EDU[illegible]ATION 1950 DEPARTMENT

MS. SERIES.

G. O. No. 1702. Edn. p32CE

DATED. 6. 6. 1950.

25

Sub

Appeal. Elementary Education.

Municipal Council. Mathuri – Sri. R. Dhanasingh. Ex. Headmaster Elugadal Municipal Boys School. School orders papers.

Further Paper

Memo No. 73716 A E2761-1 Edn dt 4/9/61

From

K. Dhanasingh,
Ex Head Master,
Elugadal Municipal Boys school,
Mathurai.

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

To

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

Through

The Commissioner, Madura Municipality,
Mathurai.

63046

2

Sir,

The humble appeal petition submitted by K. Dhanasingh Ex Head Master, Elugadal Municipal Boys school against the orders of the Commissioner in his proceedings No.12896/48 dated 4-3-49 reverting him as an assistant from the post of Head master.

1. That he had been the Head Master of the Elugadal Boys' school under the Madura Municipal Council from 20-11-45. Necessary exemption order for the appellant to hold the post as Head Master has been obtained from the Divisional Inspector of schools, Mathurai as contemplated under rule 12 (3) read with rule 12(5) of the rules for recognition on 28-10-46 with effect from 20-11-45. Prior to this order he was confirmed as Head Master from 1-8-41 though he entered the Municipal service as Head Master on 6-3-39. He was transferred to the Municipal Elugadal Boys' school which contains more than four teachers simply because of his sincere and meritorious services, conduct and capacity. This posting as Head Master has not been objected to so far by any of the Inspecting Educational authorities. He has been holding the post as such till 8-3-49 when he was reverted as assistant for no fault of his.

2. While the facts are such certain self interest co-teachers who happened to hold the secondary grade teachers certificate got perturbed at the appellant's appointment as Head Master and they represented to the Director of Public Instruction to the effect that their claims were overlooked by the appellants' posting as the head of the institution by means of a memorandum. The claims of the said teachers against the appellants' posting, is purely an afterthought based on

business rivalry and on the face of it is barred by limitation. If they had orally any grievance they ought to have preferred an appeal regarding their claims at the time of appointment of the appellant as Head Master and evidently they have no cause of grievance and it can only be construed other wise.

3. The exemption under rule 12 (3) read with rule 12 (5) of the rules for recognition, granted on 28-10-46 to the appellant was based on having due regard to the meritorious services rendered by him as Head Master. Sri. V. Sankaran a Secondary grade teacher preferred ~~a claim~~ an appeal objecting to the said posting of the appellant as Head Master to the Director of Public Instruction who in his proceedings R.C.No.1731-b2/48 dated 10-2-49, had observed that the Commissioner while applying for the exemption has ignored the rules and that the action of the Divisional Inspector of schools on this aspect is irregular. The appellant submits that the observations of the Director of Public Instruction are against the Educational rules for recognition which gives authority to the Divisional Inspector of schools for the grant of such exemption to competent persons with less qualifications. He submits that rule 12 (3), read with 12 (5) of the rule for recognition is quite in order for the point at issue and the Divisional Inspector is the competent authority to deal with such cases. Hence the action of the Divisional Inspector of schools is in order and cannot be revoked even by the Director of Public Instruction especially at this distance of time and that too with regard to a permanent Head Master.

4. Hence it is submitted that the action of the Commissioner reverting the appellant as an assistant, consequent on the orders of the Director of Public Instruction on the petition of Sri. V. Sankaran and posting a junior Sri. P. Velayudam as acting Head Master in the appellant's stead in his memo No. 12896/48 dated 4-3-49 which is illegal and ultravires and is against the rules of service framed for the Municipal employees in Educational institutions. It is therefore submitted that

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the claims of the other individuals for the post is irregular on the face of it, vicious and contrary to the peaceful prospect of a reputed Head master of the appellant standing and is opposed to principles and should be dismissed in toto.

5. The service of the appellant as a Head Master dated from 6-3-39 far too earlier than that of Messrs., V.Sankaran or Velayudam who are among the above said signatories who appealed against his posting as Head Master referred to in Para (1) above. Moreover it is a matter for worthsubmitting that these two individuals refused to become the Head Master of the Harijan Colony boys' school when they were offered with the post. Thus they stand to loose their claims of alleged seniority over the appellant. A kind reference to the then Commissioner's remarks on the petition of those individuals to the D.P.I. will bear testimony to the above fact (vide Reference No.35597/45 dated 19-1-46.

6. Moreover it is a common practice in Elementary schools having more than 4 teachers on its staff to appoint a Higher grade trained teacher as Head Master and secondary grade teachers are made assistants under them and as a matter of fact this is in vogue in many of the Educational institutions in this Presidency and there is no justification for the appellant alone to be reverted to be an assistant because of his educational qualification, when he is protected by the exemption order of the competent authority. If per chance this is ignored the point of exemption is not apparent and speaks belittle of the Provisio to the sections for adoption. Thus the proceedings of the D.P.I. is contrary to the exemption order granted to the appellant and has no justification for his requesting the withdrawal of the exemption by the Divisional Inspector of schools which is not contemplated or supported by the Educational rules Neither it is justifiable nor equitable to disturb the appellant at a time when he has not expected such a crisis for all the good record of his work and conduct as Head Master he has done to the Municipality. A perusal of the inspection remarks of

63046/49

of the Educational authorities will speak volumes about to the appellant's work as Head Master.

In conclusion he begs the interference by the Government at such an hour of necessity to peruse the records, restore him to the post of Head Master from the date of his reversion and render justice.

K. Dhanasingh 16.8.49
Appellant.

Mathurai.
16th August 1949.

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

Enclosures:- (1) Copy of the memorandum No.C2/12896 dated 4-3-49 by the Commissioner reverting the appellant as assistant.

(2). Copy of the amendment proceedings Dis No. 4560/43 dated 30th Nov 1943 from the D.P.I. Madras.

(3) Copy of Proceedings of the Divisional Inspector of schools Madura in L.Dis 342 Md/46 dated 28-10-46.

