Sectt. II-29—27,004—25-11-25.

Law & Edu. (1926) Department.

Mis -SERIES.

G.O. No. 1799

DATED 15-9-1926.

[Despatch Abstract.]

Provident Fund.

M.R.Ry. M. Peter, ex-teacher, Wesleyan Mission High School, Tiruvallur - management's and Government's contributions - withheld by the District Educational Officer - payment Ordered.

BACK PAPERS.

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

FURTHER PAPERS.

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

Bangalore
26. 4. 26

To
The Minister of Education
Government of Madras, Fort St. George
Madras

Thro
The Director of Public Instruction
Nungambakam Madras

From
M. Peter, 6 Central street, Cleveland Town
Bangalore

Honored Sir

I beg to state that I was a Drill master for over 20 years in the Wesleyan mission High School Tiruvellore Chingleput District. Last 3rd December I sent in my application for retirement to the Educational Officer Chingleput District and requested him to close my Govt. Teachers Provident Fund account. After having accepted my application, the District Educational Officer paid me only my share of the provident Fund Contribution. According to the rules Page 5 Para 9-2 of G. O No 140 Law Education of 22nd Jan 1923, I am entitled to the full benefit of my own Contribution together with that of the management and Govt Contribution

Under the above Circumstances, I humbly request you will kindly enquire into the matter and pass orders to give me the full benefit of the Provident Fund for my long & discontinued Services.

In this Connection, I beg to bring to your Notice the Ci Circumstances that forced me to send my retirement application.

I beg to remain
Honored Sir
Your most obedient servant
M. Peter

Thro The Manager
W. M. High School
Tiruvellur
Chingleput Dist
(X)

No action
To be recorded please

On the 26th August 1925, Mr A Doraisawmy a co-worker without any reason interfered in my private affairs abused and insulted me before the Teachers & boys. I bore everything patiently and told him that he was not justified in doing so. He still persisted in abusing me and told me to get out. Then I left the matter entirely and went on with my work. About 10 minutes later, Mr Doraisawmy suddenly left his class, came over to the other compartment in which I was standing quietly, abused and insulted me second time in an attitude of assault. Thereon I, in self defence, gave him a push which unfortunately sent him down. He then began to ~~bit~~ bite my leg and I had some difficulty in extricating them.

By the advice of the Headmaster, Mr. Doraisawmy in his statement ~~to the manager~~ d/ 30.8.25 to the manager misrepresented the facts by false statement that I purposely

late of the V.M.High school, Tiruvellore, I have the honour to forward his petition that he be paid the Government and management shares of the General Provident Fund.

H1-3

3/

picked the quarrel and entered into his class room to assault him. I am sorry to bring to your Honor's Consideration that ~~p~~ no proper enquiry had been made into the matter either by the Educational officer or by the manager of the school.

M.Peter
26/4/26

DIRECTOR OF PUBLIC INSTRUCTION
C. 8849/26.
27 APR 1926
MADRAS

DIRECTOR OF PUBLIC INSTRUCTION
C 965.8/26.
22 JUN. RECD
MADRAS

RC 2813/25
OFFICE OF THE DISTRICT EDUCATIONAL OFFICER
17 MAY 1926
CHINGLEPUT DIST.

OFFICE OF THE DISTRICT EDUCATIONAL OFFICER
No.
27 MAY 1926
CHINGLEPUT DIST.

Letter:-

From the Correspondent W.M. High School, Tiruvellore
To the District Educational Officer, Chingleput Dt.
No.Nil, dated 26th May 1926.

****

Retransmitted.

2. The correspondent's remarks were forwarded with covering letter when this application was sent on. The Correspondent is under no obligation to forward such communications as the appointment and removal of teachers is a matter entirely within his competence. The cause of the quarrel in question was trifling, the result was an open assault by the teacher whose services were dispensed with and disciplinary action against the other teacher whose conduct was found to have been provocative.

3. With full knowledge of the circumstances the District Educational Officer found that the teacher had left the school in circumstances which did not warrant the payment of management's contribution. As this is strictly in accordance with rule, no objection could be raised; but as the teacher urges that he may be ~~xxx~~ granted this concession, the papers were forwarded in order that if possible, such a concession may be granted to him. The management will raise no objection to his receipt of both management and Government contribution as a matter of grace.

