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Sectt. II-27—104,006—4-11-46.

Edn (1950) Department.

SERIES.

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| G.O. NO. | 3150 (Edn) |
| Dated | 27/11/50 |

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[Despatch Abstract.]

Appeal - Secondary Education - Jamal. P. Cosmas Loyasahib - Headmaster, Bd High School, Valapad, Malabar - Reversion as assistant - Rejected.

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## Back Papers.

| G.O. | No. | Department. | Date. | G.O. | No. | Department. | Date. |
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## Further Papers.

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DISTRICT BOARD
1 MAR 1950
MADRAS

From

Janab P. Oosman Koya, B.A.,L.T.,
Headmaster, Board High School,
Valapad.

To

The Secretary,
Department of Education and
Public Health, Govt. of Madras,
M a d r a s.

A3 | 12246 | 50

Sir,

I beg to prefer this appeal against the proceedings of the President, Malabar District Board, Kozhikode, Ref.A.3.4246/49 dated 2-2-1950 and 3-2-1950 and received by me on 11-2-50 for the following among other reasons.

1. I regret very much that the order of the President under reference is based on an incorrect conclusion which is not warranted by any evidence worthy of credence and acceptance or any admissions made by me before the Personal Assistant to the Special Officer on 5-7-49 as wrongly stated in the order of the President. In my written statement filed before the Personal Assistant on 5-7-49 after he examined the witnesses and myself which is annexed hereto as annexure 1, I have definitely stated that "the alleged incident of a woman's appearance on 20-2-49 was a stray incident which had no connection with the school and which did not recur later though much exaggerated and coloured version was given to it by interested persons with the malafide intention" and that it did not affect the school discipline at all. I also submitted that "the allegations were

simply rumours which have no foundation." In the face of this clear and definite denial of the allegations regarding my alleged connection with a woman in my written statement, that I should practically admit all that is stated in para 2(ii) of the proceedings before the Personal Assistant to the Special Officer is on the very face of it highly improbable.

2. I might also be permitted in this connection to refer to the relevent reference to this matter in para 2 of my endorsement No.115 A/49 dated 4-2-49 which is appended hereto as annexure 2 which is in accord with the statement I have made in my explanation and also in my written statement filed before the Personal Assistant to the Special Officer. In fact and in truth I did not and could not make such admission to the Personal Assistant to the Special Officer and if his record of my oral statement would lend colour to any such inference I can only state with respect that the Officer did not succeed in faithfully recording my statement. I may state in this connection that the Personal Assistant to the Special Officer did not give me an opportunity to read the statement before signing it and when I said that I should read it before signing it he became impatient and told me that he would report to the Special Officer that I ~~am~~ non-co-operated with the enquiry if I did not sign it immediately. I had therefore no option but to sign it without reading it. I have mentioned this fact to the President also. I got a certified copy of the statement only on 22-2-50 and had not seen it at the time of the submission of my explanation to the President so as to point out its defects. But the statement even as it stands with some serious slips of commission and omission here and there does not in substance contradict my statement in my explanation as I

have definitely stated therein that the charge of my connection with the woman is an unfounded scandal.The relevent portions of the statement even as it is recorded do not justify the President's remarks that I admitted in my statement before the Personal Assistant practically all that is stated in para 2 (ii).

3. The President says that he sees no reason to discredit the statements of respectable witnesses given before the Personal Assistant. I respectfully submit that those statements simply repeat the wild and unfounded rumours set afloat by my personal enemies and do not contain any direct or useful evidence based on the personal knowledge of the witnesses. The Physical Instructor, Kunhikrishnan Nair who tries to give some specific evidence is on his own admission hostile to me and I have made my remarks on him in my confidential report No.115 C/49 dated 6-2-49 which runs as follows: "Regarding No.4 N.Kunhikrishnan Nair Physical Instructor of the school who has been reposted to the same school after his leave period in spite of the advice of the then District Educational Officer Sri A.V. Harihara Iyer last year and also in spite of the repeated request of this Office, was once transferred from here to Cherukunnu High School ~~duri~~ due to grave complaints during the time of Sri Koshi Mudalaly the then Personal Assistant to the Special Officer (Vide complaints of unbecoming behaviour of the teacher towards grown-up girl pupils in the physical education classes and taking records.) His work, conduct and character have been anything but satisfactory. Vide his personal files last year and also this office report against him marked confidential No.508/46-47 dated 6-4-47 in reply to your office reference N.Ref. A3-9481 dated 19-3-47 (re pseudonymous petition resubmission with remarks).Recently when the Regional

Inspector of Physical Education,(Coimbatore) Sri V. Surya Narayana inspected the school he remarked that the physical activities of this High School were are ten years behind other schools due to the incompetence and neglect of the same by the present drill master. Many of the anonymous petitions and"writings on the walls" are directly traceable to him. It is due to this that Sri A.V. Hari Hara Iyer, the D.E.O. had recommended even last year that the drill master should be transferred from this station." Even his evidence does not connect me with the woman. His statement about having seen the woman several times is contradicted by the statement of Hari Hara Sastry on that point. That the scandal spread by my enemies among my assistant teachers and others regarding my alleged connection with a low Muslim woman as stated in the charge framed against me is false and frivolous will be found not only from the fact that at the enquiry there was not one witness who gave any direct evidence on the point and those who spoke on it simply gave some hearsay evidence but also by the very significant fact that the woman in question never made any complaint to the Officer who conducted the enquiry or to any other Authority till this date nor did she make any claim for the maintenance of the child in a Court of Law. Besides, as admitted by all the witnesses the woman never made her appearance in the school later. If there were truth in the charge that would not have been the case, especially when my personal enemies who did not scruple to send even faked and forged letters and intents in my name as referred to in my 6 para 3 to 6 of my Confidential Report dated 6-2-49 several months before the enquiry. Thus there is absolutely no evidence worthy of acceptance to prove the charge of my alleged involvement with the woman and I respectfully submit that the

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President's conclusion that the charge must be held to be proved is incorrect and unsustainable. In this connection I respectfully invite your kind attention to the testimonials of character given to me by eminent persons who had opportunities of knowing me and append them as annexures 3 series and submit that my antecedents of life as indicated by them highly improbablise the conduct that is now sought to be attributed to me.

4. As for the comment of the President on my complaint that the teachers were non-cooperating with me I respectfully submit that the insubordination and indiscipline of the teachers as strikingly illustrated by the resolution of the Staff Council in complete violation of the rules relating to the conduct of the Staff Council and their attempts to informally contact the Personal Assistant to the Special Officer in a very improper way as admitted by them were motivated by their design to bring disrepute on me and to serve their own ends of personal advantages in their official careers and could not be avoided by me in spite of my best efforts to deal with the situation with the utmost tact. That Messrs P.V. Vasu Nair who claims to be related to the Personal Assistant to the Special Officer and Mr. M.Balakrishna Menon approached the Personal Assistant to the Special Officer and made representations to him about me before the meeting of the Staff Council is a fact admitted by them at the enquiry. It may also be kindly remembered that Messrs Vasu Nair and K.P. Ramakrishna Iyer, L.T.Assistants who deposed against me are the gentlemen who appealed to the Government against my selection as Headmaster in 1942 and whose appeals were rejected by the Government. And it will be very

hard to condemn and penelise me ~~instead of taking~~ for their conduct in the way in which the President has done instead of taking severe disciplinary action against them.

5. It is significant that all the witnesses at the enquiry who wanted to make out that the woman's incident surely affected the discipline of the school ~~as~~ admitted in their depositions that there was indiscipline in the school even before the incident and that the incident was not repeated. The fact that the woman's incident was not noticed by some of the witnesses like Mr. C.H.Narayanan Nambiar and clerk Ibrahim though they were in the school is sufficient indication of the fact that the incident was not of such a sensational nature as was sought to be made out by the other witnesses. The statement of the Peon Ayamoo is very important in that it will make it clear that it was an ordinary incident of a woman straying into the school premises and that he sent her forthwith away. He also definitely says that I did not see the woman and that I was only told about it by him. Peon Ayamoo also speaks definitely to the fact that no woman ever came to my room in the night as falsely insinuated by some of the witnesses on alleged hearsay information and it may be kindly remembered that he is the most competent witness to speak on that point as he used to sleep near my office room. That the woman came in and asked for charity was a fact which I gathered from peon Ayamoo and I have stated as such in my endorsement appended as annexure 2 as early as 4-2-49 and it is that fact that I have repeated in my explanation to the President. I have not referred to the woman as a beggar woman as stated in the orders of the President. The discrepancy, if any, in the records of my oral statement by the Personal Assistant is explained by the circumstances

I have already indicated above. I would also request you to ~~consider~~ kindly consider the significance of the long interval of five months for witness Sri A.Raghavan Nair and others to express concern about the effect of the woman's incident on the discipline of the school and to draw the inference that the incident ~~had no~~ had no such repercussion on the discipline of the school as suggested by them from the circumstance of their silence for 5 months over that matter before they thought of complaining to the authorities.

6. I further submit that even if the charge is taken as proved it would at worst make out a weakness in my private life and however deplorable it might be from a moral point of view it does not constitute an infringement of any of the rules relating to the conduct of a public servant and cannot be made the basis of the punishment meted out to me especially in view of the fact that no responsible officer of the District Board or the Educational Department noticed any laxity in the discipline or the morale of the school though some of the said officials like the Regional Inspector of Physical Education, Coimbatore visited the school within a week of the alleged incident viz. 26th and 27th January 1949.

7. From the foregoing facts and circumstances I submit that it will be clear that the allegations in para 2 (ii) have not been proved by the evidence adduced at the enquiry. As for the President's remarks that I have proved myself unworthy to hold the responsible position of the Headmaster, I beg to submit that I was occupying the place of Headmaster of two high schools, Cherukunnu and Kadirur from 1942 to 1946 and my work in ~~the~~ that capacity especially during the difficult period of the 2nd World War was

appreciated by my superior officers like Messrs R. Sambasivam Pillay, B.A.,L.T., D.E.O., North Malabar in the Tabular Inspection Report of Board High School Cherukunnu,1942-43, page 16 and A.V. Harihara Iyer in the Tabular Inspection Report for Board High School Kadirur, 1944-45, Page 14. And also the letter of appreciation in the Proceedings of the President Dt. Board, Malabar, Ref.L.Dis.22262/43 dated 31st December 1943 will also testify to the same. My work as the Headmaster of the Perinthalmanna High School has come in for the appreciation of Sri V.Natarajan the then District Educational Officer, South Malabar and the present Divisional Inspector of Schools, Coimbatore Division who wrote on 18-8-46-47 in his Inspection report as follows:- Page 9 and page 11, "The present Headmaster has to be congradulated on his efforts in getting the public to donate some benches and desks which are being made at the time of Inspection. The present Headmaster has recently taken charge and is keen and enthusiastic in making the school more efficient and popular. He has been able to persuade the public to donate benches and desks. He has been trying to improve the extra curricular activities of the school." The results of the S.S. L.C. in the Perinthalmanna High School during my Headmastership which worked out at 67 per cent was specially appreciated by the Special Officer in the following terms: "Board High School Perinthalmanna has shown a good record. It is hoped that the record would be kept up and improved further." (Vide Periodical 137/47 dated 29th June 48 of the Special Officer District Board, Malabar. In the face of my past record of the Headmaster of High Schools under the Malabar District Board adverted to above I respectfully request that the Government may not be pleased to confirm the

finding of the President based on the most interested and highly unsatisfactory evidentiary materials discussed in the foregoing paragraphs. As for the punishment awarded to me it is extremely severe, excessive and unprecedented in the history of such enquiries by the Board in some of which even charges of embezzlement were made against some of the Headmasters who still continue as such in the District Board Service, to none of whom any such punishment was ever meted out. Besides the humiliation and mental pain that are caused to me by the de-promotion ordered by the President,it would result in the loss of more than a thousand ruppes to me per year which would be an unbearable financial loss for a public servant like me in these difficult days when besides meeting heavy expenses connected with the maintenance of the family and the education of my children I am faced with financial obligations relating to the expenses caused by the serious illness and subsequent death of my wife in 1948 and the heavy expenses of the treatment of my very seriously ailing wife at Tellicherry.

In these circumstances I respectfully pray that the Government may be pleased to revoke the finding of the President on this charge and the punishment awarded by him to me on that finding.

