M.R.O. 1—77,006—3-6-37.

(1) Number of pages _____

(2) Date of repair 1 - 5 - 41

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 88 Press —Mis.—

177-78

Dated 12 - 1 1871.

Not to be folded or roughly handled

GB

Proceedings of the Madras Government, Public Works Department, 12th January 1871.

No. 177. Read the following paper from the Controller of Public Works Accounts:—

Explaining the proceedings of this office with reference to the disallowance of Captain Montgomerie's travelling allowance. } (Here enter No. 2,126, dated 5th January 1871.)

No. 178. ORDER THEREON, 12th January 1871, No. 88.

ESTABLISHMENT, No. 19.

His Excellency the Governor in Council has given his careful consideration to the papers above recorded, and is of opinion that the decision of the Controller of Public Works Accounts on the claims submitted by Major Montgomerie is correct.

2. The Government consider that the remarks embodied in the Memorandum of the Controller, No. 421, are open to objection, as they seem to convey a general reflection upon the conduct of an Officer in Her Majesty's service, and not to deal exclusively with specific facts.

3. Having in view the rules specially laid down by the Government of India for the audit of travelling allowances to members of the Engineer Establishment, the Controller is authorized to pass such portions of the claims submitted by Major Montgomerie as may not be opposed to those regulations; but communicating with the Accountant-General of the Public Works Department, he will, with reference to the rule quoted in the last paragraph of his Endorsement, No. 2,126, dated 5th instant, apply, for his future guidance, for an authoritative decision on the manner in which cases such as those now under notice should be disposed of.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Superintending Engineer, 6th Division.
" Controller of Public Works Accounts, with six enclosures.

Exd. E. C. Shunker.

No. 287. Read the following letter from the Acting Superintending Engineer, 5th Division, to the Secretary to Government, Public Works Department dated Cuddalore, 9th May 1870, No. 37:—

I HAVE the honour to call the attention of Government to the peculiar ruling of travelling allowances for the Engineer Department as per section 3, circulated with G. O., No. 1,224, dated 14th April 1869.

2. By clauses 9 and 10 it would appear that an officer, either joining the department for the first time or transferred from one station to another, is allowed 8 annas a mile as travelling allowance, whereas an officer returning to this country without any substantive appointment is not allowed to draw any travelling allowance whatever in joining the appointment which he may be ordered to take up.

3. Surely this is an anomaly.

4. Travelling allowances are, it it presumed, allowed to officers avowedly to indemnify them, in a measure, from the extraordinary expenses to which they are subjected *en route*, and which otherwise would press heavily on them. Now, on whom do these fall heavier? Scarcely on the man who has his tents and baggage all ready for the march on his transfer from one district to another, but on him who, lately arrived from home, finds himself reduced to bare Military allowances for the period, more or less extended, during which he has to wait for an appointment, and saddled, moreover, with the necessary expenses attending the purchase of what in any other country would be considered a most outrageous, if not impossible, kit.

5. I speak feelingly on this point, for it appears to me especially hard that, after the great expenses I have had to incur in taking up this appointment, I find that by the existing Regulations even the small indemnification of travelling allowance is withheld from me.

6. I trust, however, that although I may not personally benefit from the change, a more liberal interpretation of the rules will be conceded by Government.

No. 288. ORDER THEREON, 18th May 1870, No. 1,281.

ESTABLISHMENT, No. 19.

As the rules which regulate the the grant of travelling allowances have been laid down by the Government of India, this Government are not in a position to make any modifications.

(True Extract.)

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

Secretary to Government.

To the Superintending Engineer, 5th Division.

Exd. S. T. Augustin.

No: 421.

Office of the Controller of
Public Works Accounts.
Madras, the 4th December 87

Memo:

The undersigned has the honour
to invite the attention of the
Superintending Engineer of the
6th Division to the circumstance
that of the period (20 days) for
which travelling allowance is
claimed for November 1870 by
Captain Montgomerie, that
officer was either at, or
returning to, Head Quarters
on 9 days, and was only
10 miles or less from Fixed
Station on 7 others. Bearing
this in mind, and seeing
that on the 10 days for which
no travelling allowance is
claimed Captain Montgomerie
was at Gantur, the Controller

4

× 4th 12th 19th 20th
26th 27th 28th 29th
30th.

⊗ 9 10th 11th 18th
23d 24th 25th

Jem 5th 6th
and 13th to 17th

is of opinion that the marches actually made by that Officer in November do not entitle him, under the Spirit of the rules, to the full Ration of his grade. This is, by no means, the first occasion on which Captain Montgomerie's claims have attracted the attention of this Office, and the Controller will feel himself precluded hereafter from passing Bills for Travelling allowance unless the Journeys made are such as under the maintenance of Civil, Marching Establishments, &c., absolutely necessary.

