Education (1950) Department

Ms Series

p 16-8.

G.O. No. Ms 2395 Edn

closed

Supdt

Dated. 26.8.50

25

24

Despatch Abstract

Establishment - M.M. Secondary School, Alandur - Mr. Victor. M. Balraj, B.A., L.T., ex-headmaster - Petition for reconsideration of orders declaring him unfit to be headmaster or correspondent, Orders passed.

V.S.P.

Back Papers.
Lodged No 20341 B,/49 Edn d/25-5-49

SECRETARY
EDUCATION
21 APL 1950

From
Mr.Victor.M.Balraj, B.A.,L.T.,
Alandoor,
St.Thomas Mount,
Madras. 16.

To
The Secretary to the Government of Madras,
Department of Education,
Fort. St. George,
M A D R A S.

8106
Sch

ASSISTANT SECRETARY
21 APL 1950
EDUCATION DEPARTMENT

Dated; the 21st of April '50

Sir,

Recd in B on 24/4/50

The humble memorial of the petitioner most respectfully showeth:-

1. That the petitioner was the Headmaster of the Methodist Mission Secondary School, Alandur, St.Thomas Mount, for a continuous period of 20 years and that later he was appointed Headmaster, Correspondent and Manager of the said school.

2. That about the middle of 1948 a pseudonymous petition was sent against him to the authorities concerned.

3. That when the allegations were being enquired into he was nearing his 55th year, when, according to the Age Rules then existing he ought to retire. The Mission authorities therefore requested the D.P.I. for the petitioner's retention and for his extension of service.

4. That the Divisional Inspector of Schools, Mathurai, who enquired into the pseudonymous petition recommended the insistence of the regid rules then existing - thus refusing extension and retention as prayed for by the Mission.

5. That when the investigation of the Divisional Inspector of Schools was proceeding, in January 1949 a voluntary deputation waited on the permanent Director of Public Instruction, Sri D.S.Reddy.

6. That the deputation consisted of Sri D.Samuel, M.A.,L.T., a veteran educationist known for his sterling character and impartial justice, who has retired as D.E.O; the Rev.Edward Devadoss, B.A.,L.T., a Headmaster of standing retired after years of service also on the S.S.L.C. Board and three others a Vakil, a postmaster and a Medical Practioner of local standing. It is significant how they had agreed about and were convinced of the injustice of the charges levelled against him.

7. That the deputationists were assured by the Director that their representation would be favourably considered and were further assured that the petitioner ' need not worry '. The petitioner was asked by the ... Director through the deputationists either to retire from the Headmastership or give up the various honorary activities.

8. That the petitioner therefore immediately gave up all honorary activities eleven in number the most important of which were:-

i) Presidentship of the Local Bench Court.
and ii) Presidentship of the Alandoor Co-operative Stores.

9. That when Sri D.S.Reddy the permanent D.P.I. who had heard the deputation and had been convinced of the justness of the claims of the deputation was on leave, the Acting D.P.I. Sr.Badriah issued the Proceedings R.O.C.No.1073- D.3/48 dated 2-5-1949 and the consequent Gazette notification that ' under Rule 98(b) and 99(a) of the Madras Educational Rul The Director hereby declares Sri Victor, M. Balraj of the Methodist Missi Secondary School, Alandoor permanently unfit to be either the Headmaster or Correspondent of any recognised school. 2. The Divisional Inspector is requested to be good enough to arrange to notify the above orders in the Fort.St.George Gazette. '

p87 (1)

Compare pp 51-53 of (D)

The petitioner humbly submits that from the perusal of the copy of the Director's proceedings there is reason to believe that the representation of the deputationists and the assurance given them by the permanent D.P.I. do not seem to have been considered by the then Acting D.P.I. Sri. Badriah while passing the order.

p87 of (D)

10. That the petitioner begs to submit that the punishment consequent on the orders as conveyed in R.O.C. No.1073 D.3/48 dated 2-5-1949 of the D. P.I. is far in excess of the scope of the charges and against evidence in this case.

11. That in this connection, the petitioner humbly begs to submit that among the multifarious honorary activities on behalf of the people and of the government his undaunted services rendered for the locality were long and considerable especially during the war period when as Honorary Warden of the A.R.P. entire York Division he rendered conspicuous services for thesafety of person and property in the locality that when the rations were introduced his services and position in Society were freely applied for by the authorities and were heartily responded to.

12. That the charges alleged against him were:-

(a) Irregular attendance in schoolon the part of the Headmaster and alleged omission of initials in certain registers of minor importance.

(b) Alleged misappropriations as to some allowances for menials on the part of the petitioner as Manager of the school.

pp 63-83 of (D)

13. That the petitioner's detailed explanation for the charges was submitted on 12-3-1949 which were self-explanatory, sufficient and that in particular the allegations with regard to (b) were falsified by statements taken by Divisional Inspector of Schools surprisedly during the absence of the petitioner.

Nothing on the record

14. That the petitioner was assured by the deputationists that the permanent Director Sri.D.S.Reddy held that ' he was one with the deputationists in holding that there was no case of misappropriation '.

In the Annual Inspection of the School which took place subsequently there were no adverse remarks by the Inspecting Officer, while on the other hand he found that the school was working satisfactorily.

pp 3-4 infra

15. That the petitioner begs to submit herewith the testimonial of the Headmaster of the Theagaraya Nagar High School where he is now employed as regards the petitioner's efficiency, character and capacity for work.

16. That the petitioner begs to submit that but for the order of the D.P.I. the Management of the above school, namely the Church of South India as represented by its Education Board would not have allowed him to retire and that the petitioner also would not have offered to retire.

