

Public Works (1898) Department.

G.O., No.

2211 W

DATED

30 Aug 1898

[Despatch Abstract.]

Conveyance and Advance

For: Iul Deptt passing orders
on the Claims of certain officers to — under
Art: 1093 of the C.S.R. directing that the full of
which be addressed on the question of the
correct interpretation to be placed upon
that Army Command: to officers of the
I wd for information?

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

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GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

READ—again the following papers:—

G.O., No. 320, Financial, dated 8th May 1896.

ABSTRACT.—Drawing the attention of the Board of Revenue, the Inspector-General of Police and the Superintendent, Revenue Survey, to the principles laid down by the Government of India as regards the application of article 1093 of the Civil Service Regulations; and directing the submission of an annual return of sanctions accorded by those authorities under that article.

G.O., No. 51, Financial, dated 20th January 1897.

ABSTRACT.—Recording, in continuation of G.O., No. 320 of 1896, the orders of the Government of India in regard to the claim of the Financial Commissioners to be reimbursed the cost of conveyance of camp equipment by rail from and to Lahore at the beginning and end of their tours in October–December 1895.

G.O., No. 272, Financial, dated 26th March 1897.

ABSTRACT.—Passing orders on papers from certain Superintending Engineers regarding the application of the rule in article 1093 of the Civil Service Regulations as interpreted by the Government of India, and delegating to the Chief Engineer the power to sanction in special cases recoveries on account of transport of horses and camp equipment by rail or by steamer.

G.O., No. 435, Financial, dated 2nd June 1897.

ABSTRACT.—Passing orders on the returns of sanctions under article 1093 of Civil Service Regulations for 1896; directing resubmission of them in a prescribed form through the Accountant-General; and laying down the procedure to be followed in future by heads of departments to whom the power of special sanction under the article has been delegated in furnishing particulars regarding such sanctions.

G.O., No. 40, Financial, dated 17th January 1898.

G.O., No. 244, Financial, dated 8th March 1898.

READ—also the following papers:—

Proceedings of the Board of Revenue (Separate Revenue), Mis. No. 5083, dated 19th November 1897.

Read—G.O., No. 435, Financial, dated 2nd June 1897.

Resolution—Mis. No. 5083, dated 19th November 1897.

The Board begs to resubmit, in the form prescribed by the Accountant-General, the return of sanctions accorded by it for the conveyance of horses or camp equipment by rail or steamer in the Salt, Abkari and Customs department from the 1st January 1896 to the 30th June 1897.

2. In this department, an officer before taking his horses or tents by rail or steamer on public duty, applies through the proper channel to the Board for permission to do so explaining his reasons; and if the Board is satisfied that in the interests of the public service he should send them by the quickest means of conveyance, it permits him to do so by special order, a copy of which is communicated to the Accountant-General for information. In these circumstances, it is not possible either for the officer concerned to apply for permission, or for the Board to accord sanction, in the form prescribed by the Accountant-General as the particulars required for columns 4 to 6 and 10 to 17 thereof will not be available until after the officer proceeds on tour from the station to which he conveyed his horses or tents. The Board therefore requests that the present practice may be allowed to continue. It possesses the great advantage that an officer knows beforehand whether the expense of conveying his horses and tents will be paid by Government or not and can make his arrangements accordingly. Even with the best intentions, an officer's idea of what is essential to the interests of the public service may frequently differ from that held by the Board or Government and if, after sending his camp equipment by rail at what, to him, may be ruinous expense he finds that he will have to bear the cost himself—the result is discontent and hardship.

