

Government of Madras.

EDUCATIONAL DEPARTMENT.

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Recd.

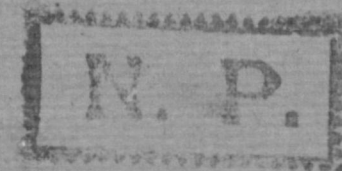
Regd.

} 1910.

Enclosures

Spare copies

G.O., No. 437, 26th July 1910.



Deputation.

Requesting the Political Agent for Pudukkottai to point out to the Darbar the impropriety of its action in reverting M.R.Ry. B. C. Ramaswami Aiyar without previous reference to this Government.

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GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers :—

I

Letter—from M. Young, Esq., I.C.S., Political Agent for Pudukkottai.
To—the Secretary to Government, Educational Department (through the Director of Public Instruction).
Dated—Trichinopoly, the 16th June 1910.
No.—Ref. on Cur. 467-0.

I have the honour to submit herewith, for the information of Government, copy of a letter R.C. No. 1042-A, dated 14th June 1910, together with copies of its enclosures received from the Pudukkottai Darbar, reporting the circumstances under which they have been obliged to relieve M.R.Ry. B. C. Ramaswami Aiyar, Assistant Inspector of Schools, on 14th June 1910 for reversion to British service.

2. His services were lent to the Pudukkottai Darbar for a period of 18 months, from 1st October 1909, in G.O., No. 531, Educational, dated 23rd September 1909, and communicated to me with Government endorsement No. 1588-1, Political, dated 27th September 1909.

3. The further report promised by the Darbar will be submitted to Government on receipt.

ENCLOSURE.

Letter—from the Pudukkottai Darbar, Pudukkottai.
To—the Political Agent for Pudukkottai.
Dated—the 14th June 1910.
No.—R.C. 1042-A.

We have the honour to make you an *ad interim* report in a matter of some urgency. B. C. Ramaswami Aiyar, B.A., the Assistant Inspector of Schools, lent to the Darbar by the Madras Government (see your Dis. No. 575, dated 3rd October 1909) to hold the responsible position of Superintendent of Schools in this State, pleaded yesterday afternoon to serious charges affecting his character, was at once relieved of his duties, and left the State the same night.

2. We propose to defer a full report on the charges till we are in possession of Ramaswami Aiyar's written apologies for the composition of which we have granted five days—a period of which we are ready to extend on cause shown by him, or if the Madras Government so advise, or the Director of Public Instruction recommends it. We desire to refer in our further report to such extenuating circumstances as he may be able to plead, and to give them their full weight.

3. Briefly the facts are as follows :—It was observed from the return of Sirkar furniture submitted by the Superintendent of Schools (or rather by his office) that certain articles of furniture, lamps, mats, etc., were at his private house. The Superintendent is provided with an office and the rule in force in the State is that heads of departments should attend office regularly "not later than 12 o'clock when not prevented by other Sirkar business". The Darbar do not approve of work being done at home and heads of departments have to obtain special permission to keep office furniture at their houses. In these circumstances a peremptory order was issued on 27th May 1910 that the Superintendent should send back the articles at once to the offices to which they belonged and report his having done so within three days (Proceedings, dated 27th May 1910, copy enclosed). After a considerably longer period, viz., on 8th June 1910, the Superintendent reported, "the order regarding the removal of all office furniture to office has been promptly obeyed" (see copy of report enclosed). On enquiry this report was found to be false. Copy of a confession written by B. C. Ramaswami Aiyar in his own hand on 12th June 1910 is enclosed. He therein says that his only excuse was that he was holding office at home with permission. This is true (see copy enclosed of Diwan's demi-official, dated 1st June 1910); but while it might be a reason for asking for permission to keep the furniture a little longer, it is no excuse either for failure to apply for the permission or for making a false report. On receipt of the confession the State Superintendent drew up formal charges, which were forwarded to B. C. Ramaswami Aiyar with an order to appear before the State Superintendent the same afternoon to answer them. Copies of the charges of B. C. Ramaswami Aiyar's reply to them before the Superintendent, and of the Superintendent's order thereon are enclosed.

4. Detailed comment will be reserved but it will be observed that disobedience of the clear and peremptory order of 27th May 1910 and the submission of a false report are admitted, as indeed, in view of the proofs, they could not be denied. The Darbar cannot retain in the responsible position of head of a department a man on whose word it cannot rely, and it appeared to the State Superintendent that the only course open to him was to relieve B. C. Ramaswami Aiyar of his duties at once. We suggest that he be considered to have reverted to British service with effect from this morning and that his case be further dealt with, on our present and further reports, by the Madras Government and the Director of Public Instruction, Madras.

5. S. T. Ramachendra Sastri, B.A., English lecturer, Pudukkottai College, has been appointed to act as Superintendent of Schools. This arrangement can continue, if necessary, till the end of the College holidays (2nd July) but not longer, and we must decide before then how to replace B. C. Ramaswami Aiyar if the Madras Government's view of the case coincides with our own. A further communication on this subject will be made to you in due course.

6. We have despatched the following telegram to the Director of Public Instruction :—

"B. C. Ramaswami Aiyar, Assistant Inspector, lent to this State has been relieved of his duties yesterday and has left the State in circumstances which are being reported to the Political Agent".

SUB-ENCLOSURES.

(1)

Proceedings—of the Pudukkottai Darbar.
To—the Superintendent of Schools.
Dated—the 27th May 1910.
No.—R.C. 1042-A.

It is seen from the furniture list submitted by the Superintendent of Schools that he keeps at home many pieces of furniture of his office, of the Deputy Inspectors and of the late Panchama Training school. No piece of State furniture should be kept at home and he is requested to send them at once to his office or to the Deputy Inspectors as the case may be, and to report the fact to this office within three days.

2. It is not known where some of the pieces of furniture of the late Panchama Training school now are. The list of furniture, etc., of his office is not signed by him. Locks do not find a place in the lists. He is requested to sign the furniture, etc., list of his office after including in it any more articles left out, and to submit a list showing where the pieces of furniture of the Panchama Training school now are.

3. It is also seen from the list that he is keeping two benches of the Deputy Inspectors in his office. He is requested to send them to a Sirkar institution that is in need of benches if the Deputy Inspectors do not require them.

V. R. DURAI RAJA,
 Diwan.

(2)

Letter—from M.R.Ry. B. C. RAMASWAMI AIYAR, Superintendent of Schools, Pudukkottai.
To—the Pudukkottai Darbar.
Dated—the 8th June 1910.
No.—R.C. 406.

With reference to the Proceedings R.C. No. 1042/A, dated 28th May 1910, I have the honour to report that the order regarding the removal of all office furniture to office has been promptly obeyed.

2. As directed, the list will be revised and re-submitted with the other instructions attended to.

(3)

Demi-official letter—from M.R.Ry. B. C. RAMASWAMI AIYAR, Superintendent of Schools, Pudukkottai.
To—the Registrar, Darbar office.
Dated—the 12th June 1910.

Out of the things mentioned in the list as office furniture in my house I gave order to the peons to remove them all to office, reserving a few things at home temporarily as I have been holding office at home temporarily with permission. I find the following things not having been yet removed :

One table, two chairs, one bench, one record camp box, one writer's desk, one stool, one ruler, one pen-knife, one small wooden office box, one lamp, two power lights (never used). Besides these I have not got anything at home. There is a small time-piece and another bench which have not been mentioned in the list. Probably the former, if not both, also belong to the office. The office furniture list is not complete, I fear, as it was evidently sent up without my scrutiny. Tomorrow, with the help of the clerk concerned, a further report will be submitted.

I find also the bundle of mats not removed yet, though I do not use them.

My only excuse for being slow in removing them is that I hold office at home with permission.

