

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Railway.

Read the following papers:—

From the Consulting Engineer for Railways, dated Madras, 10th July 1890, No. 489.

From the Engineer-in-Chief, East Coast Railway, to the Consulting Engineer for Railways, Madras, dated Waltair, 31st May 1890, No. 950/39.

I have the honor to submit herewith a statement showing certain charges for travelling disallowed by the Examiner of Accounts, and to request that you will have the goodness to take the necessary steps to have the items passed as early as possible, as, owing to varied and repeated objections raised by the Audit office, the officers have still due to them arrears extending over seven months.

2. I may mention that as it is next to impossible to procure horses here and the officers would be useless without them, I instructed each man gazetted to the Survey to come fully equipped.

No.	I.—Passage money for Mr. Gahan	RS. A. P.			3. Mr. Gahan, the Executive Engineer in charge of the Vizianagrum division, therefore brought two horses and two servants with him from Calcutta to Vizagapatam. The details of charges claimed by him and disallowed by the Examiner in connection with the passage of himself, servants and cattle are marginally noted.
		RS.	A.	P.	
	Gahan	63	0	0	
"	II.—Passage money for Mr. Gahan's two servants.	24	0	0	
"	III.—Hire of a horse-box	30	0	0	
"	IV.—Landing do.	2	8	0	
"	V.—Return freight of do.	13	2	0	
	Total ...	132	10	0	

4. Item No. I was disallowed (1) for want of a stamped receipt for fare, (2) for want of embarkation and disembarkation certificate, (3) for want of statement showing the number of days he dined on board, and (4) whether the passage money included the cost of wines.

(1) Mr. Gahan states that the original stamped receipt for fares for himself and servants was sent with the first travelling allowance bill, but has apparently been lost or mislaid in the Examiner's office: a certified copy of the duplicate is now sent.

(2) No embarkation or disembarkation certificate was sent as neither he nor any of us ever heard of these documents before; but Mr. Gahan sent instead a certificate on honor stating when he embarked and disembarked.

(3) Further, not being aware that a dining certificate was required he did not procure that paper, but submitted a certificate from himself showing the number of days he dined on board.

(4) He also sent a statement showing that passage money does not include charges for wine. This I beg to endorse from my own experience. Items Nos. III, IV and V, on account of horse-box being part and parcel of the cost of the transport of Mr. Gahan's cattle, are in my opinion as legitimate as the steamer fare.

5. With reference to the above charges as well as those made in connection with the carriage of the horses, servants, &c., the Examiner appears unable to pass them without the sanction of Government. I beg you will procure the necessary authority for the same as early as possible.

6. The next case is that of Mr. Buth Nath Chatterjee, Assistant Engineer, who was engaged by me with the sanction of Government and told to bring his horse with

	RS.	A.	P.
Steamer fare for horse from Calcutta to Vizagapatam ...	35	0	0
Loading and unloading horse ...	14	8	0
Total ...	49	8	0

him. The Examiner objects to passing the charges marginally noted for want of a rule. All I can say is that if there is no rule to meet this case, it would be advisable to make one as soon as possible, as men, when urgently required, as in this instance, cannot be expected to transport horses all over India for Government work unless they are paid for it.

7. In the case of Lieutenant Waghorn

	RS.	A.	P.
Carriage of horse from Bangalore to Madras ...	27	6	0
Carriage of horse from Madras to Vizagapatam ...	35	0	0
Total ...	62	6	0

the margin shows the charges cut by the Examiner, who states that the first item was cut for want of my sanction, which, so far as I know, was accorded when I countersigned the bill. If he wants anything more emphatic, I beg to accord sanction to the carriage of all the horses brought by the Engineers of this line for the purpose of Government work. Rs. 35, a warrant for this was issued to Mr. Waghorn in Madras, but subsequently a refund was demanded by the Examiner.

8. Mr. Clift's case differs somewhat from that of the others, inasmuch as that he submitted the necessary certificates, but exception was taken to them because they were unstamped. Now I beg to point out that we cannot claim two stamped receipts from the Steamer Agents. One is usually given, which we hand over at the end of the voyage. The other document, if required by Government, ought in my opinion be a simple certificate stating the time spent on board. I take this cutting of Mr. Clift to be vexatious

Mr. Clift's claims.

