Fd
Ltr.

Sectt. II-27—58,004—27-10-47.

Supt
Edu (1950) Department.

Ms SERIES.

G.O. NO.	1037 (Edu)
Dated	29/3/50.

[Despatch Abstract.]

Establishment - Education - Secondary - South Arcot Dt Bd - Sri T. Thirunavukkarasu, formerly Headmaster, Board High School, Cuddalore - Removal from the Service of the Dt Bd - Ordered

Back Papers.

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

Further Papers.

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

G

EDUCATIONAL DEPARTMENT.

ASST. SECRETARY TO GOVERNMENT
4- DEC 1949
EDUCATION AND PUBLIC HEALTH DEPT.

From

The Director of Public Instruction,

Madras.

To

The Secretary,

to Government of Education and Public Health Department,

Madras.

Sir, No. R.C. 1824 G 1/48 dated 1-12-1949.

Sub: District Board South Arcot- Sri. T. Thirunavukkarasu- Head Master- Disciplinary action against- Report.

On receipt of a complaint dated 1-8-1948 from one Dasarathambal, pupil of Form IV in the Board High School, Gingee alleging moral turptitude against Sri. T. Thirunavukkarasu, the Head Master of the school; the Divisional Inspector of schools, Mathurai was requested to enquire and report on the work and conduct of the Head Master in question.

2. According to the latest report the Special Officer seems to have conducted an enquiry and framed charges against the Head Master Board High School, Gingee in September 1948-vide- copy of the Proceedings R.C. No. A.6. 17943 D 3/48 dated 20-9-48 enclosed — and has obtained the explanation of the Head Master. So far orders have not been finally passed by the District Board in the matter. In the meanwhile, a petition signed by the residents of Kallakurichi was presented to the Divisional Inspector on 18-11-1949 a copy of the English translation of the same is enclosed herewith.

3. The matter has been pending for over one year and it is not known why the District Board is postponing final action for one reason or other. The first charge viz immorality with a girl pupil of the school should be held to have been proved. The offence is a very serious one and it is reported to have become a public scandal in South Arcot District. As I feel that the matter is being unduly delayed by the District Board, I suggest that Government may call for the connected papers and pass suitable orders.

Yours faithfully,

for Director of Public Instruction.

A.S./2-12.

Translation.

Petition dated 15-11-49 from certain residents of Kallakurichi to the Divisional Inspector of schools.

Sir,

Sri. Thirunavakkarasu, while he was the headmaster of the Board High School, Gingee, had an illegal intimacy with a girl pupil of the school and begot a boy through her. On a complaint against him in that connection he was transferred to Kallakurichi as Head Master, Board High School. But there is no detailed enquiry made on the complaint and it has been pending for a long time without final disposal.

Mr. Singaram Pillai, the Superintendent of the District Board, South Arcot is the brother of the Head Master and he wishes to lodge the petition without any action. The matter was not taken to the notice of the Collector and Special Officer. However the Collector was aware of the fact only at the time of transfer of charge, when he issued orders reverting the Head Master as an assistant. The orders were held up in the office. Then the Head Master went on leave for two months. In the meanwhile District election took place and an uneducated has been elected as President. As the President does not know anything, he is acting according to the advice of Sri. Sampathiah, the District Board Educational Officer. The District Board Educational Officer who is corrupted with Rs.500/- is in favour of the Head Master and he also wishes to lodge the complaint without any action. The District Board Educational Officer issued orders without the knowledge of the President, to the Head Master on leave to join duty. It is a disgrace on the part of the District Board Educational Officer trying to lodge the complaint against a man who has done a serious offence.

Sri. S. Parthasarathi Naidu, Vakil, Kallakurichi is the Vice-President of the Board. Through his help and through the help of the District Board Educational Officer, the Head Master has got the way of rescue. The higher authorities should bestow their personal attention in the matter. Mr. Tirunavakkarasu is telling that the educational authorities could not do anything against him when once the orders have been passed by the President. We sent a report last year and no action has been taken so far on the same. The character of the Head Master is questionable. There are many grown-up girls reading in the higher forms. Knowing his character, some girls left the school out of fear. Some girls are reading under proper safeguard.

It is therefore prayed that the Head Master should not be given a responsible post that he should be reverted permanently as an Assistant so that the girls may attend the school without any fear, that the misdoings of the District Board Educational Officer should be checked, that the Head Master should be punished suitably so that it should be a precedent for the future Head Masters to be careful in their dealings. Requesting a personal enquiry in the matter.

Sd. .....

Resident of Kallakurichi.

Proceedings of the Special Officer, District Board, Cuddalore.

Rc. No. A.6.17943. D.B. of 19

Short title: Education- Secondary- Bo
Complaint against head

4

Read the following: (1) Petition of Sri. Murugesan, teacher, Bd. Ele. School, Pulipet, Gingee Taluk dated 7-7-1948.

(2) Petition of Dasarathambal, student of IV Form Bd. High School, Gingee dated 20-7-1948 and

(3) Several Statements given before Personal Assistant to the Spl. Officer, District Board, on 25-7-1948.

On the receipt of petitions from Sri. Murugesan, teacher, Board Elementary School, Pulipet Nedumchelliyan of Gingee and Dasarathambal a girl student of IV Form, Board High School, Gingee against Sri. T. Thirunavakkarasu, Headmaster, Board High School, Gingee an enquiry was made by the Personal Assistant. As a result of it, the following charges are framed against Sri. T. Tirunavakkarasu, B.A., L.T., Headmaster, Board High School, Gingee as required by the Director's Proceedings R.C. 4086-G/46 dated 23-9-46 read with Rule 2 and 7 of rules relating to Personal conduct of officers and servants of local bodies and G.O. No. 1219, Edn., dated 24-9-1943 and rule 5 under rules for appointment and punishments of servants of District Board.

The Headmaster is directed to show cause within a fortnight from the date of receipt of this memo why disciplinary action which may amount to his removal from service should not be taken against him. If no reply is received within the time allowed, it will be presumed that he has no explanation to offer and orders passed ex-parte on the merits of the case.

Charge No. 1:- That the headmaster taking advantage of his position and knowingfully well that she was a married girl he has had immoral connexion with the girl student, by name Dasarathammal, now reading in IV Form, Board High School, Gingee seduced her with the result that she now in advanced stage of pregnancy.

Grounds of charge:- It is clear from the statement recorded from the Headmaster and the girl student on 25-7-1948 at the time of enquiry that the Headmaster hasknown the family of the girl student for the past 18 years and has been moving with them on very intimate terms by taking meals prepared by them in their house etc., The Headmaster himself admits that he had written love letters to the said girl student in which he had agreed to marry her by registered marriage after June 48 and promised that he would purchase lands for her to the value of Rs.300/- and that in the case of failure on the part of any one of them the defaulter should make good the loss.

From the love letters perused it is clear that the Headmaster and the girl student have not only been on terms of extreme intimacy but that there have also been monetary and other transactions between them.

Evidence of charge:- (1) Petition of Sri. K. Murugesan teacher, Board Elementary School, Pulipet dated 7-7-1948.

(2) Petition of Sri. Dasarathambal dated 20-7-1948 and

(3) Statements recorded from the girl student and the [illegible] the time of enquiry on 25-7-1948.

2. That he took active part in the collection [illegible] pupils of the school during 1947-48 and failed [illegible] though one year has passed nor has he repaid

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-3-

the balance due to the respective pupils.

Grounds of charge:- On a perusal of the connected records, it is seen that the headmaster collected on the whole about Rs.2010-10-0 from students at the rate of Rs.10/- to Rs.25/- according to the requirements of each form. No receipt was issued for the amounts collected. The whole accounts were scattered in fragments of papers bundled together. Out of Rs.2010-10-0 collected vouchers to the extent of Rs.1747-13-0 only were produced and the Headmaster could not produce vouchers for the balance of Rs.262-13-0. Some of the pupils unanimously said that they had paid from Rs.10/- to Rs.25/- by instalments and that books were supplied by the Headmaster as and when received and that no receipt was issued to them for the amounts paid. The Headmaster himself admits that he has collected money aggregating to Rs.2010-10-0 and that vouchers for Rs.1747-13-0 were alone produced and has to be accounted for by him. His action is ultravires and is contrary to rules 2 and 7 of rules relating to personal conduct of officers and servants of local bodies.

Evidence of charge (1). Petition of Sri. K. Murugesan, teacher, Board Elementary School, Pulipet dated 7-7-1948.

(2) Statement given by (1) Sri. K. Murugesan (2) Sri. T. Thirunavakkarasu and students at the time of enquiry on 25-7-1948.

(True Copies)

D. Pandian
3/12

for Director of Public Instruction.

A.S./2-12.

To

S

P

Copy

By Regd Post. Confidential

E.& P.H.(G2).

D.O. No. 94926 G2/49-2 Edn., dated 27/12/1949

Dear ~~Sri~~ Sri Srinivasa Padayachi,

Establishment - Secondary Education - Dt.Bd., South Arcot - Sri T. Tirunavukkarasu, Headmaster Disciplinary action.- Reference special officer's proceedings No A6-17943-Dt-48 dated 20.9.1948.

The D.P.I. has brought to the notice of Govt. that an enquiry into certain charges framed against Sri T. Tirunavukkarasu, Headmaster of a Board High School in South Arcot Dt. has been pending for over one year. The charges are stated to include one of misconduct with a girl pupil of the school, a charge which is reported to have been proved. This matter appears to have become a public scandal in the district. The Govt. consider that the interests of the Secondary Education in the district require that the matter should be proceeded with without further delay and the public impression of deliberate delay on the part of the authorities in this matter should be avoided. They therefore propose to deal with the matter themselves. In the Govt's opinion it is undesirable that the person charged with the offence mentioned above should continue in service ~~pending the disposal of the charges~~ until he clears his conduct in an enquiry. I am to ask you (i) to pass orders immediately placing the person concerned under suspension until the final disposal of the charges, and (ii) to send the complete ~~xx~~ records of the case in original to the Govt. within a week from the date of receipt of this communication.

~~I am to ask you to treat the matter as very urgent.~~

Y.S.

To

Sri P.R. Srinivasa Padayachi, M.L.A.
Predt., Dt.Bd., S.Arcot.

Copy to the D.P.I.

Hand delivered Confl. on ... 28/12

22.12.49

23/12/49

23/12

EW H(G2)

9

From The D.P.I. No. RC-1824-
G1-48- Dated 1.12.1949.

Confidential

Memo no 94926-G2/49-4 Edn 29.12.49.

Establishment - Secondary Education - South Arcot- Dt. Bd. Sri T. Thyagarajakaran Headmaster, Bd. High School, Gingee - Disciplinary action-

29/12

A copy of the letter of the D.P.I (with enclosure) is forwarded to the Inspr. of Municipal Councils and Local Boards - The Inspector is Requested to make

I.I.O.

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make an inspection of the office of the South Arcot Dt. Bd. ~~submit a report to Govt. as to~~ immediately, and to ~~[illegible]~~ there and why a period of one year and odd has been allowed ~~to lapse~~ when in the matter of the enquiry into the charges against Sri T. Tirunavukkarasu, Head master.

[illegible]
28.12.49.

28/12/49

[illegible] 29/12/49.

To
The Insp[ector] [of] G[ir]ls [Schools]
[with a copy of letter]
D.E.O.
Desp[atch]

CONFIDENTIAL G2 South Arcot Dt. Board Office,
Cuddalore N.T. D/ 3-1-1950.

11

D.O.A6.~~17943/DB/48~~ 22517/49

Dear Sir,

ADDITIONAL SECRETARY TO ... 5 JAN 1950 EDUCATION ...

ASST. SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH DEPT. 5 - JAN 1950

Sub:- Establishment-Secondary Education District Board, South Arcot-Sri. T.Tirunavukarasau Headmaster-disciplinary action orders passed.
Ref:- Your Confdl. D.O. No. 94926 G.2/49Edn. dated 27th December '49
...
— p 7 ante

c1233.

The file relating to charges of misconduct towards a girl-pupil of the school, against the Headmaster, Sri. T.Tirunavukarasu, was dealt by the Special Officer and Personal Assistant of the District Board till I assumed charge as President about the end of September '49. Before I could pass orders on the same I had to peruse the records and make my own informal enquiries. After these I passed orders reverting the Headmaster, Sri. T.Tirunavukarasu, of the Board High school Kallakurichi to his permanent post as L.T. Assistant terminating his probation as Headmaster on 26-12-'49 and I am enclosing herewith a copy of the orders [pp. 13-16 infra]

P.T.O.

passed for your information.

Yours sincerely,

P.R. Srinivasa Pandya
3/1/50

To

Sri. T.M.S.Mani, I.C.S.,
Additional Secretary to Government,
Education & Public Health,
Madras.

13

Roc.A.6.22517/49.

Proceedings of the President,District Board,South Arcot,Cuddalore. N.T.,dated 26-12-49.

Read the following:-

(1) Petition dated 7-7-48,from Sri Murugesa Iyah,Teacher, Board school,Palapadi,reporting against Sri T.Tirunavukkarasu,the then Headmaster,Board High school,Gingee.

(2) Petition,dated 20-7-48 from Srimathi E.Dasarathambal, Girls student,Board High school,Gingee,complaining against the said headmaster.

(3) This office No.A.6.17943/48,dated 20-9-48 framing charges against Sri T.Tirunavukkarasu,the then Headmaster,Board High school, Gingee and now at Kallakurichi.

(4) His explanation dated 7-10-48.

(5) This office memo Roc.A.6.17943/48,dated 28-7-49, to Sri T.Tirunavukkarasu,to show cause why he should not be reduced permanently to the grade of an assistant on the basis of the enquiring officers' reports and records of enquiry,on the charges framed in this office memo dated 20-9-48.

(6) Further explanation of Sri T.Tirunavukkarasu,dated 11-8-49.

O R D E R.

On receipt of complaints from Sri K.Murugesiah,teacher,Board elementary school,Palapadi and E.Dasarathambal,girls student,IV Form, and daughter of the then Drill master,Board High school,Gingee,against Sri T.Tirunavukkarasu,the then headmaster of the same school,the following charges were framed against Sri T.Tirunavukkarasu,the headmaster after a preliminary enquiry.

Charge:-1:- The headmaster taking advantage of his position and knowing fully well that Dasarathambal,girl student was married a married girl,had immoral connection with her and seduced her with the result that she is now in an advanced stage of pregnancy.

Grounds of charge:- It is clear from the statement recorded from the headmaster and the girl student on 25-7-48,at the time of enquiry, that the headmaster has known the family of the girl student for the last 15 years and has been moving with them on very intimate terms by taking meals prepared by them in their house,etc. The Headmaster himself admits that he had written love letters to the said girl student in which he had agreed to marry her by registered marriage after June 1948 and promised that he would purchase lands for her to the value of Rs.300/- and in case of failure on the part of either,the defaulter should make good the loss. From the love letters it is clear that the headmaster and the girl student were not only on terms of extreme intimacy,but that their kxxxxx have also been monetary and other transactions between them.

Charge.No.2.:- That he took part in the collection of funds from the pupils of the school during 1947-48 and failed to render account though one year has passed,nor has he paid the balance due to the students.

Grounds of charge:- On a perusal of the records,it is seen that the headmaster collected on the whole Rs.2010-10-0 from students at the rate of Rs.10/- to Rs.25/- according to the requirements of each form. No receipt was issued for the amount collected. The whole accounts were scattered in fragment of papers bundled together. Out of Rs.2010-10-0 collected,vouchers for Rs.1747-13-0 only were produced and the headmaster could not produce any vouchers for the balance of Rs.262-13-0 Some of the pupils unanimously said that they had paid from Rs.10/- to Rs.25/- by instalments and that books were supplied by the headmaster as and when received and no receipt was issued to them for the amounts paid. The Headmaster himself admits that he collected Rs.2010-10-0 and produced vouchers for Rs.1747-13-0 alone,and the balance of Rs. 262-13-0 had still to be accounted for by him at the time of the preliminary enquiry. He has not done so yet. His action is contrary to rules 2 & 7 relating to personal conduct of officers and servants of local Boards.

The required procedure in the matter of appointment and punishment of officers and servants of local boards has been gone through in this case witnesses for and against the delequent were examined in his presence and cross examined by him wherever he thought it necessary.

P.T.O.

