

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 309

DATED 20th January 99

Printed in G.O. No. 624 Rev.
dated 25th June 1900.

[Despatch Abstract.]

Referring to the Bd. of Rev. for report
Resolution of the Govt of India re: payment of fees
by the Local Governments to officers of the
Customs & connected establishments for work
done on Sundays and holidays or out of office
hours on ordinary working days.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
c. no. 1100999							

Revenue (1899) Dept.
Current No. 344.

GOVERNMENT OF INDIA.

Finance and Commerce Department.

SALARIES, ESTABLISHMENTS, etc.
Fees.

RESOLUTION.

Sp. 20/1/99

3 P.

Endt. mis No. 309 of 20th January 1899.

Referred to the Board
of Revenue for favour of report.

Mark

No. 167-Ex.

Dated Calcutta, the 12th January 1899.

Recd 16/1

Regd 16/1

To,

The Board of Revenue (S.P.)

1013-24-1-99.

P.P. 16/1

191/99

KD 191/99

Printed in G.O. No. 624. Rev.,
dated 25th June 1900

Payment of fees by the Local Governments to Officers
of the Customs and connected establishments for
work done on Sundays and holidays or out of office
hours on ordinary working days.

G. I. C. P. O.—No. 600 F. & C. D.—11-1-99.—145.—P. M. M.

No. 167-Ex.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

SALARIES, ESTABLISHMENTS, etc.
Fees.

RESOLUTION.

Calcutta, the 12th January 1899.

READ—

Despatch of 5th August 1897, No. 131 (Revenue) from Secretary of State—

"I have considered in Council Your Excellency's letter, dated the 5th of May, No. 116 (Finance and Commerce), proposing that certain fees be granted, out of the Sunday Fee Fund, to officers and subordinates of the Bombay Customs Department for the performance of extra duties on Sundays and holidays.

"2. I do not desire on the present occasion to discuss the propriety of imposing extra taxation on the trade in cases when it may be of importance that work should be undertaken for it on such days. But I believe that the fund to which the dues are credited is only shown in the deposits and does not form part of the revenue of the year, and I am of opinion that the mere existence of such a fund does not form any justification for the increase of the emoluments of the persons employed, and that it is undesirable that any part of their allowances should be excluded from the statement of the expenditure of the year.

"3. If, after a consideration of these remarks, your Government desire to propose an increase of the pay on the merits of the case, I have no objection to your doing so."

Read also the following correspondence—

Letter from the Government of Bengal, No. 53-T. F., dated the 11th May 1897.

Letter to the Government of Bombay, No. 2678-Ex., dated the 17th June 1897.

Letter to the Government of Bombay, No. 4051-Ex., dated the 9th September 1897.

Letter from the Government of Bombay, No. 7072, dated the 24th September 1897.

Letter from the Government of Bombay, No. 2123, dated the 24th March 1898.

Letter to the Government of Madras, No. 5465-Ex., dated the 16th December 1897.

Letter from the Government of Madras, No. 1068, dated the 3rd March 1898.

Letter from the Government of Burma, No. 422-1-C.—3, dated the 20th September 1897.

Letter from the Government of Burma, No. 621-1-C.—3, dated the 20th November 1897.

Letter to the Government of Burma, No. 5404-Ex., dated the 16th December 1897.

Letter from the Government of Burma, No. 575-1-C.—4, dated the 30th July 1898.

RESOLUTION.—The orders of the Secretary of State read above have led the Government of India to consider the general question of the grant of fees by Local Governments to officers of Customs establishments, etc., for work done on Sundays and holidays, or for overtime on ordinary working days, in connection with the landing and shipping of goods for which special payments are required from the parties on whose application the work is done, and His Excellency the Governor-General in Council desires to lay down the following instructions for future guidance in dealing with this subject:—

1. The circumstances under which fees for work of this description may be equitably charged to the parties concerned for work done on their application depend largely on the particular circumstances of each port, and the amount and conditions of such fees must be left to the discretion of the Local Governments concerned.

2. But when such fees are levied, the total receipts therefrom and the *per contra* expenditure (including all allowances granted for overtime work in this connection to officers of Government) must be exhibited in the public accounts.

3. In remunerating Customs and other officials for overtime work, on account of which fees have been levied, it must be borne in mind that they have no claim to receive the whole of the fees charged by Government in respect of overtime work. The fees should be regarded as levied in respect of charge of a general character, as well as in respect of special allowances to officers specifically employed on the extra duty. The Governor General in Council, therefore, desires that the levy of overtime fees, and the payment made therefrom to the officers concerned, shall be so regulated hereafter that the total payments under the latter head shall in no case exceed three-fourths of the corresponding fee receipts.

4. Allowances for overtime work are recurring payments, and cannot, therefore, as has been done in some cases, be dealt with under Articles 89 and 91, Civil Service Regulations. They fall within the scope of Articles 87 and 93, that is, no overtime allowance can be granted to an officer whose salary (including such allowance) would exceed Rs. 3,000 a year without the sanction of the Government of India, while if the limit exceeded is Rs. 5,000, the sanction of the Secretary of State is required. [Rule III (2) of Resolution of this Department No. 916-Ex., dated 4th March 1893.] The Government of India request that this limitation be carefully noted in future, and that where it has been hitherto disregarded, the necessary sanction be now obtained.

5. At the same time, the Governor General in Council considers that, in the case of officers who are of such standing as to require the sanction above referred to, the grant of specific fees for overtime work is a suitable remuneration only in the case of work performed on Sundays and on certain universal business holidays specified in the margin.

The Queen's Birthday.
New Year's Day.
Good Friday.
Xmas Day and any other day specially declared by the Government of India to be a general holiday.

Overtime work done on other occasions should be held to be covered in such cases by the officer's general salary, and if such overtime work is, taken as a whole, so serious that the present pay of the

appointment is held to be inadequate therefor, the Government of India will be ready to consider the question of raising it. Where this latter step is not deemed necessary, but the stoppage of fees would be a material hardship to present incumbents who have for a long while enjoyed them unchallenged, a special allowance (which would cease on the appointment changing hands) would be the proper method of compensation. In any case all increases of salaries, or allowances, granted on account of overtime work for which fees are levied should be shewn in the public accounts under a special entry so as to be compared with the fee receipts, and must fall within the maximum limits of three-fourths thereof prescribed in paragraph 3.

6. Specific proposals with reference to paragraphs 3, 4 and 5 above are now invited from the Governments of all Maritime Provinces.

Ordered that a copy of this Resolution be forwarded to the Governments of Bombay, Madras, Bengal and Burma.

By order,

Deputy Secretary to the Government of India.

When given for copying _____
When copied _____
When examined _____
When signed _____

189 .

READ AGAIN G.O., No.

DATED

189 ,

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 WANT FOR DESPATCH IN ORIGINAL.

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