Public Works (1896) Department.

G.O., No. 3635-36 W

DATED 18-December

[Despatch Abstract.]

Presidency allowance; Directing that the order authorizing the grant of the usual – to Honorary Captain Lalor shall continue to be acted on, and drawing the attention of the Govt of India to the omission of "Madras" in the Code rule prescribing the rates of – to be granted to Provincial Service Eng. men.

T. C.
18/12

[P.W. 25.
2,000—23-10-96.]

INDEXED. 19/12

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Capt. J. Lalor's allces
as offg. Ex. Engr. B. Canal
division

K6

No. 3635 W dt 18.12.96.

DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

B

READ the following

From the S.E. II Circle No. 332 B.C. dt. 2nd Novr. 1896.
" " Secy. P.W.D. " 4042 D/E of 24th — — —

In G.O. No. 1981 W dated 6th July 1896, the Examiner was authorised to pass the usual rate of Presidency allowance to Hony. Capt. Lalor. This order will continue to be acted on, and meanwhile the attention of the Govt. of India will be drawn to the omission of "Madras" in the heading of Column 5, appendix I, Vol I P.W. Code, prescribing the rates of Presidency allowance to be granted to Provincial service Engineers.

A.S.H.
12.12.96

Ltr. No. 3636 W dt 18th Decr. 1896.
To the Secy. to the Govt. of India
P.W.D.

Sir,

With reference to your

5 R/W
E.D.

S.E. II Circle
Secy. P.W.D.
Issued 19/12/96

A.S.H.
12.12.96

Sri 17/12

P. W. 40.
50—2-9-96.

letter No 1889 G dated 29th July 1896, sanctioning the grant of an acting allowance of Rs 50 per mensem to Hony. Capt. J. Lalor, Assistant Engr., while in executive charge of the Buckingham Canal division, I am directed to state that it has now been brought to notice by the Examiner that in consequence of Capt. Lalor's appointment to officiating as Ex. Engineer under the Provincial service rules, that officer is not entitled to draw Presidency allowance under Appendix I. Vol I P.W. code & Govt. of India Resolution No 1504 G, dated 3rd May 1894. The result of this is that while Capt. Lalor is granted an acting allowance of Rs 50 per mensem, he is deprived of sub divisional allowance at Rs 30, and Presidency allowance at Rs 50 per mensem, & suffers a net loss of Rs 30 per mensem. This Govt. does not consider that Capt. Lalor's title to

Presidency allowance is affected by the grant to him of an officiating allce as Ex. Engr., & has authorised the Exr to continue to pass the former pending a reply to this reference. I am at the same time to invite the attention of the Govt. of India to the omission of "Madras" in the heading of Column 5 of Appendix I. prescribing the rates of Presy. allce to be granted to Provincial ~~Engineer~~ service Engineers and to request that this may be rectified. If there are no special reasons for the omission in any case, I am to request that it may be ruled that when upper subordinates in Madras are appointed to the temporary charge of divisions, they should not be debarred from drawing, in addition ~~any~~ to

BACK PAPERS.

to the acting allowance, any local allowances they may have been in receipt of as upper subordinates, ~~in addition~~.

Have &c

9/12/96

W

Cy

Despd 19/12/96

Public Works (1896.) Department.

CURRENT No. 10754

Order

From

The Examiner
P. W. Accounts.

No. 4042 D/E

Dated 24 Nov/96.

Received 26-11-96

Enclosures 3

Spare copies

SUBJECT.

Sub Divisional Allowance and Presidency Allowance of Captain J. Lalor — Explains the circumstances under which — were disallowed.

BACK PAPERS.

G.O.	No.	Department.	Date.
	4122C	P.W.	14-11-96
G.O.	2388W	P.W.	18-8-96 ✓
"	1981W	"	6-7-96 ✓
"	1926W	"	2-7-96 ✓
Memo	2399C	"	2-6-96 ✓
"	2307C	"	19-5-96 ✓
"	1757C	"	30-3-96 ✓
G.O.	933W	"	16-3-96 ✓
"	2651W	"	25-10-95 ✓
"	1245W	"	19-5-94 ✓
"	1389W	"	5-6-94 ✓

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Buckingham Canal Division.

