Sectt. II-27—60,004—17-11-48

Edn. & R. (1949) Department.

Ms. SERIES.

G.O. NO.	1154 (Edn)
Dated	18.4.49

Closed
by
Supt

[Despatch Abstract.]

Estt - Education - Cuddalore Municipality - Sri R. Swaminathan Iyer, Head master, Ml. High School - appeal against the Commissioners order of punishment - 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.

IR 15-7-48 C1

MUNICIPAL OFFICE 15 SEP 1948 CUDDALORE

11501.

Cuddalore N.T.,
D/-14-9-48.

From

R.Swaminatha Ayyar,
Headmaster, Municipal High School,
Cuddalore N.T.

To

The Secretary to the Government of Madras,
Education and Public Health Department,
Fort St George, M A D R A S.

Through

The Commissioner,
Cuddalore Municipality, Cuddalore.
And
The Appointment Committee,
Cuddalore Municipality, Cuddalore.

Sir,

With reference to the proviso to rule 8 (1) of the rules relating to the Appointment and Punishment of officers and servants of Municipal Councils, I beg to submit my appeal against the Proceedings D.Dis.No.11508/47 dated the 30th June 1948 of the Commissioner, Cuddalore Municipality, reducing my pay by Rs 10/- per mensem for a period of 12 months with effect from 1-7-1948. Though the Proceedings are dated as 30th June 1948, I got the copy of the Proceedings only on the 17th July 1948 and as such I submit that my appeal is in time.

2.I beg to submit herewith a copy of the Memorandum R.O.C.No. B1/11508/47 dated the 10th January 1948 of the Commissioner, Cuddalore Municipality in which he framed three charges against me and called upon me to show cause within seven days from the date of redeipt of the order as to why I should not be reduced. I respectfully explain below briefly the gist of each charge framed against me and my defence there to.

Charge I. "That I failed to adhere to the principles of promotion framed by me in the matter of promotions of the following boys to the higher class."

1. D.Vivekanandhan 2. Lakshamanan 3.Nagarajan.
4. Ramachandran 5. Mahalingam 6.Nammalwar and
7. Selvaraj.

With regard to this charge, I respectfully/

P.T.O

respectfully beg to invite the kind ~~xxxkxxkxx~~ attention of the Government to the Proceedings R.C.No. 2679-E-36 dated 14-2-1937 (copy enclosed) of the Director of Public Instruction, Madras wherein the Director has issued instructions to be followed by headmasters of schools in the matter of promotion of pupils. The Director of Public Instruction has given therein full discretion to the Headmaster of the school to determine any method or procedure that he should follow with regard to the promotions to be made in this school and the framing or principles therefor. But, however, the Director of Public Instruction has stipulated that these principles of promotion should be formulated in advance as definitely as possible. It is further stated therein that these rules of promotion along with the record of promotions made in accordance with the rules of promotion referred to above, and the explanation for any deviation from them should be produced by the Headmaster for inspection by the inspecting officers when they are called for. I respectfully beg to submit that it could be seen from the above instructions that the Headmaster has full discretion to frame any principles of promotion and that even after he so frames the principles, he has got the discretion to deviate from the principles for reasons which may appear valid in his opinion and what he has to do in such cases of deviation is to produce such cases of deviation for inspection by the inspecting officers when they are called for. In accordance with the instructions of the Director of Public Instruction referred to above, the practice in vogue and adopted by the Headmaster in this school for nearly a decade was to consult the First Assistant of the school who happens to be in close tough with the day to day administration and working of the school, as regards the minimum marks to be fixed in each subject with reference to the several factors as to the capacity, power of application and progress of pupils and then to formulate the principles of promotion. One other convention followed in this school for more than a decade was to give one grace mark to such of the pupils as were on the verge of the minimum fixed and as whould have otherwise been detained but for this one grace mark. This convention or rather the practice has not

has not been objected to by any of the Inspecting officers all these years and as such the same procedure continues to be followed. During the year 1946-47 also the same procedure was followed by me. I consulted the First Assistnat of the school and after mature consideration of several factors that should be weighed in fixing the principles of promotion, we reached a decision and the following principles of promotion were formulated by me in respect of Form V.

Class 1 -- 40% in all subjects combined or Short Term percentages

class 2 -- 35% in all subjects combined or short Termperdentages

Class 3 -- 35% in English; 25% in one subject and 35% in others combined or Short Term percentages.

Class 4 -- 25% in English; 35% in others(Combined or Short Term

Class 5 -- 25% in English; 35% in three subjects combined or short Term percentages.

Class 6 -- Second year pupils, 20% in English and 40% in three subjects Combined or Short Term:/

The promotion of pupils in Form V was strictly made in conformity with the principles of promotion formulated by me. I beg to enclose herein a statement showing the marks obtained by each pupils in Form V Short Term and combined, marking therein clearly the pupils who have been promoted in accordance with the principles of promotion referred to above. But, however, as misfortune would have it, a clerical error crept in when putting down the principles of promotion in respect of Class V in writing. Instead of "25% in English; 35% in three other subjects combined or Short Term" the words, "25% in English and 40% in three other subjects combined or short Term" were written by mistake. This clerical error was however, noticed and rectified and the matter was also reported to the Dt.Educational Officer, S.Arcot in my letter Roc.No.263/47 dated 14-7-1947. The boys referred to in the charge namely (1) D.Vivekanandhan (2) Lakshamanan (3) Nagarajan (4)Ramachandran (5) Mahalingam (6) Nammalwar and (7) Selvaraj came under class V ie 25% in English and 35% in three other subjects combined or Short Term and as they satisfied the principles of promotion formulated by me after allowing one grace mark in cases where they were on the verge of the

P.T.O

of the minimum according to the accepted convention of the school for more than a decade they were promoted. While the facts being so, it is most unfortunate that the Commissioner should say in his proceedings now appealed against that I have wisely failed in my explanation dated 1-2-1948 to furnish the particulars with regard to the principles of promotion formulated by me. I beg to submit that as the charge against me was only with reference to the irregularities in the promotion of the seven pupils of the V Form and as all of them came under the purview of class V of the principles of promotion formulated by me, I thought it was sufficient for the purpose of the explanation to confine myself to the principles formulated under class V alone. Hence it was that I referred only to the principles of class V in my explanation dated 1-2-48 (Vide para 2 under charge I of my explanation dated 1-2-1948 copy submitted herewith). If the commissioner had only asked me to furnish the principles of promotion of the remaining five classes, I would have readily given him the information. In the above circumstances, I respectfully submit that it is uncharitable on the part of the Commissioner to have cast a reflection that I have wisely failed to furnish the principles of promotion anywhere in my explanation. Unluckily much weight and importance has been attached to the clerical error referred to by me above and it is stated in the Commissioner's proceedings "that the Dt.Educational Officer states that to violate the principles of promotion perhaps in a deliberate manner and then to ascribe it to a clerical error is anything but satisfactoryand to commit errors to suit my ends especially in vital matters of this kind and to call it bonafide, is wholly unacceptable and that in the opinion of the Dt.Educational Officer this error must have been committed with a malafide intention", and that the Commissioner agrees with the Dt.Educational Officer's opinion and that therefore charge I is proved against me. Here again, I respectfully beg to submit that so long as there are no hard and fast rules fettering the discretion of the Headmaster in the matter of formulating the principles of promotion, he is at perfect liberty to draw up

to draw up any principles in the matter of promotion. There could therefore be no question of deliberate and malafide violation of principles to suit my ends. For purpose of arguments I submit, if I were to be really interested in getting the boys in question promoted to higher forms, I could have at the time of formulating the principles of promotion brought down the minimum marks so as to be within the limit of the marks obtained by these pupils. In that case, my discretion whould not have been open to question and my ends whould also have been achieved without giving room for any comment from anybody. It is therefore for consideration whether a Headmaster who has full discretion to formulate the principles would not have so determined the minimum marks to be fixed having regard to the marks obtained by pupils in whose promotion to higher classes he is really interested. Whould he choose to lose this straight opportunity, frame principles and then resort to the violation of the principles so framed by him to gain his end? A moment's consideration over this aspect of this question whould convince even an ordinary lay man that a Headmaster would not choose to go against his own principles deliberately, while he himself was at perfect liberty to frame them at his discretion. I also submit in this connection that at the time I submitted my explanation to the charges I was under the honest impression that having regard to circumstances explained in my reply dated 1-2-1948 the Commissioner would accept my explanation and drop further proceedings in respect of this charge. If he had doubted the veracity of my statement as regards the clerical error and enquired into the matter I submit that I would have let in the evidence of the 1st Assistant of this school with regard to this matter. This the Commissioner did not do but however chose to rely solely on the opinion of the Dt.Educational Officer. The findings of the Commissioner without proper enquiry into the matter and based entirely on the opinion of the Dt.Educational Officer are one sided and I submit that it has been arrived at without due consideration to the probablities of this case. I request that having regard to the circumstances referred to above, the Government will be graciously pleased to reverse the findings of

findings of the Commissioner in this charge.

