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[Finl. 6.]
500—24-8-97.

Financial (1928) Department.

ORDINARY MS.

G.O., No. 634

DATED 23-7-28

INDEXED

21/21

These Proceedings with notes have been subsequently printed.

[Despatch Abstract.]

Exempting the Police Constables who have special duty at the Pilgrims' Camp at Beypore in Feb & March last & the Constables who were sent by the Commr of Police for duty at certain festivals from the operation of art 1159 of the C.S.R. with a view to enable them to draw daily allowance for the entire period of the halts made by them in each case; & informing the Comm' of Police that the Govt is not prepared to recommend a general exemption from the operation of the 10 days rule in the case of Police officers who maintain no Camp equipage & that such cases as appear to be deserving of consideration should be submitted to Govt by him as they occur

T. 6/11/28

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
21 Sept 98	746 27 8 98	Cmo 995/98 = 3160/1-3-99					
30 11 98	961 10 10 98	Cmo 1956/98 =					
3022/98	959 27 10 98	Cmo 4460/98					
3102/98							
Cmo	914/98 = 3121 9-3-99						

Government {1898} of Madras.

FINANCIAL.

MISCELLANEOUS.

Recd. } 1900. *Enclosures*

Regd. *Spare copies*

G.O., No. 634, 23rd July 1898.

JULY.

Exempting the police constables who were on special duty at the Pilgrims' camp at Beypore in February and March last and the constables who were sent by the Commissioner of Police for duty at certain festivals from the operation of article 1159 of the Civil Service Regulations with a view to enable them to draw daily allowance for the entire period of the halts made by them in each case, and informing the Commissioner of Police that the Government is not prepared to recommend a general exemption from the operation of the ten days' rule in the case of police officers who maintain no camp equipage, and that such cases as appear to be deserving of consideration should be submitted to Government by him as they occur.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

Read—the following papers :—

From A. P. AGAR, Esq., Acting Commissioner of Police, Madras, to the Chief Secretary to Government, dated 18th May 1898, No. 60.

I have the honour to report that, under article 1160, clause (*f*), of Civil Service Regulations, 2nd Edition, head constables and constables attending festivals for duty were hitherto drawing daily allowance for more than ten days of a halt at one place if the District Magistrate certified the necessity for their presence during that period; but according to article 1160 of the last (3rd) Edition, they can do so only if they maintain camp equipage. Head constables and constables do not maintain camp equipage. A head constable gets a daily allowance of As. 4 and first, second and third class constables As. 2 and Anna 1, respectively, which, I think, very inadequate considering the high prices asked for rations during festivals and large gatherings. The City Police supply men for duty at Conjeeveram, Srírangam, Tirupati, Tiruvettore, Kálahasti; in fact, at all the big annual festivals which last usually for more than ten days.

2. It is therefore a real hardship, amounting to a fine, if these men are deprived of even this inadequate allowance for the number of days they are actually on duty, more especially so at present because of the dearness of provisions.

3. In December last, at the request of the Superintendent of Police, Trichinopoly, one head constable and seven constables were detailed for duty for the Ekádasi festival at Srírangam, where they were detained for 25 days. On a similar requisition, a detail of one head constable and sixteen constables was sent for duty at the Trinomallee festival on 25th November 1897, and another detail of one head constable and seven constables for the Kálahasti festival on 12th February 1898. These details were detained for fifteen and twelve days respectively. In February last, a detail of one head constable and three constables was sent to Calcutta to escort five Pathan prisoners, and as no steamer was immediately available for the return journey, it was obliged to stay there for twelve days until a steamer left for Madras.

4. I request, therefore, that Government may be pleased to sanction the daily allowance for head constables and constables for the days they were actually on duty in the abovementioned festivals, and that a general exemption from the operation of the article 1160 of Civil Service Regulations may be made in the case of police officers who maintain no camp equipage.

Endt. No. 1204.

Referred to the Accountant-General for favour of remarks.

(By order)

Ootacamund,
26*th May* 1898.

(Signed) A. R. KNAPP,
Acting Under Secretary.

From T. HESKETH BIGGS, Esq., Accountant-General, Madras, to the Chief Secretary to Government, dated Fort St. George, 16th June 1898, No. 2249.

With reference to your endorsement, No. 1204, dated the 26th of May 1898, referring for my remarks letter from the Commissioner of Police, Madras, No. 60, dated the 18th idem (herewith returned), requesting sanction of Government for the payment of daily allowance for more than ten days' halt during certain festivals to certain head constables and constables who do not maintain camp equipage, and also a general exemption from the operation of article 1160, Civil Service Regulations, to meet future cases, I have the honour to state that, under the rules contained in article 1159, Civil Service Regulations, there is no audit objection to the Local Government exempting the policemen in this case from the ten days' limit if it is satisfied that the prolonged halt was necessary in the interests of the public service and that they were put to extra expense by their halts after the expiration of the first ten days.

There is no provision in the Civil Service Regulations for the grant of a general exemption as requested by the Commissioner, as policemen come under (*b*) and not article 1159 (*a*).