Copy of letter:-

From the Correspondent, W.M-School, Tiruvellore
To The District Educational Officer, Chingleput Dt
No.Nil, dated 12th May 1926.

**

In accordance with the request of Mr. M.Peter late of the W.M.High school, Tiruvellore, I have the honour to forward his petition that he be paid the Government and management shares of the General Provident Fund.

H1-3 supra

Your predecessor found that he had quitted the fund in circumstances which did not warrant such payments, in as much as I had had to dismiss him for conduct unbefitting a teacher. His statement that the matter was not properly investigated is entirely incorrect, I went carefully into the evidence and all witnesses were examined in his presence and he was given the opportunity of cross questioning them the evidence was unanimous as to his having assaulted another teacher in the school during school hours and before the scholars, and I had no option save to give a month's salary in lieu of notice . The other teacher was suspended and has been given other work in place of his teacher's post.

In view, however, of the service of the petitioner and his reduced circumstances, I should raise no objection if you see fit to reverse that protion of the previous order, and to permit the payment to him of the Government and management contributions. It should, however, be plainly understood that this is done as a matter of grace and not of right.

**

No. R. C. 28 B/25 dated 18th June 1926.

Submitted to the Director of Public Instruction, Madras Copies of the Correspondent's letters dated May 12th and May 26th are herewith enclosed.

Supdt

From these it is clear that the petitioner attempts to bolster up his case with lies.

Hence I do not recommend the payment to him of the manager's and Government contributions even as a matter of grace

-----

True copies.

For Director of Public Instruction

L. Edn ~~16493~~ 2270 C
17/7/26

R. O. C. No. 965 D/26 Madras Dated 13- 7- 26.

SECRETARY TO GOVT. OF MADRAS
17 JUL 1926
LAW DEPARTMENT

Submitted.

2. A copy of each of the letter dated 12- 5- 26 and 26- 5- 26 of the Correspondent, Wesleyan Mission High School, Tiruvellore and also a copy of the remarks and recommendations of the District Educational Officer, Chingleput thereon are herewith enclosed.

174-5
Supdt

3. I agree with the recommendations of the District Educational Officer and suggest that the same may be accepted.

for Director of Public Instruction

To

The Secretary to Government
Law(Education) Department,
Madras

a.r. 14/7/26

7

6

Law and Edn. Dept

C. 2276 C

Memo 2278 P.T / 28.7.26

Memorial from M. Peter, late teacher, ~~W.M.~~ Wesleyan Mission High School, ~~Tiru~~ vallur, d/ 26.4.26 — Endorsement of the Director of Public Instruction, Roc No. 965 D/26 d/ 13.7.26

pp 4-5 cf.

From the Correspondent's letter to the District Educational Officer, Chingleput, dated the 12th May 1926, it is observed that the ~~teacher~~ memorialist was dismissed "for conduct "unbefitting a teacher". The Director of Public Instruction is requested to obtain from the Correspondent and furnish a clear statement of the case against the memorialist.

27.7.26

27.7.26

27/7

Rd

DESPATCHED 1 - SEP 1926

To

The D.P.I. (memo)

DESPATCHED -JUL 1926

Remind on 28. 8. 26.

C F. 30

8/ L. Edu 2904 C
9/9/26

Educational/ DEPARTMENT.

Received .... 192 Registered 192

Law Department
9 SEP 1926

7

Subject.

Government. Provident fund for teachers in non-pensionable service-M. Peter-Late teacher-W.M. High School-Tiruvellore-memorial.

ENCLOSURES.
No.
Spare copies

R.O.C No. 965D/26

Station Madras. Dated the 6th September 1926

From (Name) R.G. Grieve Esq., M.A.,

(Designation) Ag. Director of Public Instruction

To The Secretary to the Government of Madras

Law Education Department.

Sir,

p. 7 supra

p. 9 infra

With reference to Government memorandum No. 2278-C-1 Law Education department dated 28-7-26, I have the honour to submit herewith a copy of the letter No. Nil. dated 14-8-26, from the correspondent, Weslyan Mission High School Tiruvellore, and a copy of the endorsement thereon ~~RxOxCxNox 28/Bx25xdatedx25x8x26~~ of the District Educational Officer, Chingleput R.O.C. No. 28-B-25 dated 25-8-26 and to state that since the teacher was dismissed from service for misconduct he cannot be paid the manager's and Government contribution under the rules.

