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(1) Number of pages 10

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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P.W.D. DEPARTMENT

G.O. No. / B.P. No.	839 W / 1	Press. / Mis.

Dated 27. 3. 1884. 197.

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[For General Distribution.]

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No Copy and Order.

Circular No. 3 Public Works.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

Fort William, March 15, 1884.

The following is forwarded to Local Governments, Administrations and Officers marginally noted for information and guidance, in continuation of Public Works Department Circular No. 16, dated 30th March 1874.

The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh, and the Punjab, in the Public Works Department.
The Chief Commissioners of the Central Provinces, British Burma, Assam, and Coorg.
The Resident at Hyderabad.
The Agents to the Governor General for Central India, Rajputana, and Beluchistan.
The Accountant General, Public Works Department.
The Inspector General of Military Works.
The Director General of Railways.
The Consulting Engineers to the Government of India for Guaranteed Railways, Calcutta, Lahore and Lucknow.
The Director General of Telegraphs in India.
The Director-in-Chief, Indo-European Telegraph.
The Director, Persian Telegraph.
The Director, Persian Gulf Telegraph.
The Superintendent of Works, Simla Imperial Circle.

G. H. D. WALKER,

Offg. Under Secy. to the Govt. of India.

No. $\frac{5}{224-48}$, dated 20th February 1884.

RESOLUTION,—By the Government of India, Home Department.

Read the following papers :—

Home Department Resolution, dated 14th January 1862.
Ditto ditto, dated 16th January 1863.
Ditto ditto, dated 13th February 1874.

A case has recently come before the Government of India in which the standing orders regulating the connection of public servants with landholding and commercial speculation in India had been infringed. The Governor General in Council accordingly considers it desirable to call attention to those orders, and directs that the Resolutions cited in the preamble, copies of which are hereto attached, should be re-circulated for the information and guidance of Local Governments and Administrations and Officers serving under them.

ORDER.—Ordered, that a copy of this Resolution and of its appendix be forwarded to the Local Governments and Administrations noted on the margin for information.

Madras.
Bombay.
Bengal.
North-Western Provinces and Oudh.
Punjab.
Central Provinces.
British Burma.
Coorg.
Assam.
Hyderabad.

Also that a copy be forwarded to all Departments of the Government of India for information.

Also that a copy be forwarded to the Superintendent of Port Blair and the Nicobars, Sanitary Commissioner with the Government of India, Surgeon-General with the Government of India, Director General of the Archæological Survey of India, Secretary to the Board of Examiners, Registrar of the Calcutta University, Bishop's Chaplain, and the Registrar of the High Court, Calcutta.

I. Resolution of the Governor General in Council, and Notification dated the 14th January 1862.

Read the following correspondence on the subject of Government servants holding land in India :—

Revenue Consultation, 20th January 1860, Nos. 1 to 3.
Revenue Consultation, 7th April 1860, Nos. 1 to 5.
Revenue Despatch to Secretary of State, No. 6 of 1860, dated 2nd April.
Revenue Despatch from Secretary of State, No. 36 of 1860, dated 24th July.
Revenue T. S. Proceedings, 31st August 1860, Nos. 52 and 53.
Revenue Proceedings, 25th October 1860, Nos. 46 to 52.
Revenue Despatch to Secretary of State, No. 37 of 1860, dated 25th October.
Revenue Proceedings, 26th October 1860, Nos. 53 to 55.
Revenue Despatch to Secretary of State, No. 38 of 1860, dated 26th October.
Revenue Proceedings, 31st October 1860, Nos. 70 and 71.
Revenue Despatch to Secretary of State, No. 39 of 1860, dated 31st October.
Revenue Proceedings, 8th March 1861, Nos. 1 and 2.
Revenue Despatch to Secretary of State, No. 5 of 1861, dated 8th March.
Revenue Despatch from Secretary of State, No. 22 of 1861, dated 10th August.
Revenue Despatch to Secretary of State, No. 16 of 1861, dated 1st October.
Revenue Despatch from Secretary of State, No. 29, dated the 30th November 1861.

