

Government of Madras

HOME (MISCELLANEOUS) DEPARTMENT

G.O. No. 1081, 7th July 1919

Examinerships

Passing orders on the proposals of the Syndicate, University of Madras, regarding the relaxation of the rules in the Civil Service Regulations relating to the acceptance of — by Government servants.



ORIGINAL.

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ORIGINAL.

Government of Madras

HOME (MISCELLANEOUS) DEPARTMENT

G.O. No. 1081, 7th July 1919

Examinerships

Passing orders on the proposals of the Syndicate, University of Madras, regarding the relaxation of the rules in the Civil Service Regulations relating to the acceptance of— by Government servants.

READ—the following papers :—

I

G.O. No. 448, Financial, dated 19th July 1904.

ABSTRACT.—Ruling that the certificate referred to in articles 72 and 74 (a) (2) of the Civil Service Regulations is not required in the case of a head of a department applying for the grant to himself of honoraria under article 72 of the Civil Service Regulations or for the sanction of Government to the acceptance by himself of fees under article 74 (a) (2) of the Civil Service Regulations: but that the head of a department should apply to Government for permission before he undertakes work of the nature referred to in articles 72 and 74 (a) (2) of the Civil Service Regulations.

II

G.O. No. 328, Public, dated 8th May 1905.

ABSTRACT.—Requesting the Commissioner for Government Examinations and the Registrar of the Madras University to see that no examinership is conferred on a public officer unless through and with the consent of the head of his department and specially drawing the attention of the Director of Public Instruction to the matter.

III

Letter—from F. DEWSBURY, Esq., B.A., LL.B., Registrar, University of Madras.
To—the Secretary to Government, Home (Education) Department.
Dated—Senate House, the 14th August 1918.
No.—5652.

I am directed by the Syndicate to address the Government with a request that a general sanction may be given either to Government servants generally or to members of the Educational Department under article 74 of the Civil Service Regulations, not only to undertake University work, but to accept remuneration offered therefor by the University so as to dispense with the necessity of payment being withheld pending production of formal individual certificates.

Article 74 (a) reads as follows :—

‘ Any officer may receive a fee from a private person, or private body, or a public body whose funds are not administered by Government or from a Native State, for work voluntarily done for it: Provided that—

(1) he has undertaken the work with the knowledge and sanction in writing of the head of his department;

(2) the head of the department certifies that it can be carried out without detriment to his official duties; and

(3) the acceptance of a fee and the amount of the fee are approved by the authority having under clause (e) power to sanction its acceptance.

In view of these requirements no payments for work done on behalf of the University are made by the University to Government servants unless claims for such payments are supported by the production of certificates authorizing the undertaking of the

work and the acceptance of the fee. These certificates are filed with the vouchers for such payments. There is no invariable rule or procedure as to making application to heads of departments for such certificates, but such application is frequently made by the University on behalf of Government servants invited to undertake University work.

2. It may be open to question whether the University can rightly be expected to demand from Government servants the proper observance of regulations laid out for their guidance by the Government: but the practice of the University has been to insist upon the production of evidence that the acceptance of remuneration has been authorized in accordance with article 74, and the Accountant-General's audit has on occasion called attention to failure to do so by the Registrar's Office.

3. The absence of any general sanction, such as is now proposed, necessitates the issue annually, under this article, of large numbers of certificates, each signed by the head of a department. There has been consequently occasional delay both in obtaining the services of Government servants for urgent work, and also in making payment for services rendered. There is no record of the services of any Government servant having been refused to the University under this article so that it appears to the Syndicate that much of this formality has been useless. In the case of the Indian Educational Service, indeed, the University has been accustomed to offer appointments to the majority of its members regularly from year to year without any objection.

4. In the year 1917 the Syndicate decided to appoint a number of external examiners to set question papers, and offered appointments to a number of gentlemen in parts of India outside the Madras Presidency. When, on the completion of the work assigned to them, these external examiners were requested to certify whether they were Government servants or not, and in the former case to forward the certificates required under article 74 of the Civil Service Regulations, considerable correspondence ensued. In the first place, objection was taken to the requirement for the production of these certificates. One examiner forwarded copies thereof certified by himself as correct. Another contended that, while he was bound to obtain the sanction of his Government for examination work, nowhere was it stipulated that he should also satisfy the University for which he worked that he had obeyed the rule. Other examiners produced their certificates under protest. More than one examiner in the Indian Educational Service stated that it was quite unnecessary to send certificates of permission, since Government fully recognized that the receipt of remuneration for examination work for Universities was permissible, and that they had for years past accepted such remuneration with the knowledge of their Governments—but presumably without the production of actual certificates. One such examiner represented that the Government of India, in their letter No. 354, dated 30th October 1890, sanctioned the acceptance of fees by Government servants appointed examiners by the University of Calcutta, and that such fees paid by that University to Government servants are passed in audit on the authority of this general sanction. He added that similar orders are in existence having reference to the Universities of Bombay and Allahabad.

5. In view of these representations and of the fact that the University of Madras, to which Government service and account rules do not apply, has for many years enlisted the services of persons in all classes of society including Government servants and has paid remuneration according to recognized scales of fees, which vary little from year to year, proportionate to the work done, the Syndicate considers that the Government may now remove the necessity for the production of certificates in each individual case, and may grant permission to its servants to accept work for the University and to receive such payment as may be due by the issue of a general order on the point. Restrictions might occasionally be imposed in individual cases, if necessary, where circumstances are exceptional. The University would be relieved of the obligation to demand the production of certificates, and could nevertheless furnish the Government annually with a full statement of the work done by Government servants and the remuneration received by each. The possibility of abuse of such general permission would seem to be remote. At the same time the operations of the University would be facilitated and prompt payment for services rendered could always be made.

IV

Endorsement No. 1739-B-1, Home (Education), dated 22nd August 1918.

Referred to the Accountant-General for early remarks.

(By order)

C. RAMANUJA ACHARIYAR,
Registrar.

To the Accountant-General.

V

Letter—from A. NEWMARCH, Esq., Accountant-General, Madras.
To—the Secretary to Government, Home (Education) Department
Dated—the 23rd September 1918.
No.—G.A. 60/12124.

With reference to Government Endorsement No. 1739-B-1, Home (Education) dated the 22nd August 1918, referring to me for remarks letter No. 5652, dated the 14th August 1918, from the Registrar of the University of Madras requesting that a general sanction may be given either to Government servants generally or to members of the Educational Department under article 74 of the Civil Service Regulations to undertake University work and to accept the remuneration offered therefor by the University, I have the honour to state that, as the Registrar remarks, the University cannot be rightly expected to see that the requirements of article 74 of the Civil Service Regulations are fulfilled before payment is made to examiners who are Government servants, and it is for Government or the heads of departments concerned to see that their servants do not undertake work for a private body to the detriment of Government duties. In Bombay and Calcutta, payments of remuneration are made direct to the examiners. But in Madras, as the University and the Government have a common audit and paying officer, the audit is more strict and as a matter of convenience the University has been getting the sanction and certificates under article 74 of the Civil Service Regulations.

2. The issue of a general order as requested by the Registrar, enabling Government servants to undertake University work and to accept the remuneration offered therefor would seem to require the sanction of the Government of India, as the rule in article 74 of the Civil Service Regulations contemplates the production of the certificate referred to in clause (a) and sanction to the acceptance of the remuneration mentioned in clauses (b) and (c) in each individual case.

3. The enclosure to the Government endorsement is returned herewith.

Order—No. 1081, Home (Miscellaneous), dated 7th July 1919.

In their Order No. 328, Public, dated the 8th May 1905, the Government, while drawing attention to the existing rules in the Civil Service Regulations, regarding the conditions under which Government servants could accept examinerships in connexion with public examinations and remuneration therefor, laid down that the Commissioner for Government Examinations and the Registrar of the Madras University should see that no examinership is conferred on a public officer unless through and with the consent of the head of his department. Though under the Civil Service Regulations the responsibility of obtaining the necessary certificates rests with the Government servants themselves, who are offered examinerships, the Registrar of the Madras University has in practice been himself making applications to the heads of departments for certificates on behalf of Government servants invited to undertake University work. The Syndicate now brings to notice that this practice involves delay in certain cases both in the appointment of examiners and in the payment of remuneration due to them. It suggests that a general sanction might be given either to Government servants generally or to members of the Educational Department under article 74 of the Civil Service Regulations not only to undertake University

work, but to accept the remuneration offered therefor by the University, so as to dispense with the necessity for the production of formal individual certificates and the withholding of payments in the meanwhile.

2. His Excellency the Governor in Council has carefully considered the question in issue and has come to the conclusion that there is no sufficient ground substantially to modify the restrictions now in force in regard to the acceptance of examinations and remuneration. Those restrictions are based on provisions embodied in the Civil Service Regulations which a Local Government has no authority to relax. His Excellency the Governor in Council is therefore unable to adopt the Syndicate's suggestion. In order, however, to minimise the delay in the appointment of examiners, he requests that in future any authority offering an examinership to an officer of Government should, in the letter conveying the offer, state that it is subject to veto by the head of his department and should simultaneously communicate the offer to the head of the department who should arrange to communicate all his sanctions, numbered, if necessary, for identification to the audit office and to the authority offering the examinership.

In regard to the payment of remuneration, the authority offering the examinership should send to the officer concerned an order of payment stating that he should obtain and forward the certificate prescribed in article 74 (a) of the Civil Service Regulations to the account officer along with the order of payment for encashment.

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the heads of departments under the Home Department.

" Departments of the Secretariat [except Financial (Pension) and Local and Municipal (Legislative)].
" Registrar, University of Madras.
" Accountant-General.

NOTES CONNECTED WITH G.O. No. 1081, HOME (MISCELLANEOUS),
DATED 7TH JULY 1919.