I have &c.

Lt. Col. C.

I have &c.

S. Thos.

Controller of H.M. Accts.

7c

Signed J. Mills

for Controller of H.M. Accts.

To The Superintending Engineer

&c &c &c

Copy to the Executive Engineer

in charge of the Sanitary Works

Sanitary Works.

True Copy

S. Thos.

Controller of H.M. Accts.

No 508.

Executive Engineers' Office
No 1 Munro Square.
20th December 1870.

Q 12

Major Boxtorin R. Armstrong M.C.
Executive Engineer Sorapore.

Captain R. H. Cooke M.C.
Superintending Engineer
6th Division

Sir,

With reference to the Postal Contract's Letter No 421, dated 6th inst. addressed to the Government, I have the honor to forward herewith, the following Extract from the Proceedings of the Municipal Commissioners of this Office, and to request that you will be good enough to move the Government to allow the Contractor under the provisions of the Municipal Act to erect a Latrine for travelling Gentlemen at the Municipal Office, and to grant the necessary sanction for the same.

I have &c

Boxtorin R. Armstrong
Executive Engineer

Enclosure in an Endorsement from the Controller of P. Works, to the Secretary to Govern. ment, P. W. D., dated 5th January 1871, No 2126

P W 43/71

his Memo and to apologise, or to submit the matter to Government.

The Deputy Controller appears to consider that in passing my travelling allowance for November he has, as it were, conferred a favor upon me and has stretched a point in so doing, for he says- "The Controller is of opinion that the marches actually made by that Officer in November do not entitle him under the spirit of the rules, to the full tantage of his grade." I am not aware that Government have anywhere granted the Controller discretion in such matters; certain rules are laid down for the Controller's guidance in passing travelling allowances, and if allowances are claimed contrary to those rules or which he conceives to be contrary to them, it is his duty to disallow the allowances claimed and an appeal can then be made to Government if the claimant is dissatisfied with the Controller's

11a

decision.

With regard to the travelling allowances claimed for November I have only to observe that my proceedings were disarranged owing to your summons to meet you at Sungeputty, hence my return to Sanjore on the 19th after leaving it on the 18th.

Sanjore as you are aware is very centrally situated and hence the Range Officer must frequently pass through it in visiting the different portions of his Range and as I am obliged to maintain Bandies and keep up my marching Establishment permanently, my expenses are precisely the same whether I am at Sanjore or in the remoter parts of the Range.

I beg to enclose a copy of my Inspection Report for the month in question with the Certificate attached to it which was signed by me.

I have, &c.,

Jos. P. Montgomerie, Capt. M.E.
Executive Engineer.

No 834.

Forwarded to the Controller of W.W. Accounts, as the Superintending Engineer is of opinion that the Deputy Controller's observations do reflect upon Captain Montgomerie's proceedings and that he has exceeded his province in making those observations, though the Superintending Engineer has but little doubt that the Deputy Controller in making his observations did not consider their purport or intent to reflect upon Captain Montgomerie's proceedings.

Superintending Engineer's Office 6th Division Sangor, 20th December 1870.

Lt H. F. Oakes Exp Lt. Superintending Engineer 6th Division.

No 2126

Submitted for the consideration and orders of Government

Government, with a copy of the Memo to which exception is taken.

2. The following is an abstract of Captain Montgomerie's movements during the past five months, and of his claims to travelling allowance for that period:-

Months.	At Head Quarters.	Marching into Head Quarters.	Not exceeding 10 miles from Head Quarters	Beyond 10 miles from Head Quarters.	Number of days for which travelling allowance was claimed.
July 1870.	21	2	3	5	14
August "	16	3	6	6	23
September "	16	4	5	5	x30
October "	19	3	5	4	x21
November "	16	3	7	4	20
Total	88	15	26	24	108

3. The Memo No 421, dated 14th December 1870, was drafted by myself, and simply signed for me by Lt Wills during my

absence on Tripetty or inspection duties on the 14th instant, and Government will observe, on reference to the statement appended to the preceding paragraph, that the particulars embodied therein fully support the remarks of this Office on Captain Montgomerie's claims.

