Closed
[illegible]
Supt

Sectt. II-27—60 004—17-11-48

EDUCATION AND PUBLIC HEALTH (1949) Department.

MS. SERIES.

G.O. NO. 3482, EDUCATION,

Dated 12TH NOVEMBER 1949.

24

[Despatch Abstract.]

EXAMINATIONS - S.S.L.C. - Disciplinary action against candidate Sri D. Damodara Kini, St. Aloysius College High School Centre, Mangalore - 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.

4/2

Mangalore,
22 - 8 - 1949.

ASST. SECRETARY TO GOVERNMENT
6465
24 AUG 1949
EDUCATION AND PUBLIC HEALTH DEPT.

To,

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

Humble application of

D. Damodara Kini,
Son of M. Devadas Kini,
Balmatta Road,
MANGALORE, S.K.

Respectfully sheweth,

That your petitioner was a student in the VI Form in the St. Aloysius' College High School Mangalore, and appeared for the Public Examination in March 1949 at the S.S.L.C.Centre, St. Aloysius' College Mangalore, with No. 49279. He had done well in the examination and was expecting to get a pass.

p.5.c/

2. That the Head Master and Chief Superintendent S.S.L.C.Centre, St. Aloysius' College,Mangalore, sent to the petitioner by his letter No. 91/49 dated 12.5.49 forwarding a copy of letter R.C.No. 404-B/49 dated 10.5.1949 received by him from the Secretary, Board of Secondary Education, Madras, requiring the petitioner and another student with No. 49278 to submit explanations showing cause, why disciplinary action should not be taken against them for having copied from each other's scripts during the examination in Physical Science.

pp11-12 c/

235 p.9 c/

3. As the petitioner had gone on tour to Coorg, Mysore State and Malabar from 9.4.1949 in order to help his father in his business, it being holidays, immediately on coming to know of the above communication, he came to Mangalore and submitted an explanation dated 23.5.1949, through the Headmaster and Chief Superintendent, S.S.L.C.Centre, St. Aloysius' College,Mangalore, wherein he stated that he did not copy in any subject from anybody, or from candidate No. 49278 and that he did not know whether candidate No. 49278 or anybody copied from him in the examination. The petitioner understands that a plan of the seats of the candidates in the hall was also forwarded to by the Chief Superintendent of the centre to the Secretary of the Board of Secondary Education.

p.21 c/

p.23 c/

4. As the petitioner's S.S.L.Certificate was not sent and his results not announced at the time of publication of results, his father on 21.6.1949 sent a telegram to the Secretary of the Board to expedite the publication of his results, as he might not get a seat in the Colleges, should there be any further delay. In reply, a letter R.C.No. 404-B/49 dated 22.6.1949 was received stating that results are with-held till disposal of a pending alleged malpractice case against the petitioner.

pp27-31 c/

5. After waiting for considerable time, your petitioner wrote on 14.7.1949 another letter to the Secretary of the Board further explaining how impossible

impossible it was for the petitioner either to copy from candidate No. 49278, or possibly know that the latter was copying from him especially as the candidate No. 49278 was seated directly behind the petitioner, and there was a gangway for examiners to pass immediately to the right of both the candidates, which could be seen from the plan of the hall and to expedite publication of his results.

p.41 cf 6. The petitioner's father also wrote again on 2.8.1949 reminding the said Secretary to dispose off the matter and explaining the hardship.

p.43 cf 7. The petitioner was shocked when he received the S.S.L.C.Book on 20.8.1949, containing an endorsement dated 13.8.1949 of the said Secretary that the School records for 1948-49 and the results of Public Examination of March 1949 are cancelled, and that the petitioner is debarred from appearing for the Public Examination for one year.

8. It is submitted that the Board of Secondary Education has not viewed the facts of the case properly, and has failed to appreciate the fact that the hall was a small one with only 31 candidates, and the petitioner being seated in directly front of the other candidate and there being gap behind him and a gangway immediately to his right, and under the circumstances it was absolutely impossible for the petitioner to copy from the candidate No. 49278, and similarly, it was not possible for him to know whether the other had copied from him. In the absence of any definate evidence of persons actually having seen any malpractice the Board should have accepted the petitioner's explanation, and should not in justice and equity awarded him any punishment as they have now, especially as they have punished the othercandidate also who was seated behind the petitioner. There is no justification for the punishment given to the petitioner in the absence of any eye-witness or report of any Hall-Superintendent, as regards the alleged mal-practice or guilt and they ought to have exonerated him, also in view of his young age of seventeen years and his uniformly good conduct all these years as borne out by the School records and his S.S.L.C.

