

ETPA (1947) Department.

Ms SERIES.

G.O. NO. Ms-1346 Edin.

Dated 25-6-1947

[Despatch Abstract.]

Petition - Narayana Rao Sri V. - Ex-Assistant
Boards High School - Usilampatti - Revision
of orders passed on appeal.

Back Papers.

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

Further Papers.

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

mitted in advance, original having been submitted through the proper channel).

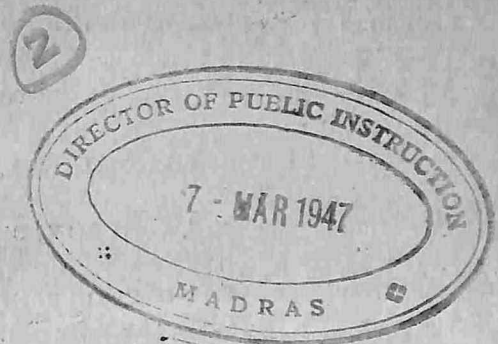
From

V. Narayana Rao,
Ex-Assistant,
Board High School,
Usilampatti.



Through

The Special Officer,
District Board,
Madras.



To

The Secretary,
Education & Public Health Department,
Government of Madras, Fort St. George, Madras.

Sir,

The humble Revision Appeal of V. Narayana Rao, Ex-Assistant, Board High School, Usilampatti on the orders of the Director of Public Instruction, Madras L.Dis.No.8868-Gl.-46 dated 19-11-46 rejecting his original Appeal dated 9-10-46 to the D.P.I. against the order of the President, District Board, Madras, D.Dis. 17101-45 dated 26-7-46.

21992/46
3/12
21991/46

The humble Petitioner begs to submit that he had appealed to the D.P.I. Madras on 9-10-46 against the order of his dismissal by the P.D.B. Madras in his reference D.Dis. 1721-45 dated 26-7-46. The dismissal order was served on the Petitioner on 29-7-46 and the Appeal was submitted on 9-10-46 after a period of 2 months and 10 days. In Proceedings No.L.Dis.8868-Gl.-46 dated 19-11-46 of the D.P.I. Madras, it has been ordered that the Appeal is --- rejected as it is time-barred. ~~Thank you~~

The poor Petitioner humbly begs to request that a few days delay beyond the time-limit for Appeal may kindly be condoned in view of the following considerations. In the mofussil, no one seems to know the exact G.O. issued from time to time governing the time limit of an appeal of this kind. As per the statutory rules, six months

months is the normal period within which to prefer an appeal and the latter amendment circumscribing the limit the limit to two months in the case of local administration employees is practically unknown. This important amendment was never communicated to any High School under the Board by its President and hence, the poor petitioner was guided by the well-known Statutory Rule only.

The Petitioner humbly begs to submit that the D.P.I. Madras has unfortunately set the appeal aside on a technical flaw without going into the merits of the case. It has inflicted a vital loss upon the poor petitioner.

When during the last enquiry day, that is, 3-7-46 the poor petitioner was precluded by his ignorance of the fixation of the date of enquiry from being present and was physically ~~unfit~~ disabled on bed on medical leave, he was given no further opportunity to explain himself by the President, but was served with the order of dismissal. This bolt from the blue so thoroughly upset him that for some weeks, he was ~~as~~ too shocked and paralysed to think of any action. When at last on 6-9-46, he requested the P.D.B. to furnish him with copies of certain important statements to prepare the appeal with, the P.D.B. Madras took his own time and issued a Memo asking the Petitioner to come to the office if he wanted copies. The Memo was received by the Petitioner on 4-10-46, i.e., 5 days after the lapse of the Appeal time.

Under the circumstances, the Poor Petitioner, a public servant, prays fervently that his Appeal may kindly be taken up for consideration by condoning the small delay of a few days in his submission. A copy of the original Appeal is submitted herewith for favour of kind perusal and favourable orders and thus render justice.

Usilampatti,
30-11-46.
Enc:- 2

I beg to remain,
Sir,
Your most obedient servant,

V. Narayana Rao

Proceedings of the Director of Public Instruction, Madras.

