

Egmore,
24th April 1899
C. P. Sankey
of Malayalam Translator to Government

C. P. Sankey
Hd. Qr. Genl. Translator's Office
(Now on leave)

Memorial to Government dated 13th March 1899
The undersigned has been directed to furnish the undersigned with a copy of the memorial to Government above referred to within two days of the receipt of this order in order to enable the undersigned to verify the above quotations.

Egmore, 26th April 1899.

To

The Malayalam Translator to Government.

Sir,

In reference to your memo of the 24th instant calling upon me "to show cause why I should not be severely punished for the malicious, wanton and defamatory attacks on the head of my Office contained in my Memorial to Government dated 13th March 1899" I beg leave to submit that I am not aware of having made any malicious, wanton and defamatory attack on you, that each and every statement contained in my Memorial to Government is bona fide and, to the best of my knowledge and belief, true and that as you have not been pleased to specify the portions considered by you as "Malicious, wanton and defamatory" I am unable to show cause as directed.

2. As regards the statements which are characterised by you as false or disingenuous I beg to submit the following explanation:-

- (1) The translation of the article in the Kerala Sanchari of the 26th January 1898 about the Malayalam Translator to Government was drafted by me and given to the second Clerk V. Govindan Nayar for being copied, who copied and gave it to you, but you omitted it from the report as will be seen on a reference to the Clerk and from other evidence. I did not say that you bore a grudge against me from that time, but it is a fact that your treatment of me has been harsh, insulting and annoying.
- (2) The statement in my Memorial that I have not had any leave (not even the Christmas and Easter Holidays) during the past 27 months is a fact. You will probably remember that during the holidays I remained at Madras, attended Office now and then or whenever I was required and transacted all emergent work. If this fact has escaped your memory, I beg to submit that it is capable of proof.

2.

(3) In my Memorial it was stated that you did absolutely no original Translation work. It will be seen from the context that my contention was that the appointment of the Native Translator did not relieve the Office of any appreciable portion of original translation work as was expected. This is a fact. I believe it can hardly be asserted that you have translated any Act, Bill or such other important document, in whole or in part, or that you offered to relieve the Office of any portion of the translation work when urgent papers requiring publication within a specified time had been received and the Members of the Office establishment had to strain every nerve to finish the work in time.

(4) The statement that you invariably affix your signature to translations which you have not read, before sending them to the Press for being printed, is a fact. I believe it is capable of proof in 99 out of a 100 cases.

3. With reference to the concluding sentence of your memo I regret to state that no spare copy of the Memorial is available.

4. In conclusion I beg respectfully to express the hope that as you are personally interested in the matter of the statements which form the subject of the explanations submitted above, you will see the fairness of leaving the adjudication of the points in dispute to a disinterested authority.

5. I beg to add that copies of all material papers connected with the charges now brought forward have not yet been furnished to me although I had specially applied for them. A copy of the paragraph of the G.O. quoted in your memo under reply was received from you only this noon, but I am still left in the dark as to what the concluding sentence of your letter to Government is, which is referred to in that paragraph.

I beg to remain,

Sir,

Your most obedient servant,

(Sd) C.P. Sankunni Menon.

(A T r u e C o p y .)

C. P. Sankunni Menon

Proceedings of the Malayalam Translator to Government

Read letter to Government no. 46 dated 22nd March forwarding a memorial submitted by Clerk Sankunni Menon of this office.

Read G.O. no. 433 Public Department dated 15th April 1899 directing the Translator to deal with the charges against the memorialist.

Read Memo dated 24th April 1899 calling on Clerk Sankunni Menon to explain certain charges.

Read Explanation dated 26th April 1899 submitted by Clerk Sankunni Menon.

Order.

With his letter to Government no. 46 dated 22nd March 1899, the ag. Malayalam Translator to Government forwarded to Government a memorial submitted by Clerk Sankunni Menon of this office appealing against the Translator's order wherein privilege leave on full pay for two months was refused to the clerk and sick leave on half pay was granted.

2. In the course of this memorial the clerk indulged in a series of wanton, malicious and defamatory attacks on the Malayalam Translator and the manner in which he discharged his duties.

The clerk also stated or insinuated that he had been refused permission to avail himself of the Christmas and Easter vacations during the 27 months preceding the date of the memorial.

3. In his covering letter forwarding the memorial

the Translator requested Government, to take notice of the insolent tone of the memorial and the grave charges preferred therein without any attempt at proof, against the Character and Capacity of the Translator.

4. In the order on the memorial n^o. 433 dated 15th April 1899, Government while declining to interfere with the discretion of the Translator in regard to the grant of leave desired the undersigned to formulate definite charges against the petitioner, take his explanation on them and deal with the matter himself.

