Put away
PER

Sectt. II-27--60,004--17-11-48

Edn. (1950) Department.

Ms. SERIES.

1

G.O. NO. 2956 Edn.

Dated 2-11-50.

21

[Despatch Abstract.]

Estt.- Sri M. Kandaswami Mudaliar, ex. Dy. Insp of Schools, Madurantakam - Disciplinary action - Papers recorded.

Back Papers.

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

Further Papers.

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

Secy., E.H.P.-II.
This may be enquired into very early.
A/ 18/4/49
H.M (Edn)

JOINT SECRETARY TO GOVERNMENT
19 APR [illegible]
EDUCATION AND PUBLIC HEALTH DEPARTMENT

ASST. SECRETARY TO GOVERNMENT
2[illegible] APR 1[illegible]
EDUCATION AND PUBLIC HEALTH DEPT.

29948

From

J. Syed Tazzuddin,
Vice-President,
Chingleput District Congress Committee,
KARUNGUZHI

To

The Hon'ble Minister for Education,
Government of Madras

Through

Sri O.V.Alagesan,
Member, Constituent Assembly of India.

Sir,

There was a tea party on the 30th March 1949 at Malapalayam, Karunguzhi, Madurantakam Taluk, in connection with the transfer of teachers of a management school of ~~our~~ the place and also a meeting was held to celebrate Harijan Welfare Week. There were a large number of Harijans and Caste Hindus. The Revenue Inspector, Vaiyavoor Firka, Sri Kandaswamy Mudaliar, Deputy Inspector of Schools, Madurantakam and I addressed the meeting.

Sri Kandaswamy Mudaliar said before the audience that the Government have not helped Harijans in any way, that no good can result by the opening of temples to them, and that the one crore set apart for Harijans for building houses etc. will be spent in the same way as the grants under the Well Subsidy Scheme. Being a responsible Government official, the Deputy Inspector of Schools, Sri Kandaswamy Mudaliar has attacked and misrepresented the Government saying that the Government has not done anything for Harijans. I request that suitable action may be taken against him.

Yours sincerely,

16th April 1949,
Karunguzhi.

(Sd.) J.Syed Tazzuddin.

Vice President, Chingleput District
Congress Committee, Karunguzhi,
Madurantakam Taluk.

As the allegation is a serious one this may be enquired into and proper action taken
O.V. Alagesan
MCA
1? 4 49

(True translation from Tamil)
O.V. Alagesan

From
J. [illegible],
Vice-President,
Chingleput District Congress Committee,
KARUNGUZHI

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

Through Sri O.V.Alagesan,
Member, Constituent Assembly of India.

Sir,

There was a meeting on the 30th March [illegible] [illegible], Karunguzhi, Madurantakam Taluk, in connection with the transfer of teachers of a management school of the place and also a meeting was held to celebrate Harijan [illegible] Week. There were a large number of Harijans and Caste Hindus. The Revenue Inspector, [illegible] firka, Sri Kandaswamy Mudaliar, Deputy Inspector of Schools, Madurantakam and I addressed the meeting.

Sri Kandaswamy Mudaliar said before the audience that the Government have not helped Harijans in any way, that no good will result by the opening of temples to them, and that the one crore set apart for Harijans for building houses etc. will be spent in the same way as the crore under the [illegible] Scheme. Being a responsible Government official, the Deputy Inspector of Schools, Sri Kandaswamy Mudaliar has attacked and misrepresented the Government [illegible] Government has not [illegible]

I [illegible]

[illegible]

(Sd.) J. [illegible]

Vice-President, Chingleput District Congress Committee, [illegible]

ஸ்ரீ. சென்னை. சர்க்கார் கனம், கல்வி. மந்திரியவர்கள்
அவர்கள். சமூகத்திற்கு. ③

மத்திய. சர்க்கார் அரசியல் நிர்ணயசபை அங்கத்தினர். ஸ்ரீ. O.V. அழகேசன் அவர்கள் மூலமாய் செங்கல்பட்டு ஜில்லா. காங்கிரஸ் கமிட்டி வைஸ் பிரஸிடெண்ட் ஜெ. ஜெய[illegible] [illegible] எழுதிக்கொண்ட மனு

