

L. & P. H.

(1947) Department.

Ms. SERIES.

G.O. NO. Ms. 1791 Edm.

Dated the 9th August 1947

[Despatch Abstract.]

Government servants' Conduct Rules - Sri K.V. Punniah, Lecturer -

Permitted to accept royalty from publishers of his book.

Back Papers.

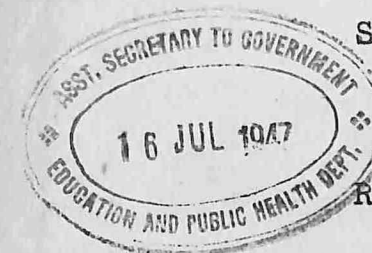
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

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

Office of the
Director of Public Instruction,
Madras.

ENDORSEMENT R.C. No. 1684 C6/47 dated 11th July 1947.



SUB:- Government Servants' Conduct Rules = Sri K.V. Punniiah, Lecturer, Government Training College Rajahmundry = Permission to accept royalty from the Publishers:

REF:- From Sri K.V. Punniiah, Lecturer, Government Training College, Rajahmundry dated 25.4.1947.

SUBMITTED.

2. Before he was appointed in Government service, the petitioner is reported to have entered into an agreement with the Indian Press, Ltd., Allahabad, in respect of the publication and sale of his book entitled "THE CONSTITUTIONAL HISTORY OF INDIA". Further, the Publishers are obviously taking mean advantage of the petitioner's position, in that the former, it is reported, did not agree to the proposal of the latter to revise the agreement now so as to enable him (the petitioner) to part with the copy right in the book, receiving only a definite lump sum as remuneration. In these circumstances, I recommend that Government may be pleased to permit Sri K.V. Punniiah, Lecturer, Government Training College, Rajahmundry, to

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accept royalty from the publishers until the copies of the first edition of the above book are exhausted.

VKA *S-157*
for DIRECTOR OF PUBLIC INSTRUCTION.

To

The Secretary to Government,
Education and Public Health Department,
Fort St. George, MADRAS.

KAN.15/7

Sd
1577

Copy of Proceedings Dis. No. 2009/45 dated 9th June 1945
of the Director of Public Instruction, Madras. (3) 3

SUBJECT: Government Servants' Conduct Rules = Sri K.V. Punniiah,
Lecturer, in History, Ceded Districts College, Anantapur
Books written by him, entitled "INDIA AS A FEDERATION"
and "THE CONSTITUTIONAL HISTORY OF INDIA" = Acceptance
of remuneration from publishers = Orders passed:

R E A D: From the Principal, Ceded Districts College, Anantapur,
R.C.No. 84 A/45 dated 16th March 1945.

(Nikra)
Sri K.V. Punniiah, Lecturer in History, Ceded Districts College,
Anantapur, may be informed that the permission applied for by him
cannot be granted. His irregular action in having accepted this
year the remuneration of Rs.90/- from the Indian Press Ltd., Allaha-
bad without the Director's permission is however ratified.

2. In future no remuneration from any publisher should be
accepted by him except with the sanction of the Director and his
request for the grant of such sanction, if and when made, will be
considered only when he agrees not to retain any interest in the
sale of books, receiving only a definite lump sum as remuneration
from the Publishers and also agrees to sell outright the copyright
in the books leaving no reversionary, residuary or other interest
to any friend or relation.

/True copy/

VKA *S-157*
for DIRECTOR OF PUBLIC INSTRUCTION.

KAN.15/8

Sd
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K.V. PUNNAIAH, M.A. (Hons.), B.Ed.
Lecturer in History,
GOVERNMENT TRAINING COLLEGE.

RAJAHMUNDRY,
25-4-1947.

TO

THE DIRECTOR OF PUBLIC INSTRUCTION,

MADRAS.

THROUGH

THE PRINCIPAL,

GOVT. TRAINING COLLEGE,

RAJAHMUNDRY.

