

Chand
PC
Sripad

Secy. II-27-60,304-17-11-48.

E&PH

(194⁹) Department.

MS. SERIES.

G.O. NO.

2314 Edh.

Dated

16-7-49

[Despatch Abstract.]

L.C. Question No. 193- Terminating services of Sri T.C. Ravunni
Ezhuthachan- Papers recorded.

Back Papers.

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

Further Papers.

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

SECRETARIAT OF THE MAHARASHTRA LEGISLATURE.
(COUNCIL SECTION.)
23-11-1948.

STARTED.

SRI R. SURYANARAYANA RAO, M.L.C.

EDUCATION AND PUBLIC HEALTH DEPARTMENT.

Q. No. 212.- Will the Hon. the Minister for Education be pleased to state:-

(a) whether it is a fact that one Sri T.G. Ramuni Sathnathan, a teacher employed in the Aided Higher Elementary School, Peringode, South Malabar has appealed to the Educational authorities against the order of dismissal passed by the Manager of the School;

(b) what orders the Educational authorities have passed;

(c) what the offence is for which this teacher was punished by the Manager;

(d) whether it is a fact that the Manager compelled the teacher to give an undertaking to desist from taking jatha of Harijans into the temples on threat of dismissal; and

(e) whether the legislation relating to temple entry does not afford protection to those upholding the law as against those who take law into their own hands?

23/11.

Encl. ^{draft} no.:- 87483/48-1-C-Edu, dated 27.11.1948.
Copy forwarded to the D.P.I. for furnishing suitable ^{draft} reply to the various clauses of the question and any other information that may be useful for answering supplementaries.

2. His attention is, in this connection, invited to the correspondence ending with Govt. Encl. No. 5439/48-1-C-Edu, dated 25.11.1948.

2 to the D.P. (with copy of question alone).
25/11/48
26/11/48
27/11/48

SECRETARIAT OF THE MADRAS LEGISLATURE.
(COUNCIL SECTION.)
23-11-1948.

STARRED.

SRI R. SURYANARAYANA RAO, M.L.C.

EDUCATION AND PUBLIC HEALTH DEPARTMENT.

*Q. No. 212.- Will the Hon. the Minister for Education be pleased to state:--

(a) whether it is a fact that one Sri T.C. Ramunni Ezhuthachan, a teacher employed in the Aided Higher Elementary School, Peringode, South Malabar has appealed to the Educational authorities against the order of dismissal passed by the Manager of the School;

(b) what orders the Educational authorities have passed;

(c) what the offence is for which this teacher was punished by the Manager;

(d) whether it is a fact that the Manager compelled the teacher to give an undertaking to desist from taking jatha of Harijans into the temples on threat of dismissal; and

(e) whether the legislation relating to temple entry does not afford protection to those upholding the law as against those who take law into their own hands?

C.No. 8748 3/48/C1

23.11.



Advance copy. May be circulated to H. M. (Edu.) for perusal. A report is being called for from the S.P.O.

27/11/48 S by
27.11.48

SECRETARIAT OF THE MADRAS LEGISLATURE.
(COUNCIL SECTION.)
23-11-1948.

STARRED.

SRI R. SURYANARAYANA RAO, M.L.C.

EDUCATION AND PUBLIC HEALTH DEPARTMENT.

*Q. No. 212.- Will the Hon. the Minister for Education be pleased to state:--

(a) whether it is a fact that one Sri T.C. Ramunni Ezhuthachan, a teacher employed in the Aided Higher Elementary School, Peringode, South Malabar has appealed to the Educational authorities against the order of dismissal passed by the Manager of the School;

(b) what orders the Educational authorities have passed;

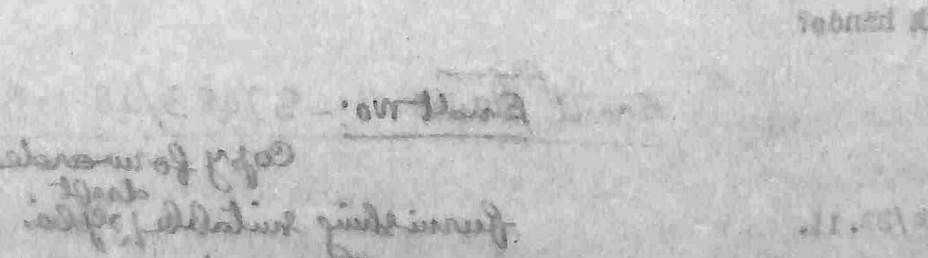
(c) what the offence is for which this teacher was punished by the Manager;

(d) whether it is a fact that the Manager compelled the teacher to give an undertaking to desist from taking jatha of Harijans into the temples on threat of dismissal; and

(e) whether the legislation relating to temple entry does not afford protection to those upholding the law as against those who take law into their own hands?