C.No. 63046/49/C1: E&P.H. (C1).

Advance copy. The receipt of the original may be awaited till 20/9/49.

19/8/49

22/8/49

63046/49

Annexure I.

No.C-2/12896/48.

Municipal office, Mathurai
Dated 4-3-49.

Memorandum

Sub:- Elementary - Education - Municipal council - Mathurai - appeal of Sri. V. Sankaran - regarding seniority - over Dhanasingh as Headmaster - Proceedings of the Director of Public Instruction - appeal allowed -. orders necessary arrangements issued.

Ref:- 1. Proceedings of the Director of Public Instruction, Madras-Rc No.1731-B-2/48 dated 10-2-49.
2. The proceedings of the Dl. Inspector, Mathurai in Roc.391/49 dated 28-2-49.

In pursuance of the orders of the Director of Public Instruction, Madras and the Dl. Inspector of schools, Mathurai Division, in their above proceedings, Sri.K.Dhanasingh, Head master of Elugadal Boys school, is reverted as an assistant, and will work in the place of Sri. P. Velayudam, in Goripalayam Boys school.

Sri. P. Velayutham, on relief will join duty as Headmaster ~~at Elugadal Boys school~~ in place of Sri. K. Dhanasingh, Elugadal Boys school.

They will join duty forthwith and report. Sri.P. Velayudam will move first.

(Sd) D. Gnanavolivu,
Commissioner.

(Sd) P.A. Mahalingam
5-3-49
Supervisor of Boys schools

Annexure II.

Copy of the Proceedings Dis No.4560/43 dated 30th November 1943 from the Director of Public Instruction, Madras.

Subject:- Elementary Education- Local Body Institutions- Qualifications for HeadMasters - Provision for exemption- Recognition rules- Amended.

Read:- G.O.No.1546, Education dated 12th November 1943.

Amendment

In sub-rule (5) of Rule 12 of the rules for Recognition, after the words "Under private management" the following shall be added, Viz., " or any named Headmaster of an Elementary school under a local authority.

(Sd) G.L. Lobo,
for Director of Public Instruction.

(True copy).

Annexure III.

Copy of the Proceedings of the Divisional Inspector of Schools Madura. L.Dis.342 Md/46 dated 28-10-46.

Sub:- Letter No.C2/46 dated 19-10-46 from the Commissioner Madura Municipality - Elementary Education - Municipal Council, Madura Exemption under rule 12 (3) of the rules for recognition - K.Dhanasingh, Headmaster, Elugadal street, Municipal Boys'school.

Exemption from the possession of the Secondary Grade T.S.L.C. is granted to K.Dhanasingh to work as Headmaster of the Elugadal street, Municipal Boys' school with effect from 20-11-1945 so long as his work and conduct are reported to be satisfactory.

(Sd). K. Muhammad,
Divisional Inspector of schools,
Madura Division.

(True copy.)

E. & P. H. (G)

Memo. No. 63046/49-1-G - Education, dated 23.9.1949.

Sub:- Appeal - Mathurai Mty. - Sri K. Dhanasingh, Ex-Head Master, Elugadal Municipal Boys' School - Against reversion as Assistant.

From Sri K. Dhanasingh, Mathurai Mty., Appeal Petition, d/16/8/49.

The Commr., Mathurai Mty., is requested to state when the appeal petition of Sri K. Dhanasingh (cited above) submitted through him (the Commr.) will be forwarded to the Govt.

BM 23/9/49

21/9/49

To The Commr., Mathurai Mty. (thro' the C.M.C.)

63046

C2-30998/49.

Municipal Office, Mathurai,
Dated 26-9-49.

From
CAPTAIN D.GNANAOLIVU,
Commissioner,
Mathurai Municipality,
MATHURAI,

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

To
The Secretary to Government,
Education and Public Health Department,
MADRAS,

75749

Through
The Director of Public Instruction, MADRAS,
And
The Chairman, Municipal Council, MATHURAI.

Sir,

Sub:- ELEMENTARY EDUCATION - Establishment - K.Dhanasingh, Ex-Headmaster, Municipal Elugadal Boys' School - Reverted - Appeal preferred.
Ref:- Appeal petition dated 16-8-49 of K. Dhanasingh.

The appeal petition has been placed before the Appointment Committee of the Council, and it will be forwarded with the remarks of the committee when available.

D.Gnanaolivu
COMMISSIONER.

ASR/26-9-P. 26.9.49

Advance copy direct to Government for kind information.

E. & P. H. (G)

The receipt of the origl. appeal petition may be awaited till 5.11.1949.

BM 2/10/49

orig. off. ante

9

C2-30998/49. 147177 Municipal Office, Mathurai,
Dated 26-9-49.

DIRECTOR OF PUBLIC INSTRUCTION
30 SEP 1949
C No.. 2759 B2/49
MADRAS

From
CAPTAIN D.GNANAOLIVU,
Commissioner,
Mathurai Municipality,
MATHURAI,

To
The Secretary to Government,
Education and Public Health Department,
MADRAS,

Through
The Director of Public Instruction, MADRAS, ✓
And
The Chairman, Municipal Council, MATHURAI.

Sir,

6

Sub:- ELEMENTARY EDUCATION - Establishment - K.Dhanasingh, Ex-Headmaster, Municipal Elugadal Boys' School - Reverted - Appeal preferred.

Ref:- Appeal petition dated 16-8-49 of K. Dhanasingh.

pages 1-ante

The appeal petition has been placed before the Appointment Committee of the Council, and it will be forwarded with the remarks of the committee when available.

D.Gnanaolivu
COMMISSIONER.

ASR/26-9-P. 26.9.49

FORWARDED.

T.K.Rama
CHAIRMAN. 27/9/49

P.T.O.

10

63046

B2

9

Office of the Director of Public Instruction, Madras.
ROC.No. 2759-B2/49 dated 13th October, 1949.

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

Submitted.

J. O. Paulson

14

87368

For Director of Public Instruction.

To the Secretary to the Government of Madras,
Education and Public Health Department,
Fort St.George, Madras.
ks.13.x.

E.&P.H. (G).

