Scott II-27—58,004—4-11-46.

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G.O. NO. 178 Edn

Dated 31.1.1947

[Despatch Abstract.]

Appeal - Chidambaram Pillai, Sri A.S. - Headmaster - Municipal High School, Walajapet - Against reduction in pay - Orders passed.

Back Papers.

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

Further Papers.

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

R.O.C. 1/A/46.

(2) A-2513/46.

Municipal High School,
Walajahpet, North Arcot District,
Dated 6th July, 1946.

From

A. S. Chidambaram Pillai, B.A., L.T.,
Headmaster, Municipal High School,
WALAJAHPET (NORTH ARCOT DISTRICT)

To

The Secretary to Government,
Education and Public Health,
FORT ST. GEORGE, M A D R A S

THROUGH

The Commissioner,
Walajahpet Municipality,
WALAJAHPET (NORTH ARCOT DISTRICT)

1/2 6.7.46

Sir,

SUBJECT: Municipal High School, Walajahpet--Manual Training Section--Certificate of Verification by Headmaster in Tools & Plants and Stores Register--Charges framed against Headmaster by Commissioner--Salary reduced by Rs.5/- a month for six months--APPEAL against Orders--Submitted.

(W) pp2-17-220 of Md. office file. pp23-37

The petitioner who is the Headmaster of the Municipal High School, Walajahpet, North Arcot District, begs to submit this humble appeal against the orders R.O.C. 2094-C-45, dated 10th May, 1946 of the Commissioner of Walajahpet Municipality (copy submitted, Appendix A) reducing his salary by Rs. 5/- a month for six months.

Briefly the following are the facts of the case:--

The Municipal High School, Walajahpet, has a Manual Training Section where wood-work is taught to the pupils. The Commissioner of the Walajahpet Municipality paid a surprise visit to the Manual Training Section on 17th January, 1946 and checked the stores of wood and tools and

plants. He found shortages in the stores of wood, tools and plants. The Commissioner, therefore, framed charges against the Manual Training Instructor in his R.C. 2094-C-45, dated 25th February, 1946 and demanded his explanation to the charges. He submitted his explanation on 10th March, 1946 and the Manual Training Instructor was given a personal hearing on 16th March, 1946. While the enquiry against the Manual Training Instructor was thus pending, the Commissioner in his R.C. 2094-C-45, dated 20th March, 1946 (copy submitted Appendix B) framed the following charge against the Headmaster of the High School, the present appellant:--

> "That he grossly neglected his responsibilities and duties in not exercising proper control and check over the accounts and the stock of the stores, tools and plant in the Manual Training Section of the High School and over the work of the Manual Training Instructor in this respect, which negligence resulted in pecuniary loss to the Municipal Council as assessed in the charges against Sri C. Ramanathiah."

The appellant submitted his explanation, No. R.O.C.1/A/46 dated 3rd April, 1946 (copy submitted, Appendix C). In his explanation the appellant expressed his regret for recording a certificate of verification and submitted certain extenuating circumstances. These extenuating circumstances were that the Manual Training Instructor was given wide latitude by the Commissioners in the matter of purchase of stores and tools required for the section. The Manual Training Instructor went to the supplier himself and took delivery of the stores or alternately took advance from the Municipal Treasury and purchased stores without the knowledge of the Headmaster. Even bills for the supply of stores did not pass for payment through the Headmaster. The Manual Training Instructor took advantage of this situation and misappropriated Municipal property.

He requested a personal hearing to be granted to him to prove the statements made in his explanation. Accordingly a personal hearing was granted to him on 5th April, 1946 when the present appellant examined (1) the Manager and Accountant of the Municipality, (2) The Manual Training Instructor of the High School and a few others in support of the statements contained in his explanation. The present appellant then submitted a further statement, No. R.C.1/A/46, dated 7-4-1946 (copy submitted, Appendix D) summarising the evidence of the witnesses. While the enquiry into the charge was thus closed, and while the appellant was expecting orders to issue, the Commissioner framed the following supplemental charge against the appellant (copy submitted, Appendix E):--

"That he furnished false and misleading certificates of verification of the Tools and Plant and stock of wood every year (i.e., on 5-5-42, 16-6-43 and 9-5-44) in the tools and plant register and the stock register of wooden materials in the Manual Training Section of the Municipal High School, Walajahpet."

In his reference No. 1/A/46, dated 16th April, 1946 (copy submitted, Appendix F), the appellant requested extension of time for the reason stated therein. But the Commissioner-Delegate, i.e., the Chairman, sent word through the school clerk that the extension of time applied for would not be granted (copy of statement of clerk submitted, Appendix G). Thereupon, the appellant submitted his explanation No. R.O.C.1/A/46, dated 17th April, 1946 (copy submitted, Appendix H).

In the above explanation No. R.O.C. 1/A/46, dated 17th April, 1946, the appellant submitted that the supplemental charge did not contain any statement of facts on which the charge is based. It was further submitted that there were

no standing instructions from the Commissioner as to the manner or period of furnishing verification certificates. The appellant recorded verification certificates after satisfying himself that a check certificate was recorded by the Manual Training Instructor. The verification certificates could not be regarded as false and misleading in the absence of any proof of their connection with the loss or shortage alleged in the Manual Training Section. The stocks and stores were audited by the Audit Department, irrespective of the fact of verification or otherwise by the Headmaster and the auditors did not report any shortage or discrepancy. The petitioner further submitted that he was not familiar with the nomenclature of the large number of technical tools and plants and stores used for wood-work, and he had to rely on the certificate of check of a specially trained technical instructor for verification. If the petitioner tried to check them independently, the Manual Training Instructor could have easily deceived him by showing him one tool for another just as he attempted to deceive the Commissioner at the time the Commissioner verified the tools in the Manual Training section on 21st January, 1946.

After the submission of the above explanation, further time by one week was granted by the Commissioner-Delegate, i.e., the Chairman, in his No. R.O.C.2094-C-45, dated17th April, 1946 (copy submitted, Appendix I). The Commissioner in his No. R.O.C. 2094-C-45, dated 25th April, 1946 (copy submitted, Appendix J) granted extension of time till 27th April, 1946 to submit any further statement and informed the appellant that the facts on which the supplemental charge has been framed were the depositions of Sri Ramam thiah, Manual Training Instructor, and C. Ramayya, Clerk, given by them at the personal hearing given to this appellant to the first charge.

The Commissioner left the station on 27th April, and consequently gave the appellant time till 29th April, 1946 to submit the explanation as per his order No. R.O.C.2094-C-45, dated 26th April, 1946 (copy submitted, Appendix K).

The appellant then submitted a considered explanation to the supplemental charge in his No. R.O.C. 1/A/46, dated 29th April, 1946 (copy submitted, Appendix L). In this explanation the appellant submitted that the depositions of Sri C. Ramanathiah, the Manual Training Instructor, and C. Ramayya, Clerk, were given in another context with reference to the first charge, and they could not constitute statement of facts for the supplemental charge. The appellant was still left without a statement of facts on which the supplemental charge was framed.

While denying the supplemental charge, the appellant further submitted that he only recorded 'verified' in the Stores Register in 1944 and this was different from furnishing a certificate of verification. The appellant should not have recorded any certificate for the reasons stated in his explanation to the first charge. But the Commissioner was pleased to construe it as false and misleading. As Head of the High School, he relied on the certificate of check recorded by the Manual Training Instructor. In the absence of standing instructions from the Commissioner as to the period or manner of verification, the appellant thought that there was no harm in adopting that procedure.

The appellant requested a personal hearing and submitted a list of documents and a list of witnesses to be summoned in support of his explanations dated 17th April, 1946 and 24th April, 1946. The list of witnesses included the Commissioner of the Municipality, Sri K. Rameswari Mudaliar, Sri C. Ramanathiah, the Manual Training Instructor, Sri ...

Manickachari, the school carpenter, the District Inspector of Local Fund Accounts who audited the stores and tools and plants of the Manual Training section in 1940, 1941, 1942, 1943 and 1944, the Assistant Examiner of Local Fund Accounts who audited the stores, tools and plants registers of the Manual Training Section in 1942. But the Commissioner in his R.C. No. 2094-C-45, dated 29th April, 1946 (copy submitted, Appendix M) intimated the appellant that his request to call for witnesses excepting Sri C. Ramanathiah, the Manual Training Instructor, and S. Manickachari, Carpenter, cannot be complied with. He also intimated that he would give a personal hearing on 30th April, 1946. The appellant was ill on 30th April, 1946, and requested postponement of the personal hearing to a later date.

(W)/189 p934 Please see Comr's note on p 184 ante file.

On 1st May, 1946, the appellant in his letter R.O.C. 1/A/46, dated 1st May, 1946 (copy submitted, Appendix N), informed the Commissioner that since he had declined to summon the other witnesses except the Manual Training Instructor and the Carpenter without assigning any reasons, no useful purpose would be served by examining the Manual Training Instructor and the Carpenter in the absence of other witnesses. Nevertheless, the Commissioner in his R.C. 2094-C-45 dated 1st May, 1946 (copy submitted, Appendix O) asked the appellant to appear before him on 1st May, 1946 at the Municipal Office. When the appellant appeared before him, the Commissioner asked him to give a statement (copy submitted, Appendix P). Subsequently, in his R.O.C. 2094-C-45, dated 10th May, 1946 (copy submitted, Appendix A), the Commissioner issued orders reducing his salary by Rs. 5/- a month for six months, against which this humble appeal is now submitted.

(W)/199-200 p954

(W)/201 p974

(W)/203 p994

pp25-374

(W)/217-20

In the above proceedings, in para 5, the Commissioner summed up the first charge in the light of the explanation of the appellant No. R.O.C. 1/A/46, dated 3rd April, 1946

(W)/254

and his further statement No. R.O.C. 1/A/46, dated 7th April, 1946 (copies submitted, Appendix C, D). After quoting fairly extensively several of the minor points from the appellant's explanation, the Commissioner dismissed the whole explanation and the further statement, as "most ill becoming of an officer of his type and status" and said that the explanation "clearly shows only the neglect of his responsibilities and duties as the Head of this institution. His attitude in this respect is most deplorable, and his explanations to the charges are not at all acceptable. I find the charge proved."

In para 5 of his proceedings, the Commissioner apart from quoting extracts from his explanations did not do the appellant even the courtesy of examining, discussing or weighing the various points in his explanation No. R.O.C. 1/A/46, dated 3rd April, 1946 (copy submitted, Appendix C) and further statement No. R.O.C. 1/A/46, dated 7th April, 1946 (copy submitted, Appendix D). The responsibility for the custody of the vast quantity of stores and tools and plants in the Institution was never denied by the appellant. The main point in the defence of the appellant was that the missing stores in the Manual Training Section was not supplied in any year to the Headmaster or through the Headmaster to the Manual Training Instructor and the bills of supply were never passed by the Headmaster. Thus the Headmaster was given no chance to verify the stores or tools or plants supplied to the Manual Training section. On the other hand, the stores were supplied directly to the Manual Training Instructor behind the back of the Headmaster and the bills were also passed by the Manual Training Instructor, accepted directly by the Commissioner and accordingly paid. The above facts were elicited by the appellant when he examined the Manager and Accountant of the Municipality (copy of deposition of the Manager and Accountant submitted, Appendix Q) and the Manual Training Instruc-

tor (copy of deposition of the Manual Training Instructor submitted, Appendix R) at the enquiry held on 5th April, 1946. The humble appellant begs to invite the attention of the benign Government to the fact that the Commissioner has entirely failed to take note of the above salient facts in his proceedings. Not even mention is made of the above very material facts. In other words, these very material facts have been entirely overlooked by the Commissioner in passing orders on the charge.. As submitted in his explanation No. R.O.C. 1/A/46, dated 3rd April, 1946 (copy submitted, Appendix C), conditions required for the exercise of proper control over the work of the Manual Training Instructor and verification were not present. As a matter of fact, successive Commissioners followed the irregular procedure of supplying stores direct to the Manual Training Instructor without the knowledge of the Headmaster, and now the Headmaster is accused and punished for the irregular acts of the Commissioner. The Manual Training Instructor was even given cash to purchase stores directly by the Commissioner and the former took full advantage of the situation to misappropriate Municipal property. The appellant submits that the charge is far from proved.