L.Dis.No.8868-G1-46 dated 19-11-46.

Subject: Appeal-Sri V.Narayana Rao, Ex-teacher-Secundary Schools-District Board, Madura-against dismissal from service-rejected.

- Read:
- (1). Appeal dated 9-10-46 from Sri V.Narayana Rao
 - (2). Edit.N.Dis.18580-46-A2.dated 31-10-46 of the President, Dt.Board, Madura.
 - and
 - (3). Further petition dated 12-11-46 from Sri V.Narayana Rao.

The appeal of Sri V. Narayana Rao is rejected as it is time-barred.

2. The Dt.Board Office file D.Dis.No.17101-45 dated 26-7-46 is herewith returned.

Sd. C.D.S.Chetti,

For Director of Public Instruction.

(True copy).

Forwarded.

(By Order)

(SA) V.Srinivasan,
Superintendent.

To

The Special Officer,
Dt.Board, Madura. (with enclosure).

Copy to Sri V.Narayana Rao. Care of V.Kuppenna Rao,
Markiankottai, B.O. Uttamapalayam P.O.
Madura District.

Copy to the Divisional Inspector of Schools, Madura Dvn.

True copy.

(Copy submitted in advance, original having been submitted through proper channel).

From

V. Narayana Rao,
Care of V. Kuppenna Rao,
Markayankottai,
Uttamapalayam Post, Pariakulam Taluk, Madura Dt.

Through

The President,
District Board,
Madura.

To

The Director of Public Instruction,
Madras.

Respected Sir,

Humble Appeal preferred by V. Narayana Rao,
Secondary Grade, Ex-Assistant, Board High School, Usi-
lampatti, who has been dismissed from service in Pre-
sident, District Board's Order No. D.Dis. 17101-45-A2 dated
26-7-46, pray that the said order may be cancelled and that
he may be restored to service with effect from the date
of termination of his service under the Board.

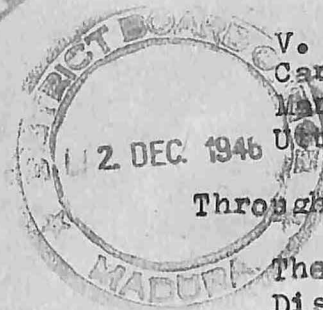
The Appellant petitioner has put in 18 years of
service under this Board as a Secondary Grade Assistant and
can claim an unblemished record of service all these years
without even a warning or black-mark or any such thing.

In June 1945, the Head Master of the Board
High School, Sholavandan was pleased to order wholesale
promotion in his school where the Petitioner was working as
an assistant. In this connection, the President, Dt. Board,
Madura undertook a series of visits to the Board High
School, Sholavandan. Up to 1-11-45, he had paid 7 visits
In his visit on 10-7-45, the Petitioner was sent for by
the President and abruptly questioned whether the Petitioner
received any illegal gratification from any pupil of the
school on promise of promotion. The Petitioner denied the
charge submitting that he was away in Mysore during May 1945
and that he did not meet any boy during the Summer Vacation.

In reference A.2.6493-45 dated 21-9-45 of the P.D.B.

the

21991/46
3/12



the Petitioner was transferred to the Board High School, Usilampatti on public grounds.

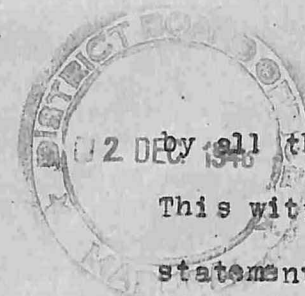
In reference A.2.17101-45 dated 1-12-45, a charge sheet containing 7 charges was communicated to the Petitioner and the Petitioner was called upon to submit a written statement in his defence.

In reference A.2.17101-45, dated 14-12-45, the President District Board was pleased to delete Charge No.6 and to re-number Charge No.7 as 6 and to add an additional charge as charge No.7.