Findings:- It has been established clearly that there has been intimate connection between the headmaster and the girl student. The headmaster was moving with the girl student and her family on very intimate terms particularly when he became a student of the High school, as he has been for taking of meals prepared in their house, culminating in love letters written by him and promising to register marry her by June 48, and also to purchase for her lands to the value of Rs.300/-. The Headmaster says that he moved with the girl student on terms of intimacy on account of his long connection with the family to illustrate which he cited, his visit to her first husband an inpatient in the Government Head quarters hospital, Cuddalore long before she left him and that therefore she did not move with the girl in the capacity of the teacher and the taught. He also points out that as admitted by the girl student, his connection with her and her family dates back is to 18 years and so he did not move with her as one connected with his official position. The explanation of the headmaster is not acceptable. Though he might have known the girl student and her family for a long time, the evidence adduced did not show any where, that his movement with them before, were so close and intimate, as has been made out and also admitted by him, after he became the headmaster of the institution at Gingee and the girl a student under him. He should not have moved with a student and particularly a girl of the school of which he was the Head on such terms of intimacy necessitated by whatever circumstances, as to give room for complaints of moral turpitude and suspicion of having immoral connection with her, with the result that she has become pregnant and delivered a child.

As regards letters written to the girl student, the headmaster says that they are not love letters and they were written in his own interest and are in the nature of agreement which will not be valid unless signed by both the consenting parties. The Headmaster does not disown his letters. In one of the letters, he has asked the girl student to be cautious and to think of her future. This evidently refers to the apprehensions of the Headmaster, above the girl student, who had become pregnant on account of his illegal intimacy and she should therefore be cautious and abide by his advi The three love letters by whichever name the headmaster may call that, not only reveal in illicitink intimacy, the monetary and other transactions between them, but also go to show that the headmaster has been leading a life undecoming of the head of an institution.

The evidence let in by defence witness (3) and (2) Kannairam and Mohamad Ali go to show that the school staff and others used to frequent the house of the girl student, but nowhere has it been proved that there was any intimacy between the girl student and any particular outsider as a result of which she became pregnant. The only witness in complaint relied upon viz. Munusami Nainar (P.W.11) has stated that he never knew the girl student and her family before, that he came to know of the whole things only after going through the letters of the headmaster and th t whenever he went to the school he found the headmaster all alone and never found the girl with him in lonely circumstances. He had also stated that he had no direct knowledge of the girl student's family of whether the headmaster had any illicit connection with her either inside or outside the school premises. The evidence of Kannairam (D.W.3) Veerasami Nainar (D.W.4) Syed Ibrahim (D.W.1) and Munusami Nainar, all go to show that they never found the girl student in lonely circumstances toghther with the headmaster in the school premises. The headmaster points out that in the suit notice separately given, the girl student had admitted that she used to frequent the Headmaster's house under the preference of having private tution, when she used to enjoy his company, whether the conception and giving birth to the child is due to the illicit connection of the headmaster, either outside the school premises or on account of the girl students' association with any one else, the love letters and inducements to purchase lands for her and register marry her coupled with his intimate movements have been responsible for the connection and birth of the child.

The headmaster says that in the suit notice given to him, the girl student refers to a man who had relied on her and whom she left, and infers from this that the girl student is a woman who does not live with her husband and she cannot also be said to be a married woman, as her marriage did not take place according sacred rites. He says that the charge of adultery will arise only in case of connection between a man and a married woman living with her husband or a virgin. He points out that the girl student can neither be called a virgin as she is mother of two children now married as she was not lawfully married to her first husband. He also argues that as she is not in the habit of living with her husband, the charge of adultery cannot be lawfully established. Besides she is a major and not living with her husband, she has the right

to associate with anyone in any manner she likes, and hence his intimacy with this sort of woman cannot be questioned under the provisions of [illegible] and the charge of adultery with her cannot be established.

Munusami Nainar (P.W.11) in his statement says, that when the headmaster, the girl student and her parents were discussing as to how the taught could be settled, the headmaster asked the girl student to come aside and have a private talk with him, and when she refused to do so, the headmaster told Munusami Nainar, that it was a fact that he was keeping the girl student and that when they wanted that he should either marry her by registered marriage or pay them Rs.3000/- and settle the question, the headmaster replied that he cannot do either but can maintain her if she comes and lives with him, deserting her parents and failing that pay her only Rs.10/- p.m. But the attempt to arrive at a settlement did not succeed. In as much as the Headmaster did not oppose categorically the evidence let in by Munusami Nainar on the above aspects and had remained silent he has admitted the same. The headmaster did not cover any fresh ground in the cross examination of the witnesses. His own admission that he was moving with the girl student on terms of intimacy, his failure to oppose the statement of Munusami Nainar (P.W.11) that he was keeping the girl, the letters he has written to the girl student promision registered marriage and to purchase her lands for Rs.300/- amounting to induce and seduce the gir his attempt to settle the tangle with the intervention of Munusami Nainar (.P.W.11) by various means and the attendant cricumstances strongly go to show that he was having immoral and illicit connections with the girl student, as a result of which she became pregnant and delivered a child. This fact has also not been categorically opposed by the headmaster. Hence charge I stands proved.

Charge.2.:- The headmaster explains that towards supply of books, he collected the amounts in advance and settled the accounts as soons as books were supplied in the case of some students that in the case of 26 students who had left the school, a sum of Rs.52-14-0 is due to him from them, while Rs.26-9-6 is due by him to about 12 students for which he would ascertain the orders and remit the amounts- He also adds that the books were supplied to the pupils with the least possible delay on receiving the advance, and in delay in rendering account was due to delay in the verification and completion of account, due to his preoccupation with school activities which he had to manage almost single handed in the absence of a clerk. He requests that the delay may be excused. He sent the amount of Rs.26-9-6 due by him to 12 pupils to the Secretary of the Taluk Congress Committee, Gingee Sangam for dibursement, as he could not do it himself, due to his transfer from Gingee to Kallakurichi. The total number of students who gave money to the headmaster, for the purchase of books as per the accounts furnished at the final enquiry was 165 and the amount collected Rs.2214-8-0 of this acknowledgements for settling accounts have been obtained from 133 pupils involving Rs.1906-5-6, leaving a balance of Rs.308-2-6. Number of pupils from whom acknowledgements have to be received is 32. Of this he had made arrangements to disburse Rs.26-9-6 to 12 pupils and of the remaining, 20 pupils owe him a sum totalling Rs.52-14-6 and he could not therefore get their acknowledgements despite his settling the accounts with them. The remaining 8 having left the school, their acknowledgements could not be got though their accounts have been settled.

The action of the headmaster in having sent the amount of Rs.26-9-6 to a non-official agency for disbursement to 12 pupils after ascertaining their addresses for sums collected from the pupils, as headmaster which he/ could have sent the same to his successor at Gingee is not satisfactory, It has been clearly established that only after the receipt of a complaint by the Special officer and an enquiry held into, the headmaster took steps to settle the accounts almost after the lapse of one year. The Headmaster has yet to obtain acknowledgements from 32 pupils involving a sum of Rs.308-2-6.

All the witnesses examined on the complaint have deposed evidence to the effect, that the headmaster had arranged to settle the accounts to their satisfaction and in a few cases the accounts were settled prior to the preliminary enquiry. On the whole the charge that he has not been able to repay the amount and settle the account even after one year has not been fully indicated. The explanation of the headmaster that because he was preoccupied with the school activities, he was not able to settle the accounts is not acceptable for the reason that in monetary transactions, he should have taken particular care to settle the accounts then and there without allowing [illegible] to be questioned after a period of more than a year. The [illegible]

P.T.O.

Findings:- It has been established clearly that there hes been intimate connection between the headmaster and the girl student. The headmaster was moving with the girl student and her family on very intimate terms particularly when he became a student of the High school,as he has been for taking of meals prepared in their house,culminating in love letters written by him and promising to register marry her by June 48,and also to purchase for her lands to the value of Rs.300/-. The Headmaster says that he moved with the girl student on terms of intimacy on account of his long connection with the family to illustrate which he cited,his visit to her first husband an inpatient in the Government Head quarters hospital,Cuddalore long before she left him and that therefore she did not move with the girl in the capacity of the teacher and the taught. He also points out that as admitted by the girl student,his connection with her and her family dates back is to 18 years and so he did not move with her as one connected with his official position. The explanation of the headmaster is not acceptable. Thoughhexmight have known the girl student and her family for a long time,the evidence adduced did not show any where,that his movement with them before,were so close and intimate,as has been made out and also admitted by him,after he became the headmaster of the institution at Gingee and the girl a student under him. He should not have moved with a student and particularly a girl of the school of which he was the Head on such terms of intimacy necessitated by whatever circumstances,as to give room for complaints of moral turpitude and suspicion of having immoral connection with her,with the result that she has become pregnant and delivered a child.

As regards letters written to the girl student,the headmaster says that they are not love letters and they were written in his own interest and are in the nature of agreement which will not be valid unless signed by both the consenting parties. The Headmaster does not disown his letters. In one of the letters,he has asked the girl student to be cautious and to think of her future. This evidently refers to the apprehensions of the Headmaster,above the girl student,who had become pregnant on account of his illegal intimacy and she should therefore be cautious and abide by his advi The three love letters by whichever name the headmaster may call that,not only reveal in illicitmk intimacy,the monetary and other transactions between them,but also go to show that the headmaster has been leading a life unbecoming of the head of an institution.

The evidence let in by defence witness (3) and (2) Kannairam and Mohamed Ali go to show that the school staff and outsiders used to frequent the house of the girl student,but nowhere has it been proved that there was any intimacy between the girl student and any particular outsider as a result of which she became pregnant. The only witness in complaint relied upon viz.Munusami Nainar (P.W.11) has stated that he never knew the girl student and her family before,that he came to know of the whole things only after going through the letters of the headmaster and th t whenever he went to the schoolshe found the headmaster all alone and never found the girl with him in lonely circumstances. He had also stated that he had no direct knowledge of the girl student's family of whether the headmaster had any illicit connection with her either inside or outside the school premises. The evidence of Kannairam (D.W.3) Veerasami Nainar (D.W.4) Syed Ibrahim (D.W.1) and Munusami Nainar,all go to show that they never found the girl student in lonely circumstances toghther with the headmaster in the school premises. The headmaster points out that in the suit notice separately given,the girl student had admitted that she used to frequent the Headmaster's house under the preference of having private tution,when she used to enjoy his company,whether the conception and giving birth to the child is due to the illicit connection of the headmaster,either outside the school premises or an account of the girl students' association with any one else,the love letters and inducements to purchase lands for her and register marry her coupled with his intimate movements have been responsible for the connection and birth of the child.

The headmaster says that in the suit notice given to him,the girl student refers to a man who had relied on her and whom she left, and infers from this that the girl student is a woman who does not live with her husband and she cannot also be said to be a married woman,as her marriage did not take place according sacred rites. He says that the charge of adultery will arise only in case of connection between a man and a married woman living with her husband or a virgin. He points out that the girl student can neither be called a virgin as she is mother of two children nor married as she was not lawfully married to her first husband. He also argues that as she is not in the habit of living with her husband,the charge of adultery cannot be lawfully established. Besides she is a major and not living with her husband,she has the right

to associate with anyone in any manner she likes,and hence his intimacy with this sort of woman cannot be questioned under the provisions of Sec. and the charge of adultery with her cannot be established.

Munusami Nainar (P.W.11) in his statement says,that when the headmaster, the girl student and her parents were discussing as to how the tangle could be settled,the headmaster asked the girl student to come aside and have a private talk with him,and when she refused to do so,the headmaster told Munusami Nainar,that it was a fact that he was keeping the girl student and that when they wanted that he should either marry her by registered marriage or pay them Rs.3000/- and settle the question,the headmaster replied that he cannot do either but can maintain her if she comes and lives with him,deserting her parents and failing that pay her only Rs.10/- p.m. But the attempt to arrive at a settlement did not succeed. In as much as the Headmaster did not oppose categorically the evidence let in by Munusami Nainar on the above aspects and had remained silent he has admitted the same. The headmaster did not cover any fresh ground in the cross examination of the witnesses. His own admission that he was moving with the girl student on terms of intimacy,his failure to oppose the statement of Munusami Nainar(P.W.11) that he was keeping the girl,the letters he has written to the girl student promision registered marriage and to purchase her lands for Rs.300/- amounting to induce and seduce the gir his attempt to settle the tangle with the intervention of Munusami Nainar (.P.W.11) by various means and the attendant cricumstances strongly go to show that he was having immoral and illicit connections with the girl student,as a result of which she became pregnant and delivered a child. This fact has also not been categorically opposed by the headmaster. Hence charge I stands proved.

Charge.2.:- The headmaster explains that towards supply of books,he collected the amounts in advance and settled the accounts as soons as books were supplied in the case of some students that in the case of 26 students who had left the school, a sum of Rs.52-14-0 is due to him from them,while Rs.26-9-6 is due by him to about 12 students for which he would ascertain the orders and remit the amounts- He also adds that the books were supplied to the pupils with the least possible delay on receiving the advance, and in delay in rendering account was due to delay in the verification and completion of account,due to his preoccupation with school activities which he had to manage almost single handed in the absence of a clerk. He requests that the delay may be excused. He sent the amount of Rs.26-9-6 due by him to 12 pupils to the Secretary of the Taluk Congress Committee, Gingee for dibursement,as he could not do it himself,due to his transfer from Gingee to Kallakurichi. The total number of students who gave money to the headmaster,for the purchase of books as per the accounts furnished at the final enquiry was 165 and the amount collected Rs.2214-8-0 of this acknowledgements for settling accounts have been obtained from 133 pupils involving Rs.1906-5-6,leaving a balance of Rs.308-2-6. Number of pupils from whom acknowledgements have to be received is 32. Of this he had made arrangements to disburse Rs.26-9-6 to 12 pupils and of the remaining,20 pupils owe him a sum totalling Rs.52-14-6 and he could not therefore get their acknowledgements despite his settling the accounts with them. The remaining 8 having left the school,their acknowledgements could not be got though their accounts have been settled.

The action of the headmaster in having sent the amount of Rs.26-9-6 to a non-official agency for disbursement to 12 pupils after ascertaining their addresses for sums collected from the pupils,as headmaster which he could have sent the same to his successor at Gingee is not satisfactory, It has been clearly established that only after the receipt of a complaint by the Special officer and an enquiry headd into,the headmaster took steps to settle the accounts almost after the lapse of one year. The Headmaster has yet to obtain acknowledgements from 32 pupils involving a sum of Rs.308-2-6.

All the witnesses examined on the complaint have deposed evidence to the effect,that the headmaster had arranged to settle the accounts to their satisfaction and in a few cases the accounts were settled prior to the preliminary enquiry. On the whole the charge that he has not been able to repay the amount and settle the account even after one year has not been fully indicated. The explanation of the headmaster that because he was preoccupied with the school activities,he was not able to settle the accounts,is not acceptable for the reason that in monetary transactions,he should have taken particular care to settle the accounts then and there without allowing himself to be questioned after a period of more than a year. The average is

16

The charge is therefore proved.

The Headmaster in his explanation dated 11-8-49 states that neither of the charges has been made and that he has enough materials to convince his contention on obtaining copies of the records on the file. He also states that the statement of Munusami Nainar (P.W.11) referring to his (headmaster's) admission cannot be relied upon and his silence without categorically opposing his evidence cannot be taken as admission he is not a professional cross examination and he was not given sufficient opportunity to cross examine with professional aid. He also adds that there was no evidence to show to his illicit connection with Dasarathambal, culminating in her pregnancy and delivery, she has not been shown in accessible to visitors, in letters referred to cannot be called love letters disclosing contact between the headmaster and girl student and he took advantage to write the letter taking advantage of that relationship. He says that pity for the forelorn girl student discorded by her former lover, he made the proposal to marry her after her career as student in the school.

The headmaster's contention that he has enough materials to disprove charges and he should be furnished with copies to do the same cannot be accepted except that it is calculated only to gain time. The enquiry has been conducted as required by rules and the proceedings as well as the records of enquiry contain exhaustive details to justify the conclusions arrived at. The headmaster has been given full opportunities to bring in all his witnesses and records and cross examine the witness at full length and there has been absolutely no instance were facilities in this regard have been deceived. Secondly whatever the long acquaintance with the girl student and her family there was no evidence to show to the utmost intimacy with which the headmaster moved with the girl student except after she became a pupil of his school at Gingee. If his proposal for the marriage of the girl student with him, he one of pity for her forelorn conditions, he could have effected it as and when he desired the same on mutual consent and there was no need for any letter or agreement stipulating penal clauses for failure, unless it be calculated to induce or seduce the party to his desires.

