

• Financial (1897) Department.

ORDINARY MS.

G.O., No. 656

Dated 18. 8. 97

INDEXED.

[Despatch Abstract.]

Admitting under Art. 278 A. of the Civil Account Code the Claim for travelling and other expenses of the Clerk and the peon of the Amindivi Monegar who were directed to proceed from Mangalore via Bombay to the islands of Kittan & Chellak & attend to the distribution of provisions there.

P/25/897

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

CURRENT No. 55824



The Board of Revenue,
Land Revenue, Madras

No. 2336 Misc.

Dated 29th June 1897

Received 5-7-87

Registered 6-7-87

Enclosures

Spare copies

SUBJECT.

Submg. for the orders of Govt.---
letter from the Collr. of South Cana
ra requesting sanction for the pay-
ment of travelling allowance to the
clerk & peon of the Amindivi Mone--
gar for having proceeded to Bombay
to go on board the steamer to the -
islands of Kiltan & Chetlat to at--
tend to the distribution of provi--
sions there.

paid

BACK PAPERS.

G.O.	No.	Department.	Date.
833	mis		12-2-97
104	mis		10-1-96
338			18-7-96
3343, 3265	3440	kind of August	

FURTHER PAPERS.

G.O.	No.	Department.	Date.



Proceedings of the Board of Revenue

(Land Revenue)

NO. 2336 Misc. dated 29th June 1897.

Read the following papers:-

(1). Letter from W.H. Welsh Esq., Collector of South Canara to the Secretary to the Commissioners of Land Revenue Madras B. Ref. No. --- 2697-Eng., dated 25th February 1897; and the following reference thereon dated 10th March 1897:-

Referred to the Accountant-General for favor of remarks.

(2). Also letter from W.H. Michael Esq., Offg. Accountant-General Madras, to the Secretary to the Commissioners of Land Revenue No. 1222, dated 14th April 1897; and the following reference thereon dated 29th April 1897:-

The Collector is requested to state why no travelling allowance is paid to the Amindivi establishment for journey between the mainland and the Islands and to refer the Board to the orders, if any, on the subject.

(3). Also letter from W.H. Welsh Esq., Collector of South Canara C. Ref. No. 2697-Eng. dated 28th May 1897.

Resolution.

Submitted for the orders of Government.

2. In the first letter read above, the Collector recommends that the clerk and peon of the Amindivi Monegar who were directed to proceed to Bombay en route to the islands of Kiltan and Chetlat to attend to the distribution of provisions there, should be --

i The additional allowance
of ~~Rs 1~~ anna per mile
for 119 miles

Rs 7-7-

ii Halting allowance for
additional 4 days @
anna 4 per diem

Rs 1-1-

Rs 8-7-

The Collector states that the mileage
even at the rate of 3 annas per mile
does not cover the actual expenses.
According to art 1127 of the G.S.R.,
the clerk is entitled to an allowance
of only 2 annas per mile and, if the special
allowance of annas 3 per mile is to be
sanctioned, the Govt of India should be
addressed. But the ~~difficulty~~ necessity
of an application to the Govt of India
may be ~~so~~ avoided by sanctioning
the additional sum of Rs 7-7- not
as mileage but under article 278 A of
the Civil Account Code.

In this connection it may be noted
that the distance travelled from
Mangalore to Kadur by the clerk
is stated to be 119 miles while the length
of the route between the same two stations
is mentioned as 75 miles in the bill of

Travelling allowances ~~and~~ the payment
of which was sanctioned in G.O. 833 mis
12-2-97
This is probably accounted for by the
Q.B.

* flagged B.
not correct to file

⊗ The Collr & the Bd recommend the
grant of mileage at annas 3 per mile
while under art 1127 G.S.R. the
clerk is entitled ^{only} to annas 2 per mile.

* Under the general rule contained in art
1159 G.S.R., an officer is entitled to daily
allowance for only 10 days of halt at one place.
The clerk in this case remained 14 days at Bombay.

This is admitted
the clerk can only
be required to travel
by the shortest
practical route
11/11/51
22-7-51

11/11/51
22-7-51

* This allowance is intended to compensate the
clerk and the peon for the actual expenses
incurred by them and mentioned in para 3 of the
Collector's letter.

fact that the clerk was obliged to
adopt a more circuitous route ~~on account~~
owing to the blocking up of the roads
on the Mysore mountains. (Please see
para 2 of the Collector's letter)

4 The Collector and the Board
recommend the payment to the clerk of
Daily allowance for the 14 days spent
at Bombay while under the general
rule contained in art 1159 G.S.R.
he is entitled to the allowance for only
10 days. But as the Collector states
that the 14 days halt at Bombay was
unavoidable and that the clerk while
there was put to extra expenses, it is
submitted that daily allowance may
be sanctioned ^{all} for the 14 days under the
exception contained in art 1159(b) C.S.R.

5 The Board also recommends the
grant of an extra allowance of Rs 4-2-
to the clerk and the peon jointly.
This, if thought necessary, may be
sanctioned under art 278 A of the Civil
Account Code. Orders are solicited.

