

(1) Number of pages 1

(2) Date of repair 28-8-59

(3) Initials of the Referencer 4

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.
2-9/4/59

G.O. No. <u>984</u>	Press Mis.
<u>11/12</u> Dated <u>28-8-59</u>	18 59.

Not to be folded or roughly handled

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Fort Saint George, Public Works Consultation of 29th April 1859.

No. 111. Read the following letter from Lieutenant-Colonel H. YULE, Secretary to the Government of India; to J. D. BOURDILLON, Esq., Secretary to the Government of Madras, dated Fort William, 21st March 1859, No. 1652.

SIR,

In the Madras printed Abstract Proceedings of the 29th of October last certain cases (Nos. 31, 32, 96 and 97) relating to travelling allowances are observed, respecting which the Government of India deems it requisite to make some remarks, though the orders of the Right Hon'ble the Governor in Council appear to have been perfectly proper.

2. It would seem from these cases that the Madras Officers, generally, have looked upon the travelling allowances as so much fixed addition to their incomes, instead of regarding them as compensation for expenses actually incurred in travelling.

3. In the order issued by the Madras Government to the Chief Engineer, the essential point of the limitation as to daily allowances to be drawn while halting, "that the Officer should have been obliged to maintain his marching establishment complete." In the Bengal Code it is required that the Officer shall have maintained "carriage for his tent;" see Code page 177, Rule 3, which expression is perhaps more definite; unless a complete marching establishment is of an understood strength.

4. The views of the Government of India on this subject will be found in the accompanying order passed on a case under the Punjab Government, No. 296, dated 21st January last.

5. In simply rejecting the claim preferred by Major Birdwood (case 96-97) for ten days' travelling allowance, while it appears that he did not travel at all, it is presumed that the Madras Government was satisfied that the claim was put forward avowedly under those circumstances; or, at least, that there was no withholding of the fact that the claimant had not travelled, since the Government of India cannot doubt that had an Officer, whose special duty it is to check these very payments, been proved to have himself knowingly preferred a fictitious claim, the Madras Government would have followed up the rejection of the claim with some punishment adequate to so grave an offence.

Letter from the Officiating Secretary to the Government of India; to the Secretary to the Government of the Punjab, dated Fort William, 21st January 1859, No. 296.

SIR,

In reply to your No. 264—1555, dated 17th September, and No. 343—1891, dated 15th November last, I am directed to state that the Hon'ble the President in Council confirms the grant of travelling allowance to Lieutenant Colonel Laughton up to the end of May 1858, but declines to sanction any payment after that date. The sum passed by the Chief Engineer for June must therefore be retrenched from Colonel Laughton.

2. In coming to this decision the Hon'ble the President in Council observes that Rule 3, page 177, of the Public Works Code contains three conditions which are necessary to the admission of daily travelling allowance while halting.

1st. That the allowance shall not be drawn for more than three days while halting within 10 miles of the permanent or temporary residence.

2nd. That carriage for tents, &c., shall have been kept up.

3rd. That it was necessary to keep up this carriage.

3. As to the first condition, it may be urged that Kussoowlee was not Colonel Laughton's temporary residence within the meaning of the rules. He was ordered to that place on duty, there to remain so long as the duty lasted and no longer. He marched there and halted; and may have been kept much longer than he expected, but hoping each week to have got away, and keeping up his establishment all the while.

4. As to the second condition, Colonel Laughton has declared on honor that his carriage was kept up.

Fort Saint George, Public Works Consultation of 29th April 1859.

