

BACK PAPERS.

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

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

Financial
Revenue (1899) Department.

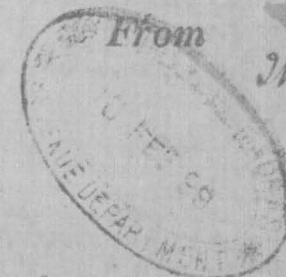
CURRENT No. 1042

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Not in min please.
For *and*
the *will*

CURRENT No. 68

Order his No. 677.

Transferred to the Financial Department.



From The Board of Revenue,
Land Revenue,
Madras.

Ref. No. 102

(By order)
For Secy. } K. Marjibabu
14th Feb 1899 } Secy. Under Secretary to Govt.

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Recd 15/2/99
Page 10/2/99.



Dated 28th January 1899.
Received 10/2
Registered 10/2
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SUBJECT.

Submitting for the orders of Government papers relating to the claims of Messrs. Taylor and Elwin to daily allowance for hacto in excess of 10 days under article 1159 Civil Service Regulations.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.



OFFICE OF THE BOARD OF REVENUE
(LAND REVENUE),

Madras, 28th January 1899.

Read— Again Board's Proceedings, no 3 mis, dated 2nd January 99, informing the Collector of Ganjam that no special recommendation to Government can in the Board's opinion, be made for the admission of the whole or a portion of the charge of Rs 67-8-4 retrenched from Reference No. _____ dated _____ 1898. the travelling allowance drawn by him for August 1898.

Read also letter from E. A. Glavin Esqre Acting Collector of Bellary, G & R no. 1094 acc, dated 20th November 1898, and Reference thereon no. 1340, dated 25th November 98.

Read also letter from ^{the same official} E. A. Glavin, Esq. acting Collector of Bellary, G & R no. 1094 acc, dated 3rd January 1899, stating that he could not give the details of the extra expense actually incurred by him during his halts at Chieppa-giri as he had kept no account.

Reference no. 102 dated 28th January 99.

The

The papers read above relate to the claims of the marginally noted officers to daily allowance for halts in excess of 10 days under article 1159 Civil Service Regulations.

Name of Officer	Name of Station	Period	Amount claimed for halts in excess of 10 days
1 Mr. Taylor, Dy. Collector of Ganjam	Russell-Konda	6:625 Aug. 98	67-8-0
2 Mr. Shrinagar, Collector of Bellary	Chippa-giri	13 th Sept. to 5 th Oct. 98	Not reported

2. Mr. Taylor, the acting Collector of Ganjam, proceeded to Russellkonda for Jamiabandi on the 6th August 1898 and finding that the accounts were not ready for his inspection went to Majjagoda with his camp equipment on the 7th idem to inspect certain works on the roads leading to the Agency tracts which were under repair, and returned to Russellkonda the following day. Again on the 14th August, he left Russellkonda for Aoka in order to try an Agency Sessions case posted for the 15th idem and returned to the former place on the 16th idem. The Jamiabandi work at Russellkonda was subsequently completed

on

on the 25th August 1898 and Mr. Taylor claimed allowances for the whole period amounting as per statement in the margin to Rs 153. The

No. of days	Amount claimed
6 th August 1898 - Halt at Russellkonda	1 - 7-8-0
7 th and 8 th Journey to Majjagoda and back	2 - 15-0-0
9 th - 13 th Halt at Russellkonda	5 - 37-8-0
14 th Journey to Aoka, a distance of 24 miles	1 - 18-0-0 (mileage)
15 th Halt at Aoka	1 - 7-8-0
16 th Return journey to Russellkonda not included in the bill	1 - "
17 th to 25 th Halt at Russellkonda	9 - 67-8-0
	<u>20</u> <u>153-0-0</u>

Accountant-General has admitted the charge for the first 10 days and disallowed the remainder, viz, Rs 67-8-0 on the ground that Mr. Taylor was absent from Russellkonda for only two consecutive nights during the period between the 6th and 25th August 1898 and that his halt at that place should therefore be considered 'un-

interrupted under the explanation to article 1159 Civil Service Regulations.