Extract from the list of dis-allowances from the Salary Bill for the Month of August 1896.

EXAMINED
17 NOV 1896

No. of Item.	Name and designation of Officer or Subordinate.	Particulars of items dis-allowed.	Amount dis-allowed Rs	as	p	Reason for disallowance
×	×	×				×
2	Captain J. Lalor, Deputy Commissary and Honorary Assistant Engineer, 1st Grade, Supernumerary Officiating Executive Engineer	Sub-Division allowance from 15th April to 31st August 1896 at Rs 30/- per mensem.	136	0	0	In-admissible while Officiating as an Executive Engineer.
3.	Do — Do — Do.	Presidency allowance from 15th April to 31st August 1896 at Rs 50/- per mensem.	226	10	8	In-admissible to Executive Engineer of the Provincial Service in Madras, Vide G.O. No. 1245, W. dated 19th May 1894.

(True Extract)

J. Lalor Captain,
Offg. Executive Engineer,

17 NOV 1896

Letter from Captain J. Lalor officiating Executive Engineer, Buckingham Canal Division, to the Superintending Engineer, 2nd Circle No 1535, 30-9-96.

I have the honor to forward herewith an extract from the Examiner's Disallowance list on the Salary bill of this Division for August '96, and to request that you will kindly refer this matter to Government for favourable consideration.

2. The Government of India in No 1889, dated 29th July, 1896, Communicated with your No 2468 B.C. of 21st August, 1896, Sanctioned the grant to me of an acting allowance of Rs 5 / per mensem while in executive charge of the Buckingham Canal Dn. It is clear, that the intention is to increase my emoluments by Rs 50/ per mensem

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-neration to correspond with the more onerous and responsible duties of the acting appointment. The Examiner, however, decides differently and declares that such intention cannot be given effect to. According to his interpretation I must give up my Presidency allowance of Rs 50/- and my Sub Divisional allowance of Rs 30/- or Rs 80/- in all in return for the acting allowance of Rs 50/- i.e. I must be mulcted to the extent of Rs 30/- every month while drawing the acting allowance.

3. No authority is given for the disallowance of the Sub Dl. Allowance, except that it is inadmissible while officiating as an Executive Engineer. Admitting that both allowances cannot be drawn together, it is hard to understand why Presidency allowance also should be disallowed.

4. As regards the Presidency allowance this was sanctioned to me in G.O. No 1981 W of 6th July, 1896, and the Examiner ignoring this sanction of the Local Government disallows the allowance, quoting G.O. No 1245 W dated 19th May, 1894 also according to P.W.D. Code, Government of India, 1894, Volume I, Chapter II para 12 & 19, I cannot be appointed to the Provincial Service unless I forego my military rank. Not having done so, I fail to see how the Examiner can treat me under the Provincial Service rules as an "Executive Engineer of the Provl. Service in Madras".

I would here ask why acting allowance was passed to Mr Bond

in

-mensum to correspond with the more onerous and responsible duties of the acting appointment. The Examiner, however, decides differently and declares that such intention cannot be given effect to. According to his interpretation I must give up my Presidency allowance of Rs50/- and my Sub Divisional allowance of Rs30/- or Rs80/- in all in return for the acting allowance of Rs50/- i.e. I must be mulcted to the extent of Rs30/- every month while drawing the acting allowance.

3. No authority is given for the disallowance of the Subdl. allowance, except that it is inadmissible while officiating as an Executive Engineer. Admitting that the allowances cannot be drawn together, it is hard to understand why Presidency allowance also should be disallowed.