	RS.	A.	P.
1. Steamer fare from Madras to Gopálpur ...	68	0	0
2. Do. servant ...	14	0	0
3. Freight for horse and syce, Madras to Gopálpur ...	50	0	0
Total ...	132	0	0

and absolutely unnecessary, and when I inform you that although the Examiner refused to pass the steamer fare for want of a stamped certificate, he accepted the unstamped one for the purpose of cutting Mr. Clift the sum of Rs. 14-0-3 on account of table-money while on board.

9. Mr. A. Bewley, Executive Engineer.—Items Nos. 1 and 2 were disallowed

Mr. Bewley's claims.

	RS.	A.	P.
1. Passage of self, one servant and one horse, Calcutta to Gopálpur ...	132	0	0
2. Freight of tent, Calcutta to Gopálpur ...	231	14	0
3. Charges for horse-box, Calcutta to Gopálpur ...	50	0	0
Total ...	413	14	0

for want of stamped receipt, although Mr. Bewley furnished the Examiner with Messrs. Arbuthnot and Company's bills in support of the charges. With reference to the charges for the horse-box, the same remarks noted on Mr. Gahan's case apply equally to Mr. Bewley.

Lieutenant Kincaid's claims.

	RS.	A.	P.
Carriage of horse, Madras to Gopálpur ...	50	0	0
Shipping charges on above ...	12	0	0
Carriage of camp equipment ...	49	8	0
Total ...	111	8	0

10. Lieutenant Kincaid's case.—This officer reported himself to me in Madras, and got his orders there from me; being new to the country I told him what he should purchase and provide himself with, and assisted him in procuring the horse he took with him. The reason the Examiner declines to pass the charges is that young officers on first joining the department are not allowed carriage of cattle or camp equipage.

11. In the case of Lieutenant Kincaid this appears to be unjust; he joined me in Madras and was then told to go to Gopálpur. He purchased the horse at Madras and took him by steamer to save time and allow of his being of service the moment he reached his destination. Had he not done so, he would have been useless possibly for months.

12. Mr. Berkley claims the amount noted in the margin. Like Mr. Buth Nath Chatterjee he is a temporary officer, and was like the former told to come fully equipped. He did so, but the Examiner

	RS.	A.	P.
1. Carriage of horse from Secunderabad to Bezváda ...	40	14	0
2. Do. camp equipage, &c. ...	73	13	3
Total ...	114	11	3

cuts items Nos. 1 and 2 on the score that young officers are not allowed carriage of horses or camp equipment on first joining the department.

13. It is absolutely unjust to apply such a rule to temporary men who, like

Mr. Berkley and Buth Nath Chatterjee, accept work for a short period on promise of having all legitimate expenses paid.

14. Taking all the facts into consideration, I must say that the action of the Examiner is most vexatious and unjust in keeping men such a time out of money due to them. He knows as well as I do that the claims are perfectly just ones. It was fully explained to him before that the reason why all these Madras forms were not complied with was that we were ignorant of them.

15. The usual method adopted under such circumstances is to pass the claims which are believed to be correct provisionally, and ask the officers to submit the required documents later on; instead of this the Examiner blindly cuts the entire charges, involves us all in a stream of unnecessary correspondence and causes general discontent and ill-feeling. If this sort of thing is to go on during construction, all I can say is that it will have the most injurious effect on the progress of work, as no large undertaking could be carried on if hampered by frivolous objections being taken to every item.

16. In conclusion, I request that you take immediate steps for the passing by Government of these claims, and if you can't see your way to it, I must request this letter be sent to the Government of India.

Office note from the Examiner, Public Works Accounts, dated Madras, 4th July 1890, No. 3944.

[Your office note No. 1172, dated 11th June 1890.]

