M.R.O. 1—77,000—8-6-37.

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(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 3194 Press ~~Mis.~~

168-169

Dated 8 — 10 — 1866.

Not to be folded or roughly handled

No. 163. Read the following letter from the Superintending Engineer, 6th Division, to the Secretary to Government, Department Public Works, dated Tanjore, 20th September 1866, No. 744 :—

Three Enclosures.

1. I regret to have to trouble you again relative to travelling allowances, but I deem it my duty to protest against the deductions made from Lieutenant Livesay's Bill for August, on the 5th, 6th, 7th, 8th, 10th, 11th, 12th, 14th, 15th, 24th, 29th, and 31st.

2. As I have already informed you, Lieutenant Livesay cannot, without pitching beyond the limits of his Range, encamp more than ten miles from his head quarters in the portion of the delta comprised within his Range, and thus if the Controller's ruling is correct, Lieutenant Livesay can draw no travelling allowances while employed in examining works in the most important part of his Range.

3. From the 18th to the 30th Lieutenant Livesay was with me, and a very hard twelve days' work we went through. Lieutenant Livesay being quite knocked up when I left him, though we started between 5 and 6 A. M. in the morning we seldom reached camp till 10 or 11, and Lieutenant Livesay, on some occasions, visited works in the evening.

4. I will now proceed to point out, in each case, my reasons for protesting against the stoppages made.

5. On the 4th, Lieutenant Livesay marched to Vellagudi, the extreme limit of his Range, on Road No. 23, and a distance of nine miles from head quarters.

6. On the 5th, he halted at Vellagudi, and his allowance is stopped though he halted only one day. The Rule says three days' halt is admissible.

7. On the 6th, he returned to Mannargudi, a march of nine miles, no allowance is granted notwithstanding the march. On the 7th and 8th he halts at Mannargudi, or for two days, no allowance is granted; the Rule says three days' halt is admissible at head quarters.

8. On the 9th, he marches to Needamungalum, his extreme limit on Road No. 15. On the 10th and 11th he visits works, proceeding six and eight miles respectively, in doing so, and no allowance is passed, though he visits the works from his camp at Needamungalum ; the 12th is a Sunday, and he halts at Needamungalum to admit of his examining Road No. 1. on the 13th. No allowance is passed for the 12th, but allowance is passed for the 13th because he rides 14 miles, *i. e.*, to Kordachary and back along Road No. 1. With his camp at Needamungalum his expenses were precisely the same on the 10th, 11th, 12th, and 13th, but only allowances for the 13th are passed because he rode above ten miles. No allowance is passed on the 14th, when he returned to Mannargudi, a distance of nine miles, and he is mulct for one day's halt at Mannargudi on the 15th, though the rules allow three days' halt.

9. From the 18th to the 30th Lieutenant Livesay was with me, and therefore marched as directed by me, and his allowance is stopped on the 24th because the camp is six miles from head quarters on Road No. 23, while on the previous day

it was six miles from head quarters on Road No. 18, and the distance across country is nine miles, while the bandies went ten miles.

10. From this stoppage it would appear that a Range Officer may not draw allowances even if he marches daily, if, by accident, his camp happens to be within ten miles of his head quarters, though in different quarters of the compass. That this is a forced interpretation of Clause III., is quite clear.

11. On the 25th the camp was shifted only three miles, but because we rode or walked over twelve miles, Lieutenant Livesay's allowance is passed, and though the camp was only nine miles from head quarters the allowance for Sunday, the 26th, was passed, though under precisely similar circumstances on the 5th and 12th the travelling allowance was cut, though on each occasion the camp was nine miles from head quarters; thus, while the Rules are wrested in a manner most illiberal to the Range Officers they are not wrested consistently.

12. On the 28th we marched to Vadavoor, nine miles from Mannarguḍi, and here again we were on the extreme limit of the Range on Road No. 7, and, to visit some works on the Cunnanaur, halted there on the 29th. Lieutenant Livesay's allowance is mulct for the 29th, and again on the 31st when he halted at Munnargudi for one day.

13. Thus, during the month, Lieutenant Livesay was on the extreme limit of his Range on three roads, viz., Nos. 7, 15, and 23, and within two miles of the extreme limit on a 4th, viz., No 18, and because the camping grounds are nine miles from head quarters, his allowances are stopped, while they would be passed were the camping grounds one mile further. As it happens, there is no choice of camping grounds in the delta, and Lieutenant Livesay must halt at Vellagudy and Needamungalum on Roads Nos. 23 and 15 if he wishes to examine works in their neighbourhood or between them, and on Road No. 7 the Vadavoor tank is the only important work, and it again is on the extreme limit of the Range.

14. Lieutenant Livesay's Inspection Report, and the Travelling Allowance Bill of the Range for August, with the Deputy Controller's Memorandum* attached, are enclosed.

* No. 152, dated 18th September 1866.

No. 169.

