M.R.O. 1—77,006—8-6-37.

(1) Number of pages 204

(2) Date of repair 27.5.41

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

~~Jail~~ Financial DEPARTMENT.

G.O. No. 251 Press / Mis.

39-1rk.

Dated 19-5- 1868.

50/51

39-44

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 19th May 1868.

Read the following papers :—

No. 39. Proceedings of the Government of India, Financial Department, dated Fort William, 14th April 1868, No. 2198.

Read the undermentioned papers regarding proposed new Furlough Rules for Covenanted Civil Servants and Military Officers in India.

Financial Despatch to the Secretary of State, No. 276, dated the 21st December 1867, and enclosures.

Financial Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor General of India in Council ; dated India Office, London, 13th March 1868, No. 106.

I have duly considered in Council your Financial Despatch, dated the 21st December 1867, No. 276, covering proposed new Furlough Rules for the Civil and Military Services, together with copies of the Proceedings connected therewith.

2. I fully recognize that the time has arrived when, owing to the altered relations between India and England, a complete revision of the existing Furlough Rules has become necessary, more especially as respects the Military Service, and I am clearly of opinion that this revision should proceed, in a large and liberal spirit, to the removal of all petty restrictions and limitations, and with the view of giving as much reasonable indulgence to the services as is compatible with the public interest and good administration.

3. The alterations required in the Civil Furlough Rules chiefly relate to the extension of the advantages, now enjoyed by invalids only, to all absentees on leave. But in the Military Rules more extensive changes are necessary. The old rules were passed chiefly with reference to Indian limits, and have become unsuitable to the present time. They were, moreover, passed with a view to the condition of the East India Company's Army, and in many respects, have become wholly inapplicable to the condition of service of Officers of the Staff Corps.

4. The main principles on which these new rules have been based I gather to be as follows :—

1*st*.—The extension of the privilege of retention of appointment to leave on private affairs, so as, in a great degree, to obliterate the distinction between furlough and leave on medical certificate.

2*nd*.—The allotment of a fixed (and enlarged) period of absence from office, with retention of appointment.

3*rd*.—The grant of larger allowances during furlough.

4*th*.—The abolition (generally) of the geographical limits within which furlough may be taken.

5*th*.—The assimilation of rules for each branch of the service, so far as circumstances permit.

To these general principles, I am happy to be able to give my full adherence.

5. But, on going carefully through the rules, I find that these principles have not always been closely adhered to, especially in the Military Rules ; and I proceed to notice several points to which I am desirous of calling your attention.

Civil Rules.

6. You have assigned to Civilians a maximum of six years' furlough, with retention of office during their whole service, with half salary, limited to a minimum of 300*l*. and a maximum of 1,200*l*. per annum. To these limits I shall not object. In addition to this, you propose to grant privilege leave for one month in each year, on full salary, to be accumulated to two or three months if not taken annually, six months' special leave, with half salary, once during the whole period of service, and special leave for a similar term, without allowance, after intervals of at least six years.

7. Of the privilege leave for one month in the year, I quite approve, but I have great doubts whether accumulation of leave should be allowed. I should prefer to see the annual privilege

leave extended to (say) six weeks, and regularly taken ; but if you think this undesirable, I shall not object to the accumulation of the monthly leave to the extent of two months.

8. When the special leave on urgent private affairs was first granted, it was the only leave to Europe which could be taken without the forfeiture of appointment. There is not, therefore, the same necessity for it now as there was then, but as the presence of a Civilian, who is not eligible for furlough, may be urgently required at home, I am willing to continue it, but during this leave the allowance should be the same as that granted to an Officer on furlough.

9. The proposed combination of privilege leave with special leave on urgent private affairs is open to objection. The Committee themselves state that "privilege leave was intended to "afford the opportunity of occasional change and relaxation, in the intervals between the periods "of longer leave on furlough, and the permission to add privilege leave to furlough would pro- "bably interfere with the practical attainment of this object." Encouragement should be given to Officers charged with laborious duties to avail themselves of this leave annually, whereas the permission to combine it with special leave would have the effect of inducing them to remain at work, when relaxation was most desirable, in order to accumulate privilege leave for the purpose of adding it to special leave, which would come to be considered more as a matter of course than as an exceptional indulgence, in which light special leave ought to be regarded.

10. The proposed rules also provide that a Civil Servant shall be eligible for two years' furlough after eight years' residence, and for a further furlough of one year after every four years' residence, but they admit of an Officer obtaining furlough at any time *on medical certificate*, without reference to his period of residence, or return from a previous furlough, and of obtaining an extension of a third year without vacation of office.

11. The residence required as a qualification for furlough, without medical certificate, is unobjectionable, but it can hardly have been intended by you that an Officer recently returned from furlough should, on production of a medical certificate, be immediately allowed to be again absent, and retain his office ; and some provision similar to that contained in the existing Rule 13, which requires an interval of two years, or in the Military Rule XV., which requires an interval of three years, is called for.

12. The allowance of furlough for three years at one time is also open to objection. It is true that the existing rules provide for a three years' furlough, but it is without retention of office, and with an allowance of 500*l*. a year. The case is materially altered when the furlough is to be granted with retention of office, and half salary. A period of two years is ordinarily sufficient to re-establish the health of an invalid, and if a further time be required, it is only reasonable that it should involve the vacation of office and reduction to a subsistence allowance, the whole period of leave, with allowance, being included in the six years.

13. The principle of the subsistence allowance fixed for India might be adopted, but the scale should be revised, and perhaps increased, with a view to equalise the allowance at the different Presidencies.

14. The alteration of the period of residence from 22 to 21 years is open to objection, and is opposed to the rules of the Civil Service Annuity Fund, which require a residence of 22 years.

NOTE.—A Civilian who has taken one year's leave on medical certificate will, of course, not be prejudiced by any change that may be made.

15. I forward herewith copies of two memorials which I have received from certain Civil Servants now in this country on furlough, representing the injury to their prospects from the proposed change in the Furlough Rules. Gentlemen in their position must, I fear, suffer in some degree from a change of this nature, but I am satisfied that I may safely leave it to you to mitigate, as far as practicable, the injury which they apprehend.

16. It is obviously necessary that some provision should also be made to enable gentlemen, holding acting appointments, to obtain their furlough, which the present rules do not appear to supply. The same remark applies to their privilege leave.

Military Rules.

17. In considering the details of your proposed scheme, as it affects the Military Service, I observe that you have apparently found it impossible to adopt a set of rules such as would have been suitable to the present organization and future condition of the Staff Corps, if that alone had been in question. You have, no doubt, thought it important to meet the case of the Officers of the old service, by retaining certain traditional usages, which had their origin in a state of things now no longer existing. Such is the reference made, in Clauses XIII. and XV., to the extension of leave to Europe, on medical certificate, to three years, with pay and retention of appointment, and to five years in all; an extent of absence not known in the British Service, and no longer necessary in the case of an Officer of the Indian Army, since the communication with that country has been shortened and facilitated, and for the reasons assigned in paragraph 12, I consider that two years is the utmost extent of leave, with retention of appointment, that should be granted at one time. Such also appears to me to be your proposal in Chapter 2, Clause XXVI., to allow an indefinite amount of sick leave in India, with retention of appointment, in addition to the very large aggregate of furlough which you propose, by Rule XVI., to grant during an Officer's service. The retention of this indulgence as a thing apart from, and in addition to, the liberal allowance of furlough now proposed is, I observe, not contemplated in the case of the Civil service, and, if allowed in the Military Service, must be carefully guarded, so as to prevent abuse.

18. Her Majesty's Government are conscious of the disadvantage of keeping open a question of this important character, and one which so closely affects the personal interests of every individual in the service. They are, moreover, anxious to settle it upon liberal principles. If the question were simply one between the Government and its servants, I should have little difficulty in authorizing you to grant whatever you might be disposed to recommend as fair to the latter. But I cannot forget that we are now dealing rather with a re-arrangement of advantages between different members of the service than with a boon to be conferred by the Government upon the Service as a whole ; nor that in granting a large extension of leave to Officers holding appointments, we are throwing a greater amount of work, and at a smaller remuneration, upon those who are called upon to act for them during their absence. I must also bear in mind that the new organization of the Army will, in a few years, have become co-extensive with the service, and that it is therefore desirable, in framing new rules, to adapt them as far as possible to that organization, making special provision, where necessary, for the case of the Officers of the old formation.

19. As a minute, but important illustration of the necessity for care in this respect, I must notice the Rule (IX.) by which you propose to determine the date at which an Officer shall become entitled to furlough. It is not clear whether, by the phrase "eight years' service in India," you intend service in the Staff Corps, or whether service in India in the general Army previous to admission to the Staff Corps is to be reckoned. It may be well also to remind your Excellency, with reference to the limit which you very properly propose to place on the amount of leave to be taken by an Officer at any one time, with pay and retention of appointment, that, according to the practice of the British Army, of which the several Staff Corps now form component parts, no Officer on the effective list ever ceases to draw full pay, and further, that the principle laid down in the first portion of the 14th Rule, just in itself, can only be made applicable to certain classes of Officers by the withdrawal of privileges which, according to present regulations, they claim on proceeding to England on medical certificate, such as passage at the public expense, and certain allowances from the several Military Funds.

20. Having thus put your Excellency in possession of the views of Her Majesty's Government, I now desire to leave the final arrangement of the rules in your Excellency's hands, and I authorize you, subject to the alterations which I have suggested, to promulgate the new Code without further reference to me.

To

THE RIGHT HONORABLE SIR STAFFORD HENRY NORTHCOTE, BART, C. B., M. P.,
Secretary of State for India.

The Memorial of the undersigned Members of Her Majesty's Covenanted Civil Service now in England on furlough.

RESPECTFULLY SHEWETH,

That your memorialists have seen in the public papers that the re-organization of the furlough Rules of their service is under the consideration of Her Majesty's Government, and that a very liberal scheme has been sent home in draft from the Government of India, in which it is proposed that a total of six years' general leave may be taken during the entire period of service by instalments of two years after eight years' residence, and one year out of every five during the remainder of service, during which absences the Officer will retain his appointment, and draw half his salary up to a fixed maximum.

That these draft rules, as far as your memorialists are acquainted with them, appear so suited to the present condition of their service, and to the present time, that they are most anxious to see them issued in their integrity.

That while these rules will confer on the service generally a most valuable boon, and will be gratefully welcomed by your memorialists if passed, they desire respectfully to point out, that unless supplemented by a provision, such as hereinafter suggested, the rules will incidentally bear very hardly upon them who (after ten years and upwards service in India) have come home upon the old compulsory condition of vacating their appointments, and who, on their return to India will find all the substantive appointments, which would have been from time to time opened by others going home on furlough, now closed against them by the operation of the new rules, which enable those on furlough to retain their appointments. The result of which will be that your memorialists will have to wait for promotion, until substantive appointments are much more tardily vacated either by retirement or death, and thus be exposed to severe pecuniary loss, whereas it is obvious, that under the old rules the average number of vacated appointments was yearly equal to the number of officers returning from furlough.

That the case of your memorialists is one which can never occur again, nor, if consideration be shown to them, ever be drawn into a precedent, since all who may come home hereafter will come under the new rules.

That your memorialists have not willingly placed themselves in their present position, for when they left India, they were ignorant that a revision of the rules was in contemplation, otherwise most of them would have remained in India, until they were passed, or would, as many of them might, have come home on a shorter sick leave, retaining their appointments.

That your memorialists respectfully submit that their case might be partly met by authorizing their respective Governments to appoint them during their absence to any suitable vacancies which may from time to time occur, and by making their present allowance the same as it would be, if they had come home under the provisions of the new rules.

And your memorialists, as in duty bound, will ever pray.

(Signed)	F. C. CARR,		
Signed for	C. G. MASTER.	Signed for	W. H. NEWNHAM.
,,	H. A. HARRISON.	,,	C. G. PLUMER.
,,	R. W. BARLOW.	,,	W. C. TURNER.
,,	R. T. MELVILLE.	,,	J. W. S. WYLLIE.
,,	SWINTON S. MELVILLE,	,,	F. WYLLIE.

To

THE RIGHT HONORABLE THE SECRETARY OF STATE FOR INDIA.

The Memorial of the undersigned Members of Her Majesty's Indian Civil Service now at home on furlough.

HUMBLY SHEWETH,

That in the event of the passing of the proposed new Furlough Rules, your petitioners will be injuriously affected in the manner set forth below :—

That whereas all Members of the Civil Service now on furlough came home on the faith of succeeding, on their return to India, to appointments suitable to their standing in the service as vacancies occurred consequent on other Members taking furlough and giving up their appointments, and some of those now on furlough had already obtained the first valuable appointment, which falls to the lot of a Civilian which may be considered the turning point in his official career, a Substantive Collectorate, and others from their standing in the service, had a fair chance of soon obtaining such appointments, and whereas the former expected on their return to regain their Collectorships shortly, the new rules prevent the fulfilment of these hopes, which were founded on a rule of the service always enforced that Officers forfeited their appointment on taking furlough

That consequently Officers now on furlough will not be able to obtain appointments until vacancies occur in the service by death or retirement.

That whereas certain remedies have been proposed by the Committee in Calcutta in paragraph 34 of their Report to meet the case of your petitioners; they are insufficient, inasmuch as—

1*stly*.—They supply the certainty that an acting appointment will be available immediately on an Officer's returning from furlough.

2*ndly*.—That in case of leave of any description, your petitioners forfeiting their acting appointments would have nothing but subsistence allowance to fall back upon, and would thus virtually be precluded from taking leave at all.

To meet the above grievances, your petitioners would venture to submit for favorable consideration the following remedy, which they would urge as most suitable to the circumstances of their case.

That the Members of the Civil Service now at home on furlough be gazetted to appointments as they fall vacant of the grades of those which they held when they took furlough, and should vacancies not occur in sufficient numbers, those who return unprovided for should receive (pending the occurrence of vacancies) pay and allowances equal to those of the appointments which they held when they took furlough, such pay and allowances to be considered in all respects those of a permanent appointment.

And to enable your petitioners to participate in the benefits of the new rules as regards the proposed rules of furlough pay, they further request that they may, from the date of the introduction of the new rules, receive within the limits of those rules, half the pay of the appointments they vacated on taking furlough, subject to a minimum of £500 per annum.

And your petitioners will ever pray, &c. &c.

J. H. Ravenshaw,	Bengal.	J. B. Peile,	Bombay.	R. G. Melvelle,	Bengal.
Swinton Melville,	Ditto.	W. H. Heeley,	Bengal.	R. B. Worthington,	Bombay.
A. H. Spry,	Bombay.	J. H. Prinsep,	Ditto.	A. N. Falcon,	Bengal.
R. White,	Ditto.	C. G. Plumer,	Madras.	F. Moucke Masone,	Bombay.
E. P. Robertson,	Bengal.	H. A. Harrison,	Bengal.	W. J. Money,	Bengal.
G. U. Barton,	Ditto.	E G. Jenkinson,	Ditto.	C. G. Master,	Madras.
D. S. McNeile,	Ditto.	E. H. Percival,	Bombay.	H. N. Simpson,	Bengal.
R. G. Melville,	Madras.	F. D. Melvile,	Ditto.	W. R. Pratt,	Bombay.
J. H. Grant,	Bombay.	L. H. C. Tayler,	Bengal.	C. R. Pelly,	Madras.
W. C. Turner,	Bengal.	Villiers Taylor,	Ditto.	J. M. Kindersley,	Ditto.
A. J. Lawrence,	Ditto.	J. D. Goldingham,	Madras.	J. W. Reid,	Ditto.
J. C. Colvin,	Ditto.	James Simpson,	Bengal.	G. A. Pepper,	Bengal.
W. Lane,	Ditto.	J. G. White,	Bombay.	R. W. Barlow,	Madras.
J. W. S. Wyllie,	Bombay.				

(Signed) C. G. PLUMER,
Madras Civil Service.

London, 11*th March* 1868.

ALTERATIONS IN THE EXISTING FURLOUGH RULES FOR COVENANTED CIVIL AND MILITARY SERVICES.

No. 7. From Messrs. E. H. LUSHINGTON, E. C. BAYLEY, B. E. BACON, G. B. MALLISON, and A. M. MONTEATH, Committee for the revision of Furlough Rules, to the Secretary to the Government of India, Home Department; dated 17th December 1867, No. 1.

Leave and Allowances.

We have the honor to submit to Government a copy of our Proceedings with reference to the Furlough Rules, together with Drafts, marked A. and B. respectively, of the rules we have proposed for the Civil and Military Services. Those for the Chaplains and the Uncovenanted Service are now under preparation, and will be submitted within a few days. For convenience of reference, our Proceedings relating to the Civil Department are attached to the proposed Civil Rules, whilst those bearing upon the points connected with the Army are bound up with the proposed Military Rules.

2. It has been our study to adhere, as closely as possible, to the declared object of His Excellency the Viceroy, viz., to frame "a set of Rules which shall be applicable to *all* Public "Servants, excluding only such subordinate Ministerial Officers and Clerks to whom rules of "such nature would be obviously inapplicable." This fundamental rule has guided all our deliberations, and has been applied to the principles upon which the proposed rules regarding both services have been based. There are, however, some few points of difference in the nature of the two services, for which it appeared to us necessary to provide according to the different requirements of each. Thus, although the rules for both services have been founded on the same principle, there are in each differences, of detail. The nature of, and reason for these differences, have been alluded to in our Proceedings (paragraphs 43 and 44.)

3. The main principles under-lying both rules are identical. These are—

1*st*.—The retention of appointment when absent on private affairs, and on medical certificate.

2*ndly*—The payment to an absentee during absence of 50 per cent. of the full pay of his substantive appointment.

4. The reasons which have prompted us to recommend the first of these proposals are stated at length, regarding the Civil Service, in the 4th, 5th, 6th, 7th, and 8th paragraphs; and regarding the Military, in the 37th, 38th, 39th, 40th, 41st, and 42nd paragraphs of our Proceedings. The arguments to support the second proposal appear, regarding the Civil Service, in paragraphs from 17 to 35; and with respect to the Military, in paragraphs from 55 to 64, inclusive.

5. We will not attempt to recapitulate here any of these reasons. It will suffice if we state that their purport is to show—1*st*, that the alterations we suggest are absolutely necessary, and should be carried out at any cost; 2*ndly*, that they can be effected without causing any extra expenditure if even they do not result in an absolute saving. We cannot too strongly insist upon the fact that the rules regulating furlough on private affairs of Officers of the Army are virtually prohibitory; and that, even in the case of Civil Servants, the sacrifice required by an Officer of his appointment to enable him to take the furlough he has gained by his service, entails too often continuance in service until health has been broken and leave rendered comparatively useless.

6. The rules we have proposed will enable the Officer of the Army, as well as the Civilian to proceed to Europe on furlough after stated intervals, untrammelled by fears as to his future on return to duty. The scheme is not new; it has been already tried and tested in the Military Service in the case of Officers proceeding to Europe on medical certificate,—83 per cent. of the entire number of absentees. The system of acting appointments has in those cases worked well.

7. We have reason to think, as we have shown in our Proceedings (paragraph 5), that this system will work to the full as well in the Civil Service; whilst in the Military Service, as well as in it, the ampler provision for absentees will be made by a re-arrangement of existing

allowances. Thus the Officers of both services will pay for the advantages which will be ensured to them by this scheme.

8. The points of difference in the details of the rules for the two services have been shown in paragraphs 43 and 44. They are all, it will be observed, connected with the customs and requirements of each branch of the service, and we have deemed advisable to deal with them as we have found them. There is an alternation of advantages, but it has been our object, and we hope we have accomplished it, that the balance should not incline more to one side than to the other.

