M.R.O. 1—77,006—8-6-37.

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 2734 Press Mis.

455-56

Dated 30 : 10 1871.

Not to be folded or roughly handled

No. 455. Read the following endorsement of the Acting Chief Engineer for Irrigation, dated 30th August 1871, No. 70:—

Read the following letter from the Agent and Manager, Madras Irrigation and Canal Company, to the Acting Chief Engineer for Irrigation and Under-Secretary to Government, dated Madras, 22nd August 1871, No. 365.

GOVERNMENT, in their Order No. 2,105 of 16th August, propose the question "on what grounds do the engineers consider that they are entitled to the allow-"ance" of Rupees 5 per diem, "if it is not for the purpose of defraying the charges "for *locomotion*"?

I have the honour to reply that it is on the ground that the Company's rules, as approved by Government, distinctly *exclude* charges for locomotion and provide that the allowance of 5 Rupees per diem is *not* for the purpose of defraying the charges for *locomotion*, but "to cover all *other* expenses of every kind and description incurred whilst travelling," *other*, that is, than *locomotion*.

The rules embrace two purposes:—

(1.) *Locomotion.*

(2.) All *other* expenses.

"*Transit*" is the word used in the rules as they now stand, but *locomotion* was the word used in all the early discussions, as you will perceive if you will kindly refer to Major Mullins's letter No. 42 of 28th June 1865, in which he proposes—

(1.) Actual travelling expenses (*locomotion*).

(2.) An allowance of 5 Rupees a-day to cover *sundry* expenses, including travelling *requisites*;

and to his letter No. 86 of 28th September 1867—

"Actual travelling expenses", (*locomotion*). The word locomotion is very intelligible and expressive, and is in such general use as not to admit of being misunderstood; its universal acceptation among English people is in the sense of "*moving from place* (to place)," whether the limits of the locomotion be three miles or three hundred, whether the termini be Nungumbakum and Royapooram or Madras and Kurnool.

The rules as they now stand provide that the Company's employés are entitled to be paid—

First.—All *transit* expenses, that is, railway-fare, boat-fare, charge for *palanquin and bearers*, and transit, bullocks, *etc.*, (observe, not "transit from one station to another," but "*all* transit").

Secondly.—An allowance of Rupees 5 a-day to cover all *other* expenses, that is, expenses that are *not* transit expenses.

The word transit is shorter than the word locomotion, and therefore I imagine has been substituted for it, but surely (in its ordinary English acceptation) it means the same thing. The word *transit* is perhaps philologically less correct and expressive than *locomotion*, for its strict signification is "*he* passes through or goes over," but it is used in precisely the same manner and conveys the same meaning to me ("*Cui tantum in vitâ restet 'transire' malorum.*"—*Lucretius.* "*Casei, qui difficillime transcunt.*"—*Pliny. Transire*, to go through or pass over;) and while Venus has made it very familiar in this sense, the *form* is one which has been similarly adopted in other cases, as *obit, introit*, etc., etc.

I do therefore submit that "locomotion" and "transit" are convertible terms.

But if, as suggested in the order, "the Company's engineers are entitled to the allowance of 5 Rupees for no other purpose than that of defraying the charges for locomotion," then the rule should read thus.

The Company's employés are entitled to be paid—

First.—All *transit* expenses.

Secondly.—Rupees 5 a-day for *locomotion.*

If, instead of hiring a palanquin coach, which is clearly included both in the term "*transit,*" and in the explanatory, *etc.*, Mr. Latham had hired a palanquin and bearers, no objection could possibly have been raised; and when, during a visit of two or three weeks I paid to Kurnool in 1868, I hired bullocks for the very same purpose, Major Mullins concurred without the slightest demur in the propriety of the charge. Nor was this from any inadvertence; for, having been for a great number of years accustomed to be treated by the Government I had served with implicit confidence in such matters, and to have my personal charges defrayed without question, I was so much astonished at having a trifling hotel bill incurred by me soon after my arrival *queried* and *objected* to (it is true that a much larger sum was in spite of myself awarded to me in another *form*) that I determined never to send in a bill of *my own* without first ascertaining that I should not again be subjected to the same humiliation, and therefore I ascertained beforehand from Major Mullins what charges would pass unquestioned.

