

close
work

Scott. II-27--37,004--19-11-47

Engr (1946) Department.

Ms SERIES.

G.O. No.

8524

Rou

Dated

22.4.1946

[Despatch Abstract.]

Appeal - Krishnan, Sri A. - L.T. Assistant - Municipal High School, Gudiyaattam - Claim for appointment as Headmaster - Rejected.

Back Papers

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

Further Papers.

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

From

Sri. A. Krishnan, B.A.L.T.,

Second Assistant,

Municipal High School,

Gudiyattam.

To

The Secretary to Government,

Education & Public Health Department,

MADRAS.

Through

The Proper Officer,

GUDIYATTAM.

Sir,

ENCLOSURES
(THREE)

Sub:- Municipal High School-Gudiyattam-Appointment of an outsider as acting Head Master-Claims of the only local Assistant in the panel ignored-Appeal submitted.

I beg to bring to your kind notice the following grievance of mine for your sympathetic consideration and redress.

2. The permanent head master of the Municipal High School, Gudiyattam, went on leave for 3 months from 1-11-1945. It was then widely rumoured that from among those on the staff of the school my name alone was included in the panel for the head-mastership. Such inclusion proves my tested competency for filling up the vacancy. But as per Enclosure A, Sri. E. V. Singaravelu Mudaliar, an outsider, was appointed as Acting Head Master ignoring my claims for the post.

3. The appointee did not report himself for duty. The way was thus open for my claims to be reconsidered. But the First Assistant was allowed to continue to be in charge while none else in the panel was appointed.

4. During the past over 22 years of my service in this school, whenever the absence on leave of the head master devolved on the First Assistant onerous duties, the onus of their discharge fell to my lot. During the past 12 years alone, on nine out of the ten such periods, I have had to be in charge. Thus in May 1943, when the Head Master availed of the Summer vacation, being invested with all the powers of the Head Master, I decided and announced the Annual promotions.

5. Similarly even during leave vacancy of less than 3 months, I was in charge for over a month in all, off and on, during critical occasions. One such occasion the First Assistant availed of the leave, was from 22-12-1945 to 12-1-1946, when the S.S.L.C. Selection List had to be decided, announced and despatched. As per Enclosure B, I had then to be in charge only, without any claims for probation or allowance. Nevertheless I discharged the onerous duties as usual and ungrudgingly, conscientiously and to the satisfaction of my superiors. Though my services were thus actually utilised, the matter of my further appointment was let to lie over, thereby denying me for a third time the promotion due to me.

6. The Government Orders governing the constitution of the panel contemplate the inclusion of the names of outsiders in it, only if "a sufficient number of suitable candidates in the service of the municipal council is not available for inclusion in the list." Normally therefore, preference is justly implied for one of my type with approved long service and efficiency.

7. On a similar occasion in 1938 when my claims were ignored by the appointment of a junior as the Acting Head Master for barely a month's leave vacancy, I appealed to the Government. They were pleased to order that the service of the Acting Head Master would not count for probation - Vide Enclosure C.

8. Hence I humbly submit that the preference now shown to an outsider in spite of the availability of an eligible candidate like me already in the service and the persistent ignoring of my claims, contravene the spirit underlying the constitution of the panel.

9. I pray therefore that the Government may be pleased to order that I ~~should~~ should be deemed to have acquired probation to fill up the next future vacancy for head-mastership, in view of the following among other grounds:-

a) that mine is the only name in the panel as that of the only suitable candidate from among those in the service of the Council,

b) that I efficiently discharged on prior occasions all the duties pertaining to the Head Master,

c) that during the leave vacancy under reference I have actually performed for over a month the onerous duties pertaining to the Acting Head Master.

I beg to remain, Sir,

Your Most Obedient Servant,

Gudiyattam,
20th Feb'1946.

A. Krishna
Second Assistant.

Copy submitted to The Secretary, Education & Public Health Department, Madras, to avoid delay.

" The Divisional Inspector, Coimbatore.
" The Director of Public Instruction, Madras.
" The District Educational Officer, North Arcot, Vellore.

ENCLOSURES

Enclosure A:-

Proceedings of the Municipal Commissioner, Gudiyattam.

Name Dr. Sam. M. Davasigamani, L.M.P.,
ROC.B.3.6757-45 dated 21-11-45.

Sub:- Establishment-Municipal High School-Appointment of Head Master in the leave vacancy-Orders issued.

Ref:- 1. Application from Sri. M. S. Natesan dated 27-10-45.

