

Education & P.H.

(194⁷) Department.

Mis. SERIES.

G.O. NO.

132 Education .

Dated

28th January, 1947

(11)

[Despatch Abstract.]

Appeal-Shanmugasundaram-L.*.Assistant-Boerd High School,
Musiri-Against the appointment of Janab G.M.Hussain as Headmaster
Board High School,Kulitalai-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.

C. No.

Department. Sectt. II-74.

List of records put up

Number.	Date.	Department.	Signature of Clerk putting up the paper.	Signature of Clerk removing the paper.

(P.T.O.)

when a permanent vacancy arose by the retirement of Mr. A. Ramachandra Iyer. In this connection, it may not be out of place, if I submit, that the Revenue Department has a convention of choosing the senior person in the list for appointment to selection posts like Upper Division Clerks, Sub-magistrates, and Iansildars-seniority being decided on the basis of the date of inclusion in the list. If this convention is not adopted with regard to the high school headmasters, there is no object in Government requiring such a list to be maintained for appointment of headmasters. The fact that a certain person was fit for inclusion 1942-43 and in subsequent years clearly shows that he was better qualified than the other persons that were included after him, and that he has a superior claim for appointment as headmaster irrespective of seniority or communal rotation.

I have now put in a continuous service of nearly sixteen years as a teacher under this District Board and I am qualified for appointment as high school headmaster even in 1936 having passed the Account test. I understand that I was one of the three persons recommended by the District Educational Officer, Trichinopoly for appointment as high school headmaster for 1942-43. I am at a loss to know why my claims were overlooked in November 1945 when the vacancy at Kulitalai was filled up.

I therefore request you to call for the panel of persons fit for the high school headmaster under the District Board Trichinopoly from the year 1942-43, and other referent records connected with this and other two appointments made since July 1942, set aside the appointment of Mr. Hussain, an acting L.I. Assistant as headmaster, consider my preferential claims, and thus render justice.

I beg to remain,
sir,
your most obedient servant,

P. A. Shanmugasundaram
Assistant. 12-5-46

|| copy submitted to the Secretary to Government in the Education Department direct to save delay.

EX-100 (M)

The receipt of the copy submitted through the proper channel may be awaited till 15.6.46

15/6

The receipt of the copy may be further awaited till

15/6

STP# (25)

Petition Sri PA. Shanmugasundaram - Assistant
Board High School Musiri. Petition against the
appointment of Mr G.M. Hussain as headmaster
Board High School Kulittalai

CMD 25841/46. Petition from Sri PA. Shanmugasundaram
Assistant Board High School Musiri dated 12-5-46

Memo. 25841/B.1/46 1 Edn dated 2/6

The P. D.B., Trichinopoly, is requested
to forward with his remarks, through the
D.P.D., the petition cited above.

2/6



To

By *DPD*
21-6-46
✓ *DPD*
Trichinopoly
... *DPD*

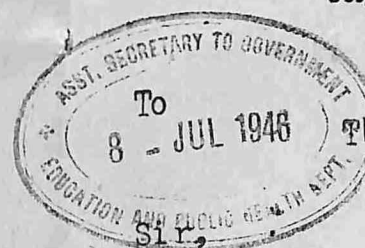
District Board office, Trichinopoly

Dated.. 4-7-46.

C. 10131/A2/46.

From

JANAB P. MUHAMMAD OOSMAN SANIB BAHADUR
VICE. PRESIDENT IN CHARGE UNDER SECTION 22.A.(1)
DISTRICT BOARD TRICHINOPOLY.



The Secretary to Government,
Education and Public Health Department,
M A D R A S.

Education--Secondary--Board High School, Musiri--
Sri P.A. Shanmugasundaram assistant, Petition against
the appointment of Janab G.M. Hussain as Headmaster,
Board High School, Kulittalai.

REF:--Memorandum No. 25841/B.1.46 1. Education dated
21/6/46.

No such petition has been received in this office
so far. It will be forwarded to Government with my remarks
when received.