C.No. 8748 3/48/C1

23.11.



Advance copy. May be circulated to H. M. (Edu.) for perusal. A report is being called for from the S.P.O.

27/11/48 S by
27.11.48



Office of the
Director of Public Instruction:
Letter: R.O.C.No.678-B.2/48

Madras, Dated 8th December 1948

From

The Director of Public Instruction, Madras.

To

The Secretary to Government,
Education and Public Health Department.

Sir,

Sub: Elementary Education - Aided Elementary School,
Peringode - Termination of Services of - Sri T.C.
Ravunni Ezhuthachan - Information regarding -
Furnished.

Ref: Endt. 87483/48-1-C.1 Edn dated 27-11-1948 of the
Government.

The following answers are suggested to the starred
question No.212 raised by Sri R.Suryanarayana Rao, M.L.C. in
the Madras Legislature (Council Section).

- (a) Yes
- (b) The matter is under investigation.
- (c) The manager states that the ex-teacher Sri T.C.
Ravunni Ezuthachan was punished because of
serious misconduct and gross insubordination
and that the teacher was engaged in religious
and communal propaganda and that his work
also was not satisfactory.
- (d) No information is available regarding this
- (e) The reply to this cannot be furnished by this
Department. The legal Department may have to
be consulted.

Yours faithfully,

R. S. Suryanarayana Rao

for Director of Public Instruction.

RVR 10/12/-

SECRETARY TO GOVERNMENT
(COUNCIL SECTION)
11-12-48

SRI R. SURYANARAYANA RAO, M.L.C.

EDUCATION AND PUBLIC HEALTH DEPARTMENT

Will the Hon. the Minister for

Education be pleased to state:-

(a) whether it is a fact that one Sri T.C.

Ravunni Ezhuthachan, a teacher employed in the

Aided Higher Elementary School, Peringode,

South Malabar has appealed to the Educational

authorities against the order of dismissal

passed by the Manager of the School;

(b) what orders the Educational authorities

have passed;

(c) what the offence is for which this teacher

was punished by the Manager;

(d) whether it is a fact that the Manager

compelled the teacher to give an undertaking to

desist from taking part in religious and

communal propaganda; and

(e) whether the Legislature relating to

temple entry does not afford protection to those who

the law as against those who take law into their own

hands?

Further Action

STARRED.

SRI R. SURYANARAYANA RAO, M.L.C.,

Education & Public Health Department.

Edn. & P.H. (C1).

Draft answer.

* Q.No. 212.- Will the Hon. the Minister
for Education be pleased to state:--

(a) whether it is a fact that one
Sri T.C. Ramunni Ezhuthachan, a teacher
employed in the Aided Higher Element-
ary School, Peringode, South Malabar,
has appealed to the Educational autho-
rities against the order of dismissal
passed by the Manager of the School;

(a) Yes.

(b) what orders the Educational
authorities have passed;

(b) The matter is under investi-
gation.

(c) what the offence is for which
this teacher was punished by the
Manager;

(c) Alleged serious misconduct
and gross insubordination, engaging
in religious and communal propaganda
and unsatisfactory work.

(d) whether it is a fact that the
Manager compelled the teacher to give
an undertaking to desist from taking
jatha of Harijans into the temples on
threat of dismissal; and

(d) No information is available.

(e) whether the legislation relating
to temple entry does not afford protec-
tion to those upholding the law as
against those who take law into their
own hands?

(e) Yes.

DM
14/12/48

by
14/12/48

To

The Secretariat of the Madras
Legislature (Council Section,
5 copies).

The Public (Elections) Dept. (1 copy).

2 spare copies.

Approved by H. M. (Edn)

To The Secy to M. Legislature (5 copies)

(Council Section)

" Public Elections Dept

2 spare copies.

