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Sectt II-27-58,004-4-11-46.

Education and Public Health

(194⁷) Department.

Ms. SERIES.

G.O. NO. Ms. 559 Education.

Dated the 26th February 1947

[Despatch Abstract.]

Establishment - District Board Salem, - Sr.K.Sreekantiah, Ex-teacher
Petition against his removal from the service - 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.

SALEM DISTRICT BOARD

ESTABLISHMENT - Memorial to Government - K. Sreekantiah - Ex teacher,
Board Boys school-Salivaram-Hosur taluk. -Forwarded to Government
-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-v-

Roc.No.EII-25162-46

Salem District Board Office,
Dated, the 22nd January 1947.

From

V.V.Subramanian Esq.M.A.,I.C.S.,O.B.E.,
Collector & Special Officer, District Board,Salem.

To

The Secretary to Government,
Education And Public Health Department,
FORT ST. GEORGE, M a d r a s.

Sir,

encl I enclose the memorial of K.Sreekantiah, ~~xxxx~~ Ex-teacher, Board Boys School, Salivaram, with copies of his appeal petition to the Director of Public Instruction, Madras, dated 1-4-46, and the latter's proceedings thereon L.Dis.47-8-5-46 dated 20-8-46, in which the appeal was rejected. This office D.Dis.File No.27247-43 relating to the removal from service of the teacher is also enclosed for favour of reference and return.

KVG. 23-1-47

Enclosures;

I-Pages I to 10-C.F

2-D. Dis. 27247-43

For Special Officer,
District Board, Salem.



To

The Secretary to Government,
Public Health and Education Department,
MADRAS.

Ex.
The humble memorial of K. Sreekantiah, Late teacher,
Board Elementary School, Salivaram, now at Uddanapalli,
Uddanapalli Post, Hosur Taluk, Salem District.

Respectfully Showeth:-

1. That he has been unreasonably ^{removed} ~~dismissed~~ from service
by the President, District Board, Salem after having -
faithfully and honestly served the Salem District Board
for a long period of over 33 years, though on a small
salary on the eve of his retirement chiefly on a ^{single} ~~single~~
charge of absence without previous permission, though on
a medical certificate obtained from competent medical
officers in token of his prolonged illness.

2. By the cruel order of ^{removal from service} ~~dismissal~~, the memorialist has
been deprived of his legitimate provident fund bonus and
Gratuity and leave allowances.

3. That the orders were passed by the President, District
Board, Salem with a prejudiced mind and vindictiveness is
clear from the fact that even the voluntary resignation
tendered by the memorialist was not accepted by the
President, District Board.

4. The appeal against the orders of the President,
District Board to the Director of Public Instruction,

Madras has not been ^{considered} ~~considered~~ as it has been rejected
without assigning any reasons whatsoever, vide Proceed-
ings No. L. Dis. 47/B5/46, dated 20-8-1946 of the -

Director of Public Instruction

69 a/c

Copy of appeal petition of K. Sreekantiah, Headmaster, Board Elementary Hindu Boys' School, Salivaram, Hosur taluk, Salem Dt.

To the Director of Public Instruction, Madras.

Through the President, District Board, Salem.

Honoured Sir,

I beg respectfully to place the following lines among others before the honourable the Director of Public Instruction, Madras by way of humble appeal against the orders of the President, District Board, Salem in his Proceedings No. 27247-43 dated 25th February, 1946 removing me from service and to request that you will be so good as to bestow your sympathetic consideration and be pleased to pass favourable orders to meet the ends of justice.

2. The orders appealed against are harsh, arbitrary unjust and are not based on facts, & the punishment awarded is out of all proportion to the alleged offences.

3. The charges framed against me are given below for easy reference and my explanation therefore are also furnished against them senatum.

CHARGE NO. I:-

That he produced a medical certificate obtained from a Medical Practitioner at Hosur to the effect that he is not in a position to move about which is evidently false as he was staying at Kelamangalam and it is not known how he proceeded to Hosur and obtained the certificate when he was in such a bad stage of health.

