

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 575

Press
~~Atis.~~

Dated 14. 8. 1858

B no. 14-15

Not to be folded or roughly handled

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Fort Saint George, Financial Consultation, 17th August 1858.

No. 14. From J. L. LUSHINGTON, Esq., Acting Civil Auditor; to T. PYCROFT, Esq.,
Chief Secretary to Government, dated 10th August 1858, No. 399.

Sir,

I have the honor to request you will obtain for me the instructions of Government on the following points.

Mr. D. Mayne, Professor of Moral and Mental Philosophy and Logic in the Presidency College, obtained leave from 20th to 31st May under Sections IV and V of Uncovenanted Service Rules, continued absent during the whole of June, being the vacation at the College, and obtained further leave from 1st to 31st July last under the above Sections.

Mr. Powell maintains that Mr. Mayne is entitled to be absent without leave during the vacation, and consequently his absence on leave should not be considered continuous or as coming under the operation of the rule prescribed in para. 155 Sec. 14 of the Uncovenanted Servant's *Fide Meron*; according to which privilege leave if followed up by sick leave commutes the entire period of absence into sick leave. By Extract Minutes Consultation, dated 19th August 1857, Officers in the Department of Public Education are debarred from privilege leave on account of the absence allowed during the regular vacations.

The chief question therefore to be decided, is whether or not the absence allowed with the consent of the Director of Public Instruction, to the Officers of the Educational Department, during the vacation, is to be considered in the light of privilege leave, if so, the whole of Mr. Mayne's absence must be considered as on sick leave.

Another question affecting Mr. Mayne, is whether he as Professor of Law, in the Presidency College, is entitled to be absent during the discontinuance of the Law Lectures. Mr. Powell, on behalf of Mr. Mayne, contends that the Law Lectures are distinct from all the other studies pursued in the College, attended by another body of students, and are delivered in courses at times fixed by himself, and Mr. Mayne, subject to the approval of the Director of Public Instruction, and that in this branch of study the only effect of Mr. Mayne's absence is that lectures are delayed at one period, instead of another; and consequently as the Law Lectures were not at the time of Mr. Mayne's absence being delivered, it was unnecessary for him, as Law Professor, to obtain sick leave, and as he obtained no sick leave in this capacity, he is entitled to full salary without any deductions. As I am not in possession of orders on the subject, I beg now to be favoured with the views of Government for my guidance.

No. 15. ORDER THEREON, No. 545; dated 14th August 1858.

Ordered to be forwarded to the Director of Public Instruction for his opinion.

(Signed) T. PYCROFT,
Chief Secretary.

12. 1837

Ordered to be for-
warded to the Director, of Public
Instruction for his opinion.

To the Secretary
of the Department of Public
Instruction, 1837.

J. J.

To the Secretary
of the Department of Public
Instruction, 1837.

J. J.