Edn. P.H. Secy.

87483/48.3.1. Edn.

24-12-48.

11-12-48

MADRAS LEGISLATURE (COUNCIL SECTION) QUESTION NO.212 STARRED.

SRI R. SURYANARAYANA RAO, M.L.C.,

Will the Hon'ble the Minister for Education be pleased to state:-

(a) whether it is a fact that one Sri T.C.Ramunni Ezhuthachan, a teacher employed in the Aided Higher Elementary School, Peringode, South Malabar, has appealed to the Educational authorities against the order of dismissal passed by the Manager of the School;

(b) what orders the Educational authorities have passed;

(c) what the offence is for which this teacher was punished by the Manager;

(d) whether it is a fact that the Manager compelled the teacher to give an undertaking to desist from taking jatha of Harijans into the temples on threat of dismissal; and

(e) whether the legislation relating to temple entry does not afford protection to those upholding the law as against those who take law into their own hands?

EDUCATION AND PUBLIC HEALTH DEPARTMENT.

A N S W E R.

(a) Yes..

(b) The matter is under investigation.

(c) Alleged serious misconduct and gross insubordination and engaging in religious and communal propaganda, and unsatisfactory work.

(d) No information is available.

(e) Yes.

for Secretary to Government.

To the Secretariat of the Madras Legislature (Council Section)

To the Public (Elections) Department.

The above answer has been approved by Hon'ble Mr.T.S.

Avinasilingam Chettiar.

E.&P.H.U.O.NO.87483/48-3 C.1 Edn.

Dated 24th December 1948.

Er.27/12.

1939

6

J. S. N. R.

answered on 25/1/49
KPT

Office of the
Director of Public Instruction,
Madras, dated 24th January 1949.

The Director of Public Instruction,
Madras.

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

Sub: Elementary Education-Aided schools-Termination
of services of-Sri.T.C. Ravunni Ezhuthachan-
*teacher Peringode Higher Elementary School,
(Malabar District)-further report submitted.

Ref: Govt. Memo. No. 87483-C1/48-4 Edn. dated 6/1/49.

@x@

On an investigation of the case, it was found that the teacher under reference was punished because of serious misconduct and gross insubordination. As the teachers was engaged in religious and communal propaganda and his work was also was not satisfactory, he was punished by the management. Hence no action was considered necessary against the management for any alleged breach of the agreement.

2. The enclosures sent with Govt. Endts. No. 5439-C1/48-1
Edn. dated 26/2/48 and 2/3/48 are resubmitted herewith.

Yours faithfully,

J. O. Panchanathan
for Director of Public ^{is up} Instruction.

kn.25/1/-

From

T.C.Ravunni Ezhuthassan,
Teacher, Aided School, Peringode.,
Kothachira, Ponani Taluk,
M A L A B A R Dt.

To

Honourable O.P.Ramaswamy Reddiar,
Premier, Fort St. George.,
M A D R A S.

Thro

Dr. P.Govindan Nair, M.L.A.,
G U R U V A Y O O R.

Respected sir,

I am a poor teacher in the aided higher elementary school, Peringode which is being managed by the Poomulli Mana Estate. I have been placed under suspension by the manager of the school for the reason that I took part in a temple entry by Harijans on 28-12-47. Since the management's action in suspending me is contrary to educational rules I have refused to accept the order of suspension issued by the management and I have submitted a petition to the Local Dy. Inspector of schools, in the matter. This is not merely a private quarrel between a teacher of an elementary school and its management. It involves issues of national importance inasmuch as the action of the management is ^a direct challenge to the principles long cherished by the Indian National Congress to which this benign Government has accorded legislative sanction viz., the Right to entry and worship for all Hindus in public temples. I set out below the full facts of the case.

The "Kayppancheri" temple in Chazhiyattiri Amsam, Ponani Taluk is a public temple of which the trustee is the manager of Poomulli Mana Estate which is one of the richest and most influential estates in Malabar. This temple had not been thrown open for worship by Harijans inspite of the Temple Entry Act. Though there has been considerable agitation for temple entry, on account of the hostile attitude of the trustee, Harijan entry has not been possible. On 28-12-47 I and a party of Harijans entered the temple and offered worship. The next day the trustee ordered the closing down of the temple and to this day the temple has remained closed without poojas and worship being offered to the deity.

