No Che 7079

Government of India
may be moved to
give a clear in ter-
pretation of the section.

Cl
1878

Secretary.

Nos 2372 Wag 22-8-83
2373

W
2/10

Entd in Resch. Register

No Che 7079

PUBLIC WORKS DEPARTMENT.

# PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

From the Supg: Engineer
Fourth Circle } H.E. No. 300 of 28th July 83.

Messrs. Pogson
and Mc Dougal cannot
be said to have been
specially trained for
the particular posts
to which they have
been appointed and
their cases do not
therefore fall under
Section 17 of the Travelling
Allowance Code. Under
Section 11 of the same
Code they are not
entitled to travelling
allowance for joining
their appointments.

Sd

3/8

To
The Supg: Engr. Fourth Circle
with 2 enclo...

a Ex and P. W. accts

Judge trained Assistant
Engineer; but on the other
hand he had previously
been employed in a somewhat
analogous position and in which
was practically present duties
exp: as an Assistant in the
Harbour works, and his
Assistant to the B Engineer
Division might fairly be
looked on as more in the nature
of a transfer - than in ordinary
debarred from receiving pay in
the interval

For Mr Mongall he is
I believe as I understand a
Normalby trained man
Exceptions 1 & 2 to
Section 14 read to me as
if it were intended that
persons Graduating Subordinates
and others on low Salary were
to get joining allowances
and I think they would be
desirable — if advisible
under the rules

What however I should
much prefer in all cases if
first Assistant would be to
grant bonâ fide travelling
allowances only

6/1883

D. W.

Before issuing this order I should be glad if we could discuss it with the C

As regards these travelling allowances on joining a appointment to Govt: there can be no doubt about it as is implied by the words of Sec. 14 C. J. A. Code "not ordinarily granted"

The order now issuing declares that as with Mr. Pogson now Mr. Bengal were Assembly trained the allowance is limited under Sect. 17

Colonel Beatty considers the Annual training must first join in Government Institutions, but I cannot think this is meant in any absolute sense, as it would no doubt have been so stated in the Code

Mr. Pogson is not a ~~Government~~ servant ordinarily appointed to P.W.D.

A "diver", an "engine-driver", a "mining engineer", an "electrician", would probably come under this definition, but not either Mr. Pogson or Mr. McDougall so far as I can judge.

I am afraid exception 1 & 2, Section 14, do not imply that our subordinates & others on low salaries can get allowances for joining when temporarily appointed. The exceptions are definitely stated & do not appear to admit of any extension to persons other than Jail wardens & Assist. Wardens or Post Office employés.

It is, in my opinion, a great pity that in a Code of rules which affect seriously the pockets of so many Government servants there should be so much room for different interpretations & consequent controversy.

The "actual expenses" question is one which promises to give a lot of trouble. —

CJ
9/8

D. W

I think we must refer to India for a definite ruling

They are bound to explain their own Code — & the exceptions to Sect. 14 are not introduced to exemplify

a General Invisible time wardens and Asst. Warden Jails in Andaman and Nicobars would not seem to be entitled to T.A. on first joining though such would be admissible to the same classes in Bengal Just cut about

Vandeleur Please convey to [illegible] as unavoidable but discontinuance should involve refer

C/15

GOVT. OF MADRAS. } 188 . { R. W. DEPT.

**SECRETARY.**

Chepauk, 9th August 1883.

OFFICE NOTE.

To W.

I have discussed this matter of Travg allowance for joining fully with C as desired.

As regards section 14 of C.T.A. Code it is stated that Travg allowance is "not ordinarily granted" to join a first appointment. There are given two cases which are exceptions, and two only — which have necessitated the insertion of "ordinarily" between "not" and "granted".

I do not take into consideration sections 15 & 16, tho' doubtless they too warrant the use of a definite "not granted" in Section 14. I take it that in cases outside the exceptions definitely given a reference to first would be incorrect.

In section 17 the meaning of "specially trained" men is certainly, in my opinion, somewhat vague. It must lead to controversy. However I think the requirement in any person entitled to the allowance of "technical skill or knowledge for which he has been specially trained"

No: 300

Supg Engineer's Office
Bhawani 27th July 1883.

From

The Superintending Engineer
Fourth Circle

To

The Chief Engineer
P. W. Department

Sir,

At the request of the Executive Engineer B. Project Division I have the honor to refer for orders the cases of Assistant Engineer Mr. Pogson and Surveyor Mr. Dougall to whom the Examiner has declined to pass Travelling allowance when joining their appointments. I forward the Disallowance List bearing the Examiner's remarks, and the Executive Engineer's letter giving his grounds for considering the claim proper and in accordance with the rules in the Code.

I

I have the honor to be
Sir
Your most Obt. Servt.
P. Beatty - Col. N.E.
Supg Engineer 4th Circle

From

The Supg. Engineer,
Fourth Circle.

No 2372 / 2373 Way 22-8-83

Dated 28th
Desp: Dt. } July 1883.

Enclosures 2

No 300

Assistant Engineer Mr:
Sogeon and Surveyor
Dt. Mr. Dongall:—

Referring for
orders the case of —— to
whom the Examiner has
declined to pass Travelling
Allowance when joining
their appointments.

0-2-14-f
Copy 3/83. Rect 31/8/83 Rep 10

No 2372W PUBLIC WORKS DEPARTMENT.

# PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 22nd Augt 83

READ the following

From the Superintending Engineer
Fourth Circle } No. No. 300 of 27th July 1883.

Ordered that the
Government of India be
addressed. Meanwhile
the disallowance will
stand

H. E. No: 2373 way/22nd Augt 83

To.
The Secy to the Govt. of India
P. W. D.

Sir,

In forwarding the
accompanying correspondence,
I am directed to request
that this Government
may be favoured with
the instructions of the
Government of India
as to the scope of section
17 of the Civil Travelling
allowance

+ Copy of letter from the S. E. Fourth Circle No 300 of 27th July 1883, with 2 enclosures - letter to be granted to be returned

S. Engr. Fourth Circle
Secs pw Accts

Secy
28/8

allowances &c &c.

2. Section 11 of the Code rules that travelling allowance is not ordinarily granted to any person for the journey to join a first appointment in the Public Service, and after the enumeration of certain exceptions in the succeeding paragraphs, Section 17 states that any person appointed to the Public Works Department in any Capacity requiring Technical Skill or Knowledge for which he has been specially trained is entitled to travelling allowance for joining his first appointment.

3. Under this ruling the Executive Engineer Roseel Division claims travelling allowance on first appointment on behalf of Mr. Rogers, Temporary Assistant Engineer and Mr. McDougal temporary

temporary Surveyor, on the ground that Employment in both those Capacities must necessarily require special training. Mr. Rogers previous to his appointment, as temporary Assistant Engineer, was employed for a time as Overseer on the Madras Harbour works, and Mr. McDougall it is understood is a Specially trained Surveyor.

4. It will be seen from the Correspondence that different views are held as to the exact meaning of Section 17 of the Code, and while it is highly desirable that no doubts should exist on such an important point, I am to request that the Government