

Home (1919) Department.

(Education)

Ordinary SERIES.

G.O. No. 24

DATED 7.1.18

INDEXED

[Despatch Abstract.]

P E T I T I O N .

Rejecting ^{under} rule 14(12) of the Memorial rules the-----from
A. Seshu Srinivasan, late clerk in the office of the Sub Assistant
Inspector of Schools, Tenkasi appealing against his dismissal from
the public service.

BACK PAPERS.

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

FURTHER PAPERS.

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

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Home (Edⁿ) 3947A
1412-18

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H O M E (Education)

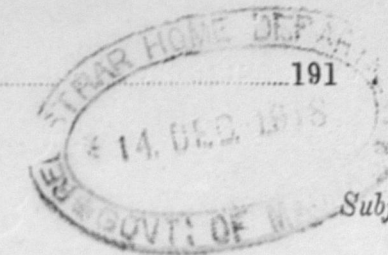
DEPARTMENT.

Received

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Registered

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Subject.

Submitting with remarks an appeal from A. Seshasrinivasan, late clerk (temporary) in the office of the Sub Assistant Inspector of Schools, Tenkasi Range.

ENCLOS RES.

No.

NC No. 7832/18

Spare copies

Station M a d r a s , Dated the 13-12-1918.

From (Name) The Honourable Mr. H. S. Duncan, M.A.,

(Designation) Ag. Director of Public Instruction.

To The Secretary to the Government of Madras,

Home (Education) Department.

Sir,

Pay Rs. 20/-

I have the honour to submit herewith an appeal from A. Seshasrinivasan, late clerk (temporary) in the office of the Sub Assistant Inspector of Schools, Tenkasi range, against the orders of the Inspector of Schools, 7th Circle, dismissing him from service on account of the following charges against him:-

- (1) That he wilfully caused wrong entries to be made in the statement of average attendance of 8 elementary schools-thereby enabling managers to draw more grants than they were eligible for,
- (2) that he wilfully failed to note in the assignment list the disallowance of the grant for 2 months in respect of a certain

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teacher-with the result that the school concerned received more grant than it was eligible for,

(3) that he made certain unauthorised entries in the Receipt Register of the Office of the Assistant Inspector of Schools, Tinnevely District,

(4) that he misappropriated certain amounts belonging to two Teachers' Associations,

(5) that he contrived the issue of elementary school leaving certificates to certain pupils who were never examined for such certificates and were not qualified to receive them, and

(6) that he wilfully entered unrecognized standards in the B Lists of certain elementary schools, thus enabling Managers to obtain more grant than was due to them.

2. An enquiry was first made by Mr. T. O. Hodges, but as it was reported to the Director that it was defective in certain respects and due facilities were not given to A. Seshasrinivasan to defend himself, another enquiry was ordered. Mr. Champion, who succeeded Mr. Hodges as Inspector of Schools, 7th Circle, conducted the enquiry in strict accordance with the rules so that there could be no grounds whatever for the petitioner to complain that the alleged prejudice entertained by the Assistant Inspector of any omission of the necessary formalities caused a miscarriage of justice in the case. As will be seen from Mr. Champion's report on the enquiry held by him-which is enclosed in original for reference and favour of return-four of the six charges, i.e. charges 1, 3, 4, and 5 have been fully proved and he sees no reason to recommend a modification of the Inspector's orders dismissing the petitioner from the service. On appeal to the Director Mr. Stone concurred with the Inspector in his conclusions and dismissed the appeal with the remark that he was not prepared to interfere in the matter. Thereupon A. Seshasrinivasan requested the Director to modify the order of dismissal into one of acceptance of his resignation of appointment, but this request too was not granted.

3. The papers on the subject (as noted in the margin) are herewith submitted for reference and favour of return.

1. A. Seshasrinivasan's appeal
2. Mr. Champion's report with enclosures.
3. Copies of the Director's Proceedings His Nos. 3412 dated 8-6-18 and 3887 dated 3-7-18.

I have the honour to be,

Sir,

Your most obedient servant,

G. Seshasrinivasan

for Director of Public Instruction.

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PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION.

