

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 5

Press
~~MIS~~

Dated

6 . . 1 . 1857

(B. No. 28.29)

Not to be folded or roughly handled

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To

THE OFFICIATING SECRETARY TO THE GOVERNMENT OF THE
NORTH WESTERN PROVINCES.

FINANCIAL DEPARTMENT.

SIR,

I am directed to acknowledge the receipt of your letter No. 12 B. dated the 11th ultimo, submitting for consideration and orders a letter, with enclosures, from Mr. ———, Magistrate and Collector of ———, relative to a retrenchment in his salary under the following circumstances :—

2. Mr. ——— applied on the 2nd July last for fifteen days' leave under Sections XII. and XIII. of the Civil Absentee Rules from the 14th idem, or from such date as he might make over-charge of his Office to the Joint Magistrate.

3. On the 11th idem, the leave was granted by the Government North-Western Provinces, under Sections XII. and XIII., as requested by Mr. ———.

4. On the 22nd idem, the Civil Auditor represented that Mr. ——— was not entitled to the leave under the amended Section XII. published in the *Calcutta Gazette* of the 14th May last, observing that Mr. ———'s first instalment of leave (fifteen days under Section XII.) granted under Orders dated 7th June 1856, expired on the 10th idem, and that his claim to the remaining portion of indulgence leave would not therefore be admissible before the 10th December next.

5. Under these circumstances the leave in question was subsequently notified as one to be held as taken under Section XIV. of the Rules.

6. The Right Hon'ble the Governor General in Council is of opinion, however, that the leave granted to Mr. ———, on the 11th July last, may be allowed under the Rules without deduction. His Lordship in Council considers that the provisions of Section XII. noted in the margin, were intended to apply only to cases in which the leave applied for is *not in the same calendar year* as the last instalment of the previous leave. The *second* leave referred to in those provisions appears to His Lordship in Council to be clearly a second leave of one full month; and His Lordship in Council does not consider that the provisions were ever intended to be applied to cases of *second instalments* of leave granted under Section XIII.

* Foreign.
† Home.
‡ Madras.
Bombay.
Bengal.
Eastern Settlements.
‡ Civil Auditor, Fort William.

"Ordered that a copy of the above letter be communicated to the Departments,* Governments,† and Officer,‡ noted in the margin for information and guidance.

"Ordered also that a copy of the letter be published in the *Calcutta Official Gazette* for general information."

I have the honor to be, &c.,

(Signed) C. H. LUSHINGTON,

Secy. to the Govt. of India.

FORT WILLIAM,
The 5th December 1856. }

Forwarded to the Government of Madras

Wm. Lushington
Secretary to the Govt. of India

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