(X) / p15 of

17. That the petitioner begs to submit the Age limit has since been extended to Sixty years as per G.O.MS.No.3066 Edn. dated the 5th of October 1949 and that therefore the order against him is detrimental to the continuance of hisservice especially as he is quite hale and healthy.

It is a slur and stigma far too great for the petitioner and for his family to bear especially after a continuously successful service of 20 years in the same school wherein the management had absolute confidence on him and during which ~~XXXX~~ period no charge of any kind had been levelled against the petitioner either by the mission or by the Educational Department. The petitioner has therefore reason to believe that this .. pseudonymous petition was engineered by some local person filled with jealouy against him.

18. That in the above circumstances, the petitioner prays that the Honourable Popular Government be graciously pleased to rescind the Gazette notification regarding the petitioner and enable him to enjoy the privileges extended to teachers under G.O. MS.No.3066 Education dated the 5th of October 1949.

Your humble memorialist

(Encl- 2)

21. iv. '50

3

The Theagaraya Nagar High School,

Telephone : 88454

14, Venkatanarayana Road,
Theagaraya Nagar,
MADRAS 17.

Dated, 1 - 11 - 1949.

I have very great pleasure in testifying about Sri Victor M. Balraj, B.A., L.T., an Assistant in this School on the eve of my departure from this school.

I have known Sri Balraj for a very long time both as a Head Master and as a Social worker. He is a gentleman of excellent Character and innocence. As a teacher, I have always found him to be very industrious and anxious to adopt all modern Principles of teaching and bring up his pupils with a parental care. As the Head Master of the M.M. Secondary School, Alandur, I have personally known and have also heard from very influential local gentlemen of all shades of public opinion that he has been a congenial disciplinarian, strict but sympathetic leader of the staff and an excellent adminstrator.

2.

He is physically and mentally very strong. I wish that he serves the Teaching Profession all his life. I wish him all God's blessing~~s~~.

Madras,

CNChandrasekharan
1-11-49

Head Master.

The Theagaraya Nagar High School,

Telephone : 88454

14, Venkatanarayana Road,
Theagaraya Nagar,
MADRAS 17.

Dated, 25-5-1949.

Dear Mr. Victor Balraj,

I hear that you have retired from the M.M. Sec. School, Alandur which, I have known personally, you have been ably piloting for the last 2 decades. I am convinced that you are a gentleman of proved adminstrative ability, hard work and intelligence. You possess the qualities that are essential for a successful teacher. Society needs teachers like you to work even after retirement. Your pupils who joined my school have uniformly shown me a foundation in your school of a high order. I need an Assistant for my School in the History & Geography Section. I may, without making anything like a promise, tell you incidentally that eventhough you may now be apponited only as an Assistant, you may not be wrong in expecting better future in this School in view of your service as an able Head Master.

Shall I therfore ask you whether you would please accept an Assistant's post in my School? On hearing from you I shall intimate to you the terms of appointment which I am sure you will feel to be decent. of course with the consultation of the Manager.

Kindly let me have your reply by return.

Yours sincerely,

CSChandrasekharan

Head Master. 25/5/49.

PROCEEDINGS OF THE DIRECTOR OF PUBLIC INSTRUCTION, MADRAS.

R.O.C.NO.1073-D.3/48 Dated 2---5--1949:

£@£

Subject:

SCHOOLS - Secondary - Aided - Irregularities - M.M.Secondary School, Alandur - Sri Victor M. Balraj declared permanently unfit to hold the post of Correspondent or Headmaster of any recognised school - Orders passed.

Read:
1. Letter ROC.No.1107-B/48 dated 22-12-48 from the Divisional Inspector of Schools, Mathurai Division
2. Explanation dated 12-3-1949 from Sri Victor M.Balraj and
3. Letter RC.No.1107-B/48 dated 27-3-49 from the Divisional Inspector of Schools, Mathurai Division.

UNDER rule 98(b) and 99(a) of the Madras Educational Rules, the Director hereby declares Sri Victor M.Balraj of the M.M.Secondary School, Alandur permanently unfit to be either the Headmaster or Correspondent of any recognised school.

2. THE Divisional Inspector is requested to be good enough to arrange to notify the above orders in the Fort St. George Gazette.

V.K.KRISHNA MENON,
for Director of Public Instruction.

(TRUE COPY) Forwarded
-/By order/-

I. Srinivasan
SUPERINTENDENT. 3/5

To
The Divisional Inspector of Schools, Mathurai Division.
Copy to the District Educational Officer, Chingleput.
Copy to the Correspondent of the school.
Copy to Sri Victor M. Balraj (By Registered Post)
Copy to B.2, D1, D2, E, F and H Sections (D1 Section 3 copies)

RVR 3/5/- Desh 3/5/49 25 copies

1 6

(7)

Edn (B)

Establishment - Methodist Mission Secondary School, Alandur, St. Thomas Mount - Mr. Victor Balraj B.A., L.T., ex Headmaster - Petition for reconsideration of orders declaring him unfit to be headmaster or correspondent.

3/1/5

M 1-26 From Mr. Victor M. Balraj, B.A., L.T., Alandur, St Thomas Mount.

B/1/5/50 Memo No 8706·B/50-1 Edn § 1.5.50

The D.P.I is requested to submit for the perusal of Govt, his office file connected with the proceedings declaring Mr. Victor Balraj ex headmaster of the Methodist Mission Secondary School, Alandur, unfit to be either headmaster or correspondent of any recognised school.

Secretary's orders on p 1 cf

1/5

To
The D.P.I.

Sd
26/4/50.

26.4.50

29.4.50.

8 1

D1

EDUCATION DEPARTMENT.

8

From
The Director of Public Instruction,
M A D R A S.

To
The Secretary to Government,
Education Department, MADRAS.

