M.R.O. 1—77,006—8-6-37.

(1) Number of pages 18

(2) Date of repair 8.8.39.

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

financial DEPARTMENT.

G.O. No. 420 Press Mis.

17-20.

Dated 9-9- 18 65

17.20 10/11

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department,
9th September 1865.

Read the following papers:—

No. 17. Proceedings of the Board of Revenue, dated 17th August 1865.

Read letter from V. VURDA CHARLOO, Sheristadar of the Godavery Collector's Office, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 12th August 1865.

As reported in the letter of the Collector of Trichinopoly, dated 3rd August 1865, No. 160, I was at that station awaiting the orders of Government on my case until the 27th ultimo, and then came down to Madras, where I received the Orders of Government, dated 22nd July 1865, No. 1703, together with the Board's Proceedings of the 8th instant. I lost no time in calling on Dr. Porteous, who had once before treated me, but was referred by that gentleman to Dr. Duff as the proper officer. I am now under the treatment of this gentleman, as will be seen from the Medical Certificate enclosed. It would appear that, under recent orders, no opinion could be pronounced as to my fitness or otherwise for the Service, without my undergoing treatment for some time. I am therefore advised to apply for sick leave, and beg accordingly to submit this my application for sick leave for four months, and request the favor of the Board granting it. I beg to state that I had no leave of this description during the whole course of my long service of 28 years. In last year, for the first time I became sick, but my leave was then given as special leave, instead of sick leave, of which circumstance not being aware, I made my recent application for leave on private affairs, as there was some delay in obtaining Doctor's Certificate.

2. Under the above circumstances, I beg that the sick leave now applied for, for the first time in my long service, may be favorably received and granted.

3. From the enclosed last Pay Certificate given by the Collector of Trichinopoly, it will be seen that I drew my salary there up to the 31st May last. I request that orders may be issued for drawing my pay at Madras from the Survey Department, or in any other manner the Board may think proper, from the 1st June to the date of my getting leave on Medical Certificate, namely the 8th instant, on which date I placed myself under English treatment at Madras, and also for my drawing the moiety of my salary during sick leave at Madras under the head of the Godavery Collectorate, where I hold my permanent appointment.

3. I beg to add that, though reported by the Collector that I ceased to do duty at Trichinopoly from the 14th July, that being the date on which the Board's Proceedings, dated 3rd July 1865, No. 3684, for my joining the Godavery District, was communicated to me, I had, as was reported by that gentleman, to remain there till the 27th July, pending the reference made upon the Orders of Government, dated 10th July 1865, No. 1576, asking for my service list; and so the Board may, I trust, be disposed to consider me to have been on duty at Trichinopoly until the 27th July. Even should there be any objection to this, I submit that preparatory and joining time from Trichinopoly to Madras on my way to the Godavery District amounts to 25 days, as per margin, and will meet the interval from the 14th July to the 8th August, from which latter date my sick leave is now applied for. On the expiration of my leave, joining time from Madras to Cocanada will alone be availed of by me, if there be any occasion for it.

	Days.
For preparation..	14
From Trichinopoly to Salem	6
Salem to Madras by Rail...	3
Sundays...	2
Total..	25

Submitted to Government, with reference to G. O., under date 22nd July 1865, No. 1703. The Board would recommend that Vurda Charloo be granted four months' sick leave from the 1st of August, if, on inquiry, he be found entitled to it under the rules, and that his salary from the 1st of May to 1st August be met from the Settlement Budget, as proposed in the Board's Proceedings, under date 1st August 1865, No. 4530. During his sick leave Vurda Charloo will be entitled to half the salary of his appointment as Sheristadar of the Godavery District.

(A true Extract).

(Signed) R. A. DALYELL,
Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, Revenue Department.

Forwarded to the Examiner of Claims, for the usual Report.

(Signed) W. HUDLESTON,
17th August 1865. *Acting Secretary to Government.*

No. 18. From W. DONALD, Esq., Examiner of Claims, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 21st August 1865, No. 45.

Statement Department.

I have the honor with reference to Government endorsement in the Revenue Department, dated the 17th instant, upon Proceedings of the Board of Revenue, of the same date, to forward the papers connected with that case, with my report upon all the points that occur therein, to you, as the ruling will apply to the Service generally, and not only to this present case.

