Sectt. II—48—21,640-19-1-17.

Rev (Spl) Dept

Home (1917) Department.

Miscellaneous

Ordinary SERIES.

G.O. No. 343

DATED 3 -4 -17

INDEXED

[**Despatch Abstract.**]

Emigration.

Recording papers relating to the pay admissible to Mr. N. E. Marjoribanks, I.C.S., during the period of his deputation in connection with emigration enquiry.

1-3

Misc 241
28.1.17.

R/o 30.1.17
2

Sectt. II-29 (b)—7,710—4-14.

CHIEF SECRETARIAT
23 JAN
GOVERNMENT OF MADRAS

23-1-17
CURRENT NO.
~~0205~~ 176
PUBLIC

Regd 23.1.17

G.O. 281 M
3.11.16

My dear Davidson

In the G.O.

appointing me to the special duty on which I am it is stated that I shall draw (inter alia) "the "pay & allowances ordinarily "admissible" to me "in the "regular line" vizt Rs 2250 per "mensem".

Now that Elwin has gone I think that I would in ordinary line act in 1st grade i.e. get Rs 2500 as

Pub 176-1
28.1.17

Public (II) Deptt

It is understood that the original order regulating Mr Marjoribanks's salary while on deputation was issued in Home (Misc.). It is sub.d the ~~above~~ ~~d.o.~~ D.O. above may be transferred to that Deptt. for consideration.

~~[illegible]~~
27.1.17

Home (M) (UO)

pay or acting allowance. The wording of the G.O. would seem however to limit the amount to my permanent pay vizt 2250 Rs. Moreover the Govt of India was asked to sanction & sanctioned Rs 2250 specifically.

I don't think that it was intended that I should not get ordinary time promotion during my deputation & if I am right I should be glad if this were made clear

Yours sincerely

To the Hon Mr L. Davidson CSI ICS
Chief Secy to Govt.

Paper XXIV
at p39
FGO 281 M
3.11.16

3

Home dept
(Mis)

M
(removed)

S

M
(removed)

For the w.s

The sum of Rs 2250 specified in para 1 of G.O no 281, Home (Mis), d the 3.11.16 represents the pay and allowances of Mr Marjoribanks at the time the order was issued. Attention is invited to note 5 under rule III 10(4) at page 7 of G.O. 464 Fin d the 17.8.16 under which the specific sanction of the G of I is not required for Mr Marjoribanks to draw increased remuneration by reason only of an increase of the pay or acting allowance which he would draw in normal circumstances. It is not likely that the A.G will object to Mr Marjoribanks drawing any increased remuneration by way of increase of pay or of acting allowance during the period of his deputation merely because para 1 of G.O. 281, Home (Mis), d the 3.11.16 specifies only Rs 2250 p.m as his pay & allowances. ~~of Mr Marjoribanks~~. The A.G may perhaps be asked u.o whether any action is necessary as suggested by Mr Marjoribanks.

5.2.17

7.2.17

S.

It was certainly not intended to prevent Mr M. getting ordinary his promotion during his special duty. The A.G. may be consulted as suggested.

C.H.
8.2.17

UNDER SECRETARY TO GOVT. OF MADRAS
-9-FEB-1917
HOME DEPARTMENT

A.G. co
J.B.
9.2.17

Mis no 241-1
9.2.17

M

Paper V at p27 of G.O 281
3.11.16
M

The Madras Government in their order No.281, Home Department, Miscellaneous, dated the 3rd November 1916 appear to have exceeded the terms sanctioned by the Government of India. To ascertain these terms I have to refer to the original telegram from the Government of India in the Department of Commerce and Industry, which stated "Government approve Todhunter's deputation on present pay and deputation allowance Rs.10 a day." Subsequently the Finance Department of the Government of India informed me that they had agreed to the deputation of Mr. Marjoribanks to the Federated Malay States and Ceylon in place of Mr.

