

E. P. H.

(1947) Department.

(11s). SERIES.

G.O. NO. 1008 Education.

1008

Dated 14th May 1947.

[Despatch Abstract.]

Petition - Venkataraman, Sri C.R.Ex-headmaster - Municipal High School, Kodaikanal, Request for reconsideration of orders in G.O.No2431 Edn. Dated 20-12-46 - Negatived.

Back Papers.

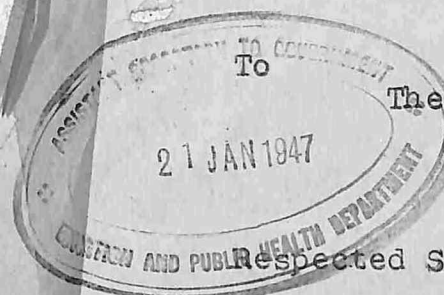
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

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

From

C. R. Venkataraman, B.A., L.T.,
Ex. Headmaster, Municipal High School,
K O D A I K A N A L.



To
The Secretary to Government,
Education and Public Health Department,
Government of Madras,
Fort St. George, M A D R A S.

Respected Sir,

Review Petition of C. R. Venkataraman, B.A.L.T.,
Ex. Head Master, Municipal High School, Kodaikanal.

Ref: G.O. Misc. No. 2431 Education, dated 20-12-46.

***** (V) 28-29.

I most respectfully beg to submit this review petition for the kind and sympathetic consideration of the following additional facts by the honoured forum to render me justice.

2. I beg to state that, as one who has pursued the teacher's calling with zest and in a spirit of service for over eighteen years of unblemished and meritorious career in institutions, like C.M.S. High School, Srivilliputtur and Sri Ramakrishna Residential High School, Mylapore, it has fallen to my lot on account of wholly -- unjustified bias and personal grudge nursed by one or two councillors of the Kodaikanal Municipality, the said Council first and later on the appointment Committee infected with the virus of those -- Councillors' prejudice, to have my services as Head Master of the Municipal High School, Kodaikanal, terminated without reason or -- justification in the teeth of Statutory Rules and common fairness.

3. I beg to point out that my very first appointment in that School in July 1944 was that of its Head Master only. Subsequently when they appointed me as Headmaster of the Complete High School in June 1945, it was not a promotion temporarily made as found in para 2 of Government Order referred to, but it was a regular appointment in accordance with Statutory Rules relating to the appointment of Head Masters of Local Board and Municipal High Schools. Second Order shows that I was taken from a panel of names of Head Masters drawn up by the Educational authorities. No appointment to the post was made. As per Government Rules in force, an appointment made to a select panel of suitable persons for it is drawn up from the panel is not a temporary promotion.

(N) 5

(A) 73

(V)

appointment carrying with it all rights of probation. I am therefore to be treated as a Head Master with full probationary rights.

4. I beg to point out further, that the appointment Committee's findings in Resolution No.8 dated 25-10-46, that my work was far from satisfactory and that a change of person was desirable are wholly untenable as they are not supported by any record of facts. For, on no occasion in my tenure of office as Headmaster of that school my work was judged by the Inspecting Officers during their inspections of the school, or remarked in the relevant Inspection Reports, (Reference to the Inspection Reports of the K.M.H.School, for 1944-45 and 1945-46) as far from satisfactory. *pp 8-9 infra*

5. I beg to point out further that in the Government Order Mis. No.2431 dated 20-12-46 after finding that the Commissioner's procedure was irregular, it is directed that I should be reinstated as an L.T. Assistant if I was found unfit for the post of Headmaster. This is evidently a severe punishment of a reversion to a lower grade post that affects considerably both the status and salary of a ripe and experienced teacher as I am, for no fault of mine. This issue should operate on me only if I was found unfit for the post of Head Master, which was never proved by them. Whereas the certificate from a veteran Headmaster and Correspondent of a long established ~~edmt~~ High School under whom I served for eleven years (vide copy No.2 enclosed) speaks in glorious terms of my fitness for the Headmaster's post. And even in the Resolution No.8 dated 25-10-46 of the Kodaikanal Municipal Appointment Committee (Vide copy No.1 enclosed) by which they ~~caused~~ my services to be terminated, they themselves have admitted ludicrously, at the tail end of it, that the termination of my service was not in any way a reflection of my teaching ability or fitness for the post of Headmaster. *pp 6 infra* What then made that committee adopt that illegal, irregular and unjust procedure in my case is a matter for the Government to investigate ~~to~~ ^{and} do justice to this poor appellant. *V/27*