8. As regards the charge of my occupation of the school office room without the previous permission of the Special Officer, I submit that I admitted having used the room for sleeping purposes in the interest of the safety and security of the public funds with me though I had a room in the hotel. After the Circular of the Special Officer I never made use of the room even for sleeping purposes. I used the school office room in the exceptional situation in which I was not able to secure a house and I did not think it safe to sleep in a hotel room with the fee collec-

collections and other public funds with me and before the Special Officer prohibited the practice in his Circular, Ref.D.Dis. 34551/49 dated 13-8-49 which I submit also makes it clear that it was a common practice with the headmasters for using the school office room under the bonafide impression that it was unobjectionable. In these circumstances I request that I may be excused for sleeping in the school office room and I may be exonerated from the liability of payment for such occupation.

9. Finally I respectfully pray that you may be pleased to direct the President,Malabar District Board to keep in abeyance the execution of his orders under appeal pending the final disposal thereof by the Government as I understand that the order of the President reducing me as an L.T.Assistant will come into effect on the 8th of March 1950.

Board High School,
Valapad,26-2-50.

I beg to remain,
Sir,
Your most obedient servant,

Enclosures:
(1) Proceedings of the President A.3-4246/49 d. 2.2.1950 (3 pages)
(2) " " " d. 3.2.1950
(3) " " " dated 8-2-1950
(4) Annexures 1, 2, and 3 series.

Annexure 1.

Statement ~~of~~ by P.Usman Koya Sahib,B.A.L.T.,Headmaster Board High School, Perunthalmanna under date 5-7-49 submitted to the Personal Assistant to the Special Officer, Malabar District Board Kozhikode.

From the perusal of various records relating to the admission examination such as the information to the candidates the Memo to the paper setters and examiners and instructions to the superintendents for the admission examination for Saturday 11-6-49 it will be evident that the rumours of malpractises etc. regarding the assignment of papers correction etc. had no foundation. Again from the records and information gathered by the Personal Assistant it will also be clear that I was throughout guided and advised by my 1st Asst. Sri A.V.Ramanatha Iyer B.A.L.T. who himself has acted as Headmaster and is a probationer for the post of Headmaster and that there was no remiss on my part wit h regard to supervision etc. in connection with the examination nor any deviation with regard to admission as for rules laid down by me. The examination and correction of papers were carried out according to plan with speed and discretion in spite the failure of some assistants to whom papers were assigned originally to make themselves available for assisting me in the work.

Regarding the alleged incident of a woman's appearance in the school on 20th February 1949 I submit as reported already it was only a stray incident which had no connection with the school and which did not recur afterwards though much exaggerated and coloured version was given to it by interested persons with the malafide intention. It will also be clear that it did not affect school discipline at all. I therefore finally submit that the allegations were simply rumours which have no foundation and that in spite of best efforts to carry out my onerous duties as Headmaster, it is felt that any small error or indiscretion is committed in the course of my official duties I assure the Special Officer that it was due to inadvertence or oversight and that I shall even be over careful to see that they never recur in future.

Sd.
P.Usman Koya,
Headmaster.

Annexure 2.

With regard to the alleged'incident' and'indiscipline' referred to in the socalled resolution communicated by the Secretary Staff Council stated to have occurred in the afternoon of 20-1-49, I emphatically deny that there was any such incident or indiscipline. All that happened was that just towards the end of the 2nd period in the afternoon of 20-1-49 at 3.15 P.M.,(and(not during the 1st period in the afternoon as alleged in the communication) A woman on her way just stopped near the office room and asked for some charity and the school peon on duty asked her to go away. It was the usual interval time for 5 minutes between 3.15 p.m. and

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3.20 P.M. and the pupils had come out for drinking water etc. as they used to do everyday at interval. The woman then went away and the school resumed work after the interval as usual. I was just then busy with my office work and there was no necessity for me to come out for there was no indicipline or any incident. All this happened within 5 minutes interval time and not half an hour as mischievously alleged by the secretary in his communication.

From the facts explained above it will be clear that there was neither any ungly incident or act of indiscipline in the school on the day referred to necessitating my interference nor was there any resolution adopted by the Staff Council Meeting. The scurrilous and baseless allegation referred to in the Secretary's communication were all cooked up deliberately with a view to bring the Headmaster into disrepute and contempt and ~~serve as a~~ prejudice the authorities against me. These matters were deliberately planned by the Secretary Sri Balakrishnan Nair, Secondary grade Assistant with other mischievous and aggrieved members of the Staff who formed themselves into an unholy clique in the school against the Headmaster with a view to cause maximum troubles to him in his lawful discharge of his onerous duties. A detailed report regarding this after careful investigation is being submitted to you separately in a confidential cover in response to your office reference A3 40758/48 re. faked petition to the special officer on the name of the headmaster dated 22-12-48. My earnest request to you is that you will be pleased to take stern disciplinary action against the erring assistants so as to bring them to a sense of duty and esprit de corpse and exonerate me from these scurrilous and unwarranted allegations.

Sd.
P.Usman Koya 4-1-49

(Endorsement 115A 49 of 4-2-49.)

Annexure 3rd series.

Government of Madras. 3 (i) Teachers' College Saidapet. 1-9-1931.

Mr. Usman Koya B.A. is undergoing L.T.Training in this College. He is highly spoken of by his lecturers and is a keen and active student. During his stay here his conduct and character have been excellent. He is the only Mopla student in this college.

Sd.
R.M. Statham,I.E.S.,C.I.
Principal.

Series 3 (ii)

Government of Madras, Govt. Victoria College, 31-8-31.

P.Usman Koya was a student of this college from 1928 to 1930 reading in preparation of the B.A.Degree Examination of the University of Madras. He passed that examination in 1930 with history and economics as his optional subject.

Since leaving the college he has been history master at Islamia College Vaniambady and is now undergoing training in the teachers' College Saidapet, in preparation for the degree of Licentiate of Teaching During his College Course, Usman Koya gave satisfaction both in his class work and in the college examinations. He was a hard worker, courteous and polite in all his dealings, and his conduct throughout was excellent.

Sd. H.C.Papworth,
Indian Educational Service
Principal.

3 (iii)

Khan Bahadur
T.M.Moidu Saheb,M.L.C. Tellicherry 15-9-1935.

Mr. P.Usman Koya,B.A.L.T. is known to me for the past several years He belongs to a very respectable Mopla family in S.Malabar and he is, one of the few enthusiastic, educated yyoung man of the educationally backward Mopla community. After passing his L.T.Degree examination he joined the Malabar Dt.Board service as History Asst. in June 1932 while I was the President of the Dt.Board and I had ample opportunities of coming into close contact with him.He is very much interested in educational activities and has, within his limited sphere contributed considerably to the educational awakening and development of his community. I have always found Mr. Koya able, active, industrious and very enterprising and have no doubt that he will discharge any duties entrusted to him most satisfactorily and with a sense of responsibility. He bears an excellent character.

Sd.
T.M.Moidu,M.L.C..



3 (iv).

Khan Bahadur P.Sherfuddin,M.A.,B.L., Judges Bangalow, ~~Judge's Bangalow,~~ Waltair 25-11-48.

I have known Mr. P.Usman Koya B.A.,L.T. Headmaster, Board High School,Kadirur,Tellicherry quite well when I was the Dt.Judge there from October 1944 till October 1946 and was also the president of the N.Malabar Dt.War Committee, He took very great interest in all war work and his school supplied numerous war recruits for war service. He was held in high esteem by all the people there and conducted the school in a very able and efficient manner. His character and capabilities are such that he would prove to be an excellent Dt.Edl.Officer if selected.

Sd. Sherfuddin.

3 (v).

Kapura Govindan Menon,M.A.(Oxon) Bar-at-Law. Principal. Govt,Brennen College, Tellicherry. 18-11-1948.

Mr. P.Usman Koya B.A.L.T.was fairly well known to me when I was a Dt.Edn.Officer,N.Malabar,1940-42.

He had a thorough grasp of the fundamentals of teaching which he was able to inculcate in his students by dint of sheer enthusiasm I can confidently recommend him for any post where integrity and efficiency are the qualifications for appointment,

Sd.K.P.G.Menon.

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3 (vi) -(4)

Abdurahim Ahamed, B.A., B.L.,
Principal Dt. Munsif.

Tellicherry
19-11-48.

This is to certify that I know Mr. P.Usman Koya Sahib B.A. L.T. Personally. He impressed me as an ardent educationist and a well bred gentleman. He bears reputable conduct and character and is amiable by disposition.

Sd. Abdurahim Ahamed.

( True Copies.)

Headmaster
26.2.50.

DJ P.081

6.2.1950 recd.

Ref. A3.4246/49

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Proceedings of the President, Malabar District Board, Kozhikode, dated 2nd February 1950.
Sri K.A.Mukundan, B.A., President.

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Sub:- Oosmankoya (Sahib) P - Headmaster, Board High School, Misconduct - Charges framed - Orders passed.

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Janab P. Oosmankoya Sahib has been called upon to answer the following charges:-

1) That his general conduct and private life left much to be desired in the head of an educational institution and that caused repercussions on the general tone and working of the school.

2) That he occupied the school office room for residential purposes without the previous permission of the Special Officer, District Board, for an aggregate period of well nigh 11 months for which he is also liable to pay proportionate rent.

3) That in respect of admission to the school in June 1949 the Headmaster conducted himself in a highly suspicious manner regardless of the instructions contained in Proceedings C.1016-E1/49 dated 30th April 1949 of the Director of Public Instruction and acted in collusion with or connived at the corrupt practice of the Secondary grade assistant, Mohamed Sheriff.

2. The facts that led to the framing of the charges are as follows. For some time feelings between Janab P. Oosmankoya, the then Headmaster of the Perintalmanna High School and the Assistant teachers of the school were strained. Certain complaints of mis-conduct were received against the headmaster. Detailed enquiries were conducted at Perintalmanna by the then Personal Assistant to the Special Officer. Several witnesses were examined in the presence of the headmaster. The headmaster also cross questioned most of them. He gave evidence himself and filed his written statement.

The enquiries revealed the following facts.

(i) Janab Oosmankoya used the school office room for residential purposes from November 1947 to December 1947, from February 1948 to April 1948 and from December 1948 to the date of enquiry without the permission of the Special Officer.

(ii) While residing in the school between February and April 1948, he became involved with a low muslim woman who was engaged to cook food for him. After some time the woman claimed money for her maintenance and expenses for her expected confinement. When things took an awkward turn, the headmaster through the mediation of some of his friends paid her Rs.100/- to quiet her. The woman was not satisfied and repeated her demands for maintenance after her delivery. On the 20th January 1949, the woman with the child in hand went to the school premises and made a scene. This led to a lot of scandalous talk amongst the staff pupils and the public, and lowered the tone of the institution.

(iii) In respect of admissions to the school in June 1949 the headmaster conducted himself in a highly suspicious manner. He did not maintain a priority list of applications, conduct examinations properly and make admissions regularly. He associated one Mohamad Sheriff, Secondary grade assistant of the school, with

the work relating to the admission of pupils to the school. Mohamad Sheriff was employed to set question papers for admission examination in English and Mathematics for Form III and Mathematics for Form I, and to value answer papers in English and Mathematics for Form III and Malayalam and Mathematics for Form I. He was also employed to supervise the examinations, to tabulate the marks, to write down the principles of admission, to mark out passes and failures etc., Muhammad Sheriff gave illicit tuition to the several pupils seeking admission and collected varying sums from them. He gave tuition in his house or pupils' houses or in an upstair room in groups on the eve of the admissions.

It was found that answer papers in Malayalam for Form III were given for valuation to Mr.Parameswaran Nambiar,L.T.Assistant. After valuation of the papers, the Headmaster wanted the teacher to increase the marks in respect of 5 selected pupils for reasons not quite apparent. The assistant, however, did not agree to increase the marks but suggested that minimum might be lowered, if necessary. The assistant also particularly told the headmaster that one Mathew one of the 5 mentioned by the Headmaster who was very weak in Malayalam should not be admitted at all. None the less the headmaster admitted the boy. The headmaster conducted a supplementary examination for a single pupil for admission to Form II without regard to the rejection of several applications previously. One Beeve Katheeja who had only passed from IV class to V class on 1st June 1949 in an Elementary School was allowed to sit for admission examination in Form I and admitted to that class. One Ramankutty who had passed from VI to VII class was allowed to sit for III Form examination. One Unnikrishnan (P) who had no record sheet and who had only passed V Standard was allowed to sit for II Form examination.

