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26/3/97

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Financial (1897) Department.

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G.O., No. 272

DATED 26-3-97

INDEXED.

14/15

[Despatch Abstract.]

Transport of horses and Camp Equipment by rail.
Passing order on papers from certain Sup^{ts}
Engineers regarding the application of the rule
in Art: 1093 of the C. S. Reg.ⁿ as interpreted
by the Govt of India, and delegating to the
Chief Engineer the power to sanction in
special cases recoveries on account of
— or by steamer.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government { 1897 } of Madras. FINANCIAL.

Recd.

Regd

} 1897.

Enclosures

Spare copies

G.O., No. 272, 26th March 1897.

MARCH.

Transport of Horses and Camp Equipment by rail.

Passing orders on papers from certain Superintending Engineers regarding the application of the rule in article 1093 of the Civil Service Regulations as interpreted by the Government of India, and delegating to the Chief Engineer the power to sanction in special cases recoveries on account of — or by steamer.

GOVERNMENT OF MADRAS.
FINANCIAL DEPARTMENT.

READ—Endorsement of the Public Works Department, dated 28th January 1897, No. 555-C.

ORDER—No. 272, Financial, dated 26th March 1897.

The papers read above contain the arguments of the Superintending Engineers, I, III, IV and V Circles, against the application to them and their subordinates of article 1093, Civil Service Regulations, as interpreted by the Government of India in its Resolution, No. 1603-Ex., dated 10th April 1896. The Chief Engineer supports their views and suggests that the matter may again be laid before the Government of India, apparently with a view to exempt officers of the Public Works Department from the necessity of showing in each case that the transport of their horses and camp equipment by rail was in the interests of the public service. The Government is not prepared to recommend such an exemption. That it is desirable that every such claim should be carefully checked is clear from the circumstances of the case recently decided in G.O., No. 599, Financial, dated 18th September 1896, where an officer, choosing to send his horse by rail rather than by road, on a march which could have been made in twelve hours, sought to recover the cost from Government under article 1093, Civil Service Regulations. There seems, however, to be no reason why claims for the cost of carriage of horses and camp equipment should not be enquired into and decided as in the case of Revenue, Police and Survey officers, by the head of the department. The Government, therefore, resolves to delegate to the Chief Engineer, Public Works Department, under article 1094, Civil Service Regulations, the power to sanction in special cases under article 1093 recoveries on account of the transport of horses and camp equipment by rail or steamer. The Chief Engineer should submit annually the return prescribed in paragraph 2 of G.O., No. 320, Financial, dated 8th May 1896.

2. With reference to paragraph 10 of Mr. DeWinton's letter, No. 71-C., dated 29th December 1896, the Public Works Department will be requested to obtain an explanation from that officer as to how he came to exercise the powers therein alluded to.

3. The letters of the Superintending Engineers show that a considerable misunderstanding exists as to the effect of the orders of the Government of India, conveyed in its resolution referred to above, on claims for recovery of the cost of transport of horses and camp equipment. It seems advisable therefore to lay down, for the guidance of the authorities to whom sanctioning powers under article 1093, Civil Service Regulations, have been delegated, the general conditions under which these powers should be exercised. In many instances, where economy of an officer's time is involved, there can be no difficulty in deciding that transport by rail (or steamer) of horses and camp equipment is necessary in the interests of the public service: such, for example, are the cases where an officer, while on tour, finds that his duty requires him to move to a new camp at such a distance that if he travels by road he must halt on the journey at places where he has no work, while to travel by rail himself, parting from his horses and camp equipment and sending them by road, involves a waste of

time at one or other of the camps; the sanctioning authority, within whose knowledge the details of the officer's duty will be in each case, will be in a position to decide whether the long move was necessary.

Again, in such cases as those quoted by the Superintending Engineer, III Circle, where the cost to Government is less if horses and camp equipment are forwarded by rail than if they are sent by road, it is obviously in the interest of the public service that the cheaper route should be taken.

