14-8-08 ✓
7-2-16. B. I
6-12-18 B. I ✓
12-3-19. B. IV

[F / 24]
4,000—25-7-96

Financial (1897) Department.

ORDINARY MS.

G.O., No. 218-19

DATED 9-3-97

INDEXED.

22 43/93

[Despatch Abstract.]

Addressing the Govt of India on the subject of the hardships imposed on shroffs visiting Madras & other places in charge of treasuries by the restrictions contained in Art. 1159 of the Civil Service Regulations.

BACK. PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
& No.	1623/27 (970)						

Financial (1896.) Department.

CURRENT No. 2872

N.W.P.
970

From The Revenue Dept.

~~Order~~ Memo 17/11/96
No. 2433 d/21-11-96.

No. 4283 Rev.

The attention of the Board of Revenue is drawn to the letter from the Govt of India Finance & Commerce Dept No 5677- Ex 7 dated 6th December 1895, printed on page 3 of G.O. No 34 Jud. dt 14th January 1896 (copy enclosed) from which it will be seen that, in order to establish a claim for exemption from the operation of Article 1159 of the C.S.R, under clause (6) of that article, it is necessary to prove that the extra expenditure which an officer is subjected of the kind which travelling allowance is intended to meet. Article 1086 of the C.S.R. lays down

Dated	30th Oct '96
Received	6. 11. 96
Registered	6th Nov.
Enclosures	9
Spare copies	—

SUBJECT.

transferring to the Jud Dept for sanction B.P. 4719 17/10 requesting sanction for payment of halting allowance to certain Sheriffs who accompanied remittances to Madras and Elsewhere and who were detained for more than 10 days

the principle that actual travelling allowance is given to an officer to cover actual travelling expenses and the expression "actual travelling expenses" is clearly defined in article 15.

The Board is requested to reconsider its proposals in the light of the above remarks.

Cuttack
7.XI.96.

AA 19.11.96

Bd of Rev (L.R.) - (2) with orgl
Copy of the Order read
Copy of G.O. 342 dated 14.1.96

This is a recommendation by the Bd. that certain officers sent to Madras with treasure and detained by the Accountant should be allowed T.A. for the excess of their halts over 10 days. The reply of Govt. in the G.O. flag A appears to give a free hand to Govt. to prevent the operation of the limit as a hardship to an officer who is actually for reasons of public duty to continue expenditure of the kind wh. T.A. is intended to meet. Whether there is a hardship is for the Local Govt. to decide. Should they think that the present is clearly such a case and make the allowance.

AA 15.11.96.

BACK PAPERS.

G.O.	No.	Department.	Date.
342:	19.5.96.		
34:	14.1.96		
8:	6.1.96		
51:	19.1.95		
619.20	14.8.94		
941:	26.5.81.		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT NO. 2872

Revenue Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

-----S-----

READ Proceedings of the Board of Revenue, Land Revenue, No. 4719 Mis., dated 17th October 1896.

ORDER thereon, No. 4283 Mis., d/ 30th October 1896.

Transferred to the Financial Department for favour of sanction.

(True Extract)

G. Stokes.

Ag. Secretary to Government.

To the Financial Department.

Copy to the Board of Revenue, Land Revenue.

Financial (1897) Department.

CURRENT No. 277

ACCOUNTANT GENERAL'S OFFICE MADRAS 3 FEB 97

d/2

From The Revenue Department

Order End. No. 215 J 2nd February 1897.

Referred to the Accountant General for favour of remarks.

A. R. Knapp.
Ag Assistant Secretary

No. 435 Mis

Dated 25th January 1897.

Received - 27 - 1 - 97

Registered 27 — 1 — 97

Enclosures 1

Spare copies 1

1/2/97.

NOTED FOR WITH REPLY.

SUBJECT.

Transferring to the Financial Dept with reference to its Mems No. 2433 J 21-11-1896 Proceedings of the Board of Rev. Communicating to all Collrs & Conservator of Forests for information and guidance, G.O (Financial) on letter from the Govt of India explaining that clause (b) under article 1159 C.S.R was intended to enable Local Govts to prevent the 10 days' limit for halts operating as a hardship in particular cases & considering that a special rule should be made to enable the authorities to compensate the Shroffs accompanying remittances who they are detained at the Lodges for more than

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

PROCEEDINGS OF THE BOARD OF REVENUE

(LAND REVENUE).

READ—again the following Proceedings of the Board of Revenue (Land Revenue), Mis. No. 4217, dated 14th September 1896 :—

Read—the following letter from J. N. ATKINSON, Esq., Collector of Kistna District, to the Secretary to the Commissioners of Land Revenue, dated 25th August 1896, Ref. on C. No. 3663-Ver. :—

I have the honour to state that V. V. Ranga Row, a shroff of this office, who accompanied a remittance of 10 lakhs of rupees from this treasury to Madras Bank, Madras, on 24th April 1896, was obliged, in the interests of the public service, to halt at Madras from 1st to 28th May 1896, up to 27th in shroffing the amount and on 28th in preparing to return to head-quarters. He has been put to additional expense by this long stay at Madras. I request that the Board will be pleased to recommend to Government to exempt the shroff from the operation of Article 1159, Civil Service Regulations.

