[L. & M. 1,000—13-6-98.]

~~Local~~ & Munl. (1898) Department.

MISCELLANEOUS.

G.O., No. 1249 M

DATED 11-7-98

INDEXED.

DESPATCHED

[Despatch Abstract.]

Travelling allowance.

Agreeing with the Accountant General in considering that the overpayments made to a temporary overseer, Cotacamund Municipality on account of ——— from Villupuram to Cotacamund via Madras, are contrary to the Civil Service Regulations and sanctioning with remarks the payment of Rs 23-1-0 made to the overseer.

Overpayments to a temporary overseer — Cotacamund Municipality.

[L. & M.]
3—16-2-98.

LOCAL AND MUNICIPAL DEPARTMENT.

BACK PAPERS.

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

FURTHER PAPERS.

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

Papers to be read in Proceedings:—

Again G.O., No. dated 189 ,

Again G.O., No. dated 189 ,

Current No. 1770. M of 1898, dated 21st May 98, from the Accountant General.

" " " 189 , " , "

" " " 189 , " , "

Issue

ORDER. No. 1249 M Mis. dt. 11-7-98.

The Government agrees with the Accountant General in considering that the payments objected to by him are contrary to the Civil Service Regulations; but as the amount overdrawn is only Rs 23-1-0, and as it would be a hardship to order its recovery at this distance of time, the payment will be sanctioned as a special case.

2. It is observed that the way in which this matter was dealt with by the municipal council was neither complete nor satisfactory.

(From orders)

To The Accountant General
" Chairman Mn. C. Cotacamund
Dup 13/7/98

V.P.
5/7/98

J.I.
8.7.98

[20]
250—18-2-98.

LOCAL AND MUNICIPAL DEPARTMENT.

C. No. 1770 M of 1898.

SUBJECT.

Overpayments to a temporary overseer—
Cotacammud municipality.

A.M.

FOR ORDERS.

C. In his notes on the audit of the accounts of the Cotacammud municipality for 1896-97, the Inspector of Local Fund Accounts objected to certain over payments made by the municipal council to a temporary upper subordinate, Muhammad Secunder, who was employed in connection with the investigation by Mr. Walch, of the scheme for the improvement of the water supply of Cotacammud. This subordinate was originally employed as a temporary overseer at Villupuram and when he was deputed to Cotacammud, the Public Works Department directed that his services as temporary overseer should be considered as having terminated

vide Chief Engineer's note in G.O. No. 1936. W. 2-7-96. A

the council found itself unab

in that Department with effect from the date of his relief. When he was relieved at Villupuram Muhammad Scemnder proceeded to Cotacammund, but instead of taking the direct route, proceeded thither via Madras, in order, it is said, to take his wife, and not only was he allowed to draw travelling allowance for the journey by this route, which was not the shortest, but was also granted transit pay from the date of making over charge at Villupuram to that on which he took charge at Cotacammund. The provisions of the Civil Service Regulations having been made applicable to all municipal employes by G.O. No 1475 M, dated 7th October 1890, the Inspector of Local Fund accounts objected to these payments on the ground that the former was opposed to Article 1088, and the latter to Article 208, as it was clear from G.O. No 1936 W, dated 2nd July 1896, that the subordinate in question had no lien on any appointment during that period.

2. In regard to the first

point, it is observed that Mr. Walch has made a note on the voucher that he had the claim checked at the Public Works Secretariat, while as regards the second, Mr. Walch stated that the Chief Engineer whom he consulted on the subject was of opinion that "the allowance claimed should be admitted." The municipal council, relying on these remarks of Mr. Walch, stated that as the charges in question had been passed by the Chief Engineer, who is the controlling officer under the Civil Service Regulations, it was not prepared to accept the auditor's objections.

3. On this, the Accountant General pointed out that a controlling officer had no authority to pass charges contrary to the Civil Service Regulations and that in the case under reference the Chief Engineer's opinion, that the allowances should be admitted was given on a different matter viz: the admissibility of the travelling allowance of two other subordinates, and requested that if the council found itself unab

to acquiesce in his view, the orders of Government might be obtained. The council having stated in reply that it saw no reason for referring the matter to Government, the Accountant General now submits the case for the orders of Government and also draws attention to the extremely unsatisfactory, not to say discourteous, nature of the replies received from the municipality, in which there is no attempt at argument or explanation. H. I.