On 23-12-45, the Petitioner requested the President, Dt.Board to supply him with copies of certain records to prepare the defence. In Reference A.2.17101-45 dated 2-1-46, the President, District Board was not pleased to supply copies of these records stating that the Petitioner was not entitled to get copies as per Statutory Rules.

On 11-1-46, the Petitioner submitted a written explanation in his defence denying all the charges. The first charge was that the petitioner received a sum of Rs.10 from S.Sundararajan, pupil of 3" Form, B. of the Board High School, Sholavandan promising to secure him promotion from 2" Form. This boy's statement has originally appeared as a Petition to the President, Dt.Board dated 23-10-45. If there had been any truth in the allegation, nothing could have prevented the pupil from sending the petition even as early as June 1945. It is significant that the petition should have followed the series of visits of the P.D.B. to the School. In his petition, no mention has been made about the date of occurrence. This defect is designed one and shared

by



by all the petitioners alleging illegal gratification. This witness has subsequently retracted this original statements in the personal enquiry on the ground that it was given under duress. The prosecution had evaded this by simply saying that the ^{pupil} ~~pupils~~ had been influenced to go back on his original statement by the Petitioner. The boy is an adult aged 18 and has attained the age of P.Dt.Board discretion. It is not known how the ~~Petitioner~~ has come to hazard the statement that the Petitioner teacher has influenced the pupil. It is obvious that the statement is a mere speculation. In this connection, it would be pertinent to point out that the petitioner teacher was transferred to Usilampatti as early as September 1945 and it was disclosed in the open enquiry that the whole case was ~~an~~ engineered by some colleagues of his at Sholavandan as a result of personal animosities against the Petitioner and has foisted the case against the Petitioner long after he was transferred from the place of alleged occurrence. It is a pity that in spite of the falsification of these charges in the open enquiry, the P.Dt.Board should have given credence to these rumours set up by mischief mongers. The Petitioner teacher was in charge of 1" Form and it is highly incredible that a poor assistant should have influenced pupils of 3" to 6" Forms. The original allegation and retraction by the pupil under reference convincingly proves that truth of the above statement and the existence of a very complex situation in the school which the P.D.B. has failed to unearth to the minutest details.

The second charge was the alleged payment of Rs.25 by M.David, 5" Form who got it back subsequently. In his original petition dated 23-10-45, he did not make any mention of the alleged payment of Rs.25. Nor has he mentioned any

reference

reference about the petitioner-teacher. It is not known for what purpose and in what circumstance was this petition sent by the pupil to the President, Dt. Board. This pupil had made mention of the alleged payment in his second statement dated 24-11-45 which is clearly an after-thought and made with deliberation and concoction.

Charges 3, 4 & 6, have been successfully repudiated in the open enquiry that the P.D.B. has no observation to make thereon except to acquiesce in the assumption that these charges also could be said to have been sufficiently proved. It would not be out of place to mention in this connection that the evidence of K. Mappillaisami (Charge No. 6) is wholly unreliable. It would be observed from the proceedings that this witness had mentioned nothing adverse against the petitioner in the open enquiry on 5-4-46. It appears that this witness had retracted his original statement. In the enquiry on 15-4-46, the Petitioner categorically denied the fresh allegations made by this witness. The witness was not present in the enquiry. So the Petitioner could not cross-examine him. The President, Dt. Board was pleased to observe that the enquiry was over. Meanwhile, the Petitioner was on sick leave from 28-6-46 to 11-7-46 undergoing treatment at Periakulam. During this period the petitioner was away from the Head quarters. To his surprise, the Petitioner learnt that another enquiry was held on 3-7-46. On enquiry, it was ascertained that the summons for this enquiry was served at the Petitioner's house under the signature of his daughter aged 10 years. The Head Master, Usilampatti was aware of the Petitioner's absence from Head quarters on this date. The Petitioner submitted a medical certificate on 1-7-46. In the circumstances, the Petitioner's absence in the enquiry on 3-7-46 was unavoidable. Instead of giving an opportunity

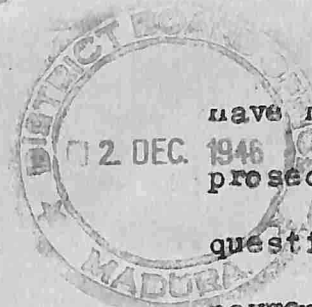
to the Petitioner by postponing the enquiry, the P.D.B. proceeded with the case and had passed ex parte orders. His observations that, "the assistant was asked to appear on 3-7-46 ~~while~~ when Mappillaisami was expected to make a statement in the presence of the Assistant but knowing evidently that the pupil would not be amenable to his dictation, he absented himself." are in view of the foregoing facts manifestly unfair to the poor petitioner.