3. Janab Oosmankoya was directed to explain the charges framed against him. He has given a lengthy written statement denying all the allegations and he has examined four witnesses. Of these, Janab P.Abdulla is a resident of Tellicherry Town who says that he had gone to Perintalmanna two or three times and that he then found Janab Oosmankoya staying in a room in a hotel, but he is unable to say definitely if at any time Janab Oosmankoya stayed in the High School building or not. Janab Muhamad Shafi is another gentleman living in Areacode, who says more or less the same thing. The 3rd witness is Koya who runs a hotel in Perintalmanna. He says that Janab Oosmankoya was staying in his hotel, but he has no accounts to show that, except that Janab Oosmankoya was taking meals from the hotel. The 4th witness Koyotty is a relative of Janab Oosmankoya. He also says that he saw Janab Oosmankoya staying in a room in the hotel whenever he went to Perintalmanna, but is unable to say if Janab Oosmankoya stayed at any time in the school building or not. The evidence of these witnesses proves nothing and is of no avail in the face of Janab Oosmankoya's own admission before the Personal Assistant of the Special Officer in his statement dated 5-7-1949 that he was actually living in a room in the school premises during the periods referred to above as he could not get a house. The 2nd charge has, therefore, to be taken as proved. The Headmaster's action in having used the school premises for residential purposes is highly irregular. He cannot escape liability by merely pleading that other teachers also used to do it. He will be directed to pay proportionate rent for the period of such occupation as admitted by him to be fixed by the Divisional Engineer (Highways).

4. As regards the 3rd charge, the witnesses Nos.1 and 2 examined by Janab Oosmankoya have been made to say that he is of good character. In his statement given as explanation of the

charges against him, Janab Oosmankoya has tried to make out that it was only a beggar woman that went to the school and asked for charity and that all the other allegations are untrue; but this is diametrically opposed to what he has stated before the Personal Assistant to the Special Officer on 5-7-1949. He had then practically admitted all that is stated in para 2(ii) above. I see no reason to discredit the statements of respectable witnesses given before the Personal Assistant at the time of the enquiry, statements which almost immediately after they were given were admitted by Janab Oosmankoya himself. This charge also must, therefore, be held to be proved.

5. There remains the 3rd charge. The assistant teacher Mohamad Sheriff referred to above in para 2(ii) has admitted having given private tuition as alleged and having collected fees from the pupils, but there is no proof that any portion of the money so collected passed into the hands of Janab Oosmankoya. The facts elicited no doubt showed that all was not well with the admissions and that the headmaster did not strictly follow the instructions of the Director of Public Instruction in his proceedings C.1016-G1/49 dated 30-4-1949 emphasising the responsibility of the headmaster in the matter of admissions and the need to avoid any sort of irregularities in admissions. But beyond a strong suspicion, it is not possible to assess correctly how far Janab Oosmankoya is guilty in the matter. This charge will, therefore, be dropped.

6. From all these allegations, charges and explanations etc., the only possible conclusion is that Janab P. Oosmankoya has proved himself unworthy of the responsible position of the head of an institution like a high school. The refrain of his explanations is that his assistants have not been co-operating with him. That itself betrays want of tact in him and incapacity to command respect and obedience from his assistants, qualities which are essential in the head of an institution. I, therefore, direct, that Janab P. Oosmankoya be reduced to the post of an L.T.Assistant for a period of one year from the date of relief. His re-appointment as headmaster after that will depend on reports received about him from the inspecting officers.

PRESIDENT.

To

Janab P. Oosmankoya, B.A.L.T., Headmaster, Board High School, Valapad.

Copy to the Headmaster, S.S.Board High School, Valapad.
Copy to the District Educational Officer, South Malabar, Kozhikode.
Copy to A3 and Account section.

VJ/3/2/

Very Emergent.

3 MAR 1950

13151

From

Janab P. Oosman Koya Sahib, B.A.,L.T.,
Headmaster, Board High School,
Valapad.

Ref. A.3. 4246/49

Proceedings of the President, Malabar District Board, Koshikkode,
Dated 3--2-1950.

Sub: Oosman Koya (Sahib) P. - Head master, S.S., B.H.S. Valapad - Misconduct - charges framed - orders issued.
Ref: This office Proceedings No.A.3. 4246/49 dated 2/6--2--1950
Addendum issued.

In the penultimate sentence of paragraph 6 of this office proceedings cited above after the words "one year" and before the words "from the date of relief" the following words will be added "exclusive of any interval spent on leave before that period is completed".

President.

To

Janab P. Oosmankoya Sahib,
Headmaster, S.S. Board High School,
Valapad.

Copy to the Head master, S.S. Board High School, Valapad.
" District Educational Officer, South Malabar, Koshikkode.
" A.3. and Account section.

pa. 8.2.

A3.4246/49 dated 2-2-1950 and 3-2-1950 (true copies enclosed) reducing me to the post of an L.T. Assistant, I respectfully pray that as requested in para 9 of my appeal, you may be pleased to immediately direct the President, Malabar Dt. Board to keep in abeyance the execution of his order under appeal

PRESIDENT, DISTRICT
3 MAR 1950

pending the final disposal thereof by the Government as I understand that the order of the President reducing me as an L.T. Assistant will come into effect on the 8th of March 1950. I may also be permitted to submit with very deep sorrow that my seriously ailing wife at Tellicherry referred to by me in the concluding sentence of para seven of my appeal has since passed away on 27-2-50.

I may also respectfully mention that I had already submitted two petitions to the President, Malabar District Board on 12-2-50 and 13-2-50 respectively requesting him for the stay of the execution of his order pending a final decision in the matter by the Government. But I have not yet received a reply from him in the matter.

I beg to remain,

Board High School,
Valapad, 28-2-50.

Sir,

Your most obedient servant,

(True Copy submitted direct to avoid delay.)

Khan Bahadur
P. M. ATTA KOYA THANGAL.

Thangals Road,
Calicut.

Date, 15th, May, 1950.

My dear Madava Menon,

As desired by you when we met I had already written to you a letter on 15-4-50. ( copy enclosed) regarding the appeal prefered by Janab . P. Usman koya sahib B.A&L.T. Head Master, Board High School, Valapad. As his school re-opens on 1st, june, an early and favourable discision on his appeal will be much appreciated.

With best wishes,

Yours sincerely,

P. M. Atta Koya Thangal

Sri. K. Madava Menon,
B.A.B.L.,
Minister for Education,
Government of Madras,
Madras.

Proceedings of the President, Malabar District Board, Kozhikode dated 2nd February 1950.

Sri K.A. Mukundan, B.A., President.

---

Sub:-Oosmankoya (Sahib) P - Headmaster, Board High School, Misconduct - Charges framed - Orders passed.

---

Janab P.Oosmankoya Sahib has been called upon to answer the following charges:

1) That his general conduct and private life left much to be desired in the head of an educational institution and that caused repercussions on the general tone and working of the school,

2) That he occupied the school office room for residential purposes without the previous permission of the Special Officer, District Board, for an aggregate period of well neigh 11 months for which he is also liable to pay proportionate rent.

3) That in respect of admission to the school in June 1949, the Headmaster conducted himself in a highly suspicious manner regardless of the instructions contained in Proceedings C.1016-E1/49 dated 30th April 1949 of the Director of Public Instruction and acted in collusion with or connived at the corrupt practice of the Secondary Grade Assistant, Mohamed Sheriff.

2. The facts that led to the framing of the charges are as follows. For some time feelings between Janab P.Oosmankoya, the then Headmaster of the Perinthalmanna High School and the Assistant teachers of the school were strained. Certain complaints of misconduct were received against the Headmaster. Detailed enquiries were conducted at Perinthalmanna by the the Personal Assistant to the Special Officer. Several witnesses were examined in the presence of the Headmaster. The Headmaster also cross-questioned most of them. He gave evidence himself and filed his written statement.

The enquiries revealed the following facts:

(1) Janab Oosmankoya used the school office room for residential purposes from November 1947 to December 1947, from February 1948 to April 1948 and from December 1948 to the date of enquiry without the permission of the Special Officer.

(2) While residing in the school between February and April 1948, he became involved with a low Muslim woman who was engaged to cook food for him. After some time the woman claimed money for her maintenance and expenses for her expected confinement. When things took an awkward turn, the Headmaster

through the mediation of some of his friends paid her Rs. 100/- to quiet her. The woman was not satisfied and repeated her demands for maintenance after her delivery. On the 20th January 1949, the woman with the child in hand went to the school premises and made a scene. This led to a lot of scandulous talk among the staff, pupils and the public, and lowered the tone of the institution.

(iii) In respect of admissions to the school in June 1949, the Headmaster conducted himself in a highly suspicious manner. He did not maintain the priority list of applications, conduct examinations properly and make admissions regularly. He associated one Mohammed Sheriff, secondary grade assistant of the school with the work relating to the admission of the pupils to the school. Mohamed Sheriff was employed to set question papers for admission examinations in English and Mathematics for form Third and Mathematics for Form I Form and value answer papers in English and Mathematics for Form III and Malayalam and Mathematics for Form I. He was also employed to supervise the examinations, to tabulate the marks to write doen the principles of admission, to mark out passes and failures etc., Mohammed Sheriff gave illicit tuition to the several pupils seeking admission and collected varying sums from them. He gave tuition in his house or pupils' houses or in an upstair room in groups on the eve of the admissions.

It was found that answer papers in Malayalam for From III were given for valuation to Mr. Parameswaran Nambiar, L. T.Assistant. After valuation of the papers, the Headmaster wanted the teacher to increase the marks in respected of 5 selected pupils for reasons ~~x~~ not quite apparant. The Assistant, however, did not agree to increase the marks that suggested that the minimum might be lowered, if necessary. The Assistant also particularly told the Headmaster that one Mathew, one of the 5 mentioned by the Headmaster who was very weak in Malayalam could not be admitted at all. None the less the Headmaster admitted the boy. The Headmaster conducted a supplementary examination for a single pupil for admission to Form II without regard to the rejection of several applications previously. One Beeve Kathoeja who had only passed from IV Class to V Class on 1st June 1949 in an Elementary school was allowed to sit for admission examination in Form I and admitted to that class. One Raman Chetty Kutty who had passed from VI to VII Class was allowed to sit for III Form Examination. One Unnikrishnan (P) who had no record sheet and who had only passed V Standard was allowed to sit for II Form examination.

3. Janab Oosamkoya was directed to explain the charges



framed against him. He has given a lengthy written statement denying all the allegations and he has examined four witnesses. Of these, Janab P.Abdulla is a resident of Tellicherry Town who says that he had gone to Perinthalmanna two or three times and that he then found Janab Oosmankoya staying in a room in a hotel, but he is unable to say definitely if at any time Janab Oosmankoya stayed in the High School building or not. Janab Muhamed Shafi is another gentleman living in Areacode, who syas more or less the same thing. The 3rd witness is Koya who runs a hotel in Perinthalmanna. He says that Janab Oosmankoya was staying in his hotel, but he has no accounts to shoew that except that Janab Oosmankoya was taking meals from the hotel. The 4th witness Koyotty is a relative of Janab Oosmankoya. He also says that he saw Janab Oosmankoya staying in a room in the hotel whenever he went to Perinthalmanna, but he is unable to say if Janab Oosmankoya stayed at any time in the school building or not. The evidence of the witne these witnesses proves nothing and is of no avail in the face of Janab Oosmankoya's own admission before the Personal Assistant of the Special Officer in his statement dated 5-7-1949 but he was actually living in a room in the school premises during the periods referred to above as he could not get a house. The 1st charge has, therefore, to be taken as proved. The Headmaster's action in having used the school premises for residential purposes is highly irregular. He cannot escape liability by merely pleading that other teachers also used to do it. He will be directed to take proportionate rent for the period of such occupation as admitted by him to be fixed by the Divisional Engineer (Highways).