2. Having regard to the letter from the Government of India to your address (as per margin) I am of opinion that, as Vurda Charloo has never yet joined any *permanent* appointment since he was suspended, he must be looked upon as out of employ from the date of his relief at Trichinopoly until he joins his permanent appointment at Godavery, and that, therefore, he not only cannot be granted the leave (he applies for) under the Uncovenanted Civil Service Rules, but he is also not entitled to any salary during the period of transit.

25th June 1864, No. 979, Financial.

3. Even had Vurda Charloo's case been one within the scope of the Rules, he could not have been allowed full pay for a single day after being relieved at Trichinopoly, as he has applied for sick leave before joining the appointment to which he stood posted. The Government of India's ruling in Mr. J. A. C. Boswell's case would have applied to the present one.

9th May 1861, No. 5536, Financial.

No. 19. From V. VURDA CHARLOO, Sheristadar, Godavery Collector's Office, to W. HUDLESTON, Esq., Acting Secretary to Government in the Revenue Department, Fort Saint George; dated Saidapet, 24th August 1865.

The Board of Revenue, in their Proceedings of the 17th instant, No. 4970, were pleased to recommend my application for four months' sick leave, on Medical Certificate, on half salary. I have called on the Examiner of Claims, to ascertain how he views my case. That gentleman seems to raise doubts in regard to my eligibility for leave, in consequence of my not having yet joined my appointment of Sheristadar in the Godavery District. As the matter is now before Government, I beg respectfully to submit the following points for their consideration.

2. In June 1864, when I was transferred from the Madras to the Godavery District as Sheristadar, the Government, on a special consideration of my case, were pleased to grant me four months' leave on private affairs, on half salary, exempting me from the necessity of joining my permanent appointment in the Godavery District. Subsequently, I was appointed to act as Sheristadar of the Trichinopoly District, on considerations of the public service. On being now relieved from this acting appointment, having fallen sick, I have placed myself under Medical treatment at Madras, and have applied for the leave referred to. I respectfully submit that, having been specially exempted from the necessity of joining the Godavery District when I was first appointed to it, and drawn pay from that District, and having been subsequently appointed by Government to act in another appointment at Trichinopoly, in which I have been employed for more than a year, the question of my not having joined my permanent appointment in the Godavery District in the first instance, cannot, I presume, be remooted at this late period. It has been once disposed of by Government, and in being sent by them to act in another District, I was virtually relieved from the necessity of joining the Godavery District. I could not be expected to undergo the expense and trouble of joining two appointments at the same time, and my case, therefore, at present stands just in the same position as if I had joined my appointment

in the Godavery District in the first instance, and was afterwards sent to act in another District, and when relieved from the acting appointment I fell sick, and applied for sick leave on half salary from my permanent appointment in the Godavery District. So far as I can see, the Rules do not stand in the way of my getting sick leave, under the above circumstances, and if this view is correct, I respectfully beg that leave may be granted to me as recommended by the Board, the question of my joining the permanent appointment in the Godavery District having been once disposed of by the local Government specially, and allowed to stand by the Supreme Government.

Transferred to the Chief Secretary, in whose Department lies the Report from the Examiner of Claims on the writer's application.

FORT SAINT GEORGE, (Signed) W. HUDLESTON,
24th August 1865. *Acting Secretary to Govt.*

No. 20. ORDER THEREON, 9th September 1865, No. 420.

The Governor in Council sees no reason to question the correctness of the opinion of the Examiner of Claims, to the effect that Vurda Charloo is not entitled to leave under the Uncovenanted Civil Service Rules, or to draw any part of his salary until he joins his permanent appointment in the Godavery District.

(True Extract).

Chief Secretary.

To the Board of Revenue.
„ Examiner of Claims.

Exd. J. H. Burns.

Revenue Department

52

No.

Proceedings of the Board of Revenue
dated 17th August 1865.

Read letter from V. Vurdachary
Charloo Sheristadar of the Godavery
District dated 12th August 1865 forwarding a Medical Certifi-
cate, and requesting that 4 Months Sick
leave may be granted, and that orders
be issued for the disbursement of his
Salary at Madras from the 1st June to
the date of the Sick leave being granted
to him.

Submitted to Government
with reference to G. O. under date 22nd
July 1865 No. 1703. the Board would
recommend that Vurdachary be granted
four months sick leave from the first
of August if on enquiry he be
found entitled to it under the rules,
and that his Salary from the 1st of
May to 1st August be met from
the Settlement Budget as proposed

in

in the Board's Proceedings under date
1st August 1805 No 4530. During his
Sick leave Vurdachary will be entitled
to half the Salary of his appointment
as Sheristadar of the Godavery District.