ORDER THEREON, 8th October 1866, No. 3,194.

ESTABLISHMENT, No. 15.

1. With this letter the Superintending Engineer of the 6th Division forwards the Inspection Report of the Officer in charge of the 5th Range of the Tanjore District for the month of August, and protests against the disallowance of travelling allowance to that Officer for twelve days in the above month on the ground that the reductions have not been made consistently, and cannot be maintained without wresting the meaning of the rules in an illiberal manner.

2. The Government are of opinion that, in disallowing Lieutenant Livesay's claim to travelling allowance for those twelve days, the Controller not only acted according to the literal meaning of the words used in Clause III., paragraph I. of the Travelling Allowance Rules, but that he is further borne out by the explanation

given to that clause in paragraph 3 of G. O. No. 1,979, dated 23rd June 1866. The only inconsistency which Captain Oakes has pointed out is the grant of travelling allowance for the halt on Sunday the 26th, when, according to the Rules, it was clearly inadmissible. This, however, is an error on the side of liberality.

3. The reading which the Superintending Engineer contends for is in direct opposition to the proviso of the Bengal Rules, which have been ordered to be adopted in this Presidency, that travelling allowance is not to be passed to an Officer who halts for more than three days when within ten miles of his head quarters, and this rule the Government do not think it expedient to set wholly aside. In consideration, however, of the strong representations made by Captain Oakes regarding the importance of the works in the neighbourhood of Mannargudi, as compared with those in the other parts of the Range, the Right Honorable the Governor in Council resolves, as a special case, to allow the Officer in charge of it to draw travelling allowance whenever he moves his camp, even although he may have been more than three days within ten miles of his head quarters, but when, under the same circumstances, his camp remains stationary, he will not draw travelling allowance.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 6th Division, with three Enclosures.
„ Controller of Public Works Accounts.

Exd. S. T. Augustin.

No 744

Supt Engs Office 6th Dn
Camp 20th September 66

Sir,

Captain R. A. Parker R.E.
Superintending Engineer 6th Dn

To,
Colonel C. A. Orr R.E.
Secretary to Government
D. P. W.

Sir,

Encls 3

I regret to have to trouble you again relative to Travelling Allowances but I deem it my duty to protest against the deductions made from Lieutenant Livesay's Bill for August on the 5th, 6th, 7th, 8th, 10th, 11th, 12th, 14th, 15th, 24th, 29th, and 31st.—

2 — As I have already informed you Lieutenant Livesay cannot, without pitching beyond the limits of his Range, encamp more than 10 miles from his Head Quarters in

in the portion of the Delta comprised within his Range and then if the Controller's ruling is against Lieutenant Livesay he draws no Travelling Allowance while employed in Examining Work in the most important part of his Range—

3 — From the 18th to the 30th Lieut. Livesay was with me, & as very hard 12 days work we went through Lieutenant Livesay being quite knocked up when I left him: though we started between 5 & 6 A.M. in the morning we seldom reached Camp till 10 or 11, and frequently Livesay on some occasions visited Work in the Evening.—

4 — I will now proceed to point out in each case my reasons for protesting against the stoppages made

5 — On the 4th Lieutenant Livesay marched to Vellagudi the extreme limit of his Range on Road No 23 and a distance of 9 miles from Hd Qrs.—

6 — On the 5th he halted at Vellagudi, and his allowance is stopped though he halted only one day — The Rule says 3 days halt is admissible —

7 — On the 6th he returned to Mannarpudi — A march of 9 miles no allowance is granted notwithstanding the March — On the 7th & 8th he halts at Mannarpudi or for 2 days no allowance is granted the Rule says 3 days halt is admissible at Hd Quarters —

8 — On the 9th he marches to Needamangalam his extreme limit on Road No 15 — On the 10th & 11th he

he visits works proceeding 6 & 8 miles respectively in doing so & no allowance is passed though he visits the Works from his Camps at Seedanungalum the 12th is a Sunday and the halts at Seedanungalum to admit of his Examining Road No I on the 13th — No Allowance is passed for the 12th but Allowance is passed for the 13th because he rides 14 miles i.e. to Kordachary & back along Road No I — With his Camp at Seedanungalum his Expenses were precisely the same on the 10th 11th 12th and 13th but only allowances for the 13th are passed because he rode above 10 miles — No allowance is passed on the 14th when he returned to Mannargudi a distance of 9 miles and he is mulct for one

days

days halt at Mannargudi on the 15th though the rules allow 3 days halt.—

9 — From the 18th to the 30th Sinnaya was with me & therefore marched as directed by me & his allowance is stopped on the 24th because the Camp is 6 miles from Head Quarters on Road No 23 while on the previous day it was 6 miles from Head Quarters on Road No 18 & the distance across Country is 9 miles while the Bandies went 10 miles.—