(4)

*Demi-official letter—from the Diwan of Pudukkottai.
To—the Superintendent of Schools, Pudukkottai.
Dated—the 1st June 1910.*

In accordance with your desire expressed to the State Superintendent and myself in person this morning to be permitted to do all office work at home leaving the inspection work to be done by the Deputy Inspectors, I hereby permit you to do so. It should, however, be understood that this privilege is allowed to you only for a short time and that if you do not soon find any improvement in health, you will have to apply for leave.

(5)

Copy of the formal charges framed by the Superintendent of State, and of the order directing the Superintendent of Schools to appear before the State Superintendent for being heard.

The Superintendent of Schools will appear before the State Superintendent at 3 P.M. to-day to answer the following charges, and to show cause why the State should not decline to make any further use of his services:—

Charge I.

That you were in the habit of improperly keeping Sirkar furniture at your private residence mainly for your private use: that in particular you caused the following articles of furniture to be removed from your office to your residence:—

- (a) On 3rd March 1910 2 stools.
- (b) On 6th " " " " " " { 2 tables, 2 chairs, 1 bench,
2 desks, 1 desk box, 1 ink-
bottle, 1 ruler, 2 stools, 1
time-piece.
- (c) on 3rd May 1910 1 deal wood case.

(this appears from the memorandum book kept in your office): that on 16th April 1910, you had the following articles of Sirkar furniture at your residence, 3 tables, 3 chairs, 4 benches, 1 desk box, 1 large box, 1 glass almirah, 1 ruler, 1 pen-knife, 14 mats, 1 screen, 2 power lights, 1 octagonal lantern, 1 small office box, 2 stools belonging to your office, to the Deputy Inspector's office and the Panchama Training school, and probably also other articles, such as the time-piece mentioned under (b) above, belonging to other institutions.

Charge II.

That you disobeyed the orders of the Darbar, dated 27th May 1910, to return the Sirkar furniture within three days.

Charge III.

That you falsely reported on 8th June 1910 "the order regarding the removal of all furniture to office has been promptly obeyed" whereas you only returned a few articles on 6th June 1910 and retained the following articles at your private residence, as admitted by yourself in a written statement in your own hand, dated 12th June 1910, 7-30 P.M., 1 table, 2 chairs, 1 bench, 1 record camp box, 1 writer's desk, 1 stool, 1 ruler, 1 pen-knife, 1 small office box, 1 lamp, 2 power lights, 1 time-piece, 1 bench, 1 bundle of mats.

Charge IV.

That two of your office towels were given by your orders to your private syce by name Palani, as appears from the above mentioned memorandum book kept in your office and from the statement of your office peon.

15th June 1910.

A. GALLETTI,
Superintendent of the State.

(6)

Copy of the answers made on the 13th June 1910 by M.R.Ry. B. C. Ramaswami Aiyar, Superintendent of Schools, Pudukkottai, to charges I—IV conveyed in the Darbar order of the same day.

Charge I.

The furniture was not kept for private purposes. I have seven private lamps, private record boxes and so on. The time-piece was for the use of the office.

Charge II.

The peon was ordered to take all the articles, except a table and a chair, back to the office at once. The table and chair were retained because I had been permitted to hold office in my house under special circumstances. Other articles besides the table and chair were also to my knowledge not removed. The reason was that I was informed that no charge is ever allowed in the State for the removal of furniture, and so peons are usually given time. The peons had to do work themselves and my peons had their difficulties in carrying out this work. I had no intention of disobeying the orders of the Darbar, but the material difficulties were too great.

Charge III.

The draft of my letter of 8th June 1910 was written when I thought the Darbar's orders would be obeyed by the time the letter was despatched. When I signed the fair copy, I was aware that all the articles had not been despatched. The order was not obeyed to the letter but it was obeyed in the spirit, because I had given clear instructions to the peon. I must admit that I made a false report if it is not graciously allowed that my order to the peon was obedience.

Charge IV.

This charge, though I am not prepared to deny it, takes me by surprise. I am not aware of the fact. I have no enemies in my office and I should presume the entry in the memorandum book is correct.

I wish to supplement the above by fuller explanations in writing. Two days will be sufficient.

Taken by me, read over to the deponent and admitted by him to be correct.

13th June 1910.

A. GALLETTI,
Superintendent of the state.

Order thereon.

The explanation amounts to an admission of charges II and III and an admission of the possibility of the truth of charge IV. What has struck me most painfully in the course of the deponent's deposition is his jaunty attitude. He obviously does not realise that charges of disobedience of clear orders, of making a clearly false statement and of giving an article of Sirkar property (however trifling the value) to a private servant of his are at all serious. The charge in regard to the false statement is the most serious. The deponent was ordered to return certain Darbar furniture from his private house within three days and wrote several days after to say the order had been promptly obeyed in regard to all the furniture, when as a matter of fact it had not. The report was a lie, and the explanation a mere disingenuous piece of sophistry.

2. The deponent may have five days' time to submit a fuller explanation in writing. He will be relieved of his duties at once, and hand over charge of his office to S. T. Ramachandra Sastri, B.A., to-morrow morning or to the Acting Inspector to-night. He will be permitted to leave the State if he wishes to.

13th June 1910.

A. GALLETTI,
Superintendent of the state.

II

Ref. on Cur. No. 3932, dated 21st June 1910.

Submitted through the Secretary to Government, Educational Department.

2. M.R.Ry. B. C. Ramaswami Aiyar has not yet placed himself under my orders. It is not known how the period between the date of his relief from Pudukkottai and that on which he reports himself to this department should be treated.

A. G. BOURNE,
Director of Public Instruction.

III

Letter—from M. Young, Esq., I.C.S., Political Agent for Pudukkottai.

To—the Chief Secretary to Government (through the Director of Public Instruction, Madras).

Dated—Trichinopoly, the 25th June 1910.

No.—Ref. on Cur. 467-0.

In continuation of my letter R.C. No. 467-0 of 1910, dated 16th June 1910, I have the honour to submit a copy of the Darbar's further report R.C. No. 1042-A of 1910, dated 21st June 1910, together with its enclosures regarding the conduct of M.R.Ry. B. C. Ramaswami Aiyar, Assistant Inspector of Schools.

2. The report is full and needs little comment from me. There is no doubt that the first 3 charges framed against M.R.Ry. B. C. Ramaswami Aiyar have been proved and that the Darbar are justified in considering that he should no longer remain in the services of the State. I think however that they would have been better advised to report the matter to Government before actually relieving him of his duties.

3. As regards the appointment of a successor to M.R.Ry. B. C. Ramaswami Aiyar (paragraph 9 of the Darbar's report) I beg to recommend that the Darbar's request may be complied with. There is still much work to be done in connection with the appointment, and it is not possible for the Darbar to introduce the Madras system unless another officer be lent to them for at least 9 months longer.

ENCLOSURE.

Letter—from the Pudukkottai Darbar.

To—the Political Agent for Pudukkottai.

Dated—Pudukkottai, the 21st June 1910.

No.—R.C. 1042-A.

In our letter R.C. No. 1042-A, dated 14th June 1910, we made you *ad interim* report on the case of B. C. Ramaswami Aiyar, British Assistant Inspector of Schools lent to this State and holding here the office of Superintendent of Schools and Head of a department, whom it was found necessary to relieve immediately of his duties. A full report was promised on receipt of further written statements from Ramaswami Aiyar. Copies of a written statement and a deposition already taken from him, of the charges against him, of the Darbar's order on the case and of other papers were forwarded with the first report.

2. We have now received Ramaswami Aiyar's further explanatory statement (enclosed) and have the honour to make the further report promised.