Mr. Gahan, Executive Engineer.—Audit of claim to passage money of Mr. Gahan and two servants was deferred pending submission of a receipt for steamer passage money—vide Code paras. 553 and 554. From the letter of the Engineer-in-Chief, No. 950/39, dated 31st May 1890, to the Consulting Engineer for Railways, it would appear that the receipt was sent to the Examiner. The receipt cannot however be traced, and if Government so direct, the claim will be passed either finally or provisionally. The claim to horse-box, &c., is now admissible with reference to G.O., No. 396 R., dated 19th March 1890, and will be included and passed in the next bill received.

Buth Nath Chatterjee, Temporary Engineer.—The claim to the carriage of horse at the public expense was disallowed with reference to Public Works Department Code, appendix N, para. 4. In the similar case of Mr. Berkley, Temporary Engineer, sanction to the charge for the carriage of his horses and camp equipment was negatived—vide G.O., No. 379 R., dated 17th March 1890. If Government so direct, the charge will be passed provisionally.

Lieutenant Waghorn, Assistant Engineer.—Having joined his first appointment in the Public Works Department, claim to cost of carriage of horse, &c., is inadmissible under Public Works Code, appendix N, para. 4.

Mr. H. W. Clift, Executive Engineer.—The claims referred to have since been admitted, proper vouchers having been furnished.

Mr. Bewley, Executive Engineer.—Audit of passage money was deferred pending submission of receipt for steamer passage money—*vide* Code paras. 553 and 554. No stamped receipt has as yet been received, but if Government so direct, the charge will be passed. Had the rules of the India Code been applicable the claim would not have been questioned. As regards the claim of Rs. 231-14-0 on account of freight of tents conveyed, a voucher in support giving the weight of camp equipment, together with information as to whether the charge includes freight of any private articles, are necessary. Should Government so direct, this charge also will be passed provisionally. The charge for horse-box will be included and passed in the next bill received, with reference to G.O., No. 396 R. of 19th March 1890.

Lieutenant Kincaid, R.E., Assistant Engineer.—Travelling allowance for carriage of horse, &c., is not admissible under Code, appendix N, para. 4, Lieutenant Kincaid being a young officer joining his first appointment in the Public Works Department.

Mr. Berkley, Temporary Engineer.—The claim to the cost of carriage of horse, &c., was disallowed with reference to Public Works Code, appendix N, para. 4—*vide* also G.O., No. 379 R. of 17th March 1890. If Government so direct, the charge will be passed provisionally.

2. If Government desire to grant travelling allowance for carriage of horses and camp equipment to Messrs. Berkley and Buth Nath Chatterjee and to Lieutenants Waghorn and Kincaid, sanction of the Government of India will be necessary. The charges will of course be passed provisionally under Public Works Department Code para. 355 if Government so direct, pending any reference to the Government of India. As regards the claims of Lieutenants Waghorn and Kincaid, I have no doubt that they are inadmissible, and that they would only be allowed by the Government of India as special cases, if at all. As regards the claims of two temporary officers, Messrs. Berkley and Buth Nath Chatterjee, I am not certain, but I am obliged to be careful, and the more so for the very fact that the officers are only temporarily employed, and that it would be difficult and perhaps impossible to recover from them hereafter any sums overpaid, and that if I pass them on my own authority I may be held personally responsible for them.

3. With reference to this and other similar complaints by the Engineer-in-Chief, East Coast Railway Survey, I should be glad if the Government would consider the propriety of modifying the rules (which are entirely local rules) regarding the conditions under which claims for refund of passage money may be passed. Code para. 554 requires the submission of a *voucher in original*, and a voucher has always been held to mean a legal and valid acquittance. Moreover it has always been held that the concluding sentence of para. 553 applies also to claims for passage money under para. 554, so that taking the rules altogether the Examiner is required to disallow claims for refund of passage money until the required vouchers and certificates are furnished. This is not my interpretation only, but the interpretation which has been put upon the rules by successive Examiners for years. If I had thought that the interpretation of my predecessors was wrong, I would have submitted the question for orders long ago; but I think they interpreted the rule rightly, and I am confirmed in my opinion by the fact that the interpretation adopted has never once been questioned, and I am therefore bound to act upon the accepted interpretation. Some officers are, I believe, under the impression that the Examiner is allowed a certain amount of discretion in this matter. This is not the case. On the contrary the Examiner is distinctly told (*vide* Madras Code para. 354, and Government of India Code, volume I, chapter III, para. 126) that in all matters as to which fixed rules have been laid down, and especially in connection with establishment charges and travelling allowance claims, he is "bound rigorously to act on those rules without admitting of any exception." If therefore the Examiner is told that until certain conditions are fulfilled he is to disallow a charge, he has no option but to disallow it when the conditions are not fulfilled.