From M. HAMMICK, Esq., I.C.S., Inspector-General of Police, to the Chief Secretary to Government (through the Accountant-General), dated Madras, 18th June 1898, No. 2313.

I have the honour to submit a list of the policemen who were on special duty at the Pilgrims' camp at Beypore in February and March last, and to request that Government will be pleased to exempt them from the operation of article 1159, Civil Service Regulations, to enable them to draw allowance for the entire period of their halt. They had a very trying work to do and were put to extra expense.

No. 2401.

Forwarded to Government.

2. There is no account objection to Government exempting the policemen from the operation of article 1159 (*b*) of the Civil Service Regulations if it sees fit to do so and considers that the conditions of that article have been fulfilled in this case.

Fort St. George,
28*th June* 1898.

(Signed) T. HESKETH BIGGS,
Accountant-General.

To the Chief Secretary to Government.

Order—No. 634, Financial, dated 23rd July 1898.

The police constables mentioned in the foregoing letters from the Commissioner of Police and the Inspector-General of Police will be exempted from the operation of article 1159 of the Civil Service Regulations for the entire period of the halts made by them in each case.

2. With reference to paragraph 4 of his letter, No. 60, dated 18th May 1898, the Commissioner of Police will be informed that Government is not prepared to recommend a general exemption from the operation of the ten days' rule in the case of police officers who maintain no camp equipage. Such cases as appear to be deserving of consideration should be submitted to Government by the Commissioner as they occur.

(True Extract.)

G. STOKES,
Chief Secretary.

To the Commissioner of Police.
" Inspector-General of Police.
" Accountant-General.

Exd. S. J. Pereira.

NOTES CONNECTED WITH G.O., No. 634, FINANCIAL, DATED 23RD JULY 1898.

From the Commissioner of Police, Madras, No. 60, *dated* 18*th May* 1898.
From the Inspector-General of Police, Madras, No. 2313, *dated* 18*th June* 1898.
From the Accountant-General, No. 2401, *dated* 28*th June* 1898.

The following statement shows the difference in the wording of articles 1159 and 1160 as they appeared in the second edition of the Civil Service Regulations and as they now stand in the third edition. These articles relate to the powers of Local Governments to sanction halting allowance for halts in excess of ten days, when such halts are considered necessary in the interest of the public service:—

Second Edition, Civil Service Regulations.	Third Edition, Civil Service Regulations.
Article 1159.	*Article* 1159.
(i) In special cases.	(i) In special cases.
It was necessary to maintain camp equipage during it.	(*a*) It was necessary to maintain camp equipage during it, *or* (*b*) the officer is put to extra expense although no camp equipage is maintained.
(ii) By a general rule.	(ii) By a general rule.
Applicable to officers whose duty is such as to bring them frequently under clause (i).	In the case of officers whose duty is such as to bring them frequently under clause (*a*).
Article 1160.	*Article* 1160.
The following officers have been exempted from the operation of the general rule in article 1159.	The officers and establishments enumerated in appendix 26-A have been exempted from the rule in article 1159 on the understanding that they maintain camp equipage.
	Appendix 26-*A*.
(*f*) A police or any other officer attending a fair, darbar, or agricultural exhibition, when the magistrate of the district certifies the necessity of his presence.	(*f*) A police or any other officer attending a fair, darbar, or agricultural exhibition, when the magistrate of the district certifies the necessity of his presence.

2. The most important change in article 1159 is the addition of clause (*b*) authorising exemptions on account of *extra expense*.

In the papers recorded in G.O., No. 34, Financial, dated 14th January 1896, India was asked to explain what was meant exactly by the term "*extra expense*" and it was stated in reply 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."

* *i.e*, orders of *Government* are necessary *in each case*.

3. Under the general exemption in article 1160 as it stood in the second edition head constables and constables in this Presidency attending fairs, &c., drew halting allowance irrespective of the ten days' limit, but under the terms of article 1160 and appendix 26-A, third edition, which insist on the maintenance of camp equipage as a *sine qua non*, the general exemption has been practically withdrawn.

4. The rates of daily allowance allowed by article 1167 are—

Rank of police officer.	Grade.	Pay.		Daily allowance.	
		City.	Mufassal.	City.	Mufassal.
		Rs.	Rs.	As.	As.
Head constable	1st	25	25	4	4
Do.	2nd	20	20	4	4
Do.	3rd	15	16	4	4
Do.	4th	12	14	2	4
Constable	1st	10	8	2	1
Do.	2nd	9	7	2	1
Do.	3rd	8	..	1	..

5. The Commissioner of Police points out that the rates are very inadequate considering the high prices asked for rations during festivals and large gatherings and that it is therefore a real hardship amounting to a fine if these men are deprived of even this inadequate allowance for the number of days in excess of the prescribed limit of ten days they are actually on duty at a distant place, more especially so at present because of the dearness of provisions.