P. Muhammad Oosman
5-7-46
For Vice President in charge
under Section 22-A(1).

G.S.5/7/46...p.

-X-X-X-X-

TC/ *DPD* 5/7 *action taken necessary*
than be lodged

(m) 25841

Approved by the District Board, Trichinopoly, dated 14/7/46.
The receipt of the copy of the petition is hereby acknowledged.

14/7/46

It is requested that the copy of the petition be forwarded to the Government.

2/6

47/11/7

5

6/11/31

✓
21/11/31

Petition. Sri. P.A. Shanmugasundaram - Assistant Board High School, Musiri - Petition against the appointment of Janab A.M. Hussain as Headmaster Board High School Kuli Malai

CNO 25841/46

Wkt. 2cf

14cf

Petition from Sri P.A. Shanmugasundaram Asst Bd High School, Musiri d 12.5.46 From the P. DB Trichinopoly C 10131/A2/46 2.4.7.46

Memo. 25841 B1/46 - Sdn. 2 dated 11/7/46.

A
12/7/46

The petition from Sri P.A. Shanmugasundaram Assistant Board High School, Musiri cited above is forwarded to the President District Board Trichinopoly

and he is requested to submit it with his remarks through the DP I at an

To
The P. DB Trichinopoly
with petn in org
copy to DP I

early date
1/8/46
9.7.46

✓
10.7.46

10/16/46 b/

Petition - Sri P.A. Shanmugasundaram -
Assistant - Board High School, Musiri - Petition
against the appointment of Janab G.M. Hussain -
as Headmaster - Board High School, Kulitalai -

Government Memo no. 25841-B.1/46-2 Etn 7/11/7/46. p 2 ante

Memo no. 25841-B.1/46-3 Edy dated 15/10/1946.

The President, District Board,
Trichinopoly is requested to state whether he has
forwarded the appeal petition dated 12.5.46
from the assistant referred to above and
if not, to forward it with his remarks to
the D.P.G. without any further delay.

mm
15/10/46

To

The P.D.B.

Trichinopoly.

The D.P.G.

Re. 10131/A. 2./46

1 District Board Office, Trichinopoly
Dated 19-10-46 b

From

Janab. P. Muhammad Oosman Sahib Bahadur,
Vice President in charge under section 22 A (1)
District Board, Trichinopoly.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
M a d r a s.

2 2 OCT 1946

Sir,

63370 Subject: Education - Secondary - Petition by Sri. P.A. Shanmugasun-
daram Pillai against the appointment of Janab G.M.
Hussain as Headmaster, Board High School - Kulitalai -
Delay in remarks - explained.

Reference: Government Memorandum No. 25841/B.1/46 dated 11-7-46.
p 6 ante

I can offer my remarks on the appeal only after perusing the
panel of Headmasters and the correspondence with the Educational
authorities connected with it. The Ex- President, District Board,
Sri. B. Venkatachalam Pillai has not yet handed over to me the confidential
records, of which the file relating to the panel is one, in spite of my
repeated demands. I have reported the matter to the Government in
the Local Administration department recently, I shall retransmit the
appeal with my remarks as soon as possible after the Ex- President
District Board hands over to me the confidential records of the District
Board which continue to remain with him even after he assumed office
as Parliamentary Secretary to the Honourable Minister for Public Works and
resigned his Presidentship in this District Board.

SD. P. MUHAMMAD OOSMAN,

g.s.v. 19.10.46. 19/10/46 Vice President in charge under section 22 A (1)

Copy to the Director of Public Instruction, M a d r a s.
Copy to Sri. B. Venkatachalam Pillai, Ex- President, District Board
Trichinopoly and Parliamentary Secretary to the Honourable Minister
for Public Works with a request that the confidential records of
the District Board which remain in his personal custody may be handed
over to the Vice President in charge without any further delay.
p.t.o.