Resolution—Mis. No. 4217, dated 14th September 1896.

The Board is not prepared to support this application, as no case has been made out for exemption from the provisions of Article 1159, Civil Service Regulations.

2. The Board has had occasion to notice that since January last shroffs accompanying remittances to Madras and other places have been detained for more than ten days as shown in the margin. The Accountant-General is requested to cause better arrangements to be made in view to obviate the hardship caused by such prolonged detention.

Despatching Treasury.	Receiving Treasury.	Amount of Remittance.	Number of days detained.
		LAKHS.	
1. Tanjore	Madras ..	About .. 7	21
2 Vizagapatam	Do. ..	5	21
3. South Arcot	Do. ..	About .. 13½	21
4. Trichinopoly	} Do. ..	8	11
5. Do.			16
6. Do.	Bangalore ..	3½	29
7. Do.	Nilgiris ..	Rs. 65,000	19
8. Do.	Madras ..	About .. 11	21
9. Kistna	Do. ..	6	16
10. Do.	Do. ..	10	28

(True Copy and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Collector of Kistna.
" Accountant-General.

READ—also the following Government Order, Mis. No. 4283, Revenue, dated 30th October 1896 :—

Read—the following Proceedings of the Board of Revenue (Land Revenue), Mis. No. 4719, dated 17th October 1896 :—

Read—the following letter from F. C. HARRISON, Esq., Officiating Accountant-General to the Government of Madras, to the Secretary to the Commissioners of Land Revenue, dated 22nd September 1896, No. 407-I.D :—

With reference to the Proceedings of the Board of Revenue (Land Revenue), Mis. No. 4217, dated the 14th September 1896, I have the honour to state that funds accumulate at different treasuries at about the same time especially from January to April and have to be removed for want of accommodation at about the same time, the most part coming to Madras. Some delay in detaining potdars is therefore unavoidable. When the expense would be less if they were allowed to go away and come back in time for the examination of the remittances they accompanied, this course is followed. It is probable that when potdars are detained owing to unavoidable delay in the examination of the remittances they accompanied, they are put to greater expense.

Resolution—Mis. No. 4719, dated 17th October 1896.

The papers read above will be submitted for the orders of Government.

2. Since the receipt of Government Order, No. 8, Financial, dated 6th January 1896, passing orders on a claim for halting allowance for more than ten days under Article 1159, Civil Service Regulations, the Board has refrained from recommending any exemption in favour of shroffs who accompanied remittances of treasure to Madras and elsewhere and who were detained at the receiving treasury for more than ten days. Owing, however, to the frequency of such applications, the Board addressed the Accountant-General in view to arrangements being made for obviating the inconvenience caused by the prolonged detention of shroffs on this duty. The Accountant-General states that the delays in the cases referred to were unavoidable and that the shroffs were probably put to extra expense by their detention.

3. In these circumstances, the Board requests that exemption from Article 1159, Civil Service Regulations, may be granted in the ten cases specified below :—

Despatching Treasury.	Receiving Treasury.	Amount of Remittance.	Number of days detained.	Number and date of Collector's letter.
1. Tanjore	Madras	About .. LAKHS. 7	21	No. 896, dated 29th February 1896.
2. Vizagapatam	Do.	5	21	No. 1255, dated 30th April 1896.
3. South Arcot	Do.	About .. 13½	21	No. 1713, dated 4th May, 1896.
4. Trichinopoly	Do.	8	11	No. 2881, dated 6th August 1896.
5. Do.			16	
6. Do.	Bangalore	3½	29	
7. Do.	Nilgiris	Rs. 65,000	19	
8. Do.	Madras	About .. 11¼	21	
9. Kistna	Do.	6	16	No. 2807, dated 17th August 1896.
10. Do.	Do.	10	28	No. 3663, dated 25th August 1896.

(True Copy and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department, with seven letters and one enclosure, in original, to be returned.

Order—Mis. No. 4283, Revenue, dated 30th October 1896.

Transferred to the Financial Department for favour of sanction.

(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Financial Department.
Copy to the Board of Revenue (Land Revenue).

READ—also the following :—

Memorandum No. 2433.

Read—the following :—

Government Order, Mis. No. 4283, Revenue, dated 30th October 1896.

The attention of the Board of Revenue is drawn to the letter from the Government of India, Finance and Commerce Department, No. 5677-Ex., dated 6th December 1895, printed on page 3 of Government Order, No. 34, Financial, dated 14th January 1896 (copy enclosed), from which it will be seen that, in order to establish a claim for exemption from the operation of Article 1159 of the Civil Service Regulations, under clause (*b*) of that article, it is necessary to prove that the extra expenditure to which an officer is subjected is of the kind which travelling allowance is intended to meet. Article 1086 of the Civil Service Regulations lays down the principle that travelling allowance is given to an officer to cover actual travelling expenses and the expression "actual travelling expenses" is clearly defined in Article 15.