--o0o--

I beg to submit that the officer whom I obtained the Medical Certificate of unfitness for duty in respect of my application for extension of 2 months leave from 22-10-43 is a Government qualified registered medical practitioner of long service to his credit and is a very popular doctor in Hosur. He was for a long time also under the employ of Government previously. I was placed under his treatment prior to the grant of certificate and so, I approached him, being also nearer to the place of my temporary residence. It is not known on what basis and how, the President, District Board is justified to jump to the conclusion that the certificate granted by this qualified medical practitioner is false. The nature of the illness, described in the certificate is that I am suffering from malaria and acute anemia. These do not in the opinion of any unprejudiced ordinary individual also do not constitute utter disability to travel a short distance of 9 miles from Kelamangalam to Hosur where there is bus convenience. For the matter of treatment, I had to necessarily travel to Hosur as no such medical help was available in the insignificant village of Kelamangalam. The Medical practitioner certified that he examined me at Hosur personally and there was no evidence to discredit his statement.

Neither myself nor the Medical Practitioner reported at the time of the grant of the certificate on 21-10-43 that I was in such a bad state of health and unfit to move about based on facts, and has to be ignored as baseless.

I was transferred in July, 1941 from Venkaticotta to Salivaram, the interior of the forest parts and a malaria prevailing locality. I contracted malaria there and was suffering from it every now and then as can be seen from my previous reports to the President, District Board, and leave of temporary absence obtained previously for treatment.

Madras, communicated in District Board President's -

Endorsement No. Roc. No. G. 27247-43, dated 13-9-46.

5. All the relevant facts in favour of the memorialist have been explained in detail in the appeal petition.

6. In the above circumstances, the humble memorialist most respectfully submits that his case is one - deserving of reconsideration in the interest of justice and begs to approach therefore that the Honourable the Minister for education in the present National Government will be so kind as to intervene in the matter, call for the connected records, peruse them, and be pleased to set aside the order of ~~dismissal~~ ^{Removal from Service} passed against him, and - render justice, for which act of kindness, I shall feel highly obliged, and shall be ever grateful.

7. Copies of the appeal petition, to the Director of - Public Instruction, Madras, dated 1-4-46, and his - Proceedings thereon L. Dis. 47. B/5/46, dated 20-8-46 are enclosed for kind perusal.

The Memorialist begs to remain,
Respected Sir,
Your most obedient servant,

13-10-46.

Education & H Dept B2.

Endt no 63098 B2-1

Edu. 1/1/46.

Returned to the petitioner. This should have been submitted to the Govt through the President, District Board, Salem.

Respectfully submitted
Through the President, Assistant Secretary to Govt.

The Petitioner, District Board, Salem.

F.T.O.

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These facts go to corroborate the truth of the statement of my illness and the corresponding Medical Practitioner's Certificate of unfitness for duty at a time when the illness has advanced.

CHARGE NO.2:-

That he disobeyed this office strict and specific orders dated 30-12-43 and 4-4-44, in not appearing before the District Medical Officer, Salem in order to gain his own object of availing leave which shows his irresponsible behaviour and defiance of authority and which deserves serious notice.

--oOo--

I admit the receipt of the orders under reference. These orders may be strict and specific but the circumstances under which I could not carry them out were beyond my control and unfortunately for me, the most reasonable explanation offered could not be appreciated by the President, District Board who characterised my conduct as irresponsible, defiant and that I manoeuvred to gain my own end of availing leave by evading to appear before the District Medical Officer, Salem.

In the first place, in a simple matter of this kind, there was evidently no need for suspecting either my conduct or that of the medical practitioner and ordering the obtaining of a second medical opinion. There was no necessity at all for me to apply for leave and subject myself to all sorts of trouble of this kind and to forfeit a portion of my emoluments had it not been for the fact that I was really ill. On receipt of orders dated 30-12-43, I explained in my report dated 9-1-44 the then condition of my state of health and requested the President, District Board to issue a requisition to the Residency Surgeon Boring Hospital, C & M Station, Bangalore, where I was undergoing treatment explaining at the same time my inability to travel a long distance of 100 miles to Salem among other difficulties. My earlier application dated 16-2-43 requesting to grant a requisition to the L.F. Medical Officer, of the Hosur Hospital for examination and grant of a certificate for extension of leave has been altogether ignored. In reply, to my application on the above date, 16-12-43, I received an order dated 29-1-44 from the President, District Board asking me to obtain and send a medical certificate to the effect that my condition of health did not really permit me to perform the journey to Salem. Accordingly, I obtained one from Medical Practitioner, Hosur and submitted the same on 4-2-44. Not being satisfied with this certificate, the President, District Board insisted on my appearing before the D.M.O., Salem alone and issued me his second order dated 4-4-44 which was received by me at Bangalore on 14-4-44 while under treatment there. The order was imperative, and allowed me only 2 days time. Thereupon, I expressed my inability to undertake a long journey of 125 miles by road from Bangalore in the then condition of my health and as against the advice of my medical attendant, and requested the F.D.B. Salem to reconsider his orders and be please to grant me a requisition to the Residency Surgeon, Boring Hospital, C & M Station, Bangalore as requested before, vide my letter dated 14-4-44. Along with this letter, I also enclosed a certificate obtained from my medical attendant at Bangalore dated 12-4-44 in support of my illness. While matters stand thus, I was served with a Memo of charges framed against me by the President, District Board, Salem, dated 25-5-44, asking me for an explanation as to why I should not be dismissed from service on the charges framed.