13/10/49

As noted at p. 7 ante, the receipt of ~~the~~ original appeal petition may be awaited till 5/11/49.

24/10/49

MATHURAI MUNICIPAL OFFICE
16 AUG 1949

C2/ 30998 /49

From

K. Dhanasingh,
Ex Head Master,
Elugadal Municipal Boys school,
Mathurai.

To

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

Through

The Commissioner, Madura Municipality,
Mathurai.

7

Sir,

The humble appeal petition submitted by K. Dhanasingh Ex-Head Master, Elugadal Municipal Boys school against the orders of the Commissioner in his proceedings No.12896/48 dated 4-3-49 reverting him as an assistant from the post of Head master.

61-63 pf. (A)

1. That he had been the Head Master of the Elugadal Boys' school under the Madura Municipal Council from 20-11-45. Necessary exemption order for the appellant to hold the post as Head Master has been obtained from the Divisional Inspector of schools, Mathurai as contemplated under rule 12 (3) read with rule 12(5) of the rules for recognition on 28-10-46 with effect from 20-11-45. Prior to this order he was confirmed as Head Master from 1-8-41 though he entered the Municipal service as Head Master on 6-3-39. He was transferred to the Municipal Elugadal Boys' school which contains more than four teachers simply because of his sincere and meritorious services, conduct and capacity. This posting as Head Master has not been objected to so far by any of the Inspecting Educational authorities. He has been holding the post as such till 8-3-49 when he was reverted as assistant for no fault of his.

p.45 pf. (J)

page 11 (J) Book

2. While the facts are such, certain self interested co-teachers who happened to hold the secondary grade teachers' certificate got perturbed at the appellant's appointment as Head Master and they represented to the Director of Public Instruction to the effect that their claims were overlooked by the appellants' posting as the head of the institution, by means of a memorandum. The claims of the said teachers against the appellants' posting, is purely an afterthought based on

pages 1-9 pf. (J)

business rivalry and on the face of it is barred by limitation. If they had really any grievance they ought to have preferred an appeal regarding their claims at the time of appointment of the appellant as Head Master and evidently they have no - cause of grievance and it can only be construed other wise.

page 11 of Book 3. The exemption under rule 12 (3) read with rule 12 (5) of the rules for recognition, granted on 28-10-46 to the - appellant was based on having due regard to the meritorious services rendered by him as Head Master. Sri. V. Sankaran, a pages 1-3 of (A) Secondary grade teacher preferred an ~~claim~~ appeal objecting to the said posting of the appellant as Head Master to the Director of - p. 51 of (A) Public Instruction who in his proceedings R.C.No.1731-b2/48 dated 10-2-49, had observed that the Commissioner while applying for the exemption has ignored the rules and that the action of the Divisional Inspector of schools on this aspect is irregular. The appellant submits that the observations of the Director of Public Instruction are against the Educational rules for recognition which gives authority to the Divisional Inspector of schools for the grant of such exemption to competent persons with less qualifications. He submits that rule 12 (3), read page 11 of Book with 12 (5) of the rule for recognition is quite in order for the point at issue and the Divisional Inspector is the competent authority to deal with such cases. Hence the action of the Divisional Inspector of schools is in order and cannot be revoked even by the Director of Public Instruction especially at this distance of time and that too with regard to a permanent Head Master.

4. Hence it is submitted that the action of the Commissi- pages 61-63 of (A) oner reverting ~~for~~ the appellant as an assistant, consequent on p. 51 of (A) the orders of the Director of Public Instruction on the petition pages 1-3 of (A) of Sri. V. Sankaran and posting a junior Sri. P. Velayudam as acting Head Master in the appellant's stead in his memo No. 61-63 of (A) 12896/48 dated 4-3-49 ~~which~~ is illegal and ultravires and is against the rules of service framed for the Municipal employees in Educational institutions. It is therefore submitted that

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the claims of the other individuals for the post is irregular on the face of it, vicious and contrary to the peaceful prospect of a reputed Head master of the appellant's standing and is opposed to principles and should be dismissed in toto.

5. The service of the appellant as a Head Master dated from 6-3-39 far too earlier than that of Messrs., V. Sankaran pages 1-9 of (J) or Velayudam who are among the above said signatories who appealed against his posting as Head Master referred to in Para (1) above. Moreover it is a matter for worth submitting that these two - individuals refused to become the Head Master of the Harijan Colony boys' school when they were offered ~~with~~ the post. Thus they stand to lose their claims of alleged seniority over the appellant. A kind reference to the then Commissioner's remarks pages 11-12 of (J) on the petition of those individuals to the D.P.I. will bear - testimony to the above fact (vide Reference No.33597/45 dated 19-1-46.

8

6. Moreover it is a common practice in Elementary schools having more than 4 teachers on its staff to appoint a Higher trained grade teacher as Head Master and secondary grade teachers are made assistants under them and as a matter of fact this is in vogue in many of the Educational institutions in this Presidency and there is no justification for the appellant alone to be - reverted to be an assistant ~~xxxxxxx~~ because of his educational qualification, when he is protected by the exemption order of p. 45 of (J) the competent authority. If per chance this is ignored, the point of exemption is not apparent and speaks belittle of the proviso to the sections for adoption. Thus the proceedings pages 51 of (A) of the D.P.I. is contrary to the exemption order granted to the appellant and has no justification for his requesting the withdrawal of the exemption by the Divisional Inspector of schools which is not contemplated or supported by the Educational rules. Neither it is justifiable nor equitable to disturb the appellant at a time when he has not expected such a crisis for all the good record of his work and conduct as Head Master he has done to the Municipality. A perusal of the inspection remarks of

of the Educational authorities will speak volumes about ~~to~~ the - appellant's work as Head Master.

In conclusion he begs the interference by the Government at such an hour of necessity to peruse the records, restore him to the post of Head Master from the date of his reversion and render justice.

K Dhanasingh 16.8.49
Appellant.

Mathurai.
16th August 1949.