I have the honour to be,
Sir,
Your most obedient servant,

For Director of Public Instruction

The rule is not absolute. rule 10 (c) in p. 67 G.O. No. 1651

C.P. 7-9
Rmp. 9

9/ 8

Copy of the letter:-

From the correspondent, W.M.High School, Tiruvellore.to the District Educational Officer, Chingleput. Dated 14th Aug.26

With reference yours R.C.No. 28-B-25 dated August 5th, 1926 I have the honour to point out that the information called for by the Director is already included in the same para of my letter of May 12.to which he makes reference, Viz., that the teacher was guilty of an assault on another teacher in the school, during school hours and in the presence of the scholars. The evidence was unquestionable and unanimous that he either knocked or pushed the other teacher over a form on to the floor and when he rose repeated the same action. There was some evidence to show that he also kicked him while he was on the ground but some witnesses stated that they had not observed it. In any case, as there has have been other grounds for complaint with regard to the Teacher's treatment of some of the boys, and as his action brought to the greavest discredit on the school, drastic action was the only possible course.

p. 5 supra

This is not a clear statement of the case agst the petr

As I have stated previously, however, I am prepared so far to temper justice with mercy that I shall not object if the Director permits the payment of the contributions made by the Management on behalf of the teacher to be paid to him.

p. 5 supra

R.C. 28-B -25 dated 25th August 1926.

Copy submitted to the Director of Public Instruction, Madras, with reference to Proceedings R.C.No.965D/26 dated 2-8-26. I do not modify my previous recommendation, whatever the provocation, it is hardly the thing for a teacher to assault another in the class room.

p. 5 supra

(Sd) Krishnamurthi.

District Educational Officer. Chingleput Dt.

(True copy)

A. G. Chinnappa
7.9

For Director of Public Instruction.

C.P. 7-9

Rn 7.9

9

Law and Edn. Dept

C. 2278 C – From M. Peter, ex-teacher Wedegan mission high school, Tiruvallur, d 26.4.26

Endt by the D.P.I. R.O.C No 965 D/26, Madras d 13.7.26.

Subject Withholding of the management's and the Govt's contribution to the Provident Fund, in paying the amount due to the teacher

~~4~~ 9? The revised no of the rule is 10
p. 6 of G.O. No 1651 / 29.10.24 (P.S)

(9) set

Rule ~~10~~ (c) of the rules relating to the Provident Fund for teachers in non-pensionable service provides that "if a subscriber is dismissed or removed from service, the portion of the deposit which is made up of the contributions of the employer and the interest thereon and the Government contribution may be withheld at the discretion of the District Educational Officer of the district after consultation with the management, but such a subscriber shall receive his own deposit with interest thereon."

In the present case the Government and the management's contribution have been withh

withheld owing to a quarrel between the
petitioner and another teacher, in which p. 4 cf.
the latter was assaulted by the former. The other teacher's
conduct was ~~also~~ found to ~~be~~ have been provocative
and he has been given other work ~~in place~~ p. 5 cf.
~~of his teacher's post~~. The petitioner's services
were dispensed with.

2 Although the management has
no objection to the payment of the
management's and the Govt's Contributions
as a matter of grace, the Dt. Edl.
Officer is against the payment of the
Contributions as the teacher attempts p. 5 cf
to bolster up his case with lies. The
Director agrees with the D. E. O. p. 6 cf

It is for consideration whether, in
view of the fact that the management
has no objection to the payment, the
petitioner's request may be complied
with. It is stated that the
petitioner is in straitened circumstances & p. 5 cf.
had ~~rendered~~ 20 years' service as teacher. p. 1, c. f

22.7.26

~~and~~ The fact that his indecent conduct
was due to the provocation ~~of~~ given
by the other teacher is ~~no~~ an
extenuating factor. This is no
case of moral turpitude but only
of assault under provocation.
The management is willing to
allow the contributions by [illegible]
itself & by Govt. We need

22.7.26

not raise any objection to the proposal
of the management.