Resolution.—In the Despatch No. 22, dated the 10th August 1861, Secretary of State lays down rules under which Government servants may hold landed property in India; and prescribes that in the case of Covenanted Civil Servants, the possession by them of such property shall be contingent on its being situated out of the Presidency to which they are attached. This restriction is modified as regards the Presidency of Fort William by the subsequent despatch of the 30th of November, No. 29, wherein the Secretary of State accords his permission to officers of the Bengal Civil Service attached to the Lower Provinces acquiring and holding lands in the Upper Provinces, including the Punjab and Oudh, and, similarly, to officers attached to the Upper Provinces acquiring and holding lands in the Lower Provinces. In according this permission the Secretary of State requires that officers possessing lands in either Division of the Presidency shall be absolutely precluded from employment under the Local Governments of the Division in which their lands are situated.

Resolved, that the following Notification be published in the *Calcutta Gazette* :—

Notification dated the 14th January 1862.

The following orders passed by the Right Hono'ble the Secretary of State in Council on the subject of the possession of landed property in India by public servants are published for general information :—

(1.) *Extract from the Secretary of State's Despatch No. 22, dated the 10th August* 1861.

Para. 1. I have had under my consideration in Council your Excellency's letters dated the 25th, 26th and 31st October 1860 (Nos 37, 38 and 39), and 8th March (No. 5) 1861, on the subject of the possession of landed property in India by the public servants of the State.

* * * * * * * *

4. I have carefully considered in Council the entire subject, and I am now prepared on the part of Her Majesty's Government to lay down the following Rules for your future guidance. I should premise that these Rules refer only to the acquisition or possession of lands intended to be applied to agricultural purposes, and are not to be construed to include lands occupied merely by buildings for residence and their usual appurtenances.

5. Officers of the Covenanted Civil Service are at liberty to acquire and possess lands anywhere out of the Presidency to which they are attached, but are absolutely precluded from holding lands within their own Presidency. Thus an officer of the Bengal Civil Service may hold lands in Madras or Bombay, but cannot be permitted to hold lands in any part of the Bengal Presidency, notwithstanding that, at the time of their acquisition, he may himself be actually employed in a different Lieutenant-Governorship from that in which the lands may happen to be situated.

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6. Regimental military officers may hold lands in any part of India, with the distinct understanding, however, that a military officer possessing land will be disqualified for temporary employment in any civil capacity in the district within which his land is situated but military officers who are placed in permanent employment in the civil administration must, like the officers of the Covenanted Service, be prevented from holding land in the Presidency to any part of which they may be sent.

7. No restrictions are to be placed on the possession or acquisitton of lands by uncovenanted officers of any description, whether of European, Indo-British, or Native descent, beyond those now in force.

8. Officers of all classes (including candidates for offiec) must, however, be required to make a declaration of the fact of their being in possession of, or of their having acquired, landed property, stating the district within which it is situated, with such other particulars as you may consider necessary, of which registers should be kept at the seat of Government of each Presidency or Lieutenant-Governorship. Although uncovenanted officers are not to be precluded from holding land, it may, nevertheless, be inexpedient that appointments which necessarily nonfer a considerable amount of power and influence on their occupants, sech as those of Sudder Ameen, Deputy Collector and Tehsilder, should be filled by persons holding landed property within their jurisdiction ; and it is right that the several Government should always have at hand the information necessary to guide their judgment in selecting individuals for such offices.

9. It will, moreover, be incumbent on the several Local Governments to take care that no officer who may be in possession of landed property in India or elsewhere to whatever class of the service he may belong, shall apply any portion of the time and attention which ought to be devoted to his public duties, whether civil or militauy, to the management of that property, and that longer or more frequent leaves of absence are not to be permitted on that account.

* * * * * * * *

(2.) *Secretary of State's Despatch No. 29, dated the 30th November* 1861.