Difficulties may perhaps arise in the case of officers starting from, and arriving at, their quarters. The transport of camp equipment by rail will frequently be justified under the rule that the cheaper route should be chosen. The case of horses is, however, different. In regard to long journeys where circumstances render it impossible to expect that horses should be marched by road, while the use of horses is essential to the proper execution of an officer's duty, it may reasonably be held that the interests of the public service require that the horses should be taken out and back by rail or steamer and the cost may be recovered under article 1093. In the case of short journeys, however, it is generally only an officer's private convenience which leads him to take his horses with him by train rather than despatch them a day or two beforehand by road; in these cases any extra cost rightly falls on the officer himself. The Government accordingly directs that, except in special emergencies, the cost of the transport of horses by rail on a journey of less than thirty miles to or from head-quarters should not be recovered by the officers concerned, while the transport of camp equipment under similar circumstances at the public expense should only be admitted where a saving to Government in the cost of the journey is thereby effected.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Public Works Department.
" Board of Revenue (Land Revenue).
" Inspector-General of Police.
" Accountant-General.
" Revenue Department.
" Superintendent, Revenue Survey.
" Public Department.

G.O.

8-95.

^{Under}
NOTE FOR THE CHIEF SECRETARY.

189

^{Headquarters}
Department.

CURRENT No. 318

^{Public}
As this is a long draft
perhaps you will like to
see it, if so it is
submitted. b6.

7/4/97

Seen
A.C.
7/11/97

From Public Works Deptt.
CHIEF SECRETARY
30 JAN 1897
DEPARTMENT OF MAINTENANCE

No. 555C

Dated 28-1-97

Received 30-1-97

Registered 2-2-97

Enclosures 5 (P.W.D. Current 22641)

Spare copies 21 & 10937 of 1976

SUBJECT.

Transferring letter
from certain Captains
Sergents on the subject
of conveyance by pack
of horses & camp equip-
ment

Telephoned to Mr.
P.W.D. re papers. To be
sent to Mr. [unclear]
[unclear] [unclear] [unclear]

BACK PAPERS.

FURTHER PAPERS

No.	Date.
51: 20.1-97	
320: 8.5-96.	

No.	Date.

CURRENT NO. 318
No. 5552 *Finl Dept*

Government of Madras.
PUBLIC WORKS DEPARTMENT.

MEMORANDUM.

Endorsement

Dated Madras, 28th January 1897.

From the Superintending Engineer, I
Circle, No. C/350 of 27th November 1896.

— Do — V Circle, No. 603 W. of 25th Decr 96.

— Do — III Circle, No. 71 C. dated 29th Do

— Do — IV Circle, No. 26 W. of 15th January 1897.

Transferred to the Financial
Department.

J. M. Panshell Colonel, R.E.,
Secretary.

K. M.

2^d The Financial Dept.
with copy of note by H. E. the Governor
dated 16-1-97.

P. W. 41
2,000-63-96.

3
Copy of letter from Mr J. F. Somers Esq
ix: Engineer Bellary Division, No 7309. d/ 22nd
December 1896 to the Superintending ^{Engineer} III Circle,
Bellary.

x x x x
/0. I am so absolutely certain of this latter
point myself that I have continued to sanction
in the large majority of cases the applications
made to me to sanction the conveyance of horses
and camp equipment by rail, in the firm
belief that I should be completely failing in my
duty if I did anything to discourage the frequent
inspection of their works by the officers and subordi-
nates under my charge.

" x x x x x

[G.]
26
1,090-14-12-96.

C. No. 318

Financial DEPARTMENT

~~H. E. THE GOVERNOR.~~

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

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

SUBJECT.

Conveyance by rail
of horses and camp
equipment.

FOR ORDERS.

A
orig. papers
Wtd to PWD

G.O. No. 320 Fwdl.,
8. May 1906.

In the current
read above the Public Works
Dept transfers the letters
referred to in that dept
note 'for orders' d. 14 January
1897 as directed by H.C. the
Governor & the Hon. Mr. Bliss.
These letters contain protests from
the Supdy. Engineers, I, II, III
& IV circles in regard to the
application of Act 1093 C.S. Regs.
as interpreted by the Govt of
India in its Res. No. 1603 Ex. d.
10 April 1896. The Chief Engineer
supports their contention and
suggests that the whole matter
may be laid before the Govt
of India. This suggestion would
appear to imply that what
is required is a general app

C19/3/97
R 29/2/97

21

of art. 1093 in favour of the officers of the P.W.D. This is unlikely to be considered as the article in question requires that a special order should be passed in each case; nor does it seem desirable, since the decision arrived at in G.O. W. 5997, 18 Sept/96, in Mr. Allen's case is an argument against any such general application. Mr. Allen's case was one of a short journey of 24 miles where it was pointed out that Mr. Allen could have easily marched his horse in 12 hours so that the plea of loss of time could not be accepted. On the other hand the cases now represented are those of long journeys and involve the economy of the officer's time as well as the pecuniary interests of Govt, and it is only such cases, it is submitted, that should be specially treated.