CR
23/7/26

We do not know what the circumstances
were which led to the dismissal. The
p. 6 of file No. 1651 / 29.10.24 (S) rules do not say anything about
'moral turpitude" & the correspondent
says "he had to dismiss him for conduct p. 5 cf
~~unbecoming~~ unbefitting a teacher".

Call for a clear statement
of the case of the memorialist

V. TK
5.7

A draft memo is submitted.

27.7.26.

27.7.26

CR
27.7.26

p. 7 cf. [memo No. 2278 C-1 d 28.7.26]

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p. 8 cf. C. 2904 C From the D.P.I., R.O.C
No. 965 D/26 d 6.9.26

The ~~lect~~ correspondent's letter
on 9 of the cf. only gives some more
details

details of the assault by the ~~petitioner~~ petitioner on another teacher and does not appear to ~~[illegible]~~ give a clear statement of the case against the petitioner (as required in the Govt. memorandum). It does not state the circumstances under which he made the assault. ~~although~~ It appears from the D.E.O's endorsement that there was some provocation. p. 9 c.f.

It is stated that there were grounds for complaint in regard to the teacher's treatment of some of the boys and that his action brought the gravest discredit on the school.

2 The Director states that the management's and the Govt's contribution cannot be paid to the teacher under the rules. p. 8 c.f. Rule 10 (c) of the rules relating to the provident fund for teachers in non-pensionable service only says that "the 'contribution *may* be withheld at the discretion of the District Educational officer of the district after consultation with the management."

p. 6 of G.O. No. 1651 / 29.10.24 (S)

x italics by office

In the present case the management

management has no objection to the payment of the contribution as a matter of grace, but the D.E.O is against the payment being made. It is open to the Govt. to accept either of the recommendations.

pages 5 + 9 c.f

3 It is for orders

(i) whether a clear statement of the case should be called for and, if not,

(ii) whether the D.E.O's and the Director's recommendation will be accepted or

p. 9. c.f & p. 8 c.f.

(iii) whether the D.P.I may be asked to waive his objection

9.9.26.

10.9.26.

10.9.26

I do not think there is a case for interference in view of the report on p. 9 of the c.f. The petn. may be dismissed

V.T.K

10.9

SECRETARY TO GOVERNMENT 14 SEP 1926 LAW DEPT

M 2 The Management agrees to ~~[illegible]~~ contribute even as a ~~[illegible]~~ matter of grace - The D.E.O has no particular grounds to object - His reasons are very arbitrary - I think there is a case where we may interfere & direct contribution

6

A draft order is submitted.

H
14.9.26. 14.9.26

CR
14/9

V.T.K.
15/9

Scott. II-5 (5)—25,000—25-11-25. (6)

	Date.	Initials.
When received for Fair-copying.		
When copied ..	15.9.26	R.
When examined ..	15/9	G
When signed ..		
When despatched ..		

Law and Edn DEPARTMENT.

Provident Fund.

Mary M. Peter, ex-teacher, Wesleyan Mission high school, Tinnevelly — management's ~~and~~ and Govt's contributions — withheld by the Dt. Edl. Officer — payment ordered.

READ AGAIN G.O. No. , dated 192

" " " " , " 192 .

READ ALSO :—

C. No. 2278C From the Mary M. Peter, late teacher, Wesleyan Mission high school, Tinnevelly No. , dated 26-4-1926.

" " 2902C " D. P. I. Roc. " 9650/26 " 6-9-1926.

" " " " " " 192 .

ORDER.

No. 1799, dated 15.9.1926

Mis

p.s.c.

It is observed that the management of the Wesleyan Mission high school, Tinnevelly, has no objection to the payment to the petitioner of the portion of the deposit in the Provident Fund, which consists of the management contributions with interest thereon and the Government's contribution.

The Government are pleased as a matter of grace to direct that the contributions be paid to to the petitioner. ~~as a matter of grace.~~

2 The petitioner is referred to the Director of Public Instruction for orders on his petition.

14.9.26 14.9.26

14/9

V.T.K. 15/79

To

the D.P.I. (q.t.o)
" peti. (para 2 only of orders)

DESPATCHED
16 SEP [illegible]

When given for copying
When copied
When examined
When signed
192 .

READ AGAIN G.O. No. , DATED 192 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. .. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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