

Financial (1896) Department.

ORDINARY MS.

G.O., No. 245A. 246

Dated 20. 3. 97

INDEXED.

10/11

[Despatch Abstract.]

Requesting the Govt of India to state whether, with reference to its orders sanctioning the grant to tahsildars in Madras of travelling allowance at the rate of one rupee for every day spent on tour, article 1183(a) of the C.S.R. prevents tahsildars from taking the benefit of art. 1170.

PRINTED IN G.O., dated

22 May 1897, No. 417

BACK PAPERS.

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

FURTHER PAPERS.

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

NOTE FOR THE CHIEF SECRETARY.

Please say whether this order is to issue to the Revenue Dept. & the Asst-Genl the letter (revised) to the Govt. of India has been despatched.

Yes: CS indicates with the date 23/3/97
MK.
24/3/97

Despatched 1/4/97 & return 24/3/97

Financial DEPARTMENT

SUBJECT.

Travelling allowance Tahsildars.

S.

The Govt of Madras letter recorded in 422 File, D 15 of

1896, sanctioned the grant to Tahsildars in Madras of travelling allowance at rate of Re 1 for every day spent on tour. In his D 6th September 1896 with the current read a the Collector of Salem the following questions (a) whether Tahsildars are entitled to daily allowance for the journeys made within 5 miles from head quarters; (b) whether art. 1159 restricting the daily allowance to not more than Re 1

26/1/97

[G.]
46

1000-14-12-06.

C. No. 35

SUBJECT.

Travelling allowance to
Tahsildars.~~H. E. THE GOVERNOR.~~

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

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

A The Govt of India
in its letter recorded in
G.O. No. 422 Fml., D. 15 July
1896, sanctioned the grant to
tahsildars in Madras of
travelling allowance at the
rate of Rs 1 for every day
spent on tour. In his letter
D. 6th September 1896 stitched
with the current read above
the Collector of Salem raised
the following questions:-

(a) whether tahsildars were
entitled to daily allowance
for the journeys made
within 5 miles from their
head quarters;

(b) whether art. 1159 C.S. Regs.
restricting the daily allowance
to not more than ten days

276/197

of a hattu at one place applies to the case of tahsildars also within their jurisdiction;

(c) whether art. 1170 (iii) of S. Regs. applies to the case of tahsildars within their jurisdiction;

(d) whether the daily allowance sanctioned is the allowance for the day as defined in the Civil Service Regulations;

(e) whether a tahsildar in whose head quarters there is a Railway station is entitled to both Railway fare and daily allowance of 1 Re. for his journey by rail to a village which is a railway station within his jurisdiction.

2. The Accountant General in answering the questions raised states as regards (a) ^{that} tahsildars are not entitled to any allowance for journeys performed within a radius of 5 miles from head quarters

except

except the actual amount spent by them in payment of ferry and other tolls or railway fare as allowed by art. 1157 Civil Service Regulations. As to (b) he states that the restriction placed by art. 1159, Civil Service Regs., in the matter of drawing allowance for hattu at a place, applies also to these allowances. (c) will be referred to lower down. As to (d), in which the following salient instances the case of a tahsildar who leaves his head quarters at 6 P.M. to a place at a distance of 6 miles and returns at 9 A.M. the next day, the Accountant General considers that the daily allowance sanctioned is the allowance for the "day" as defined in art. 29 of the Civil Service Regulations and that allowance for one day only can therefore be granted in cases where a journey does not involve an absence from head quarters exceeding 24 hours. The Board of Revenue accepts the Accountant General's replies to (a) (b) & (d) and it is

is submitted that the Govt
may also accept them.

2.5.11

3. In regard to (c) whether
art. 1170 (iii) C.S. Regs applies
to the case of tahsildars
within jurisdiction, the collector
quotes an instance where a
tahsildar travels partly by
rail and partly by road in
a single day, and states that
for the railway journey he would
get double 2^d class fare ad-
missible under the rules, while
for the road journey, if he
travelled, say, 2 miles, he
should get 8 Annas at the
rate of 4 Annas a mile
limited under the article quoted
to the amount of the daily
allowance; ^{that whereas} the tahsildar
~~claims~~ claims the full amount
of the daily allowance, viz. one
rupee, on the ground that he
has spent the day on tour.
The Accountant General considers
that in such a case a tahsildar
can either draw the allowance
of one rupee for the day
or double railway fare for
the railway journey performed on

on the day, but that in either
case he can claim nothing in
respect of the road journey.
But the Board argues that the
effect of the orders of the Govt
of India in granting a daily
allowance to tahsildars when
on tour appears to be to entitle
these officers to the benefit of
art. 1170 C.S. Regs; that according
a tahsildar (who is not a
ministerial officer, although a
non-gazetted officer) seems to
be entitled to exchange his
daily allowance,