The Board is requested to reconsider its proposals in the light of the above remarks.

FORT ST. GEORGE,
21st November 1896.

(Signed) A. L. HANNAY,
for Chief Secretary.

To the Board of Revenue (Land Revenue) with original enclosures returned and with copy of Government Order, No. 34, Financial, dated 14th January 1896.

ENCLOSURE.

Government Order, No. 34, Financial, dated 14th January 1896.

READ—again the following Government Order, No. 822, Educational, dated 11th October 1895 :—

Read—the following letter from the Hon'ble Mr. D. DUNCAN, M.A., D.Sc., Director of Public Instruction, to the Chief Secretary to Government, dated Madras, 3rd August 1895, No. 8299 :—

In April last, I appointed a committee consisting of the four Inspectors, and the two Inspectresses of Girls' Schools, the Assistant Inspector of Schools, 4th Division, and the Assistant Inspector of Schools, 6th Division, to meet at my office to consider, amongst other matters, the revision of the Madras Educational Rules and to submit to me a report as to the changes that should, in their opinion, be carried out in them. I took that opportunity of inviting representatives of important missionary bodies and the Secretary to the Council on Aided Education, consisting in all of seven members, to attend the conference and to take part in the discussion. The conference lasted for 14 days from the 17th to 30th April 1895, both days inclusive. The results of its labours will in part appear in the revised copy of the Educational Rules, which I hope to submit to Government shortly. I have now the honour to request that the travelling and daily allowances of the mofussil non-official members, who were all Europeans, may be sanctioned at the rates sanctioned in Government Order, No. 1288, Financial, dated 7th December 1886. There were only three such members, viz., Revd. W. Goudie of the Wesleyan Mission, Tiruvallúr (Chingleput), the Revd. J. S. Chandler of the American Mission, Madura, and Revd. G. H. Macfarlane of the London Mission, Cuddapah, the first having attended seven meetings and the two latter two meetings only.

2. I beg further to request that Messrs. Logan and Flanagan, the Inspectors of Schools, Western and Southern Circles, respectively, M.R.Ry. C. Nagoji Rao, the Inspector of Schools, Northern Circle, and Miss E. Carr, the Inspectress of Girls' Schools, Southern and Western

Circles, who had to halt at Madras for more than ten days continuously in connection with the conference, may be allowed their daily allowance for the period of their halt in excess of ten days, as they had to incur heavy expenses at Madras on account of boarding, carriage, &c. I would observe that the maximum limit for which daily allowance can be claimed will be 14 days, and that a similar concession was granted to Messrs. A. Monro and G. Bickle, formerly Inspectors of Schools, in Government Order, Mis. No. 717, dated 11th November 1886.

Order—No. 822, Educational, dated 11th October 1895.

The Accountant-General will be authorized to disburse to the Revd. Messrs. Goudie, Chandler and Macfarlane travelling and daily allowances at the rates sanctioned in Government Order, No. 1288, Financial, dated 7th December 1886. This authorization will, however, be subject to the limitation that the amounts disbursed in each case do not exceed the actual expenses incurred.

2. The Government doubts whether the officials specified in paragraph 2 of the Director's letter can be exempted from the ten days' rule under article 1159 of the Civil Service Regulations. A reference will be made to the Government of India on the subject.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Director of Public Instruction.
" Accountant-General.
" Financial Department.

READ—again the following Government Order, Nos. 896, 897, Financial, dated 14th November 1895:—

Letter—to the Secretary to the Government of India, Finance and Commerce Department, No. 897, Financial, dated 14th November 1895.

I am directed to address you regarding the construction to be placed on the phrase "extra expense" in article 1159 (*b*) of the Civil Service Regulations which is nowhere clearly defined.

2. Part XI of the Civil Service Regulations in which this article occurs is apparently governed throughout by article 1086 unless the contrary is anywhere distinctly stated. This article states that travelling allowance is given to an officer to cover *actual travelling expenses* and the expression "actual travelling expenses" is defined in article 15 as meaning "the actual cost of locomotion for an officer himself, his servants, and personal luggage, including charges for ferry and other tolls, and for carriage of *camp equipment* (when necessary); but not including charges for hotels, dâk bungalows, or refreshments, or for the carriage of stores or conveyances, or for presents to coachmen, nor any allowance for such incidental losses or expenses as the breakage of crockery, the wear and tear of furniture, the entertainment of additional servants and the like."

It appears to be the intention of the Government of India that the "extra expense" referred to in article 1159 (*b*) should be in the nature of "actual travelling expenses" as defined in article 15, for in paragraph 3 of Finance and Commerce Department letter, No. 6204 P., dated 20th December 1894, the claim of the establishment of the Resident in Travancore and Cochin to a general exemption from the provisions of article 1159 was negatived, because it appeared to have been put forward "largely on the ground of the extra cost of living—for which travelling allowance is not intended to compensate—and not so much because the travelling allowance admissible under rule is insufficient on the whole to cover the actual expenses on account of travelling." Again, in paragraph 2 of Mr. Hewett's letter, No. 1173, Judicial, dated 2nd August 1895, it was pointed out that a daily allowance is not intended to meet charges for conveyance to office or court or to cover cases of special duty or special inconvenience.