6. I beg to add that the nil results of the School in the S.S.L.C. Examination of March 1946, of the very first batch of all the ten pupils of Form VI sent up to write the examination is not due to anything wanting in me or in my efforts (vide copies *pp 8-9 infra* 4 and 5 enclosed) but is mainly due to many inherent defects of the school (vide copy No.3 enclosed) and Inspection Reports of the School (43, 44, & 1944-45), *infra*

such as frequent changes of Headmasters, non-existence of permanent and adequate teaching staff, poor quality of the pupils drawn direct from Elementary Schools in Kodaikanal with a poor working knowledge of English and above all want of attention of the Municipality to provide the school with proper and suitable accommodation and other equipment required by rules for a Complete High School. While it is well known to everybody that even schools of established fame with full complement of teachers and equipment, now and then produced Nil results, it is no wonder that the Kodaikanal Municipal High School ill-equipped as it was, and with all the aforesaid handicaps had met with a Nil result in the first attempt.

7. To be more precise, I beg to state that the Kodaikanal Municipal Appointment Committee have harped on a wrong premises in treating my appointment as temporary, which is against statutory rules relating to appointment of Headmasters in Municipal High Schools. Secondly, their procedure has been very irregular in that they have not followed rules, relating to punishments to Municipal employees by not giving me even the elementary rights of a probationer, an opportunity to defend myself in writing before they resolved to terminate my services. Thirdly they have reiterated on the same points in Resolution No. 82 dated 28-6-46 of the Council after it was cancelled in toto in its special meeting by Resolution No. 192 dated 11-10-46, on a move by Government Memorandum No. 38863-B-1/46-3 dated 13-9-46, as a means to give effect to their preplanned decision. Fourthly, they have not considered and given due ~~xxx~~ weight to records of facts in the Inspection Reports testifying to my selfless and efficient service in their school. Fifthly, they have considered the one month's notice given to me by the Commissioner's memo No. 3772-46-C.2 dated 9-7-46 in pursuance of the said Resolution No. 92 referred to above which has become null and void by its cancellation, as one giving their authority, which is incongruous and which is not in accordance with the Madras Educational Rules. Lastly, they did not allow a reasonable period, at least one more year, to enable the school work with the help of adequate staff from the beginning of the school year and see if I am able to pro-

(K) 13

and
(K) 15-52

(K) 157

(V) 26-27

40190 (V) 21

(U) 9-46

8. I beg to add finally, that the above Resolutions and procedure adopted by the Appointment Committee were not carried out while I was in their service, but only after my service was terminated by them. And the Commissioner who was aware of all the facts stated above, has not, I think, correctly represented my case in his references to Government to enable them to view the exact position in its true perspective.

9. I therefore, humbly and earnestly pray that your Honour will be kind enough and be pleased to consider all the facts -- stated above with references, and render me justice by revising their order and directing the Municipality to reinstate me in my Selection Grade post as Head Master of the Municipal High School, Kodaikanal.

I beg to remain,

Respected Sir,

Your most obedient servant,

C.R. V. Katharaman.

Sannadhi Street,)
Batlagundu,)
(Madura District),)
Dated 15-1-'47.)

5
No. I.

True copy of Resolution No.8 of the Appointment Committee
(Kodaikanal Municipality) dated 25-10-46.

The Committee has considered Memo No.38863-B-1-46/3 Education dated 13-9-46 from Government in the Education and Public Health Department, and the Resolution of the Council passed at the Special Meeting held on 11-10-46. Although the Committee resented the unwarranted interference of the Council when the subject was under the consideration of the Appointment Committee, the Committee is also in agreement with the Council that the progress of the School during the year of Service of Sri C.R.Venkatarama Ayyer was far from Satisfactory, and that a change of personnel was desirable. Since Mr.C.R.Venkatarama Ayyer has got the notice of ~~agreement~~ one month required under the rules, no further action seems to be called for. The Committee therefore resolves that the notice issued to Mr.C.R.Venkatarama Ayyer on 9-7-46 may be considered as one issued under the authority of the Committee. The Committee resolves also that the termination of the services of Mr.Venkatarama Ayyer is not in any way a reflection on his teaching ability or his fitness for the post of Headmaster in some other school.