ஐயா

30.3.49 உ மாலை 5½ மணிக்கு மதுராந்தகம் தாலுகா [illegible] கருங்குழி [illegible] [illegible] [illegible] உபாத்தியாயர்கள் மாற்றல் விஷயமாய் [illegible] கூட்டம் [illegible], அத்துடன் ஹரிஜன வார [illegible] கொண்டாடப் [illegible] [illegible] [illegible] [illegible] ஹரிஜனங்களும் [illegible] [illegible] [illegible] [illegible] [illegible] மதுராந்தகம் [illegible] கல்வி [illegible] [illegible] [illegible] [illegible] கந்தசாமி முதலியார் அவர்களும் நானும் [illegible]

ஸ்ரீ. கந்தசாமி முதலியார் [illegible] [illegible] [illegible] [illegible] சர்க்கார் ஹரிஜனங்களுக்கு [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] சர்க்கார் [illegible] [illegible] [illegible] என்றும் [illegible] [illegible] [illegible]

ஸ்ரீ. மதுராந்தகம் [illegible] [illegible] [illegible] [illegible] கந்தசாமி முதலியார் அவர்கள் [illegible] [illegible] சர்க்கார் [illegible] [illegible] [illegible] [illegible] [illegible] சர்க்கார் [illegible] [illegible] [illegible] [illegible] [illegible] என்று [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] என்று தாழ்மையாய் கேட்டுக்கொள்ளுகிறேன்.

[illegible]

16.4.49
கருங்குழி

உங்கள் அன்புள்ள
ஜெ. ஜெய[illegible]
செங்கல்பட்டு ஜில்லா காங்கிரஸ் கமிட்டி
வைஸ் பிரஸிடெண்ட்

[illegible]

5/

4

EPH(A)

(Confdl)

very urgent

Endt. No. 29948A/49-1 Edn. dt. 21.4.49
Allegations against Sri Kandaswamy Mudaliar
Dy Inspector of Schools, Madurantakam.

From Syed ~~Tajud~~ Tajuddin petition dt. 16.4.49

Referred to the D.P.I. for enquiry and report at a very early date.

To
The D.P.I. Chepauk
([illegible])

MKS
20/4/49

20/4/49.

21/4/49

22/4

(3)

Confidential:

29948 M/49

RC.NO.1051-C5/49.

Office of the Director of
Public Instruction,
Madras-6, Dated 19--6--'49.

ASST. SECRETARY TO GOVERNMENT
28 JUN 1[illegible]
EDUCATION AND PUBLIC HEALTH DEPT.

From
The Director of Public Instruction,
Madras.

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

29/6/49

Sir,

Sub: Allegations against Sri M Kandaswamy Mudaliar, Deputy Inspector of Schools, Madurantakam Range - Remarks Submitted.

p5 ante

REF: Government Education and Public Health Endorsement No. 29948-A/49-1 Education dated 21--4--1949.

With reference to the Government Endorsement quoted above, I have the honour to submit herewith the report dated 17th May 1949 of the District Educational Officer, Chingleput who enquired into the matter, together with the enclosures to the above report, in original. It is evident from the detailed report of the District Educational Officer that Sri M. Kandaswamy, Deputy Inspector of Schools, Madurantakam Range, abused his official position and criticised the Government. I consider that he has contravened the provisions contained in Rule 17 of the Government Servants' Conduct Rules. I shall instruct the Divisional Inspector of Schools, Mathurai Division to frame a suitable charge and conduct a proper enquiry in accordance with the rules. In the meantime, orders have been issued transferring Sri M. Kandaswamy as Deputy Inspector of Schools, Ginjee Range.