As a member for a great many years of the Queen's Civil Service in a portion of Her Majesty's dominions, replete with every facility, convenience, and comfort for travelling, and *much cheaper* than India, my *personal allowance*, whenever called upon to travel out of my district on the public service was *eighteen shillings* a-day, *besides* all transit expenses, such as coach-hire, etc., from place to place—an allowance which left a large margin after paying hotel bills, etc., for cabs, if I *required* them; but, as in Europe they were seldom needed, an officer called up to London from Portsmouth or Woolwich can easily walk backwards and forwards from his hotel, wherever it may be, to the Horse Guards or Admiralty or Ordnance; but can an officer called up from Kurnool to Madras *walk* about the country from Atkinson's Hotel to the Fort, to Government House, etc., etc. ?

Mr. Badham (to whom a reference is made in your memorandum) when called upon to travel in England in an employ very similar to that he holds here, received a *personal allowance* of ten shillings a-day *besides* ALL charges for *coach-hire, porterage, cab-fares,* and a *free pass by rail.*

But I am asked for *what purpose* are engineers entitled to the allowance of 5 Rupees a-day? The Board of Directors, in their letter of the 29th January 1868, No. 7, *clearly explained* the purpose. They said "out of the allowance of 5 *Rupees* "the officer would have to provide all OTHER *necessaries* or *conveniences* for his "journey, *and would have to meet the expenses of* FOOD and LODGINGS, etc."

An officer called away from his home has his permanent *house-rent* still going on, with all attendance and establishment for keeping his house and furniture and property safe and sound, his cook and cooking establishment. For all this he must pay *out of his salary* VERY nearly as much when absent as when at home, and

2
6

over above all this he must, while absent on *the Company's business* meet the expense of a *second* house-rent, and a *second* house establishment, a second cook and cooking establishment, and food at a much greater cost than at home, to say nothing of the innumerable small items of expenditure which travelling involves, and the extra risks leading possibly to extra medical attendance. But disregarding these minutiæ, when absent from home he must as one item alone pay at an hotel for his *second* system of shelter and food-supply, 5, 6, or 7 Rupees (more, that is, than the *whole* of his allowance). It is clearly unreasonable to expect him to meet *besides* this outlay the expenses of *locomotion*, which, under the name of *transit*, are *provided for* and pledged to him separately and otherwise.

The Company has no right, nor does it wish to make its employés pay out of their own pockets for the Company's work, and whenever an employé is called upon to expend money for the Company's benefit, it wishes that that money should be repaid to the employé.

I beg therefore to submit that the allowance of 5 Rupees a-day is "NOT for the purpose of defraying the charges for *locomotion,*" and was never *intended* to defray such charges; that the Government have solemnly proclaimed by their orders *that it is not*; and that Major Mullins read the rules in that sense, and established the precedent, therefore I submit that Mr. Latham *was*, on the occasion in question, entitled to *all transit* (*or locomotion*) expenses including the hire of a palanquin and bearers, or a palanquin coach and horse *besides*, and altogether exclusive of his *subsistence* allowance of 5 *Rupees.*

The order speaks of "*engineers*" who have a liberal tentage allowance; but the ruling will unfortunately govern the cases of *other* officers who have none, and who, under all the restrictions placed upon the Board's rules (at variance with the Board's intentions) cannot travel upon the Company's business without expending their private means.

SUBMITTED to Government.

It will be seen that the Agent of the Company reopens the question of the charge made by the Chief Engineer for the hire of a carriage whilst he was in Madras from the 11th to the 19th May 1871, which claim was decided against in G. O. No. 2,105 of the 16th instant.