Charge No. 5 was that M. Abdul Kader, 2" Form, is alleged to have ~~paid~~ paid the Petitioner teacher a sum of Rs. 4 in all. This boy is a bright one in the class and as such he has no need to approach any body to secure promotion as admitted by himself in the open enquiry. His statement is not only belated but also made six months after the alleged payment.

Charge No. 7 is the alleged payment of Rs. 1-12-0 by E. Mohideen, 2" Form. In the open enquiry, this boy had first refused to answer any questions put to him but kept on weeping with the result that the P.D.B. himself had to observe that he may be sent out of the room. Subsequently however, on being soothed by the P.D.B. the boy said that he gave the teacher money. On being cross-examined, this boy said that he did not remember when the alleged payment was made or how much was paid and for what purpose. In this connection, the Petitioner begs to submit that in respect of charges 5 and 7 which the P.D.B. states have been proved beyond doubt, the alleged amounts involved, viz., Rs. 4 and Rs. 1-12-0 are so trivial that it could be highly incredible that the Petitioner would compromise his reputation for such frivolous thing even assuming that he is capable of influencing the opinions of superiors in such highly important matters as annual promotions. It may be mentioned

in this connection that these boys were juveniles and subject to change their opinions according to the influence brought to bear upon them by people in authority. In none of these cases, were the parents of the boys examined to affirm the validity of their statements or to corroborate the genuineness of the alleged payments. It is the peculiar misfortune of the Petitioner that these two charges upon which so much is made had been built on ^{so} ~~slender~~ ^{quite} slender grounds that they will be inadmissible in law.

The Petitioner also begs to invite attention to the fact that he was absent from the head quarters throughout the period of the alleged payments. The Petitioner was in Mysore during that period. The P.D.B. while admitting the plea of alibi observes that even a day's stay at Sholavandan between the 1" and 4" June 46, that is, the dates of the publication of the 1" and 2" lists of promotion, will be sufficient for all the undesirable activities complained about. In this connection, the Petitioner begs to submit that if the alleged payments had taken place between the 1" and 4" June 1945, then the statements of the boy M. Abdul Kadyar about the alleged payment 10 or 15 days before the announcement of the results is false and as such charge No.5 falls ~~false~~ to the ground. Secondly, it would be significant to note that the first Pass List was notified on 1-6-45 in which all the complainants except M. David, Charge No.2 have been declared as passed. It would be highly improbable in such circumstances that passed students would venture to offer money to any one for consideration alleged by the P.D.B. nor would there be any justification on their part to take to such courses instead of celebrating their passes. As regards M. David (Charge No.2) assuming for argument's sake that he paid and took back the money, his success in the second list would belie the above charges and render it baseless. It may also be noted that none of these boys



have mentioned the dates of alleged payments and the prosecution had failed to clarify ~~this~~ this aspect of the question. For the reasons stated above, these alleged payments are merely figments in imagination of ~~mis-~~ mischief mongers interested in bringing about the ruin of the Petitioner-teacher.

