

Public Works (1899) Department.

✓ G.O., No.

1960 } W
1961 }

DATED 27 July 1899.

[Despatch Abstract.]

Transfers of Charge

Ordered that the Govt of India be requested to alter the rules relating to — so as to allow Engrs: Engineers discretion as to the time to be allowed to Executive Subordinates not in charge of Sub-Divisions for making over & receiving charge of works

The Govt of India addressed

[illegible]

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14/19/6. 28/7

P.W. Code are applicable only to officers making over & receiving charge of Divisions & subdivisions, & pointed out that except in the case of the officers specified above the ordinary rule in Art 67 of the C.S. Regulations will operate under which not more than one day is allowable for relief purposes. This decision of the Govt. of India and its effect on the time allowable in a transfer of charge was accordingly communicated to officers of this Dept for information and guidance by G.O. No. 2150 W dated 1st August 1895.

On the issue of this order complaints were received pointing out that it would be unfair to make a subordinate utilize his joining time in handing over charge when the interests of the Dept. required a longer period than one day for the purpose, that it is impossible in many cases for overseers & other subordinates to effect a transfer

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transfer properly in a single day. The then Examine, Mr. Gordon, to whom the question was referred, stated that he could find no authority for the statement that under Art 67 of the Civil Service Regulations only a day is allowed for transfer of charge, & that no time limit for transfers is anywhere laid down as the time taken must depend on circumstances. As it had been repeatedly declared that para 247, Chap II, Vol II of the Code affects only divisional & sub-divisional transfers, Mr. Gordon did not know why it was considered necessary to raise the question of other transfers or to interfere with previous practice. On the strength of this opinion, this Govt. can = called G.O. No. 2150 W dated 28th

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August 1895, & decided in
g.v. No 3176 W dated 12th
Decr. 1895 that in the case
of other than Divisional &
sub-divisional transfers of
charge the time necessary
for making over & receiving
charge shall be left to the
decision of Dpty. Engineers.

3. The Examiner has now
forwarded the two g.v.s quoted
above to the Accountant
General, P.W.D., & inquired
whether the interpretation
of the rules as given in the
later g.v. is correct. In the
Examiner's opinion it seems
clear that, except in the
cases of officers making ^{over} and
receiving ~~over~~ charge of divisions
sub-divisions, the period
occupied in taking over charge
is not recognized, & that
it should therefore in the case

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of a transfer, be treated as
part of an officer's joining
time, & that the orders of
the Local Govt. require therefore
to be modified. In this
view the Accountant General
P.W.D. agrees.

4. H.E. the Governor in
Council considers that it is
most necessary that Overseers
& other subordinates in executive
charge of works should be given
ample time to take over
works, materials, tools &c, &
apart from the injustice of
deducting such ^{period} ~~time~~ from their
joining time, the latter may
in many cases not suffice for
taking over charge properly. If
therefore the Accountant
General, P.W.D., & the Examiner
are correct in their interpre-
tation of the rules, I am to

request that the Govt.
of India may be moved
to alter the rules so as to
allow Supty. Engrs. discretion
as to the time to be allowed
to executive subordinates not
in charge of subdivisions for
making over & receiving charge
of works, & which discretion
they already possess in the
case of divisional & subdivisional
transfers of charge.

I have to

[Signature]
19.6.99

5. Copies of G.O. No. 2150 W
dated 28th August 1895 and
G.O. No. 3176 W dated 12th
December 1895 are enclosed
for information.

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[Signature]
24/7/99

Read the following:-

Office Note from the Examiner, P. W. Accts.
No. 425 ME D 27.3.99

Circulated to H.E. The Governor

FOR ORDERS.

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In his Office Note No. 2954 A
dated 23.8.95, the then Examiner,
the late Mr. Sherlock-Hubbard, pointed out
that the Govt. of India decided
that the rules in P. W. Code,
Vol. II, Chap II, para 247, under
which Supty. Engineers have
the discretion to extend the
time allowable for transfers
of charge of duties, are appli-
cable only to officers making
over and receiving charge of
divisions and subdivisions,
and that in the case of other
officers not more than one day
is allowable for relief purposes.
He stated that cases were
not infrequent in which executive
subordinates and clerks took
more than
10/10/99

[Signature]
W

over charge of their duties, but as this was opposed to the existing rules on the subject, he requested that the substance of the Govt. of India's decision, & its effect on the period of time allowable in a transfer of charge, may be communicated to the dept. for guidance. If the circumstances of any particular case required that more than one day should be spent in a transfer of charge, the relieving officer, the Examiner stated, should, if he has joining time at his credit, be treated as on joining time for the period in excess of one day so spent; or, in the event of his having no joining time at his credit, the circumstances that led to the delay should be specially explained, & sanction of Govt. to extension of joining time, under Art 198 C.S.R., obtained.

