

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.

714

Press

~~Mis.~~

Dated

30.10.

1858.

B no. 1-2

Not to be folded or roughly handled

Fort Saint George, Financial Consultation, 5th November 1858.

No. 1. From F. LUSHINGTON, Esq., Civil Auditor; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th October 1858, No. 359.

SIR,

In Despatch from the Honorable Court of Directors, addressed to the Government of India, in the Financial Department, No. 113 of 1855, dated 28th December, it is declared, that a Civil Servant who has had leave under the old Rules to the extent of 4 years (the full period allowed to count as service under the new Rules) may nevertheless take an additional sick leave under the provision of Sec. VI of the new Rules, viz., 15 months with the privilege of retaining Office and of counting the leave as "Service."

The question has now been raised by Mr. Crozier, Civil and Session Judge of Nellore, who proceeded to England upwards of 12 years ago on three years Medical Certificate under the old Regulations, whether in the event if his being again obliged to return to England on Medical Certificate, any portion of the period of his absence would be allowed to count as "Residence" as well as "Service."

With advertence to the decision of the Honorable Court, in the 3rd para: of the Despatch, Financial Department, No. 70 of 1855, dated 1st August, that as the option of the old Rules had been advisedly withheld from Civil Servants, they did not intend that the Rules which had been substituted for them should operate with retrospective effect, it appears to me that, no previous absence on Medical Certificate under the old Regulation can be held to bar the privilege conferred by Clause II, Sec. XVIII, of the new Regulation of counting one year's absence on Medical Certificate both as "Service" and "Residence." As this question however has not, so far as I am aware, been yet determined by competent authority, I have the honor now to submit it for the consideration of Government.

No. 2. To THE SECRETARY TO THE GOVERNMENT OF INDIA, dated 30th October 1858, No. 714.

SIR,

With reference to the decision of the Honorable the Court of Directors, on the second point of enquiry communicated in para: 5 of their Despatch to the Government of India, dated the 28th December, No. 113 of 1855, I am directed by the Governor in Council to refer, for the orders of the Supreme Government, copy of a letter from the Civil Auditor submitting a question raised by Mr.

F. H. Crozier of the Madras Civil Service, who proceeded to England upwards of 12 years ago, on three years' Medical Certificate under the old Regulations, and who enquires whether in the event of his being again obliged to return to Europe on Medical Certificate, any portion of the period of his absence would be allowed to count as "Residence" as well as "Service."

2. The Civil Auditor is of opinion that no previous absence on Medical Certificate under the old Regulations can be held to bar the privilege conferred by Clause II, Sec. XVIII of the new Rules of counting one year's absence on Medical Certificate both as "Service" and "Residence." But as the question, he states, has not yet been determined by competent authority, he submits it for the orders of Government, I am accordingly instructed to refer the point for the decision of the Government of India.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. J. A. Wilson.

(Disd. 5th)

12
Financial Department

No 714

To The Secy to the Govd of India
Sir,

From Secy to the Govd of India
dated 10 March 1856. No 1225.

Will

Dated 19 Oct. 1858. No 559.

With reference to the
decision of the Honble the
Court of Directors on the
second point of enquiry
communicated in para 5
of their despatch to the
Govd of India dated the
28th December 1855 of 1855,
I am directed by the Gover-
nor in Council to refer
for the orders of the Supreme
Government copy of a let-
ter from the Civil Audi-
tor submitting a ques-
tion raised by Mr. T. H.
Crozier of the Madras Civil
Service, who proceeded
to England upwards of
12 years ago on three years
Medical Certificate under
the old Regulations and
who enquires whether in
the event of his being
again

of the Govt of India.

Forb. Stange }
30 October 1858.

[Signature]

again obliged to return
to Europe on Medical Cer-
tificate, any portion of
the period of his absence
would be allowed to
count as "residence" as
well as "service".

2 The Civil Auditor
is of opinion that no pre-
vious absence on Medi-
cal Certificate under the
old Regulations can be
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Sec. XVIII of the new Rules
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tificate both as "Service"
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thority, he submits it
for the orders of Govt.
I am accordingly in-
structed to refer the
point for the decision
of

Qty: to Jan: 5th November/58.

Amount £1058 10 pence

Repn

To the doory: to the feet of
Judice

of 30 October 1858.

Appl 17 Dec 2/58.

17/17/59.

Referring for order copy
of the letter from the Earl.
As to the substance, a
question raised by the
Governor of the Hudson's
Coast Service regarding
additional leave on
public duty etc.
concerning as resources as
well as service.