2. I request that the enclosures sent herewith may be kindly returned to me after perusal to enable the Divisional Inspector to take disciplinary action against the Deputy Inspector of Schools, in question.

Yours faithfully,

for Director of Public Instruction.

Ram.
20/6.

EP 14 (A)

The letter from the D.P.I. above and the enclosures from pp 9-31 infra may be perused. After perusal the enclosures may be returned to the D.P.I. for taking disciplinary action against the Deputy Inspector.

H.M. (Edn) may see.x

x Please see the former H.M. (Edn's) minute on page 1 ante—

MKS
23/6

23/6/49.

24/6/49

25/6

H.M. (E&L)

Let him report the result

[illegible]/6

8

Please see the minute of
Hm (E.+L) on p 7 ante.
The draft memo. below
is for approval

MKS
28/6

29/6/49.

30/6/49

29948A/49

6

9

EPHA

(Conf dl) Memo No 29948A/49-2 Edn dated 30/6/49

Allegations against Sri M. Kandaswamy Mudaliar, Dy Inspr of Schools, Madurantakam range - Disciplinary action

Ref Letter from the DPI No 1051 C5/49 dt 19/6/49

p 7 C.A

The enclosures sent with the D.P.I.'s letter referred to above are ~~herewith~~ returned. The DPI is requested to report to Govt the result of the enquiry.

30/6/49

To
The DPI (with enc)
(pp 9-32 enc)

DC 8/5
1880
2/7/49

MKS
28/6

29/6/49.

14

Confidential ⑦ EDN 14 A)

Memo No: 29948 A/49-3 Edn. dt. 12.10.49

Sub: Allegations against Sri. M. Kandaswamy Mudaliar, Dy Inspector of Schools, Madurantakam range - Disciplinary action.

Ref: Past memo No: 29948 A/49-2 Edn. d) 30-6-49

p9 mts

The DPI is requested to report the stage in which the matter stands -

KM
11/10/49

DSM
12/10/49

To
the D.P.I.

✓ desp
14/10

12

13

(2)

CONFIDENTIAL:

Office of the Director of
Public Instruction, MADRAS.

From:

The Director of Public Instruction,
MADRAS.

8711/0c
31/x

To:

The Secretary to Government,
Education & Public Health Dept.,
Fort St.George, MADRAS.

R.C.No.1051-C5/49 dated 22 October, 1949.

Sir:

EPH (A)

The D.P.I.'s report may be awaited till 20.12.49.

HKS
31/x

31/x/49

1/11/49

Sub: Allegations against Sri M.Kandaswami Mudaliar, Dpy. Inspector of Schools, formerly at Madurantakam Range--Disciplinary action.

Ref: Government Confidential Memo No.29948-A/49-3 Education, dated 12.10.1949.

-ooo-

With reference to the Memo quoted above I have the honour to state that the charges as framed by the District Educational Officer, Chingleput against Sri M.Kandaswami Mudaliar were found to be defective and the Divisional Inspector of Schools, Mathurai has been instructed to take necessary action to revise the Memo of charges. I shall submit my report to Government after the enquiry is completed and the final report is received from the Divisional Inspector of Schools, Mathurai Division.

Yours faithfully,

Gsk:24.10.49.

FOR DIRECTOR OF PUBLIC INSTRUCTIO

14

EPH A

Confdl.) Memo No. 29948A/49-4 Edn. Dt. 22/12/49

Allegations against Sri M. Kandaswami Mudaliar Dy. Inspector of Schools, formerly at Madurantakam Range - Discy. action

Ref: Letter from the D.P.I. No 1051-C5/49 Dt 22.12.49 p13 and

The D.P.I. is requested to state when the further report promised in his letter cited, may be expected.

22/12

22/12/49

To
The D.P.I.

Dpd
23.12

15

(9)

Confidential.

From
The Director of Public Instruction, Madras.

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

10673 a/49

R.C.No.1051 C5/C2/49 dated 28-12-1949.