The headmaster's explanation for charge II, that all the accounts have been settled and there has been only a few months delay in closing the accounts which was due to circumstances beyond his control, he should be given copies of the statements of students recorded at the enquiry and be given an opportunity to place his case in full with the aid of the legal adviser cannot also be accepted.

The enquiry has been conducted as per rules and the proceedings and a record contain exhaustive details to justify the conclusions. It is clear the headmaster has had immoral connections with the girl student and there are strong grounds to infer that she conceived and delivered a child thereof. This is quite unbecoming of the head of a public institution entrusted with his case and moulding of the future generation.

In consideration of all the above facts and circumstances I hold both the charges proved and I hereby order his reversion to his permanent post as assistant with immediate effect, termination his probation as headmaster.

P. R. Srivarada Rao 26/12/49.

President, District Board.

To the Individual.
Copy to the Headmaster, Board High school, Kallakurichi
Copy to the Director of Public Instruction, Madras, with reference to his Rc.No 1824/Confidential/ G1/48 dated 13-8-49.
Copy to the Divisional Inspector of schools, Maturai Division, Mathurai, with reference to his Roc.709/B/48, dated 27-6-49.
Copy to the District Educational Officer, South Arcot.

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E.& P.H.(G2).

pages 1-5 ✓
pages 11-16 ✓
D/ (sealed cover) 11/1

From the D.P.I., No. Rc. 1824-G1-48 dt.1-12-49.
From the P.D.B., South Arcot, No. A6.22517-49 dt.3-1-1950.

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MEMO. NO. 94926/G2/49-5 EDN., DATED 11/1/50

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ESTABLISHMENT - Secondary Education - Dt.Bd., South Arcot - Sri T. Tirunavukkarasu, formerly Headmaster of a High School - Disciplinary proceedings.

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pages 13-16 ✓

pages 3-5 ✓

pages 293-4 of Bottam 1972

The Govt. consider that the punishment imposed by the P.D.B., South Arcot on Sri T. Tirunavukkarasu, formerly Headmaster, Bd. High School, Gingee, in the Pdt's proceedings Roc.No. A6.22517-49 dated 26th Decr. 1949 is inadequate in view of the grave charges framed against the Headmaster in the Special Officer's proceedings Rc. No. A6.17943-DB-48 dated 20th Septr. 1948. They therefor propose to deal with the case of the subordinate in question and to pass orders in the matter, after further examination, under rule 9(3) of the rules for the appointment and punishment of local board servants.

2. Sri T. Tirunavukkarasu, L.T. Asstt., is hereby placed under suspension pending final orders of Govt. as ~~proposed~~ on the charges already framed against him.

3. The P.D.B. is requested to submit immediately to Govt. the records of enquiry into the charges against Sri T. Tirunavukkarasu in original, for necessary further action by the Govt.

To

The P.D.B., South Arcot.

Copy to the D.P.I.

Additional in sealed cover item 2 in ordy cover 11.1.50

11.1.50

11-1-50

11/1

Draft:

E.S.D.H / E.S.2

19

26/E.S.2/49

Establishment - Secondary Education - South Arcot Dt. Bd. - Sri. T. Thirunavukkarasu - Headmaster Bd. High School, Gingee, Disciplinary action.

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Memo. No. 94926-E.S.2/49-4 Edn d. 29-12-49.

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Memo. No. 94626/E.S.2/49-6 Edn. d. 20/1/50.

The attention of the Inspr. of Municipal Councils and Local Boards is invited to the memo Cited ~~on the~~ above ~~Subject~~ and he is requested to expedite his reply to it.

Inspr. of Ml. Cls & L. Bds. ✓

19-1-50

19.1.50

20-1-50

20/1/50

To

Confdl.

Eg. P. H
Eg2

19

26/Eg2/49

Establishment- Secondary Education - South Arcot Dt. Bd. Sri. T. Thirunavukkarasu - Headmaster Bd. Hig School, Gingee, Disciplinary action.

Eg-10cf

Memo. No. 94926-Eg2/49-4 Edn d. 29-12-49.

Asst Section

Memo. No. 94626/Eg2/49-6 Edn. d. 20/1/50.

The attention of the Inspr. of Municipal Councils and Local Boards is invited to the memo cited ~~in the~~ above ~~Subject~~ and he is requested to expedite his reply to it.

Inspr of Ml. Cls & L. Bds. ✓

20-1-50

19-1-50

19.1.50

To

Roc.No.A.6.22517/DB/49.

Proceedings of the President,District Board,South Arcot, Cuddalore,N.T., dated 17-1-50.

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Sub:- Establishment-Secondary Education-District Board-South Arcot - Sri T.Thirunavukkarasu,formerly Headmaster-Board High school,Gingee-placed under suspension.

--

Read:- Government Memorandum No.94926/G2/49-5, Education,dated 11th January 1950 of the Education and Public Health Department of the Government of Madras.

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O R D E R

Sri T.Thirunavukkarasu,L.T.Assistant,Board High school, Tirukkoilur,is hereby placed under suspension pending final orders of Government on the charges already framed against him in this office proceedings.Rc.No.A.6.17943/48,dated 20th September 1948.

Dr.18.1./Exd.

for President,District Board.

To the Individual(By registered Post acknowledgement due)
Copy to the Headmaster,Board High school,Tirukkoilur.
Copy to the District Educational Officer,South Arcot.
Copy to the Divisional Inspector of schools,Mathurai Division.
Copy to the Director of Public Instruction,Madras.
Copy to the Secretary to Government of Madras,Educationa and Public Health Department,for information.
Copy to bill file B.9.

From
Sri. P.R.SrinivasaPadayachi MLA.,
President, District Board,
South Arcot, Cuddalore N.T.

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

Roc.A6.22517-DB-49 dated 17-1-1950

Sir,

Sub:- ESTABLISHMENT- Secondary Education District Board-South Arcot-Sri. T.Thirunavukarasu formerly headmaster-Board High School-Gingee-disciplinary proceedings.

Ref:- Your Memorandum No. 94926/G.2/49-5 Edn., dated 11th January 1950.

As per orders issued in para 2 of the above Memorandum I have this day issued orders placing Sri. T.Thirunavukarasu under suspension pending final orders of Government on the charges already framed against him.

2. The connected file of papers containing the records of enquiry into the charges against Sri. T.Thirunavukarasu in original (C.F.pages 2~~40~~ 254 and note file 44) is submitted herewith.

3. I have to point out that in passing orders on the charges against Sri. T.Thirunavukarasu the following circumstances were taken into consideration.

(1) The girl-pupil is not a vergin but a married woman of more than 20 years with a child by her husband who had ill treated and deserted her. Her movements and character

P.T.O.

ASST. SECRETARY TO GOVERNMENT
22 JAN 1950
EDUCATION AND PUBLIC HEALTH DEPT.

Proceedings of the President,District Board,South Arcot,
Roc.A6.22517/DB/49, dated 17-1-50.

Sub:- Establishment-Secondary Education-District Board-Board High school,Gingee-placed under suspension.
Sri T.Thirunavukkarasu,formerly Headmaster-

Read:- Government Memorandum No.94926/GS/49xxx-5, Education,dated 11th January 1950 of the Education and Public Health Department of the Government of Madras.

ORDER

Sri T.Thirunavukkarasu,L.T.,Assistant,Board High school, Tirukkoilur,is hereby placed under suspension pending final orders of Government on the charges already framed against him in this office proceedings.Ro.No.A.6.17943/48,dated 20th September 1948.

Dr.18.1./Exd. for President,District Board.

To the Individual(By registered Post acknowledgement due)
Copy to the Headmaster,Board High school,Tirukkoilur.
Copy to the District Educational Officer,South Arcot.
Copy to the Divisional Inspector of schools,Mathurai Division.
Copy to the Director of Public Instruction,Madras.
Copy to the Secretary to Government of Madras,Education and Public Health Department,for information.
Copy to bill file B.S.

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are fairly well known to be highly suspicious, thoug no direct evidence could be adduced in this regard. Her black-mailing tendency will be evident from her attempt to make capital out of the allegations made against Sri. T.Thirunavukarasu by demanding a sum of Rs 3000/- to settle the matter with him, though he consented to maintain her if she agreed to come and live with him.

P.R. [illegible]

President, District Board,
South Arcot.

18.1.50.

19/1

25

ASST. SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH DEPT. 1- FEB 1950

From

Sri.T.Prabhakara Rao Naidu B.A.,
Inspector of Ml.Cls.&Local Boards.Madras.

To

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

Roc. 1254-50 F.2.dated 28-1-50

Sir,

SUB: Establishment - Secondary education - South Arcot District Board - Sri.T.Thirunavakkarasu Head master - Board High school - Gingee - disciplinary action.

REF: Education and Public Health Memo No. 94926-G2-49-4 dated 29-12-49

I have asked the Deputy Inspector Southern Range to inspect the South Arcot District Board and send me a report. His report has not yet been received. I have reminded him. I shall send a reply as soon as his report is received.

31/1/50

For Inspector.

tpr-31-1

...to be highly suspicious, thoug...

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From SRI T. PRABHAKARA RAO NAYUDU, B.A.,B.L.,
Inspector of Ml.Cls.& Local Boards, Madras. 1.

To The Secretary to Government,
Local Administration Department, Madras.

No. L.Dis.1254/50 dated 2-2-1950

Sir,

Sub: ESTABLISHMENT--Secondary Education--South Arcot District Board--Sri T. Thirunavukkarasu, Headmaster, Board High School, Gingee--Disciplinary action.

Ref: Education and Public Health Department Memorandum No. 94926-G2/49-4 dated 29-12-1949.

I forward herewith the report of the Deputy Inspector of Municipal Councils and Local Boards, Southern Range, Tiruchirapalli No.2/50 dated 18-1-1950 in the matter.

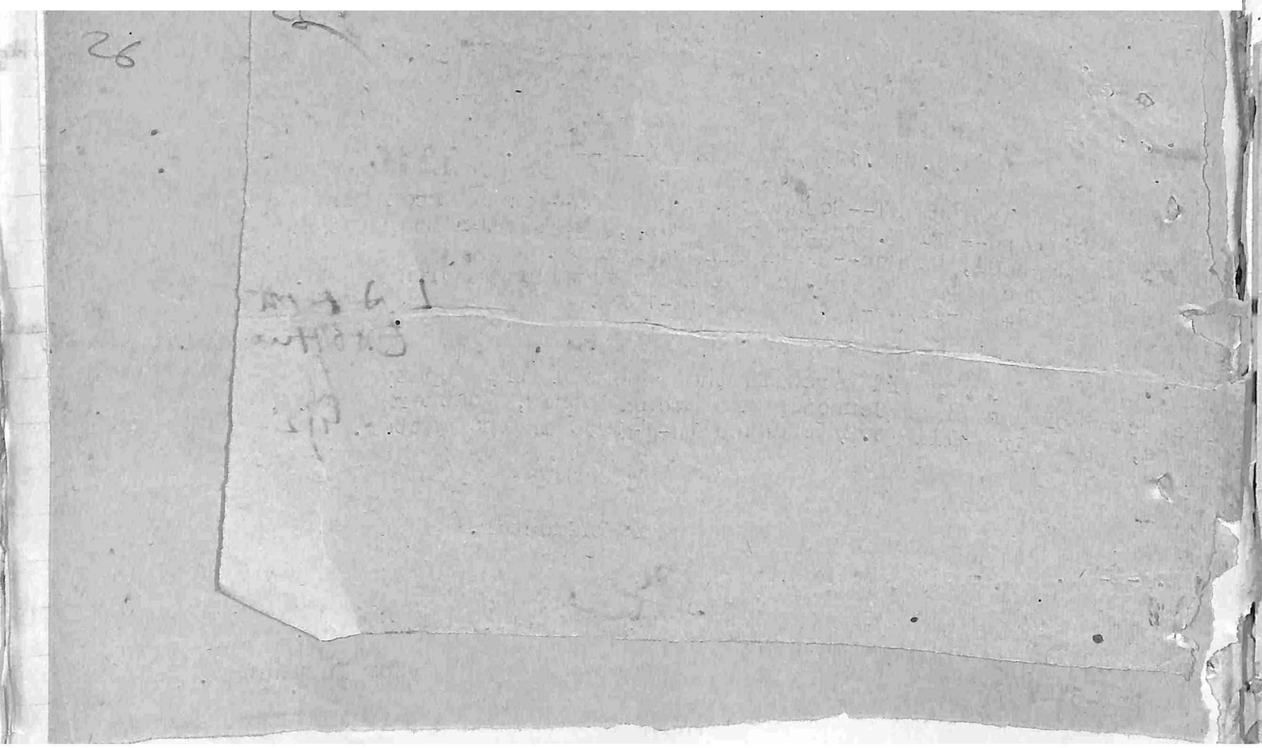
I have the honour to be,
Sir,
Your most obedient servant,

for Inspector.

S.R.3-2-50.

LOCAL ADMINISTRATION DEPARTMENT SECRETARIAT 4-FEB 1950

ASST. SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH 7-FEB 1950



Local Administration Department

Confidential

From Sri T.M.Ramaswami,B.A.Hons.(Cantab).
Deputy Inspector of Municipal Councils and Local Boards,
Southern Range, Tiruchirapalli,
Camp: Cuddalore.

To The Inspector of Municipal Councils and Local Boards,
Madras I.

Camp: No.2/1950 Dated 18-1-1950.

Sir,

Sub: Establishment - Secondary Education - South Arcot District Board - Sri T.Thirunavukkarasu, Headmaster, Board High School, Gingee - Disciplinary action - Report submitted.

Ref: Inspector's Roc.No.1254/50 dated 9/1/50.

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I visited Cuddalore on the 17th and conducted an enquiry into the matter as directed.

A note was submitted by the Personal Assistant to the Special Officer, District Board, S. Arcot on 8/9/48 based on his enquiry into the petitions by one K.Murugesan, Gingee and Dasarathambal, the girl pupil concerned. His findings were against both the Headmaster and the girl.

The Special Officer, District Board has ordered the expulsion of the girl from the school (who was in a state of pregnancy) and the framing of charges against the Headmaster for misconduct with the girl on 10/9/48.

On 19/10/48 another note was submitted by the Personal Assistant after framing charges and after getting the replies of the Headmaster to the charge and asking permission to engage legal assistance for the defence.

A subsequent note dated 10/11/48 refers to the further reply of the Headmaster expressing his desire to crossexamine the witnesses who had already been included including the girl.

A further enquiry was ordered by the Special Officer on 14/11/48 to be conducted by the Personal Assistant. In the meantime the Headmaster was transferred from Gingee to Kallakurichi in Special Officer's proceedings dated 12/11/48 as Headmaster.

The second enquiry was conducted by the Personal Assistant on several dates and a detailed note was submitted with his findings to the Special Officer on 30/3/49. The Special Officer's orders dated 2/5/49 shows that the Personal Assistant wanted orders to be deferred till the end of April as the schools closed only then. On 26/7/49 a note was submitted for final orders after observing all the procedure for enquiry as directed by the Special Officer. On 29/7/49 a memo was issued by the Special Officer to Sri Thirunavukkarasu, the Headmaster Kallakurichi asking him to show cause within a fortnight why he should not be reduced permanently to the grade of an Assistant on the basis of the Personal Assistant's findings referred to in the above note dated 26/7/49. On 11/8/49 the Head Master has submitted a reply to the memo and has asked for copies of statements etc. Then on 15/8/49 he followed it up with an application for medical leave for two months from 16/8/49 and handed over charge to the first Assistant.

These facts are referred to in the Personal Assistant's note dated 19/9/49. In the same note the letter of the Director of Public Instruction (Confidential) dated 13/8/49 is also referred to as he pressed for a reply, the matter having been pending for over one year. The reply of the Special Officer, Roc.A6-17943-DB-48 dated 21/9/49 is enclosed for favour of perusal. A medical certificate has since been received from the Superintendent, Government General Hospital, Madras recommending leave from

from 27/8/49 to 11/9/49, but the certificate is dated 12/10/49.