3. Mr. Taylor points out that he could, by remaining at Aoka for a third night, have evaded the rule referred to by the Accountant-General, but that in that case,

the

the interests of the public service would have suffered. With reference to clauses (a) and (b) of article 1159 Civil Service Regulations, he admits that he did not keep up camp equipage during the whole period of his halt, but urges that he maintained his entire staff of servants in receipt of daily batta so as to be ready to move at once in any direction in which it might be found necessary and that for the journey to Majjagoda and back, carts were actually hired. No detailed account of the extra expenditure incurred during the halts has been maintained by the Collector but the Board observes that in a case like that of Mr. Taylor every halt in camp involves extra expense and therefore considers it unnecessary to discuss the details of expenditure. Mr. Taylor's letter dated 26th November 98 giving such ~~info~~ information

information regarding his extra expenditure during the halt as he has been able to ascertain, is, however, submitted for the information of Government.

4. In his letter no. 1094 dated 20th November 98, Mr. Elwin, the acting Collector of Bellary makes a similar claim for his halts at Chippagiri on plague duty in September and October last. He proceeded

		no. of days	
13 th to 20 th September 1898	Halt at Chippagiri	8.	to that place on the 13 th September 1898 and remained there
21 st to 22 nd Journey to Nancharla + Tungabhadra			
23 rd Return journey to Chippagiri	24 th September to 5 th October 98	12.	till the 20 th idem in order to take measures to prevent the spread of the disease. On the 21 st September, he moved
Halt at Chippagiri			

his camp to Nancharla and Tungabhadra without any intention of returning to Chippagiri but having received information at Tungabhadra that plague had re-appeared at Chippagiri, he set out at once

once and reached that place on the morning of the 23rd September and was detained there owing to the occurrence of several more cases till 5th October 1898. As his first halt at Chippagiri was not interrupted by an absence of three nights, he has drawn daily allowance for ten days only under the explanation to article 1159 Civil Service Regulations. He now requests that he may be granted daily allowance for the full period of his halt.

Mr. Elwin states that he incurred extra expenditure in the shape of battha to servants &c but has kept no detailed accounts.

5 According to the orders now in force, the claims referred to above are inadmissible and the Board informed Mr. Taylor accordingly. (Vide Board's Proceedings no 3, dated 2nd January 99), but, on reconsideration, it resolves to address Government in the matter.

In its Reference no 406 Forest dated 26th October 98 and no 1391 dated 6th December 98,

the

the Board has assigned reasons for the view that the expression "extra expense" occurring in article 1159 Civil Service Regulations, should be held to include the ordinary daily charges of an officer on tour (apart from the cost of locomotion) such as battha to servants, Bungalow fees &c as in the cases now under consideration. Seeing that the prolonged halts of the officers in question were necessary in the interest of the public service and involved extra expense in this sense, the Board requests that they may be exempted from the operation of article 1159 Civil Service Regulations in view to enable them to draw the daily allowances claimed by them.

Lalwanikar
For Aq Secretary

28 JAN 1899

To the Secretary to Government,
Revenue Department,
thru' the Accountant General, with Mr. Elwin's letters,
Mr. Taylor's letters and Accountant General's endorsement
in Board's Proceedings 3 dated 2nd January 99 in original
to be returned.

J. D. A.

Fort Saint George,
Accountant General's Office,
9th February 1899.

No 525

Forwarded to Government.

N Under para 2 of the Government of India
letter recorded in Government order No 26 Financial
dated 14 January 1896, exemptions from the
operation of Article 1159 (b) Civil Service Regu-
lations can be allowed only if the officers are
obliged for reasons of public duty, to incur
expenditure of the kind which travelling allowance
is intended to meet. The Article does not appear to
cover the cases of Messrs. Edison and Taylor.