Mr. Todhunter. This leaves me in the position of being authorised by the Government of India to pass to Mr. Marjoribanks his "present pay and deputation allowance of Rs.10 a day." As the deputation requires the sanction of the Government of India under Article 84-A of the Civil Service Regulations, the terms granted to the officer deputed are also dependent on the wording of the sanction accorded by the Government of India, and it seems to me that, in their order of 3rd November 1916, the Madras Government exceeded the terms thus sanctioned when they stated that Mr. Marjoribanks would be allowed to draw the "pay and allowance ordinarily admissible to him in the regular line," as the terms actually sanctioned by the Government of India were "present pay and deputation allowance of Rs.10 a day."

G.O. 281, Home (Mis)
3.11.16 M

A Westmacott
A. G. 15/2/17

To
The Secretary to the Government of Madras,
Home (Miscellaneous) Department U. O.

A.G.'s U.O. 406
15 : 2 : 17

Notes in Cor
16.2.17

SECRETARY TO GOVERNMENT HOME DEPARTMENT 16-FEB-1917

REGISTRAR HOME DEPARTMENT 16-FEB-1917 GOVT. OF MADRAS

Home dept
(Mis)

For the w.s

It is for consideration whether in view of the remarks of the A.G the G of I may be addressed. A draft letter is submitted for approval. It may go w.o to Finl and Pub for acceptance before issue.

616

CURRENT NO.
~~0709~~
PUBLIC

Regd 23.2.17
Mis no 241-2
22.2.17

21.2.17
Pder
22.2.17

E.W.H
22.2.17

Finl.
Pub } w.o

CHIEF SECRETARIAT
23 FEB 1917
MADRAS GOVT

Public (II) Deptt

The draft letter may be accepted in Public (II).

23/2/17 In giving his opinion the A.G. has been guided by the terms sanctioned for Mr. Todhunter. This is no doubt due to the fact that he was not in possession of the later correspondence regarding the terms sanctioned for Mr. Majoribanks. This correspondence

Thro' Finl.

CURRENT NO.
1352
FINANCIAL

Regd: 23-2-17.

24 FEB 1917

will be found in G. O. 281. Home Misc: of 3. 11. 16. In Home Department telegram of 18: Oct. 1916. — paper XXIV — this Govt. recommended for Mr Majoribanks grade pay Rs 2250 per mensem. The Govt. of India in their telegram of 26: Oct. 1916 — paper XXX — sanctioned this proposal. Now under note 5 to rule III 10 of the annexure to G. of I. Finance Department Resolution No 361. E. A of 24 July 1916 it is not necessary to obtain the sanction of the G. of I to an increase of pay over that fixed by them if this increase is caused by reason of an increase of the pay or acting allowance which the officer holding the appointment would draw in normal circumstances. This is, I take it, is exactly what ~~is~~ has happened in the case of Mr. Marjoribanks.

p: 7 of G.O. 464 Finl. 17. 8. 14

In the circumstances explained above and with the papers before him the A. G. will I think reconsider his previous

I think so

28.2.

view. As the G.O. is confidential I am not sure whether Home dept. would prefer that all the papers connected with it should not be ~~not be~~ sent out of the Secretariat.

I therefore return the case to Home with the request that if they agree with the opinion I have expressed the A.G. may be consulted again and supplied with all the necessary papers.

To Home u.o.

24.2.17

Fwd. u.o. 1352-1
26.2.17

GOVERNMENT OF MADRAS
26 FEB 1917
DEPT.

Home dept.
(Mis)

Noted in CA
26.2.17

For Secretary)

It is for consideration whether the A.G may be furnished with a copy of papers XXIV and XXX at pages 39 and 50 respectively of G.O. no 281, Home (Mis) d the 3.11.16, and whether the A.G may be consulted again u.o. If this is agreed to a draft u.o note is submitted for approval

27.2.17

Pdeh 27.2.17

M

Mr. Newmarch returned the Conf. G.O. under separate cover.

6.3.17

NOTES.

Conf.

(I have no objection to sending the papers outside the Sect. confidentially to the A.G., and as Fin. seem to have no objection this may be done).

