

Marine (1897) Department.

G.O., No. 444-45 *Mar*

DATED 12 May 1897

*Approved for 1000 by P.
7.3.8 Mar
20.8.97*

[Despatch Abstract.]

Allowance: Ordered that the Govt of India be addressed on the subject of the — to which the Act for Govt. Counselments is entitled while acting for the Dy. Conservator of the Port of Madras in a private leave vacancy.

The Govt of India addressed.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
78167							

740-4,000-2-11-95.)

Marine Regulations should be applied, and as these conditions preclude the grant of an extra allowance to an officer acting for another in a privilege leave vacancy no such allowances should be drawn in Madras.

3. I am to suggest for the consideration of the Government of India that it was probably not intended to apply to an officer in Mr. Baddeley's position the provisions of regulations which were framed for an entirely different service. The regulations in question were framed with special reference to officers of the Indian Marine, whereas Mr. Baddeley comes under the Civil Service Regulations, and as these regulations admit of the grant of acting allowances in privilege leave vacancies, His Excellency the Governor in Council is of opinion that Mr. Baddeley may, like all other officers under these rules, reasonably expect to receive the allowances generally admissible, notwithstanding the fact that he is acting for an officer of the Indian Marine. I am accordingly to request that the matter may be ^{laid} ~~also~~ before the Government of India for reconsideration.

I have &c.

M.
11/5/97

12/5/97
1st Reminder sent 20-8-97

444 Marine P.W. DEPARTMENT.
445

READ the following:—

From the Presidency Port Officer, Madras, No. 1217/136 G., dated 14th April 1897.

The Am Mr. B. C. J. E.

FOR ORDERS.

The question brought forward in this correspondence has already been laid before the Government of India. It was raised in Commander Powell's letter No. 1217/181 G. dated 13th July 1895—^x vide paras 2 and 3—and with this letter before them, the Government of India in their reply ^x adhere to the provisions of the Marine Regulations which they point out "preclude the grant of any extra allowances to an officer acting for another in a privilege leave vacancy".

2. It is not clear, however, whether the Government of India in thus applying the Marine Regulations to an officer in Mr. Baddeley's position, realise the hardship involved. Mr. Baddeley is not under those Regulations. He gets none of the benefits conferred by them and should not

thus

thus be brought under their disabilities.
 He comes under the C.S.R. and should, it
 is thought, receive, like other officers
 similarly situated, the allowance ad-
 missible under these rules to officers
 acting in privilege leave vacancies.

3. A renewed representation to this
 effect might, perhaps, be made to the
 Government of India.

Yes - Make is good a
 case as you mean

BS
 7/5/97

6/5/97

M.

R.S.

Ch 637
 I think the question
 requires the consideration
 Mr. Baddeley does not belong
 to the A. F. M. & is under
 the C.S. regulations & that under
 the A. F. M.
 Consequently he is entitled to
 an acting rank. The only
 I grant the rank of the
 acting rank is given to
 the rank & he is given
 from Lower grade.

A letter from Chairman
 Dated 13th May 95
 with first three facts
 seem to have been found
 to the Govt of India but the
 decision is not yet received
 has received. The letter to
 the Govt of India is
 at the present time.

6/5/97

911 Marine (1897) Department.

CURRENT No.

637

From,

The Presidency Port Office,
Madras

No. $\frac{1217}{136}$ of

Dated 14 April 1897

Received

Registered

Enclosures

Spare copies

SUBJECT.

Forwarding with remarks
letter from Mr. H. D. Baddely,
Agent for Government
Consignments, regarding
allowances for acting
as Dy Port Conservator,
Madras.

Order

BACK PAPERS.

No.	Date.
50879	19.12.96
689	5.10.96
20.1	11.1.96
374	11.12.95
535	11.11.95
112 R	12.9.95
115 R	10.9.95
257	19.8.95
242	14.5.95
230.1	12.5.95
186-7	12.5.95

FURTHER PAPERS.

No.	Date.
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No. 18

Office of the Agent for
Government Consignments,
Madras, 14th April, 1897

20 APR 1897.

From

H. D. Baddeley, Esq.,
Agent for Govt. Consignments,

To

The Presidency Port Officer,

MADRAS.

Sir,—

As I understand that Commander Aves, Acting Deputy Conservator proposes to avail himself of two months' Privilege Leave, and that it is suggested that I shall act for him, I have the honor to request that you will consider the following, and represent the matter to Government.

The Government of India has ruled that no extra expense

Govt. of India No. 5056 P. d/ 25.10.95 communicated with G. O. Marine No. 204 G dated 30 July, '95 may be incurred by the State by the grant of Privilege leave to an Officer of the

Royal Indian Marine, and on this decision the Accountant General refused to pass Acting Allowance to me when acting for Commander Hewett in 1895, thus treating the Madras Port Department as part of the R. I. M. for this particular purpose.

The only persons conveniently available to act for the Deputy Conservator are Officers of the Madras Port Department and I am the only Officer on the spot.

In 1895 August to December, I acted for four months during the absence of Commanders Powell and Hewett on Privilege Leave, and received no extra remuneration. Under Art. 155 of

P. 335
11-11-95
2/17
the quota
of Mr. Baddeley
not a G.O.
it is a
reference from
P.P.O.

P. 117 R
17-9-95
2/17 H.

the Civil Service Regulations, the only rules which apply to the Madras Port Department, I am entitled to an Acting Allowance not exceeding 1/5th of the pay of the appointment for any period in excess of 30 days.

The Government of India Order was not, I believe intended to apply to the Madras Port Department, which is solely under the Madras Government, and paid from Local Funds, and I do not believe it was the intention of the Government of India or of the Government of Madras, to suspend the operation of the Civil Service Regulations whenever an Officer of the Madras Port Service is called upon to act for an Officer of the Royal Indian Marine who is absent on Privilege Leave.

I am quite prepared to act for Commander Aves without allowances should Government consider that this is my duty; but I shall be glad if you will ascertain if it is the intention of Government to deprive me of an Acting Allowance to which I am entitled by the rules of my own Department, because the Rules of the R. I. M. which do not apply to me, preclude the grant of this allowance to an Officer of that Service.

I have the honor to be,

Sir,

Your Most Obedient Servant,

No 1217 G
136 G

H. D. Baunley

Agent for Govt. Consignments, &c

Thrs the Acct General

Submitted to Government for favourable consideration, observing that as by article 143 of Marine Regulations, India, Part II a local Government is authorized to deal with applications for leave

of absence not exceeding three months from R. I. M. Officers holding certain port appointments, the instructions relating to privilege leave granted by the D. R. I. M. laid down in article XVII of the Regulations seems to me to be intended to apply solely in cases where leave is granted by the D. R. I. M., and to prevent the Government of India being placed to any expense. In the present case, Commander Aves is to all intents and purposes a civil officer while holding the post of Deputy Port Conservator, and the Civil Service Regulations might be held to apply in the case of the officer acting for him, as the rules of the R. I. M. are not applicable to officers of the provincial port service.

Madras

14 April 1897

H. D. Baunley

Peninsular Port Office

No 1374
Fort St George
Accountant General's Office
14 May '97

Forwarded to Government.

Attention is invited to the letter from the Government of India N. 27931 dated 12 June 1895 Finance and Commerce Department from which it will be apparent that the grant of privilege leave to an officer of the Royal Indian Marine is subject to the condition that no extra expense is thereby caused to the State either directly or indirectly and that satisfactory arrangements for the performance of his duties during his absence are made.

Whistack
Offy Accountant General.

To
The Secretary to Government
Marine Department.