9. Your petitioner under these circumstances and in the interest of justice prays, that the concerned records may be called for from the Board of Secondary Education, Madras, and after scrutiny, revise and remove the aforesaid endorsement dated 13.8.1949 debarring him from appearing for Public Examination for one year and of cancellation of the School records and his result of Public Examination of March 1949, and giving him at least the benefit of doubt, and declare him eligible for University Course, or else his whole career of the petitioner will be marred.

Yours faithfully,

D. Damodar Kini

PETITIONER.

Encl: Petitioner's
S.S.L.C.(Serial
No. 70083.H.)

---

3. E & P. A (S2)

C.No. 64652/49 – From Sri D. Damodara Kini Petn. dated 22.8.49.

~~Memo~~ Endt. No. 64652-92/49-1 Edn. dt. 9-9-49.

S.S.L.C. Examination – Malpractice – Disciplinary Action.

9/9.

Referred to the C.G.E. for early remarks. He is requested to state whether the petitioner was given an opportunity of ~~rebutting~~ replying

Omit.

A

3

to the charges against Kini - Copies of statements recorded, if any, and of the formal findings may be submitted to Govt.]

A

Omit

7.9.49.

9/9/49

[A above. Are these necessary? There are ~~the~~ recent papers on this question. (Vizagapatam case)
8/9/49]

-spoken
9/9.

To
The C.G.E
with the petition in original HSSLC. to be retd with reply

PP1-3 c.f.

Pl put up

Put up before the two R's re Remarks
9/9/49

---

5 7 3

~~A~~ ASW

Camp: Madras
24th Sept' 49.

73982

From:

Sri. M. Devadas Kini
Father of Sri. D. Damodar Kini
Balmatta Road, Mangalore. S.K.

To:

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

Put up papers & ask for them quickly
24/9

Sir,

Ref: MEMORIAL Dated 22.8.1949 of D.Damodar Kini.

I beg to invite your kind attention to my son's memorial quoted above and request you to kindly pass orders on it at a very early date. I need hardly point out how the disciplinary action taken against my son will have far-reaching consequences on his future, particularly when he is innocent. The punishment of debarring him from appearing for the Public Examination for one year has been too severe. His school career in the past has been spotless and it is very unfortunate that he has to suffer for the sins of another unscrupulous candidate.

I appeal for Justice and I sincerely hope the Government would be graciously pleased to mete-out Justice to him at least now and save me and my poor family from this calamity.

Thanking you,

Yours truly,

M D Kini

7/9

E.&P.H.(G2).

Memo. No. 64652-G2/49-2 Edn. dated 27-9-49.

Sub:- S.S.L.C. Examination - Malpractice - Disciplinary action against Sri D. Damodar Kini.

Ref:- Govt. Endt. No. 64652-G2/49-1 Edn. dt. 9-9-49.

The attention of the C. G. E. is invited to the Govt. Endt. cited above and he is requested to offer ~~submit the petition of D Damodar Kini with~~ his remarks ~~quickly~~ urgently —

The petition sent in orgl. should be returned.

25/9/49.

25.9.49.

26/9/49

27/9

To

The C. G. E.

p.l.e.f.

27/9

R.C.404-B/49.

G2 ✓

9 ~~8~~ #

Office of the Commissioner
for Government Examinations,
Madras, dated 2-10-1949.

ENDORSEMENT.

ASST. SECRETARY TO GOVERNMENT
5 OCT 1949
EDUCATION AND PUBLIC HEALTH DEPT.

Sub: Malpractice - S.S.L.C. Examination - March 1949 - St. Aloysius College High School Centre - Mangalore - Physical Science - disciplinary proceedings against the candidate No. 49279 - appeal to Government.

Ref: Government Endorsement 64652-G2/49-1 Edn., dated 9-9-1949. pages 3-6 ante

--

Resubmitted to the Secretary to Government, Education and Public Health Department, Madras, with the following remarks.

76145

2. The Examiners in Physical Science reported that the candidates 49278 (D'Souza Pius Baptist) and 49279 (Damodar Kini) had recourse to copying. Both the candidates had attempted ten questions in the same order, with identical answers. Both the candidates denied copying.

3. The entire file with the answer books of the candidates was referred to the Malpractice Sub-Committee for opinion. The Committee reported that the candidate 49278 had copied 5 questions from the answer book of candidate No. 49279, and considered that this could not have been possible without the latter's "active collaboration." They also recommended that both the candidates be punished as usual, viz., with cancellation of their school records for 48-49 and their S.S.L.C. results and debarment for a year.