Charge II. "That my supervision work has been found unsatisfactory by the Inspecting officers which brought discredit to the Management".

With regard to this charge I respectfully beg to reiterate what I have stated in my explanation dated 1-2-1948 to the Commissioner. But I submit that the Commissioner has not appreciated the several difficulites and handicaps that stood in my way of effecting more supervision work at that juncture but he has chosen to rely upon the details of the supervision work given by the Dt.Educational Officer and referred to in his proceedings. I submit that the details of the supervision work referred to in the Commissioner's proceedings were brought in for the first time only in the final orders of the Commissioner and no reference was made to them in the memo of charges framed against me and my explanation was not obtained in respect of them. If the Commissioner or the Dt.Educational Officer for the matter of that had given me an opportunity to explain my position I would have placed before them all the facts but this was denied to me and I was stabbed from behind. However I now beg to submit as follows:- Six periods are given and it is stated for long intervals there was no supervision. I submit that neither the Madras Educational Rules nor the Proceedings of the Director prescribe the exact quantity of supervision work to be done by the Headmaster and the record to be maintained by him for this purpose. While this be so, I submit that the supervision depends upon the needs of the case and time available to the Headmaster. I submit that on very many days I did actually supervise the work of the masters and gave them the instructions then and there orally. The fact that on these days nothing is recorded does not mean that I did not stir out of my room and supervise the school. It only means that there was nothing worthrecording. Coming to the various periods recorded in the Commissioner's proceedings, I submit that vacations, holidays, Examination and reopening seasons have all been included, perhaps unknowingly to make my offence look grave.

I shall deal with three instances of details of supervision furnished by the Dt.Educational Officer:-

No.2."After 17-3-47 he did no supervision till 15-7-47-- long period of four months".

This period comprises six weeks of summer vacation from 1-5-47 to 12-6-47; Annual examination season 3 weeks in April 1947; and four weeks after reopening when the Headmaster is usually very busy with the administrative work like admission, withdrawals etc.

No.4."After 2-9-1947 no supervision till 15-9-47"

The school had the First Course examinations from 9th to 12th. There were only 4 working days in the interval.

No.6."After 8-12-47 no supervision till 19-1-1948".

From 8-12-47 to 12-12-47 we had sixth Form selection examinations. The other classes had half yearly examination from 15-12-47 to 22-12-47. 23-12-47 to 4-1-1948 were Christimas holidays. From 11-1-48 to 18-1-48 we had Pongal holidays but for one working day. Now during this period the number of working days were six only and we were engaged in preparing and distributing progress cards.

In the above circumstances, I respectfully submit that I am not guilty of neglect of duty so far is supervision is concerned, as opined by the Commissioner and that I have not also brought discredit to the Management. The findings of the Commissioner on this charge also are not based on facts and they also need to be reversed.

Charge III. "Failure to keep the school and its premises neat inspite of instruction".

In respect of this charge, I wish to respectfully submit that the entire blame cannot be laid at my doors for the reasons stated in my explanation dated 1-2-48. The Commissioner instead of considering my difficulties and coming to my rescue in the matter of keeping the building and the premises tidy has chosen to put the entire blame upon me which I do not deserve.

I beg respectfully to submit in this connection that I have not committed any of the offences mentioned in rule 4 of the rules relating to the appointment and punishment of officers and servants of

P.T.O

servants of the Municipal Council in view of the facts explained by me above. Further, I submit that the Commissioner does not appear to have followed the rules relating to the appointment and punishment of officers of Municipal Councils and instructions of the Government issued in this regard from time to time, but he has been solely guided by the Dt.Educational Officer. The Commissioner framed the charges at the instance of the Dt.Educational Officer and when my explanation was submitted to him the proper course to be followed by him is to consider carefully the charges and my defence thereto, and if necessary to enquire wherever he felt doubts and record his findings on each charge. When he comes to a definite conclusion having regard to the findings so recorded by him, the next question to be considered by him is to assess the punishment and in considering that he is expected to take into account the past records also. He will have then to determine the punishment which he proposes to give and at this stage informally consult the Dt.Educational Officer whether he agrees with him in the matter of the punishement proposed by him. This procedure, it appears, was not followed in my case as would be evident from the final orders of the Commissioner appealed against. The Dt.Educational Officer at whose instance the charges were framed against me (Prosecutor) himself happened to be the officer to decide the punishment now inflicted upon me and the Commissioner simply accepted the Dt.Educational Officer's recommendations, instead of himself deciding the nature of punishment. For all practical purposes the Dt.Educational Officer was the prosecutor and also the Judge in my case. As submitted by me in my reply dated 1-2-48 to the Commissioner the Dt.Educational Officer must have been prejudiced against me and in such a state of mind one can easily surmise what could be expected of him in a case of disciplinary proceedings. Disciplinary proceedings, I submit, are of quasi Judicial character and in such cases it is of the greatest importance that they should be so conducted as not to give rise to any feelings in the minds of the person charged that the disciplinary proceedings were not conducted in an impartial and detached frame of mind. My case, I respectfully submit, was not dealt with by the

paras 39-47 of (P)

by the Commissioner in the manner explained above. The Dt.Educational Officer suggested that the disciplinary action may be taken against me and I pray, I may be excused, if I submit that he was himself the defacto Commissioner in disposing of the charges and awarding the punishment. The Commissioner does not appear to have applied his unbiassed mind to the disposal of the charges as the rules would require and has solely and entirely relied upon the Dt.Educational Officer's findings on each charge and inflicted the punishment suggested by him. My case has thus suffered injury at the hands of the Commissioner and I feel that I have been unjustly penalised.

I respectfully submit that I have put in 29 years of unblemished service in the Municipal High School, and my work has been appreciated all these years. In the above circumstances, I most humbly request that the Government be graciously pleased to consider all the facts and circumstances explained above, call for the necessary records in the matter and to order the cancellation of the proceedings of the Commissioner D,Dis.No.11508/47 dated 30-6-48 reducing my pay of Rs 10/- per mensum for a period of 12 months from 1-7-1948.

paras 73-75 of (P) & paras 27-30 infra

I beg to remain,

Sir,

Your most obedient Servant,

R. Sivanniaha Hyyar
15-9-1948
Headmaster.

M. H. School
Cuddalore N-7

Enc: a file of 24 pages.

4 10

11 7 5

R.O.C.No.B.1.11508/47 Municipal Office, Cuddalore,
Dated the 10th July 1948-

To

Sri R.Swaminatha Ayyar B.A.L.T.,
Headmaster, Municipal High School, Cuddalore.

....

Subject: Establishment-Secondary Education-Cuddalore Municipality-Annual promotions etc- Irregularities in the -Letter R.O.C.No.7165 B.2. 47 dated 1-10-1947, 24-10-47 and 21-11-47 of the Dt.Educational Officer South Arcot, Cuddalore.-Letter dated 21-11-47of the Divisional Inspector of schools, Madura Division, Madura.

....

