

Puram
11-27-60,004-17-11-48.

E & P.H.

(194⁸) Department.

SERIES.

G.O. NO. 1476 Edn.

Dated 10-5-49

19

[Despatch Abstract.]

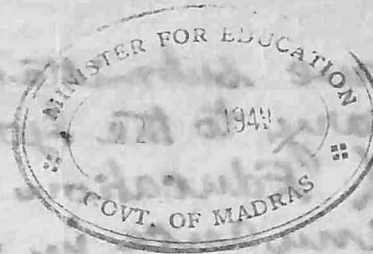
APPEAL - Sri S.K.Thiruvengadaswamy, Ex-clerk, Government College, Coimbatore - for reinstatement in service - rejected.

Back Papers.

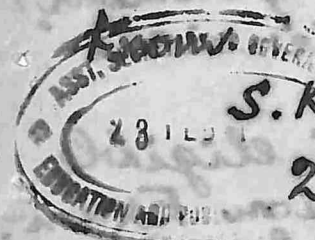
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

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



Coimbatore,
19th Feb 1949.



S.K. Thiruvengadaswami,
25/20 Lakshmi Nivas,
Kempatty Colony,
Coimbatore.

13890



Most Honoured Sir,

I tried my level best to meet you in person at Coimbatore; but could not meet you.

I am a native of Coimbatore and was working as clerk in the Government college, Coimbatore.

I was removed from Service by the Principal on a suspected case of misappropriation. I sent my appeal to the Director and my deposit Cash Security of Rs. 250 Plus Rs. 30 interest was duly paid back to me in full.

Had the charges been proved I would not have received the Full Amount.

Now I have submitted my appeal to the Secretary to the Government of Madras (Education Department) for my continuance in Service. My qualifications are :-

- 1) Passed S.S.I.C. Declared eligible.
- 2) Passed Service Commission Exam.
- 3) Passed Account Test for Sub. officers.
- 4) Passed Deputy Inspector's Test.

I am specially equipped for the Education Department. My Full deposit Amount has been paid to me since the charges against me were not proved.

I could have explained more in person but I was not lucky. At present I am unemployed.

May I therefore beg you to decide my appeal as early as possible and pass orders for my continuance in service. I need not explain my difficulties to your honoured self. What I beg of you is to pass Early Orders for my continuance. I beg to remain,

Most Honoured Sir,
your most humble servant
S. K. Thiruvengadaswamy
19-2-49

action may be taken when the appeal is read. This is the R.P. I may have to remain in service on 20/2/49.
26/2/49
28/2/49

⑨

Coimbatore, 3
13th Feb 1949.

From

S. K. THIRUVENGADASWAMY,
25/20 LAKSHMI NIVAS,
KEMPATTY COLONY,
COIMBATORE.

1-458/47
15-2-49.

To

The Secretary to the Government
of Madras, Education Department,
Fort St. George, Madras.

Through

The Proper channel.

Sir,

SUB: Appeal - S.K. Thiruveng-
adaswamy Ex-clerk
Govt. college - Coimbatore

Ref: Proceedings R.O.C. No. 4765.C2/47
dated 16th August 1948 of the
Director of Public Instruction,
Madras - Rejecting my appeal.
(Copy is enclosed herewith).

Most Respectfully sheweth :-

1) That the appellant has returned
from Military Service in Egypt (overseas)
and has filed this appeal.

2) That the appellant begs to submit
that the minute and order of the
Director of Public Instruction and
the Principal, Govt. College, Coimbatore
is defective.

3) That the minute does not recite
the charge. It does not discuss the
evidence for or against the charge.

4) That the appellant was refused
the facilities prescribed in the rules
and he was not allowed to defend
himself.

I had deposited Rs. 250/- only (Rupees Two hundred and fifty only) as cash security. The director in his proceedings Roc No. 4765.C2/47 dated 1-9-1948 ordered the return of my cash security in full and I received the full amount with interest thereon. This in itself is sufficient to prove that no case exists and that I am innocent. Had I been found guilty of the charge of misappropriation, the Director would not have ordered the refund of my cash security in full. This proves beyond any doubt that the charge against me was not proved.

A copy of my appeal to the Director of Public Instruction, Madras is enclosed herewith for your kind perusal and orders.

I further beg to point out

P.T.O.

b

That even Recorded Evidence has been overlooked and has not been taken into account.

