

(1) Number of pages 26.
(2) Date of repair 6-1-1987
(3) Initials of the Referencer Law

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

PUBLIC WORKS. DEPARTMENT

G.O. No. 1828.W.	Press.
B.P. No.	Mis.
Dated 12-7-1879.	197.

28

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

12th July 1879, No. 1,828 W.

General.
Establishment.

Read the following paper:—

No. 69. Endorsement of the Superintending Engineer, Second Circle, dated Bellary, 12th May 1879, No. 622.

From W. JOPP, Esq., Assistant to the Superintending Engineer, Second Circle, to the Superintending Engineer, Second Circle, dated Bellary, 12th May 1879, No. 621.

I HAVE the honor to request you will be so good as to ask the Chief Engineer to take into consideration my claims for travelling allowance which are refused by the Examiner of Public Works Accounts in his Disallowance Lists Nos. 80 and 515 of 1878-79.

One extract from disallowance list.

With reference to the first of these I beg to state that as I went on sick leave in May 1878 I was unable to send in the journal in support of the charges as required by the Examiner of Public Works Accounts. The travelling expenses named in it were claimed by me as they were incurred in joining my first appointment to the service; and I was travelling at the public expense. It is impossible for me to get the signature of the Superintending Engineer and Divisional Officer under whom I was then serving to any journal that I might send in now, as they are both on leave; but since it is quite clear that the amounts claimed by me are necessarily correct for me to have got to my appointment, I hope that I may have the amount passed to me. I enclose my journal.

2. In the second of the Disallowance Bills I claimed travelling allowance by rail from Madras to Bellary for joining my present appointment on my return from leave to Europe. In answer to the Examiner's remarks I beg to make the following explanation which I hope will be satisfactory. I landed at Bombay on my return from leave, and according to Public Works Code, Chapter IV, Section i, paragraph 17 A, B, C, reported myself at the office of the Secretary to Government in Bombay, and asked for instructions. I was told that there were no orders for me. I therefore proceeded to Madras, and there found that my appointment had been changed, and that I had been posted to Bellary. This was the first time that I heard of this change.

I therefore had to travel from Madras back by rail to Bellary. Had I received instructions of the change, according to Public Works Code, Chapter IV, Section i, paragraph 17 C, I should have stopped on my way from Bombay to Madras at Guntakal, the junction for Bellary, and so have saved the expense of a double journey from Guntakal to Madras and Madras to Bellary. Again, as stated by you in the Disallowance List, I obtained the necessary time (by *Fort St. George Gazette*) for joining my new appointment which makes the claim admissible under Public Works Code, Chapter IV, Section iii, paragraph 1 IX B.

3. Before starting from Madras on leave in June 1878, I had a written communication from the Chief Engineer granting me permission to leave Madras immediately on my medical certificate. I therefore sailed from Madras on the 21st

June 1878 for Europe, but had not received my last pay certificate from the Examiner of Public Works Accounts, but according to Public Works Code, Chapter II, Section i, paragraph 15 D (latter part), I gave a written request to the Examiner to send it to my address in England; as a great deal of my leave passed away without receiving it, I wrote to the Examiner asking him to send it as soon as possible. As I received no answer to this, I again wrote both to the Examiner and my Agents in Madras on the subject.

It was not till the day before my leave expired, the 15th November 1878, that I received the certificate from my Agents.

On getting leave from the Secretary of State for India to return to duty, and on finding that I had already overstayed my leave, I took a passage by a P. and O. Company's steamer out to India so as to return with as little delay as possible. Had I received my last pay certificate in reasonable time I would have returned by a cheaper line of steamers. I was this way put to unavoidable and unnecessary expense, amounting to more than Rupees 200.

4. Hoping that the above points will be taken into favorable consideration as it is of very great importance to one in my position in the service, I have, &c.

SUBMITTED to the Chief Engineer, Public Works Department.

