



C
/

P. W. D.

Memo.

Supp Engineers
are requested to
report without
delay whether
they consider
it advisable to
retain para 549
of the P. W. Code, or
to cancel it.

W. W.
8.7.57

Supp Engrs
except v. C.



(3)
Lucas

25TH MARCH 1887, No. 912 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Account.

READ—the following papers :—

Resolution of the Government of India, Public Works Department (Account—General), dated Fort William, 22nd December 1886, No. 327 A.G.

Submission of Journals to Audit Offices in support of Charges for Travelling Allowances of Subordinates.

Read—

Civil Travelling Allowance Code, 2nd edition, section 71, rule 5.

Public Works Department Code, volume 1, 5th edition, chapter IV, paras. 97, 98 and 99.

Letter from the Secretary to the Government of the Punjab, Public Works Department, No. 55 C., dated 15th June 1886.

Resolution—

Previous to the issue of the Civil Travelling Allowance Code no journals were required to be submitted to the audit offices in support of the travelling allowances charged for any subordinates in the Public Works Department; their claims to travelling allowances were investigated by the executive authorities and were included in the general travelling allowance bill of the division—

as _____ miles at _____
_____ days at _____

and the Executive Engineer appended a certificate to the effect that the *claims were admissible under the rules in force.*

2. Section 71, rule 5, of the Civil Travelling Allowance Code imposes this duty of seeing that the claims are admissible on the audit and not on the executive officers, and it has accordingly been provided in the 5th edition of volume I* of the Public Works Department Code that journals should be submitted by *all* subordinates through the Executive and Superintending Engineers.

3. The Government of India has recently had under its consideration certain objections raised by the Government of the Punjab in connection with these rules. The objections were to the effect that it would throw additional work on Superintending Engineers in respect to checking and countersigning journals; and on divisional establishments in respect to their preparation, especially as many subordinates are unacquainted with English. The Government of the Punjab represented that the additional work so caused would not be counterbalanced by any useful results as the check of the Executive Engineer as formerly exercised was sufficient.

4. In consideration of these objections, the Government of India has decided to relax the existing rules so far as to allow the several Local Governments and Administrations the option of directing that journals shall not be submitted for lower subordinates and members of the petty establishment and of the Irrigation Subordinate Revenue Establishment. In any province in which this option may be exercised, the Examiner should be required to see that a careful test-audit of the travelling allowances of subordinates is carried out periodically in divisional offices, and to submit to the Local Government, for transmission to the Government of India, a report summarising the results of the test-audit after the system has been in force for a year.

SW
W

Order—

The Governments of Madras, Bombay, Bengal, the North-Western Provinces and Oudh and the Punjab.
 The Chief Commissioners of Central Provinces, Burmah, Assam and Coorg.
 The Resident at Hyderabad.
 The Resident at Mysore (through Foreign Department).
 The Agents to the Governor-General for Central India, Rajputana and Biluchistan.
 The Superintendent of Port Blair and Chief Commissioner, Andaman and Nicobar Islands.
 The Director-General of Telegraphs.
 The Inspector-General of Military Works.
 The Superintendent of Works, Simla Imperial Circle.
 The Accountant-General, Public Works Department.
 The Director-General of Railways.
 The Director-in-Chief, Indo-European Telegraph.
 The Director, Persian Telegraph.
 The Director, Persian Gulf Telegraph.
 The Consulting Engineers to the Government of India for Guaranteed Railways, Calcutta, Lahore and Lucknow.
 The Comptroller-General.
 The Accountant-General, Bengal.

Ordered that this resolution be communicated to the Local Governments and Administrations and Officers noted in the margin, for information and guidance.

Also, to the Financial Department, for information.

From Colonel A. FILGATE, R.E., Deputy Secretary to the Government of India, Public Works Department (Account—General), to the Secretary to the Government of Madras, Public Works Department, dated Fort William, 18th March 1887, No. 71 A.G.

I am directed to acknowledge the receipt of your letter, No. 216 W., of the 22nd January 1887, submitting that no change be made in the procedure set forth in Madras Public Works Department Code paragraphs 530 and 531, under which the journals of members of the Engineers Establishment only are forwarded to the Examiner, Public Works Accounts, in support of the charge in the monthly travelling allowance bills.