6. The cases which have now arisen are abstracted below :—

Current No.	Recommended by whom.	Districts from which deputed.	Number of head constables.	Number of constables.	Deputed to what festivals or places.	Number of days in excess of ten days' limit.	
1	2	3	4	5	6	7	8
1750	Commissioner of Police	Madras ..	1	7	Ekadasi festival at Srírangam.	15	1
1750	Do.	Do. ..	1	16	Tiruvannámalai festival ..	5	2
* 1750	Do.	Do. ..	1	7	Kálahasti festival	* 2	3
* 1750	Do.	Do. ..	1	3	Escorting five Pathan prisoners to Calcutta.	* 2	4
1796	Inspector-General of Police.	Salem	2	20	Pilgrim camp at Beypore ..	19	5
1796	Do.	Coimbatore ..	2	20	Do. do. ..	19	6
1796	Do.	Trichinopoly ..	2	20	Do. do. ..	11	7

7. It will be observed from column 7 that the periods in excess of the ten days' limit prescribed in article 1159 are comparatively insignificant in the two cases marked * (only two days). Government has recently laid down this in the case of such trifling excesses, the excess cannot be sanctioned; but it is submitted that the circumstances connected with festival and plague duty are somewhat exceptional and that the slight extra charges may be passed in all the cases now reported.

G.O., No. 20, Financial, dated 11th January 1897.
G.O., No. 505, Financial, dated 3rd June 1898.
Note on G.O., R. No. 103, dated 26th January 1898, and demi-official letter to Mr. Hammick.

8. The Commissioner of Police asks for a general exemption in the case of police officers, but the Accountant-General points out that there is no provision in the Civil Service Regulations for such a grant as they come under clause (*b*) of article 1159 and not under clause (*a*), *i.e.*, that they do not maintain *camp* equipage.

A. Chinnaswami Mudaliar.
13–7–98.

For the Chief Secretary—

The reason of the Government of India for the introduction of the change in article 1160 of the Civil Service Regulations whereby police officers attending fairs, &c., have been excluded from the general exemption from article 1159 unless they maintain *camp equipage* is not known, but it is obvious that the practical result of

the change has been to exclude the rank and file of the force from the concession, since *camp equipage* means the apparatus for moving a camp. It is scarcely probable that any police constable would maintain *camp equipage*. The exemption from article 1159 of the Civil Service Regulations, if it is to be made in these cases, must be granted as a special case and under article 1159 (*b*), *i.e.*, on the ground that the constables were put to extra expense after the first ten days although they did not maintain *camp equipage*. Attention is solicited in this connection to the ruling of India referred to in paragraph 2 of the foregoing note and to the correspondence in G.O., No. 34, Financial, dated 14th January 1896. This Government's letter, No. 897, Financial, dated 14th November 1895 (printed on pages 2 and 3 of those proceedings), clearly pointed out the fallacy of India's reasoning, which is briefly as follows: the extra expense contemplated by section 1159 (*b*) must be expenditure of the kind which travelling allowance is intended to meet; 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 include such charges only as cannot be incurred during a halt. India's reply printed on page 3 of the proceedings was short and evasive. The result is that article 1159 (*b*) is practically unworkable.* It is applied in special cases in the discretion of this Government, but such application is really opposed to India's interpretation of the article which, as in the case of section 1093, has restricted the discretion of this Government by subsidiary rulings, the effect of which is to cancel the article itself.

Article 21.

It was. But the rule has now been altered.
H.W.B[liss].

* I do not think so.
G. Stokes.
16–7–98.

Nor do I.
(Intld). H.W.B.

Case 4 in the table on page 2 of this note is covered by the Government of India ruling in G.O., No 330, Financial, dated 30th March 1898, under which constables travelling on duty beyond their Presidency are entitled to a daily allowance of 2 annas. The application of this ruling would, however, only benefit the three constables who were deputed to escort prisoners to Calcutta if they were of the lowest (third grade), as head constables and first and second grade constables of the City Police would in any case receive a daily allowance of As. 2 (*vide* table on page 2 of this note). It is for orders, however, whether India should not be asked to permit this Government to delegate the power of granting this daily allowance to the Commissioner of Police.

C. M. Schmidt.
15–7–98.

Honourable Member—

I think probably the error is one of drafting and that if India be addressed it will put it right. There is a contradiction in terms now between article 1159 (*b*) and article 1160. But acting on the ruling of 1895 I think this Government can at once, under article 1159 (*b*), pass orders in all these cases (page 2 of the note). It is obvious that the constables must have been put to extra expense of the kind that travelling allowances are intended to meet, such as hotel expenses. It is plain also that these expenses have been allowed hitherto, and I think therefore Government should order that the extra halts should be admitted.

But travelling allowances are expressly stated *not* to be intended to meet hotel expenses.
H.W.B[liss].

G. Stokes.
16–7–98.

The error seems to be that, by article 1160 (as altered) and appendix 26-A, only officers of such a class as ordinarily maintain camp equipage can be *generally* exempted, so that appendix 26-A (*f*) is nullified as regards subordinate police and other officers. This error might be pointed out. As the rule stands, however, it does not prevent *special* exemption being granted under article 1159 (*b*), so that the only real harm it does is that it necessitates application to Government in each case.

I don't find any contradiction between article 1159 and 1160. The latter gives (in appendix 26-A) a list of standing exemptions. The former enables Government to add to this general list. The Accountant-General seems to me to be wrong in regard to this, but as I think it best that these exemptions should be closely watched and be therefore specially sanctioned by Government, it is not worth while to argue the matter.