3. With reference to the form proposed by the Accountant-General and the remarks contained in paragraph 2 of his letter printed in the Government Order read above the Board would submit that the principle of assuming that because an officer after transfer does not at once start into camp he is not required in the interests of the public service to proceed to his new station ready equipped for duty is fundamentally wrong. To take the case entered as No. 2 on the return from the Board of Revenue (Separate Revenue), the Accountant-General points out that if Mr. Fowler's horses had been sent by road they would have arrived long before he started on tour. This is very true; but had an emergency occurred as it might at any moment, requiring Mr. Fowler's presence in an outlying corner of his division, he might have had to start into camp immediately after his arrival. It was impossible for either Mr. Fowler or the Board to foresee whether such a contingency would or would not arise. As a matter of fact all officers of this department, except Distillery officers, are required to be ready to start into camp at a moment's notice, and any policy which would result in their being deprived of the means of doing so, would, in the Board's opinion, be most detrimental to the interests of the public service. Again, as regards distant transfers, the Accountant-General draws attention to the cases of Acting Assistant Commissioners Messrs. Dalrymple-Hay and Kearns and Assistant Commissioner Mr. H. J. Simpson, who were transferred to places distant 878, 768 and 1,348 miles, respectively, from their previous stations and remarks that no information is forthcoming as to whether the interests of the public service would have suffered if they had sold and replaced their horses. The Accountant-General appears from this to suppose that horses can be bought and sold without difficulty in any part of the Presidency. As a matter of fact it is practically impossible to obtain them, except by accident, in places other than the Presidency town and Bangalore and perhaps in some other large centres, the result being that officers who from any cause lose their horses in the mofussil find the greatest difficulty in replacing them. If the Accountant-General's opinion were seriously accepted, the difficulty of enforcing the rules as to maintenance of horses would be enormously increased. Adding to this the fact that the officers of the department are for the most part but poorly paid and the fact that distant transfers are frequent and unavoidable, the Board considers that to enforce any such rule would cause so much hardship and discontent in general that no special reasons need be adduced in each case to show that the public interests must have suffered most materially had the officers concerned been required to sell and replace their horses.

(True Extract.)

(Signed) A. KRISTNASWAMI IYENGAR,
Ag. Assistant Secretary.

To the Chief Secretary to Government.

No. 605, FINANCIAL, 14TH JULY 1898.

From M. HAMMICK, Esq., I.C.S., Inspector-General of Police, to the Chief Secretary to Government, dated Camp, Aska, 10th February 1898, No. 519.

With reference to G.O., No. 40, Financial, dated 17th January 1898, regarding the allowances for the conveyance of horses by rail, I will in future interpret the orders as strictly as possible. I am afraid the result will be that officers will be led to tour to a great extent in hired conveyances, jutkas and country carts.

2. There are two points on which I venture to ask for distinct orders. The Government has remarked that charges admitted in several cases of transfer on the shortly after arrival at the new station, should not have been allowed—one case for instance is that of Mr. Powell who was allowed charge for railing one horse from Mangalore to Nandyal on transfer. The march of that horse would have taken 31 days and would have been so risky in June (the month of transfer) that no officer at Mangalore, though it would have been no doubt at great loss to himself. But he certainly could not have replaced the horse in Nandyal by any animal up to the standard required by the police rules. He therefore would have been without a horse at Nandyal and would either have had to buy one in Madras or elsewhere in a great hurry or got into trouble for not being in possession of a horse according to the rules. The other cases were similar. I have the honour to ask whether in future no officer is to be allowed to charge for the rail of his horse in cases of transfer such as these. An instance has recently occurred in which I intimated to Mr. Lane that on transfer from Nandyal to Tuticorin trainage for his horse would be allowed. If I was wrong I shall have to pay Mr. Lane from my own pocket as he railed his horse understanding from me that the charge would be allowed. Under the order above referred to, I did wrong and Mr. Lane should either have marched his horse or sold it at Nandyal and tried to get another at Tuticorin. I further submit with this letter an application from Mr. Mayne for Rs. 63-3-0 trainage charge for his horses from Chingleput to Madura. It could hardly be expected that Mr. Mayne would march his horses from St. Thomas' Mount to Ramnad and it was necessary for Mr. Mayne to have his horses with him when acting in Chingleput and he had to go out on tour. I request definite orders on the matter and venture to submit that if the ruling of the Government is to hold good in all cases, transfers, already a great burden on officers, will become severe pecuniary punishments.

