Financial (1898) Department.

ORDINARY MS.

G.O., No. 1074

Dated 18-11-98

REPEATED. 3/3.

[Despatch Abstract.]

Recording proceedings, Marine Dept, Concerning the Press Post Office. the Resolution of the Govt of I. Finance & Commerce Dept, directing that no Officer of the Indian Marine or an officer serving in the Marine branches of the public service is appointed as an Assessor at a Court of Inquiry, he shall be permitted to draw half the fee prescribed for Nautical Assessors Resolution No 3219 dated 28-9-85

BACK PAPERS.

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

FURTHER PAPERS.

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

Final CURRENT No. 3286

Government {1898} of Madras.

MARINE.

CHIEF SECRETARY
12 NOV. 1898
GOVERNMENT OF MADRAS

Recd. 12th Nov. } 1898. *Enclosures*

Regd. 14th Nov. } *Spare copies*

G.O., No. 912, 31st October 1898.

Order Mis No. 1074 & 15-11-98

Recorded.

OCTOBER.

Encls 15/11/98

Fees to Nautical Assessors

Resolution of the Government of India, Finance and Commerce Department, directing that, when an officer of the Indian Marine or an officer serving in the Marine branches of the public service is appointed as an Assessor at a Court of Inquiry, he shall be permitted to draw half the fee prescribed for Nautical Assessors in resolution No. 3219, dated 28th September 1885, communicated to the Presidency Port Officer.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper:—

Resolution of the Government of India, Finance and Commerce Department (Statistics, etc.—Commerce and Trade—Miscellaneous), dated Simla, 4th October 1898, No. 4327 S.R.

Read again—

Financial Resolution, No. 3219, dated the 28th September 1885.

Read also—

Letter from the Government of Bombay, No. 95 G., dated the 23rd May 1898, and enclosures.

Resolution—Under the resolution read in the preamble a fee of Rs. 25 is payable to all members of Courts of Inquiry not in the service of the Government of India for each day's attendance as Nautical Assessors, the fee being fixed as a maximum daily allowance for each such member whether he attends one or more such Courts in a day.

2. In July 1897, Captain Tindall, the Commander of the I.G.T.S. *Patrick Stewart*, was appointed as Nautical Assessor at a Court of Inquiry held to investigate the circumstances attending an explosion on board the S.S. *Matin* on the 26th June 1897 and claimed a fee of Rs. 25 for each sitting; but as Captain Tindall is an officer in the service of the Government of India, the fee was disallowed by the Government of Bombay. Captain Tindall, however, contends that the fee has always been paid to the Commander of the *Patrick Stewart* for attendance at a Court of Inquiry, and that, as he is not an officer of the Royal Indian Marine, but was appointed under covenant by the Secretary of State, he is entitled to the allowance under article 90 (*b*) of the Civil Service Regulations.

3. The Government of Bombay, in submitting the case for the orders of the Government of India, admit that the fee claimed is not admissible under the resolution of September 1885, but recommend that, on the analogy of the orders contained in the Home Department's resolution No. $\frac{11\ (Judicial)}{1179—1190}$, dated the 8th September 1896, regarding the payment of fees for the use of privately acquired skill or knowledge in the execution of commissions issued by Civil Courts, Captain Tindall may be paid the fee claimed by him.

4. The Government of India cannot regard the present case as coming within the resolution of September 1896, which refers to fees payable by private persons and not by Government. But they are willing to admit that an officer in the service of Government serving as an Assessor under section 13 (1) of Act V of 1883 may fairly receive in respect of the duty some additional remuneration. His Excellency the Governor-General in Council is accordingly pleased to direct in modification of the orders contained in the resolution of September 1885, read in the preamble, that when an officer of the Indian Marine or an officer serving in the Marine branches of the public service is appointed as an Assessor at a Court of Inquiry, he shall be permitted to draw half the fee prescribed in that resolution. These orders may be applied to the case of Captain Tindall.

Order—Ordered that this resolution be communicated to the Government of Bombay for information, with reference to the communication from that Government, No. 95 G., dated the 23rd May 1898.

Ordered also that the resolution be communicated to the Governments of Madras, Bengal and Burma, and to the Accountants-General, Madras, Bombay, Bengal and Burma, for information and guidance.

Ordered further that a copy of the resolution be communicated to the Military* (Marine) Department for information.

* (With copy of notes.)

(Signed) J. A. ROBERTSON,
Offg. Asst. Secy. to the Govt. of India.

ORDER—No. 912, Marine, dated 31st October 1898.

Communicated to the Presidency Port Officer in continuation of the undermentioned orders:—

G.O., No. 431, Marine, dated 8th October 1885.
„ „ 436, „ „ 10th November 1894.
„ „ 781, „ „ 11th „ 1896.

(True Extract.)

A. Russell.

Under Secretary to Government.

To the Presidency Port Officer.
„ Accountant-General.
„ Financial Department.

Exd. T. K. Narayana Aiyangar.

When given for copying ____
When copied ____
When examined ____ } 189 .
When signed ____

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

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A	
LETTER OF GOFERNMENT								
STATEMENT WITH DITTO								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

N.B.—
A = Copy in full.
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