The Petitioner begs to invite the attention of the authorities to the observations of the Head Master about the alleged payments, under whom the Petitioner was working when the P.D.B. called for the Head Master's personal remarks on the Petitioner's written explanation dated 11-1-46. According to him, none of these complainants have mentioned to him about the alleged payments either orally or in writing. It is regrettable that the P.D.B. had not taken pains to corroborate the statements of the complainants by letting in proper evidences. Also the motives for the alleged payments have not been proved and it is highly incredible that a poor assistant could influence the decisions of persons in authority. It would be observed from the enquiry, that the statements have not been voluntary and have been extracted under duress. Further most of these statements have been proved as unreliable. It is also significant to note that most of these statements have been written on the same date, viz., 24-11-45 behind the back of the petitioner and long after he left the school, which is sufficient evidence to prove that they have been engineered by interested parties. The Petitioner begs to submit that the observations of the President, Dt. Board that, "It is very clear that Sundararajan pupil of 3" Form B. (Charge No.1) has been influenced by the teacher and prevailed upon to go back on his own previous statements dated 23-10-45 and 11-12-45. A. Govindarajan, 6" Form (Charge No.3 and N. Ramdoss, 4" Form (Charge No.4) have also

similarly been influenced and made to withdraw statements voluntarily made by them", is not fair to the petitioner in that the Petitioner could not marshal so much influence to nullify the alleged actions of with the poor resources behind him.

In conclusion, the Petitioner humbly begs to submit that he had applied to the President, Dt. Board on 6-19-46 for copies of certain important documents in connection with the case with a view to prefer an appeal against the order. The P.D.B. was again reminded a week after to expedire the same. There had been no response so far. Thus my attempts to present a reasoned appeal with the help of all available documents have been foiled with the consequent delay in the submission of this appeal.

The Petitioner therefore begs to pray that the delay of a few days in the submission of the appeal may be kindly condoned taking into account the peculiar intricacies of the situation.

Finally the Petitioner begs to submit that he has had an unblemished record of 18 years service in the Board and the authorities would kindly investigate the case thoroughly and render justice to the poor unfortunate Petitioner.

I beg to remain,

Respected Sir,

Your most obedient servant,

V. Narayana Rao.

9-10-46.

From,

V. Narayana Rao
Ex-assistant,
Board High School,
Unlappatti



Papers, etc.

To
The Collector and Special Officer,
District Board,
Madura.

Sir,

Ref:- Submission of the Revision appeal:-

I beg to submit that consequent on the rejection of my humble appeal to the Director of Public Instruction, Madras on the technical flaw of time-bar, I submitted a revision appeal on 30-11-46 to the Secretary, Education and Public Health, Govt. of Madras, through the proper channel to kindly condone the delay of a few days and to consider the appeal on its merits. I beg to submit that I have not received any orders till now.

Hence, I humbly pray that my revision appeal may kindly be considered and justice done to me.

Unlappatti
8-1-47. J.

I beg to remain,
Your most obedient servant,
V. Narayana Rao.

N.Dis. 21991/46

Enc:- 14

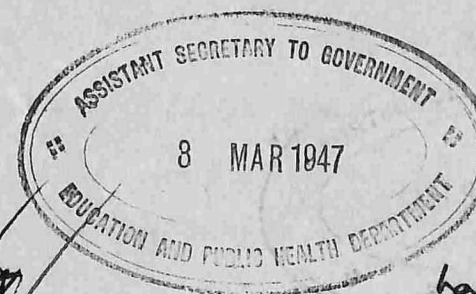
District Board Office, Madura
Dated 23rd February 1947.

Submitted to the Secretary, Education and Public Health
Department, Fort St. George, Madras.

2. The petitioner, who held the post of an Assistant in
the Board High School, Usilampatti has no right of second appeal
to Government as per Rule 9 (2)(b)(i) of the rules relating to
appointment and punishment of officers and servants of local
boards.

3. The petition is liable to summary rejection as per
clause (7) of Rule XVII of the rules issued in G.O.No. 271
Public (Services) Department dated 4-2-1937.

4. The Government may decline to interfere with the
orders passed ~~passed~~ by the Director of Public Instruction,
Madras, which are final in the matter.



For Collector and Special Officer,
Madura District Board, Madura.

have been called for from N. Dis. 21991/46
This may be done 27/3/47
22/3/47
22/3/47
The quoted papers
N. Dis. 21991/46
27/3/47
22/3/47

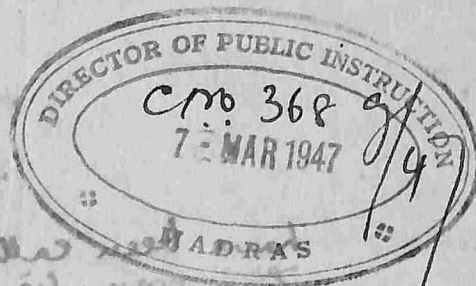
16
Endorsement 17290/47-13-1 Edn 8.3.47.