P.T.O.

Not content with closing down the temple the Poomulli Mana Estate has started a campaign against the persons who took part in the temple entry. The various acts done by the Poomulli Mana Estate in this connection are detailed hereunder.

(1) On 30-12-47 Sri.P.M. Neelakandhan Namboodiripad one of the members of the Poomulli Mana who is besides the president of the local village congress committee sent word to me to meet him at 10 P.M. at his house to discuss the matter. On arriving there I found myself surrounded by about a dozen rowdies with Sri. P.M. Neelakandhan Namboodiripad as their leader. These people appeared to me to be ready not for a discussion with me but to do me bodily injury. On my pointing out to Sri. Neelakandhan Namboodiripad that his threatening attitude, the use of violence and his hostility to temple entry was incompatible with his position as president of the Local Village Congress Committee, he permitted me to leave the house without injury to my person. But he let me know in no uncertain terms that I would be subject to harassment in all possible ways of which the rich and powerful estate of Poomulli Mana was capable.

(2). On 2-1-48 the Circle Inspector of Police, Ponani, arrived with a posse of constables in Peringode. They were brought to the place by the manager, Poomulli Mana estate in his own car. The Policemen interrogated several men who were in the temple entry party though not me. The Police are reported to have taken a partisan attitude and threatened the men with dire consequences for having offended the Poomulli Mana Estate. Daily Constables come to Peringode from Chalissery Police Station and go round all the houses threatening the house-holders and canvassing support to the cause of the Manager, Poomulli Mana Estate. It is apprehended that the police under the influence of the manager, Poomulli Mana Estate are ready to foist false charges on the innocent people who are not prepared to bow down to the will of the manager, Poomulli Mana Estate.

(3). On 3-1-48 an order of suspension was sought to be served on me through the Headmaster, aided higher elementary school, Peringode. Since the order was unconstitutional and ultra vires.

I refused to accept it. I attended school as usual and took classes. ~~Te-day I was~~ I was forcibly prevented from entering the school premises by a gang of ruffians engaged by the Manager, Poomulli Mana Estate for the sepcial purpose of preventing me from attending school. I understand that these people have been instructed also to waylay and belabour me whenever they get an opportunity. For fear of these gangsters I am unable to stir out of my house by day and night.

(4). The party of Harijans who entered the temple on 28-12-47 consisted of agricultural labourers, blacksmiths, carpenters and other village artisans. The manager of the Poomulli Mana Estate whose influence pervades the whole locality has placed a ban on the engagement of these poor men on any employment what-so-ever. Such is the power and might of Poomulli Mana Estate that these poor Harijans have now to admit themselves beaten or break up their homesteads and migrate enmass to other villages outside the influence of the Poomulli Mana Estate. When it is rembered that this estate has its strongholds in practically every village in the Ponani Taluk, the pitiable position of the men now ostracised may easily be imagined.

(5). The roads round about the Poomulli Mana over which the public have a right of way are being patrolled by a party of Gurkha ex-soldiers. These Gurkhas are the hirelings of the Poomulli Mana Estate. They are stopping all and sundry going along public roads. Persons going on their lawful avocations along these roads who are not in the good books of the Poomulli Mana Estate, are chased back for miles around by these Gurkhas armed with "Kukris".

From the facts mentioned above it will be clear to the Honourable Premier that the Poomulli Mana Estate has established a reign of terror in Peringode. I humbly request you, Sir, to direct the local authorities to intervene and establish the rule of law and security of person and property of the poor law-abiding population of Peringode.

I beg to remain, Respected Sir,
Your most obedient servant,

Il Ratnam Chudhary

Peringode,
5-1-48

12/18
Education and
Public Health
Dept.

To Mr. Mr.

Referred to the Director of
Public Instruction for urgent enquiry and
report.

Am. Secy. to Govt.

24/1/48
of
red

Forwarded with
separate notes attached
To, The Hon. Premier of
Madras
Fort. St. George,
Madras.

P. Govindan Nair

M.L.A.

21-1-48

19/1/48
P. Govindan Nair, L.M. & S., M.L.A.,
Registered Medical Practitioner,
Guruvayoor.

Govt. House,
Mount Road,
Madras.

