

Public Works (1897) Department.

G.O., No. 1118 W

DATED 29th April 1897

[Despatch Abstract.]

Overseer P. Ramanarain Pondai

Proceedings Financial Dept exempting
from the operation of article 1159 of the
Civil Service Regulations so long as he is employed
on survey duty in the Civil Agency Sub Division
Ganjam, Communicated to the S.E. Circle &
the Exr. P.W. Sects.

4/5
29/4/97

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	4086	H	19.2.97				
	4019	C	12.12.96				
		ifile					

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
4294							

Public Works (1897) Department.

CURRENT No. 2465

From

The Financial Dept.

Order No 11184 of 29.4.97
Communicated to
the Supt. Engineer & Circle
and the Examiner S.W.
Accounts -

No. 206.

Dated 4th March 1897

Received 8.3.97

Registered — — —

Enclosures

Spare copies

SUBJECT.

Exempting P. Ramamurthi from the operations of arch 1159 of the C. S. R. so long as he is employed on Survey duty in the Civil Agency Sub-Division, Ganjam.

O.S. 9 R2/4

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A. M. Knapp. ✓

C.R.

No 964 c of 16.2.97

Public Works Department.

Endorsement.

From the Superintending Engineer I Circle, No. 873 G.N., d/29th Nov. 96.

-do-

-do-

-do-No. 1068 G.N., d/3rd Feb. 97.

Note by the Chief Engineer, P.W.D.

The Chief Engineer considers the claim admissible, and recommends that the Overseer be exempted from the operation of Art. 1159 G.S.R. so long as he is employed on his present duties.

2. Art. 1160(c) seems to the Chief Engineer to apply to a case of this kind though the Examiner thinks --- otherwise.

[Signature]
10/2/97

E.W.

Transferred to the Financial -
Department with reference to the --
orders in that Department No. 342 d/
19th May 1896.

[Signature]
10/2/97
W.

B.A.

The Financial Department.
with papers in original.

21/2/97
[Signature]

14/2/97

Public Works (1897) Department.

CURRENT No. 1357

Order

From J.C. Laminie Esq.
 Supg. Engr. Ill.
 To The Chief Engineer, P.W.D.
 No. 106 P.G.N.

Dated 3.2.97
 Received 8.2.97
 Enclosures -
 Spare copies

SUBJECT.

Oversee, Mr. P. Ramamurthy
 Pondai — Submits copy of
 Engr's Divisional Officer's letter
 stating that — maintains a
 horse with horse-keeper and a
 grass-cutter, one tent and a
 cart as his camp equipage.

96/16
 16/2
 97

CURRENT No.

SUBJECT

Oversee, Mr. P. Ramamurthy
 Pondai — Submits copy of
 Engr's Divisional Officer's letter
 stating that — maintains a
 horse with horse-keeper and a
 grass-cutter, one tent and a
 cart as his camp equipage.

C
CURRENT No. 11074

Order *Artemis*

From J. C. Larmine Esq.
R. Subg. Engr. I Civil
To The Chief Engineer, P.W.D.
No. 873 G.N.

Dated 29.11.96
Received 7.12.96
Enclosures /
Spare copies

SUBJECT.

1/12/94
 9/12/94 in Mr. P. Ramanarayana Pondai,
 Overseer, Employed on Survey work.
 — Submits Copy of Ganjam Division-
 al Officer's letter for favor of obtain-
 ing the necessary sanction of
 Government to the grant of daily
 allowance to — irrespective of
 10 days halt.

FINANCIAL.

Encl.

MAY.

Directing that all applications for exemption from the operation of Article 1159 of the Civil Service Regulations be, in future, dealt with in the Financial Department; that Secretariat departments, in transferring such applications to the Financial Department, should express an opinion on their validity; and that claims which are obviously inadmissible be dealt with finally by the Executive Department concerned.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

ORDER—No. 342, Financial, dated 19th May 1896.

All applications for exemption from the operation of Article 1159 of the Civil Service Regulations will, in future, be dealt with in the Financial Department. Secretariat departments, in transferring to the Financial Department papers relating to such exemptions, should, however, express an opinion on the validity of the application, and claims which are obviously inadmissible should be dealt with finally by the Executive Department concerned.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To all Secretariat Departments.