2. In reply, I am to state that the Government of India has recently considered very fully the question of the submission of journals to audit officers in support of charges for travelling allowance, and is not at present prepared to sanction any further relaxation of the rules than that provided for in Public Works Department resolution, No. 327 A.G., dated 22nd December last. The matter may, however, be referred to the Government of India, for reconsideration, when submitting the report asked for in paragraph 4 of that resolution.

ORDER—dated 25th March 1887, No. 912 W., Public Works.

Communicated to officers of the Public Works Department, for information and guidance.

2. From 1st April 1887, the journals of all upper subordinates will be forwarded for check and record in the office of the Examiner, Public Works Accounts. The Examiner will submit a draft standing order modifying the Code rules on the subject accordingly.

3. The Examiner will arrange for the test-audit referred to in paragraph 4 of the Government of India resolution of 22nd December 1886, and submit the required report after the close of the official year 1887-88.

(True Extract.)

(Signed) J. O. HASTED, Colonel, R.E.,
 Secretary to Govt., P.W.D.

To the Chief Engineer for Irrigation.
 To Superintending Engineers.
 To the Consulting Architect to Government.
 „ Examiner, Public Works Accounts.

Exd. E. Fernandez.
 Spare Copies

1887

P. W. DEPARTMENT.

Current No. 4687

From

The Suptg. Engineer
VI circle

ENCLOS.—

No. 563 T. J.

Dated 17 June 1887

Received 21—do—

SUBJECT.

Soliciting information
as to the meaning and
scope of para 549 of
the P. W. Code, regarding
Travelling allowance
to upper Subordinates.

DISPOSAL.

No. 2072 Dated 22 June 1887

To. C

For favor of remarks.

(2d) W. L. C. B.

D. W.

Recd
22/6/87

8-43/61

GENERAL.
ACCOUNT.

Govt. of 1887 Madras.

PUBLIC WORKS.

Dated March, 25th.

Recd.

Encl.

G.O., 25th March 1887, No. 912 W.

MARCH.

Travelling Allowances

Orders of the Government of India on a
reference on the question of the submission
of journals to audit offices in support of
charges for —, communicated, with remarks,
to officers of the Public Works Department.

copy

No. 563 T. J.

Supt. Engineer's Office, Circle.
Kodaikanal 17 June 1887.

W. 202

Form

Lt Col J. Pennycook R.R.

Supt. Engineer, Circle.

To.

The Chief Engineer

P. W. D.

Sir,

I have the honor to solicit in-
formation as to the meaning and
scope of para. 549 of the P. W. Code.

2. The para. in question states
that travelling allowance will be
granted to upper subordinates under
the rules in the Civil Travelling
Allowance Code, provided that as
a rule they are absent from their
head quarters on inspection or other
duty at least half of each month.

3. This implies that a subordinate
who is absent from head quarters
for a shorter period than half a
month cannot draw travelling
allowance at all; for it is certain
that

1887

P. W. DEPARTMENT.

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D. W.

Despatch
22/6/87

5/23/87

GENERAL.
ACCOUNT.

Govt. of (1887) Madras.

PUBLIC WORKS.

Dated March, 25th.

Recd.

Encl.

G.O., 25th March 1887, No. 912 W.

MARCH.

Travelling Allowances

Orders of the Government of India on a reference on the question of the submission of journals to audit offices in support of charges for —, communicated, with remarks, to officers of the Public Works Department.

copy

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Supt. Engineer's office, Circle.
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Lt Col J. Pennycook RR

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To.

The Chief Engineer
P. W. D.

Sir,

I have the honor to solicit information as to the meaning and scope of para. 549 of the P. W. Code.

2. The para. in question states that travelling allowance will be granted to upper subordinates under the rules in the Civil Travelling Allowance Code, provided that as a rule they are absent from their head quarters on inspection or other duty at least half of each month.

3. This implies that a subordinate who is absent from head quarters for a shorter period than half a month cannot draw travelling allowance at all; for it is certain that

that he cannot draw it except under the Civil Travelling Allowance Code.