The District Educational Officer, South Arcot, Cuddalore in his letter R.O.C.No.7165-B.2.47 dated 1-10-47 has stated that Sri R.Swaminatha Ayyar B.A.L.T, Headmaster, Municipal High School, Cuddalore has not adhered to the principles of promotion framed by him and that the promotion of the boy Sri D.Vivekanandhan from Form V was irregular. In his letter R.O.C.No.B.2.7165/47 dated 24-10-47 enclosing a copy of his letter R.C.7014-B-2-47 dated 1-7-1947, the District Educational Officer, South Arcot, Cuddalore has stated that in respect of the following boys also of the Fifth Form the promotions were irregular according to the principles of promotion.

1. Sri Lakshmanan (2) Sri Mahalingam (3) Sri Nagarajan (4) Sri Nammalwar 5. Sri D.Ramachandran and (6) Sri Selvaraj.

Further the District Educational Officer, South Arcot, Cuddalore, has stated that the general condition of the school has to improve and that the supervision work of the Headmaster should be more close. The Divisional Inspector of schools, Madura Division, Madura has stated that the general condition of the school is unsatisfactory and the tone and discipline of the school leave much to be desired. This was pointed out by the Divisional Inspector of schools, Madura Division, Madura in his proceedings Dis.Pl.No.77 TIR-47-48 dated 28-9-47 which was duly communicated to the Headmaster and still when the Divisional Inspector inspected the school on 19-11-47, the school and its premises were not kept neat and tidy. All these Remarks of the Inspecting Officers go to show that the work of the Headmaster is not quite satisfactory. The following charges are therefore framed against the Headmaster, Sri R. Swaminatha Ayyar B.A.L.T.

1. That he failed to adhere to the principles of promotion framed by him in the matter of promotions of the following boys to the higher

1. D.Vivekanandhan 2. Lakshamanan 3. Nagarajan 4.Ramchandran
5. Mahalingam 6. Nammalwar 7. Selvaraj.

2. That his supervision work has been found unsatisfactory by the Inspecting officers which brought discredit to the Management.

3. That he failed to keep the school and its premises neat and tidy in spite of instructions.

Sri R.Swaminatha Ayyar B.A.L.T is therefore required to show cause within seven days from the date of receipt of this order as to why he should not be reduced. He should put in a written statement of defence withing seven days and to state whether he desires to be heard in person. He is required to submit along with his written statement replies to the questionnaire herewith enclosed. If he fails to submit the written statement of defence within the time allowed, it will be presumed that he has no explanation to offer and orders will be passed on the merits of the case.

Sd.V.Chendilvelayudham,
Commissioner, 12.1.48.
Cuddalore Municipality.

/True copy/

Questionnaire

1. Have you any objection to the form of charge?
2. Do you wish to be heard in person?
3. Do you desire an oral enquiry to be held?
4. If so, in respect of which of the allegations in the charge do you desire oral evidency to be taken?
5. Do you wish to give evidence yourself?
6. (a)Do you wish to have witnesses examined on your behalf?
   (b)If so, state their names and note briefly the matter on which they are called upon to depose?

True copy
R. Swaminatha Iyer
15-9-1948

W.Dis. 64/48

Municipal High School,
Cuddalore D/-1-2-48.

From
R.Swaminatha Ayyar B.A.L.T.,
Headmaster, Municipal High School,
CUDDALORE

To
The Commissioner,
Cuddalore Municipality,
CUDDALORE

Sir,

Sub: Establishment-Secondary-Education-Cuddalore Municipality-Annual promotion-reply to the charges framed -submitted.
Ref: Roc.No.B.1.11508/47 dated 10-1-48.

...

I herewith submit my written statement of defence:-

Chare 1."Not adhering to Principles of promotion"

Below I give the principles of promotion and the marks of the pupils in question. It will be seen that all these boys come under class V.

A word of explanation is, however, necessary. Class V is 25% in English and 35% in three other subjects. Short Term or combined(ie Long Term marks and Short Term marks divided by two). There was a bonafide clerical error in the statement re basis of promotion sent by me to the Dt.Educational Officer, S.Arcot along with the Promotion list and this was explained to the officer in my communication No.263/47 dated 14-7-1947 and rectified. One grace mark is allowed in each case ie 34% is regarded as 35 and 24% as 25%. For instance D.Ramachandran, Selvaraj and Vivekanandhan are deemed to have secured the required minimum in English, while S.Lakshamanan is considered as having passed in History and Geography(Combined Subjects).

Secondly for a psss in any subject short Term or combined marks whichever is advantageous to the pupils were taken into account. In one subject the Short Term, in a second subject the combined mark and in a third subject the Short Term marks and so on were accepted. If a pupil's Short Term or combined marks alone in all subjects are considered, some of these pupils may not secure promotion; but if my interpretation is followed, they go up.

All doubts and difficulties would have been avoided, if I had added this explanatory note; but my submission is that the rule as

P.T.O

as it stands is susceptible of this interpretation as well. This has been consistently applied to all cases and to all classes.

As for grace mark, all I can say this, I was following a convention in vogue in this school for more than a decade. No inspecting officer has so far objected to this.

The Proceedings of the Director of Public Instruction regarding promotions (Vide R.C.2679 E/36 dated 14-2-1937 copy enclosed) contain the follwoing sentences,

> "It is not intended that promotions should be determined solely with reference to an absolute minimum in each subject in a single examination. The record of pupil's progress during the year may also be taken into account. These are left to the head of the institution".

This is what has been done in these cases.

Even deviations from these rules is permitted by the above proceedings. The relevant portion reads, "These rules of promotion along with the records made in accordance with these rules and the explanation for any deviation from them should be produced by the Headmaster for inspection by the inspecting officer when they are called for".

In the face of this it is not fair that I should be blamed for not adhering to the principles of promotion. My contention is, that I have not violated the principles framed. The statment attached herewith (Vide Appendix A) will bear me out.

All these seven cases fall under class V ie 25% in English and 35% in three other subjects ShortTerm or combined and satisfy the rules of promotion as interpreted and explained by me. I submit that I have not failed to adhere to the principles of promotion framed by me.

I may add that I am not interested in promoting this boy or detaining that. Throughout my only aim has to be to see that no deserving pupil was stopped. I may also add that our judgement is very often found to be unerring. If a boy is found wanting at our hands it is seldom that he makes headway in any other institution.

Charge II. "His supervision work has been found unsatisfactory by the inspecting officers which has brought discredit to the Management".

The Dt.Educational Officer in his inspection report this year has said that my supervision should be more close. But my position is peculiar. While in most schools Headmasters do only about 10 to 12 periods of teaching work or even less. I have not less than 17 periods of work. This is due to the fact that there was till recently only one History L.T assistant in the school and so I had to take up some History work as well. This year, in particular, I was forced to do some more periods of extra work right from the reopening of the school till after inspection. For the Science Teacher took leave preparatory to retirement and a substitute was appointed only in the third week of August. This meant additional work for all L.Ts. I too had to do some more teaching work to lessen the strain on my colleagues. 4 to 5 more periods fell to my share. So, in all I had 21 or 22 periods a week out of 35. What with office routine, correspondence and administrative work, I did as much supervision as possible. I could not have done more. Usually I go to school before 10 A.M and leave only at about 5-30 or 6 p.m. I stay in the school itself during the lunch interval and attend to some work or other. I invarioubly attend office on all Saturdays and even some Sundays to clear off arrears of work.

Hence it was not possible for me to do more by way of supervision. If only the Dt.Educational officer had discussed the matter with me, I would have explained to him my difficulties and the restrictions under which I am working. If I am to do more supervision work I should get myself delieved of some of my teaching work. Whether my supervision is adequate or not is a matter of opinion; yet I am quite ready to carry out the suggestions of the inspecting officer. Here again I submit I have not neglected supervision and brought discredit to the Management.

Charge III. "Failure to keep the school and its premises neat in spite of instruction".

