

E. & P. H. (1947) Department.

(13). SERIES.

G.O. NO. 1107 Edn.

Dated 31st May 1947.

(9)  
[Despatch Abstract.]

Establishment - Municipal Council, Tirunelveli  
Sri M. Sivana Kone - Ex-headmaster - petition for re-instatement  
in service - Rejected.

# Back Papers.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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# Further Papers.

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

5/3.47



Submitted

Through  
The Commissioner,  
Municipal Council,  
Tirunelveli.



3054

The Secretary to the Government of  
Madras,  
Education and Public Health  
Madras.

by

As per Contd. No. 11463 B2-1 dated

6.6.47.

6.3.47.

K. Sivamurthy.

To

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



11463  
The humble petition of M. Sivanu Kone, Ex. Headmaster of Dharmaraja Ward, Municipal School, Tinnevely Town, now residing at 108 Karuvelangundu street, Tirunelveli Town. Most Respectfully sheweth:-

1. The petitioner was a permanent servant as Headmaster of Dharmaraja ward Municipal Elementary School under Tirunelveli Municipal Council. On account of a wrong declaration of a holiday on on 18-11-38 in Memoray of late Patriot V.O.Chidambaram Pillai, he was removed from service as per proceedings of the Commissioner, Municipal Council, Tirunelveli, dated 11th January 1939. Ref. No. B.3. 14110/38 which was very unjust illegal and partial as shown in paras 5, 6 and 7.

2. Now the petitioner submits to bring to your kind notice the G.O. No. 2158 Public Service dated 11-10-46 by which convictions of offences in connection with Sathyagraha and Civil Disobedience Movement should not be treated as bar for appointment in public service.

3. The petitioner is the only Secondary Grade Teacher in the Tirunelveli Municipality among the yadava community. He joined the Municipal service on 10-12-34 and was doing service to the best satisfaction of his superiors. 18-11-38 was a half-holiday in Memory of late Patriot V.O.Chidambaram Pillai. The circular communicating the above holiday was handed over to his house people and the same was mislaid. In the previous year it was given a full holiday. The petitioner came to know of the holiday and allowed a full holiday as was allowed in the previous year. There was no intention of any wantonness in this action and he accepts his mistake for

not cared to go through the circular or make certain by enquiries.

4. The Chairman and <sup>three</sup> ~~then~~ Councillors together with Commissioner visited the school on 19-11-38 probably getting the information that the petitioner had given a full holiday in contravention to the circular allowing only a half holiday. They made enquiries and were satisfied that 18-11-38 was treated as a full holiday. The Visitors' Book was recorded by them and taken away with them. No statement was drawn though the Commissioner was present.

The Major charge framed against the petitioner is of having made entries in the Attendance Register.

5. The petitioner has explained in his previous representation that there was no false ~~evidence~~ entries at all. The Pupils' Register bearing <sup>the</sup> signature of the Deputy Inspector of Schools in the remarks column of the 1st standard page on 15-11-38 at the time of his surprise visit clearly proves that there had been no false entries and that it was impossible to remove and substitute fresh sheets after their visit on 19-11-38.

6. As for Masters' Attendance Register, both the petitioner and his Assistant signed under 18-11-38 on 19-11-38 by oversight and when the oversight mistake was found out only by the Assistant and brought to the notice of the Headmaster, the petitioner, the oversight initials were scored out in red ink and then they signed under 19-11-38.

7. Even assuming the present case that the red scoring in the column of 18-11-38 was a subsequent action after their visit to be true, there was no necessity for the petitioner to remove sheets after their visit. Even assuming the case that the petitioner had removed away sheets, it is clear that the petitioner alone could not do it without the help of the Assistant, as the sheet said to be torn off commences from 13-11-38 and the Assistant should also have once more signed the fresh sheets on the columns from <sup>13</sup> 18-11-38 to 19-11-38 after t<sup>he</sup> visit. But he was let off by the next Commissioner

with a month suspension and is doing service till now, while the poor petitioner alone was removed from service.