To the Acct General u.o. for reconsideration with reference to the Fin. Dept note above.

28.2.17

Misc no 241-3
28/2/17
to be returned with reply

The rule quoted by Mr. Kershaw says "an increase of the pay or acting allowance which the officer ----- would draw in normal circumstances". This, I think, covers the present case, as the sanction of the Government of India in the case of Mr. Marjoribanks referred to "grade pay", and not "present pay" as in the case of Mr. Todhunter.

A.G. 6/3/17

U.O. 431 d: 6.3.17

Noted in C.O.
7.3.17

To

The SECRETARY to GOVERNMENT,

Home (~~Judicial~~ Miscellaneous) Department, (U.O.)

GOVERNMENT OF INDIA
7-MAR-1917
HOME DEPARTMENT

REGISTRAR HOME DEPT
7-MAR-1917

Home dept
(Mis)

For Secretary)

In view of the opinion now expressed by the A.G. Mr Marjoribanks can draw any increased remuneration which is admissible to him. The papers may go u.o to him for perusal. On return they may be recorded in a G.O for facility of reference.

p10 ante

7.3.17.

Pdlr.
7.3.17

E.W.M.
8.3.17

Mr Marjoribanks
u.o.

Mis no 241-4
8.3.17.

Seen thanks. Might I suggest that the A.G. may be asked by telephone or u.o. note to issue a pay slip accordingly. Not only Mr Vibert but also Mr Macmichael is now acting in 1st grade & I have as yet received no pay slip in accordance with the A.G.'s present views

N.L. Marjoribanks
9/3/17

To Secy, Home Dept, Mis (u.o.)

11

For Secretary)

The file may, it is submitted, go w.o to Public (Pub) for necessary action with reference to Mr Marjoribanks' request on the previous page.

[(X) This dept is concerned with grade promotions etc [I.C.S. officers]]

CHIEF SECRETARIAT 12 MAR 1917 MADRAS GOVT

10.3.17.
V. dep.
10.3.17

10.3.17

Pub (pub)

Mis 241–5
10.3.17

UNDER SECY. TO GOVT. 11.MAR.1917 REVENUE DEPT.

Public Dept.

884 ~~101~~
PUBLIC

Regd 12.3.17

Submitted that the file may be sent to A.G. u/o with reference to Mr Marjoribanks' request on page 11 supra regarding his pay slip.

Accountant General (U.O)

15.3.17

Pub. 884–1
16.3.17

C.S.

---o&o---

A Pay slip has since been issued.

A. A. G. 19/3

REVENUE DEPT. 20 MAR 1917 MADRAS GOVT.

UO 455
19.3.17

To
M.G. (Public).

Noted in C.O.
21.3.17

GOVERNMENT OF MADRAS 21 MAR 1917 HOME DEPT.

Public (II) Dept.

Submitted that the file may now be returned to Home (Misc) u/o.

Pub. u.o 884–2
21.3.17

C.S.

20.3.17

Home (M) (UO)

12

For Secretary)

The papers may now be recorded. A draft order is submitted.

26.3.17

Pdek.
27.3.17

E.W.M.
28.3.17

Sectt. II—10 (a)—7-2-16.

Home DEPARTMENT.

(Mis)

Emigration

Recording papers relating to the pay admissible to Mr N. E. Marjoribanks I.C.S during the period of his deputation in connection with emigration enquiry.

READ AGAIN G.O. No. ...., dated .... 191 .

" " " " ...., " .... 191 .

READ ALSO:—

C. No. ...., From the ...., No. ...., dated .... 191 .

" " ...., " " ...., " ...., " .... 191 .

" " ...., " " ...., " ...., " .... 191 .

ORDER. No. 343, dated 3 . 4 . 1917.

Mis

Recorded

28.3.17

26.3.17

P dek

27.3.17

When given for copying
When copied ______
When examined ______ } 191 .
When signed ______

READ AGAIN G.O. No. , DATED
191 .

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.