3. The other point on which I should be glad of definite orders is as regards officers returning from tour. This is a matter which hardly affects district officers, but it is one which seriously affects inspecting officers who have several districts to look after. The Government rule that in the case of Mr. Young, the Deputy Inspector-General of Police, he should not have been allowed to draw trainage for carrying his horse from Tuni to Waltair, his head-quarters (a distance of 81 miles) when returning from a tour in Rumpah. If so, similarly, I presume I shall not be allowed to draw the allowance for carrying my horses from Narsapatam to Madras next month when I end my tour at Narsapatam. This seems very hard on officers who have large areas to inspect, and as regards the Inspector-General and often the Deputy Inspectors-General of Police, they will be heavy losers, if they return from an inspecting tour from any point at all distant from their head-quarters. I have used my horses almost daily for a month and shall have to use them to inspect Chintapalli next month, from there I shall return to Madras. I venture to submit that it will be hard on me if I am required to pay the rail fare of my two horses from Narsapatam road to Madras. I must, however, do so under the ruling contained in the Government Order under reply. In G.O., No. 272, Financial, dated 26th March 1897, it was ruled that as regards long marches where circumstances render it impossible to expect that horses should be marched by road the cost of railing horses might be recovered. But in the objection taken to Mr. Young's case above referred to, a march of 80 miles is apparently not considered to be a long march justifying the charge.

4. The case of Superintendents in this matter is of course different. They can generally without inconvenience march their horses from any point in their districts to head-quarters and I have told them that, in future, no trainage charges will be

No. 605, FINANCIAL, 14TH JULY 1898.

allowed in such cases unless they can show that they had to leave their head-quarters on tour before the time elapsed necessary for their horses to reach head-quarters by road. Even here in those cases where a conveyance is necessary for going to and from office, it seems hard that a Superintendent should not be permitted to carry his horses with him by rail when returning to head-quarters.

5. I have the honour to request instructions on the above two points. First, is the head of a department always to refuse to allow the charge for horses by rail in cases where officers are transferred long distances? and secondly, are rail charges similarly to be always refused in the case of inspecting officers returning to head-quarters from long distances after having completed a tour of inspection?

From F. C. HARRISON, Esq., Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 17th March 1898, No. 1077.

I have the honour to forward, for the orders of Government, the Proceedings of the Board of Revenue (Separate Revenue), No. 5083 of 19th November 1897, re-submitting the return of sanctions accorded by them to the conveyance of horses and camp equipment by rail or steamer in the Salt and Customs Department for the period, 1st January 1896 to 30th June 1897.

The items marked A appear to be inadmissible under the Government of India resolution, No. 1603, Financial, dated 10th April 1896. As regards the item marked B the information given is not complete enough for me to form an opinion. I have, however, not thought it advisable to delay this report pending the information which I have asked the Board to furnish.

2. It is, however, my duty to point out that in this Presidency, article 1093, Civil Service Regulations, appear to be put into operation with undue frequency. The purpose of the rule is set forth in the Government of India resolution above quoted and in No. 5453 of 29th December 1896, whilst detailed instructions have also been laid down by this Government in its resolution No. 272, Financial, of 26th March 1897. In order to see whether, in other provinces, this article is resorted to in the same way, I enquired of Bombay and the North-West Provinces how many cases occurred there in a year. I find that 25 cases occurred in the former presidency and 20 in the latter, whilst here the number is about 316. It may be that, owing to more frequent transfer amongst Civilians due to the non-graded system or to distances travelled, the circumstances in this Presidency are peculiar. If so, perhaps Government may still desire to obtain some special modification of the rules. I notice in the Police department where Government supplies tents and officers can recover half the cost of moving them under article 1141, Civil Service Regulations, the number of cases is 108.