4. If Government is disposed to relax the rule, there are apparently two ways (and there may be more) in which relief might be afforded, namely.

- (a) Doing away altogether with the requirement of an original voucher in support of the charge, and substituting a certificate by the officer himself, or
- (b) Continuing the requirement of an original voucher, but allowing the Examiner to pass charges provisionally in the absence of a voucher, subject to report to and orders of Government if the voucher is not produced in some reasonable time, to be fixed.

5. If it is not considered advisable to relax the rule as regards the department generally, Government might perhaps be disposed to relax it (in either of the ways indicated above) as regards officers coming temporarily to the Madras Presidency, because local rules of the kind in question bear with exceptional severity on officers thus circumstanced. Indeed I am disposed to think that as regards such officers, and their establishments, there are several local rules relating to appointments and salary claims and contingent charges which might reasonably be relaxed as regards officers in the position of the staff of the East Coast Railway Survey; and I will report further regarding them if desired.

6. It is not, properly speaking, my business to make suggestions of this sort. Suggestions for modification of establishment rules should ordinarily come from the officers affected, or, as in a case like this, where the officers themselves can hardly know the rules, from their administrative superiors; but I trust that, under the circumstances, and as nobody else seems inclined to move in the matter, I may be excused for making these suggestions. Even if I were entirely indifferent—which I certainly am not—to the inconvenience and annoyance to the officers immediately concerned, the trouble and worry caused to myself by the continually recurring occasions for these disallowances would perhaps be sufficient excuse for moving in the matter; and as regards myself personally, the trouble and worry are seriously aggravated by the consciousness that many, if not all, of the officers concerned attribute my action entirely to wrong-headedness, to unwillingness to exercise a discretion erroneously supposed to be vested in me, and to indifference to the annoyance and inconvenience to which officers are put.

7. Pending issue of orders as to any modification of the rules, a matter which may take time to settle, I solicit early orders as to the disposal of the specific claims now in question.

Submitted for orders of Government.

2. The Engineer-in-Chief submits a statement of travelling allowances claimed by officers serving under him which have been disallowed by the Examiner, Public Works Accounts.

Mr. Gahan, Executive Engineer.—The claim preferred by the Executive Engineer might be passed finally under the orders of Government on the receipts submitted.

Buth Nath Chatterjee, Temporary Engineer.—This officer was ordered by the Engineer-in-Chief to join fully equipped from his home, and was informed that the carriage of his camp equipage and horse would be paid by Government.

The orders of the Government of India are required in this case, as the Examiner's disallowance is correct under Public Works Code. I think a reference should be made to the Government of India. The man was engaged under a distinct promise from the Engineer-in-Chief that certain monies would be paid to him, and he appears to have a legal right to what he claims. Meanwhile the Examiner might be asked to pass the charge provisionally.

Lieutenant Waghorn, R.E., Assistant Engineer.—The Government of India have ruled that "the conveyance of horses, &c., and camp equipment at the public expense is inadmissible in the case of young officers on first joining the department." I cannot see that there is anything in Lieutenant Waghorn's case that the Government of India would admit to be exceptional if it were referred to them.

Mr. Bewley, Executive Engineer.—The claim for Rs. 132 on account of passage money would have been passed under India Public Works Code rules without demur, and Examiner might be informed that the receipts submitted may be accepted and the charge passed finally. As regards the claim of Rs. 131-14-0 on account of freight of tents, &c., the Executive Engineer should have no difficulty in furnishing the information asked for by the Examiner, who in the meantime might pass the charge provisionally.

