

Public Works (1899) Department.

SERIAL

No. 17

G.O., No. 1065 R

DATED 19. December

[Despatch Abstract.]

Batha Rules. Stating that on reconsideration the Govt is of opinion that certain minor subordinates of the S.D. Rs. are not subject to the operation of article 1159 of the C.S. Rules and exempting them from for a certain period from the restriction imposed by clause 6 of the ~~same~~ Company's —

P.W. Department
Pros. of the Madras Govt.
Read the folg: 1298

SERIAL
No. 8

D_2 *CM*

Exd. C. M. Thumbuswamy.

2616.
19-6-96

Govt. of {1896} Madras.
FINANCIAL.

Issued

Recd.

Encl.

G.O., No. 342, 19th May 1896.

MAY.

**Claims under Article 1159 of the
Civil Service Regulations.**

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.

Order thereon. No 17884/24
17 June 1896.

Communicated to
officers of the Public Works
Department.

(True Extract)

Ct. R. Burley
Under Secy. to Govt. P.W.

The Chief Engr. for Irrigation
" Consgr. Engr. for Ry.
" Suply. Engineers.
" Consgr. Architect to Govt.
" Exr. P.W. Accts.

KMS
025247

No. 817

South Indian Railway Co., Ltd.

AGENT'S OFFICE,

TRICHINOPOLY, 7th September 1896.

From

THE AGENT,

SOUTH INDIAN RAILWAY,

To

THE CONSULTING ENGINEER

FOR RAILWAYS,

MADRAS.

Sir,

The undermentioned Officers and Subordinates having been employed during the periods shown opposite their respective names in works connected with the restoration of the recently breached portions of the line, I have the honor to request sanction to their being exempted during the periods in question from the restriction imposed by Clause 6 of the Company's Batta Rules, which lays down that batta may not be drawn for more than ten days of a halt at one place:—

Name	Designation	Period for which exemption is required					
		From			To		
Mr. C. J. Bond	Resident Engineer	August	1	1896	August	31	1896
" A. Ellis	do	August	1	1896	August	31	1896
" R. A. Clifford	Assistant Engineer	August	5	1896	August	31	1896
" H. Robbins	Sub. Inspector	August	1	1896	August	31	1896
E. M. Taylor	Ballast Guards	August	2	1896	August	20	1896
Abboy Naidu		August	2	1896	August	20	1896
Guruswamy Pillay		August	2	1896	August	20	1896
Singaravulu Pillay		August	11	1896	August	21	1896

An early answer will oblige.

I have the honor to be
Your most obedient Servt.
J. H. Mesurier
for Agent

Mes. J

9616

3884
8/9/96

1896
his
2769

1550
1025201

1551

Received }
Dated }
No. }
189

ENCLOSURE

From
THE AGENT,
SOUTH INDIAN RAILWAY,
Trichinopoly.
To
THE CONSULTING ENGINEER FOR
RAILWAYS,
Madras.

Form No. 21.
509-5-3-96.

SERIAL
No. 10

1296

EXAMINER,
Reg. No. 459
9-SEP-93
RAILWAY ACCOUNTS, MADRAS

OFFICE OF THE CONSULTING ENGINEER FOR RAILWAYS,
Madras, 8th September 1896.

No. 2813

OFFICE NOTE.

Letter from the Agent, South Indian Railway, No. 817
dated 7th September 1896, forwarded to the Examiner of Railway
Accounts, for favour of remarks.

for E. R.

EXAMINER'S REPLY.

10.9
R for sanction
C.M. 11/9
Sanction
J.H. 14/9

The Local Govt may exempt these Officers from
the operation of the 10 days halt rule, if satisfied
that the prolonged halts were necessary and that the
Officers were put to extra expense by their halts after
the expiration of the first ten days, vide C.S. Reg.

Art 1159

Lawrence
C.R. 10/9

18th Sept 1896.

To

Agent, S. I. R.

SERIAL

No. 11

No. 2969 Reply No. 967, dated 17/10

SIR,

Reminders.

With reference to your letter No. 817 of 7 September 1896, I have the honour to enquire whether the officers & subordinates referred to have fulfilled ^{either of} the conditions laid down in clause (a) & (b) of Article 1159 C.S. Regulations i.e. whether they maintained camp equipment as directed in Article 21 C.S. Regulations or whether they were put to rest.