The Examiner's rejoinder No. 1 on list No. 80 is dated 3rd July 1878. Mr. Jopp was then on leave to Europe, and since his return he has obtained a copy of the Disallowance List from the Godavari District. The claim is for Rupees 16 for travelling to join at Dowlaishvaram, and will not be passed, without orders, after this interval of time. No objection is made as to the validity of the claim in itself; and the journal may, I presume, be signed by me, as a matter of form.

2. The second claim is for Rupees 57-3-0 for the railway journey made by Mr. Jopp from Madras to Bellary last December to join his appointment. The Examiner in his first rejoinder on the Disallowance List No. 515 states that under Chapter IV, Section i, paragraph 17 A, Mr. Jopp should have reported himself for orders at Madras, and that no travelling allowance is admissible on return from furlough. But Mr. Jopp did comply with paragraph 17 A, inasmuch as he landed at Bombay and reported himself there, and he then acted up to paragraph 17 B, in proceeding to the headquarters of the Madras Government.

But as Mr. Jopp was right in reporting himself at Madras, his return from furlough was accomplished when he had arrived there. And I still think that the subsidiary leave which was given to include the time of arrival at Bellary may be reckoned as joining time under Chapter IV, Section iii, paragraph 1, clause IX B; as also that travelling allowance might be given under the preceding clause IX, in the case of transfer from one station to another, under competent authority.

3. Even if the Examiner be strictly correct in the literal interpretation of the rules, it appears to me that this is a case in which the intention of the general disallowance of travelling allowance after furlough should be considered. An officer is supposed to find his own way to take up his duty; but if his station has been changed, and he does not know where his new station is, by the rules he goes to Madras. It is also according to the spirit of the rules that an officer transferred to another station, not at his own request, shall be considered to be travelling on duty, and altogether I am satisfied that I ought to recommend that the claim made may be admitted.

(Signed) H. L. PRENDERGAST, Lt.-Col., R.E.,
Superintending Engineer, Second Circle.

No. 70.

ORDER THEREON, 12th July 1879, No. 1,828 W.

Mr. Jopp's journal for his journey on first appointment to the Department may be countersigned by the Superintending Engineer, Second Circle, as proposed by him,

and the charge brought forward for the Examiner's audit in the next bill submitted to his office by the Superintending Engineer.

2. As a special case the Government are pleased to direct that Mr. Jopp be considered to have entered upon his duties on return from furlough on the day on which he reported his arrival at Madras.

3. The Examiner will regulate his pay and travelling allowance accordingly.

(True Extract.)

Major, R.E.,
Ag. Under Secy. to Govt., P.W.D.

To the Examiner of Public Works Accounts.
„ Superintending Engineer, Second Circle.

Exd. C. Howarth.
Spare Copies

GENERAL
ESTABLISHMENT.

Govt. of (1879) Madras.
PUBLIC WORKS.

To
THE EXAMINER OF PUBLIC WORKS
ACCOUNTS.

Dated July 12th.

Encl.

Recd.

Encl.

G. O. 12th July 1879, No. 1828 W.

JULY.

Nos. 69-70.

Mr. W. Jopp, Assistant to the Super-
tending Engineer, Second Circle.—The Ex-
aminer to regulate the pay and travelling
allowance of — for certain days according
to the orders now issued.

No. 53

C. N. 3775

N^o 88 of 1879

GOVT.
OF MADRAS.

1879.

{ F. W.
DEPT.

SECRETARY.

Fort St. George,

May 1879.

OFFICE NOTE

To

b.

For report.

\$

by W.

OF 187

and
to

TO W.

N^o 261

of 12th June 79
Encl^s 3.

MR. JOPP'S JOURNAL FOR HIS JOURNEY
ON FIRST APPOINTMENT TO THE DEPART-
MENT MAY BE COUNTERSIGNED BY THE
SUPERINTENDING ENGINEER 2ND. CIRCLE
AS PROPOSED BY HIM, AND THE CHARGE
INVOLVED BROUGHT FORWARD FOR AUDIT
IN THE NEXT BILL SUBMITTED TO THIS
OFFICE.