(1) for mileage at second
class rates under art. 1170 (ii),
i.e. in case he travels more
than 20 miles by road on any
day, and

(2) for mileage, subject
to certain limitations, plus railway
fare under art. 1170 (iii), i.e. in
case he travels partly by
rail and partly by road;
that he could not draw daily
allowance, ex nomine, in addition
to railway fare, but that
the mileage drawn in addition
to railway fare under art.

1170 (iii) would be limited, unless the march exceed 20 miles, to the amount of his daily allowance; that thus if he travelled ten miles by rail and ten miles by road on the same day, he would be entitled to double second class ^{railway} fare for the ten miles plus Rs 1 the limit of the mileage in this case. The Accountant General contends that since art 1133 (a) has not been amended by the Govt. of India, the intention of the new concession is to give tahsildars one rupee a day when travelling within jurisdiction other than by rail or steamer, that if they travel by rail or steamer and can only under arts. 1105 to 1125 recover less than 1 rupee, they can under this concession claim a minimum of 1 rupee; ^{and that} if this claim is made nothing can be drawn under those articles. As the acceptance of the Board's view by the Acctt. General appears to depend on the amendment of art 1133 (a) ^{or rather on the omission of tahsildars from Appendix XXII}

G.O. 3693 Rev. 2,
15 Sept. 1896. B

G.O. 901 Finl. 2,
26 Dec. 1896. C

⁺ Note

The paragraph in the Accountant Genl's letter to which this is an answer runs "I presume that the necessary addendum to Appendix XXII of the Civil Service Regulations will shortly issue".

both authorities suggest a reference to the Govt of India. In a recent decision on a question raised by the Accountant General as to whether the new allowance was to be granted to tahsildars for all journeys on tour whether they were within or beyond the limits of their jurisdiction, the Govt of India stated that it was not intended to restrict the travelling allowance of tahsildars when travelling outside their jurisdiction, nor when travelling by rail or steamer within it; that ^{they} should therefore for such journeys be allowed as hitherto travelling allowance at the ⁺ ordinary rates; and that "the necessary addition to the Civil Service Regulations will be made in the next edition". But this decision does not appear to throw light on the question now discussed which deals with the case of allowances admissible for a journey performed partly by rail & partly by road on the same day; and as the

Accountant General thinks it even doubtful whether the Govt. of India in its order of June last intended that tahsildars should be permitted for journeys within jurisdiction to exchange the special rate of one rupee per day for the allowances admissible under art. 1170(ii) and (iii) of the C.S. Regs., that Govt. may, it is submitted, be addressed on this point.

4. Lastly as regards (c) whether a tahsildar in whose head quarters there is a railway station, is entitled to both railway fare and the daily allowance of 1 rupee for his journey by rail to a village which is a railway station within his jurisdiction, the Accountant General replied that the allowance of one rupee cannot be drawn in addition to railway fare. The Board refuse to accept the Acct. General's reply and the latter remarks that it is not apparent why the Board

dissents

all 1170

dissents from his view since the question involved was the title of tahsildars to both daily allowance and railway fare for journeys by rail. On this point he does not think there can be any doubt as art. 1170(i) of the C.S. Regs. only allows the one to be exchanged for the other. The Board appear to have mixed up this question with that referred to in the previous paragraph which concerns journeys performed partly by rail and partly by road and thus to have missed the point in this case.

The Accountant Genl. doubts

- (i) Whether the restrictions imposed on Tahsildars by Art. 1133(a), C.S.R. have been removed, and
- (ii) Whether the Govt. of India intended that Tahsildars should be allowed to draw mileage in lieu of the special daily allowance either for journeys of more than 20 miles or for journeys by road combined with journeys by rail or steamer.

23/1/97

[G. 24]
500-26-6-94.

Papers to be read in Proceedings:—

Again G. O., dated

189 , No.

Again G. O., dated.

189 , No.

Current No. 35

of 1897, dated 22.11.96 from Rev: Dep: (A)

Current No.

of 189 , dated

from

ORDER.