2. This Office Note of the Examiner's was communicated to Officers of the P.W.D. by Govt. for information.

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and guidance.

3. The Ex. Engr., Kistna Western Division, then brought to notice that it would be very unfair to make a subordinate utilize his joining time in handing over charge when the interests of Govt. require a longer period than one day for that purpose. The Suplt. Engr., II Circle, in forwarding this letter remarked "that there can be no doubt that cases will occur in which the interests of Govt. will suffer if reasonable discretion is not permitted to local officers to determine in each case what time, in excess of one day, is necessary for handing over charge." The Ex. Engr., Salem Division, next applied for an extension of joining time for an overseer who was unavoidably engaged some days in taking over charge & he commented as follows on the rules "I have to express my conviction that H. & "

of charge of overseers & other
subordinates in charge of works
cannot be effected in a single
day. It is they that measure
up all works & submit bills
for payment, & if the relieving
subordinate be not taken, by
the one to be relieved, over (at
least) all the important
works, & shown what has to be
done and measured, & what
yet remains to be done,
mistakes in the execution
of measurement of works are
likely to creep in & neither
can be held responsible. Sufficient
time must therefore be allowed
to enable them to go over all
important works, & then effect
transfer of charge. In art 67 C.S.R.
there is nothing said about
the period allowable for
relief purposes, & I therefore
do not know why in paragraph
2 of his office note the Examiner
says that not more than one
day is allowable under the
that article."

Public

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The then Examiner, Mr.
Gordon, in noting on this
correspondence, stated "I can
find no authority for the
statement that, under art
67 of the C.S. Regulations, only
a day is allowed for transfer
of charge. No time limit for
transfer is anywhere laid
down, as the time taken must
depend on circumstances. It
has been repeatedly declared
that Code Vol. II, chap II, para
247, affects only divisional
& sub-divisional transfers,
& I don't know why it was
considered necessary to
raise the question of the transfer
or to interfere with previous
practice in carrying them
out. If Govt. consider that
one day should be the limit
of time in transfer of other
than divisional & sub-divisional
charges, & desire to adopt the
spirit of Govt. of India Circular
No. 2 P.W. of 1894 (G.O. No. 3126 W
& 6.12.94) it will be."

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or in every case to refer to Govt.
as for joining time being granted
as a Supt. Ingr. would have
had no discretion allowed him, which
of he has in the case of divisional
& sub-divisional transfers, as to
the reasonableness of the time,
of the one day being laid down
to by Govt. as the limit. Supposing
the cases now referred to had
been of sub-divisional transfers,
the Supt. Ingr. not considering
the time taken excessive, no
caution to joining time would
have been necessary. If the
two day proviso be eliminated,
as there is no reason why previous
practice should be interfered
with."

Govt. agreed with the
views of the Examiner, & in G.O.
No. 3176 W, 12.12.95, ruled as
follows. "The cases of divisional
& sub-divisional transfers and
change are covered by para
2.247, Chap II, Vol II P.W. Code, &
in the case of other transfers the
to be that for making over

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and receiving charge will
be left to the decision
of Supt. Ingr. Further G.O.
No. 2150 W, 28.8.95, was
cancelled.

5. The present Examiner
has forwarded the two
G.O. quoted in the preceding
para to the Accountant
General, P.W.D., & inquired
whether the interpretation
of the rule, as given in G.O.
No. 3176 W, 12.12.95, is correct.
In the opinion of the Examiner
it seems clear that, except
in the cases of officers making
& receiving over charge of division
& sub-divisions, the period occu-
-pied in taking over charge
is not recognized, & that
it should therefore in the
case of a transfer, be treated
as joining time part of an
officer's joining time, & that
the orders of the local Govt.
will require to be modified.
6. The Accountant Genl.
P.W.D., agrees in the

12/6/97

taken by the Examiner.
 7. In the face of the
 Accountant General's
 opinion G.O. No. 3176 W,
 of 12.12.95, must apparently
 be cancelled, & G.O. No. 2150 W,
 of 28.8.95, resuscitated,
 although this will in-
 involve references to Govt.
 for sanction to extensions
 of joining time.