True Copy/
Forwards
By order

[Signature]
19.10.46

SECRETARY,
District Board, Trichinopoly

Edy JPH (31) Depl.

Please see the letter from the P.D.B.,
Trichinopoly, re: to the circumstances

Stated therein the file may be over till 25/11/46

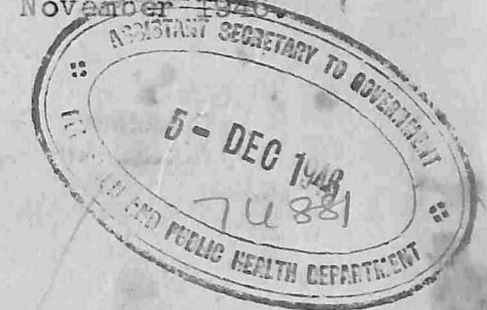
When the President may be reminded, if

necessary

28/10/46

R.C.No.A2. 10131/46.

District Board office, Trichinopoly
Dated 29th November 1946



- Encl:-1. Original appeal received /
from Government.
2. This office file Rc. 14441/A2/44.
3. Personal files of the Appellant
and respondent.
4. This office D.Dis. 12544/46
dated 3/10/46.

From T.A. Varghese Esq., I.C.S., Special Officer, District Board,
Trichinopoly.
To The Secretary to the Government of Madras,
Education Department, Madras.
Through The Director of Public Instruction, Madras.

Sir,

Subject - Petition- Sri P.A. Shanmugasundaram, Assistant,
Board High school, Musiri - Petition against
appointment of G.M. Hussain as Headmaster,
Board High school, Kulittalai -
Government Memorandum No. 25841-B-1/46-1 d.21/6/46;
Memo No. 25841-B-1-/46 dated 11/7/1946.
& Memo No. 25841 B-1-46-3 dated 15/10/1946.

Same as
on pp 11-12 infra

The chief grounds put forward in the appeal are :

- (i) that his (appellant's) name was included earlier than
that of the respondent in the panel of persons fit
for Headmasters' posts and as such he should be consi-
dered as better qualified than the persons who were
included after him and therefore he has got a prior
claim;
and (ii) that he has passed the Account Test while the Respondent
has not. According to G.O.No. 4519 L. & M., dated
4/11/35, the possession of the Account Test qualification
will be recognized as giving a preferential claim
other things being equal for promotion as Headmaster.

The file relating to the panel of names fit for Head-
masters shows that the name of the appellant was included in 1943.
(Trichinopoly District Educational Officer's letter dated 2/3/43).
The name of G. Mohideen Hussain Sahib was included in 1944 (District
Educational Officer's letter dated 24/4/44). In the list for 1945-46
dated 29/4/45 the names of the appellant and respondent are
Nos. 1 and 5 respectively. The order of the then President, Dis-
trict Board dated 15/11/45 appointing the respondent as the Headmaster
Board High school, Kulittalai with his reasons therefor is found on page
25 of this office file 14441/A2/44 dated 15/11/45.

As regards ground No. (2) the service register of

10/
of the appellant shows that he has passed Account Test for Subordinate Officers (Part I) in December 36 while the service register of G. Mohideen Hussain contains no entry regarding his passing the Account Test.

Rule 1 of the rules appended to G.O. No. 953 dated 30/6/42 lays down that the President shall fill every post of Headmaster of a High school from a list of names of suitable candidates drawn up by the (District Educational Officer now! Divisional Inspector of schools, and rule 7 says that persons whose names are in a list but who have not been appointed shall be included in every subsequent list but it does not lay down rules of preference inter se as between the persons in the list.

The appellant Sri P.A. Shanmugasundaram Pillai was subsequently appointed to act as Headmaster of Board High school Musiri on 9/8/46 in a short leave vacancy of ten days - vide D.Dis. 12544 of 46 dated 3/10/46 enclosed.

The connected records and the personal files of the two persons are enclosed.

P. A. Shanmugasundaram
For Special Officer.

asv. 2/12/46.p

Copy in advance to the Secretary to the Government of Madras, Education Department, Madras.