Dis. No. 3412/18, dated 8th June 1918. 4

Read appeal petition from A. Seshasrinivasan, late clerk office of the Sub Assistant Inspector of Schools, Tenkasi Range dated 20-11-16, 29-11-16, 16-7-17 and 11-8-17.

Also report thereon from the Inspector of Schools, 7th Circle R C No. 499 Ty/16 dated 8-8-17.

The Director sees no reason to interfere with the orders passed by the Inspector of Schools, 7th Circle, dismissing A Seshasrinivasan from service.

(Sd) J. H. Stone,

Director of Public Instruction.

(2)

PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION.

Dis. No. 3887/18 dated 3rd July 1918.

Read petition from A. Seshasrinivasan, Late clerk, Office of the Sub Assistant Inspector of Schools, Tenkasi Range, requesting that he may be ~~allowed~~ to resign his appointment instead of ~~being dismissed~~.

The Director sees no reason to reconsider the orders passed in Pros. Dis. No. 3412/18 dated 8th June 1918.

(Sd) J. H. Stone,

Director of Public Instruction.

(True Copies)

[Signature]

for Director of Public Instruction.

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Krishnapuram,
Sadenganallur Post - Office,
(via) Palancottah.
7th September 1918.

To

The Secretary to Government,
Educational Department,

Through

The Director of Public Instruction,

M A D R A S.

The humble appeal petition of A.Sesha Srinivasan
late clerk, Office of the Sub-Asst. Inspector of -
Schools, Tenkasi Range, Tinnevelly District, --
on the orders of the Director of Public Instruction
Proceedings Dis No. 3412 dated 8-6-18 and 3887 dated
3-7-18.

most respectfully sheweth:-

The humble appellant begs to submit the
following few facts for your Lordship's benign consideration and
redress.

(1). The appellant while serving in the Educational department
as clerk, to the Sub-Asst. Inspector, Tenkasi, was suddenly placed
under suspension on 24th June 1916 without stating the charges or
taking any explanation for the charges which were framed one month
after. (21st July 1916)

While the clerk was on official duty to Tinnevelly, ^{Tinnevely}
Mr. G.S. Regunatha Chariar, the Asst. Inspector of Schools, went to
the Sub-Asst. Inspector's office Tenkasi and carried away certain
records even without the knowledge of the Sub-Asst. Inspector though
present in the office. The Sub-Asst. Inspector himself admits in
his deposition before the Inspector on 14-2-17, "On 9-5-16, the
Asst. Inspector took records from my office. I do not remember now
what records. I do not ~~xxx~~ remember whether a list of those records

of Schools made a precis of the charges and disposed off the case on mere surmise. Again the petitioner appealed to the Director of Public Instruction stating elaborately the causes that led to the sudden downfall of the appellant and the prejudiced view of the -- Asst. Inspector. The Director of Public Instruction was gracious enough to order for a re-enquiry. In the re-enquiry the previous twenty charges were condensed into six and the Inspector of Schools conducted the enquiry at Kuttalam. In the inquiry Mr. G. S. Regunatha chari was present and conducted the prosecution. The appellant strongly protested to the Inspector of Schools not to allow Mr. G. S. Regunatha to meddle with the inquiry since the appellant wanted to examine him as a witness in certain material points and also represented to the Inspector that Mr. Regunatha chari will tamper the petitioner's witnesses by his official insignima. The Inspector of Schools paid no heed to appellant's prayer and allowed the Asst. Inspector to be present and conduct the inquiry, the Inspector --- sitting as the President.

Mr. H. Champion himself was of opinion that the inquiry conducted by Mr. Regunatha chari was null and void and Mr. Regunatha chari was not competent to conduct the inquiry. This Mr. Regunatha chari knows well. Will it not be heart rending for Mr. Regunathachari to hear that the inquiry conducted by him is null and void? The very same officer who was considered incompetent to conduct an -- inquiry, was asked to conduct the re-inquiry also and Mr. Regunatha chari tried his very best to see that the original inquiry conducted by him to stand to proof. So Mr. Regunatha chari prevailed on the teachers to stick up to their original statements given by them during the first inquiry, by threats, in the petitioner's absence. A kind perusal of the statements given by R. Srinivasa Aiyengar of Kilapavoor before the Inspector in February 1917 will clearly --- convince your honour that the inquiry conducted by Regunathachari is by threats. If such an officer was allowed to conduct the prosecution how the appellant could expect justice from such an ---- inquiry?

