

Financial (1898) Department.

ORDINARY MS.

G.O., No. 336

DATED 31. 3. 98.

INDEXED

4/7

[Despatch Abstract.]

Exempting certain H.O. Constables and Constables
of the neighbouring districts of Trichinopoly
deputed for special duty at the Plague
Camp at Trichinopoly junction and Tal-
Stations from the operation of article 1159
of the Civil Service Regulations to enable
them to draw daily allowance for the whole
period of their stay there.

T
31-3-98

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
<i>1471/98(S)</i>							

Financial (1898) Department.

CURRENT No. 722



From

M. HAMMICK, ESQUIRE, I.C.S.,

Inspector-General of Police,

Madras.

No. 807

Order
mus.

*Exemption is sanctioned according
to the periods specified*

Dated 25th February 1898.

Received 5
Registered 5 } 3-98

Enclosures one
Spare copies -

SUBJECT.

Requesting that the men deputed for special duty at the Plague camp at Trichinopoly Junction and Fort stations may be exempted from the operation of Article 1159 C.S.R. to enable them to draw daily allowance for the whole period of their stay there.

BC

*Not please. If I have
noted that extra expense
must be of the nature of that*

*In which T. A is granted
Secy. No. 34 Fmt 9-14-11*

*If Police (g) 15/3/98
If Police (p) Refuse*

*Not perhaps - Paper
do cases under Art 1159
T.A. can mean anything but
Halting allowance, as then can be
no travelling during a halt -
Art 1154 means to can mean
then articles 1086 and 1087*

BACK PAPERS.

G.O.	No.	Department.	Date.
	643	April 29-4-98	
	564	2-7-97	
	106m:	15.1.98	
	2830m:	17.12.97	
	2705m:	6.12.97	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclosure No. 1
To letter No. 807 725.298
From Inspector-General of Police.

List of Police Officers of other Districts Specially
deputed for Plague duty at Trichinopoly
Junction and Fort Stations.

Number	Rank and Name.	Date of Arrival	Date of Departure	Remarks.
<u>Tinnevely</u>				
869	1 st Class Constable Anthony	18 th December 1897	14 th January 1898	
617	2 nd do do Ramaswami Pillai			
1006	do do Dewau Khan Sahib			
460	do do Aziz Beg Sahib			
941	do do Soundaranyagam Pillai			
<u>Madura</u>				
473	1 st Class Constable Appasami Nayudu	16 th December 1897	14 th January 1898	Died on 10 January 1898
469	2 nd do do Kondalasami Nayudu			
1121	do do Moluiddin Batcha			
40	do do Subbia Pillai			
487	do do Ramalingam Pillai			
<u>Cochin</u>				
256	3 rd Cl. H ^o Constable G. Casey	15 th December 1897	14 th January 1898	
383	2 nd Class Constable Subramanian			
491	do do Alla uddin			
213	do do Guria Goundan			
1027	do do Eluthayaram			
585	do do Rungaswami			
<u>Salem</u>				
1064	1 st Class Constable Chinnia	18 th December 1897	14 th January 1898	
81	2 nd do do Qadir Hussain			
974	do do Appann Mudali			
934	do do Doraiswami			
314	do do Usman Khan			
<u>Tanjore</u>				
206	1 st Cl. H ^o Constable J.T. Nealy	21 st December 1897	14 th Jan'y 1898	
620	2 nd Class Constable Narayanan			
592	do do Gopalaswami Nayudu			
1151	do do Srinivasal Nayudu			
931	do do Chithravel Pillai			
729	do do Ramaswami Pillai			

Chief Office of the
Inspector-General of Police
Madras February 1898

For Inspector-General of Police

DEPARTMENT.

No 807.

FROM

M. HAMMICK, Esq., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

Madras,

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,

MADRAS, 25th February 1898.

To

THE Chief Secretary to Government,

through the Accountant-General,

Fort St. George.

SIR,

Enclosures.

Out
Out up flal
Cml 80 2075 M
5/10/98 6-12-97
For 80 cancelling the
note please see
80 106 M & 15-1-98
C

I have the honour to state that in consequence of the stations of Trichinopoly Junction and Fort having been temporarily used as inspection stations under No. 14 of Mufassal Regulations issued under the Epidemic Diseases Act 1897 on account of the late Ekadasi festival at Sri-rangam, special men were deputed from the neighbouring districts for duty at the Plague Segregation Camps at these stations. These men were kept on this duty for more than 10 days and put to extra expenses during their stay there. As I consider that they should be allowed their daily allowance for the whole period of their special duty in consideration of the nature of the duty required of them and the fact that they were put to extra expenses I beg that Government may be pleased to exempt them from the operation of Article 1159 Civil Service Regulations to enable them to draw daily allowance for the whole period as shown in the list herewith submitted.