5. Accordingly the clerk was called upon to shew cause why he should not be severely punished for his malicious attack on the Translator's method of work and he was asked in particular to explain the following statements extracted from his memorial which the undersigned believed to be false or disingenuous.

i. His statement that the translation of the article in the Kerala Saucham of the 26th January 1898 about the Malayalam Translator to Govt. was initiated by him and rejected by the undersigned who from that time bore a grudge against him.

ii. His statement that he was not allowed to avail himself of Easter and Christmas vacations during the past 27 months.

iii. His statement that the undersigned absolutely does no original work.

iv. His insinuation that the Translator invariably affixes his signature to translations which he has never read and sends them to the press for being printed.

6. The clerk's explanation has been received and will now be dealt with.

7. With reference to the first statement, the clerk explains that although the translation was written by another clerk, he himself furnished a rough draft. The undersigned was not aware of such a draft and seeing that the article was not marked by the undersigned for translation, it was impertinent on the part of the clerk to have gone out of his way and drafted a translation there of. In any case it is false that the clerk remonstrated with the undersigned about the omission of the article from the fortnightly reports. This false statement is now torn down by the clerk who merely says that the undersigned ~~omitted~~ the article from the report.

8. The undersigned is unable to verify the statement about the leave, but his recollection is that the clerk insinuated in his memorial that he had been refused to avail himself of the vacation.

9. The clerk practically admits that the broad statement that the Translator does absolutely no original work is false and he explains that in certain circumstances no original work was done. The undersigned declines positively to accept this disingenuous explanation of a most malicious and defamatory statement; he is the less disposed to accept it because it is unaccompanied by any expression of regret for having made the original sweeping and deliberately false statement. The memorialist is found guilty on this charge.

10. The clerk adheres to his statement that

the undersigned invariably affixes his signature to translations which he has not read before sending them to be printed and adds that he believes the statement is capable of proof in 99 out of a 100 cases.

11. The undersigned has fully refuted the most disingenuous charge in his covering letter forwarding the memorial to Government and no proof of the 99 out of a 100 cases being afforded. The clerk is found guilty of disingenuousness under this head.

12. The clerk declines to furnish a copy of ^{his} the memorial because no spare copy thereof is available. It is evident that the clerk could have spared his own copy from which he quotes textually in the earlier part of his explanation. His refusal to submit a copy is merely a sign of his impertinence and desire to annoy the undersigned. An application will be made to Government for the original of the memorial.

13. At the conclusion of ^{his} the memorial explanation, the clerk trusts that the undersigned will see the fairness of leaving the adjudication of the points in dispute to a disinterested authority. The undersigned has no desire to be unfair to the clerk but he will not also hesitate to carry out the orders of Government which presumably considered the fact that the undersigned is personally interested in the matter before directing him to deal with it himself.

14. The clerk Sankunni menon having been found guilty of one, very false and another very disingenuous statement both in writing and in addressing the same to Government and both tending to bring the character of the head of the office into discredit with Government and contempt with the public, is hereby suspended for a period of six months from the date of expiry of his leave i.e. the 30th April 1899.

Govt. mal. translator's office (Sd) M. Krishnan
30th April 1899. ag. malayalam translator to Govt.

True copy forwarded to C. P. Sankunni menon for information.

ag. malayalam translator to Govt.

Memorial of C. P. Sankunni Menon, Head Clerk,
Government Malayalam Translator's Office (on
suspension),

TO

HIS EXCELLENCY

THE GOVERNOR OF FORT ST. GEORGE

IN COUNCIL.

Dated 12th } May 1899.
Recd. }

Enclosures 3.

Appealing against the order of six months' sus-
pension passed upon him by the Acting Mala-
yalam Translator to Government.

PRINTED BY THE GOVERNMENT PRESS, MADRAS.

No. 68.

Govt Malayalam Translator's Office,
Egmore, 29th May 1899.

From

M. R. Ly M. Krishnan Aiyar B.A., B.L.,
of Malayalam Translator to Government

To,

The Chief Secretary to Government

Sir,

I have the honour to submit to
Government an appeal by clerk C. P. Sankunni
menon of this office against my Proceedings
dated 30th April 1899, suspending him for six
months on the charge of making false and
defamatory statements against the Head of
his office. Before making any remarks on
the appeal petition, I have to premise that
as the charges of which the appellant was found
guilty affected my personal reputation, I
was in the first instance desirous that the
Government should deal with them; but on
receipt of the express order of Government that
I should deal with the matter myself, I have
not hesitated to do so especially because
was aware that the appellants case would
be heard by a disinterested tribunal in
appeal.

I now proceed to comment seriatim on the allegations contained in the appeal.

Para 2. The appellant applied to me for a copy of my letter to Government N. 46 date 22nd March 1897, but as I had no power to give a copy of a communication addressed to Government, I told him so. If he did not subsequently endeavour to obtain the copy from Government it must be his own fault.

