

E. & P.H.

(194 9) Department.

Ms. SERIES.

G.O. NO.

Ms.1459, EDUCATION.

10059

(28)

Dated

the 10th May 1949.

[Despatch Abstract.]

EDUCATION - Secondary - Aided - Lahajana High School, Erode - Action of the management terminating the Headmaster's Services - 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.

W. R. Egan
Telephone Clerk's Initials.

Endorsement's No 14825 *DI* dated 10-11-1909.

Furnished. Please acknowledge receipt.

In
The Supr.
E. J. H. (E 4) *tel.*
10/11
for Assistant Curator.
11. 1909.

Received

CALL FOR RECORDS.

14493

No. 14825 MADRAS RECORD OFFICE.

DI

195

Urgent
Special.

Date 10-11-59 Hours Minutes

From Rf P.H. R.H.

Records called for C. No. 119941

of 1959

Department.	Number.	Date.	Subject.
Lidu	1459	10-5-59	—o

MD

Srikanta Aiyar
Advocate

3 | Enode
12.8.48

Dear Sir,

I crave your pardon for disturbing you with this letter just on the eve of your Marhip on a visit to this place. But the urgency and importance of the matter must exonerate me from all blame. It relates to a strike by the students of the Mahayana High School (of this place).

On principle, strikes, especially by students cannot be justified. But, quite apart from that question, I wish to invite

To The Honourable Mr.

T.S. Avanasilingam Chettiar, B.A., B.L.,

Minister for Education, M a d r a s.

Sir,

The services of the Head Master of the Mahajana High School who was very popular with the students was suddenly and without any previous warning to him, terminated by the Secretary of the School. The students on hearing of such sudden action against their popular head master refrained from attending school. They assembled on the school playgrounds on the 9th instant itself and sent a few student representatives to the Secretary and requested him to reconsider his decision and also to give information to the students as to the causes for such sudden termination. The Secretary promised to meet the students at 4--0 p.m. that day and address them on the matter. The students therefore went back to school and attended classes as requested by the Secretary of the School. But at 4--0 p.m. the Secretary of the School sent word that he would not address the students. He has not communicated to the boys any further information nor has he visited the School upto date.

The students again refrained from attending school on the 10th. They were well organised in their strike and very peaceful. The Municipal Chairman came to the school and talked to the students for sometime in front of the school. A meeting of the students was held with the Municipal Chairman Sri Senniappa Gounder presiding. The Chairman, Sri B.R. Seturaman, Advocate, and Mr. Subbiah Pillai, Commissioner of the Municipality addressed the meeting and advised the students not to strike but to take such normal proceedings as appealing to the authorities for enquiry into the matter and for adequate reliefs.

Thereupon the students held a meeting of their own in the afternoon of the 10th and decided to send a deputation (comprising of 3 students and 3 elders) to the District Educational Officer at Coimbatore. Since the leader of the deputation Sri B.R. Seturaman, Advocate, said he would join the deputation only if the students called off the strike the students resolved to call off the strike till the deputation returned and reported the result of the deputation. The students accordingly attended school on the 11th instant.

The deputation called on the District Educational Officer, Coimbatore on the 11th found him absent at Satyamangalam Camp. The deputation returned and at a meeting held in the School Hall with the permission of the authorities on the 12th the deputation informed the students that the Dist. Edl. Officer, was absent and that a petition stating all facts and praying for a hearing of the deputation had been left at the office and it was also reported that Dist. Edl. Officer and other authorities are expected to visit Erode in connection with the Education Minister's visit to Erode on 15th. The elder deputationist withdrew from the meeting after giving the report.

Thereupon the students discussed the matter and resolved expressing sympathy to the Head Master and against the drastic action taken against him. In token thereof they resolved to continue the strike the evening of the 13th. They further resolved to request the deputation to meet the educational authorities with a prayer to intervene, and that a full inquiry into the matter and render justice to their popular Headmaster.

To the Honorable Mr.
T. S. Avasallam Chettiar, B.A., B.L.,
Minister for Education, Madras.

The services of the Headmaster of the Mahatma High School who was very popular with the students was suddenly and without any previous warning to him, terminated by the Secretary of the School. The students on hearing of such sudden action against their popular head master retired from attending school. They assembled on the school playgrounds on the 12th instant and sent a few student representatives to the Secretary and requested him to reconsider his decision and also to give information to the students as to the cause for such sudden termination. The Secretary promised to meet the students at 4-0 p.m. that day and address them on the matter. The students therefore went back to school and attended classes as requested by the Secretary of the School. But at 4-0 p.m. the Secretary of the School sent word that he would not address the students. He has not communicated to the boys any further information nor has he visited the School upto date.

The students again refrained from attending school on the 13th. They were well organized in their strike and very peaceful. The Municipal Chairman came to the school and talked to the students for sometime in front of the school. A meeting of the students was held with the Municipal Chairman and the Municipal Corporation. The Chairman, Mr. S. N. Govindan, Advocate, and Mr. Subbiah Pillai, Commissioner of the Municipality addressed the meeting and advised the students not to strike but to take such normal proceedings as are proper to the authorities for enquiry into the matter and for adequate relief.

Thereupon the students held a meeting of their own in the afternoon of the 13th and decided to send a deputation (consisting of 3 students and 3 elders) to the District Educational Officer at Coimbatore. Since the leader of the deputation, Mr. S. N. Govindan, Advocate, said he would join the deputation only if the students called off the strike the students resolved to call off the strike till the deputation returned and reported the result of the deputation. The students accordingly attended school on the 14th instant.

The deputation called on the District Educational Officer, Coimbatore on the 14th found him absent at S. N. Govindan's camp. The deputation returned and at a meeting held in the school hall with the permission of the authorities on the 15th the deputation informed the students that the Dist. Ed. Officer was absent and that a petition stating all facts and requesting a hearing of the deputation had been left at the office with instructions to be forwarded to the Dist. Ed. Officer and it was also reported that Mr. Dist. Officer and other authorities are expected to visit Coimbatore in connection with the deputation. The deputation's visit to Coimbatore on 15th. The other representatives withdrew from the meeting after giving the report.

Thereupon the students discussed the matter and decided to express sympathy to the head master and asked the Municipal Corporation to request the deputation to meet the educational authorities with a prayer to intervene, and that a full meeting into the matter and to give justice to their headmaster.