[SUBJECT.—*Relaxation of article 74 of the Civil Service Regulations so as to enable Government officers to take up University work without previous permission from higher authority.*]

I & II

Previous papers :

G.O.	96, Educational, 15th March	1877	G.O.	43, Ecclesiastical, 27th March	1902
"	662 " 26th October	1896	"	372, Public, 17th April	1903
"	794-95 " 30th December	"	"	835, Judicial, 12th June	"
"	380 " 7th July	1897	"	448, Financial, 19th July	1904
"	1051, Public, 10th October	1900	"	363 " 28th May	"
"	658, Educational, 18th December	"	"	328, Public, 8th "	1905
"	1270, Public, 19th "	"	"	363, Financial, 28th "	1914
"	83, Educational, 16th February	1901			

III

From the Registrar, University of Madras, No. 5652, dated
14th August 1918.

[Endorsement No. 1739-B-1, Home (Education), dated 22nd August 1918—IV.]

V

From the Accountant-General, No. G.A. 60-12124, dated
23rd September 1918.

HOME (EDUCATION) DEPARTMENT.

Attention is solicited to the notes to G.O. No. 835, Judicial, dated 12th June 1903, which give a full account of the orders issued up to that date on the subject of the acceptance of fees by Government servants for assisting in the University examinations. In G.O. No. 448, Financial, dated 19th July 1904, it was ruled that a head of a department should apply to Government for permission before he undertakes work for the University, and again in G.O. No. 328, Public, dated 8th May 1905, the Registrar of the Madras University was requested to see that no examinership is conferred on a public officer unless through and with the consent of the head of his department.

2. The Syndicate of the Madras University now states that the strict observance of the provisions of article 74 of the Civil Service Regulations necessitates the issue of a large number of certificates, each signed by the head of a department and that, consequently, there has been occasional delay both in obtaining the services of Government servants for urgent work and also in making payment for services rendered. As the issue of these certificates has become more or less formal, the Syndicate suggests that a general sanction may be given either to Government servants generally or to members of the Educational Department, under article 74 of the Civil Service Regulations, not only to undertake University work but also to accept remuneration therefor from the University so as to dispense with the necessity of payment being withheld pending production of formal individual certificates. The Syndicate also states that similar general sanction has been accorded by the Government of India in the case of the Calcutta University.

3. The Accountant-General states that the proposal of the Syndicate requires the sanction of the Government of India. His view appears to be correct.

4. As the proposal involves a relaxation of the provisions of the Civil Service Regulations, the paper should apparently be dealt with in the Financial Department—vide notes in that Department on page 3 of notes to G.O. No. 448, Financial, dated 19th July 1904. Submitted that the file may be transferred (u.o.) to that department.

5. So far as the Education Department is concerned, there appears to be no objection to the acceptance of the Syndicate's proposal; but the Director of Public Instruction may be consulted first in the matter, if necessary.

N.K.—9-10-18.

C. RAMANUJA ACHARIYAR—11-10-18.

R. RAMACHANDRA RAO—15-10-18.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

The Syndicate's proposal may be accepted. The Registrar may be requested to furnish the Director every year with a list of officers of the Educational Department appointed as examiners and of the amounts paid to them as remuneration, so as to enable him to keep a watch on the extent to which Educational officers are remunerated for work done outside their ordinary duties.

H. S. DUNCAN—21-10-18.

HOME (EDUCATION) DEPARTMENT.

With reference to paragraphs 3 and 4 of office-note above, the case may be transferred to the Financial Department who will have to address the Government of India.

E.A.V.—23-10-18.

S.A.—24-10-18.

C.R.—25-10-18.

R.R.—28-10-18.

FINANCIAL DEPARTMENT.

The Madras University fund is a fund not administered by Government—vide G.O. No. 363, Financial, dated 28th May 1914. Article 74, Civil Service Regulations, therefore applies to officers of Government accepting examinerships and remuneration from the University. Article 74, Civil Service Regulations, imposes three conditions:—

(1) The work should be undertaken with the knowledge and sanction in writing of the head of the department.

(2) The head of the department in which an officer is employed should certify that the work can be carried out without detriment to the officer's official duties.

(3) The acceptance of the fee and the amount of the fee should be approved by the head of the department if the fee is up to Rs. 500 and by the Local Government if the fee is above Rs. 500.

2. The Government have ruled that the certificate referred to in article 74 (a) (2) is not required in the case of heads of departments when applying for honoraria for themselves but heads of departments should, however, apply to Government for permission before they undertake University work such as an examinership—paragraphs 1 and 2 under articles 72 (a) and 74 in the Madras Supplement to the Civil Service Regulations, page 21.

G.O. No. 328, Public, dated 8th May 1905, requires the Registrar of the Madras University to see that no examinership is conferred on a public officer unless through and with the consent of the head of his department.

3. As pointed out by the Accountant-General—letter No. G.A. 60-12124, dated 23rd September 1918—the University cannot be rightly expected to see that the requirements of article 74, Civil Service Regulations, are fulfilled before payment is made to examiners who are Government servants. It is the business of Government servants undertaking work for the University and accepting remuneration to see that the rules are complied with.

4. As insistence on compliance with the rules has been found to involve work on the University, the Registrar asks for a general sanction either to Government servants generally or to members of the Education Department under article 74, Civil Service Regulations, not only to undertake University work but to accept remuneration offered by the University so as to dispense with the necessity of payment being withheld pending production of formal individual certificates.

It would appear that such general sanctions are in force in connexion with examinerships under the Universities of Calcutta, Bombay and Allahabad—paragraph 4 of Registrar's letter. There is no information about this here. The Accountant-General points out that in Bombay and Calcutta payments of remuneration are made direct to examiners. In Madras the Accountant-General is the audit officer of the University and naturally the observance of the rules in article 74, Civil Service Regulations, is insisted on—paragraph 1 of the Accountant-General's letter. The Accountant-General rightly points out that the sanction of the Government of India is required for a general exemption from the provisions of article 74, Civil Service Regulations, as asked for by the Registrar.

5. It may be conceded that the appointment of officers outside the Education Department as examiners under the University is indispensable and so far as Education Department is concerned the Home (Education) Department (note, dated 15th October 1918) and the Director of Public Instruction (note, dated 21st October 1918) agree to a general sanction in the case of the Educational officers.

It is believed that it is mostly Educational officers who are appointed as examiners under the University; the number of other Government servants so appointed as examiners is believed not to be large. No doubt the sanction accorded is generally formal. If the Government of India are to be addressed for a general sanction as requested by the Registrar, it will be necessary to make out a strong case and Home (Education) Department will have to obtain statistics for some years showing—

(1) the number of (a) Educational officers (b) non-Educational officers appointed as examiners, and

(2) the number of references which had to be made to Government.

Financial may agree to Home (Education) going up to the Government of India for a relaxation of article 74, Civil Service Regulations, in respect of *Educational officers*. Home (Education) is competent to address the Government of India in that case (vide rule 13 of the Interdepartmental references) should that department think that the general sanction asked for may be confined to Educational officers.

T.H.R.—7-11-18.

Financial may, I think, agree—

(1) that the Government of India may be addressed regarding a general sanction for Educational officers [Home (Education) should draft];

(2) that G.O. No. 328, dated 8th May 1905, may be amended so far as the Registrar of the University is concerned; and

(3) that the University should furnish Government annually with a full statement of the work done for them by Government servants and the remunerations received by each.

J. M. HOOPER—9-11-18.

I don't think Financial should agree to the abolition of this salutary rule.

2. Government pays for an officer's whole time. If there are no restrictions on the acceptance of examinerships from the Madras University, other Universities, the Board of Examiners, etc., none of whom know what the other is doing, an officer may fill up his whole time for months earning money in this way to the great detriment of his proper work. I distinctly think the control of the head of the department should be maintained.

3. At the same time I don't see why we need put the duty of obtaining the certificates on the University. All that seems to be necessary is for them, when offering an examinership to a Government servant, to advise the officer to whom they

offer it that his bill will be liable to be rejected by the Accountant-General if it is not supported by the proper certificate.

4. Would Home (Education) accept a solution on the above lines?

C. G. TODHUNTER—11-11-18.

HOME (EDUCATION) DEPARTMENT.

As pointed out in paragraph 2 of the Chief Secretary's note above, it may not be desirable to do away with the restrictions imposed on Government servants accepting remuneration in connexion with examinations. It is, however, submitted that so far as Educational officers are concerned, the conduct of University examinations is practically a matter of course for them and that they appear to have comparatively greater leisure than other officers, to devote to this kind of extra work. If this view is accepted, the general permission now sought for may be restricted to Educational officers and University examinations.

2. With reference to paragraph 3 of the Chief Secretary's note above, it is submitted that the suggestion to throw the responsibility of obtaining the necessary certificates on the examiners themselves seems unobjectionable as it is primarily the duty of the examiners to get the certificates. Attention is in this connexion solicited to paragraph 3 of the University Registrar's letter in which it is stated that by the adoption of the present practice occasional delay has been caused both in obtaining the services of Government servants for urgent work and in making payments for services rendered. It is for this reason that general permission is now sought for. If the responsibility of obtaining the certificates is transferred from the Registrar to the examiners, the examiners will have then individually to apply to the Director of Public Instruction who will have also to obtain the sanction of the Government for the acceptance of remuneration in certain cases. Thus the work in the Director's office will continue as heretofore and the occasional delays referred to by the Registrar will not cease to exist. In these circumstances, the solution suggested by the Chief Secretary does not by itself seem to be of much use.

S.A.—21-11-18.

The Director of Public Instruction, who is the head of the Educational Department, does not obviously consider that his strict control over his officers in regard to University examinerships is essential and that without it any serious abuse is likely to happen.