Last two lines of para 2. I found that the appellant was to blame under all four counts but I specified two of them as being the most definite and sufficient per se to sustain a conviction.

Para 3. The tabular statement.

Item I of the tabular statement. - This was not included as a charge by itself but it occurred in the introductory paragraph of the call for explanation and was intended as a summary of the charges. The appellant is wrong in saying that I was silent about this charge. I found him guilty just in as much as I convicted him of the separate counts.

Item II of the tabular statement. The appellant said in the memorial "The article was translated in full by the memorialist for inclusion in the report to Government but the translator omitted it from the report. The memorialist thereupon remonstrated in the Memorandum". The whole point of this allegation lay in the

the pretended responsibility of the mem on a list
for the article, his having remonstrated with me
about its omission and the result of the whole
affair viz that "spite and malice" were entertained
by me towards him. I have already informed
Government of the facts of the case. The article was
not marked by me for translation, the translation
which was submitted to me and which I have in
my possession was not written by the appellant
but by another clerk, and the appellant did not
remonstrate with me about its omission, not
even a word ever passed between me and the
appellant on the subject of this article.

The appellant now gives a shifty and
false explanation of his previous allegation.
He says he made a rough draft of the translation
which was copied by the clerk concerned. I must
say, as I said in my Proceedings that I never
saw or was aware of the rough draft and I need
hardly remark that it is an after thought on
the part of the appellant. I have not thought
it worth while to examine the clerk who is
alleged to have copied the draft, because, if this
was so, the appellant should have said so
in his first memorial to Government instead
of making the misleading and in any case dis-
ingenuous statement already quoted. It is not
the only disingenuous statement to which the
appellant has committed himself. I say
nothing about the mem on a list "remark," that
I must have thanked the officer instead of
blaming.

blaming it for the translation of the article in question. I have already given to Government my reason for omitting it no need I point out that the appellant's explanation that "he did not say that I bore a grudge against him" is false since he says in the first memorial that I entertained "spite and malice" against him.

Item III of the tabular statement. I asked the appellant to furnish me with a copy of his first memorial to Government in order to enable me to verify his statements and to formulate my charges definitely. He declined to give me a copy saying that he has no spare copy. But as pointed out in my proceedings, he has in his explanation quoted textually from his memorial, and must have had at least one copy thereof. As the head of his office I was entitled to a loan of that copy particularly when I made a request to that effect. He has said nothing in his appeal to Government about his refusal to furnish me with a copy and probably imagines that he will not be held to blame for the refusal. I think his refusal is distinctly impertinent and was intended to frustrate my enquiry. I was obliged in consequence to trouble Government to return the original memorial which I have since received. I believe the appellant freely distributed copies of the memorial among his friends and his statement that he could not spare me a copy is improbable as well as false.

Item III of the tabular statement. I find that the original memorial contains these words "The memorialist to claim for privilege leave ¹ deserves some consideration. He has not had any leave (not even the Christmas and Easter holidays) during the past 27 months." I believe I was right in saying that the memorialist intended it to be understood that he was detained in the office against his will during the Easter & Christmas vacations and was therefore entitled to consideration when he applied for privilege leave. If memorialist merely spent the vacations in madness for reasons of his own, this fact would not strengthen his claim for privilege leave. This is a specimen of the memorialist's insinuations, but I do not wish to make it the foundation of a regular charge.

Item IV of the tabular statement

The memorialist remarks that I should not have wrested "odd words and sentences" from the context. I did no such thing. The memorialist's accusation against me that I do ~~no~~ absolutely no original translation work stands out in shame-faced relief at the head of a long paragraph in the course of which the memorialist piled up what he considered to be absolute proofs of this bold and defamatory statement. The memorialist now adds insult to injury by saying that I have made no attempt to disprove his statement by showing that I actually did original translation work."

Out of respect to Government to whom the Memorial was addressed I showed in my ^{opening} letter to that memorial and original work such as must satisfy any but this fastidious critic of mine. The appellant pretends that the work registers of the office will prove that the clerks and not I did the work. He would I dare say prove in the same fashion from the receiving registers of Government office that the Secretaries to Government do no work and that the clerks against whose names the ~~current~~ are entered in the personal registers do everything!.

Item V of the Labular statement.

I have in my previous letter pointed out the glaring disingenuousness of this statement and do not wish to repeat what I then said. The memorialist states that the proof of my incapacity "lies in the record of the office to which the memorials had no access when he was on leave" and it was unreasonable to expect him to tender the proof in such circumstances." This statement is again disingenuous. The appellant lives in the next street to that where the office is situated and if as he is so confident the office records contained the proof of his accusation against me, he might have asked for leave to inspect the records and obtained access to them. I may add that although he was on leave he was not away from Madras when he received my call for explanation. I maintain that he has offered no proof of his defamatory accusation.

accusation against me and must take the
consequence of his contumacy. As regards
my supposed incapacity, I need only observe
that for the last 21 years I have been teaching
Malayalam & Translation to the B.A. classes
of the Presidency College so that I must be
according to my Doi - disambiguities have
thrown dust in the eyes of the Education Department
for nearly quarter of a century!