With reference to the letter from your Excellency in Council, dated the 1st October last (No. 16), which has been considered by me in Council, I have resolved to accede to your recommendation for a modification of the terms of my Despatch of the 10th August last (No. 22), so far as to permit officers of the Bengal Civil Service, attached to the Lower Provinces, to acquire and hold land in the Upper Provinces, including the Punjab and Oudh. Similarly officers attached to the Upper Provinces may be permitted to acquire and hold lands in the Lower Provinces of Bengal. It will, of course, be understood that such officers possessing lands in either Division are absolutely precluded from employment under the Local Governments of the Division in which their lands are situated.

Ordered, that a coppy of the foregoing Resolution be sent to the Local Governments noted in the margin, and (No. 259) to the Military Department, and (No. 260) Public Works Department for information, and (No. 261) to the Foreign Department for information and for communication to the Government of the Punjab, the Chief Commissioner of Oudh, the Chief Commissioner of the Central Provinces, the Commissioners of Mysore, Pegu and the Tenasserim Provinces, and to such other officers under the control of that Department as may be deemed necessary.

No. 254, Government of Bengal.
" 255, Government of the North-Western Provinces.
" 256, Government of Fort St George.
" 257, Government of Bombay.
" 258, Government of the Straits Settlements.

II. Resolution of the Governor General in Council, and Notification dated the 16th January 1863.

Read the following papers on the subject of Government servants holding lands and engaging in speculations in India :—

Revenue Despatch from Secretary of State, No. 22 of 1861, dated 10th August.
Revenue Despatch from Secretary of State, No. 16 of 1861, dated 1st October.
Ditto ditto from ditto, No.29 of 1861, dated 30th November.
Resolution of the Government of India, dated 14th January 1882.
Letter from the Government of Bombay, No. 323, dated 28th January 1862.
Minutes by the Governor General and the Members of Government thereon, recorded on Public Proceedings of the 11th March 1862, Nos. 10 to 13.
Letter to Government of Bombay, No. 1421, dated 11th March 1862.
Public Despatch to Secretary of State, No. 23 of 1862, dated 11th March.
Letter from Secretary to the Landholders and Commercial Association, dated 31st March 1862, and its enclosed memorial addressed to the Secretary of State, praying that the covenanted and military servants of Government may be permitted to purchase and hold lands in India without any restriction.

Revenue Despatch to Secretary of State, No. 9 of 1862, dated 12th April.
Letter from Government of Madras, No. 537, dated 11th March 1862.
Minutes by the Governor General and the Members of Government thereon, recorded on Revenue Proceedings of the 8th May 1862, Nos. 2 to 7.
Revenue Despatch to Secretary of State, No. 10 of 1862, dated 8th May.
Public Despatch from Secretary of State, No. 46 of 1862, dated 31st May.
Ditto ditto to ditto ditto, No. 59 of 1862, dated 18th July.
Revenue Despatch from ditto ditto, No. 22 of 1862, dated 25th November.

RESOLUTION.—In his Despatch No.46, dated 31st May 1862, the Secretary of State observes that, as a general rule, there is no objection to Government servants holding, under certain restrictions, shares in Mining or other Companies having for their object the development of the resources of the country. In the recent Despatch dated the 25th of November, Sir Charles Wood states that the question raised by the Landholders and Commercial Association was fully considered when his Despatches No. 22, dated 10th August, and No. 29, dated 30th November 1861, were under preparation, and he sees no reason to modify the instructions conveyed therein. He also communicates instructions on the points submitted by the Government of Madras relative to a civilian holding shares in a Joint Stock Company formed for agricultural purposes in his own Presidency, and in regard to a Madras Civilian holding land in Mysore, Coorg, Cochin or Travancore; or becoming a shareholder in a Company formed for holding or cultivating land in those territories.

Resolved, that the following Notification be published in the *Calcutta Gazette*:—

Notification dated the 16th January 1863.

