

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 3077

DATED 17th June 1897

[Despatch Abstract.]

Recording Nos: For receipt of letter from the Govt. of India stating that there was no intention of allowing Tahsildars in Madras to exchange daily allowance for mileage for journey by road within their jurisdiction & that as regards a journey partly by rail & partly by road within jurisdiction, they should be allowed their daily allowance in addition to the ordinary travelling allowance admissible for the railway journey.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1897} of Madras. FINANCIAL.



Recd. } 1897. Enclosures
Regd. } Spare copies

G.O., No. 417, 22nd May 1897.

MAY.

G.O. (Min) No. 307/1897

Recorded.

[Signature]

[Signature]

Travelling Allowance to Tahsildars.

Communicating to the Revenue Department and the Board of Revenue a letter from the Government of India stating that there was no intention of allowing Tahsildars in Madras to exchange daily allowance for mileage for journeys by road within their jurisdiction, and that as regards a journey partly by rail and partly by road within jurisdiction, they should be allowed their daily allowance in addition to the ordinary travelling allowance admissible for the railway journey.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

READ—again the following papers:—

G.O., No. 422, Financial, dated 15th July 1896. 222. 3177

ABSTRACT.—Recording Proceedings, Revenue Department, on letter from the Government of India sanctioning the grant of travelling allowance to Tahsildars at the rate of Re. 1 for every day spent on tour.

G.O., No. 901, Financial, dated 26th December 1896.

ABSTRACT.—Recording, in continuation of G.O., No. 422 of 1896, Proceedings, Revenue Department, on letter from the Government of India regarding the travelling allowance of Tahsildars when travelling outside their jurisdiction or when travelling by rail or steamer within it.

READ—the following papers:—

G.O., Nos. 245A, 246, Financial, dated 20th March 1897.

Read—the following paper:—

G.O., Mis. No. 5316, Revenue, dated 22nd December 1896.

Read—the following letter from F. C. HARRISON, Esq., Officiating Accountant-General, to the Secretary to Government, Revenue Department, dated Fort St. George, 30th November 1896, No. 3668:—

In forwarding Proceedings of the Board of Revenue (Land Revenue), Mis. No. 5156, dated the 16th November 1896, regarding the travelling allowances to be drawn by Tahsildars, I have the honour to observe that the restriction imposed by article 1133 (a) and item 12, Appendix XXII, of the Civil Service Regulations, upon this class of officers when drawing travelling allowance for ordinary journeys (other than journeys performed by rail or steamer) within jurisdiction has not been removed.

2. It is even doubtful therefore whether by its order, No. 1366—37—2, Revenue and Agricultural Department, dated 3rd June 1896, the Government of India intended that Tahsildars should be permitted for journeys within jurisdiction to exchange the special rate of Re. 1 per day for the allowances admissible under article 1170 (ii) and (iii) of the Civil Service Regulations.

3. In these circumstances, it seems desirable that the question should be referred to the Government of India for an authoritative decision and for the necessary amendments, if any, to the regulations.

4. I would remark in passing that it is not apparent why the Board dissents from the view expressed in item (e) of my letter, No. 2954, of the 22nd September 1896. The question therein involved was the title of Tahsildars to both daily allowance and railway fare for journeys by rail. On this point I do not think there can be any doubt, for article 1170 (i) of the regulations only allows the one to be exchanged for the other.

ENCLOSURE.

PROCEEDINGS of the Board of Revenue (Land Revenue), Mis. No. 5156, dated 16th November 1896.

Read—the following papers:—

From C. H. MOUNSEY, Esq., Acting Collector and District Magistrate of Salem, to the Secretary to the Commissioners of Land Revenue, dated 6th September 1896, Ref. on No. 2436-A. Cur.:—

Adverting to the Board's Proceedings, No. 256, dated the 13th July last, communicating Government order sanctioning the grant to Tahsildars of travelling allowance at the rate of Re. 1 for every day spent on tour, I have the honour to inquire whether this grant of daily allowance is subject to the rules contained in the Civil Service Regulations. If not, I request Board's instructions on the following points:—

(a) Whether Tahsildars are entitled to daily allowance for the journeys made within five miles from their head-quarters. Under article 1157, Civil Service Regulations, this is not admissible in respect of other offices, and, I presume, it is not admissible to Tahsildars.

(b) Whether article 1159, Civil Service Regulations, restricting the daily allowance to not more than ten days of a halt at one place applies to the case of Tahsildars also within their jurisdiction. I suppose it does.

(c) Whether article 1170 (iii), Civil Service Regulations, applies to the case of Tahsildars within their jurisdiction. To quote an instance that has occurred, a Tahsildar travels partly by rail and partly by road in a single day. For the railway journey, he gets double second-class fare admissible under the rules. As for the road journey, if the distance travelled is, say, two miles, he should get 8 annas at the rate of 4 annas a mile admissible to officers of his class under the article quoted above, the mileage being limited to the extent of daily allowance. But, under the Board's Proceedings under reference, he claims Re. 1 on the ground that he has spent the day on tour.

