12-5-17

Marine (1899) Department.

G.O., No. 514 Mar
514/A

DATED 6 June 99

R

14/6/99 639 Mar/99
600
Rt. 563
30.6.33

100/4 70/1

[Despatch Abstract.]

Exchange Compensation Allowance; Ordered that the question of the grant of — to Officers paid from Excluded Local (Port) Funds be referred to the Govt of India.

Exchange Compensation Allowance: Requesting that the question of the eligibility of Officers paid from Excluded Local (Port) Funds to receive — be laid before the Govt of India for definite orders

[M 5 / 1,000—24-10-98.]

13/6/99

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	
go	430	mar	17.5.99				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
go	563	Mar.	22.6.99				

Government (1899) of Madras.

MARINE.

Recd. } 1899.
Regd.

Enclosures
Spare copies

Letter, No. $\frac{514}{A}$, 10th June 1899.

JUNE.

Exchange Compensation Allowance

Requesting that the question of the eligibility of officers paid from Excluded Local (Port) Funds to receive — be laid before the Government of India for definite orders.

No. $\frac{514}{A.}$, Marine, 10th June 1899.

MARINE DEPARTMENT.

Letter—from

W. B. deWINTON, Esq.,
Secretary to the Government of Madras,
Marine Department.

To

The SECRETARY to the GOVERNMENT of INDIA,
Finance and Commerce Department.

Sir,

I am directed to invite attention to the provisions of paragraph 40 of the Resolution of the Government of India, Finance and Commerce Department, No. 4847 Ex., dated 5th November 1898, on the subject of exchange compensation allowance. It is there stated that the orders on the subject of this allowance apply *proprio vigore* only to officers paid from general revenues. The question has now arisen whether the Harbour Masters of the Port of Madras, who are otherwise technically qualified under the rules, are entitled to this allowance. Seeing that they are paid from Excluded Local (Port) Funds, the Accountant-General who has been consulted is of opinion that, having in view the provisions of paragraph 40 of the Resolution in question, the rules do not apply to these officers.

2. I am to point out that the Port officers of this Presidency, who have hitherto been drawing the allowance, are also paid from the same source, and that if the interpretation of the Accountant-General be accepted, the latter officers will, as well as the Harbour Masters, be debarred from the allowance, with the result that considerable discontent will arise. His Excellency the Governor in Council is not quite satisfied that it was the intention of the Government of India to exclude the officers in question under paragraph 40 of the Resolution which seems to apply more particularly to "officers serving under Local Boards and Municipalities." It is necessary, however, that the matter should be made quite clear, and I am to request that it may be laid before the Government of India for definite orders.

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

Secretary to Government.

Ootacamund,
10th June 1899.

Exd. Shaik Karim.

Government (1899) of Madras.

MARINE.

Recd. } 1899. Enclosures
Regd. Spare copies

G.O., No. 514, 10th June 1899.

JUNE.

Exchange Compensation Allowance

Ordered that the question of the grant of — to officers paid from Excluded Local (Port) Funds be referred to the Government of India.

No. 514, Marine, 10th June 1899.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following papers :—

Letter from the Presidency Port Officer, Madras, dated 16th March 1899, No. 1713/101 G.
Unofficial reference to the Presidency Port Officer, dated 29th March 1899, No. 168 E.
Note from the Presidency Port Officer, Madras, dated 6th April 1899, No. 126 G.
Unofficial note from the Financial Department, dated 25th May 1899, No. 1363.

ORDER—No. 514, Marine, dated 10th June 1899.

Ordered that the question of exchange compensation allowance to officers paid from Excluded Local (Port) Funds be referred to the Government of India.

[Here enter No. $\frac{514}{A}$, Marine, dated 10th June 1899.]

(True Extract.)

Under Secretary to Government.

To the Presidency Port Officer.
" Chairman, Harbour Trust Board.
" Accountant-General.