The following orders passed by the Right Hon'ble the Secretary of State for India are published for general information, in continuation of the Notification No. 241, dated the 14th January 1862, published in the *Calcutta Gazette* of the 15th idem:—

(1.) *Extract from the Secretary of State's Public Despatch No. 46, dated the 31st May 1862.*

PARA. 2 You will have learned from my Despatch to the Government of Bombay dated the 8th April last, No. 11, that in connection with the orders of that Government of the 26th November 1861, relative to the case of public officers who might take part in any Company formed for working the Gold Mines in the Dummul Hills, I stated that, "as a general rule, I see no objection to servants of Government holding shares in Mining or other Cumpanies having for their object the development of the resources of the country; and the only restriction I think it necessary to impose is, that public servants shall take no part in the management of such institutions, and shall not be employed in the districts where the operations of the Company may be carried on.

3. With the exception of the concluding proviso, that no public officer shall be employed in any district where any Company, in which he holds shares, may carry on its operations, the sentiments above expressed are in accordance with the opinions recorded by Earl Canning and the several Members of your Council; and, as I think it important that this condition should be maintained, I have to direct that my decision, communicated in the terms above quoted to the Government of Bombay, may be made generally applicable, and may be published for general information.

4. There can be no doubt as to the great evil of public servants in India engaging in speculations in the public funds, or in the shares of Joint Stock Companies; but I agree in the opinion of Lord Canning that such a practice, on the part of any officer, could not long escape the knowledge of Government, and that it would be in the power of Government to mark its sense of such conduct, either by withholding promotion, or in any other way it might deem fit.

(2.) *Extract from the Secretary of State's Revenue Despatch No. 22, dated the 25th November 1862.*

PARA. 3. In your letter of the 8th May (No. 10), you request to be informed whether a covenanted civilian may hold shares in a Joint Stock Company formed for agricultural purposes, such as tea or coffee cultivation, in his own Presidency. This question is sufficiently answered in my Public Despatch of the 31st May (No. 46) 1862, which you would have received shortly after the date of your reference.

4. As regards the question whether a covenanted Madras civilian may hold land in Mysore, Coorg, Cochin or Travancore, I agree with your Government in viewing with disapproval the holding by covenanted civil servants of lands in Native States; and I consider that the same objection applies to the holding of such lands by military officers in the actual service of the Crown in India.

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5. The right of officers, civil or military, to hold shares in the Agricultural Companies operating in Native States may be regulated by the same rules as apply to their holding shares in similar Companies within the British territories.

ORDERED, that a copy of the foregoing Resolution be forwarded to the Government of Bombay, with reference to their letter No. 323, dated 28th January 1862, and the reply to it, No. 1421, dated 11th March 1862; to the Government of Madras, with reference to their letter No. 537, dated 11th March 1862; and to the Governments of Bengal and the North-Western Provinces, as well as the Straits Settlement, and the Military and Public Works Departments for information; and to the Foreign Department for information and for communication to the Government of Punjab, the Chief Commissioners of Oudh, Central Provinces and British Burma; the Commissioner of Mysore, and to such other officers under the control of that Department as may be deemed necessary.

Ordered also, that a copy of paragraphs 1 and 2 of the Despatch, dated the 25th November 1862, No. 22, be forwarded to the Landholders and Commercial Association, with reference to their Secretary's letter dated the 31st March 1862.

III. Resolution No. 13—467, dated Fort William, the 13th February 1874.

READ the subjoined extracts from a correspondence with her Majesty's Secretary of State for India on the subject of the holding of land by Government servants in India and of other investments:—

Extract, paras. 3 to 8 of Despatch to the Secretary of State, No. 40, dated the 16th June 1873.