(d) Whether the daily allowance sanctioned is the allowance for the day as defined in the Civil Service Regulations. For instance, a Tahsildar leaves his head-quarters, say, at 6 p.m., to a place at a distance of, say, six miles and returns thereto at 9 a.m. the next day. Under the Civil Service Regulations he will be entitled to only one day's daily allowance, as the total absence from the head-quarters is less than 24 hours. But he may claim two days' daily allowance under the Board's Proceedings under reference, for he has toured on both days.

(e) Whether a Tahsildar in whose head-quarters there is a railway station is entitled to both railway fare and daily allowance of Re. 1 for his journey by railway to a village which is a railway station within his jurisdiction. Under the Civil Service Regulations this is not admissible.

Reference thereon—dated 14th September 1896.

Referred to the Accountant-General for favour of remarks.

From F. C. HARRISON, Esq., Officiating Accountant-General, to the Secretary to the Commissioners of Land Revenue, dated Fort St. George, 22nd September 1896, No. 2954.

With reference to Board's Reference on General No. 4981, dated the 14th of September 1896, I have the honour to answer *seriatim* the several questions raised by the Collector of Salem—

(a) Tahsildars are not entitled to any allowance for journeys performed within a radius of five miles from head-quarters except the actual amount spent by them in payment of ferry and other tolls or railway fare (*vide* article 1157, Civil Service Regulations).

(b) The restriction placed by article 1159, Civil Service Regulations, in the matter of drawing allowances for halts at a place applies to these allowances also.

(c) In the case of a journey performed partly by railway and partly by road within jurisdiction, a Tahsildar can either draw the allowance of Re. 1 for the day or double railway fare for the railway journeys performed on the day. In either case, he can claim nothing in respect of the road journey.

(d) The daily allowance sanctioned is the allowance for the "day" as defined in article 29 of the Civil Service Regulations. Allowance for one day only can quarters exceeding 24 hours.

(e) The allowance of Re. 1 cannot be drawn in addition to railway fare. The Collector's letter is returned.

Reference thereon—dated 14th October 1896.

The effect of the orders of the Government of India in granting a daily allowance to Tahsildars, when on tour, appears to be to entitle these officers to the benefit of article 1170, Civil Service Regulations. Accordingly, a Tahsildar (who is not a ministerial officer, although he is a non-gazetted officer,) seems to be entitled to exchange his daily allowance—

(1) for mileage at second-class rates under article 1170 (ii), i.e., in case he travels more than 20 miles by road on any day, and

(2) for mileage, subject to certain limitations, *plus* railway fare, under article 1170 (iii), i.e., in case he travels partly by rail and partly by road.

He could not draw daily allowance, *eo nomine*, in addition to railway fare, but the mileage drawn in addition to railway fare under article 1170 (iii) would be limited, unless the march exceeded 20 miles, to the amount of his daily allowance. Thus, if he travelled ten miles by rail and ten miles by road on the same day, he would be entitled to double second-class railway fare for ten miles *plus* Re. 1, the limit of the mileage in this case.

2. The Accountant-General is requested to state whether this interpretation of article 1170 is correct, and, if not, to favour the Board with his opinion as to how article 1170 is to be applied to the case of Tahsildars.

From F. C. HARRISON, Esq., Officiating Accountant-General, to the Secretary to the Commissioners of Land Revenue, dated Fort St. George, 27th October 1896, No. 3306.

In reply to Board's Reference of the 14th October 1896 on the subject of the new allowance passed to Tahsildars of Re. a 1 day, I have the honour to observe that article 1133 (a) has not been amended by the Government of India. The intention, therefore, of the new concession is, I think, to give Tahsildars Re. 1 a day when travelling within jurisdiction other than by rail or steamer. If they travel by rail or steamer and can only, under articles 1105 to 1125, recover less than Re. 1, they can, I think, under this concession claim a minimum of Re. 1. If this claim is made, nothing can be drawn under those articles. In the event of the Board not accepting this view, the question might be referred to the Government of India.

Resolution—Mis. No. 5156, dated 16th November 1896.

The correspondence read above, which relates to the travelling allowance to be drawn by Tahsildars under the orders of the Government of India, communicated with G.O., No. 2631, Revenue, dated 6th July last, will be submitted for the orders of Government.