2. Proceedings of the appointment committee dated 20-11-45.

Sri. M. S. Natesan, Head Master, Municipal High School, Gudiyattam is granted leave on average pay without medical certificate for 11 days from 1-11-45 and leave on half average pay without medical certificate for 2 months and 19 days from 12-11-45.

2. Sri. E. V. Singaravelu Mudaliar, Assistant, Municipal High School, R. S. Puram, Coimbatore, is appointed to act as Head Master in the Municipal High School, Gudiyattam, on a salary of Rs. 110-10/2-170 vice No. 1 on leave or until further order. He is requested to join duty forthwith.

(sd) Sam. M. Devasigamani,
Commissioner.

Enclosure B:-

Memorandum of the Commissioner, Municipal Council, Gudiyattam.
Sri. R. Vairaswami Pillai, B.A.,
L. Dis. 7671/45 dated 22-12-45.

Sub:- Establishment-M. S. Ramachandra Iyer-Head Master in charge Municipal High School, Gudiyattam-Grant of leave-Orders passed.

Ref:- Application dated 19-12-45.

Sri. M. S. Ramachandra Iyer, Head Master in charge, Municipal High School, Gudiyattam, is granted leave on average pay without medical certificate for 7 days from 5-1-46 with permission to prefix the Christmas Holidays.

He will hand over charge to Sri. A. Krishna Iyer, the Second Assistant. The Second Assistant is informed that this will not confer on him any right for appointment as Head Master or for any additional allowance.

(sd) R. Vairaswami Pillai,
Commissioner.

Enclosure C:-

Government of Madras.

Abstract-

Appeals-Sri. M. S. Ramachandra Iyer and A. Krishna Iyer- Assistants, Municipal High School, Gudiyattam, against the appointment of Sri. P. K. Menon as Head Master - Orders passed.

Education & Public Health Department.

G.O. No. Ms. 1217 Edu.,

Dated 29th May 1939.

Read the following papers:-

Appeal petitions from Sri M. S. Ramachandra Iyer and Sri. A. Krishna Iyer, dated the 12th December 1938.

Endorsements from the Commissioner and Chairman, Gudiyattam Municipality, dated 10th and 24th January 1939.

Memorandum from the Director of Public Instruction,
No. 3222-5/38 dated the 15th May, 1939.

ORDER:-

The Commissioner, Gudiyattam Municipality is informed that the acting appointment of Sri. P.K. Menon as the head master of the Municipal High School, Gudiyattam, cannot be deemed to have been properly made as the instructions in G.O. No. 991 L&M., dated the 12th March, 1936, were not followed. The service already rendered by him as Head-master would not therefore count for probation, nor would give him a preferential claim for probation. Any vacancy which may arise hereafter should be filled in consultation with the District Educational Officer. The Commissioner's attention is also invited to G.O. No. 223 L.S.G., dated the 16th January, 1937.

(By order of His Excellency the Governor)

Re No 53/46 of 20.2.46.

Submitted to the
Municipal Commission,
Gudiyattam.

20.2.46

The rules relating to the appointment of Headmaster to Municipal high school are contained in G.O. No. 953 Ldn., dated 30-6-1942 as amended by G.O. No. 1236 Ldn., dated 21-8-1944. Under rule 1 of the said rules the appointment committee of the council has got full powers to select any of the candidates found in the panel. I am therefore of opinion that no appeal lies in this case.

R. Vairava
Commissioner

Municipal Council, Gudiyattam.

DS.1/3.p.

To The Secretary to Government, Education and Public Health Department, Madras through the Chairman, Municipal Council, Gudiyattam and to the Director of Public Instruction, Madras.

Forwarded. This is a deserving case.
Chairman. 7.3.46

F&PH (B1) Department.

C.No. 11095 B1/46.

Appeal - Krishnan, Sri A. - L.T. Assistant,
Municipal High School, Gudiyattam. Against
the appointment of headmaster to the school.

From Sri. A. Krishnan, Assistant, M.H.S.,
Gudiyattam, dated 20/2/46.

Memo No 11095 - B/46 - 1 Edy dated 16/3/1946.

The Commissioner, Gudiyattam
Municipality is requested to forward the
appeal

26
petition, cited above, to Government with his
remarks through the D.P.I.

15/3/46
15/3-46
To *encl 3-46*
The Commissioner,
Gudiyattam Mply,
Thro' the C.M.C.

C.F. 32.