Sd. E.R. Logan, Chairman,
K.M.C.

Sd. A.J. John, Commissioner.

(True Copy.)

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(7)

No.2.

Sri C. R. Venkatarama Ayyer, B.A.L.T., is very well known to me as I had the pleasure of working with him for eleven years from 1928 to 1939 when I was Headmaster and correspondent of the C.M.S. High School, Srivilliputtur. During that time, I always found him to be a very capable, impressive, and conscientious teacher. He taught English, Elementary Science and Optional Physics to the Fifth and Sixth Forms of the High School. The results in his subjects were uniformly very good, there being hardly any failures in the Public Examinations. Whenever I had to be absent from the school on other duty he acted for me and I am glad to be able to say he did his duties very well to the entire satisfaction of the members of the staff and the pupils. I have no hesitation in saying that he is eminently fitted for the post of the Head Master of the High School as he understands his work thoroughly and can be trusted ~~xxxx~~ to do it very successfully.

Sd. S. Bhakym, B.A., L.T.,
Head Master and
Correspondent,
C.M.S. High School, Srivilliputtur, 1927-39.

Tinnevely,
Dated 12-9-41.

(True Copy).

True copy of Extract ⁷ from The Inspection ^(to) No. (3)
Report of the Municipal Secondary School - Kodakanal
for the year 1943-44: -

Page 16. There has been no uniformity in the matter of examining pupils for admission. Marking has not been done carefully in some cases. This is the second year of the school's existence & it cannot be said that it has settled down to any policy or programme of development.

Some of the usual defects are observed in the teaching of this school also. The use of Tamil in the teaching of English, mechanical methods of notes dictation and Gramming, nominal teaching notes without any attempt at real preparation etc. are some of them requiring to be rooted out by careful supervision.

The school in general requires toning up.

Divisional Inspector's Review:-

The general condition of the school has got to be pulled up.

No. (41)

(True copy of) The Remarks of the District Educational Officer, Madurai on the work of (C. R. Venkatarama Iyer) Headmaster Municipal High School Rodaikanal in the Inspection Report of the school for the year 1944-45

Page 8 para 2:- In the absence of a Mathematics L.T. the Headmaster is doing Mathematics work for Forms IV and V, his optional in the Intermediate being Mathematics, Physics & Chemistry. This work does not suffer much.

Page 17 (b) The Headmaster is fully qualified

Page 18 (c) The Headmaster is doing 25 periods of work and at this rate, it is impossible for him to do any supervision work. He must divest himself of some of his teaching work to enable him to direct his attention more towards supervision.

Page 18 (d) The Condition of the School calls for improvement in many directions and the Headmaster must be more free to attend to at least some of the needs.

(True copy of) Remarks of the District Educational Officer, Madurai in the work of (C. R. Venkatarani) Headmaster Municipal High School - Rodaikamal in the Inspection Report of the school for the year 1945-46

Page 16 - Para 1 (a) Form VI was opened only during 1945-46 and Sri C. R. Venkatarani Aiyar was appointed recently as Headmaster of the Complete High School. He is trying his best to organise the work of the school on sound lines.

Page 16, Para 2 (b) This is a recently started school and Form VI was opened only in 1945-46. This is a school in a Hill Station and has some peculiar problems. The Teaching of English was fair in Form VI

Ref: No. 5648-46-C.I. *date the 24th February 1947.*

Resubmitted through the Director of Public Instruction, Madras, and the Chairman, Kodaikanal Municipal Council. *RC No. 2140 4/46*

I have already submitted a detailed report ~~in~~ in my reference No. 5648-46-C- I, dated 8-11-46 with reference to Government Memo No. 38863-B-I⁴⁶ Edn. dated 13-9-46. *V/26-27.*

Sri. C. R. Venkatarama Iyer has not quoted the relevant G.O. and rules in support of his statement in para 3 of his petition.