R.O.C.No.330-D3/50 dated 18th May 1950.

***

B

ASSISTANT SECRETARY
21 MAY 1950
EDUCATION DEPARTMENT

12245

Sir,

Sub:- Schools - Secondary - Aided - M.M.Secondary School, Alandur - Action against Correspondent and Headmaster.

pb ante

Ref:- Government Memo.No.8106-B/50 dated 1-5-1950.

***

I submit herewith my office file under cover of Dis. No.4763/49 relating to the subject, as desired by Government.

Yours faithfully,

20/5

For Director of Public Instruction.

KVS/19/5.

1915 13/19/5.

9 8/

(9)

Edn (B)

B 21/6/50

Establishment - M.M. Secondary School, Alandur - Mr. Victor M. Balraj, B.A.L.T., ex-headmaster - Petition for reconsideration of orders declaring him unfit to be headmaster or Correspondent.

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12 22/6

pp 1-2 cf

Petition from Mr. Victor M. Balraj, B.A.L.T, Alandur,
St. Thomas Mount d/ 21-4-50.

Memo No 8106 B/50-2 Edn d/ 21-6-50.

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pp 1-2 cf

Vide Secretary's remarks p 3 of Routine Note

Ibid

A copy of the petition from Mr. Victor M. Balraj, ex-headmaster of the M.M. Secondary School, Alandur, is referred to the D.P.I. for remarks. He is requested to state why the management was not referred to or enquired in the matter, when the petitioner had served the management for 20 years apparently to their satisfaction. The Director is also requested to submit the inspection report of the school

[P.T.O

EDUCATION DEPARTMENT.

From

The Director of Public Instruction,
MADRAS.

To

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

R.O.C. No.330-D.3/50 Dated 6th July 1950.

18891

Sir,

Sub: SCHOOLS - Secondary - Aided - M.M. Secondary School, Alandur - Sri Victor M. Balraj - Debarred - Appeal - Remarks offered.

Ref: Government Memorandum No.8106-B/50-2 Education Dated 21-6-1950.

pp 8-9 ante

* * *

Ⓦ In submitting herewith file under Cover of Dis.4-763/49 and the Tabular Inspection Report of the School for the year 1948-49 as desired by Government, I have to state as follows:-

1. The school is under the Mission body and there does not appear to be a separate managing committee as such for the school, as in the case of other private non-Mission secondary schools. The Correspondent alone is answerable for the maintenance of the institution and the fulfilment of all the conditions of recognition and aid, including the due enforcement of such rules of discipline as are prescribed from time to time, under rule 10 (chapter II) of the Grant-in-aid Code. In the present case Sri Victor M. Balraj was himself the Manager besides being the Headmaster and Correspondent according to his own statement (vide letters at p.75 and 85 of file Dis.4763/49) and hence the need for consulting the Mission body did not therefore arise. (p 30 of Bk No 40) Ⓓ

Ⓦ 2. The remarks contained in pages 1, 4, 5 and 11 of the Tabular Inspection Report (enclosed) do not in any way go to exonerate the Headmaster from the proved charges in File Dis. 4763/49.

pp 1-2 ante

3. With reference to the remarks on the memorial called for in the Government Memorandum quoted above, I may state that Sri D. Samuel has already stated that "he is reluctant to ruin one more man by exposing him to departmental wrath" while offering his opinion on the complaint against the ex-Headmaster. The submission of a supplemental statement of defence, if there was any omission of facts, was ± also permitted with reference to the deputationists' request. In the absence of facts beyond those explained in his letter dated 12-3-1949 (p. 63 c.f. of File Dis.4763/49) and in the face of the charges against the Headmaster having been held to have been proved, the action taken against the Headmaster and Correspondent was inevitable. The Memorial does not contain fresh facts waranting a re-opening of the case.

pp 8-9 ante
p 74 of Ⓓ
53 of Ⓓ
Ⓓ

Yours faithfully,

7/7

for Director of Public Instruction.

k.v.s./6-7.

6/7

12/- 9 13

18 AUG 1950
Education Department
Edn Secy

Secretary
18 AUG 1950
Education Department

Call for remarks & papers
KM

(12)

From
Mr. Victor M. Balraj B.A., L.T.,
Alandur, St. Thomas' Mount,
Madras - 16.

To
The Hon'ble Minister for Education,
Government of Madras, Madras.

Dated the 18th of Aug: 1950

Sir,

The humble memorial of the petitioner most respectfully showeth:-

1. That the petitioner was the Headmaster of the Methodist Mission Secondary School, Alandur, St. Thomas' Mount, for a continuous period of 20 years and that later he was appointed Headmaster, Correspondent and manager of the said school.

2. That about the middle of 1948 a pseudonymous petition was sent against him to the authorities concerned.

3. That when the allegations were being enquired into he was nearing his 55 th. year when according to the age rules existing then he ought to retire. The Mission authorities therefore requested the D.P.I. for the petitioner's retention and for his extension of service.

4. That the Divisional Inspector of Schools, Mathurai who enquired into the pseudonymous petition recommeded the insistence of the rigid rules then existing - thus refusing extension and retention as prayed for by the Mission.

5. That when the investigation of the Divisional Inspector of Schools was proceeding in January 1949 a voluntary deputation waited on the permanent Director of Public Instruction, Sri. D.S. Reddy.

6. That the deputation consisted of Sri. D. Samuel, M.A., L.T., a veteran educationist known for his sterling character and impartial justice who has retired as D.E.O.; The Rev. Edward Devadoss, B.A., L.T., a Headmaster of standing retired after years of service also on the S.S.L.C. Board and three others a vakil, a postmaster and Medical Practitioner of local standing. It is significant how they had agreed about and wereconvinced of the injustice of the charges levelled against him.