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

Enclosures:- (1) Copy of the memorandum No. C2/12896 dated 4-3-49 by the Commissioner reverting the appellant as assistant. p.1 Supra

(2). Copy of the amendment proceedings Dis No. 4560/43 dated 30th Nov 1943 from the D.P.I. Madras. ibid

(3) Copy of Proceedings of the Divisional Inspector of schools Madura in L.Dis 342 Md/46 dated 28-10-46. p.16 infra

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Annexure I.

No.C-2/12896/48.

Municipal office, Mathurai
Dated 4-3-49.

Memorandum

Sub:- Elementary - Education - Municipal council - Mathurai - appeal of Sri. V. Sankaran - regarding seniority - over Dhanasingh as Headmaster - Proceedings of the Director of Public Instruction - appeal allowed-.orders necessary arrangements issued.

Ref:- 1. Proceedings of the Director of Public Instruction, Madras-Rc No.1731-B-2/48 dated 10-2-49.
2. The proceedings of the Dl. Inspector, Mathurai in Roc.291/49 dated 28-2-49.

In pursuance of the orders of the Director of Public Instruction, Madras and the Dl. Inspector of schools, Mathurai Division, in their above proceedings, Sri.K.Dhanasingh, Head master of Elugadal Boys school, is reverted as an assistant, and will work in the place of Sri. P. Velayudam, in Goripalayam Boys school.

Sri. P. Velayutham, on relief will join duty as Headmaster ~~of Elugadal Boys school~~ in place of Sri. K. Dhanasingh, Elugadal Boys school.

They will join duty forthwith and report. Sri.P. Velayudam will move first.

(Sd) D. Gnanavolivu,
Commissioner.

B.O.

(Sd) P.A. Mahalingam
5-3-49
Supervisor of Boys schools

Annexure II.

Copy of the Proceedings Dis No.4560/43 dated 30th November 1943 from the Director of Public Instruction, Madras.

Subject:- Elementary Education- Local Body Institutions- Qualifications for HeadMasters - Provision for exemption- Recognition rules- Amended.

Read:- G.O.No.1546, Education dated 12th November 1943.

Amendment

In sub-rule (5) of Rule 12 of the rules for Recognition, after the words "Under private management" the following shall be added, Viz., " or any named Headmaster of an Elementary - school under a local authority.

(Sd) G.L. Lobo,
for Director of Public Instruction.

(True copy).

18

Copy of note for the Appointment Committee.

K.Dhanasingh, Ex-Head Master, Elugadal Boys' School has given a petition addressed to the Secretary to Government, Education and Public Health Department, Madras, against the orders of the Director of Public Instruction No.R.C.835-B2/49 dated 2-6-49 rejecting the appeal preferred by him and against the orders of the Commissioner reverting him as an assistant in pursuance of the proceedings of the Divisional Inspector of Schools No.291/49 dated 20-2-49 and of the Director of Public Instruction, Madras, No.1731/48 dated 10-2-49.

The facts of the case are as follows:-

'A'

K.Dhanasingh, a Higher grade teacher was appointed as Head Master of Harijan Colony Boys' School on 6-3-39 and was subsequently transferred to a bigger (i.e.) Municipal Elugadal Boys' School on 20-11-45. This give rise to V.Sankaran and other secondary grade teachers to prefer an appeal against the promotion of K.Dhanasingh as their qualifications were superior to those of K.Dhanasingh and as they were senior to him. But the Divisional Inspector of Schools granted the exemption sought for and K.Dhanasingh was allowed to continue as the Head Master of the Elugadal Boys' School.

For the second time, V.Sankaran preferred an appeal on 21-5-48 and the Director of Public Instruction had passed orders prohibiting the appointment of K.Dhanasingh as the head master of a complete school and consequently, the exemption granted by the Divisional Inspector, was also cancelled and K.Dhanasingh was reverted as an assistant in C2-12896/48 dated 4-3-49.

Thereupon K.Dhanasingh preferred an appeal to the Director of Public Instruction under date 11-3-49 and it was rejected by him, stating that the claim of meritorious service rendered to the Harijan Community disregarding the claims of the existing senior Secondary Grade teachers, cannot be considered contrary to the provisions of G.O.2499 Education dated 20-11-47 and with reference to the Director of Public Instruction's orders R.C.1177-B5/46 dated 3-9-46 and R.C.1731-B2/48 dated 10-2-49.

(Sd) D.GNANAOLIVU,
COMMISSIONER.

/TRUE COPY/

Resolution of the Appointment Committee No. 13 dated 28-9.49.

SUBJECT.

Appeal petition dated 16-8-49 from K.Dhanasingh, Ex-Head Master Elugadal Boys' School to the Secretary to Government, Education and Public Health Department, Madras, against the orders of the Director of Public Instruction No.R.C.835-B2/49 dated 2-6-49 rejecting his appeal preferred against the orders of the Commissioner reverting him as an assistant in pursuance of the proceedings of the Divisional Inspector of Schools No.291/49 dated 28-2-49 and of the Director of Public Instruction No.1731/48 dated 10-2-49 and the note of the Commissioner thereon.

RESOLUTION.

In view of the long service put in by him as Head Master the petition is recommended and forwarded.

(Sd) T.K.RAMA,
CHAIRMAN.

/TRUE COPY/

14.10.49

19

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS
Rc.2/59 B2/49 dated 26-10-49

Sub:--Elementary Education--Municipal Council--Mathurai--Appeal--Sri K. Dhanasingh--regarding appointment as Head-Master.

4 NOV 1949

Ref:--From the Commissioner, Municipal Council, Mathurai C2-30998/49 dated 14-10-49.

85483

Submitted.

2. This Office disposal files D.Dis.1177/46 and D.Dis. 1445/49 are also enclosed for favour of reference and return.

31.10

For Director of Public Instruction

To
The Secretary to Government,
Education and Public Health Dept.,
Madras.

J.W.A.
5/11/49

Clb.29-10-49

29/10

21

EDN4 (C1).

Appeal - Elementary Education - Mathurai Mplty - Sri. K. Dhanasingh, Ex-headmaster Elugadal Municipal Boys' School - appeal against reversion as Assistant teacher -

From the D.P.I no No: 2759 B2/49 d/ 19.12.49.