4. The argument that there was no eyewitness to his malpractice is not tenable, as in most of these cases there can be no eyewitness. Both the examiners as well as the Sub-Committee are of unanimous opinion that both the candidates had resorted to malpractice during the S.S.L.C. Examination as detailed supra.

P.T.O.

~~12~~ 10

5. In the circumstances, it is submitted that the petitioner's request is inadmissible.

4.10.49

for COMMISSIONER.

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

CP/4-10.

11

Mangalore,
7th October, 1949.

ASST. SECRETARY TO GOVERNMENT
12 OCT 1949
EDUCATION AND PUBLIC HEALTH DEPT.

From
M. DEVADAS KINI
Father of D. Damodar Kini,
Balmatta-Road, Mangalore, S.K.

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

P1 ante

Sir:

Ref: Application dated 22-8-1949 from D.Damodar Kini
Application dated 24-9-49 from Petitioner as reminder.

P5 ante

78617

1. I beg to bring to your kind consideration and favourable and early orders the following facts:

2. My son D. Damodar Kini appeared for the S.S.L.C. Examination in March 1949 with No. 49279 at the S.S.L.C. Centre St. Aloysius College, Mangalore, as he was a student in that College. During the Summer vacation the Headmaster of St. Aloysius College forwarded to my son by his letter 91/49 dated 12-5-1949, a copy of letter R.C.No. 404-B/49 dated 10-5-1949 received by him from the Secretary, Board of Secondary Education, Madras, requiring my son and another student with No. 49278, to submit explanations showing cause why disciplinary action should not be taken against them for having copied from each other's scripts, during the examination in Physical Science.

3. My son who had gone outside the district was immediately brought here and he gave written explantion saying that he did not copy from anyone, and he did not know whether anyone has copied from him. The Superintendent of the centre forwarded the explanation along with a plan of seating arrangements in the hall.

4. After repeated reminders, as my son's results were not published at the time of publication of S.S.L.C. results we were shocked to see his S.S.L.Certificate received on 20-8-1949 contained an endorsement dated 13-8-1949 of the Secretary of the Board to the effect that the School records for 1948-49 and the results of Public Examination of March 1949 are cancelled, and that he is debarred from appearing for the examination for one year.

5. The order of the Secretary is unjust and unduly hard. The hall sketch and seating arrangements clearly indicate how impossible it is for my son either to copy from the other candidate who was seated directly behind him, and how impossible it is for the former to know whether the latter was copying from him or not. In the absence of any direct evidence of any malpractive by my son, or report of any eye-witness, the explanation submitted by my son ought to have been accepted in the light of the circumstances probablising the same, and at least the benefit of doubt ought to have been given to him.

6. Withholding the results, cancellation of the School records for 1948-49, ~~without any reasonable~~ and results of Public Examination March 1949 without any reasonable or sufficient evidence to bring home, any guilt on my son, who is after all in his teens and innocent as can be seen from the records, has resulted in not only marring the future career of the boy but in ruining my family as he is my eldest son and expected to assist me in life.

Place

7. My son has sent an application dated 22-8-1949 to this office to set aside the order of the Secretary and I had sent a reminder application dated 24-9-1949, for dealing with the case at an early date. Unfortunately no orders have been received.

8. As my son's career is being spoilt, by the passing of time, it would be a very great hardship for us unless the case is disposed of favourably at an early date. Just now, for no fault of my son he is being punished as his career from the School records could be seen to be spotless. It is therefore absolutely necessary that under the circumstances of the case, justice should be meted out to us at an early date.

9. I therefore appeal and request that the Government may be pleased to dispose of the matter favourably to my son at an early date, or else we will be put to great hardship, inconvenience and loss.

Yours faithfully,

Edn H (G2)

p.s.g.

From the C.G.E. No RC-4024-B-49 dated 2.10.1949

To Memo. No. 64652-G2/49-3 Edn. dated 14-10-49.

Examinations - S.S.L.C - March 1949 - St Aloysius College High School Centre, Mangalore - Physical Science - Disciplinary proceedings against candidate No. 49279 -

The C.G.E is requested to report on the seating plans ~~arrangements~~ adopted in respects of candidates 49278 and 4927

Despatch 14/10

16/10

16

49279, and to state clearly how the seats of the two candidates were arranged in the hall.

C.G.E
The D.P.I should [illegible] make it clear how he presumes that Mr Kuri collaborated in the copying and was not the unconscious victim of it, at the hands of the other candidate.

[illegible] 7.10.49.