Exd. Shaik Kariem.

Marine DEPARTMENT.

READ the following :—

Lists

Letter from the Presidency Port Officer, Madras, No $\frac{1713}{101}$ G dy 16th March 1899
U. O. reference to the Presidency Port Officer. No 168 E dy 29th March 1899
Note from the Presidency Port Officer, Madras No. 126 G dy 6th April 1899
U. O. note from the Financial Dept. No 1363 dy 25th May 1899

~~Circulated to~~

Exchange Compensation Allowance

ORDER. No. 514 Marine 10 June 99

Ordered that the question of Exchange Compensation allowance to Officers paid from Excluded Local (Port) Funds be referred to the Government of India.

H. E. No $\frac{514}{A}$ marine dated 10 June 99

To

The Secretary to the Government of India,
Finance and Commerce Dept

I am directed to invite attention to the provisions of para 40 of the Resolution of the Government of India, Finance and Commerce Department, No. 4847 E.x, dated 5th November 1898, on the subject of Exchange Compensation Allowance. It is there stated that the orders on the subject of this allowance apply *proprio vigore* only to Officers paid from general revenues. The question has now arisen whether the Harbour Master of the Port of Madras, who are otherwise technically qualified under

To The P. P. G. ✓
" ~~Chairman~~ H. T. B ✓
" Accountant - General

Flag III

P. W. 42-A.
1,000—2-3-99.

H E 30/5. R 5/6 H M 5/6 R 8/6.

under the rules, are entitled to this allowance. Seeing that they are paid from Excluded Local (Port) Funds, the Accountant-General who has been consulted is of opinion that, having in view the provisions of para 40 of the Resolution in question, the rules do not apply to these officers.

2. I am to point out that the Port officers of this Presidency, who have hitherto been drawing the allowance, are also paid from the same source, and that if the interpretation of the Accountant-General be accepted, the latter officers will, as well as the Harbour Masters, be debarred from the allowance, with the result that considerable discontent will arise. His Excellency the Governor-in-Council is not quite satisfied that it was the intention of the Govt of India to exclude the officers in question under para 40 of the Resolution which seems to apply more particularly to "officers serving under Local Boards and Municipalities". It is necessary, however, that the matter should be made quite clear, and I am to request that it may be laid before the Government of India for definite orders.

I have &c &c

R.S.

M 9.6.99

22/6/99

Marine DEPARTMENT.

5143

Read the following:—

er from the Presidency Port Officer, Madras, No. $\frac{1713}{101}$ G dated 16th March 1899.
U.O. reference to the Presidency Port Officer, No. 168 E.G. 29th March 1899.
Note from the Presidency Port Officer Madras, No. 126 G dated 6th April 1899.
U.O. note from the Financial department, No. 1363 dated 25th May 1899.

Exchange Compensation

Circulated to
~~H.E. the Governor~~
~~The Hon. Mr. Arundel C.S.I.~~

FOR ORDERS

With U.O. note in the Financial Department No. 1363 dated 25th May 1899, an opinion of the Accountant General is forwarded in which it is said that Rule 40† of the Exchange Compensation Allowance Rules governs the cases of Harbour Masters at Madras on the ground that these officers are paid from ~~local~~ (Port or Pilotage) funds. The Port Officers are in exactly the same position, and the Marine department is asked to consider whether Exchange Compensation should be admitted to these officers also.

2. If the rule be strictly read there seems little doubt that it bars all officers not paid from "general revenues"× and the question arises whether Port Officers and Harbour Masters who are technically×

† vide G.O. 1081 Financial of 19th Novr 1898 Flag III

× This term seems to require definition.

× vide Rule 16. Flag D.

[P. W. 43. / 1,000—28 2-99.]

H E 30/5. R 5/6 HM 5/6 R 8/6.

technically qualified should, with the sanction of the Government of India, be admitted to the allowance. The sanction of that Government appears necessary as the salaries of the officers in question exceed Rs 250 per mensem, and the Local Government has thus no "financial "power to enhance the salaries of "such officers".