---: 2 :---
The students exhibited perfect self discipline and extreme courtesy and willingness to abide by the decision by elders and authorities after full enquiry. It is to be regretted that no one took any notice and proper steps to explain matters and promise full enquiry through authorities and they satisfy the discontented students. Neither the Secretary of the School nor any of the Board of Management in town visited the School and attempted to satisfy the willing and pliable students and set matters right.

None of the students attended school on the 12th and on the 13th. Only a dozen boys were seen within the School premises on the 13th. This report is despatched to the authorities and the press with the hope that it will be noticed by them and adequate relief be given to the students and justice rendered. The students or the deputation elected by them will attempt to meet the authorities when they go to Erode this week end.

Erode,

13th Aug. 1948.

President, & Secretaries of
the Students Representatives
Council,

Mathygalanigappan
P. Venkatasubbiah
Dr. J. J. Jinn

Dr. J. B. Smith

$$\underline{148.48}$$

OFFICE OF THE
DIRECTOR OF PUBLIC INSTRUCTION,
MADRAS, DATED 1ST OCTOBER 1948.

From

THE DIRECTOR OF PUBLIC INSTRUCTION,
M A D R A S.

74486 To

THE SECRETARY TO GOVERNMENT,
EDUCATION AND PUBLIC HEALTH DEPT.,
FORT ST. GEORGE, MADRAS.

7 - OCT 1948

SIR,

-:Subject:-

SCHOOLS - Secondary - Aided - Mahajana High
School, Erode - Enquiry.

-:Read:

Government Memorandum No. 60-953/48-2, G-3,
Dated 24th September 1948.

Dated 24th September 1948.
x=x

I have directed the Divisional Inspector of Schools, Coimbatore to enquire into the matter and submit his report. The report is still awaited.

2. In this connection, I may add for the information of Government that the District Educational Officer, Coimbatore has already submitted his report direct to the Hon'ble Minister for Education, Madras, on 17th September 1948 in reply to the Hon'ble Minister's confidential note dated 20th August 1948 addressed to him.

Yours faithfully,

FOR DIRECTOR OF PUBLIC INSTRUCTION.

SNS.5/10

KCR
91

10
249
- 3 - 2008 2:14
Sd/- P.H. (G2)
S.H. Mahajana High School.
Erode. Enquiry in to.
By: Sub memo no 60953/48-1-G3d
Memo no: 60953/48-2-G3d 24-9-48.
17-8-48.
p. 1. ante.

The D.P.I is requested to expedite his reply to the memo cited above.

23/9. 23.9.48	23/9/48 23.9.48
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not received
in the 2/10/11

(B)

12

C NO. 60953/48

107
6/11
P. 366

Memo 60953.48.933.Edm.-2/6.11.48. E.P.H.(93)13

Establishment - Mahajanah High School, Erode - Enquiry into.

Ref:- D.P.'s letter No. Doc. 941/D3/48. dated 1-10-48.

The Director of public instruction is requested to say when his final report on the subject noted above may be expected.

To the D.P.I.

BL
Are there any papers on this subject?
4/11/48

3.11.48

3.11.48

Note

Ref. Query of the A.S. on the margin

A report about the management of the Mahajanah High School, Erode was submitted by the D.E.O, Coimbatore

E & P.H. (B.)

[P.T.O]

13

and Nilgiris. No action was considered necessary on the report and it was lodged. The report with its enclosures is put up at A B

4/11/46

The main note should be combined

27/11/48

C.F. 32 (a).

Education Department

Received _____ Registered _____

From (Name)

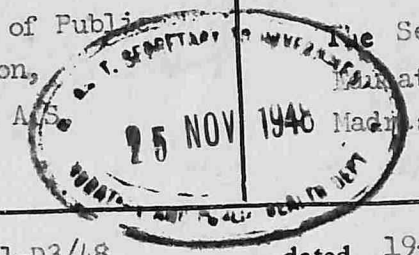
To

Designation

The Director of Public Instruction, M A D R A S.

The Secretary to Government, Education & Public Health Department, Madras.

Station



Enclosures: Roc. No. 941-D3/48 dated 19-11-1948.

Sir, Sub:- Schools - Secondary - Aided - Mahajana High School, Erode - Service Conditions.

p. 5 ante
87841

Ref:- Govt. Memo No. 60,953-G3/48-3 Edn., dated 6-11-48.

The Divisional Inspector, Coimbatore, has been requested to expedite the submission of the final report in my Roc. 941-D3/48 dated 25-10-48. I expect to submit the report before the end of this month.

Yours faithfully,

[Signature]

For Director of Public Instruction.

MDS
22/11

22/11 The final report may be awaited till 5-12-48.
27.11.48
27.11.48

12

15

C. NO. 60953/48.

~~8/29~~
~~p. 10/12~~

p. 7 cb

11/12

to the D.P.E.

~~12/12~~

9/16 E.P.H(93)

Memo. NO. 60953.48.93-4. Edn. 2/14-12-48.

Estl. — Mahajana High School,
Erode — Enquiry into.

Govt. Memo. NO. 60953.48.1.93. Edn dated
17-8-1948.

From the D.P.E; Roe. NO. 941-D3/48, dated
19-11-1948.

The D.P.E. is requested to state
when his final report promised in
his letter cited above may be expected.

11/12/48

12/12/48

13/1/49

From (Name) Director of Public Instruction.	Department	Received	Registered
Designation		To	
Station MADRAS.		The Secretary to Government, Education and Public Health Deptt. Madras.	

Enclosures: R.O.C. No. 941 D5/48 dated 2nd January 1949.

Sir,

Sub: Schools-Secondary-Aided -Mahajana High School,
Erode, Termination of the services of the Head
master-Orders solicited.

Ref: Government Memorandum No. 60955/48 Education
dated 17-8-48.

In resubmitting herewith the letter from (1) Sri A. Srikanta
Iyer and (2) the President, Students' Representative Council, received with
the above Government Memo I have the honour to state as follows:

2 Sri M. Parameswara Aiyer M.A., B.L., L.T., was the headmaster
of the Mahajana High School, Erode from 16-6-47 to 15-8-48. His services
were terminated by the correspondent as from 6-8-48. The grounds alleged
for this discharge were that the Headmaster was generally talking ill of
the Management and that his relationship with the members of the staff
was not cordial enough. In support of the former, it was cited as a
specific instance that the Headmaster exhorted the staff against the use
of the 80 pages note-books patronised by the management and issued a memo
on the subject wherein it was stated that the staff need not write notes
of lessons until the note book was changed. In support of the latter, the
case of an Urdu Pandit having left the school was quoted.