8. Now the petitioner has been working in the C.M. Elementary School, Courtallam Road, Tinnevely Town, since July 1941.

9. The humble petitioner therefore prays Your Honour to draw your kind attention to the abovementioned G.O. and to give him also favourable sympathetic consideration by restoring him to his service which act of kindness and justice the humble petitioner can never forget throughout his life.

*H. Sivamkore.*

7-2-47.

Education & PH Dept.

Encl No 11463 B2-1 Bdy d. 17.2.47

Returned. The petitioner is informed that any representation from him which is not submitted to Govt through the proper channel will not be considered.

J. M. M. S.

Asst. Secretary to Govt.  
12.2.47. 13.2.47

To  
Mr M. Sivanthi  
Teacher.  
C. M. Elementary School.  
Cumballam Road.  
Tirunelveli Town.

B2 - 3054/47

Forwarded to the Secretary to Government, Education and Public Health Department, Madras, Through the Chairman, Municipal Council, Tirunelveli and Director of Public Instruction, Madras.

The petitioner, represents that Government ordered that conviction for political offence should not be treated as bar for appointment in Public Service and that he may be treated to service under that order.

The petitioner was removed from Service for falsely marking the attendance registers and tampering with them. He was not removed for any political offences as he makes the government understand. He made an appeal to the Director of Public Instruction against the order of removal and the appeal was rejected. He gave a memorial to Government on 21-5-40 and the Government in their Memorandum No. 28345-A1 dated 30th July 1940 declined to interfere in the matter.

I enclose (1) the file R.Dis.32/39 in which the services of the petitioner were terminated (2) the file R.Dis.97/39 in which the appeal was rejected and (3) file D.Dis.5836/40 in which the Government declined to interfere in the matter and request that the Government may be pleased to pass such orders as they deem fit.

Please put up the G.O. on the subject for perusal.

S.S.K.  
16/3/47

Submitted.

The G.O. referred by the petitioner

is not received in this office as it was issued from Public Service Department.

The Press Note on the subject issued from Tirunelveli Municipal Office, Administration Department dated 14 -- 3 -- 47.

Forwarded. is put up for kind perusal.

16/3/47 16/3/47

Chairman.

W. S. P. R.

K.S.

I have perused the Press Note No. 90 issued by the Local Administration Department of the Government of Madras. In my opinion this is a relevant case to which the G.O. may apply. The Comr. to speak to C. M. C.

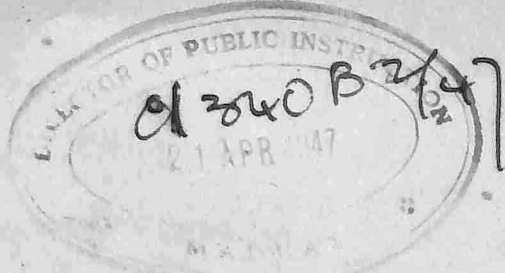
17.3.47

Spoken 8

17.3.47

S.S.K.

16/3/47

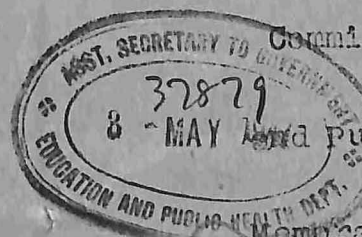


C. S. Langaradi.  
Commissioner. 15.3.47

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Office of the Director of Public Instruction, Madras.  
N.R.C.No. 1340-B2/47 dated 29th April, 1947.

Elementary Education--Municipal Council, Tirunelveli--Petition--  
M. Sivanu Kone--against termination of service.  
Reference:-petition dated 7.2.1947 of Sivanu Kone to the  
Secretary to Government, Education and Public Health and  
2. Endorsement B2-3054/47 dated 15.3.1947 of the  
Commissioner, Municipal Council, Tirunelveli.