(A true Extract)

W Halyell
Ag Secretary.

To
W. Hudleston Esq.
Ag Secretary to Government
Revenue Department.

Rec'd 1865 Despatch
Revenue Dept
No 4208
Proceedings of the
Board of Revenue
Dated 17th
Rec'd 17 August 1865
Entered

No 4437

Acknowledge

Submitting letter from
D. Varada Charry dated 7th Augt
to Godavery Dt, and recommending that if entitled he
be granted four months Sick
leave on Private Affairs, and that
his salary from 1st May to
1st August be met from
the Settlement Budget.

Entered

108.

Examined Claims for
the month of August.

L. Huddleston
Actg Secy

Pd. Augt 25th 1865.

Paid 4 Rupees.

Madras, 24th August 1865

To

W. Huddleston Esqre
Acting Secretary to Government in the Revenue Dept.

Honored Sir,

Fort St. George

The Board of Revenue in their Proceedings of the 17th Instant No. 4,970 were pleased to recommend my application for 4 months' Sick Leave, on Medical Certificate, on half Salary. I have called on the Examiner of Claims, to ascertain how he views my case. That Gentleman seems to raise doubts in regard to my eligibility for leave, in consequence of my not having yet joined my appointment of Sirastadar in the Godavari District. As the matter is now before Government I beg respectfully to submit the following points for their consideration.

2. In June 1864, when I was transferred from the Madras to the Godavari District as Sirastadar the Government, on a special consideration of my case, were pleased to grant me 4 months' leave on Private Affairs, on half Salary, exempting me from the necessity of joining my permanent appointment in the Godavari District. Subsequently I was appointed to act as Sirastadar of the Trichinopoly District on consideration of the Public Service. On being now relieved from this

acting appointment, haveing fallen sick, I have placed myself under medical treatment at Madras & have applied for the leave referred to. I respectfully submit that, haveing been specially exempted from the necessity of joining the Godavari District when I was first appointed to it, & drawn pay from that District, & having been subsequently appointed by Government to act in another appointment at Trichenopoly in which I have been employed for more than a year, the question of my not having joined my permanent appointment in the Godavari District in the first instance, cannot, I presume, be mooted at this late period. It has been once disposed of by Government, & in being sent by them to act in another District, I was virtually relieved from the necessity of joining the Godavari District. I could not be expected to undergo the expense & trouble of joining two appointments at the same time, & my case therefore at present stands just in the same position as if I had joined my appointment in the Godavari District in the first instance & was afterwards sent to act in another District, & when relieved from the acting appointment I fell sick & applied for

Sick Leave on half salary from my permanent appointment in the Godavari District. So far as I can see, the Rules do not stand in the way of my getting Sick leave, under the above circumstances, & if this view is correct, I respectfully beg that leave may be granted to me as recommended by the Board, the question of my joining the permanent appointment in the Godavari District having been once disposed of by the local Government specially, & allowed to stand by the Supreme Government.

I beg leave to remain
With every respect
Your most obedt & humble Servant
V. Vurdachariar
Sheristadar Godavary
Collr's Office

Extract from a letter

No 5556

From Secy to the Govt of Lucia

To The Offg Civil Pay Master

Windsor

Fifth Dept

Sir

×

Questions on behalf
of Mrs Boswell.

3rd whether, having compelled
to take sick leave after having
started in good health with the
bona-fide intention of proceeding
to his new station, he may not be
allowed to draw full pay up to
the date of his detention by
sickness & to reckon his
pensionable time from his
arrival.

Jas Williams
Dep Secy in Chief

× ×

No. This cannot
be allowed, as the
Govt cannot act by
what Mrs Boswell
intended but
by what he actually
did. Mrs Boswell
if Sick Leave
is entitled to
pensionable time
in addn thereto.

Thomas
Offg C. & Lushington
Secy to Adm

Extract from a letter
No 5556
From Secy to the Govt of Lucia
To The Offg Civil Pay Master
Windsor
Fifth Dept
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by what he actually
did. Mrs Boswell
if Sick Leave
is entitled to
pensionable time
in addn thereto.
Thomas
Offg C. & Lushington
Secy to Adm

Financial No 2345

From
W. Theodore Charlton
Sheriff & Collr
Office Godwin's Kitts

Dated 24th Dec 1865
Rec'd 29th August 1866
No 25.

