Railway Department

Madras 5th July 1883.

Disps. 7 Lr. —.

No 558A

From

Colonel J Shaw Stewart R.E.

Com. Chief for Railways

To

The Examiner

Pub. Works Accounts

Madras.

Sir.

In acknowledging receipt of disallowance list No 94, with your rejoinder attached, I have the honour to state that I am still of opinion that the retrenchment which you propose to make, of my house rent from 8th March to 19th April, is incorrect, and opposed to both letter and spirit of the rules.

2. Section 561 of the Madras Public Works Code runs as follows:—

> Presidency House Rent may be continued to officers absent temporarily on duty, under the provisions of Section 14, Civil Leave Code, fifth Edition.

3

3. Section 14 of the Civil Leave Code
runs:—

So much of a local allowance as is not paid to a substitute may be drawn by an Officer absent from his Office through deputation on special duty for a period not exceeding one month.

4. I maintain that I was not "absent from my Office" during any part of the period for which the retrenchment is proposed. In my capacity of Consulting Engineer to the Madras Government, I was invited by the Govt. of India to make certain Railway inspections in company with the Director Genl of Railways. His Excellency the Governor in Council was pleased to approve the proposal, and accordingly the inspections were made. I was not "absent from my Office" during any one day, any more than when employed in making similar inspections in this Presidency. During the whole period passed on inspection, I was performing the work of Consulting Engineer to this Government. No substitute was appointed. I was not deputed on special duty. I received no deputation allowance.

5. It seems to me to be against both the letter and the spirit of the rules that I should be fined #84/, on the ground that an inspection, which I undertook on the public service, and at the invitation of the Government of India, lasted six weeks, instead of four weeks

6. I beg to enclose the Dis: allowance List in question. If you are still of opinion that the retrenchment should be maintained, I request that the matter may be referred to Government for decision.

I have the honour to be
Sir,
Your most obedt Servant

P. MacLennan
Colonel R.E
Con. Engr for Railways

Endorsement No. 501 X dated
9th July 1883. —

[redacted]

Referred in original to —
Government for orders. It
has been the practice in all
cases in which an officer
has been absent from the
Presidency Town for more
than a month on what-
ever duty he may be —
absent, to relinquish —
Presidency House rent. —

D. C. Gordon
Examiner P. W. Accts.
Madras 3 9/7

EXAMINER
No. 501 X
7 JUL 83
ENGR
P. W. ACCOUNTS

P.W.C. No. 5797

Rd 10/7/83

Enc 1

To W.

The orders of the Govt are
required in this matter.

CS
10/7

89
9/7

Enc: 1.

Od 12.7
Cir 12/7 R 16/7
Orders 10/7 Rd 18/7

D
10/7

Hon'ble Sir Dalrymple

For orders

In submitting the annexed disallowance statement for the orders of Government it obtains to me that the practice of the Accounts Office as noted in the Examiners endorsement of the 5th inst is not in accordance with the rules and that Col. Shaw Stewarts contention is valid

As he was not absent from his Office any portion time I venture to think that the Examiner should be directed to withdraw his disallowance

certainly Sir

11/7/83

Cir 12/7 R 16/7

No 1994 W P. W. Department.

Proceedings of the Madras Government

Under date the 18th July 1883

Read the following:-

From the Examiner P. W. Accts (No. 94 of 1883/84

" " Consulting Engr for Rys. (" " 558A of 5th July 1883)

As Colonel Shaw Stewart was not "absent from his office" during the period in question, but was carrying on his regular duties as Consulting Engineer for Railways, the Government are of opinion that the retrenchment of Presidency House rent made by the Examiner P. W. Accounts

uld be withdrawn.

Rtt

16.7.83

Ro 1994 Wdy 18-7-83

Consulting Engr for Railways

Examiner P.W. Accts. with
Dis: List.
Dy Sec. 19/7

Entd in Receipt Regr.

R.S.
Read

1/30

No. 81 W.

From

THE EXAMINER,
PUBLIC WORKS ACCOUNTS,
MADRAS,

To

The Secretary to Government,

Public Works Department.

Madras, 3rd August 1883.

Copy of the following forwarded to the Secretary to Government P.W. Department for information.

D. P. Cunadoy

Examiner P.W. Accounts.

Copy of letter from the Examiner P.W. Accounts Madras, to the Accountant General, P.W. Department, No. 122-9 dated 3rd August 1883.

With reference to the ruling contained in Section 14 of the Civil Leave Code, I have the honor to request the favor of being informed whether any local allowances such as Presidency Allowance and House Rent are admissible to an Officer who is absent from his Head Quarters on tour for a period exceeding one month.

2. The case in point is that of Colonel J.H.M. Shaw-Stewart R.E. Consulting Engineer for Railways to the Government of Madras. Full particulars of the same are given in the list of Disallowances on the salary bill of the Consulting Engineer's Office for May 1883, a copy of which is enclosed for your information. A copy of G.O. No. 1994 W. dated 18th.

July 1883 authorizing this Office to withdraw the retrenchment made is also attached.

3. Pending receipt of a reply to this reference, the claim will be admitted only provisionally by this Office.

(True Copy)

R. Trotter

for Supt. Correspondence Branch.

97 2/8

B 1994 w 6-7-83

P.W.C.N. 6692

No 2166 Way 1st to 7th Aug/83

To

Recorded-

CJ.

4/8

From,

The Examiner P.W. Accounts,

Madras.

To,

The Secretary to Government,

P.W. Department.

No. 81/W.

Dated 3rd August 1883.

Recd. 4 " "

No 2166 Way 7-8-83

Col. J.H.M. Shaw-Stewart R.E.
Forwards copy of letter addressed to the Accountant General P.W.D. requesting whether-----is entitled to the local Allowances for the period he was absent from his Head Quarters.

With Order
Intd. in Receipt Roll

No 2166 W. 7/8