4. As reards 2nd charge, the witnesses Nos. 1 and 2 examined by Janab Oosmankoya have been made to say that he is of good character. In his statement given as explanation of the charges against him, Janab Oosmankoya has tried to make out that it was only a beggar woman that went to the school and asked for charity and that all the other allegations are untrue; but this is diametrically opposed to what he has stated before the Personal Assistant to the Special Officer on 5-7-1949. He had then practically admitted all that is stated in para 2(ii) above. I see no reason to discredit the statements of respectable witnesses given before the Personal Assistant at the time of the enquiry, statements which almost immediately after they were given were admitted by Janab Oosmankoya himself. This charge must also must, therefore, be held to be proved.

5. There remains the third charge. The Assistant teacher Muhammed Sheriff referred to above in para 2(ii) has

admitted having given private tuition as alleged and having collected fees from the pupils, but there is no proof that any portion of the money so collected passed into the hands of Janab Oosmankoya. The facts elicited no doubt showed that all was not well with the admissions and that the Headmaster did not stricktly follow the instructions of the Director of public instructions in his proceedings C.1016-G1/49 dated dated 30-4-1949 emphasising the responsibility of the Headmaster in the matter of admissions and the need to avoid any sort of irregularities in admissions. But beyond a strong suspicion, it was not possible to assess correctly how far Janab Oosmankoya is guilty in the matter. This charge will therefore be dropped.

6. From all these allegations charges and explanations etc., the only possible conclusion is that Janab P.Oosmankoya has proved himself unworthy of a responsible position of the Head of an Institution like a High school. The refrain of his explanations is that his assistants have not been co-operating with him. That itself betrays want of tact in him and incapacity to command respect and obedience from his assistants, qualities which are essential in the Head of an institution. I, therefore direct that Janab P.Oosmankoya be reduced to the post of an L.T.Assistant for a period of one year from the date of relief. His re-appointment as Headmaster after that will depend on reports received about him from the Inspecting Officers.

Sd.
K.A.Mukundan.
4/2
President.

To

Janab P.Oosmankoya B.A.,L.T.,
Headmaster, Board High School,
Valapad.

Copy to the Headmaster, S.S.Board High School, Valapad.
Copy to the Dt. Educational Officer, S.Malabar, Kozhikode.
Copy to A3 and Account Section.

(True Copy)

Ref.A.3.4246/49

Proceedings of the President,Malabar Dt.Board,Kozhikode dated 3-2-1950.

Sub:-Oosmankoya Sahib P. - Headmaster S.S. B.H.S. Valapad - misconduct - charges framed - Orders issued.

Ref:-This office proceedings No.A3. 4246/49 dated 2/6 --2--1950. Addendum issued.

---

In the penultimate sentence of paragraph 6 of this office proceedings cited above after the words "one year" and before the words "from the date of relief" the following words will be added "excusive of any interval spent on leave before that period is completed".

Sd.
K.E.Mukundan.
President.

To

Janab P.Oosmankoya Sahib,
Headmaster, S.S.Board High School, Valapad.

Copy to The Headmaster, S.S.Board High School, Valapad.
do The Dt.Educational Officer, S.Malabar, Kozhikode.
do A3 and Account Section.

(True Copy)

Ref.A34246/49.

Proceedings of the President Malabar Dt.Board, Kozhikode dated 8th February 1950.

---

Oosmankoya Sahib P. - Headmaster Board High School - misconduct -charges framed - reduction as L.T.Assistant - fixation of pay in the lower post - orders passed:

This office proceedings No.A3.4246/49 d/2-6-2-1950.

---

The pay of Janab P.Oosmankoya Headmaster,S.S.Board High School,Valapad is fixed at Rs.145/- in the scale of pay of Rs.75-5-145 as L.T.Assistant for a period of one year from the date of relief.

Sd.
K.Raghavan
for President.

To

Janab P.Oosmankoya Sahib,Headmaster,
S.S.Board High School, Valapad.

Copy to the Headmaster,S.S.Board High School,Valapad.
Copy to the Dt.Educational Officer, S.Malabar, ~~Koshi~~
Copy to A3 and Account Section.
True Copy forwarded by Order.

Sd.
K.S.Menon,
Superintendent.

True Copy
28.2.50

F

-45-

Ref A3.12246/50 24

Forwarded to The Secretary to Govt, Educn ~~and Public Health~~ department, Fort St George, madras

2. This office file D.Dis No. 4246/49 dated 23.2.50 is enclosed for perusal and return.

3. The subsequent petn dated 28.2.50 received from Janab P. Oosmanoya Raja, B.A.L., is also enclosed.

Kanakuma 2/3/50

President, DI Board.

BZ 6.3.50

member

6.3.50

xci 6/3

Enclosure

(1) Appeal petitions - pages 44

(2) This Office Disposal file D.Dis 4296/49 dated 23.2.50 } pages 22 + 264

ASSISTANT SECRETARY EDUCATION DEPARTMENT 10 MAR 1950

(N) 1624

Pp 35-37 and

33

Ref.A3.4246/49

Proceedings of the President,Malabar Dt.Board,Kozhikode dated 3-2-1950.

Sub:-Oosmankoya Sahib P. - Headmaster S.S. B.H.S. Valapad - misconduct - charges framed - Orders issued.

Ref:-This office proceedings No.A3. 4246/49 dated 2/6 --2--1950.

Addendum issued.

---

In the penultimate sentence of paragraph 6 of this office proceedings cited above after the words "one year" and before the words "from the date of relief" the following words will be added "exercise of any interval spent on leave before that period is completed".

Sd.
K.E.Mukundan.
President.

To

Janab P.Oosmankoya Sahib,
Headmaster, S.S.Board High School, Valapad.

Copy to The Headmaster, S.S.Board High School, Valapad.
do The Dt.Educational Officer, E.Malabar, Kozhikode.
do A3 and Account Section.
(True Copy)

Ref.A3.4246/49

Proceedings of the President Malabar Dt.Board, Kozhikode dated 8th February 1950.

---

Oosmankoya Sahib P. - Headmaster Board High School - misconduct -charges framed - reduction as I.T.Assistant - fixation of pay in the lower post - orders passed.

This office proceedings No.A3.4246/49 d/2-6-2-1950.

---

The pay of Janab P.Oosmankoya Headmaster,S.S.Board High School,Valapad is fixed at Rs.145/- in the scale of pay of Rs.75-5-145 as I.T.Assistant for a period of one year from the date of relief.

Sd.
K.Raghavan
for President.

To

Janab P.Oosmankoya Sahib,Headmaster,
S.S.Board High School, Valapad.

Copy to the Headmaster,S.S.Board High School,Valapad.
Copy to the Dt.Educational Officer, E.Malabar, ~~Kozhikode~~
Copy to A3 and Account Section.
True Copy forwarded by Order.

Sd.
K.S.Menon.
Superintendent.

Edn (F)

943/F/50 — Appeal - Secondary Education - Janab P. Cosman Koya Sahib - Headmaster, Bd. High School, Valapad, Malabar - reduction as Asst. - ~~against proceedings of the Dt. Bd., Malabar~~

fol. 44 — From Janab P. Cosman Koya Sahib, B.A.L.T., Valapad dated. 26.2.50 and 28.2.50.

fol. 45 — From the Prest. Dt. Bd. Malabar, Ref. Ag 12246/50 d 7.3.50.

Memo. No. 943/F/50-1 Edn.d. 27/3/50

Referred to the D.P.I for remarks.

2. The enclosures - the appeal petitions and the Dt. Bd. file no. D.Dis 4496/49 d 23/2/50, may be returned after done with.

To
The D.P.I (with enclosures in orgl. to be returned with reply)

By Registered Post 25/3/50

25.3.50

27/3/50

Ex. R. 16/4/50.

66

12246/50

28512

Rp 818/50

– Submitted to DRs President, Malabar District Board, Kozhikode, for favour of necessary action.

Sr. S.B.H. School, Valapad, 1-6-50

Sd/- Sahib 1-6-50 Headmaster

Rp D3.12246/50

Forwarded to the Secretary to Govt, Education ~~Law Section~~ department Fort St George, Madras, in continuation of this office Rp No D3.12246/50 dated 7-3-50

Sd/- Illegible
President, DBs Malabar

8.6.50

DCH. 7/6

7-6-50

943/F/50

Dist. Board. Malabar - Janab P. Gosman Koya Sahib - Headmaster, Bd High School, Valapad - appeal against reversion as Assistant

Govt. Memo. 943/F/50-1 Edn dt 27.3.50.
From the P.P.I. R.C. 1060 Gl/50 dt 17.5.50.

47
13/6

Memo. No. 943/F/50-3 Edn.dt. 13/6/50

The P.P.I is requested to expedite his replay in the matter.

14/6

The P.P.I

10.6.50

47
11/6/50

12/6/50

Edn

Madras.

From

Education Department.

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education Department, Madras.

17600
28 JUN 1950
EDUCATIONAL DEPARTMENT

Rc.No.1060 G1/50 dated 24-6-1950.

Sir,

Sub; District Board, Malabar - Janab P.Oosman Koya Sahib, Headmaster, Board High School, Valpad - appeal against reversion as Assistant.

Ref: Your Memo 9431/F/50-3 Edn., dated 13-6-1950.

---

The remarks of the Divisional Inspector of Schools, Coimbatore are still awaited.

Educ(F)
The P.P.I will be reminded on 20/7/50 if necessary.
1.7.50.

Yours faithfully,

D. Pauchanadi
27/6

for Director of Public Instruction.

Copy to the Divisional Inspector of Schools, Coimbatore
p.t.o.

Edn C

49

26

943/F/50

Appeal - Secondary Education - Jamals P. Gosmon Ishaq Sahib - Headmaster, Bd High School, Valapad, Malabam, reduction as Asst.

—

Jass cf Memo. 943/F/50-1 Edn.d. 27/5/50.

—

Memo. No. 943/F/50-2 Edn.d. 10/5/50.

The D.P.I is requested to expedite his reply to the memo Cited ~~on the~~ above ~~subject~~.

To
The D.P.I.

Dy 11/5

cf
8/5/50.

Dy 8/5/50

Sd/-
D.S.O
11.5.50

Copy.

Calicut. 15th, April, 50.

My dear Madavamenon,

I hope you will remember what I told you in person regarding the action taken by the Malabar District Board President in having reduced Janab P. Usman koya Sahib, B.A.L.T. Head Master, Board High School, Valapad, from the post of a permenent Head Master to that of an L.T. assistant and whose appeal against the order of the President is now pending with the Governemnt for disposal.

I need hardly point out that he is the only Mopla Head Master under the Malabar District Board and having put in a toatal service of over 18 years, 10 years as an L.T. assistant and over 8 years as a permenent High school Head Master Further we are all convinced that he has not committed anything serious to deserve such excessively hard and un presidented punishment. It is now more that one and half months since he has submitted his appeal to the Government. I therfore fervently hope and appeal to you that you will be good enough to pass early orders exonerating him from the above punishment and restore the poor teacher to his former position.

Signed

P. M. Attakoya Thangal.

15.5.50

R.C.NO.1060-G.1/50

Office of the
Director of Public Instruction,
Madras, Dated 17--5--1950.

From

The Director of Public Instruction,
Madras.

To

The Secretary to Government,
Education Department,
Madras.

ASSISTANT SECRETARY
21 MAY 1950
12247
EDUCATION DEPARTMENT

Subject: District Board, Malabar - Janab P.Oosman Koya, Headmaster, Board High School, Valapad - Appeal against orders of reversion as L.T. Assistant.

R e f: Government Memo.943/F/50-2 Edn dated 10-5-50.

---

The papers have been referred to the Divisional Inspector of Schools, Coimbatore and his remarks are awaited. He is being reminded in the matter separately.

Yours faithfully,

for DIRECTOR OF PUBLIC INSTRUCTION.

RVR 18/5/-

F

57

From

P.Oosman Koya Sahib, B.A.L.T.,
Head Master (Since reduced as L.T.Assistant),
Board High School, Valapad.
South Malabar.

To

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

30

Through

The President,
District Board Malabar,
K O Z H I K O D E.

14104

Through

The Head Master,
Board High School,
V A L A P A D.

Sir,

Sub:- Reduction as L.T.Assistant by the orders of the President - Appeals against dated 26-2-50 and 28-2-50 - Reminded.