The exemptions asked for may all be granted.

H. W. B[LISS].
18-7-98.

Financial

Judicial (1898) Department.

1750
2581

CURRENT No.

C.S.

Current No. 1750

Despatched 23/6/98

CHIEF SECRETARIAT GOVERNMENT OF MADRAS 18 JUN. 1898

From The Accountant General Madras.

~~Order~~ Endorsement.

Transferred to the Financial Department.

No. 2249.

Dated 16 June 1898

Received 18-6-98

Registered 21st do

Enclosures Jud Cons. 2195 Rtd.

Spare copies

A.R. 23.6.98.

Sq: Under Secretary

SUBJECT.

stating that under the Rules contained in the C.S.R. there is no audit objection to the Local Govt exempting the Policemen promoted to daily limits of halt during certain time.

P.C. 18.6.98

A² for note 1/7

To The Financial Department.

Rec'd 23.6.98.
Reg'd 24
Endn: Jud Cons 2195 ref.

BACK PAPERS.

G.O.	No.	Department.	Date.
330:	30-3-98		
505:	3.6.98		
R103:	26-1-98		
20:	11-1-97		
564:	22.7.96		
342:	19.5.96		
34:	14.1.96.		
51:	19-1-95		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Judicial (1898) Department.

CURRENT No. 2145

ACCOUNTANT GENERAL'S OFFICE 1 JUN 98 MADRAS

CHIEF SECRETARY'S GOVERNMENT OF MADRAS 20 MAY 1898

From The Commissioner of Police, Madras.

Order Endorsement No. 1204

Referred to the Accountant General for favour of remarks.

(By order)

A. Knapp.

Dated 18th May 1898.

Received 20th do

Registered — do —

Enclosures —

Spare copies

ordered 26th May 98 — As Under Secretary

No. A 23/5/98

TO BE RETURNED WITH REPLY.

SUBJECT.

Allowance to Police Officers.

Requesting to sanction payment of daily —— for the days they actually attended at certain festivals and that these Officers who maintain no camp equipage be exempted from the operation of Art: 1160 of the Civil Service Regulations. —

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

G/8 1,000—7-11-95.

CURRENT No 2195

1750

No. 60. (3) **City Police Office.**

Madras, 18th May 1898.

From A. P. Agar Esquire
Ag: ~~THE~~ COMMISSIONER OF POLICE,
MADRAS.

To The Chief Secretary to Govt:
Fort Saint George.
Madras.

Sir,

I have the honor to report that under Article 1160 Clause (f) of Civil Service Regulations, 2nd Edition, Head Constables and Constables attending festivals for duty, were hitherto drawing daily allowance for more than 10 days of a halt at one place, if the District Magistrate certified the necessity for their presence during that period, but according to article 1160 of the last (3) Edition they can do so, only if they maintain camp equipage. Head Constables and Constables do not maintain camp equipage. A Head Constable gets a daily allowance of annas 4/ and 1st and 2nd class, and 3rd class Constables annas 2 and 1 respectively, which, I think, very inadequate, Considering the high

prices asked for rations during festivals and large gatherings. The City Police supply men for duty at Conjeveram, Shiraugam, Tripati, Tiruvettore, Kalahasti — in fact, at all the big annual festivals which last usually for more than 10 days.

2 ——— It is therefore a real hardship amounting to a fine, if these men are deprived of even this inadequate allowance for the number of days they are actually on duty, more especially so at present, because of the dearness of provisions. —

3 ——— In December last, at the request of the Superintendent of Police Trichinopoly, 1 Head-Constable and 7 Constables were detailed for duty for the Ekádasi festival at Shiraugam, where they were detained for 25 days. On a similar requisition a detail of one Head Constable and 16 Constables was sent for duty at the Trinomallee festival, on 25th November 1897, and another detail of 1 HeadConst; and 7 Constables for the Kalahasti festival on — 12th February 1898. These details were detained for 15 and 12 days respectively. In February last, a detail of one Head Constable and 3 Constables was sent to Calcutta, to escort 5 Pattan prisoners and as

no steamer was immediately available for the return journey, it was obliged to stay there for 12 days until a steamer left for Madras.

4 ——— I request therefore that Government may be pleased to sanction the daily allowance for Head Constables and Constables for the days they were actually on duty in the abovementioned — festivals and that a general exemption from the operation of the article 1160 of Civil Service Regulations may be made in the case of Police officers who — maintain no camp equipage.

I have the honor to be
Sir
your most obedient Servant.

A. S. Agar

Ag: Commissioner of Police

CURRENT (6) NO 2584/1757

Presidency Audit DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
16th June 1898.

No. 2249

40

From J. Heskath Biggs Esqr.,
ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To THE Chief Secretary to Government,
Judicial Department.