9. The existing rules regarding the short leave and privilege leave of Officers of the Army remain, in our proposals, unchanged. In the Civil Service, however, we have proposed an alteration,—the junction of privilege leave with leave for six months, (paragraphs 14 and 15), a change which will entail no expense on the State, which will not be inconvenient for the Public Service, and which, we are sure, will be greatly prized by members of the service.

10. In conclusion, we beg to recapitulate the most important of our proposed alterations. These are—

1*st*.—Leave to England for two years (Military), and three years (Civil), with retention of appointment.

2*ndly*.—Pay for that period at the rate of 50 per cent. of the acting allowances of the absentee subject to a *maximum* of £1200, and a minimum of (Civil) £300, (Military) £250 per annum.

3*rdly*.—Extension of leave on medical certificate to two and three years, with retention of appointment.

4*thly*.—A change of periods, after which furlough can be obtained, to consist, in the Civil Department, of two years after eight years, and one after every subsequent four years of residence; in the Military, of two years after eight years, and one after every subsequent six years of service in India.

5*thly*.—Service for at least three years after return from leave from Europe before fresh leave to Europe drawing pay can be taken.

6*thly*.—The limitation of the total absence of a Military Officer out of India to eight years on pay, including leave on sick certificate.

7*thly*.—The limitation of a Military Officer acting in an appointment to the half staff salary of the appointment (*plus* his own half staff, if any, and full pay) for the entire period of such acting.

8*thly*.—The extension to Civil Servants of the privilege of taking six months' leave of absence after intervals of six years, without pay; and the power of uniting privilege leave with such leave.

9*thly*.—The increase of the deputation allowances of Civilians from ten and twenty per cent. to twenty and thirty per cent.

11. These are the main alterations we have proposed. We are confident that, if favorably entertained by His Excellency in Council, and granted by the Right Honorable the Secretary of State, they will be productive of great satisfaction in the services to which their provisions will apply.

CIVIL SERVICE ABSENTEE RULES.

No. 8.

The following Rules, relative to the absence of Civil Servants on leave, are substituted for those hitherto in force:—

I. The distinction hitherto drawn between furlough on private affairs and sick leave is abolished, both kinds of leave being included under the general term furlough, and provision being made for the obtainment of furlough under medical certificate without all the restrictions applicable to furlough when taken without medical certificate.

II. Leave taken under the rules now prescribed will not, in any case, involve forfeiture of appointment.

III. The rules now prescribed do not affect the provisions of Act XXXIII. of George III, Chapter 52, Section 70*; but an absentee cannot retain his appointment and draw absentee allowances, except under the rules now prescribed.

IV. Leave of absence with pay and retention of appointment will, in future, be only of two kinds, viz :—

I.—Furlough.

II.—Short leave, embracing what is commonly called privilege leave and special leave for six months.

CHAPTER I.

Furlough.

V. An Officer absent on furlough will be allowed pay at the rate of 50 per cent. of the salary of his substantive office, provided that £1200 a year shall be the maximum rate to be drawn by any absentee, and £300 the minimum rate.

VI. The amount of furlough obtainable by a Civil Servant is limited to six years during the whole period of his service.

VII. The maximum amount of furlough to be taken at any one time will be three years.

VIII. A period of at least three years' residence after return from last furlough, if it exceeded three months, must be completed before furlough can again be taken, unless obtained under medical certificate (see Rule XI.)

IX. A Civil Servant will be eligible for two years' furlough on the completion of eight years' residence, and for one year more furlough on the completion of every four years' residence thereafter, subject, of course, to the preceding limitations. The grant of furlough, to an Officer eligible for it, will be subject to the general limitation in respect of the number of absentees (Rule XIX.) : but if the application be supported by a medical certificate, stating that it is necessary for the Officer to proceed on furlough, it will be considered under Rule XVIII., without reference to the number of existing absentees.

X. An Officer eligible for furlough need not take the whole amount to which his residence entitles him, but may apply for any portion thereof as an instalment ; and in that case the balance will remain at his credit in any future computation of the amount of furlough to which he is entitled.

ILLUSTRATIONS.

(1).—A Civil Servant who has resided nine years in India without taking furlough is entitled to two years' furlough. He takes only one year, and after his return remains in India for three years. He is then eligible for two years' furlough as follows :—

Total residence	...	...	... 12 years.
Furlough due on above amount of residence			... 3 ,,
Furlough already taken	...	...	... 1 ,,
Balance for which he is now eligible...			... 2 ,,

* *Note.*—The Section referred to is quoted below :—

Section 70.—" And be it further enacted. That no person who shall have held any Civil or Military Station whatever in *India*, in the service of the said United Company, being under the rank or degree of a Member of Council or Commander-in-Chief of the Forces, and who, having departed from *India* by leave of the Governor General in Council, or Governor in Council, shall not return to *India* within the space of five years next after such departure, shall be entitled to any rank or restoration of office, or be capable of again serving in *India*, either in the *European* or Native Corps of Troops, or in the Civil line of the Company's Service, unless in the case of any Civil Servant of the Company, it shall be proved to the satisfaction of the Court of Directors, that such absence was occasioned by sickness or infirmity, or unless such person be permitted to return with his rank to *India* by a vote or resolution passed by way of ballot, by three parts in four of the Proprietors assembled in General Court, specially convened for that purpose, whereof eight days' previous notice of the time and purpose of such meeting shall be given in *The London Gazette*, or unless, in the case of any Military Officer, it shall be proved to the satisfaction of the said Court of Directors, and the Board of Commissioners for the Affairs of *India*, that such absence was occasioned by sickness or infirmity, or some inevitable accident."

(2.)—A Civil Servant who has resided 16 years without taking furlough is entitled to four years' furlough. He can only take three years, however, at one time, the balance of one year remaining at his credit in any future computation of the furlough to which he may be entitled. He can take the above-mentioned balance after completing three years' residence from the date of his return from the first instalment ; or, if he chooses to complete four years' residence, he will then be entitled to two years' furlough as follows :—

Total residence	...	...	... 20 years.
Furlough due on the above residence			... 5 ,,
Furlough already taken	...	...	... 3 ,,
Balance for which he is now eligible...			... 2 ,,

(3.)—A Civil Servant who has resided 17 years in India without taking furlough is entitled to four years' furlough, and takes the maximum instalment of three years. On return to India he must complete three more years of residence before he can take the balance (one year) ; but if he chooses to reside for a still further period of four years, he will then be entitled to three years' furlough as follows :—

Total residence...	...	...	... 24 years.
Furlough due thereon	...	...	... 6 ,,
,, already taken	...	...	... 3 ,,
Balance for which he is now eligible...			... 3 ,,

XI. An Officer not entitled to furlough, whose health may necessitate his taking it, may *under medical certificate*, obtain such amount as may be duly certified to be necessary for the restoration of his health, subject only to the limits prescribed by Rules VI. and VII, in respect of the total amount of furlough and the maximum to be taken at any one time.

XII.—An Officer absent on furlough may, *under medical certificate*, obtain an extension of furlough to the limit of any balance of furlough which may be due to him, or to such further extent (beyond the above-mentioned limit) as may be duly certified to be necessary for the restoration of his health, subject only to the general limits prescribed by Rules VI. and VII., in respect of the total amount of furlough and the maximum to be taken at any one time.

XIII. Furlough taken under the two preceding rules will, of course, be taken into account in any future computation of the amount of furlough to which the Officer is entitled.

ILLUSTRATIONS.

(1).—A Civil Servant who has resided for six years is not entitled to furlough. But he falls sick and obtains (say) one year's furlough. On his return he must reside for three years before he is entitled (except on medical certificate) to any more furlough, and he is then eligible to one year as follows :—

Total residence	...	...	9 years.
Furlough due on above residence		...	2 ,,
Furlough already taken	...	...	1 ,,
Balance for which he is now eligible		...	1 ,,

If instead of taking the balance (one year) as above, he chooses to remain in India for three years longer, he will then be entitled to two years' furlough as follows :—

Total residence	...	...	12 years.
Furlough due on above	...	...	3 ,,
,, already taken	...	...	1 ,,
Balance for which he is now eligible	...		2 ,,

(2).—A Civil Servant of eight years' residence takes one year's furlough. At the end of that time he falls sick and is unable to return to India. He can obtain, on medical certificate, an extension within the limit of the balance (one year) of furlough due to him, or for such period beyond that limit as may be certified to be necessary. But the total extension cannot exceed two years, which, with the amount (one year) originally taken, makes up the total absence to the maximum of three years prescribed by Rule VII

Any further prolongation of his absence will involve forfeiture of appointment and loss of allowances.

Supposing the above-mentioned Officer to be absent on the occasion referred to for the full period of three years, he will not, on his return to India, be entitled to any more furlough (except on medical certificate) till he has resided for a further period of eight years. He will then be entitled to one year's furlough as follows :—

Total residence	... ...	16 years.
Furlough due thereon	... ...	4 ,,
,, already taken	... ...	3 ,,
Balance for which he is now eligible	...	1 ,,

XIV. There will be no restriction as to the places to which an absentee may resort during furlough.

XV. If taken in India, furlough will be reckoned from the date of the absentee quitting his station to the date of his return thereto : and, if taken out of India, from the date of the sailing of the vessel in which he may have embarked from any port in India to the date of his disembarkation at any such port.

XVI. For the interval elapsing between departure from station and the commencement of reckoning absence on furlough, and between the end of reckoning absence on furlough and rearrival at station, the absentee shall be allowed subsidiary leave, not ordinarily exceeding 30 days. During that period the absentee will be entitled to draw a moiety of his substantive allowance. Subsidiary leave will, as heretofore, count as service and residence.

XVII. Furlough allowances shall be payable monthly if payment is taken in India, and quarterly if payment is taken in England.

XVIII. Applications for furlough, *under medical certificate*, will be submitted and dealt with in the same way as has hitherto been observed in respect of applications for leave on medical certificate, each application being disposed of separately without reference to the number of existing absentees.

XIX. Furloughs not under medical certificate will be granted only to the extent of 10 per cent. of the total number on the list of each Presidency ; and, in the event of there being an excess number of applications, the available furloughs will be given to the applicants in their order of seniority according to the rank assigned to them on the Gradation List of the service.

XX. The privilege heretofore granted of reckoning one year's sick leave as "Residence" is withdrawn, and in lieu thereof the term of residence required for pension is reduced from 22 years to 21 years.

XXI. In lieu of the three years of furlough and one year of sick leave, allowed under former rules to count as service towards pension, four years of furlough will now be permitted to be so reckoned. The periods of service qualifying for pension will remain unaltered.

XXII. In computing the furlough to which Civil Servants who have taken sick leave or furlough under former rules may be entitled to under the new rules, it will be remembered that the aggregate of furlough allowed to any officer during the whole period of his service under the present Rules (Rule VI,) viz., six years, is the same as the aggregate* of furlough and sick leave obtainable, with allowances, under the former rules. Whatever aggregate amount, therefore, of furlough and sick leave remains to an Officer on the date of the present rules coming into force, will be regarded as available to him under the present rules ; but it can only be taken under the prescribed conditions in respect of residence, &c. The calculation of residence entitling to furlough will not, of course, include any sick leave which may, under former rules, have been reckoned as residence (see Rule XX).

* i.e., three years' furlough and three years' sick leave.

ILLUSTRATION.

A Civil Servant who obtained, under the former rules, two years' sick leave after completing a residence of six years, has, since his return, completed a further residence of five years. His residence, under former rules, is calculated at 12 years, of which one year was spent on sick

leave. Under the present rules his residence will be calculated at 11 years, so that he will not be entitled (except under medical certificate) to furlough until he has completed one more year of residence, when he will become eligible for one year's furlough, and after taking one year's furlough, as above, he will have in prospect three more years' furlough, which may be taken on his becoming eligible for it.

CHAPTER II.

Short leave, embracing what is commonly called Privilege Leave and Special Leave for six months.

XXIII. The Government may grant to Civil Servants leave of absence for one month in each calendar year, without deduction from the salaries and emoluments drawn by such servants ; such leave, however, will only be granted when the Government is satisfied that no inconvenience will arise from the departure of the Officer seeking it. No second leave can be granted under this rule until the completion of 11 months from the expiration of the last leave, if taken at one time, or from the date of return from furlough, or until the completion of six months from the expiration of the last instalment of a leave, if it has been divided. Servants not availing themselves of the indulgence in any one year may obtain, under the like conditions, leave for two successive months to commence at or after the expiration of 22 months from the expiration of their former leave ; and, if two years elapse without enjoyment of the privilege, leave for three months may, in like manner, be granted at the expiration of 33 months from the termination of the last preceding leave ; but no leave shall be granted, under this rule, for any period exceeding three months. If an Officer shall not return at the expiration of the period of leave granted him under this rule, he shall forfeit all pay and allowances during the time of his remaining so absent without leave ; and, if he shall so continue absent for more than one week beyond the term granted, his office shall become vacant.

XXIV. As a general rule, when leave is granted under the preceding paragraph, such leave will be in one period only, whether for a whole month or less, and not in detached portions to complete one month ; but, as an exception to this rule, it shall be discretional with the several Local Governments, when good cause is shown for the indulgence, and if it is attended with no public inconvenience, to sanction leave of absence, under this rule, to such parties as may not have occasion to apply for the whole at once, in two instalments only, which are not to exceed in the aggregate one month within the calendar year. Civil Servants, to whom an accumulation of short leave may be due, and who may take a portion thereof, may, at the discretion of the several Local Governments, be allowed to take the remainder at a subsequent time.

XXV. In cases of very urgent private affairs, when leave can be granted without detriment to the public interests, the Government on being satisfied of the urgency alleged, may grant special leave of absence for six months on private affairs, provided, however that, for the period of such absence, the absentee shall draw no more than half his salary. The leave granted under this rule will be computed in the manner indicated in Rule XV. (for furlough taken in India and out of India), Subsidiary leave being also obtainable under the conditions set forth in Rule XVI. The allowances due on the first three months of this leave may be drawn after the expiration of three months, but the remainder shall not be payable until after the Officer shall have returned to his duty. If the absentee overstay his leave under this rule, to a greater extent than one week, his office shall become vacant.

XXVI. Leave under the above rule, with allowances, can be obtained only once during the whole period of an Officer's service ; but it may be repeated *without allowances* after intervals of at least six years' residence.

XXVII. Leave under this Chapter cannot be taken in continuation of furlough (Chapter I.) nor can furlough be taken in continuation of leave under this Chapter. If furlough be obtained by an Officer while absent on leave under this Chapter, the whole period of absence will count as furlough, and be subject to the rules governing absence on furlough.

XXVIII. The two kinds of leave contemplated in this Chapter, (*i. e.*, privilege leave and special leave for six months) may be given together at the discretion of Local Governments, provided that no public inconvenience is caused thereby : and in cases of combined privilege and special leave, half the allowances due on the whole period of leave may be drawn on the expiration of half the total period of leave, the remainder being obtainable only after the Officer shall have returned to his duty. If combined privilege and special leave be overstayed for more than one week, the office of the absentee will become vacant. Combined privilege and special leave will be computed, and subsidiary leave will be granted, in the same way as when special leave is taken alone (see Rule XXV.)

XXIX. There will be no restriction as to the places to which an absentee may resort in cases of leave under this Chapter.

XXX. Periods of absence on privilege leave will, as heretofore, count as residence and service, and periods of absence on special leave will count as service but not as residence.

Proceedings of the Committee appointed by the Government of India to consider the existing Leave Rules as they applied to all branches of the Government Service, and to propose such alterations as might seem just and proper.

Extract from above relating to the Civil Service Absentee Rules.

At their first Meeting, held at Simla on the 31st October, the Committee had before them the following documents (see Appendices), viz. :—

Note by Colonel Norman, dated 5th October.
Minute by His Excellency the Governor General, dated 7th October.
Note by Mr. E. H. Lushington, dated 19th October.
Note by Mr. E. C. Bayley, (without date).
Minute by His Excellency the Governor General, dated 21st October.
Communication from the Military Department, addressed to the Financial Department, No. 613, dated 25th October.
Demi-official letter from Lieutenant-Colonel A. B. Johnson, dated 30th October.

It was determined, at the above-mentioned Meeting, that the best course would be to take up, in the first instance, the Leave Rules of one particular branch of the service, and to prepare for that branch a Code of Rules for leave of absence based on broad principles, which might, with modifications in detail, be made applicable to all branches of the Public Service ; similar Codes being thereafter prepared on the same model for other branches, with such detailed modifications as might be deemed necessary in reference to their particular circumstances and requirements.

3. The Civil Service was selected as the branch which could most conveniently be first dealt with ; and accordingly, at a second Meeting held in Calcutta on the 28th November, the Rules (of which a copy is annexed) were adopted by the Committee.

4. A principal feature in these rules is the provision for the retention of office during absence on furlough, whether under medical certificate or not ; and on this point it is not, perhaps, necessary to enter upon any very lengthy explanation. There can be no doubt that the forfeiture of appointment hitherto involved in the taking of furlough on private affairs has operated, to some extent, in the Civil Service, and much more as respects some other branches of the service, as a very serious drawback to the enjoyment of this species of leave. It is a privilege to the individual servant to have the opportunity of recruiting mind and body, and renewing home relations in his native country ; but this is not all, for it is obviously desirable, on public grounds, that the servants of Government should have every facility and encouragement towards the use of this privilege in a moderate degree. An Officer who goes home before his health gives way will, as may reasonably be assumed, do more towards refreshing mind and body, and placing himself in a condition to render efficient service to Government, than he who, waiting till his health is broken, has to spend, perhaps, the greater portion of his leave in the condition of an invalid. And yet the conditions under which an Officer may take furlough on private affairs have been relatively so unfavorable, as compared with those under which he may go home on

sick certificate, that there has been a strong inducement to postpone the taking of needed relaxation until the health has been so far impaired, as to render him eligible for leave under medical certificate.

5. In advancing, as above, the reasons for allowing retention of appointment during absence on furlough, the Committee do not overlook the fact that the proposed system will give rise to the multiplication of acting appointments in India ; but it seems to them that some of the main objections now existing in respect of acting appointments will be very much modified under the proposed arrangements. The acting incumbent will be considerably better paid than formerly, for as will presently be seen, the Committee recommend the appropriation to that object of the large saving which it is shown will result from the new arrangements : and this will go far towards removing one ground of complaint against acting appointments. It is also clear that, with a greater prospect of prolonged tenure of office, the acting incumbent will not, in the same degree as formerly, feel himself to be a merely temporary occupant of the position which he fills. And further, although there will, of course, be a larger proportion of acting appointments there need not, perhaps, be more or even so many changes of office as under the present system : for the Committee would wish it to be distinctly understood that they do not contemplate the retention during furlough, in the case of Deputy Commissioners, Magistrates, Collectors, Judges, Commissioners, &c., of any claim to particular Districts or Divisions, as is now generally the case. Under present rules, for instance, A. Commissioner of the Rohilcund Division, takes sick leave, and B. acts for him ; by the time A. returns, C., Commissioner of the Allahabad Division, is going home on similar leave ; B. is ousted from his acting appointment in Rohilcund and has to go to Allahabad to act for C. But under the proposed arrangement, B. would be allowed to continue in Rohilcund, A. being posted to the Allahabad Division on its vacation by C., one change of office only nstead of two being thereby caused. If this principle be observed, the unsettled character of an acting appointment, to which objection is taken with so much force, would be greatly modified.