Lieutenant Kincaid, R.E., Assistant Engineer.—The remarks made in Lieutenant Waghorn's case apply to this case also.

Mr. Berkley, Temporary Engineer.—The remarks made in the case of Buth Nath Chatterjee, Temporary Engineer, apply to this case also.

3. I do not think that it has been yet shown that it is desirable to modify the local rules about the submission of passage certificates, &c., in original to meet these special cases, which can be, in my opinion, best met by passing special orders in each case as it arises.

4. In all these cases the Examiner's ruling appears to have been proper. The difficulties that have arisen are mostly due to the Engineer-in-Chief not having referred the cases as they arose to the Government for approval and sanction.

ORDER—dated 29th July 1890, No. 1077 R., Public Works.

The claim preferred by Mr. Gahan, Executive Engineer, to passage money for himself and two servants from Calcutta to Vizagapatam is sanctioned on the receipts submitted.

2. The cases of Messrs. Buth Nath Chatterjee and Berkley, Temporary Engineers, will be referred for the orders of the Government of India as to whether, under the circumstances explained by the Engineer-in-Chief, the claims of these officers to the carriage of their horses and camp equipment, which are inadmissible under Madras Public Works Department Code, appendix N, para. 4, can be entertained. In the meanwhile the Examiner, Public Works Accounts, is requested to pass the charges provisionally pending the orders of the Government of India.

3. The claims of Lieutenants Waghorn and Kincaid are inadmissible, the Government of India having ruled that the conveyance of horses, &c., and camp equipment at the public expense is inadmissible in the case of young officers on first joining the department, and there is nothing before Government which would admit of their cases being referred to the Government of India as deserving exceptional consideration.

4. The Examiner will be requested to accept the receipts furnished in the case of Mr. Bewley and to pass the charge finally for passage money amounting to Rs. 132. The Engineer-in-Chief will be informed that the Executive Engineer referred to above should have no difficulty in furnishing the information required by the Examiner regarding his claim to Rs. 131-14-0 on account of freight of tents, &c., pending the receipt of which, the Examiner should pass the charge provisionally.

5. The Examiner, Public Works Accounts, is requested to report the modifications of the local rules which he would suggest in the case of officers in the position of those serving on the East Coast Railway Survey who have come only temporarily to this Presidency.

6. The Engineer-in-Chief will be informed that the Examiner has only done his duty, and that in its discharge, as shown by his office note of July 4th, No. 3944, he has evinced much consideration for the officers whose cases the Engineer-in-Chief has brought to the notice of Government, who, while aware of the irritation and inconvenience resulting from audit objections to bills, consider that the tone of the Engineer-in-Chief's remarks towards the close of his letter is objectionable as calculated to create friction.

7. A copy of these Proceedings will be forwarded for the orders of the Government of India with reference to para. 2.

(Here enter No. 1078 R., dated 29th July 1890.)

(True Extract.)

Major, R.E.,
Under-Secy. to Govt., P.W.D.,
Railway Branch.

To the Consulting Engineer for Railways.
" Engineer-in-Chief, East Coast Railway Survey.
" Examiner, Public Works Accounts.

Exd. J. Moses.
Spare Copies

RAILWAY.
 Govt. of 1890, Madras.
 PUBLIC WORKS.

Dated July, 29th.

Recd.

Encl.

G.O., 29th July 1890, No. 1077 R.

JULY.

Travelling Allowances

Passing orders on the claims to — of certain officers serving on the East Coast Railway Survey.

29TH JULY 1890, No. 1077 R., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Railway.

Read the following papers:—

From the Consulting Engineer for Railways, dated Madras, 10th July 1890, No. 489.

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2. I may mention that as it is next to impossible to procure horses here and the officers would be useless without them, I instructed each man gazetted to the Survey to come fully equipped.