Sir,

Sub: Allegations against Sri M. Kandaswami Mudaliar, formerly Deputy Inspector of schools, Madurantakam Range.

Ref: Government Memo No.29948-A/49-4 Edn., dated 22nd Decr. 1949.

p14 and

With reference to the Government Memo. referred to above, I have the honour to state that the enquiry report from the Divisional Inspector of Schools, Mathurai has not yet been received. He is being reminded. I shall submit a further report as soon as his reply is received.

for Director of Public Instruction.

EPH A

The D.P.I.'s further report may be awaited till 25.1.50.

4/1/50

4/1/50

(10) 17

Confidential.

From
The Director of Public Instruction, Madras.

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

R.C. No.1051 C5/C2/49 dated 5-1-1950.

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4 - JAN 1950

Sir,

Sub: Enquiry - Sri M. Kandaswami Mudaliar, formerly Deputy Inspector of schools, Madurantakam Range.
Ref: Government Memo No.29948 A/49-4 Edn., dated 22-12-49.

In continuation of my letter R.C.No.1051 C5/C2/49 dated 28-12-1949, I submit herewith a copy of the letter R.C.352 A/49 dated 30-12-1949 from the Divisional Inspector of schools, Mathurai. A reply will be submitted as soon as the enquiry report is received from the Divisional Inspector of schools, Mathurai.

EPH A

The reply promised at A may be awaited till 21.2.50

7/1

9/1/50

1/2

for Director of Public Instruction.

Copy of letter R.O.C.No.352 A/49 dated 30-12-49 from the Divisional Inspector of schools, Mathurai to the Director of Public Instruction, Madras.

The District Educational Officer, Chingleput has since completed the enquiry and submitted his report. On scrutinizing the papers, I find that Syed Tazzuddin Sahib, the complainant, who is only a prosecution witness has been allowed to cross-examine the defence witnesses in the course of the enquiry. This vitiates the whole enquiry and I am, therefore, asking the District Edl. Officer to conduct a fresh

p.t.o.

12

enquiry. I will be able to submit my report only after the re-enquiry is completed by the District Educational Officer.

Sd/-

for Director of Public Instruction.

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(11) 13

(Confdl) Memo No 29948A/49-5 Edn Dt 20.2.50

Enquiry – Sri M. Kandaswami Mudaliar formerly Dy Inspector of Schools Madurantakam

—

p 17 C/

From the D.P.I., No 1051 C5/C2/49 Dt 5/1/50

—

The D.P.I. is requested to expedite his final reply in the matter.

17/2/50

To The D.P.I.

1228 P/D
22/2

20

(12) 21

MAR

Confidential.

From
The Director of Public Instruction, M a d r a s.

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

R.C. No.105 C5/C2/49 dated 26th Febr. 1950.

018

S i r,

Sub: Enquiry - Sri M. Kandaswami Mudaliar, formerly Deputy Inspector of schools, Maduranthakam.
Ref: Government Memo No.29948-B/49-5 Edn., dated 20th February 1950. P Grant

---

The final enquiry report has not yet been received from the Divisional Inspector of schools, Mathurai. I shall submit my final reply as soon as the report is received from him.

for Director of Public Instruction.

EDUCA.

The Directors reply may be awaited till 25/3/50.
Nes
1/3

2/3/50

22

Edn A / A

17/2 / 28/3

Memo No. 29948 A/49-7 Edn D 28/3/50

Enquiry - Sri M. Kandaswami Mudaliar, formerly Dy. Inspector of Schools, Maduranthakam

From the D.P.I. No 1051 C5/C2/49 dt 26.2.50

p21 ante

The D.P.I. is requested to expedite his final report ~~to~~ on the above enquiry

28/3/50

29/3/50

To the D.P.I.

27/3

6903 A/50

CONFIDENTIAL:

A

(13)

23

R.C.NO.1051-C.5/-C.2/49

Office of the
Director of Public Instruction,
Madras, Dated 8-4-1950.

From
The Director of Public Instruction,
Madras.