6. Having regard to the above considerations, the Committee are disposed to look upon the advantages of the proposed change, in respect of retention of appointment during furlough, as decidedly outweighing the disadvantages. Furlough on private affairs is, in fact, the relaxation which a servant of Government ordinarily needs after active service in India for a given period ; and the Committee think that it is only reasonable that such furlough should carry with it privileges, in respect of retention of appointment and allowances, corresponding to those enjoyed by absentees on sick certificate. The only advantage required by the latter is that they should be able to obtain their leave without reference to the number of absentees or to the period of their residence in India : and this advantage has been reserved to them. It is quite reasonable that restrictions of this sort should be placed on absence on private affairs : but, while maintaining in this respect a full regard to the interests of the Public Service, the Committee have endeavoured to avoid, as far as possible, the imposition of any restrictions which would needlessly interfere with the taking of furlough in the way, and at the times most convenient to the individuals concerned. No restrictions have been placed in this respect, except what appear to be really necessary to prevent abuse, or to check the tendency which some may feel to expend, in the early part of their career, all or nearly all of the leave to which they are entitled. Thus a Civil Servant who, after (say) eight years' residence, may have been compelled by ill-health to spend three years at home, under medical certificate, may properly be restrained from taking two years after his return from such leave, and without any necessity in respect of health, the whole remaining leave (three years' furlough) to which he is entitled during his whole service. He could do this under the rules hitherto in force, but not under the rules now proposed.

7. The maximum amount of furlough, including, as above explained, furlough both on private affairs and sick certificate, proposed to be allowed to an Officer during the whole period of his service, is six years ; and it is only necessary to explain here that this maximum corresponds exactly to the maximum of furlough on private affairs and sick leave obtainable, with allowances, under the present rules.

8. Similarly, the maximum amount of furlough allowed to be taken at one time (Rule VII.) is the same, viz., three years, as the maximum allowed under existing rules. It may, perhaps,

at first sight, appear somewhat unreasonable to allow absence, *with retention of appointments,* for so long a period as three years at a time. But it is to be remembered that, as the retention of appointment during absence and the multiplication of acting appointments in India are recognized as a general principle and effect of the new rules, it is rather an object, than otherwise, to give acting incumbents the greater amount of fixity in their plans, resulting from the prospect of a more extended tenure of office. A three years' furlough is frequently the most beneficial way to the individual of enjoying the period of relaxation earned by his previous service, inasmuch as a residence in England for a considerable period allows of a more settled and less expensive mode of life, while it also gives to those who may wish it the opportunity of qualifying for the Bar, and to those who may require it the means of a thorough restoration of health by a long and comparatively settled residence at home. The Committee believe that, while the three years' limit may often prove more beneficial and convenient to the individual absentee, it will not, under the circumstances explained above, be in any way inconsistent with the general interests of Government and of the Civil Service Establishment at large.

9. The scale of allowances provided for absentees on furlough differs somewhat from the scale now in force for absentees on sick certificate; the maximum amount obtainable in any one case having been raised from £1000 to £1200 a year, and the minimum reduced from £500 to £300. The Committee believe that the proposed rates provide for a more equitable distribution of the funds available for absentee allowances. The former scale did not, in the opinion of the Committee, make sufficient distinction between the requirements and consequent expenditure while on leave of the different grades of Civil Servants, whether judged by their standing in the service, or by the position and pay assigned to them in India. In fact, all junior absentees drew full pay, or nearly full pay; while those of more advanced standing were reduced to one uniform maximum level of £1000 a year, which might represent half-salary in some cases, and ⅓rd or ¼th or ⅕th salary in other cases. Although the Committee are far from arguing that the pay which Officers have been drawing in India, and which must represent more or less nearly the relative scale of their expenditure, should be the sole criterion of their allowances while on leave, they cannot but think that this criterion is too much disregarded in the present rules; and they have consequently proposed a scale of absentee pay, which will recognize, to a somewhat greater extent, among absentees the difference in their Indian pay and position. If regard be had to the greatly increased cost of living in England since the maximum of £1000 was first fixed, the maximum of £1200 now proposed cannot be considered excessive.

10. The Financial results of the abovementioned modification, as well as of the other modifications embodied in the proposed Code, will form the subject of separate remarks (paragraph 17, *et seq*).

11. The privilege of reckoning one year's sick leave as "Residence" has been withdrawn under Rule XX., and in lieu thereof the term of residence required for pension has been reduced from 22 to 21 years. This involves a change of rather a nominal than a real kind. There are very few Officers who, during the whole course of their service, do not obtain at least one year's leave on medical certificate, and to all who do obtain it the new provision involves no real change. The amalgamation of furlough and sick leave under the general head of furlough obviously rendered a change necessary.

12. Rule XXII. provides for the computation of the furlough available, under the new rules, to those who have already taken furlough or sick leave, or both, under former rules. The proposed rule appears to be equitable; but there may, perhaps, be some few cases in which it would operate hardly. An Officer, for instance, of (say) ten years' residence, who has already taken three years' sick leave, and who is eligible, under present rules, to take his whole furlough of three years, will find himself debarred, under the new rules, from taking it or any portion of it, (except under medical certificate), until he has completed six more years of residence, and even then he will only be eligible for one year. The Committee do not regard this as any real hardship, except in so far as it interferes suddenly with a privilege enjoyed under the present rules. The Committee have already, in a previous paragraph, stated that they consider it an

objectionable feature of the present rules that they permit an Officer circumstanced as above, and without any reason on the grounds of ill-health, to forestall, at a comparatively early period of his career, the whole amount of the leave to which he is entitled. But, however clear may be the expediency of the new provisions in this respect, it is just possible that there may be a few Members of the service who may consider themselves hardly treated by the sudden withdrawal of a privilege to which they were entitled under the former rules, and to the early enjoyment of which they may possibly have been looking forward. It might, perhaps, be proper in such cases to give the option of remaining under the old rules; any Officer so electing to remain being subject to the conditions of the old Rules in all respects, except that he would be allowed to retain his appointment during furlough. His allowances during furlough would, of course, be regulated by the old rules, the only exception being in respect of retention of appointment. This exception is obviously necessary, for it would be unreasonable to expect an Officer to vacate his appointment, without the prospect which he had under the old rules of speedily regaining his position, after return to India, owing to the vacation of appointments by other Officers taking furlough.

13. Under Rule XVI. will be found a modification of the provisions hitherto in force respecting leave preparatory to departure by sea, and for joining stations after arrival by sea. The present rules on this subject involve complicated calculations of distance; and are, moreover, unsuitable to present requirements in so far as they relate to the ports from which, and at which, an absentee may embark or debark. It is seldom, if ever, that an Officer seeks more preparatory or joining leave than is absolutely necessary for the purpose for which it is given: and the Committee do not suppose that the Government care to restrict an Officer to particular ports, provided that his choice of a port for embarkation or debarkation does not entitle him to any greater amount of preparatory or joining leave than he would otherwise get. This being the case, the Committee think that the provisions embodied in Rule XVI., while very simple in their application, fully meet the requirements. If, under that rule, an Officer stationed in Calcutta chooses to select Bombay as his port of embarkation, and to proceed thither in the interval of 30 days, there can be no reason why he should not be allowed to do so.*

14. The provisions of Chapter II. relate to short leave, embracing what is commonly called privilege leave and special leave for six months on urgent private affairs. The modifications of existing rules provided under the proposed Code are not numerous. Provision has been made (Rule XXV.) for half the allowances due on special leave for six months being paid on the expiration of half the period of leave instead of the whole being held back till the Officer has returned to his duty. It has also been provided (Rule XXVI.) that special leave for six months may be repeated after intervals of six years' residence, but without any pay. Considering that the leave is granted only at the convenience of Government, and only on the occurrence of urgent private affairs, the Committee consider that repetitions of such leave at considerable intervals, and without pay, may reasonably be allowed.

15. Rule XXVIII. provides for privilege leave and special leave for six months being taken together. There is no doubt that this permission will be much prized by the Members of the Service; while the concession will not, it is believed, involve any inconvenience (but the contrary) to the State. If an Officer is to be absent for two short periods, one of three months and the other of six months, it is obviously better, both for him and for the Public Service, that these periods should be taken together, than that they should be taken separately as can be done, and is sometimes done, under existing Rules,—the Officer taking over charge of his office on the expiry of his privilege leave, and making over charge the same day prior to taking six months' leave. The Committee do not overlook the objection, which may fairly be argued to a general permission to take privilege leave in conjunction with all other sorts of leave. Privilege leave is intended to afford the opportunity of occasional change and relaxation in the intervals between the periods of longer leave on furlough, and the permission to add privilege leave to furlough would probably interfere with the practical attainment of the special object above described; but this cannot be

* *Note.*—To Officers at stations so distant as Peshawar, &c., this period may be extended at the discretion of Government.

said in respect of the proposed permission to add privilege leave to another species of short leave which is obtainable only once in a man's service with allowances, and in no instance, except at the convenience of Government, and on the occurrence of urgent private affairs.

16. A further reason for the proposed modification will be found in the fact that the retention of appointment during furlough will necessarily give rise to a much larger proportion of acting appointments in India : and, as Officers naturally do not like taking privilege leave when they may have to give up an acting appointment, it becomes all the more necessary to afford them the means of occasionally taking privilege leave in conjunction with special leave, thereby avoiding the vacation of acting appointments more frequently than necessary. The Committee believe that in this point of view also, the proposed modification will conduce to the advantage of the Public Service, no less than to the convenience of the individuals concerned.

17. It has already been stated (paragraph 10) that the Financial results of the modifications proposed to be made in the Absentee Rules of the Civil Service would form the subject of separate remark.

18. The Committee have had before them the following statistics, compiled in the Civil Service Fund Office, viz :—

I. A Statement showing the aggregate substantive pay of the offices held by absentees (on leave with retention of appointment) from Bengal, the North-Western Provinces, and the Government of India, together with the absentee allowances drawn by them.

II. A Statement showing the aggregate substantive pay of offices held by acting incumbents in Bengal, and the North-Western Provinces and under the Government of India, together with the allowances (substantive and acting) drawn by the Officiating Officers.

III. A Statement showing the number of absentees on furlough from the three Presidencies of Bengal, Madras, and Bombay, with the furlough allowances drawn by them, also the numerical strength of the Civil Service Establishments in each Presidency.

19. The above Statements (of which copies are annexed) have been prepared for the 1st January and the 1st July of each of three years, viz., 1865, 1866, and 1867, so that the deduced results may be accepted as showing a tolerably fair average. The two first Statements include only offices appertaining to Bengal, the North-Western Provinces, and the Government of India ; the statistics of these offices were more readily available, and as the details required for the preparation of the Statements were exceedingly voluminous, it would have involved more time than the Committee had at command to prepare them on a more extended basis. As the Civil Service Establishment attached to, or employed under Bengal, the North-Western Provinces, and the Government of India comprises 53 per cent. of the entire Civil Service Establishments in India, the results deduced may be accepted as affording sufficiently reliable data.

20. The main modifications involving Financial considerations are as follows .—

(1.) The proposed change of scale for allowances on sick leave (included under the head 'Furlough' in the proposed rules).

(2.) The provision for the retention of appointment during furlough on private affairs, with the same scale of allowances as that referred to above.

21. The statistics in Statement No. I. show that *absentees on sick leave* under the existing rules draw on the average 40* per cent. of the pay of their appointments.

	Rs.
* Substantive pay	2,22,416
Allowances drawn	89,283
2,22,416 : 89,283 : : 100 : 40.	

22. From the figures appended to the abovementioned Statement, it will be seen that out of 146 absentees on sick leave, included therein—

64 drew more than half pay, the amount drawn being £500 each, representing on the average 82 per cent. of their Indian pay ;

22 drew half pay between the limits of £500 and £1000 ;

60 drew less than half pay, the amount drawn being £1000 each, representing on the average 30 per cent. of their Indian pay.

23. As already stated, the general average rate of pay drawn by sick absentees is 40 per cent. of their Indian pay ; but as shown above, this general average is the result of details differing very widely from each other. Nearly half (44 per cent.) of the whole number of sick absentees consisted of Junior Civil Servants drawing, while on leave, an average salary of £495 a year equivalent to 82 per cent. of the salaries held by them in India. The 82 per cent. of Indian pay drawn by these absentees is in marked contrast to the 30 per cent. of Indian pay obtained by those of more advanced standing, whose absentee allowance (£1000 each), though of course actually larger, are viewed by the Committee as relatively smaller, when regard is had to the much heavier expenses ordinarily involved in the voyage home and back, and in the residence at home of an older Officer and his family.

24. It was on the grounds evidenced by the above statistics that the Committee decided to propose an alteration of the scale of allowances, providing for what seems to them to be a more reasonable distribution of the funds available for absentee allowances.

25. The figures given in Statement No. II. show the effect which the proposed scale of allowance would have had upon the 146 sick leave absentees included in the Statement under notice. It appears that the total allowances would have been the same, the reduction of the minimum almost exactly counterbalancing the increase of the maximum limit. The details of this calculation stand as follows (the total number of absentees being 146) :—

33 would have drawn more than half pay, the amount drawn being £300 each, representing on the average 58 per cent. of their Indian pay ;

62 would have drawn half pay between the limits of £300 and £1200 ; and

51 would have drawn less than half pay, the amount drawn being £1,200 each, representing on the average 34 per cent. of their Indian pay.

The above figures corroborate what has already been represented as to the distribution of absentee allowances under the proposed scale being more reasonable than that provided by the scale hitherto in force.

26. The further statistics now to be noticed have, for their object, the approximate exhibition of the financial results involved in the proposed change under which Civil Servants, taking furlough on private affairs, may retain their appointments, drawing absentee allowances on the same terms as those absent on sick certificate.

27. A very little consideration will show that there will be a large saving to the State by the change. To estimate the amount of this saving, endeavour must be made to compare, so far as possible, the cost entailed on the State by absence involving retention of appointment and allowances of the proposed kind, with the cost entailed by absence on furlough under the existing scale of allowances and without retention of appointment.

28. A Civil Servant going on leave, with retention of appointment and with allowances on the proposed scale, will draw, as already shown, an average of 40 per cent. of the pay of his office. His absence will, of course, produce a considerable number* of acting appointments in India, some of these acting men may draw the full pay of the offices in which they officiate, and others may draw consi lerably less, according as the Deputation† Rules operate in each case. Each absentee may be said to produce a saving in India by the acting appointments to which his absence gives rise, against which saving have to be placed the allowances drawn by the absentee himself. From Statements Nos 1 and 2 it appears that the saving from acting appointments (Statement No. 2), when distributed among the absentees (Statement No. 1), gives an average amount to each absentee of 29‡ per cent. of his Indian salary : and as the absentee himself will, as shown above, draw 40 per cent. as absentee allowance,

* *e. g.*, A. goes on leave, B. acts for A, C. acts for B., and so on.

	Rs.
‡ Saving	1,09,861
Indian pay of absentees	3,74,296
3,74,296 : 1,09,861 : : 100 : 29.	

† Note.—The existing Deputation Rules may be described generally as providing—

(1.)—That an officer officiating in an appointment shall draw his own substantive salary, plus 20 per cent. on the first two thousand rupees of the salary of the office in which he acts, and 10 per cent. on the remainder.

(2.)—That he shall in no case draw more than the full pay of the appointment in which he is acting, or of the minimum pay of the grade where the appointment forms one of a grade.

(3.)—That the minimum deputation allowance shall be Rupees 200, subject, of course, to the preceding provision.

(4.)—Officers who have no substantive appointment are allowed while acting to draw half the pay of the office in which they may be acting in addition to their subsistence allowances.

it would appear that the absentee gives rise to an extra charge equivalent to (40—29=) 11 per cent. on the pay of his office. Almost the same result may be worked out in a slightly different way, as follows :—If the aggregate saving shown in Statement No. 2 (Rupees 1,09,861) be divided among all the absentees (241) shown in Statement No. 1, each absentee will, so to speak, be credited with Rupees 455,* being the monthly saving to which his absence gives rise. But the absentee on sick leave will, under the proposed scale, draw, on the average, Rupees 615,† per month during absence, the extra charge being thus Rupees (615—455=) 160 per month ; and this sum is equivalent to nearly 11 per cent. on his average Indian pay.

* $\frac{1,09,861}{241}=455$

† Vide figures appended to Statement No. 1.
Absentee allowances under proposed Rules of 146 sick absentees..... .....Rs... 89,800
Average of each, $\frac{89,800}{146}=615$

29. But in reality no extra cost is, or will be created by the absentee in such cases. The list of acting appointments, to which an absentee gives rise, usually, of course, ends with an Assistant (belonging to the general staff of Assistants under training) appointed to act (say) as Joint Magistrate, or with an officer performing for the time the duties both of his substantive and acting appointments, or with a man who, being without an appointment, is drawing subsistence allowance for doing nothing. The State is, under any circumstances, paying these officers certain allowances which, though forming part of the Active Officer's pay, and as such included in the calculation made above, can hardly be viewed as extra charge caused by the departure of the absentee. If, on this principle, the pay of an Assistant (Rupees 500) be added to the saving produced by each absentee, the extra charge of Rupees 160 before shown will be converted into a net saving of Rupees 340, which is equivalent to 21 per cent. of the absentee's Indian pay.

30. It is, however, to be considered that to some extent at least, the Assistants under training are maintained for the purpose of providing a supply of substitutes for absentees, and that so large a number might not be otherwise necessary (*i. e.*, for the purpose of being trained for substantive employ) if the supply for temporary vacancies were not drawn from them. But, allowing for all this, it is quite evident from the above figures that though absence with retention of appointment on the scale of allowances now proposed for furlough absentees, may not, under the above view, really give rise to the estimated saving of 21 per cent. of the pay of the absentee's office, it will not, at all events, give rise to any extra charge.

31. This being the case, it is clear that the State will be saved, under the proposed rules, whatever charge it incurs on account of absences, as at present, *without* retention of appointment. When Officers, under the existing Furlough Rules, vacate their appointments, they give rise to no saving in India, for the offices are all filled up on *full pay*, so that the absentee allowances (£500 each per annum) form a direct extra charge upon the State. The aggregate average amount of this charge is shown by Statement No. 3 to be no less than Rupees 3,30,410 per annum for the three Presidencies ; and, if the full number of furloughs allowed by Government had been taken up, the extra charge would have amounted to Rupees 4,40,830 per annum.

32. The Committee do not suppose that it would be the desire of Government to allow the aggregate emoluments of the Civil Service to be reduced to this large extent, as they certainly would be if the proposed change in the Furlough Rules were carried out without any compensating measure ; and it seems to the Committee that the money may properly be regarded as available for increasing the scale of acting or deputation allowances. It must be remembered that, under the proposed rules, a very much larger proportion of appointments in India will be held by acting incumbents than has hitherto been the case, and they will be so held for much longer periods. This result will be a hardship to the members of the Service, and will be open to objection on general grounds, if a simultaneous increase be not made to the scale of acting allowances, so as to make the emoluments of acting incumbents approach more nearly to the substantive pay fixed as the fair equivalent for the work and responsibility undertaken. It may be noted here that the class of acting appointments in respect of which the emoluments of the officiating incumbent fall farthest short of the substantive pay consist principally of the offices held by Magistrates, Collectors, and Deputy Commissioners. The acting incumbent in these cases ordinarily gets but a small proportion of the pay of the office the duties of which he discharges. A Joint Magistrate, for

instance in the North-Western Provinces, whose substantive pay is Rupees 1000, gets while acting as Magistrate and Collector, only Rupees 1425, although the full pay of the office is Rupees 2250. Similarly, if a Magistrate and Collector of the 1st grade in Bengal, whose salary is Rupees 1916, goes on leave, or is removed to act in another appointment, a Joint Magistrate who acts for him draws only Rupees 900 (substantive pay), plus Rupees 341 (deputation allowance), being a total of Rupees 1241. These and other similar appointments, are among the most important offices in the country, and it would, in the opinion of the Committee, be very undesirable on public grounds to allow them to be ordinarily held by under-paid officials, especially as the remedy consists merely in appropriating to that object the funds saved by the change of Absentee Rules now under contemplation. The Committee would recommend that the whole of the saving shown above should be so applied ; that the rules for regulating deputation allowances being altered simultaneously with the change in the Leave Rules.

