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his SERIES.

G.O. No.

872 Edn.

Dated

25.4.46

[Despatch Abstract.]

Appeal - Panchapagesa Ayyar
Sri T. - Arst. Bd. High School, Arni -
Petition against the appointment
of Sri T.P. Sopalekrishnan as H.M.
of High School, Kaveripour - Report

Back Papers

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

Further Papers.

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

5 DEC 1945
From
T. Panchapagesan, B.A., L.T.,
History Assistant, Board High School,
Arni, (N.A.) 4-12-45.

B222051.45
5-12-45 Board High School,
Arni, (N.A.) 4-12-45.

DIRECTOR OF PUBLIC INSTRUCTION
21 JAN 1946
MADRAS

To
The Secretary to Government,
Department of Education & Public Health,
Fort St. George, MADRAS.
Through:
(1) The Headmaster,
Board High School, ARNI, and
(2) The President,
District Board,
North Arcot, VELLORE.

Sir,

I beg to appeal against the order R.O.C.No.B-3-9888/45 dated 7-6-1945, issued by the President, District Board, North Arcot, Vellore, appointing Sri T.P.Gopalakrishnan, to act as Headmaster, Board High School, Kaveripak. In doing so, I beg to make the following submission:--

I have served for more than 22 years as a permanent L.T. assistant in the High Schools of this District Board. I have also passed the examination in Special English connected with L.T. Degree course of the Teachers' College, Saidapet, besides attending a course of special lectures for Librarians organized by the Madras Library Association. My age is 46 and my present salary Rs.120/-, including personal pay. This salary I have been drawing since July 1933.

I beg leave to stress on the fact that I acted as Headmaster of a full-blown High School under this District Board in the grade of Rs.125 - 5 - 175. In D.Dis.No.1754/D.B. of 1933 dated 26-10-1933, I was appointed to act as Headmaster on Rs.125 - 5 - 175 and another person was posted to the vacancy caused by my promotion. Two subsequent orders, D.Dis.No.1865/D.B. of 1933 dated 25-11-1933 and D.Dis.No.1998/D.B. of 1933 dated 10-12-1933 continued me in the post.

By my service as acting Headmaster which lasted on the whole for about three months, I submit that I acquired a claim to subsequent vacancies which should not be brushed aside.

If in addition ~~the~~ to the claim so acquired my name is found in the panel of Headmasters, it is incumbent on the President to appoint me to act as Headmaster. This has not been done, and the vacancy that arose in June of this year was given to one who is far junior to me in service.

I request that the order referred to in paragraph I supra may, for the reasons stated above, be set aside and a new order passed upholding my claim to the vacancy now filled by Sri T.P. Gopalakrishnan and to those that may arise hereafter.

(Enclosures:--
Copies of (1) D.Dis.
No. 1754/33 dated 26-10-33.
(2) D.Dis. No. 1865/33 dated
25-11-33. (3) D.Dis. No.
1998/33 dated 10-12-1933,
and (4) R.O.C. No. B-3-9888/
45 dated 7-6-1945.

I beg to remain,

Sir,

Your most obedient servant,

Thangapalan
History Assistant.

N.Dis. 184/45 dated 4-12-45.

Submitted to the President, District Board, North Arcot

Vellore.

Board High School, Arni.
4-12-1945.

C. N. Subramanian
Headmaster. 4/12/45

3
MEMORANDUM D.DIS No. 1754 of 1933.

4
Dated 26 - 10 - 193

JANAB C. ABDUL HAKIM SAHIB BAHADUR,
President, District Board, North Arcot, Vellore.

M.R.Py. A.Singam Aiyangar, Headmaster, Board High School, Kaveripak
is granted leave on half average pay on medical certificate for three weeks
with effect from the 20th October 1933.

2. M.R.Ry. T. Panchapakasa Aiyer, B.A., L.T., Assistant master of the
same school is appointed to act as headmaster on P.125-5-175 with effect
from the 20th October 1933. Vice No. 1.

3. M.R.Ry. V.K.Rathanasabapathi Mudaliar, B.A., L.T., is appointed to
act as assistant master, Board High School, Kaveripak on Rs.50 Vice No.2.
To join duty forthwith.

(Signed) V.M. Ramaswami,
26-10-
For President.

