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MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No.	2749	Press
B.P. No.		Mis.
Dated	13 - 10	4876
		—195—

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
13th October 1876. No. 2,749.*

No. 197. Read the following letter from Captain L. CONWAY-GORDON, R.E., Examiner of Public Works Accounts, to Major-General G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Fort St. George, 29th September 1876, No. 245 W. :—

I HAVE the honor to acknowledge the receipt of the Proceedings of Government, No. 2,317, dated 31st August 1876, and with reference thereto to respectfully remind Government that the clause of the Public Works Code therein referred to was cancelled by the issue of the Civil Leave Code, *vide* Section 27, paragraph 7. . This point was specifically brought to the notice of the Accounts Branch of the Public Works Department by a letter from the Government of India, No. 1,348 E.G., dated 30th August 1875.

2. Under the circumstances therefore, it would appear that the grant of travelling allowance to Major Wood on joining his appointment after furlough was beyond the scope of the Travelling Allowance Rules, and, under recent orders, it would further appear to require the special sanction of the Government of India.

No. 198. ORDER THEREON, 13th October 1876, No. 2,749.

ESTABLISHMENT No. 18.

It does not appear that the provisions of Chapter XII, Section 27, paragraph 7, of the Civil Leave Code, though promulgated on 1st December 1873, were applied by the Government of India in the Public Works Department to Officers of that Department till the 30th August 1875, when copy of a Standing Order was sent to the Accountant-General, Public Works Department, as one which it was intended to embody in the Revised Public Works Code which has not yet been issued. Under these circumstances, the modification of the last clause of Rule IX of Section III of the Travelling Allowance Rules, Public Works Department, will not be held to have had effect till the present date.

(True Extract.)

Major-General, R.E.,
Secretary to Government.

To the Examiner of Public Works Accounts.

Exd. E. C. Shunker.

Spare Copies

Extract from the Civil Service
Code, Chapter XX Section 27,
par. 7.

Change of
appointment
during furlough.

"If the appointment of an
officer is changed during furlough
or special leave out of India,
or upon his reporting his return,
he must join his new appoint-
ment within the Subsidiary
leave allowed him. Nothing
in excess of the allowances
admissible for subsidiary leave,
can be paid him until he
joins his new office."

3

Pensions and Gratitudes
1st December 1873.

No 3448 A second authorized edition of the Codes of this Department, corrected to the 1st December 1873 has now been published.

In this edition no changes other than verbal or unimportant alterations are made that have not been separately notified. From this date all previous rules and orders are superseded, and the second edition of the Codes only should be quoted.

7

THEIR NOTICE THAT THEIR ORDERS
WERE OPPOSED TO THE ORDERS IN THE
FINL. DEPT., AND THE STANDING ORDER
REFERRED TO WAS CONSEQUENTLY IS-
SUE. THIS CAN EASILY BE SEEN
FROM THE PAPERS THEMSELVES, AS THE
STANDING ORDER SIMPLY FOLLOWS THE
EXACT WORDING OF THE CIVIL LEAVE
CODE.

5. THE STANDING ORDER WAS
PROBABLY ISSUED TO EXAMINERS ONLY,
AS IT WAS REQUIRED ONLY AS A RE-
MINDER: IT WAS UNNECESSARY TO RE-
PEAT TO THE MALRAS GOVT. WHAT WAS
ALREADY BEEN NOTIFIED IN FINL.
RESOLUTION BY THE GOVT. OF INDIA
OF THE 1ST DECEMBER, 1973.

6. THE ROLL IN THE I. R. CODE
REFERRED TO, THEREFORE, HAS BEEN
BOTH GENERALLY AND SPECIFICALLY
CANCELLED: IT DOES NOT HOLD GOOD.

7. I AM GLAD TO SEE THAT -
THIS MATTER HAS BEEN OFFICIALLY
REPEATED IN G.O. NO. 2,317 DATED
31-8-76, WHICH WILL NECESSITATE
BY POINTING IT OUT TO GOVT. OFFI-
CIALS.