3 The action of the management led to a Students' protest
strike on behalf of the Headmaster and petitions were sent to the Hon'ble
Minister for Education. On this and other representations, an enquiry was
ordered and the District Educational Officer and the Divisional Inspector
of Schools have submitted their reports (vide copies attached herewith).

4 From the reports of the Inspecting officers, I find that the
charges levelled against the Headmaster do not justify the termination
of his services. The only specific thing noted is the Headmaster's memo
in the staff order book, which the correspondent as challenge against the
authority of the management. No doubt this is an indiscretion, but a single
act of indiscretion of this kind cannot be accepted as sufficient ground for
the discharge of the Headmaster. Further the District Educational Officer
also has observed that the correspondent is an unpopular man and not alto-
gether free from general ill-feeling existing in the School. I should
therefore, in Justice, order his reinstatement and this I can do only in
terms of the agreement prescribed by Government in G.O. 2406 Education
dated 7-11-47, regulating the service condition of teachers in aided
secondary schools.

5 The management contend that no agreement has been entered
into actually between them and the Headmaster, but I had issued clear pro-
ceedings that the agreement would be considered to have been entered into
all practical purposes from 7-11-47, the date of the said G.O. Another
contention of the management is that the Headmaster was not confirmed.
But under the terms of agreement, assuming that in this case the agreement
is considered to have been entered into as per Director's Proceedings R.C.
1708 D5/47 dated 28-2-48, the Headmaster having put in 14 months of service
must be considered to have completed his probation and therefore to be
entitled to the provision regarding discharge. In the circumstances of the
case, I am forced to conclude that there has been violation of the terms
of agreement and I should allow the Headmaster his appeal under instruction
of the agreement terms. I propose therefore to order the reinstatement
of the Headmaster. I request that Government may approve my action.

19 6 I request Government may be pleased to pass their orders after the position has been considered from a strictly legal point of view as well. For, it is just possible that some recalcitrant management, such as that of the Pattambi High School or others may choose to go to court over this issue. And I solicit early orders because certain other similar appeals have come to me for consideration. One is from the Tamil Pandit of the Hindu High School, Triplicane, the others concern the Headmaster of the Thirupathi High School, Ambasamudram and the Headmaster of the American Mission College High School, Tallakulam. In all these cases, if I am to pass orders I shall have to adjudge the merits of the case, and to decide whether a management's decision about the incompetence or unsuitability of a teacher with reference to the agreement prescribed, to decide whether the management's decision is right or not and issue final orders suitably.

is justified or not. As I view it,
I am competent

Yours faithfully,

Thiruvananthapuram
for Director of Public Instruction.

on 5/1/

3/4/11

From Mr.V.T.Titus, M.A.,M.Litt.,B.T.,
District Educational Officer,
Coimbatore & Nilgiris

To The Honourable Minister for Education,
Fort St. George, Madras.

SIR,

Ref:-Hon.Minister's confidential note dated 20.8.1948,
asking me to enquire and report about the Management
of the Mahajana High School, Erode.

With reference to your above note asking me to enquire and report about the management of the Mahajana High School, Erode and the discharge of the Headmaster by the management, I wish to submit that I proceeded to Erode on the 29th August and investigated into the charges, examined the necessary records and made enquiries from the teachers and some members of the public on the 30th August.

A petition containing a large number of allegations against the Management signed by Messrs Dandapani, Srikanth Aiyar, S.Krishnaswami Iyer, etc. was handed over to me by a deputation. A copy of that petition is enclosed.

First criticism is that constant changes in the Headmasters and assistants are made to the detriment of the pupils. There is no security of service.

The following is the number of teachers who resigned in different years and left the school:-

	1946.	1947.	1948
1. Headmaster ..	NIL	1(resigned and went as Headmaster of the Muthialpet High school,Madras.)	1(was discharged from service.)
2. L.T.Assistants ..	1 ..	2	NIL
3. Sec.Grade T.T.Cs.	5	3	1
4. Pandits,Drill Masters,M.T. Instructors etc.	2	1	5

Besides these a number of Graduates and S-S.L.Cs. who are untrained and unqualified(appointed temporarily for a year) leave the institution at the end of the year. Such changes in the staff are now common in every school because nearly 25% of the staff in the aided schools are untrained teachers(who are exempted).They are replaced at the end of the year by a fresh batch.

It is seen that the resignations of trained teachers have been too many before the Management introduced the revised scale of 80-5-120-10-170 in 1947. Three Pundits and 2 other teachers belonging to class (4) above resigned in 1948. The Pundits were given notice because they were superfluous and they themselves were anxious to get away it is alleged because the Ex-Headmaster(Sri Arameswaran Pillai) did not treat them properly.

Another complaint is that excessive school-fees are collected from the pupils besides other fees and they are not utilised for the purpose for which they are collected.The rate of school-fees at present

UPPER FORMS .. Rs. 7/- p.m. in 10 instalments.
LOWER FORMS .. Rs. 4/- do.

Special Fees.	Upper Forms.	Lower Forms.
Games ..	1 0 0	0 8 0
Library ..	0 8 0	0 6 0
Laboratory ..	1 0 0	0 6 0
Literary Association.	0 8 0	0 4 0
	3 0 0	1 8 0

22

The increase in the rate and instalments of school fees was permitted so that the Managements might be able to improve the pay and allowances of the teachers.

12

The rates of special fees given above were in existence for the last 4 or 5 years. Laboratory fees is collected from every student. An equal amount has been spent every year on science articles and equipment. Literary Association fees and Games fees collected every year is being spent in that year for these activities according to an annual budget drawn up by a committee. Both these funds are managed by the Headmaster. The Management has also been contributing its share to the Games fund.

The utilisation of the Library fees collected during the past few years does not seem to be regular. Library fees at the rate of 8 As and 6 As. per term is collected from the pupils of the higher and lower forms respectively.

The following amounts have been collected:-

1944-45 - Rs.882-8-0 (only Rs.11-13-0 spent for books and the rest spent under general account)

1945-46 - Rs.941.0.0
1946-47 - Rs.942.12.0
1947-48 - Rs.952.12.0
Rs. 1936. 8.0

During the last 3 years though an amount of Rs.1936-8-0 was collected, no money was spent on the library. No books were purchased during that period. The amount was credited to the reserve fund of the School.