Dispatched on 18/9/96

Subject.

Company's

expense by their halt
after the expiration
of the first 10 days;
if the latter, I shall
be glad to be furnished
with details of the extra
expenses incurred in
each case. - *19/19*

*CR. Please see proposed
draft and A.R. Note:
the officer being under
Company's rules do you
consider the draft necessary
It is probable that the officer
is satisfied with the condition
but we do not put
to rest in circumstances*

No. *967*

19/19
South Indian Railway Co., Ltd.
AGENT'S OFFICE.

SERIAL
No. *1296*

TRICHINOPOLY, *17th* October 1896.

From

THE AGENT,
SOUTH INDIAN RAILWAY,

To

THE CONSULTING ENGINEER
FOR RAILWAYS,
MADRAS.

Sir,

In reply to your letter No. 2969 dated *18th* September 1896 there can, I think, be no doubt that the Officers and Subordinates who were absent from their head quarters during the time they were employed in repairing the recent breaches must have been put to extra expense. Although I presume the employees of this Company are not subject to article 1159 of the Civil Service Regulations the conditions laid down in rule (1) were to a great extent complied with. The prolonged halt was necessary in the interests of the service and camp equipment otherwise than in respect to tents and the requisites for pitching them was maintained. As the officers and subordinates were not aware that accounts of their extra expenditure would be required, none were kept and I am consequently unable to furnish you with the information asked for. As you are aware the country for miles on both sides of the line at the sites of the breaches was flooded to a depth of some feet, and it was therefore almost impossible to procure local supplies of food. Men working on the Shiyali island were also cut off for some time from railway communication.

I have the honor to be
Sir

Your most obedient Servant
A.B.G. Mallay

Agent
Capt R.L.

M.G.S

C. No. 4862
1910/96

1896
Fin. Dept.
Enclos. No. 189
To
A. No. 2769

Oct. 2
1910/96

ENCLOSURE.

Dated }
Received }
No. 189

From
THE AGENT,
SOUTH INDIAN RAILWAY,
Trichinopoly.
To
THE CONSULTING ENGINEER FOR
RAILWAYS,
Madras.

SERIAL
No. 13

Letter from A. No. 81777. 12/96
— as — a. No. 967710. 96

No 3671 Cd/23d. October 1896

Transferred to
the Financial Depart.
ment with reference to
G.O. No: 342 Financial 7
19th May 1896. -

2. The affairs were
apparently put to extra
expense owing to the
prolonged halts which
were necessary and should
in my opinion be exempt
from the operation of the
today's hall rule.

See
24/10

19/10

Jps R

26/10

SERIAL
No. 14

Public Works (1896) Department.

CURRENT No. 10253

Order

Copy forwarded
to H. with reference to
his letters nos 817 + 967
of 7 Sept + 17 Oct 1896.

From

The Financial Department

No. 753.

for ER

Dated 6 November 1896

Received 13.11.96

Enclosures 2

Spare copies

SUBJECT.

Declaring the claims of
the Railway Officers employed
in the restoration of wrecks
in the South Indian Railway to
holding allowance of more than
ten days to be inadmissible
under the Civil Service Regulations.

BACK PAPERS.

FURTHER PAPERS

3,000-3-7-96.

Financial Department.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following paper:—

(True Extract)

A. L. Hannay
11/14/56
for Chief Secretary.



Exemption of certain
employees of the S.I.R.C.
from clause 6 of the Company's
batta rules.

H.E. the Governor in Council
Hon Mr. Blair
Hon Mr. Jones

I am in favour of granting this
concession, but the Hon. Members
should see the papers.

A.H.
28.11.96

It is really extraordinary that
people will persist in con-
fusing between "camp equipage"
and "camp equipment". It
almost looks as if the confusion
were intentional - but one of
these officers, it is safe to say,
maintained any "camp
equipage" at all - there was
this incurring addl. expense -
no doubt they did - but was
it expense of the kind covered
by the word "actual travelling
expenses" (vide articles
15 & 1086 of the C.S.R.)?
I have no doubt it was not.
I am really tired of raising
these points - they have been
discussed ad nauseam
and I don't wonder that the
F.D. Governor has no spirit.