3. It may be added that the Port Officers, as such, already draw the Exchange Compensation allowance under the old rules.

4. These remarks do not apply to the Presidency Port Officer and to the Deputy Conservator of the port of Madras, as they belong to the Royal Indian Marine and are eligible per se

R. P.

[illegible]
30.5.99

The Govt. of India should be addressed.

A.GH
4.6.99

AA
7.6.99

vide foot note at Flag D.

Marine DEPARTMENT.

READ the following:—

Letter from the Presidency Port Officer, Madras, No 1713/101 G dated 16th March 1899

U.O. reference to the Presidency Port Officer, No. 168 E d/29th March 1899

Note from the Presidency Port Officer, Madras, No. 126 G., dated 6th April 1899.

Exchange Compensation allowance Harbour Masters

Circulated to

His Excellency the Governor
thro' the Financial Dept.

6 Flag D

FOR ORDERS

The papers read above refer to the question as to whether the Harbour Masters at Madras, of which there are 3, are entitled to Exchange Compensation allowance under the terms of the Government of India Resolution printed with G.O. 1081 Financial dated 19th Nov 1898.

2. In this connection attention is invited to paras 16 and 17 of the resolution which refer to Marine appointments. It will be seen that certain officers of the Marine Department are specified as coming under the rules, e.g. Port Officers, Ship-Surveyors, Shipping masters and their deputies and Assistants and even European Light Keepers but no mention is made of

Harbour

P. W. 43.
1,000—28 2-49.

F.D 2514. 1245

Harbour masters.

3. The Presidency Port Officer contends that these harbour masters are recruited from the class of "sea going mariners", and that they therefore come within the purview of para 17 of the Resolution, which, however, only refers to "European lightkeepers." His argument seems to be that if European lightkeepers are eligible, harbour masters must be equally eligible as they are recruited from the same class. There is, no doubt, much to be said in favour of this argument, but unfortunately the Government of India while making provision for various classes of port and marine officers, does not include harbour masters; and there is nothing to show whether this exclusion is intentional or not, ~~and~~ The Government of India is the only authority which can settle the question. Meanwhile, it seems certain that the Madras Government has no power to admit these harbour masters to the benefits of the Exchange Compensation Allowance rules.

Orders are solicited as to whether a special reference on the matter is to be made to the Government of India.

R. S.

Ant
24/4/99

23 1899 OOTACAMUND

To the CS — Finl: Dept

It is thought that these Harbour Masters fill technical appts. which require skill & knowledge which is practically to be acquired only in Europe or in European employment. If so, they appear to fall under para 16 of India's resolu. of Nov 98 [G.O. 1081 Finl: d/ D 19 November 1898] and to be entitled to the allowance if personally eligible. These Harbour Masters are, however, reported to be paid from Pilotage Funds & the Exchange compensation rules are therefore not necessarily applicable to them (please see para 40 of the same Resolⁿ). The A.G. may, it is subᵈ, be consulted

CWS.
10.5-99

Regᵈ No 49

A. G. u.o. No. 1284 d/ 11th May 1899

11/5/99

ACCOUNTANT GENERAL'S OFFICE
13 MAY 1899
MADRAS

I agree that the case is governed by para 40 of the Resolⁿ.

WHD
17/5

C.Secy
No. 55 d/17-5-99

CHIEF SECRETARIAT
19 MAY 1899
OOTACAMUND

To the C.S.

Submitted that Marine should now consider whether the Exchange Compensation rules should be extended to Harbour Masters & other officers paid from Port Fund.

CWS
23.5.99

Tr. Marine u.o No. 1363/25.5.99

23/5/99

Marine (1899) Department.

CURRENT No. 389

From The Presidency Port Officer
Madras.