7. That the deputationists were assured by the Director that their representation would be favourably considered and were further assured that the petitioner "need not worry". The petitioner was asked by the Director through the deputationists either to retire from the Headmastership or give up the various honorary activities.

8. That the petitioner therefore immediately gave up all honorary activities eleven in number the most important of which were;-
1. Presidentship of the local Bench Court,
and 2. Presidentship of the Alandur Cooperative Stores.

9. That when Sri D.S. Reddy the permanent D.P.I. who had heard the deputation and had been convinced of the justness of the claims of the deputation was on leave the acting D.P.I. Sri Bhadriah issued the proceedings R.O.C.No.1073-D.3/48 dated 2-5-49 and the consequent Gazette notification that "under rule 98(b) and 99(a) of the Madras Educational rules the Director hereby declares Sri Victor M. Balraj of the M.M. Secondary School Alandur permanently unfit to be either the Headmaster or Correspondent of any recognised school. 2. The Divisional Inspector is requested to be good enough to arrange to notify the above orders in the Fort St. George Gazette."

The petitioner humbly submits that from the perusal of the copy of the Director's Proceedings there is reason to believe that the representation of the deputationists and the assurance given them by the permanent D.P.I. do not seem to have been considered by the then acting D.P.I. Sri Bhadriah while passing the order.

10. That the petitioner begs to submit that the punishment consequent on the order as conveyed in R.O.C.No.1073 d.3/48 d/2-5-49 of the D.P.I. is far in excess of the scope of the charges and against the evidence in this case.

P.T.O.

14

13|5

11. That in this connexion the petitioner humbly begs to submit that among the multifarious honorary activities on behalf of the people and of the Government his undaunted services rendered for the locality were long and considerable especially during the war period when as Honorary Warden of the A.R.P. entire York Division he rendered conspicuous services for the safety of personal property in the locality, that when the rations were introduced his services and position in society were freely applied for by the authorities and were heartily responded to. (13)

12. That the charges alleged against him were;-
   a. Irregular attendance in school on the part of the Headmaster and alleged omissions of initials in certain registers of minor importance;
   b. alleged misappropriations as to some allowances for menials on the part of the petitioner as Manager of the School.

13. That the petitioner's detailed explanation for the charges was submitted on 12-3-1949 which were self-explanatory and sufficient and that in particular the allegations with regard to (b) were falsified by statements taken by the Divisional Inspector of Schools surprisedly during the absence of the petitioner.

14. That the petitioner was assured by the deputationists that the permanent Director Sri D.S.Reddy held that he was one with the deputationists in holding that there was no case of misappropriation. In the annual Inspection of the School which took place subsequently there were no adverse remarks by the Inspecting Officer, while on the other hand he found that the school was working satisfactorily.

15. That the petitioner begs to submit herewith the testimonial of the Ex-Manager of the Methodist Mission Secondary School, Alandur, St Thomas Mount ~~Headmaster of the T.Nagar High School where he is now employed~~ as regards the petitioner's efficiency character and capacity for work.

16. That the petitioner begs to submit that but for the order of the D.P.I. the Management of the above school namely the Church of South India as represented by its educational board would not have allowed him to ~~retire~~ retire and that the petitioner also would not have offered to retire.

17. That the petitioner begs to submit the age limit has since been extended to sixty years as per G.O.MS No.3066 Edn.dated 5-10-49 and that therefore the order against him is detrimental to the continuance of his service especially as he is quite hale and healthy.

It is a slur and a stigma far too great for the petitioner and for his family to bear especially after a continuously successful service of 20 years in the same school wherein the management had absolute confidence on him and during which period no charge of any kind had been levelled against the petitioner either by the Mission or by the Educational Department. The petitioner has therefore reason to believe that this pseudonymous petition was engineered by some local person filled with jealousy against him.

18. That in the above circumstances the petitioner prays that the Hon'ble Minister for Education be graciously pleased to rescind the Gazette Notification regarding the petitioner and enable him to enjoy the previleges extended to teachers under G-O. MS No.3066 Edn.D/ the 5th.of October 1949.

Enclosure: 1

Balraj M. Victor.
PETITIONER. 18-8-50

Edn. (B)

Establishment - M.M. Secondary School, Alandur - Mr. Victor. M. Balraj, B.A.L.T., ex-headmaster - Petition for reconsideration of orders declaring him unfit to be headmaster or Correspondent - Orders passed.

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44/26/8

Petitions from Mr. Victor M. Balraj, B.A.L.T., Alandur, St. Thomas Mount, d/21-4-50 and 18.8.50

pp 1-2 cf

pp 13-15 cf

From the D.P.I. Roc. No. 330 - D3/50 d/18.5.50 & 6-7-50

p7 cf p11 cf

A/26/8/50

—

Order No 2395 Edn. dated 26/8/50
MS

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vide pp 8-9 nf

Since there is no indication that an enquiry similar to a Departmental enquiry in respect of Govt servants was held in this case and since the petitioner ~~has not been~~ was not given an opportunity to cite any witnesses in his defence, the D.P.I is requested to

[P.T.O

eal with this case de-novo, in accordance with the rocedure laid down in the Madras Civil Services (classication, control and Appeal) Rules. ~~as~~ though Rule 98(b) of the adras Educational Rules does not contemplate the holding of a regular ~~a~~ enquiry.

2. The petitioner is referred to the D.P.I. for orders on his representation.

Sd
22/8/50.

KSK
23/8/50.

24.8.50.

To

The D.P.I. (with the records returned)

The petitioner (para 2 only)

3 s/cs.

29/8

15

13

(15)

27 JAN 1951
EDUCATION DEPARTMENT
3408

Dated: 20th January 1951.