D/21st Jan. 1948.

To

The Hon'ble Sri O.P. Ramaswami Reddiar,
Premier, Fort St. George, Madras.

Sir,

I have personally visited the temples in question and also saw some members of Poomulli Mana. Other members of the Mana were not present at the spot. The temple is situated about a mile away from the Mana and on the border of open fields. The public of the place told me that before the temple entry, all the Savarna Hindus of the temple were worshipping in the temple. There is no fencing of any sort around the temple. The question of the temple being a private or a public one, can be decided only by an enquiry. In this connection, I have to point out the Poomulli Mana is a rich mana and almost all the lands in the neighbouring villages belong to them. As most of the inhabitants are dependents on the Mana, the public will not be able to express their views openly in the presence of any member of the Mana.

2. As regards the dismissal of T.C. Ravunni Ezhuthassen, a teacher of about 16 years standing in the school under the management of the Mana, I have to point out that I have asked the correspondent of the school (who is a member of the Mana) and he told me that the teacher in question was dismissed simply because of the ill-feeling between the management and the teacher because of this temple entry. He did not mention of any previous ill-feeling between the management and the teacher either personally or professionally before the temple entry. There is no other charge by the management against the teacher. This is a case in which Government interference is absolutely necessary.

These are the facts I have ascertained on the spot and I request you to do the needful in the affair.

Thanking you in anticipation,

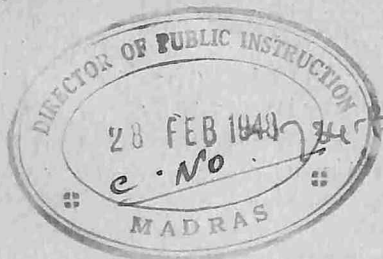
Yours sincerely,
x x x x x x

(True Copy)

20
Education and
Public Health
Dept.

Order no: 5439 C/48-1 Edu dated 26-2-48.

Forwarded
~~Referenced~~ to the Director of
Public Instruction for enquiry and report.



J. B. R. N.
Asst. Secretary to Govt.

S
26/2/48.

To
The Director
of Public
Instruction
(with 1st papers
in encl. to be sent)

12
RESOLUTION PASSED AT A PUBLIC MEETING HELD
ON 21-1-48 UNDER THE AUSPICES OF
THE KATHACHIRA KISAN CONGRESS
COMMITTEE.

This meeting requests the Govt. and education department
to reinstate Sri T.C. Ravunni Ezhuthachan and Sri V.P. Achutha
-arrier in the Higher Elementary School immediately. They
were discharged solely on the reason that they entered the
temple in this village along with other Hindus. This
meeting strongly protests against the policy of the manage-
ment of the institution and requests the Govt. to intervene
in the matter.



Education and
Public Health Dept.

Order no: 5439 C/48-1 Edu dated 2-3-48.

Forwarded to the Director of
Public Instruction for enquiry and report in
continuation of Govt. Order no: 5439 C/48-1 Edu
dated 26-2-48.

B2
h. 16/4
To
The Director of
Public Instruction
(to be sent)

J. B. R. N.
Asst. Secy. to Govt.
S
29/2/48.

SECRETARIAT OF THE MADRAS LEGISLATURE,

Fort St. George, dated the 23. 11. 1948.



81485

QUESTION No. 212 for the meeting of the Legislative Council
to be held on the 23. 11. 1948.

Two copies of this question are forwarded to the E and P. H. Department.

The question has been admitted.

23/11 23/11

To
The E and P. H. Department

M.O. 7756/48-5 H.L.
23-11-48

Education and P.H. (C1)

Please see the Leg. Council Question on page 1 of It is starred. An advance copy of it is being circulated to H.M. (Edu.) separately.

2. The subject matter of the question is already under correspondence with the D. P. I. The petitions received and a press cutting on the subject have been referred to the Director for enquiry and report. His report is still awaited. He is being reminded separately.

3. A copy of the question on page 1 of may be sent to the D. P. I. for furnishing suitable replies, with reference to the papers referred to in para. 2 above.

4. A draft endt is subd below for approval.

24/11/48
25/11/48

26/11/48 S
27/11/48

P.F.O.