Exp. 4 (B1) Dept.

Referred to the Director of
Public Instruction for very careful remarks.

ASD
Assistant Secretary to Govt.

The Director of Public
Instruction



OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS
R.C.368 G1/47, dated 18-3-1947. (10)

Sub:- Appeal - Sri V. Narayana Rao, ex-Assistant,
Board High School, Usilampatti, Madura District
Revision of Director's orders rejecting his
original appeal dated 9-10-1946.

Ref:- Government Endorsement No.17290 of 47-B1, Edn.,
dated 6-3-1947 Edn. and P.H., (B1) Department.

resubmitted.

2. The original appeal dated 9-10-1946 of Sri V. Narayana Rao,
ex-assistant, Board High School, Usilampatti, was rejected in this
office Proceedings L.Dis.8868 G1 of 46 dated 19-11-1946 as it was
time barred and in the Director's opinion there was no reasonable
cause for condonation of the delay.

3. If, however, the Government are of the opinion that the delay
in the submission of the appeal be condoned the question
considered on the merits of the case this will be done and remarks
submitted to Government.

For Director of Public Instruction

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

m.k.19/3.

sd
19/3

From The Senior Superintendent,
Office of the Director of Public Instruction,
M A D R A S.

To The Superintendent,
(11)
'B1' Section, Education and Public Health Department,
M A D R A S.

Sub:- Appeal - Sri V. Narayana Rao - Ex Assistant, Secondary
Schools - District Board, Madurai.

Ref:- your Telephonic message, dated 20-5-1947 calling for
copies of certain Govt. Memo.

Copies of the following are herewith enclosed as desired:

- (i) Memo.No.5183 A/40-2, Edn., dated 30-3-1940.
(ii) Director's letter No.444 B/40, dated 28-5-1940.
(iii) Memo.No.23081 A/40-1 Edn., dated 6-7-1940.

/true copy/

SENIOR SUPERINTENDENT.

M.K.21/5.

Copy of Memo.No.5183 A/40-2, dated the 30th March 1940.

Read: From the Director of Public Instruction, A.O.C.No.444 B/40,
dated 30-1-1940.

Telephonic message from the Director of Public Instruction,
dated 30-1-1940.

Sub:- Petitions from teachers to Government appealing against
the orders of the Director.

The Director of Public Instruction is informed that as the
rules stand at present, he should submit to Government petitions
from teachers appealing against his orders.

G.H.Cooke,
Secretary to Government.

Copy of Director's letter No.444 B/40, dated 28-5-1940. to the
Secretary to Govt., Education and Public Health Department, Mad.

Ref:- Govt.Memo.No.5183 A/40-2, Edn., dated 30-3-1940.

In their order Nos.934 Edn., dated 28-4-1937 and 444 Edn.,
dated 22-2-1938 and 1265 Edn., dated 6-6-38 Govt. have as a measure
of decentralisation delegated to the Director the power to dispose
of appeals from teachers in Elementary and Secondary schools with
the exception of headmasters of high schools. It seems clear
particularly from G.O.No.444 Edn., dated 22-2-1938 that Govt. did
not intend the Director to entertain petitions and memorials from the teachers
against Director's orders. Apparently, the Govt. memorandum referred
to above is in contradiction to the various G.O. which would appear
to have delegated final appellate powers to the Director. However,
I may point out that the present orders of Govt. will necessarily
result in the majority of the teachers appealing against the Director's
orders; in result it would be going back to the old position before
the decentralisation of the powers, when the final appellate
authority was the Govt.

