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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No.	1449	Press. / Mis.
Dated	11-6-1878	197 .

G.P

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

28th May 1878, No. 884.

Official Papers.

Read the following paper:—

No. 130. *From C. BERNARD, Esq., Officiating Secretary to the Government of India Home Department (Public), to the Chief Secretary to Government, dated Simla, 6th May* 1878, *No.* 19-860.

I am directed to forward, for the information of His Grace the Governor in Council, copies of the correspondence marginally noted, regarding the rules which should govern the publication in India of official papers which have to be communicated to the Home Government, or to the Government of India, in ordinary official course.

Despatch of Her Majesty's Secretary of State, No. 89, dated 9th August 1877.
Despatch of Government of India, No. 4, dated 18th January 1878.
Reply by Secretary of State, No. 30, dated 21st February 1878.

2. The rule will henceforward be, that no official letters to Her Majesty's Government, or to the Government of India, and no resolution or other official paper that would in ordinary course be reported to either of those authorities, should be made public by Local Governments until the interval has elapsed which is required for their transmission to the superior authorities. If, in cases of rare exigency, this rule has to be transgressed, telegraphic intimation of the circumstances, with explanation, should be sent to the superior authority. Similarly, communications from the Government of India to subordinate Governments will not be made public until the interval above described has elapsed, save under exceptional circumstances, the occurrence of which will in each case be explained by telegram to the subordinate Government concerned. No subordinate Government should, under any circumstances, give publicity to papers which may seem to reflect upon a superior authority without first obtaining its consent.

ENCLOSURE No. 1.

From Her Majesty's Secretary of State for India, to His Excellency the Right Honorable the Governor-General in Council, dated India Office, London, the 9th August 1877, No. 89.

In a Despatch to the Government of Bombay, which I communicated to your Excellency in Council,* I pointed out the disadvantages arising from the hasty publication of resolutions in which the proceedings of the Government of India had been made the subject of unfavorable comment. Other cases have recently come to my notice in which serious misapprehension has been caused by the premature publication of official correspondence. This evil has especially been felt when despatches have been published in local newspapers before they have come into the hands of those to whom they are addressed. In this practice, which is not unfrequent, Her Majesty's servants in India depart from the rule which is observed in all departments of the Government at home. Except under circumstances of special exigency, despatches are not published in this country until the interval has elapsed which is required for their transmission.

* 6th April 1877, No. 28, Revenue Department.

2. The convenience of this usage has been generally felt, and it is, I believe, a rule of old standing here. But the introduction of telegraphic communication has made the observance of it more important than before. At the present day, if a despatch is published before it reaches its destination, the person to whom it is addressed is likely to receive the first impression of its contents from the imperfect, and sometimes misleading, summaries of the ordinary telegrams.

This inconvenience is often felt in respect to communications from the Governments in India to this office. Summaries of State papers from time to time reach this country before I am in possession of them, and, therefore, when I am still unable to give any explanation or make any correction which is necessary for removing any erroneous impression that may have been formed.

3. I have made the foregoing remarks for the purpose of eliciting from your Excellency in Council an opinion as to the most suitable arrangements for terminating this inconvenience. My inclination would be to lay down a rule that no despatch from you to Her Majesty's Government, nor any resolution of the nature of such a despatch, should be published in the *Gazette*, or communicated to the public press, until an interval had elapsed such as would justify the assumption that the document in question had been received at this office. Such a rule would not, of course, apply to any case in which a special object would, in your Excellency's judgment, be served by immediate publication. In such an event, the intention to publish immediately might be stated in the despatch home. Nor would the rule in the least degree interfere with the publication of any facts which the Government might think it expedient to make known. To the publication of mere facts, the consideration to which I have adverted do not apply.

4. In respect to subordinate Governments the same principles would be applicable. No such Government should give publicity, on the exceptional occasions on which publicity is thought to be necessary, to despatches addressed to a superior authority, until an interval sufficient should have elapsed for them to reach their destination. A similar rule might apply to communications from the superior to the subordinate authority. And no subordinate Government should, under any circumstances, give publicity to proceedings which reflect on a superior authority without first obtaining its consent.

ENCLOSURE No. 2.

From the Government of India, to Her Majesty's Secretary of State for India, dated Fort William, 18th January 1878, No. 4.

We have the honor to acknowledge your Lordship's Despatch, No. 89, dated 9th August 1877, on the subject of the inconvenience caused by the premature publication in India of official correspondence.

2. In reply, we beg to state that we fully appreciate the necessity for making suitable arrangements to terminate the inconvenience thus caused, and that we cordially concur in the rules which your Lordship proposes to prescribe, with this object, for future observance. With reference, however, to the proviso stated in paragraph 3 of the despatch under acknowledgment, namely, that the general rule prohibiting the immediate publication of a despatch to Her Majesty's Government, or a resolution of the nature of a despatch should not apply to cases in which a special object would, in the judgment of the Government of India, be served by immediate publication, but that in such cases the intention to publish should be stated in the despatch, we desire to remark that it will be difficult for the Government of India in all cases to determine the expediency or otherwise of publishing a despatch before such despatch has actually issued. Circumstances, unknown to the Government at the time of sending a despatch, may afterwards transpire such as might render its immediate publication desirable in the interests of the public service, and in order to meet such cases, which will, however, probably be of unfrequent occurrence, we would propose an addition to the rules suggested by your Lordship, to the effect that, whenever the Government of India see strong reason for the publication of any document addressed to Her Majesty's Secretary of State, the intention or desire to publish such document should, if not previously announced at the time of its despatch home, be communicated and fully explained by telegraph.

3. With the addition described in the previous paragraph we are fully prepared to accept the rules suggested by your Lordship, which appear to us to be both reasonable and proper, and on receiving the final approval of Her Majesty's Government thereto, we shall cause the necessary instructions to be issued for the guidance of subordinate Governments.

ENCLOSURE No. 3.

From Her Majesty's Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council, dated India Office, London, 28th February 1878, No. 30 (Public).

The Despatch of your Excellency in Council, dated 18th January, No. 4 of 1878, relative to the premature publication of official correspondence, has been considered by me in Council.

2. Your Lordship in Council agrees generally with the views expressed in my Despatch of the 9th August, No. 89 of 1877, but suggests an addition to the rules prescribed by me, to the effect that "whenever the Government of India see strong reason for the publication of any

document addressed to Her Majesty's Secretary of State, the intention or desire to publish such document should, if not previously announced at the time of its despatch home, be communicated and fully explained by telegraph."

3. On the understanding that the necessity for such immediate publication will be of unfrequent occurrence, I will not object to the addition proposed by your Lordship in Council.

No. 131. ORDER THEREON, 28th May 1878, No. 884.

Communicated to the Departments of the Secretariat.

(True Extract.)

Chief Secretary.

To the Revenue Department.
" Military Department.
" Public Works Department.

Exd. T. O'Connor.

Annual Report
of No. 2484

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PUBLIC.

REVENUE DEPARTMENT.

&c., &c., &c.

Dated May 28th.

Read 7-6

Read Sent to

C.T., 29th May 1878, No. 694.

MAY.
Nos. 130-131.

Official Papers.—Letter from the Government of India forwarding copies of correspondence regarding the rules which should govern the publication of official papers which have to be communicated to the House or to the Government of India in ordinary official course, communicated to the Departments of the Secretariat.

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