Para. 3. The main rule which we propose to alter is that which deals with the holding of land in India by covenanted civilians and by military officers in civil employ. The general rule now is that no such civil officer may hold land within his own Presidency. The correspondence which has only just ended raised the point whether officers belonging to the Financial Department, who are liable to serve in any Presidency or Province, are debarred under this rule, or under any other, from holding land anywhere in India beyond their own Presidency. And the reply of the Secretary of State in his Despatch marginally cited* was that the prohibition (imposed by the general rule above quoted) does not apply to districts in which officers of the Financial Department may be temporarily serving outside the limits of the Presidency to which they were originally appointed. By the wording of this reply the ruling which it conveyed applied only to the case of the Financial Department, but the letter† from this Government which submitted the case had pointed out that "under the literal terms of the rules it is clear that a Bengal civil servant may ordinarily acquire and hold hand in British Burma." And though the answer from the Secretary of State may be understood to assume that an officer connected with the local administration of a Province outside the limits of his original Presidency is forbidden by the spirit of existing rules from holding land within that Province, yet this important construction is not positively laid down either in the Despatch from the Government of India or in the Secretary of State's reply to it. Practically, and especially, in delicate and closely contested cases a rule is only effective within the range of its literal meaning. And the literal meaning of the general rules which curtail the right of covenanted and commissioned civil officers to acquire land is still only this—that the land must not be within the Presidency to which they were first appointed. Thus an officer who, like an Accountant General, may be sent to serve in any Province or Presidency, or who like a Secretary to the Government of India, or Member of the Supreme Government, may be officially connected with all Provinces, is only debarred by the haphazard of his first appointment from holding land in one particular Presidency, whether he be actually serving in it or not. Nor is it absolutely certain, according to the letter of the rules (though according to their spirit there may be no doubt), that the present Chief Commissioner and Judicial Commissioner of British Burma, being both Bengal civilians, are incapable of holding land in that Province, which is separate from the Bengal Presidency.

* No. 74, dated 15th December 1866.

† No. 21, dated 13th July 1866.

4. We have determined that it is expedient to remove these doubts and inconsistencies by amending the rules so as to bring them back into direct correspondence with their original objects and motives. The reasons why certain officers in civil employ were forbidden to hold land in their own Presidency are* (1) because their attention might be diverted from public to private business to the detriment of public business; and (2) because they might use (or be suspected of using) their official influence unduly for their own benefit, and to the disadvantage of others in the management of their estates. But these reasons obviously apply with equivalent force wherever an officer holds land and public office in the same Province; wherefore we desire to pass the plain rule that henceforward no officer (covenanted or military in civil employ) shall hold land in a Province with the administra-

* See Despatch of Supreme Government to Secretary of State., No. 6, dated 2nd April 1860.

tion of which he is in any manner connected. If this rule is approved, then the aforesaid civil officers will be precluded from taking office which gives any sort of jurisdiction over any part of a Province within which they may hold land, and (conversely) from holding or acquiring land within the territorial limits of the Province in which they may be serving temporarily or permanently. In fact they must choose, upon any transfer or fresh appointment which raises the dilemma, between holding office and holding land; they cannot hold both in one Province. But we do not wish to give the new rule retrospective effect, or to make it interfere with the right of civil officers to keep land which they have already acquired under the permission given by preceding regulations; though in the event of promotion to high administrative positions, such officers may be expected to take an early opportunity of conforming to the general rule in force. And it should be here noted that we propose to retain, for the purposes of these rules, the definition of landholding which was framed by Sir C. Wood,* whereby it is taken to mean only the acquisition of land intended for cultivation, not of land occupied by buildings for residence. Whether land can be held for commercial speculation is a different question, which we touch upon toward the end of this letter.

* Despatch, 10th August 1861.

