

Financial (1897) Department.

ORDINARY MS.

G.O., No. 860

Dated 14-10-97

[Despatch Abstract.]

Comm^d to the Marine
dept letter from the G. of I. declining
to reconsider the orders cancelling
the sanction previously given to
the issue of a debenture loan of
50 lakhs by the Madras Harbour
Trust Board

BACK PAPERS.

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

FURTHER PAPERS.

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

[F. 28]
1,000-25-11-96.

Financial (1897) Department.

CURRENT No. 3015

From

The Govt. of India
(Finance)

No. 4229 A

Dated 21. 9. 97

Received 27
Registered 27 } 9. 97.

Enclosures

Spare copies.

SUBJECT.

Replying to letter from this Govt. to Mr. H. T. B. re: a reconsideration by the Govt. of its decision directing that the sanction granted to the issue of a Debenhure loan of 50 lakhs of rupees by the Board should be considered cancelled.

C.A.
29.9.97

Order
M.

Communicated to the Marine Dept.
with reference to its Endowment No. 429 E
28 June 1897.

To the Marine Dept. (A to)

BACK PAPERS.

272-3-283-95
24-11-95

G.O.	No.	Department.	Date.
	580-1	Finl	27-7-97
	398	"	12-5-97
	23940	"	19-3-97
	630	"	25-9-96
	628-9	"	25-9-96
	453-4	"	5-8-96
	317-8	"	6-8-96
	909-	"	20-11-95
	609-10	"	23-8-95
	266-		4-8-95
	341-2		24-4-95

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Recd. again ho N^{os} 580-81 Jul 97
CURRENT NO 3015
No. 4229-A.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

Simla, the 21st September 1897.

3/6

The Chief Secretary to the Government of Madras

Sir,

I am directed to acknowledge the receipt of your letter No. 581 Finl, dated the 27th July 1897, recommending a reconsideration of the orders of the Government of India contained in this Department letter No. 1889-A, dated 27th April 1897, which cancelled the sanction previously given to the issue of a debenture loan of 50 lakhs by the Madras Harbour Trust Board in view of the fact that there was no definite and immediate prospect of the loan being floated.

2. It is urged that owing to unavoidable delay in obtaining a fresh sanction of the Government of India and in advertising for tenders, the Trustees may not be in a position to act promptly and to seize any opportune turn of the market which may

present

present itself and that the opportunity for successfully floating the loan may thus be lost. The Madras Government accordingly recommend that the sanction should be revived and allowed to remain operative though there is still no immediate intention of acting on it.

3. The question whether a standing sanction can legally be given to the raising of a loan of 50 lakhs by the Madras Harbour Board is at least doubtful, and in all similar Acts the requirement of the sanction by the Government applies to some particular project for raising a specific loan, and not to a general permission to enter the market whenever convenient. The Government of India in any case are not prepared to depart from the previous practice in this respect, and are unable to give the general sanction referred to.

4. I am also to point out that if the proposal is intended to include a general permission to the Trustees to tender to the Government a

repayment

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repayment of 50 lakhs of rupees without previous notice to and arrangement with, the Government of India, it is not in the opinion of the Governor General in Council one that the Government can accept.

Office
Explains
Cms
27/8/96
D
50 630
25-9-96
E
5. The Government of India are also unable to admit any responsibility for delay in obtaining the sanction required by law. In the present case the application of the Government of Madras for that sanction, although bearing date August 5th, 1896, did not really arrive in Simla, until August 27th, and cannot have left the hands of the Government of Madras until a fortnight after the date it bore. The sanction of the Government of India was dated 10th September, and was posted on the same day.

It is observed that the letter of the Government of Madras now under reply bears the date Ootacamund 27th July, but it was received in Simla only on 26th August, and would therefore appear not to have been posted in Ootacamund till about 19th August.

5. 6. The circumstances of the month of September 1896 were altogether exceptional, and although

it was

it may be true that through delays, for which [as pointed out] the Government of India are unable to consider themselves responsible, the Trustees were prevented from taking advantage of a favourable condition of the market, there seems no reason to think that, with better arrangements, and with the use of the telegraph in case of urgency, the requisite legal sanction cannot in future be obtained without risk of prejudice to the Trustees.