87483/48 Edu & P.H. page 1 CF Cl.
 Issued as Enst: No. 87483/48-1-Cl. Edu & P.H. 27-11-48
 C. No. 92795 From the D.P.I. Roe. No. 678. B. 2/48-2/8-12-48.
 page 5 CF. particulars for

The D.P.I. has since furnished ~~to~~ ^{answering} the Legislative Council question at page 1 CF.

A draft answer is submitted. ~~May be~~
~~circulated to H.T. (Edu) for approval.~~ with reference
 to the draft reply to clause (2) of the question.
 13/12/48. Jukka Dept may see for remarks, if any,
 before circulation.

Edu & P.H. No. 13/12/48
 87483-48-Cl. 2-Edu
 16-12-48

DM 14/12/48 S. by ~~revert~~ Like No. 1

ADDITIONAL ASSISTANT
 515-6
 15 DEC 1948

~~May be passed~~ Please see the L.C. question
 on p.c.f. the notes on E.P.W. above and the draft
 answer kept below. No remarks seem called for.
 The case may be returned to E.P.H.

DM 15/12/48
 The TEA Act provides for the removal of
 the disabilities imposed by custom or usage
 against certain classes of Hindus against
 entry into temples. Section 7 of this Act
 provides for the imposition of penalties on
 persons preventing a person exercising his rights
 under the Act. In order to make the Act more
 effective it is proposed to make the offences
 under the Act cognizable offences, and the
 question of making necessary amendment in this
 regard is separately under consideration. Thus
 it will be seen that every provision is sought to be
 given for affording facilities for members of the
 schedule excluded classes exercising their rights.

95033
 11 DEC 1948
 SECRETARY TO GOVERNMENT
 EDUCATION AND PUBLIC HEALTH DEPT.

F.O.V.O. 5156V-1/48
 16/12/48

24/12

24/12

14 + 87483/48 3
 for temple entry. The answer given to
 clause (e) may therefore be accepted in
 this Dept. Subject perhaps to the addition of the
 following information: ~~that also T.G. 48~~
 and "The Government are considering the
 question of suitably amending the TEA Act
 so as to make the offences under the Act
 cognizable and when this amendment is
 made the person affected can send in
 a petition for police".
 2. A plan for this temple in question
 was also received in this Dept. separately
 and necessary extracts were taken by the T.P.M.
 Dept. and added to their file No. 54396/48.

16/12/48
 16/12/48
 please see the Firea Sw. note
 from page 2 ante.
 May be circulated to H.T. (Edu)

DM 20/12/48 S. by ~~through~~ the (C)
 The answer may be approved and in the meantime, the
 latest information about the enquiries made may also be
 put up.

159
 24.12.48

The answer has been
 despatched to the Legislative Secretariat.
 With reference to A above a draft
 Memo to the S.P.S. is submitted.
 31/1/49
 DM 31/1/49

4
[Memo No 87483 C1/48-4 Edn dt 6/1/49] P114
From the D.P.I. No 678-B2/48 dt 24/1/49 PP13-214

The D.P.I. states that, on investigation of the case, he found that the teacher was punished because of serious misconduct and gross intemperance and that he was punished by the management as he was engaged in religious and communal propaganda and that his work was not satisfactory. He also states that no action was considered necessary against the management for any alleged breach of agreement. H.M. (Edn) may see with reference to his minutes on p3 ante

28/1/49
30/1/49

2/2/49 S by [unclear] H. (Agr.)

H.M. (Agr.) has told me that he has some personal knowledge of the case. He may go into the matter and send it on to me.

TSA
4.2.49

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

4/2/49 S by [unclear] H. (Agr.)

The school belongs to the of richest Landlord Nambudri family in Malabar, Oomalli Hava. And they are all powerful in the family. The fault of the teacher was that on the passing of the temple entry act he took a few Harijans into the temple of which the management of the school was the trustee. He was also advocating



216/5

15
temple entry for Harijans which the Hava disliked. He was asked to desist from it by the manager which he refused. And the Nambudri rather preferred to close the temple than admit the Harijans and dismissed the teacher. If this is gross misconduct and intemperance the teacher has done it. It is a pity the D.P.I. has not cared to state what the misbehavior of this teacher was. It is ridiculous to call temple entry as religious & communal propaganda

AKK

60

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

7/2/49 S by [unclear] H. (Agr.)