With regard to the supplemental charge, it is submitted that a statement of facts on which the charge is framed was not furnished to the appellant under the rules. When requested to do so, the Commissioner in his R.O.C.2094-C-45, dated 25th April, 1946 referred this appellant to the depositions of Sri Ramanathiah, the Manual Training Instructor (copy submitted, Appendix R) and Sri C. Ramayya, Clerk, (copy submitted, Appendix S), given at the time of personal hearing to this appellant on the first charge. These depositions were given in reference to the first charge and contain miscellaneous facts. Several of them have no reference to the

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supplemental charge and it was difficult to gather the allegations on which the charge is based. Thus the appellant was not furnished with a statement of facts for the supplemental charge.

(W)/183-4 p87

(W)/185 p93

The appellant submitted the names of a number of witnesses for examination along with his explanation R.O.C. 1/A/46, dated 29th April, 1946 (copy submitted, Appendix L). But the Commissioner issued orders in his R.O.C. 2094-C-45, dated 29th April, 1946 declining to summon them (copy submitted, Appendix M) except Sri C. Ramanathiah, Manual Training Instructor and Sri S. Manickachari, the Carpenter. The list of witnesses included "(1) the Commissioner of the Municipality, Sri K. Ramaswami Mudaliar, (2) The District Inspector of Local Fund Accounts who audited the stores, tools and plants of the Manual Training Section in 1940, 1941, 1942, 1943, 1944, (3) The Assistant Examiner of Local Fund Accounts who audited the stores, tools and plants registers of the Manual Training section in 1942, (4) Sri C. Ramanathiah, the Manual Training Instructor, (5) Sri S. Manikachari the school carpenter. The appellant submits that since the supplemental charge referred to verification of expendible stores, the auditors who audited the stores were material witnesses for the appellant, but the Commissioner declined to get any of them summoned for examination. Nor was the appellant informed of the reasons that led to this decision of the Commissioner. Again, the Commissioner who held the enquiry was a material witness for the appellant and he declined to give evidence in behalf of the appellant. The appellant humbly submits that he wanted to examine the Commissioner, Sri K. Ramaswami Mudaliar,

(1) to prove that he was having direct dealings with the Manual Training Instructor without the knowledge of the Headmaster;

(2) to prove that he did not want the Headmaster to be present when the Commissioner verified the tools and plants and stores. (Nevertheless, the appellant was present to receive the Commissioner.);

(3) to prove that the Manual Training Instructor tried to deceive the Commissioner when the Commissioner verified the tools and plants and stores on 21St January, 1946.

Thus, the appellant was not given adequate and reasonable facilities to defend himself and had to be content with the submission of his explanation No. R.O.C. 1/A/46, dated 17th April, 1946 and R.O.C. 1/A/46, dated 29th April, 1946.

(W)/159-161
(W)/183

The supplemental charge is that the appellant recorded a false and misleading certificate of verification. During the last 13 years of his service as Headmaster, the appellant recorded this certificate only once in the stores register, i.e., in 1944, and thrice in the tools and plants register, i.e., in 1942, 1943 and in 1944. The charge implies a deliberate motive for recording a false certificate; and proof of its connection with the loss or shortage in the stores in the Manual Training Section has to be established. In the absence of such proof, the charge is not sustainable. The appellant submits that the charge is only a one sided version of the events by the Commissioner, and is not a fact.

(W)/217-220

In the proceedings of the Commissioner R.O.C. 2094-C-45, dated 10th May, 1946, in para 6, examining the appellant's contention that there were no standing instructions from the Commissioner with regard to the manner or period of furnishing verification certificates, the Commissioner says that no instructions were necessary for verifying the tools, or stores or for recording the certificates.. The appellant now understands that the benign Government have in their Financial Code issued elaborate instructions on the subject of verifica-

tion of stores. But the Commissioner of Walajahpet Municipality states that no instructions are necessary on the subject. In the absence of standing instructions, the appellant did what he considered to be a correct procedure in accepting the 'check certificate' of the Manual Training Instructor and recording a certificate of verification.

It is not physically possible for the Headmaster to check the large quantities of stores and tools and plants in the High School. These consist of vast numbers of furniture in all class-rooms, large quantity of science apparatus and appliances, including chemicals, large numbers of maps and charts and Geographical instruments, a library containing nearly 4,000 volumes, vast numbers of aids used for teaching Mathematics and Drawing, large stocks of sports materials and scout equipment, tools and plants and stores of wood and other stores in the Manual Training Section, besides vast quantities of miscellaneous equipment. He has to rely on the check certificate of the various assistants who have the charge of the stores and ~~xxxxxx~~ tools and plants, and record a certificate of verification. Such a procedure is not false and misleading, as the Commissioner tries to establish. This is the only practicable course for another reason. The appellant is not familiar with the nomenclature of the large number of tools and plants in the Manual Training section, and the Commissioner has failed to take note of this fact in passing orders on the charge. The Commissioner says that the appellant has been made fully aware of the facts on which the supplemental charge has been framed. This is simply not true. The appellant understands that in Government institutions a special form has been prescribed for furnishing a certificate of verification and this is different from recording a certificate of verification. This the Commissioner has characterised as "curious" and "in conflict with all

earlier statements." The appellant is unable to discover any conflict.

In conclusion, the appellant begs to submit that the Commissioner framed the first charge and sought to punish the Headmaster for the irregular procedure of the Commissioners in supplying stores direct to the Manual Training Instructor and consequent loss of public property. When the appellant explained that the fault lay with the irregular procedure of the Commissioner, the Commissioner framed a supplemental charge. The appellant submits that the first charge is not proved; and the second charge is baseless and was framed to cover the irregular procedure of the Commissioner. The appellant maintained from the beginning that he did not verify the stores and that he should not have recorded the certificate of verification in the stores register, and expressed regret for having done so in his explanation to the first charge (copy submitted, Appendix C) for reasons stated therein. In view of the above, it is not clear how the Commissioner framed the supplemental charge which really amounts to moral turpitude. Although the Commissioner holds both the charges proved, the appellant submits that the charges are not proved. In the circumstances, the appellant prays that the Government may be pleased to set aside the orders of the Commissioner, and restore his salary which was reduced by Rs. 5/- a month for six months.

In conclusion, the appellant respectfully submits that he has completed thirteen years of service as Headmaster of this Institution. In that capacity he has served under many Commissioners and has an unblemished record of service. Throughout his period he has been discharging his duties to the best of his ability and to the satisfaction of superior officers including the officers of the Educoation Department.

I beg to remain, Sir,

Your most obedient servant,

HEADMASTER. 6/7/46

Original submitted through the Commissioner, Walajahpet Municipality, Walajahpet;

Copy submitted to the Secretary to Government, Education and Public Health, Fort St. George, M A D R A S.

Appendix — A. 25 (14)

PROCEEDINGS OF THE COMMISSIONER, MUNICIPAL COUNCIL,

WALAJAHPET, DATED 10-5-1946.

PRESENT: SRI. K. RAMASWAMY MUDALIAR.

R.O.C. 2094-C-'45, Dated 10th May, 1946.

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STORES--Manual Training Section--Municipal High School, Walajahpet--Shortages and discrepancies--Charge against the Headmaster, Sri A. S. Chidambaram Pillai--Orders passed.

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REF.--Memo of charges No. R.C. 2094-C-45, dated 25th February, 1946 against Sri C. Ramanathiah.

Explanation dated 10-3-1946 of Sri C. Ramanathiah and the remarks of the Headmaster thereon, dated 13-3-1946.

Explanation of Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajahpet, dated 3rd April, 1946.

Depositions of Sri P. Gopalaswami Chettiar, Manager, Municipal Office and others at the personal hearing on 5th April, 1946.

Further statement dated 7th April, 1946 of Sri A. S. Chidambaram Pillai, Headmaster, after the personal hearing.

Supplemental memo of charge, R.C. No. 2094-C-45, dated 10th April, 1946.

His explanation dated 17th April, 1946.

This Office Memo 2094-C-45, dated 25-4-46 and 26-4-46

Final explanation, dated 29th April, 1946 of Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster.

This Office Memos No. 2094-C-45, dated 29-4-46 & 30-4-46.

His reports dated 30-4-46, 1-5-46 and statements of Sri A. S. Chidambaram Pillai, and Sri C. Ramiah, Clerk, Municipal High School, at the personal hearing on 1-5-46.

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O R D E R.

The following charge was framed against Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajahpet in this office memo No. R.C. 2094-C-45, dated 20th March, 1946:

"That he grossly neglected his responsibilities and duties in not exercising proper control and check over the accounts and the stock of the stores, tools and plant in the Manual Training Section of the High School and over the work of the Manual Training Instructor in this respect, which negligence resulted in pecuniary loss to the Municipal Council as assessed in the charges against Sri C. Ramanathiah."

2. He was asked to show cause in writing in a week of the memo as to why a moiety of the pecuniary loss caused to the Council should not be recovered from him on the above charge. He was also asked to state in the explanation if he wished to be heard in person and if he wanted to adduce or let in any evidence or examine any witnesses. In his application dated 27th March, 1946, Sri A. S. Chidambaram Pillai, B.A., L.T., applied for one more week's time to submit the explanation and this was granted. He submitted his explanation on 3rd April, 1946. He wished to be heard in person and to examine 5 witnesses. He was accordingly heard in person on 5th April, 1946 and depositions were made by the following: (1) Sri P. Gopalaswami Chettiar, Manager, Municipal Office, Walajahpet; (2) Sri K. S. Arunachalam Pillai, Science Assistant, Municipal High School; (3) Sri C. Ramiah, Clerk, Municipal High School; (4) Sri Ramanathiah, Manual Training Instructor. Sri A. S. Chidambaram Pillai did not want to examine the carpenter, Sri Manickachari. He submitted a report to this effect on the same day, and wanted copies of the depositions of the above 4 persons and permission to submit a further statement. Both

. the requests were granted. He submitted his further statement on 7th April, 1946.

3. During the course of the personal enquiry on 5th April, 1946, it was brought out that the verification certificates furnished by Sri A. S. Chidambaram Pillai all these years were not made after actual verification. The following supplemental charge was therefore framed against him in this office memo No. 2094-C-45, dated 10th April, 1946:

> "That he furnished false and misleading certificates of verification of the Tools and Plant and stock of wood every year (i.e., on 5-5-42, 16-6-43 and 9-5-44) in the tools and plant register and the stock register of wooden materials in the Manual Training Section of the Municipal High School, Walajahpet."