2. In a recent decision

Very BS

BS

BS

BS

G.O. W. 5977, 20 January/97.

the Govt of India in its letter W. 5453 Ex., 29 Decr. 1896, state that the expression "interests of the public service" in art. 1093 includes the economy of an officer's time and that there is no objection to the application of art. 1093 to cases in which the Local Govt thinks that the conveyance of camp equipment or horses by rail will serve the public interests by enabling an officer to do more work than he otherwise would in a given time. It is also explained that the only question which should be considered in deciding such matters is whether the allowances admissible under rule do or do not reasonably cover the expenditure necessary to meet such travelling as is required in the interests of the public service, the assumption being that the expenditure will be kept on the most moderate scale that forethought and arrangement can secure. The

It is submitted that double rail fare is not only insufficient to cover anything but the personal expenses of an officer & his servants.

It is quite BS

You can't take a single item off t. a. done. The t. a. must be regarded as a whole. Taken as a whole, moreover with another, they are certainly sufficient BS

W

of decision, it is submitted, covers
the cases now under consi-
deration both as regards
the economy of the officer's
time as well as the pecuniary
interests of the state.

3. With reference to H.M.'s
remark in his note of 23rd Jan'y
1897 that the Chief Engineer
could dispose of the case
under Art. 1093 if he had
been authorized under Art.
1094, it does not appear
from para. 1 of G.O. No. 320
F.M. of 8th May 1896, that
he has been so authorized;
but if, as appears from this
order, the Board of Revenue,
the S. of Police & the Super-
Rev. Survey may exercise the
power of special sanction
under Art. 1093, there seems
no reason why the P.W.D.
as or any other dept. of Govt.
should not exercise similar
powers without the intervention
of the Financial Dept. It
is submitted that it may now
be so ruled; and, if it be
considered necessary, the return

A and papers not to P.W.D.

B

Vide also G.O.
504 F.M. of 19th June 1886.
2070 F.M. of 1st Sept 1888.
1182 Rev. of 25th Sept 1883.

Yes No

B

BS

A and papers not to P.W.D.

BS

A and papers not to P.W.D.

BS

B

similar presented in para. 2
of G.O. No. 320 F.M. of 8th May 1896
may be required to be submitted
annually to the Financial Dept
by the other depts. of Govt.

4. With reference to para.
10 of Mr. DeWinton's letter
referred to by the H.M., the
P.W.D. will be requested
to obtain an explanation from
that officer as to how he
came to exercise the powers
alluded to.

5. H.C. the Govt. in his note
dated the 16th January 1897 sug-
gested that the Financial Dept
would doubtless consult the
other branches of the Secretariat
in this matter. It is not
clear in what respect it
was intended that the other
branches should be consulted
unless it was with a view to making a general reference to the Govt.
As however the Govt. of India
in its recent decision has
made its meaning clearer
there is perhaps now no necessity
for any reference of the kind.
It is submitted that under the rule as now
interpreted it is only on starting
returning from Head Quarters that any

12/197

difficulty can arise. When an officer is moving from one camp to another & the distance is so great that his camp cannot be ready for him at his destination unless it goes by train the case will be one in which the interest of the Public Service requires that the camp should go by rail, because it is required ^{at once} on the Public Service at this new place - ~~Interference~~ ^{As regards} of officers who might send their camp out from their headquarters some days before they themselves start by train, Mr. De la Mont's letter shows that, in the case of the public the allowance for draw for such an arrangement was more than could have been done if the camp had gone by train. It is submitted that, in cases where this is so, the interests of the Public Service demand that the camp should go by rail - the cheaper route. Therefore this charge can always be sanctioned in such cases. As for the conveyance of horses it is submitted that, in the same way, when an officer moves from a camp to a distant camp by rail it will almost invariably be the case that the interests of the Public Service will require that his horses also be considered

