

8TH OCTOBER 1886, No. 561, MARINE.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—again G.O., dated 26th July 1886, No. 403, Marine.

READ—also the following papers:—

From T. E. MARSHALL, Esq., Acting Port Officer, Madras, to the Chief Secretary to Government, dated Madras, 5th August 1886, No. 7425.

I have the honor to acknowledge the receipt of G.O., Marine, No. 403, dated 26th ultimo, and respectfully submit that the condition of the Harbour Master's service seem to place it at present under the control of Government, under the provisions of a legislative enactment, which allows of no authority being exercised over it by the Harbour Trust Board.

2. The employment of the Harbour Master, whose title should be now properly Pilot, and his assistant is in connection with the pilotage system introduced at Madras under section 38 of the Indian Ports Act XII of 1875, and their salaries are paid from pilotage account, as contemplated by section 47 of the Act—*vide* G.O., No. 30, dated 20th January 1881. The levy of pilotage fees is provided for in section 61 of the same Act, and it was necessary to obtain the sanction of the Government of India to its being brought in force—*vide* G.O., Marine, No. 258, dated 2nd June 1881. The remuneration paid to the Harbour Master for work on Sundays, holidays, and overtime is likewise charged under the same section, and with the sanction of the Government of India—*vide* G.O., Marine, No. 223, dated 2nd May 1883.

3. It will thus be seen that the Harbour Master's service is entirely worked under the provisions of Act XII of 1875, in which, as stated before, no authority is given for the Harbour Trust Board to exercise control over it; whereas in section 8 of the Act, clause (b), it is expressly provided as follows:—"Where the Harbour Master is not Conservator, the Harbour Master and his assistants shall be subordinate to, and subject to the control of, the Conservator." The Legislature has no doubt made this provision in view of the responsible duties devolving on the Conservator, as laid down in section 7 *et sequitur* of the Act, to carry out which satisfactorily perfect discipline is imperative, and therefore a dual control undesirable.

4. I beg to subjoin a memorandum of the receipts and disbursements on account of the Harbour Master's establishment for the last official year for the information of Government. The collections are credited to the Port fund, out of which I hear it has been proposed informally to grant a contribution annually to the Harbour Trust, so that from a financial point of view the trust will not be a loser, if, on the legal grounds mentioned, Government is pleased to reconsider the pilotage question.

Pilotage Account for 1885-86.

RECEIPTS.							
	RS.	A.	P.	RS.	A.	P.	
Pilotage fees	19,445	0	0				
Harbour Master's boat fees	991	3	2				
				20,436	3	2	
<i>Deduct—</i>							
EXPENDITURE.							
	RS.	A.	P.				
<i>Establishment—</i>							
Harbour Master and Assistant							
Harbour Master	6,132	4	1				
Bill Collector	210	0	0				
Harbour Master's boat crew							
and two peons	1,661	14	11				
				8,004	3	0	
Contingencies				449	7	1	
				8,453	10	1	
Balance or net receipts				11,982	9	1	

From the Acting Government Solicitor, dated Madras, 3rd September 1886, No. 380.

ABSTRACT.—Forwarding the following opinion of the Advocate-General, dated 3rd September 1886:—

OPINION.

With reference to the endorsement of the Government, dated the 16th August 1886, No. 1368 C., made on the letter from the Acting Port officer of Madras, to the Chief Secretary, dated the 5th August 1886, No. 7425, I have to state that, having regard to the provisions of section 8 of Act XII of 1875, I am of opinion that the Harbour Master must, for the purpose of the functions which he exercises under that Act, be subordinate to the Master Attendant, and not to the Harbour Trust Board.

(Signed) H. H. SHEPHARD,
Acting Advocate-General.

From J. H. TAYLOR, Esq., Lieutenant, R.N.R., Port Officer, Madras, to the Chief Secretary to Government, dated Madras, 11th September 1886, No. 8745.

With reference to G.O., No. 467, dated 23rd August 1886, I have the honor to report that the Chairman, Harbour Trust Board, Madras, having declined to pay the salary bills and other charges of the Harbour Master's establishment for August last, pending the final orders of Government as to its transfer to the trust, they were transmitted to the Accountant-General, who disbursed the same, with the exception of the salary of the Assistant Harbour Master, Mr Corfield, for want of sanction of Government.

2. In soliciting the same, I beg strongly to recommend that his appointment be made permanent, as there can be no question as to the absolute necessity for it, and considering the inconvenience caused by delay in drawing the salary, additional correspondence, &c., it is not desirable to continue the present state of things.