Exd. C. M. Thumbuswamy.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

READ—again the following papers :—

G.O. Nos. 1571-72 W., dated 22nd May 1896.

From the Executive Engineer, Kistna Western Division, to the Superintending Engineer, II Circle, dated 30th January 1896, No. 429 S.

I have the honour to forward correspondence as per margin and to request that orders of Government may be obtained.

2. The facts of the case are as follows :—

Mr. L. D. Venkatarama Iyer, Assistant Engineer, halted at Vadhesweram from 2nd to 11th June 1895, *i.e.*, exactly ten days. He then proceeded to Sitanagaram which is 4 miles from Vadhesweram and halted at Sitanagaram for five days (12th to 16th June). Both these places are more than 5 miles from his permanent headquarters at Guntur.

3. The Examiner, Public Works Accounts, has disallowed the daily allowance claimed for 12th to 16th June under Civil Service Regulations, article 1159 (explanation).

4. I submit that this disallowance is incorrect. Article 1159 (explanation) only refers to a halt of more than ten days. In this instance, the halt at Vadhesweram was exactly ten days. Mr. L. D. Venkatarama Iyer did not return from Sitanagaram to Vadhesweram; so I do not see how the explanation of article 1159 applies.

5. I submit that it is immaterial whether Mr. L. D. Venkatarama Iyer moved his camp 1 mile or 30 miles on the 12th June provided—

(1) He did not halt more than ten days at one place.

(2) That the place or places were more than 5 miles from his permanent headquarters.

(3) That he did not return to the place at which he had halted more than ten days previous to the 12th June.

As none of these conditions apply to the present case, I believe Mr. L. D. Venkatarama Iyer is entitled to daily allowance from 12th to 16th June 1895.

6. If, however, Government agrees with the Examiner, Public Works Accounts, and considers that the halts at Vadhesweram and Sitanagaram constitute a single halt of fifteen days' duration, I have the honour to request that daily allowance for 12th to 16th June 1895 may be passed as a special case under article 1159 (a), as I had to proceed to Masulipatam on urgent business and instructed Mr. L. D. Venkatarama Iyer to remain at or near Sitanagaram when canals were first re-opened (the head-sluiques were opened on the 8th June) to attend to the regulation.

ENCLOSURES.

From M.R.Ry. L. D. VENKATARAMA IYER Avergal, Assistant Engineer, Eastern Sub-Division, to the Executive Engineer, Kistna Western Division, dated 14th July 1895, No. 97.

With reference to the list of observations No. 13, on my travelling allowance journal for June 1895, I have the honour to point out that article 1157 of the Civil Service Regulations deals with the limiting distance of 5 miles from head-quarters, and in the present case the distance of

Sitanagaram from Guntūr (my head-quarters) is 18 miles. Article 1159 of the Civil Service Regulations says that a daily allowance may not be drawn for more than ten days' halt at one place, and I have not halted for more than ten days at Vadhesweram. The explanation under article 1159 says as follows:—

"An officer who remains *more than ten days* halted at any place, may, after the completion of the ten days' halt there, draw travelling allowance under the ordinary rules applicable to him for any journey made on one day from and to the halting place, if he reaches a point more than 5 miles distance from it. A halt is not interrupted for the purpose of this rule by an absence on duty from the place of halting for less than three nights."

This explanation implies that, when an officer halts for *more than ten days* at one place, that place is treated as his temporary head-quarters, and that the ordinary rules of travelling allowance will apply for the journeys made from that station. In the present case I have halted *only for ten days* at Vadhesweram, and not for *more than ten days*, and consequently Vadhesweram cannot be considered as having been made my temporary head-quarters, Guntūr continuing to be my head-quarters, so long as I do not halt for more than ten days at any one station.

Article 1164 (c) of the Civil Service Regulations will apply to the present case, only if it be construed that Vadhesweram has been made my temporary head-quarters. As pointed out above, Vadhesweram has not been made my temporary head-quarters, and consequently this article of the Civil Service Regulations does not apply to the present case.

From M.R.Ry. L. D. VENKATARAMA IYER Avergal, the Officer in charge, Eastern Sub-Division, to the Executive Engineer, Kistna Western Division, dated 24th January 1896, No. 218.