From

Balraj M. Victor, B.A., L.T.,
Ex.Head Master and Correspondent, M.M.Sec.School, Alandur,
Assistant, Board High School, Kovur, Chingleput District.

Through

The President,
Chingleput District Board,
SAIDAPET.

To

The District Educational Officer,
Saidapet.

Sir,

Subject:- Irregularities in the M.M.Secondary School, Alandur.

Ref:- Proceedings R O C 809 B/50 dated 28-9-1950 of the Divisional Inspector, Mathurai communicating copy of G.O.No.2395 Education dated 20-8-1950 and Proceedings R.O.C.No.333 D 3/50 dated 12-9-50 of the Director of Public Instruction and R.C.742 G/50 dated 21-12-50 of District Educational Officer, Saidapet.

not put up

With reference to your Memo. R.C.742 G/50 dated 21-12-50 communicating three charges against me, I submit my written statement of defense in answer to the charges, hereunder.

CHARGE NO. 1:- SRI VICTOR M BALRAJ HAS BEEN MISAPPROPRIATING THE SCHOOL FUNDS.

With reference to the above alleged charge, I plead NOT GUILTY on all acunts, and I respectfully state that the circumstances under which the residue which was left after a large sum was paid the same day when I received the funds from the Mission Office was FULLY and exhaustively explained in my previous written Explanations which I submit, will go to show definitely that it was not a misappropriation by me but a trust transaction on behalf of the low-paid two menials who had complete confidence in me. Further my bonafide intention of not paying the money is clearly indicated by the signatures of these persons not being obtained and my not being aware of the account rules. I further submit that any man who wanted to misappropriate would have taken care to get the signatures of the party by either not paying them or underpaying them.

In this connection, I may further submit that the authorities must take into consideration that I am not only the Headmaster, but also the Correspondent and Manager which allowed me to keepthe amount in suspense. It never struck me that it i an improper procedure by the Headmaster.

In respect of Chinnaswami, when I knew definitely that ther was no prospect of his returning to the School to take the money, I returned the money to the Rev.Payler, the ultimate Custodian of all Mission Funds. This is all I can do.

The C.I.D.report bears testimony to my good faith in the matter. I submit that I do not find how this charge of misappropriation is taken to be proved.

CHARGE NO. 2:- THAT THE HEADMASTER AND CORRESPONDENT FAILED TO MAINTAIN THE REGISTERS AND RECORDS PRESCRIBED FOR THE SCHOOL IN ACCORDANCE WITH THE RULES.

The Registers and records were maintained to the best of my supervision. The only handicap had been with the raw clerks whose work had been revealed to be shabby by the investigation of the Officers. I myself left everything to their so called abilities to carry on their clerical work, when I myself do not very much know to keep accounts in the manner as you do to avoid discrepancies of the kind reported. Further I was assured of myself being quite alright when the inspections of 1946-47 did not reveal to me such disefepancies as are stated in this charge. This only encouraged me to keep on the clerks on the low pay of the Mission and I did not very much trouble myself with the Rules and Regulations in respect of accounts. When to my knowledge I found that one clerk was not efficient I actually discharged him in 1947. Personally I feel that a clerk of your expectation cannot be entertained unless higher pay was given.

CHARGE NO.3: HE HAS BEEN NEGLIGENT IN THE SCHOOL WORK AN
HIS WORK AS HEADMASTER HAS BEEN UNSATISFACT

This is really a serious charge if proved. I emphatically state that neither I was negligent in my work nor w my work as Headmaster had ever been unsatisfactory. I had be devoting all my time for the cause of Education in Alandur; and as a leading Citizen I have been taking major part in the work connected with the school for twenty years. I mm not able to understand how this charge is levelled against to be proved. The inspections were carried on every year and nothing serious were reported against me and the inspection of 48-49 which the enquiry of the Divisional Inspector is merely strengthe the allegations and hence they are quoted. The quotation amp justifies, that the enquiry and the Departmental orders are carried on with a prejudiced mind without the least scope give for the accused to say anything on any pseudonymous petition. The inspection report is, I submit, merely got up to support the foregone conclusions of the Divisional Inspector and therefore I am not guilty of the charge to the extent of the punishment awarded.

Para 2. I wish to have an oral enquiry through my Counsel as many things which I have done in trust and good faith have been interpreted to be misappropriation improper keeping of accounts and negligence of duty.

Para 3. I give below a list of my witnesses for defence with their Correct addresses:-

1. D. Samuel Esq., M.A.L.T. Retired D.E.O. Mudichoor Road, Tambaram.
2. Sri V.Y.Ponniah, B.A., Land Lord, Ponnagaram, St.Thomas Mount, Madras-16.
3. Rev.D. Thambusami, M.A.,L.T.,B.D.,Principal, Kellett High School, Triplicane.

4. Rev. Paul Ramasseshan, B.A., L.T., Missionary, Church of South India, Tambaram.

5. Sri Govindaraja Mudaliar, Vice President, Panchayat Board, Alandur, St. Thomas Mount.

6. Sri Damodharam Pillai, Proprietor, Victoria Talkies, and Merchant, Alandur, St. Thomas Mount.

7. Sri Kannappa Mudaliar, Alandur, St. Thomas Mount.

8. Sri Singaram, Gordonw Woodroffe & Co., Ltd., Pallavaram, residing in Alandur.

9. Sri Doss, Superintendent, Aerodrome, Meenambakkam.

10 and 11. Sri David and Manuel, Raja Street, Alandur.

12. Rev. Edward Devadoss, B.A., L.T., Alandur, and

13. Janab Adam Sahib, Ponniammal Koil Street, Alandur.

14. Janab Akram Sahib, Retd. Inspector of Excise, Alandur, and others if felt necessary after hearing the Prosecution witnesses.