2. I am still of opinion that it was not contemplated, when the Travelling Allowance Rules of the Company were made, that charges for locomotion of the kind under consideration should be made. If the question arises, how is the officer to perform the limited amount of movement required in the vicinity of his station to carry on his duties? The answer is, that all such journeys should be performed with the aid of the field-equipment, for the up-keep of which the engineers receive monthly allowances, amounting, in the case of the Chief Engineer, to Rupees 200 per month, and which is estimated to include the hire or up-keep of horses and bullock-bandies.

3. There is one plea which may be advanced in support of the charge for carriage-hire in the case under review, and it is this: the Chief Engineer merely paying a visit of a few days in Madras, it was not worthwhile to bring down the means of conveyance he may have at Kurnool. The cost of doing so would exceed

the bill for carriage-hire; but the expense of keeping up this equipment could not be discontinued, therefore it may be urged that it would be equitable to pass the charge made. In this form the claim might be one for special consideration and sanction, but not as covered by the rules in force.

(Signed) A. DeC. SCOTT, Captain, R.E.,
for *Acting Chief Engineer for Irrigation.*

No. 456. ORDER THEREON, 30th October 1871, No. 2,734.

IRRIGATION, No. 25.

In the above letter the Agent, Madras Irrigation and Canal Company, renews his application for sanction to a charge of 3 Rupees a-day being passed to the Chief Engineer of the Company on account of carriage-hire while on duty at Madras, in addition to travelling allowance of 5 Rupees. Mr. Latham was at the time in receipt of a field allowance of 200 Rupees a-month, for the purpose of maintaining at all times a proper field or camp-equipage, or means of movement, and the travelling allowance of 5 Rupees a-day under Clause 2, paragraph 59 of the rules, approved in G. O., 24th August 1867, No. 2,595, had already been passed to him.

2. The Government regret that they cannot concur in Mr. Henslowe's views; for it is clear from paragraph 5 of the Consulting Engineer's letter recorded in G. O. No. 3,103, dated 7th October 1867, that the daily allowance of 5 Rupees was intended to cover every thing except railway charges, cost of postal bullocks or bearers. The Government accepted that view, and on a full consideration of the views of the Board of Directors which Mr. Henslowe now reiterates they saw no reason to modify their opinions and orders, dated 24th April 1868, No. 1,269.

3. On the grounds adduced in the last paragraph of Captain Scott's covering note, the Government would have been prepared to admit Mr. Latham's claim to carriage-hire; but it is observed that by Clause 67 of the General Travelling Allowance Rules the Company's Chief Engineer is only entitled to daily travelling allowance of 5 Rupees when he travels more than 15 miles in the day, and that beyond the limits of the Company's works. Mr. Latham cannot under the rules be held entitled to the allowance of 5 Rupees a-day while residing at Madras; but as the amount had been passed by the Examiner, the Government will not disturb the decision on the present occasion. They must, however, decline sanctioning the carriage-hire, which is claimed by Mr. Latham in addition.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Chief Engineer for Irrigation,
" Agent and Manager of the Madras Irrigation and Canal Company.
Exd. F. R. Bantleman.

No. 70

Letter from Agent and Manager Madras Irrigation and Canal Company No. 365 dated 22nd August 1871.

Submitted to Government.

1. It will be seen that the Agent of the Company reopens the question of the charge made by the Chief Engineer for the hire of a carriage whilst he was in Madras from the 11th to the 19th May 1871 which claim was decided against in G.O. No. 2105 of the 16th instant

2. I am still of opinion that it was not contemplated when the travelling allowance rules of the Company were made that charges for locomotion of the kind under consideration should be made. If the question arises, how is the officer to perform the limited amount of movement required in the vicinity of his station to carry on his duties. The answer is, that all such journeys should be performed with the

and

aid of the field equipment for the up keep of which the Engineers receive monthly allowances, amounting in the case of the Chief Engineer to Rs. 200 per month and which is estimated to include the hire & up keep of horses and bullock handies.