Submitted to the Secretary to Government, Education  
and Public Health Department.

Kind attention is invited to the Government  
Memorandum No. 28345-A1 Education and Public Health dated 30.7.1940  
wherein the Government declined to interfere in the matter. The  
remarks of the Commissioner contained in his endorsement referred  
to above are endorsed.

R. Narasimhan

For Director of Public Instruction.

To  
The Secretary to the Government of Madras,  
Education and Public Health Department,  
Fort St. George, Madras.  
ks.1-5.

sup  
1/5.

Education and P.E.(B.2.) Deptt.

Establishment - Municipal Council, Tirunelveli--Sri  
M.Sivanu Kone--Ex-headmaster--Petition for re-instate-  
ment in service--Rejected.

Petition from Sri M.Sivanu Kone, Ex-headmaster of  
Dharmaraja Ward Ml. Ely. school, Tirunelveli  
dated 7-2-47.

Endorsement of the Commissioner, Tirunelveli Mnty.  
No.B.2.3054/47 dated 15-3-47.  
-dO- of the D.P.I. No.1340 B2/47 dated 29-4-47.

ORDER/MS. NO. 1107 EDN. DATED 31-5-47

The Commissioner, Tirunelveli Municipality is  
requested to inform Sri M. Sivanu Kone that his  
petition is rejected.

To the Commissioner, Tirunelveli  
Mpty thro C.M.C. (with file)  
Copy to the D.P.I.

Records retained

Din. 5836/40 dt 28-8-40.  
R. Din. 32/39 dt 27-5-49.  
" 97/39 dt 27-2-40.

C.No.37879 B2/47 From Sri M. Sivaknu Kone, Ex-headmaster dated 7-3-47.  
Endorsement of the Commissioner, Tirunelveli Woty. No.B.2.3054-47 dated 15-3-47.  
-do- of the D.P.I. N.R.C. No.1340-B2/47 dated 29-4-47.

Sri M. Sivaknu Kone, formerly a teacher under the Municipal Council, Tirunelveli, closed the Municipal school for which he was the headmaster for a <sup>full day</sup> period (on 18-11-38) in memory of late <sup>local</sup> patriot V.O. Chidambaram Pillai, contrary to the orders of the Commissioner, allowing only a half holiday on that day. When the Commissioner and three other councillors visited the school the next day, they found that the entries in the attendance registers had been tampered with. Charges were framed against the petitioner and he was removed from service on 11-1-39. He appealed to the D.P.I. against the orders of his removal from service and his appeal was rejected. Then he submitted a memorial to Government in 1940 and the Govt. also declined to interfere in the matter.

2. Now the petitioner <sup>requests Govt. as he was</sup> says that he was removed from service for declaring a holiday for <sup>political</sup> reason, <sup>and</sup> as the Government have passed orders that punishments imposed on political grounds should be cancelled, he ~~requests~~ <sup>requests</sup> that he may be re-instated in service. The Commissioner states that the Petitioner was removed from service not for any political reason but for tampering with <sup>the school</sup> registers etc. The D.P.I. agrees with the Commissioner's statement.

3. In the circumstances it is for orders whether the petition may be rejected. The draft order below is for approval.

9.5.47 12.5.47  
The patriotic move  
- declaration of a half holiday - but  
has been taken in Municipality office. There  
was no objection there for which the petition was  
framed. - although at T. C. P. 3<sup>rd</sup> his intention  
seems to be to make it appear that  
he himself declared a holiday in defiance  
of the Municipality or the Govt. who is actually  
disobeying the law. It is close to the actual  
in fact that he is preparing to do  
in such a manner.

that in the school was close by  
her last day.

The General was  
believed to be interested in political  
affairs. have absolutely no objection to  
his case.

Petition by

Rejected

by  
17/1/54

(Am.)

88  
19/5

(by  
17/1/54)

TSA  
30-5-47