SIR,

With reference to your Endorsement No: 1204 dated the 26th of May 1898 referring for my remarks letter from the Commissioner of Police, Madras, No: 60 dated the 18th idem (herewith returned) requesting sanction of Government for the payment of daily allowance for more than 10 days' halt during certain festivals, to certain Head Constables and Constables who do not maintain Camp equipage, and also a general exemption from the operation of Article 1160 Civil Service Regulations to meet future cases, I have the honour to state that under the rules contained in Article 1159 Civil Service Regulations, there is no audit objection to the Local Government exempting the Policemen in this case from the 10 days' limit if it is satisfied that the prolonged halt was necessary in the interests of the public service and that they were put to extra expense by their halts after the expiration of the first ten days.

There is no provision in the Civil Service Regulations for the grant of a general exemption as requested by the Commissioner

Commissioner as Policemen came under b, and not Article 1159 (a).

I have the honour to be,
Sir
Your most Obedient Servant.

Accountant General.

16/6.

(8)

Through the Accountant General.

Financial (1898.) Department.

CURRENT No.

BC 27 SV

From

M. HAMMICK, ESQUIRE, I.C.S.,
Inspector-General of Police,
Madras.

Order

No. 2313.

Dated 18. June 1898.
Received 29
Registered 30
Enclosures one
Spare copies

SUBJECT.

Requesting that the policemen who were on special duty at the Pilgrims camp at Beypore may be exempted from the operation of Article 1159 Civil Service Regulations.

BACK PAPERS.

G.O.	No.	Department.	Date.
Cul.	1750/98.		
57	19-1-95		
34	14-1-96.		
342	19-5-96.		
643	29-9-96.		
564	22-7-97		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

(9)

No. O-48.

DEPARTMENT.

No. 2313.

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,

MADRAS 18 June 1898.

FROM

M. HAMMICK, ~~I.C.S.~~, ESQ., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

Madras,

ACCOUNTANT GENERAL'S OFFICE
20 JUN 98
FORT ST. GEORGE MADRAS

5P

To

THE Chief Secretary
to Government,
Through the Accountant General
Fort Saint George

SIR,

ENCLOSURES.

I have the honour to submit a list of the Policemen who were on special duty at the Pilgrims' camp at Beypore in February and March last and to request that Government will be pleased to exempt them from the operation of Article 169 Civil Service Regulations, to enable them to draw allowance for the entire period of their halt. They had a very trying work to do and were put to extra expense.

I have the honour to be,
Sir,
Your most obedt. Servant,

Douglas Robertson

for Inspector General of Police

Mad

(189) DEPARTMENT

(10)

No 2401

FROM

M. HAMMICK, ESQ., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

CHIEF SECRETARY'S GOVERNMENT OF MADRAS, 29 JUN. 1898

To

THE

Fort St. George
Accountant General's office
28th June 1898.

Dated
Despatched } 189 .
Received

No.

ENCLOSURES.

SUBJECT.

—

Forwarded to Government.

2. There is no account objection to Government exempting the Police men from the operation of article 1159 (b) of the Civil Service Regulations, if it sees fit to do so and considers that the conditions of that articles have been fulfilled in this case.

Accountant-General.

To

The Chief Secretary to Government
Financial Department

28/6

C. 18.7.98
R. 19.7.98

(11)

[G. 25] 1,000 -22-11-97.

Financial DEPARTMENT

C. No. 1750 & 1796

Notes cont'd in G.O. 632, Fin. D. 23/8/98

HIS EXCELLENCY THE GOVERNOR.

THE HON'BLE SIR HENRY BLISS, K.C.I.E.

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

SUBJECT.

Halting allowance claimed in excess of 10 days

FOR ORDERS.

The following Statement shows the difference in the wording of articles 1159 and 1160 as they appeared in the 2nd edition of the C.S.R. and as they now stand in the 3rd Edition. These articles relate to the powers of Local Government to sanction halting allowance for halts in excess of 10 days when such halts are considered necessary in

in the interest of the Public Service.

Second Edition C. S. R.	Third Edition C. S. R.
Article 1159.	Article 1159
(i) In special cases	(i) In special cases
it was necessary to maintain Camp equipage during it	(a) it was necessary to maintain Camp equipage during it or (b) the Officer is put to extra expense although no Camp equipage is maintained.
(ii) By a general rule	(ii) By a general rule.
applicable to Officers whose duty is such as to bring them frequently under clause (i)	in the case of Officers whose duty is such as to bring them frequently under clause (a)
Article 1160	Article 1160.
The following officers have been exempted from the operation of the general rule in article 1159.	The Officers and establishments enumerated in Appendix 26 A have been exempted from the rule in article 1159 on the understanding that they maintain Camp equipage
	Appendix 26 A
(1) A police or any other officer attending a fair, durbar, or agricultural exhibition, when the magistrate of the District certifies the necessity of his presence.	(1) A police or any other officer attending a fair, durbar, or agricultural exhibition, when the magistrate of the District Certifies the necessity of his presence.

(13) 3/

A

2. The most important change is the addition of clause (b) in article 1159 as to authorising exemptions on account of extra expense.

2. In the papers recorded in G.O. No 34 Final dt 14th Jany 96, India was asked to explain what was meant exactly by the term "Extra expense" and it was stated in reply 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 Govt in passing orders* on the case.