5. But on the third condition the Hon'ble the President in Council has no hesitation in saying that the allowance must be withheld. The necessity for maintaining camp carriage while halted, simply depends on the Officer's being likely to require to move his camp within a shorter period than it would take him to get the carriage again if he discharge it. If Colonel Laughton had been released from his duty at Kussowlee during May, June, July, August, or even September, it cannot be supposed that he would then have marched back to Lahore, or even that he would have marched his tents or baggage back. It was open to him either to have sent his tents back at the end of April, or to have kept his tents at Kussowlee till the end of the rains, returning dawn to Lahore if required. In neither case could it be necessary to keep up the carriage all through the rainy season. The allowance may be granted up to the end of May, on the ground that Colonel Laughton may have taken six weeks to find out that his marching cattle would not be again required for many months. But he must have been aware that it was unnecessary for him to keep up his marching establishment in the rains.

6. As Captain Nicolls, who was a member of the same Court of Inquiry as Colonel Laughton, has received his travelling allowance for the same period for which Colonel Laughton claims it, he too should be called upon to show cause why he should not refund for June, July, August and September.

7. It is further observed that Colonel Laughton says that Captain Nicholls "had not kept up a marching establishment and equipage," whereas Colonel Ommanney as directly asserts that "he had satisfied himself in his visit to the hill stations in May, that Captain Nicolls had marching establishment complete." This contradiction should be explained, and strict enquiry should be made as to what marching establishment was actually kept up by both Officers. The President in Council cannot avoid thinking, that there is reason to fear that too lax a practice has prevailed in passing travelling allowances in the Punjab.

8. The original Bills forwarded with your letter No. 204-1555 are returned.
Fort William, the 1st January 1859.

No. 112.

ORDER THEREON, No. 984; dated 28th April 1859.
Ordered that copies of the above letter and its enclosure be forwarded to the Chief Engineer with reference to Extract Minutes Consultation 22nd and 25th October 1858 Nos. 2215 and 2248, with instructions to communicate the views of the Government of India regarding travelling allowance to all Officers of the Public Works Department, for invariable future observance.

(Signed) J. D. BOURDILLON,
Secretary to Government.

No. 1652.

FROM

THE SECRETARY TO THE
GOVERNMENT OF INDIA,

TO

THE SECRETARY TO THE
GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT,

Fort William, 21st March 1859.

Records and Regulations.

SIR,

IN the Madras printed Abstract Proceedings of the 29th of October last certain cases (Nos. 31, 32, 96 and 97) relating to travelling allowances are observed, respecting which the Government of India deems it requisite to make some remarks, though the orders of the Right Hon'ble the Governor in Council appear to have been perfectly proper.

2. It would seem from these cases that the Madras Officers, generally, have looked upon the travelling allowances as so much fixed addition to their incomes, instead of regarding them as compensation for expenses actually incurred in travelling.

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4. The views of the Government of India on this subject will be found in the accompanying order passed on a case under the Punjab Government, No. 296, dated 21st January last.

5. In simply rejecting the claim preferred by Major Birdwood (case 96-97) for ten days' travelling allowance, while it appears that he did not travel at all, it is presumed that the Madras Government was satisfied that the claim was put forward avowedly under those circumstances; or, at least, that there was no withholding of the fact that the claimant had not travelled, since the Government of India cannot doubt that had an Officer, whose special duty it is to check these very payments, been proved to have himself knowingly preferred a fictitious claim, the Madras Government would have followed up the rejection of the claim with some punishment adequate to so grave an offence.

I have the honor to be,

SIR,

Your most obedient Servant,

H. J. Gule

Secy. to the Govt. of India.

No. 296.

FROM

THE OFFICIATING SECRETARY TO THE
GOVERNMENT OF INDIA,

TO

THE SECRETARY TO THE
GOVERNMENT OF THE PUNJAB.

PUBLIC WORKS DEPARTMENT,

Fort William, 21st January 1859.

General
Accounts.

SIR,

IN reply to your No. 264—1553, dated 17th September, and No. 313—1891, dated 15th November last, I am directed to state that the Hon'ble the President in Council confirms the grant of travelling allowance to Lieutenant Colonel Laughton up to the end of May 1858, but declines to sanction any payment after that date. The sum passed by the Chief Engineer for June must therefore be retrenched from Colonel Laughton.

