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# MADRAS RECORD OFFICE.

Government of Madras.

*Public Works* DEPARTMENT.

|               |       |
|---------------|-------|
| G.O. No. 3834 | Press |
| 131-132       | Mis.  |
| Dated 6-12-   | 1867. |

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,  
6th December 1867.*

No. 131. Read the following Proceedings of the Madras Government in the  
Military Department:—

Stating that the orders of the 11th April and  
29th May 1867, Nos. 1,333 and 1,967, respec-  
tively, affect only Military Officers travelling on  
duty by Railway. (Here enter 30th November 1867, No. 4,630.)

No. 132. ORDER THEREON, 6th December 1867, No. 3,804.

RAILWAY, No. 10.

Communicated to the Consulting  
Engineer for Railways.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,  
*Secretary to Government.*

To the Consulting Engineer for Railways.

Exd. S. T. Augustin.

**MILITARY DEPARTMENT.**  
**PROCEEDINGS OF THE MADRAS GOVERNMENT.**

Read the following papers:—

From the Consulting Engineer for Railways, Madras, 12th November 1867, No. 316; to the Secretary to Government, Public Works Department, Fort Saint George.

I have the honor to enclose, for the orders of Government, a letter\* from the Agent and Manager of the Madras Railway Company, enclosing an extract from a letter from the London Board in which the wording of the certificate† be furnished by Officers who desire to avail themselves of the privilege of travelling in first class carriages on payment of second class fares is noticed.

\* No. 409, 11th November 1867.

† Vide G. O., 5th June 1867, No. 1679.

2. Under instructions from his Board, Mr. Elwin inquires whether the omission of the word "Military" before the word "duty" in that certificate was intentional, and whether it was thereby meant that "Officers employed in the Police, or on Public Works, or on other duties of a civil character, were to be admitted to the same privileges as those proceeding on Military duty."

3. Although perhaps the wording of clause 19 of the Contract might have been clearer, I am of opinion that the privilege in question was meant to be conceded only to those Officers who were travelling upon Military duty; and I observe that the Advocate General, while acknowledging a probable difficulty in determining when an Officer is on duty, states† his opinion that in order to entitle him to the indulgence "it must be duty as an Officer, that is, that a Cantonment Magistrate or Municipal Commissioner would not be entitled to the

† Vide G. O., 22nd February 1867, No. 527.

the ground that he was an Officer."

From the Agent and Manager of the Madras Railway Company, Madras, 11th November 1867, No. 409; to the Consulting Engineer for Railways.

Acting under the instructions of my Board of Directors, I have the honor to enclose a copy of paragraph 15 of the Secretary's letter No. 401, dated the 13th September, and with reference thereto, to request that you will be good enough to inform me whether, when the Government approved the certificate prepared by the Commander-in-Chief which is to be furnished to Railway Companies by Officers desiring to avail themselves of the privilege of travelling in first class carriages on payment of second class fares, it was intended, that Officers employed in the Police or on Public Works, or on other duties of a civil character, were to be admitted to the same privilege as those proceeding on Military duty.

2. Clause XIX of the Contract between the East India Company and the Madras Railway, appears to me, as it does to my Board, to leave no uncertainty in the matter, as the privilege in question could only apply to Officers travelling on Military duty, but with a view to prevent the possibility of misunderstanding, the word "Military" having been omitted from the certificate, this reference is deemed advisable.

EXTRACT from a letter from the Secretary, Madras Railway Company, No. 401, dated 13th September 1867.

Paragraph 15. Your letter No. 742, has drawn the Board's attention to the form of certificate proposed by the Commander-in-Chief of the Army, and approved by the Government, to be furnished by Officers desiring to avail themselves of the privilege of travelling in a first class carriage on payment of second class fare. You inform the Board that the draft certificate submitted by you for approval required it to be stated that the Officer was "proceeding on Military duty," and that the word "Military" does not appear in the certificate which has received the sanction of Government. The Government Consulting Engineer has pointed out that by the omis-

sion of the word it remains uncertain whether it is intended that Officers "employed on Police or Public Works, or other duties of a civil character," are to be admitted to the same privilege as if proceeding on Military duty. It appears to the Board that no such uncertainty can have been meant to be introduced by the Government, the intention of the Contract being clearly, as they conceive, to give the privilege in question to Officers on Military duty only. In order, however, to prevent misunderstandings arising, it is desirable that you should apply to the Government for an explanation of their views on the point.

(True Extract.)

(Signed) R. B. ELWIN,  
*Agent and Manager.*

Referred to the Military Department.

(Signed) C. A. ORR, Colonel, R. E.,

14th November 1867.

*Secretary to Government, D. P. W.*

ORDER, No. 4630, 30th November 1867.

The Proceedings of Government alluded to having been passed in the Military

Department, must necessarily be held to

No. 1338 dated 11th April 1867.

„ 1967 dated 29th May „

affect *Military* Officers only, serving

Government under that Department,

and all Officers under the immediate orders of His Excellency the Commander-in-Chief.

(True Extract.)

*Wentworth* Major.

*Offg. Deputy Secretary to Government.*

To the Public Works Department, with two enclosures

- „ Quarter Master General.
- „ Adjutant General.
- „ Controller of Military Accounts.
- „ Inspector General of Ordnance.
- „ Commissary General.
- „ Remount Agent Oosoor.
- „ Judicial Department,
- „ Revenue Department, } for information.
- „ Examiner of Claims,

*Sent to Major  
General 1867*

*Concurred to the  
Counciling Engineer  
for the*

*EXD 3804*

Exd. T. Stubbs

No 1864 Depo  
Pro: of Hunt for December  
A. 4619.

Pro: of the Maoras Gen  
Mely Depo

Of 30 hour }  
No 4 Dec } 1867

Eu: 2 A. 4630

Stating that the order  
of the 11<sup>th</sup> April and 29 May  
1867 A. 1338 & 1967 res.  
pectively affect only  
military officers travelling  
on duty by railway.

2123804-6<sup>th</sup> Dec 1867

With an order

A. 131-132