No.		RS.	A.	P.	
I.	Passage money for Mr. Gahan ...	63	0	0	3. Mr. Gahan, the Executive Engineer in charge of the Vizianagrum division, therefore brought two horses and two servants with him from Calcutta to Vizagapatam. The details of charges claimed by him and disallowed by the Examiner in connection with the passage of himself, servants and cattle are marginally noted.
II.	Passage money for Mr. Gahan's two servants.	24	0	0	
III.	Hire of a horse-box ...	30	0	0	
IV.	Landing do. ...	2	8	0	
V.	Return freight of do.	13	2	0	
	Total ...	132	10	0	

4. Item No. I was disallowed (1) for want of a stamped receipt for fare, (2) for want of embarkation and disembarkation certificate, (3) for want of statement showing the number of days he dined on board, and (4) whether the passage money included the cost of wines.

(1) Mr. Gahan states that the original stamped receipt for fares for himself and servants was sent with the first travelling allowance bill, but has apparently been lost or mislaid in the Examiner's office: a certified copy of the duplicate is now sent.

(2) No embarkation or disembarkation certificate was sent as neither he nor any of us ever heard of these documents before; but Mr. Gahan sent instead a certificate on honor stating when he embarked and disembarked.

(3) Further, not being aware that a dining certificate was required he did not procure that paper, but submitted a certificate from himself showing the number of days he dined on board.

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Steamer fare for horse from Calcutta to Vizagapatam ...	35	0	0
Loading and unloading horse ...	14	8	0
Total ...	49	8	0

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With reference to the second charge, viz., Rs. 35, a warrant for this was issued to Mr. Waghorn in Madras, but subsequently a refund was demanded by the Examiner.

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Lieutenant Waghorn, Assistant Engineer.—Having joined his first appointment in the Public Works Department, claim to cost of carriage of horse, &c., is inadmissible under Public Works Code, appendix N, para 4.

Mr. H. W. Clift, Executive Engineer.—The claims referred to have since been admitted, proper vouchers having been furnished.

Mr. Bewley, Executive Engineer.—Audit of passage money was deferred pending submission of receipt for steamer passage money—*vide* Code paras. 553 and 554. No stamped receipt has as yet been received, but if Government so direct, the charge will be passed. Had the rules of the India Code been applicable the claim would not have been questioned. As regards the claim of Rs. 231-14-0 on account of freight of tents conveyed, a voucher in support giving the weight of camp equipment, together with information as to whether the charge includes freight of any private articles, are necessary. Should Government so direct, this charge also will be passed provisionally. The charge for horse-box will be included and passed in the next bill received, with reference to G.O., No. 396 R. of 19th March 1890.

Lieutenant Kincaid, R.E., Assistant Engineer.—Travelling allowance for carriage of horse, &c., is not admissible under Code, appendix N, para. 4, Lieutenant Kincaid being a young officer joining his first appointment in the Public Works Department.

Mr. Berkley, Temporary Engineer.—The claim to the cost of carriage of horse, &c., was disallowed with reference to Public Works Code, appendix N, para. 4—*vide* also G.O., No. 379 R. of 17th March 1890. If Government so direct, the charge will be passed provisionally.

2. If Government desire to grant travelling allowance for carriage of horses and camp equipment to Messrs. Berkley and Buth Nath Chatterjee and to Lieutenants Waghorn and Kincaid, sanction of the Government of India will be necessary. The charges will of course be passed provisionally under Public Works Department Code para. 355 if Government so direct, pending any reference to the Government of India. As regards the claims of Lieutenants Waghorn and Kincaid, I have no doubt that they are inadmissible, and that they would only be allowed by the Government of India as special cases, if at all. As regards the claims of two temporary officers, Messrs. Berkley and Buth Nath Chatterjee, I am not certain, but I am obliged to be careful, and the more so for the very fact that the officers are only temporarily employed, and that it would be difficult and perhaps impossible to recover from them hereafter any sums overpaid, and that if I pass them on my own authority I may be held personally responsible for them.