5-8-76.

dlf

TO W.

THE VIEW TAKEN BY THE CHIEF
ENGINEER, I THINK, FAIRLY TENABLE,
EVEN FROM THE LETTER OF THE GOVT.
OF INDIA.

2. IN THE FIRST PLACE, THE
LETTER FROM INDIA FOR A GOOD
REASON WOULD NOT BE REPORT AN
INTENTION TO EMPLY IN THE REVI-
SIL CODE A STANDING ORDER IN LIEU
OF THE LAST CLAUSE OF RULE IX.

IT FORMERLY A STANDING ORDER
TO THE AGENT, CIVIL P. S. DEPT. FOR
INFORMATION, AND FOR COMMUNICATION
TO THE EXAMINER OF P. S. DEPT.
FOR GUIDANCE, AND A STANDING ORDER
TOO, WHICH IS APPLICABLE TO MAHARAS
AND BOMBAY.

3. NOT IN RESPECTIVE OF THIS
LETTER, THE CHIEF ENGINEER IS EVI-
DENTLY UNAWARE THAT THIS RULE IX
WAS CANCELLED LONG BEFORE BY THE
ISSUE OF THE CIVIL LEAVE CODE;
VIZ SECT. 27, PARA. 7 AND 8. A CODE
WHICH OVERRULES THE P. S. CODE.

4. AFTER ISSUE OF THE CIVIL
LEAVE CODE THE GOVT. OF INDIA IN
THE P. S. DEPT. HAD IT BROUGHT TO

in lieu of the last
clause of Rule IX.
I mean to state that
last clause holds
good -

G.M.
22.9.

If trave? expenses are to be paid
from Madras: why not those
from Bombay or from England?

It is to prevent Officers being
put to unnecessary expense. On
this account, that the rules
contained in the P.W. Code IV.1.17
were issued. But though printed
on each Last Pay Cert., I do not
think they are generally observed
in this Presidency.

Life
5/9

I dissent to the State-
ment made in para.
5. of the above Office
Note. Letter No. 1328
of 30th Aug. 1875 to the
Resident P.W. D. has
been supplied on the
authority of that
statement. It merely
reports an intention
to be embodied
in the Revised
& Amending Code

an exceptional one, and as
already explained in a separate
letter to Govt, his claims to Trav.
Allow. were framed on the distinct
understanding that it was a
new appointment -

5. Para II referred to was
specifically cancelled by the Govt
of India in August, 1875, and
a revised clause substituted -

No technical objection exists
in Mr. Lyall's case; the claim is
entirely opposed both to the letter &
to the spirit of the rules. The principle
seems to be that if any Officer
leaves his work to go home or
abroad, he is bound to defray
himself all expenses incurred between
leaving his work, and taking it
up again - Govt do not pay his
expenses from his work to the port
of embarkation; why then from the
port of embarkation to his work.

C. No. 6517
 GOVT. OF MADRAS. } 1876. } P. W. DEPT.
 EXAMINER, P. W. ACCOUNTS.
 Madras, August 5th 1876.
 OFFICE NOTE.

To

Mr.

I can myself see no difference between the case of Mr. Lyon & Col. Oakes, but in the case of Col. Oakes, no travelling allowance was ever claimed -

Major head was placed on duty at the Presidency, and consequently he was entitled to travelling allow^{ce} on his transfer to a new app't; but even in his case I do not see that trav^l allow^{ce} was ever claimed -

Claims submitted by Major Kerlie & Messrs. Paynter & Stratton for trav^l allow^{ce} on their return from Furlong were disallowed -

X. The case of Major Wood was

No. 1348 - S. G. dated 30th August 1875

From The Under Secy to the Govt. of India F.W.D.
 To The Accountant Genl. F.W.D.