Para 4 of the appeal. My proceedings
deal with all the charges and contained
definite findings on those on which the conviction
was intended to rest.

Para 5 of the appeal. I have disapproved
all these statements in my previous letter to
Government.

Para 6 of the appeal. The appellant con-
veniently forgets that he put himself forward
in the first place as my accuser and I only
acted on his principles in throwing on him the
burden of proof. I might adopt his language
and say that if any subordinate is at liberty
to bring a charge against the head of his office
and without condescending to substantiate
his accusation require that officer to disprove
the charge, no head of an office or department
"can for a moment consider himself safe".

Para 7 of the appeal. I purposely said
that the memorialist's action was calculated

to bring me into contempt with the public
because his memorial was printed and therefore
published in the legal sense. I have reason
to believe that copies of the memorial have
been freely circulated by the appellants. I
can of course prosecute him for defamation
but my reputation with the public and the
Government is not in my opinion in serious
damage of succumbing by the venomous
attacks of such an assailant.

For the above reasons I have no re-
commendations to make in behalf of the
memorialist.

I have the honor to be,

Sir,

your most obedient servant,

M. Krishnan

of Malayalam Translator to Govt.

214/67A

PUBLIC..... DEPARTMENT.

Subject

Memorial from C. P. Sankumai
- memm, Clerk, Malayalam
Translator's office appealing
against his suspension.

C. No. 1500. From the Ag. Malayalam Transr. to Govt No. 63, dated 26th May 1899.

” ” ” ” 189 .

” ” ” ” ” 189 .

” ” ” ” ” 189 .

FOR ORDERS.

Attention is invited to the note for orders in G.O.No.453, dated 15th April '33. The Malayalam Translator to Government was there directed to frame definite charges against C.P.Sankunni Menon, his head clerk, for having made certain uncalled for allegations against his superior officer, the Translator. ⁶ take his explanation on them and ⁶ deal with the ~~same~~ matter himself. The Translator accordingly formulated five charges against Sankunni Menon, and after taking an explanation from him passed an order suspending the clerk for 6 months from the 30th April 1933, the date on which his leave expired. Against this order the clerk presents an appeal to Government which the Translator reviews in detail in the letter which forms the present current.

2. On a perusal of the Translator's proceedings now appealed against, it will be

ΣΟΦΟΝ

seen that Sankunni Menon is punished on two counts, viz that he gave a "very false" statement to the effect that the Translator did absolutely no original work and a "very disingenuous" statement to the effect that the Translator invariably affixed his signature to translations which he never ~~read~~ read before sending them to the Press. These statements were made in para 3 (c) of the clerk's first memorial. In his explanation Sankunni Menon practically admitted that the first sweeping assertion was not true, and he failed to prove the second although he stated that it was capable of proof. In his present memorial he has drawn up a tabular statement showing the charges framed against him, the explanation offered by him, the Translator's finding and the memorialist's remarks. These are dealt with in the current serial by the Translator.

It is respectfully submitted that the memorialist's conduct has been from the very beginning not very commendable. His sitting in judgment ~~on~~ the work turned out by his superior officer, and his remarks that "the destinies of the members of the Malayalam Translator's establishment which were before in better and nobler hands can never be safe in his (the present Translator's) hands" and that "he is not very scrupulous in the performance of his official duties" ~~and~~ with many others of the same character freely interspersed in

his

his communications, are uncalled for and should be discouraged in the interests of discipline. The following order is suggested:-

The petitioner's memorial was grossly insubordinate and merited punishment apart from the specific misconduct mentioned in the Translator's order. But I think six months' suspension on the whole is enough that it need not be enhanced.

MS-74

km
7/6/99
Cm
9/6/99

ORDER

The Government declines to interfere, and the petitioner should be so informed.

km
7/6/99

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9/6/99

Cm
9/6/99

I do not think the order for himself for enough. I think this clerk should be suspended for at least six months for the gross insubordination of his position in regard to his official business.

10/6/99

The Malayalam Translator
to Government (Q & C)

Decd 19-6-99

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

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

CURRENT No. _____

REMARKS TO C. No. _____

STATE OF GOVERNMENT

STATE OF GOVERNMENT

REMARKS WITH INFO

REMARKS FOR FIELD USE, BEING HEAVY FOR DISPATCH
TO ORIGINAL.

S.D. -
A = Copy in full.
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