- (A) The slip dated 26-2-1943 in the own handwriting of Sri K. Ramaswamy Ayyar will prove that he is the party involved in the case and that I am as innocent as a lamb.

A detailed inspection of all the evidences will prove beyond doubt that I am NOT GUILTY of any charge.

My Personal file (Confidential Conduct file) will prove that I have pleased all the officers under whom I have served.

My Qualifications are :-

- 1) Passed S. S. L. C. 1934. Declared eligible.
- 2) Passed Madras Public Service Commission Examination for clerks.
- 3) Passed Account Test for Subordinate Officers, Part I.
- 4) Passed Deputy Inspectors Test of the Education Dept.

P.T.O.

I am specially equipped for the Education Department and if I am not allowed to continue in service, the whole of my life will be wasted.

I was thrice offered appointments

- 1) In the office of the Commercial Tax officer, Coimbatore.
- 2) In the office of the Superintendent of Central farms, Agricultural college, Coimbatore.
- 3) In India's National Army.

I was not in a position to take up the appointments before my appeal was decided favourably.

I therefore most humbly pray that the Secretary might be pleased :-

- 1) To hold me innocent and acquit me of the Charges; and
- 2) To order my Continuance in Government service.

For this act of kindness,
sympathy, justice and generosity
I shall as in duty bound ever pray.

I beg to remain,
Sir,

your most obedient servant,

SK Thiruvengadaswamy

13-2-1949.

Direct Copy submitted to the Secretary
to the Govt. of Madras, Education Dept.

Copy submitted to the Principal, Govt.
College, Coimbatore for submission
to the Secretary to the Government
through Proper Channel.

Encl: 1) Copy of my appeal to the D.P.I, Madras.
(to the Secretary to the Govt. only)

2) Copy of Proceedings Roc No 4765.C2/47
dated 16-8-48 of the D.P.I. (Both to the
Secretary & Principal.)

Copy of
Proceedings of the Director of Public Instruction
Madras.

ROC No 4765. C2/47 dated 16th Aug 1948.

The appeal is rejected. The
appellant is referred to the Principal
Government College, Coimbatore
regarding the refund of the
Security deposit.

x x x x x x x

(sd.) P. Badriah
for Director of Public
Instruction, Madras.

(True Copy)

SK Nirmaladaswamy
13/2/49

CONFIDENTIAL:

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, M A D R A S.
R.O.C.No.4765-C2/47 dated 26 March 1949.

SUB: Petition - Sri S.K. Thiruvengadaswamy, Ex-Clerk,
Government College, Coimbatore - Re-instatement in
service.

Petition dated 13-2-1949 from Sri S.K.Thiruvengada-
swamy, Coimbatore. *****



SUBMITTED.

2. In connection with certain irregularities alleged to have been committed by Sri S.K.Thiruvengadaswamy as clerk of the Government College, Training School Department, Coimbatore, the Principal of the College framed the following charges against him, conducted an enquiry into his conduct in accordance with the prescribed procedure and removed him from service as the charges framed were held to have been proved:-

CHARGE (1):-- "That you, Sri S.K.Thiruvengadaswamy, Clerk, Training Department of the College, on some date or dates between March 1st and March 17th tried to evade the issue of proper receipt of school-fees tendered to you by S.S. Rajan, a pupil of V Form and accepted by you, and

That you, Sri S.K.Thiruvengadaswamy, Clerk, Training Department of the College, on some date or dates between March 1st and March 17th evaded the issue of proper receipts in respect of school-fees tendered to you by at least 5 pupils of V Form and 9 pupils of IV Form".

CHARGE (2):-- That you failed to strike off the rolls the name of such of the pupils as had not paid their school-fees for March 1943 on the date fixed for payment after making the necessary postings in the prescribed registers.

CHARGE (3):-- That you purposely delayed the striking off of the names till 27-4-1943 with the intention of publishing the names of defaulters, a fortnight after the summer vacation had commenced so that the notice of default may attract as little attention as possible.

CHARGE (4):-- That you indulged in such evasion as has been set forth in (1) to (3) above, with the deliberate intent of deceiving the pupil or pupils in respect of money or monies tendered by them and accepted by you.

CHARGE (5):-- That you, after coming to know that a large number of complainants are gentlemen of very respectable standing who would not fail to pay the school-fees in time, tried to explain away the non-payment of school-fees by their sons or wards by stating that the pupils had spent their money entrusted to them by their parents for purposes other than the payment of school-fees knowing it full well to be untrue.