H.9
21.11.96
R/30.11
H.9/30.11
C/30.11

The Agent submitted in September
last an application for exemption
from this clause on behalf
of 8 employees, on the occasion
of the restoration of the line
which had been braked &
floods.

2. The rule in question is the same
as that contained in the Civil
Service Regulations rule 1159, and
provides that batta may not
be drawn for a halt of more
than ten days at one place.

3. The Govt. Examiners noted that
the local Govt. could sanction
this, and quoted C.S.R. rule 1159
to show that as this Govt. could
sanction its own officers from
the operation of this rule, there
was no need to refer the question
of the exemption of the R. Officers
from their rules to the Govt. of
India.

4. The resolution of the C.S.R. made it
appear to me that the case
should be referred to the Fin. Dept.
as directed in S.O. 342 Fin of
May 1898.

5. Further particulars having been ob.

lained from the Agent the case was accordingly submitted to the Fin Dept with an expression of opinion that the Employer should be exempted from the rule.

6. The Fin Dept ^{has} replied briefly that they are inadmissible under the Civil Service Regulation, but does not state on what ground the exemption is refused.

7. The Examiner Railway Acc'ts (Major Walker R.E.) has informed me that he does not consider the reference to the Fin Dept to have been necessary, provincial funds being in no way affected, and the S.R. staff not being subject to the Civil Service Regs. (though for the sake of comparison their rules are similar to the C.S.R. and in ~~the~~ dealing with such cases are usually decided on the lines of the C.S.R.)

8. Previous to the issue of S.O. Finl. No. 342 of May 1876 such cases were disposed of by G.O. in the R.E. Dept without ref. to the Fin Dept, and orders are requested as to whether, under the circumstances stated above, this course may be pursued in future.

9. As regards the case under review, I would respectfully point out that Railway officers are not like Civil District officers ready equipped for travelling, and on occasions of the kind in question are necessarily subjected to extra expense & to great discomfort.

10. Independently of the several questions raised as to whether matters of this kind should be dealt with

reply [I don't remember seeing the paper myself]

This being so, the whole question is Does Art 1159 C.S.R.

apply? There is no particular reason, that I know of, why it should; but it is impossible to give a definite reply that it does not without seeing the Company's better rules - If they are on the same lines all through as the Govt rules, I should say it should - But it would be useful to know the practice on other railways.

* Rules were proposed above on 14/12/96

RS
2/12/96

I have been pressed by and done must be extra expense of Art 1159 & in justification for giving daily allowance for more than 10 days must be expense on this way of actual travelling expenses; but I don't think this applies to the Company's better rules, & should art 1159 be inadmissible under the C.S. Regs & may be admissible under them. In this case I think the concession should be granted

28
3/12/96

CM
28/12/96

in the Fin Dept. I respectfully submit that the ruling contained in S.O. Finl. No. 753 is a harsh one, and that its conclusion is doubtful - The local Govt has the power to exempt officers from the operation of the ten days half rule, if satisfied (1) that the prolonged halt is necessary and (2) that the officers were not put to extra expense and the Agent's letter No. 967 d-17/10/96 appears to me to furnish sufficient evidence on both these points.

20/11/96

A draft S.O. is put up for approval.

Current No. 16
SERIAL
No. 16

10253
E.R.

- (3) His Excellency the Governor
(1) The Honble Mr. Biss, C.I.E
(2) The Honble Mr. Grose, C.I.E

with ref. to note of H.E. the
Governor and the Member
a note of the Govt. Examiners
for Railways is put up (opposite)
giving further information.
Orders are requested as
to whether the proposed draft
order may issue and (2)
as to whether the procedure
suggested in para 8 of
previous note may be
followed in future.

9/10

I don't think it matters from what
rules exemption is sought. I am
opposed to granting these exemptions. The
T.A. Rules both of Govt. and the Rly Comps
are framed so that on an average the cost
of travelling is covered. One time a man
may for something because he can't draw
more than 10 days' pay at one place; ^{10 days}
another time he goes to spend 10 days
in a friend's house at some place he
visits on tour & makes a clean profit
of the whole of his p.a. for the 10 days.
One thing should be set against the
other - I would not give any exemption
then - being the very last way in which
the different departments deal with matters
of this kind, I think it essential
that all exemptions from Rules in-
volving expenditure should be dealt
with in the F. D. Take the present
case as an instance - the confusion between
"equipment" & "equipment" - we have
such a variety of had the same kind of
failure in the P.W. & Local Dept.