In G.O. No. 953 Edn. dated 30-6-42 as amended in G. O. No. 1236 Edn. dated 21-8-44 prescribing the rules for the appointment of Headmasters for ~~the~~ High Schools, it has not been stated that the appointments of Headmasters are any different from other appointments. He was promoted from an incomplete high school to a complete one on a higher starting pay.

Para. 4. *p.2 ante*

In G. O. No. 1759, dated 28-10-46 reviewing the administration of the Municipality for the year 1945-46 Government have remarked, "It is unfortunate that none of the ten students who appeared for the Secondary School-Leaving Certificate Examination from the Municipal High School came out successful. The efficiency of the Municipal High School is apparently at a very low ebb. This needs the attention of both the executive and the council." The remarks of the appointment Committee, therefore, which have been objected to by the appellant, are fully justified. As extract from the inspection notes of the District Educational Officer for 46-47 is also given below:

"The organising and supervising work of the previous headmaster cannot be considered satisfactory. He has himself set a very bad example by making a farce of the examinations by a very liberal valuation. The admissions and promotions made by him are undeserving in very many cases."

Para. 7. *p.3 ante*

The headmaster was not removed as a punishment for inefficiency but removed due to want of ~~the~~ *because of the lack of* change of personnel for the progress of the school.

As per orders in G. O. Ms. No. 2431, dated 20-12-46 *V/28-29*

Endorsement 4104/47 - M - Edu - D. 24/1/47

Referred to the Commissioner Kodaikanal Municipality for remarks. He is requested to submit his reply through the Director of Public Instruction.



Assistant Secretary *W. 28/1/47*

To Commissioner Kodaikanal m/c.
~~The Director of Public Instruction~~
through the C.M.C.

-2-

Sri- C. R. Venkatarama Iyer was reappointed as assistant in this office reference No. 5648-46-C-I dated 15-1-47 and in reply to that he has written to say that he is engaged in some other school and that he is unable to join duty now.

Therefore the order of appointment has since been cancelled and I submit herewith a copy of the order sent in my proceedings No. 5648-46-C-I dated 11-2-47.

Forwarded.

ER. Logan
26.2.47
Chairman.

24-2-47
Commissioner.

Kv/-24-2-47.

Municipal Office, Kodaikanal,
Dated the 24th February 1947.

Copy of Ref: No. 5648-46-C-I dated 11-2-47.

Proceedings of the Commissioner

Read:- This office Proceedings No. 5648-46-C-I dated 15-1-47 and the letter of Sri. C.R. Venkataraman Iyer Ex-headmaster, Municipal High School dated 25-1-47.

Sub:- Establishment - Appointment of Sri. C. R. Venkatarama Iyer B.A., L.T., as Assistant. - order cancelled.

Order.

Since
Saxia Sri. C. R. Venkatarama Iyer B.A., L.T., expresses his inability to join duty as Assistant in the Municipal High School within the time allowed in the proceedings read above, the order of appointment is hereby cancelled as mentioned in the last para of the proceedings referred to above.

Sd/. A. J. John,
Commissioner.

To
Sri. C. R. Venkatarama Iyer B.A., L.T.,
x x x x

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
R.C.NO.2140-G.1/46, dated 17-4-1947.

SUBJECT:-Petition - Sri C.R.Venkataraman, Ex-Headmaster, Municipal High School, Kodaikanal - For revision of orders.

Ref:- 1) Petition dated 15-1-1947 from Sri C.R.Venkataraman.

and 2) Endorsement Ref. No.5648/46-C-1, dated 24-2-1947 of the Commissioner, Kodaikanal Municipality.

Submitted.

2. In their order No.2431, Edn., dated 20th December 1946 Government observed that Sri C.R.Venkataraman was first appointed regularly as a L.T. Assistant in the Municipal High School, Kodaikanal and he was subsequently promoted temporarily as Headmaster of the school and stated that the procedure followed by the Commissioner in having terminated his services was irregular. They further directed that Sri C.R.Venkataraman be re-instated as L.T. Assistant from the date on which his services were dispensed with.

Sri C.R.Venkataraman has now put in a petition to Government requesting them to reconsider their above order and direct the Commissioner to reinstate him as Headmaster of the school.