Memo No: 63046/49-3 C1 Edn d/ 24-1-50 12

It has been pointed out that as Sri. K. Dhanasingh has been exempted from the Secondary Grade, S.S.L.C by the Divisional Inspector of Schools, Mathurai, he ~~should~~ ~~have~~ ~~been~~ must be regarded as on level with the other ~~[illegible]~~ holders of th Secy. grade S.S.L.C who are qualified for the post of headmaster and that he must take his turn according to seniority. The

PTO

22

The D.P.I is, therefore, requested to report very urgently how Sri. K. Dhanasingh ranks in seniority ~~in the~~ which was be reckoned from ~~services from 28/10/46~~ (the date ~~when he was exempted~~ of his exemption from the possession of the ~~Senior~~ Secondary Grade T.S.L.C., i.e. 28-10-46.

Kl
24/1/50

DM
24/1/50

2
The D.P.I.

Despd
25/1

D

27 B2

ASSISTANT SECRETARY
22 MAR 1950
3870
EDUCATION DEPARTMENT

Education Department.

From
The Director of Public Instruction,
Madras.

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

Sir,

Roc.No.2759-B5/49 dated 18-3-1950.

pp 21-22 a/c

Sub: Elementary Education - Municipal Council, Mathurai Appeal of Sri K. Dhanasingh against reversion as Assistant Teacher.

Ref: Government Memorandum No.63046/49-3 Cl.Education, dated 24-1-1950.

I have requested the Commissioner to furnish me with information on the point raised in the last sentence of the Government Memorandum cited. I shall therefore submit my reply to the above reference as soon as the reply from the Commissioner is received.

Yours faithfully,

for Director of Public Instruction.

BR, 20-3.

Tre
20/3

25/3

24

Edu (D)

The Director's final report may be awaited till 10/4/1950.

KM
28/3/50

OBM
29/3/50

25

C. no: 63046/49

Edn (D)

Elementary Education - Municipal Council, Mathurai - Appeal of Sri. K. Dhanasingh against reversion as Assistant teacher -

6D
24/4

From the Director of Public Instruction
No: 2759/B5/49 dt 18.3.1950

p 23 ante

Memo No: 63046/49-6-D Edn dt. 24.4.50

The D.P.I is requested to report the stage in which the matter stands at present.

To
The DPI

Desptd 25/4.

14

KM
24/4/50

21/4/50

OBM
22/4/50

D 27

EDUCATION DEPARTMENT

From

The Director of Public Instruction,
Madras.

ASSISTANT SECRETARY
21 APL 1950
EDUCATION DEPARTMENT

8086

To

The Secretary to Government,
Education Department.

Sir,

Rc. 2759 B.5/49 dated 18.4.'50

Sub: Elementary Education - Municipal Council, Mathurai - Appeal from Sri K. Dhanasingh against reversion -

Ref: Govt. Endt. No. 63046/49-5 D. Edn. dated 6.4.'50

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p23 ante

In continuation of my letter Rc. 2759 B; 5/49 dated 18.3.'50, I have to state that the reply from the Commissioner, Municipal Council, Mathurai is still awaited.

Yours faithfully,

15

20.4.50

for Director of Public Instruction.

grd.19.4. 19/4 19/4.

28

EM(O)

The Director's final report may be awaited till 10/5/1950

KA
1/5

D

29

EDUCATION DEPARTMENT.

From	To
The Director of Public Instruction, M A D R A S.	The Secretary to Government, Education Department, MADRAS.

9669

R.C.No.2759-B5/49 dated 29th April 1950.

***

ASSISTANT SECRETARY
2 MAY 1950
EDUCATION DEPARTMENT

Sir,

Sub:- Elementary Education - Municipal Council, Mathurai- Appeal of Sri K. Dhanasingh against reversion as an assistant.

Ref:- Government Memo.No.63046/49-6 D. Education dated 24-4-1950.

***

In continuation of my letter Rc.No.2759-B5/49 dated 18-4-1950, I have to state the Commissioner, Mathurai Municipality reports in his letter dated 24-4-1950 that the particulars required in this connection are being gathered and they will therefore be sent soon.

16

Yours faithfully,

1.5.50

For Director of Public Instruction.

KVS/1/5.

1.5.50

12
1.5.50.

30

31

C-No. 63046 | 49.

Edn. (D)

Sub: Elementary Education – Mpl. Mathurai. Sri K. Dhanasingh, Ex-headmaster, Elugadal Municipal Boys' school – Appeal against reversion as Assistant teacher –

From the commissioner, Mathurai Mplty. No. 30948 – C2/49 d/ 14.10.49.
~~From the D.P.I. No. 2759 – B5/49 d/ 18.3.50 and 18.4.50.~~

PP. 17-18 cf
P. 23 cf
P 27 cf

17

Memo. No. 63046 | 49-7-D Edn. d/ 4-5-50

~~The attention of~~ The Commissioner, Mathurai Municipality, ~~is invited to the D.P.I's letter on the subject cited above,~~ and ~~he~~ is requested to report urgently how ~~Sri~~

P.T.O.

32

① Sri K. Dhanasingh ranks in seniority with the other members of the staff which may be ~~[illegible]~~ reckoned from the date of his exemption from the possession of the Secondary Grade T.S.L.C., i.e. 28.10.46.

To
The Commissioner
Mathurai Mplty
(thro' C.M.C.).

8/5

Sd
3/5.

4/5/50

op
3/5/50

D

Education department

33

From
The Director of Public Instruction,
Madras.

To
The Secretary to Government,
Education Department.

ASSISTANT SECRETARY
11 MAY 1950
EDUCATION DEPARTMENT

R.O.C.No. 2759 B5/49 dated 9-5-1950

11071

Sir,

SUB: Elementary Education-- Municipal Council Mathurai--continuance of teacher Sri K. Dhanasingh as a secondary grade teacher.

REF: Govt. Memo 63046/49 3cl Edn dated 24-1-1950

18

I submit herewith a copy of the letter A2. 30998/49 dated 27-4-1950 from the Commissioner, Mathurai Municipality.