Thus it is clear that the Headmaster has manoeuvred successfully to avoid disciplinary proceedings in the month of September '49 when the Special Officer's regime was coming to a close. He has rejoined duty on 16/10/49 after the expiry of the leave applied for and which was also sanctioned only subsequently i.e. on 5/11/49. Both the Inspector and the Director of Public Instruction have said that they are not aware of any orders regarding the procedure for disciplinary action against public servants on medical leave. After receipt of the replies The next office note is dated 27/10/49 (after receipt of the replies of the Inspector and the Director of Public Instruction). This note solicits orders from the President, District Board regarding the grant of leave and the disposal of the charges.

The president, District Board has passed orders on 31/10/49 sanctioning leave with medical certificate for the period recommeded by the General hospital and without medical certificate for the remaining period and directing the issue of proceedings regarding the charges. The draft proceedings were accordingly submitted to the President, District Board on 4/11/49 and the President, District Board has passed orders reverting him to his permanent post as Assistant and terminating his probation as Headmaster on 26/12/49. The Headmaster has also handed over charge to the first assistant on 6/1/50 as a result of this order.

In the meantime Government in the Education and Public Health Department had in their D.O. (copy enclosed) have directed the President, District Board to place the Head Master under suspension. This D.O. was received by the President, District Board on 29/12/49 to which he has given a reply on 3/1/50 enclosing a copy of his order dated 26/12/49 reverting the Headmaster to the Assistant's grade and Government in their order dated 11/1/50 (copy submitted) have considered the punishment inadequate and have called for all the records of enquiry for necessary further action by them.

As regards the responsibility for the delay I have to state as follows:-

The Special Officer has been dealing with the paper observing all the procedure upto September 49. Upto this stage action has been taken on the file (1) by the explusion of the girl pupil from the school in September 48 and (2) by the transfer of the Headmaster from Gingee to Kallakurichi in consultation with the District Educational Officer in Novermber 48.

After the Special Officer's period upto end of September 49, there has been an interval of only three months before final orders were passed. As referred to above the Headmaster was on medical leave between August and October 49. This file was handed over to the District Board Educational Officer, who was delegated with powers only after the advent of the President, District Board at the end of September 49. The draft proceedings were put up by the District Board Educational Officer on 4/11/49 on President's orders dated 31/10/49 reverting his as Assistant. The draft was approved by the President, District Board on 26/12/49.

Thus the allegations contained in the petition dated 15/11/49 from the residents of Kallakurichi (enclosure to the Inspector's letter) viz. that (1) the matter was not taken to the notice of the Collector and Special Officer (2) that Singram Pillai, Superintendent of the District Board and the District Board Educational Officer are in favour of the Headmaster and (3) that they want to lodge the petition are all entirely false and misleading and deserve no notice. In the meantime orders have been passed suspending Tirunavukkarasu, now L.T. Assistant in the Tirukkoilur High School as per the latest orders of the Government and the records of enquiry are being submitted to the Government in the Education and Public Health Department as required by them.

Deputy Inspector.

Enclosure-I

Copy of the letter Roc.A6-17943-DB-48 dated 21/9/49 from the Special Officer, District Board, S.Arcot, Cuddalore N.T. to the Director of Public Instruction, Madras.

Sir,

Sub: District Board, South Arcot- Allegation against Sri T.Thirunavukkarasu, ex-Headmaster, Board High School, Gingee.

Ref: Your Rc.No.1824-G1/48 dated 13/8/1949.

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The matter has been enquired into after framing charges and a memo to show cause as to why he should not be reduced permanently to the grade of an assistant was issued. He, in his explanation, says that he is free from blame and that he may be allowed to be heard in person after granting copies of certain statements recorded at the time of enquiry. Subsequently he has applied for medical leave for two months and has handed over charge to the assistant after producing a medical certificate obtained from a registered medical practitioner. A requisition to the Superintendent, Government General Hospital, Madras for second medical opinion, has been issued and the report is awaited. It is also learnt that when an individual against whom charges have been framed is on medical leave, no disciplinary action can be taken against him. The Inspector of Municipal Councils and Local Boards has been requested to furnish a copy of the G.O. on the subject.

On receipt of the Government order and the reply from the Superningtendent, Government General Hospital, Madras, further action will be taken and the result intimated to you.

I request that a copy of the Government order referred to above, may be sent if available with you.

Sd. S.J.Dhana Singh,
for Special Officer.

Enclosure-II (Confidential)

Copy of D.O.No.94926-G2/49-2 dated 27-12-49/from the Government in Education and Public Health Department, Madras. original on page 1 ante

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Dear Sri Srinivasa Padayachi,

Establishment-Secondary Education-District Board, S.Arcot - Sri T.Thirunavukkarasu, Headmaster-Disciplinary action-Ref: Special Officer's proceedings No.A6-17943-D.B.-48 dated 20th September 1948.

The Director of Public Instruction has brought to the notice of Government that an enquiry into certain charges framed against Sri T.Tirunavukkarasu, Headmaster, of a Board High School in South Arcot District has been pending for over one year. The charges are stated to include one of misconduct with a girl pupil of the school, a charge which is reported to have been proved. This matter appears to have become a public scandal in the district. The Government consider that the interests of the Secondary Education in the district require that the matter should be proceeded with without further delay and the public impression of deliberate delay on the part of the authorities in this matter should be avoided. They therefore propose to deal with the matter themselves. In the Government's opinion it is undesirable that the person charged with the offence mentioned above should continue in service until he clears his conduct in an enquiry. I am to ask you (i) to pass orders immediately placing the person concerned under suspension until the final disposal of the charges, and (ii) to send the complete records of the case in original to the Government within a week from the date of receipt of this communication.

Yours sincerely,

Sd.

To Sri P.R.Srinivasa Padayachi, M.L.A.,
President, District Board, S.Arcot, Cuddalore.

P.T.O.

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Enclosure III

GOVERNMENT OF MADRAS
EDUCATION AND PUBLIC HEALTH DEPARTMENT

original on p17 ante

Memorandum No.94926/~~Edn.~~ G2/49-5 Edn., dated 11th January 1950.

Sub: Establishment-Secondary Education - District Board, South Arcot-Sri T.Tirunavukkarasu, formerly Headmaster of a High School-Disciplinary proceedings.

Ref: From the Director of Public Instruction No.Rc.1824-G1-48 dated 1st December 1949.
From the President, District Board, South Arcot, No.A6.22517-49 dated 3rd January 1950.

The Government consider that the punishment imposed by the President, District Board, South Arcot on Sri T.Tirunavukkarasu, formerly Headmaster Board High School, Gingee in the Persident's proceedings Roc.No.A6.22517-49 d dated 26th December 1949 is inadequate in view of the grave charges g framed against the Headmaster in the Special Officer's proceedings Rc.No.A6.17943-DB-48 dated 20th September 1948. They therefore propose to deal with the case of the subordinate in question and to pass orders in the matter, after further examination, under rule 9(3) of the rules for the appointment and punishment of local board servants.

2. Sri T.Tirunavukkarasu, L.T.Assistant, is hereby placed under suspension pending final orders of Government on the charges already framed against him.

3. The President, District Board is requested to submit immediately to Government the records of enquiry into the charges against Sri T.Thirunavukkarasu in original, for necessary further action by the Government,

J.M.LOBO PRABHU,
Secretary to Government.

To Sri P.R.Srinivasa Padayachi, M.L.A.,
President, District Board, South Arcot.

Copy to the Director of Public Instruction.

Forwarded/By order

Sd. N.V.Srinivasan
Superintendent.

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Cuddalore, N. T.

27---2---1950

From

T. Thirunavukkarasu, B.A.L.T.,
Permanant Assistant Bd.High School,Tirukoilur
under orders of suspension,
Tirupapuliyur

ASST. SECRETARY TO GOVERNMENT
21 MAR 1950
EDUCATION AND PUBLIC HEALTH DEPT.

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To

The Secretary to the Government of Madras,
Education and Public Health Department,
Madras.

Through

The President, District Board,
South Arcot.

Sir,

Sub:- Education - Board High School, Kallakurichi - South Arcot Dt.Board - Suspension of T. Thirunavukkarasu, Headmaster - Cancellation prayed for.

The petitioner I humbly begs to bring the following for the kind consideration of the Government.--

The President, District Board, South Arcot had in his proceedings No. A-6-22517/49 dated 26-12-1949 ordered the reversion of the petitioner as an Assistant of the Board High School, Tirukoilur and transferred him on the strength of the charges framed by the former Personal Assistant to the Special Officer of the Dt.Board of South Arcot without giving the petitioner an opportunity of personal enquiry and giving copies of statements which were prayed for by the petitioner in his petition dated 12-8-49 (copy enclosed) though the attention of the President Dt.Board was invited to the same in his petition dated 5-12-1949 (copy enclosed) wherein the peitioner has given additional points for consideration. Thereafter, the President, Dt.Board has again issued an order No. A6/22517 D.B. of 49 dated 17-1-50 placing the petitioner under suspension pending final orders on the same charges reading Government Memorandum No 94926/ /49-5 Education dated 11-1-50 copy of which was not communicated to the petitioner.

p39 infra

plus infra

p17 ante

It is thus eivdent that the Government has taken the matter for final consideration and the proceedings of the President, Dt.Board A6-22517 dated 26-12-49 should be

pages 13-16 ante

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taken as cancelled by the subsequent order of the President, District Board. To make it clear, the petitioner asked for an interpretation of the same, to which the President, Dt.Bd. has stated in his order No. 18105/49 dated 15-2-50 (copy enclosed) that the original order is not cancelled. The petitioner therefore submits that the order of the President, Dt.Board may be treated as cancelled .

In this connection, as it appears that the Government have not yet passed the final orders, the petitioner begsto submit the following additional points, which were not given by himfor the kind consideration of Government as the circumstances prevailing then prevented him from putting forth those points.

1. The whole charges, statements, hearing etc. were all done only by the Personal Assistant, Sri J. Dhana Singh B.A. who belonged to the Harijan community i.e. the same community to which the said Srimathi Dasarathambal mentioned in Charge 1 belonged.

2. He was naturally impressed only with his own communal sympathy and has ignored all the evidences in my favour and has taken only that of one witness who was also brought under pressure as may be evidenced from the fact that he was absent for the two summons on 5-12-48 and 12-12-48.

3. The petitioner was not allowed sufficient time for the hearing i.e. notice of hearing was received by the petitioner at Kallakurichi on 1-12-48 while the date of hearing at Gingee was on 4-12-48. This will clearly show that the petitioner was not allowed time to produce necessary witnesses in his favour.

4. The statments given by the said Srimathi Dasarathambal at the first instance was tutored by her parents, the drill - master by name Sri Emperumal and her mother who were allowed to be present at the enquiry and who were asking the girl to say what they said and some of them were their own and not the girl's own. So, this statement is only a tutored one and cannot be taken as genuine. As I have objected to it at the second enquiry, the girl alone gave evidence and the difference in the two statements will clearly show the above fact.

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5. The fact that communal sympathy is the main cause, that partial judgment and findings were pronounced by the Personal Assistant may well be evidenced by the fact that no action is taken on Sri Emperumal, the drill master who is a member of the school staff.

6. The said Personal Assistant, the petitioner humbly begs to submit may not have had sufficient experience in conducting an enquiry of such nature, both in his offical and private capacities, as he was only a bachelor still and had the experience only as a Dt.Panchayat Officer till he was posted as the Personal Assistant

7. On the whole, it appears that the Said Srimathi Dasarathambal and others must have been set up by some one to mar the petitioner's future prospects with malicious intent as the petitioner as the L.T. in charge of only one class of IV Form in Gingee managed to get the cooperation of the Public at Gingeeand had buildings constructed at the cost of the public for the quick development of the school from Form Form IV to Vi in a short period of 3 years and with minimum expenditure to the Dt.Board.

8. The local elementary school teachers may have also had some hand in it and the fact that a Harijan Personal Assistant at the head of the Dt.Board has aggrevated the strength of Srimathi Dasarathambal and her patty.

The petitioner begs to enclose herein copies of testimonials about his work at Kallakurichi also . The good work of the petitioner as the headmaster of the school may also be evidenced by the rapid advancement of the school at Gingee with public cooperation and from the fact that after his transfer to Kallakurichi in a short space of time, the public had willingly cooperated with the headmaster and came forward with the donation of the presentation of a Radio Set (battery operated) and constructed a building for additional accommodation at their cost.

Srimathi Dasarathambal was expelled by the President Dt.Board from the school in proceedings No. 17943 D.B. of 48

dated 20-9-48 on the same charge and she was exonerated and was permitted to be admitted again on orders passed on her appeal to the Director of Public Instruction.

Thus, it will appear to the Government that the same charge which was dropped by the Director of Public Instruction cannot constitute as a charge for any punishment on the petitioner. Further, a suit notice was already issued by the said Srimathi Dasarathambal and not pressed for in the Court though it is over 18 months since notice was served and replied to by the petitioner. It is also brought to the kind consideration of the Government that no Court's decision has been got yet for any moral turptitude and as such the petitioner is not liable for any action on this ground.

The facts mentioned in the proceedings of the President, District Board A6-22517/49 dated 26-12-49 about the charges Nos. 1 and 2 are not quite true and the petitioner submits that the proceedure in regard to the punishment of a selection post such as that of a headmaster of an High School has not been followed in full as the Special Officer or the President, District Board have not enquired the petitioner in person even once.

In fine, the petitioner begs to convey his humble gratitude to the benign Government for having taken the matter for their kind consideration for final orders and pray that

1. the Government may be pleased to issue orders stating that the order of the President, Dt.Board No. A6-22517D.B. of 49 dated 26-12-49 may be treated as cancelled, and

2. that the petitioner is exonerated from the charges which were not properly enquired into,

If the Government still propose to inflict any punishment on the petitioner, the petitioner, in fairness, begs that copies of the documents called for may be given to him and personal enquiry conducted by any officer of Government or by the President, Dt.Bd. giving the petitioner reasonable time to produce witnesses etc. and allowing him permission to get legal assistance before inflicting any punishment.

The petitioner begs to remain,
Sir,
Your most obedient servant,
T. Thirumalaiswamy

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Advance copy submitted to the Secretary to the Government of Madras, Education and Public Health Department, Madras.

T. Thirumalaiswamy.

P.T.O.

3. There is absolutely no evidence that I had any illicit connection with Dasarathambal, a student of 20 years with a child, which culminated in her pregnancy and delivery. There are enough materials to show that the girl and her family has been visited by several friends and that the girl has not been shown inaccessible to visitors. The letters referred to in the finding and the three letters specially referred to can never be taken to be love letters which disclose a contact between the girl and myself only after she became the student of the High School and that I took advantage of that relationship to write such letters. The letters will at best show only that the girl has been known to me for over 15 years that I had social relationship with the family all these years and that the father of the girl admitted her into the school, as her for former lover discorded her after a child and that out of pity for the forlorn condition of the girl and not taking advantage of her relationship as student there was a proposal to marry her after he her carreer as a student in the school. No other inference is jus and the conclusion of the enquiry officer that her conception and delivery may be the resu result of the letters cannot be maintained The enquiry Officer observes there is strong suspicion to infer that the girl student became pregnant and delivered a child. I beg to submit that suspicion however strong cannot be the basis of punishment when there is no judicial proof.

4. All the circumstances such as antecedents of the girl the social intercourse of the parties, the black mail tendencies of the girl and parents, the frequent visits to the girl's family by others have to be duly considered and it is submitted that I should not be prejudicially viewed as if a student quite a stranger has been ill treated by me in my capacity as a head of an institution

Charge II. There are sufficient materials to show that all the accounts have been settled, the charge is only one of a few months' delay in the closing of accounts. The delay is due to circumstances beyond my control such as school activities especially when I had not the service of a clerk for the office work.

I therefore pray that I may be favoured with the copies of statements 1. Myself Tirumavukkarasu, 2. Dasarathambal, 3. Munisami Nainar, P.W. 11 in charge I and I may also be favoured with copies

of all letters admitted in evidence including the three let referred in to in the finding on charge I.

Regarding charge II I beg to submit that I may be favoured with the statement of the students recorded during the enquiry.

I beg to submit that I am unable to offer any satisfactory explanation called for by the Special Officer on the Enquiry Officer's report except with the aid of the papers above referred to. I am prepared to pay the copying charges of the said papers.

I therefore beg to request that I may be allowed to submit my final explanation after the receipt of the said papers. I also beg to add that before passing final orders I should be give an opportunity to place my case in full personally or with the aid of a legal advisor, in view of the complicated issues in the matter under enquiry.