33. It would be difficult to estimate, with any approach to accuracy, what would be the cost involved in any particular alteration of the rules for deputation allowances, especially as the number of acting appointments arising out of the proposed modification of the Leave Rules can hardly be made the subject of calculation. But the Committee think that they are keeping well within the bounds of the funds which they have shown will be available for this purpose, when they propose that the existing rates of 20 and 10 per cent. should be increased to 30 and 20 per cent., *i. e.*, that the Acting Officer should draw 30 per cent. on the first two thousand Rupees and 20 per cent. on the remaining portion of the substantive pay of the office in which he officiates. This alteration would not, of course, produce any increase of charge in a large proportion of acting appointments, where the acting allowances, under existing rules, bring up the pay of the acting incumbent to the full standard of the office in which he officiates : but it would provide some addition to the allowances in other cases. A Joint Magistrate, for instance, who, in the North-Western Provinces, draws a total pay of Rupees 1425 when acting in a Collectorship, (substantive pay Rupees 2250) would, under the proposed modification, draw Rupees 1650.

34. The Committee would also suggest that special provision be made to meet the case of those who may return to India after the introduction of the new rules from furlough taken under the old rules. These men vacated their appointments under the reasonable expectation that, on their return to India, appointments vacated by officers proceeding on furlough would become available for them. But, under the proposed rules for granting furlough with retention of office, they will, of course, be disappointed in this expectation, and they will, for the most part, have to act in such appointments as may be available, drawing subsistence allowance* plus 50 per cent. of the pay of the office in which they officiate. The Committee think that it would be fair and reasonable to allow such officers, as a special case, to draw deputation at the rate of 75 instead of 50 per cent. : and it is probable that the extra expense involved in this temporary provision would be covered by the funds shown above to be made available by the contemplated change of rules.

35. The Committee would point out here that the large increase in the proportion of acting appointments in India, to be expected from the adoption of the proposed rules, will obviously produce an indirect, but considerable saving, owing to the fact that absentee allowances are reckoned, not on the total emoluments (substantive and acting) drawn by the absentee at the time of his taking leave, but on his substantive pay. The proposed increase in the scale of acting allowances may bring up to the old level the aggregate allowances drawn by officers working in India ; but the pay of the absentee (on whatever kind of leave he goes) will be calculated on a less amount, owing to Indian emoluments being composed, to a greater extent than formerly, of acting allowances, which do not count towards fixing the rate of absentee pay.

This is a species of saving, which, though of considerable amount, it is, of course, impossible to calculate ; but the Committee think it right to draw attention to it, as corroborating their view of the necessity of making a substantial increase in the scale of deputation allowances.

* NOTE.—Rates of subsistence allowance.

	Bengal. Rs. A. P.	Madras, Rs. A. P.	Bombay. Rs. A. P.
Above 12 years' service...	340 3 7	291 14 8	325 9 0
Under 12 ,, ,, ...	255 2 9	218 12 0	244 0 0
,, 9 ,, ,, ...	170 1 9	145 3 0	162 0 0

STATEMENT No. I

Showing the aggregate Substantive Pay of offices held by Absentees on leave, with retention of appointment, from Bengal, the North-Western Provinces, and the India Government, together with the Absentee Allowances drawn by them, and certain other details.

		Substantive pay of offices held by Absentees on leave with retention of appointment. Per mensem.	Allowances drawn by the Absentees while on leave. Per mensem.
		Rs.	Rs.
1st January 1865	On Sick Leave ...(146 Absentees) ...	2,22,416	89,283
1st July ,, ...	On six months' P. A. Leave ...(30 ,,) ...	50,198	25,099
1st January 1866	On Privilege Leave ...(65 ,,) ...	1,01,682	1,01,682
1st July ,, ...			
1st January 1867	Total of all for six months	3,74,296	2,16,064
1st July ,, ...			
	Average per mensem. Sick Leave	37,069	14,880
	Six months' Leave on P. A. ...	8,366	4,183
	Privilege Leave	16,947	16,947
	General average	62,382	36,010

The details of the Sick Leave column above will be found below, together with a calculation showing the allowances which would have been drawn by the Absentees under the proposed revision of the scale of allowances :—

	Substantive Pay.	*Absentee allowances actually drawn under existing Rules.*	*Absentee allowances which would have been drawn under the proposed revision of the scale of allowances.*
	Rs. A. P.	£ Rs. A. P.	£ Rs. A. P.
	14 on 400 0 0 per mensem, = Rs. 5,600 0 0	14 on 480 per annum, or 400 0 0 per mensem, = Rs. 5,600 0 0	14 at 300 per annum, or 250 0 0 per mensem, = Rs. 3,500 0 0
	19 on 450 0 0 ,, ,, ,, 8,550 0 0	19 on 500 ,, or 416 10 8 ,, ,, ,, 7,916 10 8	19 at ,, ,, or ,, ,, ,, 4,750 0 0
	19 on 500 0 0 ,, ,, ,, 9,500 0 0	19 on 500 ,, or 416 10 8 ,, ,, ,, 7,916 10 8	19 at ,, ,, or ,, ,, ,, 4,750 0 0
	12 on 700 0 0 ,, ,, ,, 8,400 0 0	12 on 500 ,, or 416 10 8 ,, ,, ,, 5,000 0 0	12 at 420 ,, or 350 0 0 ,, ,, ,, 4,200 0 0
	5 on 900 0 0 ,, ,, ,, 4,500 0 0	5 on 540 ,, or 450 0 0 ,, ,, ,, 2,250 0 0	5 at 540 ,, or 450 0 0 ,, ,, ,, 2,250 0 0
	8 on 1,000 0 0 ,, ,, ,, 8,000 0 0	8 on 600 ,, or 500 0 0 ,, ,, ,, 4,000 0 0	8 at 600 ,, or 500 0 0 ,, ,, ,, 4,000 0 0
	1 on 1,200 0 0 ,, ,, ,, 1,200 0 0	1 on 720 ,, or 600 0 0 ,, ,, ,, 600 0 0	1 at 720 ,, or 600 0 0 ,, ,, ,, 600 0 0
	8 on 1,500 0 0 ,, ,, ,, 12,000 0 0	8 on 900 ,, or 750 0 0 ,, ,, ,, 6,000 0 0	8 at 900 ,, or 750 0 0 ,, ,, ,, 6,000 0 0
	6 on 1,916 10 8 ,, ,, ,, 11,500 0 0	6 on 1,000 ,, or 833 5 4 ,, ,, ,, 5,000 0 0	6 at 1,150 ,, or 958 5 4 ,, ,, ,, 5,750 0 0
	3 on 2,000 0 0 ,, ,, ,, 6,000 0 0	3 on ,, ,, or ,, ,, ,, 2,500 0 0	3 at 1,200 ,, or 1,000 0 0 ,, ,, ,, 3,000 0 0
	3 on 2,166 10 8 ,, ,, ,, 6,500 0 0	3 on ,, ,, or ,, ,, ,, 2,500 0 0	3 at ,, ,, ,, ,, ,, ,, 3,000 0 0
	14 on 2,250 0 0 ,, ,, ,, 31,500 0 0	14 on ,, ,, or ,, ,, ,, 11,666 10 8	14 at ,, ,, ,, ,, ,, ,, 14,000 0 0
	16 on 2,500 0 0 ,, ,, ,, 40,000 0 0	16 on ,, ,, or ,, ,, ,, 13,333 5 4	16 at ,, ,, ,, ,, ,, ,, 16,000 0 0
	1 on 2,750 0 0 ,, ,, ,, 2,750 0 0	1 on ,, ,, or ,, ,, ,, 833 5 4	1 at ,, ,, ,, ,, ,, ,, 1,000 0 0
	1 on 3,000 0 0 ,, ,, ,, 3,000 0 0	1 on ,, ,, or ,, ,, ,, 833 5 4	1 at ,, ,, ,, ,, ,, ,, 1,000 0 0
	1 on 3,166 10 8 ,, ,, ,, 3,166 10 8	1 on ,, ,, or ,, ,, ,, 833 5 4	1 at ,, ,, ,, ,, ,, ,, 1,000 0 0
	5 on 3,750 0 0 ,, ,, ,, 18,750 0 0	5 on ,, ,, or ,, ,, ,, 4,166 10 8	5 at ,, ,, ,, ,, ,, ,, 5,000 0 0
	2 on 4,083 5 4 ,, ,, ,, 8,166 10 8	2 on ,, ,, or ,, ,, ,, 1,666 10 8	2 at ,, ,, ,, ,, ,, ,, 2,000 0 0
Total for the six months.	8 on 4,166 10 8 ,, ,, ,, 33,333 5 4	8 on ,, ,, or ,, ,, ,, 6,666 10 8	8 at ,, ,, ,, ,, ,, ,, 8,000 0 0
	146 Rs. 2,22,416 10 8	Rs. 89,283 5 4	Rs. 89,800 0 0
Average...	24½ Rs. 37,069 0 0	Rs. 14,880 0 0	Rs. 14,966 0 0

STATEMENT No. II.

Showing the aggregate Substantive Pay of offices held by acting incumbents in Bengal and the North-Western Provinces, and under the India Government, together with the Allowances (Substantive and Acting) drawn by them.

Year.	Substantive Pay of offices held by acting incumbents. Per mensem.	Allowances drawn by acting incumbents, including their substantive pay and acting allowances. Per mensem.
	Rs.	Rs.
1st January 1865... ...	1,38,740	1,20,998
1st July ,, ...	1,67,444	1,59,185
1st January 1866... ...	1,15,392	1,00,394
1st July ,, ...	1,47,732	1,27,340
1st January 1867... ...	1,54,086	1,31,851
1st July ,, ...	1,88,799	1,62,564
Total for six months... ...	9,12,193	8,02,332
Saving for six months	Rs. 1,09,861	
Average saving per mensem.	18,310	

STATEMENT No. III.

Showing Furlough Absences and Furlough Allowances in respect of the Civil Service Establishments of the three Presidencies.

Year.	Bengal. Total strength of service.	Bengal. Number absent on Furlough.	Madras. Total strength of service.	Madras. Number absent on Furlough.	Bombay. Total strength of service.	Bombay. Number absent on Furlough.
1st January 1865	579	28	196	8	(not available).	(not available).
1st July ,, ...	564	41	189	8	(not available).	(not available). 13
1st January 1866	577	39	190	8	134	
1st July ,, ...	569	50	*182	*10	130	15
1st January 1867	563	45	180	11	130	16
1st July ,, ...	549	45	†172	†12	126	17
Total for six months... ...	3,401	248	1,109	57	for 4 months. 520	61
Average monthly...	566⅚	41⅓	184⅚	9½	130	15¼

Strength of services.	Number absent on Furlough.
881⅔	66⅔

Grand total of monthly average for the three Presidencies..... Per annum. £ Rs.

Allowances drawn by the average number of absentees from the three Presidencies..... 33,041 = 3,30,410

Ditto which would have been drawn had the full number of furloughs been taken up,—*i. e.*, 10 per cent. on total average strength ..... 44,083 = 4,40,830

* For September 1866, the Returns for July not being available.
† For September 1867, ditto.

No. 9. REVISED MILITARY FURLOUGH RULES.

The following Rules, relative to the absence of Military Officers on leave, are substituted for those hitherto in force :—

I. The distinction with respect to allowances hitherto drawn between furlough on private affairs and sick leave is abolished, both kinds of leave being included under the general term furlough, provision, however, being made for the obtainment of furlough, under medical certificate, without all the restrictions applicable to furlough, when taken without medical certificate.

II. Leave taken under the rules now prescribed will not involve forfeiture of appointment, except in the cases herein specially provided for.

III. The rules now prescribed do not affect the provisions of Act XXXIII. of George III., Chapter 52, Section 70 ; but an absentee cannot retain his appointment, and draw absentee allowances, except under the rules now prescribed.*

IV. Leave of absence will, in future, be of three kinds, viz :—

I.—Furlough in or out of India.

II.—General Leave on private affairs or sick certificate in India.

III.—Privilege Leave.

CHAPTER I.

Furlough.

V. An Officer absent on furlough will be allowed pay at the rate of 50 per cent. of the salary of his substantive office, provided that a maximum rate of £1200 a year, and a minimum rate of £250 a year be adhered to. The term salary will signify the total amount drawn by an Officer, whether as consolidated pay, or staff allowances in addition to pay, but will not include any extra or special allowances.

VI. All grants of furlough on private affairs are subject to the exigencies of the Public Service, and to any Regulations that may be found necessary for limiting the number of absentees.

VII. The maximum amount of furlough on private affairs to be taken at any one time carrying pay and retention of appointment, will be two years.

VIII. A period of at least three years' service after return from last furlough must be completed before furlough can again be taken, unless obtained under medical certificate (see Rules XIII. and XIV.)

IX. An Offic r will be eligible for two years' furlough on the completion of eight years' service in India, for a third year after six years' service from the date of his return to duty, and for a fourth and fifth year after similar intervals of six years. The grant of furlough to an Officer eligible for it, will be subject only to the conditions specified in Rule VI. The fact of having taken furlough on medical certificate will not affect the grant of these furloughs, except as to the condition laid down in Rules VIII., XIV., and XVI.

X. An Officer eligible for furlough need not take the whole amount to which his service entitles him, but may apply for any portion th reof as an instalment ; and in that case the balance will remain at his credit in any future computation of the amount of furlough to which he may be entitled.

* NOTE.—The Section referred to is quoted below :—

Section 70.—" And be it further enacted, that no person who shall have held any Civil or Military Station whatever " in *India*, in the service of the said United Company, being under the rank or degree of a Member of Council or " Commander-in-Chief of the Forces, and who, having departed from *India* by leave of the Governor General in Coun- " cil or Governor in Council, shall not return to *India* within the space of five years next after such departure, shall be " entitled to any rank or restoration of office, or be capable of again serving in *India*, either in the *European* or " Native Corps of Troops or in the Civil Line of the Company's Service, unless in the case of any Civil Servant of the " Company, it shall be proved to the satisfaction of the Court of Directors, that such absence was occasioned by " sickness or infirmity, or unless such person be permitted to return with his rank to *India* by a vote or resolution " passed by way of ballot, by three parts in four of the Proprietors assembled in General Court, specially convened " for that purpose whereof eight days' previous notice of the time and purpose of such Meeting shall be given in " *The London Gazette*, or unless in the case of any Military Officer, it shall be proved to the satisfaction of the said " Court of Directors, and the Board of Commissioners for the Affairs of *India*, that such absence was occasioned by " sickness or infirmity, or some inevitable accident."

ILLUSTRATIONS.

(1).—An Officer who has served nine years in India is entitled to two years' furlough. He takes only one year, and after his return remains in India for five years. He is then eligible for two years' furlough as follows :—

Total Service in India	...	...	...	14 years.
Furlough due on that service	...	...	...	3 ,,
Furlough already taken	...	...	...	1 ,,
Balance for which he is eligible	...	...	...	2 ,,

(2).—An Officer who has served 20 years in India without taking furlough is entitled to four years' furlough. He can only take, however, two years at one time carrying pay, the balance remaining at his credit in any future computation of furlough to which he may be entitled. He can take that balance after completing three years' service from the date of his return from the first instalment.

XI. Turlough on urgent private affairs for six months without pay, to be extended to a year, if necessary, may be granted, as heretofore, when the Officer is not eligible for ordinary furlough. The said period may form part of the periods of eight and six years referred to in Rule IX.

XII. There will be no restriction as to the places to which an Officer may resort during furlough.

XIII. An Officer not entitled to furlough, whose health may necessitate his taking it may, under the usual medical certificate, obtain such amount as may be duly certified to be necessary for the restoration of his health. Such furlough will not be granted for a longer period than two years in the first instance, but it may be extended up to three years on pay, and for such further periods without pay, up to a total of five years, on the production of the prescribed medical certificate.

XIV. An Officer entitled to furlough, whose health may necessitate his absence from India, will be compelled to take leave as furlough under Rule IX. Any extension of this furlough, beyond the period to which he may be entitled under Rule IX., will be regarded, in all respects, as furlough on medical certificate. Such extension will not be allowed to take effect, until the Officer shall have exhausted the entire amount of his available furlough on private affairs.

XV. Absence on medical certificate for a longer period than three years at one time, or departure on such furlough within three years of the date of return from a previous furlough of not less than one year, will involve forfeiture of appointment.

XVI. The aggregate amount of furlough with pay and retention of appointment whether on private affairs or on medical certificate, that may be granted to an Officer during his service, will be limited to eight years.

XVII. If taken in India, furlough will be reckoned from the date of the absentee quitting his station, to the date of his return thereto ; if taken out of India, from the date of the sailing of the vessel in which he may have embarked from any port in India, to the date of his disembarkation at any such port.

XVIII. Preparatory leave to embark for Europe or elsewhere on furlough, will be granted for any period not ordinarily exceeding 30 days ; but the Officer may embark from any Indian port he may select. Leave to the same limit, to enable him to rejoin on his return from furlough, will be granted from the date of his disembarkation at any Indian port.

XIX. Furlough allowances shall be payable monthly if payment is taken in India, and quarterly if payment is taken in England.

XX. Advances of furlough pay will continue to be made in India to those Officers who desire it, for three months from date of embarkation. Payments in continuation will be made in England on the expiration of six months from that date.

XXI. The last Pay Certificate issued to each Officer who may be granted furlough, whether on private affairs, or on medical certificate, will specify the rate of the pay and staff salary of his last substantive appointment, and the rate to which he will be entitled in Europe in virtue of Rule V.

XXII. An Officer acting in India for an absentee will be restricted for the entire period of such acting to the half staff salary of the appointment in which he may be acting, in addition to the full pay of his rank, and the half staff salary of his own appointment, if he possess one. Should, however, the aggregate amount of the two half staff salaries be less than Rs. 100, the acting officer will be allowed to draw the full staff salary up to that limit.

Years.		Years.
2	in	20
3	in	25
4	in	30

XXIII. The privilege heretofore granted to Military Officers, of counting the proportion of leave noted in the margin as service for pension, is retained. The periods of service qualifying for pension remain unaltered.

ILLUSTRATION OF THE MODE OF COMPUTING SERVICE FOR PENSION IN ANY CASE.

				Years.
Total Service from date of arrival in India, say			...	30
Leave—	Years.	Months.		
In Europe, say	6	7		
In India	3	5		
	—	—	=	10
Of which he can reckon	...	...		4
Remaining to be deducted	...	...		6
Service counting for Pension	...	...	...	24

XXIV. In computing the furlough on private affairs to which an Officer who has already enjoyed some portion of such furlough will be entitled under these rules, it will be necessary to deduct the total amount of the furlough on private affairs of which he may have availed himself during his service, from the total periods to which, under Rule IX., he can lay claim. The balance will represent the leave to which he will be entitled on the expiration of not less than three years from his last return to duty.

ILLUSTRATION.

