

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,
Hon'ble Chairperson**

Dated this the 29 th January, 2010.

H.R.M.P.No.101/2009

Petitioner : Teachers of
Easwaravilasam Higher Secondary School,
Naduvathur Village, Kottarakkara Taluk.

Respondent : Sureshkumar, Manager,
Easwaravilasam Higher Secondary School,
Neduvathur.

ORDER

Petitioners are the teachers of Easwaravilasam Higher Secondary School, Neduvathur, and the respondent is the Manager of the said school. Complaint of the petitioners, in short, is that the respondent is harassing them including the lady teachers both mentally and physically.

In the report submitted by the District Educational Officer (DEO), Kottarakkara, it is stated that an enquiry was conducted at the school on 9-2-2009 at 10.30 a.m. and during the enquiry 35 staff, including teaching and non-teaching staff, gave their statements and the allegations against the respondent are not proved in their statements and some of the staff stated that they are not facing any nuisance from the respondent.

According to the report, nobody gave a statement with clear details of harassment by the respondent pointing out the date, the nature of the harassment and if complained to whom the said complaint was given especially complaining

about the allegation of beating the teachers. It is further stated that neither the headmaster nor the teachers made any complaint at the office of the DEO about the harassment by the manager or about his interference in the academic matters which prevents the smooth functioning of the school and that the headmaster stated before the DEO that the school records including service book of the staff are kept by him in his custody.

In respect of the complaint of denial of allowances to the teachers it is stated in the report that nobody gave a specific statement to that effect. As regards the allegation of non-payment of increment to teachers, Mohandas and Reghunathapilla, it is stated in the report that the increment was not sanctioned to the above teachers since their service books were found missing and it was sanctioned to them immediately after the service books were traced out.

According to the DEO, the respondent stated before him, during the enquiry, that after he purchased the school he constructed the compound wall with a gate and also put up a permanent building with concrete roof and that these constructions were on the request of the students, teachers and parents. According to the report, most of the staff members stated that the allegations by the teacher Maya are true but nobody could establish the allegations against the respondent during the enquiry. The DEO, in his report, has stated that he came to know that a Police investigation is going on in the same subject matter which will bring out the real truth.

The report, therefore, shows that no specific details were given by any of the staff before the enquiry officer and they made vague allegations. In any view

the report shows that an investigation is being conducted by the Police and that the truth or otherwise of the allegations will be brought out during such investigation.

In the above circumstances, no further orders are required and the investigating agency will conduct the investigation in the matter and file the final report before the Court. If the petitioners are aggrieved it is for them to approach the Court to seek their grievances redressed in the matter in view of the judgment by the Supreme Court in 'Sakri Vasu Vs. State of U.P and Others (AIR 2008 Supreme Court 907)'.
The petition is accordingly closed.

Justice N. Dhinakar,
Chairperson.