/True copy/

T. Thirunavukkarasu

Enclosure: 2.

Copy of proceedings of the President, District Board, South Arcot, Cuddalore A6.18105/49., dated 15-2-1950, to Sri T. Tirunavukkarasu Mudaliar, B.A., L.T., No. 2, Sankar Naidu Street, Tirupapuliyur.

-:o:-

Ref:- His petition dated 30-1-1950.

The teacher is informed that the order No. Roc.A6-22517/49 dated 26-12-49, reverting him to the post of an assistant terminating his probation is not cancelled by the letter order A6. 22517/49., dated 17-1-50 placing him under suspension pending final orders of Government.

/True copy/

T. Thirunavukkarasu

Copies of Testimonials.

Extract from the Visitors' Book.

1. I visited the Board High School, Kallakurichi on 6-4-49 when I presided over the Literary Association Anniversary of the School on the said date. I had the pleasure of meeting with many of the students, teachers and the present Headmaster, Mr. Tirunavukkara ters I was immensely struck with the sense of discipline among the students which I learn is a large measure due to the present energetic headmaster. There is cordiality mixed with respect betwee the pupils towards the staff which show the training imparted to the students in the right direction. Inspite of about 530 students studying in the school, the accommodation is very meagre and I learn that some classes are conducted under the shades of trees. I hope that funds would be forthcoming for providing better accommodation for the students. The present Headmaster had inculcated to the students how they should train themselves as citizens by taking interest in extra curricular activities and the students are taking to it with interest which is most welcome. I can con ned fidently say that the school is run very efficiently due to the co-operation of the staff and under the present headmaster who takes a lot of interest in the school. I wish that the growth of the school would be tremendous in the future.

(sd.) T.A. Ramakrishnan Mudaliar.
District Munsif, Kallakurichi.

/True extract/ T. Thirunavukkarasu

2. 4-4-49. I chanced to visit the school in connection with the improvement of the additional shed permitted to be thatched by the Special Officer, District Board at the request of the Par Association. It was very encouraging to find that the studen ll the the staff evince co-operation in the running of the activitie ths' the School to a degree which was never the feature of this sch in my experience of 10 years of this school as a High Schoo had

Discipline has very much improved and the students school. The Headmaster Mr. Tirunavukkarasu deserves all cre

(sd.) T.A. Thathachariar. Munisa
President,
Parents' Associ favoured with copies

True extract

Copy of petition from T.Thirunavukkarasu B.A.,L.T., Headmaster, Board High School, Kallakurichi dated 5-12-49 to the President, District Board, South Arcot.

In continuation of my petition dated 11-8-49 I beg to bring to your kind consideration the following:-

1. I have asked for copies of the statements given by all the witnesses and no copies have yet been sent to me.

2. I have given my protest against the proposed punishment of the Special officer based on the findings of the Personal Assistant to the Special Officer who conducted the enquiry and stated

(a) that only the statement of one witness alone was taken into consideration and the statements of w 12 other witnesses who have been examined were completely left out without due consideration.

(b) that the enquiry officer in his findings even in such a case was only 'strong suspicion' and not proved facts for which any drastic action can be taken.

(c) that no officer or servant of a District Board can be punished on mere 'suspicion' alone.

3. The enquiry officer i.e. the personal Assistant to the Special officer did not appear to have even proposed any punishment

4. I further beg to state that in the case of any charges on a person holding any responsible post such as that of the Headmaster of a High School, the Special Officer should have enquired in person before passing any orders. It is submitted that the then Special ~~offic~~ Officer has therefore called on me to submit my explanation as to whether I have any objection for the proposed

proposed punishment which was proposed only on the enquiry officer's findings and not on personal hearing by the Special Officer himself.

5. Even if an enquiry had been held by the Special officer himself-which is not the case in this instance- the Special Officer who enquired the case should have inflicted the punishment which in his judgment was thought fit. This may well be evidenced in all cases of Civil and Criminal cases where judgements are given only by the Magistrate or the judge who hears the case and not left overto any other successor unless further hearings are to be conducted and more statements are to be filed in respect of any case.

6. In the present circumstances it is humbly submitted that the charges against me have not been properely enquired into and not also proved. So the charges may be dropped. If the President, District Board thinks it necessary to pursue the matter further the usual procedure regarding punishments of Local Board servants may be adopted after giving me copies of the documents asked for already and conducting personal hearing after due notice, when I will be able to give more facts than before.

/True Copy/

T. Thirunavukkarasu

EDN. DEPT.

ESTABLISHMENT - Education - Secondary - South Arcot Dt.Bd. - Sri T. Thirunavukkarasu, ~~late~~ formerly Headmaster, Board High School, Gingee - Rem. from the service of the Dt.Bd. - Ordered.

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Read: Memo. No. 94926-G2-49-5 Edn., dated 11-1-50.

From the D.P.I. No. RC.1824-G1-48 dated 1-12-49.

From the P.D.B., South Arcot, No.Roc.A6.22517-DB-49 dt.17-1-50.

From Sri T. Thirunavukkarasu, petn. dt.27-2-50.

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ORDER/MS. NO. 1037. EDN., DATED 29.3.50

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On the receipt of signed petitions containing certain grave allegations against Sri T. Thirunavukkarasu, ~~xxxJuly 1948,~~ then Headmaster, Bd. High School, Gingee, in July 1948, the Special Officer of the South Arcot Dt.Bd. ordered a preliminary enquiry into the conduct of the Headmaster. As a result of the enquiry the Special Officer in his proceedings No. 17943-DB of 48 dated 20th Septr. 1948, framed the following charges against him:-

"(1) That the Headmaster taking advantage of his position and knowing fully well that she was a married girl had immoral connection with a girl student by name Dasarathammal reading in IV Form, Board High School, Gingee, seduced her with the result that she is now in an advanced stage of pregnancy;"

and (ii)"that he took active part in the collection of funds from the pupils of the school during 1947-48 and failed to render accounts though one year had passed; nor has he repaid the balance to the respective pupils."

The grounds on which the charges were based were duly communicated to the accused. After receiving the reply of the accused to the memo. of charges denying ~~during those charges~~, the Special Officer of the Dt.Bd. conducted an oral enquiry at which the accused, the girl student and the witnesses were examined. After framing his findings on the charges, the S.O. communicated them to the accused on the 28th July 1949 and asked him to show cause why he should not be reduced to the status of an Assistant. The accused in his reply again denied the 1st charge mentioned above and asked for some irrelevant papers bearing on the 2nd charge. In his proceedings No. [illegible] dated 26th Decr. 1949, the President, Dt. Bd., South [illegible] orders finding both the charges proved and [illegible]

ccused to his permanent post of Assistant and terminating his proba-
as Headmaster.

2. On a report from the D.P.I. on the case of the Headmaster, before
he passing of the final orders by the P.D.B., the Govt. found that the
quiry had been unduly delayed and in view of the nature of the charges,
he matter required ~~consideration by Govt. themselves~~ further examination.
Under rule 9(3) of the rules for the appointment and punishment of ~~officers and servants of~~ local board officers and servants
they ~~accordingly~~ hereby called for the records regarding the charges against the
Headmaster. Even though the President, Dt.Bd. reported subsequently that
he had since passed final orders terminating the probation of the Head-
master and reverting him as an Asstt., the Govt. ~~still~~ thought that the
case required further ~~examination~~ action and ordered that pending final orders by Govt. the
teacher should be placed under suspension. The P.D.B. thereupon passed
proceedings on 17th Jany. 1950 placing the teacher under suspension. The
Govt. have now made an examination of the records of the case including
the statements of the accused and of the witnesses at the enquiry and they are of
the opinion that the President's findings on both the charges are justified.
They, however, consider that in view of the seriousness of the 1st charge,
and of the fact that the immoral conduct of the accused has been clearly
proved, he is not fit to be a teacher any longer and that therefore the
punishment awarded by the President, Dt.Bd. is ~~not~~ inadequate. Under rule
9(3) of the rules relating to the appointment and punishment of ~~officers and servants of~~ local board officers and servants,
~~officers and servants~~, the Govt. hereby direct that Sri T. Tirunavukkarasu, L.T.
Assistant under the South Arcot Dt.Bd. be removed from the Dt.Bd. service
with effect from the 17th January 1950 the date on which he was placed
under suspension by the P.D.B., South Arcot in his Proceedings No. 22517-
DB-49 dated 17-1-50. The proceedings of the P.D.B., South Arcot, No.
22517-49 dated 26th December 1949 are hereby modified, to this extent.

3. The records of the enquiry are returned to the President, Dt.Board.

N.V.
24-3-50

V.R
29-3-50

29.3.50

To

Sri T.Tirunavukkarasu
thro' the P.D.B., South
Arcot.

The P.D.B., South Arcot
(with the Dt.Bd. office
files).

The D.P.I.

S.C.

From

Sri T. Thirunavukkarasu, B.A., B.T.,
Ex. Headmaster, Board High School,
No.2, Sankara Nayudu Street,
Tirupapuliyur.

6 JUN 1950

To

The Hon'ble Minister for Education,
Government of Madras,
Fort St. George, Madras

Through

The Proper channel

Sir,

Subject: Local Boards - South Arcot District Board
Headmaster T. Thirunavukkarasu - Removal from service -
Appeal preferred -

Reference: G.O. Ms. No. 1037, Education, dated
29th March 1950.

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1. The appellant T. Thirunavukkarasu, formerly Headmaster District Board High School, Gingee, most humbly begs to submit this, his appeal to the Honourable Minister for Education to the Government of Madras and requests him to be pleased to cancel the G.O. Ms. No. 1037, Education, dated 29th March 1950 (copy attached) terminating the services of the appellant, as it has been passed on the ill-framed disproved charges based on wrong interpretation and insufficient evidence. It may be mentioned at the outset that the G.O. has been passed on an examination of the case in which the President, District Board, South Arcot, has already passed proceedings No. 22517 of '49 dated 26th December 1949 reverting the appellant as Assistant on the file of inquiry papers a year old. The charges have been framed not on proved facts but a miserable attempt has been made to explain away the charges in a procedural manner to victimise the unfortunate appellant.

2. The G.O. has to be cancelled, the appellant most humbly begs to submit, for reasons stated hereunder.

(i) The G.O. has been passed on the basis of the findings (Enclosure 2) of the Personal Assistant to the Special Officer, District Board, South Arcot, the inquiry officer and not on an independant inquiry.

(ii) The said inquiry was conducted by an officer of the same caste as the girl complainant in this case.

(iii) The President, District Board, took action by passing final orders cancelling the probation of the appellant.

(iv) The Government subsequently in trying to examine the case has inflicted the maximum penalty and terminated the services of the appellant and thus ruined the career of a hard-working selfless educationist.

(v) The whole matter has been the result of threats of including one pseudonymous petition as the Headmaster of Board High School, Gingee.

(vi) During the 16 years service in the District Board schools in various localities there has not been a single petition or complaint against me or the conduct of

transferred is ample proof to disprove the allegations of the alleged immoral conduct of the appellant.

(viii) The girl, the complainant has no local standing as proved by her contradictory statements on ~~va~~ried occasions, corroborated by P.W.11, who has stated that he has stopped sending the boy to the Girl's house in view of her suspicious conduct - vide his statement recorded on 23rd December 1948.

(ix) The Special Officer, Collector and District Magistrate of South Arcot has not passed any orders during his term of office for full ten months for the very reason that 'there is a strong suspicion' - (vide enclosure 2) does not warrant sufficiency to punish the appellant.

(x) The Government while examining the case could have, but has not given an opportunity to the appellant to present his case with legal aid as it involved the reputation, morality and integrity and legal issues, which could be decided only by a Court of Law.

(xi) The appellant has been exploited fully by discontented and characterless elements to the extent of influencing the case till ultimate termination of the services of the appellant.

3. HISTORY OF THE CASE: The appellant was the Headmaster of Board High School, Gingee, from 24-9-46 in the L.T.Scale and he was promoted as Headmaster on 2nd July 1948. He has put in a service of 16 years in the District Board, (appointed on 23rd August 1933). There has not been a single petition against the -- appellant eversince his appointment. Within a fortnight of his promotion as Headmaster, three petitions have sprung up and one of them is pseudonymous. There has not been a single petition against him during the period of over a year's service as Headmaster at Kallakurichi. The appellant is now aged 42 years. While at Gingee within 12 months - two buildings worth Rs. 5,000/- were erected by the Public in token of appellant's popularity Within two months of his transfer to Kallakurichi a Radio set was arranged to be presented to the High School - (the only set in all the 15 District Board Schools) and one building worth Rs. 2,000/- was secured for High School accommodation. There are testimonials to show that the appellant bears an exemplary character maintainin perfect discipline, quite popular and free from reproach on his morality (Enclosure 3).

4. The appellant was a servant of the District Board eversince ~~xx~~ 23rd August 1933 and was promoted as Head master from 2nd July 1948. Three petitions within a fortnight of his promotion i.e, before 19-7-1948 have sprung up presumably from the discontented members of the staff and less fortunate individuals. On the 24th and 25th July 1948 there was a sudden enquiry and the two charges (vide Enclosure 2) were framed by the Personal Assistant to the Special Officer, District Board and communicated. After the preliminary inquiry conducted on 4th December 1948 when the complainant, the girl as well as six boys Mohamed Ali and Kanniyabiram were examined. The President and Secretary of the local Taluk Congress Committee were also examined. On 12th December 1948 nobody appeared for the inquiry except the appellant. On 23rd December 1948 P.W.11 Munuswami Nayanar appeared rather brought in. A general review of the evidence let in brings out the following:

(i) The girl gave contradictory sta
on different occasions.

The D.P.I.

S.C.

(ii) The statement at the preliminary inquiry was not her own.

(iii) One of the petitions was from a petition writer an elementary school teacher whose services have been subsequently terminated by the Special Officer, District Board He was also a parent whose son was not promoted from Form III to Form IV. Hence he bore enmity to the appellant.

(iv) That there was only one written exhibit.

(v) The evidence of P.W. 11 Munuswami Nainar the only witness on the prosecution side, could not be relied upon for the very reason that he was absent for inquiry on two occasions (4th December 1948 and 12th December 1948) and when present had admitted his advice to his boy not to frequent the house of the girl.

5. Quite apart, after seven months an explanation was called for (vide Enclosure 2) just before elections and no action was taken on the same by the Special Officer during the entire period of his office (10 months since the date of the inquiry). In this (alleged to be a grave and serious charge) a non-official President has to take some action was enough to show that action could not be taken on the case on file by the Government Officer and hence there had been inordinate delay. Unfortunately on 23rd December 1949 the appellant was reverted. Normally the chapter should close. But curiously enough on 17-1-50 the President, District Board, placed the appellant under suspension under instructions from Government. On 1st April 1950 the appellant was removed from service, the President being directed to do so (Enclosure 1). While an examination of the case by higher authorities results generally in rendering justice, in this particular case a final removal from service has been ordered. Whether this has been done after a careful examination of the complaint, evidence on records, penalty awarded in all aspects legal and otherwise is for the authorities to judge. The appellant submits that the order has been passed on wrong and misrepresented details as will be borne out by the following :

Charge I

(1) The charge and the evidence let in to prove the charge are such that the latter is to explain the former and not to justify it.

DASARATHAMBAL: The girl has given contradictory statements (petition and suit notice and the statements at the inquiries) and as such she could not be relied upon. She has admitted her family friendship with the appellant in her deposition dated 24th July 1948 and so there is nothing to take the wrong view. The evidence of Kannayeeram and Mohamed Ali show that the Headmaster was not the only visitor to her house. This was admitted by the girl in her statement on 24th July 1948. Even P.W. 11 Munuswami Nainar has advised his son not to visit the Girl's house. What should be his motive and who was in the wrong is for the authorities to judge. She is a married girl and why should her husband desert her. If her chastity has been spoiled to the extent of her confinement why should she stop short of a complaint against the appellant without resorting to a legal remedy in a Court of Law for the grant of maintenance to herself and the child. Besides these legal issues, a true girl with some local standing would see her way to bring pressure to the appellant to the consummate the marriage had the appellant been really responsible for the pregnancy. On the other hand protect mother and child begotten illegally and to be legitimised. Again the evidence of all the witnesses one only witness whom the complainant

had relied upon show that in the school premises the Headmaster has not behaved improperly. A building under construction with many visitors and workers coming in day in and day out is no place of secrecy for allegations of the kind that the appellant and the girl were speaking in private and found together &c. What has prevented the girl student or her father, a teacher in the same institution from complaining to the various officers, who visited the school prior to 2nd July 1948, had she been really seduced, is not clear.