LOCAL ADMINISTRATION Department

From (Name) SRI R. VATRASWAMI PILLAI
B.A.,
Designation COMMISSIONER, MUNICIPAL
COUNCIL,
Station GUDIYATTAM.

Received 17039
27 MAR 1946
The Secretary to Government,
Education Department, Public Health
Department, Madras.
Through The Chairman, Municipal
Council, Gudiyattam.

Enclosures:

ReB₃ No. 1419/46 dated 25th March 1946.

Sir,

Apal - Krishnan Sir A. L. T. Asst, Municipal High School
Gudiyattam - Asst. J. Hand Master V. S. School
Ref: Government memo. No. 11095 - B.46-1. Edn., dated
16-3-1946.

The petition of Sri A. Krishnan was forwarded
to Government through the Director of Public Instruction
on 7.3.46

R. Vairam 25/3/46
COMMISSIONER.

Forwarded

M. V. Vasudevan
Chairman. 26.3.46

DS.25/3.p.

Copy to the Director of Public Instruction, Madras.

8
L4PH (B1) Dept.

Please see the letter from the Commr.
Gudiyattam Municipality on p7 ante. The
appeal petition of Sri A. Krishnan may be
awaited from the DPO with his remarks
till 28/3/46.

28/3/46
28/3/46

28/3/46

9
ASTH
B1 OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
R.C.NO.460-G/46, Dated 5-4-1946.

Appeal - Sri A. Krishnan, Assistant -Municipal High School, Gudiyattam for appointment as Headmaster of the School.

19674
Ref: 1. Appeal dated 20-2-1946 from Sri A. Krishnan.
2. Endt No.Nil dated 4-3-1946 of the Commissioner, Gudiyattam Municipality.

Submitted together with a copy of the letter ROC.No.6757-45-B.3 dated 25-3-1946 from the Commissioner, Gudiyattam Municipality.

2. The appellant, Sri A. Krishnan, was one of the four persons whose names were included in the panel for 1945-46 furnished by the Divisional Inspector of Schools, Coimbatore in April 1945. The appointment committee in its Proceedings dated 20-11-1945 selected Sri E.V. Singaravelu Mudaliar, one of the four in the panel, and the Commissioner sent his Memo. No.6757/45 dated 21-11-1945 appointing Sri E.V. Singaravelu Mudaliar as Headmaster of the Municipal High School, Gudiyattam Municipality. Mudaliar expressed his inability to join duty forthwith as he was then on leave. Then the appointment committee should have selected some other person from the panel for appointment as Headmaster as the permanent incumbent was due to return on 1-2-1946. Instead, the temporary arrangement of placing the 1st Assistant of the school in charge of the post of Headmaster was continued.

3. When Sri M.S. Ramachandra Ayyar, 1st Assistant of the school, was in charge of the post of Headmaster during the absence on leave of the permanent Headmaster, he went on leave for 7 days with permission to prefix the Christmas holidays and Sri A. Krishnan was put in charge of the post of the Headmaster of the school. The appellant's claim for the Headmaster's post on the basis of this, does not appear to be sustainable for the following reason.

It is obvious from the way in which the appointment committee acted in the matter of filling up the leave vacancy in the post of Headmaster of the school, that they did not want to give probationary rights to Sri A. Krishnan. If they had known that placing him in charge would give him probationary rights, they could easily have placed some one else in charge for the 7 days. When Sri E.V. Singaravelu Mudaliar replied that he could not join till February 1946, Sri A. Krishnan was not placed in charge or appointed to act as Headmaster when it is so obvious that the management did not want him, it would not be proper to support his case merely on the technical ground that because his name was in the panel, he secures probationary rights when put in charge for 7 days - that short vacancy being caused by the man who was in charge going on leave.

4. In these circumstances, the present appeal of Sri A. Krishnan deserves no consideration.

5. The Municipal Office File No.6757/45 and the personal file of Sri A.Krishnan are herewith enclosed.

for Director of Public Instruction.

To

The Secretary to Government,
Education and Public Health Department.

RVR 6/4/-

P.T.O.

10
: 2 :

Copy of letter ROC.No.6757/45-B.3 dated 25th March 1946 of the Commissioner, Municipal Council, Gudiyattam to the Director of Public Instruction, Madras.

45291

Sub: Appeal - Sri A.Krishnan - Assistant - Municipal High School - Claim for Headmaster's post.

Ref: Your RC.No.660-G/46 dated 13-3-1946.