3. Under the general exemption in article 1160 as it stood in the 2nd Edition Head Constables and Constables in this Presidency attending fairs &c drew halting allowance irrespective of the 10 days' limit but under the terms of article 116 and Appendix 26 A, 3rd Edition,

* i.e. orders of Govt are necessary in each case

Whi

which insist on the maintenance of camp equipage as a Sine quanon the general exemption has been practically withdrawn.

4. The rates of Daily allowance allowed by article 1167 are

Rank of Police Officer	Grade	Pay		Daily allowance.	
		City	Mofussal	City	Mofassal
		Rs	Rs.	as	as
Head Constable	1st	25	25	4	4
"	2nd	20	20	4	4
"	3rd	15	16	4	4
"	4th	12	14	2	4
Constables.	1st	10	8	2	1
"	2nd	9	7	2	1
"	3rd	8	..	1	..

5. The Commissioner of Police points out that the rates are very inadequate Considering the high prices asked for rations during festivals and large gatherings and that it is therefore a real hardship amounting to a fine if these men are deprived of even this a inadequate allowance for the number of days in excess of the prescribed limit of 10 days — they are actually on duty at a distant place — more especially so at present because of the dearness of provisions.

6. The cases which have now arisen are abstracted below.

Current no. 1	Recommended by Whom 2	Districts from which deputed 3	Number of Head Constables 4	Number of Constables 5	Deputed to what festivals or places 6	Number of days in excess of 10 days' limit 7	
1750	Commissioner of Police	Madras	1	7	Ekadasi festival at Srivangam	15	1
do	do	do	1	16	Trinomallee festival	5	2
§ do	do	do	1	7	Kalahasti festival	2	§ 3
§ do	do	do	1	3	Escorting Pattan prisoners to Calcutta	2	§ 4
1796	R.o. Genl of Police	Salem	2	20	Pilgrim Camp at Beypore	19	5
do	do	Coimbatore	2	20	do	19	6
do	do	Trichinopoly	2	20	do	11	7

5 9 8 5 5 16 5 2

7. It will be observed from Col. 7. that the periods in excess of the 10 days' limit prescribed in art. 1167 are Comparatively insignificant in the two Cases marked § (only 2 days). Government has recently laid down that in the Case of such trifling excesses the [illegible] Pay

G.O. no 20 Rev & 11 Jany 97 C
" 505 & 3 June 98 D
Note on G.O. no 103 & 26 Jany 98 and P.O letter to Mr. Hammick. F

~~Cannot be exceptional grant~~, the excess Cannot be sanctioned; but it is submitted that the circumstances connected with festival and plague duty are somewhat exceptional and that the slight extra charges may be passed in all the Cases now reported.

8. The Commissioner of Police asks for a general exemption in the Case of Police officers but the Accountant General points out that there is no provision in the C. S. R for such a grant as they come under Clause (b) of article 1159 and not under Clause (a) - i.s. that they do not maintain camp equipage.

13/7/98

The reason of the Govt of India for ~~for considering~~ insisting on the ~~examination~~ the introduction of the change in article 1160 of the C. S. R whereby Police officers attending fairs were excluded from the

general exemption from article 1159 unless they maintain camp equipage is not known, but it is obvious that the practical result of the change has been to exclude the rank and file of the force from the concession, since camp equipage means the apparatus for moving a camp. It is scarcely probable that any police constable would maintain camp equipage. Moreover The exemption from articles 1157 of the C. S. R, if it is to be made in these cases, ~~it must be granted as a~~ a special case and ~~on the ground~~ under article 1159(b) - i.s. on the ground that the constables were put to extra expense after the first ten days although they did not maintain camp equipage. Attention is solicited in this connection to the ruling of India referred to in para: 2 of the foregoing note and to the correspondence in

§ 21

Page 3

(18)

G.O. No. 34 Financial dy. 14th January 1896. This fwds' letter No. 997 Fmd: dy 14th Nov 1895 (printed on pages 2 and 3 of these proc) clearly points out the fallacy of India's reasoning, which is briefly as follows: The extra expense contemplated by § 1159(6) must be of the expenditure of the kind which travelling allowance is intended to meet. Article 1086 states that T. A. is given to an officer to cover actual travelling expenses, and actual travelling expenses are defined in article 15 so as to exclude ~~[illegible]~~ incidental charges which include such charges only as cannot be incurred during a halt. India's reply printed on page 3 of the proceedings was short and evasive. The result has been that article 1159(6) is practically unworkable. If is applied in special cases at the discretion of this Govt. but such application is really exposed to India's misinterpretation

Mem. But this rule has now been altered. KS

I do not think so. Nor do I KS

11/6/1898.

(19)

of the article which, as in the case of § 1092, has restricted the discretion of this Govt. by subsidiary rulings the effect of which is to cancel the article itself.