H x rated to 100

NA

N

The return

should go by rail; the difficulty in this case also only really arises on starting from & returning to Headquarters. There is however this difference - If an officer sends his camp equipment on before him from headquarters he draws allowance for all the days that it is on the road: if he sends his horses only on he draws nothing till he himself starts. Similarly he is entitled to nothing for the time which his horses may spend on the road at the end of a tour after which he has himself returned to Headquarters by rail. It can very rarely be said that the interests of the Public Service require an officer to have his horses with him at Headquarters: no special case under art 1093 can therefore be made out.

On the other hand the Superintendent Engineers argue that an officer who finds it necessary to take his horses into camp with him entails his doing a conveyance at headquarters for some days at the beginning

The rule has always been with very slight that no allowance is made for the upkeep of an officer's horses at headquarters or for his conveyance to from his office. R.S.

& end of each town will in
 all probability and by keeping
 his horses at Headquarters
 & travelling in country carts.
 This the Superintendent Engineer
 holds to be contrary to the
 interests of the public service.
 If this view is accepted as
 correct, (it is submitted that
 it is so,) it may be said that
 whenever an Officer's horse moves
 from headquarters is to
 such a distance that he would
 either have to give up the use
 of his horses for a considerable
 length of time,
 or pay from his own pocket
 the rail fare for the horses
 as it is in the interests of the
 Public service that the rail fare
 should be paid by Govt. rather
 than that the Officer should
 leave his horses behind him
 & travel in carts.

The prospect of a similar
 separation from his horses at
 the end of his tour is similarly
 likely to prevent an Officer
 from taking his horses from
 headquarters. The same

* I don't know why they should
 be counting cash as about the last
 thing that one would wish
 escaping from one's memory.
 HS

I would accept this, with
 the distinction that I would
 by the length of time an Officer
 from his horses, if he did not
 by rail, but by the distance
 he would be paid for the rail
 fare if more than 30 miles.
 HS

I generally agree with the way
 the A.S. has put it which seems
 to me fair to both parties and not to
 countenance the practice which I
 regret to say seems to be in the in-
 crease in all depts. of trying to throw
 the uttermost farthing out of Govt. -
 with the whole, the trans. altogether
 is more than covered expenses; they
 are a profit. In my younger days
 we were content to recognize
 & did not as a rule try to
 actual expenses covered every
 in they were a bit out of pocket,
 but never to the many cases
 which they gained.

Let me see the draft.

HS
 19/3/97

Yes - see
 above
 HS

argument would therefore
 apply.

If this view is correct it
 is submitted that in all the
 cases reported by the P.H.D.
 it is possible for the rail
 charges of horses & camp
 equipments to be paid by
 Govt. on the basis of ground that
 their carriage by rail is in
 the interests of the public
 service. No reference to the
 Govt. of India, therefore, seems
 necessary.

I have always thought the
 rule unfair. It is unfair that
 19/2/97 Officers if they do their duty should
 be out of pocket by it and out of
 pocket they undoubtedly are frequently are.
 It is obviously to the benefit of the
 public service that Officers should be able
 to get about quickly and unless they use
 the railway they and take their horses
 and that with them they cannot do this.
 The people who have made the rule, have
 no practical experience of how unfair
 they in practice are.

HS
 18/3/97.

Conveyance by rail of

[G.]
[24.]

890-26-1-97.

horses & camp equipment.

Financial

DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated

Again G.O., dated

Current No. 318

" "

" "

189 , No.

189 , No.

of 1897, dated 28th Feb^r, from

" 189 , " , "

" 189 , " , "

P.W.D. - 9

ORDER.

