

The Bishop of Kolkata and President,  
Board of Governors (La Martiniere Schools)  
Bishop House  
Kolkata

Sub: Complaint of corporal punishment against La Martiniere School for Boys, Kolkata, received from Mr. Ajay Rawla, father of late Rouvanjit Rawla.

Sir,

Mr. Ajay Rawla, father of late Rouvanjit Rawla, who was a student of Class-VIII of La Martiniere School for Boys, Kolkata, lodged a complaint in person on 20.5.2010 regarding corporal punishment meted out to his son by the Principal and other teachers.

2. Subsequently, an inquiry was conducted by the Commission into the complaint. The Report of the Inquiry Team was deliberated upon by the Commission thereafter.

3. On careful consideration of the findings of the Inquiry Team; representations received from various quarters, including from the Principal and the Secretary of La Martiniere School for Boys as well as the relevant laws, regulations and Orders of the Hon'ble High Court of Kolkata on the subject, the Commission would like the Board of Governors of the La Martiniere School for Boys, Kolkata, to take following actions and furnish an Action Taken Report within 15 days from the date of issue of this letter.

(A) ACTION AGAINST STAFF OF LA MARTINIERE FOR BOYS, KOLKATA

- i) Removal of Mr. Sunirmal Chakravarthi, Principal and Mr. L.J. Gunnion, Head of the Middle School for inflicting violence on late Rouvanjit Rawla and also for allowing the practice of corporal punishment in the school by other teachers as well despite being aware that it is in violation of the law.
- ii) Withholding of two increments, without cumulative effect, of Mr. Partho Datta, Assistant Teacher; Mr. David Royan; Assistant Teacher; and Mr. Brian Gomes, Assistant Teacher, for causing mental and physical harassment to late Rouvanjit Rawla. Thereafter, the School Board and Management will review and assess their behavior and accordingly decide whether their increments be resumed.

(B) REVIEW OF STAFF OF SCHOOL

- i) The School Board and Management shall consider reviewing and assessing the behavior of all other teachers in an objective and professional manner and take necessary action under their service rules.
- ii) The School Board/Management shall initiate action against the staff of the School, as recommended by the Commission, under Para 1 (i) and (ii) above, within 15 days and submit a Report thereof to the Commission.

(C) MODIFICATION OF SCHOOL RULES

- i) The School Board/Management shall delete Section 5 (vii) of the School Diary which confers unfettered powers on the Principal and reads as under:

“The Principal may, in the interest of the school, have a student’s name removed from the school rolls if, in the former’s opinion, the student has failed to accept the discipline of the school and his continued presence is detrimental to the interests of the other students and/or the student fails to come up to the academic standard of his class when the detention of boy in the same class would make him too old for his class.”
- ii) Apart from the above, the School Board/Management will review their rules and regulations as contained in the school diary as well as the Staff Service Rules and Regulations in order to bring them in line with the provisions of the Right to Free and Compulsory Education Act, 2009. For example, no child will be detained in any class till and including Class VIII.
- iii) Infliction of corporal punishment is to be treated as a grave misconduct which will invite major penalties. In addition, manipulation or bringing pressure on students to testify in favour of the school authorities by the staff of the school shall also be treated as a grave misconduct and invite major penalties.
- iv) The School Board/Management shall draft provisions to address any violation by the Head/Principal of the School and penalties in connection thereto. This shall be incorporated in the Rules and Regulations of the school.

(D) PREVENTION OF CORPORAL PUNISHMENT

- i) The School Board/Management shall immediately introduce practices for preventing corporal punishment in the school in accordance with the provisions of RTE Act and submit a quarterly report, indicating the steps taken by it in this regard, to the Commission.
- ii) The School Board/Management shall ensure that the Parent-Teacher Association for every class is constituted and held at least once in every two months and make it mandatory for the parents to attend at least 75% of such sessions.
- iii) The School Board/Management shall establish an independent Child Right Cell (CRC), one for Junior and Middle School and another for the Senior School, comprising representatives of management, teachers, parents, alumni and students to be chaired by a Member of the Board of Governors. The CRC shall:
  - (a) direct the Principal to get complaint boxes placed at strategic locations in the school. The keys of such boxes shall remain with the Child Rights Cell and the boxes shall be opened in its meetings;
  - (b) hear the grievances of students/parents and ensure that no student/parent is harassed for making complaints;
  - (c) ensure that adequate steps have been taken to prevent corporal punishment in the school;
  - (d) oversee the measures taken by the school in improving its basic amenities like hygienic and clean toilets, provision of potable drinking water, etc.
- iv) The School Board/Management shall ensure the smooth functioning of the Child Rights Cell and submit a quarterly report in this regard to the Commission.
- v) The first report with regard to the Child Rights Cell should reach the Commission by 30<sup>th</sup> September, 2010.

Yours sincerely,

(Lov Verma)

Copy, for information, to:-

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(Lov Verma)  
Member Secretary