Government Order, No. 15, Financial, dated 19th January 1895.

Government Order, No. 600, Financial, dated 20th August 1895.

3. On the other hand, article 1159 as it previously stood permitted special exemption from the ten days' rule solely in cases where (i) the prolonged halt was necessary in the interests of the public service *and* (ii) it was necessary to maintain *camp equipage*. The article as amended and as it now stands contains the first condition but, as an alternative to the second condition, empowers Local Governments to grant a special exemption when satisfied that an officer has been put to extra expense by his halt after the expiration of the first ten days although no camp equipage may have been maintained. The application of the definition of "actual travelling expenses"

contained in article 15 as a means of interpretation of the phrase "extra expense" raises a difficulty for the reason that during a halt there can be no charges for locomotion, no ferry or toll dues and no cost of carrying camp equipment unless an officer hires carriage for the whole period of his tour. In the latter case he would be maintaining "camp equipage", and his case would fall under clause (*a*) of article 1159. The practical effect therefore is that if the "extra expense" in article 1159 (*b*) is to be taken as meaning expense of the nature of "actual travelling expenses" the clause is incapable of being applied.

Article 1154 (*a*) states that a daily allowance is intended to cover the ordinary daily charges of an officer on tour, but it would seem that this is restricted by articles 1086 and 1132, which read together lead to the inference that a daily allowance is only intended to cover "actual travelling expenses" as defined in article 15. As a matter of fact, however, actual travelling expenses are not incurred during a halt except in the way of payment for the upkeep of "camp equipage." In many parts of this Presidency, officers seldom have occasion during halts to keep up camp equipage, in which case their "actual travelling expenses" during a halt would be *nil*, and they would not be legitimately entitled to a daily allowance for a halt unless the expression "ordinary daily charges" can be interpreted as covering items such as batta to servants, bungalow fees, etc., which do not enter into "actual travelling expenses" It would appear, therefore, that a similar wide interpretation should be assigned to the words "extra expense" in article 1159.

4. In making these remarks I am to say that this Government is of opinion that article 1159 (*b*) should be withdrawn on the ground that the travelling allowance granted to officers is ample on the average to cover the expenses of travelling on duty. Claims for travelling allowance for halts exceeding ten days are, in the experience of this Government, almost invariably made on account of halts at favourite stations.

(Signed) J. F. PRICE,
Chief Secretary.

READ—also the following paper:—

From R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Finance and Commerce Department, to the Chief Secretary to the Government of Madras, dated Calcutta, the 6th December 1895, No. 5677-Ex.

I am directed to refer to your letter No. 897, Financial, dated the 14th November last, regarding the construction to be placed upon the phrase "extra expense" in article 1159 (*b*) of the Civil Service Regulations.

2. In reply, I am to say that the proviso in clause (*b*) under article 1159 was intended to enable Local Governments to prevent the ten days' limit operating as a hardship to an officer who is actually obliged, for reasons of public duty, to continue expenditure of the kind which travelling allowance is intended to meet; and that the question whether or not there exists a hardship requiring a remedy is one for the judgment of the Local Government in passing orders on the case.

Order—No. 34, Financial, dated 14th January 1896.

The letter from the Government of India will be communicated to the Departments of the Secretariat for information and guidance.

2. The officials referred to in paragraph 2 of Government Order, No. 822. Educational, dated 11th October 1895, cannot be exempted from the operation of section 1159 of the Civil Service Regulations.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Educational Department.
" Ecclesiastical "
" Judicial Department.
" Marine "
" Public "
" Political "
" Legislative "
" Revenue "
" Public Works Department.
" Accountant-General.

RESOLUTION—No. 453, dated 4th December 1896.

The instructions of Government as well as of the Government of India regarding the interpretation of article 1159 (*b*) of the Civil Service Regulations will be communicated to all Collectors and Conservators of Forests, for information and guidance. It will be seen that, under the Government order of January 1896 which is now communicated to the Board, claims under article 1159 (*b*) to halting allowance for more than ten days are inadmissible unless the extra expense to which the officer has been put is of the nature of "actual travelling expense" as defined in article 15, Civil Service Regulations.

2. This interpretation narrows very materially the range of the application of article 1159, Civil Service Regulations. The Board is therefore compelled to withdraw the recommendation made in favour of the shroffs who accompanied remittances to Madras and elsewhere. The Board would at the same time bring to the notice of Government the special hardship of cases such as those under report. There can be no question that these poorly-paid officials are put to considerable expense by their detention at head-quarters, and as the Accountant-General reports that such detention is unavoidable, the Board considers that a special rule should be made to enable the authorities to compensate them for the same.

(True Copies and Extract.)

Secretary.