Wm Wyo
Accountant General.

To The Secretary to Government,
Revenue Department.

C. No. 681 From the *Rec. Dept* - *Land*, No. 177, dated 14-2-1893.

189

For Orders

In this Current Res transfers to this Dept. Proceedings of the Board of Res (L. R.) submitting to Govt for favorable consideration orders the claims, under Art 1159 C S R, of Mr H. D. Taylor, Collector of Ganjam & Mr E. L. Elwin, Collector of Bellary to halting allowance for periods in excess of two days in certain places under certain circumstances detailed by them in their letters to the Board flagged, respectively, A and B.

2. For Taylor's case is as follows -
Article 1159 of C S R limits the period for which halting allowance may be drawn at one

⁺
No. 1309 57. 7. 10. 95.
① 57. 12. 11. 95.

place to ten days, but the same Article provides that, with the sanction of the local Govt., any officer may be exempted from the operation of this rule if the prolonged halt can be shown to have been "necessary in the interests of the public service" & that it was "necessary to maintain camp equipment" or "that the officer was put to extra expense" although no camp equipment may have been maintained. It is this exemption which is sought by the officers under reference & recommended by the Board.

3. Mr. Taylor's case is as follows -

He proceeded to Russellkonda for Jamabandi on the 6th Aug/98 but found the accounts were not ready for his inspection. He therefore proceeded to Mayasoda, with camp, on the 7th idm to inspect certain roads, leading to the Agency tracts, which were being newly laid with metalling. He returned to Russellkonda on the 8th idm & remained there till the 14th idm on which date he

The point is that Mr. T. spent only the nights of the 14th & 15th out of Russellkonda - between the 8th & the 25th. He felt otherwise that he was in the days (8th - 17th)

Vide Explanation
(last sentence) to
§ 1159.

left for Asha in order to try an Agency Sessions Case which ^{he} could not, without ^{causing} undue hardship to witnesses, besides involving the importation to R - of a pleader to prosecute, transfer to Russellkonda. The case was tried at Asha on 15th & Mr. Taylor returned to Russellkonda on the 16th, where he was occupied with Jamabandi work till the 26th. The AG has objected to the drawing of allowances ^{by Mr. Taylor} for the period 17th to 25th during which ^{he} was at Russellkonda on the ground that ^{he} was not absent for three nights from Russellkonda. The objection is quite correct & the question for orders is ~~now~~ whether Mr. Taylor shows that the interests of the public service required his halting ~~altogether~~, ~~14 days~~ at Russellkonda without ~~an absence of three nights between~~ (i.e. from 9th to 12th & 17th to 20th) and also whether that officer

either maintained Camp equipment
or was put to extra expense by
his halt after the first 10 days.

Mr Taylor points out that he
could easily have reached the
rule by staying another night @
Aska which the interests of the
public service ^{deterred} him from
doing. He adds that though he
did not actually keep up camp
equipment during the whole 14
days yet he maintained his entire
staff of servants on batta in order
to be prepared to move in any
direction in which it might be
found necessary, while for the
journey to Mappafoda & back
carts were hired. For the rest
Mr Taylor has not kept detailed
Jes of extra expense incurred during
the halts & the Board points out
that "in a case like that of Mr
Taylor every halt in camp in-
volves extra expense & therefore
considers it unnecessary to discuss
the details of expenditure". The
amount of J.A. retrenched by the
A.G. in Mr Taylor's case is Rs 67/8/10.