P.T.O

I submit I am not unmindful of the instructions given. I am doing my best under the peculiar circumstances in which I am placed and when the Divisional Inspector visited the school on 19-11-47 it was much better than it was during his other visits. Ever since, the Divisional Inspector and the Hon'ble Minister for Education, visited the school, I have been paying special attention to this question of cleanliness. The peons have been warned to keep the portions allotted to them neat and clean, the classes have been circularised . The school house consists of 4 blocks of buildings, one is the old building, known as the Main block No.I block, the second is a hall divided into 4 class rooms, and block III with masonary walls and a thatched roof and another shed.

It is the main block that gives trouble. The following are some of the difficulties I have to face. The building is extremely old. The walls are crumbling. The chunam used as plaster seems to have lost the powder of adhesion and is falling off in patches. In very many places bricks with their ugly and irregular surface are peeing out. Again there are a number of holes and crevices big and small, in them. The cornice on the wall and the arches are broken at certain points.

Dust and dirt accumulate in them. The flooring and ceiling are also bad. The former is full of pits of various sizes and shapes. If one walks carelessly, there is the danger of his feet getting entangled in them and causing sprain. These again act as repositories of filth and dirt besides creating an unfavourable impression in the mind of the visitor.

The ceiling has a number of cracks. The palmyra raftors have been eaten by white ants and some have actually given away. They have been removed and in their place, we see only a long hollow or depression in which they have been fitted. Cobwebs appear in the ceiling and in the holes in the walls, and on the cornice. It is very hard to remove them. However careful I my be, one or two patches remain, spoil all our work and bring us discredit.

There is a regular shower of chunam powder and cement coming down from the plastering on the wall and accumulating at the bottom

or any object placed in it. This is taking place all the 24 hours of the day. Moreover insects make a home behind the rafters or in the spaces at the two ends and cause nuisance. White ants add their quota to this. Tiny bits of wood and excreta of insects come down of their own accord and sometimes also big lumps of brick and mortar torn from the wall and the roof.

Till recently the flooring of the Eastern shed Block III presented a ghastly appearance. It looked like furrowed field. Now it has been set right. But the fact remains that it had its own share in prejudicing the Divisional Inspector against me and the school. The sight of the roof that had fallen in with holes through which the sun and rain come in was enough to fill one with loathing and disgust, especially when the visitor has been accustomed to life in Madras with its mighty mansions and palatial buildings.

Again these buildings are not whitewashed annually. Nor are they kept in good repair. They deteriorate and the work of keeping them neat and tidy is rendered more difficult. So my efforts in this direction are only partially successfull. I submit that what all can be done is being done and I assure you that I shall be unremitting in my attempts to set things right infuture. If the building is not as neat as a school house should be, the fault lies not with me but with the builing. I invite the authorities to inspect the building in the light of my remarks and I am sure they will perceive that the difficulties, I am referring to are real and that I am not be blame, and it is being kept as neat as possible.

I have answered the three charges brought against me and now I shall refer to some adverse remarks appearing in the communication.

"The general condition of the school has to improve ".The general condition of the school remains unsatisfactory.The tone and discipline of the school leave much to be desired. The work of the Headmaster is not quite satisfactory".

I took charge of the school as Headmaster in June 1944. Inspite of the fact that two teachers were appointed only in August and the Tamil pandit fell ill and went on leave for a pretty long time and that no proper substitute was appointed in time, the school secured

P.T.O

Secured 34% in the S.S.L.C Examination. The next year 1945-46 there was no dislocation of staff. Work went on undisturbed. The result was 56%. One remarkable feature was this school produced better results than that St.Josephs' Secondary School for the first time in 15 years.

Last year again there was some disturbance in staff. The stuff was not good. The science master always thinking of his retirement went on leave for eight months. The mathematics teacher fell ill again and again and the result came down to 41%. It should be pointed out there that last year most schools in the district produced only 40% pass or less.

Below I give extracts from the reports of Inspecting officers for the past three years regarding my work and discipline in the school.

1944-45

Page 14	Discipline and dress	Satisfactory.
Page 16	Disciplinery rules exist. The Headmaster has issued a number of circulars in regard to the internal working and organization of the school routine.	

(Sd)S.Krishnaswami,
D.E.O.S.Arcot.

1945-46

Page 14	Discipline and dress	Satisfactory.
Page 15	The organizing and supervisingwork of the Headmaster are satisfactory. As a teacher of long experience the Headmaster has enlisted the harmonious co-operation of the staff.	
Page 16	The work of the school may be characterised as fair. The teaching (English) is organised on sound lines.	

(Sd) V.Sarangapani,
D.E.O.S.Arcot.

1946-47

Page 9	Discipline	Fair
Page 11	The Headmaster has organised the work satisfactorily.	
Page 12	In general the school has turned out useful work during the year.	

(Sd)A.V.Thiyagarajan,
D.E.O-SrArcot.

I suspect that the bad impression created in the minds of inspecting officers regarding tone and discipline is due to a petition sent by one T.S.Kumaravelu alleging that I demanded some money for promoting a boy and not getting any, I detained him. The writer of the petition is

of the petition is still a student of VI Form. He may be examined even now and the point cleared.

Last year he was in VI Form. He is more at home at a political gathering than in his class room. He pays more attention to political conferences and election work than to his lessons. Naturally his progress was unsatisfctory. He also carried on correspondence with some ministers and tried to intimidate me into selecting him for the Examination. He was also connected with the Forward Block. I had to report against him in connection with a certain strike at school during 1945-46. Once I even fined him heavily.

Naturally the boy was disaffected and he vented his spite on me by joining another student who was not promoted and sent the petition above referred to. Latterly when the boy sought readmission, his name being struk off for nonpayment of fees, I laid the whole matter before the President Dt.Congress Committee, Sri Sudarsanam Naidu who knows me for over two decades and the boy retracted every word in the petition vide the statement recorded by the President Dt,Congress committee and attested by the boy's uncle, his present guardian. A copy of this was sent by me to the Dt.Educational Officer and another is attached to this. Appendix B. Cranks and eccentrics like the petition writer are to be found everywhere. They cannot be taken as a typical students of any institution and the school should not be blamed for what such crazy boys do.

Lastly I submit that I am working as hard as one can. Day and night, I am thinking of the institution and devising ways and means to improve it. I hold special classes to coach my pupils. Results in my subjects have seldom suffered. I rarely take leave. I am setting a high standard and trying to reach it. I am aware of the existing defects and am straining every nerve to remove them. I have served the school faithfully for the past 28 years. I have given my best for the institution. I have only about 2½ years to serve. It is tragic that at this juncture I should be called upon to answer charges levelled against me. I have never gone against rules, or even against the dictates of my conscience. I feel I am a victim of spite, prejudice and certain combination of circumstances over which I have no control. It is a sort of vicarious

P.T.O

sort of vacarious suffering I am undergoing.

Already I feel humiliated and disgraced. I request you to take into account all these things and see that justice is dome to me. I cannot help feeling that if the enquiry is not dropped and if I am punished, that punishment would not fall on less innocent shoulders

Reply to the questionarre is attached.

I beg to remain,
Sir,
Your most obedient Servant,
Sd.R.Swaminatha Ayyar.4-2-48.

/True copy/

Questionnaire

1. Have you any objection to the form of charge — NO
2. Do you wish to be heard in person? — No, except it be
3. Do you desire an oral enquiry to be held? — to elucidate or
4. If so, in respect of which of the allegations in the charges do you desire oral evidence to be taken? — prove some point s in the statement
5. Do you wish to give evidence yourself? — if the commissionev
6. a. Do you wish to have witnesses examined on your behalf? — wants.

b. If so, state their names and notebriefly the matters on which they are called upon to depose. — No at present.

Sd. R. Swaminatha Ayyar.
Headmaster.

True Copy
R. Swaminatha Ayyar.
15-9-1948

Appendix A.