4. Of the 153 days comprised in the period 5 months, Captain Montgomerie was either on, or marching into, Head Quarters on no less than 103 days. On 36 other days he was within 10 miles from the said station, and the period during which he marched, or was encamped, beyond that limit did not exceed 24 days. Notwithstanding all this, claims to 108 days travelling allowance were made, and on three of these days, mileage was passed for 102 miles.

5. My attention has more

than once been called to the heavy charge appearing in the Public Works Accounts under "Travelling Allowance", and if this Office, in disposing of claims to tentage and mileage, is to be guided by the spirit, rather than the letter of the rules, I respectfully submit that it would be well if, once for all, this were distinctly notified to the Department. In the audit of claims to travelling allowance, I have a difficult and delicate duty to perform, and if, when acting in good faith, and on public grounds, the observations of this Office are to be regarded as personal, and be commented upon in the manner in which Captain Montgomerie supported to some extent by the superintending Engineer of the 6th Division, has thought fit to do in the present occasion, it is not likely either that the interests of the public service will be furthered,

his Memo and to apologise, or to submit the matter to Government.

The Deputy Controller appears to consider that in passing my travelling allowance for November he has, as it were, conferred a favor upon me and has stretched a point in so doing, for he says- "The Controller is of opinion that the marches actually made by that Officer in November do not entitle him under the spirit of the rules, to the full tantage of his grade". I am not aware that Government have any where granted the Controller discretion in such matters; certain rules are laid down for the Controller's guidance in passing travelling allowances, and if allowances are claimed contrary to those rules or which he conceives to be contrary to them, it is his duty to disallow the allowances claimed and an appeal can then be made to Government if the claimant is dissatisfied with the Controller's

11a

decision.

With regard to the travelling allowances claimed for November I have only to observe that my proceedings were disarranged owing to your summons to meet you at Singapatty, hence my return to Tongoo on the 19th instead of on the 18th.

Tongoo as you are aware is very centrally situated and hence the Range Officer must frequently pass through it in visiting the different portions of his Range and as I am obliged to maintain Bungalows and Mess up my marching Establishment permanently, my expenses are precisely the same whether I am at Tongoo or in the remoter parts of the Range.

I beg to enclose a copy of my Inspection Report for the month in question with the Certificate attached to it which was signed by me.

I have, &c.,

(Sd) P. Montgomerie, Capt. R.E.
Executive Engineer.

or that that harmonious feeling, which is so necessary, and which I have always endeavoured to promote, will be maintained between the Executive and Accounts Branches of the Public Works Department. In order to satisfy the Government that the utmost care is taken in the disposal of all travelling allowance bills submitted to this Office, I need not do more than state that, prior to when I first joined this Office that retrenchment of Establishment was so sore point with the Officers of the Department, I arranged for their bills being minutely audited by myself or my Deputy, and no objection to a claim is taken, unless it is ordered or approved of by myself on grounds which, up to this time, have been supported.

6. It is a comparatively easy matter to audit claims to travelling allowance in accordance with the letter of the rules, and so long as this was done after the primary examination of the bills, and on the Certificates granted by the Superintending Engineers, no exception was taken to the allowances passed by this Office, but when claims to tentage and mileage have to be tested by the spirit of the travelling allowance regulations, which I understand the Government desire me to have in view, the case becomes altogether different, and numerous objections are raised to the non admission of claims which, having been passed by Superintending Engineers, are disallowed by this Office. In illustration of my remarks, I beg to adduce the following case:-

A claims travelling allowance for an entire month, and the claim, which is within the letter of the rules, is supported by

the Superintending Engineer. On examination of the Inspection Report, this Office finds that A was no less than 18 days either at, or marching into, Head Quarters, 6 days within 10 miles, and on 6 other days at distances ranging from 11 to 18 miles. This Office holds that if A's duties do not require longer journeys and more protracted absence from Fixed Station, the necessity for maintaining Carriage and an expensive marching Establishment is not demonstrated, and accordingly withholds travelling allowance. It now rests with Government to determine whether, under such circumstances; or in a case similar to the above, the action of this Office in disallowing the claim would be justifiable.