In Proceedings, dated the 21st November 1909, the Darbar called upon the Superintendent of Schools for lists of stores and furniture of his office, of the inspecting establishment and of the State schools under him. The lists were received after great delay on the 19th of April 1910 under cover of a letter signed by the Superintendent. Opposite certain items in the lists which were not signed by the Superintendent and, as he himself states, not seen by him, the entry "in master's quarters" was made. The Superintendent does not deny the correctness of this entry. He observes in his considered written statement of the 17th instant that "the sly head clerk since transferred had a motive" for submitting the lists to the Darbar office without obtaining his signature. As a matter of fact the covering letter bears the initials of the new head clerk, but the observation is irrelevant and only suggests that if the Superintendent had suspected his clerks of conveying a true statement reflecting on himself to the Darbar, he would have been at the pains to suppress it.

3. On receipt of the lists in the Darbar office it was, of course, noticed that some articles of furniture were stated to be "in master's quarters". The Superintendent of Schools is provided with an office in the fine pile known as the "Public offices" at Pudukkottai, he has been informed that he is expected to attend office in office hours and that no lighting charges are allowed for office work done at home (Circular Dis. No. 1672-A, dated 9th December 1909). It is well understood in this State that office furniture must not be taken home, and especially, since the recent circular, that Sirkar lamps and candles must not be used at home. The list of furniture "in master's quarters" included lamps, mats, chairs, tables, an almirah, etc., belonging chiefly to the offices of the Deputy Inspectors. The Darbar, on scrutinizing the list, issued a peremptory order, dated 27th May 1910, to the Superintendent to return the articles at once

to his office or to the offices of the Deputy Inspectors, as the case might be, and to report his having done so within three days. Apart from the impropriety of the Superintendent keeping numerous articles of Darbar furniture at his private house, presumably for his private use, it was also not right that furniture made for the offices of Deputy Inspectors in the preceding year should continue any longer to be withheld from those offices, where it was wanted.

4. On the 30th of May the Superintendent reported that he was suffering from a disease of the genital organs, and asked for a month's privilege leave. Two days later he changed his mind and requested permission to do his work at home. Temporary permission was granted in a demi-official, dated 1st June, of which a copy was forwarded with our *ad interim* report, but the order regarding the removal of the furniture to the offices to which it belonged was not cancelled, nor was any allusion made to the matter in conversation or otherwise. On the 8th of June the Superintendent wrote an official letter in which he stated that the order in regard to the removal of all office furniture had been promptly obeyed. Four days later, the Darbar, having received information that the statement was not true, gave the Registrar of the Darbar office an order in writing to proceed to the Superintendent's office and to his house "to find out whether what the School Superintendent has stated in his letter is true." The Registrar found on enquiry at the office that many articles had not yet been returned. He accordingly proceeded to the Superintendent's house, where the Superintendent drew up in his own hand a list of office furniture still in his residence and added that his only excuse was that he was holding office at home with permission (a copy of this paper has already been forwarded). He accordingly admitted that his report of the 8th was false, that he had disobeyed orders, and that he could not justify his conduct, but could only suggest extenuating circumstances. Further details will be found in the Registrar's report, copy of which is enclosed. The details are not related here since they were not considered by the Darbar in dealing with the charges, which rest entirely on Ramaswami Aiyar's own correspondence, admissions, and office records.

5. Next morning (the 13th instant), the papers were laid before the Darbar. The Superintendent of the State drew up the formal charges which were despatched to the School Superintendent in the afternoon with an order to appear and answer them. He appeared at 5-30 and a statement was taken from him (copy already forwarded). The facts were admitted; but it was argued that the furniture was kept at the deponent's residence for public, not private, purposes, that an order to a peon to remove furniture was sufficient compliance with the Darbar's orders and that the report made on the 8th that the Darbar's orders had been obeyed was in a way true since the orders had been passed on to the peon. It was admitted that the deponent was aware that furniture still remained at his house when he signed the fair copy of his report of the 8th June. The deponent had no reply to a charge that Sirkar towels had been given to his private syce. He saw no reason to question the evidence on which the charge was based, but said that he had no personal knowledge of the transaction.

6. The State Superintendent found the deponent's replies to the charges of disobedience and of making a false report sophistical and was not favourably impressed with his demeanour. The two charges were fully proved. It was not a case in which a superior officer duly passes on an order and may assume it has been executed. The School Superintendent was aware it had not been executed when he wrote that it had been promptly obeyed. The letter of the 8th June stating that the orders had been promptly obeyed could only have been intended to deceive the Darbar. The general treatment of the four charges by the deponent appeared to the State Superintendent to show clearly that his sense of honour was not delicate. A man whose standard of morality was shown by his own admission of serious charges and his obvious incapacity to appreciate their gravity to be low could not, in the State Superintendent's opinion, be retained in the responsible position he was holding in the State. Ramaswami Aiyar was accordingly relieved of his duties and given permission to leave the State. He applied for privilege leave, but was informed that he could not be given leave on full pay in the circumstances since, if he had been an officer of the Darbar and not an officer lent by the British Government, he would have been suspended on loss of pay. It was suggested to him that he should apply to the Director of Public Instruction, Madras, for orders. He was however advised to submit to the Darbar direct a further written statement in his defence in order that, in reporting on the case to the British Government, the Darbar might give full weight to all extenuating circumstances.

7. This written statement, dated the 17th instant, was received on the evening of the 19th, and is now forwarded. Ramaswami Aiyar does not deny the facts on which the charges are based, but urges certain matters in extenuation. In paragraph 3, he suggests that the office allocated to him provided insufficient accommodation so that it was natural he should work at home. The accommodation is one room 32 feet x 25 feet for five clerks with records, and one room 21 feet x 10½ feet for the Superintendent of Schools himself. The Superintendent's own room is perhaps a little small for comfort, especially in the hot weather. He further suggests that he had been accustomed in British India to keep office furniture at home. The rest of the paragraph appears to the Darbar to be irrelevant.

In paragraphs 4 and 5 he observes that his work at the time was heavy and that he was ill. He also refers to his approved British service of over 31 years. It is the end of the fasli, with which the financial and administrative year coincides in this state, and no doubt the work was

rather heavier than usual at the time. There is also no doubt that Ramaswami Aiyar was not in good health. He submitted a medical certificate to that effect signed by the Chief Medical Officer of the State when he applied for leave at the end of last month.

In paragraph 6 he observes that he was in an extremely agitated state of mind when called upon to answer charges "in person in the public Darbar Court". To the State Superintendent it appeared that he did not take the charges at all seriously at first, was under the impression that his view of them was shared by the State Superintendent, and only began to exhibit symptoms of agitation when he was informed that they appeared to the State Superintendent to be extremely grave. No one was present in the "Public Darbar Court", that is, the Superintendent's office room, except the Registrar of the Darbar office and the deponent was given a seat and treated with consideration. But no doubt the fact that the Registrar of the Darbar office had been deputed the previous day to make certain enquiries was known, and it was surmised that the deponent had been ordered to appear before the State Superintendent to submit an explanation. An apprehension that his position in the public estimate had been shaken may have had some effect on the deponent's nerves. But if he was thereby placed at any disadvantage, this was remedied by the grant of further time for the submission of explanations. It will be observed that in the written statement composed at leisure Ramaswami Aiyar continues to protest that his conduct was not blameworthy and that he is innocent of the charges, though he admits the facts of which the charges are a mere description. The impression left by his demeanour at the oral examination that his moral sense is blunted is accordingly confirmed, not dispelled by the written statement.

In regard to the rest of the written statement of the 17th instant the Darbar have no remarks to offer.

8. To sum up, four charges were made against Ramaswami Aiyar; (1) of improperly keeping Sirkar furniture at his private house, (2) of disobedience of a peremptory order to return it, (3) of making a false report that it had been returned when it had not, (4) of giving office towels to his private syce. The first three charges appear to the Darbar to be proved by a mere recital of facts which are not denied by the accused. In regard to the first charge it is to be noted that most of the furniture belonged not to the Superintendent's own office but to subordinate offices or schools which had need of it. The explanation that the Superintendent was simply holding his office at home can accordingly scarcely be accepted. The fourth charge has not been fully investigated. It could only be proved by oral evidence, not perhaps altogether trustworthy, that the towels were given to the syce under personal orders of the Superintendent. The proof of the three first charges reflects so severely in the opinion of the Darbar on Ramaswami Aiyar's character, even after full weight has been given to the extenuating circumstances urged by him, that the proof of the fourth would add little to the strength of the case against him. The Darbar accordingly propose to drop it, but are prepared to enquire further into it, should the Madras Government desire this.