3. It was explained to Government in the Director's Endorsement Rc.No.2140-G-1/46, dated 20-9-1946 that for the reasons stated in para 2 thereof, the appointment of Sri C.R.Venkataraman should be deemed to have conferred probationary rights on him in the cadre of Headmasters. Moreover, there is nothing in the Municipal Office records enclosed herewith, to show that Sri C.R.Venkataraman was appointed under Rule 7A of the establishment rules. In the absence of any such recorded reason, the appointment should be deemed regular and hence the use of the word "Temporarily" in the appointment order should not be construed to mean that he was appointed under Rule 7.A. without probationary rights.

I may in this connection invite the attention of Government specifically to their order No.654 Education dated 25-3-1946 wherein they informed the Municipal Commissioner, Hindupur, that as the name of Sri P.M.Mathew had already been included in the panel of suitable candidates for appointment as Headmaster, he should not have been appointed temporarily under Rule 7.A. of the establishment rules and that his appointment as Headmaster notwithstanding the fact that the appointing authorities made it temporarily should be treated as a regular one conferring on him the rights of a probationer - - Vide also G.O.No.871, Edn., dated 24-4-1946 issued in the case of Janab M.Yacoub Hussain Sahib of the Municipal Council, Nandyal.

4. Even if the order dispensing with the services of Sri C.R. Venkataraman is taken as one of termination of probation in the cadre of Headmasters, I may point out that the order as worded cannot be held valid as the reasons for terminating his probation were not specified in writing as required under the rules.

5. It will not also be proper for the Government to direct the appointment committee to ratify at this stage the original order by following the correct procedure.

6. In these circumstances, I recommend that Sri C.R. Venkataraman be restored as Headmaster of the school with probationary rights. If at a future date his work is found to be wanting or unsatisfactory, it will be open to the Commissioner to take such disciplinary action against him under the rules as he deems warranted on the merits of the case.

***** The case of Sri C.R.Venkataraman is in no way different as his name was read in the appointment order dated 18-6-1945 and the appointment Committee in its Procs. dated 31-5-45 resolved to appoint him temporarily for the post of Headmaster, subject to the inclusion of his name in the panel.

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From a perusal of the relevant records, I gather the impression that the Municipal council and its authorities have not approached the case with that amount of detachedness that is necessary for a proper solution of the question.

6. The following records of the Municipal Office are herewith enclosed:--

- (N)
1. D.Dis.2685-44 appointing Sri C.R.Venkataraman Iyer B.A., L.T., as Headmaster of the incomplete high school --- 1 file of 152 pages
 2. D.Dis.459-45, appointing him as Headmaster of the complete high school from 11-6-45 --- File of 86 pages.
 3. Service Register of Sri C.R.Venkatarama Iyer.
 4. D.Dis.3772/46, --- Termination of the services of Sri C.R.Venkatarama Iyer 1 file of 128 pages.
 5. File No.4097-46 --- 12 pages.
 6. Ref:- No.5648-46-C-1, dated 15-1-1947 - Pp.27 & 28.
 7. Reply of Sri C.R.Venkatarama Iyer dated 25-1-1947 pp. 31 & 32.
 8. Refl. No.5648 C-1/46, dated 11-2-1947 -- Pp. 37 & 38.
- (Y) 15-6

To

The Secretary to Government,
Education and Public Health Department.

KP.21-4.

for Director of Public Instruction.

Com. 31083 B1/47.

pp1-4cf

pp11-12cf

pp13-14cf

15 EPH (B1) Dept.
Petition - Venkataraman, Sri C.R. -
Ex-headmaster - Municipal High School,
Kodakanal. Request for reconsideration of
orders in G.O. no. 2431 EPH of 20.12.46.
Negatived.

From Sri C.R. Venkataraman, D. 15.1.1947.
From the Commissioner, Kodakanal Muni-
cipality, Ref. no. 5648/46-C1 of 24.2.47.
From the Director of Public Instruction,
Rcom. 2140 B1/46 of 17.4.47.

Order no. 1508 EPH of 14.5.1947.

The Government decline to reconsider
their orders already passed in G.O. no. 2431
EPH dated 20.12.1946.

To
Sri C.R. Venkataraman,
Sannadhi St., Batlagundu,
Madura District.
P.T.O.