If, however, it is decided that the Chief Secretary's suggestion, that the control should be maintained, should be adopted, the only question for consideration is whether the existing practice of the University Registrar obtaining the necessary certificates from the Director of Public Instruction direct should continue or whether, as proposed by the Chief Secretary, the officers should be asked to secure the certificates individually. Even under the former (i.e., the existing arrangement of a consolidated application) the Registrar complains of delay and has suggested proposals for avoiding it. The adoption of the latter arrangement will surely increase the opportunities for delay and may not be accepted by the Syndicate as a remedy for the existing state of affairs. If the Government of India are not to be addressed for general sanction, it may be advisable to allow the existing state of things to continue, though on principle the Registrar is not bound to obtain the certificates for the examiners.

C. RAMANUJA ACHARIYAR—22-11-18.

As regards the risk pointed out by the Chief Secretary—which is no doubt real—of an officer doing work simultaneously or in succession for too many examining bodies, the Director offers to watch the extent to which Educational officers use their time for such outside work. Other heads of departments who are less concerned with applications for leave to take up examining work may do the same, provided the Government of India are willing to relax the Civil Service Regulations. It would perhaps meet the wishes of the Syndicate if the rules were altered so as to require any authority offering an examinership to any officer of Government (a) to do so, subject

to veto by the head of his department, and (b) to communicate the offer simultaneously to the head of the department. In this case the examining authority would have nothing further to do with certificates unless there was a veto (which would be very rare) and the head of the department might arrange to communicate all his sanctions numbered, if necessary, for identification, to the audit office. Would Financial consider this or any other modification to obviate the inconvenience complained of by the University?

L. D. SWAMIKANNU—26-11-18.

FINANCIAL DEPARTMENT.

The procedure which it is proposed to adopt in the Home (Education) Secretary's note above seems unobjectionable. It does not seem to contravene the provisions of article 74 (a), Civil Service Regulations.

P.K.K.—2-12-18.

But when the remuneration exceeds Rs. 500, the sanction of Government has to be obtained. For orders with reference to the Chief Secretary's note, dated 11th November 1918.

T.H.R.—3-12-18.

The proposal by Secretary, Home, would appear to require the amendment of G.O. No. 328, Public, dated 8th May 1905, only.

J. M. HOOPER—6-12-18.

I am quite prepared to accept Mr. Swamikannu Pillai's solution. The Director is ready to supervise the amount of examination work done by his men and he may as well do it first as last. Mr. Swamikannu Pillai's plan provides for this. G.O. No. 328, Public, dated 8th May 1905, was intended only to call attention to existing rules but appears to have added a gloss which has proved very inconvenient in working practice.

C. G. TODHUNTER—8-12-18.

HOME (EDUCATION) DEPARTMENT.

A draft order is submitted for approval.

2. It seems desirable that the order should issue in Home (Miscellaneous) as it is a general one and modifies G.O. No. 328, Public, dated 8th May 1905.

G.N.—12-12-18.

S.A.—12-12-18.

C. RAMANUJA ACHARIYAR—16-12-18.

L.D.S.—17-12-18.

His Excellency considers that the procedure indicated in the draft order involves unnecessary circumlocution. He would suggest that it would simplify matters if the Syndicate instead of approaching each officer individually would send consolidated lists of officers to whom it wishes to offer examinerships to the head of the department, who would communicate permission to accept, if accorded, to each officer concerned, who would in turn inform the Syndicate whether he desires to take up the work. The head of the department would communicate a copy of his order to the audit office: similarly the Syndicate would communicate to the head of the department for sanction a statement of the remuneration to which his officers were entitled and sanction to their accepting it would similarly be communicated by the head of the department to them and to the audit office. His Excellency would like this suggestion to be considered.

(By order)

T. E. MOIR—25-1-19.

Under the existing practice relating to the acceptance of examinerships by Government servants, the University applies direct to heads of departments for certificates on behalf of Government servants invited to undertake University work

and makes payments to examiners whose claims for payments are supported by these certificates. The University already complains of the occasional *delay* that has been caused by the adoption of the present practice and has submitted proposals for avoiding it. According to the procedure indicated in the Private Secretary to His Excellency the Governor's note the University would have to apply to heads of departments who should communicate their sanction to the officers concerned, who in their turn would have to inform the University of their desire to take up University work. Submitted that this will cause even *greater* delay than is involved in the existing practice. The procedure indicated in the draft order seeks to minimise the delay complained of by the University, by relieving it of the burden of obtaining the certificates authorizing the acceptance of examinerships and by permitting the University to correspond at once direct with examiners with an intimation that the offer is subject to veto by the head of the department to whom a copy of the order will be simultaneously communicated. It is only in cases of veto which may occur, rarely, if at all, that the University may be put to some inconvenience.

G.N.—30-1-19.

S.A.—30-1-19.

The following statement shows in one view the various stages to be passed through in connexion with the offer of examinership and the payment of remuneration under the existing and proposed arrangements :—

Existing.	Proposed in the draft order.	Proposed in the Private Secretary to His Excellency the Governor's note.
<i>Offer.</i>		
University to head of department.	University Examiner and head of department.	University to head of department.
* Head of department to University.		Head of department to Examiner audit office.
University to the examiner.		* Examiner to University.
<i>Sanction for remuneration.</i>		
University to head of department.	No alteration	No alteration.
Head of department to Government (in some cases).		
Head of department to University.		
University to examiner ...		(Audit officer is also furnished with a copy.)

* To Government where head of department himself is concerned.

If, as it is aimed, delay that is caused under existing arrangement is to be minimized, the proposal in the last column may not, it is feared, help much.

C. RAMANUJA ACHARIYAR—3-2-19.

It is very rare that a veto is exercised; but in the rare cases it has to be exercised, it will be better that the offer is *not* made to the proposed examiner. The Private Secretary to His Excellency the Governor's plan provides for this.

No doubt there is delay; but if article 74 is to be respected this cannot be avoided.

R. RAMACHANDRA RAO—6-2-19.

To be sent to Mr. Littlehailes, u.o.

(By order)

T. E. MOIR—7-2-19.

May I send the file?

R.R.—8-2-19.

FINANCIAL DEPARTMENT.

Submitted that Financial may agree to the file being sent u.o. to the Director of Public Instruction.

P.K.K.—11-2-19.

V. SEKHARA MENON—11-2-19.

E. M. GAWNE—12-2-19.

HOME (EDUCATION) DEPARTMENT.

To Director of Public Instruction u.o. with reference to Private Secretary to His Excellency the Governor's note.

C. RAMANUJA ACHARIYAR—13-2-19.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

I think it may help to a right decision on this question if I state, so far my memory serves me, some of the points raised in the Syndicate meeting when this question was under discussion there: (1) Is it not right that, *from the standpoint of the University*, all persons who are offered examining or inspection work, whether Government servants or not, whether resident and engaged in work in this Presidency or outside of this Presidency, should be treated in a similar manner? (2) Is it necessary or desirable to continue in Madras a procedure that is not current in the other large Universities in India? (3) Is it equitable that a Government servant should have to wait weeks for payment for services rendered by him to the University, and for the undertaking of which he has already received the sanction of Government or the head of his department, while the person not in Government employ is paid immediately on completion of the work? (4) Is it not open to considerable doubt whether the Government is acting within its powers in demanding that the University should see that the certificates required under article 74, Civil Service Regulations, are produced before it (a) gives work to a Government servant, (b) pays him for work done? (5) Would not the University be perfectly within its rights, which are defined by the Act of Incorporation of 1857 and the Indian Universities Act of 1904, in invariably making payments by cheque for work done immediately on completion of that work, whether the payment is to be made to a Government servant or to one who is not a Government servant? The above are some of the points raised in the discussion in the Syndicate, which viewed the matter almost entirely from the standpoint of University administration. Its endeavour is to obtain the services of the most suitable men for its work, to have the work done as expeditiously as possible and to pay for services rendered as soon as the work is complete; it does not, qua University, concern itself whether the person to whom work is offered is the servant of Government, of a mission, of some other agency, or independent.

2. Now I think it only right and necessary that Government and the head of a department should retain control over the work that is done by a Government servant, further that having once given permission for a certain piece of work to be done for the University at rates of payment which are more or less standardized and which are well known to everyone who has anything to do with University affairs, the normal presumption is that the officer will be paid in due course on the completion of the work.

3. I suggest therefore: (1) that, when University work is to be offered to a Government servant, the Registrar make the offer to the person concerned communicating a copy of the offer to the head of the department with a statement of the probable time that will be occupied by the work and an estimate of the payment which will subsequently be made by the University. The head of the department can then immediately take action on the matter, submitting the request to Government for orders or himself granting sanction for undertaking the work—if it is within his powers to do so,—or refusing sanction; (2) that the University be no longer required to see that the certificate required under article 74, Civil Service Regulations, is produced before it authorizes payment of remuneration to a Government servant for work done, but that the Registrar communicate to the head of the department concerned the payments made or proposed to be made to Government servants. If Government or the head of a department were at all doubtful whether the work could be done without prejudice to the ordinary duties of an officer then permission to undertake the work should have been refused, but if permission to undertake the work was once given the presumption is that it has been done without prejudice to ordinary work and that payment therefor may be made in due course. The onus for the production of the certificate required under article 74 (c) still remains, and

must be obtained. Failing which the money, if accepted, will have to be refunded to the University or Government as Government may decide in the case (one in a thousand) for which we are now attempting to frame an equitable procedure.

R. LITTLEHAILES—28-4-19.

HOME (EDUCATION) DEPARTMENT.

For orders whether paragraph 2 of the draft order may be modified on the lines indicated in paragraph 3 of the Director of Public Instruction's note above.

G.N.—6-5-19.

T.K.—6-5-19.

As regards the *offer of examinership*, the Director of Public Instruction proposes no change in the procedure laid down in paragraph 2 of the draft, but imposes a duty on the University to send to the head of the department a statement of the probable time that will be occupied by the work and an estimate of the payment that will be subsequently made to the examiner. It is doubtful whether the University will consent to such an obligation being thrown on them and whether it is possible at all

This depends on the number of examiners which varies.