CHARGE (6):-- That your explanation dated 5-5-43 is vague and has been purposely made vague in order to screen misappropriation of school-fees by alleged third party whose name has been purposely omitted with the avowed purpose of suppressing the name of the person if any.

3. The appellant was removed from service with effect from 12-7-43. He was in Military Service from July 1943 to 24-7-45. In the Director's Proceedings Dis.No.337/44 dated 28-1-1944, the clerk was permitted to prefer an appeal against the principal's orders soon after his return from Military Service. He was discharged from Military service on 24-7-45. His appeal dated 25-8-47 was rejected by the Director after a careful consideration. The security deposit

deposit furnished by the clerk was ordered to be returned to him by the Principal as there was no loss caused to Government. In this connection attention is invited to the D.O. dated 26-8-48 from the Principal, Government College, Coimbatore and the Director's Proceedings R.O.C.No.4765-C2/47-dated 1-9-1948 thereon (vide copies enclosed). The clerk's request to re-employ him in the same College from the Training School Department of which he was removed from service, was not complied with, considering his antecedents.

4. The records connected with the case, as detailed in the Annexure are submitted herewith. The Principal reports that the Personal record of the clerk is not available either in his office or in the other offices in which the clerk worked.

for DIRECTOR OF PUBLIC INSTRUCTION.

To

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

Ram.28/3.

ANNEXURE.

1. File R.C.No.42 G1/43 of the Government College, Coimbatore (pages 1-190).
2. This office closed file Dis.No.337/44.
3. Appeal, dated 25-8-1947 from Sri S.K.Thiruvengadaswamy (pages 3-34 in original).
4. Copy of letter RC.1-45 G1/47 dated 30-7-1948 from the Principal, Government College, Coimbatore.
5. Copy of this office Pros.Roc.No.4765-C2/47 dated 16-8-48.
6. Copy of D.O. dated 26-8-48 from the Principal, Government College, Coimbatore.
7. Copy of this office Pros.No.4765-C2/47 dated 1-9-1948.
8. Copy of this office Pros.No.4765-C2/47 dated 26-10-48.
9. Petition dated 13-2-49 from Sri S.K.Thiruvengadaswamy in original.
10. Service Book of Sri S.K.Thiruvengadaswamy together with the register of probationers.
11. Deposition statements of the witnesses examined during the enquiry (1-30 pages in original).

ENCLOSURE (4)

Copy of letter RC.1-45-G1/47 dated 30-7-1948 of the principal, Government College, Coimbatore to the Director of Public Instruction, Madras.

REF:(1) Proceedings R.C.4765-C2/47 dated 27--7--1948.
(2) Appeal of Sri S.K.Thiruvengadaswami- Ex-clerk of this college - personal file of.

All the offices in which Sri S.K.Thiruvengadaswami had served were addressed for his personal file and it is stated to be not available. It is not available in this office also.

The delay is due to the correspondence made with those offices.

Sd. A.R.Pillai,
Principal, Govt. College, Coimbatore.

ENCLOSURE (5):

-3-

Copy of Director's Proceedings R.O.C.No.4765-C2/47 dated 16-8-48 addressed to Sri S.K.Thiruvengadaswamy, 25/20 Lakshmi Nivas, Lingai Goundan Thottam, Coimbatore (para 1 only) and to the Principal, Government College, Coimbatore.

Sub: Appeal - Sri S.K.Thiruvengadaswamy, Ex-clerk, Government College, Coimbatore.

READ: 1) Petition dated 25-8-1947 from Sri S.K. Thiruvengadaswamy.
2) Letter R.O.C.No.1-45 G1/47 dated 30-7-1948 from the Principal, Government College, Coimbatore.

1) The appeal is rejected. The appellant is referred to the Principal, Government College, Coimbatore regarding the refund of the security deposit.

2) The Principal, Government College, Coimbatore is requested to refund the deposit money, if any, due to the clerk after the recovery of the Government dues and to submit a report to the Director.

3. The Principal is also requested to explain the circumstances under which a record about the work and conduct of Sri S.K.Thiruvengadaswamy was not maintained by him for the period from 30-3-1942 to 4-6-43 during which the appellant was employed as clerk in the College.

Sd. P. Bhadriah
for Director of Public Instruction.

ENCLOSURE (6):

Copy of D.O. dated 26-8-1948 from Sri A.R.Pillai to Deputy Director of Public Instruction, Madras.