3. With reference to this and other similar complaints by the Engineer-in-Chief, East Coast Railway Survey, I should be glad if the Government would consider the propriety of modifying the rules (which are entirely local rules) regarding the conditions under which claims for refund of passage money may be passed. Code para. 554 requires the submission of a *voucher in original*, and a voucher has always been held to mean a legal and valid acquittance. Moreover it has always been held that the concluding sentence of para. 553 applies also to claims for passage money under para. 554, so that taking the rules altogether the Examiner is required to disallow claims for refund of passage money until the required vouchers and certificates are furnished. This is not my interpretation only, but the interpretation which has been put upon the rules by successive Examiners for years. If I had thought that the interpretation of my predecessors was wrong, I would have submitted the question for orders long ago; but I think they interpreted the rule rightly, and I am confirmed in my opinion by the fact that the interpretation adopted has never once been questioned, and I am therefore bound to act upon the accepted interpretation. Some officers are, I believe, under the impression that the Examiner is allowed a certain amount of discretion in this matter. This is not the case. On the contrary the Examiner is distinctly told (*vide* Madras Code para. 354, and Government of India Code, volume I, chapter III, para. 126) that in all matters as to which fixed rules have been laid down, and especially in connection with establishment charges and travelling allowance claims, he is "bound rigorously to act on those rules without admitting of any exception." If therefore the Examiner is told that until certain conditions are fulfilled he is to disallow a charge, he has no option but to disallow it when the conditions are not fulfilled.

4. If Government is disposed to relax the rule, there are apparently two ways (and there may be more) in which relief might be afforded, namely.

- (a) Doing away altogether with the requirement of an original voucher in support of the charge, and substituting a certificate by the officer himself, or
- (b) Continuing the requirement of an original voucher, but allowing the Examiner to pass charges provisionally in the absence of a voucher, subject to report to and orders of Government if the voucher is not produced in some reasonable time, to be fixed.

5. If it is not considered advisable to relax the rule as regards the department generally, Government might perhaps be disposed to relax it (in either of the ways indicated above) as regards officers coming temporarily to the Madras Presidency, because local rules of the kind in question bear with exceptional severity on officers thus circumstanced. Indeed I am disposed to think that as regards such officers, and their establishments, there are several local rules relating to appointments and salary claims and contingent charges which might reasonably be relaxed as regards officers in the position of the staff of the East Coast Railway Survey; and I will report further regarding them if desired.

6. It is not, properly speaking, my business to make suggestions of this sort. Suggestions for modification of establishment rules should ordinarily come from the officers affected, or, as in a case like this, where the officers themselves can hardly know the rules, from their administrative superiors; but I trust that, under the circumstances, and as nobody else seems inclined to move in the matter, I may be excused for making these suggestions. Even if I were entirely indifferent—which I certainly am not—to the inconvenience and annoyance to the officers immediately concerned, the trouble and worry caused to myself by the continually recurring occasions for these disallowances would perhaps be sufficient excuse for moving in the matter; and as regards myself personally, the trouble and worry are seriously aggravated by the consciousness that many, if not all, of the officers concerned attribute my action entirely to wrong-headedness, to unwillingness to exercise a discretion erroneously supposed to be vested in me, and to indifference to the annoyance and inconvenience to which officers are put.

7. Pending issue of orders as to any modification of the rules, a matter which may take time to settle, I solicit early orders as to the disposal of the specific claims now in question.

Submitted for orders of Government.

2. The Engineer-in-Chief submits a statement of travelling allowances claimed by officers serving under him which have been disallowed by the Examiner, Public Works Accounts.

Mr. Gahan, Executive Engineer.—The claim preferred by the Executive Engineer might be passed finally under the orders of Government on the receipts submitted.

Buth Nath Chatterjee, Temporary Engineer.—This officer was ordered by the Engineer-in-Chief to join fully equipped from his home, and was informed that the carriage of his camp equipage and horse would be paid by Government.

The orders of the Government of India are required in this case, as the Examiner's disallowance is correct under Public Works Code. I think a reference should be made to the Government of India. The man was engaged under a distinct promise from the Engineer-in-Chief that certain monies would be paid to him, and he appears to have a legal right to what he claims. Meanwhile the Examiner might be asked to pass the charge provisionally.