L.D.—6-5-19.

to give any estimate even approximate of the time that will be taken by the examiner. Perhaps in regard to remuneration, the previous year's disbursement for similar examinership may serve as the basis for the estimate. Hitherto no such estimates were obviously required by the heads of departments or by the Government; and it is doubtful whether it should be required at all. The University will have to be consulted before any such duty is imposed upon them.

2. In respect of the *payment of remuneration*, the present procedure is for the University to communicate direct with the head of the department, intimating the amount to be disbursed to the examiner and for the head of the department to furnish the University a certificate, on receipt of which the payment order to the examiner is issued. The Director of Public Instruction would, as in the case of the offer of examinership, require the University to send the pay order to the examiner direct (sending intimation simultaneously to the head of the department), who will obtain the certificate under article 74 (c) of the Civil Service Regulations, from the head of the department, and on its receipt realize the amount. This will no doubt simplify the procedure so far as the University is concerned and is admittedly the legitimate procedure. If this is accepted, the following may be added to paragraph 2 of the draft:—

"In regard to the payment of remuneration, the University should send to the officer concerned an order of payment, reporting simultaneously to the head of the department concerned the amount which it is proposed to pay the officer. The onus of production of the certificate required under article 74 (c) of the Civil Service Regulations will be laid on the officer who will obtain it from the head of the department and forward it to the account officer along with the order of the University for payment."

If the above suggestion is approved, the file may be sent to the Financial Department for acceptance or remarks.

C. RAMANUJA ACHARIYAR—9-5-19.

A.—I do not think the University can or need be troubled to send the statement.

Regarding B.—Why should the University report at all to the head of the department? Let the cheque be sent to the examiner and a slip be added "If the payee be a Government servant, he is required to obtain the certificate prescribed in article 74 (c) before the cheque is cashed."

Examine.

R. RAMACHANDRA RAO—10-5-19.

There is no obligation on the University to report to the head of the department the amount of remuneration to be given to the examiner; and there is no doubt that the onus of securing a certificate under article 74 (c) of the Civil Service Regulations

rests on the officer himself. As under G.O. No. 328, Public, dated the 8th May 1905, however, the University have been asked to see that no examinership is conferred upon a public officer unless through and with the consent of the head of his department, and as the draft (paragraph 2) requires the University to send a duplicate copy of the offer to the head of the department simultaneously with that sent to the

I do not see this.

R.R.—12-5-19.

examiner, it is appropriate that the University should also let the head of the department know the amount of remuneration which the University are going to pay the officer, to whom the offer was originally made with the consent of the head of the department.

Another point in this connexion is that, if a report is made to the head of the department direct and simultaneously with the pay order to the examiner, some delay

No, but to eliminate delay on the part of the University to settle dues.

R.R.—12-5-19.

the report from the University, the head of the department may, without waiting for

I think not.

R.R.—12-5-19.

a formal application from the officer concerned, sanction the acceptance of the remuneration and grant the certificate and in cases, where the Government sanction is necessary, such sanction may be promptly applied for by the head of the department himself without allowing some time to lapse in waiting for a formal application from the officer.

The University are not likely to be put to any great inconvenience in sending the formal report which in almost all cases will be a printed form.

C. RAMANUJA ACHARIYAR—10-5-19.

We are here concerned with the simplification of procedure so far as the University is concerned. My plan simplifies still further.

Draft.

R. RAMACHANDRA RAO—12-5-19.

A revised draft order is submitted for approval. It may be sent to Financial u.o. for acceptance before circulation to the Honourable Member.

G.N.—15-5-19.

T.K.—15-5-19.

C.R.—17-5-19.

I think that the procedure now suggested relieves the University of departmental work without relaxing any rule of discipline.

R.R.—18-5-19.

FINANCIAL DEPARTMENT.

Please see—

(1) Honourable Member's note (written as Chief Secretary) on pages 3 to 5 supra,

(2) Mr. Moir's note on page 5 and Home (Education) Department's notes on pages 5 and 6 supra,

(3) Director of Public Instruction's note (paragraph 3) on pages 7 and 8 supra, and

(4) Home (Education) notes on pages 8-9 supra and the draft order.

Submitted that the draft may be accepted in this department and Home (Education) requested to circulate the case to the Honourable Member (Financial).

C.V.R.—24-5-19.

E. M. GAWNE—28-5-19.

N. E. MARJORIBANKS—30-5-19.

10 NOTES TO G.O. No. 1081, HOME (MISCELLANEOUS), 7TH JULY 1919

HOME (EDUCATION) DEPARTMENT.

Submitted that the case may now be circulated for approval of draft.

C. RAMANUJA ACHARIYAR—2-6-19.

R. RAMACHANDRA RAO—4-6-19.

As amended.

L. D[AVIDSON]—7-6-19.

Submitted.

R.R.—9-6-19.

I don't quite understand how the new procedure is intended to be applied in the case of an examining body outside the Presidency.

C. G. T[ODHUNTER]—12-6-19.

Submitted that the procedure in regard to the offer of examinerships to Government servants and the payment of remuneration to them, indicated in paragraph 2 of the draft order, is intended to minimize the delay in obtaining the services of Government servants as examiners consequent on the practice obtaining in this Presidency of the Madras University making applications to heads of departments for the certificates required under article 74 (a) of the Civil Service Regulations. It is not known whether examining bodies outside this Presidency adopt a similar practice in the case of Government servants in this Presidency, to whom they offer examinerships, or require the examiners to obtain and forward the certificates. From the Registrar's letter it appears that the Government of India have sanctioned the acceptance of fees by Government servants appointed examiners by the University of Calcutta and that similar orders are in existence in respect of the Universities of Bombay and Allahabad. These orders presumably apply to Government servants in the Presidencies concerned. In any case the responsibility of obtaining the certificates required under article 74 (a) of the Civil Service Regulations rests on the Government servants themselves who are offered examinerships; and the directions to authorities offering examinerships contained in the draft order, which are only executive instructions, can, therefore, apply only to examining bodies in this Presidency and they cannot be applicable to those outside this Presidency. As regards the latter, the existing practice, whatever it is, will continue.

L.D.—25-6-19.

G.N.—19-6-19.

T.K.—19-6-19.

C.R.—21-6-19.

R.R.—23-6-19.

L. D[AVIDSON]—25-6-19.

C. G. T[ODHUNTER]—25-6-19.

Submitted that the file may now be forwarded u.o. to Home (Miscellaneous) for issue of the order.

G.N.—1-7-19.

T.K.—1-7-19.

C.R.—3-7-19.

R.R.—5-7-19.

HOME (MISCELLANEOUS) DEPARTMENT.

For orders as to issue of the draft order in Home (Miscellaneous).

S.N.P.—5-7-19.

P.D.R.—5-7-19.

Issue.

C. H. BROWN—7-7-19.

[G.O. No. 1081, Home (Miscellaneous), dated 7th July 1919.]

10 (6)—12-1-15.

Home (Miscellaneous)

DEPARTMENT

Examinerships. . . Passing orders on the proposals of the Syndicate, University of Madras, regarding the relaxation of the rules in the C.S.R. relating to the acceptance of ----- by Government servants.

READ AGAIN G.O. No. 448, Finl., dated 13th July 1904. 191 (3)
" " " " 338, Public, " 8th May 1905. 191 (9)

READ ALSO:—

C. No. 1739-B, From the Registrar, University, No. 5652, dated 14th August 1918, of Madras, Madras.

" " 3012-B, " " A.C. " G.A. No. 60-13134, " 23rd Sept. 1918.

" " " " " " " " " " 191.

ORDER.

P.S.

No. 1081, dated 7th July 1919.

In their Order No. 338, Public dated the 8th May 1905, the Government, while drawing attention to the existing rules in the C.S.R. regarding the conditions under which Government servants could accept examinerships in connection with public examinations and remuneration therefor, laid down that the Commissioner for Government Examinations and the Registrar of the Madras University should see that no examinership is conferred on a public officer unless through and with the consent of the Head of his Department. Though under the C.S.R. the responsibility of obtaining the necessary certificates rests with the Government servants themselves, who are offered examinerships, the Registrar of the Madras University has in practice been

10

himself making applications to the Heads of Departments for certificates on behalf of Government servants invited to undertake University work. The Syndicate now brings to notice that this practice involves delay in certain cases both in the appointment of examiners and in the payment of remuneration due to them. It suggests that a general sanction might be given either to Government servants generally or to members of the Educational Department under Article 74 of the C.S.R. not only to undertake University work, but to accept the remuneration offered therefor by the University, so as to dispense with the necessity for the production of formal individual certificates and the withholding of payments in the meanwhile.

2. H.S. in C. has carefully considered the question and has come to the conclusion that the restrictions now in force in regard to the acceptance of examinerships and remuneration should not be relaxed. They are therefore unable to adopt the Syndicate's suggestion. In order, however, to minimise the delay in the appointment of examiners, he suggests that in future any authority offering an examinership to an officer of Government should, in the letter conveying the offer, state that it is subject to veto by the Head of the Department and simultaneously communicate the offer to the Head of the Department who should arrange to communicate all his sanctions, numbered, if necessary, for identification to the audit officer.

There is no sufficient ground substantially to modify

These restrictions are based on provisions in the C.S.R. which a Govt. has no authority to relax. H.S. in Council

and to the authority of the Registrar

To
The Heads of Depts. under the Home Dept.
" Departments of the Secretariat (except Pension and Legislative)
" Registrar, University of Madras.
" Accountant General.

Despd
Dated 23.7.15.

20/7/15
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2-7-15
Despatched to
the Registrar
of Madras
via M.S.