			Eng	Tamil	Sle Maths	Sle SC	His & geo	optnl
1	Vivekanandhan D	SR.T	20	34	23	35	36	38
		C	24	34	23	32	31	40
2	Lakshmanan S	SR.T	28	36	32	41	34	25
		C.	26	35	29	36	30	28
3	Nagarajan R	SR.T	32	42	8	31	35	33
		C	29	39	11	36	38	26
4	Ramachandran D	SR.T	23	32	31	33	38	37
		C.	24	26	38	30	30	29
5	Mahalingam A	SR.T	32	36	38	41	39	27
		C	32	39	53	50	36	29
6	Nammalvar A	SR.T	25	35	35	36	39	13
		C	22	34	26	37	30	12
7	Selvaraj V. M	SR.T	24	37	18	37	34	50
		C.	23	36	22	34	26	36

True Copy
R. Swaminatha Ayyar
15-9-1948

23

Appendix B கடலூர் N.T.
12-9-1947

கொ. ராஜாஜி கடலூர் நகராண்மைக்
கழக உயர்நிலைப்பள்ளி தலைமை ஆசிரியர்
அவர்களுக்கு திவ்ய சமூகத்திற்கு குமாரவேலு
அதிக வணக்கமாய் எழுதிக் கொண்ட விண்ணப்பம்

13

ஐயா

நான் தங்கள் பேரில் அவதூறாக கனம் கல்வி மந்திரி அவர்கள் திவ்ய சமூகத்திற்கு ஓர் விண்ணப்பம் செய்தேன். இது தங்கள் பேரில் கோபம் கொண்ட ஸ்ரீ. இராதாகிருஷ்ணன் எனது வீட்டிற்கு வந்து என்னை உங்கள் பேரில் சமயம் எழுதச் சொன்னான். நான் இதுவே சமயம் என்று விண்ணப்பம் எழுதி அனுப்பினேன். அதில் தாங்கள் இராதாகிருஷ்ணனிடம் குறிப்பிட்டிருந்தது 100 ரூபாய் லஞ்சம் கேட்டதாக குறிப்பிட்டிருந்த வாசகம். மேலும் இவ்விடம் மேற்படி இராதாகிருஷ்ணனது சரியான மார்க் வாங்கியிருந்தும் VI A பாஸ் பண்ணவில்லை என்று குறிப்பிட்டிருந்த வாசகம். எனவே நான் தனியாக என்னுடைய [illegible] எழுதவில்லை. குறித்து தங்களைப்பற்றி எதுவும் நான் எழுதவில்லை. D.E.O என்னை ஒரு தடவை இருக்கிறதா என்று தபால் மூலம் கேட்க நான் அப்பொழுதும், தங்கள் பேரில் கோபம் கொண்டு இருக்கிறது [illegible] என்றும், அவன் இப்படி செய்யவில்லை என்றும் [illegible] வாசிக்கிறேன் என்றும் எழுதினேன். நான் என் குற்றத்தை உணர்ந்து தங்களை மன்னிப்புக் கேட்டுக் கொள்கிறேன். இனி எந்த விதகாரியங்களிலும் [illegible] என்று [illegible] பண்புடையவனாக இருக்கிறேன். இது நான் உறுதிமொழி. நான் முன் மந்திரி அவர்களுக்கு எழுதின விண்ணப்பம் தவறு என்று உறுதியுடன் கூறுகிறேன். இராதாகிருஷ்ணன் என்பவன் [illegible] எழுதவே மாட்டேன். [illegible] போனால் நான் எழுதவே மாட்டேன்.

இங்ஙனம்
(Sd) தங்கள் கீழ்ப்படிந்துள்ள
இ. குமாரவேலு
கடலூர் N.T.

N.B.ராமன் முன்மொழிந்த கட்சியாரும் எதிர்க்கும் எது
அங்கீகம் இன்றைய தினம் முதல் [illegible]
டேன் என்று உறுதியுடன் கூறுகிறேன்.

(Sd) தி. கே. வேலு.

என் முன்னிலையில் எழுதப்பட்டது

(Sd) M.V. சுந்தரம்
- தலைவர்

தெ. அ. ஜில்லா காங்கிரஸ் கமிட்டி

(Sd) அ. [illegible]
விஜயவர்மா.

True Copy
R. Swaminatha Ayyar
15-9-1948

Copy of the Proceedings of the Director of Public Instruction,
Madras R.C.No.2679 E/36 dated 14th Feb.1937.

....

In partial modification of the proceedings Dis. No.2330/35 dated 4th June 1935, the Director issued the following instructions:

It has been brought to the Director's notice that certain Headmasters plead inablity to determine in advance with any accuracy the pass minimum required for promotions. It is not intended that promotions should be determined solely with reference to an absolute minimum in each subject in a single examination. There are other factors which should be taken into account in deciding as to whether or not apupil will profit by promotion to the next higher class. Promotions may be based on the results of the annual examination, held during the year or any other method adopted to gauge the capacity, power of application and progress of pupils. These are left to the discretion of the Head of the institution. But there should be certain principles of promotion, and these should be formulated in advance as definitely as possible. These rules of promotions, along with the record of promotions made in accordance with the rules and the explanation for any deviation from them should be produced by the Headmasters for inspection by Inspecting officers when they are called for. The Dt.Educational Officers are requisted to inform managements of Secondary schools accordingly.

....

R.C.No.321 S/35 dated 9-3-1947.

Communicated to the Headmaster of Secondary schools in the District for information.

2. A copy of the rules regarding promotion of pupils in their school may be submitted early to this office.

Sd.V.Sarangapani,
Ag ~~for~~ Dt.Educational Officer.

/True copy/

R. Swaminatha Ayyar
15-9-1948

1638

26

17

27-15-51

Proceedings of the Commissioner, Cuddalore Municipality.

Present:Sri V.Chendil Velayudham, Commissioner.

D.Dis.No.11508/47 Dated 30-6-1948.

Subject: ESTABLISHMENT-Secondary Education-Cuddalore Municipality-Disciplinary action against the Headmaster, Municipal High School, Cuddalore-This office Roc.No.B.1.11508/47 dated 10-1-48-Explanation dated 1-2-1948 of the Headmaster, Correspondence ending with D.O letter dated 9-6-1948 of the District Educational Officer, S.Arcot.

....

The District Educational Officer, South Arcot in his letter No. 7165-B2-47 dated 1-10-1947 brought to my notice certain irregularities which Sri R.Swaminatha Ayyar B.A.L.T., Headmaster, Municipal High School, Cuddalore committed in the matter of the annual promotions in the Municipal High School, Cuddalore for the year 1946-47. Again in his letter No.7165-B2-47 dated 24-10-1947, the District Educational Officer, South Arcot reported certain other cases in which the Head Master did not follow the principles of promotion framed by himslef and in vogue in the Municipal High School, Cuddalore. It has again been reported that the general supervision of the Headmaster is not satisfactory and that the tone and discipline of the school leave much to be desired. This was pointed out by the Divisional Inspector of schools, Madura, in his Proceedings, Dis.Pl.No.77 T.I.R 47-48 dated 28-9-1947 which was duly communicated to the Headmaster. Even when the Divisional Inspector again inspected the school on 19-11-1947 the school and its premises were not kept neat and tidy and the original state of affairs continued. This was intimated to me in his letter dated 21-11-1947.

In this office Roc.No.B.1.11508/47 dated 10-1-1948, the following three charges were therefore framed against Sri R.Swaminatha Ayyar, Headmaster, Municipal High School, Cuddalore.

(1)That he failed to adhere to the principles of promotion framed by him in the matter of promotion of the following boys to the higher class:-

(1)D.Vivekanandhan (2)Lakshamanan (3)Nagarajan (4) Ramchandran
(5)Mahalingam (6)Nammalwar (7)Selvaraj.

P.T.O

(2) That his supervision work has been found unsatisfactory ~~x~~ by the inspecting officers which brought discredit to the management.

(3) That he failed to keep the school and its premises neat and tidy inspite of instructions.