---

The Appellant most humbly and respectfully invites the sympathetic attention of the Government to his above Appeals submitted to the Government three months ago on 26-2-50 and 28-2-50 against the orders of the President Malabar District Board Ref.A.3.4246/49 dated2-2-1950 and 3-2-1950 reducing him to the post of an L.T.Assistant for the period of one year with effect from 12-3-50, and respectfully prays that, in view of the unbearable and excessive hardships, financial loss, mental pain and humiliation caused by the depromotion and reduction by the above orders of the President to a poor public servant like the Appellant, as already submitted in detail in para seven of his Appeal dated 26-2-50, the Government may be pleased to sympathetically consider his appeal and direct his restoration to his permanent post as Head Master without any further delay.

For which act of kindness, justice and charity the Appellant shall, as in duty bound,

Ever Pray.

Board High School, Valapad,
dated 1st June 1950.

Edn(F)

No separate action seems necessary. May be filed with papers below.

7.6.50.

(True copy submitted direct)

DPI's final — to papers
Repeal-awaited
6(1)10/6/50

66

From

P.Oosman Koya Sahib, B.A.L.T.
permanent Headmaster (Since Reduced as an L.T. Assistant)
Board High School,
Valapad. (S.Malabar.)

To

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

Through

The President, Malabar District Board,
Kozhikode.

Through

The Headmaster, Board High School,
Valapad.

Sir,

Sub: Reduction as L.T. Assistant by the orders of the president- Appeals against dated 26-2-1950 and 28-2-1950.

(2) Reminder dated 1-6-50-Again Remainded

The Appellant most respectfully reminds and invites the urgent and sympathetic attention of the Government towards his Appeals prefered as far back as five months ago (Against the orders of the president Malabar District Board reducing him as an L.T. Assisting

5 AUG 1950 PRESIDENT, MALABAR DISTRICT BOARD

67

From

P.Oosman Koya Sahib, B.A.L.T.
permanent Headmaster (Since Reduced as an L.T. Assistant)
Board High School,
Valapad. (S.Malabar.)

To

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

Through

The President, Malabar District Board,
Kozhikode.

Through

The Headmaster, Board High School,
Valapad.

Sir,

Sub: Reduction as L.T. Assistant by the orders of the President- Appeals against dated 26-2-1950 and 28-2-1950.

(2) Reminder dated 1-6-50- Again Reminded

The Appellant most respectfully reminds and invites the urgent and sympathetic attention of the Government towards his Appeals prefered as far back as five months ago (against the orders of the President Malabar District Board reducing him as an L.T. Assistant ) and also his subsequent reminder dated 1-6-50 and prays once again for very early orders on the matter.

Board High School,
Valapad.
Dated, 2-8-1950.

Your humble Appellant
2.8.50

(True copy submitted direct for favour of information.)

ASSISTANT SECRETARY
23629
12 AUG 1950
EDUCATION DEPARTMENT

Ref 518/50

- Submitted to the President, Malabar District Board, Kozhikode, for favour of necessary action.

3-8-50

HEAD MASTER.
G. S. BOARD HIGH SCHOOL,
VALAPAD.

Rf A3. 122 46/50

Forwarded to the secretary to Government, Education department in continuation of this office endt No A3. 122 46/50 dt 7.8.50

President 7/8/50

Jr. member 7.8.50

Sec. 7/8
7.8.50

To. The D.P.I. 10/8

---

Edn (F)

943/F/50. Appeal - Secondary Edn - Dist. Board, Malabar - Janab P. Cosman Kya Sahib - Headmaster, Bd. High School, Valabad, Malabar, reduction as Asst.

A1/35 of 9x — fos 1 of — Govt. Memo. 943 F/50-1 Edn d 27.3.50. From the D.P.I. Re. No. 1060 G1/50 d 24.6.50

Memo. No. 943/F/50-4 Edn. d. 9.8.50.

The attention of the D.P.I is ~~requested~~ invited to the references Cited above and he is requested to ~~submit~~ expedite ~~his~~ ~~reply on the Subject~~ final report ~~date~~ urgently ~~at a very early~~

8/8/50

8850

EDUCATION DEPARTMENT

ASSISTANT SECRETARY 24291 18 AUG 1950 EDUCATION DEPARTMENT

From

The Director of Public Instruction,

Madras.

To

The Secretary to Government,

Education Department, Madras.

Rc. 1060.G.1/50 dated 16.8.'50

Sir,

Sub: District Board, Malabar - Janab P. Oosman Koya Sahib - Headmaster, Board High School, Valpad - Appeal against reduction as Assistant -

Ref: Your Memo. No. 945/F/50-4 dated 9..8..'50

---

The appeal of Janab P. Oosman Koya is now under consideration and remarks will be submitted to Government shortly.

Edn(F)

Please see the interim reply from the D.P.I above. If necessary he may be reminded on 10/9/50.

Yours faithfully,

P. O. Paramasivan

17/8

for Director of Public Instruction.

OFFICE OF THE DIRETOR OF PUBLIC INSTRUCTION M A D R A S.
A.C.No. 1060 G1/50 d a t e d 6--9--1950.

Sub: District Board, Malabar--Janab. Oosman Koya, Headmaster, Board High school, Valpad--appeal against the orders of reduction as L. T. Assistant.

Ref: 1. Janab. Oosman Koya-petition dated 26--2--50 and 28--2--50.
2. Government Memorandum 243/E/50--1 Edn., dated 27--3--50.

* * * *

ASSISTANT SECRETARY TO GOVT. 8 SEP 1950 27098 EDUCATION DEPARTMENT

I have submitted the petitions with the following remarks.

It is observed that the President District Board has not offered any specific remarks on the points raised in the appeal.

However the following remarks are offered.

As charge No. 3 has since been dropped by the President, District Board and charge No. 2 has been admitted by the appellant, the Department is practically concerned with charge No.(1)

"That his general conduct and private life left much to be desired in the head of an educational institution and that caused repercussions on the General tone and working of the School".

All the evidence in the District Board Office file goes to prove, not misconduct of the Headmaster but certainly the appellant's incompetency for the maintenance of the discipline required of his post. If this had been made the charge, there is evidence to prove it in the behaviour of the pupils and in the access of a woman to the window near the Headmaster's room.

Charge 2 of unauthorised occupation of the school building though a minor charge, and the appellant's defence that he did not know the rules, can be taken to strengthen the charge of incompetency.

I therefore consider that the punishment is not disproportionate for incompetency. Though the enquiry is technically defective for proving the 1st charge, the available evidence and the incompetency proved by it and also the admission of the 2nd charge justify the punishment.

The District Board Office file D. Dis. 4246/49 dated 23--2--50 is also herewith resubmitted.

for Director of Public Instruction.

To
The Secretary to Government,
Education Department, M A D R A S.
C.R.6/)

79

943/F/50

39

From Janab P. Gosman Koya, Edn. Deputy
ex-Headmaster, Board High School, Valapad, Ty.
Malabar dt. Ld 26.2.50, 25.2.50, 1.6.50 & 2(illegible)

Endt. of the P.D.B. Malabar, Ref. A.3-
12246/50 dt 7.3.50

Endt of the D.P.I, Re. no 1060 S.1/50 dt 6/50
Establishment. Dt. Board, Malabar -
Janab Gosman Koya, Headmaster, Board
High School, Valapad - appeal against
orders of reduction as L.T. assistant

Memo No 943/F/50-5 Edn dt 26/10/50

The Director states
~~It has been stated~~
in the his Endt ~~of the D.P.I~~ cited above
that though the enquiry is technically
defective for proving the first
charge against Janab P. Gosman Koya

P -

24.11.50.

58

DISTRICT BOARD
15 JUN 1950
1532

(Sawas at 57 and 59 1-6-50)

59

Reg 518/50

From

P.Oosman Koya Sahib, B.A.L.T.,
Head Master (Since reduced as L.T.Assistant),
Board High School, Valapad.
South Malabar.

EDUCATION DEPARTMENT
12 JUN 1950

To

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

Though

The President,
District Board Malabar,
K O Z H I K O D E.

Through

The Head Master,
Board High School,
V A L A P A D.

Sir,

Sub:- Reduction as L.T.Assistant by the orders of the President - Appeals against dated 26-2-50 and 28-2-50 - Reminded.

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The Appellant most humbly and respectfully invites the sympathetic attention of the Government to his above Appeals submitted to the Government three months ago on 26-2-50 and 28-2-50 against the orders of the President Malabar District Board Ref.A.3.4246/49 dated2-2-1950 and 3-2-1950 reducing him to the post of an L.T.Assistant for the period of one year with effect from 12-3-50, and respectfully prays that, in view of the unbearable and excessive hardships, financial loss, mental pain and humiliation caused by the depromotion and reduction by the above orders of the President to a poor public servant like the Appellant, as already submitted in detail in para seven of his Appeal dated 26-2-50, the Government may be pleased to sympathetically consider his appeal and direct his restoration to his permanent post as Head Master without any further delay.

For which act of kindness, justice and charity the Appellant shall, as in duty bound,

Ever Pray.

Board High School, Valapad,
dated 1st June 1950.

(True copy submitted direct)

2

ex-Headmaster, Board High School, Valapad, the available evidence justifies the punishment. The Director is requested to specify clearly what the technical irregularity is and whether it is not very material.

23.10.50

To The DPI

To

Education Department.

From

The Director of Public Instruction,
Madras.

ASSISTANT SECRETARY
16 NOV 1950
EDUCATION DEPARTMENT

To

The Secretary to Government,
Education Department.

Roc.No.1060 G1/50 dated 13.11.1950.

Sir,

Sub:- Education-Secondary-District Board, Malabar-Janab Oosman Kotta, Headmaster, Board High School, Valapad-Appeal against orders of reduction as L.T.assistant.

Ref:- Government Memorandum No.943 F/50-5 dated 26.10.1950

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The technical irregularity in the enquiry is that the woman concerned was not summoned especially, when the Headmaster's alleged association with her was the main point for proving the first charge against the appellant.

Yours faithfully,

D. Manickam
for Director of Public Instruction.

G.M. 14/11.

S/c.

24.11.50.

943 1/1=/50

27/11 53 27.11

p1-1a ct

Appeal - Secondary Edn - Janab P. Cosman Koya Sahib - Headmaster, Bd. High School, Valapad Malabar - Reversion as assistant - declined. Rejected.

From Janab. P. Cosman Koya Sahib, Valapad, Malabar Dt. dated 26.2.50, 28-2-50, 1-6-50 and 2-8-50

Endt. of the P.P.I. Malabar, Ref. A 3-12246/50 d 4.3.50 from the D.P.I. Rc. No. 1060 B1/50 d 6.9.50, and Rc. No. 1060 B1/50 d 13-11-50.

To 1) The P.P.I. Malabar (Through the Dt. Board office vide DDr 12246/49 dt 29.3.50 returned)

2) Janab. P. Cosman Koya Sahib thro the P.P.I Malabar.

3) Copy to the D.P.I

S/c.

Ejo (Ms) No. 3150 Edn. 27-11-50

The Govt. decline to interfere in the matter.

The appeal is rejected

24.11.50.

Very Emergent.

From

Janab P. Oosman Koya Sahib, B.A.,L.T.,
Headmaster, Board High School,
Valapad.

To

The Secretary,
Department of Education and Public Health,
Government of Madras, M a d r a s.

Through

The President,
Malabar Dt. Board, Kozhikode.

Sir,

Sub:- Reduction from the cadre of a permanent headmaster to the post of an L.T. Assistant - by the President, Malabar Dt.Board in his proceedings Ref.A3.4246/49 dated 2-2-1950 and 3-2-1950 - Prayer for stay of execution of order under appeal pending final disposal thereof by the Government.

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With reference to my appeal dated 26-2-50 submitted to the Government through the President, Malabar District Board against his Proceedings Ref. A3.4246/49 dated 2-2-1950 and 3-2-1950 (true copies enclosed) reducing me to the post of an L.T. Assistant, I respectfully pray that as requested in para 9 of my appeal, you may be pleased to immediately direct the President, Malabar Dt. Board to keep in abeyance the execution of his order under appeal

pending the final disposal thereof by the Government as I understand that the order of the President reducing me as an L.T. Assistant will come into effect on the 8th of March 1950. I may also be permitted to submit with very deep sorrow that my seriously ailing wife at Tellicherry referred to by me in the concluding sentence of para seven of my appeal has since passed away on 27-2-50.

I may also respectfully mention that I had already submitted two petitions to the President, Malabar District Board on 12-2-50 and 13-2-50 respectively requesting him for the stay of the execution of his order pending a final decision in the matter by the Government. But I have not yet received a reply from him in the matter.