4. He was required to show cause in writing in a week as to why his pay should not be reduced by Rs.20/- every month on the above charge. He was also required to state in his explanation if he wished to be heard in person and if he wanted to adduce or let in any evidence or examine any witnesses in support of the explanation. He wanted time in his petition dated 16th April, 1946 for a week to submit his explanation and this was also granted. He submitted his explanation on 17th April, 1946 and wanted to know facts on which the supplemental charge was based. He was duly apprised of this in this office memo dated 25th April, 1946 and was again given an opportunity to explain in writing and in person. He submitted his explanation on 29th April, 1946 and wanted a personal hearing and wanted to examine certain witnesses. I could not call on all the witnesses for reasons recorded and but could call on only two of them, viz., Sri C. Ramanathiah and Manickachari for a personal hearing on 30th April, 1946. Sri A. S. Chidambaram Pillai, in his petition dated 30th April, 1946, wanted that the personal hearing and enquiry might be postponed to a

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later date as he was ill with intestinal trouble. The next day however he submitted another petition that as all the witnesses cited by him were not summoned he did not want any enquiry to be made. He was however asked to appear before the undersigned on 1st May, 1946 along with Sri C. Ramiah, Clerk of the Municipal High School and I have recorded his statement as well as the statement of the clerk, Sri C. Ramiah. Sri A. S. Chidambaram Pillai did not want to cross-examine this clerk and did not want to say anything else.

ORIGINAL CHARGE:

5. Neglect of responsibilities in duties resulting in pecuniary loss to the Council: In his explanation dated 3rd April 1946 Sri A. S. Chidambaram Pillai at the outset accepts that he recorded a certificate of verification in the Tools and Plant and stock registers without verifying the stock. He goes on to add that he did this under certain extenuating circumstances. The circumstances mentioned in his explanation are mainly that the Manual Training Instructor was carrying on direct correspondence with the Commissioner, "through the Headmaster" on matters pertaining to the purchase and disposal of stores of the Manual Training section and under the circumstances he could not exercise proper control over the work of the Manual Training Instructor, and contends that "that the mere fact that the Headmaster issued certificate of verification should not be construed to entail responsibility for safe custody of stores, tools and plants," and that he should not be made answerable for the stores, tools and plant in the Manual Training section. He brought out by examining witnesses on 5th April, 1946 that he did not actually verify the stock, but simply recorded as "verified" in the registers concerned as the audit department wanted the certificates. He also states in his written explanation on 7th April, 1946 that he "should not have recorded even the certificate of verification" and submits

that too much emphasis need not be placed on the certificate of verification and the Headmaster made a scapegoat for this simple act of formality and the Headmaster made to pay the penalty for the criminal acts of the Manual Training Instructor." Sri A. S. Chidambaram Pillai has put in a service of about 13 years as Headmaster of the High School in this Muhicipality. He has been the head of the institution, viz., the Municipal High School and has been responsible for the maintenance, supervision and control completely of the institution throughout and the Manual Training Section is directly under him. As the Head of the institution he cannot disclaim any responsibility from shortages and losses and malaccounting noticed in this section, nor the pecuniary loss caused thereby to the Council. His statements that "the transactions with regard to the stores and tools began with the Manual Training Instructor and ended with the Commissioner", that "in view of the wide latitude given to the Manual Training Instructor by the Commissioner in the purchase of stores, the Headmaster should not have recorded a verification certificate and that it was done as a formality as the Audit Department wanted it" are most ill becoming of an officer of his type and status and clearly shows only the neglect of his responsibilities and duties as the Head of this institution. His attitude in this respect is most deplorable and his explanations to the charge are not at all acceptable. I find the charge proved.

SUPPLEMENTAL CHARGE:

6. Furnishing false and misleading certificate of verification of tools and stores: He denies in his explanation dated 17th April, 1946 that he did not furnish "false and misleading certificates but all the same reiterates that "too much emphasis need not be placed on my certificate of verification." He goes on to point out that there were no standing instructions issued by the Commissioner with regard to the manner of fur-

nishing verification certificates and consequently he recorded verification certificate in the registers of the Manual Training section as and when required after satisfying himself that a check certificate was recorded by the Manual Training Instructor and that these certificates of verification were recorded merely because the audit department wanted it. No instructions were necessary for verifying the tools or stores or for recording the certificates. I am unable to accept the plea of his seeming ignorance in this respect. He has tried to bring out through the deposition of his clerk Sri C. Ramiah that the audit department wanted the formal certificate, but the clerk has made it quite clear on my personal enquiry that he never made the Headmaster understand that the certificate could be furnished without actual verification. Even granting this I am unable to believe how an officer of the position of the head of a High School with so much experience will be so very simple as to blindly record a certificate of verification on the words of his clerk. His statements that he recorded a verification certificate in the Tools and Plant register after satisfying that a check certificate was recorded by the Manual Training Instructor and that he as Headmaster "relied on the certificate of check recorded by the Manual Training Instructor" are conflicting with his contention that he gave only a certificate without meaning it. He further adds that "the stock and stores in the Manual Training section uptodate were audited by the audit department irrespective of the fact of verification or otherwise by the Headmaster and the auditors have not reported any discrepancy or shortage." The audit department do not make a physical verification of the stores, but expect every officer on the spot to verify the stores or tools and satisfy themselves that certificates of such verification have been duly recorded in the registers concerned and if as Sri A. S. Chidambaram Pillai, Headmaster, states in explanation that he merely recorded a certificate of verification to satisfy the audit, it is nothing but

false and misleading. I am unable to accept his ignorance of the nomenclature of the large number of the tools and plant and stores in the Manual Training Section. I am also not able to appreciate his final contentions that the facts brought out during the enquiry on the charge cannot be based for framing a supplemental charge, nor were the proceedings closed when the supplemental charge was framed, as argued by him. He has been made fully aware of the facts on which the supplemental charge was based. His contention in his explanation dated 29th April, 1946 that the word "verified" in the stores register, recorded by him is different from furnishing a certificate of verification, is curious and is in conflict with all his earlier statements and explanations. As a whole the explanations and contentions of Sri A. S. Chidambaram Pillai to this charge are not acceptable. I find the charge proved.

With regard to the original charge though it is proved, I am not passing any orders of recovery now on this officer as the loss caused to the Municipality is being recovered from the person primarily responsible for the custody and maintenance of the stores in question.

On the supplemental charge held to be proved, I hereby direct that the pay of Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajahpet, be reduced by Rs.5/- every month for a period of 6 months commencing from 1st May, 1946. I consider that this should be sufficient punishment to make him realise his sense of responsibilities and duties. He is also warned that such lapses and instances of neglect of duties and responsibilities will entail more drastic punishment.

(Sd.) K. Ramaswami,

COMMISSIONER.

To

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajahpet.

Appendix-B (N)

R.C. 2094-C-45 39 Municipal Office, Walajahpet,

Dated20th March, 1946.

MEMORANDUM.

Subject--Stores--Manual Training Section--Municipal High School, Walajahpet--Shortages and discrepancies--Charges framed against the Headmaster.

Reference--Memo of charges No. R.C. 2094-C-45, dated 25th February, 1946 against Sri C. Ramanathiah;

Explanation dated 10th March, 1946 of Sri C. Ramanathiah and the remarks of the Headmaster thereon dated 13th March, 1946;

Other connected records.

A copy of the memo of charges dated 25th February, 1946 framed against the Manual Training Instructor, Sri C. Ramanathiah, is herewith communicated to Sri A. S. Chidambram Pillai, Headmaster of the Municipal High School. It is seen from the entries and certificates recorded in the stock register for wooden materials and the tools and plant register that the Headmaster, Sri A. S. Chidambaram Pillai, has verified the articles more than once, but no report was made by him of any shortages in the stock, nor of the failure of the Manual Training Instructor in the discharge of the latter's duties and responsibilities as has been made out in the charges against him. The following charge is framed against Sri A. S. Chidambaram Pillai, Headmaster of the Municipal High School:--

"That he grossly neglected his responsibilities and duties in not exercising proper control and check over the accounts and the stock of the stores, tools and plant in the Manual Training section of the High School and over the work of the Manual Training Instructor in this respect, which negligence resulted in pecuniary loss to the Council as assessed in the charges against Sri C. Ramanathiah."

Sri A. S. Chidambaram Pillai is hereby requested to show cause in

writing in a week as to why a moiety of the pecuniary loss caused to the Council should not be recovered from him on the above charge. He is also requested to state in his explanation if he wishes to be heard in person, and if he wants to adduce or let in any evidence or examine witnesses in support of his explanation. If no explanation is received in time, it will be presumed that he has nohe to offer and orders will be passed on the merits of the charge as deemed fit.

(Sd. K. RAMASWAMI,

COMMISSIONER.

To Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster,
Municipal High School, Walajahpet.

(TRUE COPY)

HEADMASTER.

(23)

43

R.C. 2094-C-45 Municipal Office, Walajahpet,
Dated 25th February, '46.

MEMORANDUM

SUBJECT: Stores--Manual Training Section--Municipal High School, Walajahpet--Shortages and discrepancies--Charges framed against Instructor-in-charge.

REFERENCE: Indent dated 1-8-1945 of the Headmaster, Municipal High School;
This office memo No. 2094/45, dated 8-1-1946;
Report of the Headmaster, dated 16-1-1946;
This office R.C. 2094-C-45, dated 21-1-1946;
Reports of the Instructor, Sri C. Ramanathiah, dated 21-1-1946 and 24-1-46 with the remarks of the Headmaster thereon, dated 23-1-46 and 24-1-46 respectively;
Explanation of the Instructor, Sri C. Ramanathiah, dated 27-1-46 and remarks dated 30-1-46 of the Headmaster thereon;
Report of the Instructor dated 30-1-46;
Statements of Assistant Master, Sri Ghanasambandham, dated 29-1-46, and carpenter Manickachary dated 30-1-46;
Other connected records.

In this office memo R.C.2094-C-45, dated 8-1-46, the Headmaster, Municipal High School, was asked on his indent dated 1-8-1945 to furnish a list of wooden materials actually on hand in the Manual Training Section and of the quantities required for the section then, in addition. In his N. Dis. 23/46, dated 16-1-1946, the Headmaster submitted a report of the Manual Training Instructor, Sri C. Ramanathiah, that certain quantities of wooden materials were in stock and that certain more items were required for the year. When the undersigned visited the Manual Training Section on 17-1-46, and checked an item of the stock of wooden materials in charge of the Instructor Sri C. Ramanathiah the actual quantity was less than the balance noted in the stock register maintained by the Instructor. The Instructor was unable to explain the

the shortage. A further perusal of the stock register revealed that the stock balances of the previous years from 1941-42 onwards (not to speak of the earlier years) had not been correctly brought forward year after year and there were pencil entries in several pages. The Manual Trainging Instructor was himself asked to make out a list of all such balances which had neither been carried forward nor properly accounted for. After the list had thus been made out by him, the undersigned had the actual stock in charge of the Instructor in the Manual Training Section checked in his presence with the help of the Sanitary Inspector on 18-1-46. The actual quantities were in most cases found short of those that should be there according to the stock register. In certain cases it was found that the actual stock though less than what should be was more than what was furnished as the actual stock by the Instructor on 16-1-1946. A verification of also the Tools and Plant in charge of the Manual Training Instructor with reference to the Register in his custody, on 21-1-1946 revealed several discrepancies and shortages. The Manual Training Instructor Sri C. Ramanathiah wqs asked to explain these omissions, discrepancies and shortages. He has submitted his reports dated 21-1-1946 and 24-1-46 and explanation dated 24-1-1946 and the Headmaster of the Municipal High School has also given his remarks on these reports and the explanation.

The following charges are framed against the Manual Training Instructor Sri C. Ramanathiah of the Municipal High School:--

(1) That he failed to produce and to account for the quantities of stores and tools (noted in appended list A) left in his charge and thereby caused pecuniary loss to this Municipal Council to the extent of the value noted in the list.