There is no provision in the rules for directing the D.P.I. to review the appeal on merits. As there is no second appeal to govt. and the revision petition has been subd to govt for orders under the general ^{revisional} powers, it is for the govt to pass suitable orders in this case after obtaining the remarks of the D.P.I. on the merits of the case which he has promised to offer if required. 10/17 cf

WRE
5/5/49

PL see note
below
6.5.49

Do the rules technically enable us to pass an order merely redirecting the D.P.I. to review the appeal on merits? Even such an order will be an 'appellate order'. How will that be correct when no second appeal lies? If however we act under the general 'revisional' provision - that I think enables us only to pass orders ourselves on merits and I am not sure whether under that we can merely ask the D.P.I. to review the appeal on merits and pass orders.

M.V.S.
24-4-47.

Edn. & P.H. Dept.

In this case the D.P.I. has rejected the original appeal of the teacher Sri B. Narayana Rao on technical grounds i.e. the appeal was not submitted within the statutory time ^{limit} of two months allowed for ^{its} submission. He has not examined the case on ^{its} merits. The teacher has ^{petitioned} ~~appealed~~ to Government against this order of the D.P.I. Under the revisional powers

DRAFT FOR APPROVAL.

C.F. 16.

SUBJECT:—

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined..		
When signed ..		
When despatched.		

READ AGAIN _____, dated _____ 19__

" " _____ " _____ 19__

READ ALSO:—

No. _____ From the _____, No. _____, dated _____ 19__

" " _____ " " _____ 19__

" " _____ " " _____ 19__

Order Ms. Resolution Rout. No. _____, dated _____ 19__

it seems that we can set aside the order of the D.P.I. rejecting the appeal on technical grounds and direct him to enquire into the case on its merits. Legal, however, may say whether the procedure suggested above is correct.

6.5.47 S. M. S. (14)

Certain papers on the subject have been called for from the D.P.I. office. This may be over till the papers are received.

1682
22/5/47

Submitted. 22.5.47

D.P.I. (B)

with reference to Secy's query on page 4 ante, attention is solicited to the correspondence between the DPJ & Govt in 1940 on that question - on p 18 of. It will be observed that Govt consider such petitions only to see whether there is any necessity to exercise their powers under rule 9/3 + 8/2 of the rules relating to the appointment & punishment of officers & servants of the Bds & Municipal Councils respectively. This rule empowers Govt to pass such orders as they deem fit. Servants of local bodies have also a right to petition Govt under the petition rules.

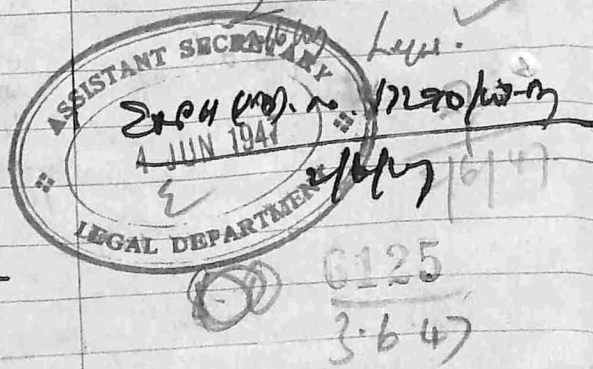
SSK
2.5.47

W
2.5.47 S

Legal my kind
advise on the
or 17 or 1:4 AM.

Legal Department

Rule 9 (3) vests a revisional power in the Government, notwithstanding anything contained in the preceding rules. In the exercise of the revisional power under that rule, it is open to the



B1 (15)

Government either to set aside the order of the Director of Public Instruction and direct him to hear the appeal on the merits, or themselves pass such orders as they deem fit.

13647 S.

1600
13/6/47. EPH

Legal no. 6125/47-1
3.6.47.