Sir I am directed to forward, for your information and for communication to Controllers of P.W. Accounts for guidance, copies of two standing orders which it is intended to embody in the revised P.W. Code, relative to travelling allowances of Officers and other subordinates transferred from one appointment to another while on leave -

Hos A B Sampson
 Under Secy to the Govt. of India F.W.D.

KEEP-WITH.

Genl. No.

dated

187

Travelling allowances of an Officer transferred from one appointment to another while on leave.

R. H. Code, Chapter IV, Section III, Para 1.

Omit the ^{last} clause in Rule IX and substitute the following:-

If the appointment of an officer is changed during furlough or special leave out of India, or upon his re-posting his return, he must join his new appointment within the subsidiary leave allowed him. Nothing in excess of the allowances admissible for subsidiary leave can be passed to him until he joins his new office. If the appointment of an officer is changed during furlough or special leave in India, he

he must join his new appointment
within the leave, with the exception
that the local Govt or Administration
now may allow him joining time
if he have not had sufficient notice
of the change.

(This order is applicable to Madras
and Bombay.)

Wks. Form No. 1.]

No. 245/77.

From

THE CONTROLLER,
PUBLIC WORKS ACCOUNTS,

To

The Secretary to Government
Public Works Department
FORT SAINT GEORGE, 29th September 1876.

Sir,

I have the honor to acknowledge
the receipt of the Proceedings of Government
of 23rd dated 21st August 1876, and with
reference thereto to respectfully remind Govern-
ment that the clause of the Public Works
Code therein referred to was cancelled by the
issue of the Civil Leave Code. vide Section 27
thereof. This point was specifically brought
to the notice of the Accounts Branch of the
Public Works Department by a letter from
the Government of India of 13th 5th 76.
dated 25th August 1875.

Under the circumstances therefore,
it would appear that the grant of Travelling
Allowance to Major Woodman during his
absence after furlough was beyond the
scope of the Travelling Allowance rules and
under recent orders, it would further appear
to require the special sanction of the Govern-
ment of India.

I have the honor to be
Sir,

Your most Obedt. Servant.

Lowry-Jordan.

Comptroller P. W. Accounts

29-9-75 No 2810
 " 1-7-76 " 1665
 " 17-7-76 " 1791
 " 21-7-76 " 1856
 " 5-8-76 " 29
 " 31-8-76 " 2317

Extract from the Civil Leave Code.
 Chap: III, Sec: 2, Para 7

P.W.D.
 30 SEP 76
 No 7194

From
 The Examiner,
 P.W. Accounts

To
 The Secretary to Govt
 P.W. Department.

Dated 29th September 1876
 Recd.

No 245-W.

Major Wood. R.E.—
 - Resolving Government
 that the clause of the P.W. Code
 referred to in G.O. No 2317
 of 31st August 1876 was
 cancelled by the issue of
 the Civil Leave Code
 relating to the Travelling
 allowances of —

No 197
 Cii-11-10-76 Recd 13-10-76
 Despatched 2-10-76

No 2749

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 13th Oct 76.
 Read the following:—

From
 The Exr of P.W. Accounts (H.E. No 245-W of 29th Sept 76)

It does not appear
 that the provisions of
 Chapter III Section 27
 para 7 of the Civil
 Leave Code though pro-
 mulgated on 1st December
 1873, were applied by the
 Govt of India in the
 Public Works Dept. to
 officers of that Dept.
 till the 30th August
 1875 when copy of a Stand-
 ing Order was sent to the
 Accountant General
 Public Works Dept., as

one

7027 CH.

Govt. of 1876 Madras.

PUBLIC WORKS.

To The Examiner of P. W. A.

Dated

Issued

Recd.

Encl.

G. O., 13th Feb 1876, No. 2749

Nos.

Major Nood. RS

Passing orders on letter
from the Examiner of P. W.
Accounts regarding the
granting Travelling Allowance
to _____ in
joining his appointment
after long leave _____

But no P. W. A.
28-10-76

197/98

Despatch 2-10-76

14/11