9. As already suggested in paragraph 2 of our *ad interim* report we propose, if the Madras Government accept our view of the case, that Ramaswami Aiyar should be considered to have reverted to British service with effect from the morning of the 14th instant, and that his case be further dealt with by the British Government; and, as already stated in paragraph 4 of that report, we have made merely temporary arrangements to fill his place. If the Madras Government agree to Ramaswami Aiyar's reversion we should be glad of the loan of another Sub-Assistant or Assistant Inspector of the Madras Educational Department to take his place during the unexpired portion of the period of 18 months for which his services were lent to us (see your Dis. No. 575, dated 3rd October 1909) on similar conditions as regards salary, etc. It was our intention that the Madras system should be introduced here by a Madras officer on a comparatively high salary in the period October 1909 to April 1911, that from October 1910 to April 1911 an officer should be sent by the State to a British district to be trained in the British system (see correspondence ending with your Dis. No. 105, dated 25th February 1910), and that this officer, who would receive a much smaller salary than Ramaswami Aiyar's (Rs. 215 per mensem), should then take over charge of the department. We think that the regrettable incident on which we have now reported should not stand in the way of the execution of this programme, and we should be glad if the Government of Madras can see their way to deputing another of their officers to special duty in this State for nine months, the period beginning as soon as may be convenient. We are reluctant to say anything more to the prejudice of Ramaswami Aiyar, but we must add that what we want is a punctual and precise man,

not too dependent on his clerks*, and we should prefer that the person deputed should not have relatives in this State or should be of sufficiently firm character to be able to resist the temptation of providing for them in his department in preference to men of better qualifications.† A man of great ability is not required, but merely an officer of experience thoroughly acquainted with the Madras Educational system, and of good character.

* See extract from demi-official from School Superintendent, to Registrar, Darbar office, dated 8th June 1910, enclosed.

† See extract from Superintendent's letter No. 46, dated 8th June 1910.

10. Ramaswami Aiyar already possesses or has been furnished with copies of some of the documents we have referred to. We have no objection to his being furnished with copies of our reports or of any of the enclosures.

SUB-ENCLOSURES

(i)

Letter—from M.R.Ry. B. C. RAMASWAMI AIYAR, Superintendent of Schools, Pudukkottai.

To—the Pudukkottai Darbar.

Dated—the 17th June 1910.

I respectfully beg to submit the explanation due from me with reference to the irregularities in connection with the office furniture.

2. I beg to begin with a statement of certain facts directly bearing on the question; and I do so from Trichinopoly and away from records. Hence it is possible that errors in detail may be committed, but I am responsible for the accuracy of the main facts.

3. The office that I took charge of in October last was a new creation. The Diwan Avargal wanted at first to find for the location of my office a separate building, as the present office was that of the Inspector of Schools. When no such separate accommodation could be had, I made a suggestion that the present office building, small as it was, might be made over to me and that the Inspector might be attached to my office. The suggestion was accepted, and the whole Education office was located in the present congested building. The clerical establishment was strengthened by my taking one of the Deputy Inspectors as my head clerk. And the remaining three clerks were all raw young men with no experience of official work, the only experienced clerk of the office having been transferred just before I took charge, to the prejudice of the efficient work of my office. For everything in the nature of routine, I had to apply to the Inspector of Schools for information, and my daily work was found to be unlimited. Luckily for me, I was able to secure for my residence, on a monthly rent of Rs. 15, a spacious and well-built house, which though removed from the town had the special advantage of being situated within a furlong from the office. The big upstairs hall of the building was almost exclusively set apart for my office work which I began early in the morning and continued throughout the day, having often by my side the Inspector or a clerk. This system of not confining office work to the office alone is in imitation of the British system and was ascertained to be allowed in the State. The using of office furniture at home for office purposes obtains in the British service in the case of touring officers. Hence as necessity arose, I sent for some articles of furniture. Here I must state, at the risk of being considered tedious that at Pudukkottai I have been mostly all alone with a cook. This has afforded me facilities to devote the bulk of my time to office work, oftentimes till late at night, as departmental people came to me. I may parenthetically state here that since going to Pudukkottai I have purchased with my private money various articles of furniture, such as an easy chair, with a plank to serve as table, a punkah, a number of lamps and candle stands, and boxes for official reference books, records and tapals. The want of sufficient accommodation in the office has been a recognized desideratum all along. When the Darbar issued an order some time ago insisting on regular office attendance by officers, except while on tour or otherwise engaged, I went to office more frequently and sat in the Forest-officer's seat next door—a fact not unknown to the Diwan Avargal. When a list of office furniture was called for, my clerks prepared it with their characteristic slowness, of which I have been frequently complaining. The list when prepared was imperfect and was submitted to the Darbar without my scrutiny and without my signature; and this I found out only on the list being returned to me by the Darbar with my attention drawn to the defects and to the omission. How and why the list was submitted without my signature is still a mystery to me; and my query on the paper has not yet been explained. Subsequent events seem to point out that the sly head clerk since transferred has had a motive, as he evidently owes me a grudge in the matter of his transfer.

4. The charge in regard to the report on the furniture affair relates to a period of two weeks—29th May to 13th June. This was the period when I was ill. On the 29th instant, immediately on my return from tour, I fell ill and was advised by the Chief Medical Officer to take rest for one month. This was reported to the Darbar who were kind enough to promise me privilege leave for one month from the 1st June. This period of my ill-health was, most unfortunately, a period of heavy work and confusion in my office. The following details may be enumerated:—

- (i) The Inspector of Schools has been in the hospital as an in-patient leaving uninspected a large number of schools the annual inspection of which must be finished by the 15th June.
- (ii) One of the Deputy Inspectors has had to be granted one month's sick leave from the 20th May before doing the annual inspection of a number of schools transferred to him.
- (iii) My head clerk fell ill and had to stay away for a week.
- (iv) The correspondence clerk was absent on twelve days' privilege leave.
- (v) The returns clerk was granted leave for five days.
- (vi) One of my peons lost his brother-in-law at Trichinopoly and took a week's leave.
- (vii) June being the closing month of the fasli, arrangements had to be made for the inspection of schools still left uninspected and for payment of efficiency grants to all the aided schools and for closing the accounts regarding the new school houses whose construction had been entrusted to me.

(viii) I proposed a Conference of the Deputy Inspectors on British lines to assemble in the middle of June the proposal involving several details.

(ix) The Teachers' Certificate Examination Board was also constituted towards the close of May to examine not only the students of the Training school but also all those old teachers of former years whose certificates were more or less incomplete, the whole work in connection therewith having to be finished in June itself.

(x) To add to all these, strict orders were received from the Darbar towards the close of May, for the inspection and issue of licenses to all the 300 or more untrained teachers in the State—a work which had been left in arrears for years, and which I was required to finish before the close of June in two sittings at an interval of 15 days between them, with the help of a License Board of which I was the Chairman.

