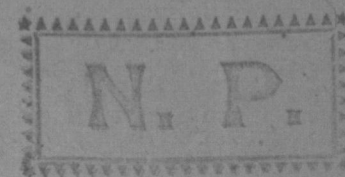


Educational (190 2) Department.

ORDINARY PRINTED.

G.O., No. 260

DATED 2. 5. 02.



INDEXED.

ORIGINAL

[Despatch Abstract.]

Remuneration

Recording, pending the submission of further information letter from the D. B. I. requesting sanction to Mr Stone, of principal, Rajahmundry College, accepting a remuneration for revising the last edition of Sinclair's Histories of India & England.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1902} of Madras. EDUCATIONAL.

Recd.

Regd.

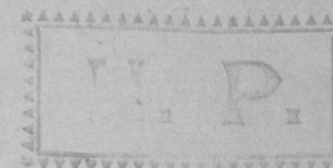
} 1902.

Enclosures

Spare copies

ORIGINAL

G.O., No. 260, 2nd May 1902.



MAY.

Remuneration.

Recording, pending the submission of further information, letter from the Director of Public Instruction requesting sanction to Mr. Stone, Acting Principal, Rajahmundry College, accepting a remuneration for revising the last edition of Sinclair's Histories of India and England.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following paper:—

From the Hon'ble Mr. G. H. STUART, M.A., Director of Public Instruction, to the Secretary to Government, Educational Department, dated Madras, 16th April 1902, Ref. on C. No. 33.

I have the honour to request that sanction may be obtained under article 91 of the Civil Service Regulations for Mr. Stone, Acting Principal, Rajahmundry College, accepting a remuneration of Rs. 1,105-11-2, being his share of the profits on the last edition of Sinclair's Histories of England and India as revised by him. He reports that he undertook the work of revision at the request of the late Mr. Grigg and completed it in 1897.

ORDER—No. 260, Educational, dated 2nd May 1902.

Recorded pending receipt of further information from the Director.

(True Extract.)

M. HAMMICK,
Secretary to Government.

To the Director of Public Instruction,

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 260, EDUCATIONAL, DATED
2ND MAY 1902.

[SUBJECT.—*Acceptance of remuneration from a private person*].

From the Director of Public Instruction, R.C. No. 33, dated 16th April 1902.

For the Assistant Secretary—

Under article 91 (c) of the Civil Service Regulations the sanction of the Government of India is required in this case but before that Government is addressed information seems to be necessary on the following points:—

(1) Why the two works are treated as one for the purpose of the remuneration. If the amount received on account of either of them is Rs. 500 or less, this Government can sanction it.

(2) The party for whom the work was done—Mr. Sinclair or any publishers.

(3) Why there was so much delay in submitting this application.

The Director may perhaps be asked u.o.

P. T. THARYAN.
19-4-02.

Secretary—

We may ask the Director of Public Instruction as proposed. If he can arrange to separate the two works so as to bring the matter within the sanctioning power of the local Government, it will be a good thing: references to India should be avoided if possible, on principle.

2. In any case Government should have fuller information. Mr. Stuart may be inclined to withdraw his present letter and replace it by two letters—one relating to the English, the other to the Indian, history.

A. T. PRINGLE.
21-4-02.

To Director for favour of further information.

M. HAMMICK.
22-4-02.

Director of Public Instruction u.o.

Mr. Stone has gone to England for his vacation. I have written to him for the information required and in the meantime the application may lie over.

G. H. STUART.
29-4-02.

Educational u.o.

EDUCATIONAL DEPARTMENT.

The draft below may issue.

P. T. THAYAN.
1-5-02.A. T. PRINGLE.
2-5-02.Educational (190²) Department.CURRENT No. 626 *u*

From

[Name] The Honorable Mr. G. H. Stuart, M.A.,[Designation] Director of Public Instruction,[Station] Madras.DESPATCHED²

16 APR. 1902

Ref. No. 33/02Dated 16th April 1902Enclosures NilReceived 17 APR 1902 190 .Registered 17-4 1902

SUBJECT.

Requesting sanction for Mr. Stone, Acting Principal, Rajahmundry college, accepting a remuneration of Rs. 1,105-11-2 for revising the last edition of Sinclair's Histories of England & India:

BACK PAPERS.

FURTHER PAPERS.

To

The Secretary to Government,

Educational Department.

Sir,

I have the honour to request that sanction may be obtained under Article 91 of the Civil Service Regulations for Mr. Stone, acting Principal, Rajahmundry college, accepting a remuneration of Rs. 1,105-11-2 being his share of the profits on the last edition of Sinclair's Histories of England and India as revised by him. He reports that he undertook the work of revision at the request of the late Mr. Grigg and completed it in 1897.

I have the honour to be,

Sir,

Your most obedient servant,

G. H. Stuart

Director of Public Instruction.

Educational (1902) Department.