4. The payments objected to by the Accountant General, are no doubt contrary to the Civil Service Regulations, but as the overpayments amount only to Rs 23-1-4 and relate to the year 1896-97 and as it would be a hardship to order its recovery from the individual concerned at this distance of time, it is submitted that the payments may be sanctioned as a special case. With regard to the want of courtesy on the part of the municipal council, complained of by the Accountant General, it is observed that there is nothing objectionable in the council's replies to him, although the way in which the matter was dealt with by the council was not at all complete or satisfactory.

This should be pointed out
HS
29/6/98

HS

V.R.
22/6/98

28/6/98.

Local & Munl. (1898) Department.

CURRENT No. 1770K

UNDER SECY. TO GOVT. 22 MAY 98 PUBLIC DEPARTMENT

From

The Accountant General.
Fort St. George.

Order

No. 178/143

Dated 21st May 1898

Received

Registered

Enclosures 10.

Spare copies.

SUBJECT.

Bringing to the notice of Government the resolution of the Cotacamund Municipal Council declining to accept certain objections raised by this Office regarding overpayments

1 A 3/155 dft. 4/21/6

BACK PAPERS.

G.O.	No.	Department.	Date.
So	2478	Lde	11-11-97
"	1317	"	8-8-96
"	1049	"	22-6-98
"	1475	"	7-10-90

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Local Fund Department.

Fort St. George,
Accountant-General's Office,
21st May 1898.

No. 279 / 1463

LOCAL & MUNICIPAL DEPT.
CURRENT No. 1770 M

From

J. H. Biggs Esqr
ACCOUNTANT-GENERAL to the
GOVERNMENT OF MADRAS,

To

The Secretary to Government
Local and Municipal Departme
Fort Saint George.

Sir,

I have the honor to forward herewith a Copy of the marginally noted papers# from which it will be seen that the Municipal Council of Ootacamund declines either to accept the objections raised by this office regarding certain overpayments or to refer the matter to Government for orders. I am therefore compelled to bring the matter to notice.

(1) Paras 6 & 7 of the audit notes with the replies thereto.
2) Copies of Correspondence forwarded with Chairman's endorsement no 4385 dy 14-1-98
3) L.S.D No 737 dated 14th February 1898
4) Copy of Mr. Walch's remarks sent with chairmans endorsement no 4877 dated 8-2-98
5) L.S.D No 876 dated 7th March 1898
6) Copy of remarks sent with chairmans endorsement no 5299 dated 17th March 1898
7) L.S.D No 3 dated 1st april 1898.
8) Proceedings of the Municipal Council dy 16th april 98.
9) L.S.D No 47 dated 19th april 98
10) Proceedings of the Municipal Council dated 30th April 98.

Flag. A.

(2) The objections, I may briefly explain, are (1) that temporary overseer Mahomad Secunder Saib, who was in Government order No 1936 W dated 2nd July 1896, deputed to Ootacamund on work connected with the investigation of the project for the improvement of the water supply of the town, was allowed to draw travelling allowance for the journey the

by a route other than the Shortest and cheapest and (2) that the same subordinate was granted transit pay from the date of making over charge at Villupuram to that on which he took charge at Kodaikanal. The provisions of the Civil Service Regulations have been made applicable to all Municipal Employes, and the former is opposed to article 1088, while the latter is contrary to article 208, as it is clear from the above mentioned Government order that the individual in question had no lien on any appointment during that period. The facts are apparently not disputed, but the argument has all along been that the allowances are admissible as they were passed by the Chief Engineer, Public Works Department. This however is not the case, for as pointed out by my Office, no less than 3 times (Vide the letters of the 14th February, 1st April and 19th April 1898) the Chief Engineers remarks were made with regard to the Claim for travelling allowance for joining their appointments preferred by two Hindu Subordinates. Even had the charges been passed by the Chief Engineer, the fact would have made no difference from an audit point of view, as a Controlling Officer has no authority to pass charges contrary to the Civil Service Regulations. This also has been pointed out to the Chairman without avail and in this

fa no 1475 m/ 7-10-90 B.