2. I may also state in this connection that the grant of exemption on behalf of the teacher who is only a trained teacher of the Higher Elementary grade may not be taken to confer on him all benefits as such an exemption is subject to the usual restriction regarding the availability of qualified Secondary grade teachers and much less can it entitle him to seniority over the secondary grade teachers. He may be advised to appear for the T.S.L.C. Examination of the Secondary grade privately and thus qualify himself as a Secondary grade teacher.

Yours faithfully,

10.5.50

for Director of Public Instruction

ptv 10/5/5

Copy of the letter No. A2-30998/49 dated 27-4-1950 from the Commissioner, Mathurai Municipality, to the Director of Public Instruction, Madras.

SUB: Elementary Education-- Establishment--Mathurai Municipal Council--K. Dhanasingh Ex- Headmaster, appeal against reversion as an assistant-- particulars--furnished

REF: Your letter R.C.No. 2759 B5/49 dated 18-3-1950 and 18-4-1950 and this office A2/30998/49 dated 24-4-1950

An extract from the list of Headmasters showing the dates of their first appointment as well as the dates of their appointment as headmasters, is sent herewith.

101

If the date 28-10-1946 referred to in the Govt. Memorandum No. 63046/49-2 Cl. Education dated 24-1-1950, is taken into account , the appellant K. Dhanasingh ranks in the list between V. Sankaran (item No. 5) and P. Velayudham (item No.6) But, I may say in this connection that the date of exemption from the possession of secondary grade T.S.L.C. granted by the Divisional Inspector of schools, Mathurai, to the appelant is 20-11-1945 (ie.) the date of his appointment as Headmaster in the Elugadal Boys' school. If this date (20-11-1945) is taken into consideration in the matter of deciding seniority, the appellant ranks between M.R. Subramanian (item No. 1) and P.Ramaswami Naidu (item No.2)

S.No.	Name.	Date of appointment in the municipality.	Date of appointment as headmaster
1.	M.R. Subramanian	20-9-38	16-7-45
2.	P.Ramaswami Naidu.	18-1-39	2-1-46
3.	K.Muthukaruppan	18-1-39	9-1-46
4.	M.Ramamoorthy	1-2-39	12-6-46
5.	V.Sankaran	27-2-39	6-7-46
6.	P.Velayudam	28-2-39	1-11-46
7.	T. Velayudham	28-2-39	27-2-47
8.	K.Subba Rao	1--3-39	4-9-1947

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10. 5- 50

For Director of Public Instruction

C. no: 63046/49

Edn (A)

Appeal - Elementary Education - Municipal Council, Mathurai - Sri. K. Dhanasingh, Ex-headmaster, Elugadal Municipal Boys' School - Orders passed -

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pp1-4 cf From Sri. K. Dhanasingh, petition dt 16.8.1949
From The Commissioner, Mathurai Municipality
p17 cf No: 30998/49 dt 14-10-1949
From the Director of Public Instruction
p19 cf No: 59/49 dt 26-10-1949 20
From the Director of Public Instruction
p32 cf ~~no~~ No: 2759/49 dt 19-12-1949.
From the Director of Public Instruction
p33 cf No: 2759/49 dt 9-5-1950.

—

Order No: 1702 Edn dt. 6-6-50

Ms

The Government ~~have~~ decided that Sri. K. Dhanasingh should be continued as headmaster of a school with five standards under the municipal council, Mathurai irrespective of the fact whether there is a Secondary grade trained teacher in that School or not, provided that in case there is a Secondary grade trained teacher in that particular school, that teacher is junior in service to ~~this~~ him ~~Sri. K. Dhanasingh~~.

KA
5/6/50

5/6/50

6/6/50

p9 cf

Spr. w/c of Ser. Regtr. by R.P.
6/6.

6/6

To
The petitioner (address at p1 cf)
The Commr. Mathurai Mply. (through the CMC) (with enclosures)
The D.P.I.
28/9

with encl office files and service registers

N.K. ple

E.& P.H.(Cl).

C.No.63046/49/Cl.

Sub: APPEAL - Elementary Education - Mathurai Mty. - Sri K. Dhanasingh, Ex-Headmaster, Elugadal Municipal Boys' School - Against reversion as Assistant teacher.

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pp 11-16 cf

pp 17-18 cf

From Sri K. Dhanasingh, Ex-Headmaster, Elugadal Boys' School, Mathurai Mty., petition, dated 16-8-49.
From the Commr., Mathurai Mty., No. C.2.30998/49, dt.14-10-49
" Director of Pub. Instrn., Rc.2/59-B2/49, dated 26-10-49.

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2

The petition on pages 11-14 c.f., the remarks of the Commr., Mathurai Mty., on pages 17-18 c.f. and that of the D.P.I's in his endt. on p.19 c.f. may be perused.

2. For a summary of the case, attention is invited to the D.P.I's. office note on pages 25-30 of the D.P.I's office file at (K). G.O. No. 2499, Edn., dated 20-11-47, will not apply to the petitioner, Sri K. Dhanasingh, as he was appointed as Headmaster of Elugadal Boys' School from 20-11-1945. But the D.P.I. had ordered even much earlier in his proceedings dated 3-9-1946 that Sri K. Dhanasingh could be continued only as a H.M. of a school having less than four teachers. This was not heeded by the Commr. who obtained the necessary exemption under rule 12(5) of the rules for recognition and continued the petitioner. This was irregular on the face of the definite orders of the D.P.I. dated 3-9-46. The later orders of the D.P.I. which are the cause of the present appeal have been passed by him in pursuance of his previous orders only to set right the irregularity committed by the then Commr. Thus, no interference by the Govt. would appear to be called for.