Order

No. 1713/1019

Dated 14th March 1899

Received
Registered 16.3.99

Enclosures

Spare copies

SUBJECT.

Giving the List of Officers entitled to Exchange compensation allowance

BACK PAPERS.

No.	Date.
G.O 232 Marine	10.3.99

FURTHER PAPERS.

No.	Date.

Presidency Port Office,

No. 1713/101 G

Madras, 14th March 1899.

Heading

change
ensation
wance

M 25

From

Commander H. A. Street R. I. M.
Presidency Port Officer,
Madras,

To

The SECRETARY TO GOVERNMENT,
MARINE DEPARTMENT,
CHEPAK.

Sir,

With reference to G. O. No 232, Marine, dated 10th March 1899, I have the honor to acquaint you, for the information of Government, that the officers of the Marine Department, specified in List A, in G. O. No. 482, Financial, dated 26th May 1898, with the exception of Messrs Deacon, Sub Marine Diver, and Simmons, Head Light Keeper, are all eligible for Exchange Compensation allowance.

G.O 492 / 15.6.98 Finl.

2. Commander W. Avis*, R. I. M., having been appointed in England, by the Secretary of State, his claim to Exchange

* Dy Consr. of the Port of Madras

Compensation allowance, is admissible under para 3 of Government of India Resolution, No 2422 Ex. Financial, dated 31st May 1897. (G.O. No 628 Marine dated 20th July 1898).

G.O. 620/13-7-97

Flag C.

Flag B.

I have the honor to be
Sir
Your Obedient Servant

H. A. Street
Commander R.I.M.
Presidency Port Officer

E.A.H.

Marine Department.

No: 1680 G 29-3-99

To

The Presidency Port Officer
(unofficially)

Your letter No. 1713/101 G., dated 14th March 1899.

✗ Flag A.

In your list of appointments for Exchange Compensation allowance, Harbour masters are included - Please quote the authority -

2. You will see from para 1[illegible] of the Government of India Resolution on pages 6 and 7 of G.O. 1081 Financial, dated 19th November 1898, that no mention of Harbour masters occurs; and that as regards appointments "in connection with ports" they must be prescribed "either by Act of Parliament or by Indian law".

Flag D.

G.O. 1023 Marine d/ 8.12.98

3. Again, Are these men really harbour-masters in the ordinary acceptation of the term, or, merely pilots? It is observed that they are paid from the pilotage fund.

4. It will further be noticed that in Bengal the local pilot Service is declared to be ineligible for exchange compensation

✗ para 16 of the Resolution quoted above.

D 29/3/99

R.A.

25/3/99

Revenue Department.

Note.

to Flag U

In promulgating the new rules governing the grant of Exchange Compensation allowance, the Govt. of India laid down, ~~that~~ among other things, that

Officers appointed as Europeans in India

(1) to offices in which European qualifications are held to be indispensable, or

(2) to services or departments in which a proportion of Europeans is held by the Govt. of India to be indispensable and for the purpose of maintaining that proportion

are eligible for Exchange Compensation Allowance.

In para 7 of this Resoln. the Govt. of India Specified certain offices services and departments referred to above, and called on Local Govts. &c. to make any recommendation for further inclusion in the lists.

~~Pending the decision of the question~~

But before the decision of this question it was thought desirable to work out ~~whether the~~ which of the officers then in service were not *prima facie* eligible for the allowance.