4. The paragraph is flatly opposed to the Travelling Allowance Code itself which distinctly states (Chapter I section 1) that the rules of that Code apply to all officers in Civil employ with certain specified exceptions, and it appears to me that a subordinate who travels on duty with the sanction of his official superiors can claim travelling allowance under the Code as a matter of right, whether his travelling occupies one day or thirty.

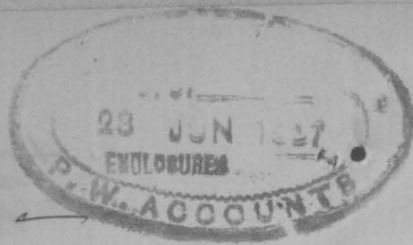
5. Moreover Section 29 rule 6 specially provides for the case of a subordinate who never leaves his head quarters at all, and this rule is simply cancelled by para 549 of the P.W. Code.

6. Apart from the inconsistency of

this para with the specific provisions of ^{the} Civil Travelling Allowance Code, its enforcement would in most cases cause the most grievous hardship to subordinates; as a matter of fact it has never to my knowledge been acted on, and it is not clear what object its retention is intended to serve -

7. In a recent "disallowance statement" from a travelling allowance bill from a Division in this circle, the Examiner has remarked with regard to a claim to horse allowance under section 29 rule 6 of the ^{Civil} Trav: Allow: Code "passed, but attention is invited to para 549 of the P.W. Code".

8. This remark is even more difficult to understand than the para itself. Either para 549 overrides the Civil Trav: Allow: Code or it does not; if it does not it is



meaningless and there is no occasion to "draw attention" to it; if it does, allowance under section 29 Rule 6 is palpably inadmissible and the Examiner is acting "ultra vires" in passing it at all.

I have the honor to be.

Sir

Your most obedient servant.

John B. [Signature]

Supr Engineer, Trade.

Lt Col M. S. [Signature] No. 1

NW 5174

187

rules of the Civil Travelling Allowance Code allowed me to do was, to call the attention of the Supg. Engineer to a Departmental Rule which he, as Controlling Officer, had apparently overlooked: and this I did.

[Signature]
C.

[Signature]
EP.
6/7

The whole gist of the question is
Should para 549 be returned?

The opinion of ST on this
point must be obtained.
It seems to me that the TA
of Subordinates should be
regulated entirely by the CTA
Code, & that para 549 is
unnecessary.

The ST VI has mistaken
Controlling Officer for the
Examiner.

[Signature]
1.7.57

3. As regards para 4 of the Supg. Engineer's letter, Section 71 rule 3 of the Civil Travelling Allowance Code expressly authorizes a Local Govt. to lay down any subsidiary regulations it thinks fit, for the guidance of a Controlling Officer in allowing, or disallowing, the whole or any portion of the travelling allowance claimable for any journeys or halts, and para 549 of the P.W. Code is evidently a Departmental rule of this kind.

4. As regards paras 7 and 8 of the Supg. Engineer's letter, rule 5 of the above quoted Section says: "it is the duty of the Controlling [Officer, i.e. the Supg. Engineer] and not of the Account Officer to enforce Departmental rules"; and the same rule also says: "An Account Officer will accept any bill, duly countersigned, for travelling allowance which is admissible under the rules contained in this Code". The allowance in question may have been, as the Supg. Engineer says, "palpably inadmissible"; but, if so, it was his duty, not mine, to disallow it. Had I attempted to disallow it I should have acted distinctly ultra vires. The utmost that the

No. 2072 c d/22nd June 1887

To C

For favor of remarks

W.M.
21.6.87

D.W.

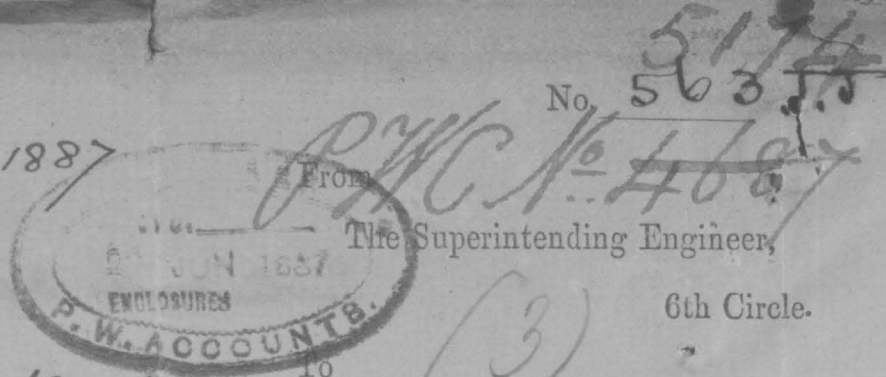
No 301 d/6/7/87

To W.

