

(1) Number of pages 22

(2) Date of repair 27-8-48

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. <u>36</u>	Press Mis.
Dated <u>27-8-48</u>	1869.

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Public Works Department,
7th January 1869.*

No 69 Read the following letter from the Consulting Engineer for Irrigation and Canal Company, to the Secretary to Government, Public Works Department, dated Madras, 30th November 1868, No 90 —

1. I have the honor to submit, for the orders of Government, an extract from the Memorandum of audit on the contingent bill of the Agent's Office for the month of August last.

2. In this Memorandum objection was made to the charges for Railway fare of servants, Railway charge for tent, and bullocks for tent and baggage cart, which did not appear to be covered by Clause 1 of paragraph 59 of the Travelling Allowance Rules, and it was intimated that these expenses should be met from the allowance of 5 Rupees a day provided by the second clause of the same rule.

Proceedings Madras Government, 24th August 1867, No 2,595

3 The Agent in his reply stated it to be his opinion, that the charges objected to had been made in accordance with the principle laid down in Mr Secretary Westwood's letter of the 29th January 1868.

Proceedings Madras Government, 24th April 1868, No 1,269

To Agent, No 192, 28th ultimo

From Agent, No 303, 11th instant, with accompaniments

4. The subsequent correspondence on the subject, as per margin, is now submitted. In my letter it was pointed out, first, that the Board's interpretation of the rules would not necessarily be conclusive, as the Government had a voice in disposing of all questions relating to expenditure. In fact their Order of the 24th April last, on the Secretary's letter, shows clearly that the Board's reasoning had not been concurred in, and that the Government entertained views regarding the meaning of the Rules which differed essentially from those propounded by the Board. In the next place, even supposing the Board's views to be admissible, the Agent's interpretation of them is not supported by their Secretary's letter. Neither the rule nor the Board's explanations provide for the charge, under the first part of the rule, for the transport of baggage and camp equipage, but on the other hand (*vide* paragraph 2), appear to include all such charges under the 5 Rupees daily allowance of the second part of the rule.

5 Again, in paragraph 3 of the Secretary's letter, it is said that "out of the allowance of 5 Rupees per day, he (the officer) would have to provide all other necessaries, or conveniences for his journey, and would have to meet all expenses for food and lodgings," &c. Now, the Chief Accountant's "lodging" would seem to have been in a tent, and therefore the rule, as interpreted by the Board, would require him to provide the tent and to pay for its carriage out of the daily allowance. Instead of doing so, it would seem that the tent was purchased out of the

Chief Accountant's letter, paragraph 4

Company's funds, a proceeding directly opposed to the Order of Government in which, after much discussion, the expenditure on a bullock coach was passed, and in contravention of the Board's instructions, as conveyed in the last part of paragraph 8 of their Secretary's letter.

made in accordance with the principle laid down

6 The Agent has not explained what the expenses were which the Chief Accountant had to meet from the daily allowance, although he was, at the end of my letter of the 28th ultimo, asked to do so.

7. I endeavoured to show also in my letter to the Agent, that the Travelling Allowance Rules were intended to make such charges definite, and consequently to determine indisputably what any officer coming under them was entitled to draw. The object of the rules in short was to give every officer a fair and reasonable allowance, and to leave him to carry out the details of his travelling arrangements according to his individual notions of comfort and convenience. The Agent's views are altogether inconsistent with that object, and in his letter he argues that whatever arrangements may be in themselves not unreasonable are provided for by the first part of Rule 59, or in other words, that these charges are indefinite instead of as the rule is worded, being strictly defined, and, moreover, that charges which are clearly intended to be covered by the daily allowance may properly be transferred to the other part of the rule.

* Paragraph 7.

8 In this office letter* it was pointed out that Rule 59 applied equally to the Agent, to the Chief Engineer, to the Chief Accountant, and to all Executive Engineers of the first and second class, and this statement is in exact accordance with the provisions of the rules, which say that the first class shall comprise these officers, and then, in Rule 59, "Officers of the above described first class (A) shall be entitled to be paid firstly, &c."

Note A
The Agent in reply says, "This I dispute," and it is of course useless to attempt to work under rules which the Agent is prepared to put aside on his own authority, whenever he thinks they do not accord with his own views.