True Copy 2 Panchapakasa. 4-12-1945

D.Dis. No. 1865 D.B. of 1933.

Memorandum Issued by

Janab C. Abdul Hakim Sahib Bahadur,
President, District Board, North Arcot.

M.R.Ry. A. Singam Aiyangar, Headmaster, Board High School, Kaveripak
is granted leave on half average pay on medical certificate for three weeks
from 10-11-1933 in extension of such leave granted to him in this office
Memo D.Dis. No. 1754 D.B. of 1933 dated 26-10-1933.

2. The existing arrangements to continue.

North Arcot District Board's office,
Vellore. Dated 25-11-1933.

(Signed) K. Ganapathi Aiyer,
27-11-33.
For President.

(True Copy)

Manchappa
4-12-1945

3. ⁵

6

MEMORANDUM D.DIS. No. 1998 D.B. of 1933 Dated 10-12-1933

JANAB C. ABDUL HAKIM SAHIB BAHADUR,
President, District Board, North Arcot.

M.P.Ry. A. Singam Aiyangar, Headmaster, Board High School, Kaveripakkam is granted sick leave on half average pay for four days from 1-12-33 in extension of such leave granted to him in this office memo D.Dis.No. 1865 D.B. of 1933 dated 25-11-33.

2. The existing arrangements to continue until further orders as M.R.Ry. A. Singam Aiyangar died on the night of 4-12-33.

(Signed) V. M. Ramaswami,
For President.

(True Copy)

Manchappa Rao
4-12-1945

D.Dis. No. 1865 D.B. of 1933.

Memorandum issued by

Janab C. Abdul Hakim Sahib Bahadur,
President, District Board, North Arcot.

M.P.Ry. A. Singam Aiyangar, Headmaster, Board High School, Kaveripakkam is granted leave on half average pay for four days from 1-12-33 in extension of such leave granted to him in this office memo D.Dis.No. 1865 D.B. of 1933 dated 25-11-33.

2. The existing arrangements to continue.

North Arcot District Board's Office,
Vellore. Dated 25-11-1933.

(True Copy)

R.O.C.No.B-3-9888/45.

District Board's Office,
Vellore, Dated 7-6-1945.

M E M O.

Sri B. BAKTHAVATSALU NAIDU, M.L.A.,
President, District Board,
NORTH ARCOT.

Establishment - Board High School - Kaveripak - leave
for three months - on medical certificate - Sri S. Venkatasubba
Rao, Headmaster, B.H.School, Cheyyar, under orders of transfer
to Kaveripak - sanctioned.

Sri S. Venkatasubba Rao, B.A., L.T., Headmaster, Board
High School, Cheyyar, under orders of transfer to the Board
High School, Kaveripak, is granted leave on medical certifi-
cate for three months from 2-6-1945.

2. Sri T. P. Gopalakrishnan, B.A., L.T., Assistant, Board
High School, Arni, is appointed to act as Headmaster, Board
High School, Kaveripak, on Rs.110/- in the scale of Rs.110 -
10/2 - 170 vice No.1 on leave or until further orders.

The Headmaster, Board High School, Arni, is requested to
relieve item No.2, forthwith.

SD/- B. BAKTHAVATSALU NAIDU,
President.

(TRUE COPY).

2. Ranga Rao
4.12.45.

BY REGISTERED POST.

Local Administration Department.
From

Sri B. Bakthavatsalu Naidu,
President, District Board,
North Arcot, Vellore.

To
The Director of Public Instruction,
Madras.

Roc.B3. No. 23051-45 dated 18th January 1946.

Sir,

Sub: APPEAL-North Arcot District Board-Representations of Sri Panchapagesa Aiyar
against the appointment of Sri T.P. Gopalakrishnan as Headmaster.

...0.0...

bpl-2 ante

I forward herewith the representations of Sri T. Panchapagesan, B.A., L.T., Assistant,
Board High school, Arni appealing against the appointment of Sri T.P. Gopalakrishnan, B.A., L.T.
as Headmaster, Board High school, Kaveripauk in a vacancy caused by the grant of leave to
Sri S. Venkatasubba Rao the permanent Headmaster of the above High school.