To the Secretary to Government, Revenue Department.
" all Collectors.
" " Conservators of Forests.
" the Forest Section.

Exd. C. M. Thumbuswamy.

REVENUE DEPARTMENT.

1896.

Board of Revenue

(Land Revenue),

MADRAS.

Printed January 14th, 1897.

Proceedings, No. 453, *4th December* 1896.

Communicating to all Collectors and Conservators of Forests, for information and guidance, Government Order (Financial) on letter from the Government of India explaining that clause (*b*) under article 1159, Civil Service Regulations, was intended to enable Local Governments to prevent the ten days' limit for halts operating as a hardship in particular cases, and considering that a special rule should be made to enable the authorities to compensate the shroffs accompanying remittances when they are detained at the head-quarters for more than ten days.

1897
Financial
1
277

Revenue Department.

Proceedings of the Madras Government.

copy attached

Read* Proceedings of the Board of Revenue, Land Revenue, dated 4th December 1896, No. 453 Press.

Order thereon Mis. No. 435 dated 25th January 1897.

Transferred to the Financial Department with reference to its memo. No. 2433 dated 2[illegible] November 1896, to the Board of Revenue.

(True extract)

Lovell Davidson
20/1/97

Under Secy. to Govt.

To,

The Financial Department.

letter
Trichi-
g/payment
to a
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ess of 10
ts of the

Govt. of {1896} Madras.

REVENUE.

To

Dated
Recd. } Encl.

Mis. / R. G.O., 1896, No.

SUBJECT.

Financial

Revenue (1897) Department.

CURRENT No. ~~849~~ 482

SECY GOVT MADRAS
27 JAN 97
REV. DEPT.

~~Order~~ Endt mis No. 790.
Transferred
to the Financial
Department in con-
tinuation of endorse-
ment No. 435 Rev
dt 25-1-1897.

7 to 10 Feb. 97

G. Mackie.
ag Secy to Govt.

From the Board of Revenue
(Land Revenue)

No. 334 mis.

Dated 26th January 1897
Received 27th
Registered 28th
Enclosures 2
Spare copies

SUBJECT.

Submitting to Govt. letter from the Collector of Trichinopoly recommending payment of halting allowance to a Shroff who was detained in Madras in excess of 10 days in the interests of the Public Service.

List
R.
9 Feb 97

Received in Fin. 12/2/97
Registered — 13/2/97
Encl 3

1897
Fin. Dept.
Encls. No. 1
To
541

Reg. 28/1/97

BACK PAPERS.

G.O.	No.	Department	Date.
Cov 388/97	B.P. 453	& 4-12-96	L.R
Rev fo 498 5-2-96	Fo 348	& 14-11-96	Fmil
	G.O 435 25-1-97		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

COLLECTOR'S OFFICE,

R.C.No. 2881 acct 96

26th December 1896.

FROM J. K. Battee ESQ.,

Ag COLLECTOR OF Trichinopoly.

To

THE SECRETARY TO THE COMMISSIONERS OF Land Revenue Board of Revenue

Madras.

ACCOUNTANT GENERAL'S OFFICE MADRAS 11 JAN 97

SIR, through

The Accountant Genrab Madras.

Sir,

Coin amounting to Rs 10,09,960 was remitted from this District Treasury to Madras on the 27th october 1896. under instructions from the Accountant Genrab - 10 Lakhs to the Commissioner of paper Currency and the rest to the officer in charge of the Branch Revenue Treasury. The remittance reached Madras on the afternoon of the 28th idem, but a shroff named Venkatasami chetti who accompanied it was not relieved till the afternoon of the 25th November 1896. He thus made a halt of 28 days in Madras and the Accountant Genrab has certified that he was so detained in the interests of the Public Service.

2. The Shroff incurred an expense

of Rs 8-12-0 during the said halt on account of his meals at the rate of 5 annas a day, whereas his batta for the first 10 days of the halt is only Rs 2½. It would be hard on such a low paid Government Servant to deprive him of batta for the period subsequent to the first 10 days. I have the honour therefore to request that the Board may be pleased to obtain the Sanction of Government to pay batta to the Shroff in question for the entire period of his halt.

3. If, however, the Shroff may be regarded as a "potdar of the Currency department" for the time being, in view of the fact that it was mainly a remittance of that department which he accompanied, the case may be treated as falling under clause (9) of art. 1162 of the Civil Service Regulations. If so, it would be unnecessary to trouble Government in the matter.

I have the honor to be
Sir,
Your most obedient Servant

Municipal
Asst Collector

1897
REVENUE DEPARTMENT.
Enclosure No. 1
To Current No. 849

1897
Finl
Enclos. No. 1
C. No. 482

1897
Finl
2
482

1A 21/4
Rej 22/1

1896

No 63

Fort St George
Accountt Genls Office
28th January 1897.

Forwarded to Board of Revenue.

under articles 1159 of the Civil Service Regulations sanction of Government is necessary for allowing daily allowance for halts in excess of 10 days.