49534

Add these rules
to the file after
disposal 16/6/47

Please see the Legal Dept's note above. Orders are solicited on the point at 'M' on page 4 ante (and the note in the margin for 14.6.47).
W
15.6.47 S (16.6.47)

Petition-Narayana Rao. Sri V.-Ex-Asst.-Board High School

Usilampatti-Revision of orders passed on appeal. (16)

Petition from Sri V. Narayana Rao, dated 9-10-46

From the Special officer, Dt. Board, N.Dis.2199/46 dated 23-2-47

From the D.P.I., Rc. 368-G1/47 dated 18-3-47

ORDER(Ms) No. 1346 Education dated 25-6-47

The Govt. have considered the petition of Sri V. Nar

Rao, Ex-Assistant, Board High School, Usilampatti, for rev

of the orders passed by the D.P.I. rejecting ^{his} appeal ^{and}

his dismissal from service on the ground that it was time-barred

In the circumstances explained by the petitioner, the delay

in the submission of the appeal is condoned. The Govt. ~~can~~

consider that ^{as in view of the fact that he} as the petitioner has put in 18 years service

and the extreme punishment of dismissal has been inflicted

him. ^{He has considered the delay in the submission of the appeal should be condoned} His appeal should be ~~XXXXXXXXXX~~ considered on merits ^{as}

They accordingly set aside the orders passed by the D.P.I.

in his proceedings L.Dis No. 8868-G/46 dated 19-11-46 and dir

the Director to hear the appeal on merits.

To the D.P.I. ✓

" S.O. District ✓

Board, Madura.

copy to the petitioner

1882
24.6.47

25-6-47

Sepd
22/1/47

Petition-Narayana Rao, Sri.V.-Ex-Asst. Board High School, Usilampatti, dated 30-11-46. From the Special Officer, Dt. Bd. Madura, N.Dis.21991/46, dated 23-12-46. From the D.P.I., R.C.No.368-G1-47, dated 18-3-47. The petitioner Sri. V. Narayana Rao, Ex-Asst. Board High School, Usilampatti, was dismissed from service under the order of the P.D.B., Madura No. D.Dis. 1721/45, dated 26-7-46. on a charge of receiving illegal gratification from students on promise of promotion. He appealed to the D.P.I. against the orders but the appeal was rejected by the Director on the ground that it was timebarred. He has put in a revision petition to Govt. as the appeal was rejected by the Director without going into the merits of the case.

2 The reasons for not preferring the appeal in time stated in para 3 of the petition. In rejecting the appeal, the Director was of the opinion ^{that} there was no reasonable cause for condonation of delay. He however states that if Govt. are of the opinion that there is delay in the submission of the appeal may be condoned and the ^{case} ~~case~~ be considered on its merits ~~of the case~~, he will offer his remarks. The petitioner has put in 18 years of service and the extreme punishment of dismissal has been inflicted on him. He also complains that the enquiry was not properly held. In the circumstances it is for consideration whether the original order of dismissal may be called for and the Director may be asked to offer his remarks on the merits of the case.

Please see paragraphs 2 and 3 of the petition on p.1 c.f. Paragraph 3 contains the reasons for the delay in submitting the appeal within the prescribed time limit of 2 months. The reasons for the delay, it seems, may be admitted. The appellate authority, (the D.P.I.) can entertain the appeal after the expiry of the time limit prescribed for appeals, if it is satisfied that there has been reasonable cause for the delay. For the reasons mentioned at A above and in view of para.3 of the D.P.I.'s ~~letter~~ report on p.17 c.f., the Director may be asked to condone the delay and enquire

Rule 11 and p 217
7 Bk No 157
statutory rules.

are ~~into~~ and dispose of the appeal on its merits.

hr
24.6.47

to hear the appeal on merits. But may be done.

TSA

22-6-47

SABA(2)

A draft order is submitted below

for approval.

hr
25.6.47

File to amending
note also with the
25.6.47



BA (Cm.)

DO
17/6

CDA

(18)

246428

Please despatch the copy
of go. no. 1346Edn. dated 25/6/47
to the following address:-

Sri. V. Narayana Rao.

C/o V. Kuppana Rao,

Marla ayar Kottai,

Uttarampalayam Post.

Periakulam Taluk.

Madurai S.

received
to the given
address
23.7.47

hr
28/7/47

744-10
424
Please check with the
Dr. M. B. ...
to the following address:
201 V. ...
C/o V. ...
Harrisburg, Pa.
Put ...
Per ...
The
3/1/52