x. Flag I

The Acct. General was therefore called on to submit a list

of

of officers whose claims were
not *prima facie* admissible.
The list which was accordingly submitted
by the Acct. General contained Flag N
a list of officers of the Marine
Deptt. whose claim to the E.C.A. de-
pended on the questions
(1) whether the appointments held by
them ~~were~~ are those in wh. European
qualifications are held to be
indispensable, and
(2) whether the incumbents named in
the list were appointed to the respective
posts as Europeans.
In passing tentative orders on this list
the Local Govt. ~~decided~~ ruled # Flag L.
(1) that all the offices of the
Marine Deptt. given in that list
except that of a Sub Marine Diver &
and a Supdt. of Lighthouse
must be held to be offices
in which European qualifications
are held to be indispensable
inasmuch as they came under
the term "appointments connected
with Marine or Shipping" admitted
by the Govt. of India to come under that class, and
(2) ~~that~~ the present incumbents
must be held to have been
appointed as Europeans
because they drew Exchange Com-
pensation allowce. under the old
rules ~~and therefore~~ which precluded
domiciles and Statutory Natives of India
from ~~the~~ drawing the allowance.
The Govt. of India have now
passed final lists of † Flag D
appointments ~~[illegible]~~

appointments by virtue of
~~(1) Offices in wh. European Quali-~~
holding which an officer, appointed
~~fications are held to be~~
in India not being a statutory native
~~indispensable and~~
becomes entitled to E.C.A.
~~(2) Services & departments to~~
~~which a proportion of~~
~~Europeans is to be maintained.~~

The Acctt. General asked
the Financial Deptt. to have
† Flag L the tentative orders passed
by the Local Govt. revised
in the light of the Govt. of India
※ Flag D. Resoln. The Finl. Deptt. thereupon
Flag R. asked the several Deptts. concerned
to do the needful. The reply
from the P.W.D. to this refce.
is contained in the present current.

It will be seen that the Govt.
of India stated, in their original
list at Flag V, in general
terms that "appointments connected
with Marine or Shipping" should be
held to fall under the class of
offices in wh. European qualifns. are
held to be indispensable. But
in their present orders at
Flag D, they specify the several
appointments in the Marine
Deptt. ~~[illegible]~~ in wh. European
qualifications are held to
be necessary. These
are

are
(1) Appointments in Connection with ports that are prescribed either by ~~Act~~
(a) Act of Parliament, or
(b) by Indian Law,

viz. Port Officers
Ship Surveyors
Shipping Masters
Deputy — do —
Assistant — do —

(2) Captains & other Officers & Engineers of Govt. vessels.
(3) Health Officers of Ports
(4) River Surveyors
(5) Bengal Pilot Service (with the Exception of a Small local Service)
and (6) Agents Govt. Consignments
(7) European Lightkeepers of the Class of able seamen or selected from the Class of Sea going mariners.

Note The Royal Indian Marine stands on a different footing & is Eligible per se.

The point now for decision therefore is which of the Marine Appointments tentatively approved by the Local Govt. come under the list of Appointments in the above Statement.

Commander Street being a member of the R. I. M. is eligible without Question & his name shd. therefore be deleted from that list.

All others in the list with the exceptions noted below are "Port Officers" and "Agent for Govt. Consignments" and as such are included in the above list.

The exceptions referred to above are the appointments of the 3 Harbour Masters "Harbour Masters" have not been Specified in the ~~list~~ Govt. of India list and it is not therefore ~~the~~ clear whether they come under the general term "Appointments Connected with Marine or Shipping."

The appointment of "Harbour Master" is referred to in Section 7 (2) (b) and (3) of the Ports Act but I am not sure whether this reference will make it an "Appointment in Connection with ports prescribed by Indian Law".

x In the Financial Memo. at Flag R. the Financial Deptt. say "it seems necessary to shew first that the officers mentioned in the List at Flag L are not Statutory natives of India" X It is not understood what the Financial Deptt. intend by this clause, seeing that they have themselves held ~~[illegible]~~ (Flag L) that those

x In this connection it may be noticed that a local Service in the "Bengal Pilot Service" is Excluded from the privileges of E. C. A.

X The officers must prove that they are not Statutory natives - Await the revised list of questions being issued by the Financial Dept.

R. S.
24 Mar 99

those officers cannot be
held to be ~~nato~~ Statutory
Natives of India

Marine (189 9) Department.