13.5.47

16

To
The Commr.
Kodaikanal Mplg
Thro' the CMC.
(in encls - (K), (A),
(Y), (J), (N) + (P) by
Regd. post.)
The D.P.O.
Sent
with encls
(noted)
B. 14/5

2/5/

2/5/

Cm. 31083 B1/47.

pp1-4 of
pp11-12 of
pp13-14 of

(N) 55

p 73 of (A)

p 57 + p 83
of (K)
(K) 51-53

p 27 of (V)

p 80 of (K)

pp1-4 + pp16-18
of (V)

p 240 of Book no
157-A
The Director of Public Instruction
Kodaikanal

(V) 28-29

APPEAL- Venkataraman, Sri C.R. - Ex-headmaster -
Municipal High School, Kodaikanal - Request for reconsidera-
tion of orders in G.O.No.2431 Education, dated 20-12-46.

--- (V) 28-29.

From Sri C.R. Venkataraman, dated the 15th January 1947.
From the Commissioner, Kodaikanal Municipality, Ref.No.
5648/46-C1 dated the 24th February 1947.
From the Director of Public Instruction, R.C.No.2140-G1/46
dated the 17th April 1947.

Encs

In 1944, Sri C.R. Venkataraman was appointed as
headmaster of the then incomplete Municipal High School,
Kodaikanal (in the L.T. Cadre). He was subsequently
appointed temporarily as headmaster of the Municipal High
School, pending the inclusion of his name in the panel.
His services were terminated after giving a month's notice
as required in the Municipal Council Resolution No.82 dated
the 6th July 1946, as it was considered necessary to have a
change in the personnel of the post of headmaster of the
school in view of the Nil result obtained by the school
in the S.S.L.C. Public Examination held in 1946. In its
Resolution No.8 dated the 25th October 1946, the Appointment
Committee agreed with the Council and resolved that the
notice given to the appellant should be treated as one issued

under the authority of the Committee. The appellant
appealed to Government against the orders of the Commissioner
dispensing with his services from 9--8--46.

2. The appellant was first appointed regularly
as a L.T. Assistant and he was subsequently promoted
temporarily as headmaster of the school. If he was found
unfit for the post of headmaster, he should have been
reverted as L.T. Assistant according to rule 7(2)(a) of
the rules relating to Establishments under Municipal Council.
As the procedure followed by the Commissioner, Kodaikanal
Municipality was not in order, the appeal was allowed in
G.O.No.2431 Education, dated the 20th December 1946 and
the Government directed that the appellant should be
reinstated.

Released 12/2
9/2/74

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7517
the position or interrogated the Commissioner why his appointment was made ^{only} on a temporary basis. He did not ^{also} do that either.

2. The Director observes ~~that~~ in para 4 of his letter No. RC. 214031/47 dated 17.4.47 that the order dispensing with the services of Sri C.R. Venkataraman cannot be held as valid ~~for a~~ the reasons for terminating his probation were not specified in writing. Apparently the Director refers to rule 7(2)(a) of the rules relating to Establishments under Municipal Councils. This rule lays down that probation may be terminated for reasons to be specified in writing. The reasons required have been recorded in the resolution of the Appointment Committee; ^{the} notice given to the headmaster makes mention of this resolution and the final order dispensing with his services makes mention of this notice. ~~The rule mentioned above does not categorically say that the reasons should be discussed in the order.~~ In the circumstances it does not seem worth while to interfere

in this matter at this distance of time ^{especially in view of the} ~~order already passed in G.O. 2431 dated 20.12.46~~
3. The file may be circulated to H.M. (Education).

^h
28.4.47 S are no grounds for interference.

The central point is that there was neither an order of Vendor appointment by the Committee, nor an order passed by the Committee, after the name was put in the panel, which purported to be temporary. It was not done in this or best treated as 'Vendor' - I had therefore to D.P.'s recommendation should be accepted.

A d... order is subd. below for approval

^h
13.5.47

^h
7/5/47
TSA M. (G...)
11-5-47
JOINT SECRETARY TO GOVERNMENT
12 MAY 1947
EDUCATION AND PUBLIC HEALTH DEPARTMENT

OS
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