1024549 20-3-97

The Gov: concurs in the replies given by the Accountants Gen: to questions (a), (b), (d) & (e) raised by the Collector of Salem. The Board, it is observed, declines to accept the reply to (e). The Accountant Gen: however points out that Art 1170 (i) of the C. S. Regulations only allows railway fare to be drawn in lieu of daily allowance & not in addition to it. The Board has apparently compounded this question raised in (e), whether both daily allowance & railway fare may be drawn for journeys by rail, with that involved in (c) regarding journeys partly by road and partly by rail.

Question (c) will be referred to the Gov: of India for orders.

(For orders)

188 The Gov:

Draft of letter to India re on a matter of routine

4/2/97.

Understanding that the purport of this letter is to ask the Gov: of India to introduce in point the grant of Travelling Allowance to Tahsildars, which grant we had some difficulty in obtaining from the Gov: of India. How would it do, to ask India to rectify the omission, which was previously due to oversight, by transferring Tahsildars from Art 22 to Art 25 of the C. S. Regs? It appears from the Report of the Bd. 5186, 16th Nov. 1896, para 3, that this would put everything straight.

ASH 16.2.97

What we recommended was horse allow at Rs 15 p. m. The grant of travel allow was a device of India of which I do not approve. I feel sure that if travel are allowed to change

M.

3.2.97

The Rev: H. H. ...

Asst: General.

Letter 26/3/97

I submit that the Gov: of India may be satisfied to think that the Gov: of India will not be so much as to make a long journey merely to make a point in which it will be easy to when it is 25/1/97

26/1/97

23.1.97

As for (i) Art 1133 (a) rules that certain officers (including Tahsildars) may not draw Travelling Allowance for journeys by road within jurisdiction. The order of the Gov: of India on this subject says that Tahsildars & Madars may do so. This seems to imply an amendment of Art 1133 (a) & the letter of Gov: of India 2.12.96 promises that the necessary addition will be made. It is submitted that it is only necessary to ask the Gov: of India to issue the correction slip soon.

As for (ii), while the grant of mileage for road marches in the case of mixed journeys would not involve much expenditure, (mileage in such cases being limited to Rs 1 under Art 1170 (iii)) the payment of mileage for journeys over 20 miles would form a very heavy charge. As Tahsildars could get Rs 1 for 19 miles & Rs 5 for 20 there would probably be a tendency to make long marches on every possible occasion: only careful scrutiny of their bills would therefore be called for.

On the whole it is submitted that the present grant being a concession, no hardship to Tahsildars would arise if they were debarred from drawing mileage for road journeys within jurisdiction.

To the Govt of India
7 x C. Dep't

Sir,

With reference to letter no D66
-37-2 d. 3rd June 1896 from
the Dep't of Revenue & Agriculture,
conveying the sanction of the
Govt of India to the grant
to Tahsildars in Madras of
travelling allowance at the
rate of Rs. 1 for every day
spent on tour, I am directed
to state that the question has
been raised by the Collector of
Salem whether a Tahsildar making
a journey partly by road &
partly by rail is entitled to
draw the daily allowance of
Rs. 1 in addition to the allowance
for the Railway journey admissible
under Art 1107(a), of the C.S.
Regulations. In the case reported
the Tahsildar has claimed the daily
allowance in addition to the
railway fare on the ground that
the former is admissible "for every
day spent on tour". The Board
of Revenue is submitting the case
to you of opinion that Tahsildars
should be subject to the rules
contained in Art 1170 (ii) & (iii)
drawing mileage at second class
rates wherever mileage is
admissible.

The Accountant Genl. however holds that as Art
1193 (a) and Appendix 22 of the
C.S. Regulations have not been amended
as to include Tahsildars in
Madras among the officers entitled
to

the daily rate per mileage
rate there will be a constant
temptation to do long journeys,
mostly not only unnecessary,
but actually mischievous,
for Tahsildars had much better not travel
fast. I should prefer to have
what I have already said

RS

19/2/97

This is a question on which I find difficulty
in forming a decision. Perhaps the Hon. Mr.
Gosse would assist me with his opinion.

A.G.H.

3.3.97

The Hon. Mr. Gosse thinks
that if Tahsildars are allowed
under Art 1170 to exchange
their daily allowance of Rs. 1
for a mileage rate of 4 annas
a mile they will be under
constant temptations to take
^{long} journeys. As the rules
now stand (the A.G. seems
wrong in his construction
of them) Tahsildars can draw
nothing on account of mileage
for road journeys, being prohibited
from doing so under Art 1183(a).
There seems to be a doubt,
however, as to whether Tahsildars
being entitled to a daily al-
lowance may exchange it
for mileage & rail-allowances
under 1170. The AG thinks they
can. Even if they can, Art
1170 (ii) (b) may prohibit
the exchange or under

24/2/97
2.5.97

(2) restrict it in any way they
please. This gives us sufficient
power. I can imagine special
circumstances under which it
would be desirable to give Tah-
sildars the full allowance
for long journeys, & I don't see
why we should ask the Govt of
India to take this power away.
We might ask India whether
1133 (a) prevents Tahsildars
from having the benefit of
1170? If they say it does
not, we can then issue
restrictive orders.