On 20-11-1945 the appointment committee decided to appoint Sri E.V. Singaravelu Mudaliar as the Headmaster in the leave vacancy of Sri M.S. Natesan. The orders were communicated to him on 21-11-1945. A telegram was sent to him on 4-12-1945. Reply was received from him on 8-12-1945 that he was on leave and was unable to join duty forthwith and promised to join duty in the second week of January 1946, if permitted. The Christmas vacation for the Municipal High School began on 24-12-1945 and the school re-opened on 7-1-1946. The leave applied for was to expire on 1-2-1946. In the meanwhile Sri M.S. Natesan promised to join duty even earlier than the due date and he actually joined duty on 26-1-1946 itself.

Thus it will be seen that Sri Singaravelu Mudaliar wanted time till 2nd week of January 1946 to join duty. As the leave granted was drawing to a close and the Christmas vacation intervened and as Sri M.S. Natesan promised to join duty even earlier than the due date, there was no necessity for appointing another man from the panel as the headmaster of the school in the leave vacancy and the 1st assistant was continued to be in charge.

This office file relating to the subject is sent herewith. The letters received from Sri E.V. Singaravelu Mudaliar are in the file.

The personal file of Sri A. Krishnan is also sent herewith.

(TRUE COPY)
[Signature]

①

for Director of Public Instruction.

ETPH (B1) Dept.
CNo. 1109521/46. Appeal - Krishnan, Sri A - T. T. Assistant - Municipal High School, Gudiyattam - Claim for appointment as Headmaster - Rejected.
From Sri A. Krishnan, Second Asst., M. High School, Gudiyattam, Dt 20.2.46.
Encl. of the Commr, Gudiyattam Municipality, No. Nal dated 4.3.46.
From the D.P.G., R.C. No. 60-8/46 dt 5.4.46.
Order MS No. 854 dt 22-4-1946.
The appeal is
P.T.O.

rejected.

17/4/46
hen
17-4-46

17/4/46

To
The Petitioner, Thro'
The Commr. Gudiyattam
Mty.
The Commr. Gudiyattam
(with Encls in origl).
The D.P.G.
D + C

E & P.H. (B1)

Appeal - Krishnan Sri A- Assistant Municipal High School,
Gudiyattam - Claim for appointment as headmaster

101-2cf
101-2cf
101-2cf

Petition from Sri A. Krishnan, Second Asst, Municipal High School,
Gudiyattam, dated 20-2-46
Endt of the Commissioner, Gudiyattam Mty No Nil dated 4-3-46
From the D.P.I. R.C.No 60-G/46 dated 5-4-46

The facts of the case are set out in the D.P.I's letter on
page 9 C.F.

2. The appellant is the second Assistant in the Municipal
High School, Gudiyattam. Even though his name was in the panel
for appointment as headmaster for 1945-6, he was not chosen by
the Appointment Committee for the vacancy which arose in Nov
1945 consequent on the permanent headmaster going on leave for
three months. As the selected candidate did not turn up, the
1st Assistant was in charge and when he went on short leave
for 7 days from 5-1-46 he was asked to hand over charge to the
appellant and he was definitely informed in writing that it

101-2cf

would not confer on him any right for appointment as headmaster. — S' up 3 CF

The petitioner's contention that he should be deemed to have acquired probationary rights in view of the above appointment and that his

claim for future vacancies should be recognised is untenable. As

pointed out by the Director, the Appointment ^{Committee} was not in favour of

giving ^{him} the headmaster's place ~~to the petitioner~~ and when he was definitely informed in the order placing him in charge of the school

that the arrangement would not confer any probationary right, he can have

no claim for appointment. It is open to the Appointment Committee to ^{and once the names are included in the panel there can be no distinction between a senior man} select anyone from the panel ^{or outsider}. The fact that it should have selected

some one else from the panel when the selected candidate did not turn up

cannot be a justification for treating the petitioner as a probationer.

For orders whether the appeal may be rejected as recommended by the

Director.

The appellants having been in the panel.

his appn. Committee could have

clearly appointed him as H. T. during

his 7 days and given him probationary

regard to which should be no way

he do so. It is for him to him

him his appn. Carried no such right

p 3 ce. with it. There is therefore no reason to

interfere with his discretion of his appn. Committee. The appeal may be rejected as recommended by the DPT.

15.4.46.

S. H.

16/4/46

[PH (B1) Dept.]

A draft order is submitted below for

approval.

17/4/46.

17.4.46

Handwritten notes on lined paper, including the phrase "A. H. (10) 1962" and other illegible text.