3. There is one plea which was advanced in support of the charge for Carriage hire in the case under review, and it is this: The Chief Engineer merely paying a visit of a few days in Madras it was not worth while to bring down the means of conveyance he may have at Kurnool. The cost of doing so would exceed the bill for Carriage hire. But the expense of keeping up this equipment could not be discontinued, therefore it may be urged that it would be equitable to pass the charge made. In this form the claim might be one for special Consideration and Sanction but not as covered by the rules in force.

Office of the Ch: Engr. for Irri & Joint Secy to Govt. Fort St. George. 30th Augt 71.

Adel. Smith
Capt R.E.
Chief Engr. for Irri & Joint Secy to Govt.

Copied WSM

To The Secretary to Government P.W. Department.

4
0

Public Works Dept
No 2734
Proceedings of the Madras Government
Read the following

From The Secy: Chief Engineer for Irrigation
} H. C. No 70 dated 30th August 1871

In the above letter, the Agent Madras Irrigation and Canal Company renews his application for sanction to a charge of Rs. 3 a day being passed to the Chief Engineer of the Company on account of carriage hire while on duty at Madras in addition to travelling allowance of 5 Rupees - &c.

I wish the whole question respecting the rates charged by this Company in 1867 & 1868.

A. J. A.
S. D.

P. W. Dept
No 1871
No 7 C. Irrigation Dept.

No 4124

From The Acting Chief Engr. for Irrigation & Joint Secy to Govt.

To The Secy to Government P. W. Dept.

Dated 30th August 71
Read 1st Sept 71

Enclosure one. No 2734 - 30 Aug 71
Submits letter from the Agent M. I & C Co. on the subject of the charge made by the Chief Engineer for the hire of a carriage while he was in Madras from the 11th to 19th May 1871

No 455
Rec'd 1 Sept 71

Latham was at the time in receipt of a field allowance of Rs. 200 a month for the purpose of maintaining at all times a proper field or camp equipage or means of movement and the travelling allowance of Rs. 5 a day under Clause 12 para 5 of the rules approved in G.O 24th August 1867. 259 that already been passed to him.

The Government is quite that they cannot concur in Mr. Henslowes views; for it is clear from para 5 of the Consulting Engineers letter recorded in G.O 3103 dated 7th Octr. 1867 that the daily allowance of Rs. 5 was intended to cover everything except Railway charges cost of hooted bullocks or bearers. The Govt accepted that view, and on a full consideration of the views of the Board of Directors which Mr. Henslowe now

reiterates they saw

no reason to modify
their opinions and orders
G.O. No. 1269 dated
24th April 1868.

3. On the grounds adduced in the last para of Captain Scott's covering Note the Govt. would have been prepared to admit Mr. Latham's Claim to carriage hire but *

* It is further observed that by Clause 67 of the General Travelling allowance Rules the Company's Chief Engr. is only entitled to the daily travelling allowance of Rs. 5 when he travels more than 15 miles in the day and that beyond the limits of the Company's works but as the amount had been

Mr. Latham cannot under the rules be held entitled to the allowance of 5 Rs. a day while residing at Madras

been passed by the Examiner, the Govt. will not disturb the decision on the present occasion — They must however decline sanctioning the Carriage hire which is claimed by Mr. Latham in addition —

28th Sept.

To the Chief Engr. for Info:
Agent & Manager & Co.
Dept 11/9/71

C. No. 4114.

Govt. of {1871} Madras.

PUBLIC WORKS.

To The Chief Engr. for Irrigation

Dated

Read. Encl. 1

G. O. 30th April, No. 2734

Nos 45. 156

Mr. Latham Chief Engr. Irrigation

J. C. Campbell - Declining

~~grant~~ ~~and to enquire~~ the

carriage hire claimed ~~by~~

him on duty at Madras

& additional travelling

allowance.