To
The Secretary to Government,
Education Department, Madras.

Sir,

Subject: Enquiry - Sri M. Kandaswami Mudaliar, formerly Deputy Inspector of Schools, Maduranthakam

p22 ante

Ref: Government Memorandum No.29948-A/49-7 Education dated 28-3-1950.

The enquiry report has not yet been received from the Divisional Inspector of Schools, Mathurai. I shall submit a final report as soon as a reply is received from the Divisional Inspector of Schools. Edn A

The final report from the D.P.I. may be await till 14.5.50.

16/4

15/4/50

Yours faithfully,

for DIRECTOR OF PUBLIC INSTRUCTION.

RVR 11/4/-

24

Edn dept
A

(Confdl) Memo No 29948A/49 - 8 Edn D 15/5/50.

Enquiry - Sri M. Kandaswami Mudaliar formerly Dt. Inspector of Schools, Madurantakam

letter from the D.P.I, No 1051 C5/C2/49 D 8/4/50 p 23 ant.

The D.P.I is requested to state the present stage of the matter and when his final reply may be expected.

Despatched
KT
15/5

To
The D.P.I

Nos
13/5

15/5/50

A (14) 25

Confidential.

From
The Director of Public Instruction, Madras.

ASSISTANT SECRETARY
27 MAY 1950
EDUCATION DEPARTMENT

13129

To
The Secretary to Government,
Education Department.

R.C. No.1051 C5/C2/49 dated 25th May 1950.

Sir,

Sub: Enquiry - Sri M. Kandaswami Mudaliar, formerly Deputy Inspector of schools, Maduranthakam.
Ref: Government Memo No.29948-A/49-8 Edn., dated 15th May 1950.
&&& p.1 ant.

It has been reported by the Divisional Inspector, Mathurai, that the final written defence statement of the accused officer has been called for. I shall submit my final report as soon as the enquiry report is received from the Divisional Inspector.

for Director of Public Instruction.

Edn
A

The final report may be awaited till 26.6.50.

29/5/50

Nos
27/5

103
22.5.50

Edn A

26

(Confdl) Memo No 29948 A/49-9 Edn. d 28/6/50

Enquiry – Sri M. Kandaswamy Mudaliar formerly Dy. Inspector of Schools Madhuranthakam

Letter from the D.P.I. No 1051 C5/C2/49 d 25/5/50

The D.P.I. is requested to state whether the enquiry report from the Divl. Inspector of Schools, Madurai, has been received and if so, when his final reply may be expected in the matter.

26.6.50

27/6/50

28/6/50

Edn A

27

⑮

Confidential.

From

The Director of Public Instruction, Madras.

To

Secretary to Government,
Education Department.

ASSISTANT SECRETARY
4 JUL 1950
EDUCATION DEPARTMENT

R.C. No.1051 C5/C2/49 dated 3rd July 1950.

Sir,

Sub: Enquiry - Sri M. Kandaswamy Mudaliar, formerly Deputy Inspector of schools, Maduranthakam.

Ref: Government Memo No.29948-A/49-9 Edn., dated 28th June 1950.

I have the honour to state that the enquiry report has not yet been received from the Divisional Inspector. A final reply will be submitted as soon as the enquiry report is received from him.

for Director of Public Instruction.

Edn Order A

The D.P.I. may be reminded if necessary on ~~28.7.50~~ 11.8.50.

5/7

6.7.50

8/7

2

28

Edn (A)

(Confdl) Memo No. 29948 A/49-10 Edn D/22/8/50

Enquiry. Sri M. Kandaswamy Mudaliar formerly Dy. Inspector of Schools. Madurantakam

letter from the D.P.I. No. 1051 C5/C7/49 d 3/7/50

p. ante

The D.P.I. is requested to expedite his final report in the matter.

MKS

C.S/-

21/8/50

To

The D.P.I.

MKS 22.8.50

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29 A (16) 29

Confidential.

From

The Director of Public Instruction, Madras.

