

Educational (1906) Department.

ORDINARY MS.

G.O., No. 61

DATED 2 - 2 - '06

(15)

[Despatch Abstract.]

Shri. D. R. Ganapati Aiyar

Permitting — to undertake the
Sub-editorship of the Madras Law Journal on
a remuneration Rs 75/- per mensem

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ee 233/06							

EDUCATIONAL DEPARTMENT.

CURRENT FILE.

CONTENTS.

From	Number.	Date.	Pages.
The Director of Public Instruction	9874	13-12-05	1-2

PAPERS PUT UP WITH CURRENT No. 2154

Papers of the department to which the current belongs.

Number.	Date.	Original (=O) or spare copy (=S. C.).	Remarks. (In this column such of the papers as have been removed for copying, printing, &c., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.
5002	20-7-05	88		

Papers of other departments.

Department.	Number.	Date.	Original (=O) or spare copy (=S. C.).	Despatcher to note the return of the papers to the departments concerned.
Public	375	26-4-04	S-C	
do	958	23-9-02	do	
Finl	808	17-12-04	do	
do	59344	14-8-04	do	

Stock Form No. 135
6,700-6-05.

ED. CURRENT No. 2154

EDUCATIONAL DEPARTMENT.



Received 14 DEC 1905 190 , Registered 14 - 12 - 1905

Subject.

Recommending that M.R.Ry P.R. Ganapati Aiyar First Assistant Professor, Law College, Madras be permitted to accept the sub Editorship of the Madras Law Journal on a remuneration of Rs 75 a month.

ENCLOSURES.

No.

Spare copies

Ref on Cur No. 9574/05

Station Madras, Dated the 13 December 1905

From (Name) The Hon'ble Mr. A.G. Bourne, D.Sc., F.R.S.,

(Designation) Director of Public Instruction

To The Secretary to the Government of Madras,
Educational Department.

Sr,

M.R.Ry P.R. Ganapati Aiyar First Assistant Professor Law College reports that he has been offered the Sub Editorship of the Madras Law Journal /Monthly/ on a remuneration of Rs 75/- per mensem and requests permission to accept the offer. The duties proposed to be assigned to him as Sub Editor are (1) writing of articles on matters of legal interest (2) preparing notes of Indian cases appearing in the Indian Law Reports and (3) the general supervision involved in getting the journal ready for issue. He states that the work will take him not more than a couple of hours a day at the most for a week or ten days in the month and can be done out of College hours. The Principal states that this extra work will not interfere with M.R.Ry Ganapati Aiyar's legitimate duties in the College and I therefore recommend that the request may be

Objectionable
I think
15/12

granted.

I have the honour to be,

Sir,

Your most obedient servant,

J. R. Scott

For Director of Public Instruction.

61.
12-12-05

[E. & L.]
21-c

TELEPHONE MESSAGE.

From

[ASSISTANT] SECRETARY TO GOVERNMENT,
THE SECOND ASSISTANT,
HEAD CLERK,

EDUCATIONAL DEPARTMENT,

To

HON'BLE MR. THOMSON,
PRIVATE SECY. TO H. E. THE GOVERNOR,
DIRECTOR OF PUBLIC INSTRUCTION,
THE SUPDT., GOVERNMENT PRESS,
SUPDT., GOVERNMENT MUSEUM,
ACCOUNTANT-GENERAL,
The Registrar, High Court, Madras

Dated 19-12-1905.

Will

Kindly send

Please furnish me for reference

and return with the last three issues

of the Madras Law Journal.

Kindly let me know also the name

of the Editor and the ~~name~~ ^{subject} of the ~~journal~~ ^{issue}.

Let me know the ~~name~~ ^{subject} of the ~~journal~~ ^{issue}.

R.R.
19/12/05

19/12/05
12/12/05

Despatched.

R.R.
11.10 AM.
20.12.05

Ref.

Your message regarding Law Journal.

It will be more convenient if we can get the journal
tomorrow. We shall try to return it before tomorrow
evening.

R.R.
20/12/05

12/12/05

I think it is all right.

TELEPHONIC MESSAGE.

Date, 20-12-1905

12 Hours 25 Minutes.

From	To
Registrar High Court	Assistant Secretary Sd.:

Reply

We have only one copy of the
Madras Law Journal. Will it
suit you to have it during the
holidays. How long will you require
the books for perusal.

Reply

Your message regarding Law Journal.
It will be more convenient if we can get the journal
tomorrow. We shall try to return it before tomorrow
evening.

By
Sd.:

20/12/05

Despatched
21/12/05

[The file is now with ASB & may be expected back
this evening or tomorrow morning.]

TELEPHONE MESSAGE

Handwritten notes and signatures on the left page, including dates like 19/12/05 and 20/12/05, and various initials and signatures.

TELEPHONIC MESSAGE.

Date, 10/10/1905 6
2 Hours 0 Minutes.