1936 Wd, 2-7-96 in fa no 1317 m/ 8-8-96

(6)

Connection, I would invite the attention of Government to the extremely unsatisfactory, not to say discourteous nature of the replies received from the Municipality, in which there is no attempt at argument or explanation.

I have the honorable,
Sir,
Your most obedient Servant

Accountant General

to that of assuming charge at Potacamund. This however is contrary to article 208 of C. S. Regulations, as he had no lien on any appointment in the P. W. D. (Vide Gto No: 1936 W d/2.7.96), and the excess payment, as noted below should therefore be now recovered.

Voucher No: 368 - 1st 67th
at Rs 80 - - Rs 18.1.0.

(True Copy)

Asst Accountt. Genl
for Inspector of Local Fund Accts

No: 4385.

Extract from the Proceedings of a meeting of the Potacamund Municipal Council held on Saturday the 8th January/98.

Present.

The Chairman
H. A. Stuart Esqr. I.C.S.
Colonel K.F. Stevenson
J Brown Esqr
Am. Jones Esqr.
A R Hajee Fakeer Mahomed Sait Sahib.

Resolution:-

Subject No: XXVI

Read notes of the Inspector of Local Fund Accounts on his audit of the Municipal accounts for the year 1896-97 with the Chairman's remarks.

"The Council approves of the Chairman's remarks on the audit notes."

Municipal Office
Ootacamund, 14th January/98

True Extract
(Signed) G. Bamnett.
Commr.

(True Copy)

Asst Accountant General
For Inspector of Local Fund Accts

To

The Chief Engineer,

S.W.D.

Honored Sir,

We beg to submit our travelling allowance bill for favor of counter initials before submission to the Examiner S.W.D.

We beg &c

Oolty 18th July 1896. (Sd) S.S. Gopala Row

(Sd) V. Lakshmana Ayar.

No. 803 dated 18th July 1896.

Transferred to Mr. Walch with reference to Lr. No. 1049 M dated 22nd June 1896 from which it will be seen that the cost of the establishment is to be met by the Municipal Council.

(Sd) D. Mc N. Campbell Colonel R.E.

Chief Engineer S.W.D.

To G.T. Walch Esq. M.C.E.

But these are claims for joining allowances and as the appointments were made by the Chief Engineer it is necessary that he should pass the claim, or at all events state if they are to be allowed, before they can be submitted to the Municipality. The undersigned has no means of knowing whether the appointments were made with promise of such allowance

20/7/96 (Sd) G.T. Walch.

No. 828 D, dated 21st July 1896.

To, C

For favor of remarks as to the amounts that would be passed in the case of subordinates in the Public Works Department

(Sd) [illegible]
21/7/96.

Office Note No. 2183 D/2 dated Madras 28th July 1896, from the Examiner of Public Works Accounts.

To M.

Your Office Note No. 828 D dated 21st July 1896.

Returned with the remarks that Travelling allowance, as claimed, would be passed under civil Service Regulations articles 191 (a) and 1252 note 4, in the case of subordinates in the Public Works Department.

---

no: 927 D dated 31st July 1896.

Transferred to Mr: Walch with the remark that the allowances claimed should, in the opinion of the Chief Engineer, be admitted.

(Sd) D. Mc N Campbell Col R.E.
Chief Engineer P.W.D.

To G.T. Walch Esq: M.I.C.E.
with papers in original.

Forwarded to the Chairman, Pottacamund municipality.

Municipality for settlement.

5/8/96. (Sd) G.T. Walch

(True Copies)

(Signed) Geo. Hamnett.
Chairman.

4460 d/20.1.98

To

The Assistant Accountant General and Inspector of Local Fund Accounts in Continuation of no: 4385 d/14-1.98 (& with reference to para 6 of the audit notes for the year 1896-97).