2. A list of names of suitable candidates drawn up by the Divisional Inspector of
schools, Coimbatore in his Confdl. dated 24-5-45 contains the name of Sri T.P. Gopala-
krishnan as well as that of the appellant as items 4 and 1 respectively. It may be seen
therefrom that the retention of the name of the appellant is provisional. Hence the
appellant was not preferred.

3. The contention of the appellant that he acted as Headmaster during the period of

(P-T-0)

period of 20-10-1933 to 10-1-1934, would not confer on him any probationary rights as the rules of probation came into force only on 11-12-1934. Please see G.O.No.5062 L & M dated 23-11-1934 published in the Fort St. George Gazette on 11-12-1934. The appeal may be dismissed.

4. The services register of the appellant and this office L.Dis. 9726/45 (pages 16) dated 23-6-1945 are enclosed for favour of perusal and return.

Enclosures:

1. Service Register.
2. Application with its enclosures.
3. L.Dis. 9726-45 dated 18-1-46 (16 pages.)

For President.

R.C. No. 154-C/46.



The Director of Public Instruction, Madras, Dated 21st March 1946.

Subject: - Appeal - Sri T. Panchapagesa Ayyar, Assistant - Secondary School, Kaveripauk, District Board, North Arcot - against the appointment of Sri T. P. Gopalakrishnan as Headmaster of the Board High School, Kaveripauk.

Reference: - Appeal dated 4-12-45 from Sri T. Panchapagesa Ayyar. and Letter R.O.C.No. B.3-23051/45 dated 18-1-46 from the President, District Board, North Arcot.

Submitted.

2. The appeal of Sri T. Panchapagesa Ayyar is against the appointment of Sri T.P. Gopalakrishnan as Headmaster of the Board High School, Kaveripauk in supersession of his claims. He bases his appeal on two grounds (i) his previous appointment in 1933 as Headmaster of the same school and (ii) the inclusion of his name in the panel.

3. His first ground of appeal is not sustainable since, under G.O. No. 1700 Education dated 3-9-40, officiating service rendered before 11-12-34 does not confer on him a right to re-employment to the same post of Headmaster of the school.

4. As regards the second point it should be stated that though his name along with that of Sri T.P. Gopalakrishnan and three others was included in the panel by the Divisional Inspector of Schools, Coimbatore Division, and he might be senior to the respondent, it was open to the President, District Board to appoint any one from the panel. Further, as the Headmaster's post is a selection one, he cannot claim it as a matter of right by virtue of his seniority alone.

5. However, I bring the following points to the notice of Government:

In the panel for 45-46 furnished to the President, District Board by the Divisional Inspector with his confidential letter dated 24-5-45, it was stated that the retention of the name of Sri T. Panchapagesa Ayyar in the list was provisional and that the question of his suitability was under correspondence with the District Educational Officer. In his letter R.O.C.No. 23051/45 dated 18-1-46, forwarding the appeal, under reference, the President, District Board remarked that as the retention of the name of the appellant in the panel was provisional, he did not prefer the appellant. But it may be observed from his office file relating to the appointment of the respondent as the Headmaster that the President, District Board did not record in his office note the above reason for his choice. As it was subsequently understood from the Divisional Inspector that he had since come to a decision that the name of Sri T. Panchapagesa Ayyar should be retained in the panel unconditionally, the President, District Board was requested by me to state whether in the light of this information and with reference to the penultimate and concluding sentences in para 2 of his letter dated 18-1-46, he would like to reconsider the case of the appellant. In reply, the President, District Board, simply stated that the claims of the appellant would be considered when a further selection is made. It is not clear as to what exactly the President, District Board means by this statement.

6. The appellant's record is certainly good and one cannot help concluding that an avoidable wrong has been done. If the President, District Board's attitude is merely dictated by a sense of prestige, then it should give way before a deep wrong to a servant of the District Board.

10
In these circumstances Government may pass such orders as they deem fit in the matter.

7. The District Board office file No. B.3. 9726/45 and the personal files and Service books (2 volumes) of Sri T. Panchapagesa Ayyar are herewith enclosed.

(B)
L. Narasimha

For Director of Public Instruction.

To

The Secretary to Government,
Education and Public Health Department, Madras.