9 I enclose a supplemental contingent bill, in which the charges objected to have, with the exception of those for bullocks and ferries, been shown as separate items, instead of, as in the original bill, being mixed up with those provided for in the rules. The former are—

	Tour in June and July 1867.			Tour in Jan and Feb 1868		
	RS	A	P.	RS	A	P.
Railway fare for servants	13	10	8	13	10	8
Do for tent	18	8	0	12	8	0
Bullocks for tent and baggage cart	80	10	0	36	0	0
Total	112	12	8	62	2	8

The unobjectionable charges are—

	Tour in June and July 1867.			Tour in Jan and Feb 1868.		
	RS	A	P.	RS	A	P.
The Chief Accountant's Railway fare	30	6	0	30	6	0
Charge for conveying a bullock coach to and from Cuddapah	30	6	0	30	6	0
Bullocks for coach and Masalchy from Cuddapah to Kurnool and back	92	10	0	48	0	0
Allowance of 5 Rupees a day	150	0	0	140	0	0
Total	303	6	0	248	12	0

10 While considering that it is essential that rules should be attended to, and that they should not be altered except by competent authority, I am of opinion that Rule 59 is not well suited, as it stands, to the circumstances under which the Agent and the Chief Accountant have to travel, and I would suggest that these Officers be removed from class A, and that the rule for the Agent and Chief Accountant be, with the Board's concurrence, modified thus —

The Agent shall, when travelling on duty, be entitled to charge,

By Railway—

First—Four Annas a mile for himself and servants.

Second.—Actual charges for baggage by goods train, within a limit of 40 maunds

Third—Actual charge for bullock coach or palankeen.

By Road—Actual charge for bullocks for a bullock coach, or bearers for a palankeen.

An allowance of 7 Rupees a day for all expenses not otherwise specially provided for.

The Chief Accountant when travelling on duty will be entitled to charge —

By Railway—

First—Three Annas a mile for himself and servants.

Second—Actual charges for baggage by goods train, within a limit of 25 maunds.

Third.—Actual charge for bullock coach or palankeen.

By Road—Actual charge for bullocks for a bullock coach, or bearers for a palankeen.

An allowance of 5 Rupees a day for all expenses not otherwise specially provided for

11. Journeys by boat, otherwise than on the Company's canal, will be of rare occurrence, and there does not appear to be room for a difference of opinion as to the way in which the charge should be made, as it would be the actual charge for a passenger boat in all cases

12 Should the Government consider this proposed alteration of the rule reasonable, I would request authority to pass the Chief Accountant's Railway charges on the revised scale.

No 70

ORDER THEREON, 7th January 1869, No. 36

IRRIGATION, No. 5.

1. The correspondence submitted with this letter by the Consulting Engineer for the Madras Irrigation and Canal

Company relates to the question as to whether certain outlay stated to have been incurred by Mr Badham, the Chief Accountant, for the Railway fare of his servants and tents, and for the hire of bullocks for carts conveying his tent and baggage, should be reimbursed to him as a special charge under Clause 1 of paragraph 59 of the Travelling Allowance Rules, approved in G O, No 2,595, dated 24th August 1867, in addition to the daily allowance drawn under the second clause of the same paragraph

made in accordance with the principle laid down

Proceedings of the Madras Government, Public Works Department,
7th January 1869.

2. Mr Henslowe is of opinion that the charge in question should not be met from the daily allowance assigned to the Chief Accountant while employed on tours of inspection, and he supports that opinion by reference to the explanations of Rule 59 as given in Mr Secretary Westwood's letter recorded in G.O of the 24th April 1868, No 1,269 Captain Mullins, on the other hand, reads the rule differently, and maintains that neither it nor the Board's explanations would appear to favour the view taken by the Agent

3 The Government concur with Captain Mullins, and they agree with that Officer in considering that Mr Henslowe's interpretation is inconsistent with the limitation which it was the intention of the rule in question to place on claims against the Company for the travelling expenses of its Officers.

4 For the reasons stated by the Consulting Engineer, His Excellency in Council considers it expedient that the rules for regulating the claims of the Agent and Chief Accountant to travelling allowance should be modified to suit the circumstances under which they have to travel, and he accordingly approves of the alterations suggested in paragraphs 10 and 11, subject to the sanction of the Board of Directors, and authorizes the Consulting Engineer to pass the Chief Accountant's Railway charges on the revised scale.

(True Extract)

Colonel, R E,
Secretary to Government.

To the Consulting Engineer for Madras Irrigation and Canal Company
,, Manager for do do

Exd S T Augustin.

Consulting Engineer's Office
Irrigation and Canal Company,
Madras, 30th Nov 68

Rs 90
From,
Captain, J. Mullins, M.E.
Counsel for I & C Co
To,
The Secretary to Government
Department of Public Works
Sir,

I have the honor to submit for the orders of Government an Extract from the Memo. of Agent on the Contingent Bill of the Agent's Office for the month of August last.

2 In this Memo: objection was made to the charges for Railway fare of servants, Railway charge for tents, and bullocks for tent and baggage cart, which did not appear to be covered by Clause 1 of para. 59 of the Travelling allowance rules, and it was intimated that these expenses should be met from the allowance of 5 Rupees a day provided by the second clause of the same rule.