Requesting, under the circumstances stated, that Govt may be pleased to grant him the 4 months' sick leave on half pay, for which he had already applied, and to which he is entitled (as I am informed) by the Regulations.

Sir Frederick

Financial No 2345

From
W. Theodore Charlton
Sheriff & Collr
Office Godwin's Kitts

Dated 24th Dec 1865
Rec'd 29th August 1866
No 25.

Requesting, under the circumstances stated, that Govt may be pleased to grant him the 4 months' sick leave on half pay, for which he had already applied, and to which he is entitled (as I am informed) by the Regulations.

Sir Frederick

Questions

1st might Mr Bosmell's privilege leave have been made retrospective to the date of quitting his station?

Otherwise he would apparently be without any leave that day, till the day on which his leave was granted.

2nd, Or as privilege leave is not unfrequently allowed in addition to the time for joining a new station, whether Mr Bosmell might be granted that he be considered to have to his joining time first, and to be under obligation to assume charge on his expiry of the month of privilege Leave!

Answer

No. This cannot be done under Section 3 of the C. C. S. A. Rules.

He is entitled to perpetual leave in addition to the sick leave granted to him during the period of his suspension, but he can claim under the Rules a portion of his pay.

+ This might have been done, but as Mr Bosmell took sick leave and did not join his new appointment he is not entitled to any joining time, nor can he take privilege leave to be supplemented by sick leave.

Fin. D. 1. 39/65.

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers.

Proceedings of the Board of Revenue	dt 17 Augt 1865	No — 1
From the Examiner of Claims	dt 21st " — "	No 415
From V. Vurda Charloo —	dt 24 — " — "	— No 415 1

Order thereon. 9th Septr. 1865 No 420

The Governor in Council sees no reason to question the correctness of the opinion of the Examiner of Claims to the effect that Vurda Charloo is not entitled to leave under the Uncovenanted Civil Service Rules, or to draw any part of his salary until he joins his permanent appointment in the Godavery District.

Board of Revenue with enclosures
Examiner of Claims } Dis. dt. 11/9/65.

19-3580

Vurda Charloo

17 @ 20

Read 7th September 1865

Financial 1865 Department.

No. 429

Proceedings of Government.

Dated 9th September 1865

Statement Department.

No. 45

Office of Examiner of Claims,

FORT SAINT GEORGE,

21 August 1865.

From

The EXAMINER of CLAIMS,

Fort Saint George.

To

Chief
The SECRETARY to GOVERNMENT of Fort Saint George

Financial Department.

Sir,

I have the honor with reference to Government Endorsement in the Revenue Dept. No. ——— dated the 17th instant, upon Proc^s of the Board of Revenue No— of the same date to forward the Papers connected with that Case with my Report upon all the points that occur therein to you, as the Rulings will apply to the Service generally, and not only to the present Case.

25 June 1864 No 979 Finl

2. Having regard to the letter from the Govt of India to your address (as per margin) Same of opinion that as Vurda Charry has never yet joined any permanent Appointment since he was suspended, he must be looked upon as out of Employ from the date of his relief at Trichinopoly until he joins his permanent Appointment at Godavery, and that therefore he not only cannot be granted the leave he applies for under the Contravenants of Civil Service Rules, but he is also not entitled to any Salary during the period of transit.

9 May 1861 No 5556 Finl

3. Even had Vurda Charry's case been one within the scope of the Rules, he could not have been allowed full Pay for a single day after being relieved at Trichinopoly, as he has applied for Sick Leave before joining the Appointment to which he stood posted. The Government of India's Ruling in Mr. J. A. C. Boswell's Case would seem applied to the present one.

I have the honor to be,

Sir,

Your most obedient Servant,

W. Oswald

Examiner of Claims.

C 5 Sept
1865

Financial 1865 Dept B.

From

The Examiner of
Claims
Fort St. George.

To The Chief Secretary
to Government
Fin. Dept B.
Fort St. George

Dated 21st Aug B
Rec'd 22 do } 1865.

No. 45
~~Enclosures~~
Enclosures
No. 409

No 438

States that Purda
Chary is not eligible
& has no entitled
any salary during the
period of his transit

C5 Sep
B
17—20