I beg to remain,

Board High School,
Valapad, 28-2-50.

Sir,

Your most obedient servant,

28.2.50

(True Copy submitted direct to avoid delay.)

Edn (F)

Advance Copy. The original appeal reported to have been sent through may the proper Channel may be awaited till ~~6.4.50~~ 6.4.50

6/3/50 6.3.50 7/3/50

Proceedings of the President, Malabar District Board, Kozhikode dated 2nd February 1950.
Sri K.A. Mukundan, B.A., President.

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Sub:-Oosmankoya (Sahib) P - Headmaster, Board High School, Misconduct - Charges framed - Orders passed.

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Janab P.Oosmankoya Sahib has been called upon to answer the following charges:-

1) That his general conduct and private life left much to be desired in the head of an educational institution and that caused repercussions on the general tone and working of the school,

2) That he occupied the school office room for residential purposes without the previous permission of the Special Officer, District Board, for an aggregate period of well neigh 11 months for which he is also liable to pay proportionate rent.

3) That in respect of admission to the school in June 1949, the Headmaster conducted himself in a highly suspicious manner regardless of the instructions contained in Proceedings C.1016-E1/49 dated 30th April 1949 of the Director of Public Instruction and acted in collusion with or ~~esnti~~ connived at the corrupt practice of the Secondary Grade Assistant, Mohamed Sheriff.

2. The facts that led to the framing of the charges are as follows. For some time feelings between Janab P.Oosmankoya, the then Headmaster of the Perinthalmanna High School and the Assistant teachers of the school were strained. Certain complaints of misconduct were received against the Headmaster. Detailed enquiries were conducted at Perinthalmanna by the then Personal Assistant to the Special Officer. Several witnesses were examined in the presence of the Headmaster. The Headmaster also cross-questioned most of them. He gave evidence himself and filed his written statement.

The enquiries revealed the following facts:

(i) Janab Oosmankoya used the school office room for residential purposes from November 1947 to December 1947, from February 1948 to April 1948 and from December 1948 to the date of enquiry without the permission of the Special Officer.

(ii) While residing in the school between February and April 1948, he became involved with a low Muslim woman who was engaged to cook food for him. After some time the woman claimed money for her maintenance and expenses for her expected confinement. When things took an awkward turn, the Headmaster

through the mediation of some of his friends paid her Rs. 100/- to quiet her. The woman was not satisfied and repeated her demands for maintenance after her delivery. On the 20th January 1949, the woman with the child in hand went to the school premises and made a scene. This led to a lot of scandulous talk among the staff, pupils and the public, and lowered the tone of the institution.

(iii) In respect of admissions to the school in June 1949, the Headmaster conducted himself in a highly suspicious manner. He did not maintain the priority list of applications, conduct examinations properly and make admissions regularly. He associated one Mohammed Sheriff, secondary grade assistant of the school with the work relating to the admission of the pupils to the school. Mohamed Sheriff was employed to set question papers for admission examinations in English and Mathematics for form Third and Mathematics for Form I ~~Form~~ and value answer papers in English and Mathematics for Form III and Malayalam and Mathematics for Form I. He was also employed to supervise the examinations, to tabulate the marks to write down the principles of admission, to mark out passes and failures etc., Mohammed Sheriff gave illicit tuition to the several pupils seeking admission and collected varying sums from them. He gave tuition in his house or pupils' houses or in an upstair room in groups on the eve of the admissions.

It was found that answer papers in Malayalam for Form III were given for valuation to Mr. Parameswaran Nambiar, L. T. Assistant. After valuation of the papers, the Headmaster wanted the teacher to increase the marks in respected of 5 selected pupils for reasons ~~X~~ not quite apparent. The Assistant, however, did not agree to increase the marks ~~that~~ but suggested that the minimum might be lowered, if necessary. The Assistant also particularly told the Headmaster that one Mathew, one of the 5 mentioned by the Headmaster who was very weak in Malayalam should not be admitted at all. None the less the Headmaster admitted the boy. The Headmaster conducted a supplementary examination for a single pupil for admission to Form II without regard to the rejection of several applications previously. One Beeve Kathooja who had only passed from IV Class to V Class on 1st June 1949 in an Elementary school was allowed to sit for admission examination in Form I and admitted to that class. One Roman ~~Chetty~~ Kutty who had passed from VI to VII Class was allowed to sit for III Form Examination. One Unnikrishnan (P) who had no record sheet and who had only passed V Standard was allowed to sit for II Form examination.

Janab Oosmankoya was directed to explain the charges





framed against him. He has given a lengthy written statement denying all the allegations and he has examined four witnesses. Of these, Janab P.Abdulla is a resident of Tellicherry Town who says that he had gone to Perinthalmanna two or three times and that he then found Janab Oosmankoya staying in a room in a hotel, but he is unable to say definitely if at any time Janab Oosmankoya stayed in the High School building or not. Janab Muhamed Shafi is another gentleman living in Areacode, who says more or less the same thing. The ~~III~~ 3rd witness is Koya who runs a hotel in Perinthalmanna. He ~~says~~ says that Janab Oosmankoya was staying in his hotel, but he has no accounts to sho w that except that Janab Oosmankoya was taking meals from the hotel. The 4th witness Koyotty is a relative of Janab Oosmankoya. He also says that he saw Janab Oosmankoya staying in a room in the hotel whenever he went to Perinthalmanna, but he is unable to say if Janab Oosmankoya stayed at any time in the school building or not. The evidence of ~~the witne~~ these witnesses proves nothing and is of no avail in the face of Janab Oosmankoya's own admission before the Personal Assistant of the Special Officer in his statement dated 5-7-1949 ~~that~~ he was actually living in a room in the school premises during the periods referred to above as he could not get a house. The 1st charge has, therefore, to be taken as proved. The Headmaster's action in having used the school premises for residential purposes is highly irregular. He cannot escape liability by merely pleading that other teachers also used to do it. He will be directed to take proportionate rent for the period of such occupation as admitted by him to be fixed by the Divisional Engineer (Highways).

4. As reards 2nd charge, the witnesses Nos. 1 and 2 examined by Janab Oosmankoya have been made to say that he is of good character. In his statement given as explanation of the charges against him, Janab Oosmankoya has tried to make out that it was only a beggar woman that went to the school and asked for charity and that all the other allegations are untrue; but this is diametrically opposed to what he has stated before the Personal Assistant to the Special Officer on 5-7-1949. He had then practically admitted all that is stated in para 2(ii) above. I see no reason to discredit the statements of respectable witnesses given before the Personal Assistant at the time of the enquiry, statements which almost immediately after they were given were admitted by Janab Oosmankoya himself. This charge ~~must~~ also must, therefore, be held to be proved.

5. There remains the third charge. The Assistant teacher Muhammed Sheriff referred to above in para 2(ii) has

admitted having given private tuition as alleged and having collected fees from the pupils, but there is no proof that any portion of the money so collected passed into the hands of Janab Oosmankoya. The facts elicited no doubt showed that all was not well with the admissions and that the Headmaster did not strictly follow the instructions of the Director of public instructions in his proceedings C.1016-G1/49 dated dated 30-4-1949 emphasising the responsibility of the Headmaster in the matter of admissions and the need to avoid any sort of irregularities in admissions. But beyond a strong suspicion , it was not possible to assess correctly how far Janab Oosmankoya is guilty in the matter. This charge will therefore be dropped.

6. From all these allegations charges and explanations etc., the only possible conclusion is that Janab P.Oosmankoya has proved himself unworthy of a responsible position of the Head of an Institution like a High school. The refrain of his explanations is that his assistants have not been co-operating with him. That itself betrays want of tact in him and incapacity to command respect and obedience from his assistants, qualities which are essential in the Head of an institution. I, therefore direct that Janab P.Oosmankoya be reduced to the post of an L.T.Assistant for a period of one year from the date of relief. His re-appointment as Headmaster after that will depend on reports received about him from the Inspecting Officers.

Sd.
K.A.Mukundan.
4/2
President.

To

Janab P.Oosmankoya B.A.,L.T.,
Headmaster, Board High School,
Valapad.

Copy to the Headmaster, S.S.Board High School, Valapad.
Copy to the Dt. Educational Officer, S.Malabar, Kozhikode.
Copy to A3 and Account Section.

(True Copy)

28.2.50

Ref.A.3.4246/49

Proceedings of the President, Malabar Dt.Board, Kozhikode dated 3-2-1950.

Sub:-Oosmankoya Sahib P. - Headmaster S.S. B.H.S. Valapad - misconduct - charges framed - Orders issued.

Ref:-This office proceedings No.A3. 4246/49 dated 2/6 --2--1950.

Addendum issued.

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In the penultimate sentence of paragraph 6 of this office proceedings cited above after the words "one year" and before the words "from the date of relief" the following words will be added "exclusive of any interval spent on leave before that period is completed".

Sd.
K.A.Mukundan.
President.

To

Janab P.Oosmankoya Sahib,
Headmaster, S.S.Board High School, Valapad.

Copy to the Headmaster, S.S.Board High School, Valapad.
do The Dt.Educational Officer, S.Malabar, Kozhikode.
do A3 and Account Section.

(True Copy)

Ref.A34246/49.

Proceedings of the President Malabar Dt.Board, Kozhikode dated 8th February 1950.

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Oosmankoya Sahib P. - Headmaster Board High School - Misconduct -charges framed - reduction as L.T.Assistant - fixation of pay in the lower post - orders passed.

This office proceedings No.A3.4246/49 d/2-6-2-1950.

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The pay of Janab P.Oosmankoya Headmaster,S.S.Board High School,Valapad is fixed at Rs.145/- in the scale of pay of Rs.75-5-145 as L.T.Assistant for a period of one year from the date of relief.

Sd.
K.Raghavan
for President.

To

Janab P.Oosmankoya Sahib,Headmaster,
S.S.Board High School, Valapad.

Copy to the Headmaster,S.S.Board High School,Valapad.
Copy to the Dt.Educational Officer, S.Malabar, Kozhi
Copy to A3 and Account Section.
True Copy forwarded by Order.

Sd.
K.S.Menon,
Superintendent.

True Copy

28.2.50

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From

Janab P. Cosman Koya, B.A.,L.T.,
Headmaster, Board High School,
Valapad.

To

The Secretary,
Department of Education and
Public Health, Govt. of Madras,
Madras.

Through The President, Malabar Dt. Board, Kozhicode

Sir,

I beg to prefer this appeal against the proceedings of the President, Malabar District Board, Kozhikode, Ref.A.3.4246/49 dated 2-2-1950 and 3-2-1950 and received by me on 11-2-50 for the following among other reasons.

1. I regret very much that the order of the President under reference is based on an incorrect conclusion which is not warranted by any evidence worthy of credence and acceptance or any admissions made by me before the Personal Assistant to the Special Officer on 5-7-49 as wrongly stated in the order of the President. In my written statement filed before the Personal Assistant on 5-7-49 after he examined the witnesses and myself which is annexed hereto as annexure 1, I have definitely stated that "the alleged incident of a woman's appearance on 20-2-49 was a stray incident which had no connection with the school and which did not recur later though much exaggerated and coloured version was given to it by interested persons with the malafide intention" and that it did not affect the school discipline at all. I also submitted that "the allegations were

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simply rumours which have no foundation." In the face of this clear and definite denial of the allegations regarding my alleged connection with a woman in my written statement, that I should practically admit all that is stated in para 2(ii) of the proceedings before the Personal Assistant to the Special Officer is on the very face of it highly improbable.

2. I might also be permitted in this connection to refer to the relevent reference to this matter in para 2 of my endorsement No.115 A/49 dated 4-2-49 which is appended hereto as annexure 2 which is in accord with the statement I have made in my explanation and also in my written statement filed before the Personal Assistant to the Special Officer. In fact and in truth I did not and could not make such admission to the Personal Assistant to the Special Officer and if his record of my oral statement would lend colour to any such inference I can only state with respect that the Officer did not succeed in faithfully recording my statement. I may state in this connection that the Personal Assistant to the Special Officer did not give me an opportunity to read the statement before signing it and when I said that I should read it before signing it he became impatient and told me that he would report to the Special Officer that I ~~am~~ non-co-operated with the enquiry if I did not sign it immediately. I had therefore no option but to sign it without reading it. I have mentioned this fact to the President also. I got a certified copy of the statement only on 22-2-50 and had not seen it at the time of the submission of my explanation to the President so as to point out its defects. But the statement even as it stands with some serious slips of commission and omission here and there does not in substance contradict my statement in my explanation as I

have definitely stated therein that the charge of my connection with the woman is an unfounded scandal.The relevent portions of the statement even as it is recorded do not justify the President's remarks that I admitted in my statement before the Personal Assistant practically all that is stated in para 2 (ii).