Another serious complaint is that a book-depot run in the school by the management, and pupils are being compelled to buy from the depot and profits are misappropriated. It is not a students Co-operative Book-Club. The management runs the book-depot. This was resumed last year after a lapse of 5 years. A current account of the book-depot is kept in the Erode Co-operative Urban Bank in the name of the Headmaster. On 12-8-1948 there was a balance of Rs.1988-9-0 in the current account.

An advance of Rs.6 or 8 is collected from ten pupils at the beginning of the school year and books are supplied by Sri.V.K.Bala-subramanian B.A.B.T., the Science Assistant who is in charge of the Depot.

The teacher concerned with the depot said that the purchase of books from the depot is not compulsory for the boys though they are encouraged to order with the Depot by the teacher in charge. There are some boys who don't buy from the Depot. Nearly 80% of the boys patronise the Depot. Rates of note-books in the Depot are priced as follows:-

288 pages bound note-book (ruled)	Rs.1. 6. 6
144 pages Exercise book (bound & rules)	0.12. 6

The local purchase price of 80 pages bound note book costs Rs.0.10.0 and 140 pages costs Rs.0.14.0

The prices charges in the Depot cannot be considered higher than the local rate.

Profit for 1947-48 of the Book Depot:-

Amount credited to the School Reserve Fund	Rs.800. 0. 0
Bank Balance	209. 0. 0
Cash in hand	0. 2. 9
Stock on hand	500. 0. 0
Credit sales (amount to be realised)	9. 0. 0
Total	Rs.1514. 0. 0

Bank balance of Rs.209/- and the stock in hand for Rs.500/- were carried forward to this year's account.

Last year's accounts were audited by Sri. E. Shanmugham, B.A.L.T. of the school staff at the request of the Headmaster. The account has not been audited by a certified auditor. I have instructed the Headmaster to get it audited. The management proposed to close down the Book Depot hereafter because complaints have been made against the working of the Depot.

MDS

4/1

There seems to be no truth in the charge that the correspondent is interfering too much in the internal affairs of the school. In fact he seldom comes to the school and there is no contact between him and the teachers. The teachers had nothing to complain about him in their relationship with him. The charge that a spy-system is working in the institution at the instance of the Correspondent is a vague one. No teacher is suspected by any other teacher. Most teachers told me that the behaviour of the clerk of the school towards them is far from satisfactory and they all dislike him. Of course he is the Correspondent's man and so far as the teacher are concerned the only connecting link between the school and the Correspondent.

With regard to security of service in the school, I cannot notice any difference with other aided schools. The terms of the revised agreement between the management and teachers give some rights to the teachers and this is the only security in an aided school. My remarks on the termination of the Headmaster's service by the Correspondent is given in a separate note.

In the 7th para of the petition it is charged that the Government scale of pay and allowance is not given to some members of the staff. From last year the management has been giving the Government rate of pay (better than local board rates) for the L.T.'s and Secondary grade teachers. All the Pundits and Instructors are paid the revised scale. Only the Sanskrit Pandit with more than 15 years service, who is entitled to the L.T. Grade is given Rs.60/- only. I have asked the Management to explain this. Enhanced Dearness Allowance was given to all teachers from 1-6-48. But due to may pressure he has paid from 1-1-48 and sent the statement.

Now weightage or advance increments has been given to teachers. But this is not obligatory on the Management.

At the time of my visit and enquiry the revised agreement between the Management and the Teachers had not been entered into though the forms were ready. I have instructed the Management to sign these forms and report the fact.

Another complaint is that teachers with 5 or 4 years service have not been permitted to subscribe to the Teachers Provident Fund. At present one L.T., 9 Secondary Grade teachers (nine) and 5 other teachers are subscribers. Application were sent to last year to enroll 4 L.T.s, 4 Secondary Grades and 2 others. But these application were returned for want of some particulars by my office. The management did not take care of to re-submit with necessary particulars. 5 other teachers are yet to apply. I have instructed the Management ~~and~~ to apply for all these teachers immediately.

About the termination of the services of Mr. Parameswaram Pillai (headmaster), I have offered my remarks in a separate note enclosed herewith.

Mahajana High School is an old institution with a standing in this District. But against the present Correspondent there is a strong public opinion. He defends himself by saying that his personal rivals and opposition party men are decrying him out of jealousy. My own impression is that he should take more interest in the well-being of the School and the teachers than he is doing at present. The clerk whom he employed is left free to carry on the day to day affairs of the school. There is no separate life in the school. The present Correspondent has failed to create in his school the real spirit of true education. The school has not been getting any teaching grant for the last few years because they made a profit. The excess income is credited into the reserve fund which has now grown into a decent sum.

Yours faithfully,

Sd.

17-9-48.

Copy submitted to the Director of Public Instruction, Madras and the Divisional Inspector of Schools, Coimbatore.

on 5/1/49

25
Sub: Termination of the service of Sri M. Parameswaran, headmaster,
Mahajana High School, Erode, 14

Sri M. Parameswaran was appointed temporarily to act as headmaster of the Mahajana High School on 11-6-47 and he joined duty on 16-6-47. The correspondent of the school Sri M. Chikkaiah Naicker terminated the services of the said Sri Parameswaran on 9th August 1948 alleging certain charges against him. The Correspondent says that the continuance of Mr. Parameswaran would undermine the morale of the school, he is inefficient and insubordinate, he has been expressing against the Secretary and the Management and sowing discord and indiscipline in the school. These are vague charges which the Correspondent seems to be holding personally, but he is not prepared to substantiate them by giving me more details or remarks. None of the teachers in the school gave me any such opinion of the headmaster. I questioned the Correspondent on these points at the Municipal Rest house on 30th August 1948. He feels that the 2 other charges given below are quite enough for him to dispense the services of a temporary hand even under the revised agreement.

(1) One of the charges found in the notice served on the headmaster is that his relationship with the members of the staff was not cordial. Most of the teachers failed to agree with this contention of the Correspondent. They said that he was very strict with the Tamil Pundits who were slack in their correction work and even teased them. The other teachers were getting on well with him. He was particularly strict with the Urdu Munshi who cannot even speak Tamil properly or pronounce a single word clearly. The Munshi ceased coming to the school because the headmaster was often remarking that his services are not necessary to the school and because the Correspondent refused to give him any assurance of his continuous employment in the school. When the Munshi ceased coming to the school, the correspondent has now made it a charge against the headmaster.

(2) The second charge against the headmaster is that he issued a staff order to the teachers not to write teaching notes in the 80 pages note-books issued by the management since he considered them to be too small. He accused the Management of false economy. The Correspondent has taken it as a challenge against his authority.