AN/25/3/
32
15/3

65 25/4
17045/46
Appeal: Panchapagesa Ayyar Sri T. Assistant
Board High School Arni. Petition against the
appointment of Sri T.P. Gopalakrishnan as
headmaster, Board High School Kaveripakkam - Rejected

Appeal from Sri T. Panchapagesan, Asst Board High
School Arni 8.5.12.45

Encl of the P.D.B. North Arcot R.O. B.3. no 28051-
45 8.18.1.46

From the D.P.D. No 154 G/46, 8.21.3.46

Order no 877
Ms

Edn. 25/4/46

The appeal is rejected. The P.D.B.
North Arcot is requested to inform the petitioner
accordingly.

2. The D.P.D. is requested to instruct

Appeal - Panchapagesa Ayyar Sri T- Asst Board High School, Arni
Petition against the appointment of Sri T.P. Gopalakrishnan as
headmaster of the Board High School, Kaveripauk.

C.No 17045/46

Appeal from Sri T.Panchapagesa Ayyar, Asst Board High School
Arni dated 4-12-45

From the P.D.B.North Arcot R.O.C.No 23051/45 dated 18-1-46

From the D.P.I. R.C.No 154-G/46 dated 21-3-46

The appellant Sri T Panchapagesa Ayyar is a permanent
L.T.Assistant in the Board High School, Arni, in the service of
the North Arcot Dt Bd. He has appealed against the proceedings
of the P.D.B. North Arcot appointing Sri T.P.Gopalakrishnan
another assistant in the school as the headmaster of the Board
High School, Kaveripauk, in the vacancy caused by the grant of
leave for three months to the permanent headmaster of that school.
He contends that as he had previously officiated as headmaster
in 1933 and his name had been included in the panel of suitable
candidates for appointment as headmaster for 1945-6, he should
have been preferred to Sri T.P.Gopalakrishnan his junior.

2. As pointed out by the D.P.I. on page 9 C.F., the
previous officiating service of the appellant does not confer
any probationary right and he has no claim for reappointment as
headmaster on that ground. It is open to the appointing authority
to select any one from the panel not necessarily the most senior
among them. Further, under rule 11 of the rules relating to the
appointment and punishment of officers and servants of local
bodies, no appeal under the rules should be entertained unless it
is preferred within two months from the date on which the
appellant received the order appealed against unless the appellate
authority is satisfied that there was reasonable cause for
the delay. In the present case even though the order of appoint-
ment was not communicated to the appellant, he would have been
aware of it immediately as Sri T.P.Gopalakrishnan was working
in the same school. The President's order is dated 7-6-45 and

all Divisional Inspectors of Schools and Inspectresses
of Girls' Schools not to include any name provisionally
in the list of suitable candidates for appointment as
headmaster ~~to be prepared every~~ prepared every year.

23.4.46

Dec-6

To D.P.I. North Arcot
The P.D.B. North Arcot
Arni
(Cordeningull)

By Registrar
(Cordeningull)

6/19
Vide G.O. 1700 Dm
3-9-40
Submitted on 29/9

217 BX NO 157
Local Bodies

appeal is dated 4-12-45 and no reasons have been adduced for the delay.

in preferring the appeal

There seems to be therefore no case for interfering with the order of the P.D.B. North Arcot even though the D.P.I. considers that an avoidable wrong has been done to the appellant.

3. The panel of suitable candidates for appointment as headmaster drawn up by the Divisional Inspector of Schools should be final and conclusive and there is no object in including a name provisionally in it. It is for consideration whether the D.P.I. may be asked to issue instructions to all Divisional Inspectors of schools and Inspectresses of schools not to include any name provisionally in the panel for headmasters.

May be done.

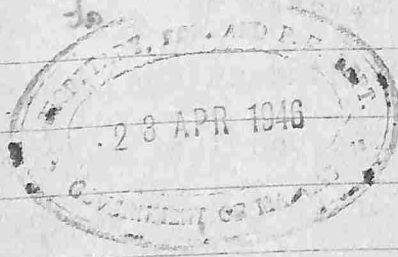
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2/4/46

It is open to the P.H. to select anyone from his panel and he has selected Sri. Gopalakrishnan. The appeal is also out of time and may be rejected.

Y. C. C. 26.

W. J. 26.

23/4.



Appeal rejected. A show should be done.

C.H.M.

A draft order is submitted below for

approval.

Y. C. C. 26.

usu
23-4-46