I have the honour to be,

Sir,

Your most obedient servant.

V. T. Malaviya
Secretary to the Govt. of India.

[11.]
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1,000-31-7-47

NOTE FOR THE Chief Asst.

With reference to the delay in the despatch of letter W. 581 Znl dated 27th July 87 I beg to submit that that the paper was sent down to Madras for copying and despatch. I distinctly remember receiving a slip either from the Despatcher or from the Head Clerk asking for a spare copy of the Chairman's letter.

I wrote to say that no spare copy of the letter was received as there was no entry in the Requisite Register in the enclos column. After a few days I got the original + the fair copy of the letter to be despatched from here with the spare copy. I asked the Marine Deptt here ~~first~~ they said that the spare copies were not here. I afterwards ~~affectionately~~ sent a memo to the Head Clerk (Mr Lyon). He himself brought the spare copies ^{some 7 or 8 days afterwards + told me} to me ~~stated~~ that he could not comply with my requisition.

Earlier as the Copies had
to be sent for from Madras
In the case of ^{letter} G.O. No. 454 and
dated 5th Aug 96 it was
printed and despatched
from Madras.

[Faint, mostly illegible handwritten notes on the left side of the page, possibly bleed-through from the reverse side.]

But why not have done the
Sensible thing and taken orders
when you saw the despatch of
the letter being delayed? And
I been consulted I wd. at all events
have ^{order the letter to be} remembered and ^{be} dated the
letter
and

[Faint, mostly illegible handwritten notes on the bottom left side of the page.]

Papers to be read in proceedings:—

Again G.O., dated 27th July 1897, No. 580/81 - (P)

Again G.O., dated 189 , No.

Current No. 3015 of 1897, dated 21/9, from The G. of I. (committing portions)

„ „ „ 189 „ „ „ „

„ „ „ 189 „ „ „ „

HM

ORDER. W. 860 of 14 Oct 97

Comm? to the Marine

Dept.

Cub 2. x. 92. 9/10/97

Marine Dept. Dec/20

27/10/97

Note with reference to the
remarks in India's letter para 5
of India's letter it is submitted
that the discrepancies noticed
in the dates are due principally
to the fact that we ~~date~~ ~~some~~
a number & date letters
immediately they are passed in
draft. not after signature &
when they are ready for despatch
The letter of August 5th 1896
was printed at the Press &
the office did not delay it in
any way. The despatch of

There is frequently much
delay between the passing of the
draft & the issue of the letter. This
is because the
only case we have
had lately.

The letter of the 27th July
last was delayed between the
Oriz & Madras offices in waiting
for a spare copy of the Thamian
letter which had to accompany
it. The explanation of the clerk
responsible at Oriz is
attached; that of the Head Clerk
at Madras will be ^{obtained} ~~obtained~~ &
due notice taken of the conduct
of whom was in fault. Neither
of these clerks appear to have
been to blame for the delay in
obtaining a s.c. of the Thamian
letter but one or other of them
should have brought the fact
of the delay in the issue of
the letter to notice. This was
not done & in the absence of
the explanation of the Head
Clerk at Madras it is not possible
to say who was to blame for this.

In this connection it
is submitted that it would be
^{advisable} ~~advisable~~ to introduce a
rule that in the case of
papers disposed of by a letter or an endorsement
to the Govt of India the
numbering & dating should
be placed until the letter

Very well

11/10/97

P.O. 860 Jmd
11/10/97

or sent
is ready for despatch. That
is to say, signed — The Secretary
Copies of printed letters ^{& mss.} might
have the number & date entered
in manuscript — these being
entered in print in the
spare copies. This would
afford a check over the issue
of these letters both by the Press
and the office, which does not
exist now

Cut
7.4.92

9/10/97

When given for copying
When copied 26/10
When examined 1897
When signed _____

READ AGAIN G.O., No. _____ DATED _____
189 _____

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.