The reasons for the termination of the services of the headmaster are in my opinion not very substantial.

Being a temporary employee with just over 1 year's service his tenure is not fixed. According to the revised agreement a temporary employee seems to be entitled for 2 months salary as compensation. In this case only one month's pay has been given.

The headmaster complains that he has not been given a chance to explain his position with regard to the charges. He is also claiming some arrears of pay. The correspondent has been asked to offer his remarks on this claim.

(sd)
District Educational Officer
Coimbatore and Nilgiris

Ref: Director of Public Instruction Proceedings
RCE No. 941 D3/48 datd 18th August 1948.

MSR 3/1

From
Sri v.Natarajan,
Divl.Inspector of Schools,
Coimbatore Divn.

To
The Director of Public
Instruction,
M a d r a s.

R. O. C. No.733-B/48, dated 4--10--1948.

Sir,

Sub:- Service Conditions -- Secondary Schools --
Aided Mahajana High School, Erode --
Enquiry -- report.

Ref:- Your Pros. Roc.941-D3/48 dated 18-8-1948.

payororhmk
pg mtk
I invite ~~your~~ kind attention to the report of the District Educational Officer, Coimbatore, dated 17-9-1948 to the Hon'ble Minister for Education, (copy submitted to you direct) in regard to the affairs of the management of the Mahajana High School, Erode and resubmit herewith the Government Memo No.60953/48-1-G3 Edn., dated 17-8-1948 with the enclosures received with the Proceedings referred to above.

2. The District Educational Officer, has made a detailed enquiry on the several allegations against the management and submitted his report and I endorse his views. The following suggestions are submitted: (1) the Book Depot run by the school or management should have its accounts audited by a Registered Auditor and should be wound up before June 1949.

(2) all the members of the staff who have put in more than 2 years of Service should be made to join the T.P.F.

(3) Special fees should not be made to accumulate so much and should not be added to the reserve fund; but should be spent every year for the purpose for which they are ~~been~~ collected.

3. Frequent changes of staff may be expected in future to occur rarely, as the introduction of therevised scales of pay and conditions of service and the adoption of therevised form of agreement between the management and the teachers, would help to guarantee security of service.

p30 mtk
4. As regards the termination of the Services of Sri M. Parameswaram, ex-Headmaster and his appeal therefor, I have received only an interim report from the District Educational Officer (copy enclosed). I shall submit my remarks on receipt of the final report from the Dt. Educational Officer,

Yours faithfully
v.NATARAJAN
Divisional Inspector of Schools
Coimbatore Division.

Copy of interim report from the District Educational Officer,
Coimbatore.

Same as
page 26 ante

Subject:- Termination of the services of Sri M.
Parameswaram, Headmaster, Mahajana
High School, Erode.

Sri M. Parameswaran was appointed temporarily to act as Headmaster of the Mahajana High School on 11-6-47 and he joined duty on 16-6-47. The Correspondent of the school Sri M. Chikkaiah Naicker terminated the services of the said Sri Parameswaran on 9th August 1948 alleging certain charges against him. The Correspondent says, that the continuance of Mr. Parameswaran would undermine the morale of the school, he is in-efficient and insubordinate, he has been expressing against the Secretary and the management and sowing discord and indiscipline in the school. These are vague charges which the Correspondent seems to be holding personally, but he is not prepared to substantiate them by giving me more details or remarks. None of the teachers in the school gave me any such opinion of the headmaster. I questioned the Correspondent on these points at the Municipal Rest House on 30th Aug. 1948. He feels that the 2 other charges given below are quite enough for him to dispense the services of a temporary hand even under the revised agreement.

One of the charges found in the notice service on the headmaster is that his relationship with the members of the staff was not cordial. Most of the teachers failed to agree with this contention of the Correspondent. They said that he was very strict with the Tamil Pandits who were slack in their correction work and even teased them. The other teachers were getting on well with him. He was particularly strict with the Urdu Munshi who cannot even speak Tamil properly or pronounce a single word clearly. The Munshi ceased coming to the school because the Headmaster was often remarking that his services are not necessary to the school and because the Correspondent refused to give him any assurance of his continuous employment in the school. When the Munshi ceased coming to the school, the Correspondent has now made it a charge against the headmaster.

The second charge against the headmaster is that he issued a Staff order to the teachers not to write teaching notes in the 80 pages note-books issued by the management of ralse economy. The Correspondent has taken it as a challenge against his authority.

The reasons for the termination of the services of the headmaster are in my opinion not very substantial.

Being a temporary employee with just over 1 year's service his tenure is not fixed. According to the revised agreement a temporary employee seems to be entitled for 2 months salary as compensation. In this case only one month's pay has been given.

The Headmaster complains that he has not been given a chance to explain his position with regard to the charges. He is also claiming some arrears of pay. The Correspondent has been asked to offer his remarks on this claim.

Copy of letter Rc. No.453-E/48 dated 30.11.48 from the District Edl. Officer, Coimbatore to the Divisional Inspector of Schools, Coimbatore.

Sub:- Secondary - Aided - Service conditions - Mahajana High School, Erode - Termination of Services - Headmaster. 17

Ref:- Your Roc. No.733-B/48 dated 29.10.48.

pay 20th date
In my report to the Hon'ble Minister in reply to his confidential noted dated 20.9.48 I had enquired and reported about the termination of the services of the Headmaster, Mahajana High School, Erode. A copy of this report of mine was also submitted to you and the Director of Public Instruction, Madras.

Sri. M. Parameswaran was appointed temporarily to act as Headmaster of the Mahajana High School, Erode, on 11-6-47 and he joined duty on 16-6-47. The Correspondent of the School, Sri. M. Chikkiah Naicker terminated the services of the said Sri. Parameswaran by a notice issued on 6-8-48 alleging certain charges against the Headmaster. A copy of this notice dated 6-8-48 issued to the Headmaster is enclosed. *not attached*

The Correspondent says in the notice of termination that the continuance of Mr. Parameswaran would undermine the morale of the school. He is in-efficient and insubordinate. That he has been expressing against the Secretary and the Management and showing discord and indiscipline in the school. These are vague charges which the Correspondent seems to be holding personally. He is not of the type that will substantiate these by giving more details of remarks. None of the teachers in the school gave me any such opinion of the Headmaster. I questioned the Correspondent on these points at the Municipal Rest House on 30th August 1948. He feels that the two other charges given below are quite enough for a Manager to dispense with the services of a temporary Headmaster even under the revised agreement.