5. All this unusual and responsible extra work at the time of my ill-health with so many disadvantages in the office to contend against, was enough to discourage me. But realising my permanent responsibility in the interests of the State and relying on the sympathetic appreciation and support of the Darbar, I chose to forego my privilege leave and got special permission to go on with office work alone at home, as I was quite unfit for any touring work or even for going to office. At a time when I, an invalid, thus took upon myself all this extra work purely from a high sense of duty and thereby hoped for encouraging appreciation of my devoted services by the Darbar, I have had the misfortune to be severely handled all on a sudden. The Darbar's order for the removal of all Sirkar furniture to the office was received on the 29th May during this period of my ill-health and special difficulty and extra work, and I immediately gave instructions to the daffadar to remove all the articles of furniture to the office, as was clearly admitted by him before the Registrar of the Darbar office on the night of the 12th instant. When I drafted the reply to the Darbar order in question from my sick bed, my impression was that the bulk of the articles had been removed and that the remaining articles would be removed in a day or two according to the convenience of my peons. I very deeply regret that the letter was not more carefully or fully worded. I only meant to submit therein—though I regretfully admit I have not taken proper care to make my meaning quite clear—that having issued clear orders for their removal, I expected the removal to be complete shortly. Here I beg to submit that I thought that my ill-health and the Darbar's kind permission to me to hold my office at home for some time (which were subsequent to the issue of the order regarding the removal of furniture) would permit of the order being carried out with a little delay. Subsequently to the letter, I was reminded of the preliminary meeting of the License Board that was to meet on the 12th June and which was, in fact, sitting on the evening of the 12th, when the Darbar Office Registrar went to my house, and I ordered that the remaining articles might be removed immediately after the meeting of the Board, as I expected to resume attending office soon after, though I had not fully recovered to be able to go out on tour for a fortnight or so more. This temporary retention of the remaining articles for a few days was on my own responsibility as I thought and do still think that an officer in my position was competent to do so without a supplemental report about it in the pressure of work and with my feeble health. I should certainly have acted with greater care, had I the remotest suspicion that there was any possibility of the matter being misconstrued. I beg that in judging of my actions and motives the Darbar will be pleased to take into their consideration my approved British service of over 31 years and my position as the head of a department in addition to all the circumstances detailed above.

6. In connection with my deposition I have to submit that the notice to answer the charges immediately in person came upon me as very great surprise and almost stunned me. I had not fully recovered from my illness, and had worked unusually hard and long that day from 6 A.M. to 3 P.M., when I was suddenly summoned to appear before the State Superintendent at 3 P.M. The novelty and suddenness of the procedure of being asked to submit answers to the charges in person in the public Darbar Court threw me into an extremely agitated state of mind. And I was aware that all the circumstances would not be brought out fully in my answers to specific questions. Hence it was that I protested against the examination and begged that I might be allowed to submit a *written explanation* even the very next day if necessary. Seeing that my persistent request was not heeded I patiently submitted to it lest my refusal to do so should be viewed as gross disobedience and entail very serious consequences. It was also the reason why I requested at the end of my answers that I might be permitted to submit a full written explanation. All this would also explain any apparent inconsistency between this explanation and my answers to the depositions.

7. It has grieved me beyond measure to note that my attitude at the examination has struck the Superintendent as having been jaunty. This has been to me as unexpected and untoward as the direction the whole matter has taken and the proportions it has assumed. I beg that the Darbar will be pleased to view the matter from my standpoint. I was conscious that I was innocent of the charges laid against me. And the humiliation of having been suddenly summoned to answer them personally was too great for me to bear. I realised at the same time that my position was utterly helpless and that any attempt on my part to refuse to submit to the examination would very probably go very hard against me. Hence the attitude that appeared to the Superintendent to be jaunty was in reality the awkward result of a desperate and ill-concealed attempt to put on a tranquil face, without betraying my terribly

overwrought feelings. I was completely unnerved and I gave my answers mechanically almost in the language of the questions. The consciousness that I was not a young man just started in official life but that I was at the close of 31 years of approved service throughout which I was the head of an office made me feel strongly that the treatment I was subjected to was quite unmerited; and I was completely nonplussed and bewildered.

8. I could not at all collect my thoughts, much less think out and give proper answers. This confusion is most apparent in my answers to charge 4. The so-called memorandum book I had never seen before and I saw it for the first time in the Superintendent's hands. It is not a record for the entries in which I can at all be held responsible. It may not be out of place here to state that I have made frequent presents of cloths, coats and money and food to my office peons. One recent instance may be specified. On my return from Karaiyur on the 18th May we were overtaken by a hailstorm and the peons were completely drenched. As soon as we entered the outskirts of the town at about 8-30 P.M., I sent out one of my peons with a couple of rupees to go straight to the bazaar and buy cloths for both of them for immediate wear, though they repeatedly declined the kindness. I also gave them a hot supper in my house. All this I submit only with a view to convince the Darbar that I am far above meanness and niggardliness. Having throughout maintained a high reputation for honesty and liberality, I should take it to be an irony of fate that I should find myself under a necessity to answer a charge of this petty nature on the strength of the statement of a peon.

9. In conclusion, I beg to sum up my explanation:—(1) My using Sirkar furniture at home for office purposes was done under a *bona-fide* belief that it was not an objectionable practice. (2) I had never the remotest idea of disobeying the Darbar's orders regarding the removal of the furniture; the carrying out of the order was, I keenly regret, no doubt delayed, on account of the unusual combination of the various difficulties detailed above coupled with my own ill-health and the consequent holding, with permission, of office at home for two weeks. It is therefore submitted that there was no disobedience of orders. (3) The only mistake about the report was the omission to write a supplemental letter about the temporary retention, for a few days, of the remaining articles on my own responsibility in the special circumstances detailed; and one in my position could little suspect that this was liable to be misconstrued. (4) I never authorised anybody to give the towels to my private syce, and I am surprised to see that I have been thought capable of stooping to such meanness.

10. My only excuse for having allowed this explanation to go to such a great length is my anxiety that the Darbar should be enabled to view the whole matter in the proper light and come to the conclusion that I am innocent of the charges laid against me and revise the order already passed.

(2)

Copy of the office-note, dated 13th June 1910, submitted by the Registrar of the Darbar office.

As ordered yesterday, I went to the School Superintendent's office at 5 P.M. last evening and had a list of the furniture found there prepared and attested by all the clerks in that office. The difference between this list and that part of the furniture return submitted by him which relates to the furniture to be found in his office and in his quarters must be the furniture still in the Superintendent's house. I also secured a note-book showing the issues of the furniture to, and the receipt of the furniture from, the Superintendent's quarters (I find from this note-book that one record towel has been issued to each of his peons for the alleged purpose of wrapping tappals—taken to and from the post-office—with, which action may be characterised as wasteful, and that two Circular towels have been issued to his private syce for what Circular purpose I am not able to conjecture).

I then proceeded to the Superintendent's quarters without delay and showed him the order given me. He at first said that only two chairs and a table were still with him and that all the other articles had already been removed to the office. I then showed him the furniture return and asked him whether all the other articles stated therein to have been in his quarters had been removed to the office. After seeing the list he admitted that there were some more articles with him. I then asked him to give me a list of all the Circular articles with him whether included in the return or not. Twice or thrice he wanted to postpone the preparation of such a list and said that he wanted to consult his writer and that he would send it to me to-day, but I insisted on his preparing the list at once after verifying the articles. He said that he knew all the articles in his house and proceeded to write a demi-official letter to me giving a list of the articles. As I found that he omitted to mention several articles in the letter, I asked him before he signed the letter whether each article, the name of which I read out from the furniture return, had been sent to the office. As I read out the list he went on noting some more articles. He then wanted to write another letter as the one already written had several corrections in it, and said as it was very late (it was 7-30 P.M.) he would send it to me this morning. I told him that the authorities wanted the list last night only. He said that he would go to the State Superintendent at once if he could see him and explain matters. I told him that the State Superintendent did not want the list but that the Diwan wanted the list. He then began to write another letter and when he was about to sign it, I wanted him to verify the articles and to state in the letter that the list was prepared after actual verification, as he had all along been saying that

all the fourteen mats had been removed to the office, whereas I know that only one had been sent to the office (he did not know that I had inspected his office before going over to his quarters and that I had with me a complete list of all the Circar articles in his house). He said that it would not much matter if the list were to be revised subsequently and that he would send a revised list to-day. I told him that it would not be proper to prepare an inaccurate list and to revise it afterwards and that the verification had better be done at once. He said that what I told him was *insulting*, but he nevertheless proceeded to enquire of his peons whether each article had been removed. After enquiry he noted in his demi-official letter to me that he since learnt that the bundle of mats had not been removed in spite of his orders. I suspect that the mat on which the Superintendent and myself were sitting might be one of the Circar mats.