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Par. 4. It is most necessary
 that an Officer should
 be given ample time to
 be over works, material,
 tools &c, & apart from the
 injustice of deducting such
 time from his joining time,
 the latter might very easily
 not suffice for taking over
 work. I recommend there-
 fore, that Govt. of India be
 addressed to allow the
 rules of the Act & the
 Examiner are correct
 in their interpretation of them.

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Appd. A.C.H.
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which is, I think, by no
 means certain. I think

Public Works (1899) Department.

CURRENT No. 2688

From The Examiner P.W. Accounts,
 Madras & Coorg

Order

No. 425 A/2

Dated 27th March 1899.

Received

Registered

Enclosures 4

Spare copies.

SUBJECT.

Transfer of Charge —
 forwards for orders Corres.
 relating to —

In reply to your memorandum No.216 A,dated --
the 26th: Ultimo,I have the honor to state that any period
occupied in taking over charge is recognised only in the --
case of officers making and receiving over charge of divisions
and sub-divisions, 11 Standing Order No.56,dated 21st: Sep-

Works Department Code, and, consequently, the rule in paragraph 38 of Chapter I, Volume I, Public Works Department Code, does not apply to your case.

Copy of letter from the Accountant General, Public Works Department to the Examiner P.W. Accounts, Madras & Coorg No. 0112 E dated the 14th: March 1899.

In reply to your letter No. 165 A/E dated 9th: February 1899, I have the honor to state that your views on the subject of the treatment of the time occupied in making and taking over charge of an appointment appear to be in accordance with the rules and that your proposed action is in order.

"True Copies"

Muhammad Yacoob
Superintendent General Branch.

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E- No. 27.
1,000-16-5-98



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W. ACCOUNTS.

March 1898.9

Note No. 425 A/E

[For Examiners only.]

Circular No. XXII of 1895.

ACCOUNTANT GENERAL,
PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

Interpretation of certain points in the application of article 1205, Civil Service Regulations.

Simla, the 20th August, 1895.

The Examiners of Public Works Accounts, Madras and Coorg, Bombay, Bengal, North-Western Provinces and Oudh, Punjab, Central Provinces, Burma, Assam, Hyderabad, and Rajputana and Central India.
The Examiner of Public Works and Railway Accounts, Baluchistan.
The Examiner of Accounts, Military Works Department.
The Examiner of Telegraph Accounts.
The Examiners of Accounts, North-Western, Oudh and Rohilkhand, Eastern Bengal, Burma, East Coast, and Bezwa Madras State Railways.
The Examiner of Accounts, Mari Attock Extension Railway and Frontier Railway Surveys.
The Examiner of Accounts, Bhavnagar-Gondal-Junagadh-Portbandar Railway.
The Examiner of Accounts, State Railway Stores.
The Examiners of Guaranteed Railway Accounts, Madras and Bombay.
The Government Examiners of Accounts, East Indian, Bengal Nagpur, Southern Mahratta, Indian Midland, Rohilkhand Kumaon, Bengal and North-Western, and Assam Bengal Railway Companies.
[For information only.]
The Engineer-in-Chief, Ujain Bhopal Railway.

The following is forwarded to the officers noted on the margin, for information and guidance.

R. G. MACDONALD,
Accountant General.

No. 2908 Ex., dated the 20th June, 1895.

From—The Government of India, Finance and Commerce Department,

To—The Chief Secretary to the Government of Madras.

I am directed to acknowledge the receipt of your letter No. 355, dated the 2nd May last, in which you enquire, with

of the following are such action as may be necessary.

o. 165 A.E. dated 9th:

February 1899

f India Finance and Department letter No.

ed 20th: June 1895.

o. 950 E dated 7th: -

o. 0112 E dated 14th:

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st. R

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Works Department Code, and, c
Chapter I, Volume I, Public W
our case.