In returning herewith the extract from the list of disallowances from travelling allowance bill for June 1895, I have the honour to point out that the final orders of the Examiner are based on no argument to suit my explanation. I do not say that Sitanagaram is not within 5 miles from Vadhesweram, nor do I say that I did not halt at Vadhesweram for ten days (2nd to 11th June 1895). I only say that, as I have halted *only for ten days* and not for *more than ten days*, article 1159 (explanation) cannot apply to this case. As the Examiner has finally disallowed the claim, the only course left for me now is to refer the matter to Government through you and the Superintending Engineer. When referring the matter to the Superintending Engineer, please kindly send my full explanation contained in my letter No. 93, dated 14th July 1895.

In this connection, I have also to point out that, under your instructions, I had to stop at or near Sitanagaram, in order to look after regulation, when the main canal was opened in the evening of the 8th June, as you had to go to Masulipatam in connection with a law suit. If it is to be decided by Government that ten days' halt at Vadhesweram and five days' halt at Sitanagaram constitute fifteen days' halt at one place, I will have to make my representations to Government, that I had to make that continued halt in the interests of public service, and that my allowances should be passed under article 1159 (1) of the Civil Service Regulations. But I do not wish to take that course without ascertaining whether the claim, as put forth by me, is admissible or not.

No. 2321 K.S.

Forwarded to the Chief Engineer, Public Works Department, for favour of orders.

2. The arguments of the Executive and Assistant Engineers appear to be sound.

6th February 1896.

(Signed) W. M. ELLIS, Capt., R.E.,
Suptg. Engineer, II Circle.

Office-note from the Examiner, Public Works Accounts, dated 18th February 1896, No. 130 A.D.

The claim is inadmissible. The Assistant Engineer's journey from Vadhesweram to Sitanagaram was not to a point more than 5 miles from the halting place and he is not, under the ordinary rules applicable, entitled to any travelling allowance for journeys under 5 miles. The exemption asked for under Civil Service Regulations, article 1159, may be granted should Government consider the case justifies the concession.

MEMO. No. 1176 C.

Referred to the Financial Department for favour of information as to the practice in the Civil Department in similar cases.

2. The Examiner states that Assistant Engineer Mr. L. D. Venkatarama Iyer's claim to daily allowance for the halt at Sitanagaram is inadmissible, but there appears to be much force in the Executive Engineer's arguments in favour of the claim. The chief point appears to be that the Assistant Engineer did not return from Sitanagaram to Vadhesweram, that therefore the latter ceased to be the halting place when he left it, and that the halt at Sitanagaram was a fresh one for which daily allowance should be granted.

(Signed) D. McNEIL CAMPBELL, Col., R.E.,
Joint Secretary to Government.

2nd March 1896.

No. 511, Financial.

Referred to the Accountant-General for favour of remarks.

(By order.)

FORT ST. GEORGE,
6th March 1896.

(Signed) W. W. PHILLIPS,
Ag. Assistant Secretary.

From F. C. HARRISON, Esq., Officiating Accountant-General to the Government of Madras, to the Chief Secretary to Government, dated Fort St. George, 23rd March 1896, No. 901.

With reference to Government endorsement No. 511, Financial Department, dated the 6th of March 1896, referring for my remarks, correspondence relating to the claim to daily allowance preferred by M.R.Ry. L. D. Venkatarama Iyer Avergal, Assistant Engineer, for the period from 12th to 16th June 1895, I have the honour to observe that the practice of this office in similar cases has been to admit the claim for the whole period on the ground adduced by the Joint Secretary to Government, Public Works Department, in his Memo. No. 1176 C., dated 2nd March 1896, viz., that, as the officer did not return from Sitanagaram to Vadhesweram, the latter station ceased to be the halting place when he left it, and that the halt at Sitanagaram was a fresh one for which daily allowance should be granted.

No. 749, Financial.

Transferred to the Public Works Department.

FORT ST. GEORGE,
3rd April 1896.

(Signed) W. W. PHILLIPS,
Ag. Assistant Secretary.

Office-note from the Examiner, Public Works Accounts, dated Madras, 18th April 1896, No. 1105 D./E.

[Your office-note No. 1956 C. of 11th April 1896.]

Under article 1164 (c) a halt within 5 miles of head-quarters is a halt at head-quarter, i.e., at the head-quarters station.