D. O. No. 26 of 10-7-02

From

[Name] G. H. Stuart Esqr., M. A.,

[Designation] Director of Public Instruction,

[Station] Ootacamund.

No.

Received 10th July 1902.

Dated 9th July 1902

Enclosures 2

Registered 10th July 1902.

SUBJECT.

Sanction for accepting ^{and} by ^{Mr. J. H.} Stone of the sum of Rs. 1105 for editing Sinclair's Histories.

BACK PAPERS.

40. 260 72-5-02 Copy

FURTHER PAPERS.

To

The Chief Secretary to Government,

Department.

Sir,

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 260, EDUCATIONAL, DATED
2ND MAY 1902.

[SUBJECT.—Acceptance of remuneration from a private person].

From the Director of Public Instruction, R.C. No. 33, dated 16th April 1902.

For the Assistant Secretary—

Under article 91 (e) of the Civil Service Regulations the sanction of the Government of India is required in this case but before that Government is addressed information seems to be necessary on the following points:—

(1) Why the two works are treated as one for the purpose of the remuneration. If the amount received on account of either of them is Rs. 500 or less, this Government can sanction it.

(2) The party for whom the work was done—Mr. Sinclair or any publishers.

(3) Why there was so much delay in submitting this application.

The Director may perhaps be asked u.o.

P. T. THARYAN.
19-4-02.

Secretary—

We may ask the Director of Public Instruction as proposed. If he can arrange to separate the two works so as to bring the matter within the sanctioning power of the local Government, it will be a good thing: references to India should be avoided if possible, on principle.

2. In any case Government should have fuller information. Mr. Stuart may be inclined to withdraw his present letter and replace it by two letters—one relating to the English, the other to the Indian, history.

A. T. PRINGLE.
21-4-02.

To Director for favour of further information.

M. HAMMICK.
22-4-02.

Director of Public Instruction u.o.

Mr. Stone has gone to England for his vacation. I have written to him for the information required and in the meantime the application may lie over.

G. H. STUART.
29-4-02.

Educational u.o.

Press
Please print
and two proofs
20/4/02

EDUCATIONAL DEPARTMENT.

The draft below may issue.

P. T. THARYAN.
1-5-02.A. T. PRINGLE.
2-5-02.

Print this & send in full here
[D. O. no. 26 from the Director of Public Instruction
of 9th July 1902]

The Director has received a letter from Mr. Stone ^{which} ~~and~~ has ~~now~~ furnished the information required.

It is submitted that whatever the conditions may have been, if any remuneration is paid article 91 (a) of the C.S.R. applies, and that the sanction of the Govt. of India is necessary for the receipt of the ^{amount paid} ~~remuneration~~ for revising the history of India.

The work done was for a private person & remuneration was received for it.

By
7/4/12

Re draft held

I don't think that the remuneration (which was contingent on profits) can be classed as a "fee" under ~~section~~ article 91 of the C.S.R. It seems clear that the word "fee" is there used with reference to a particular kind of payments from private persons. It ~~must~~ as two ago Col. Smart went down to Travancore to inspect ~~an irrigation~~ a large public work in that State & to advise the ~~darbar~~ Govt. He is to receive a "fee" for it. ~~But~~ expert may ~~do work~~ for a private person, & the payment for it constitutes a "fee". ~~That~~ Such cases are covered by the article. But if I write an occasional article for a magazine & am paid for

But the sanction of the Govt. of India has been asked
8/4/12

for it, that is a "fee", indeed, but not a "fee" under the article. It is a perfectly well-known ^{& recognised} fact that payments are made by private persons ^{to public servants} for literary work which are not classed as "fees". This is proved by the fact that the G. of I. have passed special Rules on the subject, defining the extent to which officers may be connected with the press & requiring them to obtain leave beforehand in certain cases. But this requirement ~~has~~ has regard to the extent of their contributions - not to the remuneration for ~~it~~ them.

2. I think we are in danger in this case of mixing up two very different matters. Certain circumstances make it probable that in the Educational dept. the Government may have to be exacting in regard to ^{reports about} work of the kind Mr. Stone has been doing, & may ~~also~~ make provisions very much like those numbered (1) & (2) under clause (a) of article 91. But

* Rule 60 in the Public Servants Manual.

their doing so will not bring
the case under ~~article 91~~ the
similar provisions in that article,
& so bring it under ^{the} provision
wherein (C).

At this ^{all} is so evident
that it seems hardly necessary
to note it, but the previous notes
^{including my own under date 21.4.2,}
disclose some confusion between
the two sets of circumstances.

3. If the Secretary takes
the view ~~points~~ of this note,
I think the papers may be
"recorded", as suggested by
Mr Stone. Otherwise, the Sect.
General may be consulted. I
feel certain that if he knew
that one of the officers sub-
ordinate to him had received,
say, £150 for an article
in a magazine, he would not
consider that article 91 must
be applied to the case.