In conclusion, I submit that I am not guilty of any of the charges and the punishment awarded is extra-ordinarily disproportionate to the so called commissions and omissions which I am constrained to be held responsible by the Department. When assessing the nature of punishment my record of 20 years of service has not been taken for what it is worth. The whole Alandur knows my work and character The investigation was carried on without my presence and my evidence not taken. I place the whole case as one miscarriage of justice and request early orders may be passed to exonerates me of the charges and restore me to my position and status. The explanation ~~tendred~~ tendered already is an unvarnished account of what actually happened and any conclusions should be continued only through enquiry by examination in chief, examining of witnesses and examination through my Counsel.

I urge in this connection that the enquiry should be conducted and reviewed by officers not connected with the so called previous enquiry as I feel the whole proceedings are vitiated, by prejudices and eagerness to earn a name, out of a petition probably pseudonymous and the inspection report got up to merely to confirm the findings of the Divisional Inspector to strengthen the former to use a quotation in the charges.

I request that I may be furnished with the copies of all the depositions of all the prosecution witnesses to be perused by my Counsel in advance and also the findings of the Officers with a view to say the fairness with which the enquiries were conducted and reviewed.

I pray in conclusion that immediate orders may be issued to restore me to my position and status as I have suffered the undeserving punishment for no fault of mine for the past two years.

Yours faithfully,
Bahaj H. Victor

Copy sent in advance to
The District Educational Officer,
Saidapet.

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

Edn. (B)

This is only a copy of a letter addressed to the D.E.O. Saidapet thro' the P.D.B. Chingleput.

May be ~~lodged~~ filed with the G.O. 31.1.51 on the subject.

29/1/51

29/1

EDUCATION DEPARTMENT (B).

ESTT. - M.M. Secondary School, Alandur - Mr. Victor M. Balraj, B.A.L.T., ex-Hadmaster - Petition for reconsideration of orders declaring him unfit to be headmaster or Correspondent.

Petition from Mr. Victor M. Balraj, B.A.L.T., Alandur,
St. Thomas Mount, dated 21-4-50.
From the D.P.I. Roc. No. 330-D3/50, D/ 18-5-50.

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pp 1-2 c.f

Mr. Victor M. Balraj B.A.L.T. ex-headmaster, Methodist Mission Secondary School, Alandur has petitioned for a reconsideration of the order of the D.P.I. declaring him permanently unfit to be either the headmaster or correspondent of any recognised school. (p 87 of (D))

2. From a perusal of the Director's office file, it is observed that on receipt of certain complaints from the public against the petitioner, the Director instructed the D.E.O., Chingleput to enquire and submit a report in the matter. (p 9 of (D)) The report from the D.E.O. showed that the several allegations against the headmaster were not unfounded and so the Director requested the Divisional Inspector to conduct a regular enquiry and submit a detailed report in the matter. (pp 17-18 of (D); p 15 of (D)) The enquiry revealed that the petitioner was guilty of temporary mis-appropriation of school funds and dereliction of duty in his dual capacity of headmaster and correspondent. (pp 37-41 of (D)) As there was a prima facie case the Divisional Inspector was directed to frame charges against the petitioner and submit his explanation with ~~his~~ specific recommendations thereon. (p 3 n.f of (D) and p 43 of ibid) Accordingly charges of temporary misappropriation and tenc ~~dere~~liction of duty were framed against the petitioner who did not deny the charges in his explanation which was considered totally unsatisfactory by the Divisional Inspector. (p 59-61 of ibid; p 63-64 of ibid; p 55 of ibid) The officer was of the opinion that the petitioner was not fit to be either a headmaster or a correspondent. He also forwarded a copy of the C.I.D. report stating that the petitioner was guilty of delayigg the disbursement of dearness allowance due to certain employees of the school. (p 57 of ibid) The Director concurred in the views of the Divisional Inspector and declared the petitioner permanently unfit to be headmaster or correspondent of any recognised school in the State. (p 7 n.f of ibid; p 87 of (D)) The Director apparently thought the order would not cause much hardship ~~came to this~~ ~~decision~~ as the petitioner was already over 55 years of (p 7 n.f of (D))

d was refused exemption from age rules by the Divisional nspector.

n his present petition Mr. Balraj has represented that the DPI informed a eputation consisting of Mr. D. Samuel and a few others ~~was~~ which waited on him ~~informed~~ ~~ssured by the D.P.I.~~ that he "was one with the deputationists n holding that there was ~~[illegible]~~/no case of misappropriation." He rther contends that orders were issued in the absence of e permanent D.P.I. ~~on~~ whom the deputationists met. Attention s solicited to the note of the D.P.I. on page 5 n.f. of his ffice file wherein he has stated that no action would be aken without obtaining the petitioner's explanation ~~in the rst instance~~ and that no ex parte decision would be taken the matter. Further when the acting D.P.I. was reminded y the leader of the deputation he replied that the petitioner ight send a supplemental statement of defence to the Divisonal nspector if necessary. In view of this ~~it would appear~~ ~~that~~ the contention of the petitioner that the acting D.P.I. ssued orders without being aware of any asurance that his predecessor ~~the~~ might ave been already given in the matter is untenable. The petitioner as not ~~raised~~ urged any fresh points for consideration which have not already been onsidered by the D.P.I. In the circumstances it is for rders whether Govt. should interfere in the matter.

p1 of

para 14 on p2 of

para 9 on p1 of

(D)

p51 of of (D)

p53 ibid

[illegible]/150

The petitioner was engaged in honorary activities, as member, Panchayat Board, Bench Magistrate etc; and that circumstance might have been responsible for his remissness in the maintenance of accounts.