E+PH (31)

This is only a copy of the letter from the S.O., Dt. Bd., Trichinopoly. The orig. forwarded through the D.O. may be awaited till 7/1/47.

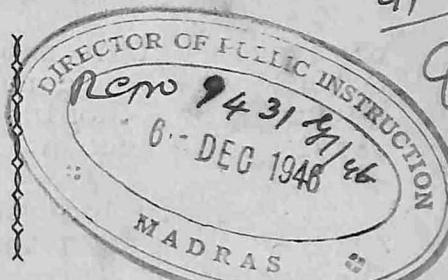
7/1/46
7/12/46

hr
9.12.46

R.C.No.A2. 10131/46.

Registered P.A. II
District Board office, Trichinopoly
Dated 29th November 1946. 61

- Encl:-1. Original appeal received / from Government.
2. This office file Rc. 14441/A2/44.
3. Personal files of the Appellant and respondent.
4. This office D.Dis. 12544/46 dated 3/10/46.



From T.A. Varghese Esq., I.C.S., Special Officer, District Board, Trichinopoly.
To The Secretary to the Government of Madras, Education Department, Madras.
Through The Director of Public Instruction, Madras.

Sir,

Subject - Petition- Sri P.A. Shanmugasundaram, Assistant, Board High school, Musiri - Petition against appointment of G.M. Hussain as Headmaster, Board High school, Kulittalai - Government Memorandum No. 25841-B-1/46-1 d. 21/6/46; Memo No. 25841-B-1-/46 dated 11/7/1946. & Memo No. 25841 B-1-46-3 dated 15/10/1946.

The chief grounds put forward in the appeal are :

(i) that his (appellant's) name was included earlier than that of the respondent in the panel of persons fit for Headmasters' posts and as such he should be considered as better qualified than the persons who were included after him and therefore he has got a prior claim;

and (ii) that he has passed the Account Test while the Respondent has not. According to G.O.No. 4519 L. & M., dated 4/11/35, the possession of the Account Test qualification will be recognized as giving a preferential claim other things being equal for promotion as Headmaster.

The file relating to the panel of names fit for Headmasters shows that he name of the appellant was included in 1943. (Trichinopoly District Educational Officer's letter dated 2/3/43). The name of G. Mohideen Hussain Sanib was included in 1944 (District Educational Officer's letter dated 24/4/44). In the list for 1945-46 dated 29/4/45 the names of the appellant and respondent are Nos. 1 and 5 respectively. The order of the then President, District Board dated 15/11/45 appointing the respondent as the Headmaster Board High school, Kulittalai with his reasons therefor is found on page 25 of this office file 14441/A2/44 dated 15/11/45.

As regards ground No. (2) the service register of

passing (d) and 7/2(a) to 3 g (K)

12/ =
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The appellant Sri P.A. Shanmugasundaram Pillai was subsequently appointed to act as Headmaster of Board High School Musiri on 9/8/46 in a short leave vacancy of ten days - vide D.Dis. 12544 of 46 dated 3/10/46 enclosed.

The connected records and the personal files of (K), (L), (b) the two persons are enclosed.

G. Shanmugasundaram
For Special Officer.

asv.2/12/46.p

Copy in advance to the Secretary to the Government of Madras, Education Department, Madras.

13/ 31
OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
A.C. No. 9431-G1/46, dated 23rd December, 1946.

9
Sub: Appeal - Sri P.A. Shanmugasundaram, Assistant Secondary Schools - Dt. Board, Trichinopoly - against the appointment of Jamab G.M. Hussain as Headmaster in supersession of his claims.

REF: (1) Appeal dated 12-5-46 from Sri P.A. Shanmugasundaram.
(2) Letter No. A2.10131/46 dated 25-11-46 from the Special Officer, Dt. Board, Trichinopoly.

Submitted with reference to Government Memorandum No. 25841-B1/46-3 Education dated 15-10-1946.