S I R,

In my letter dated 16th March, 1945, I brought to your kind notice that in 1938, four years before I joined Government Service, I had written a book "The Constitutional History of India". As the book could have only a limited sale as it was to some extent the result of my research work and could be useful only to Honours and Post-Graduate students in Universities, I could not get hold of a Publisher who was willing to undertake its publication. I therefore entered into an agreement with the Indian Press Ltd., Allahabad, agreeing to pay them the expenses of printing the book and allowing them 40 percent discount for publishing and selling it, the remaining 60 percent on the sales of the books being paid to me once a year as and when the books are sold. I paid the cost of printing the book which came to more than Rs.1,000/-.

Some time after I entered Government Service, I came to know that there is a rule that a Government Servant could not retain the copyright of a book. As I was in doubt, in the first place, whether my book came under the definition of "Text Book" under that rule and secondly whether the contract I had entered into before I joined Government Service came under this rule or not, I wrote the letter referred to above requesting to be allowed to receive the royalty, in case it was supposed to come under the rule. In Proceedings Dis.No.2009/45 dated 9-6-1945 of the Director of Public Instruction, Madras, I was informed that I could not receive the royalty amount unless I sold away the copyright of the book for a definite lump sum of money. Since then,

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I have been corresponding with the Publishers with a view to persuade them to purchase the copyright of the book, but they are not willing to do so, as may be seen from the letter from them dated 4th December, 1945 submitted herewith. Finding that I could not receive the monies under the contract, they have not cared to send me the annual statements of the sales of the book or even to reply to my letters. My inability to receive the royalty under the contract has thus benefited the Publishers.

as
I beg to submit that I had entered into this contract before I joined Government Service, and as I cannot revise or cancel this contract without the other party agreeing to it, my case does not come under the rule which requires a Government servant to dispose of the copyright of a book for a definite lump sum of money. I request you to reconsider this case sympathetically and grant me the permission to accept the royalty amount till this edition is exhausted. I will apply for permission on every occasion I may receive the royalty. If the book will ever go into another edition, I will take that opportunity to sell away the copyright for a definite lump sum of money, as required by the rule.

I have the honour to be,
Sir,

Your most obedient servant,

Govt. Training College,
Rajahmundry,
Dated. 25-4-1947.

K. V. Punnaiah
LECTURER IN HISTORY.

Encl:--Letter dated 4th December, 1945
from the Indian Press Ltd., Allahabad.

ND 1399/47 dated 29.4.47
Submitted to the Director
of Public Instruction, Madras
Hisat for a reply
28.4.47
Principal,
Government Training College,
Rajahmundry.

The Indian Press Ltd.,
Allahabad,
4th December, 1945.

Mr. K. V. Punnaiah, M.A.,
Lecturer in History,
Ceded Districts College,
Anantapur.

Dear Sir,

We have your letter of the 27th November, 1945 as also the earlier ones which were duly acknowledged as the one under reference is being done now.

We wrote to you before and write again that the cost of the printing of the current edition of "A Constitutional History of India" was borne by you and the publishing rights were given to us to arrange for its sales for which 40% of the Gross Sale was deducted by us for our labours and 60% of the was sent to you annually. As a matter of fact, it is your own money invested by you in getting the book printed which is now returned to you in instalments. Hence there should be no objection on your part to accept the cheque as long as the entire stock is not sold out.

By accepting to purchase the copyright of the book from you, we should technically pay the cost of printing in addition to the share of the author's profit. We feel however that with only a couple of hundred of copies in stock, it would not be a good business deal to pay you the printing charges plus any profits accruing thereon. It would neither be right for you nor for us to enter into any new arrangement at this stage.

The money you are receiving from us now is your own money paid as printing charges for the book and as such Government can not hold you responsible for any interest in its sale.

Moreover you entered into this transaction when you were not a Government servant and as long as it is not logically closed, Government could not force your hands to discontinue your relations with the book, which after all has been an entirely your own property.

