

Educational (1898) Department.

ORDINARY MS.

G.O., No. 488

DATED 6-8-98

INDEXED. 4-5

[Despatch Abstract.]

Informing the D.P.I. that
the post sees no reason to interfere in
the matter of the appointment held at
Cambridge by Mr A.A. Hall of the Educl
Service while on furlough in England.

T
10/18/98

BACK PAPERS.

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

FURTHER PAPERS.

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

G. 25 A]
500-8-12-97.

C 27.6 29/7
Rt. 27.6 2/8

..... Educational..... DEPARTMENT.

C. No 707

SUBJECT.

Mr. Hall's holding ^{an} appointment at
Cambridge.

Read again G.O. no. 377 Ed 24.6.98

FOR ORDERS.

Order no 488 of 6-8-98

The D. P. I will be informed
that the Govt. sees no reason
to interfere in the matter.
(from orders)

2/8/98. Referred to in
para 3 of letter
no. 7/114 d. 2nd June
1898.

also
A.T. 3/8/98
3898

What matter? It
now seems from
the pocket of the
C. M. that you
mean the extension
of Mr. Hall's furlough.
of course you

Mr. Hall, Principal of the
Teachers' College, Saidapet, is now on
furlough in England and is holding an
appointment as Lecturer on Education at
Cambridge. The appointment, it is under-
stood, is a paid one. The Director of
Public Instruction says that Mr. Hall's
action in the matter is opposed to Rules
77 and 81 of the Personal Conduct Rules.
Rule 77 says that "without the special
orders of the Government of India, no
officer of Government who is in receipt
of furlough or leave allowance may take
service under any other employer in India".
Apparently this rule is not meant to
apply to employment in England. No papers
on the point can be traced.

Rule 81 is as follows:-

"It is a standing rule that unless
authorised to do by any existing rule or
order of Government no officer in the
Government service shall accept any
remuneration from any other Government,
body,

To The D. P. I. 9/80

at the Govt. Secy.
6.8.98. I know you
do not
3898

body or individual". This rule is based on G.O. No. 1426, Public, dated 10th July 1886 and it must be held to have been superseded by arts. 90 & 91 of the Civil Service Regulations which now regulate the acceptance of fees by officers in Government employ. According to article 91 (a) "any officer may receive a fee from a private person or private body or a public body whose funds are not administered by the Govt. for work done for it, provided-

- (1) he has undertaken the work with the knowledge and sanction in writing of the head of his department,
- (2) that the head of the department certifies that it can be carried out without detriment to his official duties; and
- (3) that the acceptance of a fee and the amount of the fee are approved by the authority having power to sanction its acceptance".

The reason for this rule seems to be that officers should not be allowed to undertake any work which will be detrimental to their official duties.

If so, it may reasonably be asked whether the rule applies in its entirety to officers not in active employ. If it does, Mr. Hall is guilty of transgressing it. It may be noted that Mr. Hall's lecturing at Cambridge does not interfere with his official duties, because he has at present no official duties to perform and that the work he has under-

MA. taken is purely literary.

M

The amount of all these rules shows that they are intended to apply to public servants in active employ and not on furlough or special leave. MA.

Art. 91 cannot apply as it refers to additions to the pay of officers, and an officer on furlough draws an allowance but not pay. Moreover the words "public revenues" refer to the revenues of India. MA.

3

Sec 4.

Even if it be held that Rule 81 of the Rules relating to the Personal Conduct of Public servants is superseded by Arts. 90 & 91 of the C.S.R., it is clear from the letter of the D.P.I. that Mr. Hall has not complied with the conditions of article 91. But it is ^{debatable} whether this article applies to officers on furlough.

A.C.

22/7/98.

H. T.

It does not seem that not only do I agree but I think it would be very inexpedient to frame a rule that would prevent an officer from being employed in this way. Mr. Hall will be a better servant to this Govt. as the result of his spending much of his leave in Cambridge as a lecturer on Education. As remarked in the office note Mr. Conchman was similarly employed in Oxford. Dr. Maclean was for some years organist at Eton & gave lessons in music. It is not

Now does it seem necessary to frame a rule prohibiting officers on furlough from accepting remunerated employment.

H. T. 25-7-98.

To Public for favour of remarks

P. T. O

necessary to discuss the
matter in the G.O. It will be
enough to say that Govt
sees no reason to interfere
in the matter.

MA. 27.7.98

Let this be, sir.

H.E. The Governor.

H.T.
20 7 98

I entirely agree.

A.H.

Public Dept.

The interpretation attached
to the rules by the ^{Education} ~~Dept.~~

Dept. appears to be correct
and Mr. Hall does not seem

to have offended
against any rule. Mr.

Cochran was employed at
Oxford under similar

conditions in 1895-96. It
is not known whether this

question was then discussed.

If ^{Education} ~~Mr. Hall~~ desires it his
papers can be obtained
from Madras, but this will
entail a few days delay.

HC

26/7/98

It seems to me
undoubtedly that the rules
do not contemplate the case
at all and that it is inexpedient
to throw them to by cover it. It
seems to me the matter is sufficiently
settled by the refusal to return Mr.
Hall's leave. It is absurd to make
it obligatory on an officer to leave

in England who makes \$5 by writing a newspaper article.
~~unlike other journalists~~
~~who make money to apply to~~

But he leaves to receive it under
Art. 91. of the C.S.R.

Edw.
S. Brock. Dept. (no.)

AK

Wm.
W.T.
267 98.

When given for copying _____
When copied _____ } 6.8 } 1898
When examined _____
When signed _____

READ AGAIN G.O., No
189

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.—

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