In the present case the Shroff does not appear to be entitled to the ~~Concession~~ Commission as the extra expense incurred by him is reported to have been on account of "his meals" which kind of expenditure is not included in that which travelling allowance is intended to meet.

In this connection reference is invited to articles 15 and 1086 of the Civil Service Regulations and to the order of the Government of India contained in Government order No 34 Finl dated 14th January 1896.

The case further cannot be brought under article 1162 (9) of the Regulations, as the potdars there mentioned are, those of a Specific Department Viz the Currency Department.

W Mitchell

for Offg: Accountt General.

To

The Secretary to the
Commissioners of
Land Revenue.

BC

From. LAND REVENUE.

J. K. Batten Esq.
Ag. Collector of
Trichinopoly

To

The Secretary to the
Commissioners of
Land Revenue,
Madras.

through Rev. Co 498/5-296 A

The Accountant General
Madras.

Dated 26th
Despatched 8th January } December 1896
Received

R. C. No 2881/accts of 96.

Subject

...eting the Board's
...ction of Govern-
...ing haltage
... was detained
... excess of 10 days
... of Public

BOARD OF REVENUE
21 JAN 97
MADRAS

1897
REVENUE DEPARTMENT.
Enclosure No 2
To Current No. 849

Madras

58

in this Presidency travelling with remittances" may be added "this clause of Offices excepted absolutely from the provisions of Art 1159 C.S.R." provided that the Collector or the Asst Jt Collector as the case may be, certifies that detention for a longer period than ten days is unavoidable". I am also to request that this exemption may be made retrospective to take effect from Jan 1st 1896 in order to cover the cases now under consideration, details of which are appended.

From orders

JK.
2/2/97

Jt
4/3/97
SC

Appendix) S.C

	In this Office as made. 1896		Despatching Treasury.	Receiving Treasury.	Remittance. Lakhs	No of days detained
1	Feb	1	Tanjore	Madras	7	21
2	April	2	Vizagapatam	"	5	21
3	May	3	S. Arcot	"	19½	21
4		4	Trichinopoly	"	8	11
5		5	"	"		16
6	August	6	"	Bangalore	3½	29
7		7	"	Nilgiris	⅔	19
8		8	"	Madras	11¼	21
9	August	9	Kistna	"	6	16
10	August	10	"		10	28
"	4 Dec		Trichy			20

23/4/97

[G.]
1,000—14-12-96.

Financial Department.

C. Nos 2572 of 96,
277, 482 & 521 of 97.

~~H. E. THE GOVERNOR.~~

THE HON'BLE MR. BLISS, C.I.E.

~~THE HON'BLE MR. GROSE, C.I.E.~~

SUBJECT.

Shroffs travelling with remittances - Claims under art. 1159 C.S. Regs.

FOR ORDERS.

Printed as B.P. No 453
d. 4-12-96

The case must go to India - I should recommend that Shroffs & other inferior servants sent with treasure be exempted altogether (with retrospective effect to cover these cases) from art 1159 provided the Ry. or Collr., as the case may be, certifies that the detention beyond 10 days was unavoidable.

BB
25/2/97

In August last the Collector of Kistna reported the case of a shroff who accompanied a remittance of 10 lakhs of rupees to Madras and was detained there for more than ten days and recommended that he be exempted from the operation of art. 1159 C.S. Regs. The Board declined to support the application, but noticing that since January previous shroffs accompanying remittances had, on several occasions, been detained for more than ten days, & the Accountant General was requested to cause better arrangements to be made in such cases to obviate the hardship caused by

...ch prolonged detention. The
Accountant General, while recognising the hardship
explained that as funds accumulate at
different treasuries at about the
same time and have to be
removed from want of accom-
modation at about the same
time some delay in detaining
postdars was therefore unavoidable.
Upon this the Board recommend-
-ed exemption from art. 1159
in ten such cases. The Board's
attention was drawn to the
G.I. letter printed on page 3
of G.O. No. 34 Fin. D. 16 January
1896, from which it appeared
that in order to establish a
claim for exemption from the
operation of art 1159 of the
C.S. Regs. under clause (b) of
that article it was necessary
to prove that the extra expendi-
ture to which an officer was
subjected was of the kind
which travelling allowance was
intended to meet. It was
also pointed out that art 1086
C.S. Regs. lays down the principle
that travelling allowance is

given to an officer to cover
'actual travelling expenses' and
that the expression 'actual travelling
expenses' is clearly defined in
art. 15. The Board was requested
to reconsider its proposals in
the light of these remarks.

2. The Board now withdraws
the original recommendation made
by it in favour of the staffs
who accompanied remittances to
Madras or elsewhere, but remark
that the foregoing interpretation
narrows very materially the
range of the application of art.
1159 C.S. Regs. At the same
time the special hardship of
cases such as those under report
is brought to notice; and, as it is stated
that there can be no question
that these poorly-paid officials
are put to considerable expense
by their detention at head-
quarters and the Accountant
General reports that such
detention is unavoidable, the
Board considers that a special
rule should be made to enable
the authorities to compensate
them for the same.