To

The Secretary to Government,
Education Department.

R.C. No.1051 C5/C7/49 dated 2nd Septr. 1950.

ASSISTANT SECRETARY
14 SEP 1950
28633
EDUCATION DEPARTMENT

Sub: Enquiry - Sri M. Kandaswami Mudaliar, formerly Deputy Inspector of schools - Madurantakam.

Ref: Government Memo No.29948 A/49-10 Edn., dated 22nd August 1950. / p. ante

&&&&&

pp 35-43 infra

I submit herewith the report of the Enquiry Officer (District Edl. Officer, Chingleput - Sri T.V. Apparasundara Mudaliar) together with the relevent records of the case. The findings of the enquiry officer are endorsed. I consider that the punishment, viz., Censure recommended by the enquiry officer is inadequate and that the withholding of the next increment for a period of one year without cumulative effect may meet with the ends of justice.

2. The following records are submitted herewith:-

i. File containing deposition statements, Exhibits, etc., pages 1-130.

ii. Final Defence statement of the accused officer - 4 pages. — pp. 31-34 infra

iii. Report of the Enquiry Officer - 10 pages. — p. 35-43 cf

for Director of Public Instruction.

30

30

(17)

Education Department.

CONFDL.

D.O.No. 29948-11/49 A Edn. dated 31.10.50

My dear Govindarajulu,

Sub: Disciplinary action - Sri M. Kandaswamy Mudaliar,
formerly Deputy Inspector of Schools, Madurantakam.
Ref: Your letter No. 1051 C5/C7/49, dated 2-9-1950.

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p 29 cf

I am to say that the Government have perused the records of the enquiry conducted in to the allegations made against Sri M. Kandaswamy Mudaliar, formerly Deputy Inspector of Schools, Madurantakam, submitted with your letter referred to above. I am to request you to instruct the Deputy Director of Public Instruction (Personnel) to issue orders on the case after following the prescribed procedure. & to add that for the ~~cho~~ charges proved the suggested ⓧ is the least that can be thought of.

ⓧ punishment.

2. I am to point out, in this connection that the enquiry in this case has taken more than a year. & that it ~~It~~ is desirable that an enquiry, especially into the allegations of criticism by Government servants of Government's policy and actions, should be conducted and completed as ~~expeditiously~~ months as possible, as otherwise the very purpose of the enquiry is lost.

Yours sincerely,

To
Sri S. Govindarajulu Naidu,
B.A., B.L., LL.B. (Camb) Bar-at-Law,
D.P.I. in-charge.
(with encls. Flag 'L' and p 31-43 c.f. in orgl.)

30/10/50

30/10

Despd. with enc.
31/10/50

32

8

Confidential.

SECRETARIAT
EDUCATION DEPARTMENT
DEC 1950

39006 From

The Director of Public Instruction, Madras.

To

The Secretary to Government,
Education Department.

R.C. No.1051 C5/C7/49 dated 2nd Decr. 1950.

S i r,

Sub: Disciplinary action against Sri M. Kandaswamy, formerly Deputy Inspector of schools - Madurantakam.

Ref: Government D.O.No.29948 A/49-11 Edn., dated 31-10-50.

G.O.2956 2-11-50

(L)/31c f

&&&

In continuation of my letter R.C.No.1051 C5/C7/49 dated 2-9-1950, I have the honour to state that after the issue of a 'show cause' notice the penalty of withholding his next increment for a period of one year without cumulative effect has since been imposed on Sri M. Kandaswamy.

(L)/29c f

for Director of Public Instruction.

May be filed with the G.O. at (L).
Edn.(A)
5.12.50.
6.12.50
6/12/50

32

(19) **EDN. DEPT.(A).**

From the D.P.I., No. 1051-C5/C7/49, dated 2nd Septr. 1950.

p. 29 c.f.

ENQUIRY - Sri M. Kandaswamy Mudaliar, formerly Deputy Inspector of Schools, Maduranthakam.