In Proceedings R.C.4765-C2/47 dated 16-8-1948 the deposit money of Sri S.K.Thiruvengadaswami, ex-clerk of this institution, was required to be refunded to him after recovering the Government dues. It is found from the file of papers here, that no money is due from him to Government. As regards the alleged double payment of fees by certain pupil of High School Department, it is not possible to find out their whereabouts and pay them the amount due to them at this length of time. There is no loss to Government on account of this.

Kindly therefore let me know, at a very early date, whether the deposit money in full may be drawn and paid to him.

Sd. A.R.Pillai,

ENCLOSURE (7):

Copy of Director's Proceedings Roc.No.4765-C2/47 dated 1-9-48 addressed to the Principal, Government College, Coimbatore (with enclosures) and to Sri S.K.Thiruvengadaswamy 25/20 Lakshmi Niv Lingai Gowden Thottam Coimbatore.

Sub: Appeal - Sri S.K.Thiruvengadaswamy, ex-clerk, Government College, Coimbatore - Refund of security deposit.

READ: 1) Letter 25-8-1948 from Sri S.K.Thiruvengadaswamy.
2) Letter Rc.No.1-45 G1/47 dated 25-8-43 from the Principal, Government College, Coimbatore

(3) D.O. dated 26-8-1948 from the Principal,
Government College, Coimbatore.

not further

The attention of the Principal, Government College, Coimbatore is invited to G.O.No.144 Public Health dated 16-1-1939 communicated with the Director's Proceedings Roc. No.719-C/39 dated 16-6-1939 and he is informed that personal files and records should invariably be maintained by the Principal in respect of the officers and establishments under his control. The service book and other records of the case are returned herewith.

2. In the circumstances reported in his D.O. read above, the Principal may draw and disburse the security deposit amount to Sri S.K. Thiruvengaswamy, ex-clerk of the College, under proper acquittance.

3. Sri S.K. Thiruvengadaswamy is referred to the Principal, Government College, Coimbatore for orders.

Sd. P.Bhadriah,
for Director of Public Instruction.

ENCLOSURE 3:

Copy of Director's Proceedings R.O.C.No.4765-C2/47 dated 26-10-48 addressed to the Principal, Government College, Coimbatore copy to Sri S.K.Thiruvengadaswamy 25/20 Lakshimi Nivas, Lingai Gowden Thotham, Coimbatore.

Sub: Sri S.K.Thiruvengadaswamy - Ex. Clerk, Government College, Coimbatore Re-employment.

READ: 1) Letter R.C.No.1-30 G1/48 dated 3-10-1948 from the Principal, Government College, Coimbatore.
and (2) From Sri S.K.Thiruvengadaswamy, Coimbatore dated 7-10-1948.

The Principal is informed that his request to re-employ Sri S.K.Thiruvengadaswamy cannot be complied with.

Sd. P. Bhadriah,
for Director of Public Instruction.

/True copy/

9/2
[Signature]
for DIRECTOR OF PUBLIC INSTRUCTION.

Ram.29/3/1949.

Secy, E. & P. H. Coimbatore,
18th April 1949.

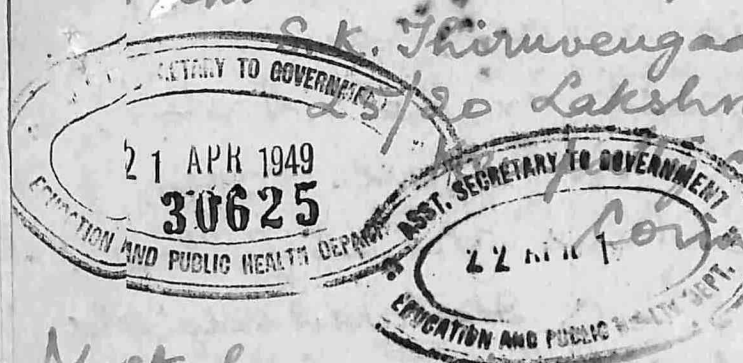
From

C. K. Thiruvengadaswamy, 14

25/20 Lakshmi Nivas,

Colony,

Coimbatore.



Most honoured Sir,

I was a clerk in the Govt. college Coimbatore and I was removed from service on an alleged charge of misappropriation. On appeal to the Director of Public Instruction the full amount of my Cash Security was paid back to me. viz. Rs. 200 and interest Rs. 30-13-0. (Total Rs. 280-13-0) Since the full amount was paid back to me it is clear that I am innocent.