2. Under article 1159 (explanation) a halt *during tour* (obviously at some place other than head-quarter station) is not interrupted by an absence of less than three nights, nevertheless an officer so halting may draw travelling allowance *under ordinary rules* for any journey made during such halt and from such place.

3. The Assistant Engineer halted at Vadhesweram ten days, his journey "from the place of halting" during tour to Sitanagaram was not to a point more than 5 miles from that place of halting and though his absence from Vadhesweram was three clear days, 13th—15th, he was not under ordinary rules entitled to any travelling allowance because he travelled within 5 miles.

4. I therefore do not consider the claim admissible.

Order—No. 1571 W., dated 22nd May 1896.

The Government of India will be addressed.

2. Meanwhile Mr. L. D. Venkatarama Iyer, Assistant Engineer, will be exempted from the operation of article 1159, Civil Service Regulations, in respect of the halt at Sitanagaram from the 12th to 16th June 1895.

[Here enter No. 1572 W., dated 22nd May 1896.]

(True Extract.)

(Signed) D. McNEIL CAMPBELL, Colonel, R.E.,
Joint Secretary to Government.

Letter—from the Joint Secretary to the Government of Madras, Public Works Department, to the Secretary to the Government of India, Public Works Department, dated Ootacamund, 22nd May 1896, No. 1572 W.

I am directed to submit the following case for the orders of the Government of India.

2. In June last year, Mr. L. D. Venkatarama Iyer, Assistant Engineer, attached to the Kistna Western Division, proceeded on duty to Vadhesweram in the Kistna district, and halted there from the 2nd to the 11th June, *i.e.*, for ten days. He then proceeded to Sitanagaram, which is 4 miles from Vadhesweram, and halted at the former place from the 12th to 16th June. Both these stations are more than 5 miles from his permanent head-quarters at Guntur. From Sitanagaram he proceeded on his tour without returning to Vadhesweram. The Examiner, Public Works Accounts, under article 1159, Civil Service Regulations (*explanation*) disallowed the Assistant Engineer's claim to daily allowance for the halt from 12th to 16th June at Sitanagaram on the ground that the journey there was to a point not more than five miles from the previous halting station. The Executive and Superintending Engineers under whom the Assistant Engineer was serving contested the Examiner's ruling on the ground that, as the Assistant Engineer did not return from Sitanagaram to Vadhesweram, the latter station ceased to be the halting place, and that the halt at Sitanagaram was a fresh one, for which daily allowance should be granted. This Government concurred in the above view, and referred the question for opinion to the Accountant-General to the Government of Madras, who also agrees with the Superintending Engineer and reports that the practice of his office is to admit daily allowance for the second halt in similar cases. The Examiner, however, maintain his position, and I am therefore to request a ruling on the point from the Government of India.

Read—also the following papers:—

From the Government of India, Public Works Department, dated 15th June 1896, No. 1489 G.

From G. H. D. WALKER, Esq., Under Secretary to the Government of India, Public Works Department (General), to the Joint Secretary to the Government of Madras, Public Works Department, dated Simla, the 20th July 1896, No. 1807 G.

With reference to correspondence ending with your letter No. 2000 W., dated 8th July 1896, I am directed to state that the interpretation placed by the Government of Madras on article 1159 (*explanation*) of the Civil Service Regulations is correct. The claim preferred by Mr. L. D. Venkatarama Iyer, Assistant Engineer, to daily allowance for the halt at Sitanagaram from 12th to 16th June 1895 should therefore be admitted and passed.

ORDER—No. 2270 W., dated 7th August 1896.

The ruling of the Government of India will be communicated to the officers of the Public Works Department for information.

(True Extract.)

(Signed) D. McNEIL CAMPBELL, Colonel, R.E.,
Joint Secretary to Government.

To the Examiner, Public Works Accounts.
" Superintending Engineers.
" Lieutenant-Colonel Smart, R.E.
" the Consulting Architect to Government.
" the Financial Department.

Exd. Md. Pahlavan.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of {1896} Madras.

PUBLIC WORKS.

Dated August, 7th.

Recd.

Encl.

G.O. No. 2270 W., 7th Aug. 1896.

AUGUST.

Civil Service Regulations

The ruling of the Government of India as to the interpretation of article 1159 (explanation) of the —, communicated to officers of the Public Works Department for information.