One of the charges in the notice against the Headmaster is that his relationship with the members of the staff was not cordial. But most the teachers failed to agree with this contention of the Correspondent. They said that he was very strict with the Tamil Pandits who were slack in the correction work and even teased them. The other teachers were getting on well with him. He was particularly strict with the Urdu Munshi who seems to be a minor. He is very poor at talking. The Munshi ceased coming to the school because the Headmaster was often remarking that his services are not necessary to the school and because the Correspondent refused to give him any assurance of his continuance in the school. The Munshi could not make him understand clearly why he ceased coming to School. He seems to be blaming both the Headmaster and the Correspondent. The Munshi's statement also is enclosed. The Munshi's affair with the correspondent has now made a charge against the Headmaster.

Another charge against the Headmaster is that he issued a staff order to teachers (I read this in the staff order book) not to write teaching note in the 80 pages note books by the management since he considered them to be too small. He considered this as a false economy of the management. The Correspondent has taken it as a challenge against his authority.

These reasons for the termination of the services of the Headmaster are in my opinion not very substantial.

not stated
The Headmaster refused to hand over charge in obedience to the notice with one month's salary. He wrote to the Correspondent on 6-8-48 (Copy enclosed) requesting him to conform to the rules and conditions in the revised agreement which has come into force with effect from January 1948.

At this stage the students of the school went on strike demanding the reinstatement of the Headmaster. The Correspondent alleges that the Headmaster had incited the strike. I met the students and had their strike called off.

- 2 -

On 16-8-48 the ex-Headmaster handed over charge to the first Assistant of the School. In his petition dated 31-8-48 addressed to me (copy enclosed) he claims that his service conditions are governed by the revised agreement which has come into force from January 1948. He says that having completed his 12 month probation on 16-6-48 it was the responsibility of the Correspondent according to para 2 of the revised agreement to extend his probation. Since that was not done Mr. Parameswaran claims to have conformed as Headmaster and demand all the rights and privileges of a permanent member of the staff.

The Correspondent was asked to offer his remarks on these claims of the Headmaster. In his reply dated 18.11.48 (Copy enclosed) the Correspondent says that since no agreement was entered into, the Headmaster was not appointed on probation. This statement of the Correspondent is unacceptable. In the absence of a definite order it is difficult to consider the Headmaster as a permanent hand. As a temporary hand he is entitled to two month's pay. The Correspondent has paid only one month's salary.

If the Correspondent had terminated the services of a temporary hand under para 7 (4) (i) no notice or one month's salary should have been given. The Correspondent has not followed the rules of the revised agreement in a very strict sense. However, he seems to have the power under 7 (4) (i) to dispense with the services of a teacher for insubordination.

Sd/-V.T.Titus.
Dt. Edl. Officer, Coimbatore.

(True Copy).

MDS

3/1

From
Sri V. Natarajan,
Divl. Inspector of Schools,
Coimbatore Division.

To
The Director of Public Instruction,
M a d r a s.

Re. No. 733 B/48 dated 7-12-1948.

Sir,

Sub: Secondary - Aided - Service conditions - Mahajana High School, Erode - termination of services - Headmaster.
Ref: Your Pros. Re. 941 D/48 dated 25-10-1948.

I submit herewith a copy of the final report received from the Dt. Educational Officer, Coimbatore. All the points have been dealt with by the Dt. Educational Officer and I endorse his opinion expressed in the penultimate para that the Headmaster is entitled to 2 months salary. The Correspondent may be advised to pay one month's salary more as the Headmaster has already been paid one month's salary.

The charges against the Headmaster have been enquired into by the Dt. Educational Officer and in his opinion, the reasons for the termination of the services of the Headmaster are not every substantial. The Headmaster was appointed on a temporary basis on 11-6-1947. That means as per revised agreement the teacher will only be on probation for 12 months from 11-6-1947. If the probationary period is to be extended, it should be done before the expiry of twelve months. This has not been done. His Services were ordered to be terminated on 6-8-48 and the charges in the order of termination have been dealt with in full in the Dt. Educational Officer's report. These are vague charges which the Correspondent seems to hold personally. The Dt. Educational Officer says that none of the teachers in the school gave him any such opinion of the Headmaster as stated by the Correspondent. About his relationship with the members of staff, the District Educational Officer says that most of the teachers fail to agree with the opinion of the Correspondent. The remarks of the Dt. Edl. Officer are to the effect that the Headmaster was very strict with the Tamil Pandit and was particularly strict with the Urdu Munshi. As regards the staff order of the Hd. master that the teachers need not write teaching notes in the 80 page note books issued by the Management, the Correspondent has taken it as a challenge against his authority. From a perusal of the whole file, the only indiscreet act of the Headmaster appears to be this staff order. There is nothing to prove that the students strike was organised by the Headmaster himself. Though there is no agreement with the Headmaster, after the lapse of one year's probation, there should have been a definite understanding as to the nature of the appointment of the Headmaster. From 16-6-47 to 16-6-48, the period of probation was over and from 16-6-48 to 6-8-48 for a period of about 2 months, there has been no definite arrangement about the Headmaster's position. The order of termination appears to have been suddenly given on 6-8-48. If the Correspondent had terminated the services of a temporary teacher under para 7(4)(i), there was no need for giving him one month's salary, which the Correspondent has done. But the Correspondent says in his letter to the Headmaster dated 7-8-48 that one month's salary is given as a matter of concession. But Rule 7(4) (i) referred to by the Correspondent clearly states the following reasons--"Wilful neglect of duty; Serious misconduct; Gross insubordination". From the Dt. Educational Officer's analysis of the report of enquiry it does not appear that there has been any charge under any of the above 3 items. As such, I think that it is but fair that the termination of services should be only under Rule 7(4) (ii) and the Headmaster is entitled to two months' salary.

Yours faithfully,
Sd. V. Natarajan, 8-12-1948.
Divisional Inspector of Schools,
Coimbatore.

(True Copy)

T.M. ~~1000~~ (PC) 19
No. 60953/43/48-5
Dated 11-2-49.

VE
11/2

From the Asst. Secy
To the Dy D.P. I -

Ref to Director's letter
No Roc-941-D3-48 dated
22. Jan 48 regarding
the affairs of the Mahajana
High School, Roze -

Please return promptly
the enclosures sent in original
with the Dept. Memo No 60953-
48-1 43 Ed. Dated 17th August
1948

pg.