J/35

R

J/39-41 & 45

3. But one point seems to deserve consideration. The petitioner was posted as H.M. of the bigger school at Elugadal with eight teachers on its staff, only in recognition of his meritorious service and of the interest and the zeal with which he worked in the Harijan Colony School and developed it into a complete school. This was at a time when other teachers (or H.M's) who complained against his appt. as H.M. of Elugadal School, would not go to the Harijan Colony School. Certainly as the Commr. pointed out in his endt. on the first petitio

J/11-12

K

J/4 + P/6

J/11-12

-2-

of the other teachers, the petitioner, Sri Dhanasingh, deserved encouragement for the work of merit done by him and it appears that it was not too much of a privilege to have conferred on him the appt. of a H.M. of a bigger school. This appt. was irregular, but on a later application of the Commr., the Divl. Inspr. rightly or wrongly granted the exemption sought for under rule ~~13~~ 12(5) of the Rules for recognition from the date of appointment to the bigger school. Thus the irregular appointment was also regularised. It seems, therefore, too hard on the petitioner now suddenly to withdraw the recognition of his meritorious work in the past, and that too at this distance of time, after he has served for more than three years. It would have been in the fitness of things if the petitioner had been allowed to continue and the teachers who petitioned against his appointment but who not only did not deserve any encouragement but ~~the~~ did not like to go to the Harijan Colony School had been given a place only next to him. It is, therefore, for orders whether in the circumstances stated above, the Govt. would interfere and order the restoration of the petitioner as H.M. of even schools with four and more teachers. If so, the D.P.I. may perhaps be consulted whether he has any objection to orders being passed accordingly.

JWA

15/11/49 S

16/11

D.P.I.

E.&P.H. U.O. No. 63046/49-2-G-Edu.

17. 11. 1949

(with pages 11-20 c.f. and files at (T) (J), (W), (H), (N) & (R) to be returned with reply.)

J1 39-41
245

A

M

DIRECTOR OF PUBLIC INSTRUCTION
30/11
18 NOV 1949
MADRAS

U.O.Reply No.2759 B2/49 dated 19--12--1949.

Resubmitted.

2. The point upon which it has been argued that the case deserves consideration is that the teacher worked in the Harijan colony at a time when other teachers who complained against his appointment were not prepared to work there. The appointment of a headmaster of a school with four or more teachers is not a privilege that can be conferred upon this teacher in recognition of his good work because it does not seem desirable on educational grounds to entrust to him the conduct of a school with more than 4 teachers as Headmaster when there are secondary grade teachers qualified and available. While I appreciate the teacher's good work I cannot see how he could be restored to the appointment of a Headmaster of Schools with four and more teachers, as I think that such a step would give rise to many difficulties not the least of which would be the setting up of an awkward precedent.

D.P.I.

To

The Secretary to Government,
Education & P.H.Department.

21 DEC 1949
99728

22

E&PH(C1)

Please see the Director's remarks above. He objects to the restoration of the post of headmaster to Sri. K. Dhanasingh as it would form an awkward precedent. However, in view of the meritorious services rendered by the appellant and in the circumstances stated in para 2 on pp1-2 ante, it is for consideration whether the Government would interfere in the matter, as a special case.

KA 7/1/50

9/1/50 S

7/1/50

HM(Edl)

Examine the qualifications of the teachers against those whom the DPI considers should be promoted

L 10/1

Submitted that the qualifications of Sri. K. Dhanasingh are as follows:-

(i) Possesses a Higher Elementary Grade T.T.C

p41/(J)

(ii) has acted as the headmaster of Harijan Colony School, a school having three teachers inclusive of the headmaster, from 15.9-1939 to 20-11-1945 (ie) for a period of over seven years; and has developed the incomplete Harijan School into a Complete one at a time when no other teacher including the teachers who complained against his subsequent appointment as the H.M of Elugadal School, would not go to the Harijan Colony School.

p1/(P)

pp2-3/(J)

pp3-8/(P)

(iii) has acted as the headmaster of the Higher Elementary School at Elugadal from 20-11-1945 till 4-3-1949 (ie) for a period of over three years. He was appointed as headmaster of this School (a School having more than eight teachers.) in recognition of the meritorious services rendered by him at the Harijan Colony School.

pp11-12/(J)

(iv) that ~~he has been allowed to continue~~ as headmaster of the Elugadal Boys School for more than three years, ~~as~~ his work and Conduct have been satisfactory.

p45/(J)

(v) that in view of item (iv) above, he has been granted exemption ~~to~~ from the possession of the Secondary Grade T.S.L.C by the Divisional Inspector of Schools;

p45/(J)

~~As regards~~ The teachers who claim the post of headmaster, ~~the D.P.I in his office file at (K)~~ has ~~not stated anything beyond the fact That Sri V. Sankaran and Sri. P. Velayudhan who have been promoted over Dhanasingh~~ are in possession of the T.S.L.C, Secondary Grade, which is definitely a higher qualification.

p/3, R/17
K/13, 85, 87

KN
19.1.50

19/1/50

22/1/50 S

If he is exempted from the T.S.L.C, obviously he must be regarded as on level with other T.S.L.C's and must take his turn according to seniority. If not, the latter will always stand in his way. We may find out from DPI how he ranks in seniority, which may be reckoned from the date of his exemption from T.S.L.C.

L 23/1

A draft memo is submitted.

23

KN
24.1.50

24/1/50

24/1/50

Pp. 21-22 cf
p. 25 cf

[Issued as Memo. No. 63046/49-3C, - Edn. dt 24.1.50.
Last reminder on 24.4.50.]

Extract from the Secretary's queries in the Arrear list.

[The information could have been got more early by making a reference to the Commr. Please do so now.]

A draft Memo. is submitted.

3/5

3/5/50

4/5/50

pp31-32 cf

[Issued as memo no: 63046/49-7 D Edn dt 4-5-1950)

p33 cf

[C.no: 11071/50 - From The Director of Public Instruction No: 2759/49 dt 9-5-1950]

With reference to The memo on pp21-22 cf, please see The Director's report on p33 cf. In his letter on p35 cf, The Commissioner has reported that Sri. K. Dhanasingh ranks in Seniority between No 5 and No: 6 in The list

submitted by him, if the date of exemption from the
possession of the Secondary grade T.S.L.C is taken
into account and that he will be between (1) and
(2), if the seniority is reckoned from 20-11-1945 viz the
date of his exemption from the possession of T.S.L.C by the Divl. Inspector of Schools. ~~appointment as headmaster, in the Elugadal~~
~~Boys' School~~. It does not seem necessary to advise
Sri K. Dhanasingh to appear for the T.S.L.C Examination
of the Secondary Grade privately as desired by the p33 cf
Director in view of the fact that he has once been p4 ante
exempted from the possession of T.S.L.C. Orders are
now solicited with reference to 'M' on p2 ante viz

KL 13/5/50 whether ~~the petition~~ Govt could order the restoration
of the petitioner to the post of Headmaster of even
13/5/50 schools with four and more teachers. The file may
be circulated to H.M (E&L).