At present my appeal
P.T.O

26 is pending with the Secretary, Education Dept. There is a vacancy of a clerk's post in the Arts College, Coimbatore. My qualifications are as follows:-

- 1) Passed S.S.L.C. declared eligible.
- 2) Passed Madras Public Service Commission
- 3) Passed Account Test for Sub. Officers
- 4) Passed Deputy Inspector's Test.

I am specially equipped for the Education Department.

May I humbly request you to kindly see that I am appointed to the vacancy?

I beg to remain,

Most honoured Sir,
your most obedient
servant,

S.K. Thiruvengadaswamy

Coimbatore,
27-4-1949.

From

S.K. Thiruvengadaswamy,
25/20 Lakshmi Nivas,
Kempatty Colony,
Coimbatore.



To

The Secretary to the Govt. of Madras
Education Dept., Fort. St. George,
Madras.

Sir,

Sub: Appeal. Services. Lower
Division clerk. Appeal of
S.K. Thiruvengadaswamy
Ex. clerk, Govt. College,
Coimbatore.

REF: My appeal dated 13.2.49

I humbly request
you to kindly decide my,

P.T.O.

28
appeal at an early date.

At present I am unemployed.
There is a vacancy of a
clerk's post in the Govt. College,
Coimbatore.

I beg to remain,
Sir,

your most obedient servant,
SK Thiruvengadaswamy,
27.4.49.

54
10/5

pp 3-15.42
pp 17-18.42

For 1/2 new held
ms 20/4

Do the 20 3 (with
encl. returned)

28/16
EPH (A)

Appeal - Sri SK Thiruvengadaswamy
Ex. clerk, Govt College Coimbatore - for
Reinstatement in Service - Rejected

From Sri SK Thiruvengadaswamy appeal of 13.2.49
From the D.P.O. 4765 C2/W2 of 26.3.49

G.O. (M) No 1476 Edn of 10-5-49

The D.P.O. is requested to
inform the petitioner that his request
for reinstatement in service ^{will} cannot be
complied with and that his appeal is
rejected.

NKS
9/5/49 1/10/49

ms 9/5/49

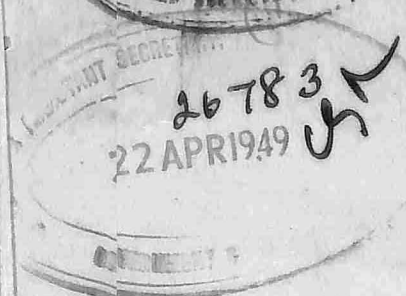
C.No.13890-A. From the D.P.I., No.4765-C2/47, dated 26--3--1949.

Sri S.K.Thiruvankataswamy, ex-clerk, Government College, Coimbatore - Request for re-instatement in service.

The current file contains a petition from Sri S.K. Thiruvankatasamy, ex-clerk, Govt. College, Coimbatore, who was removed from service by the Principal of the College for misappropriation of fee collections from students. The facts of the case are explained in the Director's letter on pages 17-18. The question for consideration is whether the Govt. should interfere with the orders passed by the Principal and confirmed by the D.P.I. on appeal.

The objections raised by the petitioner on page 5 c.f. are not valid. From the records it is found that the Principal followed the procedure prescribed in rule 15 of the Classification, Control and Appeal Rules meticulously and that there was nothing wrong in the procedure followed. On merits also the records show that the clerk had evaded the issue of receipts on some pretext or other to students who actually paid the fees.

For orders whether the petition may be rejected or the Govt. will interfere in the matter and set aside the orders passed by the D.P.I. In the latter case the Commission will have to be consulted. Please see regulation 22 of Commission's regulations. Finance and Public (Ser.) may see before circulation.



21/4/49

There appears no grounds for interference

22/4/49
Puo (Ser.)
Fin (Ser.)

Fin may agree with the view at A above
25.4.49
Bul (Ser.)

Fin no 26783 C2.1
25.4.49

Pub (Ser) Dept

A' overleaf may be agreed to in this dept also
and the file returned to E & P.H.

28.4.49
28.4.49

30.4.49

28.4.49
A.



1281
28.4.49
through "C."

The file may be circulated
to H. M. (Edn.).