3. The President says that he sees no reason to discredit the statements of respectable witnesses given before the Personal Assistant. I respectfully submit that those statements simply repeat the wild and unfounded rumours set afloat by my personal enemies and do not contain any direct or useful evidence based on the personal knowledge of the witnesses. The Physical Instructor, Kunhikrishnan Nair who tries to give some specific evidence is on his own admission hostile to me and I have made my remarks on him in my confidential report No.115 C/49 dated 6-2-49 which runs as follows: "Regarding No.4 N.Kunhikrishnan Nair Physical Instructor of the school who has been reposted to the same school after his leave period in spite of the advice of the then District Educational Officer Sri A.V. Harihara Iyer last year and also in spite of the repeated request of this Office, was once transferred from here to Cherukunnu High School ~~duri~~ due to grave complaints during the time of Sri Koshi Mudalaly the then Personal Assistant to the Special Officer (Vide complaints of unbecoming behaviour of the teacher towards grown-up girl pupils in the physical education classes and taking records. His work, conduct and character have been anything but satisfactory. Vide his personal files last year and also this office report against him marked confidential No.508/46-47 dated 6-4-47 in reply to your office reference N.Ref. A3-9481 dated 19-3-47 (re pseudonymous petition resubmission with remarks).Recently when the Regional

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Inspector of Physical Education,(Coimbatore) Sri V. Surya Narayana inspected the school he remarked that the physical activities of this High School were are ten years behind other schools due to the incompetence and neglect of the same by the present drill master. Many of the anonymous petitions and"writings on the walls" are directly traceable to him. It is due to this that Sri A.V. Hari Hara Iyer, the D.E.O. had recommended even last year that the drill master should be transferred from this station." Even his evidence does not connect me with the woman. His statement about having seen the woman several times is contradicted by the statement of Hari Hara Sastry on that point. That the scandal spread by my enemies among my assistant teachers and others regarding my alleged connection with a low Muslim woman as stated in the charge framed against me is false and frivolous will be found not only from the fact that at the enquiry there was not one witness who gave any direct evidence on the point and those who spoke on it simply gave some hearsay evidence but also by the very significant fact that the woman in question never made any complaint to the Officer who conducted the enquiry or to any other Authority till this date nor did she make any claim for the maintenance of the child in a Court of Law. Besides, as admitted by all the witnesses the woman never made her appearance in the school later. If there were truth in the charge that would not have been the case, especially when my personal enemies who did not scruple to send even faked and forged letters and intents in my name as referred to in my 8 para 3 to 6 of my Confidential Report dated 6-2-49 several months before the enquiry. Thus there is absolutely no evidence worthy of acceptance to prove the charge of my alleged involvement with the woman and I respectfully submit that the

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President's conclusion that the charge must be held to be proved is incorrect and unsustainable. In this connection I respectfully invite your kind attention to the testimonials of character given to me by eminent persons who had opportunities of knowing me and append them as annexures 3 series and submit that my antecedents of life as indicated by them highly improbablise the conduct that is now sought to be attributed to me.

4. As for the comment of the President on my complaint that the teachers were non-cooperating with me I respectfully submit that the insubordination and indiscipline of the teachers as strikingly illustrated by the resolution of the Staff Council in complete violation of the rules relating to the conduct of the Staff Council and their attempts to informally contact the Personal Assistant to the Special Officer in a very improper way as admitted by them were motivated by their design to bring disrepute on me and to serve their own ends of personal advantages in their official careers and could not be avoided by me in spite of my best efforts to deal with the situation with the utmost tact. That Messrs P.V. Vasu Nair who claims to be related to the Personal Assistant to the Special Officer and Mr. K.Balakrishna Menon approached the Personal Assistant to the Special Officer and made representations to him about me before the meeting of the Staff Council is a fact admitted by them at the enquiry. It may also be kindly remembered that Messrs Vasu Nair and K.P. Ramakrishna Iyer, L.T.Assistants who deposed against me are the gentlemen who appealed to the Government against my selection as Headmaster in 1942 and whose appeals were rejected by the Government. And it will be very

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hard to condemn and penalise me ~~instead of taking~~ for their conduct in the way in which the President has done instead of taking severe disciplinary action against them.

5. It is significant that all the witnesses at the enquiry who wanted to make out that the woman's incident surely affected the discipline of the school as admitted in their depositions that there was indiscipline in the school even before the incident and that the incident was not repeated. The fact that the woman's incident was not noticed by some of the witnesses like Mr. C.H.Narayanan Nambiar and clerk Ibrahim though they were in the school is sufficient indication of the fact that the incident was not of such a sensational nature as was sought to be made out by the other witnesses. The statement of the Peon Ayamoo is very important in that it will make it clear that it was an ordinary incident of a woman straying into the school premises and that he sent her forthwith away. He also definitely says that I did not see the woman and that I was only told about it by him. Peon Ayamoo also speaks definitely to the fact that no woman ever came to my room in the night as falsely insinuated by some of the witnesses on alleged hearsay information and it may be kindly remembered that he is the most competent witness to speak on that point as he used to sleep near my office room. That the woman came in and asked for charity was a fact which I gathered from peon Ayamoo and I have stated as such in my endorsement appended as annexure 2 as early as 4-2-49 and it is that fact that I have repeated in my explanation to the President. I have not referred to the woman as a beggar woman as stated in the orders of the President. The discrepancy, if any, in the records of my oral statement by the Personal Assistant is explained by the circumstances

I have already indicated above. I would also request you to ~~consider~~ kindly consider the significance of the long interval of five months for witness Sri A.Raghavan Nair and others to express concern about the effect of the woman's incident on the discipline of the school and to draw the inference that the incident ~~had~~ had no such repercussion on the discipline of the school as suggested by them from the circumstance of their silence for 5 months over that matter before they thought of complaining to the authorities.

6. I further submit that even if the charge is taken as proved it would at worst make out a weakness in my private life and however deplorable it might be from a moral point of view it does not constitute an infringement of any of the rules relating to the conduct of a public servant and cannot be made the basis of the punishment meted out to me especially in view of the fact that no responsible officer of the District Board or the Educational Department noticed any laxity in the discipline or the morale of the school though some of the said officials like the Regional Inspector of Physical Education, Coimbatore visited the school within a week of the alleged incident viz. 26th and 27th January 1949.

7. From the foregoing facts and circumstances I submit that it will be clear that the allegations in para 2 (ii) have not been proved by the evidence adduced at the enquiry. As for the President's remarks that I have proved myself unworthy to hold the responsible position of the Headmaster, I beg to submit that I was occupying the place of Headmaster of two high schools, Cherukunnu and Kadirur from 1942 to 1946 and my work in that capacity especially during the difficult period of the 2nd World War was

appreciated by my superior officers like Messrs R. Sambasivam Pillay, B.A.,L.T., D.E.O., North Malabar in the Tabular Inspection Report of Board High School Cherukunnu,1942-43, page 16 and A.V. Harihara Iyer in the Tabular Inspection Report for Board High School Kadirur, 1944-45, Page 14. And also the letter of appreciation in the Proceedings of the President Dt. Board, Malabar, Ref.L.Dis.22262/43 dated 31st December 1943 will also testify to the same. My work as the Headmaster of the Perinthalmanna High School has come in for the appreciation of Sri V.Natarajan the then District Educational Officer, South Malabar and the present Divisional Inspector of Schools, Coimbatore Division who wrote on 18-8-46-47 in his Inspection report as follows:- Page 9 and page 11, "The present Headmaster has to be congradulated on his efforts in getting the public to donate some bences and desks which are being made at the time of Inspection. The present Headmaster has recently taken charge and is keen and enthusiastic in making the school more efficient and popular. He has been able to persuade the public to donate benches and desks. He has been trying to improve the extra curricular activities of the school." The results of the S.S. L.C. in the Perinthalmanna High School during my Headmastership which worked out at 67 per cent was specially appreciated by the Special Officer in the following terms: "Board High School Perinthalmanna has shown a good record. It is hoped that the record would be kept up and improved further." (Vide Periodical 137/47 dated 29th June 48 of the Special Officer District Board, Malabar. In the face of my past record of the Headmaster of High Schools under the Malabar District Board adverted to above I respectfully request that the Government may not be pleased to confirm the

finding of the President based on the most interested and highly unsatisfactory evidentiary materials discussed in the foregoing paragraphs. As for the punishment awarded to me it is extremely severe, excessive and unprecedented in the history of such enquiries by the Board in some of which even charges of embezzlement were made against some of the Headmasters who still continue as such in the District Board Service, to none of whom any such punishment was ever meted out. Besides the humiliation and mental pain that are caused to me by the de-promotion ordered by the President, it would result in the loss of more than a thousand rupees to me per year which would be an unbearable financial loss for a public servant like me in these difficult days when besides meeting heavy expenses connected with the maintenance of the family and the education of my children I am faced with financial obligations relating to the expenses caused by the serious illness and subsequent death of my wife in 1948 and the heavy expenses of the treatment of my very seriously ailing wife at Tellicherry.

In these circumstances I respectfully pray that the Government may be pleased to revoke the finding of the President on this charge and the punishment awarded by him to me on that finding.

8. As regards the charge of my occupation of the school office room without the previous permission of the Special Officer, I submit that I admitted having used the room for sleeping purposes in the interest of the safety and security of the public funds with me though I had a room in the hotel. After the Circular of the Special Officer I never made use of the room even for sleeping purposes. I used the school office room in the exceptional situation in which I was not able to secure a house and I did not think it safe to sleep in a hotel room with the fee collec-

collections and other public funds with me and before the Special Officer prohibited the practice in his Circular, Ref.D.Dis. 34551/49 dated 13-8-49 which I submit also makes it clear that it was a common practice with the headmasters for using the school office room under the bonafide impression that it was unobjectionable. In these circumstances I request that I may be excused for sleeping in the school office room and I may be exonerated from the liability of payment for such occupation.

9. Finally I respectfully pray that you may be pleased to direct the President,Malabar District Board to keep in abeyance the execution of his orders under appeal pending the final disposal thereof by the Government as I understand that the order of the President reducing me as an L.T.Assistant will come into effect on the 8th of March 1950.

Board High School,
Valapad,26-2-50.

I beg to remain,
Sir,
Your most obedient servant,

True Copy submitted direct to avoid delay.

Annexure 1.

Statement ~~of~~ by P.Usman Koya Sahib,B.A.B.T., Headmaster Board High School, Perumthalmanna under date 5-7-49 submitted to the Personal Assistant to the Special Officer, Malabar District Board Kozhikode.

From the perusal of various records relating to the admission examination such as the information to the candidates the Memo to the paper setters and examiners and instructions to the superintendents for the admission examination for Saturday 11-6-49 it will be evident that the rumours of malpractises etc. regarding the assignment of papers correction etc. had no foundation. Again from the records and information gathered by the Personal Assistant it will also be clear that I was throughout guided and advised by my 1st Asst. Sri A.V.Ramanatha Iyer B.A.L.T. who himself has acted as Headmaster and is a probationer for the post of Headmaster and that there was no remiss on my part with regard to supervision etc. in connection with the examination nor any deviation with regard to admission as for rules laid down by me. The examination and correction of papers were carried out according to plan with speed and discretion in spite the failure of some assistants to whom papers were assigned originally to make themselves available for assisting me in the work.

Regarding the alleged incident of a woman's appearance in the school on 20th February 1949 I submit as reported already it was only a stray incident which had no connection with the school and which did not recur afterwards though much exaggerated and coloured version was given to it by interested persons with the malafide intention. It will also be clear that it did not affect school discipline at all. I therefore finally submit that the allegations were simply rumours which have no foundation and that in spite of best efforts to carry our onerous duties as Headmaster it is felt that any small error or indiscretion is committed in the course of my official duties I assure the Special Officer that it was due to inadvertence or oversight and that I shall even be over careful to see that they never recur in future.

Sd.
P.Usman Koya,
Headmaster.