5. We are aware that the effect of the broad rule which we have now proposed will be to hamper greatly any safe investment in land in India by officers who are liable to serve in different Presidencies and Provinces. And we admit that it must operate to discourage civil officers generally from making these investments anywhere; for the land must always be held at a considerable distance and on a precarious tenure, since in these days transfers from one Presidency or Province to another are much less rare than formerly. Nor do we overlook the arguments, often urged heretofore, that there is some actual advantage in associating under due precaution official position with landed interest in the country. But it has long been decided that these considerations are more than counterbalanced by the disadvantages accompanying the possession of land in a Province by officers who belong to its civil administration. This being the case, we feel the necessity of making one plain rule that shall be logical and consistent; and we observe that the extension which we propose to give to the prohibiting rule already in force will only affect comparatively small sections of the whole body of civil officers; that is, it will affect those only who are liable to serve beyond the limits of the Presidency to which they were first appointed; or who may be officially connected with districts beyond those limits. It may, if unreservedly enforced, prevent a member of the Supreme Government from holding any land at all in India; although we do not pledge ourselves to enforce it thus absolutely, or without making special exceptions in cases which are plainly unobjectionable. We propose to bring under the same category with covenanted civilians and military officers in civil employ all persons holding offices ordinarily held by officers of these classes. The amended rule will then run to effect that no such civil officer shall acquire, or continue to hold, land in any Province to which he is temporarily or permanently appointed, or with the administration of which he is concerned. And we intend to preserve unchanged all the other rules which have from time to time been passed in restraint of land-holding by different classes of public servants in various situations.

6. In regard to all investments other than those in land for the profits of cultivation, we have adopted and propose to notify the general principle that servants of Government are expected to abstain from any investment (though of itself unobjectionable) which interest them privately in affairs or undertakings of the kind with which their public duty is connected. The principle is well known, and the reasons for it are obvious; but we have latterly found cause for believing that it should be re-asserted distinctly.

7. We have recently been asked to consider the question of speculative investments by public officers, which is on some sides of it cognate to the subject of this letter, but we take it to be on the whole a different matter requiring different treatment. For, although we can frame a precise rule demarcating the limits within which land should or should not be held by public servants, and although it is easy to say that a Financial officer must not hold shares in a Bank within his circle, or a Consulting Engineer Railway shares, yet we do not propose to go farther and to attempt any literal definition of the stage at which the holding of land or other valuable property becomes speculative. We need only remark that while land-holding and other investments are under certain conditions forbidden to public servants as a necessary precaution against evil (one of which is speculation) that may possibly follow, habitual speculation by officials is held by us to be an evil in itself. And we have given notice that we reserve to the Government full power to deal stringently with the practice whenever it appears to prevail.

8. We enclose copies of correspondence with the Government of Bengal * upon the advisability of endeavouring to frame a definition of the term which shall include all transactions by a public servant which a Government may properly disapprove. We are of opinion that no such fixed rule of conduct is really needed, either by Government or by their officers, for their guidance in this matter.

* From Bengal, No. 1445G, dated 30th December 1872.
To Bengal, No. 1495, dated 10th April 1873.

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No. 1445 G., dated Calcutta, the 30th December 1872.

From—C. E. Bernard, Esq., Officiating Secretary to the Government of Bengal, Appointment Department,

To—The Officiating Secretary to the Government of India.

Referring to the Notification of the Government of India in the Home Department dated 28th August 1872, and published at page 814 of the *Gazette of India* of the 31st idem, on the subject of prohibiting public officers from engaging in speculations in India, I am directed to submit that the Notification seems to the Lieutenant Governor to put Local Governments in a position from which they may fairly ask to be relieved by a more exact definition as to what are the speculations which public officers may, and what they may not, engage in. I am to point out that it is notorious that, since the publication of the Despatch of 1862, very many officers have engaged in what is commonly termed speculation; that is to say, in the days of the company mania they applied for allotments in the shares of many companies, real and bubble; they took shares in tea estates, mines, mills; sometimes they bought and sometimes they sold.

2. The Lieutenant Governor finds it impossible to draw a line between permanent investments and purchase with a view to re-sale, it being only a question of degree. It can be only said that it was commonly believed that some officers in Calcutta (and it is believed still more in Bombay) went into these things to such an extent that they were commonly spoken of in society as much addicted to speculation. Yet His Honor is not aware that action was taken or precise rule laid down. Such times may recur, and isolated cases probably do occur; many servants of Government still hold shares in many undertakings, public and private, and the Lieutenant Governor does not know what is to be considered a speculation, and what not.

3. There are, moreover, certain public officers who also engage in private business, *e. g.*, law officers, and some, as the Administrator General, who apparently have always held themselves entitled publicly to serve as directors of public companies.