(1).—An Officer who had obtained, under the existing rules, two years' furlough after ten years' service, returns to India on the date on which this order is promulgated. He accepts its conditions, and serves four years longer in India. On the expiration of that term he can take one year's furlough, thus—

Total Service in India ..	..	...	14 years.
Leave to which that Service entitles him.		...	3 ,,
Already enjoyed.	...	...	2 ,,
Balance. ...	...	...	1 ,,

(2).—An Officer of two years' service has proceeded on sick certificate to England for 20 months, extended afterwards to two years. He returns, serves six years in India, takes two years' furlough, and returns to India about the time of the promulgation of these rules, which he accepts. He must serve six years before he can take an additional year's furlough, thus—

Total Service up to return from furlough.		...	12 years.
Total Service in India.	...	...	8 ,,
Furlough enjoyed on that Service...		...	2 ,,
Further period of service to entitle him to one year's furlough.	...	...	6 ,,

CHAPTER II.

General Leave on Private Affairs and Sick Certificate in India.

XXV. An Officer will be eligible, as at present, to take leave on private affairs in India, for any period not exceeding six months, at the discretion of His Excellency the Commander-in-Chief, or of the Government under which he may be serving. During the entire period of his absence on this account, the Officer will be entitled, as at present, to his full pay, and a moiety of his staff salary.

XXVI. Leave on sick certificate for a period not exceeding one year, capable of extension, under renewed medical certificate, to a limit of two years, may, as at present, be granted to any Officer who, in the opinion of a Medical Board, may require it. During this leave the absentee will draw a moiety of his staff salary in addition to the pay of his rank.

XXVII. Short leave not exceeding three months on private affairs or sick certificate, may also be taken to sea, on the above condition, but absence from India for any longer period will be treated as furlough.

CHAPTER III.

Privilege Leave.

XXVIII. Privilege leave may be granted, as at present, for sixty days in each year, to all Officers in Military employ, without deduction from the salaries and emoluments drawn by them. General leave, in extension of privilege leave, can only be granted on the ground of sickness, or some other serious emergency which could not have been foreseen when the Officer proceeded on privilege leave. Privilege leave may, however, be converted into general leave with the sanction of the Commander-in-Chief or the Government.

XXIX. Privilege leave to Officers in Civil employ will be granted in accordance with Civil Rules.

XXX. In the case of the stations noted in the margin privilege leave may, as at present, be granted for ninety days to Officers of local Corps, or of Corps which are usually employed in one or other of the districts named.

Assam.	Bunnoo.	
Shillong.	Dera Ismael Khan.	
Erinpoora.	Dera Ghazee Khan.	
Deolee.	Rajanpore.	
Khairwara.	Jacobabad.	
Khotra.		

XXXI. An Officer is at liberty to proceed wherever he may desire on privilege leave eastward of the Cape of Good Hope or Egypt, provided he can ensure his return before the expiration of his leave.

XXXII. Privilege leave cannot be taken in continuation of furlough, nor can furlough, be obtained in continuation of privilege leave. If furlough be obtained by an Officer while absent on privilege leave, the privilege leave will be converted into general leave, the Officer for that period sacrificing a moiety of his staff salary.

Subsidiary Rule.

XXXIII. Officers of the Indian Military and Medical Services will be required generally to notify their intention to accept these rules, or to adhere to those now existing, on the first occasion of their taking furlough after the publication of this Order. Officers who may determine to abide by existing rules, will be allowed to proceed on furlough on the conditions laid down in Rules VII., VIII., and XV. to the extent to which they may be entitled under the Furlough Regulations of 1854, and on the rates of pay contemplated in those regulations, but retaining their appointments. The principle laid down in Rule XIV. must, however, be applied in those cases.

Proceedings of the Committee appointed by the Government of India to consider the existing Leave Rules as they apply to all branches of the Government Service, and to propose such alterations as might seem just and proper.

Extract from the above, relating to the revised Military Furlough Rules.

Para. 36. At the third, fourth, and fifth Meetings held by the Committee on the 7th, 10th, and 13th December, the question of the revised Military Furlough Rules was fully discussed. A copy of those which were adopted is appended.

37. With respect to the retention of appointment by Military Officers during furlough, the Committee are of opinion that, without such provision, the grant of furlough would be, as at present, practically inoperative. The reasons which have determined the recommendation of such retention in the Civil Service apply with far greater force to the Officers of the Army. Under the existing rules, devised for a different system, an Officer holding a good appointment is virtually debarred from taking furlough on private affairs; he can only do so by forfeiting his appointment and forfeiting at the same time all reasonable prospects of obtaining, on his return, another at all equal to it in point of emolument. Restricted, too, for the entire period of his absence, to English pay, it is impossible for him, unless he possess considerable means of his own, to pay the expense of his passage to and fro, and maintain himself in Europe in the position of a gentleman. The existing Furlough Rules are therefore virtually prohibitory.

That this is the case, is proved by the fact stated by Lieutenant-Colonel Johnson in his letter to Mr. Lushington, that of the entire number of Officers absent from India, only ten have resigned their appointments to take furlough.

38. The Returns attached to Mr. Lushington's Note show, with not less clearness, in a different form the prohibitory results of this law. They prove beyond a doubt that Officers have, as a rule, shrunk from taking furlough, whilst they have partaken largely of the advantages offered by the rules regulating leave on medical certificate. They show that out of a total number of 696* Officers of the Staff Corps and General List, who have left India on leave of absence, 83 per cent. are absent on medical certificate, and only 16 per cent. on private affairs. There could scarcely be a clearer proof that the interests of Government do not benefit by the restriction to English pay of Officers proceeding to Europe. Officers must visit Europe; and, as under existing rules, they are unable to proceed thither on furlough, they use, as largely as they can, the greater advantages open to them by the rules regulating absence on medical certificate. There can be scarcely a doubt that in many cases Officers too conscientious to ask for a medical certificate, have preferred, to their own great detriment, to remain at their posts. Others, again, having no compunctions on this score, have laid themselves out to obtain medical certificate. The existing rule, therefore, has had a harsh and demoralizing effect. Its tendency has been to bear hardly on the best men in the service, and to favor the worst. Thus, not only the Government, but the Service generally, suffer. Furlough has been next to impossible, and some of the best Officers of the Army have been thereby condemned to a deprivation of that salutary influence which is best imparted by periodical visits to Europe, and which, in the case of a professional man, may be regarded as indispensable.

* Officers beyond India on Medical Certificate... 583
Officers beyond India on Private Affairs... 113
Total... 695

39. Such a state of things has long been felt to be unsatisfactory. The remedy for it, however, is fortunately easy; and this remedy, the Committee believe, may primarily be found in the alteration of the rule which deprives Officers proceeding to Europe of their appointments.

40. Such a boon, however, unaccompanied by any provision for the proper maintenance of an Officer, often an Officer and his family, whilst on furlough, would, in the opinion of the Committee, be altogether delusive. Considering the high prices ruling in Europe, and especially

in England, with reference not only to accommodation and travelling, but to the necessary articles of food, &c., it is sufficient only to point to the rates* now allowed to Officers proceeding on furlough to show their inadequacy for the purpose. It must not, moreover, be forgotten, that the necessary expenses of living in India, especially at and near the Presidency towns, where a large number of Officers holding the better staff appointments have to reside, render it impossible for the married Officer, even in the course of several years, to lay by, as he formerly could, a sum sufficient to enable him to defray the necessary expenses of a furlough. It seems to the Committee to be beside the question to assert that the rates now allowed are identical with those drawn by Officers of the British Army who visit Europe from India. As a rule, Officers of the Indian Army have no means of their own; they make service in India the profession of a lifetime; they look forward to a career extending generally over 30 years; for two-thirds of their service they are rarely able to save money; they cannot, therefore, go home, with the prospect of drawing only the English pay of their rank. But with an Officer of the British Army it is different He often possesses some means of his own; he comes out but for ten years at most; if he dislikes the country, he is generally able to exchange into a regiment in another quarter of the globe; he can obtain leave to England whenever the Military authorities see fit to grant it; it is open to him often likewise to be allowed to do duty with the depôt of his Regiment in England, where he obtains advantages equivalent to a large increase of pay. The reasons which require that sufficient provision be made for the maintenance of an Indian Officer on furlough in England do not, therefore, apply to him. Should he fall sick, his passage is paid under the new Passage Warrant. He is, in fact, on a footing entirely different. The argument, therefore, based on the assumption that the Officer of the British Army draws only British pay in England, is incorrect in point of fact, and certainly does not appear to the Committee to constitute a valid argument for restricting the Officer of the Indian Army to that amount. It has already been shown that such a restriction now acts as a bar, almost prohibitive, to his taking furlough.

* Rates of Furlough Pay now prevailing—

	£	s.	d.	
Lieutenant...	118	14	1½	per annum.
Captain...	191	15	1½	,,
Major...	292	4	0	,,
Lieutenant-Colonel...	365	5	0	,,
Colonel...	456	5	0	,,

41. The necessity, then, of the retention by an Officer of his appointment, and of providing for his maintenance whilst on furlough, being, in the opinion of the Committee, clearly proved, it remains to consider in what manner the former privilege should be restricted within reasonable limits, and to what extent provision should be made for the latter. The Committee have attempted a solution of these questions in the 1st Chapter of the Revised Military Furlough Rules.

42. In the first place, to prevent an excessive absence of Officers on furlough—which, however, the Committee are far from anticipating, as the inability to reckon more than a limited period as service for pension has acted, and must ever act, as a great check on unnecessary absence—it is proposed to fix an absolute limit to the total leave of absence from India granted to each Officer (Rule XVI). This limit, after mature consideration, the Committee have fixed at eight years. They do not anticipate that the full period will be taken by Officers, unless under most exceptional circumstances, and in rare instances of ill-health; but, considering that an Officer must anticipate the passing of from 30 to 40 years in India, they think it fair to provide for the cases of some who, towards the end of their career, may be forced by sickness to seek a change of climate; of others, likewise, who have lost their health, in consequence, in a great degree, of service in unhealthy localities. They consider the limit adopted the more reasonable. Inasmuch as, under existing rules, the power of an Officer to proceed to Europe, retaining his staff appointment, is checked only by the necessity of obtaining a medical certificate after every three years' service. Still further to restrict the abuse of the privilege above referred to, the Committee have framed a Rule (Rule XIV.), by which an Officer, when entitled to his furlough on private rffairs, will be compelled to take it, instead of furlough on medical certificate, even though his health may necessitate his leaving India. The effect of this rule will be practically to limit the absence of Officers on medical certificate to those whose health forces them to leave the country, whilst, combined with the limitation of eight years, it will restrict the advantages which a sickly Officer now enjoys over his more robust comrade.

43. In contrasting these rules with those recommended for the Civil Service, the Committee would remark that, whilst it has been their endeavour to assimilate as much as possible the conditions regulating the Leave Rules of the two Services, there have been points of difference connected with the nature and requirements of both, which it has been absolutely necessary to recognize to a greater or a less degree. There are thus some points in which the Civil Service Rules are more favorable than the Military, others in which the Military are more advantageous than the Civil. The members of the Civil Service, for instance, have been allowed two years' absence after eight years' residence, and an additional year after intervals of four years' residence, while in the case of the Military, the first period corresponds, but the intervals are extended to six years. On the other hand, a Civil Servant is restricted to six years' leave of absence in his entire service, whilst eight years are proposed as the limit for a Military Officer. The leave of absence on medical certificate of a Military Officer does not restrict his power of applying for furlough after having served certain specified periods; whilst in the case of the Civilian, such leave is regarded as furlough in anticipation. Again, the Civilian is allowed pay and retention of appointment for three years, whilst the absence of the Military Officer is, except on medical certificate, limited to two years. These differences meet the differing circumstances and requirements of the respective Services. On the one hand, it may be affirmed that the different intervals of six and four years are natural, because Officers in the Army come out to India at a much younger age than Civil Servants, and their service extends over a longer period; on the other, that the continuation to Military Officers of the immemorial privilege of regarding absence on sick certificate as in no way infringing on their rights to furlough, is desirable, not less on account of the nature of their profession than of the climatic changes to which they are exposed. The requisitions of discipline, again, are such as to discourage a longer absence, on private affairs, than two years at one period; whilst no such restriction is required for the Civilian.

44. On the question of the limitation of the total leave of absence out of India of an Officer, the Committee desire to remark that restriction of any sort with respect to leave on medical certificate has hitherto been unknown in the Indian Army. Officers holding staff appointments are, under the Rules of 1854, allowed leave on medical certificate, with retention of appointment,—the sole proviso being that, to retain the appointment, an interval of three years must elapse between each leave of absence. It is a strong argument in favor of the relaxations proposed by the Committee in the furlough on private affairs, that whilst the existing rules for Leave to Europe on medical certificate allow of an Officer proceeding to Europe so frequently, retaining his appointment, and drawing liberal allowances, the percentage of absentees is yet moderate. The Committee, nevertheless, are of opinion that it is desirable, when placing on the same footing as regards allowances two kinds of leave hitherto so distinct, to fix a *maximum* of leave, carrying pay. The proposed term of eight years includes five years on private affairs, thus leaving a margin for three years on medical certificate. It will be for the Government to deal specially with cases in which an Officer, who, having exhausted this entire term, should still require leave of absence.

45. Having thus guarded the interests of Government, the Committee feel no hesitation in proposing that the period of absence on furlough be extended from four years to five. Under existing rules, Officers are allowed four years in twenty-four, and this limit is retained in the proposed rules.

The main difference between the existing conditions and those proposed is this:—that, under the latter, the first leave of two years may be taken after eight years' service instead of after ten, and that the second period of two years may be divided by an Officer into two parts, for one of which he may be eligible six years after his return from his first furlough. A fifth year has been added, partly to enable an Officer who may have forestalled all his furlough during the first twenty-four years of his service, to visit Europe afterwards, partly to compensate him for the restrictions now proposed on his total absence from India. With a view to enable an Officer to proceed to Europe when necessary for a short period, or to return suddenly to India,

should he feel so inclined, without prejudice to his furlough, the Committee have carried this principle further, by permitting (Rule X.) an Officer to take his furlough by instalments.

46. The Committee have restricted the period for which an Officer can draw pay, and retain his appointment during absence in England, to two years on private affairs, and three years on medical certificate (Rules VII. and XIII.) Under the Rules of 1854, an Officer on furlough, whether on private affairs or medical certificate, can draw pay for a total period of three years: and during furlough on medical certificate, he can retain his appointment for twenty months. The alteration suggested by the Committee is but a necessary consequence of the adaptation of the rules to the present conditions of Indian Military Service.

47. The Committee have fixed the minimum period of residence between two furloughs, with retention of appointment, at three years. (Rules VIII. and XV). This is the period required, under existing rules, to elapse between return from leave to Europe, and the proceeding to Europe on leave of absence on medical certificate, with retention of appointment. The rule requiring a period of six years to elapse between return from leave to Europe and departure for Europe, on furlough on private affairs, has been so far modified, that the Officer, who may have delayed taking his first or other furlough for some years after he had become entitled thereto, is allowed the full benefit of his service in India, restricted only by the necessity of serving at least three years in India, between his return from his last furlough and the taking of another. This modification the Committee regard as absolutely essential, inasmuch as the existing rule has pressed most hardly upon Officers who, from poverty or other causes, have delayed taking their furlough for many years, and who, suddenly ordered to Europe on sick certificate, have, on their return from leave, passed, not in enjoyment or recreation, but in endeavouring to recover their health, been necessitated to spend six more years in addition, perhaps, to the twenty or thirty previously passed in India, before they can obtain the boon, which in the Furlough Rules of 1854, is ostensibly offered to each Officer after a service of ten years. Even under the improved rule now submitted, the Committee believe that many Officers will still be obliged to refrain from taking furlough, till long after they have become entitled to it.

48. With the existing rule, which permits an Officer to proceed to Europe on urgent private affairs for six months, capable of being increased to twelve, without pay, when he is not eligible for ordinary furlough, or with the conditions attaching thereto, the Committee have not interfered, (Rule XI.) The rule has worked well, and has not been abused.

49. Similarly, the existing rules regarding the date of reckoning furlough (Rule XVII.) and leave preparatory to furlough (Rule XVIII.), have not been interfered with, except so far, in the latter instance, as to lay down a fixed period, not ordinarily to exceed 30 days,* as the limit of the preparatory leave. In the present day when so many facilities exist to enable Officers to proceed to Europe *viâ* Bombay, even when they may be stationed near Calcutta, this limit will not be deemed excessive. It is certainly far more simple than a sliding scale. The rule, in the Military Department, which subjects all Officers proceeding on general leave to the loss of a moiety of their staff salary, will preserve it from being abused.

50. This would appear the proper place, regard being had only to the order preserved in the rules, for considering the financial effect of the proposed changes. As this, however, is a question which, the Committee think, would be more advantageously considered separately, they proceed, in the first place, to allude very briefly to the rules proposed in the second and third Chapters.

51. In the existing regulations regarding six months' leave on private affairs in India, (Rule XXV.) leave for one year, capable of being extended to two years, on medical certificate in India, (Rule XXVI.) and short leave for three months to sea, on private affairs or sick certificate (Rule XXVII.) no change has been proposed. These rules have worked satisfactorily. They tend greatly, it may be observed, to the health and efficiency of the Officers of the Army, and to the popularity of the Indian Service, whilst the authorities can at any time restrict their application as they may deem necessary.

* *Note.*—To Officers located at stations so distant as Peshawur, Kohat, Bunnoo, &c., this period may be extended at the discretion of the Government or the Commander-in-Chief.

52. Nor, for a similar reason, has any alteration been suggested in the existing rules regarding privilege leave (Rules XXVIII., XXIX., XXX., XXXI., and XXXII.)

53. These rules have been framed by the Committee with special reference to the Officers of the purely Indian Army, including the Royal (late Indian) Engineers, but they strongly recommend to the consideration of Government the circumstances of Officers of the Royal (late Indian) Artillery who have been seconded, as well as of those whose Brigades may be serving in India.

54. The subsidiary rule (Rule XXXIII.) by which Officers of the Indian Military and Medical Services are required to notify their intention to accept these rules, or to adhere to those now existing, on the first occasion of their taking furlough, after the publication of the Order containing the Revised Rules, is identical in spirit with the regulation on that head contained in the new Furlough Rules of 1854. The Committee observe that Lieutenant-Colonel Johnson proposes that all Officers should be called upon to make their decision within a given period. There may be conveniences in such a course, but they can be but small ; and as the interests of Officers would benefit by being allowed to postpone a final decision till such decision may be imperative, the Committee have adhered to the precedent of 1854.

As, moreover, there may be some few Officers to whom, from their having already enjoyed much leave or from other causes, it would not be advantageous to take the revised rules, and whose position, nevertheless, will be injuriously affected by the system, now proposed to be greatly extended, of acting appointments the Committee propose that all Officers who may still adhere to the Rules of 1854 shall be allowed, likewise, the privilege of retention of appointment on furlough, subject, however, to all the restrictions contained in these revised rules. It is believed that the number of such Officers will be very small.

55. The Committee now proceed to remark upon the financial aspect of the new scheme. And here it may be premised, that inasmuch as, under existing rules, eighty-three per cent. of Officers who visit Europe proceed thither on medical certificate, any comparison that may be made between the existing rates and those herein proposed ought, to be practical, to be based on the assumption that leave to Europe on medical certificate is the only leave to Europe of which Officers, as a rule, can now avail themselves, furlough on private affairs constituting an exceptional opening, to be rarely taken advantage of, and then only by those to whom exceptional circumstances have made it possible.