From

The Registrar
 High Court.

To

The Asst. Secretary
 Educational

As the Law Journal is liable to be called
 for from the Library for use in Court
 at any time and is in fact constantly
 called for, I much regret it is not
 convenient to send it to you for a
 whole day. I understand the Inspector
 General of Registration has a copy.

Perhaps you might obtain that.

W. Telephone sharp please.

If he can't spare it ask some
 other to be copied as to lend a
 copy for a short time.
 Cas
 10/10/05

TELEPHONIC MESSAGE

10/10/1905

From Registrar High Court.

To The Asst. Secretary Educational

W. Telephone sharp please.

10/10/05

C. No. 2154 From the Director of Public Instruction No. 9574, dated 13-12-1905.

SUBJECT.

Acceptance by M.R. P.R. Ganespati Aiyar,
1st Assistant Professor in the Law College of
the Sub Editorship of the Madras Law Journal
on a remuneration of Rs. 75 per year seu.

A.

In their order no. 958 Public, dated 23rd September 1902 the Government considered it undesirable that a public servant should accept private paid employment of any kind. But on a reference made by the Director of Public Instruction as to the exact import of the term "paid employment," namely, whether the prohibition ^{referred to} ~~in the order~~ of 1902 applied to educational officers who (1) undertook work in connection with the University and Government Examinations and received remuneration therefor, (2) wrote newspaper or journal articles within the limit allowed by rule 60 of the rules regulating the personal conduct of public servants, and (3) undertook private tuition, the Government stated that the provisions of G.O. no. 958 Public, dated 23rd September 1902 did not affect the payment of remuneration to public servants in regard to (1) and (2), subject to the rules contained in article 74 of the C.S.R. & in part VIII of the rules regulating the personal conduct of Govt. servants, and that the question of exempting officers of the Govt. Est. Dept. from the provisions of article 74 of the C.S.R. in respect of (3) would be considered in the Financial Department. In regard to the latter question, application was

G.O. no. 375 Public of
28th April 1904.

Page 19 of the C.S.R.

de

7² 8

Para 3 of letter from the Govt. of India
in no. 808 Fint 3 17-12-04. D
Page 1, dph

in letter no. 594 Fint, dated 14th Sept
made to the Govt. of India ~~also promised to issue~~
1904 but they ~~Government~~ promised to issue separate orders on the
subject.
2. The D.P.D. now recommends that M.R. P.R. Ganapati
Aiyar, 1st Asstt. Professor in the Madras Law
College, may be permitted to accept the Sub Editorship
of the Madras Law Journal on a monthly remunera-
tion of Rs. 75. It is stated that this extra work will
not interfere with his professional duties in the Law
College. For orders as to whether the D.P.D.'s recommenda-
tion may be accepted. If accepted, the sanction of the
Govt. of India will have to be obtained ^{as Ganapati} ~~for this extra~~
~~any pay is Rs 250 per mensem - page 201 of the Civil list~~
~~remuneration as under article 74(c) of the C.S.R. the~~

Page 19 of the C.S.R.

Page 18 of the C.S.R.

the amount of remuneration, namely Rs. 900 per annum is
(as given in article 74(c) C.S.R.)
beyond the sanctioning powers of the Local Govt. ~~and~~
~~it is a remuneration for which under article 72(b)~~
~~of the C.S.R. requires the sanction of the Government~~
~~of India. For orders as to whether India may be addressed~~
and the further communication promised
in the letter from the Govt. of India in
no. 808 Fint dt 17th December 1904 has
not yet been received. For orders whether India
may be addressed.

D.P.D.
16/12/05

D.

Submits that the Govt. of India must
be addressed.
C.S.
18/12/05

Please put up the last three issues of the Law Journal. Who is the Editor? What is the circulation of the paper?

402
19.12.07

Submitted that the Secretariat library does not get the Madras Law Journal. It has, however, been ascertained that ^{copies of this Journal} ~~the Madras Law Journal~~ will be available in the High Court. A draft telephone to the Registrar of the High Court for the last 3 issues is placed below for approval.

NR
19/12/07

after dispatch of the telephone the file may be sent to A.S.B. for information regarding the Editor of the Journal & ^{its} circulation.

PR 19/12/07

Cus
19/12/07

dispatch telephone
or return file.
19/12/07

The telephonic message has been despatched & the file is resubmitted.

K.K.M.
20.12.07

A.S.B. no.

Ed. G.O. no 855 D
19.12.07
20/12/07

S. B.

The Editors of the "Madras Law Journal" are (1) M.R.Ry. V. Krishnaswami Aiyar, (2) M.R.Ry. P. R. Sundara Aiyar, and (3) The Honourable P.S. Sivaswami Aiyar. All these are High Court Vakils having very wide practice. All are respectable gentlemen.



No. 3 is a member of the Local Legislative Council.
The circulation of the journal is 680.

12/7
21/12/05

To
The Educational dept. u.o.

