

Education (1950) Department.

SERIES.

FD

G.O. NO.

3092

Dated

18/11/50

(10)

[Despatch Abstract.]

Establishment - Mr. High
Schools, Cuddalore - Panel of
names for the post of Headmas-
ter - Appeal against the orders
of the D.P.G. - Interference - Declined

Back Papers.

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

Further Papers.

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

35178

Roc.No.18787-C.1.49. Dated 7th November 1950.

From
Sri L.C.Richard M.A.,
Commissioner, Cuddalore
Municipality, Cuddalore.

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

Through The Chairman, Municipal Council, Cuddalore -

Sir,

Subject:-Establishment - Education - Secondary - panel of names for the post of Headmaster, Municipal High School, Cuddalore - second appeal preferred -

I beg to ~~xxx~~ enclose herewith a copy of resolution^{no 5} dated 1-11-50 of the Appointment Committee wherein it has chosen to appeal against the order of the Director of Public Instruction, Madras laying down that the appointment of the Headmaster, Municipal High School, Cuddalore, should be made strictly in accordance with the order of priority communicated to the appointment committee by the Divisional Inspector of Schools, Madurai in his Proceedings R.C. No.1214-B.49 dated 12.9.50 - copy enclosed. In this connection I have to state that this is a second appeal and that the first appeal (copy enclosed) was made to the Director of Public Instruction, Madras, who turned ~~down~~ it down in his Proceedings R.C.No.1434-Genl.50 dated 24.10.50 (Copy enclosed). In my note to the Appointment Committee dated 1-11-50 (copy enclosed) I pointed out that in accordance with the statutory rules on the subject the Appointment Committee had no other option but to give effect to the directions of the Departmental Officers. The post of the Headmaster has been lying vacant from 12.6.50, the commencement of the current school year. As much depends on the filling up of this post by a competent hand, as expeditiously as possible, I pray that the Government may be pleased to pass such orders as they deem fit on the second appeal at their earliest convenience.

[Signature]
Commissioner.

Forwarded.

[Signature]
Chairman, Municipal Council, Cuddalore.

Secy for perusal -
The letter will be noted upon
with ref. to the rules
10.11.50

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Confidential

From Sri P.N.Chamu Nair B.A.,L.T.,
Divisional Inspector of Schools,
Madurai. Dn. Madurai.

To The Commissioner, Cuddalore Municipal
Council, Cuddalore -

Sir,

R.C.No.1214-B.49 dated 12th September 1950 -

Subject:-Panel of names for posts of Headmasters under the Municipal Council for 1950-51 - Cuddalore -

The Divisional Inspector of Schools, Mathurai Division, sitting with the District Educational Officer, South Arcot hereby constitutes the following into a panel of suitable candidates from whom the Appointment Committee, Municipal Council, Cuddalore, may under the rules now in force ~~select~~ select for vacancies occurring among headmasters of complete high schools under its jurisdiction.

S.No.	Name.	Designation and address.
1.	Sri R.Samangi B.A.,L.T.,	Headmaster, Municipal High School, Koppa, Chikamagalur Dt.Mysore.
2. "	P.G.Kulasegaran B.A.,L.T.,	Assistant, Pachayappa's High School, Madras.
3. "	V.D.Abraham B.A.,L.T.,	Assistant, Caldwell High School, Tuticorin.

Sd.P.N.Chamu Nair.
Divisional Inspector of Schools,
Madurai Division.
(True Copy)

P.N.Chamu Nair
Commissioner,
Cuddalore Municipality.

From
Sri L.C. Richard M.A., D. Sc.
Commissioner, Cuddalore
Municipality, Cuddalore.
Sir,

To
The Director of Public Instruction,
Madras. Through The Chairman, Municipal Council, Cuddalore -

Subject:- Establishment - Education - Secondary - Panel of names for post of Headmaster, in the Municipal High School, Cuddalore 1950-51 - vide R.C.No.1214-B.49 dated 12.9.50 of the Divisional Inspector of Schools, Mathurai Division -

The panel referred to above was received by me on 14.9.50 and was considered by the Appointment Committee on 18.9.50. I enclose a true copy of the Proceedings of which is self-explanatory. For the reasons stated therein the Appointment Committee prefers Sri Kulasegaran for the post of Headmaster under rule 4(2) of the rules vide G.O.No.3129 Education dated 9.12.1948. I solicit the orders of the Director of Public Instruction in the matter.

Sd.L.C.Richard.
27.9.50.
Commissioner.

Forwarded.
Sd.S.S.Ramaswami.
Chairman, Municipal Council, Cuddalore.