56. The Committee have already observed (paragraph 41) that they had, in Chapter I. of the Rules, laid down the principles on which furlough allowances should be granted to Military Officers, but that they reserved their remarks on the particular rule (Rule V.) until they should proceed to point out the financial bearing of their scheme. The rates of pay they now recommend, —although at first sight, and if compared with the utterly inadequate, indeed practically prohibitory, existing rates, they may appear high,—will not, they believe, be deemed excessive if due weight be given to the considerations urged in paragraph 40. The Committee have carefully considered and fully discussed this question, and they are strongly of opinion that the proposed rates should be given, even if the whole expense of the measure were to fall upon the State. This, however, will never be the case ; for they have proposed a scheme (Rule XXII.) whereby, even in the case of Staff Officers, all extra expense will be avoided ; whilst, with reference to unemployed Officers—at present a large body—the gain accruing to Government will equal one-half of their allowances. But they are still anxious it should be clearly understood that they deem their proposal in Rule V. necessary and just, quite irrespective of any plan for meeting the expense which that proposal may involve. Turning now to the rules referred to, it will be seen that Rule V. provides that an Officer shall receive 50 per cent. of the aggregate amount of his pay and staff salary, or of his consolidated pay, during furlough, subject to a maximum of £1200 a year, and a minimum of £250 ; and Rule XXII. that the Officer, acting in the appointment temporarily vacated by the absentee, shall be restricted for the entire period of such acting to the half staff salary of the acting appointment, *plus* the half staff salary of his own appointment, if he possess one, and the pay of his rank. In cases where the aggregate of two half staff salaries does not amount

to Rupees 100 per mensem, the Acting Officer will draw full salary up to that limit. The Committee propose to show, as briefly as may be, how this arrangement would work financially, illustrating their remarks by such examples as may tend to render them clear.

57. Under existing rules, an Officer, who may proceed to Europe on furlough, on medical certificate, costs the State his Indian pay for six months, *plus* his English pay for fourteen. That is to say, such pay represents the expense caused to the State by an Officer proceeding on furlough on medical certificate ; it shows, in fact, the cost which the State has declared its readiness to pay to enable its Officers to avail themselves of this necessary privilege. The Committee proposed to show, by an example, the amount of such cost. For the convenience of comparison with the Rules of 1854, the Committee suppose that the Officer's leave of twenty months is extended to two years.

Lieutenant-Colonel A. (Staff Corps), Commanding a Corps of Infantry, proceeds to Europe on medical certificate for twenty months, extended afterwards to two years.

		RS.	A.	P.
He draws for the first six months—				
Indian pay	827-14-0 × 6 =	4,967	4	0
Half Staff	$\frac{600}{2}$ × 6 =	1,800	0	0
English pay for the next 18 months at £1 per diem		5,475	0	0

Now the first and third of these items represent the cost paid by the State to enable a Lieutenant-Colonel to proceed to and live in England ; the second item does not fall as a charge on the State, because it is taken from the staff salary of the acting Officer.

It is thus clear that, under the Rules of 1854, the State is ready to contribute Rupees 10,442-4-0* to enable a Lieutenant-Colonel, whatever may be his appointment, or even if he have no appointment, to take furlough on medical certificate.

	RS.	A.	P.
* Indian Pay	4,967	4	0
English do.	5,475	0	0
Total	10,442	4	0

Under the rules now proposed, the Lieutenant-Colonel Commanding an Infantry Corps would draw—

$\frac{1,427\text{-}14\text{-}0}{2}$ = RS. 713 A. 15 P. 0 per mensem for two years, or an aggregate amount of Rupees 17,134-8-0.

But under Rule XXII. the Acting Officer would draw, for two years, only the half staff salary of the absentee's appointment. To show, therefore, the amount debitable to the State, it will be necessary to deduct from that aggregate sum the half staff salary thus saved. The account will then stand thus—

	RS.	A.	P.
Total amount drawn by the absentee Lieutenant-Colonel...	17,134	8	0
DEDUCT—Amount saved to the State by the half staff salary remaining undrawn... $\frac{600}{2}$ × 24 =	7,200	0	0
Balance, showing the expense borne by the State...	9,934	8	0

But under the existing rules, the State contributes Rupees 10,442-4-0. The proposed arrangement will, therefore, effect a saving of Rupees 507-12-0.

58. The instance cited by the Committee represents the case of an Officer drawing a staff salary rather above the mean, and offers, therefore, a comparison favorable to the State rather than to the Officer. For it is obvious that, whilst, under existing rules, the cost to the State is fixed and undeviating, depending solely on the rank of the absentee, it is affected, under the proposed rules, by the salary of the staff appointment of the absent Officer. It may indeed be safely stated that no loss will accrue to Government by this scheme, for, with the very high

salaries, the maximum laid down in Rule V. would always act as a preventive, whilst in the lower staff salaries there will almost invariably be a gain. If, in the case of some few salaries, the State were to be a loser, the loss would be more than covered by greater gain in the majority of furloughs that would be taken.

59. To illustrate their meaning more clearly the Committee proceed to bring under notice the cases of a Lieutenant-Colonel, Judge Advocate General, drawing a high consolidated salary; and of a Lieutenant, Adjutant of an Infantry Regiment, drawing pay in addition to a small staff salary; the leave of both being extended, for purposes of comparison, to two years.

The Judge Advocate General would cost the State, under the present rules, his Indian pay for six months, and his English pay for eighteen months, or a total of Rupees 10,442-4-0.

Under the revised rules he would draw the maximum salary allotted to any Officer £1200, of for two years, Rupees 24,000.

From this sum would have to be deducted the saving effected by Government in the salary or the acting Officer, or half the difference between Rupees 827-14-0, the pay of the Judge Advocate General, as Lieutenant-Colonel, and his consolidated salary of Rupees 2400. The calculation runs thus—

	RS.	A.	P.		RS.	A.	P.
2,400-0-0 — 827	14	0		= 1,572	2	0	
1,572-2-0 / 2 = 786	1	0	× 24 = 18,865	8	0		

the sum saved by the State in half staff salary.

Deduct from Rupees 24,000 this sum, and the balance, Rupees 5,134-8-0, shows a saving to the State, in comparison with the cost, under the Rules of 1854, of Rupees 5307-12-0.

The Committee now proceed to the second case, that of the Lieutenant, Adjutant of an Infantry Regiment. Under existing rules, that Officer would cost the State his Indian pay as Lieutenant for six months, or Rupees 1,354-8-0 *plus* his English pay in the same rank for eighteen months, or Rupees 1,780-8-0, a total of Rupees 3135.

Under the proposed rules he would draw—

	RS.	A.	P.
Rs. 425-12-0 / 2 × 24 =	5,109	0	0

From this sum would have to be deducted the saving accruing to Government from his half staff salary for two years, or Rupees 2,400.

The balance, Rupees 2709, shows a saving to the State, in comparison with the cost, under the Rules of 1854, of Rupees 426.

60. It is thus clear to the Committee that the alteration proposed by them would certainly not increase the present cost to the Government of furloughs. They now propose to consider how it would affect the Officers of the Army. And here they admit the possibility that the proposal to restrict acting Officers to half staff salaries for two years might not, at first sight, be favorably received. They are convinced, however, that the scheme has only to be carefully examined to be approved of by those who would come under its operation. The principle, in the first place, is not new. By it, general leave of absence in India is now regulated; it formed likewise the basis of the leave granted to Officers for two years to the Cape and Australia, and largely taken advantage of by them before the introduction of the Furlough Rules of 1854.

But the Committee believe that the fact of the principle being just and even in its operation, will specially commend it to the Officers of the Army. It is a leading feature of this principle that, to ensure a fair furlough to all Officers, the sacrifice of an inconsiderable portion of the acting allowances now enjoyed shall be required. The sacrifice does not affect substantive salaries; it touches only the extra allowances, which would not be available, but for the fact of furlough being really open: and as all Officers will have, in turn, the advantage of the higher furlough pay, the loss even of a portion of those extra allowances will, sooner or later, be made up. The sacrifice, then, does not appear to the Committee to be of itself of such a nature as to entail any

real hardship or grievance. The scheme contemplates, in effect, merely a redistribution of emoluments; it operates by spreading over a wider surface the sums which had been allotted to a few, and may thus be regarded, emphatically, as a measure for the benefit of the Officers as a body.

61. In another point of view it is not less to their interests. The term of duration of an acting appointment is increased from twenty months to two and three years. An Officer, then, actin; for another absent on furlough, will not receive, in the aggregate, very much less than he would draw, under the existing rules, for the twenty months, extended to two years, authorized by them. What, too, is of even more importance—the Military spirit of Officers will be stimulated by the greater number of commands and of other high appointments, available for a period embracing certainly two years, and capable, under certain circumstances, of being extended to three years.

62. To show exactly how Regimental Officers of the Army would be pecuniarily affected by the scheme, the Committee append a Table indicating the total amounts that would now be drawn by each Officer of an Infantry Regiment, the Commanding Officer of which should proceed to England on medical certificate for twenty months, and the total amounts that would accrue to each during two years. It is presumed that the Regiment is commanded by a Lieutenant-Colonel, who has as 2nd in Command a Major, with a Captain as Wing Officer, a Captain as Adjutant, and three Subalterns as Quarter Master and Wing Subalterns, respectively. The calculation runs thus:—

Under present arrangements, the Lieutenant-Colonel, Commandant, proceeding on furlough on medical certificate, would draw for the first six months his pay and half staff salary as Commandant; for the remaining fourteen months, English pay only. The others would draw—

	FOR FIRST SIX MONTHS.			FOR REMAINING FOURTEEN.			Grand Total.
	PER MENSEM.			PER MENSEM.			
	Pay.	Half Staff.	Total.	Pay.	Full Staff.	Total.	
	RS. A. P.	RS.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Major, 2nd in Command, Acting Commandant... ...	640 14 0	300+135=435	6,455 4 0	640 14 0	600 0 0	17,372 4 0	23,827 8 0
Captain, Wing Officer, Acting 2nd in Command... ...	374 1 6	115+135=250	3,744 9 0	374 1 6	270 0 0	9,017 5 0	12,761 14 0
Captain, Adjutant, Acting Wing Officer...	374 1 6	100+115=215	3,534 9 0	374 1 6	230 0 0	8,457 5 0	11,991 14 0
Lieutenant, Quarter Master, Acting Adjutant... ...	225 12 0	75+100=175	2,404 8 0	225 12 0	200 0 0	5,960 8 0	8,365 0 0
Lieutenant, 1st Wing Subaltern, acting as Quarter Master...	225 12 0	50+ 75=125	2,104 8 0	225 12 0	150 0 0	5,260 8 0	7,365 0 0
Lieutenant, 2nd Wing Subaltern, acting as 1st Wing Subaltern...	225 12 0	50+ 50=100	1,954 8 0	225 12 0	100 0 0	4,560 8 0	6,515 0 0

N. B.—No extra Officer is, as a rule, appointed to act for a 2nd Wing Subaltern, himself acting as 1st.

To make the comparison complete, there should be added to the total amount drawn by each Officer the pay and staff allowances of his own appointment for the four months, subsequent to the return of the absentee, thus bringing the total period up to two years:—

	Amount drawn in 20 months whilst acting.			Amount of pay and salary of substantive appointment for four months.			Total.			Average per mensem.		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Acting Commandant...	23,827	8	0 +	3,643	8	0 =	27,471	0	0	1,144	10	0
„ 2nd in Command.	12,761	14	0 +	2,416	6	0 =	15,178	4	0	632	6	10
„ Wing Officer.....	11,991	14	0 +	2,196	6	0 =	14,188	4	0	591	2	9
„ Adjutant... ...	8,365	0	0 +	1,503	0	0 =	9,868	0	0	411	2	10
„ Quarter Master.	7,365	0	0 +	1,303	0	0 =	8,668	0	0	361	2	8
„ 1st Wing Subaltern... ...	6,515	0	0 +	1,303	0	0 =	7,818	0	0	325	12	0

Under the proposed arrangements, on the other hand, the same Officers would draw for two years, as follows :—

	Per mensem.						For 2 years.			Average.		
	RS.	A.	P.		RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Major, 2nd in Command, Acting Commandant.	640	14	0	+ 435 =	1,075	14	0	25,821	0	0	1,075	14	0
Captain, Wing Officer, Acting 2nd in Command...	374	1	6	+ 250 =	624	1	6	14,978	4	0	624	1	6
Captain Adjutant, Acting Wing Officer.....	374	1	6	+ 215 =	589	1	6	14,042	4	0	589	1	6
Lieutenant, Quarter Master, Acting Adjutant...	225	12	0	+ 175 =	400	12	0	9,618	0	0	400	12	0
Lieutenant, 1st Wing Subaltern, Acting Quarter Master... ...	225	12	0	+ 125 =	350	12	0	8,418	0	0	350	12	0
Lieutenant, 2nd Wing Subaltern, acting as 1st Wing Subaltern..	225	12	0	+ 100 =	325	12	0	7,818	0	0	325	12	0

The above statement clearly shows that the Officers will not appreciably suffer, even in a pecuniary point of view, from the operation of the new scheme ; whilst, on the other hand, its benefits, far more widely spread, will be enjoyed by a greater number of Officers than was possible under the existing rules. Indeed, compared with the advantages it offers, the insignificant curtailment of allowances shown in the foregoing table does not deserve serious consideration.

63. To illustrate still more clearly the truth of this argument, the Committee adduce the case of one of the higher Officers of the Staff, a Judge Advocate General, who is a Lieutenant-Colonel, and for whom the Deputy Judge Advocate General, also a Lieutenant-Colonel, is appointed to act.

Under the Rules of 1854, the Acting Officer would draw for the first six months his pay Rupees 827-14-0, his half staff as Deputy, Rupees 400, and the half staff of the acting appointment, Rupees 786-1-0 per mensem, or a total of Rupees 12,083-10-0 forthe six months. For the next fourteen months he would receive the full salary of the appointment, Rupees 2400 per mensem, or Rupees 33,600. For the remaining four months, reverting to his position of Deputy, he would draw Rupees 1627-14-0 per mensem, or a total of Rupees 6 511-8-0. For the entire two years he would thus receive 12,083-10-0 + 33,600 + 6511-8-0 = 52,195-2-0, or an average of Rupees 2174-13-1 per mensem.

Under the proposed rules, he would draw per mensem for two years thus : 827-14-0 + 786-1-0 + 400 = Rupees 2013-13-0, again an inappreciable difference, especially when contrasted with the countervailing advantages offered.

64. The Committee have already stated that the new scheme will not, in their opinion, entail any direct loss on the Government. They believe, on the other hand, that, for some years to come, at all events, it will prove directly advantageous in a financial point of view. For whilst Rule VI. will enable the Government to check hereafter, if necessary, the number of absentees on furlough, the more liberal rates of furlough pay now proposed will afford the means and opportunity to many unemployed Officers of proceeding to Europe on terms financially advantageous to the State.

The State gains financially by every unemployed Officer who may be absent on furlough ; and at present India is overwhelmed with unemployed Officers.

65. The Committee have now, to the best of their ability, explained and elucidated the rules to which these remarks are appended. They would wish, however, before concluding that portion of their labors connected with the revised Military Rules, to meet by anticipation a remark which may be made as to the policy of encouraging Officers in any considerable numbers

to proceed so far from the country with which they are connected by ties of duty. In replying to this, they would point out that, by Rule VI., it is left in the hands of the Government to restrict or forbid furlough to Officers in any way, or on any grounds that it may deem sufficient. Further, that, having regard to the now almost instantaneous communication by telegraph with Europe, and the weekly steam communication to be inaugurated early in the ensuing year, the services of an Officer absent in Europe can, in case of an emergency, be made available in India at least as quickly as could the services of an Officer on leave in the interior of the Himalayas.

They further beg to record their unanimous opinion that this scheme will, if adopted, prove —to borrow the expression used by Lieutenant-Colonel Johnson, in his letter now before them— "the greatest boon that has ever been conferred on the Indian Military Service, and will do more to attract the best men into it than doubled salaries, coupled with expatriation would do.

APPENDICES.

No. 10.

Note by Colonel H. W. Norman, C. B., and A. D. C. to the Queen, on a revision of the New Furlough Regulations.

There is a strong opinion in the Army of India that the new Furlough Regulations are unsuited to the altered circumstances of the times, and to the present organization of the Army.

This feeling finds a vent in the public Press ; and it seems most desirable that if, after deliberate consideration, alteration is requisite, it should be granted freely, instead of being, perhaps, given after years of agitation in the Press and in Parliament, and after much discontent, all of which are so injurious to discipline.

At the same time anything really unreasonable, or that may be detrimental to the public interests, should be steadily resisted.

Taking this view, a memorandum is submitted to show what may reasonably and properly be looked for, and it is hoped that those who deal with this subject will endeavour to consider men's feelings and the general state of affairs as they now exist, and not deem that what was the practice a quarter of a century ago is any guide whatever for the India of the present day.

With respect to furlough on sick certificate, the present rules seem sufficiently liberal. They admit of any Officer obtaining sick leave for a period not exceeding twenty months, after the shortest period of service. While on such leave, he receives for the first six months the Indian pay and allowances of his rank, and also, if he holds a staff appointment, the half staff salary of that appointment. After six months he only receives English pay of his rank ; and after twenty months he forfeits his staff appointment if he has one.

He can obtain this leave whenever passed for it by the Medical Board ; but if he has not been back in India for three years at least, he forfeits his appointment on again proceeding to England, and only draws English pay throughout his leave.

On the whole, there is little to complain of in these regulations. If any thing, as compared to the rules regarding furlough on private affairs, they rather encourage the sickly man and the one who easily gives in to the prejudice of the hardy, steady working Officer, but no material alteration seems requisite ; although, I think, it would be an improvement if a uniform income was given throughout the whole period of sick leave up to twenty months, based on a per-centage of the whole salary drawn by the Officer in India, instead of giving him, for the first six months perhaps, a large income, amounting sometimes to a thousand pounds for the half-year, and during the subsequent period of his leave allowing him only at the rate of £191, or £292 per annum. A better adjustment might, I think, be conveniently made without the slightest increase of expenditure ; but this is not a matter of much moment, though deserving, I think, of consideration.

It is with the rules under which Officers obtain furlough on private affairs that there is so much dissatisfaction.

By the Furlough Regulations established in 1854, an Officer can obtain two years' furlough on private affairs after ten years' actual service in India, and he can obtain a second furlough for two years after a second service of ten years. This is subject to the restriction that no furlough can be taken on private affairs, whatever may be the length of service, unless an Officer

has served six years in India subsequent to any sick leave to Europe. On the other hand, he can obtain a second furlough within five years of his first furlough, if he had served twenty years in India prior to enjoying the latter.

If in staff employ, the Officer has to serve exactly the same period prior to his first furlough, and between the first and second; but if he is away from India *more than six months*, he forfeits his staff appointment.

During all such furloughs on private affairs, the Officer receives the bare English pay of his rank, and that only, whether he holds, or does not hold, a staff appointment.

The only way in which an Officer can visit England, if not entitled to furlough under the foregoing rule, is by satis fying Government that he has urgent private affairs, when he may be allowed to visit Europe for six months; and this leave may be extended on good grounds being shown to the Secretary of State; but during the whole of such leave no pay of any description is given; and if the Officer's absence exceeds a period of six months, he forfeits any staff appointment he may hold.

It is to be observed that all leave, sick or otherwise, whether in or out of India, is added up; and, all in excess of two years out of 20, three out of 25, and four out of 30, is not counted in calculating the period of service entitling to pension on retirement.

The only descriptions of leave excluded from this rule are—

1*st.*—The ordinary annual privilege leave in India.