In this connection, I submit for the kind consideration of the Director of Public Instruction that the F.D.B. had no consideration whatsoever for my financial difficulties as a low paid subordinate drawing a meagre salary of Rs. 20/- F.M. and that I have been out of employment from 18-10-43 and that I have been suffering for want of pecuniary family and help.

for treatment and maintenance of myself and my helpless family and children in these hard days when famine is staring at every body's face. The cost of the journey to and fro Salem with an attendant costs about Rs. 30/- and the F.D.B., had no idea as to how I could finance it.

He entirely disbelieved my sincere statements and those of the Medical Practitioner's of Hosur and Bangalore as well regarding my illness apparently for no reasons whatsoever.

Finding that there was no relief at Hosur, I proceeded to the next nearest, and convenient station from here viz., Bangalore when I had my relatives and assistance. This, the F.D.B., Salem does not believe with a prejudiced mind.

The F.D.B., had adopted a curious method of sending confidential reference to an assistant master of the Kelamangalam Board School asking him to verify whether I was really ill and unable to proceed to Salem., while there are other more responsible officials in the locality viz., the village karnam, the village munsiff and the Post Master, to whom he could have addressed. Naturally, as a subordinate of the F.D.B., the Assistant Master seems to have sent on 6-3-44 a damaging and false report against me while I was actually ill and undergoing treatment in Bangalore. With a view to please his immediate superior to the F.D.B., I understand that there are unfavourable reports in the District Board's office regarding the conduct of this particular assistant and he is not a desirable man to be entrusted with this responsibility.

I further beg leave to submit that I am given to understand that there is a secret understanding between the F.D.B., Salem and the D.M.O., Salem not to encourage such leave applications etc., from the local fund subordinates as in the opinion of the former officer, his subordinates are not reliable and unduly influence the local subordinate medical officers in the district. It is for this reason that a second medical opinion is always insisted upon and the helpless subordinates asked to proceed to Salem for examination unmindful of their integrity., financial disabilities and utter helpless ness. I had no reply to any of my applications as to why a requisition could not be issued either to the Medical Officer of the L.F. Hospital at Hosur or the Residency Surgeon, Boring Hospital of the C & M Station, Bangalore in the matter of examination of my state of health. The omission speaks for itself.

CHARGE NO.3:-

That due to his indifferent work, the progress of the Board School, Salivaram has been spoiled as revealed in the annual inspection report of the school conducted by the Deputy Inspector, Hosur during November, 1943, and he has not improved in his work inspite of his T.S.L.C., having been suspended for one month from 10-11-42 to 9-12-42 which shows his negligence to duty and which warranted severe disciplinary action

--oOo--

I submit that after the annual inspection of the school in 1942, I was under suspension for one month from 10-11-1942 to 9-12-42. At the end of the month, the school was closed for the usual Christmas vacation. I was on Privilege leave for a month and a half in February and March, 1943. The school was closed for the usual summer vacation for a month in May, 1943. About July, 1943, there was rat fall and plague scare in the village and the school suffered in attendance and proper instructions. The school was actually closed for plague for 3 months from 5th August, 1943. The school was inspected some time in November, '43 immediately after it was re-opened after plague. I was on leave from 18-10-1943.

(EXT.O.)

8

Thus, it may be observed that the school worked for a couple of months only and under the circumstances, it was humanly impossible for any one to show satisfactory progress. I submit it is quite unreasonable to hold me responsible for this state of affairs and to charge me as being negligent. Had I been given an opportunity for explanation, there would have been no need for the observations made herein just now.

CHARGE NO. 4:-

That he has not applied for extension of leave for his absence from 21-12-43 which shows his gross negligence to duty and violation of the rules and thus overstayed from duty without leave.