3 The Agent in his reply stated it to be his opinion that the charges objected to had been made in accordance with the principle laid down

M. G. 24 Aug 69
No 2595

in Mr. Secretary Westwood's letter of the 29th Jan. - 1st 4 24 April/68
-ary 1868. - N: 1269. -

4. The subsequent correspondence on the subject as per margin is now submitted. In my letter it was pointed out - first that the Board's interpretation of the rules would not necessarily be conclusive, as the Government had a voice in disposing of all questions relating to expenditure. In fact their order of the 24th April last on the Secretary's letter shows clearly that the Board's reasoning had not been concurred in, and that the Government entertain views regarding the ^{meaning} of the Rules, which differed essentially from those propounded by the Board. In the next place, even supposing the Board's views to be admissible, the Agent's interpretation of them is not supported by their Secretary's letter. Neither the rule nor the Board's explanations provide for the charge, under the first part of the rule, for the transport of baggage and camp equipment, but on the other hand (vide para. 2) appear to include all such charges under the 5 Rupees daily allowance of the 2nd part of the rule.

5. Again in para. 3 of the Secretary's letter it is said that "out of the allowance of 5 Rupees per day, he (the officer) would have to provide all other necessaries, or conveniences for his journey, and

Ch Account's letter
para. 4 -

"and would have to meet all expenses for food and lodgings" &c. &c. Now the Chief Accountant's "lodging" would seem to have been in a tent, and therefore the rule, as interpreted by the Board, would require him to provide the tent and to pay for its carriage out of the daily allowance. Instead of doing so it would seem that the tent was purchased out of the Company's funds, a proceeding directly opposed to the order of Government in which, after much discussion, the expenditure on a Bullock coach was passed, and in contravention of the Board's instructions, as conveyed in the last part of para. 8 of their Secretary's letter.

6. The Agent has not explained what the expenses were which the Chief Accountant had to meet from the daily allowance; although he was at the end of my letter of the 28th ultimo asked to do so.

7. I endeavoured to show also in my letter to the Agent that the Travelling allowance rules were intended to make such charges definite, and consequently to determine indisputably what any officer coming under them was entitled to draw. - The object of the rules in short was to give every officer a fair and reasonable allowance, and to leave him to carry out the details of his

his travelling arrangements according to his individual notions of comfort and convenience. The Agent's views are altogether inconsistent with that object, and in his letter he argues that whatever arrangements may be in themselves not unreasonable are provided for by the first part of Rule 59, or in other words that these charges are indefinite instead of, as the rule is worded, being strictly defined; and moreover that charges which are clearly intended to be covered by the daily allowance may properly be transferred to the other part of the rule.

8 In this office letter it was pointed out that rule 59 applied equally to the Agent, to the Chief Engineer, to the Chief Accountant and to all Executive Engineers of the first and second Classes, and this statement is in exact accordance with the provisions of the Rules which say that the first class shall comprise these officers, and then, in Rule 59, "Officers of the above described first class (A) shall be entitled to be paid 1st class". The Agent in reply says "Thus I dispute" and it is of course useless to attempt to work under rules, which the Agent is prepared to put aside on his own authority, whenever he thinks they do not accord with his own views.

9. I enclose a supplemental Contingent Bill in which the charges objected to have been shown as

as separate items, instead of, as in the original Bill, being mixed up with those provided for in the rules. The former are

	Tour in June July 1867	Tour in Jan'y February 1868
Railway fare for servants	13-10-8	13-10-8
Do for tent	16-8-	12-8-
Bullocks for tent & baggage cart	80-10-	36--
Total	112-12-8	62-2-8

The unobjectionable charges are:	Tour in June July 1867	Tour in Jan'y Feb'y 1868
The Chief Accountant's railway fare	30-6-	30-6-
Charge for conveying a bullock-coach to and from Cuddapah	30-6-	30-6-
Bullocks for coach & Masalehy from Cuddapah to Kurnool & back	92-10-	48--
Allowance of 5 Rs. per a day	150--	140--
Total	303-6-	248-12-

10 While considering that it is essential that rules should be attended to, and that they should not be altered except by competent authority, I am of opinion that Rule 59 is not well suited, as it stands, to the circumstances under which the Agent and the Chief Accountant have to travel, and I would suggest that these officers be removed from Class A, and that the rule for the Agent and Chief Accountant be, with the Board's concurrence, modified thus.

The Agent shall when travelling on duty be entitled to charge
By Railway
First class 4 annas a mile for himself and servants
Second Actual charges for baggage by goods train, within a limit of 40 mounds
Third

1. Through Actual charge for bullock coach or palanquin.
By road Actual charge for bullocks for a bullock
coach, or bearers for a palanquin. —

An allowance of 7 Rupees a day for all ex-
penses not otherwise specially provided for. —

The Chief Accountant when travelling on-
duty will be entitled to charge

By Railway. First — Three annas a mile for himself and servants.