The Superintendent says in the demi-official letter that his only excuse for retaining certain articles in his house is that he has been permitted to do office work in his house. All officers have to do office work in their houses often but they cannot, on this account, keep office furniture in their houses. Even if his excuse be accepted, it must be said that his report that the orders of this office about the removal of all Circar furniture to the office have been promptly obeyed, is quite misleading if not false.

(3)

Extract of paragraph 3 of the demi-official letter—from the Superintendent of Schools.

To—the Registrar of the Darbar office.

Dated—the 8th June 1910.

Really I long for the day when I may be able to rely upon some responsible officer for the prompt and efficient conduct of the office, sparing me from scrubbing from the Darbar office for inordinate delays, inaccurate accounts, inefficient control and so on and leaving me more to attend to other and more legitimate work.

(4)

Extract of letter—from the Superintendent of Schools.

To—the Pudukkottai Darbar.

Dated—the 8th June 1910.

No.—R.O.C. 46.

2. In February last, when the post of a maistri to be in charge of the school buildings was proposed to be created and to be filled temporarily by a clerk of this office, H. Ramaswami Sastri was recommended to me as about the best substitute for the proposed vacancy in my office. When the vacancy did not arise, he was recommended to me for the teacher's post that had just then been sanctioned for the Meratnilai school, he having already acted for over eight months as teacher, State school, Monaisandai.

3. This H. Ramaswami Sastri is a son of a daughter of a sister of my deceased mother, and I had not known of him before I came to Pudukkottai. He being an old servant of the State who would appear to have been in the State service since 1906, with occasional breaks, I naturally thought that my relationship with him, such as it is, need not be reported. If this omission should, however, be regarded as a mistake, I beg to be excused for the same.

IV

Ref. on C. No. 3932, dated 2nd July 1910.

Submitted through the Secretary to Government, Educational Department.

2. It is recommended that M.R.Ry. B. C. Ramaswami Aiyar be permitted to revert to British service and that, as a punishment, he be considered as having been on leave on loss of pay from the date on which he was relieved from the Pudukkottai State to that on which he rejoins duty in the Educational Department. His posting will be arranged for by me on receipt of the orders of Government.

3. Proposals for the loan of another officer for service under the Pudukkottai Darbar will be submitted separately.

A. G. BOURNE,
Director of Public Instruction.

V

Official Memorandum No. 1241-1, Educational, dated 11th July 1910.

With reference to his endorsements, R.C. No. 3932, dated 21st June 1910, and 2nd July 1910, forwarding the reports of the Pudukkottai Darbar on the conduct of M.R.Ry. B. C. Ramaswami Aiyar, the Director of Public Instruction is requested to obtain and submit the explanation of Ramaswami Aiyar for failing to report himself to the head of his department as soon as he was relieved by the Pudukkottai Darbar. On receipt of Ramaswami Aiyar's explanation, the Government will pass final orders in his case; meanwhile the Director of Public Instruction is requested to arrange to post him to some suitable appointment.

L. M. WYNCH,
Ag. Secretary to Government.

To the Director of Public Instruction.

Order—No. 437, Educational, dated 26th July 1910.

The Governor in Council considers that the action of the Pudukkottai Darbar in reverting M.R.Ry. B. C. Ramaswami Aiyar, whose services were lent to that State for a period of 18 months, before the termination of that period and without previous reference to this Government, was irregular, as being an alteration of what was practically a contract between the Madras Government and the Darbar in respect of this officer. The Political Agent will be requested to point out to the Darbar the impropriety of its action in the matter and obtain an assurance from the Darbar that, in future, officers lent to the State will not be sent back by the Darbar without making a previous reference to this Government and obtaining their consent.

(True Extract.)

L. M. WYNCH,
Ag. Secretary to Government.

To the Political Agent for Pudukkottai.
,, Political Department (with copy of notes).

NOTES CONNECTED WITH G.O., No. 437, EDUCATIONAL,
DATED 26TH JULY 1910.

[SUBJECT.—*The reversion of M.R.Ry. B. C. Ramaswami Aiyar, Assistant Inspector of Schools, whose services were lent to the Pudukkottai State.*]

From the Director of Public Instruction, dated 21st June 1910, No. 3932.

The services of M.R.Ry. B. C. Ramaswami Aiyar, Assistant Inspector of Schools, G.O., No. 531, Educational, dated 23rd September 1909, Tanjore district, were lent to the Pudukkottai State for a period of 18 months from the 1st October 1909 for putting elementary education in that State in a satisfactory basis.

2. He was relieved of his duties by the State on the afternoon of the 13th instant and left the State the same night. The circumstances under which he was relieved of his duties are given in the Darbar's letter, dated 14th June 1910. They are as follows:—

“Ramaswami Aiyar had certain articles of State furniture, lamps, mats, etc., at his private house. An order was issued to him on the 27th May 1910 that he should send back the articles at once to the offices to which they belonged and report his having done so within three days. He reported on the 8th June 1910 (eleven days after the receipt of the order) that the order had been promptly obeyed when as a matter of fact it had not. Formal charges against him were then framed and forwarded to him and he was required to appear before the State Superintendent in person to answer them. He appeared accordingly and practically admitted the truth of three of the four charges. He was then ordered to hand over charge immediately and to submit a written explanation in five days. On receipt of this written explanation, the Darbar proposes to forward a further report on Ramaswami Aiyar's case.”

3. The Director of Public Instruction states that Ramaswami Aiyar had not reported himself to him (the Director of Public Instruction) till the 21st June and raises the question how the period between the date of Ramaswami Aiyar's relief from Pudukkottai and that on which he reports himself to the Educational department should be treated.

4. Submitted that the file may lie over till the further report of the Pudukkottai State is received, when the question as to how the period between Ramaswami Aiyar's date of relief from Pudukkottai and that on which he reports himself to the Director of Public Instruction may be considered.

T.K.—28-6-10.

The Director of Public Instruction may in the meantime be asked to state whether B. C. Ramaswami Aiyar has reported himself to him and, if so, on what date.

K. RANGASWAMI AIYANGAR—30-6-10.

S. H. SLATER—1-7-10.

I can't find what the rules are about an officer rejoining from foreign service. The Director of Public Instruction has apparently to post Ramaswami Aiyar somewhere. He is probably waiting for orders and meanwhile is running the risk of forfeiting his appointment in British service for not having rejoined forthwith.

This point should be looked up at once and if the office cannot determine it a reference had better be made u.o. to Financial. Meanwhile the Director of Public Instruction may be asked to state if the man has reported himself.

L. M. WINCK—2-7-10.

In the case of an officer lent to a foreign employer in India, the salary to be paid by the foreign body and the contribution to Government will, under article 774 (b) (i) of the Civil Service Regulations, cease from the date on which he is relieved from his duty under the foreign body. The officer therefore reverts to the British service from the date on which he is relieved from his duty under the foreign body.

2. Under article 774 (c), the amount of joining time and of net salary to be paid during joining time to an officer lent to a foreign employer are regulated by the rules in chapter IX of the Civil Service Regulations. Mr. Ramaswami Aiyar's joining time will therefore be regulated by article 177 in chapter IX and under it he seems to be eligible for nine days' joining time, six days for preparation and three days for the journey from Pudukkottai to Tanjore, at one day for each 15 miles or a fraction thereof, as the distance between the two places is $57\frac{1}{2}$ miles. In calculating the joining time, it has been assumed that Ramaswami Aiyar should join at Tanjore as his permanent appointment in the British service is that of District Assistant Inspector, Tanjore. As Ramaswami Aiyar was relieved at Pudukkottai on the 13th June, he had time to join his appointment at Tanjore till the 23rd June.