An early reply should be sent.

18/x

To the C.G.E.

Asst. 14/10

Gr 10 17

SUBJECT:

Examination, March 1949 - Secondary School Leaving Certificate - St. Aloysius' College High School Centre - Mangalore - Disciplinary Proceedings against the Candidate No.49279.

R.C.No.404-B/49.

Station:- Madras. Dated 17-10-1949.

From (Name):- Sri D.S. Reddi, M.A., (Oxon).,
(Designation):- Commissioner for Government Examinations,
Madras.

ASST. SECRETARY TO GOVERNMENT
19 OCT 1949
EDUCATION AND PUBLIC HEALTH DEPT.

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

Sir,

81143

Ref 15-16 ante

Ref:- Government Memorandum No.64652-G/49-3, Education, dated 14-10-1949.

---

p19 infra

The seating plan received from the Chief Superintendent of the centre is enclosed. Candidate No.49279 sat before Candidate No.49278 but this does not preclude the chance of the former collaborating with the latter, who sat behind him, in the latter's act of copying.

2. The Chief Examiner reported that Candidate No.49278 had copied answers to ten questions in Physical Science from Candidate No.49279. A further scrutiny of both the answer books showed that both the Candidates had copied the answers to ten questions in the same order as shown below:-

	Candidate No.49278.	Candidate No.49279.
Question No.	1	1
	3	3
	4	4
	6	6
	7	7
	8	8
	9	9
	10	10
	15	15
	16	16

Again most of the answers are verbatim copies of each other. Both the students sat in the North East Corner far away from the Superintendent. Hence the scripts should have been exchanged by both the candidates, as, otherwise ten questions could not have been answered by the Candidate No.49278 in the same order as had been done by the Candidate No.49279. Even the other answers are almost similar.

3. Messrs. Theodore Samuel and K. Kuruvilla Jacob, Members of the Board of Secondary Education and Malpractice Sub-Committee remarked as follows when the matter was referred to them:-

P.T.O.

12

-2-

Mr. Theodore Samuel:

"Resubmitted.

On going through the scripts I find that most of the answers are verbatim copies of each other. There is no doubt as to copying and most probably candidate No.49278 copied from 49279. But one could not have copied to such an extent without the active collaboration of the other. It is my view that both the candidates need to be punished."

(Sd). Theodore Samuel.
19-7-49.
Member, Board of Secondary Education,
Madras.

Mr. K. Kuruvilla Jacob:

"I agree with Mr. Theodore Samuel's recommendations."

(Sd). K.K. Jacob.
8.8.49.

4. When answers to ten questions have been worked out verbatim and in the same order and most of the other answers also are almost similar, no other conclusion is possible but that candidate No.49279 had actively collaborated with candidate No.49278 and made it possible for the latter to have recourse to malpractice. Hence my presumption that candidate No.49279 is not an unconcious victim at the hands of the other candidate is well-founded.

5. In the circumstances, I submit that the candidate No.49279 is certainly guilty.

6. The seating plan may kindly be returned when done with.

Damodara Kini.

Ranganayakulu 18.10.49
for COMMISSIONER.

M.T./18.10.49.

64652/92/49
6°/12.11

pages 1-2 of
pages 11-13 of

pages 9-10 of
17-18 of

DT 11/11

17 19 E.& P.H.(G2).

EXAMINATIONS - S.S.L.C. - Disciplinary action against candidate Sri D. Damodara Kini, St. Aloysius College High School Centre, Mangalore - Orders passed.

--

(petn., dt.22-8-49).

From Sri D. Damodar Kini, Balmatta Road, Mangalore.
From Sri M. Devadas Kini, Petn. dt.7-10-49.

--

From the C.G.E., No. RC-404/B-49 dt.2-10-49 and 17-10-49.

--

ORDER/MS. NO. 3482 EDN., DATED 12.11.49

--

~~The~~ Copies of the petitions read above from Sri D. Damodar Kini and Sri M. Devadas Kini are forwarded to the C.G.E. The Commr. is requested to arrange for admitting D. Damodar Kini to the S.S.L.C. public Examination to be held in March, 1950, if he sees no objection to such a course.

2 Sri M. Devadas Kini is referred to the C.G.E. for orders on his and his son's petitions.

11/11

To
The C.G.E. (with copies of petitions and seating plan)
Sri M. Devadas Kini,
Balmatta Road, Mangalore, (process 2 only)
South Kanara.

DCGE MO 19/11

21/11

5.11.49

10-11-49

E&P.H(G92)

C.No.64652/49.