I have already said that the ~~[illegible]~~
final note for orders should be
a self contained summarising
note.

16/5/50.

18/5/50.

Summarising note for circulation:-

The file deals with the question of the Quick
restoration ~~to~~ of the post of headmastership of one 18/5
Sri. K. Dhanasingh, employed under the municipal
Council, Mathurai. The case is briefly as follows:-

Sri. K. Dhanasingh is a teacher in the Elugadal Boys' School under
the Municipal Council, Mathurai possessing Higher
Grade Elementary Teachers' Training Certificate. This
qualification is enough for holding the post of headmaster
of an elementary school with less than four teachers.
He acted as headmaster of ~~Elementary~~ Harijan Colony
School from 15-9-1939 to 20-11-'45 (4) for a period p4 ante
of over seven years and developed the school into a
complete one at a time when no other teacher was
prepared to go there. In view of the meritorious services
rendered there, he was subsequently appointed as
Headmaster of Elugadal Higher Elementary School
with seven members on its staff. In order to enable

him to hold the post, the Divisional Inspector
p45/(J) of Schools, Mathurai exempted him under
Rule 12 (5) of the rules for recognition from the
possession of Secondary Grade T.S.L.C in
recognition of the meritorious services rendered
in the Harijan Colony School. When an
p51/(A) objection was raised by the Director, the
Divisional Inspector cancelled his exemption
p59/(A) order. Sri. Dhanasingh has appealed to
pp1-4 cf Government against the cancellation order.
The Director has not recommended the case
p3 ante and is of opinion that it would form an
awkward precedent. He has suggested that
p33 cf ~~Sri~~ the appellant may be advised to appear
for the T.S.L.C Examination of the Secondary
grade privately and qualify himself as
a Secondary grade teacher. It does not
seem necessary to accept the Director's
recommendation in view of the fact that an
p65/(J) exemption has once been granted to Dhanasingh.
Attention in this connection is invited to
p5 ante the orders of the previous Secretary of this Department
extracted below ~~which are as follows~~ :-

"If he is exempted from the T.S.L.C,
obviously, he must be regarded as on level with
other T.S.L.Cs and must take his turn according
to seniority. If not, the latter will always
stand in his way. We may find out from
the D.P.I how he ranks in seniority which
may be reckoned from the date of his exemption
from the T.S.L.C".

J.M.L
23/1/50.

The Commissioner has reported that
p35 cf Sri. K. Dhanasingh ranks in seniority between
No 5 and No 6 in the list submitted by him, if
the date of exemption from the possession of
Secondary Grade T.S.L.C is taken into account and

8

that he will be between 1 and 2, if the seniority is reckoned from 20-11-1945 (ie) the date of his exemption from the possession of the S.S.L.C by the Divisional Inspector of Schools. It is for orders whether Sri. K. Dhanasingh may be restored to the post of headmaster of Higher Elementary School with more than four teachers and his seniority fixed between no: 5 and no 6. in the list on p35 c.f. It is also for consideration whether his seniority may be fixed between 1 and 2 in that list reckoning it from 20-11-1945 (ie) the date of exemption from the possession of S.S.L.C by the Divisional Inspector of Schools. The file may be circulated ~~to~~ H.M (Edn) for orders.

p 33 c.f

23/5/50.

25/5/50

The D P I's recommendation - please see page 33 c.f - may be accepted.

29/5/50 S.

I am afraid I do not agree with the Director. I am inclined to think that the teacher has not been treated quite fairly. No doubt, he is a Higher Elementary Grade teacher; but almost from the very beginning of his service, which began in 1939, he has been a Headmaster. He made the Harijan Colony Boys' School a big one and in recognition of his good work and obvious capacity to ~~make it~~ manage a big school, he was given exemption by the Divisional Inspr. of Schools from the possession of the secondary grade training qualification, prescribed by Rule 12 (3), for the headmastership of Ely. schools with Five Standards. This exemption was given in October 1946. On 20-11-'45 the teacher had been transferred from the Harijan Colony Boys' School to the Elugadal Boys' school, a bigger school, and the exemption was intended to enable him to continue as headmaster of that bigger school.

p.40 f (W)

(J) -11-12

M'

(J) 39-41 and 45

p.18 c.f.

p.45 (J)

~~42/30/5~~ C.No.63046/49-D

Later, on the agitation of other teachers, the exemption was cancelled by another Divisional Inspector and this cancellation was upheld by the Director in appeal. The present is an appeal to Government against the Director's decision. I do not see why Rule 12 (3) is applied to this case when in G.O.No.2499, Edn. dated 20th November 1947 this rule has been suspended for 5 years and when this rule at the moment is inoperative in cases where there is no secondary grade trained teacher on the staff of the school concerned. The Appointment Committee of the Municipal Council which may be expected to know all the facts and the capacity of this teacher and other teachers, recommends that he may be continued as headmaster of the schools with Five Standards. In these days of scarcity of Secy. Grade trained teachers, I do not think there can be any serious objection to this teacher being continued as headmaster of a school with five Standards irrespective of the fact whether there is a secondary grade trained teacher in that school or not, provided that in case there is a secy. grade trained teacher in that particular school that teacher is junior in service to this appellant.

p.54 (A)

p.17 (R)

M.1.40 c.f.

(X)/p.1

p.18 c f.

29.5.50.

For orders.

28

I agree with the Secy

H.M. (E.&L.).

2/6

A draft order is submitted.

3/6/50

5/6/50

S. 6.6.50