Pub (Ser) Dept
1550/49.1
28.5.49
38500

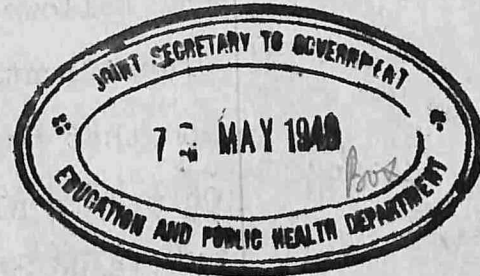
1/5/49

1/5/49

5/5/49

12.7 (Edn.)

6/5



A draft order is submitted
for approval

1/5/49

7.5.49

S. K. THIRUVENGADASWAMY,

Advertisement Consultant,
"LAKSHMI NIVAS"
20 Kempatty Colony,
COIMBATORE.

Ref. No. 778/49

14th Nov. 1949.

The Secretary to the Government of Madras,
Education & Public Health Departments,
Fort St. George,
Madras.

Sir,

Sub : Appeal. S.K. Thiruvengadaswamy,
Ex-clerk, Govt. College,
Coimbatore. Particulars-requested.
Ref : Edn. & P.H. Depts. G.O. Ms. 1476
Education dated 10th May 1949.

In Edn. & P.H. Depts. G.O. Ms. No.
1476 Education dated the 10th May 1949 (Copy
communicated to me in R.C.1-45 G1/47 dated
28th May 1949 of the Principal, Government
College, Coimbatore) the Director of Public
Instruction was requested to inform me that my
request for reinstatement in service will not
be complied with and that my appeal is reject-
ed.

When my security deposit amount of
Rs. 250/- along with interest accrued thereon
was paid to me in full, I really can not know
the reasons why my appeal was rejected.

I want to submit my appeal to the
next appellate authority and if unsuccessful,
to the law court. Therefore, the reasons for
rejecting my appeal may kindly be furnished.

P.T.O.

Page.2.

As soon as I am informed about the grounds under which my appeal was rejected, I am going to submit my appeal.

This letter may very kindly be treated as URGENT.

I beg to remain,

Sir,
Your most obedient servant,

S. K. Thiruvengadachari
14.11.49

Copy submitted to the Director of Public Instructions, Madras with reference to his Proceedings Dis. No.2798/49 dated 26th May 1949.

Copy submitted to the Principal, Government Arts College, Coimbatore with reference to his R.C.1-45 G1/47 dated 28th May 1949.

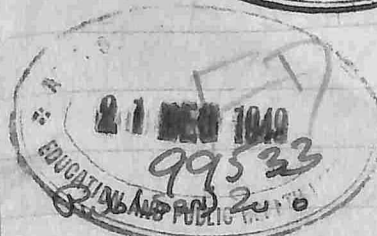
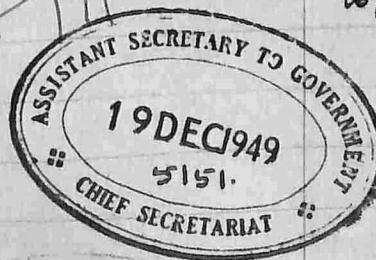
102/21/2
13-15 of
80 NO-1476 Edn
(L) 10-5-49

To the petitioner.
copy to the D.P.S.

17-199

131 of (L)

17/12/49



No. 5151/49-1

20.12.49.

Note-

The petitioner was removed from service by the Principal of the college. He appealed to the D.P.S against the order of the Principal and the D.P.S dismissed the appeal. He has no right of second appeal. The petition submitted to Govt was rejected because they considered that there was no case for interference. Public (Services) may see before issue of the Memo.

17/12/49

19.12.49.

19/12/49

May be perused and returned to E. & P.H.

20.12.49

E.P.H

Issue
24/12/49

Memo 89251 H 49-2
Petition from Sri S. K. Thiruvengadachari,
ex-clerk, Govt College, Coimbatore 14.11.49

The petitioner is informed that his petition of 13.2.49 was rejected because the Govt considered that there was no ground for interference. He is also informed that he has no statutory right of appeal to Govt.

16/12/49

17/12/49

17/12/49

Edn and P.H. Dept

20.12.49

Bottom sheet 7

Exhibit from the 2nd & 3rd
at the 1st day of January 1944

The following is a list of the
exhibits of the 2nd & 3rd
at the 1st day of January 1944

Exhibit

10/1/44

To the
copy of the
10/1/44

The following is a list of the
exhibits of the 2nd & 3rd
at the 1st day of January 1944

10/1/44

Exhibit from the 2nd & 3rd
at the 1st day of January 1944

10/1/44

10/1/44



10/1/44