3. I invite particular attention to the line taken by the Board in its resolution now forwarded. That body towards the end of paragraph 3 speaks of the difficulty of "seriously" accepting my opinion. The opinion that I have expressed is what has been laid down by the Government of India as the correct view in very explicit terms, and the Government of Madras has communicated that view for guidance to the Board of Revenue in its Order, No. 320, Financial, dated 8th May 1896. The Board maintain that all officers of the Separate Revenue Department except Distillery officers must be ready to start into camp at "a moment's notice," and that horses cannot be sold "except at Madras and Bangalore and possibly some other large centres." As regards the first point, the Government of India in their resolution, No. 1603, speak of this as a "more or less exceptional case." If the position were admitted in the case of Separate Revenue officials, it would be doubtless claimed in the Police and other departments. As regards the second point, I apprehend Madras is not different to other parts of India. Horses, if not saleable easily on the spot, may be sold in adjacent places and districts. In November last when I objected to passing to Mr. Wood the cost of taking a horse from Madura to Vellore, the Board did not uphold my objection and added that "it was not aware of the existence of any horse market at Madura and there is certainly no such market at Vellore." In the circumstances this answer to the objection, which I was bound to take, is, I submit, unnecessarily

flippant. The whole facts which led to the present rules in the Regulation are very well known to the Board of Revenue as may be seen by a perusal of the Government of India letter, No. 3115, dated the 27th June 1890, and the Proceedings of the Board of Revenue, dated the 25th February 1890, No. 113. I submit that the Board of Revenue are not carrying out the orders of the Government of India as conveyed to them by the Local Government and that, if that body still wishes to maintain its practice, its proper course is to press for the rules to be changed and not to disregard them.

4. While on this subject, I would observe that the instructions given in connection with tents and equipment in G.O., No. 272, Financial, dated 26th March 1897, are not very clear. It is sometimes in the case of short distances cheaper to send tents, &c., by rail rather than by road. The criterion whether this course should be adopted is that of cost in ordinary cases, and the officer should pay whichever method he elects. In cases of urgency, cost is not the criterion and Government will bear the expense of transportation by rail, for this method of transport is "in the interests of the public service." In the former case, the interests of the public service are not involved, but the purse of the officer.

Proceedings of the Board of Revenue (Land Revenue), Mis. No. 891, dated 29th March 1898.

Full Board.

Read—G.O., No. 244, Financial, dated 8th March 1898.

Resolution—Mis. No. 891, dated 29th March 1898.

Communicated to the Collectors of South Arcot and Malabar for information and guidance.

2. It is with regret that the Board learns from the Government Order read above that it has again, in the opinion of Government, failed in its attempt to exercise a proper discrimination as to the admissibility of claims made under section 1093, Civil Service Regulations, to recover the actual cost of conveying horses and camp equipment by railway.

3. If the Board at all understood the principle on which it is held to have made a wrong use of its delegated power, it would take care not to repeat the error, but it must respectfully urge that to the best of its apprehension it has used its power of sanction in strict accordance with section 1093, Civil Service Regulations, as interpreted both by the Government of India and the Local Government.

4. In scrutinizing claims the Board has first to satisfy itself that it is in the interests of the public service that the officer should send his horses or camp equipment by rail. Apart from the fact that it is clearly in the interests of the public service that an officer should join his new appointment properly equipped for duty, the Government of India has expressly ruled that, in cases of distant transfers the cost of conveying horses and camp equipment by rail is admissible if the circumstances preclude the officer from selling them before starting on his journey and buying others at his new station—paragraph 1 of Government of India resolution communicated with G.O., No. 320, Financial, dated 8th May 1896, and printed in Board's Proceedings (Land Revenue), No. 187, dated 28th May 1896. In G.O., No. 272, Financial, dated 26th March 1897, the Local Government in like manner ruled that "in regard to long journeys, where circumstances render it impossible to expect that horses should be marched by road, while the use of horses is essential to the proper execution of an officer's duty," the cost of conveying the horses by rail may be recovered under article 1093.

5. The Board would respectfully submit that journeys from Cuddapah to Cuddalore (238 miles) and from Cuddapah to Cochin (468 miles) are distant transfers and long journeys within the meaning of the above rulings.

