

Financial (1895) Department.

ORDINARY MS.

G.O., No. 600

Dated 20th Aug. 1895.

INDEXED.

3/4

[Despatch Abstract.]

TRAVELLING ALLOWANCE TO MR. W. E. CLARKE.

Communicating to the Hon'ble the Judges of the High Court letter from the Government of India declining to sanction either of the alternative proposals of this Government regarding the grant of a higher rate of -- for the time he stayed at Coimbatore to hear certain civil appeals.

BACK PAPERS.

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

FURTHER PAPERS.

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

CURRENT No. 1934

Financial Dept

From

The Govt. of India
Home Dept

440/41: 10.6.95.

20th August 1895 No. 600

Hm's
ms

ORDER

Communicated to the

Hon'ble the Judges of the High
Court to the Acct. Genl. in
continuation of G.O. 7. 10. 6. 95
No 440.

CS
10.8.95

15/8/95

The Hon'ble the C. J. (Cada Ch.) - (A)
- Acct. Genl. (A)

26/10/95

M.S.

Subject.

Declining to sanction
either of the alternative
proposals of this Govt.
in the matter of the
grant of allowances
to Mr. W.E. Clarke for
the time he stayed
at Coimbatore to hear
certain Civil appeals.

Madras
Office

Special Index portion
of para 2 marked with
blue chalk - and
return this G.O. to
S.A. after issue

CS
10/8/95

WITH ORDER

11/10/95

No. 1173

From

J. P. Hewett, Esq., C. I. E.,
Offg. Secy. to the Govt. of India.

To

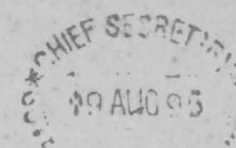
The Chief Secretary to the Government of
Madras.

Home Department

(Judicial)

Sir,

Simla, the August 1895.



W W I am directed to acknowledge the receipt of your letter No. 441 dated the 10th June last, conveying the request of the Madras Government that the ordinary rate of daily allowance of Rs. 4/-, which Mr. W. E. Clarke, Sub-Judge of Ootacamund, was permitted to draw for the entire period of his stay at Coimbatore where he was temporarily transferred to hear Civil appeals in the months of December, January and February last, may be raised to Rs. 7-8-0 (the amount admissible to two Judicial Assistant and Additional Sessions Judges in the Central Provinces, the Senior Assistant Judge, Bombay, and Joint Judge, Bombay).

In the event of the Government of India not approving of this proposal, the Governor in Council recommends that the allowance should be raised to Rs. 5/-, the amount admissible under Article 1167 of the Civil Service Regulations to officers of the first class- not mentioned in Appendix 25. Mr. Clarke has represented that he found it difficult and expensive to hire a carriage for his use, and the District Judge has expressed an opinion that the daily allowance of Rs. 4/- is a very inadequate compensation for the special work imposed upon Mr. Clarke and for the inconvenience resulting therefrom. These are apparently the grounds upon which the Madras Government base the recommendation for the grant of a higher rate of travelling allowance than is admissible by rule.

2. In reply I am to invite attention to the terms of Article 1154 of the Civil Service Regulations under which "a daily allowance is intended to cover the ordinary daily charges of an officer on tour" and is not intended to meet charges for conveyance to office or court or to cover cases of special duty or special inconvenience. Moreover, the Government of India cannot regard the work done by Mr. Clarke at Coimbatore as of a special character, since he merely performed the duties of a Sub-Judge, or admit that his temporary transfer to Coimbatore, even if it involved a certain amount of personal inconvenience, entitles him to any special compensation beyond what is admissible under a rule which is meant to cover "ordinary daily charges". His Excellency the Governor General in Council regrets that for these reasons he is unable to sanction either of the alternative proposals submitted by the Government of Madras.

I have the honour to be,
Sir,
Your most obedt. Servant,

J. P. Bennett.

Offg. Secy. to the Govt. of India.

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When signed _____

READ AGAIN G.O., No. 189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.

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