In regard to the payment of remuneration, the authority offering the examinership should send to the officer concerned an order of payment stating that he should obtain forward the certificate prescribed in article 74(a) of the C.S.R. to the account officer along with the order of payment for encashment.

15.5.19
15.5.19

17.5.19

19/7/19

3. The procedure is to be in force 2nd July 1919 & examinerships

*For approval,
C. S. G. 12/7/19*

HOME (MISCELLANEOUS) DEPARTMENT
G.O. No. 1081, 7th July 1919

Examinerships

Passing orders on the proposals of the Syndicate, University of Madras, regarding the relaxation of the rules in the Civil Service Regulations relating to the acceptance of— by Government servants.

READ—the following papers:—

I

G.O. No. 448, Financial, dated 19th July 1904.

ABSTRACT.—Ruling that the certificate referred to in articles 72 and 74 (a) (2) of the Civil Service Regulations is not required in the case of a head of a department applying for the grant to himself of honoraria under article 72 of the Civil Service Regulations or for the sanction of Government to the acceptance by himself of fees under article 74 (a) (2) of the Civil Service Regulations: but that the head of a department should apply to Government for permission before he undertakes work of the nature referred to in articles 72 and 74 (a) (2) of the Civil Service Regulations.

II

G.O. No. 328, Public, dated 8th May 1905.

ABSTRACT.—Requesting the Commissioner for Government Examinations and the Registrar of the Madras University to see that no examinership is conferred on a public officer unless through and with the consent of the head of his department and specially drawing the attention of the Director of Public Instruction to the matter.

III

Letter—from F. DRWSBURY, Esq., B.A., LL.B., Registrar, University of Madras.
To—the Secretary to Government, Home (Education) Department.
Dated—Senate House, the 14th August 1918.
No.—5652.

I am directed by the Syndicate to address the Government with a request that a general sanction may be given either to Government servants generally or to members of the Educational Department under article 74 of the Civil Service Regulations, not only to undertake University work, but to accept remuneration offered therefor by the University so as to dispense with the necessity of payment being withheld pending production of formal individual certificates.

Article 74 (a) reads as follows:—

‘Any officer may receive a fee from a private person, or private body, or a public body whose funds are not administered by Government or from a Native State, for work voluntarily done for it: Provided that—

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

In view of these requirements no payments for work done on behalf of the University are made by the University to Government servants unless claims for such payments are supported by the production of certificates authorizing the undertaking of the work and the acceptance of the fee. These certificates are filed with the vouchers for such payments. There is no invariable rule or procedure as to making application to heads of departments for such certificates, but such application is frequently made by the University on behalf of Government servants invited to undertake University work.



Pun
Prof not came for. Query answered
Please compare copy & stake it

Samp
16-7-19
Med
16/7/19

2. It may be open to question whether the University can rightly be expected to demand from Government servants the proper observance of regulations laid out for their guidance by the Government: but the practice of the University has been to insist upon the production of evidence that the acceptance of remuneration has been authorized in accordance with article 74, and the Accountant-General's audit has on occasion called attention to failure to do so by the Registrar's Office.

3. The absence of any general sanction, such as is now proposed, necessitates the issue annually, under this article, of large numbers of certificates, each signed by the head of a department. There has been consequently occasional delay both in obtaining the services of Government servants for urgent work, and also in making payment for services rendered. There is no record of the services of any Government servant having been refused to the University under this article so that it appears to the Syndicate that much of this formality has been useless. In the case of the Indian Educational Service, indeed, the University has been accustomed to offer appointments to the majority of its members regularly from year to year without any objection.

4. In the year 1917 the Syndicate decided to appoint a number of external examiners to set question papers, and offered appointments to a number of gentlemen in parts of India outside the Madras Presidency. When, on the completion of the work assigned to them, these external examiners were requested to certify whether they were Government servants or not, and in the former case to forward the certificates required under article 74 of the Civil Service Regulations, considerable correspondence ensued. In the first place, objection was taken to the requirement for the production of these certificates. One examiner forwarded copies thereof certified by himself as correct. Another contended that, while he was bound to obtain the sanction of his Government for examination work, nowhere was it stipulated that he should also satisfy the University for which he worked that he had obeyed the rule. Other examiners produced their certificates under protest. More than one examiner in the Indian Educational Service stated that it was quite unnecessary to send certificates of permission, since Government fully recognized that the receipt of remuneration for examination work for Universities was permissible, and that they had for years past accepted such remuneration with the knowledge of their Governments—but presumably without the production of actual certificates. One such examiner represented that the Government of India, in their letter No. 354, dated 30th October 1890, sanctioned the acceptance of fees by Government servants appointed examiners by the University of Calcutta, and that such fees paid by that University to Government servants are passed in audit on the authority of this general sanction. He added that similar orders are in existence having reference to the Universities of Bombay and Allahabad.

5. In view of these representations and of the fact that the University of Madras, to which Government service and account rules do not apply, has for many years enlisted the services of persons in all classes of society including Government servants and has paid remuneration according to recognized scales of fees, which vary little from year to year, proportionate to the work done, the Syndicate considers that the Government may now remove the necessity for the production of certificates in each individual case, and may grant permission to its servants to accept work for the University and to receive such payment as may be due by the issue of a general order on the point. Restrictions might occasionally be imposed in individual cases, if necessary, where circumstances are exceptional. The University would be relieved of the obligation to demand the production of certificates, and could nevertheless furnish the Government annually with a full statement of the work done by Government servants and the remuneration received by each. The possibility of abuse of such general permission would seem to be remote. At the same time the operations of the University would be facilitated and prompt payment for services rendered could always be made.

IV
Endorsement No. 1739-B-1, Home (Education), dated 22nd August 1918.

Referred to the Accountant-General for early remarks.

(By order)

C. RAMANUJA ACHARIYAR,
Registrar.

To the Accountant-General.

V
Letter—from A. NEWMARCH, Esq., Accountant-General, Madras.
To—the Secretary to Government, Home (Education) Department.
Dated—the 23rd September 1918.
No.—G.A. 60/12124.

With reference to Government Endorsement No. 1739-B-1, Home (Education), dated the 22nd August 1918, referring to me for remarks letter No. 5652, dated the 14th August 1918, from the Registrar of the University of Madras requesting that a general sanction may be given either to Government servants generally or to members of the Educational Department under article 74 of the Civil Service Regulations to undertake University work and to accept the remuneration offered therefor by the University, I have the honour to state that, as the Registrar remarks, the University cannot be rightly expected to see that the requirements of article 74 of the Civil Service Regulations are fulfilled before payment is made to examiners who are Government servants, and it is for Government or the heads of departments concerned to see that their servants do not undertake work for a private body to the detriment of Government duties. In Bombay and Calcutta, payments of remuneration are made direct to the examiners. But in Madras, as the University and the Government have a common audit and paying officer, the audit is more strict and as a matter of convenience the University has been getting the sanction and certificates under article 74 of the Civil Service Regulations.

2. The issue of a general order as requested by the Registrar, enabling Government servants to undertake University work and to accept the remuneration offered therefor would seem to require the sanction of the Government of India, as the rule in article 74 of the Civil Service Regulations contemplates the production of the certificate referred to in clause (a) and sanction to the acceptance of the remuneration mentioned in clauses (b) and (c) in each individual case.

3. The enclosure to the Government endorsement is returned herewith.

Order—No. 1081, Home (Miscellaneous), dated 7th July 1919.

In their Order No. 328, Public, dated the 8th May 1905, the Government, while drawing attention to the existing rules in the Civil Service Regulations, regarding the conditions under which Government servants could accept examinerships in connexion with public examinations and remuneration therefor, laid down that the Commissioner for Government Examinations and the Registrar of the Madras University should see that no examinership is conferred on a public officer unless through and with the consent of the head of his department. Though under the Civil Service Regulations the responsibility of obtaining the necessary certificates rests with the Government servants themselves, who are offered examinerships, the Registrar of the Madras University has in practice been himself making applications to the heads of departments for certificates on behalf of Government servants invited to undertake University work. The Syndicate now brings to notice that this practice involves delay in certain cases both in the appointment of examiners and in the payment of remuneration due to them. It suggests that a general sanction might be given either to Government servants generally or to members of the Educational Department under article 74 of the Civil Service Regulations not only to undertake University work, but to accept the remuneration offered therefor by the University, so as to dispense with the necessity for the production of formal individual certificates and the withholding of payments in the meanwhile.

2. His Excellency the Governor in Council has carefully considered the question in issue and has come to the conclusion that there is no sufficient ground substantially to modify the restrictions now in force in regard to the acceptance of examinerships and remuneration. Those restrictions are based on provisions embodied in the Civil Service Regulations which a Local Government has no authority to relax. His Excellency the Governor in Council is therefore unable to adopt the Syndicate's suggestion. In order, however, to minimise the delay in the appointment of examiners, he requests that in future any authority offering an examinership to an officer of Government should, in the letter conveying the offer, state that it is subject to veto by the head of his department and should simultaneously communicate the offer to the head of the department who should arrange to communicate all his sanctions, numbered, if necessary, for identification to the audit office and to the authority offering the examinership.

In regard to the payment of remuneration, the authority offering the examinership should send to the officer concerned an order of payment stating that he should obtain and forward the certificate prescribed in article 74 (a) of the Civil Service Regulations to the account officer along with the order of payment for encashment.

(True extract)

R. RAMACHANDRA RAO,
Secretary to Government.

To the heads of departments under the Home Department.

- Departments of the Secretariat [except Financial (Pension) and Local and Municipal (Legislative)].
- Registrar, University of Madras.
- Accountant-General.