3. I take this opportunity of explaining to the Government that the service rendered by Mr. Corfield is identical with that performed by the Harbour Master, and is by no means to be considered in the light of an ordinary Assistant. They work independent of one another, and each is individually responsible for the vessel in his charge. As Mr. Corfield has rendered every satisfaction in the discharge of his duties, I beg to recommend that his salary, Rs. 200, be raised to the same amount as that of the Harbour Master, viz., Rs. 300, and that he be also called Harbour Master instead of Assistant.

ORDER—dated 8th October 1886, No. 561, Marine.

With reference to the opinion expressed by the Acting Advocate-General, the order of Government, dated the 26th July 1886, No. 403, will be cancelled.

2. The sanction of the Secretary of State will be sought, through the Government of India, to the permanent appointment of a Senior Pilot (the designation of Harbour Master being changed to Pilot) for the Port of Madras on a salary of Rs. 300 per mensem. The tenure of office of the Assistant Harbour Master or Junior Pilot has recently been extended for a further period of six months. The Government are not prepared to accept the Port officer's proposal that the pay of this officer should be raised to Rs. 300.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Port Officer, Madras.

„ Public Works Department.
„ Chairman, Harbour Trust Board.
„ Accountant-General.

Exd. A. Aubert.

Bm: 2777 tr d/21. 10. 86.

Recorded in
Continuation of G.O.
No: 1966 tr d/7. 8. 86.
16/7/86

Govt. of (1886) Madras.

MARINE.

Issued

Recd.

Encl.

G.O., 8th October 1886, No. 561.

OCTOBER.

Harbour Master.

Cancelling the G.O., 26th July 1886, No. 403, and requesting the sanction of the Secretary of State, through the Government of India, for the permanent appointment of a Senior Pilot in lieu of the present — for the Port of Madras on a salary of Rs. 300 per mensem.

26TH JULY 1886, No. 403, MARINE.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

READ—the following paper :—

From T. E. MARSHALL, Esq., Acting Port Officer, Madras, to the Chief Secretary to Government, dated Madras, 5th July 1886, No. 6001.

I have the honor to state that the extension of three months granted in the Government order, as per margin, to Mr. Corfield, the Assistant Harbour Master, is about to expire, and, as already submitted to Government by Captain Taylor, the services of this officer are indispensable, as a qualified person is always required to be available, not only to go off to a second vessel when the Harbour Master is already engaged with one, but also in case of the absence of the Harbour Master from illness or other causes. Mr. Corfield has given every satisfaction in the discharge of his duties, and I beg respectfully to recommend that he be permanently appointed as Assistant Harbour Master.

ORDER—dated 26th July 1886, No. 403, Marine.

With reference to the provisions of section 21 of the Madras Harbour Trust Act, II of 1886, the Government are of opinion that the Harbour Master and his establishment must be regarded as employes of the Harbour Trust Board. The whole establishment, it is observed, is at present on a temporary footing, and any proposal to create permanent appointments must be addressed to the Board.

2. In accordance with this opinion, the Government resolve to direct that the Harbour Master's fees shall in future be treated as assets of the harbour revenue.

3. The Board will doubtless see the expediency of subordinating this branch of the harbour establishment in the future as in the past to the Port Officer of Madras as regards professional duty.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Port Officer, Madras.
" Chairman, Harbour Trust Board.
" Accountant-General.
" Public Works Department.

Exd. T. O'Connor.

B. No 1966 W of 7 August/88

Govt. of (1886) Madras.

MARINE.

Recorded.

Sgt J. S. W

Issued

Recd.

Encl.

G.O., 26th July 1886, No. 403.

B. No 1966 W of 7-8-88.

JULY.

Harbour Master and his Establishment.

Expressing the opinion that the — must be regarded as employes of the Harbour Trust Board, and directing, in accordance with this opinion, that the Harbour Master's fees shall in future be treated as assets of the harbour revenue.

8TH OCTOBER 1886, No. 561, MARINE.

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

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(True Extract.)

for Chief Secretary.

To the Port Officer, Madras.

„ Public Works Department.
„ Chairman, Harbour Trust Board.
„ Accountant-General.

Exd. A. Aubert.

7.11.84
Gobt. of (1886) Madras.

MARINE.

13.82

No 2777 w a/ 21st October/86

Recorded in
Recorded in
Continuation of
S. O. No 1266 w a/ 7.8.86
S. O. No 1266 w a/ 7.8.86

21/10/86

21/10/86

Issued

Recd. 20.10.86 Encl.

G.O., 8th October 1886, No. 561.

No 2777 w a/ 21st October/86

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