(2) That he failed in his duties to maintain proper

accounts of the issues of wooden materials in his section, the quantities of articles made, the wastages and the actual number of finished articles made and the number actually sold in respect of the years 1944-45 and 1945-46 though this has been pointed out to him year after year in audit in spite of specific remarks by the audit on 13-7-1945 at page 87 of his stock register for the wooden materials and in spite of the register providing specific columns for the above details and thereby caused loss to the Municipal Council as per details in the appended list B;

(3) That he submitted a false and incorrect report on 16th January, 1946 when the under isigned called for a statement of the actual quantities of wooden materials in his charge;

(4) That he was culpably indifferent to his duties and he likewise failed to discharge the responsibilities attached to his post, properly, as seen from the registers maintained and reports made by him while in charge of valuable public property;

(5) That he failed to account for the following finished articles noted as made as seen from the issue entries but not produced for the auction sale and thereby brought about loss to the Municipal Council as shown below:--

1944-45:

Description	Quantity noted as made against issues as per stock book.	Quantity actually auctioned.	Quantity to be accounted for.	Value. Rs. a. p.	Remarks.
wooden spoons	71 Nos.	56 Nos.	15 Nos. 2" x 1"x5' 3" = 15 R.Ft. or 15/72 c.ft.@ 4/8/0 country wood	0 15 0	
Small boxes with lid	24		19 Nos.		
Boxes	20		25 Nos. 2"x1"x5' 2" = 10 R.ft. or 10/72 c.ft. @ 4/8/0 c.ft. country wood.	0 10 0	

(28)

1945-46:

				Rs.	a.	p.
Tripods	61 Nos.	..	61 Nos. 9"x½"x2' = 9 9"x½"x3' = 13½ 9"x½"x4' = 18 9"x½"x2' = 9 6"x½"x7' = 21 6"x½"x5' = 15 --- or 85/144 7/12 c.ft. @ Rs.12/- c.ft.teak wood.	7	0	0
Pallangulis	11 pairs	..	11 pairs. 2"xl"x45 R.ft., or 5/8 c.ft. @ 7/8/0 c.ft. teak wood	4	11	0
Wooden spoons	36	..	36 nos. 2"xl"x22 R.ft. or 11/36 c.ft. @ 7/8/0 c.ft. teak wood	2	4	8
				Rs. 15	8	8

He is hereby directed to show cause in writing in a week as to why he should not be removed from service on the above charges and why the pecuniary loss caused to the Council as per the above charges should not be recovered from him. He should also state in his explanation if he wishes to be heard in person and if he wants to adduce or let in any evidence or examine any witnesses in support of his defence. If no explanation is received within the time, it will be presumed that he has none to offer and orders will be passed on the charges as are deemed fit.

(Sd.) K. Ramaswami,
COMMISSIONER.

To

Sri C. Ramanathiah, Manual Training Instructor, Municipal High School, Walajahpet, through the Headmaster, Municipal High School;

Copy to the Headmaster, Municipal High School.

(True Copy)

HEADMASTER.

L I S T "A".

Serial No.	Description	No. or quantity found short.	Cost rate Rs.a.p.	Total cost Rs. a. p.	Remarks.
	WOODEN MATERIALS				
1.	Teak wood, 2" x 1"	496¾ R.ft. = 6 7/8 c.ft.	7/8/0	51 9 0	
2.	,, 4" x ¾"	51 R.ft. = 1 1/6 c.ft.	,,	7 15 6	
3.	,, 1½" x ½"	90 R.ft. = 15/32 c.ft.	,,	3 8 0	
4.	,, 6" x ½"	19 R.ft. = 19/48 c.ft.	12/0/0 c.ft.	4 12 0	
5.	,, 1¼" x 1¼"	60 R.ft. = 2/3 c.ft.	7/8/0 c.ft.	5 0 0	
6.	,, 1½" x 1½"	121 R.ft. = 1 7/8 c.ft.	,,	14 1 0	
7.	,, 6" x 1"	21¾ R.ft. = 7/8 c.ft.	12/0/0 c.ft.	10 14 0	
8.	,, 4" x 1½"	15 R.ft. = 5/8 c.ft.	7/8/0 c.ft.	4 11 0	
9.	,, 8" x ½"	15 R.ft. = 5/12 c.ft.	12/0/0 c.ft.	5 0 0	
10.	,, 9" x ½"	14 R.ft. = 7/16 c.ft.	,,	5 4 0	
11.	,, 2" x 2"	2 R.ft. = 1/18 c.ft.	7/8/0 c.ft.	0 6 8	
12.	,, 3" x 1"	11½ R.ft. = 1/4 c.ft.	,,	1 14 0	
13.	,, 15" x ¾"	2½ sq.ft.= 5/32 c.ft.	12/0/0 c.ft.	1 14 0	
14.	,, 12" x ¾"	18 sq.ft. = 1 1/8 c.ft.	,,	13 8 0	
15.	Country wood 2" x 1" @ 4/8/0 c.ft.	15 R.ft. = 5/24 c.ft.	4/8/0 c.ft.	0 15 0	
			Total, Rs.	131 4 2	

S.No.	Tools & Plant.	No. or quantity found short.	Rate book value	Total cost.
1.	Brandel handles	1	1/4/0 per 6	0 3 4
2.	Oil stone.	1	3/12/0	3 12 0
3.	Handled chisel, ¼"	1	0/11/0	0 11 0

S.No.	Tools & Plant.	No. or quantity found short.	Rate book value. Rs.a.p.	Total cost. Rs. a. p.
4.	Handled chisel, 3/8"	9	0/12/6	7 6 6
5.	do. 1/2"	4	0/13/0	3 4 0
6.	do. 3/4"	3	0/14/0	2 10 0
7.	Steel marking compass	1	1/8/0	1 8 0
8.	Nail set of 4	3 pieces	0/8/0	1 8 0
9.	Hammer Warrington	1	1/12/0	1 12 0
10.	Try squares 6"	6	1/14/0	11 4 0
11.	Triangular saw files	1	0/7/0	0 7 0
12.	1' steel ruber	4	1/6/0	5 8 0
13.	Metal wood vice	1	12/8/0	12 8 0
14.	Marking knives	9	1/6/0	12 6 0
15.	Drawing pins	79	5/8/0 gross	3 0 3
16.	Scrapers	2	0/14/0	1 12 0
17.	Spoon bits	1	1/0/0	1 0 0
18.	Small handle	1	1/0/0	1 0 0
19.	Handles for chisels	12	0/8/0	6 0 0
20.	Handles for files	18	12/8/0	12 8 0
21.	Set squares, 600, 15"	1	3/0/0	3 0 0
22.	Pen knives	3	0/6/9	1 4 3
23.	Scissors, 7"	1	0/7/0	0 7 0
24.	Pen knives, 6"	2	0/6/0	0 12 0
25.	Pen knives, 5"	2	0/5/0	0 10 0
26.	Triangular files for sharpening saws.	3	0/8/0	1 8 0
27.	Triangular files, 3½"	3	4/8/0	4 8 0
28.	Pincers	1	2/0/0	2 0 0
29.	Cutting pliers	1	1/8/0	1 8 0
			Rs.	105 3 4
				131 4 2
		Grand total,	Rs.	236 7 6

(Sd.) K. Ramas ami, 25/2/46

COMMISSIONER.

L I S T "B".

1944-45:

Description.	Quantity noted as made against issues, as per stock book and to be accounted for.	Value Rs. a. p.	Remarks.
½" lap joints; New exercises for boys, first exercise for planing, etc.	2" x 1" x 5', 105 R.ft., @ 4/8/0 per c.ft. country wood	6 9 0	
First exercise; lamp stands; upright cutting and sawing churn handles, spoons, toy cart wheels and coat stands;	3" x 1" x 5'; 70 R.ft. @ 4/8/0 c.ft., country wood.	6 9 0	
Big stools.	2" x 2" x 3'; 36 R.ft., @ 7/8/- teak wood;	7 8 0	
Small Inipoids upper planks	12" x ½" x 6'; 6 R.ft. @ 13/0/0 teak wood	3 0 0	
Handles for churns	9" x ½" x 6'; 1 R.ft. @ 12/0/0 teak wood	0 6 0	
Files and pegs	4" x ½" x 6'; 8 R.ft. @ 4/8/0 country wood;	0 8 0	
Tripods & tripod legs	3" x ½" x 6'; 12 R.ft. @ 4/8/0 country wood	0 9 0	
Big churns	3" x 1½" x 2⅛'; 11 R.ft. @ 7/8/0 teak wood;	2 9 3	
Wooden spoons and toy carts:	2" x 1" x 4'; 34 R.ft.@ 7/8/0 teak wood	3 9 6	
	Rs.	31 3 9	

(Sd.) K. Ramaswami, 25/2/46

COMMISSIONER

(True copy)

HEADMASTER.

Appendix - C (39)

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R.O.C. 1/A/46

Municipal High School,
Walajahpet, 3rd April, '46.

From

Sri A. S. Chidambaram Pillai,
Headmaster, Municipal High School,
W A L A J A H P E T

To

The Commissioner,
Walajahpet Municipality,
W A L A J A H P E T

Sir,

With reference to your R.C. 2094-C-45, dated 20th March 1946 charging me with neglect of my responsibilities and duties in regard to Manual Training Section, I beg to submit the following explanation:--

I regret I recorded a certificate of verification in the tools and plants and stock registers without verifying the stock. But the same was done under the following extenuating circumstances:

The Manual Training Instructor is in full charge of a section of the school which requires special technical knowledge different from the general course of instruction in the school. He has carried on correspondence directly with the Commissioner through the Headmaster on matters pertaining to the purchase and disposal of stores and tools required for his section. The Manual Training Instructor himself goes to the supplier and takes direct delivery of stores, or alternatively takes advance from the Municipal Treasury and purchases stores. Even bills for the supply of stores are not submitted for payment to the Commissioner through the Headmaster. Under these circumstances as the Manual Training Instructor should be deemed to be primarily responsible for the safe custody of all stores, tools and plants in the section. But he seems to have taken advantage of the situation and abused his responsibility and misappropriated municipal property in the

shape of stores and tools. Whatever supervision can be exercised by the Headmaster under the above circumstances has been done to the best of his conscience and knowledge. He has freauently inspected the Manual Training classes, found the pupils engaged in doing carpentry work, or mechanical drawing, enquired about the progress of their work, quantity and quality of articles made, etc.

With regard to the remarks of the Commissioner that the Headmaster verified articles more than once, but no report was made by him of any shortage, it is submitted that the verification done by the Headmaster was only intended to satisfy the demands made by the Audit Department. While doing so, he satisfied himself that an account of tools and plants and stores was maintained and that the tools and stores were being used by the pupils of the school. In view of the wide latitude given to the Manual Training Instructor by the Commissioner in the purchase of stores, the Headmaster should not have recorded the verification certificate. But it was done as a formality as the Audit Departmentwanted it. If the Headmaster should fulfil his duties and responsibilities in exercising proper control over the stores, tools and plants, they should have been supplied to him and the bills should have been passed by him only after verification with the stock received.. But the procedure adopted by the Commissioner being what it is, the conditions required for the exercise of proper control over the work of the Manual Training Instructor and verification were not present. The transactions with regard to stores and tools began with the Manual Training Instructor and ended with the Commissioner. Correspondence on the subject of stores and tools is addressed to the Manual Training Instructor direct through the Headmaster and sometimes the Commissioner has directly corresponded with the Manual Training Instruc-

tor on the subject of purchase and disposal of stores. In the circumstances the primary responsibility for the accounting and safe custody of stores and tools rests with the Manual Training Instructor especially as the Headmaster had nothing to do with the passing of bills. The mere fact that the Headmaster issued certificates of verification should not be construed to entail responsibility for safe custody of stores, tools and plants. Under the above circumstances I should not be made answerable for the shortages in stores, tools and plants discovered in the Manual Training Section.

I wish to be heard in person and let in documentary evidence and examine witnesses in support of my explanation; I shall submit a list of witnesses and list of documents required for which necessary time may be given for before enquiry. After enquiry I may be permitted to submit a further statement before orders are passed.