3. In the present case, however, as Ramaswami Aiyar was relieved of his duties at Pudukkottai before the term of his appointment there was over, he should have reported the fact of his relief to the Director of Public Instruction immediately and have asked for orders as to where he should join. This he has not apparently done.

4. The further report of the Pudukkottai Darbar on Ramaswami Aiyar's case has now been received. The Political Agent for Pudukkottai (Mr. Young) considers that the report is full and needs no comment; that there is no doubt that the first three charges framed against Ramaswami Aiyar, viz.,

- (1) of improperly keeping Sircar furniture at his private house,
- (2) of disobedience of a peremptory order to return it, and
- (3) of making a false report that it had been returned when it had not,

have been proved, and that the Darbar are justified in considering that he should no longer remain in the services of the State. He, however, considers that the Darbar would have been better advised to report the matter to Government before actually relieving Ramaswami Aiyar of his duties.

5. The Darbar state that the first three charges of the four charges made against Ramaswami Aiyar appear to them to be proved by a mere recital of facts which are not denied by the accused and that the fourth charge, namely, that of giving office towels to his private syce, has not been fully investigated. The Darbar propose to drop the fourth charge but are prepared to enquire further into it, should the Government of Madras desire this.

6. The Darbar propose, if the Madras Government accept their view of the case, that Ramaswami Aiyar should be considered to have reverted to British service with effect from the morning of the 14th June last and that his case be further dealt with by the Madras Government. They also request that, if the Government agree to Ramaswami Aiyar's reversion, another Sub-Assistant or Assistant Inspector may be lent to them to take Ramaswami Aiyar's place during the unexpired portion of the period of 18 months for which Ramaswami Aiyar's services were lent to them.

7. The Director of Public Instruction, through whom the Darbar's report has been forwarded, recommends that Ramaswami Aiyar be permitted to revert to British service and that as a punishment he be considered as having been on leave on loss of pay from the date (14th June 1910) on which he was relieved from the Pudukkottai State to that on which he rejoins duty in the Educational department. He further states that proposals for the loan of another officer to the Pudukkottai Darbar will be submitted separately and that he will arrange for the posting of Ramaswami Aiyar on receipt of the orders of Government on his case.

8. It is for consideration whether the Director's recommendations in regard to Ramaswami Aiyar may be accepted.

T.K.—5-7-10.

The Under Secretary wanted to know whether an officer absenting from duty without leave would forfeit his appointment and whether there was any provision to that effect in the Civil Service Regulations. It does not appear that an officer

Vide article 198 of the Civil Service Regulations. as a matter of course forfeit his appointment and there is no provision to that

effect in the Civil Service Regulations. An officer on transfer who does not join his new appointment within his joining time ceases after a week to have a lien on any appointment and an officer overstaying his leave ceases to have a lien on any appointment immediately in certain kinds of leave and after a week in certain other kinds of leave. These are provided for in articles 189 and 229 of the Civil Service Regulations. An officer who has absented himself from duty without leave can be dismissed from service only under ordinary rules, i.e., it will be necessary to frame a charge against him and have his explanation under the rules laid down for dismissal from service.

2. The case of Ramaswami Aiyar is different and does not seem to fall under any of the above rules. If he were returning from foreign service after the period of his appointment there was over, his case would be governed by article 774 (c); but he was not. He had been relieved unexpectedly by the foreign body and his relief had been reported to the Director of Public Instruction directly by that body. The Director received information of Ramaswami Aiyar's relief on the 14th June 1910 and it seems to have rested with him to take action on the report received from the Pudukkottai Darbar and to place Ramaswami Aiyar on suspension pending enquiry or to arrange for his posting, if suspension was considered unnecessary. Ramaswami Aiyar might have reported his relief to the Director of Public Instruction and have sought orders as to his posting, but this does not affect the question, as the Director of Public Instruction received information of his relief direct from the Darbar. If this view is accepted, Ramaswami Aiyar cannot be held to have ceased to have a lien on his appointment in the British service and the proposal of the Director of Public Instruction to grant him leave without allowances will not be a concession to him.

3. The Under Secretary also wanted to know under what article of the Civil Service Regulations leave on loss of pay or leave without allowances was granted. Leave on loss of pay is granted under article 332 of the Civil Service Regulations and under note 1 to that article. In Ramaswami Aiyar's case, if Government accept the recommendation of the Director of Public Instruction, leave on loss of pay will have to be granted under note 1 to article 332.

T.K.—7-7-10.

It is, I submit, doubtful whether the Pudukkottai State had a right to dispense with his services so summarily, without a reference to this Government.

2. But, assuming for the present that they had, then, I submit, Ramaswami Aiyar was bound to report himself to the Director of Public Instruction without delay, and his failure to do so (apparently up to the present date) cannot, I submit, be overlooked. He has committed the offence of absenting himself from duty without leave, for which an explanation is necessary.

3. I can't find any rule governing the question of punishment inflicted by a foreign body upon officers of this Government lent to such foreign body, but it seems clear that where the punishment affects the interests of the lending power as well (e.g., when it is one of dismissal or removal, as in the present case), that it should not be inflicted without a reference to the Government which lent the officer. The procedure of the Darbar has, I submit, forced our hand in a very awkward manner. Perhaps Political may be consulted on this point.

4. Meanwhile, I submit, the Director of Public Instruction should be requested to direct Ramaswami Aiyar to report himself for duty immediately (he can easily communicate with him at Trichinopoly), and to submit his explanation for absenting himself from duty. The question of how to treat the intervening period can, I submit be dealt with subsequently, provided the period is not more than two months, in which case article 332, Civil Service Regulations, will apparently be barred in the present circumstances.

S. H. SLATER—7-7-10.

B. C. Ramaswami Aiyar, Assistant Inspector of Schools in the Madras Subordinate Educational Service, was lent to the Pudukkottai Darbar for 18 months from 1st October 1909 to serve as Superintendent of Schools.

2. He was summarily relieved of his duties by the Darbar on the 14th June last having been found guilty of disobedience to the orders of the Darbar in utilising certain articles of furniture belonging to the State in his own house and in not returning them at once to the office when ordered to do so, and of having submitted a false report to the effect that he had returned them. The question whether the Darbar acted with undue haste in this matter is one for the Political Department to deal with. Finding the man unworthy of trust or credence, I am inclined to think the Darbar were justified in relieving him of his duties at once.

3. The questions for this department to decide are—

Not necessary.

M. H[AMMICK]—9-7-10.

He says he never authorized anybody to give towels to his syce and that he would not stoop to such meanness.

M. H[AMMICK]—9-7-10.

the remaining three charges which are proved were sufficient to justify their action.

Submitted that no further enquiry need be made.

(2) What further punishment, if any, should be inflicted upon Ramaswami Aiyar for his conduct in Pudukkottai?

He has lost his appointment there and the Director of Public Instruction seems to think that it will be sufficient to treat the interval between his reversion (14th June 1910) and the date of his joining the appointment to which he may now be posted as leave on loss of pay.

4. I submit that in the first place Ramaswami Aiyar should have reported himself forthwith to the Director of Public Instruction for orders where he was to join, or applied for leave and that the Director of Public Instruction should be asked to take

Yes.

M. H[AMMICK]—9-7-10.

(1) whether the fourth charge, viz., that of having given two office towels to his syce, should be further investigated.

Ramaswami Aiyar did not deny it, but it has not been fully enquired into and the Darbar dropped it, holding that

his explanation as to why he did not do so. He will probably say he was ill and his mind was upset by the suddenness of his "misfortune" in Pudukkottai.