Annexure 2.

With regard to the alleged'incident' and'indiscipline' referred to in the so-called resolution communicated by the Secretary Staff Council stated to have occurred in the afternoon of 20-1-49, I emphatically deny that there was any such incident or indiscipline. All that happened was that just towards the end of the 2nd period in the afternoon of 20-1-49 at 3.15 P.M. and(not during the 1st period in the afternoon as alleged in the communication) A woman on her way just stopped near the office room and asked for some ...rity and the school peon on duty asked her to go away. It ...as the usual interval time for 5 minutes between 3.15 p.m. and

3.20 P.M. and the pupils had come out for drinking water etc. as they used to do ever day at interval. The woman then went away and the school resumed work after the interval as usual. I was just then busy with my office work and there was no necessity for me to come out for there was no indiscipline or any incident. All this happened within 5 minutes interval time and not half an hour as mischievously alleged by the secretary in his communication.

From the facts explained above it will be clear that there was neither any single incident or act of indiscipline in the school on the day referred to necessitating my interference nor was there any resolution adopted by the Staff Council Meeting. The scurrilous and baseless allegation referred to in the Secretary's communication were all cooked up deliberately with a view to bring the Headmaster into disrepute and contempt and ~~serve as a~~ prejudice the authorities against me. These matters were deliberately planned by the Secretary Sri Balakrishnan Nair, Secondary grade Assistant with other mischievous and aggrieved members of the Staff who formed themselves into an unholy click in the school against the Headmaster with a view to cause maximum troubles to him in his lawful discharge of his onerous duties. A detailed report regarding this after careful investigation is being submitted to you separately in a confidential cover in response to your office reference A3 40758/48 re. faked petition to the special officer on the name of the headmaster dated 22-12-48. My earnest request to you is that you will be pleased to take stern disciplinary action against the erring assistants so as to bring them to a sense of duty and esprit de corpse and exonerate me from these scurrilous and unwarranted allegations.

Sd.
P.Usman Koya 4-1-49

(Endorsement 115A 49 of 4-2-49.

Annexure 3rd series.

Government of Madras. Teachers' College Saidapet.
1-9-1931.

Mr. Usman Koya B.A. is undergoing L.T.Training in this College. He is highly spoken of by his lecturers and is a keen and active student. During his stay here his conduct and character have been excellent. He is the only Mopla student in this college.

Sd.
R.M. Statham, I.E.S., C.I.
Principal.

Series 3 (ii)

Government of Madras, Govt. Victoria College,
31-8-31.

P.Usman Koya was a student of this college from 1928 to 1930 reading in preparation of the B.A.Degree Examination of the University of Madras. He passed that examination in 1930 with history and economics as his optional subject.

Since leaving the college he has been history master at Islamia College Veniambady and is now undergoing training in the teachers' College Saidapet, in preparation for the degree of Licentiate of Teaching During his College Course, Usman Koya gave satisfaction b th in his class work and in the college examinations. He was a hard worker, courteous and polite in all his dealings, and his conduct throughout was excellent.

Sd. H.C.Papworth,
Indian Educational Service
Principal.

Series (iii)

Tellicherry
15-9-1935.

Khan Bahadur
T.M.Moidu Saheb, M.L.C.

Mr. P.Usman Koya, B.A.L.T. is known to me for the past several years He belongs to a very respectable Mopla family in S.Malabar and he is, one of the few enthusiastic, educated young men of the educationally backward Mopla community. After passing his L.T.Degree examination he joined the Malabar Dt.Board service as History Asst. in June 32 while I was the President of the Dt.Board and I had ample opportunities of coming into close contact with him. He is very much interested in educational activities and has, within his limited sphere contribute



considerably to the educational awakening and development of his community. I have always found Mr. Koya able, active, industrious and very enterprising and have no doubt that he will discharge any duties entrusted to him most satisfactorily with a sense of responsibility. He bears an excellent character.

Sd.
T.M.Moidu, M.L.C.

3 (iv).

Khan Bahadur P.Sherfuddin, M.A., B.L., Judges bungalow,
~~Judge's bungalow,~~ Waltair 25-11-48.

I have known Mr. P.Usman Koya B.A.,L.T. Headmaster, Board High School, Kadirur, Tellicherry quite well when I was the Sub-Judge there from October 1944 till October 1946 and was also the President of the N.Malabar Dt.War Committee. He took very great interest in all war work and his school supplied numerous war workers here and elsewhere for war service. He was held in high esteem by all the people. His conducted the school in a very able and efficient manner to be an excellent Dt.Edl.Officer if selected. His character and capabilities were such that he would prove

Sd. Sherfuddin.

3 (v).

Kapura Govindan Menon, M.A.(Oxon) Govt, College,
Bar-at-Law. Principal. Govt, Brennen College, Tellicherry.
5-11-1948.

Mr. P.Usman Koya B.A.L.T. was fairly well known to me when I was a Dt.Edul.Officer, N.Malabar, 1940-42. teaching which I
He had a thorough grasp of the fundamentals of sheer enthusiasm was able to inculcate in his students by dint of integrity and I can confidently recommend him for any post efficiency are the qualifications for appointment.

P.G.Menon.

into

3 (vi)

Abdurahim Ahamed, B.A., B.L.,
Principal pt. Munsif.

Tellicherry
19-11-48.

This is to certify that I know Mr. P.Usmon Koya Sahib B.A. T.T. Personality. He impressed me as an ardent educationist and a well bred by disposition. He bears reputable conduct and character and is amiable

Sd. Abdurahim Ahamed.

( True Copies.)

Headmaster
26.2.50

2

APPEAL - Secondary Education - Janab P.Oosman Koya Sahib - Headmaster Board High School, ~~Velapad~~, Valapa Malabar - ~~Reduction~~ Reversion as Asst.

59

"What has become of this please".

H.M.(E.&.L) 16-5-50

Please see H.M.(E.&.L.)'s minute on p. 39 c.f. extracted above.

It is submitted that the remarks of the D.P.I. ~~has~~ been called for on the appeal petition from Janab P.Oosman Koya Sabib, ex-head master, Board High School Velapad, Malabar, against reversion as Asst. on the charge of misconduct etc. The D.P.I. has just sent in an interim reply stating that the remarks of the Dvl. Inspector, Coimbatore are awaited. The Director will be reminded for ~~his~~ final report on 10-6-50.

May be circulated to H.M.(E.&.L.) w.r.t. his minutes extracted above.

24.5.50.

N.M. (E.&L.)

Edu(C)

2 MAY 1950

The draft reminder Memo to the D.P.I is for approval

12.6.50

[Issued as Memo No 943 F/50-3 Edn dt 13/6/50]

Edn.Deptt.(F)

From Janab P. Cosman Koya, Headmaster, Bd.High School Valapad, Malabar Dt. dated 26-2-1950, 28-2-50, 1-6-50 and 2-8-1950.

Endt.of the P.D.B.Malabar, Ref.A.3-12246/50 d/7-3-50.

From the D.P.I.Re.No.1060 S.1/50 dated 6-9-1950.

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Estt.-Dt.Board, Malabar, Janab Osman Koya, Hd.Master Estt.-Dt.Board, High School, Valapad -appeal against Orders of reduction as L.T. Assistant.

...

Janab P.Cosman Koya , Ex-headmaster, Bd.High School, Malabar has preferred an appeal against the proceedings of the President District Board, Malabar Ref.No.A.3.4246/49 dated 2-2-50 reducing him to the post of an L.T.Assistant on the charges of misconduct etc., for a period of one year. The P.D.B. Malabar has merely forwarded the appeal without offering any specific remarks. The remarks of the D.P.I. on the appeal are on page 73 c/.

2/. The following charges were framed against the Ex-headmaster:-

1. That his general conduct and private life left much to be desired in the head of an educational institutions and that caused repurcussions on the general tone and working of the school.

2. That he occupied the school office room for residential purposes without the previous permission of the Special Officer, District Board for a total period of well nigh 11 months; and

3. that in respect of admission to the school in June 1949 the Head master conducted himself in a highly suspicious manner and acted in collusion with or connived at the corrupt practice of the secondary train grade Assistant, Mohamed Sheriff . Certain

Certain complaints of misconduct received against the Headmaster led to the framing of the charges specified

C.943/F/50



above. Of the three charges, charge No.3 was dropped as there was so sufficient proof. After a detailed enquiry conducted by the then Personal Assistant to the Special Officer, the appellant was reduced to the post of an Assistant. Attention is invited to the Proceedings of the P.D.B. on pp 235-237 cf. of the District Board Office file put at (N)

As regards charges 1 and 2, they are taken to be proved on the basis of the statement made by the appellant before the P.A. to the Spl.Officer on 5-7-1949 and the Statements of the witnesses examined. The statements are on pp 154 -159 of the Dt.Board Office file at 'N'. The main contention of the appellant is that he did not make any admission before the P.A. as stated in the Proceedings of the President. He further states that the P.A. did not give him an opportunity to read the statement before signing it. It is seen from the Statement that he admitted before the P.A. that for want of accommodation he had to reside in the school. The Statement also refers to how he became involved with a a low muslim woman who was engaged to cook food for him. The D.P.I. considers that though the enquiry is technically defective for proving the first charge, the available evidence, and the admissions incompetency proved by it, the admission of the 2nd Charge justify the punishment. As pointed by the Director, the evidence in the Dt.Board Office file goes to prove the incompetency of the appellant for the maintenance of discipline in the school.

For orders whether in the circumstances Govt. refuse to interfere in the matter.

The file may be circulated to H.M.(E.& L.) for orders.

943/F

I find the required procedure in cases of disciplinary action has not been taken in this case, such as the officer being allowed to cross-examine witnesses or his being asked to show cause why the particular punishment should not be given to. Please verify & let me know

11/10

Attention is invited to the charges framed against the appellant on pp.173-174 cf. of the Dt.Board office file put up at (N). It is seen that in the charge Memo the appellant was asked to explain the charges and show cause why he should not be reduced as an L.T. assistant besides recovering the proportionate rent for the period he occupied the School office room for residential purposes. In the oral enquiry conducted by the Personal Assistant to the Special Officer, the appellant was allowed to cross examine the witnesses. Please see the portions marked A,B & C on pp. 79,84 & 94 cf respectively of the Dt.Board Office file. The procedure laid down in rule 5 of the Statutory Rules relating to the appointment and punishment of officers and servants of local bodies appears to have been followed in this case.

For orders.

4.10.50

5.10.50

~~It may decline~~

To

What is the technical defect referred to by the D.P.I in his U.O. note dated 16.10.50 ?

16/10

A on p173 cf

(N)

SECRETARY 3 OCT 1950 EDUCATION DEPARTMENT

SECRETARY 16 OCT 1950 EDUCATION DEPARTMENT

For orders

6/10

6.10

No. 943/50-F

(1) Please see H.M's query p 4 ante. It is not clear from the Dt. Board Office file what the technical defect in pres the first charge against the appellant re to by the D.P.I is. The appellant states in para 2 of his appeal Assistant to the Special not give him an opportunity statement recorded by him it. This is, presumably, relev technical defect by the DPI may, perhaps, be asked to position. Subject to orders, a is submitted for approval.

17.10.50

23.10.50

* The Director may be asked to state what he has in mind

23/10/50

p 75-76 cf (Issued on Memo. No. 943/F/50-5 dt 26/10/50)

p 77 cf (C. No. 36200/F/50. from the D.P.I. Roc. No. 1060 Eg1/50d

Edn

Please See the letter from the D.P.I on p 77 cf. It will be seen that technical defect referred to by the D.P.I in his letter dated 6.9.50 regarding the enquiry Conducted by the P.A. to the S.O. Malabar Dt. Bd, is that the woman Concerned was not Summoned as the appellant alleged association with her was the main point for proving the first Charge of misConduct against him

May be Circulated to H.M(E&R) with ref. to his minutes a p 4 ante.

20/10/50

Sign p 73 cf In view of this, it cannot be stated that Charge I relating to the appellant's private life can be stated to have been proved beyond doubt

It need not necessarily be so. It is often difficult to get the woman Concerned to give evidence.

3/11/50

18/11/50

943)B

SECRETARY
22 NOV 1950
EDUCATION DEPARTMENT

Please see letter orders
ation above.
the draft order below
submitted for approval.

24/11/50

23/11/50

23/11/50