Extract from the proceedings of the appointment committee of the Cuddalore Municipal Council passed at its meeting held on 18.9.50 -

Subject:- Panel of names for the post of Headmaster in the Municipal High School, Cuddalore - Reference - R.C.No.1214-B.49 dated 12-9-50 of the Divisional Inspector of Schools, Mathurai -

Resolution:- In as much as Sri Sampangi the first in the order of preference in the panel received from the Divisional Inspector of Schools, Mathurai, is considered by the committee as equal in qualification, character, and efficiency to Sri Kulasegaran, second in the order of preference and in as much as Sri Kulasegaran belongs to a backward community the Committee prefers Sri Kulasegaran for appointment as Headmaster of the Municipal High School, in accordance with rule 4(2) of the rules relating to the appointment of headmasters and headmistresses of high schools under Municipal Councils in G.O.No.3129 Education dated 9.12.1948.

The Committee feels that a man of the South Arcot District ~~will~~ would be more suitable from the point of view of the cordiality of relationship with the public than one from Mysore State.

Further, Sri Sampangi is now serving as Headmaster and this Committee is not prepared to grant him the concessions by way of increased start in salary etc. due to his length of service. From this aspect the Committee feels that the appointment of Sri Kulasegaran is preferable to that of Sri Sampangi.

The Committee therefore requests the Director of Public Instruction to permit it to appoint Sri Kulasegaran as Headmaster of the High School.

The Committee regrets that the panel has left no freedom of choice to the Appointment Committee and that if the rights enjoyed by it in the matter of similar appointments to other departments in the Municipality are to be exercised by this Committee the obligation to adhere to any order of preference in this panel as received

the Divisional Inspector of Schools should be abolished.

Sd. S. S. Ramaswami.
Chairman, Municipal Council,
Cuddalore.
Sd. G. Muthukumaraswami Chettiar,
Member, Appointment Committee,
Sd. T. C. Richard.
Municipal Commissioner.

(True Extract)

Commissioner,
Cuddalore Municipality.

Confidential:

Proceedings of the Director of Public Instruction, Madras.
R.C.No.1434-G1.50 dated 24-10-50.

Subject:-Municipal Council - Cuddalore - Panel of Headmasters
- 1950-51 -

Reference:-i) From the Commissioner, Cuddalore Municipality No. Nil
dated 27-9-50.

ii) From the Divisional Inspector, Mathurai R.C.No.
1214-B.49 dated 7-10-50 -

The Director has carefully examined the question. The
stand taken by the Appointment Committee is untenable. The order
of preference fixed by the Divisional Inspector is confirmed
and the Appointment Committee is directed to give effect to the
same and appoint the Headmaster without further delay.

Sd. T. P. Santhanakrishnan.
24.10.50.
For Director of Public Instruction.

(True Copy)

Commissioner,
Cuddalore Municipality.

Extract from the Proceedings of the Appointment Committee of the
Cuddalore Municipal Council held on 1.11.1950 -

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5. Letter R.C.No.1214-B.49 dated 12-9-50 from the Divisional Inspector of Schools, Mathurai, furnishing the panel of headmasters for the year 1950-51.

(2) Resolution of the Appointment Committee No.7-B. dated 18.9.50 requesting the Director of Public Instruction, Madras; for permission to deviate from the order of priority of appointment.

(3) Letter No.1434-G1.50 dated 24-10-50 from the Director of Public Instruction, Madras, stating that the order of priority is inviolable and issuing a direction that the appointment may be made forthwith strictly in accordance with the order of precedence laid down by the Divisional Inspector of Schools, Madhurai.

(4) Note of the Commissioner informing the Appointment Committee that in the circumstances the direction issued by the Director of Public Instruction may be given effect to and the post of Headmaster in the Municipal High School filled up in view of the ~~large~~ long-standing vacancy.

The matter may be referred to the Government on appeal.

Sd.S.S.Ramaswami.
1.11.50.
Chairman, Municipal Council,
Cuddalore.

Sd.G.Muthukumraswami Chettiar
Member; Appointment Com-
mittee.

Sd.L.C.Richard.
1.11.50.
Commissioner, Cuddalore Municipality.

(True Extract)

Richard
Commissioner,
Cuddalore Municipality.

Committee on the Judiciary.
United States House of Representatives.

282

From the Commr., Cuddalore Mty., Rec.No. 18787-C1.49 dt.7-11-50

ESTABLISHMENT - Ml. High School, Cuddalore - Panel of names for the post of Headmaster.