2*nd.*—The short leave given to proceed to the port of embarkation preparatory to leave to Europe.

3*rd.*—Leave given in consequence of wounds in action or sickness contracted on actual field service, but even this is subject to limitations laid down by the Secretary of State; and where an Officer, owing to the great severity of his wounds, has required a very prolonged leave, only a portion of it has been allowed to count as service.

I will now revert to what is deemed the great grievance of the existing regulations.

In 1854 staff employ was the exception; and a rule which now and then forced Officers back to their Regiments, and gave others a turn of staff employment, was wholesome and desirable. Officers returned to their Corps, not only if they exceeded an absence of six months on private furlough, but also for other reasons—sometimes on account of promotion to a higher Regimental grade, sometimes because they expected to obtain a Regimental command.

It was, in many cases, no great hardship to the individual to do so, at all events the Officer had his Regiment to go to, and some sort of employment; while, as respects the State, there was no inconvenience whatever.

And when the Officer became a Regimental Field Officer, his going home in no way debarred him, on his return after any lapse of time, from obtaining Regimental command, which, as a Lieutenant-Colonel, indeed he always obtained the instant he came back.

Now the constitution of the Army is entirely changed. Every situation in which an Officer serves is considered a staff situation, and a young Officer entering the Staff Corps enters on a staff career for life. The Officers with Regiments are all Staff Officers, and, if not actually holding a situation with a Regiment or in some Department, the Officer's career is, for the time, dead.

But the rule by which no Officer on leave on private affairs to Europe can retain his appointment for more than six months remains, so that the Indian Officer of the present day is practically barred from any leave to Europe, unless his health breaks down, save six months after ten years' service, and another six months after a second ten years' service. Moreover, if he has had the misfortune to go home on sick leave, he must wait, whatever his previous service may have been, for six years before he can obtain even this trivial boon of six months' furlough.

I say the Officer is barred from more than this, because, practically, no Officer—certainly no *good* Officer—likes to give up the position he has attained in a Regiment or Department; and few can afford to do so.

He *may* be restored to his position on return if it is vacant, or he may, on an opportunity occurring, obtain something equivalent to his former position; but he may *not* do so for a long

time, during which he is unemployed, or doing nominal duty on bare Staff Corps pay, which is considerably less than the old rate of full batta pay for Infantry.

For instance, an Officer of 26 years' service commands a Native Regiment. He may have raised it; at all events, he may have been in it for many years and take the greatest interest in it, and be a most efficient Commander of it. His family is growing up, his health is good, but it is most desirable he should go home to settle various matters. If he cannot do this and return within six months, though he may never have had a day's leave before, he loses his command and returns to India to do general duty, until the Commander-in-Chief of the day takes compassion on him and gives him another Regiment, for he can hardly hope his old Corps will fall vacant.

So a Departmental Officer, after years, during which he has worked his way up several of its grades, finds himself cast out of the Department; the Officer who has been in Civil employ finds himself doing general garrison duty; the Officer in a special scientific appointment the same; and all this because rules applicable in 1854 are retained in 1867.

It is not to be denied that the very valuable Officer will, perhaps, be sought for in his own line of employment on his return, but the opportunity of putting him back may be wanting, and Officers feel it hard to have to run such risks.

Few will deny that the present state of these rules is very hard on the individuals affected, and that they are hardest on those Officers who we ought to consider certainly in one respect the most valuable,—those who do not get sick or imagine themselves so.

And what does the State gain by an adherence to such rules? Nothing, that I can see, that is desirable. Officers are discontented because they cannot obtain leave on reasonable terms, and still more so if they take leave and forfeit their appointments. Government gains nothing pecuniarily by these rules; but, on the contrary, loses by every Officer it forces out of employ, for his promotion still goes on, and he has to be paid; while for every Officer out of employ, we may reckon that, as a rule, an extra Officer is needed for the Staff Corps.

It is to be hoped that such rules will speedily be abrogated; and, as a very moderate measure, I would suggest as follows:—

Let the Furlough Rules stand so far as to admit of only four years' furlough during the whole period of services, but let those four years be taken, with retention of appointment, under the following limitation, and subject—as has always been the case—to there being no public exigency which requires the presence of that Officer in India:—

After seven years' actual service in India, one year's furlough to be allowed, and the three remaining years after every five years of service: all sick leave to be deducted from the reckoning for service under this head. Thus supposing an Officer had no sick leave, and took his furloughs as they became due, he would be on leave from the end of his seventh to that of his eighth year, from the end of the thirteenth to the end of the fourteenth, from the end of the nineteenth to the end of the twentieth, and from the end of the twenty-fifth to the end of the twenty-sixth, passing about ten months at home each time. If he preferred to take two years after ten years' service, and a second two after twenty years, instead of taking his leave in smaller portions, I do not see why he should not be allowed to do so retaining his appointment, but, of course, limited to four years in the aggregate.

I propose a first furlough after seven, instead of after ten, years; for, I think ten years is a long time to wait for one year's leave; and it must be recollected that many Officers entering the Staff Corps will have served one, two, or three years perhaps in the Army before they come to India.

The rule by which an Officer must wait six years after sick leave to Europe, before he can take *any* private furlough, although entitled to it by length of Indian service, bears very hardly. Under the old rules, an Officer entitled to furlough could take it the day after he returned to India from sick leave. This, perhaps, cannot now be expected; but, I think, furlough might always be given, with retention of appointment, if the Officer had served the full period entitling him to it, provided he had returned from sick leave three years previously. The Officer who fell

sick a second time would then not have the very great advantage he now has over the Officer who only once requires sick leave, but wishes, subsequently, to run home for a year on private affairs.

How few could, or would, take anything like the full amount of furloughs, or take their furlough as they become due, those who know the Army can understand. Few could afford it; for I do not propose to give Officers on private furlough more than their English pay.

Some such modification of the rules would meet, I think, the discontent now gradually increasing, as the regulations are beginning more and more to work under the new system of the Army—a discontent which will certainly not be lessened by the recent Despatch prohibiting Officers on privilege leave from visiting Europe within that leave,—an indulgence recommended by the Government of India after full consideration, and which, though rarely availed of, owing to the great expenditure necessary to enable an Officer to pass a few days, or, in the most favorable cases, some five weeks in England, would occasionally be an inestimable boon to an Officer having to take home a sick wife or child, or having some very urgent business.

It would be well if it, what I have no doubt whatever will eventually be given, was conceded, in advance of agitation.

Nothing unreasonable is, I think, needed—simply a modification of rules which do not meet the present system of the Army in India, and a modification which, I venture to think, will be in no way detrimental to the public interests.

Memorandum by His Excellency the Governor General, dated the 7th October 1867.

Colonel Norman has prepared a Memorandum, in the Military Department, proposing important modifications in the present Furlough Rules under which Military Officers can visit England. I have requested him to have it printed, and to send copies, as soon as may be practicable, to the Financial and Home Departments.

I wish the Secretaries of those Departments to consider this Memorandum, with reference to its bearing on the cases of Military Officers in Political, Civil, and General employment, and also as regards the present system of furlough for Civilians, Clergymen, &c., so that these rules may be considered in all their bearings. It seems to me that, whenever it may be deemed politic to relax them in favor of one class, the indulgence must be extended to other classes also.

Minute by E. H. LUSHINGTON, Esq., *dated the* 19*th October* 1867.

Colonel Norman's proposition is to allow Military Officers in Staff and Civil employ to take furlough, retaining their appointments, but without any of the allowances of the appointments.

The object of the proposition being to facilitate furloughs to Europe, it is presumed that the number of such furloughs will increase, and any such increase must necessarily add to the expense of providing substitutes for the absentees, *i. e.*, a larger reserve of Officers must be entertained to take the place of absentees, unless the numbers of furloughs be limited. Accordingly, it might be stipulated that furloughs, with retention of appointment, will be allowed so long as the total number of absentees on furlough and on sick certificate does not exceed a certain per-centage on the total strength.

With this stipulation, Colonel Norman's proposition, in the abstract, cannot be objected to financially, but the Local Governments may demur on administrative grounds.

In the first place, if the conditions attaching to furlough on private affairs are to be relaxed, opportunity may fairly be taken to re-consider the rules for leave of absence on medical certificate. At present Military Officers can obtain sick leave on English pay *as often as* they may be passed for it by the Medical Board. Covenanted Civil Servants, on the other hand, can only take sick leave in two periods, aggregating three years, with allowances during the whole course of their service. Again, medical certificates are more easily obtainable in the Military Service than in the Civil. In the former case, the terms of the certificate are to the effect, that change to Europe is highly desirable; in the latter, "is essentially necessary." The effect of such of these differences between Military and Civil Regulations cannot be readily ascertained, but it will be seen from the accompanying Statement, showing the per-centage of the number of absentees on the total strength of the various branches of the Service, that though, as remarked by Colonel Norman, the proportion of Military Officers on furlough is less than the proportion of absentees on furlough, from the Covenanted Civil Service, the proportion of absentees on sick leave, and of the total number of absentees in the Military Department, is much greater.

A modification of the rules for leave on medical certificate seems necessary for other reasons also; for example, there can be no reason why a Military Officer who takes leave on sick certificate in India, where at best he can only patch up his broken health, should be allowed Indian pay

and allowances during his absence; while if he takes leave to Europe, where his health can be probably fully restored, he should be reduced after six months to bare English pay.

Again, it will be seen from the accompanying Synopsis of the principal features of the Military and Civil Rules, that there are many differences in these rules which may, with advantage, be done away with; for instance, a Military Officer gets four years' furlough, a Civil Servant only three. A Military Officer can get leave on private affairs every six years, a Civil Servant only once in the whole course of his service. A Military Officer cannot take leave on private affairs out of India, a Civil Servant can. A Military Officer can take privilege leave for two months in the year, a Civil Servant for only one; and lastly, what seems an obvious anomaly, a Military Officer can take leave on private affairs, in continuation of privilege leave,—but the Civil Rule on this point not being perfectly clear, a Covenanted Civil Servant is compelled to rejoin his appointment on the expiration of his privilege leave, though it be only for five minutes, before taking six months' leave on private affairs, though the conditions attaching to the two descriptions of leave are almost the same.

For these reasons, I think it will be advisable not to press for one alteration in the Military rules only, but to take the opportunity of urging a general revisal of all the rules which the altered circumstances of the present day have rendered inappropriate; and, in place of the submission of any piece-meal arrangements to the Secretary of State, I would suggest that the whole subject of leave to all the services in India should be considered and reported upon by a Committee, composed of representatives from all. On the receipt of report of such a Committee, the Government might take the whole subject into consideration and submit such proposals to the Secretary of State as would appear to be reasonable and economical.

Per-centage of Absentees on Total Strength.

	Total Strength.	Number of Absentees					Per-centage.		
		On Medical Certificate			On Private Affairs beyond India.	Grand Total.	Sick Absentee on Total Strength.	Of Absentees on Private Affairs on Total Strength.	Of Total Absentees on Total Strength.
		In India.	Beyond India.	Total.					
Staff Corps, General List of Cavalry and Infantry, and Officers under the new condition.	3,270	23	583	606	113	719	18	4	22
Royal Artillery... ...	480								
Less—									
On duty in England... ...	63								
	417	4	60	64	28	92	15	7	22
Royal Engineers... ...	307								
Less —									
On duty in England... ...	3								
	304	...	45	45	12	57	15	4	19
Civil Service	883	...	49	49	88	137	6	10	16
Medical Service	683	6	134	140	26	166	20	4	24

N. B.—This Statement was prepared last year from Army and Civil Service Lists corrected to 30th June 1866.
I do not think much can be deduced from this as it now stands. The strength of those only who are entitled to furlough should be given; the Royal Artillery are not under Indian Furlough Rules.

Striking differences between Military and Civil Rules.

Military.	Civil.
Furlough.—Four years in the aggregate, *i. e.*, two years after first ten years' service, and two years more after another ten years.	For three years in the aggregate, *i. e.*, at one time after ten years, or in two instalments after ten and eighteen years, or in three instalments after seven, fifteen, and twenty-two years.
Leave on Private Affairs.—Six months every six years within "Indian limits" with pay, six months at any time out of India without pay.	Six months in or out of India on half pay, once during the whole course of service.
Leave on Medical Certificate.—Three years continuously, as often as the requisite certificate can be produced.	Three years in the aggregate, in not more than two instalments, and for not more than two years at one time.
Privilege Leave.—In India only, for two months in each year, which lapses if not taken within the calendar year.	One month in each year which may be accumulated up to three months.

Minute by E. C. BAYLEY, Esq., *dated the 7th October* 1867.

Colonel Norman's proposals as regards the Furlough Rules for Military men, I understand, to be substantially as follows :—

He would allow an Officer to have four years' furlough during his period of service ; that is to say, he would allow a year's furlough after seven years' actual residence in India, or two years after ten years' residence ; or a second furlough of one year (if the first be taken after seven years) after five* years' more residence ; a third year after five more years of residence ; and a fourth year after another five years' residence, allowing him to retain his appointment for any period not exceeding *two years*.†

He would also allow a furlough to be taken *three* years after return from sick leave, instead of as at present only after *six* years.

2. It is asked, as I understand, what changes would be necessitated in the Civil and Ecclesiastical Service Furlough Rules if these modifications are accorded to the Military Service.

3. For the present, putting aside the Ecclesiastical Service, the first point which needs notice would be the effect of these rule in the Non-Regulation Provinces, where Military Officers hold Civil employ on the same footing as Civil Officers, both Covenanted and Uncovenanted.

* I do not quite understand Colonel Norman's proposal here. Does he intend that a man taking a year's furlough, say after nine years' residence, should serve five years or three years after his return before becoming entitled to a second year's furlough ?

† I do not exactly see why the retention should be limited to *two* years. Absence for three years really entails on Government no more inconvenience than absence for two, perhaps indeed less ; because a *locum tenens* for three years, certain would be, to all intents and purposes, nearly in as good a position as one permanently posted ; taking, indeed the average run of both services, Military and Civil, a man rarely holds the same appointment for more than three or four years.—E. C. B.

4. Under present rules, a Covenanted Civil Officer, going to England on furlough, forfeits his appointment. Under the proposed rules, a Military Officer would not do so ; at present he does if away more than six months, but not otherwise.

5. An Uncovenanted Officer *is* allowed to retain his appointment during furlough by existing rules, but he can only take two years' leave in all ; one year's after ten, and a second year after eighteen years' service.

6. The practical result is that a Military Officer rarely goes on furlough at all, an Uncovenanted Officer not frequently ; and in the older Regulation Provinces the Covenanted Civil Officers are gradually being excluded from this bulk of the higher offices, and fill only the lower offices of the Commissions.

Yes.—J. L.

7. It seems, therefore, only politic, as well just, to place all classes as nearly as possible on the same footing.

Of course.—J. L.

8. But then the question arises if, as seems certain, any alteration should be on the side of liberality, how far the boon should extend ? It is clear that no boon in respect to furloughs can fairly be extended to Covenanted Civilians serving in the Non-Regulation Provinces which can be withheld from others. In fact, most Covenanted Civilians pass their service partially in Regulation, partially in Non-Regulation, Provinces.

Yes.—J. L.

9. Whatever boon is allowed to Covenanted Civilians should be allowed to the whole body.

No doubt.—J. L.

10. As to Uncovenanted Officers, the extension need not be so wide ; indeed the Uncovenanted Service is gradually dividing itself by the force of circumstances into two classes—those who are employed in offices indifferently held by Covenanted and Military Officers, and others equivalent to them, and those employed in a subordinate class of appointments. It seems a mistake to make one set of leave and furlough rules apply inflexibly to both classes, especially as the preponderance of Europeans in the former, and of Natives in the latter, materially affect the working of the rules.

Yes.—J. L.

11. To the Uncovenanted Service of the upper class might fairly be extended the same rules as to furlough, which it is proposed to give to the Covenanted Civil Service.

I would include Extra Assistants.—J. L.

12. It is not necessary to indicate the exact extent of the proposed division of Uncovenanted Civil Officers, but the upper class might contain all Civil Officers above the rank of Extra Assistant, the corresponding ranks of the Financial and Public Works Departments, the graded classes of the Educational Service in Bengal, and corresponding appointments elsewhere,—Postmasters General, Mint, and Assay Masters, &c., &c.

Yes.—J. L.

I would not extend it beyond three years; two even would suffice.—J. L.

13. This being the extent to which it seems necessary to extend the privilege of more liberal furlough rules, I have no objection to make to the division of the periods* proposed by Colonel Norman, which are I think fair; but I confess I see no object in limiting the duration of furlough with retention of appointment to two years, or even three, if the applicant is entitled by length of service to more.

I would have no conditions of the kind.—J. L.

14. A Covenanted Civil Officer or Uncovenanted Officer in judicial appointments might, perhaps, be allowed to take three years' furlough at once after ten years' service. The main reason being to permit those who wish it to attend the Inns of Court, and to be called to the bar; or this privilege might be accorded only to those who make such use of it, and who obtain a certificate from the benches of these Inns, or other legal authority, that they are *bonâ fide* studying law. Of course, in such a case, ten years' subsequent residence would be required to qualify for a fourth year's furlough.

15. As a matter of fact, however, I believe that more than two years' furlough would rarely be taken, save to study for the bar, or when sickness rendered it expedient; and in such a case the gain would be as great to the public service as to the individual.

16. It remains to consider the question of expense.

If under ten years' standing only £250, I fancy.—J. L.

17. At present if a Military Officer goes on furlough, he draws nothing but his English pay, and forfeits his appointment, to which another Officer is appointed *on full pay*. A Covenanted Civil Officer draws indifferently, whatever his standing, £500 a year, and his appointment is also filled up by another man *on full pay*.

* An Uncovenanted Officer, who has served in other Uncovenanted appointments, should be, perhaps, allowed to count his service in the lower appointments held by him, provided that he did not get a furlough for one year on the rules of the upper class till he had served at least four years in an appointment of that class, or a second till he had served at least seven years, or a third period till he had served ten years, or a fourth till he had served twelve years in such an appointment.—E. C. B.

18. An Uncovenanted Officer of the higher grade draws *half pay* up to a maximum of £800 a year, but his appointment is only filled up by an acting Officer, who draws at most *half pay*.

19. There is one exception in the higher grades of the Financial Department, in which the *locum tenens* of the Officer draws *full pay* while acting for him.

20. It seems undesirable to extend the exception which thus obtains in the Financial Department; for, if this be done, there will be two classes of acting appointments,—one on full pay, when the permanent office-holder is on furlough; and one on the ordinary allowances, when he is absent on leave on private affairs or on sick leave.

21. This would be found in practice, I believe, to work very ill, and the choice seems to lie between an entire and liberal revision of the rules of acting allowances, or the application of the existing rules as to these, to acting vacancies caused by the absence of Officers on furlough retaining their appointments.

I would go on the principle of no gain and no loss to the State.—J. L.

22. But if the existing rules are universally applied to the *Covenanted Civil* Service, then their result of allowing officers to retain their appointments, while on furlough, would be a very considerable financial *gain* to Government, a gain represented by the difference between the acting allowances of Officers acting for absentees and the *full* salaries of the appointments.

23. On the other hand, such an application of the rules would seriously reduce the general emoluments of the service; and, if not counterbalanced by some boon, would produce much, and not unjust, discontent, especially among the junior branches of the service, who are certainly not too highly paid, and who would suffer mainly by the ruling.

24. It would seem fair, therefore, either that the acting allowances should be generally liberally revised, or that some extra allowances should be granted to absentees on furlough.

I would give the acting Officer all which the absentee did not get.—J. L.