Case (i) in the table on page 5 of this note is covered by the G.O.I. ruling in G.O. No. 330 Fmd: dy 30th March 1898 under which Constables travelling on duty beyond their Presidency are entitled to a daily allowance of 2 annas. The application of this ruling would, however, only benefit the 3 Constables mentioned who were deputed to escort prisoners to Calcutta if they were of the lowest (3d. Grade) as Head Constables and 1st and 2nd Grade Constables of the City Police would in any case receive a daily allowance of 2 annas (vide table on page 4 of this note). It is for orders, however, whether India should not be asked

(20)

to permit this Govt. to delegate
the power of granting this daily
allowance to the Commissioner
of Police.

CMS
15/7/98

I think probably the exemption of clerks and that of Inspectors should be withdrawn if it is proposed to extend similar exemption to Police Inspectors Art. 1159 (b) & Art 1160. Both the latter articles are subject to Art. 26 A/ of standing orders. But acting on the other ruling at fly. 21 16/7/98. I think this Govt. can at once under Art. 1159 (b) pass orders in all these cases. (fn. 5 of the note) It is obvious that the Constable must have his pay to defray expenses of this kind that travelling allowance is intended to meet; but in this case expenses. It is plain also that these expenses have been allowed & written to and I think therefore that the exemptions should be granted.

16/7/98.

Therefore seems to be that Art 1160 (as altered) and App. 26 A only affect such a class as ordinarily maintain camp equipage can be generally exempted, so that App 26 A (f) is nullified as regards subordinate Police other officers. This fact might be pointed out. As we understand, however, it does not prevent special exemptions being granted under Art 1159 (b), so that the only real reason it does is that it necessitates publication of Govt. in each case.

I don't find any contradiction between 1159 & 1160. The latter gives (in App. 26 A) a list of standing exemptions. The former enables Govt. to add to this general list. The A. G. seems Govt. to pronounce in regard to this, with as I think it has - that these exemptions should be closely watched & the cheque usually sanctioned by Govt., it is not worth while to argue the matter.

The exemptions asked for may all be granted.

KO
16/7/98

But Govt does not consider that not intended to meet Hotel expenses

KO.

(21)

Financial Department

C.Nos.1750 & 1796

ORDER No. 634, d/ 23rd July 1898.

The Police constables mentioned in the foregoing letters from the Commissioner of Police and the I.G. of Police will be exempted from the operation of article 1159 of the C.S.R. for the entire period of the halts made by them in each case.

2. With reference to paragraph 4 of his letter from the Commissioner of Police No.60, d/18th May 1898, the Govt. will be informed that Govt is not prepared to recommend a general exemption from the operation of the rule mentioned above in the case of police officers who maintain no camp equipage. Such cases as appear to be deserving of consideration should be submitted to Govt by the Commissioner as they occur.

/from orders/

To

The Commissioner of Police
(Q of his letter & A of A.G's letter)

" I.G. of Police (Q of his letter & A of A.G's endorsement thereon)

" Acct. Genl. (A of Commr's letter, A of I.G's letter & Q of his letter & endt.)

CMS
23.7.98

Depd
29.7.98

16/7/18.

Please ref query on

FI

NOTES CONNECTED WITH G.O., No. 634, FINAN
23RD JULY 1898.

C. No. 1750—From the Commissioner of Police,
C. No. 1796—From the Inspector-General of Po

The following statement shows the difference in the wording
1160 as they appeared in the second edition of the Civil Service
they now stand in the third edition. These articles relate to th
Governments to sanction halting allowance for halts in excess of t
halts are considered necessary in the interest of the public service:

Second Edition, Civil Service Regulations.	Third Edition, Civil Ser
Article 1159.	*Article* 11
(i) In special cases.	(i) In special
It was necessary to maintain camp equipage during it.	(*a*) It was necessary t equipage during it, *or* (*b*) the officer is put to extr no camp equipage is maintai
(ii) By a general rule.	(ii) By a general
Applicable to officers whose duty is such as to bring them frequently under clause (i).	In the case of officers whose bring them frequently under c
Article 1160.	*Article* 1160.
The following officers have been exempted from the operation of the general rule in article 1159.	The officers and establishme in appendix 26-A have been the rule in article 1159 on the that they maintain camp equipag
	Appendix 26-*A*.
(*f*) A police or any other officer attending a fair, darbar, or agricultural exhibition, when the magistrate of the district certifies the necessity of his presence.	(*f*) A police or any other offic fair, darbar, or agricultural exh the magistrate of the district necessity of his presence.

2. The most important change in article 1159 is the addition o
authorising exemptions on account of *extra expense*.

In the papers recorded in G.O., No. 34, Financial, dated 14th Ja
India was asked to explain what was meant exactly by the term "*extra e*
it was stated in reply that "the proviso in clause (*b*) under article 1159 w
to enable Local Governments to prevent the ten days' limit operating as a
an officer who is actually obliged, for reasons of public duty, to continue
of the kind which travelling allowance is intended to meet; and that t
whether or not there exists
requiring a remedy is one for
ment of the Local Government
orders * on the case."

* *i.e.*, orders of *Government* are necessary *in each case*.