6. The Board would further earnestly request the consideration of Government to the following recapitulation of the facts which render it eminently desirable that article 1093 should be liberally interpreted in this Presidency:—

(a) The exigencies of the public service, and the numerical weakness of the staff, necessitate continual transfers of Revenue officers.

(b) The opening of railways has annihilated distances, and facilitates transfers which were impracticable when the only means of travelling was by road.

(c) Under article 196 of the Civil Service Regulations officers on transfer are bound to travel by rail, and under article 195 must do 200 miles a day.

(d) With the opening of the railways the old traffic by road has ceased; and with cessation of the demand, it is no longer possible to obtain the carts and bullocks which used to be posted at convenient stages along the chief routes.

(e) It is impracticable for one and the same pair of bullocks to drag a loaded cart at the rate of 15 miles a day for a distance of several hundred miles. On the above conditions, and in face of the long return journey no cartman would undertake the job except at prohibitive rates.

When two distant stations are connected by rail, it thus becomes no longer possible to send baggage from one to the other by road.

(f) As regards the question of marching horses by road, it has to be remembered that during a great part of the year, and in many districts, it is absolutely impossible to obtain forage *en route*, and that servants who have been travelling all day cannot be expected, even when it is available, to go and gather it.

(g) The travelling allowance admissible by rail is twice the first-class fare. Deducting the first-class fare of the officer himself he is left with one anna a mile to defray the cost of moving his wife and family (if he has them), personal effects, horses and camp equipment, as well as all his servants and their wives and families. Moreover an officer can, under no circumstances, draw any allowance for the charges incurred by sending his carriage or carriages by rail on transfer.

The allowance is about half the ordinary rate of hire of one country cart.

7. Even under the construction of article 1093, which has hitherto enabled officers to recover the actual cost of conveying their horses and camp equipment by rail, the heavy pecuniary loss entailed by transfers occasions great discontent; and they are not to be told that they are expected to defray the cost of sending their horses, servants and camp equipment by road out of a travelling allowance of one anna a mile. In the opinion of the board the case has only to be stated to disclose the urgency of remedying so real a grievance.

8. The new test applied by the Accountant-General is as futile as it is inappropriate and inexpedient. The test he applies is whether the transferred officer uses his horses and camp equipment immediately on arrival at his new station. If he does not do so, he is told that he had plenty of time to bring them by road.

The test is futile, because, in future, all transferred officers will take care to go on tour immediately they take over charge.

The test is inappropriate, because an officer joining a new appointment cannot possibly foresee whether or not any sudden emergency will necessitate the use of horses and tents, and he should therefore join provided for all emergencies.

The test is inexpedient, because officers, whom it will cause to proceed at once on tour (after joining a new appointment on transfer), might possibly be better employed at head-quarters.

9. The Board would express the hope that Government will, on reconsideration, find that the board has used its delegated power with due discrimination and in accordance with the orders of the Government of India; but if this is not so, a change of rule is, in the Board's opinion, extremely desirable.

(True Extract.)

(Signed) R. C. C. CARR,
Secretary.

To the Collectors of South Arcot and Malabar (paragraph 1).
" Secretary to Government, Revenue Department.

From the Inspector-General of Police, Madras, dated 21st April 1898, No. 1476.

Proceedings of the Board of Revenue (Land Revenue), Mis. No. 1125, dated 26th April 1898.

Read—the following papers:—

Board's Proceedings, No. 239, dated 16th July 1897.

Collector's, Conservator's and Forest Settlement-officer's replies to the same.

Resolution—Mis. No. 1125, dated 26th April 1898.

With reference to paragraphs 2 and 5 of G.O., No. 435, Financial, dated 2nd June 1897, the Board resolves to submit to Government, through the Accountant-sanctioned under article 1093, Civil Service Regulations, from 22nd May 1896 to 28th June 1897, the dates of receipt of G.Os., No. 320, Financial, dated 8th May 1896, and No. 435, Financial, dated 2nd June 1897, respectively. The principles scrutinized by the Board, and the necessity for the article being construed liberally so far as this Presidency is concerned, have been fully explained in Board's Proceedings, Mis. No. 891, dated 29th March 1898.