THE CLAIM OF RS. 57-3-0 ON
ACCOUNT OF THE RAILWAY JOURNEY OF

MR. JOFF FROM MADRAS TO BELLARY WAS
DISALLOWED BY THIS OFFICE WITH
REFERENCE TO THE ORDERS QUOTED IN

MADRAS P.W.D. CODE
IV. III. I. CLAUSE IX.
C.L.C. CHAP. XIII. SEC. 37
PARA 8.

THE MARGIN.
FROM THESE
ORDERS IT

WILL CLEARLY BE SEEN THAT IF MR.
JOFF IS TO BE CONSIDERED AS ON
SUBSIDIARY LEAVE UP TO 18TH. DECEM-
BER 1879, I.E. THE DAY PREVIOUS TO
THAT ON WHICH HE JOINED HIS APPOINT-
MENT IN THE BELLARY DIVISION, ON
RETURN FROM FURLOUGH, HE IS NOT
ENTITLED TO ANY THING IN EXCESS OF
THE ALLOWANCES ADMISSIBLE DURING
THAT LEAVE. TO ENABLE MR. JOFF TO
DRAW TRAVELLING ALLOWANCE FOR THE
JOURNEY IN QUESTION, THE GOVERNMENT
MAY ORDER THAT HE IS TO BE CON-
SIDERED AS HAVING ENTERED UPON HIS
DUTIES ON RETURN FROM FURLOUGH ON
THE DAY ON WHICH HE REPORTED HIS
ARRIVAL AT MADRAS. IN THIS CASE
HE WOULD BE ENTITLED FROM THAT DATE
TO FULL PAY AND ALLOWANCES OF HIS
GRADE AS WELL AS THE TRAVELLING AL-
LOWANCE FROM MADRAS TO BELLARY.

H. L. L.

11/6
For C.

Mr. 17-11-79

1828
4

16th Dec^r 1878
Madras

To the Secretary to Government
Public Works Depart^t

Sir,

I have the honor to submit to you
an application for the extension of
my leave from the 16 November last to
the 16th Dec^r and the necessary
subsidiary leave to join my appointment
I left my district on the 16th May last
on a medical certificate for one month and
proceeded to Madras, where on the 16th
of June I appeared before a medical
board — The board granted me ~~leave~~
a medical certificate for leave to
Europe for ~~6~~ six months —
I did not however leave Madras till

MR. JOFF FROM MADRAS TO BELLARY WAS

DISALLOWED BY THIS OFFICE WITH

REFERENCE TO THE ORDERS QUOTED IN

MADRAS P.W.D. CODE

IV. III. I. CLAUSE IX.

C.L.C. CHAP. XIII. SEC. 27

PARA 8.

THE MARGIN.

FR

OR

WILL CLEARLY BE SEEN THAT

JOFF IS TO BE CONSIDERED AS

SUBSIDIARY LEAVE UP TO 1ST

BER 1879, I.E. THE DAY PRE

THAT ON WHICH HE JOINED HIS

MENT IN THE BELLARY DIVISI

RETURN FROM FURLOUGH, HE IS

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THAT LEAVE. TO ENABLE MR.

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JOURNEY IN QUESTION, THE GO

MAY ORDER THAT HE IS TO BE

SIDED AS HAVING ENTERED

DUTIES ON RETURN FROM FURL

THE DAY ON WHICH HE REPORT

ARRIVAL AT MADRAS. IN TH

HE WOULD BE ENTITLED FROM

TO FULL PAY AND ALLOWANCE

GRADE AS WELL AS THE TRAVELLING AL-

LOWANCE FROM MADRAS TO BELLARY.

LEAVE CODE.

LEAVE APPLIED FOR IS ADMISSIBLE UNDER SECS. 14 & 24 CIVIL

THE EXTENSION OF LEAVE WITH THE USUAL SUBSIDIARY

LEAVE 1 MONTH AND 1 DAY.