Second — Actual charges for baggage by goods train,
within a limit of 25 mounds.

Third — Actual charge for bullock coach or
palanquin.

By road — Actual charge for bullocks for a bullock
coach, or bearers for a palanquin. —

An allowance of 5 Rupees a day for all expenses
not otherwise specially provided for. —

11. Journeys by boat, otherwise than on the Com-
pany's Canal, will be of rare occurrence, and
there does not appear to be room for a difference
of opinion as to the way in which the charge
should be made as it would be the actual charge
for a passenger boat in all cases. —

12. Should the Government consider this proposed
alteration of the rule reasonable, I would request
authority to pass the Chief Accountant's railway
charges on the revised scale. —

I have the honor to be

Yours most obediently,

Wm. Miller (Capt. H.C.)

No 90
From Pro of Govt of India
The Comr for C. & C.
To
The Secretary to Govt. of P. W.

Dated 30th November 1868
Recd. 1st Decr 1868

Encs & Returned
to the I. & C. Company. 19-1-69
Submits for the order of
Govt. Extract from Memo of
Audit on the Contingent Bill
of the Works Office for the
month of August last in which
objection was made to certain
charges which are not appear
to be covered by clause 1 of para.
5 of the Travelling allowance
rules. *See page 10*
No 36-7th Jan 1869

Consulting Engineer Office
24th

19 January 1869

My Dear Brother,

The original ~~document~~
submitted with the Consulting
Engineer's letter No 90 of the
30 November last regarding
Mr. Braham's Travelling
allowances not having
been forwarded with the
Proceedings of Government
thereon, I shall feel
much obliged if

1. 1. 6.
2. 7. 1868-1869

1036

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 7th Jan^r 1869
Read the following

From the Consulting Engineer (Here enter No 90 dated 30th November 1868)
for M.C.C.

The Correspondence
submitted with the letter
by the Consulting Engineer
for the Madras Irrigation
and Canal Company
relates to the question
as to whether certain out-
lay stated to have
been incurred by Mr. Bat-
-harn, the Chief Ac-
-countant, for the Rail-
-way fare of his servants
and family, and for the

You will kindly despatch
them to this Office
without delay, as they
are required there and then
for reference by the Comm.
Engineers.

Yours sincerely
B. C. C. S. A. M. Y.

1036
C. 9th Dec^r 1868. A. 18th No 36-7 Jan^r 1869

hire of bullocks for carts
conveying his tent &
baggage, should be
remitted to him as
a special charge under
Clause 1 of Para 59
of the Travelling allow-
-ance rules, approved
in G. O. No 2095 d/26
August 1897, in addition
to the daily allowance
drawn under the second
clause of the same para-
-graph.

Mr. Henslow is
of opinion that the charge
in question should not
be met from the daily
allowance assigned to the

17.
Chief Accountant while
employed on tours of
inspection, and he ex-
-presses that opinion by
reference to the explana-
-tions of rule 59 as given
in Mr. Secretary West-

wood's letter recorded in
G. O. of the 26. April 1898,
No 1209. Capt. Dornall,
on the other hand, reads
the rule differently, and
maintains that neither
it nor the Board's ex-
-planations would appear
to favor the view taken by
the Agent.

The Government
concur with Capt. Dornall,
and they agree with that

Officers in considering
that Mr. Howland's in-
terpretation is incon-
sistent with the limi-
tation which it was
the intention of the rule
in question to place on
claims against the Com-
pany for the travelling
expenses of its Officers

For the reasons
stated by the Consulting
Engineers, N.E. in Council
considers it expedient that
the rules for regulating
the claims of the Agent
and Chief Accountant
to travelling allowance
should be modified to

but the circumstances
under which they have
to travel, and he ac-
cordingly approves of
the alterations suggested
in Paras 10 & 11, subject
to the sanction of the Board
of Directors, and authorizes
the Consulting Engineer
pay the Chief Accountant
and Railway charges
on the revised scale



To
The Consy Engr to S.C. District the same
Manager for D. S. 1/2
Depd 8/1/69
in 21/1/69.

2.9 10002 186804-18m

Govt. of 1868 Madras.

PUBLIC WORKS.

To the Consulting Engrs.
for the Madras
Irrigation and
Canal Company

&c, &c, &c.

Dated

Recd

Enc. 1

G O, 7th Dec, 1868, No. 36.

Nos. 69-70

10th - enclosure made
in relation to the rules
regulating the business of
the Agent & the Chief
constable, Madras &c &c
& sanctioning allowance
granted.