Charge No.1. Sri R.Swaminatha Ayyar, Headmaster, Municipal High School, Cuddalore, in his written explanation dated 1-2-1948 has stated that he has given therein the principles of promotion followed by him in respect of the boys mentioned in charge No.1. But he very wisely failed to furnish the principles any where in his explanation. The Headmaster has stated that there was a clercial error in the statement regarding the basis of promotion sent to the Educational Officer. The District Educational Officer states that to violate the principles of promotion, perhaps in a deliberate manner and then to ascribe it to clerical error is anything but satisfactory. To comit errors to suit his ends especially in vital matters of this kind and to call it bonafide is wholly unacceptable. The District Educational Officer has opined that the error must have been committed with a malafile intention. I accept the opinion of the District Educational Officer. This charge is proved against the Headmaster.

Charge No.2: The Headmaster says that he had to do teaching work for not less than 21 or 22 periods in a week of 35 periods, besides the office work and the administration work and that he had done as much supervision work as possible. He also states that whether his supervision work is adequate or not is a matter of opinion. The District Educational Officer, South Arcot has furnished the following as details of the supervision work done by the Headmaster for a fairly long period extending over a portion of 1946-47 and 1947-48.

1)After 20-1-1947 he did some supervision work on 5-3-1947. For the whole month of February he did no supervision work.

2)After 17-3-47 he did no supervision work till 15-8-1947 (Long period of four months).

3)After 6-8-47 no supervision till 28-8-1947.

4)After 2-9-47 no supervision till 15-9-1947.

5)After 15-9-47 no supervision till 15-10-1947.

6)After 8-12-47 no supervision till 19-1-1948.

It is apparent from the above figures that the Headmaster is guilty of gross neglect of duty so far as supervision is concerned. The supervision done by the Headmaster is also of no use as he has not suggested any improvement. So the said charge is also proved against the Headmaster.

Charge 3:The Headmaster in his explanation has stated that he has made all arrangements for the regular cleaning of the buildings and that the buildings are kept neat and tidy as far as possible and that as the buildings are old, much repairs have to be effected to keep it neat and clean. He also says that if the buildings is not as neat as a school house should be, the fault lies with the building and not with him. The Divisional Inspector in his letter dated 21-11-1947 has stated that the observations made by the Honourable Minister for Education, Government of Madras in August 1947 about the cleanliness of the school premises had not been improved even at the time of the inspection by the Divisional Inspector of schools on 19-11-1947. He says that dust and cob webs were still seen in several places and the glass panes of the cases in which musuem articles preserved, were full of dust, and that they would not have been dusted for days together. The work tables in the Laboratory also appeared to be very dirty as they have not been cleaned well. Pieces of paper were found scattered very near the class room and in the compound. The maps were found torn and kept not in a fit condition for use. Though the building is old, the above defects once pointed out, could have been rectified by the Headmaster. But this was not done. So, his explanation is unsatisfactory. The dusting of the table and other furnitures could be done at least once in a day and the removal of the cob-webs then and there regularly. The Headmaster seems to attempt to throw the whole blame on the management where as he has failed to rectify the sundry defects pointed out by the Divisional Inspector. This charge is also proved against the Headmaster.

The three charges framed against the Headmaster, Municipal High school, Cuddalore, Sri R.Swaminatha Ayyar are therefore proved against him. The District Educational Officer, South Arcot, who was consulted in the matter has stated that though the Headmaster deserves a deterrant

P.T.O

deterrant punishment, a lenient view may be taken so as to give him another opportunity to improve matters and has recommended that the reduction of the pay of the Headmaster by one increment will meet with justice. I accept the recommendation of the District Educational Officer, South Arcot in its entirety. I therefore reduce the pay of the Headmaster, Municipal High School, Sri R.Swaminatha Ayyar B.A.,L.T. by Rs 10/- per mensem for 12 months with effect from 1-7-1948. During this period he will not be given any promotion.

Sd.V.Chendil velayudham,
Commissioner.

To Sri R.SwaminathA Ayyar B.A.,L.T., Headmaster, Municipal High School, Cuddalore
Copy submitted to the Deputy Inspector of Municipal Councils and Local Boards, Southern Range, Trichinopoly.
" to the District Educational Officer, South Arcot, Cuddalore.
" to the Divisional Inspector of Schools, Madura Division, Madural
" to the Personal file.
" to B.2.
" to the Headmaster, Municipal High School, Cuddddlore.

True copy
Forwarded By order.

Sd.D.Sarangarajalu,
Manager 16-7-1948.

/True copy/
R. Swaminatha Ayyar
15-9-1948

Marks List 1946-47 V Form.

			English		Tamil / Sanskrit		Ele-Mathematics		Ele-Science		History & Geography		Optionals		Class
			Sch	C	Sch	C	Sch	C	Sch	C	Sch	C	Sch	C	
	1	Alexander	L	39	38	36	34	36	42	45	40	39	29	33	31	III
	2	Baskaran	E	31	36	52	55	40	44	56	54	46	39	53	42	II
×	3	Balakrishnan	R	14	16	37	35	48	39	36	36	42	31	16	17	
×	4	Chandran	V	21	20	32	35	33	40	42	44	42	39	36	30	
	5	Dandapani	P	33	29	40	40	37	37	35	34	39	26	20	20	V
S	6	Ganapathi	G	19	18	33	32	26	23	33	37	36	28	41	30	
S ×	7	Gopalan	V	24	25	39	36	33	44	36	35	41	31	30	34	IV
	8	Govindan	R	45	46	48	54	47	56	65	62	58	58	62	52	I
	9	Govindaraju (Swami)	R	24	25	41	39	37	42	40	43	48	37	40	44	IV
S	10	Govindarajan	A	36	30	34	33	36	42	42	36	42	33	28	25	III
	11	Habib Muhammad		23	24	43	42	43	37	37	43	45	42	37	30	IV
	12	Jayapaul	C.J.	44	44	50	48	47	60	57	64	51	46	50	47	I
	13	Jaffaruddin	M.A	28 23	26 24 Rs	32	29	46	35	37	31	40	36	25	19	V
	14	Janarthanan	G	40	39	44	41	41	41	47	46	42	30	42	40	I
	15	Kalyanasundaram	S	33	41	47	50	17	37	39	47	45	50	38	39	II
	16	Lakshmanan	S	28	26	36	35	32	29	41	36	34	30	25	28	V
	17	Mahalingam	A	32	32	36	39	38	53	41	50	39	36	27	29	V
S	18	Md Abu Baker	V.A.K	24	26	40	41	47	54	37	41	40	37	39	39	IV
S ×	19	Md. Ibrahim	K.M	28	27	33	36	25	28	31	33	36	35	17	19	
	20	Nagaraja Rao	R	32	29	42	39	8	11	31	36	35	38	33	26	V
×	21	Nadalam	M	15	17	27	28	27	27	33	33	32	22	19	15	
	22	Nammalvar	A	25	22	35	34	35	26	36	37	39	30	13	12	V
	23	Pavadai	S	40	36	34	39	41	55	41	42	41	39	32	36	II
	24	Packirisami	S	37	35	31	34	81	84	50	50	40	36	66 32	62 36 Rs	II
	25	Ponnambalam	C	15	14	30	30	34	30	36	36	32	29	29	32	
×	26	Ramachandran	D	23	24	32	26	31	38	33	30	38	30	37	29	V
S	27	D°	M	20	20	34	36	25	43	47	44	34	31	42	31	VI
S	28	D°	J	43	40	41	40	52	61	51	53	44	43	40	37	I
×	29	Rathakrishnan	S	22	21	34	31	33	39	34	28	35	37	35	34	