(ii) LOVE LETTERS: This is a damaging accusation when no love letter was exhibited by the inquiry officer at the time of the inquiry. The inquiry officer who could certainly distinguish a letter from an agreement had failed to portray correctly the contents and thus give a lead. The agreement (in fact, it was not) bears no date and it was thought of in her interests. But she had proved herself quite accessible to anybody and how the appellant could be penalised for sounding the welfare of a forlorn girl especially when she was known to the party from her childhood. Her father was a coteacher, when the appellant entered service at Tirukoilur in 1933 The very fact that the appellant's popularity has not been lessened in the least would confirm that the Headmaster had conducted only as he should and at no time un-becomingly as alleged.

(iii) If there had been illicit intimacy as alleged in the findings (vide Enclosure 2) her cause would be best served by instituting legal proceedings against the appellant or by taking criminal action. She has been silent. Her parents have been silent, especially when the girl ~~xxxx~~ has been deserted by her husband. How could it be inferred when nowhere has it been proved that there was intimacy between the girl and the appellant as a result of which she became pregnant.

(iv) PREGNANCY: Her father, a teacher might have checked her, if she had been seduced by the appellant. A court of law is the competent authority to decide whether the appellant was in ~~any~~ way responsible for her confinement and the birth of the child. The inquiry officer has taken the responsibility of a judge in giving his verdict on the sole evidence of the girl and on the indirect evidence of P.W.11 Munuswami Nainar the only witness of the complianant.

(v) SUIT NOTICE: Any one who wanted to make amends or seek redress would like amicable settlement privately or through a Court of Law. Curiously enough neither has been attempted but the appellant has been complained against to blackmail and damage his reputaion. Whether this is the proper course is for the authorities to judge.

In brief it is clear that the girl is a mother of two children with her husband having deserted her living in a house accessible to all and everyone. (Evidence of Mohamad Ali and Kannayyabiram). The Headmaster was not the only visitor. She made no complaint so long as he was a student and her parents were silent on an affair which was the affecting the future of the child. The girl was satisfied with fabricating a case against the appellant in the exploitation of which she could gain nothing. The Special Officer District Board has expelled her for her conduct. Communal sympathy and her social intercourse have in a large measure influenced the decision, may appear from a perusal of the deposition. P.W. 11 Sri Muniswami Nainar only prosecution witness.

6. This Muniswami Nainar is the Village Munsif of

(vi) P.W.11 Sri Muniswamy Nainar - Only Prosecution witness: This Muniswami Nainar is the Village Munsiff of another village different from the one in which the complainant resided. He is the owner of a cloth shop and used to give credit to school peons, while making cloth purchases. The fact that he did not know the name of the peon as was stated in his deposition is, therefore, false. His deposition that he advised his son not to visit the girl's house proves his anxiety to protect his son from the influence of a Public woman. An analysis of his deposition shows that the girl's family was not known to him (this is again a false statement) - there is credit in the name of the girl for her purchase in his cloth shop that he did not know the names of the peons and that he knew the whole affair through her mother (and so has no personal knowledge and why not through the father). He has absented himself for inquiries dated 4th December 1948 at Gingee and 12th December 1948 at Cuddalore and has to be brought in for inquiry on 23rd December 1948 at Villupuram. What reliance can be placed on the deposition of such an individual is for the Minister to decide.

6. So, Charge I, has been framed on wrong premises and based upon insufficient and disproved facts involving highly technical and legal issues. Only four persons have been examined and they all agree in that the girl is visited by many to such an extent that P.W.11 has checked his boy. At best a successful attempt has been made to bring into disrepute with the girl as a tool, who would dare to do anything in exploitation of her personal ends. There is no personal knowledge. The only witness whose evidence the complainant has relied upon has deposed against her morality and that she was easily accessible. No independant evidence has been let in to prove that the appellant alone was responsible for her pregnancy and not others who visited her house and suspicion has been contrived into settled facts instead of being supplemented by documentary legal and other personal witnesses.

CHARGE I, therefore, stands not proved.

CHARGE II.

7. ACCOUNTS: This charge related to the collection of funds. No pupil has complained. The dissatisfied and disappointed teachers have added this in the petition to strengthen the first charge as the Headmaster could not be found fault with in any other way. No co-operative society could be formed without 10 members. Boys have to be provided with books. The locality is one not served by a book-seller. The Headmaster was the only person to provide the boys with books. There was no other assistant in the school till 4th August 1948 to supervise, to write accounts and to satisfy poor parents who are anxious to get books on credit the moment a parcel has come. As a practical man in a big village the Headmaster. Only acknowledgments have [illegible] and receipts preserved for file. This is purely a private affair. As official handing over of the amount due to the past students to his successor would be legalising the whole affair the amount was handed over to a very responsible person, the Secretary of a Congress Committee, though a non-official as orally advised. The [illegible] admitted that the charge had not been [illegible] 1948 to be completed [illegible] in June or July 1948 [illegible] in this regard is that [illegible] over was single handed [illegible] himself at [illegible] beyond his control [illegible]

8. Mention may be made in this connection that it was the appellant who has set right the Vriddhachellam Co-operative Society in 1942 (Enclosure A) and Kallakurichi Society in 1949 and the schools in which the appellant served presented least number of audit objections. If the appellant has been punished on this charge, it is most unfortunate since instances are not wanting in schools like Pennadum, Vriddhachellam and Chinnasalem, where school fee receipts have not been issued for fee collections and there are other grave irregularities. Further this does not fall under Rule 2 of G.O. 1175 L.A. dated 30th April 1941 nor does it come within the meaning of Rule 6.

9. SUMMARY: For a clear grasp of the whole case the following details will be an eye-opener to show that the appellant was a victim of the circumstances. And instead of facts resulting in findings have been adjusted to facts to justify the charges. 6 boys were selected accounts verified and found correct. Delay and procedural maintenance are the only faults, if they are faults. Regarding Charge I the social friendship with the family and the advice and interest taken in her in consequence thereof has been misrepresented and grave allegation made not supported by required documentary and personal evidence nor legal proceedings.

(ii) DATE-WAR HISTORY OF THE INQUIRY:

25-8-1936 - First appointment as an Assistant
24-9-1946 - First postings to Gingee as a Headmaster in the Assistant cadre
2-7-1948 - Promoted as Headmaster in the High School cadre
7-7-1948 }
11-7-1948 } Dates of petition.
20-7-1948 }

24 & 25-7-1948 - Preliminary inquiry.
20-9-1948 - Charges framed
4-12-1948 - Inquiry at Gingee
12-12-1948 - " Cuddalore (nobody came)
23-12-1948 - " Villupuram
28-7-1949 - Explanation called for
11-8-1949 - Explanation submitted.
October 1949 - Elections
26-12-1949 - Reverted and probation cancelled
17-1-1950 - Placed under suspension.
1-4-1950 - Services terminated.

It would therefore be clear that charges were framed two months after the receipt of the petition, explanation called for eight months after the inquiry and no action has been taken for over 18 months or rather a Collector has not thought fit to punish on the basis of the charges and evidences recorded. The Government in trying to examine the file do not appear to have taken up all the above for consideration but has come to a quick decision apparently on the findings of the Personal Assistant.

10. PRAYER: An attempt has been made to spoil the reputation of the appellant and revert him from the headmastership with the aid of petitions 6 witnesses were examined to prove the very important charge and the only prosecution witness was unreliable. Six students have spoken to facts and the only finding is delay and incorrect procedure. The charges have not been proved as they should be to warrant any punishment At best the evidences and the findings are only unconvincing explanations. Twice the inquiry has to be postponed, the only witness examined on the third of Charge I and his personal knowledge about the affair reliance can be placed on the varying statements of

12

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complainant the appellant leaves it to the Honourable Minister to judge for himself. The appellant prays to draw the kind attention of the Honourable Minister that it may not be safe to draw conclusions involving criminal accusations without judicial opinion or legal advice. If as alleged the contents of Charge I is a fact a suit should be pending. No legal action has been taken by any body as there are no grounds for her or for her parents to do so. The appellant's unfortunate alone is to be blamed for the Government Order.

11. The clean and creditable record of the appellant his age, circumstances of his being a widower, the rise in his status have put him in enviable circumstances which has resulted in unfounded allegations madeout by persons with malicious intent which has untimately resulted in the order of removal of the appellant

12. The appellant therefore prays that the Honourable Minister for Education be pleased to cancel the order after examining the whole case in the light of the above facts and restore him to his position.

Yours faithfully

T. Thirunavukkarasu

Appellant.

Advance copy submitted direct to the Honourable Minister for education, Fort St. George, Madras.

T. Thirunavukkarasu

Edu (F)

Advance Copy. Original reported to have been sent through the proper channel may be awaited till 5/7/50.

9/6/50

8/6/50

8/6/50

Enclosure 1.

15

Copy of G.O. Ms. No. 1037, Education, dated 29th March 19..

Read the following:

Memorandum No. 94926-G2-49-5, Education, dated 11-1-1950 From the Director of Public Instruction No. R.C.1824-G-1-48, dated 1st December 1949.

From the President, District Board, No. R.O.C. A-6-22517-DB-49, dated 17th January 1950.

From Sri T. Thirunavukkarasu, petition dated 27th Feb. '50.

O R D E R

On the receipt of signed petitions containing certain grave allegations against Sri T. Thirunavukkarasu, then Headmaster, Board High School, Gingee, in July 1948, the Special Officer of the South Arcot District Board ordered a preliminary inquiry into the conduct of the Headmaster. As a result of the inquiry the Special Officer in his proceedings No. 17945-DB of 1948 dated 20th Sptember 1948, framed the following charges against him:-

(i) That the Headmaster taking advantage of his position and knowing fully well that she was a married girl had immoral connection with a girl student by name Dasarathammal reading in IV Form, Board High School, Gingee, seduced her with the result that she is now in an advanced stage of pregnancy; and

(ii) that he took active part in the collection of funds from the pupils of the school during 1947-48 and failed to render accounts though one year had passed; nor has he repaid the balance to the respective pupils".

The grounds on which the charges were based were duly communicated to the accused. After receiving the reply of the accused to the memorandum of charges the Special Officer of the District Board conducted an oral inquiry at which the accused, the girl and the witnesses were examined. After framing his findings on the charges, the Special Officer communicated them to the accused on the 28th July 1949 and asked him to show cause why he should not be reduced to the status of an Assistant. The accused in his reply again denied the first charge mentioned above and asked for some irrelevant papers bearing on the 2nd charge. In his proceedings No. R.O.C. 22517-49 dated 26th December 1949, the President, District Board, South Arcot, passed final orders finding both the charges proved and directing the reversion of the accused to his permanent post of Assistant and terminating his probation as Headmaster.

2. On a report from the Director of Public Instruction on the case of the Headmaster, before the passing of the final orders by the President, District Board, the Government found that the inquiry had been unduly delayed and that in view of the nature of the charges, the matter required further examination. Under rule 9 (3) of the rules for the appointment and punishment of officers and servants of Local Boards they therefore, called for the records regarding the charges against the Headmaster. Even though the President, District Board, reported subsequently that he had since passed final orders terminating the probation of the Headmaster and reverting him as an Assistant the Government thought that the case required further action and ordered that pending final orders by Government the teacher should be placed under suspension. The President, District Board, thereupon passed proceedings on 17th January 1950 placing the teacher under suspension. The Government have now made an examination of the records of the case including the statements of the accused and of the witnesses at the inquiry and they are of the opinion that the President's findings on both the charges are fully justified They, however, consider that in view of the seriousness of the first charge, and of the fact that the immoral conduct of the accused has been clearly proved, he is not fit to be a teacher any longer and that therefore the punishment awarded by the President, District Board isinadequate. Under rule 9 (3) of the rules relating to the appointment and punishment of officers and servants of local boards the Government hereby

direct that Sri T. Thirunavukkarasu, L.T.Ass stant under the South Arcot District Board be removed from the District Board service with effect from the 17thJanuary 1950 the date on which he was placed under suspension by the President, District Board South Arcot in his Proceedings No. 22517-DB-49, dated 17th Jan. 1950. The proceedings of the President, District Board, South Arcot, No. 22517-49, dated 26th December 1949 are hereby modified to this extent.

5. The records of the inquiry are returned to the President, District Board.

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True Copy.

T. Thirunavukkarasu

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Enclosure 2 17

Copy of the proceedings of the Personal Assistant to the Special Officer, District Board, South Arcot.

O R D E R

Complaints have been received from Sri K. Murukesaiah, Teacher, Board School, Palapady, and E. Dasarathambal, girl student, IV Form and daughter of the then Drill Master, Board High School, Gingee against Sri T. Tirunavukarasu, the then Headmaster of the same school. After inquiry the following charges were framed against the said Sri T. Tirunacukkarasu.

CHARGE I: That the Headmaster taking advantage of his position and knowing fully well that Dasarathambal girl - student was a married girl, had immoral connection with her seduced her with the result that she is now in an advanced stage of pregnancy.

GROUNDS OF CHARGE: It is clear from the statement recorded from the Headmaster and the girl student on 25th July 1948 at the time of inquiry that the headmaster has has known the family of the girl student for the last 15 years and has been moving with them on very intimate terms by taking meals prepared by them in their house, &c. The Headmaster himself admits that he had written love letters to the said girl student in which he had agreed to marry her by registered marriage after June 1948 and promised that he would purchase lands for her to the value of Rs. 500/- and that in case of failure on the part of any one of them the defaulter should make good the loss. From the love letters perused it is clear that the headmaster and the girl student have not only been on terms of extreme intimacy but that there have also been monetary and other transactions between them.

CHARGE II: That he took active part in the collection of funds from the pupils of the school during 1947-48 and failed to render accounts though one year has passed nor has he fx repaid the balance due to the respective pupils.

GROUNDS OF CHARGE: On a perusal of the concerned records it is seen that the Headmaster collected on the whole about Rs. 2,010-10-0 from the students at the rate of Rs.10/- to Rs. 25/- according to the requirements of each form. No receipt was issued for the amounts collected. The whole accounts were scattered in fragments of papers bundled - together. Out of Rs. 2,010-10-0 collected, vouchers to the extent of Rs. 1,747-13-0 only were produced and the Headmaster could not produce vouchers for the balance of Rs. 262-13-0. Some of the pupils unanimously said that they had paid Rs.10/- to Rs. 25/- by instalments and that books were supplied by the Headmaster as and wehn received and that no receipt was issued to them for the amounts paid. The Headmaster himself admits that he had collected money aggregating to Rs.2,010-10-0 and that vouchers for Rs. 1,747-13-0 were alone produced by him and the balance of Rs. 262-13-0 had still be accounted for by him at the time of the preliminary enquiry. He has done so far. His action is ultrawires and is contrary to rule 2 and 7 of rules relating to personal conduct of officers and servants of local boards.

The required procedure in the matter of appointment and punishment of officers and servants of Local Bodies, has been gone through in this case. Witnesses for and against the delinquent were examined in his presence and cross-examined by him wherever he thought it necessary.

FINDINGS: It is established beyond doubt that there has been connection between the Headmaster and the girl student. The Headmaster was moving with the girl student and her family on very intimate terms particularly when she became a student of the High Schoolas he has been partaking of meals prepared in their house culminating in love letters written by him

promising to marry her by June 1948 by registered marriage and also to purchase for her lands to a value of Rs. 500/- The Headmaster says that he moved with the girl student on terms of intimacy on account of his long connection with the family to illustrate which he cites his visit to see her husband as an inpatient in the Government Headquarters Hospital at Cuddalore long before she left him and that therefore he did not move with the girl student in the capacity of the teacher and the taught. Further the Headmaster points out that as admitted by the girl student his connection with her and her family dates back to along a period of eighteen years and so he did not move with her in the capacity of the teacher and the taught and that the management should not take objection to his association with her as one connected with his official position. The explanation of the Headmaster is not acceptable in that he should not have moved with a student and particularly a girl student of the school of which he was the head on such terms of intimacy, though necessitated by whatever circumstances as to give room for complaint of moral turpitude and suspicion of having committed adultery or having had immoral connection with her with the result that she has become pregnant and delivered a child.