N^o 272 of 26-3-97

The papers read above contain the arguments of the Supt^g Engineers I, III, IV & V circles against the application to them & their subordinates of art 1093, C.S. Reg^s, as interpreted by the Gov^t of India in its Res. No 1603 Ex. d/ 10 April 1896. The Chief Engineer supports their views and suggests that the matter may^{again} be laid before the Gov^t of India, especially with a view to exempt officers of the P.W.D from the necessity of showing in each case that the transport of their horses and camp equipment by rail ^{was} in the interests of the public service. The Gov^t is not prepared to recommend such an exempt

C 25/3/97

R 2/4/97

That it is desirable that ^{every} such claim should be carefully checked is ~~stated~~ ^{clear} by the circumstances of the case recently decided in G.O. no 599 Fm^t d. 18 Sept. 1896, where an Officer, choosing to send his horse by rail, rather than by road, on a march which could have been made in twelve hours, sought to recover the cost from Govt under Art 1093 CSR. There seems to be no reason why ^{in the case of horses, the cost of transport is small} such claims should not be enquired into & decided as in the case of Revenue, Police & Survey Officers by the head of the Department. The Govt therefore resolves to delegate to the Chief Engineer & P.W.D. under Art 1094 CSR the power to sanction in special cases under Art 1093 recoveries on account of the transport of horses & camp equipment by rail or steamer. The Chief Engineer should submit annually to the

B.

H. ^{not} ~~not~~

where economy of an officer's time is involved

30
the return presented in para 2 of G.O. No 320 Fm^t d/ 8 May 1896.

2 With reference to para 10 of Mr. De Winton's letter No 71 C d/ 29th Dec. 1896, the P.W.D. will be requested to obtain an explanation from that officer as to how he came to exercise his powers ^{herein} alluded to.

3 The letters of the Superintendent Engineers show that a considerable misunderstanding exists as to the effect of the orders of the Govt of India, embodied in the Resolution referred to above, on claims for recovery of the cost of transport of horses & camp equipment. It seems advisable therefore to lay down, for the guidance of the authorities to whom sanctioning powers under Art 1093 CSR have been delegated, the general conditions under which these powers should be exercised. In many instances, there can be no difficulty in deciding that transport by rail (or steamer)

8/8
of horses & camp equipment
is necessary in the interests
of the public service: such,
for example, are the cases
where an officer, while on tour,
finds that his duty requires
him to move to a new camp
at such a distance that if
he travels by road he must
halt on the journey at places
where he has no work, ~~and~~
while to travel by rail himself
parting from
leaving his horses & camp
equipment ^{or sending them} by road involves
a waste of time at one or other
of the camps; the sanctioning
authority, without whose knowledge
the details of the officer's duty
will be in each case, will be
in a position to decide whether
the long move was necessary.

Again in such cases as
those quoted by the Superintending
Engineers III circle, where the
cost to Govt is less if horses
& camp equipment are ^{forwarded}
by rail than if they are sent
by road, it is obviously for the
interest of the public service
that the cheaper rate should be
taken.

14/8/05
Difficulties may ~~perhaps~~ arise
in the case of officers starting
home & arriving at their
headquarters. The transports for
camp equipment by rail will
frequently be justified under the
rule that the cheaper route
should be chosen. The case of
horses is however different. In
^{regard to} ~~main~~ long journeys where
the circumstances render it
impossible to expect that horses
should be marched by road, while
the use of horses is essential to the
proper execution of an officer's duty,
it may reasonably be held
that the interests of the public
service require that the horses
should be taken ^{out & back} by rail a steamer
& the cost may be recovered
under Act 1093. In the case of
short journeys, however, it is
generally only the officer's private
convenience which leads him
to ^{take} ~~bring~~ his horses with him by
train rather than despatch
them a day or two beforehand
by road: in these cases any
extra cost ~~the~~ ^{the} ~~expense~~ falls on
the officer himself. The Govt.

5/10
 accordingly direct that, except
 in special emergencies, the cost of
 the transport of horses by rail
 on a journey of less than 30
 thirty miles to a from
 headquarters ~~communities~~
~~communities~~ should not be recovered
 recoverable by the officers
 concerned, while the
 transport of camp equipment
 under similar circumstances
 at the public expense or
 should only be admitted
 where a saving to Govt. in
 the cost of the journey is
 thereby effected.

AM. (for order)
 22/2/97 24/3/97

1. W. Dept. with notes. 10
 Board of Rev. H.R. 10
 I.G. Police 6
 Asst. Quarter. 4
 Rev. Dept. 6
 Supl. Rev. Survey 1
 Public Dept. 1

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MAIN (O.O.) No.
 189

DATED

1st No.

318-9

TO O. No.

GOVERNMENT

GOVERNMENT

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