(2). The standing records in connection with the case would

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would clearly prove the keen interest taken by the Asst. Inspector and the way in which important official records were mislaid and convince your honour that no justice was rendered and important - records were tampered with prejudicial to the interest of the --- appellant.

(3). The Inspector of Schools, even after being offered with satisfactory explanation to the six charges framed by him, seems to have reported after nearly six months for the dismissal of the poor appellant.

The findings of the Inspector are not supported by any documentary or tangible oral evidence. It is curious to notice that in a charge of misappropriation against the appellant, the very man (Secretary Virakeralampudur, Mr. Venkataramier) who gave a statement in my absence to the Asst. Inspector, by threats, to the effect that the appellant misappropriated Rs. 4/- was not at all -- examined by the Inspector during his inquiry in February 1917 even though the appellant repeatedly requested the Inspector ~~to examine~~ both in writing and orally, to examine that witness. The standing records are proof to it.

(4). To be brief:- the six charges were -

- (1). Wrong entries in the office copy of the Inspection report.
- (2). Wrong entries in the conference (assignment) list.
- (3). Entries in the hand of the petitioner in the current register of the Asst. Inspector's office.
- (4). Misappropriation of Rs. 4 and 4 from Kadayanallur and Verakeralampudur teachers' Association.
- (5). Issue of an elementary school leaving certificate to an elementary school at Kadayam and (6) Wrong entries (noting of standards) in the Recognised list (April 1st).

Regarding charge No(1). the Sub-Asst. Inspector himself deposed that he was responsible for the correct preparation of the --- office copy Inspection report and not the clerk. Wrong entries were due to the wrong dictation of the attender who had acted all along with a sinister motive. The Attender's sinister motive is proved

-5-
by his own personal admission before the Inspector who conducted the inquiry at Kuttalam on 14-2-17. No steps taken by the department on the attender for using service stamps for private communication in writing a letter to an aided school teacher asking for bribes. The original letter itself was produced at the time of the inquiry.

According to Art. 21 of the Grant-in-aid Code the Sub-Asst. - Inspector who conducted the grant inspection is responsible for the correct preparation of inspection report and for the checking of the C statements. The Sub-Asst. Inspector himself admits before the Inspector on 14-2-17 "On account of my going on leave there was pressure of work in my office in November 15. I am responsible for the checking of the C Statement." When the Sub-Asst. Inspector is solely responsible for the charge No.1 according to Code and when he admits that he is responsible for that charge the poor clerk is found fault with and unjustly punished.

Further Hodges Esq., who passed final orders on the 1st inquiry conducted and reported by Mr. Regunatha chari, says regarding charge No.1 "Charge No(1) cannot be held to be completely and definitely proved:- There is, however, no proof of Mens Rea or of Motive".

Regarding charge No.2 the Inspector himself told in the middle of the inquiry that the charge is not proved. Further the error mentioned in charge No.2 is committed by eight Sub-Asst. Inspectors and one Asst. Inspector during the conference, and for which the poor clerk is not responsible.

Regarding charge No.(3). Certain files which were despatched from the Tenkasi Sub-Asst. Inspector's office were found missing in the Asst. Inspector's office and for that the poor clerk is found fault with. The entries in the despatch register of the Tenkasi Sub-Asst. Inspector's office and the entries of the same in the -- Receipt Register of the Asst. Inspector's office are corroborative and the particular file is missing in the Asst. Inspector's office and for the missing of the record the poor clerk is found fault -- with. This is nothing but a vexatious charge framed on the poor clerk to make another to escape. This is really a piece of mis-

-6- 10
miscarriage of justice.

Regarding the 4th charge, charge of misappropriation, the -- Sub-Asst. Inspector had clearly deposed before the Inspector who - conducted the inquiry that the secretaries of the Associations made no report about the deficit nor heard any complaint of misappropriation against the clerk when he went on tour. 4-The Sub-Asst Inspector's deposition is perused would prove clearly that the -- charge of misappropriation is a mere concoction of the Asst. Inspector to strengthen the case against the clerk.