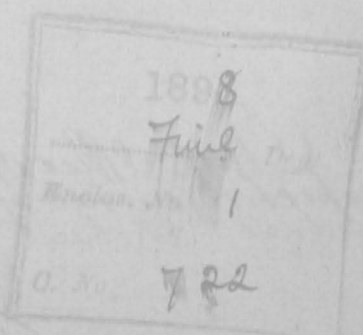
I have the honour to be,

Sir,

Your most obedient servant,

for Inspector-General of Police.

Exd.



(189) DEPARTMENT.

FROM

M. HAMMICK, Esq., I.C.S.,
INSPECTOR.-GENERAL OF POLICE,

Madras,

TO

THE

No.

Dated

Received

189

SUBJECT.

No 833

Fort Saint George
Accountant General's office
4 March 1898.

Forwarded to Government.

2. Under article 1159 of the Civil Service Regulations, Government can sanction the grant of daily allowance to the Police officers who halted for more than 10 days at Trichinopoly if it is satisfied that the officers were put to extra expense by the halts made after the expiration of the first ten days.

M Hammick
Accountant General.

To

The Chief Secretary to Government,
Financial Department.

Financial Department.

C.No. 732.

FOR ORDERS.

The Inspector-General of Police requests that 27 constables, who were deputed from various districts for plague duty during the Skadesi festival at Srirangam and who were obliged to halt for more 10 days, between the 15th December 1897 and 14th January 1898, may be exempted from the operations of article 1159 of the C.S.R. and be allowed to draw daily allowance for the whole period of their stay at Trichinopoly.

The Accountant-General says the Govt. can sanction this, if it is satisfied that the men were put to extra expense by the halts made after the expiration of the 10 days.

The question of exemption under this article was fully discussed in the letters to and from India recorded in G.O.No.34, Finl., dated 14-1-96 and the ruling then laid down was, that exemption might be granted, whenever an officer was actually obliged, for reasons of public duty, to continue expenditure of the kind which travelling allowance was intended to meet.

Daily?

Halting allowance is travelling allowance under the C.S.R. and is given not to meet cost of locomotion or travelling, but to meet the extra expense entailed by an officer being required to proceed ^{to} beyond his ordinary limits of duty. In the present case, extra expense of this kind continued to be incurred beyond the 10 days, and it is submitted that a refusal of the concession would produce hardship, especially as the men were deputed on plague duty.

Vide articles 1154
1086 and 1132 C.S.R.
Cmb

AB
18/3/58

The above is one way of looking at the matter, but it is not India's. India's ruling is that to establish a claim under article 1159 of the C.S.R. a halt in excess of ten days ~~must~~ ^{the halt must} (1) have been in the interests of the public service

and (2) (a) the officer must have maintained camp equipment or (b) he must have continued, after the expiration of the first ten days, expenditure of the kind which travelling allowance is intended to meet.

Jhe

The expenditure contemplated in 2(b) is ascertainable, ~~from~~ ^{according to} India, from articles 1086 and 15 of the C.S.R. Article 1086 states that Travelling allowance is given to an officer to cover actual travelling expenses and actual travelling expenses are defined in article 15 so as to exclude all expenses likely to be incurred by an officer during a halt. Thus by a process of elimination India has practically rendered article 1159(b) of the C.S.R. inoperative. The arguments on both sides were however clearly set out in this Govt's letter to the G.O.D. No. 897 Fint 7/14 November 1895 [pages 2 and 3 of G.O. No. 34 Financial 7/14 January 1896] and in face of India's ruling in its letter No. 5677-Ex 7 6 December 1895 [page 3 ibid] it does not appear possible to admit any claims under clause (b) of article 1159. In fact deserving cases are

31-3-98

now generally met by the application
of article 278A of the C. A. Code.

As regards the point
raised in the type-written note
with reference to halting i.e.
daily allowance, attention is
solicited to the second clause of
para 3 of the Grd. Letter on
to the g of 9 in para 3 of 80.
No. 34 File of 14. January 1896
where the point was dealt with.

Curd
28.3.98

In this special case
we must take the
bull by the horns
of govt sanction under
Art 1159 C.S.R. Mr. A.S.
assents

Mr. 30.3.98

Order
no 336 of 31.3.98.

The Head Constable and Constables will be exempted
from the operation of article 1159 of the C. S. R. for the periods
specified (from 1st to 14th)

Curd
31.3.98

J. G. Price (940) Dep. Secy
Act. Secy (a B et seq 10) 14.4.98

When given for copying
When copied 11/4
When examined 9/4 1898
When signed

READ AGAIN G.O., No
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DUTY

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

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.