In view of the remarks of H.M. Agriculture above, the answer may be revised and the D.P.I. may be informed accordingly. I think the Management must be asked to take him back. The revised answer may be put up after issuing the necessary orders.



TSA
11.2.49

First of all it may be pointed out that the question was already answered on 25-1-49. Secondly it may be pointed out that according to Rule 13(2) of the Rules relating to grant of recognition and aid to ele. schools "No teacher shall except with permission of a management leave the school without giving 3 months

p 9 CF
p110/1 Rules relating to elementary schools.

notice to the management and no management shall except with his consent dispense with the services of a teacher without giving 3 months notice. If the management violates this sub-rule it shall be bound to pay to the teacher his salary for a period of 3 months and if a teacher violates the provision of this sub-rule the service register shall be withdrawn by the D.P.I. if he was employed in a girls's school or by the Divl. Inspector if he was employed in a boys' school for a period of three months." According to this rule the management can dispense with the services of a teacher after giving him 3 months' notice or salary for 3 months in lieu of notice. It is understood that in the present case the management had sent by M.O. 3 months' pay to Mr. Ezhuthachan before his services were dispensed with.

The rule referred to above has been amended in G.O. No. 3241 dated 15.12.1948. The amendment rule runs as follows:-
No teacher whose appointment is not covered by the sub-rule 4 below shall except with the permission of management be entitled to leave the school without giving 3 months' notice or payment of 3 months' salary in lieu thereof to the management.

(a) The management of the school shall have the power to terminate the services of any permanent member of the staff only as provided hereunder:-

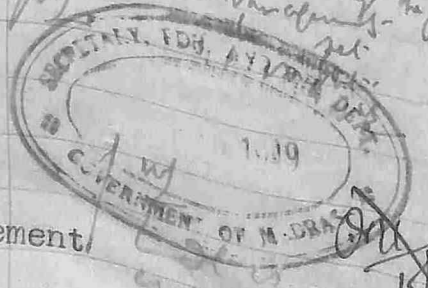
.... With 3 months' notice or 3 months' salary in lieu thereof for the following reasons:- Incompetence, retrenchment, physical fitness or any other good causes - provided that in all these cases coming under (a) and (b) above the teacher shall be informed in writing of the view of the management in the matter and shall be given reasonable opportunity for stating his case in writing " // This rule can be availed of only for cases arising after 15.12.1948.

Mr. Ezhuthachan's case has been disposed of with ref. to the (first) rule cited above. And under this rule it does not seem that Govt. can issue any orders directing the management to reinstate the teacher in service.

The file may be re-circulated.

AM
12/2/49

15.12.48
TSA
15.12.49



C1 16

Public (gl-A) Dept
This file has been sent to this Dept linked with the top file (C. No. 3909/48) for reference. It may be returned to Edu. & P. H.

13/6/49

CSL
16/6

E & PH



Pub (Genl A)
C. 3909/48-17
16.6.49

Dismissal from service of Sri T. C. Ramunni Ezhuthachan, Peringode.

193 Q.—SRI R. SURYANARAYANA RAO: Will the Hon. the Minister for Education be pleased to state—

(a) whether it is a fact that one Sri T. C. Ramunni Ezhuthachan, a teacher employed in the Aided Higher Elementary School, Peringode, South Malabar, has appealed to the Educational authorities against the order of dismissal passed by the Manager of the school;

(b) what orders the Educational authorities have passed;

(c) what the offence is for which this teacher was punished by the Manager;

(d) whether it is a fact that the Manager compelled the teacher to give an undertaking to desist from taking jatha of Harijans into the temples on threat of dismissal; and

(e) whether the legislation relating to temple entry does not afford protection to those upholding the law as against those who take law into their own hands?

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—

"(a) Yes.

"(b) The matter is under investigation.

"(c) Alleged serious misconduct and gross insubordination and engaging in religious and communal propaganda, and unsatisfactory work.

"(d) No information is available.

"(e) Yes."

SRI R. SURYANARAYANA RAO:—"Is it not a fact that this teacher was dismissed because he lead a jatha of Harijans into the temple belonging to the Manager of the School?"

THE HON. SRI T. S. AVINASHILINGAM CHETTIYAR:—"That is not the information. The matter is still under investigation."