3. Under the general exemption in article 1160 as it s
head constables and constables in this Presidency at
allowance irrespective of the ten days'
appendix 26-A third edition, whi
a *sine*

4. The rates of daily allowance allowed by a

Rank of police officer.	Grade.	
Head constable	1st	
Do.	2nd	
Do.	3rd	
Do.	4th	
Constable	1st	
Do.	2nd	
Do.	3rd	

5. The Commissioner of Police points out th considering the high prices asked for rations during that it is therefore a real hardship amounting to a even this inadequate allowance for the number of limit of ten days they are actually on duty at a di present because of the dearness of provisions.

6. The cases which have now arisen are abstrac

Current No.	Recommended by whom.	Districts from which deputed.	Number of head constables.	Number of constables.	
1	2	3	4	5	
1750	Commissioner of Police.	Madras ..	1	7	P
1750	Do.	Do. ..	1	16	Ti
* 1750	Do.	Do. ..	1	7	Kā
* 1750	Do.	Do. ..	1	3	Es t
1796	Inspector-General of Police.	Salem	2	20	Pi
1796	Do.	Coimbatore ..	2	20	
1796	Do.	Trichinopoly ..	2	20	

7. It will be observed from column 7 that the per limit prescribed in article 1159 are comparatively i marked * (has recentl such trifli be sanction circumstanc plague dut

G.O., No. 20, Financial, dated 11th January 1897.
G.O., No. 505, Financial, dated 3rd June 1898.
Note on G.O., No. 103, dated 26th January 1898, and demi-official letter to Mr. Hammick.

and that the slight extra charges may be passed in all t

8. The Commissioner of Police asks for a general e officers, but the Accountant-General points out that the Service Regulations for such a grant as they come under not under clause (*a*), *i.e.*, that they do not maintain *camp*

A.P.
13-7-98.

The reason of the Government of India for the in article 1160 of the Civil Service Regulations whereby p &c., have been excluded from the general exemption fi maintain *camp equipage* is not known, but it is obviou the change has been to exclude the rank and file of th since *camp e* for moving a

that any police constable would maintain *camp equipage*. The exemption from article 1159 of the Civil Service Regulations, if it is to be made in these cases, must be granted as a special case and under article 1159 (*b*), *i.e.*, on the ground that the constables were put to extra expense after the first ten days although they did not maintain *camp equipage*. Attention is solicited in this connection to the ruling of India referred to in paragraph 2 of the foregoing note and to the correspondence in G.O., No. 34, Financial, dated 14th January 1896. This Government's letter, No. 897, Financial, dated 14th November 1895 (printed on pages 2 and 3 of those proceedings), clearly pointed out the fallacy of India's reasoning, which is briefly as follows: the extra expense contemplated by section 1159 (*b*) must be expenditure of the kind which travelling allowance is intended to meet. 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 include such charges only as cannot be incurred during a halt. India's reply printed on page 3 of the proceedings was short and evasive. The result is that article 1159 (*b*) is practically unworkable.* It is applied in special cases in the discretion of this Government, but such application is really opposed to India's interpretation of the article which, as in the case of section 1093, has restricted the discretion of this Government by subsidiary rulings, the effect of which is to cancel the article itself.

It was. But the rule has now been altered
H. W. B[LISS].

* I do not think so.
G. STOKES.
16-7-98.

Nor do I.
H. W. B.

Case 4 in the table on page 2 of this note is covered by the Government of India ruling in G.O., No. 330, Financial, dated 30th March 1898, under which constables travelling on duty beyond their Presidency are entitled to a daily allowance of As. 2. The application of this ruling would, however, only benefit the three constables who were deputed to escort prisoners to Calcutta if they were of the lowest (third grade), as head constables and first and second grade constables of the City Police would in any case receive a daily allowance of As. 2 (*vide* table on page 2 of this note). It is for orders, however, whether India should not be asked to permit this Government to delegate the power of granting this daily allowance to the Commissioner of Police.

C. M. SCHMIDT.
15-7-98.

I think probably the error is one of drafting and that if India be addressed it will put it right. There is a contradiction in terms now between article 1159 (*b*) and ticle 1160. But acting on the ruling at flag M, I think this Government can once, under article 1159 (*b*), pass orders in all these cases (page 2 of the note). is obvious that the constables must have been put to extra expense of the kind that travelling allowances are intended to meet, such as hotel expenses. It is plain also that these expenses have been allowed hitherto, and I think therefore Government should order that the extra halts should be admitted.

But travelling allowances are expressly stated *not* to be intended to meet hotel expenses.
H. W. B.

G. STOKES.
16-7-98.

The error seems to [illegible] that, by article 1160 (as altered) and appendix 26-A, only officers of such a class [illegible] ordinarily maintain camp equipage can be *generally* exempted, so that appendix 26-A (*f*) is nullified as regards subordinate police and [illegible]ers. This error might be pointed out. As the rule stands, however, it doe[illegible] [illegible]ion being granted under article 1159 (*b*), so th[illegible]

I don't find any contradiction between article 1159 and 1160. The latter gives (in appendix 26-A) a list of standing exemptions. The former enables Government to add to this general list. The Accountant-General seems to me to be wrong in regard to this, but as I think it best that these exemptions should be closely watched and be therefore specially sanctioned by Government, it is not worth while to argue the matter.

The exemptions asked for may all be granted.

H. W. B[LISS].
18-7-98.

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