(True Copy)
[illegible]
Asst. Accountant General
for Inspector of Lo. Fund Accts

Copy of letter no: 478/737 dated 14th February 1898 from the Inspector of Local Fund accounts to the Chairman, Municipal council, — Ootacamund.

With reference to your endorsement no: 4460, dated the 20th January 1898 I have the honor to observe that neither of the two subordinates referred to in the papers forwarded to you by Mr: Walch is the one with regard to whom the remarks in the audit notes were made. The man in question was, if I remember right, a Mahomedan, whose name can be ascertained by reference to the Voucher Concerned.

I would here remark that the objection taken by me was not to the man being given travelling allowance for joining his appointment at Ootacamund but to his having been permitted to draw it by a route other than the most direct one. This is inadmissible.

Moreover in paragraph 7 of the notes it was pointed out that the Subordinate

ordinate had been granted transit pay, contrary to article 208 of the Civil Service Regulations. He had no lien on any appointment during the period of transit.

2. I request you will be good enough to ask Mr. Walch to kindly furnish explanations on both these points.

(Signed) W. J. F. Williamson,
Asstt. Accts. Genl
Insp. of L. F. Accts.

(True Copy)

Asstt Accountant General
for Inspector of Local Fund Accts.

I see that on Voucher no. 398 of 1897, I noted at the t... "I have had this clai... checked at the ... Secretariat and it ha... been fou... and I have nothing more to say ... matter.

Voucher n... has not been sent to m...

24/2/98 (Sd) G. J. Walch.

No: 4930
22-2-98

Copy to the Inspector of Local Fund Accounts in continuation of Chairman's letter No: 4877 dated 18th February 1898.

(Signed) L. Hammatt
Chairman, M.C.

To
The Inspector of Local Fund Accounts,
with one Travelling allowance bill.

(True Copy)

Asstt Accountant General
for Inspector of Local Fund Accts

LOCAL FUND DEPARTMENT. No. 472/896

Fort St. George,
Accountant-General's Office,
11th March 1898.

From

W. J. F. WILLIAMSON, Esq.,

ASSISTANT ACCOUNTANT-GENERAL AND

INSPECTOR OF LOCAL FUND ACCOUNTS,

Madras,

THE Chairman, Municipal Council,
Ootacamund.

SIR,

With reference to your endorsement No. 4930 dated the 22nd February 1898 I have the honor to request that you will be good enough to ask Mr: Walch to furnish you with an explanation regarding the payment made on Voucher No: 368. This voucher, I note, he says was not sent to him. Kindly favour me at the same time with a copy of that portion of Government Order No: 1936 W dated the 2nd July 1896 which relates to the status and appointment of the Public Works subordinate concerned vide para 7 of the audit notes.

I have &c.

(Signed) J. C. Mitra
Asstt: Acctt: Genl:
For Inspector of Local Fund Acc

LOCAL FUND (189) DEPARTMENT.

From

THE ASSISTANT ACCOUNTANT-GENERAL AND INSPECTOR OF LOCAL FUND ACCOUNTS,

To THE _____

No. _____

Dated

Received 189

No.

Subject.

no: 5246 / 14.3.98. ootacamund 13th march 1898.

Referred to Mr: Walch with the request that he will be good enough to reply to the question put by the auditor.

All the papers connected with the objections are now put together.

(Signed) Geo Hamnett
Chairman.

To
G. T. Walch Esq. C. E.

The claims were before payment referred to the Chief Engineer S.W.D. See my remarks of 20.7.96. and he gave his opinion that the "allowances claimed should be admitted". The whole Correspondence had better go to the auditor. I have certainly nothing more to do with the matter.

15-3-98. Sd/ G.T Walch

No. 5299 / 17.3.98. ootacamund 17th march 98.

Forwarded accordingly to the Inspector of Local Fund accounts with the request that the papers may be returned when done with.

Sd/- Geo Hamnett
Chairman.

6 / 17 March 98

(True Copies).
Asst Accountant General
Ex Inspector of Local Fund Accts

Copy of letter no: 273/3 dated the 1st April 189
from the Inspector of Local Fund Accounts
to the Chairman, Municipal Council
Ootacamund.