As regards letters, he says that those written to her are not love letters and that they were written in her own interest, that they are in the nature of agreement and that no agreement is valid unless both the consenting parties affix their signature therein. The Headmaster does not disown his letters. The argument advanced by the Headmaster is neither conclusive nor does it appeal to reason. In one of the letters, he has asked the girl student to be cautious and to think of her future from which it is clear that the Headmaster became rather apprehensive of the fact that the girl student had become pregnant on account of his illegal intimacy with her and, therefore, suggested that he should abide by his advice. The only conclusion that could be drawn from this is, that the three love letters, whatever the Headmaster may choose to call them, not only reveal the illicit intimacy, the monetary and other transactions between them as well as the ~~pecuniary~~ promise between them, but also go to show that the Headmaster has been leading a life almost unbecoming of the head of an institution.

The evidence let in by Kannabiram D.W. 3 and Muhammad (2) go to show that the school staff and others used to frequent the house of the girl student, but nowhere has it been proved that there was any intimacy between the girl student and any particular outsider as the result of which she became pregnant. The only witness which the complainant relied upon viz. Munuswami Nainar (P.W.11) has stated that he never knew the girl student and her family before, that he came to know to the whole ...ing only after going through the letters of the Headmaster and ... the school premises he found the Headmaster ... he went to never found the girl student with him in lonely circumstances. He further states that he has no direct knowledge of the girl student's family or whether the Headmaster had any illicit connectionwith her either inside or outside the school premises. The evidence of Kannabiram (D.W.3) Veeraswami (D.W. 4) Syed Ibrahim Sahib (D.W.1) and Munuswami Nainar (P.W.11) all go to show that they never found the girl student and the Headmaster in lonely circumstances within the school premises. The Headmaster points out that in the letters separately given by the girl student she had admitted that she used to frequent the Headmaster's house under the pretext of having private tuiti n when she used to enjoy his company. So, though it may be for a competent court of law to decide whether the conception and giving birth to the child was due to the illicit connection of the Headmaster either inside the school premises or on account of the girl student's association with any one else, there is strong ... that the headmaster in as much as he ha...

letters to her and induced her by [illegible] to purchase for her lands &c. would have been responsible [illegible] and birth of the child.

The Headmaster says that in the suit notice given to him the girl student refers to a man who had relied on her and whom she has left, and from this he infers that the girl student is a woman, who does not live with her husband and that she cannot also be said to be married woman as her marriage did not take place according to the sacred rites. He next says that the charge of adultery can be laid only when there is connection between a man and a virgin or a married woman living with her husband. In this case, he points out, the girl student is not a virgin as she has given birth two two children, that she was not lawfully married to her first husband and that according to the suit notice issued to him she refers to a person whom she had left. The Headmaster argues that as she is not in the habit of living with her husband the charge of adultery with this woman cannot be lawfully established. Besides she is a major and when she is not living with her husband, she has got the right to associate herself with anyone in any manner she likes and so his intimacy with this sort of woman cannot be questioned under the provisions of law and the charge of having committed adultery with her he points out cannot also be established.

Munuswami Nainar (P.W.11) in his statement says that when the Headmaster, the girl student and her parents were discussing as to how the tangle could be settled, the Head master asked that the girl student should come aside and have a private talk with him and when she refused to do so, the headmaster told Munuswamy Nainar that it was a fact that he was keeping the girl student and that when they wanted that he should either marry her by registered marriage or pay them Rs. 3,000/- once for all and settle the question, he replied that he cannot do either but can maintain her if she comes and lives with him deserting her parents and that he would pay her only Rs. 10/- per mensum. But the attempt to arrive at a settlement did not prove successful. The very fact that the Headmaster did not categorically oppose the evidence let in by Munuswami Nainar so far this aspect is concerned, goes to show that he admits the fact by remaining silent on this point.

On the whole I find that the Headmaster has not been able to cover any fresh ground in the cross examination of the witnesses. His own admission that he was moving with the girl student on terms of intimacy, his failure to oppose the statement of Munuswami Nainar that he was keeping the girl student the fact that he has written letters amounting to seduce the girl student and his attempts to settle the tangle by various means, all these and the attendant circumstances go to show that he was having immoral connection with the girl student as a result of which there is strong suspicion to infer that she became pregnant and delivered a child. This fact also has not been categorically opposed by the Headmaster. Hence I find the charge is proved.

FINDINGS ON CHARGE NO. II: The Headmaster explained that in regard to supply of books, he collected the amount in advance and settled the accounts as soon as books were supplied in case of some students and ~~others~~ that in case of 25 students who had left the school, a sum of about Rs. 52-14-0 is due to him from them and for the same reason a sum of Rs. 26-9-6 is due by him to about 12 students and that he would arrange to ascertain their address and ~~recover~~ amount or make a contribution of it for expenditure connected with the anniversary celebration of the school. He adds that books were supplied to the students with least possible delay after receiving advances from them and that the delay was only due to the verification and completion of accounts and his preoccupation with

activities which he had to manage almost single-handed. He requests that the delay caused may be excused and assures that he would ascertain the address of the 12 pupils to whom amounts aggregating to Rs. 26-9-6 is due and that he would arrange to pay and get their acknowledgment. The total number of students who had transactions with the Headmaster according to the accounts furnished by him at the time of final inquiry is 165 involving a sum of Rs.2,214-8-0. Of this, acknowledgments for settling accounts have been obtained from only 138 students involving a sum of Rs. 1,906-5-6; leaving a balance of Rs. 308-2-6. The number of students from whom acknowledgments have got to be received is 32. The Headmaster explains that out of 32 students, he has made arrangements for disbursing Rs.26-9-6 to 12 students to whom the amount is due, that out of the remaining 20 students, 12 students owe him a sum aggregating to Rs.52-14-6 and he could not, therefore, obtain their acknowledgments though their accounts have been settled as also the remaining eight students had not given acknowledgments though their accounts have been settled as they had left the school. This amount of Rs. 26-9-6 was sent by the Headmaster to the Secretary,Taluk Congress Committee, Gingee, for disbursement as he could not do this in view of his transfer from Gingee to Kallakurichi. In my view it would have been proper for the Headmaster to have sent the amount together with a list of names of the pupils to whom the amounts are due to the Headmaster, Board High School, Gingee, instead of to the Secretary with a request to ascertain the address and disburse the amounts to the individuals concerned. The action of the Headmaster in having sent the amount to a non-official agency for disbursement cannot be construed to be satisfactory. It has been clearly established that only after the receipt of a complaint by the Special Officer and on inquiry held into, did the Headmaster take into his head to settle the accounts almost after the lapse of one year. The Headmaster has yet to obtain acquittance ~~with~~ from 32 students involving a sum of Rs. 308-2-6.

All the witnesses who were examined on behalf of the complaint have deposed evidence to the effect that the Headmaster had arranged to settle the accounts to their satisfaction and that in one or two cases the accounts were settled prior to the preliminary inquiry.

On the whole, the charge that he has not been able to repay the amounts and settle the account even after the lapse of one year has not been fully vindicated. The Headmaster says that a sum of Rs. 52-14-6 is due to him from some students and that he would collect the amount as and when possible. This is also a point that goes to show that the Headmaster has not been conducting himself in a worthy manner as to set an example to others. The explanation of the Headmaster that because he was preoccupied with the school activities, he was not able to settle the accounts, is not acceptable for the reason that in monetary transactions he should have taken particular care to settle the accounts then and there without allowing himself to be questioned after a period of more than a year. I find the charge is thus proved.

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True Copy.

T. Thirunavukarasu

Enclosure 3

25

Extract from the Visitor/s' Book.

I visited the Board High School, Kallakurichi on 6-4-49 when I presided over the Literary Association Anniversary of the school on the said date. I had the pleasure of meeting with many of the students, teachers and the present headmaster, T.Thirunavukkarasu. I was immensely struck with the sense of discipline among the students which I learn is in a large me sure due to the present energetic headmaster. There is cordiality mixed with respect between the pupils towards the staff which show the training imparted to the students in the right direction. In spite of 530 students studying in this school the accomodation is very meagre and I learn that some classes are conducted under the shades of treex. I hope that funds would be forthcoming for providing better accomodation for the students. The present headmaster had inculcated to the students how they should train themselves as citizens by taking interest in the extra curricular activities and the students are taking to it with interest which is most welcome. I can very confidently say that the school is run very efficiently due to the cooperation of the staff and under the present headmaster who takes a lot of interest in the school. I wish the growth of the school would be tremendous in the future.

Sd. T.A.Ramakrishana Mudali,
Dt. Munsif, Kallakurichi.

4.-4-49

I chanced to visit the school in connection with the improvement of the additianal shed permitted to be thatched by the Special Officer at the request of the Parents' Association. It was very much encouraging to find that the students, and staff evince cooperation in the running of the activities of the school to a degree which was never the feature of the this school in my experience of 10 years of this school as a High School.

Discipline has very much improved and the students love the school. The Headmaster Mr.Thirunavukkarasu deserves all credit.

Sd. T.A.Thathachariar.
President, Parents' Association
& Ex. Dt. Board member, Kallakurichi.

/ True Extracts/-

T. Thirunavukkarasu

Enclosure 4

Sri T.Thirunavukkarasu Mudaliar,L.T.Assistant has been rendering valuable service as a teacher and he with his knowledge of the latest rules and regulations of Secondary education is also useful in office work. He evinces interest in all extra curricular activities. His work as Secretary, Students' cooperative stores is really praiseworthy. The credit for setting aright the affairs of the said stores last year must go to him. He is a willing worker and I wish him a bright future.

Board High School,
Vriddhachalam,
26--2--1945.

Sd. P.Govindasami
Headmaster

/ True copy/-

T. Thirunavukkarasu

Local Administration Department.

From
Sri P.R. Srinivasa Padayachi, M.L.A.,
President, District Board,
South Arcot, Cuddalore N.T.

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

Roc.A6-16126-DB-50., dated 8-7-1950.

Sir,

ASSISTANT SECRETARY
19591
13 JUL 1950
EDUCATION DEPARTMENT

Sub:- Education - Secondary - Sri T. Thirunavukkarasu Mudaliar, B.A., L.T., formerly headmaster - removal from service - appeal - preferred -

Ref:- Petition of Sri T. Thirunavukkarasu Mudaliar, B.A., L.T., dated 29-5-50.

-:o:-

F O R W A R D E D.

PP.11.7.Exd:

President, Dt. Board.

14387/F/50 — Appeal - Secondary Edn. - Sri T. Thiruvanukkarasu - formerly headmaster under the South Arcot Dist. Board - removal from Service.

fp 1-12-50 — From Sri T. Thiruvanukkarasu, B.Sc.L.T. Cuddalore N.T. d 29.5.50.

fp 24-4 — From the P.D.B., S. Arcot. Roc. A.G. 161267 D.B/50 d 8.7.50

11/8/50

Memo. No. 14387/F/50. Edn.d. 878/50.

The P.D.B. South Arcot is requested to forward the ~~original proceedings of the~~ complete records of the case in dispute ~~against Sri T. Thiruvanukkarasu~~ for reference and return.

7.8.50.

To
The P.D.B. ✓ 8918
South Arcot.
Cuddalore.

CS 5/8/50.
AY 5/8/50

BY REGISTERED POST ACKNOWLEDGMENT DUE.

Local Administration Department.

From
Sri P.R. Srinivasa Padayachi,
M.L.A.,
President, District Board,
South Arcot, Cuddalore N.T.

To
The Secretary to Government
of Madras,
Education Department,
Fort St. George, MADRAS 1.

ASSISTANT SECRETARY
24690
22 AUG 1950
EDUCATION DEPARTMENT

Roc. A6-16126-DB-50., dated 13-8-1950.

Sir,

Sub:- Education - Secondary - Sri T. Tirunavukarasu Mudaliar - formerly Headmaster - removal from service -

Ref:- Your Memorandum 14387-F/50.,Edn., dated 8-8-50.

-:o:-

The relevent records (D. 18105/49 (N.F. 56 and C.F. 286 page) are sent herewith for favour of perusal and return.

P.R. Srinivasa Padayachi 17/8/50

PP.17.8.Exd:

President, Dt. Board.

Edn Deptt(F)

The D.P.I's reply to the Endt may be awaited till 5/9/50.

30/8/50

1.9.50

36

37

EDUCATION DEPARTMENT.

ASSISTANT SECRETARY
26137
31 AUG 1950
EDUCATION DEPARTMENT

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education Department,
M A D R A S.

Sir,

RC.2198 G1/50 dated 29-8-1950.

Sub:-District Board-South Arcot-Sri.T. Thirunavukarasu Mudaliar-formerly Headmaster-Removal from service-Appeal preferred.

Ref:-Your endorsement No.14387/F/50-1 Education dated 18-7-50.

I request you to let me know whether the President, District Board, sent any of his Office original files on the above subject with this letter No.A6-16126-DB/50 dated 8-7-50 and if so they may be sent to me as early as possible.

Yours faithfully,

D. Panchanadhiah
30/8

For Director of Public Instruction.

Pjn 29/8.

29/8

Edu(F)

39

14387/F/50

Secondary Education - Dist. Board, South Arcot - Sri. T. Thirunavukarasu - formerly Headmaster under the Dist. Board - Removal from Service - Appeal of

32/57

fo 37 cf From the D.P.I. Re. 2198 G1/50 dated 29.8.50

Endt. No. 14387/F/50-3 Edu.d 5/9/50

The ~~South Arcot Dist Board~~ ~~Office~~ original records of the S. Arcot DB connected with the above case are forwarded herewith for reference and return.

To ~~Spec file the at (2)~~ DB Board office

The D.P.I (with the Dist Bd. Office file No. D. 18105/49 d 1.4.50) in original) at (2)

R.D 4/10/50.

R.D. 3/11/50

Cf 2/9/50

D 2/9/50

5/9/50.

OFFICE OF THE DIRECTOR OF PUBLIC INSTHUCTION, MADRAS.
R.C.NO.2198-G.1/50 Dated 13-10-1950.
***

Education - Secondary - Sri T.Thirunavukkarasu Mudaliar, Formerly Headmaster, South Arcot District Board - Appeal to the Hon'ble Minister (Education)

Ref. Government Endt. No.14387-F./50-1 Edn. dated 18-7-1950 referring the appeal for remarks.

Resubmitted.

2. There are no fresh grounds on which a reconsideration of the orders passed in G.O.Ms.No.1037 Education dated 29-3-1950 can be recommended. The appeal may therefore be rejected.

3. The District Board file Dis.No.18105/49 dated 1-4-1950 is herewith resubmitted.

for DIRECTOR OF PUBLIC INSTRUCTION.

To

The Secretary to Government,
Education Department, Madras.

RVR 14/x/-

42

Edu (F)

14387/F/50

Education - Secondary - Sri T. Thirunavukkarasu formerly Headmaster under South Arcot Dist. Board - removal from Service petition rejected.

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pas. 46 (T) Read again G.O. 1037 Edu d 29.3.50

p 1-13 cf - From Sri T. Thirunavukkarasu, Cuddalore d 29.5.50

p 29 cf From the P.D.B., South Arcot, Roc. A6. No.126-DB/50 d 8/7/50

p 41 cf From the D.P.I. Rc. No. 2198 G1/50 d 13.10.50

Memo. No. 14387/F/50-4 Edu. d. 17/11/50

The Govt. see no grounds to reconsider the orders already issued in G.O. 1037 Edu d 29.3.50.

To
P.D.B., South Arcot
Cuddalore (with Dt. Bd. Office file at (2) returned)
the petitioner thro the P.D.B. South Arcot
Copy to the D.P.I
S/c.

Desp. C.W.E. p. by N 22/11/50

[initials] 17.11.50

[initials] 16/11/50
[initials] 15/11/50

[initials] 16/11/50
[initials] 17/11.