2. The Board accepts replies (a), (b) and (d) which are proposed by the Accountant-General to be made to the queries forwarded by the Collector of Salem, but is unable to accept replies (c) and (e). The Board has, in its reference to the Accountant-General, dated 14th October 1896, stated fully its reasons for dissenting from the Accountant-General's views on these points. It now appears from the Accountant-General's last letter read above that he would be prepared to accept the Board's interpretation if article 1133 (a) of the Civil Service Regulations were amended, i.e., if Tahsildars were transferred from Appendix XXII to Appendix XXV of the Civil Service Regulations. The Board presumes that this change was intended to be made as a matter of course, but as the Accountant-General appears to regard the omission to make it as an objection, it is requested that the Government will be pleased to move the Government of India to issue a correction slip to the above effect, amending Appendices XXII and XXV of the Civil Service Regulations.

(True Copies and Extract.)

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

To the Secretary to Government, Revenue Department.

Order—Mis. No. 5316, Revenue, dated 22nd December 1896.
Transferred to the Financial Department.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Under Secretary to Government.

To the Financial Department.

Order—No. 245A, Financial, dated 20th March 1897.

The Government concurs in the replies given by the Accountant-General to questions (a), (b), (d) and (e) raised by the Collector of Salem. The Board, it is observed, declines to accept the reply to (e). The Accountant-General, however, points out that article 1170 (i) of the Civil Service Regulations only allows railway fare to be drawn *in lieu* of daily allowance and not in addition to it. The Board has apparently confounded the question raised in (e), whether both daily allowance and railway fare may be drawn for journeys by rail, with that involved in (c) regarding journeys partly by road and partly by rail.

2. Question (e) will be referred to the Government of India for orders.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

To the Revenue Department.
" Accountant-General.

Letter—to the Secretary to the Government of India, Finance and Commerce Department, dated Fort St. George, 20th March 1897, No. 246, Financial.

With reference to letter, No. 1366—37-2, dated 3rd June 1896, from the Department of Revenue and Agriculture (Land Revenue), conveying the sanction of the Government of India to the grant to Tahsildars in Madras of travelling allowance at the rate of Re. 1 for every day spent on tour, I am directed to state that the Collector of Salem has raised the question whether a Tahsildar making a journey partly by rail and partly by road is entitled to draw the full daily allowance of Re. 1 in addition

to the allowance for the railway journey admissible under article 1107 (a) of the Civil Service Regulations. In the case which has given rise to this reference the Tahsildar claimed the daily allowance in addition to double railway fare on the ground that the former is admissible "for every day spent on tour" under special sanction, while the double rail fare has always been drawn under article 1107, Civil Service Regulations. The Board of Revenue in submitting the case has expressed the opinion that Tahsildars should be, like other officers, subject to the rules contained in article 1170 (ii) and (iii) drawing mileage at second-class rates whenever mileage is admissible.

2. The Accountant-General, however, holds that, as article 1133 (a) and Appendix XXII of the Civil Service Regulations have not been amended, it is doubtful whether the Government of India intended that the daily allowance now sanctioned should ever be exchanged for mileage.

3. Under these circumstances, I am to inquire whether the fact that, under article 1133 (a) and Appendix XXII, Civil Service Regulations, Tahsildars are officers who do not draw travelling allowance for journeys by road within their jurisdiction debars them from the benefits of article 1170, or whether the present grant of travelling allowance brings them within that article. In this latter case, I am to suggest the issue of the necessary correction slip transferring Tahsildars in Madras from Appendix XXII to Appendix XXV, Civil Service Regulations.

(Signed) J. F. PRICE,
Chief Secretary.

READ—also the following paper:—

From R. A. GAMBLE, Esq., Under Secretary to the Government of India, Finance and Commerce Department, to the Chief Secretary to the Government of Madras, dated Simla, the 7th May 1897, No. 2082-S.R.

In reply to your letter, No. 246, dated 20th March 1897, I am directed to say that there was no intention of allowing Tahsildars in Madras to exchange daily allowance for mileage for journeys by road within their jurisdiction. They remain, subject to article 1136 (a), Civil Service Regulations, with the limitation that they draw a daily allowance of Re. 1 when on tour within their jurisdiction. This will be made clear in the next edition of the Civil Service Regulations, which is shortly to issue.

2. As regards a journey partly by rail and partly by road within jurisdiction, Tahsildars in Madras should be allowed their daily allowance in addition to the ordinary travelling allowance admissible for the railway journey. The case which has given rise to this reference may be disposed of accordingly.

Copy, with copy of the letter to which it is a reply, forwarded to the Accountant-General, Madras, and the Accountant-General, Punjab, for information.

ORDER—No. 417, Financial, dated 22nd May 1897.

Communicated to the Revenue Department and to the Board of Revenue.

(True Extract.)

To the Revenue Department. ✓
" Board of Revenue.
" Accountant-General.

Exd. C. M. Thambuswamy.

for Chief Secretary.

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When signed _____

189.

READ AGAIN G.O., No
189

DATED

ENCLOSURE No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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