I beg to remain, Sir,

Your most obedient servant,

(Sd.) A. S. Chidambaram Pillai,
3-4-46

H E A D M A S T E R.

WITNESSES:

Sri P. Gopalaswami Chettiar, Manager, Municipal Office;
,, C. Ramiah, Clerk, High School;
,, C. Ramanathiah, Manual Training Instructor;
,, Manickachari, Carpenter, M.T. section;
,, K. S. Arunachalam Pillai, Science Assistant.

DOCUMENTS:

Entire file referring to Voucher No. 270/9-41;
Do. Do. No. 272/8-42;
Do. Do. No.320/10-43;
Do. Do. No: 258/7-43;
Do. Do. No. 411/1-45

Stock book of Tools and Plants register of M.T. Section from 1941-1945.

(True Copy.) as Headmaster

H E A D M A S T E R.

Appendix — D.

63

R.O.C. 1/A/46

Municipal High School,
Walajahpet, 7-4-'46.

From

A. S. Chidambaram Pillai,
Headmaster, Municipal High School,
W A L A J A H P E T

To

The Commissioner,
Walajahpet Municipality,
W A L A J A H P E T

Sir,

With reference to your R.O.C. 2094-C-45, dated 6th April, 1946, I beg to submit the following further statement:--

The charge of negligence of responsibility as Headmaster is based upon certain facts resulting in the misappropriation of Municipal property by the Manual Training Instructor. The connected facts are that certain stores mentioned in vouchers 411/1/45, 258/9/43, 272/8/42, 270/9/41 and 320/10/43 were not properly accounted for. It has been proved from the deposition made by the Manual Training Instructor at the enquiry on 5-4-46 that the Manual Training Instructor himself took delivery of stores mentioned in the above vouchers without giving me an opportunity to verify the supplies and he deposited them in the Manual Training building himself. He also says that he was sometime asked by the Commissioner to verify the stores. The Manager of the Municipal Office has also stated in his deposition at the enquiry on 5-4-46 that the bills of purchase of stores do not contain the certificate of verification or passing by the Headmaster in respect of vouchers shown to him. The above facts confirm my statement that the conditions required for the proper control of the work of the Manual Training Instructor and verification were not present. Whatever control was possible was exercised by the Headmaster as submitted in my explanation and as corroborated by the Manual Training Instructor.

Under the circumstances, as already submitted in my explanation R.O.C. 1/A/46, dated 3-4-46, I should not have recorded even the certificate of verification. I therefore submit that too much emphasis need not be placed on the certificate of verification and the Headmaster made a scapegoat for the simple act of formality and the Headmaster made to pay the penalty for the criminal acts of the Manual Training Instructor.

I beg to remain,

Sir,

Your most obedient servant,

(Sd.) A. S. Chidambaram Pillai,

7/4/46

H E A D M A S T E R.

(True copy)

A. S. Chidambaram Pillai

H E A D M A S T E R.

Appendix — E (47)

R.O.C. 2094-C-45 67 Municipal Office, Walajahpet,
Dated 10th April, '46.

MEMORANDUM.

SUB: STORES--Manual Training Section--Municipal High School--Walajahpet--Shortages and discrepancies--Charges framed against the Headmaster.

REF: Memo of charges No. R.C.2094-C-45, dated 25th February 1946 against Sri C. Ramanathiah;
Explanation dated 10-3-46 of Sri C. Ramanathiah and the remarks of the Headmaster thereon dated 13-3-46;
Memo of charges No. R.C. 2094-C-45, dated 20th March, 1946 against Sri A. S. Chidambaram Pillai, Headmaster, Municipal High School, Walajahpet;
Explanation of Sri A. S. Chidambaram Pillai, Headmaster, dated 3-4-46;
Depositions of Sri P. Gopalaswami Chettiar, Manager, Municipal Office, Sri K. S. Arunachalam Pillai, Science Assistant, Municipal High School, Sri C. Ramayya, Clerk Municipal High School, Sri C. Ramanathiah, Manual Training Instructor, Municipal High School, dated 5-4-46;
Statement of Sri A. S. Chidambaram Pillai, Headmaster, Municipal High School, Walajahpet, dated 5-4-46 and further statement dated 7-4-46;

The following supplemental charge is framed against Sri. A. S. Chidambaram Pillai, Headmaster, Municipal High School, Walajahpet:--

"That he furnished false and misleading certificates of verification of the Tools and Plant and stock of wood every year (i.e., on 5-5-42, 16-6-43 and 9-5-44) in the tools and plant register and the stock register of wooden materials in the Manual Training Section of the Municipal High School, Walajahpet."

Sri A. S. Chidambaram Pillai, Municipal High School, is required to show cause in writing in a week as to why his pay should not be reduced by Rs.20/- every month on the above charge

He is also required to state in his explanation if he wishes to be heard in person and if he wants to adduce or let in any evidence or examine any witnesses in support of his explanation. If no explanation is received in time, it will be presumed that he has none to offer and orders will be passed on the marits of the charges as deemed fit.

(Sd.) K. Ramaswami, 10-4-46
COMMISSIONER.

To

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster,
Municipal High School;

(True copy)

HEADMASTER.

Appendix — F

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71

R.O.C. 1/A/46

M. H. School,
Walajahpet,
16-4-46

To

The Commissioner,
Walajahpet Municipality,
W A L A J A H P E T

Sir,

With reference to your R.O.C. 2094-C.45, dated 10-4-46, I beg to submit I may be granted an extension of time by one week to submit my explanation, since I have been busy in connection with arrangements for the annual examination.

I beg to remain,
Sir,
Your most obedient servant,
(Sd.) A. S. Chidambaram Pillai
16-4-46
H E A D M A S T E R.

(True Copy)

A. S. Chidambaram Pillai
H E A D M A S T E R.

Appendix — G. (38)

73

Municipal High School,
Walajahpet, 16-4-46.

To

The Headmaster,
Municipal High School,
W A L A J A H P E T

Sir,

I beg to make the following statement:--

I myself delivered your letter No. R.O.C. 1/A/46, dated 16-4-46 addressed to the Commissioner, to the Commissioner-Delegate, i.e., the Chairman of the Municipality this evening. The Commissioner-Delegate asked me what the letter was about. I told him that it was for granting extension of time for submitting the explanation to the supplemental charge against the Headmaster. The Commissioner-Delegate immediately said that extension of time is not granted and asked me to inform the same to the Headmaster.

I beg to remain,
Sir,
Your most obedient servant,
(Sd.) C. Ramayya, 16-4-46
Clerk, M. H. School, Walajahpet.

(True Copy)

HEADMASTER.

three instances are quoted in support of the certificates of verification, I am accused of having issued such certificates every year. I deny that I recorded any such certificate every year. I also deny that the certificates recorded on the few occasions in question were false and misleading.

5. In the first place, there are no standing instructions issued by the Commissioner with regard to the period or manner of furnishing verification certificates. Consequently, I recorded verification certificates in the Tools and Plants and Stores registers of the Manual Training Section as and when required after satisfying myself that a check certificate was recorded by the Manual Training Instructor. These Certificates of verification were recorded merely because the Audit Department wanted it. But these have been viewed as false and misleading. It is not clear how these verification certificates could be regarded as false and misleading in the absence of any proof of their connection with the loss or shortage alleged in the Manual Training Section. The stock and stores in the Manual Training Section from year to year up-to-date were audited by the audit department irrespective of the fact of verification or otherwise by the Headmaster, and the auditors have not reported any discrepancy or shortage. In fact, the cause of action in the present case arose only out of the surprise visit of the present Commissioner on 17th January, 1946 to the Manual Training Section when he noticed certian shortages. None of the items of shortage has been exactly traced to the years in which the verification certificate was recorded by the Headmaster. Before I recorded any certificate of verification, I satisfied myself that the stock of tools and plants and stores had been checked by the Manual Training Instructor. I am not familiar with the nomenclature of the large number of technical tools and plants and stores used for wood-work in the

Manual Training Section. As head of a High School, I had to rely on the certificate of check of a specially trained technical instructor, and in this case the Manual Training Instructor, in the matter of verification of tools and plants and stores fpr the purpose of theaudit department. If I were to attempt to check them independently, the Manual Training Instructor could have easily deceived me by showing one tool for another, just as he attempted to deceive the Commissioner at the time when the Commissioner verified the tools and plants in the Manual Training Section on 21st January, 1946.

6. It is submitted in conclusion that my explanation No. R.O.C.1/A/46, dated 3rd April, 1946 to the first charge, all the depositions at the enquiry on 5th April, 1946 and my further statement No. R.O.C.1/A/46, dated 7th April, 1946 may kindly be treated as part and parcel of the explanation to the supplemental charge.

I beg to remain,

Sir,

Your most obedient servant,

(Sd.) A. S. Chidambaram Pillai, 17/4/46

H E A D M A S T E R.

(True copy)

H E A D M A S T E R.

Appendix – I (VI)

R.O.C. 2094-C-45. 81 Municipal Office, Walajahpet,
Dated 17th April, 1946.

MEMORANDUM.

SUBJECT: Stores--Manual Training Section attached to Municipal High School, Walajahpet--Shortages and discrepancies--charges framed against the Headmaster--Extension of time granted for submission of explanation.

REF.--R.O.C. 1/A/46, dated 16-4-46 from the Headmaster, Municipal High School.

Extension of time by one week is granted to Sri A. S. Chidambaram Pillai, Headmaster, Municipal High School, to submit his explanation for the reasons stated in his above reference.

(Sd.) H. Abdul Azeez, 18-4-
CHAIRMAN & COMMISSIONER-DELEGATE

To

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster,
Municipal High School, Walajahpet.

(True Copy.)

A. S. Chidambaram

HEADMASTER.

Appendix - J (22)

R.O.C. 2094-C-45 83 Municipal Office, Walajahpet,
Dated 25th April, '46.

MEMORANDUM.

SUBJECT: STORES--Manual Training Section--Municipal High School, Walajahpet--Shortages and discrepancies--Charges framed against the Headmaster, Sri A. S. Chidambaram Pillai, B.A., L.T.

REF: This office Memos. of charges Nos. 2094-C-45, dated 20-3-46 and 10-4-46.
His Explanation dated 17-4-46.

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, is hereby informed that he has been duly granted the time applied for by him in this office memo No. 2094-C-45, dated 17-4-46 and it is not clear how he was informed that no extension of time would be granted. However he is hereby given time till 2 p.m. on 27-4-46 to submit any further statement or explanation with reference to the charges.

The facts on which the supplemental charge has been framed, viz., the depositions of Sri C. Ramanathiah, Manual Training Instructor and Sri C. Ramayya, Clerk, at the time of the personal hearing given to him (Sri A. S.Chidambaram Pillai) on 5-4-1946 as got elucidated by himself have already been communicated to him on 6-4-1946 on his application. These depositions have been referred to in the memo of the supplemental charge dated 10-4-46 and also on his own explanation dated 3-4-1946. He may also appear before me for a personal hearing at that time if he so desires. If no further explanation is received in the time, it will be presumed that he has none to offer and orders will be passed on the merits of the charge.

(Sd.) K. Ramaswami, 25-4-46

COMMISSIONER.

To

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajapet. (True copy)

Appendix – K.

R.O.C. 2094-C-45. 85

Municipal Office,
Walajahpet,
Dated 26th April 1946

MEMORANDUM.

Ref.-- This office memo R.C. 2405-C-45, dated 25-4-46.

Sri A. S. Chidambaram Pillai is hereby informed that he may appear before me on 29-4-46 at 3 p.m. with his explanation or for a personal hearing as I will be away from Headquarters on 27-4-46.

(Sd.) K. Ramaswami, 26-4-46
COMMISSIONER

To

Sri A. S. Chidambaram Pillai, B.A., L.T.,
Headmaster, Municipal High School.