AT BOMBAY ON THE 16TH. DECEMBER THEREBY OVERSTAYING HIS

; INCLUSIVE. MR. JOFF RETURNED FROM EUROPE AND DISEMBARKED

TO MR. W. JOFF FROM 16TH. MAY TO 16TH. NOVEMBER 1878

6 MONTHS' LEAVE ON MEDICAL CERTIFICATE WAS GRANTED

TO W.

the 20th June, 1879, so that leave taken by me previous to this, being more than 30 days, could not be granted as subsidiary leave, but had to be included in my leave to Europe. As I did not receive my last pay certificate till the 17th November, I was not aware that this was the case. I therefore was unable to return within my leave.

Had I received my last pay certificate earlier I should have returned before the 16th November.

Hoping that under these circumstances you will take a favorable view of my case

I have the honor to be
your obedient servant
W. Joff.

To the
Secretary to Govt.
Public Works Dept

H. L. M.

11/6

For C.

3/15/79

MR. JOFF FROM MADRAS TO BELLARY WAS
DISALLOWED BY THIS OFFICE WITH
REFERENCE TO THE ORDERS QUOTED IN

MADRAS P.W.D. CODE } THE MARGIN.
IV. III. I. CLAUSE IX. }
C.L.C. CHAP. XIII. SEC. 37 }
PARA 8. } OR

WILL CLEARLY BE SEEN THAT
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THE DAY ON WHICH HE REPORT
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HE WOULD BE ENTITLED FROM
TO FULL PAY AND ALLOWANCE

GRADE AS WELL AS THE TRAVELLING AL-
LOWANCE FROM MADRAS TO BELLARY.

H. L. L.
11/6
For C.

1878

14006

Recd 17th Dec

No 5644
To The Examiner
Public Works Account
For report.

W. H. L. L.
Under Secy to Govt.
17th Dec 1878. P.W.D. Bellary

18/12

Cho 14006

WORKS FORM No. 2.

P. W. DEPARTMENT.

General Branch.

Madras,

187

OFFICE NOTE.

To C.

The under-mentioned draft notification is forwarded for check.

NOTIFICATION.

Leave.

143
Mr. W. Jopp Asst. Engineer,
2^d Grade, extension sick leave
for one month & one day from the
16th November 1878, under
with the usual Sub-
siduary leave under
Section 14 and 24
of the Civil Leave
Code.

W.H.
20.12.78

Inserted

24-12-78

R. Jopp

MEMORANDUM.

Letter Number 622

dated the 13th May 1879

Sup. E.
from the District Engineer of the II Circle.
with office note by the C.

Under the rules quoted
by the C, it is clear that Mr.
Jopp's claims to Travelling Allow-
ance for the journey from
Madras to Bellary is inad-
missible.

Mr Jopp states that in
accordance with the P.W. Code IV.
1.17. A.D.C. on arrival at Bombay
he reported himself at the Office
of the Secretary to the Govt of Bombay
and asked for instructions. The
provisions of para 17 not having
been complied with (of course
in Mr Jopp's case it was not possible
for him to do so) Mr Jopp had
no right to expect to receive any
instructions at Bombay. Had
he taken the trouble to telegraph
from Bombay he might have
saved himself the journey

Suppy. Engr. Office.
Bellary 12th May 1879

W. Jopp

present to the Suppy. Engr.
pdg. Engineer

I have the honour to
will be so good as to ask the
to take into consideration
for travelling allowance which
the Examining P.W. Accounts
inance List No. 50455 of

reference to the first of these
that as I went on sick leave
I was unable to send in
in support of the charges as
the Examining P.W. Accounts.
expenses named in it were
incurred as they were incurred
my first appointment to
and I was travelling at the
It is impossible for

C No 1400 to Madras. Had Mr. Jopp's previous appointment not been changed during Furl's leave, still have had to come to Madras to proceed to the Sodavari at his own expense. He has therefore not much to complain of here. It is further clear from the justification referred to in the concluding portion of Mr. Jopp's letter that the leave granted ^{in para 3} was an extension of Furl's subsidiary leave, not "joining time", which would entitle him to travelling allowance under IV. iii para 1 IX.B.