Sub:- S.S.L.C. Examination - Malpractice - Disciplinary action against Sri D. Damodar Kini.

Referred to C.G.E. in original — From D. Damodar Kini, petition dated 22-8-49.

From Sri M. Sevadas Kini (father of the candidate) dated 24-9-49.

p.5 c.f.

Extract of the Secretary's remarks on p.3 c.f.

"Put up papers or ask for them quickly".

J.M.L.P.
24-9-49.
Secretary "

Please see the Secretary's remarks extracted above. The candidate's petition first cited above with his S.S.L.C., has been referred to the C.G.E. in original for his early remarks on 9-9-49. A memo reminder to the C.G.E. is submitted below for approval.

25/9/49.

25.9.49.

26.9.49

S 27/C

pp. ~~11-12~~ 8-9 c.f. — From the C.G.E., R.C. 404-B/49 dated 2-10-49.

Please see the reply from the C.G.E. at pp. ~~11-12~~ 8-9 c.f. The C.G.E. states that Damodar Kini and another candidate by name D'Souza Pius Baptist had attempted ten questions in the same order, with identical answers and that both the candidates denied copying. The matter was referred to the Malpractice Sub committee and after their unanimous opinion that the two candidates resorted to malpractice, the candidates were debarred for one year from appearing of the Public Examination.

The C.G.E. therefore considers that the petitioner's request is inadmissible. ~~A draft memo to the candidate is submitted below for approval~~.

5/10/49. The two candidates who are alleged to have copied from scripts were seated near each other (their numbers being 49278 and 49279). In the circumstances mentioned by the C.G.E the conclusion seems to be irresistible that they collaborated in copying. Interference may be declined— | A. paras on p 8 cf

2 The draft memo below is for approval— H.M. (E&L) may see— | 6-10-49

5.10.49.

6-10-49

S

H.M. (E&L)

We cannot presume 'A'. ~~As~~ 49278 may have been at the tail of one row and 49279 at the top of the next. Find out what the seating plan was and how the two seats were arranged.

7/10.

M

Draft memo is submitted.

7.10.49.

8/10/49

PTO

---

p 13 cf From Sri Devadas Kini Petn D 7.10.49

Secy's note on p 13 cf

Put up at once

L. P. 12.10.49.

Please see the C.G.E's report at pages 9-10 cf.

In the matter of the disciplinary action taken by the C.G.E against the student D. Damodar Kini, it is proposed to obtain details of the seating plans at the Centre to see whether the student could have collaborated in copying from common scripts, as alleged — p 9 cf — Vide Addl. Secy's order at M on the previous page— May a report be called for? If so, the draft memo on pages 11-12 cf may issue and Sri Devadas Kini may be informed that the matter is under consideration—

12.10.49.

13-10-49

S

As amended

14
4

pp. 15-16 c.f.
[Memo. No. 64652-Egs/49-3 Edn. dated 14-10-49.]
(C. No. 81143/49 from the C.G.E. Rc. No 404-B/49. d 17.10.49)

P.T.O.

Attention is invited to the C.G.E's further observations on pages 17-18 c.f., the Remarks of the Members of the Board who Scrutinized the candidates' scripts (p 18 c.f) and the seating plan on p 19 c.f. - The answers of the two candidates are verbatim copies and are found in the same order - Direct evidence of copying and collaboration is however not available. Action has been taken on the Examiner detecting the similarity between the two sets of answers -

It is for orders whether the C.G.E's views will be accepted and interference declined -

30.10.49

31-10-49

The Commissioner for Govt. Examinations has cancelled the school records of two candidates - Baptist, No.49278, and Kini, No.49279 - on the ground that the latter allowed the former to copy the Science paper. It has been found that the answers to 5 questions are identical and that both the candidates have answered all the 10 questions in the same serial order. Baptist has accepted the C.G.E's Order, but Kini has appealed that he was the unconscious victim of the copying and that his future would be gravely marred if he is punished.

The conclusion regarding active collaboration has been reached on the ground stated that the questions are in the same serial order and answers to 5 are identical.