The following allegations were made against Sri M. Kandaswamy Mudaliar, formerly Deputy Inspector of Schools, Maduranthakam (School Asst. in the Nagapattinam Trg. School):-

p 35 c.f.

(1) On 30-3-1949 at a public meeting held in Malapalayam, he criticised adversely the action of Govt. by misinterpreting the policy of Government; and

(2) On 4-5-1949 he addressed a meeting at Karunguli and said that there were no honest officers under Govt., that there should be parties so that the defects in the administration of the party in power might be brought home to the minds of the public and that no good would result ~~in~~ by the appt. of a Brahmin official as Head of the Harijan Welfare Dept.

The D.P.I. was asked to enquire into the allegations.

2. The report of the Enquiry Officer, viz., D.E.O., Chingleput, and the final defence statement of Sri Mudaliar have now been recd. and are on pp. 35-43 c.f. and pp.31-34 c.f. The Enquiry Officer's findings are that the allegations have been established beyond doubt and that the Dy. Inspr. is guilty of having violated Rule 17 of the G.S.C. Rules. He recommends that the Dy. Inspector may be awarded a 'censure'.

p 43 c.f.

x (2)

3. The D.P.I., however, considers that the penalty, viz., censure, recommended by the enquiry officer is inadequate and that the withholding of the next increment for a period of one year without cumulative effect may meet the ends of justice. As the charges framed against the officer are of a serious nature and as they have been fully established beyond doubt, the Govt. may, it seems, agree with the Director. For orders. The Dy. D.P.I.(Personnel) is the authority competent to impose punishments on Dy. Insprs. and School Assts. The D.P.I. may be asked to instruct the Dy.Director to proceed to issue orders. after following the prescribed procedure.

p. 29 c.f. X

(1) Why does ~~[illegible]~~ the D.P.I. seek Govt's orders? ~~[illegible]~~ is the appellate authority?

x after issuing a show cause notice

4. The case may be circulated to H.M.(E.& L.) - vide minute X on page 1 c.f.

X II

R.S.S.R. 25/9

[illegible] 25-9.50

[illegible] 27/9/50 S

The minute dated 18.4.49 was that ~~this minute, was that~~ ~~suggested~~ an early enquiry & suggested an early report. Why then this delay? I [illegible] a chronological [illegible] of the [illegible]

X action taken ~~[illegible]~~ to know ~~[illegible]~~ the causes of the delay (Time [illegible]) [illegible] 28/9

The speeches in question were delivered by M. Kandaswamy Mudaliar, formerly Dy. Inspr. of Schools, on 30th March 1949 at Malapalayam, Karunguzhi, Madurantakam Taluk, at a Tea Party in connection with the transfer of teachers of a ~~management~~ school in that place, and on 4-5-49 at Karunguzhi during Harijan Week Celebrations.

p 1 cf

p 35 cf

The first complaint came from Janab J. Syed Tazzuddin, Vice-President, Chingleput Dt. Congress Committee, Karunguzhi, in which the following were the points he cited from Mr. Kandaswamy Mudaliar's speech:-

p 1 cf

(1) He said that Government have not helped the Harijans in any way; and

p 1 cf

(2) that the one crore of rupees set apart for Harijans for building houses, etc., will be spent in the same way as the grants under the Well Subsidy Scheme.

This letter of Janab Syed Tazzuddin dated 16-4-49 was forwarded to the then H.M. (Education) by Sri O.V. Alagesan, M.C.A., on 18-4-49. The H.M. (Education) gave a direction that the matter may be enquired into very early.

p 1 cf

The interval between 18-4-49 and 14-9-50, was taken up in connexion with the enquiry, etc. The findings are dated sometime in December (the actual date is not given), since, from an endorsement on the first page of the letter from the D.E.O., Chingleput, it is found that the D.E.O's letter was received in the Divisional Inspector's office on 28-12-49. The D.P.I. has forwarded this report to Government on 2nd September '50. Apparently, there has been some correspondence between the D.P.I. and the Divisional Inspector. The correspondence however indicates that the enquiry conducted by the D.E.O. was defective and that some time was spent in holding the enquiry afresh according to the correct procedure.