With reference to correspondence end
with your endorsement No. 5299, dated the 17
March 1898. I have the honor to request that
you will be good enough to inform me
whether you accept the objection raised
by this Office or not. For facility of referen
I may mention again that the points at
issue are (1) that Mahomed Secunder Sa
Honorary Overseer was allowed travelling
allowances from Villupuram to Tindivanam
(vide para 2 of the audit notes)
that the same
was permitted to draw travel
pay during the interval between mak
over charge at Villupuram and taking
over charge at Ootacamund, vide para
7 of the notes. The former is opposed to arti
1088 Civil Service Regulations and the latter
is inadmissible as it is clear from paragra
3 of Government Order No. 1936 dated 21
July 1896 that the overseer had no claim
on any appointment during the period of
transit.

transit, and as such is not entitled to pay during that period vide article 208 Civil Service Regulations.

2. In regard to the first point I observe that Mr: Walch has made a note on the Voucher (No: 398) that he has had the claim checked at the S.W. Secretariat, but since it is clearly inadmissible under the Civil Service Regulations, this fact makes no difference from an audit point of view. As to the second objection Mr: Walch in his remarks of the 15th March states that the Chief Engineer was of opinion that the allowances claimed should be admitted. This however is not the case. The Chief Engineer's remarks were made in regard to a different matter altogether, viz: whether the travelling allowance claimed by 2 other subordinates (Sub-Kopala Row and Lakshmana Anjaneyulu) for forming their appointment was admissible or not. In the present case the point is that Secunder Saib was granted pay from the 1st July 1898 (Vide Voucher 368) although he only took charge at Bobbaramund on the forenoon of the 7th idem, Vide Voucher 398.

3. I shall be glad to know what action you propose taking in regard to these 2 overpayments. The enclosures received

received with your letter are herewith returned.

I have &c.

(Signed) W. J. T. Williamson
Asst Accountant General &
Inspector of Local Fund Accts.

Asst Accountant General
for Inspector of Local Fund Accts

No. 262.

Extract from the Proceedings of a Meeting of the Ootacamund Municipal Council held on Saturday the 16th April 1898.

Subject No. IV.	Resolution:-
Read letter dated 1st/11 April 1898 from the Inspector of Local Fund accounts [illegible] sting to be informed [illegible] the Chairman accept [illegible] ections raised with re- [illegible] e to the travelling [illegible] nses and transit pay paid to Temporary overseer Mahomed Secunder [illegible] bile - with chairman's note ted 7th April 1898.	"The Municipal Council is not prepared to accept the auditor's objections, as the Chief Engineer, the Controlling officer, under the Civil Service Regulations had passed the Charges referred to."
Municipal Office, Ootacamund, 16th April 1898.	(True Extract) (Signed) G. Hammett Chairman.
To The Inspector of Local Fund accounts, Madras. with reference to this letter No. L.F.A. 3 dt/ 1st/11 April 1898.	(True Copy) Asst. Accountant General for Inspector of Local Funds

Extracts from the Proceedings of a Meeting of the Municipal Council held on Saturday the 30th April 1898.

Subject No. II

Resolution.

Letter dated 19th April No. 2758/47, from the Accountant General, Madras, informing the Controlling Officer" no authority to pass charges contrary to the Civil Service Regulations, requesting to obtain the orders the Government, if the Council unable to acquiesce in his views in connection with the Travelling allowance and Leave pay given to Temporary Overseer Mahomed Seender Sahib.

The Municipal Council sees no reason for referring this matter to the Governor in Council.

Municipal Office
Octacamund 30 April 1898.

True extract
(Sd) G. Hammett
Chairman

To
The Accountant General
Madras.

With reference to his letter No 2758/47 dt 14.4.98

n given for copying ____
hen copied ____
hen examined ____
Then signed 12/7

} 189 .

G.O, No. , DATED

T No.

LOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A
LETTER OF GOVERNMENT.							
STATEMENT WITH DITTO.							
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.