10 — From this Stoppage it would appear that a Range Officer may not draw allowances even if he marches daily, if, by accident, his Camp happens to be within 10 miles of his Head Quarters though in different Quarters of

the

the Camp that this is a forced interpretation of Clause III is quite clear—

11— On the 25th the Camp was shifted only 3 miles, but because we rode or walked down 12 miles Lieutenant Livesays allowance is passed, and though the Camp was only 9 miles from Head Quarters the allowance for Sunday the 26th was passed though under precisely similar Circumstances on the 5th & 12th the Travelling allowance was cut though on each occasion the Camp was 9 miles from Head Quarters, these while the Rules are worded in a manner much illiberal to the Range Officers they are not worked Consistently—

12— On the 28th we marched to Vadavoor 9 miles from Mannargudi and

and here again we were on the Extreme limit of the Range on Road Sey x to visit some works on the Cummanam halted there on the 29th Lieutenant Livesays allowance is granted for the 29th and again on the 31st when he halted at Mannargudi for one day—

13— Here during the Month Lieut Livesay was on the Extreme limit of his Range on 3 Roads viz No 7, 15 & 23 & within 2 miles of the Extreme limit on a 4th viz No 18, and because the Camping Grounds are 9 miles from Head Quarters, his allowances are stopped while they would be passed were the Camping Grounds one mile further— Or it happens there is no choice of Camping Ground since the Delta & Lieut Livesay must halt at Villajudy & Needamungalum

on

Received 1

No 152

15th

Public Works Department

No 1

No Road No 23 and 15 if he wishes to examine works in their neighbourhood or between them and on Road No 7 the Vadamoor Tank is the only important work and it again is on the extreme limit of the Range.—

4 — Lieutenant Livesay's Inspection Report & the Travelling allowance Bill of the Range for August with the Deputy Controller's Memo attached are enclosed.— ✕ No 152, 18th Sept 66.

I have the honor to be
Sir,
Your most Obdt Servt
J. Dalton Captain RE.
Superintending Engr C. & D.

Council

15a

Public Works Department

No 3194

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 8th Octr 1866.

From The Superintending Engineer of the 6th Division

Read the following

(Here enter No. 744 of 20th September 1866.)

With this letter the Superintending Engineer of the 6th Division forwards the Inspection Report of the Officer in charge of the 5th Range of the Tanjore District for the month of August, and protests against the disallowance of Travelling allowance to that Officer for 12 days in the above month, on the ground that the deductions have not been made consistently

23d Augt 66 No 2458
25th June 66 - 2458

P.W.D. 1866 Departt
Proc. of Govt for Octr
No 3930
The Supdg Engr
6th Divn
To Abstract to Govt
for P.W.D.
Dated 20th
Read 24th Septr 1866.
No 744
Encls: 3

Enter the amount the deductions made from Cunt Lancers Travelling allowance for August by the Controller & submit for Order the documents connected therewith —

Letter.

ccc 3194 - 8th Octr 66

and cannot be main
=tained without wresting
the meaning of the
Rules in an illiberal
manner.

2 The Govt are of
opinion that in disallow
=ing Lieutenant Livesay's
claim to Travelling al
=lowance for 12 days,
the Controller not only
acted according to the
literal meaning of the
words used in Clause III
Para I of the Travelling
Allowance Rules but that
he is further borne out
by the explanation given
to that Clause in Para
3 of C.O. No. 1979 dd
23rd June 1866. The only

inconsistency which
Captain Dalrymple has
pointed out is the
grant of Travelling
Allowance for the halt
on Sunday the 26th,
when, accordingly to the
Rules, it was clearly
inadmissible. This,
however is an error on
the side of liberality.

The reading which
the Superintending Engr
contends for is in di
=rect opposition to the
proviso of the Bengal
Circular, which has been
ordered to be adopted
in this Presidency,
that Travelling Allowance
is not to be passed to
an Officer who halts

for more than 3 days
when within 10 miles
of this Head Quarters,
and this rule the Govt
do not think it expe-
dient to set wholly aside.
In consideration however,
of the strong representa-
tions made by Capt
Cameron regarding
the importance of the
works in the neighbour
hood of Mannargúdi,
as compared with
those in the other parts
of the Range, the Right
Honorable the Gover-
nor in Council resolves,
as a special case,

to

to allow the Officer
in charge of it to draw
Travelling Allowance
whenever the movements of his
Camp, even although
he may have been more
than 3 days within 10
miles of his Head Quar-
ters, but when, under
the circumstances, his
Camp remains stationary
he will not draw Tra-
velling Allowance.

To
The I. Engr & Surv.
with a Copy
4 Commissr
Despg: Asst

O.W. 1861 Depositt
Prps of Govt for October
No 3194
Prps of the Madras Govt
Dated 8th October 1816.

Authority granted for Travelling Allowance being drawn, as a special case, by the Officer in Ch: of the 5 Cargo Tanjore Lt when ever he moves his Camp.

No 168- 169.