The only hardship in connection with his case, is that through some mismanagement in Madras Mr Jopp was kept out of his last pay certificate until the last day of his leave, which as explained in the concluding portion of para 3 of his letter to the S.E., put him to some inconvenience & expense. These are the special circumstances of the case on which para 2 of the proposed draft order is based.

W.D.
20.

D
21.6

To Govt 21-6-79

R.L. 20/12

(Handwritten note: *Could be made*)

No. 621.

Supy. Engr's Office.
 Bellary 19th May 1879.

From Mr. W. Jopp

To Assistant to the Supy. Engr.
 The Supy. Engr's Office.

I have the honour to request you will be good to ask the Chief Engineer to take into consideration my claims for travelling allowance which are referred by the Examiner P.W. Accounts in his Disallowance List No 805-515 of 1878-79.

With reference to the first of them I beg to state that as I went on sick leave in May 1878 I was unable to send in the Journal in support of the charges as required by the Examiner P.W. Accounts. The travelling expenses named in it were claimed by me as they were incurred in joining my first appointment to the service, and I was travelling at the public expense. It is impossible for

me to get the signature of the Supd. Engineer and Divisional Officer under whom I was then serving, to my journal that I might send in now as they are both on leave but since it is quite clear that the amounts claimed by me are necessarily correct for me to have got to my appointment, I hope that I may have the amount passed to me. I enclose my journal.

2. In the second of the Disallowance Bill I claimed travelling allowance by rail, from Madras to Bellary for joining my present appointment on my return from leave to Europe.

In answer to the Examiner's remarks I beg to make the following explanation which I hope will be satisfactory.

I landed at Bombay on my return from leave and according to P.W. Code Chapter IV section 1 para 17 I reported myself at the Office of the Secretary to Government in Bombay and asked for instructions. I was told that there were

no orders for me. I therefore proceeded to Madras and there found that my appointment had been changed, and that I had been posted to Bellary. This was the first time that I heard of this change.

I therefore had to travel from Madras back by rail to Bellary. Had I received instructions of the change, according to P.W. Code Chap IV sec 1 para 17 I should have stopped on my way from Bombay to Madras, at Goontatal the junction for Bellary and so have saved the expense of a double journey from Goontatal to Madras and Madras to Bellary. Again as stated by you in the Disallowance List, I obtained the necessary time (by Fort St. George Gazette) for joining my new appointment which makes the claim admissible under P.W. Code Chapter IV sec. III para 1 & B.

3. Before starting from Madras on leave in June 1890, I had a written communication from the Chief Engineer granting me permission to leave Madras immediately, on my medical certificate.

but joining time out. Attention of Exr. to cover was necessary

108

I therefore sailed from Madras on the
21st June 1870 for Europe, but had not
received my last pay Certificate from
the Examiner of P.W. Accounts but accord-
ing to P.W. Code Chapter II Sec 1: para
15D (later part). I gave a written request
to the Examiner to send it to my
address in England; as a great deal of my
leave paper was away without receiving it,
I wrote to the Examiner asking him
to send it as soon as possible. As I recd
no answer to this, I again wrote both
to the Examiner and my Agents in
Madras on the subject.

It was not till the day before my
leave expired, the 15th November 1870 that
I received the Certificate from my
Agents.

On getting leave from the Secretary
of State for India to return to duty and
on finding that I had already overstepped
my leave I took a passage
by a P. and O. Company's steamer out to
India so as to return with as little delay

83
as possible. Had I received my last pay
Certificate in reasonable time, I would
have returned by a cheaper line of steam-
ers. I was thus way put to unavoidable
and unnecessary expense, amounting
to more than Rs 200.

4 Hoping that the above points will
be taken into favourable consideration
as it is of ^{very} great importance to me in my
position in the service.