Further , Kadayanallur Association secretary says in his deposition before the Inspector " I gave money Rs.4/- to the Sub-Asst Inspector who ordered me to give money to the clerk," and the --- Sub-Asst. Inspector says " I do not remember that the head-master (secretary) Kadayanallur offered to me the sum of Rs.4/- the --- collection from the Teachers' association nor do I remember having ordered him to pay the money to the clerk."

A kind perusal of the above two depositions will clearly ---- convince your honour that the charge is nothing but a concoction of Mr.Regunathachari and the Secretary has been asked to depose -- in such a way by threats.

One Sessaiah who has no concern or connection with the association with at Verakeralampudur, says that he had received Rs.4/- from the Secretary and paid to the clerk. but the important ---- witness , Secretary , (one Venkataramier) was not at all examined whether he gave Rs.4/- to Sessaiah to be given to the Sub-Asst. - Inspector or to the clerk and why the money was given to a third man who has no connection with the Association instead of sending the money to the Sub-Asst. Inspector either by M.O. or in person.

Having the evidence of the above mentioned two witnesses the charge has been considered by the Inspector to have been proved , and the clerk is unjustly punished.

Again certain record was missing in the Tenkasi Sub-Asst. --- Inspector's office after the clerk's suspension in connection with

Teachers' association. That record might have been tampered with either by the Asst. Inspector on 9-5-16 or by the Supervisor after 24-6-16 since the Supervisor also used to collect money from ---- Secretaries when on tour. Some of the Secretaries have deposed - before the Inspector in February 1917 that they had given money to the Supervisor and used to give money to him very often. The --- Sub-Asst. Inspector says in his deposition in this connection --- "The supervisor has worked in the office for a day or two when the clerk was under suspension and when the attender was on leave." The same Sub-Asst. Inspector says in his evidence that he suspects the character of the supervisor " When camping near Alankulam I sent a confidential memo to the Supervisor in which I said that the - Supervisor should not camp in the same place as the Sub-Asst. Inspr. and that he should not receive fruits and vegetables for which he made no payments. I sent this memo because I heard that he had received certain fruits and vegetables in my name without paying for them"

Such a dishonest man was allowed to have a full sway over the records of the office and he tampered many important records under instructions from Mr. Regunatha chari.

For frauds committed by officers a poor clerk is taken to task and unjustly punished.

Regarding charge No.5, about the issue of elementary school leaving certificate, the appellant is not responsible, as the ---- certificate was issued by the Sub-Asst. Inspector after conducting the examination during 1913. The poor appellant was asked to --- explain on or about 21-7-16 about the issue of a certificate which was issued by the Sub-Asst. Inspector Ambasamudram in October 1913 who died in December 1913.

Further T.O. Hodges Esq., says in his findings of the inquiry conducted by Mr. Regunathachari "charge No.5 is not clearly demonstrable . It cannot be proved that Sesha Srinivasan himself and no one else was guilty." When the charge and its findings are in such a state the poor clerk has been taken to task and unjustly punished.

Regarding charge No.6:- Wrong entries in the recognised list:-

The Asst. Inspector could not prove that the list has been incorrectly prepared by the clerk and the Inspector himself dropped it -- during the inquiry.

Again the poor appellant brings to your honour's kind notice the following few points:-

Of the twenty charges originally framed by Mr. Regunathachari there were charges of corruption and tampering of records. The -- Asst. Inspector making a partial and one sided inquiry in the petitioner's absence cooked up evidence by threats and made the Inspector -- tor T.O. Hodges Esq., to believe that those two charges were proved. On the report of Mr. Regunathachari, T.O. Hodges Esq., passed his final orders "the clerk has received ^{money} illegally from teachers and tampered certain records and there ^{for} dismisses ^{him} from service".