14

It seems necessary whether this evidence by itself can justify the conclusion reached. The candidates were seated, Kini in front of Baptist, as shown in the sketch on page 19 c.f. The actual mechanics of copying would be either for Kini to display his paper or to exchange it. The very fact that the questions are in the same serial order would appear to militate against exchange or display, as obviously Kini could not answer the paper and display it or exchange it at the same time in order to enable Baptist to keep pace. If Baptist remained idle while Kini was finishing the first page, obviously he would have attracted the attention of the Supervisors particularly as he was the last boy in the row facing the alley. This is a very important fact which does not appear to have struck anyone before. On the other hand, the fact that only 5 out of the 10 questions could be copied would support the theory that Baptist was stretching himself as much as possible to find out what Kini had written, following him answer by answer and copying whatever he could see. Of course this is only theory, but Kini is entitled to every benefit of doubt in the absence of any other corroborative evidence. In this connection it may be mentioned:

(1) That Baptist has not appealed, which could imply that he accepts his guilt;

(2) That no special relations between the two candidates have been proved and the ordinary presumption would be that there would be no such relation - one candidate being a Christian and the other a Hindu;

(3) That no one detected the copying ~~withxcollabo~~ or collaboration, which in a room containing only 31 candidates should not have been difficult;

(4) There is no statement recorded that the copying was of entire pages and the five questions answered identically belong to such pages. In fact, if the Examination books were examined, it should be

possible to know if the copying was by an attempt on the part of Baptist without the knowledge of Kini.

It has been necessary to examine this case in this detail because after all the order of the Examiner will be a serious blot on the record of Kini which will interfere with his future. This blot should not be allowed, unless the evidence is more definite that Baptist could not copy without the connivance of Kini. The Examiner's order therefore deserves to be cancelled.

1/×1

H.M.(E.& L.)

Commissioner's order is based on the recommendation of the Mal practice Sub. Committee consisting of two experienced Hd masters. It may be a hard case, ~~but~~ for ought I see, there is much in favour of Kini. But it is dangerous for the Govt to sit as a Court of appeal in such matters. And we will be flooded with such appeals. The School record of Kini is not very brilliant, and it would have been interesting if the marks of Public Examination also had been entered. In any case the utmost that I can think of is to allow him to appear again this year if that is allowable under the rules, i.e. a reduction in punishment. But even that I do not like to be done by Govt, but should be done by Commissioner if he is satisfied about the genuineness of the appeal. The party should have asked the Commr to reconsider or review.

He is not prevented fr appearing this year according to the existing order. Is he?

3/×1

SECRETARIAT, EDN. AND P.H. DEPT.
3 NOV 194
GOVERNMENT OF MADRAS

A The appeal may be sent to the ~~D.P.I.~~ Commr. for disposal ~~in the light~~ of the above remarks & the party referred to the Commr's [illegible]
KM 2.11

H.M's minute and Secy's query on the previous page.

It has been ascertained informally from the Office of the C.G.E that in view of the order of punishment the candidate is prevented from appearing for the next Examination in March 1950, but that he can appear for the ~~[illegible]~~ Supplementary Examn. to be held in Sept. or Oct. 1950.

For orders.

4.11.49.

The C.G.E may perhaps be asked to admit this candidate to the ensuing examination in March 1950, as a special case.

5-11-49

H.M (E+L)

7/×1

Please do as I have directed at A on forepage That is the maximum I can do

KM
8/11

A draft order is submitted for approval. H.M. (E&L) may see with reference to his minutes on page 6 ante

9.11.49.

10-11-49

H.M.(E&L)

No need to trouble H M again

11/11

2L

The 3 minute and draws
spety on the previous page.
It has been ascertained
informally from the office of the
C.G.E. that in view of the [illegible]
of punishment, the candidates
be prevented from appearing
for the next Examination
March 1950, and that the
candidates for the special
supplementary Exam. to be
held in Sept. or Oct. 1950,
for orders.

A draft mem is submitted for
approval - (S+L) may see.

9.11.49.

Copy of the letter R.C. No.404-B/49 from Sri D.S. Reddi, M.A. (Oxen)., Commissioner for Government Examinations, Madras, to the Secretary to Government, Education and Public Health Department, Fort St. George, Madras, dated 17-10-1949.

****

Sub: Examination, March 1949 - Secondary School leaving Certificate - St. Aloysius' College High School Centre - Mangalore - Disciplinary Proceedings against the Candidate No.49279.

Ref: Government Memorandum No.64652-G/49-3, Education, dated 14-10-1949.

****

The seating plan received from the Chief Superintendent of the centre is enclosed. Candidate No.49279 sat before Candidate No. 49278 but this does not preclude the chance of the former collaborating with the latter, who sat behind him, in the latter's act of copying.