E- No. 27.
1,000-16-5-98

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R, P. W. ACCOUNTS.

7th March 1898.9
OFFICE NOTE No. 425 A/2

Copies of the following are
W. for such action as may
d necessary.
tter No. 165 A.E. dated 9th:
February 1899
ment of India Finance and
orce Department letter No.
Ex. dated 20th: June 1895.
etter No. 950 E dated 7th: -
e 1897.
etter No. 0112 E dated 14th:
rch 1899).

been granted privilege leave for three months. He joined at
Nellore on the forenoon of the 29th May 1894 and relieved
Mr. * * * on the forenoon of the 31st idem. Mr. *
* * returned to Nellore on the forenoon of the 31st
August 1894, but as his transfer to another division was
indispensable, it was eventually found necessary to retain Mr.
J. in Nellore in the same appointment.

The travelling allowance admissible under article 1205
has been claimed on behalf of Mr. J. on the grounds
(i) that the time spent in taking over charge at Nellore (2 days)
caused the period of the original transfer to exceed three
months, and (ii) that the total period of the transfer consider-
ably exceeded three months. I am accordingly to request that
this Government may be informed whether time spent in taking
over charge of an appointment should, or should not, be taken
into consideration in fixing the period for which a transfer is
made. His Excellency the Governor in Council is of opinion
that it should not be. I am also to enquire whether claims
once passed as for a transfer *not* exceeding three months may
be revised, if the period eventually exceeds three months.
This Government considers that in such cases claims should
be admitted.

G. C. Press, Simla, No. 274 P. W. D. A. G-27-8.95.-300.

reference to the case of Mr. J. an accountant in the Public
Works Department,

(a) whether for the purposes of article 1205 of the
Civil Service Regulations, the time spent by an
officer in taking over charge of an appointment
should, or should not, be taken into con-
sideration in calculating the period for which
a transfer is made,

(b) whether when a transfer which was originally made
for a period not exceeding three months, does
eventually exceed that period, the officer trans-
ferred should be allowed the benefit of article
1205.

The Government of Madras are of opinion as regards (a)
that time spent in taking over charge of an appointment
should not be taken into consideration, and, as regards (b),
that, under the circumstances explained, the concession in
article 1205 may be allowed to the officer.

2. In reply, I am to say that the Government of India
agree with the view taken by the Government of Madras on
both points.

3. I am further to point out, with reference to paragraph 2
of your letter, that there is no authority for treating Mr.
J. as having joined at Nellore on the 29th May 1894,
although he did not relieve his predecessor till the 31st idem.
It may be remarked that orders in the Public Works Depart-
ment code, volume II, chapter II, paragraph 247, and Public
Works Department circular No. 2 P. W., dated the 23rd
November 1894, do not apply to accountants.

No. 355, dated Fort St. George, the 2nd May, 1895.
From—The Government of Madras,
To—The Government of India, Finance and Commerce De-
partment.

I am directed to address you with reference to the inter-
pretation of certain points in the application of article 1205
of the Civil Service Regulations.

2. Mr. J. an accountant in the Public Works Department,
8th grade, was transferred in May 1894, from Bezwada to
Nellore (a distance of over 200 miles by the ordinary route)
to act for Mr. * * * the permanent accountant who had

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BACK PAPERS.

FURTHER PAPERS.

Works Department Code, and, c
Chapter I, Volume I, Public W
your case.

Copy of let

Works Department to the Exam
dated the 14th: March 1899.

In reply to
February 1899, I have the hon
subject of the treatment of
over charge of an appointment
rules and that your proposed

KEEP-WITH

dated

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CURRENT No.

E- No. 27.
1,000-16-5-98

GOVT.
OF MADRAS. }

1898.9

{ P.W.
DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 27th March

1898.9

OFFICE NOTE No. 425 ^{A/2}

To

W.

Copies of the following are
forwarded to W. for such action as may
be considered necessary.

(I.C's letter No. 165 A.E. dated 9th:
February 1899

2. Government of India Finance and
Commerce Department letter No.
2908 Ex. dated 20th: June 1895.

3. A's letter No. 950 E dated 7th: -
June 1897.

4. A's letter No. 0112 E dated 14th:
March 1899).

et. R

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