2. The appellant, Sri P.A. Shanmugasundaram B.A., L.T., (History) is an L.T. Assistant in the Secondary schools under the District Board, Trichinopoly. He has appealed to Government against the appointment in 1945 of Jamab G.M. Hussain B.A., L.T. (History) as the Headmaster of the Board High School, Kulitalai on grounds of seniority earlier inclusion of his name in the panel and possession of Account Test qualification.

3. Seniority is not the main criterion for appointment as Headmaster. At the time of actual filling up of the vacancy of Headmaster in 1945, the names of both the appellant and the respondent were in the panel for 1945-'46 prepared by the Divisional Inspector of schools and under the existing rules, it was open to the President, District Board, to select any one from among the panel. For the reasons stated in his notes in his office file, the President, District Board, selected the respondent for the Headmaster's place and appointed him as the Headmaster, Board High School, Kulitalai.

Possession of Account Test qualification is only a preferential aspect and it is not an essential qualification required of a Headmaster. Hence this is not a point in favour of the appellant.

4. Thus there is absolutely no case for intervention either on merits or on technical grounds.

5. The connected records of the District Board Office and the personal files of both the appellant and the respondent are herewith enclosed.

G. Shanmugasundaram
for Director of Public Instruction.

To

The Secretary to Government,
Education and Public Health Department.

RR.24/12.

42/10/11
C no. 25841 B1/Hb.

pp 1-2 of

A
27/11/11

pl 1 of

p 13 of

Edu JPH (BI) Dept.

10

Appeal - Shanmugasundaram -
L. T. Assistant - Board High School,
Musiri - Against the appointment of
Jamal G. M. Hussain - ~~Rejected~~ as
Headmaster, B.H.S., Kulithalai - Rejected.

From Sri P. A. Shanmugasundaram, L. T.
Asst., B.H.S., Musiri, dated 12.5.46.

From the Special Officer, District Board,
Trichinopoly, R.C. no. A2. 10131/Hb dated
the 24th November 1946.

From the Director of Public Instruction,
R.C. no. 9431 B1/Hb dated the 23rd
December 1946.

Order Ms. 132 Edu dated 28.1.1946.

The appeal is rejected. The Special
P.T.O.

Officer, District Board, Trichinopoly, is requested to inform the appellant accordingly.

9/1/47
W.R.
9.1.47

W
10.1.47

W
11/1/47

To
The Special Officer
District Board,
Trichinopoly (with
records ret'd).

Copy to the D.P.G.

dfm
encl
28/1

Note: Please see the appeal preferred by Sri P.A. Shanmugasundaram, L.T. Asst., B.H.S., Musiri, against the appt. of Jamal M.B. Hussain as Headmaster, B.H.S., Kulithalai, on pp 1-2 of. The remarks of the S.O., Trichinopoly D. Board and the D.P.G. are on pp 12 and 13 of respectively. As pointed out by the Director it is open to the President to appt anyone from the panel and the Accountant

The rule is defective and allows a very wide margin to the appointing authority. There is a separate proposal to amend the rule.
10.1.47

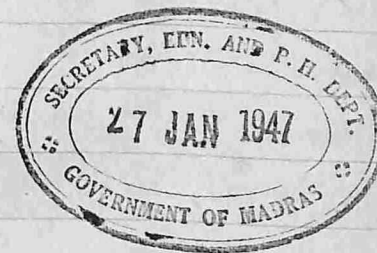
25841-B/15/1/47 3
Qualification is not an essential one for the appt. of the post of Headmaster. ~~Thus~~ There is no case for ~~interference. vide para 5 of the D.P.G. letter on p. 13 of~~ ~~for submitting the appeal.~~ It may therefore be rejected. The draft on pp 1-2 ante is for approval.
2. The file may be circulated to

H.M. (Edw.)

9/1/47
W.R.
9.1.47

W
10.1.47

W
11/1/47
H.M. (Edw.)



T.S.H.
26.1.47

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