Edl. aqarta

Submitted with the last three issues of
the Madras Law Journal in two books.

Ph
23/12/05

While no exception can be taken to the form
and matter of the "Madras Law Journal" it is
submitted that sanction should not be
accorded to the request that a professor
in the Law College should undertake also
the sub-editorship of a journal at a
monthly remuneration. If this principle
be allowed in one case, it would be
difficult to know where to make a stop.
We are declining to allow clerks to
undertake the duties of Secretaries to
Cooperative credit societies, and the
present proposal is much on the same
footing. There is no objection to
D. S. Parapatti Aiyar contributing articles
for remuneration, but he should not, if
employed, be permitted to undertake
editorial duties. There must be plenty
of hon. official gentlemen qualified for

the post - and it seems
undeviable to give a quasi-official
recognition to what is a private

periodical. In the month of August & Sept.
October, Mr. Gargoli has contributed leading
articles.

23. 12. 05.

HM.

There is a great diff^{ce} between
editing a Law Journal by
a Professor of law & the
employ^t of a gov^t clerk
in a trade venture.

In the former case the
work distinctly improves
the professor's knowledge of
law & keeps him in fait
with current decision &
legal discussion. In England
some of the greatest lawyers
& Judges have laid the
foundation of their knowledge
& fame as law reporters. The
Quarterly Law Journal
is edited by one of the
greatest jurists of the
day (Sir T. Pollock)

I am therefore entirely
in favour of giving the per-
mission sought in the circ^l.

What are the terms of Ganapati Aiyar's employ? Is he a full time professor?

S. I. F. 1/6

The Library St^d
Case in the
Law Journal

S. I. F.

[action is being separately
taken]

8/1/16

E.

F.

G.

Ganapati Aiyar is a full time officer but his appointment is not pensimable and is subject to a term's notice on either side. 800rs 598rs 4th February 1902 & 10-4-11 800rs 598rs 4th January 1903. Private practice is also allowed on the strict understanding that it in no way interferes with College duties - 800rs 598rs 4th November 1901.

8/1/16

Lee

Cut

5/1/06

NO2

5-1-06

Then all the more reason for giving the concession.

The terms of employ. being what they are - as he is allowed to take private practice he is not a full time public servant - no reference to p. of 2 - seems necessary,

S. I. F. 1/6

draft

P. I. L. 1/6

8-1-16

[Confidential Instructions
to be observed]

The draft placed below is submitted for approval. If approved it may be forwarded to Sind for acceptance.

8/1/06
8/1/06
Fin. u. o.

sep
8/1/06
Ed No 21
8.1.06

CURRENT NO.
0137
FINANCIAL

Regd 9.1.16
flag G

cf. Sec (c) & note 1. there-
under, of art. 352 of
the C.S.R.

Financial dept.

Under para. 2 of G.O. No. 681
Ed., of 21.11.01, Mr. G. Ganapati Dyer is
allowed private practice ~~only~~ on the
strict understanding that it in no
way interferes with his duties in the
college. ~~This condition apparently~~
~~means that he is allowed private practice~~
~~outside the hours of instruction in the~~
~~college, but not during those hours.~~
In that sense Ganapati Dyer is not
a full time public servant ~~but~~
~~he is merely paid for work done for~~
~~the State.~~ Articles 71-74 of the C.S.R. do not
therefore operate in this case, & the local
Govt. can, without the sanction of the
G. of I., permit Mr. Ganapati Dyer to
undertake the Sub-Editorship of the Madras
Law

Law Journal on a remuneration of Rs 75 p.m.

The A.G. may, however, be consulted as to whether there is any account objection to the proposal.

21.1.06

Chief Secretary

The case seems clear & the permission may be granted if S.D. has no objection. No ref. to the A.G. seems to be necessary.

Curt 22.1.06

Lajpat Rai 24.1.06

Enclosed no. 1 P.R. for perusal of the Secy.

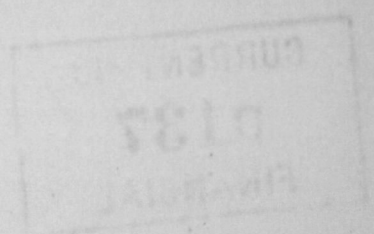
For approval

20.1.06

The order may now issue?

21/1/06

Sd/-
Ces
W. W. W.



Encl 137
28.1.06

190

READ ALSO:—

No. 61, dated 2-2- 1906.

min

M. B. R. P. R. Ganapati Aiyar is permitted to undertake the sub Editorship of the Madras Law Journal on a remuneration of Rs 75 per mensem on the understanding that the work does not interfere with his duties in the Law College.

Pr
87/10

Chas
8/1/06

By
3000

To the
" Big
perio
3/2/6

When given for copying
 When copied
 When examined
 When signed

190

READ AGAIN G.O., No.
 190

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

- A = Copy in full.
- E = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.