Lieutenant Waghorn, R.E., Assistant Engineer.—The Government of India have ruled that "the conveyance of horses, &c., and camp equipment at the public expense is inadmissible in the case of young officers on first joining the department." I cannot see that there is anything in Lieutenant Waghorn's case that the Government of India would admit to be exceptional if it were referred to them.

Mr. Bewley, Executive Engineer.—The claim for Rs. 132 on account of passage money would have been passed under India Public Works Code rules without demur, and Examiner might be informed that the receipts submitted may be accepted and the charge passed finally. As regards the claim of Rs. 131-14-0 on account of freight of tents, &c., the Executive Engineer should have no difficulty in furnishing the information asked for by the Examiner, who in the meantime might pass the charge provisionally.

Lieutenant Kincaid, R.E., Assistant Engineer.—The remarks made in Lieutenant Waghorn's case apply to this case also.

Mr. Berkley, Temporary Engineer.—The remarks made in the case of Buth Nath Chatterjee, Temporary Engineer, apply to this case also.

3. I do not think that it has been yet shown that it is desirable to modify the local rules about the submission of passage certificates, &c., in original to meet these special cases, which can be, in my opinion, best met by passing special orders in each case as it arises.

4. In all these cases the Examiner's ruling appears to have been proper. The difficulties that have arisen are mostly due to the Engineer-in-Chief not having referred the cases as they arose to the Government for approval and sanction.

ORDER—dated 29th July 1890, No. 1077 R., Public Works.

The claim preferred by Mr. Gahan, Executive Engineer, to passage money for himself and two servants from Calcutta to Vizagapatam is sanctioned on the receipts submitted.

2. The cases of Messrs. Buth Nath Chatterjee and Berkley, Temporary Engineers, will be referred for the orders of the Government of India as to whether, under the circumstances explained by the Engineer-in-Chief, the claims of these officers to the carriage of their horses and camp equipment, which are inadmissible under Madras Public Works Department Code, appendix N, para. 4, can be entertained. In the meanwhile the Examiner, Public Works Accounts, is requested to pass the charges provisionally pending the orders of the Government of India.

3. The claims of Lieutenants Waghorn and Kincaid are inadmissible, the Government of India having ruled that the conveyance of horses, &c., and camp equipment at the public expense is inadmissible in the case of young officers on first joining the department, and there is nothing before Government which would admit of their cases being referred to the Government of India as deserving exceptional consideration.

4. The Examiner will be requested to accept the receipts furnished in the case of Mr. Bewley and to pass the charge finally for passage money amounting to Rs. 132. The Engineer-in-Chief will be informed that the Executive Engineer referred to above should have no difficulty in furnishing the information required by the Examiner regarding his claim to Rs. 131-14-0 on account of freight of tents, &c., pending the receipt of which, the Examiner should pass the charge provisionally.

5. The Examiner, Public Works Accounts, is requested to report the modifications of the local rules which he would suggest in the case of officers in the position of those serving on the East Coast Railway Survey who have come only temporarily to this Presidency.

6. The Engineer-in-Chief will be informed that the Examiner has only done his duty, and that in its discharge, as shown by his office note of July 4th, No. 3944, he has evinced much consideration for the officers whose cases the Engineer-in-Chief has brought to the notice of Government, who, while aware of the irritation and inconvenience resulting from audit objections to bills, consider that the tone of the Engineer-in-Chief's remarks towards the close of his letter is objectionable as calculated to create friction.

7. A copy of these Proceedings will be forwarded for the orders of the Government of India with reference to para. 2.

(Here enter No. 1078 R., dated 29th July 1890.)

(True Extract.)

(Signed) T. GRACEY, Lieut.-Colonel, R.E.,
Offg. Joint Secy. to Govt., P.W.D.,
Railway Branch.

To the Consulting Engineer for Railways.
" Engineer-in-Chief, East Coast Railway Survey.
" Examiner, Public Works Accounts.

ENDORSEMENT—dated 29th July 1890, No. 1078 R., Public Works.

Forwarded.

(By Order.)

Lieut.-Colonel, R.E.,
Offg. Joint Secy. to Govt., P.W.D.,
Railway Branch.

Exd. J. Moses.
Spare Copies