But on my appeal to the Director of Public Instruction the -- important charges on which the petitioner was dismissed from ---- service were found frivolous and those charges did not find a place in the new charge sheet framed by the Inspector of Schools, ---- H. Champion Esq., Though the charges, of bribery and tampering of records, on which the petitioner was dismissed from service were withdrawn yet the order of dismissal was not changed. This is --- nothing but miscarriage of justice.

A kind perusal of all the connected records filed in the --- Director's office will clearly convince your honour that the poor clerk has been unnecessarily and unjustly punished out of spite and prejudices.

On the whole the charges were not properly proved or substantiated and the inquiry was conducted practically by Mr. -- Regunatha chariar himself who is prejudiced against the appellant and who wanted to wreck his vengeance against the appellant from the beginning to the end.

Unnecessary and frivolous charges were put on the shoulders

of the poor clerk when responsible officers , such as Sub-Asst. Inspectors and Asst. Inspector and Supervisor, concerned ~~for the~~ for the irregularities mentioned in the charges were allowed to go scott free.

Under the circumstances stated above your Honour - may be graciously pleased to send for all the records connected with the case , consider and pass orders by restoring the ----- appellant as clerk.

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

He begs to remain,

Honoured Sir,

Your honour's most obedient servant,

Ardu Srinivasan.

ARTMENT

Refusing to interfere in matters of H. Sec. common
clerk in the office of the Sub-assst. Director
of Schools, Tenkari; ~~against the order~~ in
regard to his dismissal from public service.

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READ ALSO:—

C. No. 30471 From the D.P.I., Re. No. 7832, dated 12/12/1918.

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ORDER.

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No. 24, dated 2-1-1919

~~The Govt see no
reason to interfere
on behalf of the petitioners~~

8th
22/12/18.

The petition is rejected under rule XIV (12) of the rules for the submission of petitions to the Govt. of Fort St. George.

Read & hope with record

The D.P.F. (2 to 4)
(with ^{orig} record
returned)

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READ AGAIN G.O. No.
191

DATED

CURRENT No.

ENCLOSURE TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH LETTO.

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

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.

ARTMENT.

was written. There was no list as the records were taken then and there by the Asst. Inspector." The Asst. Inspector purposely avoided giving any list and hushed up all the important records since their presence will spoil his attempt in bringing serious charges against the clerk.

The poor appellant, taking scent of the then Asst. Inspr. Mr. G. S. Regunatha Chari's representation to the then Inspector of schools, T. O. Hodges Esq., petitioned to the Inspector of Schools VII circle that Mr. G. S. Regunatha Chari is prejudiced against the poor petitioner and he ought not to conduct any inquiry as he was holding secret meetings with the Board and Aided school teachers and was using his own ~~influence~~ influence as Asst. Inspector of ScIs. to gather evidence to the premediated charges. In that report the clerk even prayed to accept his resignation if no other officer other than Mr. G. S. Regunatha Chari could not be ordered to conduct the inquiry. If the resignation had been accepted or another -- officer had been deputed to conduct the inquiry from the very --- beginning the appellant would have been in a better position and his fate would not be spoiled like this (Dismissal from public --- service). From the beginning to the end as both the enquiries were practically conducted by Mr. Regunatha chari himself, though Champion Esq., presided over the bench in name, Mr. Regunatha chari selected the very best teachers, on promises, as witnesses to -- depose against the clerk and the teachers also who always expect the departmental favouritism simply followed the dictates of the Asst. Inspector in their statements. The then Inspector of Schools T. O. Hodges Esq., knowing the nefarious designs of Mr. Regunatha chari turned a deaf year to the repeated representations of the clerk and ordered the Asst. Inspector himself to conduct the inquiry, who -- without giving any time to the appellant to offer a satisfactory explanation, conducted a partial inquiry without examining the -- appellant's witnesses and made an elaborate report recommending the poor appellant to be dismissed from service. The then Inspector

HEAD AGAIN G.O. 2 No

READ ALSO:—

" " " " " "

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No. 24, dated 2-1-1919

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~~The foot and see no
reason to interfere
on behalf of the petitioner~~
8H
22/12/18.

The petition is rejected under rule XIV (12) of the rules for the submission of petitions to the Govt. of Fort St-George.

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The D.P. F (g to)
(with ^{orig.} record
returned)

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