2. The Hon. Secretary the Government of Madras has carefully considered the question in issue and has come to the conclusion that there is no sufficient ground substantially to modify the provisions now in force in regard to the acceptance of examinations and remuneration. Those provisions are based on provisions embodied in the Civil Service Regulations which a local Government has no authority to relax. His Excellency the Governor in Council is therefore unable to adopt the Syndicate's suggestion. In order, however, to minimize the delay in the appointment of examiners, he requests that in future applications for an examination should be made to the head of the department in the letter conveyed the other, and that it is subject to veto by the head of his department and should be submitted to the Government for the head of the department who should arrange to communicate all his recommendations, numbered, if necessary, for identification to the audit office and to the authority ordering the examination.

3. In regard to the payment of remuneration, the authority ordering the examination should send to the audit office an order of payment stating that he should obtain and forward the certificate presented in article 74 (a) of the Civil Service Regulations to the audit office along with the order of payment for encashment.

(The extract)

F. MANOHARAN, JAO,
Secretary to Government.

To the heads of departments under Madras Government.
To the heads of the Government of Madras (Police, Revenue, Public Works, Education, Health, and Local and Municipal Authorities).
To the University of Madras.
To the Government of India.

cc. to
in file
in file

cc. to
in file

cc. to
in file

*For approval,
C. S. 15/7/19*

NOTES CONNECTED WITH G.O. No. 1081, HOME (MISCELLANEOUS),
DATED 7TH JULY 1919.

[SUBJECT.—Relaxation of article 74 of the Civil Service Regulations so as to enable Government officers to take up University work without previous permission from higher authority.]

I-II

Previous papers:

G.O.	96, Educational, 15th March 1877	G.O.	43, Ecclesiastical, 27th March 1902
"	662 " 26th October 1896	"	372, Public, 17th April 1903
"	794-95 " 30th December " "	"	835, Judicial, 12th June " "
"	380 " 7th July 1897	"	448, Financial, 19th July 1904
"	1051, Public, 10th October 1900	"	363 " 28th May " "
"	658, Educational, 18th December " "	"	328, Public, 8th " 1905
"	1270, Public, 19th " " "	"	363, Financial, 28th " 1914
"	83, Educational, 16th February 1901		

III

From the Registrar, University of Madras, No. 5652, dated
14th August 1918.

[Endorsement No. 1739-B-1, Home (Miscellaneous), dated 22nd August 1918—IV.]

V

From the Accountant-General, No. G.A. 60-12124, dated
23rd September 1918.

HOME (EDUCATION) DEPARTMENT.

Attention is solicited to the notes to G.O. No. 835, Judicial, dated 12th June 1903, which give a full account of the orders issued up to that date on the subject of the acceptance of fees by Government servants for assisting in the University examinations. In G.O. No. 448, Financial, dated 19th July 1904, it was ruled that a head of a department should apply to Government for permission before he undertakes work for the University, and again in G.O. No. 328, Public, dated 8th May 1905, the Registrar of the Madras University was requested to see that no examinership is conferred on a public officer unless through and with the consent of the head of his department.

2. The Syndicate of the Madras University now states that the strict observance of the provisions of article 74 of the Civil Service Regulations, necessitates the issue of a large number of certificates, each signed by the head of a department and that, consequently, there has been occasional delay both in obtaining the services of Government servants for urgent work and also in making payment for services rendered. As the issue of these certificates has become more or less formal, the Syndicate suggests that a general sanction may be given either to Government servants generally or to members of the Educational Department, under article 74 of the Civil Service Regulations, not only to undertake University work but also to accept remuneration therefor from the University so as to dispense with the necessity of payment being withheld pending production of formal individual certificates. The Syndicate also states that similar general sanction has been accorded by the Government of India in the case of the Calcutta University.



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See
17.7.19

2 NOTES TO G.O. No. 1081, HOME (MISCELLANEOUS), 7TH JULY 1919

3. The Accountant-General states that the proposal of the Syndicate requires the sanction of the Government of India. His view appears to be correct.

4. As the proposal involves a relaxation of the provisions of the Civil Service Regulations, the paper should apparently be dealt with in the Financial Department—vide notes in that Department on page 3 of notes to G.O. No. 448, Financial, dated 19th July 1904. Submitted that the file may be transferred (u.o.) to that department.

5. So far as the Education Department is concerned, there appears to be no objection to the acceptance of the Syndicate's proposal; but the Director of Public Instruction may be consulted first in the matter, if necessary.

N.K.—9-10-18.

C. RAMANUJA ACHARIYAR—11-10-18.

R. RAMACHANDRA RAO—15-10-18.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

The Syndicate's proposal may be accepted. The Registrar may be requested to furnish the Director every year with a list of officers of the Educational Department appointed as examiners and of the amounts paid to them as remuneration, so as to enable him to keep a watch on the extent to which Educational officers are remunerated for work done outside their ordinary duties.

H. S. DUNCAN—21-10-18.

HOME (EDUCATION) DEPARTMENT.

With reference to paragraphs 3 and 4 of office-note above, the case may be transferred to the Financial Department who will have to address the Government of India.

E.A.V.—23-10-18.

S.A.—24-10-18.

C.R.—25-10-18.

R.R.—28-10-18.

FINANCIAL DEPARTMENT.

The Madras University fund is a fund not administered by Government—vide G.O. No. 363, Financial, dated 28th May 1914. Article 74, Civil Service Regulations, therefore applies to officers of Government accepting examinerships and remuneration from the University. Article 74, Civil Service Regulations, imposes three conditions:—

(1) The work should be undertaken with the knowledge and sanction in writing of the head of the department.

(2) The head of the department in which an officer is employed should certify that the work can be carried out without detriment to the officer's official duties.

(3) The acceptance of the fee and the amount of the fee should be approved by the head of the department if the fee is up to Rs. 500 and by the Local Government if the fee is above Rs. 500.

2. The Government have ruled that the certificate referred to in article 74 (a) (2) is not required in the case of heads of departments when applying for honoraria for themselves but heads of departments should, however, apply to Government for permission before they undertake University work such as an examinership—paragraphs 1 and 2 under articles 72 (a) and 74 in the Madras Supplement to Civil Service Regulations, page 21.

G.O. No. 328, Public, dated 8th May 1905, requires the Registrar of the Madras University to see that no examinership is conferred on a public officer unless through and with the consent of the head of his department.

3. As pointed out by the Accountant-General—letter No. G.A. 60-12124, dated 23rd September 1918—the University cannot be rightly expected to see that the requirements of article 74, Civil Service Regulations, are fulfilled before

payment is made to examiners who are Government servants. It is the business of Government servants undertaking work for the University and accepting remuneration to see that the rules are complied with.

4. As insistence on compliance with the rules has been found to involve work on the University, the Registrar asks for a general sanction either to Government servants generally or to members of the Education Department under article 74, Civil Service Regulations, not only to undertake University work but to accept remuneration offered by the University so as to dispense with the necessity of payment being withheld pending production of formal individual certificates.

It would appear that such general sanctions are in force in connexion with examinerships under the Universities of Calcutta, Bombay and Allahabad—paragraph 4 of Registrar's letter. There is no information about this here. The Accountant-General points out that in Bombay and Calcutta payments of remuneration are made direct to examiners. In Madras the Accountant-General is the audit officer of the University and naturally the observance of the rules in article 74, Civil Service Regulations, is insisted on—paragraph 1 of letter on pages 6 and 7 current file. The Accountant-General rightly points out that the sanction of the Government of India is required for a general exemption from the provisions of article 74, Civil Service Regulations, as asked for by the Registrar.

5. It may be conceded that the appointment of officers outside the Education Department as examiners under the University is indispensable and so far as Education Department is concerned the Home (Education) Department (note, dated 15th October 1918, page above) and the Director of Public Instruction (note, dated 21st October 1918, on page above) agree to a general sanction in the case of the Educational officers.

It is believed that it is mostly Educational officers who are appointed as examiners under the University; the number of other Government servants so appointed as examiners is believed not to be large. No doubt the sanction accorded is generally formal. If the Government of India are to be addressed for a general sanction as requested by the Registrar, it will be necessary to make out a strong case and Home (Education) Department will have to obtain statistics for some years showing—

- (1) the number of (a) Educational officers (b) non-Educational officers appointed as examiners, and
- (2) the number of references which had to be made to Government.

Financial may agree to Home (Education) going up to the Government of India for a relaxation of article 74, Civil Service Regulations, in respect of Educational officers. Home (Education) is competent to address the Government of India in that case (vide rule 13 of the Interdepartmental references) should that department think that the general sanction asked for may be confined to Educational officers.

T.H.R.—7-11-18.

Financial may, I think, agree—

- (1) that the Government of India may be addressed regarding a general sanction for Educational officers [Home (Education) should draft];
- (2) that G.O. No. 328, dated 8th May 1905, may be amended so far as the Registrar of the University is concerned; and
- (3) that the University should furnish Government annually with a full statement of the work done for them by Government servants and the remunerations received by each.

J. M. HOOPER—9-11-18.

I don't think Financial should agree to the abolition of this salutary rule.

2. Government pays for an officer's whole time. If there are no restrictions on the acceptance of examinerships from the Madras University, other Universities, the Board of Examiners, etc., none of whom know what the other is doing, an officer may fill up his whole time for months earning money in this way to the great detriment

Accountant-General's

2/2

4 NOTES TO G.O. No. 1081, HOME (MISCELLANEOUS), 7TH JULY 1919
of his proper work. I distinctly think the control of the head of the department should be maintained.

3. At the same time I don't see why we need put the duty of obtaining the certificates on the University. All that seems to be necessary is for them, when offering an examinership to a Government servant, to advise the officer to whom they offer it that his bill will be liable to be rejected by the Accountant-General if it is not supported by the proper certificate.

4. Would Home (Education) accept a solution on the above lines?
C. G. T. (ODHUNTER) — 11-11-18.

HOME (EDUCATION) DEPARTMENT.