1

94926/G2/49 Secondary Education – District Board, South Arcot – Sri T. Thirunavukkarasu – Headmaster, Bd. High School, Gingee – Disciplinary action against – Report.

p1 cf – From the D.P.I. R.C. No. 1824 G.1/48 d 1.12.49

In his letter on p1 cf, the D.P.I has reported the case of Sri T. Thirunavukkarasu Headmaster of the Bd. High School, Gingee, who is charged with immorality and misappropriation of money collected from the pupils. He has further stated that no final orders have been passed by the Dt. Bd. on the charges framed against him and explanations obtained from him, and that the matter has been pending for over one year.

p3 and p5 cf

para 3 on p1 cf

He suggests that the connected papers and records may be called for, especially as the charges are stated to be serious. ~~This may be agreed to and the President, Dt. Bd., South Arcot may be asked to forward the connected papers in question.~~

~~The draft order below is for approval. L.A. may see v.o. before issue.~~

The D.P.I has stated that the matter has become a public scandal in the district – The enquiry is being evidently delayed intentionally by the D.B. authorities – Under rule 9(3) of the Rules for the appointment and punishment of local board servants, the Govt. or such officer as they may empower in that behalf may call for the records relating to an enquiry into the conduct of any officer or servant of a local board and pass such orders as may be deemed fit – In the view

Pages 293-294 of Bk of Statutory Rules under M L B Act, Bk no 15 9/20 B.

view of the Report of the Director
by the G-, Govt. may agree to
take action under this rule -
A draft memo calling for the
records is subd. for approval
HM (E&L) may see.

6.12.49.

7-12-49

S

HM (E&L)
12

12.57 (E&L)

Why not ask the D.B.P to suspend
the teacher & then call for all papers with
a report within a week.

KM
10/12

LA may be requested to
offer remarks whether there is any
objection to the procedure
suggested by HM (E&L)-

10.12.49.

10/12/49

LA

L.A. Dept.

Rule 9(3) of the rules relating to the appointment
and punishment officers and servants of local
boards enables Govt. [or such officer as they may empower in this behalf] to call for records relating
to an enquiry into the conduct of an officer or
servant of a local board and pass such orders
as may be deemed fit. The question is whether
the report of the D.P.I at p 1 c.f. will constitute
the records mentioned in the rule. It appears
that the Govt will have to call for the original
records relating to the enquiry into the
conduct ...

M

10 DEC 1949
SECRETARY, EDN. ... H. DEPT.
GOVERNMENT OF MADRAS

E&P. 14.00.00
94926/92/49-1
12/12/49
pp 293-294 of Ms. M 157-B

LOCAL ADMINISTRATION DEPARTMENT
54121
... DEC 1949
SECRETARIAT, MAD...

MS
14/12

94926/92/49

~~the order~~ the suspension of the officer. The E&PH
Dept may be asked to consult Legal also.

MS
14.12.49

Rule 7 of the rules relating to
the appointment and punishment
of officers and servants of local boards
empowers the Pt. of a local board to sus-
pend any officer or servant, pending
enquiry into his conduct. A similar power
has not been vested in Govt by rule 9(3). The
Govt or such officer as they may ~~emp~~ empower,
can pass orders only after obtaining the re-
cords relating to the enquiry into the conduct
of the officer or servant concerned. The case
dealt with in this file calls for immediate
action, as the offender seems to have es-
caped punishment for over a year and it
is considered totally dangerous to continue
him as the head of an institution. A
d.o. may be sent to the P.D.B asking ex-
plaining the facts of the case (on the basis
of the available records) and asking him
to place the Headmaster under suspension
immediately and forward the connected
records to Govt. within a week. There is no reason to think
that the P.D.B will not carry out the instruc-
tions of Govt. ~~...~~

J.S.S.
15.12.49

p 291 of Ms. 157B

pp 293 & 294 ibid

16.12.49

LA no 54121/49-12
17/12/49

17.12.49

16/12

E&PH
G

ASST. SECRETARY TO GOVERNMENT
99074
19 DEC 1949
EDUCATION AND PUBLIC ... DEPT.

Previous notes of this Dept.
on p 1-2 ante and the L.A. notes above
may be perused.
With ref. to H.M (E&L)'s minutes

P.T.O

minutes at 'M' on p 2 ante, L. A. have suggested that the President, Dt. Bd., may be asked through a D.O. to suspend immediately the headmaster in question, in the first instance and then forward the connected records to Govt.

~~The case may now be sent to Legal ... for remarks, prior to circulation~~ The legal position is not in doubt. In view of LA note, a D.O. may be sent to the Pt of the Dt Bd as advised by them, and as suggested by Hm (E&L) at M on p 2 ante.

The draft do. below is for approval. Hm may see ~~the~~ ~~ ...~~ the case with reference to his query ~~on page~~ 2 ante

22.12.49. 23-12-49 S 23/12

H. M (E & L)

Issue at once

Ai

This is a most scandalous affair. If it has taken a fortnight after my query for an order to issue, why wonder the Dt Bd taking a year in this matter!

The Dt Bd was under the Collector S/O officer during the period & evidently the P.A. in charge of this work is responsible for this delay of 1 year. The I.L.B must make an urgent inspection immediately to find out how & why 1 year & old was allowed to pass over this matter even after enquiry.

HM

Issue and take action on A

F G2

p 7 y

[D.O. No. 94926 - G2 - 48 - 2 Edn. Dt 27.12.49.]

The D.O. to the P.D.B. has issued.

2. With reference to A in Hm's minute on the previous page, a draft memo is submitted for approval. L.A. may see it before issue.

28.12.49 28-12-49 L.A

Memo (rec'd over)

E & PH (G2)

D.O. No. 94926-G2/48-3 Edn 28/12/49.

L.A.D

May be perused.

28/12/49 Secy

E & PH (G2) 28/12

29.12.49

L.A. memo 56297/49-1949 29/12/49

The draft memo may now issue.

29.12.49. 29-12-49 S 29/12/49

[Memo No. 94926 - G2 - 49 - 4 Edn. Dt 29.12.49]

From the P.D.B. South Arcot D.O. No. 22517-49 dated 3.1.50.

W.i.k

ASST. SECRETARY TO GOVERNMENT EDUCATION AND PUBLIC HEALTH DEPARTMENT 27 DEC 1949
ASST. SECRETARY LOCAL ADMINISTRATION 56297 2 DEC 1949
ASST. SECRETARY ... EDUCATION AND PUBLIC H... 29 DEC

8/

H.M's orders on the previous page - As the P.D.B has already passed final orders imposing punishment it will not be proper for him to place the man under suspension - In view of H.M's orders however, the Govt. may order his transfer but he cannot be placed under suspension. There seems to be no objection to this under Rule 9(3) of the Rules already referred to - It is possible that the Subordinate has taken leave; if he has done so, and if a modification of the suspension proceedings is called for, the matter may be further considered on hearing from the P.D.B.

The draft memo below is for approval -

As regards Y in H.M's minute on the previous page, the I.L.B has been asked to report in the matter. Vide memo on pages 9-10 ante. We will be reminded after a few days.

11.1.50 — 11-1-50

(Issued as Memo. 94926-G2/49-Edn. dt 11-1-50)

The draft reminder memo below to the I.L.B is for approval

19.1.50 — 20-1-50

(Issued as Memo. 94626/G2/49-6. Edn dt 20.1.50)

(C.No. 4883/G2/50. From the P.D.B. Roc. A.6. 22517/DB/49. dt 17-1-50.)

9

94926/G2/49

Copy of the proceedings of the P.D.B. on p 21 ante w.r.t. the memo on p 19 ante, may be perused and filed - The records of the Case may be awaited till 25th Jany -

20.1.50 — 20.1.50

(C.No. 5224/50. From the P.D.B. Postcot. Roc A6 22517/DB/49 dt 17.1.50)

(C.No. 9412/50. From the I.L.B. No. L.Dis 1254/50 dt 2.2.50)

H.M. minuted on p. 4 ANTE that the Inspector of Ml. Cls. & L.Bds. should make an inspection and report how over one year had been taken by the Dt. Bd. in disposing of the charge against the Headmaster. The I.L.B. has now forwarded the Dy. Inspector's report as regards the delay. It is clear from the report that though the complaint against the Headmaster was received in July 1948 and the P.A. conducted a preliminary enquiry in Septr. 1948, the matter was subsequently dealt with in a leisurely manner. Moreover, it is observed that the Headmaster managed to obtain leave on m.c. for nearly two months after submitting his reply to the memorandum of charges. Apparently the Headmaster was too clever for the Dt. Bd. Office. No action seems however to be necessary against the Dt. Bd. Office staff.

24-3-50

2. As regards the disciplinary action against the Headmaster, the position is as follows:-

Signed petitions containing allegations against Sri T. Tirunavukkarasu, formerly Headmaster, Bd. High School, Gingee, were received by the Special Officer of the South Arcot Dt. Bd. in July 1948. The allegations, in the main, related the Headmaster's immoral conduct with a girl student of the High School, and improper collection of money from the students and failure to render accounts for them. Under the orders of the Special Officer, a preliminary enquiry was conducted by the Personal Asstt. to the Special Officer, and as a result, the following charges were framed against the Headmaster, in the Special Officer's proceedings No. 17943-DB of 48 dated 20th Septr. 1948:-

(i) That the Headmaster taking advantage of his position and knowing fully well that she was a married girl has had immoral connection with a girl student by name Dasaratharmal reading in IV Form, Bd. High School,

PTO

Gingee, seduced her with the result that she is now in an advanced stage of pregnancy"

(ii) That he took active part in the collection of funds from the pupils of the school during 1947-48 and failed to render accounts though one year has passed nor has he repaid the balance to the respective pupils.

The grounds on which the charges were based were duly communicated to the Headmaster with charge sheet. In a separate order of the same date the Special Officer directed that the girl student in question be expelled from the school, in the interests of the discipline and morale of the School. After receiving the explanation of the Headmaster, the Special Officer held an oral enquiry into the charges, at which statements of the accused, the girl student and other witnesses were recorded. The enquiry dragged on for some months, and was completed only in June 1949. The S.O., gave his findings to the effect that the charges were proved and the finding were communicated on 28-7-49 to the Headmaster who was asked to show cause why he should not be reduced to the status of an Assistant permanently. He submitted a reply to the memo denying the first charge and asking for some papers in respect of Charge II which were apparently considered irrelevant by the P.D.B. and therefore not furnished to him. In his proceedings dated 26th Decr. 1949, the P.D.B passed final proceedings finding the charges proved and ordering the reversion of the accused to his permanent post as Assistant with immediate effect and terminating his probation as Headmaster.

3. Just before the final proceedings of the P.D.B. referred to above were passed, the D.P.I. reported the case to Govt. pointing out the delay in the disposal of the case. In his minute on pages 487 ante, recorded by H.M.(E.& L.) in that connection he took a serious view of the case. In accordance with his orders the Assistant has been ordered by Govt. to be placed under suspension. The Asstt. has been placed under suspension from 17-1-50. The question for consideration now is whether the punishment of termination of the probation of the Asstt. is adequate punishment in view of the findings of the P.D.B. on the charges. The 1st charge of misconduct with a girl student of the school of which the Asstt. was then Headmaster is the more serious of the two charges. In his statements the accused speaks of his long acquaintance with the family and attempts to show that his friendship with other persons also visiting the house of the girl, and that his visits to the girl was based on pious motives, and not made in his capacity as Headmaster. His intimacy with

undertaking to the girl to marry her. The trouble arose and the affair came to light when the Headmaster made a serious attempt to back out of his undertaking. In the light of the facts the charge of misconduct with the girl student should be considered to have been definitely proved.

4. The point to be considered at this stage is whether there are any extenuating circumstances to be taken into account in connection with the enhancement of the punishment already imposed. It is observed that the student was aged 20 and had already a child, had led a married life for some time and was without a husband at the time. The P.D.B. observes that her movements and character were fairly well known to be highly suspicious though no direct evidence could be adduced in that regard, and he also refers to her blackmailing tendency. It is for orders whether this will be regarded as an extenuating circumstance in connection with an enhanced punishment for the Assistant.

5. The Assistant has now addressed a petition to Govt. requesting them to drop the charges and cancel the President's proceedings imposing punishment. He attempts to make out that the student's statements were all tutored, that the local Elementary School teachers had a hand in the proceedings, that the Harijan P.A. to the S.O. of the Dt.Bd. were prejudiced against him. It does not appear to be necessary, to consider the petition now submitted by the Asstt. Nor is it necessary for Govt. to furnish copies of any papers as asked for by him now or to order any fresh enquiry by a Govt. Officer as requested. He has had sufficient time and a full opportunity for explanation has been given by the S.O. and the P.D.B. Orders may now be passed whether any enhancement of the punishment imposed already (termination of probation as headmaster) is necessary and if so, what punishment should be now imposed or whether the matter need not be proceeded with further in view of his reversion as Lt. Assistant.

H M (E&L) may see the case for orders on 'P' above.

18.3.50 22/3/50

I think this is clearly a case where the Government should enhance the punishment awarded by the President of the District Board. It is quite obvious that the man is not fit any longer to be a teacher.

P.T.O.

94926/F/49

His conduct can only be characterised as atrocious. It appears from the papers that the man did not after all marry the girl, in spite of the fact that she had had a child by him. The services of the teacher may be dispensed with with effect from the date on which he was placed under suspension.

28.3.50

H.M. (E.L.)

I agree. If he had married the girl, I would have taken that as an extenuating circumstance.

27/3

A draft order is submitted for approval.

27.3.50

28/3/50

S

28/3/50

Para 2 of the draft as now recast in view of the Secy's orders on it is for approval.

29.3.50

29-3-50

S

29/3/50

Received one Special Confidential Cover (...... No. 97269 2/49 - 4 Edn dt. 29/12/49) addressed to the Inspector of Municipal Councils and Local Boards, Madras.

30/12

14387/F/50. EDN. DEPT. (F)

EDUCATION - Secondary - Sri T. Thirunavukkarasu, formerly Headmaster, South Arcot District Board - Removal from service Representation against.

From Sri T. Thirunavukkarasu, Cuddalore N.T. dated 29-5-50.
From the P.D.B., South Arcot, Roc.A6.16126.DB/50 dt.8-7-50.
From the D.P.I., Rc.No. 2198 G1/50 dated 13-10-50.

The current file contains a representation from Sri T Tirunavukkarasu, formerly Headmaster, Board High School, Ginge South Arcot, against the orders of Govt. issued in G.O. 1037, Edn., dated 29-3-50, removing him from service. The facts of the case are briefly explained below.

2. Towards the end of December 1949, the President, District Board, South Arcot, reverted the petitioner from the post of Headmaster on two charges, one of which was that he had immoral connection with a girl student of the high school of which he was the headmaster with the result that the girl conceived and gave birth to a child. As the P.D.B. was not taking prompt action to punish the teacher for the charges framed against him, the D.P.I. brought the matter to the notice of the Govt. As one of the charges concerned the morality of the teacher, the Govt. took the view that the teacher should be placed under suspension, pending final orders by Govt. in the matter. The P.D.B. was asked to suspend the teacher. The charges against the teacher were thoroughly examined by the Govt. and the view was recorded that the punishment of reversio was totally inadequate, and that only an order of removal from service would meet the ends of justice. The Govt. therefore passed orders directing the removal of the teacher fm service. This order was issued under the powers vested in Government, under rule 9(3) of the rules relating to the appointment and punishment of employees of local boards.

3. The teacher has submitted a petition asking for a modification of the orders, removing him from service. The D.P.I. has stated that there are no fresh grounds for a reconsi deration of the orders already issued. In view of the fact that the matter has been examined in detail as recently as in

P.T.O.

-2-

No. 14387/50-[illegible]

in March 1950, there ~~is~~ seems to be no case for modifying the existing orders. The petition may be rejected.

4. Subject to orders. The draft memo. below is ~~submitted~~ for approval.

May be circulated to H.M.(E.& L.).

[signature] 10/11/50
[signature] 10/11/50

The Rules for the appointment and punishment of local board servants do not seem to provide for an appeal to a subordinate of the district board who has been removed from the district board service by an order of the Appellate Authority itself (the Govt. in this case) ~~by an order~~ under Rule 9 (3) of the Rules —

On merits, the appellant was proved to have committed a grave offence — There are no grounds at all for a reconsideration of the orders on pages 45-46 of ni (T)

[signature] 13/11

[signature] 11.11.50

[signature] 13/11

Seen

-3-

Edu (F)

Revised Draft Memo.

The original draft should have been re-[illegible]

[signature] 17/11

Please see the orders in circulation on p 3 ante.

The revised draft memo below is for approval.

After issue the papers may be filed with G.O. Ms 1037 Edu dated 29.3.50.

[signature] 15/11/50.
[signature] 15/11/50

[signature] 16.11.50

[signature] 17/11

I section should not have returned the draft with the new one at least placed it underneath

[signature] 17/11

Noted

SECRETARY ... 1950