

Home (1920) Department.

(Keesallaars)

Ordinary SERIES.

G.O. No. 1093

DATED 15-6-20

INDEXED

(13)

[Despatch Abstract.]

Marriage Registrar---the Nilgiris--Allowance--Papers recorded.

BACK PAPERS.

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

FURTHER PAPERS.

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

A. } *Home* DEPARTMENT.
B. } (a) ORDINARY
N.P. } ROUTINE SERIES.
 + G.O. No. *1093*, dated *15-6* 191*0*.

CIRCULATED.
 NOT CIRCULATED.
 NOT SEEN BY C.S.

Receipt numbers . .

Number and date of
 previous proceed-
 ings.

Tabling Abstract.

Marriage Registrar - the Nilgiris -
Allowance - Papers recorded

(b) Index Headings.

MAIN HEADING

Marriage Registrar

CROSS REFERENCES.

SPECIAL INDEX.

DO NOT SPECIAL INDEX.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number.	Date.	Original (=O) or spare copy (= S.O.)	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

Papers of other departments.

Department.	Number	Date.	Original (= O.) or spare copy (= S.O.)	Initials with date of (1) Referencer acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to the department concerned.

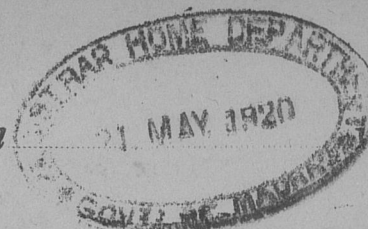
3-16.

H O M E

DEPARTMENT

C.F.-29.

Received



191

Registered

22-5-1916

Subject.

Fees collected by the Marriage Registrar of the Nilgiris.

Recommending that ----- may be retained by him or that a monthly allowance of R. 10/- may be paid to him.

ENCLOSURES.

No. _____

Spare copies _____

Curron No. 277 M 20

Station Ootacamund, Dated the 19th May 191 20.

From (Name) J. F. BRYANT, Esq., M.A., I.C.S.,

(Designation) District Magistrate, the Nilgiris.

To The Secretary to the Government of Madras,

Home Department.
Stonehouse Hill.

Sir,

In continuation of my letter No. 277 M/20 dated 27th April 1920 I have the honour to recommend that the fees levied under the Indian Christian Marriage Act XV of 1872, may be allowed to be retained by the Marriage Registrar of this district to which office I have recommended Mr. R. A. Nurse, Treasury Deputy Collector, or that he be given a monthly remuneration of R. 10 for performing that duty.

2. The office of Marriage Registrar of the Nilgiris has been held for a series of years by the Treasury Deputy Collectors of this district except for a period of seven years from 1911 to 1918 when it was held by Mr. C. S.

2.

Simpson, and I think that considering that the duties appertaining to this office are outside the legitimate work of a Treasury Officer it is but equitable that the Treasury Deputy Collector be paid for his services as Marriage Registrar. Rule 8 of the Rules under the Indian Christian Marriage Act XV of 1872 printed on page 44 of the Marriage Registrar's Manual lays down that a marriage registrar who is in the service of Government shall pay into the Government treasury all fees levied by him, but I take it that this rule does not debar him from being remunerated for his services. In this connection I may mention that I find from the Quarterly Civil List that Mr. J. M. Hooper of the Secretariat is being given a monthly allowance of R. 50/- for his services as a Marriage Registrar for Madras town.

NOTES.

3. The fees collected by the Marriage Registrar, the Nilgiris

1915-16.....R.	130-0-0	during the past five years are given
1916-17.....	80-0-0	
1917-18.....	94-0-0	in the margin.
1918-19.....	55-0-0	
1919-20.....	55-4-0	

I have the honour to be,
Sir,
Your most obedient servant,

J. P. Bryant
District Magistrate.

P.R.N. 19-5-20.

h
19/5/20

11/25/20
4
This 2827/2252

Collector's Office,

Ootacamund,

19th

May

1912

My dear Ramachandra Rao,

I am applying to Government to-day to pay Mr. R. A. Nurse, Personal Assistant Deputy Collector, the Nilgiris, the sum of Rs. 10 a month for his services as Marriage Registrar, or, in the alternative, the fees leviable under the Act. I may point out that it is desirable that Mr. Nurse should be a trustee and treasurer of the Lawley Institute, in connection with which he will have to pay Rs. 3 a month. His remuneration as Marriage Registrar will therefore cover

pg

✓
his expenses in connection with the

Lawley Institute.

Yours sincerely,

J. F. Bayard

3
Home (Mis) Dept.

Subject: Marriage Registrars - Allowance.

C.2826

From the D.M. The Nilgiris, No. 277-M. D. 19.5.20.

Flag ☐

Mr R.A. Nurse, Treasury Deputy Collector of the Nilgiris was recently appointed as a Marriage Registrar for that district in G.O. No. 992 Home (Mis) D. 14.5.20. The D.M. the Nilgiris now recommends that Mr Nurse may either be allowed to retain the fees collected by him or that he be given a monthly allowance of Rs 10/- on the following considerations:-

- (1) That, in his opinion, the duties appertaining to the office of a Marriage Registrar are outside the legitimate work of Mr Nurse as Treasury Officer, and that there is nothing in the existing rules which debar a Government servant from being remunerated for his services as Marriage Registrar.
- (2) That the Marriage Registrars of Madras, though Government servants have been, and are, enjoying an allowance of Rs 50 p.m.