As pointed out in paragraph 2 of the Chief Secretary's note on page 7 ante, it may not be desirable to do away with the restrictions imposed on Government servants accepting remuneration in connexion with examinations. It is, however, submitted that so far as Educational officers are concerned, the conduct of University examinations is practically a matter of course for them and that they appear to have comparatively greater leisure than other officers, to devote to this kind of extra work. If this view is accepted, the general permission now sought for may be restricted to Educational officers and University examinations.

2. With reference to paragraph 3 of the Chief Secretary's notes on page 7 ante, it is submitted that the suggestion to throw the responsibility of obtaining the necessary certificates on the examiners themselves seems unobjectionable as it is primarily the duty of the examiners to get the certificates. Attention is in this connexion solicited to paragraph 3 of the University Registrar's letter in which it is stated that by the adoption of the present practice occasional delay has been caused both in obtaining the services of Government servants for urgent work and in making payments for services rendered. It is for this reason that general permission is now sought for. If the responsibility of obtaining the certificates is transferred from the Registrar to the examiners, the examiners will have then individually to apply to the Director of Public Instruction who will have also to obtain the sanction of the Government for the acceptance of remuneration in certain cases. Thus the work in the Director's office will continue as heretofore and the occasional delays referred to by the Registrar will not cease to exist. In these circumstances, the solution suggested by the Chief Secretary does not by itself seem to be of much use.

S.A.—21-11-18.

The Director of Public Instruction who is the head of the Educational Department, does not obviously consider that his strict control over his officers in regard to University examinerships is essential and that without it any serious abuse is likely to happen.

If, however, it is decided that the Chief Secretary's suggestion, that the control should be maintained, should be adopted, the only question for consideration is whether the existing practice of the University Registrar obtaining the necessary certificates from the Director of Public Instruction direct should continue or whether, as proposed by the Chief Secretary, the officers should be asked to secure the certificates individually. Even under the former (i.e., the existing arrangement of a consolidated application) the registrar complains of delay and has suggested proposals for avoiding it. The adoption of the latter arrangement will surely increase the opportunities for delay and may not be accepted by the Syndicate as a remedy for the existing state of affairs. If the Government of India are not to be addressed for general sanction, it may be advisable to allow the existing state of things to continue, though on principle the Registrar is not bound to obtain the certificates for the examiners.

C. RAMANUJA ACHARIYAR—22-11-18.

As regards the risk pointed out by Chief Secretary—which is no doubt real—of an officer doing work simultaneously or in succession for too many examining bodies, the Director offers to watch the extent to which Educational officers use their

no brackets
comm. C.G.T.
was then
on 2.5.

time for such outside work. Other heads of departments who are less concerned with applications for leave to take up examining work may do the same, provided the Government of India are willing to relax the Civil Service Regulations. It would perhaps meet the wishes of the Syndicate if the rules were altered so as to require any authority offering an examinership to any officer of Government (a) to do so, subject to veto by the head of his department, and (b) to communicate the offer simultaneously to the head of the department. In this case the examining authority would have nothing further to do with certificates unless there was a veto (which would be very rare) and the head of the department might arrange to communicate all his sanctions numbered, if necessary, for identification, to the audit office. Would Financial consider this or any other modification to obviate the inconvenience complained of by the University?

L. D. SWAMIKANNU—26-11-18.

FINANCIAL DEPARTMENT.

The procedure which it is proposed to adopt in the Home (Education) Secretary's note above seems unobjectionable. It does not seem to contravene the provisions of article 74 (a), Civil Service Regulations.

P.K.K.—2-12-18.

But when the remuneration exceeds Rs. 500, the sanction of Government has to be obtained. For orders with reference to the Chief Secretary's note, dated 11th November 1918, on page ante.

T.H.R.—3-12-18.

The proposal by Secretary, Home, would appear to require the amendment of G.O. No. 328, Public, dated 8th May 1905, only.

J. M. HOOPER—6-12-18.

I am quite prepared to accept Mr. Swamikannu Pillai's solution. The Director is ready to supervise the amount of examination work done by his men and he may as well do it first as last. Mr. Swamikannu Pillai's plan provides for this. G.O. No. 328, Public, dated 8th May 1905, was intended only to call attention to existing rules but appears to have added a gloss which has proved very inconvenient in working practice.

C. G. TODHUNTER—8-12-18.

HOME (EDUCATION) DEPARTMENT.

A draft order is submitted for approval.

2. It seems desirable that the order should issue in Home (Miscellaneous) as it is a general one and modifies G.O. No. 328, Public, dated 8th May 1905.

G.S.—12-12-18.

S.A.—12-12-18.

C. RAMANUJA ACHARIYAR—16-12-18.

His Excellency considers that the procedure indicated in the draft order involves unnecessary circumlocution. He would suggest that it would simplify matters if the Syndicate instead of approaching each officer individually would send consolidated lists of officers to whom it wishes to offer examinerships to the head of the department, who would communicate permission to accept, if accorded, to each officer concerned, who would in turn inform the Syndicate whether he desires to take up the work. The head of the department would communicate a copy of his order to the audit office: similarly the Syndicate would communicate to the head of the department for sanction a statement of the remuneration to which his officers were entitled and sanction to their accepting it would similarly be communicated by the head of the department to them and to the audit office. His Excellency would like this suggestion to be considered.

(By order)

T. E. MOIR—25-1-19.

6 NOTES TO G.O. No. 1081, HOME (MISCELLANEOUS), 7TH JULY 1919

Under the existing practice relating to the acceptance of examinerships by Government servants, the University applies direct to heads of departments for certificates on behalf of Government servants invited to undertake University work and makes payments to examiners whose claims for payments are supported by these certificates. The University already complains of the occasional delay that has been caused by the adoption of the present practice and has submitted proposals for avoiding it. According to the procedure indicated in the Private Secretary to His Excellency the Governor's note the University would have to apply to heads of departments who should communicate their sanction to the officers concerned, who in their turn would have to inform the University of their desire to take up University work. Submitted that this will cause even greater delay than is involved in the existing practice. The procedure indicated in the draft order seeks to minimise the delay complained of by the University, by relieving it of the burden of obtaining the certificates authorizing the acceptance of examinerships and by permitting the University to correspond at once direct with examiners with an intimation that the offer is subject to veto by the head of the department to whom a copy of the order will be simultaneously communicated. It is only in cases of veto which may occur, rarely, if at all, that the University may be put to some inconvenience.

T.V.S.—30-1-19.

S.A.—30-1-19.

The following statement shows in one view the various stages to be passed through in connexion with the offer of examinership and the payment of remuneration under the existing and proposed arrangements :—

Existing.	Proposed in the draft order.	Proposed in the Private Secretary to His Excellency the Governor's note.
	<i>Offer.</i>	
University to head of department.	University Examiner to head of department.	University to head of department.
* Head of department to University.		Head of department to Examiner audit office.
University to the examiner.		Examiner to University.
	<i>Sanction for remuneration.</i>	
University to head of department.	No alteration	No alteration.
Head of department to Government (in some cases).		
Head of department to University.		
University to examiner ...		(Audit officer is also furnished with a copy.)

*To Government where head of department himself is concerned.

If, as it is aimed, delay that is caused under existing arrangement is to be minimized, the proposal in the last column may not, it is feared, help much.

C.R.—3-2-19.

It is very rare that a veto is exercised; but in the rare cases it has to be exercised, it will be better that the offer is not made to the proposed examiner. The Private Secretary to His Excellency the Governor's plan provides for this.

No doubt there is delay; but if article 74 is to be respected this cannot be avoided.

R. RAMACHANDRA RAO-6-2-19.

To be sent to Mr. Littlehairs, u.o.
(By order)

T.E.M.—7-2-19.

May I send the file?

R.R.—8-2-19.

NOTES TO G.O. No. 1081, HOME (MISCELLANEOUS), 7TH JULY 1919 7

FINANCIAL DEPARTMENT.

Submitted that Financial may agree to the file being sent u.o. to the Director of Public Instruction.

P.K.K.—11-2-19.

V. SEKHARA MENON—11-2-19.

E. M. GAWNE—12-2-19.

HOME (EDUCATION) DEPARTMENT.

To Director of Public Instruction u.o. with reference to Private Secretary to His Excellency the Governor's note above.

C.R.—13-2-19.

OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

I think it may help to a right decision on this question if I state, so far my memory serves me, some of the points raised in the Syndicate meeting when this question was under discussion there: (1) Is it not right that, from the standpoint of the University, all persons who are offered examining or inspection work, whether Government servants or not, whether resident and engaged in work in this Presidency or outside of this Presidency, should be treated in a similar manner? (2) Is it necessary or desirable to continue in Madras a procedure that is not current in the other large Universities in India? (3) Is it equitable that a Government servant should have to wait weeks for payment for services rendered by him to the University, and for the undertaking of which he has already received the sanction of Government or the head of his department, while the person not in Government employ is paid immediately on completion of the work? (4) Is it not open to considerable doubt whether the Government is acting within its powers in demanding that the University should see that the certificates required under article 74, Civil Service Regulations, are produced before it (a) gives work to a Government servant, (b) pays him for work done? (5) Would not the University be perfectly within its rights, which are defined by the Act of Incorporation of 1857 and the Indian Universities Act of 1904, in invariably making payments by cheque for work done immediately on completion of that work, whether the payment is to be made to a Government servant or to one who is not a Government servant? The above are some of the points raised in the discussion in the Syndicate, of which I viewed the matter almost entirely from the standpoint of University administration. Its endeavour is to obtain the services of the most suitable men for its work, to have the work done as expeditiously as possible and to pay for services rendered as soon as the work is complete; it does not, qua University, concern itself whether the person to whom work is offered is the servant of Government, of a mission, of some other agency, or independent.

2. Now I think it only right and necessary that Government and the head of a department should retain control over the work that is done by a Government servant, further that having once given permission for a certain piece of work to be done for the University at rates of payment which are more or less standardized and which are well known to everyone who has anything to do with University affairs, the normal presumption is that the officer will be paid in due course on the completion of the work.