37

1948

100248

11/2/48

OFFICE OF THE
Date 1948
Hours Minutes
TELEPHONIC MESSAGE
From D. P. I. To Secy to Govt.
10021. E. P. H.
Sub: Schools - Secondary
Aided - Mahajana
High School - Erode
Termination of Service,
of the Head Master - Order
Solicited
Ref. My letter Rec no.
941/D/48 B 2/49
to Govt. with ref to
Govt. Memo No 60953
/48-63- Education
D/17.8.48.
Please write on both sides.

39

2

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

40

C.F. 304.

OFFICE OF THE

Date 194

Hours Minutes

TELEPHONIC MESSAGE.

From

To

Kindly let me know
where the Govt have
passed any orders
in the matter.

102/441

Please write on both sides.

41

2

E4PH(G3)

Please see the T.M. from
the D.P.I. at pp 31-33 of the
reply to the P.C. of T.M. from
the D.P.I. may be awaited; till
26-2-1949.

81.
11/2/49.

POST COPY OF THE TELEPHONIC MESSAGE Dated 9th February '49

FROM

THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS

To

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

14 FEB 1949

Sub:--Schools--Secondary Aided--Mahajana High School,
Erode--Termination of services of the Head Master
Orders solicited.

Read:--My letter Roc.941D3-48 dated 2-1-49 to Government
with reference to Government Memorandum No.60953/48
-G3 Education dated 17-8-48

Kindly let me know whether Government have passed
orders in the matter.

FOR DIRECTOR OF PUBLIC INSTRUCTION

C1b.11/2/49

43

E.P.H. (G.3)

The reply from the D.P.I. to the T.M. at
pages 29-30 of may be awaited till 20.2.49
~~21.3.49~~

82.
14/2/49

lms

14.2.49.

15/2/49

44
E.P.H. (G.3)

C.No. 60953 G³/48

P.C. of T.M. No. 60953 G³/48 dated 28-2-49 21

From

The Asst. Secy to Govt.

E.P.H. Deptt.

To

The D.P.I. Madras.

104
ns

p29 of

Ref: P.C. of T.M. No. 60953 G³/48-5 Edn dt 11-2-49
regarding the affairs of the Mahajana
High School - Erode

Accountant
5/3

7-Enclosure, Please expedite your reply
to this dept T.M. cited above.

82.
24/2/49

lms

24.2.49

26/2/49

45

Madras

in the letter no. 1010-2-49

2/10/49

2/10/49

Gr

22

46

Telephonic Message By Post 2/5-3-49

10 MAR 1949

From The Director of Public Instruction,
Madras.

To
The Assistant Secretary to the Government,
Education and Public Health Department,
Fort St. George, Madras.

Subject: Schools- Secondary- Aided- Mahajana High School, Erode-
Termination of services of Headmaster - Appeal.

Reference: Post Copy of Telephonic Message from Government
No. 60,953-G3-48-6 Edn. dated 28-2-49. plus ante

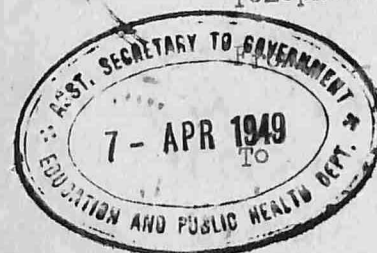
18644

The enclosures are sent herewith.

Thiruvananthapuram

For Director of Public Instruction,
Madras.

47
Telephonic Message dated 4th April 1949 (By Post) No. 941-D2/48.



The Director of Public Instruction,
M a d r a s

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

27069
SCHOOLS--Secondary--Aided--Mahajana High School, Erode--Termination
of services of Headmaster.
Reference:--My letter Roc.No.941-D3/48 dated 2.1.1949 to Government
with reference to Memo.No.60953/48-G3.Edn., dated 17.8.1948.

Kindly let me know whether Government have come to a decision
in the matter particularly with reference to the last para of my letter. There
are a few cases pending decision and the view I have to take depends on the
orders of Government.

For Director of Public Instruction.

ks.4-4.



1 APR 1949

2000

49

ETP.7(92)

Education - Secondary - Aided
Mahajana High School, Erode -
Action of the management terminating
the Headmaster's service - order
passed.

From the D.P. 9-170 R.O.C.-941-D3
48-D7 2.1.49-

Order
Ms - 1459 Edu. 2/10-5-49

The D.P. I is informed that
the Govt. are advised that as no
agreement - as under G.O. No. 2906 Br.
dated the 7th Nov. 1947 has been enter-
ed into by the Headmaster and the
management in the case referred to
by him, the terms and conditions in

50-2

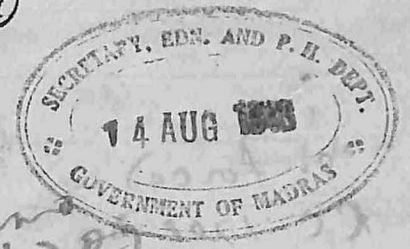
in the agreement cannot be enforced.
The Director's proceedings No RC-1700-23-47 dated 28th Feb. 1948 as mentioned in his letter will not make any difference in the position. He cannot take action in the matter as proposed by him in the penultimate paragraph of his letter.

4.545

2. Approved
R.D.P.
14/10/48
S.C.
S. D. S.

Immediate.
Secretary, E. & P.H.

60953



14/8

TSR
14828
H.M. Education.

I have been receiving rather bad reports about the school for some time past and this seems to have culminated in the dismissal of the Headmaster. The D.P.I. may be instructed to make immediate enquiries over the matter and report.

The draft memo to the D.P.I. is for approval.

14/8/48
148.48

Issued as Memo. NO. 60953/48.93.1 Edn. 2/17.8.48
From the D.P.I. No. 94/D3/48/2/1.10.48.

p9 cb
p11 cb

The interim reply from the D.P.I. at p. 2 may be perused. His final reply may be awaited till 20.10.48 if necessary. The file may, in the meantime, be circulated to H.M. (Edn) for perusal and with reference to para 2 of D.P.I.'s letter on p. 11.

p11 cb

8-10-48
11.10.48

S. D. S.



TSR
21.10.48

From the D.P.I. No. 941-D3-48 dated 21-1-49.

The case relates to the termination of the service of Sri M. Parameswaran ^{Pillai}, Headmaster, Mahajana High School, Erode, which is a private aided institution. ^{Mr} Parameswaran ^{Pillai} was appointed Headmaster on 16th June 1947 and continued as such till 15th Aug. 1948 on which date his services were terminated by the Correspondent of the School as from 6th Aug. 1948, after nearly 14 months' service as Headmaster of the School.