vide flag (O)

pp 35-43 cf

p 35 cf

p 29 cf

The D.P.I. who can pass orders himself, has referred the case to the Government, apparently in

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20

view of the fact that a report was called for from him. It is not known why the suggestion regarding punishment has bee incorporated, since it is entirely within the D.P.I.'s discretion to award such punishment as he considers necessary, or transfer the case for action to the Deputy D.P.I. who has powers to pass orders, himself functioning as the appellate authority. Government being the appellate authority over the decisions of the D.P.I., it is embarrassing for Government to give any decision, normally, regarding the nature or the actual quantum of punishment, though a ~~in~~ general indication may not be open to serious objection.

The following general observations are called for:

p 1 cf

(1) While the first "information report" is the letter of Janab Syed Tazzuddin dated 16-4-49 (received by H.M.(Edn) on 18-4-49), it does not refer to the objectionable points in the speeches made on 30-3-49, as subsequently developed during the enquiry conducted very much later, i.e. between 21-11-49 and 28-12-49.

p 35 cf

(2) The date of the first complaint regarding the speech dated 4-5-49 is 7-5-49, i.e. 3 days later (Exhibit III) received by the D.E.O. on 13-5-49. This complaint also is from Janab Syed Tazzuddin.

(3) There is no contemporary record of either of the speeches made by Kandaswamy Mudaliar, either in shorthand or in long-hand. Attention is invited to 'y' on p 33 of 'L'.

(4) As against the evidence on the side of the prosecution, there is the defence evidence generally to the effect that the speaker did not make any utterances as alleged.

(5) The D.E.O.'s findings on pages 39 to 43 c.f. are not drawn up with as much care as was needed in such a case.

vide 15 m p 43 cf.

It is seen that the officer, who is ~~[illegible]~~ evidently an impulsive youth, otherwise bears good conduct and is well connected; that he also has been transferred as a measure of discipline; ~~and~~ As a very long time has elapsed, it is for consideration whether at this stage (i.e. after such a long delay) the prestige of Government should not be better emphasized through an act of grace i.e. ~~maintained~~ ~~in this case~~ by the administration of a severe warning by the D.P.I. for ~~the~~ his admitted indiscretion. If it is a question of punishing for the charges framed against him I think he deserves a punishment even more severe than the one suggested by the D.P.I. (i.e. stoppage of increment). Please see 'X' on p 1 of ~~In this connection attention is invited to the statement of the accused officer on page~~

17
24/10

For orders as to the nature of the endorsement to be given to the D.P.I.

18/10

Hm (Ed)

The Very purpose of an enquiry is lost if it takes a year to conduct an enquiry. Anyhow the ~~teachers~~ Dy Inspectors conduct has been reprehensible ~~and~~ ~~at~~ He may be told so and also ~~that~~ the punishment suggested by the D.P.I is the least that can be thought of

KM
28/10

SECRETARY
25 OCT 1950
EDUCATION DEPARTMENT

A draft Memo is submtd. for approval.

26.x.50

26/10/50

AS I

I do not think the Hm's minute has been ~~so~~ followed closely while drafting the memo. Please verify

28/10

Discussed with Secy
28/10/50

A revised draft is submd. for consideration.

30/10/50

3/10

[Issued as D.O. No. 29948-II/49 A Edn. d. 31-10-50] p 31 c.f.

The D.O. on p 31 c.f. has been issued. The papers may now be recorded.

31-10-50

1.11.50

1/11/50

~~Confdl.~~ G.O. Ms. No. 2956 Edn
2-10-50

Abstract

Sub: Estt. – Sri M. Kandaswamy Mudaliar, ex-Dy. Inspr. of Schools, Madurantakam – Disciplinary action ~~against~~. Papers recorded.

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