2. In coming to this decision the Hon'ble the President in Council observes that Rule 3 page 177 of the Public Works Code contains three conditions which are necessary to the admission of daily travelling allowance while halting.

1st. That the allowance shall not be drawn for more than three days while halting within 10 miles of the permanent or temporary residence.

2nd. That carriage for tents &c., shall have been kept up.

3rd. That it was necessary to keep up this carriage.

3. As to the first condition, it may be urged that Kussowlee was not Colonel Laughton's temporary residence within the meaning of the rules. He was ordered to that place on duty, there to remain so long as the duty lasted and no longer. He marched there and halted; and may have been kept much longer than he expected, but hoping each week to have got away, and keeping up his establishment all the while.

4. As to the second condition, Colonel Laughton has declared on honor that his carriage was kept up.

5. But on the third condition the Hon'ble the President in Council has no hesitation in saying that the allowance must be withheld. The necessity for maintaining camp carriage while halted, simply depends on the Officer's being likely to require to move his camp within a shorter period than it would take him to get the carriage again if he discharged it. If Colonel Laughton had been released from his duty at Kussowlee during May, June, July August, or even September, it cannot be supposed that he would then have marched back to Lahore, or even that he would have marched his tents or baggage back. It was open to him either to have sent his tents back at the end of April, or to have

(2)

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7. It is further observed that Colonel Laughton says that Captain Nicolls "had not kept up a marching establishment and equipage," whereas Colonel Ommanney as directly asserts that "he had satisfied himself in his visit to the hill stations in May, that Captain Nicolls had marching establishment complete." This contradiction should be explained, and strict enquiry should be made as to what marching establishment was actually kept up by both Officers. The President in Council cannot avoid thinking, that there is reason to fear that too lax a practice has prevailed in passing travelling allowances in the Punjab.

8. The original Bills forwarded with your letter No. 264-1555 are returned.

I have the honor to be,

SIR,

Your most obedient Servant,

FORT WILLIAM,
The 1st January 1859. }

Offg. Secy. to the Govt. of India.

N^o 984.

Extract from the Minutes of Consultation

Olundov dato 16^{te} 28^{de} April 1859.

Read the following
letter from the Secretary
to the Govt of India.

(Here enter 21st March 1839
No 1152)

copies of the above letter
and its enclosure be
forwarded to the Chief
Engineer with reference
to E. I. M. S. Cases 2214
25, 1 October 1858 No 2215
and 2218, with
instructions to com-
municate the views
of the Government of
India



100

Mrs. C. W. S. 25 - Dec 95 - 2, 1870 - 1859 (Died Jan
31-32) 96 - 97 - 2 - 1870 - 1859 (Died Jan
31-32) 96 - 97 - 2 - 1870 - 1859

Learn the Secretary
to the Society of India

Dyablot 21.12.24 } 1839
 Duived 12.12.24 }

78-1652

Sept 984. 28th April 1857

"The working on our side will be
 = taken to showing Americans contain-
 = ing the Government of the 90 & to be
 = self; and showing that the President's
 = generally, have looked upon the
 = making Americans as so much of
 = addition to their income, instead
 of regarding them as constant con-
 = sumers and really recruited, in which
 = opinion the Government of America
 = the confidence of the Government of
 = in the country of the President; &
 = Government have been placed on a
 = Case made the Government.

India regarding travelling
allowance to ^{all} the Superin-
tending Engineers and
through them to the
District Engineers and
Executive Officers of the
Public Works Depart-
ment, for unavoidable
future observance.

AM

W. C. to the Chief Secy.
Sept 29.

1. - Civil Audits

Public Works, 1859-1861
Volume 29: April

1864.

Abstract of Law:

2725. April 1859.

From the Civil Engineer
April 1859 to 1864 in

The Chief Engineer to
Commissioner of Public Works
and travelling allowance
of the Civil Engineer of the Public
Works Department for future
reference

1861/1862.

Public Works, 1859-1861
Volume 29: April

1861/1862.