In some Divisions claims to mileage for journeys exceeding 20 miles per diem are both frequent and heavy, while,

in others, they are rarely made. In all cases in which this special allowance is claimed, the Superintending Engineer certifies to the journeys made having been undertaken with his approval, and accordingly supports the claims. I have thus no alternative but to admit the charges, but if Government intend the grant of mileage as an exceptional allowance, to be restricted, and will be pleased to state specifically under what conditions it should be passed, this Office will be prepared to give effect to any orders that may be issued for its guidance. I have not lost sight of the orders communicated in

No. 3679,	dated 5th	December	1865.	Proceedings as per margin, but as the certificates in support of mileage do not shew the object for which each journey was undertaken, or explain the emergency of the case, no effective
37,	"	5th	January	1866.
158,	"	12th	"	"
339,	"	29th	"	"
437,	"	5th	February	"
944,	"	23rd	March	"

control can be exercised by this Office. The following statement will shew the sums passed as mileage, on occasions other than transfer, in the several Divisions of this Presidency during the first six months of the current official year, and as the details entered in the Table demonstrate with sufficient clearness the practical application of the rules regarding mileage by the several Superintending Engineers, no observations from me appear to be necessary:—

Divisions	Superintending Engineers.	Executive Engineers.	Assistant Engineers	Total.
1st "	669	552	917	2,138
2nd "	177	80	11	268
3rd "	33	130	62	225
4th "	40	"	43	83
5th "	615	91	57	763
6th "	18	85	"	103
7th "	544	655	332	1,531
8th "	182	"	60	242
Total	2,278	1,593	1,482	5,353

Re

8. In conclusion I beg to subjoin for ready reference a copy of the rule laid down for the guidance of Controllers in the disposal of bills for travelling allowance charges.

Chapter XX, Section II, Paras 10, of the Government of India Code.

"In the audit of travelling allow-
"ance charges, it will be the duty of
"the Controller to refer to the Local
"Government or Administration all
"items which appear to him to be
"questionable, even although they
"may be supported by the necessary
"Certificates. In short, his audit is
"intended to test the propriety of the
"charges, and not merely to ascertain
"that the prescribed forms are
"followed."

Office of the Controller of Public Works Accounts.
Madras, 5th January 1871.

S. Thoroll
Controller of Public Works Accounts.

To
The Secretary to Government
Public Works Department.
Fort St. George.

Tr. A.L.

E W 1871 Dec 31

Ord: & Gov for January

No 43

From The Controller of Public Works Accounts. Madras.

To The Secretary to Government. Public Works Department. Fort St George.

Dated 5th Jan 1871.

Rec'd 6th Do.

Encloses C.

1-E-Pkt

No 2126

Explaining the proceedings of this Office with reference to the disallowances of Captain Montgomerie's travelling allowances.

No 88 - 12 Jan 71.

No 177

Proceedings of the Madras [illegible]

Read the following [illegible]

From the Comptroller of Public Works No. 2126 of 5 Jan 71

Explaining the Proceedings of this Office with reference to the disallowances of Captain Montgomerie's travelling allowances

Captain Montgomerie
Asst Commy Genl
Lt R Piggott
Major Oberg
Cor Lyon

His Excellency the Governor in Council has given his careful consideration to the [illegible] above recorded and is of opinion that the [illegible] of the Controller of Public Works Accounts on the claims submitted by [illegible] are borne out by the circumstances [illegible]

~~The Secretary~~

~~The Controller~~

~~Memo No. 421 dated~~
~~14th Decr 1870 to the~~
~~address of the Supg:~~
~~Engr: of the 6th~~ Div
is unobjectionable, and
there is nothing in it
to justify the censure
~~dictated by~~ Captain
Montgomerie who ought
not to have assumed
that it conveyed any
reflections ~~of his~~ on his
~~conduct~~ or on the
manner in which he
performed ~~his~~ duties.

The Government
observe with regret the tone
of ~~Memorial~~ irritation

The Govt. considers that
the remarks ~~of~~ contained
in the Memo of the Controller
No. 421. are perfectly appropriate
as they limit themselves to
a general reflection upon the
conduct of an officer
in the Engineer line
and not to dealing
exclusively with
Shergotty facts.

[illegible]

[illegible]

[illegible]

Letters marginally
C. Maps handsomely
noted above, as may
not be observed to those
regulations, but Comm.
Comptroller will,
the present Code, forward
Chelsea the Accountant
General of the Public
Works Department, the
to will, with reference to the
rule noted in the last
Para of his Order No. 226 dated this
th day of his future
regulations, for an authoritative
decision from time to time
in which cases such
those now under notice
should be disposed of

Chelsea 13.1.71

25/3

S. Engr. a Dir
Ass Engr
Constable
Comptroller

Govt of 1871 Madras.

PUBLIC WORKS.

To The Superintending Engr
6th Division

Dated

Rend. No 1

C. C. 12 Sept. No. 88.

Nos. 177 & 178

Travelling Allowance Asking
leave on certificate from the
Medical Officer &c. &c. &c &
claims the circumstances
under which Capt. Montgomerie
claims Travelling Allowances
were disallowed.