			English		Tamil or Sanskrit		Ele- Mathematics		Sc. Science		His & geography		Optionals		Class
			Sh.T	C	Sh.T	C	Sh.T	C	Sh.T	C	Sh.T	C	Sh.T	C	
× 30	Rajan	R.T	14	17	31	32	31	37	29	30	19	20	26	21	
S× 31	Ramasivami	R	27	29	25	29	22	30	36	37	36	27	33	27	
S× 32	Do	C	14	15	30	31	22	20	36	32	28	22	15	18	
33	Ramanujam	S.M.	31	28	34	36	35	36	44	47	38	36	51	42	IV
34	RangaRao	K.	47	44	46	48	60	71	39	39	34	35	47	48	II
S 35	Selvaraj	V. M.	24	23	37	36	18	22	37	34	34	26	50	36	V
× 36	Moses Selvaraj		22	20	40	41	53	51	42	44	44	35	44	33	
37	Srinivasan	V	33	31	47	47	19	29	41	46	39	41	42	42	V
S× 38	Sri Raman	K	16	21	29	28	25	42	39	36	23	20	34	28	
× 39	Soundrapandiyan	R	14	18	29	30	15	22	33	32	20	18	20	16	
40	Thirumangai	E	24	25	37	35	43	56	35	38	38	37	44	40	IV
41	William	E	51	54	44	44	36	56	46	46	41	41	44	45	I
42	Parthasarathi	R	52	56	48	49	35	43	37	37	47	45	48	49	I
S 43	Vivekanandhan	D	20	24	34	34	23	23	35	32	36	31	38	40	V
44	Md. Hanifa.		34	32	39	41	37	40	40	44	43	41	32	32	III

N.B. 21 Promoted
13 Detained

'S' means ~~det~~ Second year pupils detained.
× ---

Marks of Pupils falling under class V shown in red ink

Principles of Promotion

V Form.

Class I 40% in all subjects Combined or Sh.T %.

--- II 35% in all subjects Combined or Sh.Term %.

--- III 35% in English; 25 in one subject and 35% in others C or Sh.T %.

-- IV 25% in English + 35 in others C or Sh.T %.

-- V 25% in English + 35 in Three others C or Sh.T %.

--- VI Second year pupils 20% in English + 40% in three others C or Sh.T %.

R. Swaminatha Iyer
Headmaster
15-9-'48

From:
Sri R.Purushotama Sastri,
Commissioner, Cuddalore
Municipality, Cuddalore.

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

Through: The Chairman, Municipal Council, Cuddalore.

20 OCT 1948

Rec.No.11501-C.1-48. Dated 14-10-1948.

Sir,

Sub:- Establishment - Secondary Education - Cuddalore Municipality - Appeal of Sri R.Swaminatha Ayyar B.A., L.T., Headmaster, Municipal High School, Cuddalore against the orders of the Commissioner refusing his pay by Rs 10/- per mensem from 1-7-1948 — forwarded -

#7585

Ref:- 1. Appeal petition dated 14-9-48 of Sri R.Swaminatha Ayyar B.A., L.T., Headmaster, Municipal High School, Cuddalore.
2. Resolution No.3 dated 7-10-48 of the Appointment Committee of the Cuddalore Municipal Council.

I submit herewith in original the appeal dated 14-9-1948 of Sri R.Swaminatha Ayyar B.A., L.T., Head Master, Municipal High School, Cuddalore against the orders of the Commissioner, Cuddalore Municipality, contained in proceedings D.Dis.No.11508/48 dated 30-6-1948 together with a copy of resolution No.3 dated 7-10-48 of the Appointment Committee of the Cuddalore Municipal Council.. This office File D.Dis.No.11508/47 dated 30-6-48 containing 36 pages in all is enclosed. This may kindly be returned when no longer required.

R.Commissioner.
16.10

T.D.16.10.

F o r w a r d e d,

Chairman, 17/10

Municipal Council, Cuddalore.

36

37

Extract from the Proceedings of the Appointment Committee, Cuddalore Municipal Council, assembled at its meeting held on 7-10-48.

P r e s e n t.

1. Sri S.S. Ramaswami (Chairman)
2. Sri T.Muthukumaraswami Chettiar.
3. Sri R.Purushothama Sastri (Commissioner.)

*** ***

3. Read appeal dated 15-9-48 of Sri R.Sunnimatha Ayyar, Headmaster, Municipal High School, Cuddalore against the orders of the Commissioner, Rc.No.Dis.H1503/47 dated 30-6-48 reducing the pay of Sri R.Sunnimatha Ayyar by Rs 10/- per mensem for 12 months from 1-7-1948.

"The appeal is formulated with the following remarks:-
A perusal of the inspection reports of the school for the past three years which have been reproduced by the Appellant in his explanations dated 1-8-47 goes to show that the Appellant has been doing satisfactory work all along. In view of the long unblemished service put in by the appellant and in view of the fact that District Educational Officer has himself stated that a lenient view of the case may be taken, the committee is of opinion that the infliction of the punishment of reduction of pay of Rs 10/- per mensem for 12 months is rather very high. The Committee therefore recommends that the next increment of the appellant may be stopped for 3 months (three months) only without cumulative effect. in lieu of the reduction of pay by Rs.10/- per mensem for 12 months."

*** ***.

Sd. S.S.Ramaswamy.
Sd. T.Muthukumaraswami Chettiar.
Sd. R.Purushothama Sastri.

(True Extract)

Commissioner, Cuddalore Municipality

21 39

Roc.No.1064B/48

OFFICE OF THE DIVISIONAL INSPECTOR OF SCHOOLS, Mathurai Division, MATHURAI
DATED10th January 1949

Sub:--Appeal--Sri R. Swaminatha Ayyar, Headmaster, Ml.Hg. School, Cuddalore against reduction of pay for 12 months.
Ref:--Proceedings Roc.No.2464G1/48 dated 22-11-48 of the Director of Public Instruction, Madras.

Resubmitted to the D.P.I. Madras with the remarks of the Dt. Edl. Officer, South Arcot.

2. The following defects are observed in the disciplinary pros. against the Headmaster:--

(i) The Commissioner did not hold an enquiry. The Headmaster has only stated that he did not desire an oral enquiry unless the Commissioner wants to prove or elucidate points in the statement. As the Commissioner was not prepared to accept the explanation in regard to the charges and drop the Pros., he ought to have held an oral enquiry into the charges and established them in the presence of the accused.

(ii) The Pros. of the Commissioner refer to the Dt. Edl. Officer's report at every stage. Even the punishment has been suggested by the Dt. Edl. Officer and imposed on the Headmaster. There was no independent expression of opinion or judgment of the Commissioner in the Pros.

(iii) The Headmaster's reply to the charges and the facts detailed in the appeal need careful consideration and they do not appear to warrant a severe punishment as reduction in pay.

Further the appointment Committee which has no concern in the affair has recommended stoppage of increment.

3. It is, therefore, recommended that the next increment of the Headmaster may be stopped for 3 months without cumulative effect, in lieu of the reduction of pay by Rs.10/- a month for 12 months.

(Sd) .....
Divisional Inspector of Schools,
Mathurai Division.

/True copy/

For Director of Public Instruction

Clb.4-3-49

41

Edn.P.H / 83

775-85/48

To.
The D.P.I
(Enclosures in origl to be returned with reply)

Ex R.5/12/48

pp 1-38 of and Cuddalore mul office file No D.Dis 11508/(4) – d 30.6.48 p. 236 of Bk. of Ml. Statutory Rules. – at (P)

Estt.– Secondary Edu.– Cuddalore Municipality – appeal of Sri. R. Swaminatha Ayyar B.A.L.T. Head Master – Ml. High School – Cuddalore against orders of Commr. reducing his pay by Rs 10/– p.m. from 1.7.48.

—

Endt. No. 775-85/83/48-1 Edu. d. 3.11.48

Referred to the Director of Public Instruction for remarks.

2/11/48

Who is the appellate authority – the D.P.I or the Govt?

25/10/48

27.10.48.

22.10.48

The Govt is the Appellate Authority – Pl see Rule 8 of the Rules regarding appointment

4 E&P.H / e3

2

appointment & punishment of Municipal servants.

[signature] 3/11/48

[initials] 2/11/48

[signature] 22/11/48

E&P.H / e3

23 43

77585/e3/48

Estt. Secondary Edn. — Cuddalore Municipality — appeal of Sri R. Swaminatha Ayyar B.A.L.T. Head Master — Ml. High School — Cuddalore against orders of Commr. reducing his pay by Rs 10/- p.m. from 1-7-48.