According to the existing orders, the posts of Headmasters in Secondary schools under local bodies should be filled by appointing persons included in the panel drawn up by the Divisional Inspector of Schools and the D.E.O. If there is any disagreement with the names of persons included in the panel, the Appointment Committee of the Mty. can appeal to the D.P.I. within fifteen days. The Divisional Inspector of Schools, Mathurai sitting with the D.E.O., South Arcot constituted the following ⁱⁿ a panel of suitable candidates for appointment as Headmasters of Secondary schools under the Ml. Council, Cuddalore for 1950-51.

- (1) Sri R. Sampangi, Headmaster, Ml. High School, B.A., L.T., Koppa, Chikamagalur at Mysore.
- (2) " P.S. Kulasegaran, B.A., L.T., Asst. Pachaiyappa's High School, Madras.
- (3) " V.D. Abraham, B.A., L.T., Assistant, Caldwell High School, Tuticorin.

The above panel was received by the Commr., Cuddalore Mty. on 14-9-50 and the Appointment Committee in the proceedings passed at its meeting held on 18-9-50 appealed to the D.P.I. against the order of preference in the panel constituted by the Divisional Inspector of Schools. The Committee considered Sri R. Sampangi (No. 1 above) as equal in qualification, character, and efficiency to Sri Kulasekharan (No. 2) and preferred the latter to No. (1) for appointment as Headmaster of the Ml. High School inasmuch as he belongs to a backward community with reference to rule 4(2) of the rules issued in G.O. No. 3129, Edn., dated 9-12-48. It also felt that a man of the S. Arcot Dt. would be more suitable from the point of view of relationship with the public than one from Mysore State. The D.P.I. examined the question and confirmed the order of preference fixed by the Divisional Inspector of Schools.

The Appointment Committee has now referred the matter to Govt. for orders. No appeal lies to Govt. and is

orders as the decision of the D.P.I. is final with reference to rule 5(1) of the rules referred to. As it is however open to Govt. to pass such orders as they may deem fit, it is for orders whether the personal files of the three candidates may be called for or whether the Govt. will decline to interfere in the matter.

By
14.11.50

15.11.50
16.

I don't follow. Why should a Mysore man be preferred to a S.A. man. Further, what is this panel from teachers outside the Hbly. It is a fresh appointment how does the question of panel arise. Ask Spk to write.



I agree we may decline to interfere.

A draft order is submitted for approval.

18.11.50

Not necessary at all - The Director has considered the appeal & passed the orders in p.7 of - We may decline to interfere with the panel the order of the D.P.I.

16.11

15.11.50
16

B.K.

AS's Plea

19.11

Some advice

Routin mtr

Education Dept. (F).

Refce:- H.M's minute on the file below.

Appointments to posts of Headmasters of Municipal Schools are made from a panel prepared by the Divisional Inspector of Schools in accordance with the rules contained in G.O.No. 3129, Edn. dated 9th December 1948. Under rule 4 (1) of the rules, the Divisional Inspector, in cases where Assistants in service are not available for appointment as Headmasters, after requesting the executive authority to invite applications from outsiders, ^{will} set up a panel ^{of candidates after} considering the claims of such applicants. In the case of the Cuddalore Municipality, a panel has been so prepared and it consists of all outsiders. This is permissible under the rules.

Page 3-5 of rules (U)
U/S-

p.5 of (U)

p.5 of -
p.7 of -

p.1 of

Under rule 5 of the Rules, if the Appointment Committee of the Municipal Council on receipt of the Divisional Inspector's panel wishes to have modifications made to it, may appeal to the Director of Public Instruction. The Director's orders passed on such an appeal are final. The Appointment Committee of the Cuddalore Municipal Council in this case has already made such an appeal to the Director who ^{has} after a careful examination of the question, confirmed the order of preference fixed by the Divisional Inspector in the panel and has also asked the Appointment Committee to give effect to the panel and appoint a headmaster without further delay.

The Appointment Committee has now preferred an appeal to the Government against the orders of the Director. The rules do not provide for a second appeal of this kind. In view of this fact and of the fact that the Director has already exercised ^{his} statutory power as an appellate authority and ^{has} passed ^{final orders,} it was suggested in the note in the file below that no interference need be made in the orders already passed. It is observed that No.1 on the panel is

p.3 of

2.

employed in a Municipal High School in Mysore, No.2 is
as Assistant in the Pachaiyappa's High School in Madras,
and No.3 is in Tuticorin.

17.11.50 R 17.11
Seen
17.11

stated
to be
man for
S. H. S.
17.11.50

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