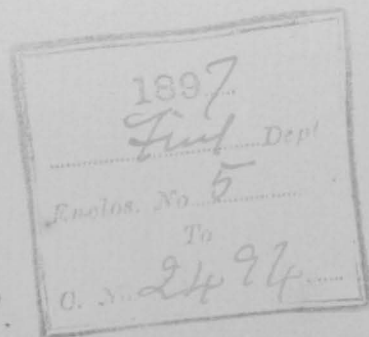
6 The Accountant-General seems
to doubt whether the officers of the
Andaman islands are entitled to travelling
allowances; but it is submitted that there
seems to be nothing in the G.S.R. to rise
such a doubt. Art 1086 C.S.R.

authorize the grant of travelling allowances provided he
 to any officer who travels in the interests
 of the public service and that the fact
 that the Amindi officers do not generally
 travel (except when they voyage to the
 mainland in the kunders (vessels) carrying
 Coir fibre) does not, it is submitted, prevent
 them from getting travelling allowances
 for the time they travelled on the mainland
 in the interests of the public service.
 But if it is considered that the question
 raised by the Accountant-General involves
 doubt, it is submitted that the difficulty
 may be avoided by sanctioning the
 (of the Clerk and the peon)
 whole allowance under art 278 A of
 the Civil Account Code.

11/11/97
 22-7-97

11/11/97

A letter from the Financial Dept
 is appended. It is
 submitted that the matter
 should not be judged by the
 rules of the C.S.R. by the
 very exceptional nature of
 the case. Such a case
 could hardly have been
 contemplated when providing
 for exceptional cases in the C.S.R.



Therefore it is submitted
 that Govt might rightly act under Sec 278 A of the C.A.C. Code
 11/11/97

Finl. Dept:

Rev. C.No.5584 of 1897

NOTE

The allowances amounting to
 Rs.8/3 in the case of the peon appear to
 be admissible as they are in accordance
 with the regulations, but the extra amount
 of Rs.8/7 in the case of the clerk is not
 quite clear. This extra allowance is made
 up of a mileage of one anna
 per mile in addition to the authorized
 rate, for a distance of 119 miles, and a
 halting allowance for 4 days (at 4 annas
 per diem) in excess of the minimum 10 days
 halt prescribed in art: 1159 of the C.S.R.
 The Acct. Genl. appears to be of opinion
 that the Govt. can sanction any sum it may
 think proper under art:278 A of the C.A.
 Code. Condition (2) laid down in that
 article is that sanctions accorded under
 it do not involve the setting aside of any
 existing rule of the Govt. of India, as
 distinguished from the granting of an ex-
 emption from its operation, justified by
 special circumstances. The extra mileage
 which it is proposed to grant the clerk
 appears to be a setting aside of the rule
 in art:1127 of the C.S.R. where a distinct
 rate has been laid down for each class of
 officers. The point is, however, not free
 from

from doubt, and as the Acct. Genl. is willing to ^{admit} the amount if Govt. sanction ^S it under art: 278 A of the C.A. Code, it may perhaps be allowed to pass. The grant of the halting allowance for the ^{four} days in excess of the ^{limit} ^{of the C.S.R.} prescribed in art: 1159 cannot, it is ^{through} ^{sanctioned} ^{be} under art: 278 A of the Civil Account Code. Art: 1159 lays down the conditions that the prolonged halt must be necessary in the interests of the public service and either that it was necessary to maintain camp equipage during it ^(a) or that the officer was put to extra expense by his halt after the expiration of the first ten days, although no camp equipage may have been maintained. It is evident that camp equipage was not maintained by the clerk in this case and therefore he can be granted an exemption from art: 1159 of the C.S.R. only if he was put to extra expense by his prolonged halt. On several occasions the principle has been applied that the extra expense contemplated by art: 1159 (b) is expenditure of the kind which travelling allowance is intended to meet. This interpretation is that of the Govt. of India (vide Fin: & Com: dept. No. 5677 Ex., d/ 6th Decr. 1895, on page 3 of G.O. No. 34 Finl., d/ 14th Jany. 1896) . Art: 1086 of the C. S.R. lays down that travelling allowance is given to an officer to cover the actual travelling expenses incurred by him and actual travelling expenses ~~as~~ as

defined in art: 15, which expressly exclude extra charges for board and lodging - the charges ^{which} in the case of the clerk form the basis for an exemption from the operation of the article. 1159.

The sum of Rs. 4/2 which was incurred in cart hire at Bombay for the clerk, the peon and their luggage is, it is ^{the} ~~submitted~~, admissible and may be sanctioned.

Ans.
21.2.92

28/7/97

H
C
G.O. 911 2/11/95 342 19.5.96 *Full*

To Revenue Dept. (with the request that as all sanctions under § 278 A of the C. A Code & § 1159 of the C.S.R. are in Financial, the papers may be circd to the Hon. Sir Henry Blair B.C. 28. also)

Ans.
21.2.92

C.S.

Order W. 656 of 18 Aug 97
Ans

The travelling allowances for the clerk & peon recommended in para 3 of the ~~Case~~ Collector of S. Canara as well as the charges referred to in para 3 of his letter No. 2692. Dms. of 25.2.92 will be admitted under § 278 A. of the C. A. Code

(From Orders)

Ans
17.5.92

28/8/97

Rev. Dept. — (No of all)
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Acct. Genl. — a of acct letters
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READ AGAIN G.O., No.
 189

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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