M.F.

15.7.2

I agree. When acting recently in
the Home Dept. of the Govt. of

WV

col. 4. 2230,
dy 17-7-02

Public.

No. 157-0.

sep
17/7

India & several instances of book
written by public servant came
under my notice and in no case
had the previous ^{or subsequent} sanction of the
Govt. been obtained nor was it
ever thought that such sanction
was necessary. The public interests
can be sufficiently protected by the
power which the Govt. undoubtedly
possesses of interfering in the case
of any officer who neglects his
public duties for the sake of private
work.

2. The question is a general one
and should I think be dealt with
in Public. If that Dept. agrees
the paper may be transferred to
it; or it can be recorded in this
Dept.

K.L.S.

17.7.02

Pub. Dept. u.o.

OK.

Public dep-

for the Under Secy.

^{point raised}
The question involves an
the interpretation of art. 91 C. S. Dept.

In the Under Secy

As no general rule
is to be issued in Public, the
papers may be returned to ~~the~~
for record.

Cy
11.4.02

CS

At
12.8.02

To ~~the~~ U.O.

Eduard ^{Sept}

The papers may be
recorded in the depts. &
the O.P.I. told (Go) that
this has been done.

MS

by

10.8.02
18.8.02

As per the order

be passed

D. O. no. 268, 10-7-02



Office of the Director of Public Instruction,

Madras, July 9, 1902
10-JUL-1902

My dear H-A.

About March
or April last I applied
to Govt to sanction the
acceptance by Stone of
Rs 1105 rupees for editing
Sinclair's histories. Govt
thereupon asked for certain
further information (I think
U.O.) and the enclosed
letter from Stone gives
the information required.
I doubt if the consent
of Govt is really

13

required in cases
of this kind.



If the enquiry from Govt
was not u.o. but o. please
return Stone's letter &
I will send an answer
in proper off. form.

Yours sincerely

G H Stuart

* Hwaruo.

Encl. 1

690

20.26.25.



19

17 Gloucester Walk
Campton Hill
W.

22. 1. 25.

My dear Sir

Your letter of 29th
April about my applica-
tion for permission to
receive 1105-11-2 for
Sinclair's Histories.
(1). The remuneration

payments on this account for both the
English and Indian Histories. I did not
ask permission of Government to do the re-
vision not to receive my share of the
profits because I had no idea that any
such permission was necessary until I
got your circular - in February I then
called for report as to copyrights held

by Educational Officers. In March the
M.C.K. Press (publishers of the Histories) informed me that they had paid long account
with Ambulants the sum which is the
subject of my application. and independent of
your circular I supposed it necessary to ask
permission to receive it.

The question as to the party for whom the
work was done perhaps admit of the answer



315

277
reflecting amount and his is
divided between the two
books thus:—

History of India R. 797.

History of England R. 308.

(283). I undertook the re-
vision of Sinclair Histories
at the request of Mr. Gifford I
think in 1890 or 91. I arranged
with Mr. Sinclair that I
was to receive one fourth of
the profits of each edition of
the revised works, and have
in past years received various



4

CS 13

"Mr. Sinclair" at all events
the Publishers had nothing
to do with the matter.

As however I was to receive
nothing if no profit accrued
from the revised editions
(quite a possible contingency)
and the agreement contained
a clause providing for my
receiving an enhanced share of
the profits if the revised editions
sold better than the original

Chief of Government at his own sole or
partial risk is forbidden.

If you should find yourself able to take this
views perhaps Government might be
willing to record my application.

19

Yours sincerely



A. Home

Rec. 10.6.2

GTH

14

both ⁵ \ ²⁰ this has not been
enforced) - it is perhaps
somewhat straining the
meaning of the term ~~em-~~
ployer to call ~~his~~ ^{his} ~~indian~~
such in this connection
and my application to ~~men-~~
ment - so far as Art 91
(if that be its number) of the
Civil Service Regulations ~~con-~~
may have been superfluous.
I do not know that the
publication of a book by an

” ” ” ” 190

C. No. 626, From the 22nd, No. 33, dated 16th April 1902.

” ” ” ” ” ” ” ” 190

” ” ” ” ” ” 190

ORDER No 260, dated 2. 5. 1902

~~100~~
100

Recorded pending receipt of
further information ^(which) from the Director.
~~intended to supply~~

५५

7572

252

To the DDP
Sd/- 17/5

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
199

OTHER

CURRENT No.

ENCLOSURES to G.No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DATED.

PAPERS NOT FILED UP, BRING WANT FOR DESPATCH
IN ORIGINAL.

N.B.—

- A = Print in full.
- B = Not to be printed.
- P = Print abstract only.
- Q = Print heading only.

COPIES (Letter only.
REQUIRED. Order complete with Letter.

Print with
notes & heading
WA
5-5-02