

1887.

P. W. DEPARTMENT.

Current No. 5336

From

The Supdg. Engineer
IV circle.

ENCLOS.—

No. 294
E.W.

Dated 11th July 1887

Received 12 — do —

SUBJECT.

Requesting that the sanction of Govt may be obtained to the admission by the Exr. P.W. Accts of the travelling allowance claimed by Mr. W. B. de Winton for his journey on the 29th March 1887 & for his handing over charge at Benhope.

DISPOSAL.

No 2362 Dated 14th July 1887

To.

C.

For favor of remarks.

(ld) W. L. C. B.

13-7-87

D.W.

14/7/87

No. 294
W

From

Superintending Engr's Office, 4 Circle,
Coimbatore. 11th July 1887.

Colonel. J. Beatty. R.E.

Supg. Engineer, 4 Circle.

To,

The Chief Engineer,
P. W. Department.

Sir,

I have the honor to request you will be so good as to obtain the sanction of Government to the admission by the Examiner of P.W. Accounts of the travelling allowance claimed by Mr. W. B. de Winton for his journey on the 29th March 1887.

2. Mr. de Winton handed over the temporary charge of the Nilgiri Division to Mr. C. B. Target at Benhope on the above date under the following circumstances.

Mr.

Mr. De Winton had applied for privilege leave with the intention of visiting Ceylon, and it had been granted to him and Mr. Target had been ordered to the Division to hold temporary charge of it.

The Steamer by which Mr. De Winton intended to sail to Ceylon, and which it was imperative he should catch if the leave was to be of any use to him, was timed to leave Madras on March 31st; but at the last moment he received information that she would arrive in Madras on the morning of the 30th, and might sail the same evening, so that instead of waiting to hand over to Mr. Target at Head Quarters, Mr. De Winton was obliged to proceed towards Mettupalillem on the morning of the 29th in the hope of being able to hand over to Mr. Target on

on the afternoon of that date somewhere en route, and thus make sure of catching his steamer.

He accordingly went in search of Mr. Target on the morning of the 29th, inspecting work by the way and giving orders to his subordinates; and was fortunate enough to meet Mr. Target at Benhope, within the limits of his Division, and accordingly handed over charge there.

3. It will be understood that if Mr. De Winton had not acted as he did, the leave would have been of no use to him and he would have been obliged to have it cancelled.

There was therefore in my opinion absolute necessity for handing over at Benhope, instead of at the Head quarters of the Division.

4. The Examiner of P.W. Accounts has deferred the audit of certain mileage

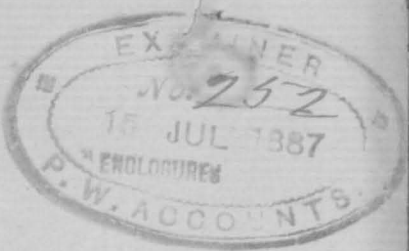
mileage claimed pending sanction of Government for admission of the claim under section 160 Rule 5 of the Civil Leave Code, and he also appears to require sanction for the transfer of charge at Benhope instead of at Ootacamund.

5. I consider that Mr. de Winton is entitled to Travelling allowance for 19 miles up to Benhope; but that he is not entitled to any travelling allowance after the transfer took place.

I have the honor to be,
Sir,
Your most obt. Servt.

L. Beatty. Colonel. R.E.
Superintending Engr. & Circle.

H



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14 57 57
7

AND TO HOLD THAT IT TOOK PLACE
PROPERLY AT BENHOPE, TRAVELLING
ALLOWANCE FROM OCTACAMUND TO BENHOPE
WOULD ORDINARILY FOLLOW AS A
MATTER OF COURSE.

6. UNDER THE CIRCUMSTANCES
OF THE CASE, HOWEVER, I THINK IT
WOULD BE STRAINING THE RULES VERY
SEVERELY, TO RECOGNIZE THE TRANSFER
AT BENHOPE IN ORDER — FOR THAT
APPEARS TO BE THE ONLY OBJECT —
THAT MR DEWINTON MAY BE ALLOWED
TRAVELLING ALLOWANCE FROM OCTACA-
MUND TO BENHOPE, A JOURNEY WHICH,
WHETHER HE GAVE ORDERS TO HIS SUBORDI-
NATES ON THE WAY OR NOT, SEEMS TO HAVE
BEEN HIS DEPARTURE ON PRIVILEGE
LEAVE, AND NOT ^A BONA FIDE JOURNEY OF
INSPECTION. I WILL THEREFORE ASK
THAT DEFINITE ORDERS AS TO TRAVEL-
LING ALLOWANCE MAY BE PASSED.

Ans.
23/7.

Ans.
23/7.