I have been trying to discover how this para — which was not in the 1877 Edition of the Code — got into the 1882 Edition; but there does not seem to have been any correspondence leading up to it. It was not introduced by Standing Order, and must therefore have come in during the revision, and I should think it must have been introduced at your instance.

2. Whether it is desirable to retain it, or not, is a matter as to which it seems to be entirely for you to advise Govt.; but there can be no doubt that there is nothing irregular, or absurd either in the rule itself, or in my action with respect to it, the Supg. Engineer's remarks, in paras 4, 7 and 8 of his letter, being based on an incomplete view of the rules of the Civil Travelling Allowance

Code.



Station

Dated 17 June 1887

Enclosures. —

Reference

R 21.6.87
R 7.7.87

Encl

No. 2218 w a/20. August 1887

solicits information
as to the meaning
and scope of para
549 of the P.W. Code,
regarding Travelling
allowance
Subordinates —

To

No. 324 d/12 July 1887
Public Works Department.

Office Note.

To *C.*

Your Office Note No. 301

d/6.7.87.

Please see Para 590,
Chapter 4 of the P.W. Code of
1879, which contains in
italics, the rule referred
to by the Supg. Engineer
VI Circle. It was reproduced
in the edition of 1882, & retained
in that of 1886.

There must be in the
Code branch of your Office,
correspondence which led to
the insertion of the rule in
the edition of 1879. and if it
can be traced, I shall be
glad to see it before ^{Taking} the
order of Government
as

as to expunging the rule
from the Code.

(24)

2000.

W.

N^o 3240 of 12th July 1887.

despatched.
12/7/87.



No. 324

Government of Madras.

PUBLIC WORKS DEPARTMENT,

Ootacamund, 12th July 1887.

OFFICE NOTE.

From

W

To

C

Your office note
No 301 dated 6.7.87.

Please see para 590,
Chapter 4 of the P. W. Code
of 1879, which contains
in italics, the rule
referred to by the
Sup^{ly} Engineer VI Circle.
It was reproduced
in the edition of 1882,
retained in that of
1886.

There.

all 89. vii
11.12.7.87

PNC# 58135

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 20th August 1877

READ the following

From the S. C. VI Circle No 563 J. J. 217. 6. 87
 " " Ear No. — No 301 of 6. 7. 87
 To the — or — " 324 of 12. 7. 87.
 From the — or — " 392 of 26. 7. 87.

The conditions under which travelling allowances are granted to upper subordinates appear to be sufficiently covered by para 529 of the P. W. Code, and the Examiner will submit a draft standing order expunging para 529.

2. The Examiner's
note

1927.7.87

Ex. 2218 way 20th August/87

13 Aug

John

10/4/8

N 3920726-7-8.

I HAVE HAD THE RECORDS OF
THE CODE BRANCH SEARCHED, AND CAN
FIND NO TRACE OF ANY CORRESPONDENCE
LEADING TO THE INSERTION OF THE RULE
IN PARA 590 OF THE CODE OF 1879.

Chas

89.26/7. 0.27.7.87. 0.15.8.87. 0.8.9.87.

note no 301 of 6 July
 1887 will be commu-
 nicated to the Suply
 Sup^r VI Circle with
 reference to his letter
 above recorded.

Mr. H. P. P. G. G. G.

John
5/8/87

Wm
14.1.87

No 912 W of 25.3.87
- 1324 D of 12.7.87

No 2218 W dated 20. August 87

W

20.8

Cu

act
25/8
Paris

S. S. VI circle ✓
Exm Dues ✓ 20/8

Q. 15.8.87.
Q. 27.7.87.
Q. 15.8.87.
Q. 8.7.87.