2. The Chief Examiner reported that Candidate No.49278 had copied answers to ten questions in Physical Science from Candidate No.49279. A further scrutiny of both the answer books showed that both the Candidates had copied the answers to ten questions in the same order as shown below:-

Candidate NO.49278.	Candidate No.49279.
Question No. 1	1
3	3
4	4
6	6
7	7
8	8
9	9
10	10
15	15
16	16

Again most of the answers are verbatim copies of each other. Both the students sat in the North East Corner far ~~wa~~ away from the Superintendent. Hence the scripts should have been exchanged by both the candidates, as, otherwise ten questions could not have been answered by the Candidate No.49278 in the same order as had been done by the Candidate No.49279. Even the other answers are almost similar.

3. Messrs. Theodore Samuel and K. Kuruvilla Jacob, Members of the Board of Secondary Education and Malpractice Sub-Committee remarked as follows when the matter was referred to them:-

Mr. Theodore Samuel:

"Resubmitted.

On going through the scripts I find that most of the answers are verbatim copies of each other. There is no doubt as to copying and most probably candidate No.49278 copied from 49279. But one could not have copied to such in extent without the active collaboration of the other. It is my view that both the candidates need to be punished."

(Sd). Theodore Samuel.
19-7.49.
Member, Board of Secondary Education, Madras.

P.T.O.

Mr. K. Kuruvilla Jacob:

"I agree with Mr. Theodore Samuel's recommedations."

(Sd). K.K. Jacob.
8-8-49.

4. When answers to ten questions have been worked out verbatim and in the same order and most of the other answers also are almost similar, no other conclusion is possible but that candidate No.49279 had actively collaborated with candidate No.49278 and made it possible for the latter to have recourse to malpractice. Hence my presumption that candidate No.49279 is not an unconcious victim at the hands of the other candidate is well-founded.

5. In the circumstances, I submit that the candidate No.49279 is certainly guilty.

6. The seating plan may kindly be returned when done with.

****

/True copy/

Superintendent.

Copy of the Endorsement R.C.404-B/49. Office of the Commissioner for Government Examinations, Madras, dated 2-10-1949.

****

Sub:- Malpractice--S.S.L.C. Examination - March 1949- St. Aloysius College High School Centre--Mangalore--Physical Science--disciplinary proceedings against the candidate No. 49279- appeal to Government.

Ref:- Government Endorsement 64652-G2/49-1 Edn.,dated 9.9.1949.

Resubmitted to the Secretary to Government, Education and Public Health Department, Madras, with the following remarks.

2. The Examiners in Physical Science reported that the candidates 49278 (D'Souza Pius Baptist) and 49279 (Damodar Kini) had recourse to copying. Both the candidates had attempted ten questions in the same order, with indentical answers. Both the candidates denied copying.

3. The entire file with the answer books of the candidates was referred to the Malpractice Sub-Committee for opinion. +The committee reported that the candiate 49278 had copied 5 questions from the answer book of candidate No.49279, and considered that this could not have been possible without the latter's "active collaboration." They also recommended that both the candidates be punished as usual, viz., with cancellation of their school records for 48-49 and their S.S.L.C. results and debarment for a year.

4. The aggument that there was no eyewitness to his malpractice is not tenable, as in most of these cases there can be no eyewitness. Both the examiners as well as the Sub-Committee are of unanimous opinion that both the candidates had resorted to malpractice during the S.S.L.C. Examination as detailed supra.

5. In the circumstances, it is submitted that the petitioner's request is inadmissible.

/True copy/

33

Subject:

S.S.L.C. Examination, March 1949 - St. Aloysius' College High School, Mangalore - Disciplinary action against Sri D. Damodar Kini.

Asst. Secretary to Government
23 NOV 1949

R.C.No.404-B/49. Dated 22-11-1949.

Station:- Madras.

From (Name):- Sri D.S. Reddi, M.A., (Oxon).
(Designation:- Commissioner for Government Examinations,
Madras.

To

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

91418

Sir,

Ref:- G.O.Ms.No.3482, Education, dated 12-11-1949.

I have the honour to submit that Sri D. Damodar Kini cannot be admitted to the examination in March 1950, since all the candidates punished in similar circumstances need to be shown the same concession. He may, however, appear for the examination in October 1950 as a private candidate.

K. Ranganayakulu
22.11.49

for COMMISSIONER.

M.T./22.11.49

Estt H (92)

35

19

D.O. 9148/82/49-1 Edu.d 28/11/49

D/Secy
28/11

Dear Mr Reddi,

S.S.L.C Examination – St Aloysius College High School Mangalore – Disciplinary action against Sri D. Damodar Kini –

Reference your letter No 404-B-49 – Dated 22.11.49 –

In continuation of my conversation with you over the phone, on the above subject, I am desired to state that considering the facts of this case

37

S. S. L. C. Examination, March 1949 - Disciplinary action against Sri D. Damodar Kini - St Aloysius' College High School, Mangalore - admission to exam in March 1950 -

---

p1 c/f - From the C. G. E. Rc. No. 404 - B/49 d 22.11.49.