There is no doubt that the rules of the C.S. Regs. & with
them Art 1159, do not directly apply to the employees of
the S. S. Ry. who have their own Batta rules.

But the Ry Batta rules being exceedingly short and
condensed, many cases arise which are not provided for, or
covered by them, and these cases have to be dealt with as
far as may be possible in accordance with similar cases in
Govt. service.

As regards the present case, the C.S. have a rule (No 6)
that daily allowance cannot be drawn for more than
10 days of a halt at one place, but there is no rule
corresponding to the latter portion, or exemption clauses,
of Art 1159 of the C.S. Regs.

The Agent however for special reasons applies for sanction
to the exemption of certain of his officers from the operation of
Rule 6 in the case of a particular halt.

In the local Govt. have powers to exempt their own officers
from the operation of the 10 days halt rule Art 1159 C.S. Regs.
I presume that they can similarly exempt Ry Officers from
the operation of Rule 6 of their Batta rules, without the necessity
for referring such cases for the orders of the Govt. of India. In

deciding on whether this exemption should be sanctioned or
not, I assume Govt. would be guided by the general analogy
of the travelling allowance rules applicable to Govt. servants
which provide for such cases, but I do not consider that they
need necessarily be tied down to quite the same rigidity in
applying disqualifications & articles of the C.S. Regs. to the cases of the
Ry Companies' officers as they would in the case of Govt. officers.

H. 10/12/96
H. 10/12/96
H. 10/12/96

10/12/96
10/12/96

Company

As regards the practice on other Railways, the travelling allowance rules are so different, that little can be learnt from them which can be applied to the present case. The allowance on the Madras Ry nearly all the allowances given permanent monthly allowances, the few daily allowances given are not subject to a 10 days halt rule as the C. S. have no such rule in their Batta regulations. The S. M. Ry have accepted the present travelling allowance rules as they stand in their entirety in the C. S. Regs, and have no Batta rules of their own.

It will be seen that in the present case the reference was for the exemption of certain Ry Officers from the operation of Clause 6 of the S. I. R. Batta rules, and not for the exemption of any Ry Officers from the operation of Art. 1159 C. S. Regs, and under the circumstances I do not think there was any necessity to transfer the case for disposal in the Financial Dept. The interpretation & working of the Grant & Ry Co's Batta rules are questions affecting Ry administration & Ry working expenses which in no way touch Provincial revenues or finances, and I do not think any advantage is to be gained by transferring the case to the Financial Dept. with expenses in regard to these rules.

W. Waller Major R.E.
C.R. 7/12
Examiner of Railway Accts

question and be referred to the Financial Dept.

28
13/12/96

1. To approve of the Draft.
2. If the Hon. Mr. G. S. means that all questions of exemption from the operation of Art. 1159, should be referred to the Financial Dept., I agree with him. But, from what I see that questions affecting Railway Batta should be referred. From open, however, how, ever, to conclusion in this point.

F. S. H.
18.12.96

The F. D. deals of course with all financial questions, not merely those which affect Provincial revenues. Major Waller hardly seems to understand this.

4.4.97
13.1.97

No 1065 R dated 19.12.96
PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

A-B

PROCEEDINGS OF THE MADRAS GOVERNMENT.

SERIAL
No. 17

Read the following

Letter from the Secy to Govt. } H.E. No. 817 of 14.12.96
S. I. Railway —

Letter from do — " — " — 967 of 17.6.96

Prop: of the Madras }
Govt: Financial Dept — " — " — 753 of 6.11.96

On reconsideration, the Government is of opinion that the Officers referred to are not subject to the operation of article 1159 of the Civil Service Regulations, and is therefore pleased to exempt them, for the periods specified, from the restriction imposed by clause 6 of the South Indian Railway Company's

7
the draft - can view and I might advise
13/12/96

Company's Ball Rules.

W. 17/11

W. R

~~13/-~~

No. 1065. R dated 19.12.96

To Mr. J. S. D. Ry

- 1. Encls. Ry acc.

- 2. Financial Rec.

Surf.