--000--

I submit that this charge also is not maintainable. I applied for 5 days casual leave from 18-10-43 on account of illness and this was sanctioned by the Deputy Inspector of Schools on 20-10-43. On 4-12-43, I submitted a report that I was unwell and could not rejoin duties on 21-10-43 after the 2 months period specified in the Medical Certificate already granted by the Medical Practitioner, Hosur and requested to grant a requisition to the L.F. Medical Officer, Hosur to examine me with a view to grant me further extension of leave. Again, I submitted two more petitions on 16-12-43 and 2-1-44 in similar terms on the same subject. The one dated 4-12-43 has been admitted to have been received by the P.D.B., as mentioned in his Memo of charge dated 25-5-44. The other petitions have been sent by R.F. & A.O., and the necessary Postal Acknowledgements have been also obtained. While such being the case, it is not known how it is said that I did not apply for extension of leave from 21-12-43, and was negligent violated rules and overstayed from duty without leave. No doubt, I was absent from duty anticipating leave in the special circumstances, of my case.

GENERAL.

I humbly submit that the offences with which I am charged in this case are one relating to a simple matter of my availing myself of leave in anticipation of orders of the President, District Board, and are due to causes beyond my control. But, unfortunately for me, a mountain has been made out of a mole hill and I have been a victim of the passions and prejudices of the President, District Board. Though I am a helpless, poor subordinate of the District Board, drawing a meagre salary of Rs. 20/- per month, I belong to a noble profession and come of a respectable family. There is evidently no reason for me to utter any falsehood and misbehave. On the other hand, I have been harassed and pursued with a spirit of vindictiveness not realizing that I am only a mosquito under an elephant's foot.

I am a qualified permanent teacher with a clean record of service and I have served the Local Board for a pretty long period of 33 years loyally and faithfully. During the tail end of my service, and in my advanced age, the memo of charges under reference served on me has certainly upset my mind and my illness has aggravated so much so that but for timely and competent handling of my illness. I would have succumbed. I feel I have been unreasonably worried by the unusually long delay with which my leave applications have been kept in suspense and the curious orders I was receiving every now and then in the matter. At the end, I was obliged to tender my resignation for the office on 5-2-45. But, even this was not accepted and this evidently betrays the frame of mind of the P.D.B., I was further troubled to appear for judicial enquiry. A frace of a judicial enquiry in person was also gone through on 28-12-45 when, I was not given an opportunity to peruse the connected and relevant records against me. The so called judicial enquiry was held by the Vice-President, District Board, and final orders of my removal from office were passed by the P.D.B.

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F.D.B., I hold that there was no judicial finding in my case although I was tried as a criminal.

In the above circumstances, I most humbly appeal to you as my only saviour and protector and crave for your intervention on my behalf. I pray that you will be so good as to admit this appeal send for the connected records, peruse them, and be pleased to set aside the orders of the P.D.B., Salem and reinstate me in service, treating my absence from duty from 18-10-43 as leave on full pay or average salary to which I am eligible. If this is not however found feasible, I pray that as an alternative you will kindly issue instructions to the P.D.B., Salem to accept my resignation for the office with a view to enable me to draw my outstanding Provident Fund accumulations and bonus and to treat my absence from 18-10-43, to the date of my resignation viz., 5-2-45 as leave with full or half average salary to which I may be eligible, for which act of kindness, I and my poor ~~misery~~ helpless family and children shall feel highly obliged and shall ever be grateful to you.

The original order of the President, District Board, Salem dated 25-2-46, fair copy signed by him on ~~xx~~ 1-3-46, and which was actually received by me on 6-3-46 is enclosed for kind perusal.

Sd. xx xx
Appellant.

I-4-46.

Address:-

K. Sreekantiah, Headmaster, Board Boys school, Salivaram,
now at Uddanapalli, Uddanapalli Post Hosur taluk, Salem Dt.

(True copy)

Proceedings of the Director of Public Instruction, Madras
L.Dis. 47 B5/46, dated 20--8--1946.

Sub:- Elementary Education - District Board, Salem - Appeal
Sri.K.Sre.kantiah regarding removal from service -
rejected.

Read:-

- Petition from Sri K.Sreekantiah, dated 1-4-46.
- Letter from the President, Dt.Bd.Salem Roc.E5.27247-43 dated 10--5--1946.
- Endt. of the Divisional Inspector of Schools, Coimbatore R.O. 225-EI/46, dated 23--7--1946.