T. No. 482 is a further case submitted by the Board with the remark that it comprises the Board in its opinion that special measures are required to obviate the hardship caused to these low-paid officials by a strict interpretation of the rules.

4. The Accountant General states that the only course that occurs to him is to obtain a general exemption from the operation of art. 1159 under art. 1162; but the rejection of a similar request on behalf of the establishment of the Resident in Travancore & Cochin by the Govt of India in its letter recorded in G.O. No. 57 Fin^l, D 19 January 1895, appears to him to be in the way. He thinks however that a representation of the special hardship of cases of the present nature may be accepted as justifying a departure from the established rule. He also points out that the establishments mentioned in art. 1162 have been unconditionally

T. No. 541

Quite a different case
BS

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G.O. no 750 Rev. d. 12-5-81. G

G.O. no 619 Fin^l d. 14-8-94 M

unconditionally exempted, no condition being attached in their case as to the nature of the expenditure which their daily allowance is intended to cover. He therefore thinks that, considering the hardship under which Sheristadars labour, a similar exemption might be granted to them.

A strong argument in favour of such an exemption lies in the fact that among the classes exempted from the provisions of Art 1159 are "potdars" of the Currency Depts handling in charge of remittances. It is submitted that the position of the Sheristadar in this case in point is very similar to that of these potdars.

The claim of Sheristadars holding whole-time appointments at Madras & elsewhere to draw batta for the whole period of the halt was recognised by the Govt in 1881, & they were exempted from the restrictions then in force, however, in 1894 the Accountant Genl pointed out that a change in Rule 1159 had taken away the power of the Govt to make such exemptions except in cases where Camp Complete was maintained: enquiry was then made & it was found that it was very rare for Sheristadars to be detained

leave Bay for more than 10 days,
only 8 cases had occurred in two
years) it was therefore decided that
no exemption need be asked for on
their account. Now however it
appears that such delays are frequent
& unavoidable. It is submitted therefore
that some concession is required.

If this view is approved the
question arises whether a special
exemption for short & hardships
travelling with servants should be
asked for or whether this Govt
desires more general powers to deal
with such cases as they. It is submitted
that on the correspondence with the
Govt. of India on the subject no stress
has been laid on the fact that there
is a difference between prolonged leaves
inside & outside an Officer's jurisdiction.
In both cases not infrequently and
where Officers are called on duty to the
Presidency Town & their large bodies their
Camp equipage is out of the question.
But residence at the Presidency Town is
more expensive than on the mofussil
has been recognised by the grant of
Presidency allowance to certain Officers
It seems reasonable therefore that a
temporary residence there by an Officer

whose establishment is elsewhere
should, wherever this Govt: so desires it,
be empowered for by the grant of
an allowance. Special Duty Allowance is
at present granted for 10 days:
(even though the expenses and the
cases are not ordinary expenses
of travelling as anticipated by the
Govt. of India) yet it is submitted that
(besides those of sickness)
there are many cases in which this
Govt has entrusted a hardship.

orders are solicited

SLL 23/5/87 There is I submit no doubt that there
are hard cases. A man is absent away
from his home which he has to keep up
in his absence and he has to pay heavily
for his board and lodging
&c and he gets nothing extra. The natives
before a Court get better pay do the servants
of all kinds, & private employers pay
their servants better.

HD
24/5/87

[20]
500—3-10-96.

Financial DEPARTMENT.

C. No.

C.R. 2872 of 96. & 20 Actg from the Rr: Dr:
" 277 " 97 & 25 Jany " — Dr —
" 482 " 97 & 10 Feby " — Dr —
" 541 " 97 & 16 " " the Sheriff Guk.

Cs/ Mr.

FOR ORDERS. No 218 95-3-97

Collection Form

The Govt of India will be addressed.

Letter No 219
To the Secy to the Govt of India.
Fin & Com Depts

Sir.

The attention of this Govt having been called to the hardship imposed on Shroffs residing Madras & other places in charge of Treasure by the restriction enforced contained in Art 1159 C.S.R. I am directed to lay before the Govt of India the views of H.E. the Govr in Council on the subject & the consideration on which those rules are based

From 1881 to 1894 Shroffs holding in the Treasure were permitted by the Govt to draw bottle to the

Ref the Corr
Draft (note wording) Letter to India
5/4/97
A.94
3.97

Temporary resources with Govt officers

whole period of their halt, even if it exceeded ten days. In 1894 however the Acc.t Ge.l applied under instructions from the Govt of India, for a ruling that the Govt had no power to make any such general exemption, except in the case of officers maintaining camp equipage. It was suggested by the Govt of India that the Govt might lay down such rules as might be considered necessary with regard to the officers on whom the rule pressed hardly but as it was found impossible to lay down rules which the cases in which sheriffs were delayed with prisoners for more than 10 days were rare the Govt took no further action in the matter.