—

pl. ch. — Ref: Endt. No. 775-85/e3/48-1. Edn. d. 3.11.48.

—

Memo. No. 77585/e3/48-2 Edn. d. 4/2/49

The attention of the D.P.I is invited to the Endt. cited above and he is requested to expedite his reply to it.

pl. ch.

To
The D.P.I.

[initials] 2/2/49

[signature] 28/1/49

[signature] 29.1.49

G2 24

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS

Rc.2464G1/48 dated 27-2-49

---

04 MAR 1949

Subj:--MUNICIPAL COUNCIL--Cuddalore--Sri R. Swaminatha Iyer, Head Master--Appeal against stoppage of increment--Remarks offered.

Ref:--Government Endorsement No.77585G3/48-1 Edn. dated 3-11-48

18164

Resubmitted with enclosures.

2. In view of the remarks offered by the Divisional Inspector of Schools, Madura in his endorsement Rc.1064B/48 dated 10-1-49 (Copy enclosed) and in view of the resolution of the Appointment Committee on the appeal in question; I recommend that a reduction of pay by Rs.10/- per mensem for twelve months ordered by the Commissioner may be modified as stoppage of one increment for a period of three months.

3. The Municipal Office file D.Dis.11508/47 is submitted herewith.

For Director of Public Instruction

To

The Secretary to Government,
Educationa and Public Health Department,
Madras.

Clb.4-3-49

40

46

Government of Madras.
Education and Public Health Department.
Endorsement No.77585/G3/48-1 Education dated 3-11-1948.

***

Sub: Establishment-Secondary Education-Cuddalore Municipality appeal of Sri R. Swaminatha Ayyar, B.A.L.T., Headmaster-Municipal High School-Cuddalore against orders of Commissioner reducing his pay by Rs. 10/- per mensem from 1-7-1948.

***

Referred to the Director of Public Instruction for remarks.

M.V. Subramanian,
Secretary to Government.

To The Director of Public Instruction (with enclosures in original to be returned with reply).

Forwarded/By order.

Superintendent.

TJ/

DIRECTOR OF PUBLIC INSTRUCTION MADRAS
6 NOV 1948

CND. 2464 - 31/48.

77545/48

Establishment – Education – Cuddalore Municipality – Sri R. Swaminatha Iyer, Head Master, Municipal High School – Appeal against the Commr's orders of punishment – orders passed

84/48

papers 1-9 of from Sri R. Swaminatha Iyer Petn. Dt 14.9.48.

p 35 of from the Mun. Commr. Cuddalore, No 11501 – C1 – 48 – Dt 14.10.48

p 45 of from the D.P.I. No 2464 – G1 – 48 Dt 27.2.49.

Order 1154 Edn. d/ 18.4.49
Ms.

The Govt. observe that the proceedings of the Municipal Commr., Cuddalore No. 11508 – 47 dated the 30th June 1948 reducing the pay of Sri R. Swaminatha Iyer Head Master, Municipal High School by Rs 10/- per mensem, for a period of ~~ten~~ 12 months have been passed by the Commr. without an enquiry into the charges framed. The Govt. consider that the punishment awarded is too severe in the circumstances of the case.

papers 73-75 of (P)

2. For the reasons given in para 1 above, the Govt., in modification of the Municipal Commissioner's proceedings referred to, direct that the increment of Sri R. Swaminatha

Swaminatha Iyer be stopped for a period of three months –

3. The appellant is referred to the Munl. Commr. for orders on his appeal –

9.4.49

14/4

To
the Munl. Commr. Cuddalore
thro' the Chm
(with the Munl. Office original file)
" D.P.I.
" Appellant

paras 3 only

C.No.77585/48.

EDUCATION - Appeal - Ml.Council - Cuddalore - Sri R. Swaminatha Iyer - Headmaster - against stoppage of increment.

--

27

Sri R. Swaminatha Iyer, Headmaster, Ml. High School, Cuddalore has appealed to Govt. against the proceedings of the Commissioner, Cuddalore Municipality, No.D.Dis. No. 11508/47 dated 30-6-48, reducing his pay by Rs. 10/- per mensem for a period of 12 months from 1-7-48. Though the Commr's order is dated 30-6-48, it was actually despatched only on 16-7-1948. The appeal is therefore in time.

p73-75 of (P) on pages 27-30 of

2. The Ml. Commr. framed three charges against the Headmasters, ~~the charges~~, namely, (1) failure to adhere to the principles laid down in respect of promotions in the case of certain boys (2) unsatisfactory supervision work and (3) failure to keep the school premises tidy. The Commr. accepting the recommendations of the D.E.O., South Arcot, has passed proceedings reducing the pay of the appellant ~~for~~ by Rs. 10/- for 12 months, from 1-7-48. The following remarks seem to be called for on the charges:-

p-31 of (P)

pages 61-62 of (P)

p30 of

1st charge.- DEVIATION FROM PRINCIPLES IN THE MATTER OF PROMOTIONS OF PUPILS OF V FORM. The charge is that the Headmaster failed to adhere to the principles of promotion laid down by himself, in the case of certain pupils of V Form. The Headmaster's explanation is that the boys satisfied the correct principles laid down but that the charge is based upon a clerical error which had crept in, when the principles were committed in writing. The D.E.O's opinion is that this explanation is not acceptable and attributes mala fide intention to the appellant. The Commr. however did not hold an enquiry or give any opportunity to the ~~H.M.~~ Headmaster to let in evidence to prove his statement. On a perusal of the appellant's explanation of this point in the appeal, there would appear to be no reason to disbelieve ~~the H.M's~~ his statement regarding the clerical error. It is not clear why the mistake of "40 per cent" for "35 per cent" could not

'x' on p31c/(P)

p 39-41/(P) HM on p3 of.

p61 of (P)

p39-41/(P) HM on p3 of.

have occurred as stated, and how mala fides could be proved in this regard. In any event, the appellant should have been asked to prove his statement. In the absence of this procedure, the statement of the appellant seems to be acceptable. The finding on the charge is based only on the opinion of the D.E.O. It is very doubtful whether the charge can be held to have been proved.

2nd charge.-UNSATISFACTORY SUPERVISION WORK BY THE HEADMASTER. This charge is vaguely worded. The Head Master ~~says~~ that though he has more teaching work than other Head Masters, he did supervision as much as possible. He observes that the fact that he did not record remarks ~~should~~ does not show that he did no supervision. The D.E.O. specifies some periods during which the ~~H.M.~~ Headmaster failed to supervise. The Commr. relying on the D.E.O's report has found the charge proved. The H.M. might have been remiss, but it may be stated that ~~the~~ the periods specified include days of examination, X-mas and summer vacations. At any rate the facts mentioned in the D.E.O's report should have been included in the charge. This does not seem to be a serious charge, deserving of the punishment ~~meted~~ meted out.

3rd charge.-FAILURE TO KEEP THE SCHOOL PREMISES TIDY: It does not appear that the ~~H.M.~~ Headmaster is to blame entirely in respect of the matter referred to in this charge.

3. On general grounds, it may be stated, ~~that~~ as observed by the Divl. Inspr. ~~that~~ the ~~Headmaster~~ Commr. should have held an enquiry in this case. The D.P.I. supports the Divl. Inspr's recommendation that the punishment may be modified into one of stoppage of increment for three months. It is for consideration, however, whether even this punishment will be necessary in this case.

The file may be circulated to HM(Edn) for orders.

HM(Edn)

72585/48/92

28

I suggest that the D.P.I.'s recommendation that the punishment may be modified to stoppage of increment for three months, may be accepted. Further leniency is not justified as even accepting the explanation of the Headmaster there is no doubt that he was careless in respect of the first charge. In respect of the second and the third charges also he cannot fully avoid his responsibility.

5/4/49

H.M.(Edn.)

5.4.49

A draft order is submitted for approval

9.4.49.

14/4

5 APR 1949
EDUCATION AND PUBLIC HEALTH DEPARTMENT