A E O's report – p18 of in (D)

In the face of the findings of the Divl. Inspector it ~~[illegible]~~ is doubtful whether the

– p55 of in (D)

3/2

(2)

The D.P.I.'s proceedings on p 5 of need cancellation – The petitioner is now employed as a teacher in a High School in T'nagar – There seems to be no objection to his continuing in this capacity as the proceedings only debar him from appointment as Headmaster or Correspondent. The Director may perhaps be asked to permit him to continue in this post –

2.6.50

Apparently there are some back papers in this office which have not been put up – 16.3 of & Govt. Memo. 20341-B1/49-2 d/16.5.49 etc. Apparently there was also a C.I.D. report ag. the [illegible] to H.C.M. (p. 57. DDI's note) That must also have come to this department. What became of it?

6/6/50.

The earlier papers are put up at (K). The note has been suitably revised.

9.6.50.

9.6.50.

There are ~~other~~ no previous papers in the Dept. except those at (K) –

13.6.50.

I have gone thro' the file. [illegible] enquiry was best one apparently [illegible]

[illegible] any [illegible] it never struck the

[illegible] of the Div. that the management (the [illegible])

should be refused to [illegible] in the matter & [illegible] the man has

~~[illegible]~~ [illegible] the management [illegible] & apparently was being

thought well of by them. The money [illegible] to have been

[illegible] ~~[illegible]~~ & temporarily misappropriated [illegible]

[illegible] post.

[illegible] from the DDI the [illegible] report of the [illegible] enquiry

[illegible] of the petr. [illegible] enquiry

The DPI's remarks [illegible]

With reference to the Secretary's orders overleaf, a draft memo is submitted below for approval.

Sd
19/6/50.
USN
19-6-50

21-6-50

21/6

Need not have been delayed for so long!

21/6

(Recd on 16/6 – 17th & 18th were holidays)

[Issued as Memo No. ~~B~~ 8106 B/50-2 Edn d/ 21-6-50] — pp 8-9 of

C. No. 18891 From the D.P.I. Roc. No. ~~8106 B~~ 330-B3/50 d/6.7.50. — p 11 of

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The D.P.I. has reported that as the petitioner was the manager of the M.M. Secondary School, Alandur, besides being the Headmaster and Correspondent, it was not necessary to consult the Mission body which is maintaining the school. The Director has also forwarded the tabular inspection report of the school for 1948-49 and has pointed out that the report ~~it~~ does not exonerate or vindicate the petitioner Sri. Victor M. Balraj from the proved charges of temporary misappropriation of school funds and negligence of duty. The Director has further stated that the present representation does not contain any fresh facts for reopening the case. In the circumstances it is for orders whether the petitioner may be informed that the Govt. decline to interfere in the matter.

p 11 of

Ⓦ

p 1 of and pp 3-4, 5 & 11 of Ⓦ

pp 1-2 of

p 11 of

Sd
/7/50
USN
/50

This is the case of ~~the~~ Headmaster of a Mission Secondary School in Alandur (St. Thomas Mount) who has appealed to Government against the orders of the D.P.I. declaring him permanently unfit under the powers vested in him under rules 98 (b) and 99 (a) of the Madras Educational Rules to be either a Headmaster or a Correspondent of any recognised school. The ~~main~~ most serious charge against the Headmaster which was investigated by the Divisional Inspector of Schools was temporary misappropriation of amounts which should have been disbursed to certain employees of the school towards their dearness allowance.

pages 1-2 cf.

— DPI's order on p. 87 of Ⓓ

(PTO)

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2. The school is a private aided secondary school under a Managing Committee of which Rev. T.R. Foulger of the Meston Training College is stated to be the President. On receipt of some petitions against the appellant the D.E.O. made a report to the D.P.I. in November 1948, stating that several irregularities had been committed by the Correspondent and the Headmaster (appellant) After obtaining a report from the Divisional Inspector of Schools also on the allegations the D.P.I. asked the Divisional Inspector to frame suitable charges against the Headmaster and Correspondent The Divisional Inspector accordingly framed the following charges against the Correspondent and Headmaster:

pages 27-31 in Ⓓ

pages 21-22 of Ⓓ

p 43 of Ⓓ

p 59 of Ⓓ

Charge (1) - Misappropriation of school funds: The charge is that even though the Correspondent received the amount due as dearness allowance to the staff in December 1946, he did not disburse the amounts due to three menials, aggregating to Rs 343, till October 1948. The payment towards book allowance to students eligible to educational concessions, though the money was available in March 1948, was not made till October 1948. Collections to the Games Fund are not regularly credited to the Savings Bank.

pages 59-60 of Ⓓ

Charge II - Failure to maintain registers and records of the school in accordance with the rules: The irregularities are reported to relate to fee receipts, military concessions, pay acquittances Roll etc.

p 60 of Ⓓ

Charge III - Negligence in school work: The Headmaster's absence at 10-30 A.M. on a particular day is stated to be an instance. Certain other teachers were also stated to have been absent on that day. No record of supervision work is maintained and the teachers' teaching notes are not scrutinised. The remarks of the D.E.O. in his report for 1948-49 also point to the unsatisfactory work of the Headmaster.

On the basis of the above charges, the Divisional Inspector called upon the appellant to show cause why disciplinary action should not be taken against him.

