Order thereon No. 2494 Way
22d Octr/85

Communicated to
the Supty: Engineer
IV circle and the
Examiner P.W. Accts:

Sgd/ J.S.

Act

S.E. IV circle
Ex: P.W. Accts:

Govt. of {1885} Madras.

FINANCIAL.

Issued

Recd. Encl.

G.O., 3rd October 1885, No. 1373.

No. 2494 W dy 22d Octr/85

OCTOBER.

**Daily Allowance.**

Referring to the Government of India correspondence respecting a claim by Mr. Executive Engineer Davidson to — in addition to passage money on a certain occasion, and suggesting an amendment of the code to cover such cases.

With order

GOVERNMENT OF MADRAS.

## FINANCIAL DEPARTMENT.

---

Read—the following papers:—

From Colonel J. BEATTY, R.E., Superintending Engineer, IV Circle, to the Chief Engineer, Public Works department, dated Ootacamund, 13th April 1885, No. 152-E.W.

At the request of Mr. J. P. Davidson, I have the honor to forward, for orders, his claim for the daily allowance of Rs. 5 on the 1st and 3rd November 1884.

2. On the morning of the 1st November he was at Mangalore inspecting work and attending to office work; and in the afternoon, at 3-30 P.M., he embarked on a steamer for Calicut, where he landed on the morning of the 3rd November at 7 A.M.

3. In addition to passage money from Manglore to Calicut, Mr. Davidson claims the daily allowance for 1st and 3rd but not for 2nd, which was a Sunday, and he was all day on board the steamer.

4. I send an extract from the Examiner's list of disallowances for November, which contains Mr. Davidson's explanation.

5. The claim appears to me to be a fair one, and it will be observed that it is only disallowed by the Examiner on the ground that "there is no rule under which such charges can be admitted."

---

From H. F. CLOGSTOUN, Esq., Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 18th July 1885, No. 1804.

Gazetted Audit department.

In reply to your endorsement No. 1204, dated the 30th June 1885, on memorandum (herewith returned) from the Secretary to Government, Public Works department, regarding the claim of Mr. Davidson, Executive Engineer of Coimbatore Division, to daily travelling allowance for the 1st and 3rd November 1884, under certain special circumstances, I have the honor to state that, according to the definition of a day given in the Civil Travelling Allowance Code and the provisions of section 32 of the code, daily allowance is not admissible for any period of 24 hours reckoned from midnight to midnight during which travelling allowance in any other form is drawn. This rule affects officers travelling by road or rail in precisely the same way as officers travelling by steamer, and it frequently happens that an officer on tour reaches a station in the morning after a journey by road or rail during the night and does a whole day's work, but is precluded from drawing haltage allowance for the day if he claims mileage allowance for the journey performed during the previous night.

2. Any concession, like that now proposed, if made in the case of officers travelling by sea, would have to be extended to officers travelling by land. It is for Government to consider whether it is desirable to propose any general modification of the present rules to the Government of India, who were fully aware of the difficulties above alluded to when they prescribed the present definition of the word "day."

From J. P. DAVIDSON, Esq., Executive Engineer, North Arcot division, to the Superintending Engineer IV Circle, Coimbatore, dated Vellore, 14th August 1885, No. 285-M.

In reply to your No. 236-M, of the 8th August 1885, on Chief Engineer's Memorandum, No. 409-E, of 4th August 1885, I have the honor to state that it is difficult to answer the question put by the Chief Engineer.

2. The facts are these—

(*a*) During my trip up the west coast I had to leave all my horses, bandies, tents, and most of my servants at Coimbatore, and of course had to pay for the upkeep of this establishment in addition to the expenses I incurred while travelling on duty along the west coast.

(*b*) During my inspection I travelled by steamer; but as the British Indian Steam Navigation Steamers merely run at night from one port to the other, the steamer was merely used by me as a place to sleep in; on arrival in the morning at the port where I had to inspect work I landed and spent the day on shore paying for boats to and from the steamer, bullock coach while on shore, and housed myself as well as I could; I obtained no meals at the expense of the steamer company.

3. If Coimbatore be treated as my standing camp, and it virtually was so, I most certainly did fulfill the conditions of section 33 in every particular, but as Coimbatore was my head-quarters, it, I suppose in the letter of the code, cannot be treated as my camp; the fact however remains that if instead of spending the day on shore and inspecting my works, I had merely landed, made a hurried visit and came back to the steamer to breakfast and dinner, I should have been entitled to half daily allowance *minus* a deduction for food; as I did not live on the steamer but actually spent the day on shore, and only returned to the steamer to make use of it during the night as a means of transit to the next port, I consider and still consider that in the spirit of the code I was entitled to full allowance.

---

No. 348-E.W.

Submitted to the Chief Engineer, Public Works department, with reference to his memorandum, No. 409-E of 4th August 1885.

2. It does not appear that the letter of section 33 of the Civil Travelling Allowance Code was fulfilled in every respect in the journey in question, but that, according to the spirit of the code, Mr. Davidson was entitled.

COIMBATORE,
22*nd August* 1885.

(Signed) J. BEATTY, Colonel, R.E.,
*Superintending Engineer, IV Circle.*

---

Endorsement, Public Works department, dated 25th September 1885, No. 656-E.

---

ORDER—dated 3rd October 1885, No. 1373, Financial.

Ordered that the Government of India be addressed.

(True Extract.)

W. WILSON,
for *Chief Secretary.*

To the Public Works department.

Exd. W. H. French.