3. I suggest therefore: (1) that, when University work is to be offered to a Government servant, the Registrar make the offer to the person concerned communicating a copy of the offer to the head of the department with a statement of the probable time that will be occupied by the work and an estimate of the payment which will subsequently be made by the University. The head of the department can then immediately take action on the matter, submitting the request to Government for orders or himself granting sanction for undertaking the work—if it is within his powers to do so,—or refusing sanction; (2) that the University be no longer required to see that the certificate required under article 74, Civil Service Regulations, is

8 NOTES to G.O. No. 1081, HOME (MISCELLANEOUS), 7TH JULY 1919

produced before it authorizes payment of remuneration to a Government servant for work done, but that the Registrar communicate to the head of the department concerned the payments made or proposed to be made to Government servants. If Government or the head of a department were at all doubtful whether the work could be done without prejudice to the ordinary duties of an officer then permission to undertake the work should have been refused, but if permission to undertake the work was once given the presumption is that it has been done without prejudice to ordinary work and that payment therefor may be made in due course. The onus for the production of the certificate required under article 74 (c) still remains, and must be obtained. Failing which the money if accepted will have to be refunded to the University or Government as Government may decide in the case (one in a thousand) for which we are now attempting to frame an equitable procedure.

R. LITTLEHAILES—28-4-19.

HOME (EDUCATION) DEPARTMENT.

For orders whether paragraph 2 of the draft order may be modified on the lines indicated in paragraph 3 of the Director of Public Instruction's note above.

G.S.—6-5-19.

T.K.—6-5-19.

As regards the offer of examinership, the Director of Public Instruction proposes no change in the procedure laid down in paragraph 2 of the draft, but imposes a duty on the University to send to the head of the department a statement of the probable time that will be occupied by the work and an estimate of the payment that will be subsequently made to the examiner. It is doubtful whether the University will consent to such an obligation being thrown on them and whether it is possible at all

This depends on the number of examiner which varies.

L.D.—6-5-19.

to give any estimate even approximate of the time that will be taken by the examiner. Perhaps in regard to remuneration, the previous year's disbursement

for similar examinership may serve as the basis for the estimate. Hitherto no such estimates were obviously required by the heads of departments or by the Government; and it is doubtful whether it should be required at all. The University will have to be consulted before any such duty is imposed upon them.

2. In respect of the payment of remuneration, the present procedure is for the University to communicate direct with the head of the department, intimating the amount to be disbursed to the examiner and for the head of the department to furnish the University a certificate, on receipt of which the payment order to the examiner is issued. The Director of Public Instruction would, as in the case of the offer of examinership, require the University to send the pay order to the examiner direct (sending intimation simultaneously to the head of the department), who will obtain the certificate under article 74 (c) of the Civil Service Regulations, from the head of the department, and on its receipt realize the amount. This will no doubt simplify the procedure so far as the University is concerned and is admittedly the legitimate procedure. If this is accepted, the following may be added to paragraph 2 of the draft :—

"In regard to the payment of remuneration, the University should send to the officer concerned an order of payment, reporting simultaneously to the head of the department concerned the amount which it is proposed to pay the officer. The onus of production of the certificate required under article 74 (c) of the Civil Service Regulations will be laid on the officer who will obtain it from the head of the department and forward it to the account officer along with the order of the University for payment."

If the above suggestion is approved, the file may be sent to the Financial Department for acceptance or remarks.

C. RAMANUJA ACHARIYAR—9-5-19.

A page *supra*.—I do not think the University can or need be troubled to send the statement.

Regarding B above.—Why should the University report at all to the head of the department? Let the cheque be sent to the examiner and a slip be added "If the payee be a Government servant, he is required to obtain the certificate presented in article 74 (c) before the cheque is cashed."

Examine.

R.R.—10-5-19.

There is no obligation on the University to report to the head of the department the amount of remuneration to be given to the examiner; and there is no doubt that the onus of securing a certificate under article 74 (c) of the Civil Service Regulations rests on the officer himself. As under G.O. No. 328, Public, dated the 8th May 1905, however, the University have been asked to see that no examinership is conferred upon a public officer unless through and with the consent of the head of his department, and as the draft (paragraph 2) requires the University to send a duplicate copy of the offer to the head of the department simultaneously with that sent to the

I do not see this.

R.R.—12-5-19.

examiner, it is appropriate that the University should also let the head of the department know the amount of remuneration which the University are going to pay the officer, to whom the offer was originally made with the consent of the head of the department.

Another point in this connexion is that, if a report is made to the head of the department direct and simultaneously with the pay order to the examiner, some delay

No but to eliminate delay on the part of the University to settle dues.

R.R.—12-5-19.

the report from the University, the head of the department may, without waiting for

I think not.

R.R.—12-5-19.

in cases, where the Government sanction is necessary, such sanction may be promptly applied for by the head of the department himself without allowing some time to lapse in waiting for a formal application from the officer.

The University are not likely to be put to any great inconvenience in sending the formal report which in almost all cases will be a printed form.

C.R.—10-5-19.

We are here concerned with the simplification of procedure so far as the University is concerned. My plan simplifies still further.

Draft.

R.R.—12-5-19.

A revised draft order is submitted for approval. It may be sent to Financial for acceptance before circulation to the Honourable Member.

G.M.—15-5-19.

T.K.—15-5-19.

C.R.—17-5-19.

I think that the procedure now suggested relieves the University of departmental work without relaxing any rule of discipline.

R.R.—18-5-19.

FINANCIAL DEPARTMENT.

Please see—

- (1) Honourable Member's note (written as Chief Secretary) on pages *and* *355* *supra*,
- (2) Mr. Moir's note on page 13 and Home (Education) Department's notes on pages *6*
- (3) Director of Public Instruction's note (paragraph 3) on pages *7 and 8* *supra*, and

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(4) Home (Education) notes on pages 21-24 supra and the draft order below.
Submitted that the draft may be accepted in this department and Home (Education) requested to circulate the case to the Honourable Member (Financial).
C.V.R.—24-5-19

E.M.G.—28-5-19
N. E. MARJORIBANKS—30-5-19.

HOME (EDUCATION) DEPARTMENT.

Submitted that the case may now be circulated for approval of draft.

C. RAMANUJA ACHARIYAR—2-6-19.
R. RAMACHANDRA RAO—4-6-19.

As amended.

L. D[AVIDSON]—7-6-19.

Submitted.

R.R.—9-6-19.

I don't quite understand how the new procedure is intended to be applied in the case of an examining body outside the Presidency.

C. G. T[ODHUNTER]—12-6-19.

Submitted that the procedure in regard to the offer of examinerships to Government servants and the payment of remuneration to them, indicated in paragraph 2 of the draft order, is intended to minimize the delay in obtaining the services of Government servants as examiners consequent on the practice obtaining in this Presidency of the Madras University making applications to heads of departments for the certificates required under article 74 (a) of the Civil Service Regulations. It is not known whether examining bodies outside this Presidency adopt a similar practice in the case of Government servants in this Presidency, to whom they offer examinerships, or require the examiners to obtain and forward the certificates. From the current letter it appears that the Government of India have sanctioned the acceptance of fees by Government servants appointed examiners by the University of Calcutta and that similar orders are in existence in respect of the Universities of Bombay and Allahabad. These orders presumably apply to Government servants in the Presidencies concerned. In any case the responsibility of obtaining the certificates required under article 74 (a) of the Civil Service Regulations rests on the Government servants themselves who are offered examinerships; and the directions to authorities offering examinerships contained in the draft order, which are only executive instructions, can, therefore, apply only to examining bodies in this Presidency and they cannot be

[L.D.—25-6-19. applicable to those outside this Presidency. As regards the latter, the

existing practice, whatever it is, will continue.

G.V.N.—19-6-19.

T.K.—19-6-19.

C.R.—21-6-19.

R.R.—23-6-19.

L. D[AVIDSON]—25-6-19.

C. G. T[ODHUNTER]—25-6-19.

Submitted that the file may now be forwarded u.o. to Home (Miscellaneous) for issue of the order with reference to paragraph 2 of the office note on pages ante.

G.V.N.—1-7-19.

T.K.—1-7-19.

C.R.—3-7-19.

R.R.—5-7-19.

HOME (MISCELLANEOUS) DEPARTMENT.

For orders as to issue of the draft order from Home (Miscellaneous).

S.N.P.—5-7-19.

P.D.R.—5-7-19.

Issue.

C.H. BROWN—7-7-19.

[G.O. No. 1081, Home (Miscellaneous), dated 7th July 1919.]



INSTRUCTIONS FOR THE SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) For rules regarding printing of notes, see rule 315 of the office Manual.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

(e) The names of the Secretary and Members should be printed in full when they occur on the righthand side, only the first time when they appear on the left side, the initials alone being printed later.

Current No. dated 191
 G.O. No. 1087, dated 7th Aug 1919.
 Number of MS. pages sent. { Correspondence. 12
 { Notes. 28

Brief subject. Examinerships

(c) Number of copies required when struck off (not including copies for volumes and editors' table which are retained in the Press).	E. T. copies to supply requisitions for purchase by the public.	Complete correspondence and orders.	Notes.
FOR RECORD.			
Madras Records ...	4	20	20
Ooty Records ...		3	3
For filing with original ...		1	1
Total ..		24	24

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			No.	Papers.	
India Office		30			
Govt. of India					
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Local and Municipal Department					
Educational Department					
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Public Dept.					
Judicial Dept.					
Political					
Financial Dept.					
Marine Dept.					
Ecclesiastical Dept.					
Total					
Spare copies					
The. <u>Acting</u>		6			
The. <u>Rep. Univ. m...</u>		6			
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The. <u>Dip. & Sect. Heads</u>		90			
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