Flag (I)

2. As regards the first point, rule 8 of the rules under the Indian Christian Marriage Act 1872 printed in G.O. No. 606 (Pub) of 18.8.1905 and rule 21 of the rules under the Births Deaths and Marriages Registration Act, 1886, (G.O. 557 (Pub) of 9.5.1912) require every Marriage Registrar who is a

Flag (R)

Govt. servant to remit into the treasury any fee collected by him in the exercise of functions under the above Acts, while non-official Registrars are allowed to retain for their own use all such fees collected by them. As the D.M. points out, there is nothing in these rules which debars a Govt. servant from being remunerated by Govt. for his services as Marriage Registrar. It would, however, appear from G.O. No. 276 (Pub) of 26.4.1892 that the concession to retain fees was allowed in the case of non-officials when it was found that these non-official Marriage Registrars frequently resigned their offices on the ground that there was no remuneration attached to the performance of the responsible

Flag (V)

5
duties connected with the Office. The concession appears to have been granted to a non-official Marriage Registrar simply because he was a non-official and not because the duties connected with the Office were so onerous as to justify the grant of a compensating allowance. Presumably that was why the same concession was not extended to Marriage Registrars who are Govt. servants.

3. As regards the allowance of Rs. 50 p.m. granted as a special case to the ^{senior} Marriage Registrar of Madras, please see the notes connected with

Flag (A) G.O. No. 404 (Pub) of 10.4.1901 wherein the history of the salary of the Marriage Registrar for the town of Madras has been recounted. ~~The reason~~ ^{was based}

~~for this~~ special concession ~~was~~

~~for this~~ in sec. 19 of Act V of 1852 which

^{enacted} that it shall be lawful for the Government

of each Presidency or place to pay

any one Marriage Registrar of

Calcutta, Madras and Bombay, or

of any other district where a

considerable number of persons

Flag (K)

likely to avail themselves of the Act
are resident, such salary as they
shall think fit not exceeding the
sum of Company's Rs 50 p.m. ^{though a similar provision does not exist in the Act of 1872 the allowance is being continued. attention is also solicited to} ~~the allowance~~ ^{see also} para 7 of E.M.C. No 70 (eccl)

of 23.3.1852 in which Govt. have
clearly set forth their attitude as
regards the grant of remuneration
to Marriage Registrars. ^{It is stated there that} Govt will,
"however, take into consideration"
"any claims to remuneration" that
"may hereafter be made on its being
shown that the number of marriages
contracted in any particular
district would justify the grant of
an allowance or call for other
arrangements". If Mr Nurse could
satisfy Govt. on this point ~~particulars of~~
the question of granting him an
allowance may be considered.

vide G.O. 602 (Finl)
7th 5.1887

Flag (Q)

It ^{may also} ~~may also~~ be noted
that ^{in 1887} the Govt. of India directed to
the grant of the allowance of Rs 50
p.m. now enjoyed by the Marriage
Registrars of Madras and it is
doubtful if they will countenance
the incurring of any more expenditure
in this regard. ~~soooooo~~

~~reads that~~ The allowance of Rs 50 p.m. is
 granted to the Marriage Registrar of
 Madras ~~and also~~ ^{apparently for two reasons - (1)} because there are
 more persons resident in Madras
 (than in the mufassal) who are
 likely to avail themselves of the
 Act, ~~but~~ ^{and (2)} also because the senior
 Marriage Registrar of Madras occupies
 with reference to other Marriage
 Registrars and licensees under the
 Acts, a position similar to that
 of the D.M. of a District with reference
 to the Registrars and licensees
 within his jurisdiction. A great
 deal of correspondence as to the
 grant and revocation of licences,
 submission of returns etc devolve
 upon him in addition to the
 ordinary functions of registration
 of Births Deaths & Marriages
 exercised under the Acts.

H. The fees realized in the
 Nilgiris dt. do not also
 admit of the payment
 of an allowance of Rs 10
 p.m. as proposed by the D.M.

5. It is submitted that there
 seems to be no case for any grant of remuneration. ~~However the~~
 Case may be referred n.o. to the
 Regr. of B.D.M. for remarks.

~~as to whether the duties of the~~
~~Marriage Registrar of the mufassal~~
~~are of a different nature from those~~
~~of the Registrar of the mufassal~~
~~and whether the duties of the~~
~~Registrar of the mufassal are of a different~~
~~nature from those of the Registrar of the~~
~~mufassal.~~

6. [In his D.O. the D.M. says
 that Mr Nurse should be granted
 the allowance since he has to meet
 an expense of Rs 3 p.m. as a
 trustee and treasurer of the Lawley
 Institute.]

plante

18
 4.6.20
 5



31.5.20
 18

The grant will require
 the sanction of India
 which is not likely to
 be granted. The case is also
 weak.

The collector may see
 an official
 22/6/20

Mis no 2827-1
 7-6-20

Colln of Nilgiris (no)
 Office of the Colln of the Nilgiris



Perused and returned with thanks.
 J. J. Bryan
 Comr

Home misc. Dept

Regr. The papers may now be
 over No 1093 Home (misc) 15th June 1920
 misc. Recorded

18
 4.6.20

18
 4.6.20
 5

22/6/20
 15/7/20

Cy to the D.M. the Nilgiris

When given for copying

When copied

When examined

When signed

192

Read AGAIN G.O. No.

192

DATED

Current No.

Reference to G. No.

Order of Government

A A A A A A A

Location of document

Statement with notes

Formed 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.