CURRENT No. 463

From The Presidency Port officer
Madras

No. 126 G.

Dated 6th April 1899
Received }
Registered } 8. 4. 99
Enclosures -
Spare copies -

SUBJECT.

Exchange Compensation allowance

Stating that he considers
the Harbour Masters at
Madras to be eligible
to ~~the~~ —— under the Govt
of India Rulings.

P. W. 29.
2,000—12-89-9.

BACK PAPERS.

G.O.	No.	Department.	Date.
	315 Marine		7.4.99
	168E		29.3.99
	232 Mar		10.3.99
	1039 Mar		15.12.98
	1023 Mar		8.12.98
	805 Mar		20.9.98
	628 Mar	4 fil.	20.7.98

FURTHER PAPERS.

G.O.	No.	Department.	Date.

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285 G

PRESIDENCY 30 MAR 99 PORT OFFICE

No. 168E.

Government of Madras.

Marine DEPARTMENT.

Madras, 29 March 1899.

OFFICE NOTE.

From
The Ag. Secretary to Govt,
Marine Department.

To
The Presidency Port officer.
(Unofficially)

Your letter No. 1713/101 G,
d/ 14th March 1899.

In your list of appointments for Exchange Compensation allowance, Harbour masters are included. Please quote the authority.

2. You will see from para 16 of the Government of India Resolution on pages 6 and 7 of G.O. 1081 Financial, dated 19th November 1898, that no mention of Harbour masters occurs, and that as regards appointments "in connection with ports" they must be prescribed "either by act

1023 Marine d/ 8-12-98

of

P. W. 48.
500-1-2-98.

of Parliament or by Indian law."

3. Again, are these men really harbour-masters in the ordinary acception of the term, or, merely pilots? It is observed that they are paid from the pilotage fund.

4. It will further be noticed° that in Bengal the local pilot service is declared to be ineligible for exchange compensation.

° para 16 of the Resolution quoted above.

Col. R.E.,
Ag. Secretary to Govt.

Reply.

No. 1264

(1) Paragraphs 7(2) and 9× of Resolution of Government of India published with G.O. No 491, Financial, dated 24 June 1897, also paragraph 16 of Government of India Resolution published with G.O. No 1081× Financial dated 19 November 1898. ~~This~~ The expression "Harbour Master" is mentioned in Indian Ports Act. The Harbour Masters at Madras are, further, Europeans selected from the class of Sea going Mariners who under para 17× of G.O. No 1081 Financial dated 19 November 1898 may be regarded as eligible for exchange compensation.

× applies to the "proportion of Europeans to be maintained" and does not apparently cover the present case.

Flag U

× Flag D. The condition is that they must be "prescribed", not merely "mentioned".

Flag D. × This paragraph only mentions Light Keepers not harbour masters. R.G.

Rd. C.W.R. 28.3.99

(2). Answered by para 1.

Para 1 has now been traversed R.G.

(3). Under the modern ordinary acceptance of the term, the officers in question are in my opinion, Harbour Masters, (ie) to say, they are principally required for the purpose of berthing vessels. At Calcutta, Bombay and Rangoon, the officials performing such duties, are termed Harbour Masters. There appears to be no reason why the pay of a Harbour Master, should not be met from pilotage funds, for such funds are, I take it, intended to meet berthing expenses, as well as those of piloting.

(4) I know nothing about such a service as the local Bengal Pilot service. It may perhaps include native pilots employed in piloting vessels on rivers others than the Hooghly and if so, it is probable that the members may not be Europeans

as

as at Madras selected from the Sea class of Mariners. At all events for the Madras Harbour it is necessary, in my opinion, in the interests of the public for a Harbour Master to be an European who has been trained at sea as an officer.

H.

Commander R.N.
Presidency Port Officer

6 April 1899.
Presy Port Office

G.A.H.

To
The Secretary to Government
Marine Department

20