I submit that his conduct merits more severe punishment than that proposed by the Director of Public Instruction and that he deserves to be placed under suspension for the interval.

5. However, a final decision may be deferred pending receipt of his explanation which the Director of Public Instruction may be directed to obtain and mean-

I agree.

M. H[AMMICK]—9-7-10.

while the Director of Public Instruction should post him to some suitable appointment.

Mr. Bracken spoke to me last March about the man and told me he was not at all satisfactory and that the Darbar were anxious to get rid of him. He had connections in the place and was getting mixed up with undesirable people. I mentioned this to the Director of Public Instruction at the time.

6. As an Assistant Inspector, I believe, the Director of Public Instruction had a good opinion of him and was quite ready to take him back, but did not quite see his way to doing so.

L. M. WYNCH—8-7-10.

I rather think I heard at the time from Dr. Bourne that the man had connections in Pudukkottai. His conduct in not sending the furniture back and saying he had done so and in not rejoining at once and reporting having done so was not satisfactory.

2. Ask the Director of Public Instruction to post him somewhere and take his explanation as I have noted above. We need not go into the matter of the towels.

M. H[AMMICK]—9-7-10.

Please draft.

L.M.W.—11-7-10.

Draft submitted for approval.

T.K.—11-7-10.

May issue. May the file now go to Political for remarks on the Darbar's action in summarily removing Ramaswami Aiyar without reference to this Government?

S. H. SLATER—11-7-10.

* Issued as Memorandum No. 1241-1, dated 11th July 1910.

Issue. * Then please pass on to Political u.o. with reference to the point raised as to the action of the Darbar in summarily relieving Ramaswami Aiyar of his duties.

L.M.W.—11-7-10.

The memorandum to the Director of Public Instruction has issued. The file may now be sent to the Political Department.

T.K.—11-7-10.

S.H.S.—12-7-10.

To the Political Department.

POLITICAL DEPARTMENT.

The question for consideration in Political is whether the Pudukkottai Darbar was justified in suddenly removing M.R.Ry. B. C. Ramaswami Aiyar of the Madras Educational Service from his position as Superintendent of Schools in the State. His offence consisted in—

- (1) keeping office furniture in his house;
- (2) not returning it promptly on receipt of a peremptory order from the Darbar to do so;
- (3) reporting that he had returned all articles when he had sent only some of them.

2. The Political Agent thinks that the Darbar would have been better advised to report the matter to Government before actually relieving M.R.Ry. Ramaswami Aiyar of his duties. The Darbar's reason for his removal is thus expressed in paragraph 6 of its letter to the Political Agent, R.C. No. 1042-A, dated the 21st June 1910:—

"A man whose standard of morality was shown by his own admission of 'serious charges and his obvious incapacity to appreciate their gravity to be low could 'not, in the State Superintendent's opinion, be retained in the responsible position 'he was holding in the State.'"

V. SEKHARA MENON—14-7-10.

The action of the Pudukkottai Darbar in this matter was, I venture to submit, wanting in due respect to the Government of Madras.

2. If the Darbar wished to terminate this Assistant Inspector's engagement before the due date, it ought to have made a prior reference to this Government.

3. The Assistant Inspector's conduct was not satisfactory, but I venture to doubt if it was of so scandalous a nature as to render it necessary for him to leave the State at a moment's notice and before the Government of Madras had been referred to.

4. If officers lent by Government to Darbars are allowed to be sent back without prior notice being given, it will, I submit, not only inconvenience Government but also tie their hands unnecessarily.

J. W. BHOSE—15-7-10.

The action of the Pudukkottai Darbar in respect to Mr. B. C. Ramaswami Aiyar has been altogether improper. The terms under which this officer was lent to the Darbar (G.O., No. 531, Educational of 23rd September 1909), which included his service under the Darbar for 18 months, constituted in effect a contract between the Darbar and the Madras Government, and it was not competent to the Darbar to vary this contract without reference to us. Ramaswami Aiyar has now proved to be an unsatisfactory person who should not be further employed in the Pudukkottai State;

No. 437, EDUCATIONAL, 26TH JULY 1910.

but the proper course was for the Darbar to represent this matter to us and get our assent to the termination of his service which would of course have been given. As Mr. Bhore has said, his conduct, though reprehensible, was not such as to justify his being "booted" out of the State without reference to the Madras Government.

2. Mr. Galletti who was so long connected with our Political Department ought, of course, to have been perfectly aware of this.

3. I would point out to the Darbar the impropriety of its action, and say that it cannot get the loan of another officer to take Ramaswami Aiyar's place until it expresses regret for its procedure in respect of Ramaswami Aiyar, and gives an undertaking that such an irregularity will not recur.

W. S. MEYER—16-7-10.

The action of the Darbar was needlessly precipitate and somewhat lacking in regularity. We may point this out and ask for the assurance that before other officers are lent to the State they may not be sent back without previous reference to the Madras Government and the consent of the latter to the proposed reversion.

A. L. [AWLEY]—18-7-10.

The file may now be returned to Educational.

V.S.M.—19-7-10.

To the Educational Department.

J.W.B.—20-7-10.

EDUCATIONAL DEPARTMENT.

Please draft for the Honourable Member's approval.

L.M.W.—20-7-10.

A draft order is placed below for approval. It may be sent to the Political Department for acceptance.

2. The explanation of B. C. Ramaswami Aiyar for failure to report himself to the Director of Public Instruction on his relief by the Pudukkottai Darbar has been received and is placed below. It may be taken into consideration after the issue of orders on this case.

K. RANGASWAMI AIYANGAR—20-7-10.

S.H.S.—21-7-10.

To the Political Department for acceptance.

L.M.W.—21-7-10.

POLITICAL DEPARTMENT.

Not necessary as long as we get a copy (with copy of notes).

The draft may be accepted. The order may go to the Political Agent through the Political Department.

W.S.M.—22-7-10.

V.S.M.—22-7-10.

J.W.B.—22-7-10.

I have amended the draft so as to show why the Darbar's action was improper.

W.S.M.—22-7-10.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

The draft order as amended in the Political Department is submitted for approval.

Approved.

L.M.W.—25-7-10.

Issue.

M. H. [AMMICK]—25-7-10.

L.M.W.—26-7-10.

[G.O., No. 437, Educational, dated 26th July 1910.]

Educational Department. 12

C.No.1241, from the D.P.I., No.3932, dated 21st June 1910.

C.No.1305, from the P.I., No.3932, dated 2nd July 1910.

ORDER:
P.S.

No 437 of 26-7-10

The Governor in Council considers

that the action of the Pudukkottai

Darbar in reverting M.R.Ry. B.C.Ramaswami

Aiyar, whose services were lent to

that State for a period of 18 months,

before the termination of that period

and without previous reference to

this Government, was irregular. The

Political Agent will be requested to

point out to the Darbar the improp-

riety of its action in the matter

and to intimate to the Darbar that

it cannot get the loan of another

officer to take Ramaswami Aiyar's

place unless it gives an assurance

that officers lent to that State

will not be sent back without previous

reference

as being a ~~hand~~
admission of what
was practically a
contract between the
17-7-10 and the
order in respect
of his office

and obtain an
assurance from the
Darbar that in future

2-58

13 27P

reference to this Government and

~~and~~ obtaining their consent.

ADP
20.7.60

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To the Political Agent for Pudukkottai.

Political Dept (with copy of notes)

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26/7/60

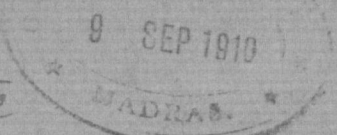
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Educational (~~190~~) Department.

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[Despatch Abstract.]

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to the Darbar the impropriety of its
action in reverting M. R. Dy. B. C.
Ramaswami Aiyar without previous
reference to this Govt.

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