TO THE LATTER PART OF PARA 399, IT IS
IN THE POWER OF THE SUPG. ENGINEER
TO DISREGARD THIS LIMITATION, AND
TO REQUIRE THAT THE RULES IN THEIR
ENTIRETY SHALL BE CARRIED OUT; BUT
THE SUPG. ENGINEER IS NOT AUTHORIZED
TO REDUCE IN ANY WAY THE MINIMUM
PROCEDURE PRESCRIBED.

8 IT SEEMS TO BE QUITE CLEAR
THAT EVEN THE MINIMUM PROCEDURE
REQUIRED BY PARA 399 COULD NOT
POSSIBLY BE CARRIED OUT AT A CASUAL
MEETING SUCH AS THAT BETWEEN MESSRS.
DEWINTON AND TARGET.

4. THE SUPG. ENGINEER'S VIEW OF
THE CASE, AS STATED IN PARA 3 OF HIS
LETTER SEEMS TO OVERLOOK THE GENERAL
PRINCIPLE THAT THE FIRST CONSIDERA-
TION IS DUE TO THE EXIGENCIES OF
THE SERVICE, AND TO THE RULES OF THE
DEPARTMENT, VIDE CIVIL LEAVE CODE
SECTION 4.

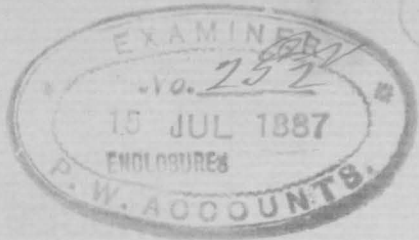
5. IN NO CASE CAN MR. DEWINTON BE
ALLOWED TRAVELLING ALLOWANCE FOR THE
JOURNEY BETWEEN BENHOPE AND KULLAR;
THIS IS ADMITTED BY THE SUPG. ENGINEER,
BUT SHOULD GOVERNMENT FOR SPECIAL
RECORDED REASONS BE PLEASED TO CON-
DONE THE IRREGULARITY IN THE TRANSFER

No. 2362 C of 14 July 1887

To R. C. W. 252 of 16-7-87
C
For favor of remarks. Throu,

M.W.
13.7.87
D.W.

P.W.C. No. 5336



Col. S. Beatty. R.C.
Supg Engr. 4th Div.

TO W.

No. 382 of 23/7/87

ACCORDING TO CIVIL LEAVE

CODE SECTION 161 RULE 5, THE CHARGE
OF AN OFFICE MUST BE MADE OVER
AT ITS HEAD QUARTERS, UNLESS FOR
SPECIAL RECORDED REASONS, THE
AUTHORITY UNDER WHOSE ORDERS THE
TRANSFER TAKES PLACE, IN THIS CASE
THE GOVERNMENT PERMITS OR
REQUIRES APPARENTLY BEFOREHAND,
THAT IT BE MADE ELSEWHERE.

Dated 11th July 1887
Reed + 2

25.7.87 E.1

No. 294
D.W.

Travelling allowance
of Mr. De Winton for
29th March.

Requests sanction
may be obtained for the
---, and for his handing
over charge at Benhope.

2. THE DETAILS OF THE PRO-
CEDURE TO BE FOLLOWED IN CASES OF
TRANSFERS ARE LAID DOWN IN P.W.D.
CODE PARAS 379 ET SEQ, BUT IN CASES
OF TRANSFER OF CHARGE CONSEQUENT
ON PRIVILEGE LEAVE, THE MINIMUM
AND INDISPENSIBLE PROCEDURE IS
LIMITED (BY PARA 399) TO THAT LAID DOWN
IN PARAS 380, 381 AND 382. ACCORDING

Mr. L.S. 4/7

25.7.87

R. 1-8-87

PUBLIC WORKS DEPARTMENT.

No. 2073 W

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 3rd August 1887

Read the following

From the Supg Engr. to Circle. R.C. No. 294 of 11 July 1887
office note from the Engr. No. 382 of 23 July 1887.
D.W. acts.

The facts of the
case as explained by the
Supg Engr. to Circle shew
that the transfer was
carried out in a most
irregular manner; and
it is doubtful whether
any of the rules of the Code
on the subject were observed
by Mr. De Winton.

2. As, however, that officer
has resumed charge of the
Civilian Division the Govt.
will permit the transfer
at Benhope on the 29th March
to hold good, but the trav-
elling allowance claim

for that day will be
disallowed.

WCB

25.7.87

Joe

29/7/87.

No 2073 was 3? August/87

M.
1.07

Please let me see the book

Desbdy
4/8/87

To
S. E. to lunch ✓
Enr P. W. A. ✓

Jan

L.S. 4/7.

R. 28.7.

Callum 26.7.87

R. 1-8-87