Mr Taylor's case differs from the details with be seen are set
in no essential from that of out in para 2 of Board's Proceeding
many. ^{successive} the cases who have @ 8.
& halt in Munnabundi and 14. Mr Elwin's case comes under
I do not think it deserves any the same Article so very similar
of its consideration. It is to Mr Taylor's. He proceeded
but the A.G. but his establishment to Chippagiri, where a case of
whose case can be considered plague had occurred, remained
in such cases. Rs 67/8/10

* instead of a total
of 20 days halted.

the details with be seen are set
out in para 2 of Board's Proceeding
14. Mr Elwin's case comes under
the same Article so very similar
to Mr Taylor's. He proceeded
to Chippagiri, where a case of
plague had occurred, remained
there eight days - from 13th to
21st of Sept/98 - taking measures
to prevent the spread of the disease.
On the 21st he moved his camp
to Nancharla & Sangabhadra but
after only 2 days absence he was
obliged to return to Chippagiri
as he received reports of fresh
cases of plague there. He arrived
there on 24th Sept & remained
till Oct 6th - twelve days. He
was not absent from Chippagiri
three nights as required by the
"Explanation" to Art 1159 of the
CSR & therefore has only drawn
allowance for 10 days* but requests
that he may be exempted from the operation of
the rule on the ground that his return
to Chippagiri before expiry of three nights was
necessitated by the public inter-
ests of the public service & that

(£8000 to servants)

he incurred extra expenses, though
he has kept no detailed Yes.

5 The Board points out that
according to orders now in force
these two claims are inadmissible
but that on reconsideration it is the public interest while I am not
resolves to lay the claims before the at all that Mr. Taylor's was.
Got on the ground that in its

Ref No 406 Forest of 26-10-98 (flagged O in SO No 172 Fin 2-2-99)
" " 1891 " " 6-12-98 (flagged X in SO No 173 Fin 2-2-99)

the Board has assigned reasons
for the view that the expression

"extra expense" in Art 1159 under
reference should be held to include

"ordinary daily charges" on tour
such as butta to servants, bungalow

free to go as in the cases now
under consideration. The prolonged

halt now in question having been
"in the interests of the public service"

showing "involved" ^{extra} expense in the
sense just described the Board

requests that both these officers
may be exempted from the

operation of Art 1159 of CSR
in view to enable them to draw

the daily allowances claimed.
6. The Acc^t Genl in his

I have however much more sympathy
with Mr. E's case than with Mr.
Taylor's because it is plain to see
that Mr. E's return was undoubtedly
in the public interest while I am not
resolves to lay the claims before the at all that Mr. Taylor's was.

11072ff.
(flagged O in SO No 172 Fin 2-2-99)
(flagged X in SO No 173 Fin 2-2-99)

The Board has assigned reasons
for the view that the expression
"extra expense" in Art 1159 under
reference should be held to include
"ordinary daily charges" on tour
such as butta to servants, bungalow
free to go as in the cases now
under consideration. The prolonged
halt now in question having been
"in the interests of the public service"

Ind. No 525 of 6th Feb 1899
calls attention to Para 2 of India's
letter No 5677 E. in Fin & Com
Dept. of 6th Dec/95, printed in
SO No 34 Fin 14-1-96, & states that
in the light of India's explanation
therein the cases of Messrs Taylor
& Elwin are not covered by the
provision of Art 1159 CSR.

The para of India's letter referred
to by the U. is as follows -

"the proviso in clause (b) under
Art 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 expendi-
"ture of the kind which travelling
"allowance is intended to meet;
"that the question whether or not
"there exists a hardship is one for
"the judgment of the local Govt
"in passing orders on the case".

The judgment of the U. is
open to question, it is subm^d,
& orders are now solicited as to
whether, in the two cases above

When given for copying _____
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 When examined _____
 When signed 8/3

READ AGAIN G.O., No.
 189 ,

DATED

CURRENT NO.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

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Financial (1899) Department.

ORDINARY MS.

G.O., No. 386

DATED 15-3-99

INDEXED.

12/12

[Despatch Abstract.]

Exempting Messrs H. D. Taylor Ag Colls of Gauran
and Co. a. Blum Ag colls of Bikaner and their
establishments from the operation of art 1159 of the
civil Service Regulations to enable them to draw daily
allowance for the entire period of their halt on
public interest at Russelkonda & Chippogiri respectively

15-3-99