The detention of sheriffs in Madras when they accompany remittances has become far more common. In August last the Collector of Kistna reported the case of a sheriff who had been detained for nearly eight days at Madras and recommended his exemption from the provisions of Act 11 of 1859 C.S.R. The Board of Revenue declined

for any residence there by sheriffs

48

the attention of the Acc.t Ge.l to the prolonged delays which occurred before sheriffs were sent back to their stations. The Acc.t Ge.l replied that the unexpected hardships imposed upon sheriffs by these delays (under present rules) which were approved could be prevented. The Board next recommended the exemption of certain sheriffs from the provisions of Act 11 of 1859 in special cases under sec. (6) of that Act. The Govt of Madras was compelled to point out that under the ruling contained in the letter of the Govt of India, Foreign Dept: d. 6 Dec 95. No 5677 Ex. the extra expense for which an officer might be compensated under sec (6) must be of the kind which travelling allowance is intended to cover, but under Act XXIV of 1086 C.S.R. travelling allowance is granted to cover actual travelling expenses, that is the expression "actual travelling expenses" as defined in Act 15, the extra expenses incurred by the sheriffs for food & lodging away from their homes could not be allowed. The Board consequently withdrew

A

Fin Dep No 34 Fin 16.1.96

(2,000—27-11-95.)

REVENUE BOARD OFFICE
MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 26th January 1897,

No. 334. Mis:

Read— Endorsement of the Accountant General No 63, dated 20 Jany: 1897, on letter from J. K. Batten, Esq^re. c/: Collector of Trichinopoly, R. C. No. 2881/acct of 96, dated 26th December 1896, to the Secretary to the Commissioners of Land Revenue, Madras.

Resolution:-

Submitted to Government in continuation of Board's Proceedings 453/4-12-96 in which the Board has recommended the grant of a Special allowance in such cases. The instance now reported confirms the Board in its opinion that Special measures are required to obviate the hardship caused to these low-paid officials by a strict interpretation of

Gp 435/25-1-97

265 Rejd to A.G. 2/2/97

application
With Rec its recommendation, dt
the same time bringing to
notice the special hardship
of cases such as those under
report, & recommending that a
special rule should be made to
enable compensation to be paid to the
Shroffs for their extra expenditure
the Accountant General agreeing as to the special
hardships, & reports which Shroffs
might be allowed in Mr. Jones
of Peels Rule 1162 C.S.R.
are manifestly excepted
from the operation of Rule 1159.
mandatorily, that is to say
without any restriction as to the
charges which batta is allowed
to cover. I am to point out
that Peons in the Survey
Dept, whose work is similar
to that of the shroffs in the
present cases, are already
excepted under Sec G. Rule
1162.

Under these circumstances
the Govt in Council considers
that the special hardship of
the case call for special treatment.
I am therefore to ask that
"the Rules may be amended so as to allow Servants
temporarily residing away from their

of the Travelling allowance rules.

/True extract/

Recn

Secretary.

To

The Secretary to Govt. in R.D.
with letter in original

Encl. Cuttl Serls and to thereon

Walsh

7
Encl
3
487

Financial (1897) Department.

CURRENT No. 541

From The accountant General.

Order

CHIEF SECRETARY'S
17-FEB. 1897
No. 25
GOVERNMENT OF MADRAS

Dated 16th February 1897.

Received 17/16/2. Feb 97

Registered 18-2-97

Enclosures. Encl. Cuttl 277 of 97

Spare copies

SUBJECT.

Passing remarks on Mr. Knapp's endorsement no. 265 d/2-2-97 on B.P. no. 453 d/4-12-96 suggesting that compensation should be given to bailiffs accompanying remittances when they are detained at headquarters for more than 10 days.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT No. 541

Treasury Account DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
16th February 1897.

No. 525

From

F. C. Harrison Esqr,
offg: ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government
Financial Department.

SIR,

In reply to Mr. acting assistant Secretary Knapp's endorsement No. 265 dated the 2nd of February 1897 referring to me for remarks the papers connected with Proceedings of the Board of Revenue No. 453 dated 4th December 1896 — Land Revenue, suggesting that compensation should be given to shroffs accompanying remittances when they are detained at the head-quarters for more than 10 days, I have the honour to observe that it is not clear what special rule can be made to benefit the shroffs.

The only course that occurs to me is for general exemption from the operation of

the

Sanctioned in article 1159 Civil Service Regulations, to be obtained under article 1162. I note that the Government of India in its letter No. 6204 P. Fl. dated 20th December '94, printed in Government order No. 51 Financial dated 19th January 1895 negatived a similar request on behalf of the Establishment of the Resident in Travancore and Cochin. But a representation of the special hardship in cases of the present nature may perhaps be accepted as justifying a departure from the established rule.

It will be seen that the Establishments mentioned in article 1162 have been unconditionally exempted and without the requirement that the sum charged should not be in excess of the expenditure for locomotion only. There seems therefore no reason why similar exemption should not be allowed in the case of these Shroffs.

I have the honour to be
Sir
Your most Obt. Servant

J. Allanson

Offg: Accountt General

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

No.

Dated
Received

No.

Subject.

Cor.—5,000—4-6-96.

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