(True Copy)

A. S. Chidambaram Pillai
HEADMASTER.

Appendix — L. (46 VK)

R.O.C. 1/A/46 87 Municipal High School,
Walajahpet, 29-4-46.

From

A. S. Chidambaram Pillai,
Headmaster, Municipal High School,
W A L A J A H P E T

To

The Commissioner,
Walajahpet Municipality,
W A L A J A H P E T

Sir,

With reference to your R.O.C. 2094-C-45, dated 25th April, 1946 and 26th April, 1946, I beg to submit as follows:--

Regarding para 1 of your above reference dated 25th April, I beg to enclose herewith copy of statement made by the school clerk who personally delivered my letter requesting extension of time and who came and informed me of the Commissioner-delegate's, i.e., the Chairman's oral orders. The next day, therefore, I submitted my explanation R.O.C. 1/A/46, dated 17th April, 1946. The next day, i.e., on the 18th April, 1946, I received the Commissioner-delegate's, i.e. the Chairman's orders granting extension of time. It was all very confusing.

Now that the Commissioner is pleased to grant extension of time, I beg to submit as follows:--

Your memo R.O.C. 2094-C-45, dated 25th April, 1946 has cited the depositions of Sri C. Ramanathiah, Manual Training Instructor and Sri C. Ramayya, Clerk, given at the enquiry into the first charge against me as the facts on which the supplemental charge is framed. These depositions were given in another context with reference to a particular charge. These are depositions and cannot be said to constitute statement of facts for the supplemental charge. After the first charge against me was framed, I submitted my explanation.

Then an enquiry was held at which evidence was adduced by me to substantiate the statements in my explanation. Then I submitted my further statement saying that the evidence at the enquiry confirmed my statements in my explanation. When the proceedings were thus closed and orders were expected to issue, the Commissioner was pleased to frame a supplemental charge against me in his R.O.C. 2094-C-45, dated 10th April, 1946 on the depositions of the Manual Training Instructor, who is alleged to have misappropriated the stores and the Clerk, given in another context. It is respectfully submitted that this is not according to law. I am still left without a statement of facts on which the supplemental charge is based.

I beg to deny the supplemental charge. I only recorded 'verified' in the Stores Register in 1944 and this is different from furnishing a certificate of verification. I have already submitted that I recorded 'verified' in the stores and tools and plants registers on a few occasions and that I should not have recorded any certificate for the reasons stated in my explanation to the first charge and expressed regret for having done so. But the Commissioner is now pleased to construe the same as false and misleading. As Headmaster I relied on the certificate of check recorded by the Manual Training Instructor. In the absence of standing instructions from the Commissioner as to the period or manner of verification I thought there was no harm in adopting this procedure, and this procedure is not false and misleading.

I wish to be heard in person and let in documentary evidence and examine witnesses in support of my explanation dated 17th April, 1946 and this further explanation. I have submitted hereunder a list of witnesses and list of documents required. After enquiry I may be permitted to submit a further statement before orders are passed on the supplemental

charge.

I beg to remain,

Sir,

Your most obedient servant

(Sd.) A. S. Chidambaram Pillai,

29-4-46

H E A D M A S T E R.

WITNESSES:

1. The present Commissioner of Municipality, Walajahpet;
2. Sri C. Ramanathiah, Manual Training Instructor;
3. S. Manickachari, Carpenter;
4. The District Inspector of Local Fund Accounts who audited the Stores and Tools and Plants of the Manual Training Section in 1940, 1941, 1942, 1943, 1944;
5. The Assistant Examiner of Local Fund Accounts who audited the Stores, Tools and Plants registers of the Manual Training Section in 1942.

LIST OF DOCUMENTS:

1. The audit reports pertaining to Manual Training section for the years 1940, 1941, 1942, 1943, 1944;
2. Entire file referring to Voucher No. 270/9/41, 272/8/42, 320/10/43, 258/7/43, 411/1/45;
3. Stock and Tools and Plants registers of the Manual Training section from 1941 to 1945.

(Sd.) A. S. Chidambaram Pillai

29/4/46. Headmaster.

(True Copy)

H E A D M A S T E R.

Appendix — M.

IX 9

93

R.C. 2094-C-45

Municipal Office, Walajahpet,
Dated 29th April, 1946

MEMORANDUM.

SUB: STORES--Manual Training Section--Municipal High School, Walajahpet--Shortages and discrepancies--Charges framed against the Headmaster, Sri A. S. Chidambaram Pillai, B.A., L.T.

REF:--This Office memos of charges Nos. 2094-C-45, dated 20-3-46 and 10-4-46.

Supplemental explanation dated 29-4-46 of Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajahpet.

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajahpet, is hereby informed that he was already informed in this office memo No. 2094-C-45, dated 25-4-46 as amended by the memo No. 2094-C-45 dated 26-4-46, that he might appear before the undersigned for personal hearing at 3 p.m. to-day, but he has not appeared as permitted. He is however permitted to appear before the undersigned as 3 p.m. on 30-4-46. He may peruse the documents as far as they are available in the Municipal Office at the time of the personal hearing. His request to call for the witnesses excepting Sri C. Ramanathiah, Manual Training Instructor, Municipal High School and Sri Manickachari, Carpenter, cannot be complied with.

(Sd.) K. Ramaswami, 29-4-46
COMMISSIONER

To

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, M.H. School, Walajahpet.

(True Copy)

HEADMASTER.

Appendix — N (9)

R.O.C. 1/A/46 95 M. H. School,
Walajahpet, 1/5/46.

To

The Commissioner,
Walajahpet Municipality

Sir,

In continuation of my letter R.O.C. 1/A/46, dated 30th April, 1946, I beg to submit as follows:--

In my explanation R.O.C. 1/A/46, dated 29-4-46, I submitted a list of witnesses for examination at the proposed enquiry with a view to substantiate the statement contained in my explanations R.O.C. 1/A/46, dated 17-4-46 and 29-4-46 to the supplemental charge. But the Commissioner in his R.O.C. 2094-C-45, dated 29-4-46 was pleased to pass orders declining to summon the witnesses cited in my explanation R.O.C. 1/A/46, dated 29-4-46 except Sri C. Ramanathiah, Manual Training Instructor and Sri S. Manickachari, school carpenter.

In the above circumstances no useful purpose will be served by holding the enquiry requested by me to examine the Manual Training Instructor and the Carpenter only in the absence of other witnesses.

(Sd.) A. S. Chidambaram Pillai.
1/5/46.

(True copy)

HEADMASTER.

Appendix—O (22)

R.C. 2094-C-45 97 Municipal Office, Walajahpet,
Dated 1st May, 1946.

MEMORANDUM.

SUB: STORES--Manual Training Section--Municipal High School, Walajahpet--Shortages and discrepancies--Charges framed against the Headmaster, Sri A. S. Chidambaram Pillai, B.A., L.T.

REF:--This office Memos of charges Nos. 2094-C-45, dated 20-3-46 and 10-4-46;
Reports of Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, dated 30-4-46 & 1-5-46.

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster, Municipal High School, Walajahpet, will please appear before the undersigned at 3 p.m. to-day (1-5-46) at the Municipal Office, in connection with the above charges. He will also direct the school clerk, Sri C. Ramiah, to appear before the undersigned at the time.

(Sd.) K. Ramaswami, 1-5-46
COMMISSIONER

To

Sri A. S. Chidambaram Pillai, B.A., L.T., Headmaster,
Municipal High School, Walajahpet.

(True Copy.)

A. S. Chidambaram Pillai
HEADMASTER.

Appendix—P

99

(51)

Statement of Sri A. S. Chidambaram Pillai on 1-5-46.

I do not want to see the Audit Reports cited by me in the absence of auditors, nor do I want to see the registers cited for the same reason. I have nothing more to add to what I have stated in my report dated 1-5-46. I do not think that in the absence of the other witnesses any purpose will be served by enquiring Sri C. Ramanathiah and Sri S. Manickachari.

Read over by me and accepted as correct.

(Sd.) A. S. Chidambaram Pillai,

Headmaster, 1/5/46.

Before me.

(Sd.) K. Ramaswami,

Commissioner, 1/5/46.

(True copy)

(Sd.) K. Ramaswami,

Commissioner, 2/5/46

Typed by A. Thandavamurthy;

Compared by P. Gopalaswami, Manager; 2/5.

(True Copy)

a. Chidambaram

HEADMASTER.

Appendix - 9

5-4-46.

Deposition by Sri P. Gopalaswami Chettiar, Manager, Municipal Office, Walajahpet--

I am the Manager and accountant of the Municipal Office, Walajahpet. All bills pertaining to purchases pass through me. I scrutinise the bills and pass them for payment. Indents are received for purchase of stores for the M.T. section from the M.T. Instructor through the Headmaster every year. Whenever necessary the Commissioner calls for tenders or quotations for the purchase of the stores and orders are placed for the supply with the lowest tenderer. I see now here Vr. 270/9-41. The wood that year was supplied by Messrs. Sudarsanam Iyengar and Sons, Madras. At this date I am not able to say to whom the articles were actually delivered as the information from the papers attached to the voucher are not helpful to me. I cannot say definitely whether the articles were delivered to the Headmaster. The articles received have been checked and found correct and the same entered in the Stock Register by the M.T. Instructor, xxx as reported by the M.T. Instructor. I have already stated that I cannot say definitely to whom the articles were actually delivered. From the papers here I can't say definitely whether the bills were sent to the Headmaster. I cannot say whether the Headmaster verified the supplies with the bills. In as much as the M.T. Instructor has reported that he checked the supplies with the bills he must be presumed to have done that. I cannot say definitely that the bills were given to the M.T. Instructor. I see Vr. No. 272/8-42. The supplies on this bill were checked by the M.T. Instructor first and then the measurements were checked by the Overseer. From the papers here I see that the verification certificate of supplies with the bills was submitted direct to the Commissioner by the M.T. Instructor. I am not in a position to say definitely whether the supplies were delivered direct to the M.T. Instructor, from the papers here. The bill was sent to the M.T. Instructor

direct for verification. From the papers here I find that the bill was not sent to the Headmaster for verification or for passing.

I see Vr.320/10-43. The advance was paid to the M.T. Instructor directly by the Commissioner as far as I could see from the papers here. The M.T. Instructor purchased the stores and took delivery himself. The bills of purchase do not contain the certificates of verification or passing by the Headmaster.

I see Vr. 258/9-43. This refers to purchase of timber for the M.T. Section. From the papers here I find that the bills do not contain the certificate of verification or passing by the Headmaster and I cannot say that the bills were sent to the Headmaster. I cannot say definitely who took delivery of the stores at Arcot. I cannot also say whether the M.T. Instructor took delivery. I cannot also say whether they were delivered at the Municipal Office. The information as to who verified the supplies is not available in the Vr. file. I cannot say exactly as to who verified the supplies. I see Vr. 411/1-45. This refers to purchase of wood for the M.T. section. I cannot say from the papers with this voucher that the bill was sent to the Headmaster for verification or passing. I cannot say definitely whether the M.T. Instructor took delivery of the articles.

Read over by me and accepted as correct.

(Sd.) P. Gopalaswai, 5-4-46

Before me.

(Sd.) K. Ramaswami, 5-4-46

COMMISSIONER.

(True copy)

Typed by: A. Thandavamurthy

Compared by S. Rajaraman.

(Sd.) K. Ramaswami, 6-4-46

COMMISSIONER

(True Copy).

HEADMASTER.

Appendix—R.

105

5-4-46.