4. As regards the Presidency allowance this was sanctioned to me in G.O. No. 1981 W of 6th July, 1896, and the Examiner ignoring this sanction of the Local Government disallows the allowance, quoting G.O. No. 1245 W dated 19th May, 1894. Now according to P.W.D. Code, Government of India, 1894, Volume I, Chapter II para 12 & 19, I cannot be appointed to the Provincial Service unless I forego my military rank. Not having done so, I fail to see how the Examiner can treat me under the Provincial Service rules as an "Executive Engineer of the Provl. Service in Madras".

I would here ask why acting allowance was passed to Mr Bond in in May and June 1895 in addition to Presidency allowance when he officiated as an Executive Engineer. Our two cases are exactly similar and yet are treated differently.

5. In conclusion I would observe that the whole tenor of the order of the Government of India quoted by the Examiner viz 1245 W of 19-5-94 is to give an increase of salary of Rs100/- to a subordinate officiating as an Executive Engineer (in my case the amount is only Rs50/-) not to take away any allowance that he may have enjoyed and the Examiner's construing of the order in my case does not certainly carry out this intention. I have drawn the Subdn. allowance and the Presidency allowance (but not the acting allowance) when officiating from September

to

to December, 1895, and also from April to August of this year. If Presidency allowance cannot be passed to me as hitherto, because the acting allowance is given, I would prefer to forego the latter and to continue to draw the former in addition to my usual Subdn. allowan

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No. 332 BC / 2.11.96

Encl 1.

Forwarded to the Chief Engr. P. W. Department for favourable consideration.

2. The Examiner appears to be in error in classing Captain Lalor as a Provincial Engineer.

3. Apparently the allowance which Captain Lalor is entitled to draw are Presidency allowan

Rs 50/- & acting allowance Rs 50/-
As regards Sub W.C. allowance, this appears to be inadmissible.

W.L.C. Baddeley
29.10.96

Major R.E.
Superintending Engr.
II Circle

P.W. Enc 2 / 10754/96

Public Works (1896) Department.

Enc 3

CURRENT No. ~~9987~~ 10754/96

EXAMINER
17 NOV 1896
P.W. ACCOUNTS

No. 4122 C of 14th November/96

Order O.W.

W.C.

For favour of remarks.

23880

19/11/96

17/11

From Major W.L.C. Baddeley, R.E.
Superintending Engr.
2nd Circle.

No. 332 B.C.

Dated 1st November 1896
Received 5.11.96
Enclosures 1
Spare copies

SUBJECT.

Sub W.C. allowance and Presidency allowance of Capt. Jhalor — Brings to notice with remarks Examiner's disallowance of the —

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

E. No. 27.
1,000—9-12-95.

KEEP-WITH
CURRENT No.
dated 189 .

GOVT. OF MADRAS. } 1896. { P. W. DEPT.

EXAMINER, P. W. ACCOUNTS,

Madras, 24 November 1896.

OFFICE NOTE No. 4042 D/E

To

W.

Captain J.Lalor can draw

Details	As Asstt. Engineer	As Offg. Ex. Engineer
Staff pay	250	250
Military Pay	300	300
Sub. Divisional Allowance	30	..
Presidency Allowance	50	..
House rent as Deputy Commissary	45	45
Officiating Allowance (Sanctioned in Indian No 1889 G dated 29 July/96)	..	50
	..	
	675	645

* Only Rs 30/- is admissible on the Provincial Establishment.

× B.N. 2388 W & 18.8.96

Captain J.Lalor in bill for October has claimed his salary as an Assistant Engineer which has been passed provisionally pending formal orders of Government.

G.O.1245 W dated 19th May 1864 makes no provision for presidency allowances for Engineer officers of the Provincial Establishment. vide also para 5 of G.O.No 933·W. dated 16th March 1896. With reference to para 2 of Superintending Engineer's endorsement, I may add that all appointments now made to the Engineer Establishment are in the Provincial Services. Captain J.Lalor can only officiated as

Executive Engineer on the Provincial Establishment, vide also G.O. 1389 W dated 5th June 1894.

C.

23/11