Please see the letter from the C. G. E in the c/f. It is submitted that Sri D. Damodar Kini's, S. S. L. C. was cancelled by the C. G. E for one year from ~~1949~~, March 1949 ~~[illegible] malpractice. But~~ In G.O. 3482 Edu d 12.11.49, orders were passed requesting the C. G. E to admit him for the ensuing S. S. L. C. examination in March 1950, as a special case, if he saw no objection to such admission. The C. G. E in his letter on p1 c/f has stated that the student in question cannot be admitted to the examination in March 1950, ~~and~~ but that he may appear for the Supplementary examination in October 1950.

p1 c/f -

p9-10 c/f / Ⓡ

p19 c/f / Ⓡ -

~~For~~ orders.

A.M. (E&L) may see -

23/11/49

23.11.49.

24-11-49

S

I have since spoken to the D.P.I. Refer to it & write to him that considering the facts of the case, an exception appears to be justified, which he may like to make.

25/XI

A Draft D.O. is Subd.
(To be sent with the G.O. after issue)

25.11.49.

25/11/49

S 25/XI

38

2

case an exception appears to be justified in ~~the~~ ~~case~~ respect of the candidate Damodar Kini which you may like to make in modification of ~~the~~ the decision which you have already ~~made~~ ~~in the matter~~. reported.

Y. S.

Apd 28.11.49

25.11.49.

25/11/49

25/XI

Sri D. S. Reddi,
MA (Oxon)
C. G. E.

A. S. IV

G2

Edn. P. H

St Aloysius College High School
D. Damodara Kini.. Admission
to School Final Examination
~~Secretary~~'s Secy's D.O. to the Dr. Let
me see the papers & speak to me

93692

SECRETARY, EDN. AND P.H. DEPT.
30 NOV 1949
GOVERNMENT OF MADRAS

KM
3/11

S spoken

30/XI

Edn. P. H (G2)

May be filed with papers
at R/Go 3482 Edn d 12/11/49.

30/11/49
T. 1.12.49

--2--

To

J.M.Lobo Prabhu, Esq., I.C.S.,
Secretary to Government,
Education & P.H.Department,
Fort St.George, Madras.

S.S.L.C. - Examination, March 1949. Disciplinary action against Sri D. Damodar Kini - St. Aloysius' College High School, Mangalore - admission to exam in March 19

p3cf - From the D.P.I. D.O. letter dated 29.11.49.

Please see the further D.O. from the D.P.I on p3cf. With reference to Secretary's query in the margin thereon, it is submitted that from the C.G.E's report on p17cf/Ⓡ, it may be observed that ten questions had been copied verbatim. page 2 of p.17 cf in Ⓡ

p19cf/Ⓡ In G.O. 3482 Edn d 12.11.49, the C.G.E was requested to admit Sri D. Damodar Kini for the S.S.L.C Exam in March 1950, if there was no objection. Again when the C.G.E stated that this p33/Ⓡ Student ~~can not~~ could not be admitted, he was asked in p 35.36/Ⓡ D.O. 91418/52-1 d 28.11.49 to treat this case as an exception and to modify his decision in the matter. p3cf But the D.P.I in his D.O. has stated that any modification of the orders will create undesirable consequences

~~for orders~~

AM (E&L) may see the DPI's DO in the c.f. -

3/12/49

Circulation seems unnecessary in view of Secy's note on p1cf.

3-12-49

3-12-49.

S

On page 31 of it is stated that only five questions were copied. There appears to be so much confusion - a reason for our interference - that I wonder if we should not see the paper ourselves. Of course this is going too much into detail, but the issue having been raised, and examined already, the trouble may be justified. However, who has the

2

papers?

5/XI

from the Secy. the CGE

It is understood that answer papers are retained by the Chief Examiners in the subjects concerned till the eligible lists are published by the Universities and that thereafter they are sent to paper mills in accordance with the orders relating to disposal of waste paper and the sale proceeds are credited to Govt. accounts. The Secy. is unable to say definitely whether the Physics answer papers have been sent to paper mills or are still with the Chief Examiner.

5-12-49

We need not pursue the matter further

5/12

E&P.H
Eg2

The papers may now be filed with G.O. 3482 Edn d 12.11.49.

p 19/ Ⓡ

5/12/49

5/12/49

6/12/49