No. 1495, dated Fort William, the 10th April 1873.

From—A. C. Lyall, Esq., Secretary to the Government of India,

To—The Officiating Secretary to tho Government of Bengal, Appointment Department.

I am directed by the Governor General in Council to reply to your letter No. 1445 G., dated 30th December last, desiring some definition of the term 'speculation' for use in applying the rule which prohibits officers from engaging in it.

2. The question here raised by His Honor points evidently to cases which lie beyond those particular dealings which are already prohibited by rule, such as investment in land within the district to which an officer belongs, connection with the management of any bank or business, and other transactions barred by specific order. His Honor now inquires whether the Supreme Government would lay any formal restriction upon speculative investments generally so as to regulate precisely what an officer may or may not do.

3. I am to reply that His Excellency in Council would not attempt to shape, for public servants, any such fixed rule of conduct in this matter. If it were possible to devise such a rule, the expediency of doing so would be questionable; for His Excellency believes that, in practice, the spirit of existing orders is beyond mistake—that it never can be really misconceived by officers in the service, and therefore that there can be no practical difficulty about enforcing these orders as they now stand.

4. The Government of India consider that there exists an essential difference between permanent and speculative investments, that the distinction is one of motive, and that the frequency of a man's purchase and sales may be, and usually is, very good evidence of his motive in effecting them. If an officer habitually buys and sells securities of a value notoriously fluctuating, it is clear that he is addicted to speculation, and he thereby undoubtedly lays himself open to the disapproval of Government, which can be expressed in various ways, and in a degree proportionate to the nature of the dereliction. If he engages in such pursuits to an extent which attracts public notice and unfavorable remark, so that his integrity or his application to his public duties is discussed and doubted, then he has given rise to a scandal with which the Government will have to deal.

5. His Excellency believes that these general instructions will be found to govern all the cases to which your letter alludes; and if so, to those cases they may be applied. In regard to officers whose whole time is not at the disposal of Government, they are not in precisely the same category with other public servants; nevertheless if their behaviour gives rise to scandal, that is, to common rumour that they are in any way making private profit out of the opportunities given by their official position, in that event the Government can of course recognize no difference whatever between these and other servants of the State.

Extract para. 4, of Despatch from the Secretary of State, No. 99, dated the 26th August 1873.

I fully approve of the orders which have been issued by your Excellency in Council on the general question of investments by covenanted civilians and military officers in civil employ.

RESOLUTION.—The Governor General in Council desires that the foregoing extracts be forwarded to the Local Governments and Administrations for information and for circulation to all officers affected by the present orders, or holding a position in which they are likely to be so affected.

2. His Excellency in Council is pleased to determine, in continuation of preceding orders upon the same subject, that covenanted civil servants and military officers in civil employ, and all persons holding civil offices ordinarily held by covenanted or commissioned officers of the two classes aforesaid, are prohibited henceforward from acquiring or holding land within the Province with the administration of which they are concerned, whether that connection be permanent or temporary. This order will not necessarily take retrospective effect.

3. With regard to investments of any kind by public servants, it is hereby notified that the rules and general principles contained in the 6th and 7th of the Despatch to the Secretary of State, and in the enclosures to which they refer, will henceforward be acted upon by the Government, and are to be observed by all officers, of every rank and class, in the public service.

* Nos. 13—468 to 486.

ORDER.—Ordered, that a copy of this Resolution be forwarded to the several Departments of the Government of India, to the Local Governments and Administrations, to the Superintendent of Port Blair and the Nicobar Islands, and to the Director General of the Archæological Survey of India, for information and guidance.

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B № 839w d/27-3-84

Recorded, with reference to G.O № 3359w d/19 December 1882

Initd/ J.S.S 25-3-84

Initd/ C.B 26.3-84

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

To

(5)

Circular No. 1—Public Works.

Dated March 15, 1884.

Received

B № 839w d/ 27/3/84

Rules regarding connection of public servants with landholding and commercial speculation in India.

No. 454, P. W. D. Press—15-3-84—1,526.

With order