Deposition by Sri C. Ramanathiah, Manual Training Instructor, Municipal High School, Walajahpet--

---

I am the Manual Training Instructor of the M.H. School, Walajahpet. I am specially trained in woodwork and Mechanical drawing. The Headmaster visits my section--Sometimes when the classes are at work and sometimes when the classes are not at work. The Headmaster goes round the classes watching the pupils at work. He sees the work and goes away. He has also given suggestions to improve the models done by the pupils. He sees the unfinished models and makes enquiries about the progress of the work of the pupils. I always carry on correspondence directly with the Commissioner on the subject of purchase and disposal of stores, through the Headmaster. I submit the indent for the purchase of stores, Tools and Plant through the Headmaster. I receive orders from the Commissioner through the Headmaster sanctioning the purchase of stores, Tools and Plant. I go and purchase the articles if I am asked to go and do it. On one occasion I got an advance from the Municipal Office and purchased some nails and screws for the M.T. Section. I myself took delivery of the stores mentioned in Vr. 411/1-45, Vr. 258/9-43, Vr.272/8-42 and Vr. 270/9-41. After taking delivery I took them to the Manual Training section. Sometimes I take the bill and sometimes the suppliers send the bills direct to the Commissioner. In cases where I take the bills, I check the supplies with the indent and the bills. In other cases when the bills are sent to me I verify the supplies. I always send the bills for supplies through the Headmaster. The Headmaster does not verify the supplies with the bills. Sometimes the Commissioner directly asks me to verify the stores purchased for the M.T. section. The Headmaster has not verified any of the bills for stores purchased for the M.T. section. I verify the supplies and submit my report to the Commissioner through the

Headmaster. The Headmaster does not verify the stores in the M.T. section at any time. The M.T. section is in my charge. It is in my full charge. I have the keys of the section. I have the custody of all tools and plant and stock and stores in the Manual Training Section. None can have access to the Manual Training Building without my knowledge or permission. The stock of wooden materials in the M.T. section was not verified by the Headmaster till 1944. Only to satisfy the Audit, the certificate of verification was recorded by the Headmaster in the stock register of wooden materials at page 82. The same position applies to the verification certificates recorded by the Headmaster in the Tools and Plant Registers of the M.T. section from 1941 onwards.

Read over by me and accepted as correct.

(Sd.) C. Ramanathiah,

M.T. Instructor, 5-4-46.

Before me.

(Sd.) K. Ramaswami,

COMMISSIONER, 5-4-46.

(True copy)

(Sd.) K. Ramaswami, 6-4-46

COMMISSIONER

Typed by: A. Thandavamurthy

Compared by: S. Rajaraman

(True copy)

HEADMASTER.

Appendix — S (58)

69

Deposition of Sri C. Ramiah, Clerk, Municipal High School, Walajahpet.

5-4-46.

I am the clerk in the Municipal High School, Walajahpet. I take the school accounts to the District Inspector of L.F. accounts for auditing at the Municipal Office. The Manual Training Instructor takes the Tools and Plants Registers and stock registers of the M.T. section to the auditor. I was also present when the Manual Training Section accounts are audited. The stock Register for wooden materials was not verified by the Headmaster till 1944. Before 1941 the tools and plants of the Manual Training section were not verified by the Headmaster. The Headmaster did not actually verify the Stock and Tools and Plant. I simply took the signature of the Headmaster in the Tools and Plant Registers from 1941 onwards. I took the signature of the Headmaster simply to satisfy the Audit Department. The Audit Department used to ask me to get the signature of the Headmaster as a formality. Similarly I took the signature of the Acting Headmaster Sri K. S. Arunachalam on 15-2-45.

Read over by me and accepted as correct.

(Sd.) C. Ramayya,

Clerk, M.H. School, 5-4-1946

Before me.

(Sd.) K. Ramaswami,

COMMISSIONER, 5-4-46

(True Copy)

(Sd.) K. Ramaswami,

COMMISSIONER, 6-4-46

Typed by: A thandavamurthy

Compared by: S. Rajaraman

(True copy)

HEADMASTER.

LOCAL ADMINISTRATION DEPARTMENT.

From
Sri.T.S.Sitaram Nayudu, B.A.,
Commissioner, Municipal Council,
WALAJAPET

To
The Secretary to Government,
Education & Public Health)
Fort St.George, MADRAS.

DIRECTOR OF PUBLIC INSTRUCTION
1 6 1946
3872

THROUGH: THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.
THE CHAIRMAN, MUNICIPAL COUNCIL, WALAJAPET.

Roc.2094-C-45 dated 4th August '46.

Sir,

SUB: APPEAL - Chidambaram Pillai (A.S.Sri) Head Master, Municipal High School, Walajapet against the orders of the Commissioner - Submitted with remarks.

REF: Appeal petition Roc.No.1-A-46 dated 6-7-1946 of the Head Master, Municipal High School, Walajapet.

I submit that my predecessor had framed charges against the Manual Training Instructor of the Municipal High School, Walajapet in his memorandam No.2094-C-45 dated 25-2-1946 for shortages and discrepencies in stores and tools and plant, in the Manual Training Section attached to the Municipal High School, Walajapet. Likewise, charges were framed against the Head Master, Municipal High School Walajapet in this office proceedings Rc.No.2094-C-45 dated 20-3-46, calling on him to submit his explanation as to why he grossly neglected his responsibilities and duties in not exercising proper control, and check over the accounts and the stock of the stores, tools and plant in the Manual Training Section of the High School and over the work of the Manual Training Instructor in this respect which negligence resulted in pecuniary loss to the Municipal Council, as assessed in the charges against Sri.C.Ramanathiah. He was allowed reasonable opportunities to letin evidence and to examine witnesses in his defence and also to be heard in person. The charges framed against him were held proved and the appellant was punished by temporarily reducing his pay by Rs.5/- p.m. for a period of six months from 1-5-1946.

Against this proceedings of the Commissioner the Head Master, Municipal High School, Walajapet has submitted his appeal petition. The appellant at the outset, in his explanation to the charges expressed his regret for recording a certificate of verification and contended that the Manual Training Instructor was given wide latitude by the Commissioners in the matter of purchases of stores and tools required for the section and thus wanted to establish or prove that he is not expected to verify the stores, tools and plant in the Manual Training Section and record a certificate of verification. The point at issue and the charges against the Head Master, Municipal High School, are not about the proper procedure to be followed in the matter of purchases of stores to the Manual Training Section, but about his neglect of responsibilities and duties in not exercising proper control and check over the accounts and the stock of the stores tools, and plants in the Manual Training section of the High School, and over the work of the manual training Instructor. This point was also discussed by the Commissioner in his final findings and it was held that the attitude of the appellant in this respect was most deplorable stating that his explanation was not acceptable. Instead of submitting an explanation to the charge "that he did

it was as a formality as the audit department wanted it" he could have desisted from recording the certificate of verification. In fact the purchases were properly accounted for in the stock register and were also audited with reference to the bills. It is clear that the appellant's extenuating circumstance, were not based on reasonable grounds worthy of to be mentioned by an experienced Head Master of an institution of 13 years service. It is nothing but absolving himself of his responsibility, for which he deserves punishment. Further the appellant did not prove with facts or examine any witnesses to show that the manual training Instructor misappropriated municipal money taking advantage of the so called extenuating circumstances, as set forth by the appellant.

By his own admission "that he recorded a certificate as a formality as the audit department wanted it" the appellant gave cause for a supplemental charge framed against him. It was thus established beyond all doubt that the appellant furnished false and misleading certificates of verification of the tools and plant and stock of wood in the tools and plant register and the stock Register of wooden materials in the Manual Training Section of the Municipal High School, Walajapet.

In as much as the supplemental charge was framed against the appellant on his own admission that he furnished a certificate "only as a formality as the audit department wanted it" and that he did not do it after actual verification", the contention of the appellant that the supplemental charge did not contain any statement of facts on which the charge was framed is unsustainable and untenable.

When the Commissioner had been able to verify the stores etc and charges against the persons responsible for shortages and discrepencies the statement of the appellant that he was not familiar with the nomenclature of the large number of technical tools and plant and stores used for wooden work and that he had to rely on the certificate of check of a specially trained technical instructor for verification, is unbelievable. The assistance of technical experts are not needed to check the tools and plant and stores of a Manual Training Section attached to schools as the section will contain only wooden scantlings, finished and unfinished articles and carpentry tools, The appellant was also duly appraised of the facts on which the supplemental charge was framed. The appellants version that "Verified" is different from furnishing a certificate of verification does not hold good, and hence it is not sustainable and as Head of the High School he ought not to have relied on the certificate of check recorded by the Manual Training Instructor. Though frequent check was not possible a thorough annual verification ought to have been done by the Head of the institution. As admitted by the appellant, he had done it "as a formality" it was done at his own risk which eventually led to this state of affairs.

Of course, the appellant demanded, a personnal hearing and submitted a list of documents and a list of witnesses to be summoned in support of his defence dated 17th April 1946 and 24th April 1946, and the Commissioner in his Rc.No.2094-C-45 dated 29-4-1946 allowed his reasonable requests but refused to call for unnecessary witnesses to be examined, as per rules for obvious recorded reasons (page 184 of the file), Citing the District Inspectors of Local Fund Accounts who audited the accounts of this Municipal Council from the years 1940 to 1944 and the Assistant Examiner of Local Fund Accounts who audited the accounts of this Municipal council in the year 1942 as the evidence of these witnesses would have no direct bearing on the points at issue as they are not responsible for the physical

verification of the stocks of stores, tools and plant maintained in the Manual Training Section in the Municipal High School and the idea of the appellant inciting them as witnesses is not quite apparent. The request of the appellant to cite the Commissioner who conducted the enquiry, as witness was not also complied with for the same reasons noted above since the appellant had been given ample opportunities to submit in his written explanation what all he wished or wanted to state against the charges framed.

The appellant has observed that the main point in his defence was that the missing stores in the Manual Training Section was not supplied in any year to the Head Master or through the Head Master to the Manual Training Instructor and that the bills of supply were never passed by the Head Master. This itself is a clear proof to show that the appellant neglected his responsibility and duties as the Head of the institution.

In that case the appellant ought not to have recorded a verification certificate at all. The tools and plant were supplied long ago and no new tools had been supplied further except a few items costing Rs.5/- which is negligible and the appellant failed to submit his explanation for the shortages and discrepencies in tools and plant. The Manual Training Instructor has been submitting annual indents through the Head Master and the appellant had had good opportunities to enquire about the supply. This he did not seem to have done.

The appellant contends that there were no standing Instructions from the Commissioner with regard to the manner or period of furnishing verification certificates. No special instructions were necessary since the wording itself is clear that one should furnish a certificate only after verification and one who does this as a formality as the appellant had done would be at his risk.

Therefore, it is clear by clearly established beyond all doubt that the appellant grossly neglected his responsibilities and duties is not exercising proper control and check over the accounts and the stock of the stores, tools and plant, in the Manual Training Section of the High School, and over the work of the Manual Training Instructor in this respect, which negligence resulted in pecuniary loss to the Municipal Council as assessed in the charges against Sri.C.Ramanathiah. Though the charges were proved, however no orders for recovery were passed against this appellant as the loss caused to the Municipality was recovered from the person primarily responsible for the custody and maintenance, of the stores in question. To make the appellant realise his sense of responsibilities and duties he was let of with a temporary reduction of Rs.5/- from his salary every month for a period of 6 months from 1-5-46, considering that this should be sufficient punishment for him. This appeal therefore deserves no consideration.

The appeal petition submitted by the appellant with the connected enclosures and the entire file of papers are submitted herewith.

