

no 949 of 24.3.68.

PWC No 52 of

non-existent; the only possible question would then be as to the incidence of ^{the} charge, and if P.W.D. Code para 437 was intended simply to settle the incidence of ^{the} charge, it would, I take it, be worded accordingly.

4. As the para has not been so worded, but is worded so as to authorize the Examiner to pass an additional charge, it appears to me that it is intended to authorize the Examiner to pass the extra charge in all cases in which extra expense is necessarily incurred during transfer and relief, and to obviate the necessity of a reference to Government in all such cases.

5. I solicit orders of Government as to the interpretation of the rule in question.

19/82 in reply to a memorandum

13.5.6.88

10/1775 Wd/1888

The Examiner is authorized to pass the additional charge in question.

2. The Examiner is reading of the rule, as given in para 4. of his note is correct. He will therefore pass the additional charge in question.
16/6/88

12/6/88

12-21/6-88
13-6-88
13-6-88

13-6-88
S.E. II Circle
Examiner P.W. Accounts
13/6

12-21/6-88
13-6-88

Supt of works. P.W.
13/6

No. 579

Executive Engineer's Office,

31st March - 1888

From A. A. G. Malet Esquire.
The Executive Engineer of Nellore.

To

The Superintending Engineer
2nd Circle.

Sir,

I have the honor to inform that M. Chinniah Naidu was acting as Sub Overseer 2nd Grade Sub-division during the absence of Mr. J. Smithers in Bursah from 8th May to 30th Nov. 87. On his return the latter [has] reported his arrival in Nellore on the afternoon of 30th Nov. 87 and was instructed to proceed to Sangam Sub Division for duty.

His substitute Chinniah Naidu having been engaged in Gudur Taluq. I [have] sent him an order through the Sub Div Officer on 3rd December regarding his immediate relief as the permanent incumbent ^{had} returned to duty. This reached him on the 7th December and he ceased to work from the 8th Idem.

From the above cause it became necessary to draw pay both to Mr. Smithers and Chinniah Naidu from 1st to 7th December and the Examiner now objects to pass the latter's pay for the said

said period without special sanction
of Government for the admission of the
Charge.

As this additional Charge was
unavoidable under the circumstances ex-
-plained above. I request you will be
good enough to obtain the orders of
Government for the same under para 437
of P. W. Code.

I have the honor to be

Sir

Your most Obedt. servant

Alfred H. Smith

Executive Engineer - N. Div.

No. 15 NL

Forwarded in original

to the Chief Engineer, Public Works Depart-
-ment with a request that he will be so
good as to obtain the sanction of Govern-
-ment to the additional charge which was
unavoidable under the circumstances
stated by the Executive Engineer.

Suptg. Engr's Office,
2^d Circle, Bezvada.
7th April 1888

J. H. Smith
Superintending Engineer,
2nd Circle.

R.O.N. No. 9987/14-48

No. 1546C of 12 April 1888

To C

For favour of
remarks.

11.4.88

Du

To W.

No. 15958/2.6.88

M. Chinniah Naidu was appointed to act as sub-overseer vice Mr. Smithers transferred to Burma. Mr. Smithers rejoined his appointment on return from Burma on the 30th. November 1887, on which date, the acting appointment of Chinniah Naidu should have ceased, but as Chinniah Naidu was not relieved until the 7th. December 1887, pay for 1st. to 7th. December 1887 was claimed on his behalf and the claim disallowed, pending sanction of Government to the admission of the charge, as pay for the same period has been passed to Mr. Smithers.

From

A. H. G. Innes Esq.
Essex Engineering Co.
Mellor 15th

To

The Superintending Engineer
Second Bridge

No. 579

Station - Mellor.

Noted & despatched 31 March 88.

Received 11.4.88

Enclosures - Nil

Subject -

Sub. overseer Chinniah Naidu

Requesting to obtain or determine
of the Government for the
pay of _____ from
1st to 7th December 1887

With an endorsement
within No. 15NL
7.4.88
70

2. Under P. W. D. Code para 437 (based on G. O. No. 949 dated 24th. March 1868), the Examiner is authorized to pass additional charges on account of the pay and allowances of an officer transferred to another division or department for the broken period which may elapse in giving over charge; but the rule has hitherto been interpreted to apply only to additional charges against a particular division, over & above the sanction for that division, consequent on the transfer of an officer, when the total sanctioned strength for the presidency is not exceeded; and it has been held that the authority given in para 437 does not apply to the case of an acting officer rendered additional to the sanctioned establishment, by the return of the permanent incumbent.

3. It seems to me however, very doubtful whether this is really the intention of the rule. If both the relieving and the relieved officer are on a sanctioned establishment, there can be no possible question that the salaries of both of them would have to be passed even if P. W. D. Code para 437 were