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Please see the proceedings of the Legislative Council extracted above. The question was answered on 25.1.49. The papers may be recorded for reference.

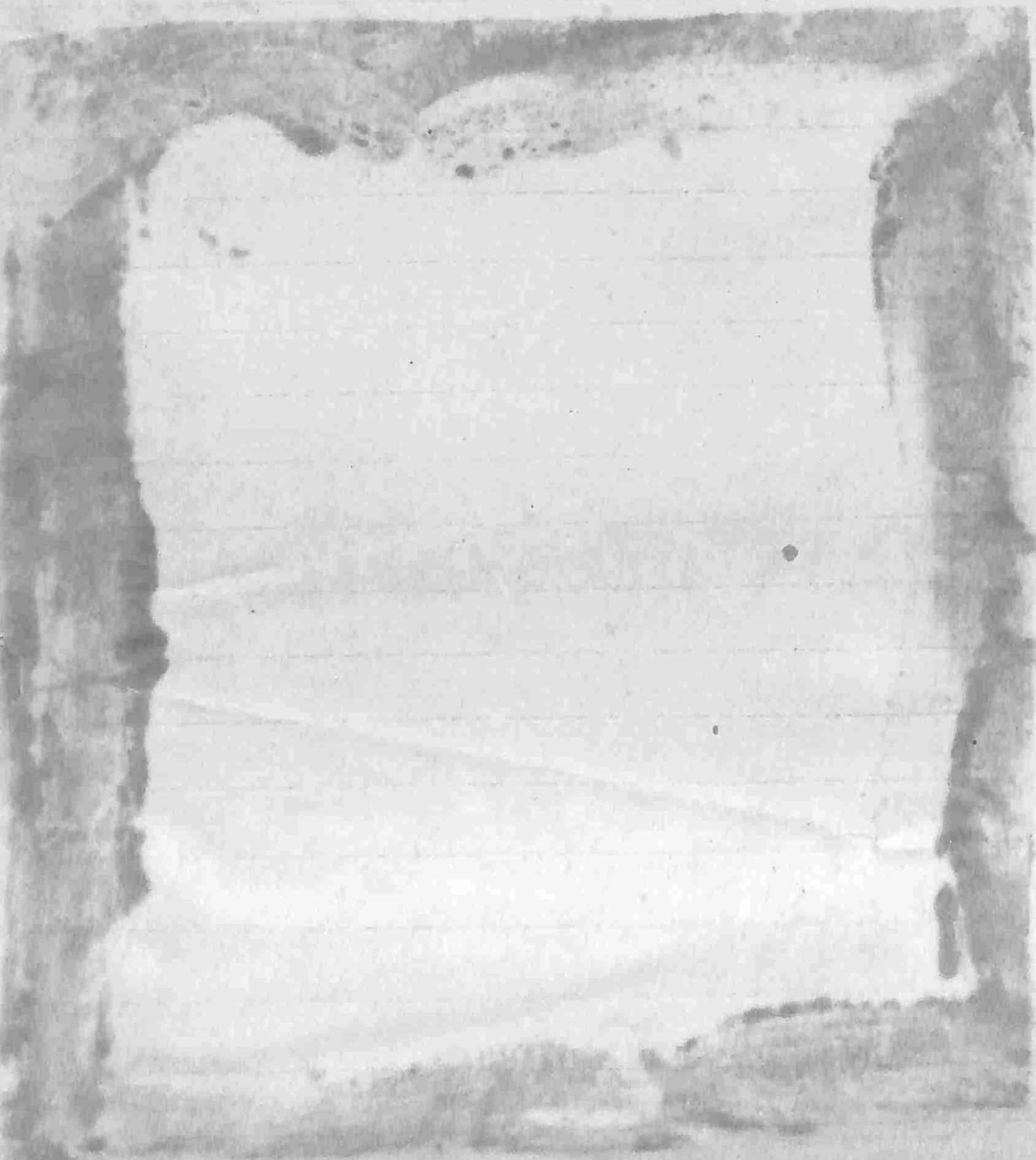
Go no 2314 Edu dated 16.7.49

Subject
Legislative Council Question No 193-
Termination of services of Sri T. C.

ramunni Ezhuthachan - Papers
recorded

2/7/49
2/7/49

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193

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