I have the honour, Sir,

Yours most obed^t servant

W. Jopp.
Assistant to the
Supy. Engineer of the
Force

N. 622.

Submitted to the Chief Engineer,
Public Works Department.

The Examiner's rejoinder No. 1 on List A. 100
is dated 3rd July 1870. Mr. Jopp was
then on leave to Europe and since his
return he has obtained a copy of the
Disallowance List from the Godavery

District. The claim is for Rs 16 for travelling to join at Dowlaishahum, and will not be paid, without orders, after this interval of time. No objection is made as to the validity of the claim in itself, and the journal may, I presume, be signed by me, as a matter of form.

2. The second claim is for Rs 57-3-0 for the Railway journey made by Mr. Jopp from Madras to Bellary last December to join his appointment. The Examiner in his first report on the Disallowance List No. 515, states that under Chapter IV Section 1 para 17 A. Mr. Jopp should have reported himself for orders at Madras, and that no travelling allowance is admissible on return from furlough. But Mr. Jopp did comply with para 17 A inasmuch as he called at Bombay and reported himself there and he then acted up to para 17 B in proceeding to the Head Qrs of the Madras Government.

But as Mr. Jopp was right in reporting himself at Madras, his return from

furlough was accomplished: when he had arrived there. And I still think, that the subsidiary leave which was given to include the time of arrival at Bellary may be reckoned as joining time under Chapter IV Sec. III Para 1. Clause 18B, as also that travelling allowance might be given under the preceding clause 18, in the case of transfer from one station to another, under competent authority.

3. Even if the Examiner be strictly correct in the literal interpretation of the Rules, it appears to me that this is a case in which the intention of the general disallowance of travelling allowance after furlough should be considered. An Officer is supposed to find his own way to take up his duty, but if his station has been changed and he does not know where his new station is, by the Rules he goes to Madras. It is also according to the spirit of the Rules, that an Officer transferred to another station, not at his own request, shall be considered to be travelling on duty, and altogether I am satisfied that I ought to recommend that

the claim made may be admitted.

New Superintendent

Supg. Engineer 2nd Circle

Recd. 12th May 1879

No 12-779 of 12 1828 &c

From

The Supg. Engineer 2nd Circle

To

The Chief Engineer P.W.D.

Dated 12th May 1879

Recd. 13th

No 622

Mr W. Jopp Apts. to the Supg. Engineer 2nd Circle

Forwarding a letter from claiming travelling allowance for joining his appts at Pudukkottai at Wodlathwarum and recommending that the same be granted for the reasons assigned

Cir 24. 6. 79. Recd 10. 7. 79. To Oct 21. 7. 79.

No 1828 W Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 12th July 79

Read the following:—

From

The Supg. Eng. Second Circle (No. 622 of 12th May 1879)

Mr Jopp's journal for his journey on first appointment to the Dept. may be countersigned by the Superintending Engineer Second Circle as proposed by him, and the charge brought forward for the Examiner's audit in the next bill submitted to his office by the Supg. Engineer. As a special case 2. The Government are

pleased to direct that
Mr. Jopp be considered
to have entered upon
his duties on return from
furlough, on the day
on which he reported
his arrival at Madras.

The Commr will
regulate his pay
& travelling allowance
accordingly

S.
21.6

Ind
20.6

Att

23/6/79

38
14

To The Commr
S. E. 2nd Circle

Despatched
18-7-79

Cir 24.6.79. Retel 10.7.79
To Govt 21.6.79

Home W. B. B. B. B. B.

Cw 3775

Sect. of (1879) Madras.

PUBLIC WORKS.

✓
14-7-77

To

Dated

Issued

Recd.

Encl.

G. O. 12 July 1879, No. 1828 W

Nos. 69-70

Mr. W. Joffe. Asst to the
Superint 2nd Circle.

The Examiners to regulate the
pay & travelling allowance
of — for certain days accord-
ing to the orders now issued