2. The charges on the basis of which Mr. Parameswaran ^{Pillai} was discharged are:-

(i) His relationship with the members of the staff was not cordial;

(ii) The Headmaster issued a staff order to the teachers not to write teaching notes in 30 page note books issued by the management as he considered them to be too small.

On the basis of these charges, the Headmaster appears to have been found to be inefficient and insubordinate and his services terminated. The Director's opinion, based upon the Inspecting Officer's reports is that the charges did not justify the punishment. He considers the Headmaster's issue of instructions regarding the use of the 30 page note book was an act of indiscretion, but that this was not sufficient ground for the discharge. ^{As regards} the other charge, ^{that is, item (i) above,} there does not appear to be any evidence of lack of cordial

relationship between the Headmaster and the staff of the school. ^{No enquiry was evidently conducted} ~~There does not appear to have been any regular~~ ~~enquiry~~ into the conduct of the Headmaster.

3. The Director considers that in equity he should order the reinstatement of the Headmaster, but that this could be done only under the terms of the agreement between the management and the Headmaster, as in G.O. No. 2406, Edn., dated 7th Novr. 1947. In this case, however, the management contend that no agreement has been executed. If an agreement as in that G.O. had been entered into, the conditions of service laid down in the t

terms of the Agreement would be admissible to the Headmaster. Under those terms, Sri Parameswaran ^{Pillai} would be deemed to have completed probation, and the ~~provisions~~ ^{in the Agreement} relating to the giving of notice before discharge, punishments, appeals etc. would be applicable. In this case, the Director of Public Instruction would be the appellate authority, and having regard to the views expressed by him in the letter in the c.f., in respect of the punishment, he could have passed orders setting aside the orders of punishment on an appeal. It is a point for consideration whether all these provisions will apply to this case in the absence of a formal agreement. The Director however holds that in pursuance of the proceedings which he has issued, the agreement should be deemed to have been entered into from 7-11-1947. He considers that, in this view, there has been violation of the terms of the agreement, that the Headmaster's appeal should be allowed; and he proposes to order the reinstatement of Sri Parameswaran ^{Pillai} as Headmaster and has asked Govt. to approve his action.

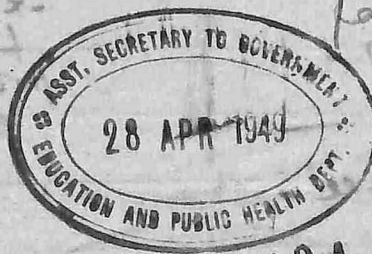
4. It is not known whether the late Headmaster has separately preferred an appeal to the D.P.I. The papers in the c.f. do not contain any appeal. If there has been no appeal, it does not appear that orders ^{can be passed} ~~may~~ be passed as proposed by the Director. In any event, it will perhaps suffice if the management is informed that its orders were unjust and advised to pay the incumbent 3 months' salary.

Moreover, it is a point for consideration whether the terms of the agreement as in G.O. No. 2406, Edn., dated 7-11-47 will be applicable in a case where there has been no written agreement. It is doubtful whether the Director's proceedings will have any special legal validity and whether, in pursuance of these proceedings, he has locus standi in the matter, as if a formal agreement had been made.

5. Legal may see the case for remarks on the previous

The penultimate sentence in para 5 on p 18 of and para 6 on p 28 of show that an appeal has been preferred.

11/1/49



3240A

It is stated that no agreement embodying terms and conditions at 'C' has in this case been entered into by the teacher and the management. In the absence of such an agreement and in the absence of any evidence to show that the parties intended to be bound by such terms and conditions, it will not be possible to enforce the said terms and conditions. The rights of the parties in this case will be regulated by the terms of the original appointment unless they have been subsequently varied by consent of both parties. The proceedings of the D.P.I. referred to 'A' on p. 2 ante does not in any way alter the position.

It is also to be observed that the model form of agreement at 'C' does not contain any clause providing for a right of appeal against violation of the terms of the agreement. Instruction 6 under II at para 3 of 'C' does not form part of the agreement and appears to be only an executive instruction. Education and Public Health may therefore examine whether even in cases where a formal agreement in the prescribed form has been executed, the D.P.I. can interfere in appeal.

The case of Sri M. Parameswaran ^{Pillai} Headmaster Mahajana High School Erode, a private aided institution, whose services have been terminated by the management of the institution without sufficient justification has been brought to the notice of the Govt. The Director has after enquiry

LEGAL DEPARTMENT



Amp 2

Legal No 808/782-49-2

27.4.49

27.4.49

EXPH (92)

(C)

V.D. 5th para on p 18 of

S/P 14/49 / Legal

E.P.H. No 60953-48-92-2

es, stated that the (Larger
with the Headmaster ~~do~~ not
lity termination of his services;
and he has suggested that
he should order the Reinstatement
of the Headmaster, in enforcement
of the terms of the Agreement
as in G.O. 2406 Dn. 7.11.42. No formal agreement
has, in fact, been entered into in this case -
Legal have pointed out

Jan 18 9

(C)

Not on
the previous
page

that, in the absence of a formal
agreement between the parties,
it will not be possible to enforce
the terms and conditions in the
Agreement. - If this view is
accepted the D.P. I will have
to be informed that I cannot
take action as proposed by him
in the penultimate para of
his letter on pages 18-19 of this
Subject to order a draft
order is submitted for approval.

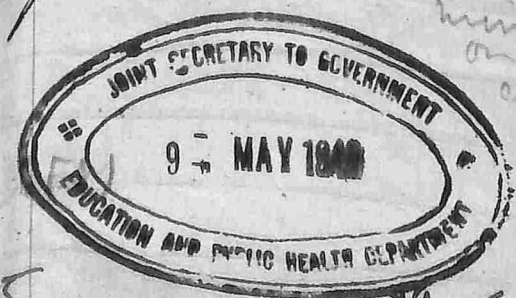
5/5/49

A

2. The point whether
under the Agreement, action can
be taken in Appeal (para 2
of the Legal note on 12th previous
page) will be examined
separately after issue of
order as in para 1 above -

3. HM (Edn) may see.

Extracts
taken
for reference
the date
late 1948
mimic
copy
circ



4.5.49

5/5/49

may agree as at A

12.11 (Edn) 22/8
8/5

5/5