3. The Headmaster's explanation in respect of the above charges was as follows:

page 63 of Ⓓ

Charge I: One of the menials (Chinnaswami) to whom the dearness allowance was intended had gone away in 1946 and his whereabouts were not known. The other two menials asked the Headmaster of their own accord to keep the amounts due to them with him. The menials in question have also made statements to this effect. ~~As regards~~ With regard to the military concession amounts, the delay was due to the fact that he thought it to be safe to make the payments in the presence of the parents. As regards the games fund collections it is explained that the collections were all made in the beginning of the year and the amounts were spent about the same time on the purchase of games materials and other items connected with games. The collections in the remaining part of the year being about Rs 5 or 10 only, he kept the amount in his custody.

p 65 g (D)

page 65-67 g (D)

p 67 g (D)

Charge II: The explanation in respect of this charge is that the Headmaster was handicapped for want of an efficient clerk and that he was not responsible for the irregularities pointed out. Moreover, the institution being under a Missionary body, some leniency is shown in the collection of fees and fines and this fact combined with the ignorance of the clerk were probably responsible for some of the irregularities noticed.

x irregularities of registers & records

p 71 g (D)

Charge III: The Headmaster explained his absence on the day mentioned by the Divisional Inspector, by saying that he had to go to the Printing Press at Alandur in connection with the printing of the question papers and that he was only late by 15 minutes on that day. He also offers some explanation for the absence of the teachers on the day referred to. As regards his not signing the Attendance Register, it was stated that the previous Manager had passed an order that he need not sign the Register and he had been following it. He maintains that he does exercise supervision and that is why he had been having the first period as leisure period for him, sees the teaching notes though he may not initial some of them and that so far as his own teaching work is concerned the D.E.Os. had approved of his methods.

p 73 g (D)

bottom p 75 g (D)

Finally the Headmaster said that he had absolutely no intention to misappropriate funds and that the irregularities, if any, were due to inefficient clerks and that he had been implicitly carrying out the orders of the D.E.Os. in respect of the school work.

p 81 g (D)

4. The Divisional Inspector reported after a perusal of the Headmaster's explanation that the explanation was most unsatisfactory

p 55 g (D)

PTO

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and recommended to the Director that Sri Victor M. Balraj ~~may~~ be declared unfit to hold the post of Correspondent of any recognised school. The Director accepting that recommendation passed an order under rule 98 (b) and 99 (a) of the Madras Educational Rules, declaring the appellant to be permanently unfit to be either Headmaster or Correspondent of any recognised school and ordered the Divisional Inspector to notify the above orders in the Fort St. George Gazette.

p 87 g (D)

5. The following remarks are called for on the merits of the case and on the procedure followed:

The first charge seems to be the most serious one. With respect to that charge we have to take account of the fact that one of the menials had been absent from the place for a long time and the other two gave a statement that they had asked the Headmaster to keep their money with him. If these statements are to be brushed aside, that should be done only on the basis of suspicion and inference and not with reference to any evidence as such. In regard to the irregularities in the maintenance of records, registers and accounts, the plea that the clerk was not efficient was probably correct. In most cases, the credit, if any, gained by a Headmaster for good administration of the institution, as distinct from ~~the~~ good teaching work of the institution will have to be shared by efficient clerks on the staff of the school, for the work connected with fee collections, maintenance of registers and records of the school etc. is done by the clerical staff in the first instance and the Headmaster only supervises ~~his~~ their work. Though the Headmaster does not need to be exonerated in respect of such administrative irregularities, yet the lack of an efficient clerk seems to be an extenuating circumstance.

x M on p 57 g (D)

15

An order declaring the appellant unfit to be Headmaster or Correspondent has been passed by the D.P.I. under rules 98 (b) and 99 (a) of the Madras Educational Rules. Rule 98 (b) specifically provides that the action contemplated should be taken "after due enquiry". No enquiry ~~at all~~ seems to have been held in this case. The punishment is tantamount to dismissal from the post of Headmaster. It may be that no definite procedure has been laid down for an enquiry under the Madras Educational Rules. In cases where

(Z)

(L)

this drastic punishment is proposed, it appears to be necessary that an oral enquiry is held at which the accused may cite witnesses in defence and is allowed to cross examine prosecution witnesses, if any. In this case no such enquiry has been held but the order has been passed on receipt of the Divisional Inspector's report who of course submitted it after considering the ~~appell~~ appellant's written reply to the charges.

6. It is for consideration (i) whether the D.P.I. may not be asked generally to follow the procedure laid down in the Classification Rules in cases of this type, and (ii) whether in view of the points made in paragraph 5 above, the Director may not be asked to cancel his order dated 2-5-1949.

7. With reference to H.M.'s orders on p13 ff, the D.P.I.'s remarks & original records have been called for on the Head Master's appeal already submitted to Govt. Orders may kindly be passed on the above note—

19.8.50

Page 114 & (D) [illegible]

This matter seems to have been unduly delayed from 10.7.50

21.8.50

HM Edn.

It is true that it was only after the petitioner was given an opportunity to meet the several charges framed against him that the D.P.I. passed orders declaring him to be unfit to hold the post of a headmaster or Correspondent of a recognised school, but there is no indication that an enquiry similar to a Departmental enquiry as in the case of ~~other~~ Government servants was held in this case and the headmaster has not been given an opportunity to cite any witnesses in his defence. I feel that it would be premature

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to the criticism of having indulged in miscarriage of justice and it is desirable that the D.P.I. should be asked to deal with this case in accordance with the procedure laid down in the Madras Civil Services (Classification, Control and Appeal) Rules, as Rule 98 (b) of the Madras Educational Rules does contemplate the holding of an enquiry.

SECRETARY
22 AUG 1950
EDUCATION DEPARTMENT

21.8.50

H.M.(E. & L.)

And the appellant may be required [illegible]

22/8

22/8/50

23/8/50

A draft order is submitted below for approval.

24.8.50

26.8.50

Please check up if the draft is all right, particularly last sentence of 1st para

26.8.50

The first para may perhaps be approved with the concluding portion now crossed out being omitted—

26.8.50

26.8.50