JG

5/3/97

I accept the Hon. Mr. Gosse's suggestion.

A.G.H.

9.3.97

to travelling allowance, it is
doubtful whether the Govt of
India intended that the
daily allowance now sanctioned
should under any circumstance
be exchanged for mileage
for journeys within jurisdiction.
He also holds that, in the case
of journeys partly by road &
partly by rail, Tahsildars
may claim, at their option,
either the daily allowance of
Rs. 1 now sanctioned or the
double railway fare previously
admissible, but ^{can} not draw
both.

Under these circumstances I
am directed to submit the ^{above}
question for the order of the Govt
of India and to state the
opinion of H.E. the Governor in
Council that the present grant
of daily allowance being a
concession, no hardship to
Tahsildars will be involved if
they are debarred altogether
from drawing mileage allowances
under Art 1170 (ii) or (iii) for
journeys ^{by road} within their jurisdiction.

AK

3.2.97

(For order) RS

4/2/97

C 23/2/97
R 2/3/97
C 4/3/97
R 5/3/97

Travelling allowance to Subordinate

The Hon. Mr. H. W. Bliss C.I.E.

Submitted with reference to
His Excellency's note of the
15th inst.

AK.

16/2/97

LD

18/2/97

vide His note of 19.2.97

H.E. the Governor

Resubmitted with
reference to the Hon.
Mr. Bliss' note of the
19th inst.

AK.

22/2/97

LD

22/2/97

See Note inside.

H. W. Bliss

3.2.97

H.E. the Governor

Resubmitted with
reference to the Hon. Mr.
Bliss' note dated the 5th
instant.

AK.

5-3-97

LD

8/3/97

LD
5/3/97

C 23/2/97

R 2/3/97

It is the Govt =

Draft of letter to India not
on a letter of routine.

Hon. Mr H. L. Dyer C.E.
(as dissenting member)

R. 94
16.3.97

See
1873/97

Letter No. 246 of 20.3.97
To the Secy to the Govt of India
7 + L. Dep^t Despatched 23/3/97

Sir,

With reference to letter no 13667 d.
3rd June 1896 from the Dept of
Revenue & Agriculture ^(Land Revenue) conveying
the sanction of the Govt of India to
the grant to Tahsildars in Madras
of travelling allowance at the rate
of Rs 1 for every day spent on
travelling I am directed to state that
~~the question has been raised by~~
the Collector of Salem ^{has raised the question} whether a
Tahsildar making a journey partly
by rail & partly by road is
entitled to draw the ^{full} daily allowance
of Rs 1 in addition to the allowance
for the railway journey admissible
under Art 1107(c) of the C.S.R.
In the case ^{which has been referred to this reference} reported the Tahsildar
claimed the daily allowance in
addition to the double railway fare
on the ground that the former
is admissible "for every day spent
on tour" under the special sanction
while the double rail fare has
always been drawn under Art 1107
C.S.R. The Board of Revenue
in submitting the case ^{has expressed} ~~has~~

^{His} Opinion that Tehsildars should be, like their officers, subject to the rules contained in Art 1170(ii), & (iii), drawing mileage at second class rates wherever mileage is admissible.

The Accountant Gen^l has
held that as Art. 21133 (G)
+ Appendix 22 of the C.S.
Regulation ~~should be~~
~~proposed~~
~~proposed~~
have not been sanctioned
it is doubtful whether the
Gov^t of India intended that
the daily allowance now
sanctioned should ever be
exchanged for mileage.

Under these circumstances I
am to enquire whether the fact
that under Art 1133 (c) & Appendix
XXII C.S.R. Tehsildars are officers
who do not draw Travelling Allowance
for journeys by road within their
jurisdiction ~~is to be taken~~ debars them
from the benefits of Art 1170, &
whether the present grant of
Travelling Allowance brings them within
that article. In the latter case I am
to suggest the issue of the necessary
connectionship ~~transferring~~ Tehsildars in
Madras from Appendix XXII 15 Apr. XXV

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

} 189

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
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