2. With reference to paragraph 7 of G.O., No. 435, Financial, dated 2nd June 1897, the Board submits that the rule in Board's Proceedings, No. 291, dated 30th July 1896, to the effect that an Assistant Collector, when deputed for training in survey, should not take a horse with him was prescribed on the ground that the officer undergoing training was not likely to require a horse. But in the cases of Messrs. A. Thompson and N. Macmichael who underwent training at Bellary (items 47 and 48 in the statement), the Deputy Superintendent in charge of the Survey school had requested them to take their horses with them. The claims of these officers were therefore allowed as special cases.

3. The Forest Settlement-officer, Trichinopoly, &c., districts, has not included in his return the charge of Rs. 13-5-0 sanctioned in Board's Proceedings, Forest No. 115, Routine, dated 10th February 1897, for the conveyance of two horses by rail from Cuddalore Old Town to Tiruvannamalai. The omission has been supplied in diaries.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Ag. Secretary.

To the Secretary to Government, Revenue Department,
through the Accountant-General, with two statements and
a copy of Board's Proceedings, Mis. No. 891, dated 29th March 1898.
Copy to Forest Section.

From T. HESKETH BIGGS, Esq., Accountant-General, to the Chief Secretary
to Government, dated Fort St. George, 13th May 1898, No. 1867.

In continuation of my letter No. 1077, dated the 17th of March 1898, I have the honour to forward herewith the Proceedings of the Board of Revenue (Land Revenue), Mis. No. 1125, dated 26th April 1898, with two statements, and to state that the items marked A appear to be inadmissible.

From the Accountant-General, dated 8th June 1898, No. 2167.

ORDER—No. 605, Financial, dated 14th July 1898.

The Government of India will be addressed on the question of the correct interpretation to be placed upon article 1093 of the Civil Service Regulations.

2. As regards the revised returns forwarded by the Board of Revenue in accordance with paragraphs 2 and 5 of G.O., No. 435, Financial, dated 2nd June 1897, it is not practicable to revoke at this distance of time the sanctions accorded by competent authority under article 1093 in 1896 and 1897 and the claims which have been admitted by the Board will be allowed to stand.

3. The claim of Mr. R. J. M. Mayne, referred to in paragraph 2 of the letter from the Inspector-General of Police No. 519, dated 10th February 1898, is admissible under the rules.

4. The action of the Inspector-General in having guaranteed payment of the trainage of a horse from Nandyal to Tuticorin to Mr. Lane, whose case is dealt with in the same paragraph, was not authorized by the rules. The charge will, however, be admitted.

5. The case of the Inspector-General of Police is provided for by article 1166-A of the Civil Service Regulations. The maximum number of servants and the maximum weight of baggage for which the officers specified in the margin may charge Government was laid down in G.O., No. 51, Financial, dated 29th January 1890, which, however, omitted to specify any limit as regards horses. The limit prescribed for the purpose of article 1093 in G.O., No. 504, Financial, dated 19th June 1882 (viz., four horses), will in future be applied in the cases of all these officers for the purposes of article 1166-A.

	Number of servants.	Weight in maunds of baggage.
Members of the Revenue Board in their several capacities	4	15
Inspectors-General of Police, Prisons and Registration, Surgeon-General, Sanitary Commissioner and the Director of Public Instruction	4	10
Deputy Sanitary Commissioner	3	10

[Here enter letter No. 606, Financial, dated 14th July 1898.]

(True Extract.)

For Chief Secretary.

To the Inspector-General of Police.
" Accountant-General.
" Board of Revenue (Land Revenue).
" " (Revenue Settlement).
" " (Separate Revenue).
" Educational Department.
" Judicial Department.
" Local and Municipal Department.
" Public Department.
" Public Works Department.
" Revenue Department.
" Superintendent, Madras Survey.

Exd. C. Parthasarathy.