The appeal is rejected.

G.L. Lobo,

For Director of Public Instruction.

To the Petitioner through the President. To the President,
District Board Salem (with encls) Copy to the Divisional
Inspector of Schools, Coimbatore.

Roc.GI.27247-43, dated 13-9-46

Forwarded to the Petitioner.

Sd. xx xx
P.D.B., Salem.

To K. Sreekantiah, H.M, Bd.Boys school, Salivaram, now at
Uddanapalli Post, Hosur.

KVG.23-1-47

(True copy)

7
Education and Public Health Deptt. (B2)

71/26/2
Establishment--Dt. Board, Salem--Sri K. Sreekanthiah, Ex-teacher -
Petition against his removal from Service--Orders passed.

PP 3/6
the
Ref: From Sri K. Sreekanthiah, Ex-teacher, under/Dt. Board Salem.
dated 13-10-1946.
Endorsement of the Special Officer, Dt. Board Salem No.E.II-
25162-46 dated 22-1-1947.

ORDER/Ms. 359 Education dated 26.2.47

The Government decline to interfere on behalf of Sri K. Sreekanthiah.

Sri K. Sreekanthiah is informed that he will not forfeit the Provident Fund bonus by reason of the order removing him from service and that the payment of gratuity for the period he did not subscribe to the Provident Fund is left to the discretion of the District Board.

To

Sri K. Sreekanthiah,
Ex-teacher, Bd. Ele. School,
Uddanapalli, Hosur
Salem Dt
thro' the Special Officer,
Dt. Bd. Salem.

Special Officer, Dt. Bd. Salem
(with Board proceedings returned)

copy to D.P.IV
S/c

(B.2.)

under the D.O. of Salem

pp 3-4 CF

C.No. 6992 B2/47 From Sri K. Sreekantiah, ex-teacher dated 13-10-1946.

p 1 CF

Endorsement of the Spl. Officer, Dt. Bd, Salem, No.E.II-25162-46 dated 22-1-1947

ESTABLISHMENT--DISTRICT BOARD, SALEM--SRI K. SRIKANTIAH--EX-TEACHER--BOARD BOYS' SCHOOL, SALIVARAM--PETITION AGAINST HIS REMOVAL FROM SERVICE.

--00--

Sri K. Srikantiah, a teacher under the District Board, Salem, was removed from service by the President, District Board, Salem, on certain charges. The facts relating to his removal from service have been explained on pp 173--176 of 'U'. He appealed to the D.P.I. against the orders of the P.D.B. Salem, removing him from service. The Director also rejected his appeal. The teacher had put in a service of about 33 years before his removal from service.

pp 147-167 90

p 9 CF

114

p 217 of the Exam. Bk No 157

A

2. He has now represented to Government that he should be reinstated in service under the District Board, Salem. If he is to be reinstated in service the orders of the D.P.I. should be modified. Under rule 9(3) of the Appointment and Punishment rules of the employees under the District Boards the Government have power to call for the records of this case and pass such orders as they deem fit. It is for consideration whether any action should be taken in this direction. *the D.P.I. may have to be consulted.*

para 2, 114

Rule 22 of the P.D. Rules on p 100 of Bk No 157

3. The teacher is under a misapprehension that he will lose the benefit of the Provident Fund etc, by the order of removal from service. This is not correct.

Even under the existing rules the teacher is eligible for the benefits of the Provident Fund bonus though he has been removed from service. As regards gratuity, for the service, during which he did not subscribe to the Provident Fund, the matter is left to the discretion of the *D. Board* P.D.B. as gratuity is payable only in respect of service approved to be satisfactory.

Rule 10 of the Gratuity Rules on p 757

6992-B2
13/2/47

The teacher will not stand to lose financially by the non-interference
of the Government ^{and} by their refusal to modify the orders of the
Director of Public Instruction.

For orders whether any action should be taken on the
representation.

Off. 2
6.2.47 6.2.47

OSM
8/2/47 S

A - I do not
think there are any grounds
for interference. The petition may
be rejected.

WJ
11/2/47

The matter as B alone may
be made clear to him.

WJ (Cm.)

TSA
15.2.47



A draft order is submitted for approval.

Off. 2
18.2.47 20.2.47

OSM
24/2/47 S

WJ
24/2/47