Please look at the matter as we have put it and continue the present arrangement until we have sold out the 200 copies and with the next edition you may

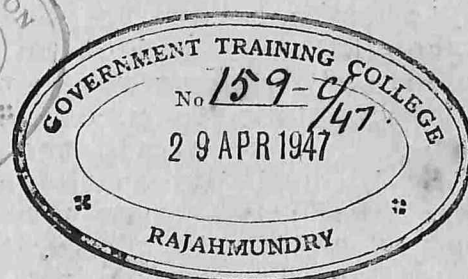
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make other arrangement for its publication.
We are therefore returning the cheque herewith.

Yours faithfully,
for the Indian Press Limited,

/Sd./ H.Ghosh,
General Manager.

(TRUE COPY.)

K. V. Punnaiah
25/4/47
Lecturer in History
Govt. Training College,
Rajahmundry



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Copy of Proceedings R.C.No. 1684 C.6/47 dated 8th May 1947
of the Director of Public Instruction, Madras:

SUB:- Government Servants' Conduct Rules = Sri K.V.
Punniah, Lecturer, Government Training College,
Rajahmundry = Permission to accept royalty:

REF:- From the Principal, Government Training College,
Rajahmundry, N.Dis.No.159 C/47 dated 29th April 47.

The Principal is requested to furnish information on the
following points:

- (1) How many copies of the book entitled "THE CONSTITUTIONAL HISTORY OF INDIA" were printed with first edition.
 - (2) How many copies ~~are~~ still remain to be sold; and
 - (3) The amount of royalty received so far after his appointment in Government service, with relevant details should be specified.
- =====

Submitted to the Principal, Govt. Training College,
Rajahmundry, with reference to No.R.C.313-D/47 dated
23--5--47 communicating the Proceedings of the Director
of Public Instruction, Madras, R.C.No.1684-C6/47 dated
8--5--47.

1. One thousand copies of my book entitled "The
Constitutional History of India" were printed in 1938.
The cost of printing and binding 1000 copies came to
Rs.1,351--8--0 of which I paid Rs.1,051--8--0 and agreed
to pay Rs.300/- (the cost of binding 800 copies) as and
when the copies are sold. The price of the book was
fixed at Rs.6/- per copy.

2. The number of copies which still remained to
be sold as per the royalty statement for the year ending
30--6--1945 was 459. In the last two years, some more
copies may have been sold, but the publishers have not
been sending the royalty statements or any information
regarding the sales, or any replies to my letters, as
they came to know of my inability to accept the royalty
amounts and as they are not willing to revise the con-
tract and purchase the copyright of the book as urged
by me.

3.

Year ending.	No.of copies sold.	Free copies.	Balance.	Royalty paid to the author.
30--6--39.	41.	35.	924.	147--9--0
30--6--40.	53.	6.	865.	190--12--0
30--6--41.	67.	2.	796.	241--3--0
30--6--42.	81.	9.	706.	291--9--0
30--6--43.	174.	1.	531.	626--6--0
30--6--44.	25.	-	506.	90--0--0
30--6--45.	47.	-	459.	169--3--0

The cheque for Rs.169--3--0 was returned to the
publishers in November, 1945 with the request that they
should revise the contract and purchase the copyright
of the book. They were however not willing to revise
the contract and so have not been replying to my letters.

Rajahmundry, 6--6--1947.

K. V. Ramesh
Lecturer in History,
Govt. Training College,
Rajahmundry.

Public (Gen-B) sept.

The draft order on p 1 ante
may be perused and the file retained
to Ex P.H. sept.



CA
4.8.47
Jna
4.8.47

MM 5/8
C.S. / E.P.H.
W 6/8/47
A

Pub Gen-B
no. 1705/47-1
6.8.47

the file may be circulated

W 6/8/47 S 7/8/47
M. (Com)



TSA
8.8.47

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