Forwarded
H. Hamid Ayub
Clerk in 1/8

V. S. Sitaram Naidu
COMMISSIONER 4.8.46

ATM/ 4/8/46

LOCAL ADMINISTRATION DEPARTMENT

From
Sri.T.S.Sitaram Nayudu, B.A.,
Commissioner, Municipal Council,
WALAJAPET

To
The Secretary to Government,
Education & Public Health Depart.,
FORT ST. GEORGE, M A D R A S.

THROUGH: THE CHAIRMAN, MUNICIPAL COUNCIL, WALAJAPET.

R.O.C.2094-C-45 dated 4th Aug. '46.

ASST. SECRETARY TO GOVERNMENT
1 6 AUG 1946
EDUCATION AND PUBLIC HEALTH DEPT.

46937

Sir,

SUBJECT - Chidambaram Pillai (Sri.A.S) Head Master - Municipal High School Walajapet against the orders of the Commissioner submitted with remarks.

REF: Appeal petition Roc.No.1/A/46 dated 6-7-1946 submitted by the Head Master, Municipal High School.

The appeal of Sri.A.S.Chidambaram Pillai B.A., L.T., Head Master Municipal High School, together with the connected enclosure is submitted to the Government with my remarks through the Director of Public I — Instruction, Madras, along with this office reference Rc.2094-C-45 dated 4-8-1946.

Forwarded
S. Sitaram Nayudu
Chairman 6/8

T. S. Sitaram Nayudu
COMMISSIONER. 4.8.46

C No. 36052

116

E & PH (B1) Dept.

Please see the letter from the Commr., Walajah Municipality on p. 55 (115) ante. The appeal forwarded with the Commr.'s remarks to the D P I. may be awaited till 1/10/46.

2/8/46

20/8/46

20/8/46

20/8/46

C No. 36052 B1/46

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Appeal - Chidambaram Pillai - Sri A.S. - Headmaster - Municipal High School, Walajapet - Against the orders of the Commissioner.

From Sri A.S. Chidambaram Pillai, HM, MHS, Walajapet, dated no. Roc. 1/A/46 dt 6/7/46.

Memo no 36052-B1/46-1 E&M dt 3/10/46.

~~The attention of the DPI is invited to letter R.C. no. 2094/45 dt 4/8/46.~~

The DPI is requested to forward the appeal petition from Sri A.S. Chidambaram Pillai, ~~at an early date~~ submitted with the first ~~of the~~ with his remarks and enclosures of the Commissioner Walajapet Municipality ~~no.~~ 2094 A/45 dt 4-8-46

1/10/46

1/10/46

2/10/46

To The D.P.I.

C.F. 32 (a).

119

61

Education Department

From (Name) DR.S.R.U.SAVOOR, M.A., D.Sc., I.E.S.,

Designation Director of Public Instruction,

Station Madras.

Received B1 Registered

To

The Secretary to Government,
Education and Public Health
Department.

Enclosures :

RC. No. 3872-G.1/46, dated 9-10-1946 194 .

Sir,

Sub: Appeal -Sri A .S. Chidambaram Pillai, Headmaster, Municipal High School, Walajapet - Against reduction of his pay.

With ref. to Govt. Memo.No.36052-B.1/46-1-Edn dated 3-10-46, I have the honour to state that the papers will be submitted to Govt. with my remarks soon after the remarks called for from the Divisional Inspector of Schools, Coimbatore Dn are received in my office.

for Director of Public Instruction.

RVR 12/x/-

EPH (B1)
The DPI's reply may be awaited till 17/11/46.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, M A D R A S.
R.C.No.3872 G1/46, dated 7-12-46.

Sub:- Appeal - Sri A.S.Chidambaram Pillai, Headmaster, Municipal High School, Walajapet - against reduction of his pay.

Ref:- 1) Appeal dated 6-7-46 from Sri A.S.Chidambaram Pillai and
ii) Letter Roc.No.2094 C/45, dated 4-8-46 from the Commissi Walajapet Municipality.

ASSISTANT SECRETARY
DEC 1946
EDUCATION AND PUBLIC HEALTH DEPARTMENT

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Submitted with reference to Government Memo No.36052 B1/46-1 Edn., dated 3-10-46.

2) The appellant, Sri A.S.Chidambaram Pillai B.A.L.T. is the Headmaster of the Municipal High School, Walajapet. On 20-3-46 the Commissioner framed a charge of gross negligence of responsibilities and duties against the Headmaster and called for his explanation. The charges related to the custody and maintenance of accounts of articles supplied to the manual training section of the school. The Headmaster gave his explanation to this charge and asked for a personal hearing. An enquiry was held and after it was completed and before final orders were issued, another charge that he had furnished false and misleading certificates of verification of the tools etc of the Manual Trainings section was framed against him. To this additional charge also, the Headmaster submitted his explanation and cited some witnesses on his behalf. But witnesses other than the Manual Training Instructor and the carpenter were not allowed and so, the Headmaster gave a statement to the effect that no useful purpose would be served by holding the enquiry in the absence of other witnesses and that he had nothing more to add to what he had already stated. Then the Commissioner issued his Procs.dated 10-5-46 reducing the pay of the Headmaster by Rs.5/- p.m. for a period of six months commencing from 1-5-46. Against this order of punishment, the Headmaster has submitted his appeal to Government dated 6-7-46. This appeal is within the prescribed time limit and may thefore be considered.

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3) The main points of the Headmaster's appeal are the following:-

(i) The Manual Training Instructor used to purchase stores without the knowledge of the Headmaster and even bills for the supply of stores did not pass for payment thro' the Headmaster.

and (ii) The stocks and stores were audited by the Audit department irrespective of the fact of verification or otherwise by the Headmaster and the auditors did not report any shortage or discrepancy.

The depositions of the Manager of the Municipal Office and the Manual Training Instructor are in favour of the appellant.

4) I feel that the Manual Training Instructor, the Headmaster and the Commissioner have each contributed his share to the unsatisfactory state of affairs. The Manual Training Instructor by sheer neglect of his elementary duties and possibley miappropriation at every stage has been primarily responsible for the position. He was badly reported on by the Headmaster till apparently the latter felt that nothing would come of it as nothing was done by the successive Commissioners.

5) The Headmaster seems to be a well meaning, Shrewd should but probably not strong enough personality. He was not blind to the real nature of the Manual Training Instructor and his assistant. His opinions were clear and were conveyed to the Commissioner. But he should not have acquiesced in the direct dealings between the Commissioner and his assistant. He should ~~ix~~ have invited the Councils Commissioners attention to the impossible position he found himself in, not as a result of any formal orders but as a result of a series of actions of the Commissioner's Office. He failed to do so. The Headmaster was at best weak and to that extent he was accountable.

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6) The Commissioner - at least his office did not adopt a correct procedure and thereby ~~ratified~~ Nullified the Headmaster. Secondly, he himself failed to take any action on the clearly worded confidential reports and thereby gave the impression that the Headmaster could not do anything. In the present enquiry also the Commissioner's action leaves much to be desired. To catch a man redhanded in a long series of defalcations, to conduct an enquiry, and to conclude that most of the charges were proved and then to let off the accused by merely collecting the cost of the articles unaccounted ~~form~~ as has been done in the case of the Manual Training Instructor is an attitude bordering on imbecility.

The whole system of checking under which each man checked articles in his charge is wrong and no sane administrator should have allowed their to be done.

The Headmaster's responsibility was in a sense technical ~~first~~ Just as that of the Commissioner was for the methods of his offices.

7) In conclusion, on a full review of the case, I feel that the punishment imposed is not justified. Of late, punishing Headmasters for trivial charges by the Commissioners of Municipalities is becoming frequent. The Commissioners though vested with powers should use them with restraint, as considerable harm is done to educational institutions by submitting Headmasters to such indignity, unless officers ences are serious. I feel also that the Commissioner should cease to indulge in this Headmasters' waiting business, there one is also struck at the strong language they sometimes indulge in and the sooner they realise that the Headmaster's position is an unique one and he Hint should not be treated as kind of maistry, the better.

p.to.

8) The Municipal Office file Rc.No.2094 C/45 and the personal files of Sri C.Ramanathiah, Manual Training Instructor and Sri S.Manickachari, carpenter of the School are herewith enclosed.

S R K Sawoor
Director of Public Instruction.

To

The Secretary to Government,
Education and Public Health Department.

pkr.10/12

Edn. & P.H. Department (B1).

C.No.36052-B1/46.

APPEAL - Chidambaram Pillai, Sri A.S. - Headmaster - Municipal High School, Walajapet - Against reduction in pay - Orders passed.

pp 1-110 cf — From Sri A.S. Chidambaram Pillai, dated the 6th July 1946.

pp 111-113 cf — From the Commissioner, Walajapet Municipality, Roc.No.2094-C/45 dated the 4th August 1946.

pp 121-124 cf — From the Director of Public Instruction, R.C.No.3872-G1/46 dated the 7th December 1946.

ORDER MS.NO. 178 EDUCATION, dated the 31st January 1947.

The Government have considered the appeal preferred by Sri A.S. Chidambaram Pillai, Headmaster, Municipal High School, Walajapet, against the orders of the Commissioner, Walajapet Municipality, (Roc.No.2094-C/45 dated the 10th May 1946) reducing his pay by Rs.5/- per mensem for a period of six months from 1st May 1946. They consider that the appellant is not solely responsible for the defective check and control over the accounts

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and stock of stores, tools and plant in the Manual Training Section of the school and over the work of the Manual Training Instructor. The manual training instructor was based reports of the Headmaster to the Commissioner. The Commissioner did not adopt a correct procedure and he failed to take any action on the clearly worded confidential reports of the headmaster against the Manual Training Instructor. This has contributed to the unsatisfactory state of affairs. The punishment inflicted on the appellant is not therefore justified. The Government therefore allow the appeal and direct that the appellant's salary be restored from 1st May 1946.

3. The appellant is referred to the Commissioner, Walajapet Municipality, for orders on his appeal.

30.1.47

To

Sri A.S.Chidambaram Pillai,
Headmaster, M.H.S.,
Walajapet (para 3 only).
The Commr., Walajapet
Mpty., thro' the CMC.
(with Ml. Office files
and confdl. files).
The D.P.I. (enclosed by express post)

Edn. & P.H. Department (B1).

APPEAL - Chidambaram Pillai - Sri A.S. - Headmaster Municipal High School, Walajapet - Against reduction in pay.

From Sri A.S. Chidambaram Pillai, Headmaster, Municipal High School, Walajapet, dated 6--7--46.
From the Commissioner, Walajapet Municipality, Roc.No. 2094-C/45 dated 4--8--46.
From the Director of Public Instruction, R.C.No.3872-G1 of 46 dated the 7th December 1946.

The appellant, Sri A.S. Chidambaram Pillai is the permanent headmaster of the Municipal High School, Walajapet. He has appealed to Government against the orders of the Commissioner, Walajapet Municipality, No. Roc. 2094-C/45 dated the 10th May 1946, reducing his pay by Rs.5/- per mensem for a period of six months from 1st May 1946. The appeal has been preferred in time.

2. The charge against the headmaster was that he grossly neglected his responsibilities in not exercising proper control and check over the accounts and the stock of the stores, tools and plant in the Manual Training Section of the high school and over the work of the Manual Training Instructor and that the negligence resulted in pecuniary loss to the Municipality amounting to Rs.236--7--0. During the course of the personal hearing it was brought out that the verification certificates furnished by the headmaster were not made after actual verification. A supplemental charge was therefore framed against the headmaster that he furnished false and misleading certificates of verification of the tools and plant, etc., of the Manual Training Section and the punishment inflicted was in respect of both these charges. Disciplinary action was at the same time taken against the Manual Training Instructor (Ramanathaiah) and an L.T. Assistant of the school who acted temporarily as headmaster in the absence of the appellant on leave. The loss was recovered from the Manual Training Instructor while the L.T. Assistant who acted as headmaster was