25. I incline individually to think the latter the preferable course.

26. Practically, the expense of furlough is so great that to allow any extension of the Furlough Rules without more liberal allowances would merely tantalize the services with a show of empty liberality.

27. To allow a Military Officer to go on furlough holding his appointment, but merely on English pay, will, I believe, result in the acceptance of the boon only by a very minute per-centage of those nominally entitled to it,—except when they have virtually resolved to retire, and when their intention is only to retain a hold on their appointments in case circumstances may induce them to change their minds.

This would prove a serious expense; *all* Officers in India would have to be allowed it.—J. L.

28. It would, I believe, really entail but little expense if *Indian* pay were allowed to Military Officers on furlough. If necessary, the expense might be strictly limited, as it is in the Civil Service, by allowing only a per-centage from each Presidency to be at home at once.

I agree,—only I would have one class not exceeding £ and beyond... 250
Thus up to 5 years' service, not exceeding..... 250
10 ,, ,, ... 500
15 ,, ,, ... 750
20 ,, ,, ... 1,000

29. Similarly to the Civil Service, whether Covenanted or the upper Uncovenanted. I would allow 33 per cent. of their allowances, excluding personal and special allowances, provided that the sum so allowed did not fall below £500, and did not exceed £1250 per annum.*

30. The existing rules, as to a limited number of absentees, should also be retained. The present limit of ten per cent. seems fair both for Covenanted and Uncovenanted Officers.

This would never do.—J. L.

31. As regards promotion, the retention of Officers by absentees on furlough would at first to some extent check promotion in the lower branches of the Covenanted Civil Service, but this evil would be partially counterbalanced by the subsequent advantages gained when going on furlough; and eventually would be, I believe, but little felt.† At first, there would be a good deal of difficulty, as the men now on furlough would gradually return, and the number of vacancies for employing them would greatly be reduced. It might be got over, however, by giving to such Officers as they return the full pay of the appointment they left when going on furlough, and filling up vacancies alternately by appointing an Officer returned from furlough and by promotion from below.

32. As regards the Ecclesiastical Service, the rules are tolerably liberal in respect to the periods of furlough already; three years' furlough is allowed after ten years' service, or one year or two years after seven years, with a second furlough of the balance left untaken,

* The per-centage would be less than that now allowed to Uncovenanted Officers, but they would gain greatly otherwise.—[illegible] B.

† If the promotion of [illegible]s now accelerated when B. his senior goes on furlough, it is proportionally checked when B. comes back from furlough and takes up a vacancy which would otherwise have benefited A.—E. C. B.

after eight years' or ten years' more service in India, accordingly as the Chaplain was appointed before or after the 11th December 1854.

33. Perhaps this period might be reduced to five years, if the first furlough was taken after ten, and to eight years, if taken after five years' service.

This question is raised.—J. L.

34. There are but few cases in which the question of retention of appointment could arise. Chaplains, even while in India, are allowed no *right* of remaining even for a given time in any one station, and it would be very inconvenient to allow it.

Yes.—J. L.

35. The only question would be as to Archdeacons' appointments; these are of the nature, however, rather of ecclesiastical benefices, and are, in practice, I believe, retained on furlough even now, but give no increased allowance to the absentees. As to furlough *pay*, the Chaplains' allowances are certainly low; but their case is most analogous to that of Military Officers, in fact their furlough pay is that of a Captain of Infantry, and any increase allowed to that class should apply to Chaplains also.

36. This seems all that is necessary to notice in Colonel Norman's Memorandum, except perhaps the closing note as to privilege leave.

37. The recent restrictions as to privilege leave, and to six months' leave on private affairs, have, so far as my knowledge extends, been received with much discontent throughout the Civil Service; indeed, as regards the restriction of six months' leave to one occasion during service, it has been felt as a positive breach of faith, that indulgence having been understood as giving in lieu of the restrictions placed upon the liberal leaves formerly enjoyed within Indian limits.

But this I would not allow.—J. L.

38. Nor does there seem any good reason, when an Officer is compelled to apply for six months' leave to Europe, being at the time entitled to privilege leave, why he should be compelled to forfeit the latter, when, if he had just returned from privilege leave, he might still obtain six months' leave to Europe.

39. As a matter of fact, such a case *has* happened within my knowledge, and there seems no good reason why an Officer so situated should not be allowed to take both leaves together.

Minute by His Excellency the Governor General, dated 21st October 1867.

I propose to appoint a Committee of the Officers noted on the margin to consider existing Leave Rules as they apply to all branches of the Government Service, and to propose such alterations as may seem just and proper.

Mr. E. H. Lushington.
„ E. C. Bayley.
Lieutenant-Colonel A. B. Johnson.
Mr. A. M. Monteath.

The object to be aimed at is, I consider, the framing of a set of Leave Rules which shall be applicable to *all* public servants, excluding only such subordinate ministerial Officers and Clerks to whom rules of such nature would be obviously inapplicable. It may possibly be found impracticable to frame such a set of rules as shall altogether be applicable in details to Officers in every branch of the Government service, but at least the principle should be the same in each case as far as may be possible. I throw out the following suggestions which occur to me for the consideration of the Committee, but I do not desire to impose any limit to their considerations :—

1.—I think it would be a sound principle to adopt that the State shall not gain, and shall not lose, in consequence of the leave granted to its Officers.

2.—It will be well I consider, to abolish practical difference, as regards *allowance*, for instance between leave granted upon medical certificate and that given on private affairs (furlough).

3.—It will be necessary clearly to *limit* the number of Officers who shall be on leave at one time ; as regards Civil Servants, the present proportion permitted to be absent is ten per cent. This is exclusive of Officers absent on medical leave. It may, perhaps, be well to increase the proportion and to make it include all absentees.

4.—As regards leave on furlough.

In my opinion, an Officer proceeding on such leave should be allowed, under certain restrictions, to retain his appointment. As a basis for such leave, I would say that seven years' residence should entitle to one year on furlough, with retention of appointment.

Ten years' service (residence) without leave (except on medical certificate), should entitle to two years' leave on furlough with retention of appointment. A third year on furlough, on the same terms, might then be taken on the expiry of seven years after the return from the first furlough of two years.

After fourteen years' residence without leave (except on medical certificate), leave on furlough for one, two, or three years, retaining appointment, might be allowed. If less than three years, in such case, be taken, no further such leave to be granted until the expiry of seven years from the return after such furlough.

In no case should an Officer be allowed to be absent from India for a longer period than three years, retaining his appointment. Under the principle abovementioned, an Officer of 28 years, would be entitled to four years, and an Officer of 35 years, to five years' leave on furlough.

5.—Medical Leave.—I would allow two years' leave only, in the aggregate, during an Officer's term of service, to be taken on medical certificate, with retention of appointment ; one year of which may count as residence. After the return of an Officer from such, three years should be required of residence before leave could again be taken with retention of appointment.

6.—Allowances to Officers on leave should be fixed with reference to the period of their service, and, to some extent also, to the nature and pay of the post they hold,—generally, I should propose to lay down some such scale.

To an Officer of service (residence) not exceeding five years, £250 per annum ; exceeding five, and not exceeding seven years, £350 per annum ; exceeding seven, and not exceeding 14 years, £500 per annum ; exceeding 14, and not exceeding 21 years, £750 per annum ; exceeding 21 years, £1000 per annum. Provided in each case that the allowance stated should not exceed the half of the aggregate allowances received by such Officer when serving in India. The above allowances should be made from the salary assigned to the post held by the Officer proceeding on furlough, the whole of the balance being available to his *locum tenens*.

There may be many other points of more or less importance which require consideration ; but the above appear to me, in the main, to be the most important.

From Lieutenant Colonel A. JOHNSON, Assistant Secretary to the Government of India, Military Department, to the Secretary to the Government of India, Financial Department, dated 25th October 1867, No. 613.

I am directed to forward, in original, the accompanying memorial* addressed to the Secretary of State, by Major G. B. Malleson, praying that the regulation which obliges Officers to remain six years in India after their return from furlough on medical certificate before they can take furlough on private affairs may be relaxed, and to request that you will lay it before the Committee shortly to be assembled to consider the question of Furlough Rules generally.

* Dated 11th October 1867.

2. The return of the memorial is requested at the early convenience of the Committee, in view to its being forwarded to the Right Honorable the Secretary of State.

The humble Memorial of Major G. B. MALLESON, Bengal Staff Corps, Sanitary Commissioner for Bengal,—dated Simla, the 11th October 1867.

Your memorialist begs respectfully to bring to notice that he entered the service of the late Honorable the East India Company on the 11th June 1842, and that he has never yet enjoyed the privilege of furlough to Europe on private affairs.

Your memorialist, after serving more than three years in India, was compelled by ill-health, brought on by exposure on his way to join the Army of the Sutlej in 1845, to proceed to the Hills, on medical certificate, in February 1846. He rejoined his Regiment in September of the same year, and, from that time to June 1854, continued in the zealous performance of his duty without leave or relaxation of any sort. In June 1854, he having then served for eighteen months in the newly acquired province of Pegu, your memorialist was ordered to Calcutta on medical certificate, and was on that account absent from his duty for six weeks. On the expiration of that period, your memorialist continued in the performance of his duty till February 1858.

Your memorialist had, up to that date, served in India for fifteen years and a half, having been absent during that period little more than ten months on medical certificate.

In February 1858 the state of your memorialist's health rendered it necessary for him to proceed to Europe on sick leave for fifteen months. The whole of this period was devoted by your memorialist to the recruiting of his strength, and he returned to India in April 1859 without having enjoyed the advantages of which had he been well enough to partake of them, he would gladly have availed himself.

Shortly after your memorialist's return, very heavy duties devolved upon him. He was appointed in 1861 Secretary to the Amalgamation Commission of the Royal and Indian Armies ; and, on the dissolution of that Commission, was transferred, in the same capacity, to that of Military finance. The duties of these appointments were performed by your memorialist for more than two years, but the very heavy labor thereby involved, necessitating unremitting attention to desk-work for eight and ten hours a day in the climate of Calcutta, proved too much for your memorialist's constitution, already impaired by exposure in Pegu, and he was forced, in April 1863, once again to re-visit Europe on medical certificate.

The leave on this occasion extended to twenty months, but the greater part of this period was passed by your memorialist in the Alpine regions of Europe, in the endeavour, under the advice of his physicians, to prepare himself to encounter again the climate of India. Your memorialist returned to India in November 1864, and has since served zealously in the country.

Your memorialist has at this date served the Indian Government twenty-five years and four months. Out of this period, two years, ten months, and six days have been spent on sick leave to Europe. That leave cannot be regarded, in any sense, as a period of recreation, for nearly the entire term was devoted to the recruiting of your memorialist's health,—the failure of his health having on each occasion been caused by unremitting attention to his work in the climate of

Calcutta. He has paid the penalty for incurring the necessity of that leave, for, he having previously taken ten months' sick leave in India, twenty months of it count against his service.

But another penalty has also accrued. Your memorialist finds, to his dismay, that, notwithstanding that he has served twenty-five years and four months, without once, during that period taking leave to Europe or in India on private affairs, he is quite incompetent to take furlough, notwithstanding that the Furlough Regulations (G. G. O. No. 1150, 17th November 1854, paragraph 6) expressly lay down that "every Officer will be allowed a furlough to Europe, of elsewhere beyond sea, for a period of two years at the expiration of ten years' service, and for a second period of two years after twenty years' service." Your memorialist has served not only ten years, but upwards of twenty-five, and yet he will have to serve upwards of three years more, or twenty-eight and a half in all, before he will be entitled or able to take even his first furlough,

The reason of this is that, by the 7th Regulation of the order he has already quoted, your memorialist must serve six years in India, subsequent to his return from sick leave, before he can take furlough. But independently of the fact, already noted by him, that the sick leave was the consequence of labor performed in the service of the State, your memorialist would observe that the condition which forces him to serve nearly twenty-nine years for his first furlough is peculiar to the Furlough Regulations of the Indian Army. The Officer of the Royal Service is not required to serve any intervening period between his leave on medical certificate and his leave on private affairs. The member of the Civil Service can take furlough two years after his return from medical certificate. The Officer of the Indian Army is alone placed in this position ; that although the rules nominally offer him a first furlough after ten, and a second after twenty years, he is liable, if after, perhaps in consequence of a long and conscientious devotion to his duty, he be forced to proceed on sick certificate to Europe, to forfeit the rights conferred upon him by the 6th paragraph of the G. O. quoted, and to pass twenty, thirty, or even a longer period of years before he can take the furlough, the title to which the General Order confers upon him after ten years.

Your memorialist would respectfully bring to notice that, throughout his service, he has never sought to shirk or evade his duty. He might, indeed, have taken furlough in 1852, but he accepted, instead, the labor of acting in the Commissariat Department—an Office which personally he disliked—at a time when the pressure of the Burmese war made a heavy demand on the Officers of that Department. Eighteen months later, when furlough was still open to him, and after he had been appointed permanently to the Commissariat Department, your memorialist, acting solely from a sense of duty, preferred to perform the very arduous duties devolving upon a Commissariat Officer on the Pegu Frontier after the war when there was no glory to be gained, when not a single house existed on the spot, but when the entire Commissariat arrangements had to be organized, and he could expect only to encounter difficulties and annoyances of a most harassing character. The conduct of your memorialist during that period was, on one occasion, brought to the favorable notice of the Government by the Commissary General, Colonel Ramsay, C. B., and your memorialist received from that Officer special thanks for his services. Nevertheless, it is the conviction of your memorialist that, to his labors on that frontier, the subsequent attacks of illness, which forced him to Europe on sick leave, are mainly to be attributed. Yet he now finds that, because he preferred his duty to taking his furlough when furlough was open to him, and thus incurred the attacks of a disorder, the effects of which long continued, and mainly compelled him twice subsequently to visit Europe, he must serve nearly 29 years before he can take that furlough which was in his grasp 15 years ago.

Your memorialist feels confident that it never could have been the intention of the late Honorable Court of Directors thus to place an impassable barrier to furlough in the way of Officers whom sickness had forced to visit Europe at an advanced period of their service ; and he is sanguine enough to hope that the effect of the 7th Rule of the Furlough Regulations, which causes this barrier, has only to be pointed out to be remedied. He would humbly submit that to require an Officer, as he is required, to serve twenty-eight years before he can take furlough on

private affairs, when, during those twenty-eight years he has had no private leave whatever, is to shut him out from those advantages of European intercourse which are necessary to keep him on a level with his contemporaries, and to give him that knowledge which personal investigation alone can impart. Your memorialist would, therefore, humbly request that the restriction laid down in the 7th paragraph of the Furlough Regulations be removed, and that it be declared competent to him to take his furlough on the conditions laid down in the 6th paragraph of those Regulations, unclogged by further restrictions.

And your memorialist will, as in duty bound, ever pray.

Memo-Official letter from Lieutenant Colonel A. B. Johnson, to E. H. Lushington, Esq.

The Leave Rules for the Army are hopelessly complicated ; we have—

Indian Officers under the old rules. Indian Officers under the new rules. Staff Corps Officers under both,—under Military Rules for privilege leave, and under Civil Rules for the same leave. Royal Artillery (Indian) under Queen's Regulations as regards leave on private affairs. Indian Rules as regards service for pension,* Anglo-Indian Rules guide their leave on medical certificate with its consequent Indian rates of pay and retention of appointments. Royal Engineer (Indian) Officers under Indian Regulations, old and new, but who may come under the Queen's Regulations by exchange, and then on promotion revert to India. Royal Engineers (British) coming into the Public Works Department for a service of 10 years. Officers of British Regiments under their own rules for private affairs furlough, with the benefits of Indian Service Rules in respect to their leave on medical certificate, together with special rules for leave on private affairs when holding "*Army Staff*" appointments. A glance at "the new Furlough Regulations," with its glosses and interpretations and readings, &c., will show very completely what a tangled mesh would have to be unravelled if any attempt were made to reduce them to simple order, or to adapt them to fit a novel state of affairs:

* Partially, that is, for when serving in England or the Colonies, leave is not taken into account.

It appears to me that, in dealing with the question of the Furlough Rules for the future, it is impossible to put out of sight too completely the rules now in force ; any tinkering of them will surely produce tinker's work, one hole mended and two holes made. Leaving, therefore, the old rules altogether out of sight, I would attempt to evolve a system of furlough suited to the present day, quite regardless if in some respects they were less advantageous, or in other respects more advantageous than the old rules, and regardful only of their suitability to the requirements of the State and of the individual at the present day.

But though this course might be followed in preparing a new body of Regulations, the Code, when put into force, could not be imposed on the Officers of the Indian Army who entered the Company's Service, except with their own consent. Any alteration of the Leave Rules brought to bear on them without their concurrence would unquestionably come within the Henley clause, and form another of those breaches of the Parliamentary guarantee of which we have already heard so much.

The obvious alternative is to leave them* as they stand under their old rules, but this would hardly be fair, and I would concede to such relaxation on two points, *viz.*, 1*st*, a right to take their furlough when otherwise due, as soon after their return from medical certificate as they like ; with, 2*nd*, retention of their appointments for one year or fifteen months. In all other respects the rules now in force should remain so.

* *i. e.*, those who do not wish to accept the new rules.

It is probable that the new Code when framed will prove more liberal in many respects, especially in allowances, than the old, even when modified as above suggested ; and it is possible those who hold to the old will draw odious comparisons between them and the new. I would not,

however, allow this to weigh an instant with me; if men choose to stick in the mud, I would let them do so, and avow my deliberate intention of drawing by such means all men into the new rules.

There is, I think, no necessity for touching on the rules as they affect Officers of British Regiments. No restrictions have ever been imposed on them as such by the Indian authorities; and, as Staff Officers serving in India, they can only hold the five years' appointment, for which the Leave Rules on private affairs and on medical certificate already sufficiently provide. When the Indian element is eliminated, and placed on altogether a new footing, there will be no difficulty in reducing the Leave Rules, as affecting British Officers serving in India, to a very simple Code of half a dozen lines. Anyhow, as forming an entirely different body of men from the Indian Officer proper, they can be separately dealt with as circumstances require. In framing a new Code, therefore, I would keep their case altogether out of sight. It may be that the Indian Officer on furlough will enjoy higher pay than the Officer of the British Service on leave from India at the same time, but there is this all-sufficient answer to any cavilling which may be made on this point, that, whereas the Indian Officer passes his whole career in India, the British Officer passes but ten years of his there. Again, an Officer who devotes his whole career to Indian Service has always been held, and I think justly, entitled to some compensating advantage. In former days this right was admitted in an invidious, even an unjust, certainly an impolitic, manner by the total exclusion of all "Queen's Officers" from staff employment of every kind,—a practice now wisely abandoned, but with it has gone the compensation for prolonged Indian Service. In no way, as it appears to me, can such compensation be more fitly and appropriately given than by conferring special advantages on Indian Officers in the direction of furlough, that is, in respect to the most conspicuous drawback which attaches to an Indian career. I have somewhat insisted on this point, because I foresee that the opponents of the scheme will make plausible use of the argument that Indian Officers and Officers of the British Army holding similar positions in India should be treated alike, and that odious comparisons will be drawn between the pecuniary position of an Officer Commanding a Native Regiment, and an Officer Commanding a British Regiment, both at home together on furlough on private affairs. It may be said, "then, why not place both on the same footing?" Putting aside the different conditions of service of the two, which would alone, I think, render such a course actually impracticable, the War Office would not listen to such a proposal for an instant, for then precisely the same comparisons would be drawn between the Officer of a British Regiment on leave from India, and one on leave from China or the Cape, and so on, *ad infinitum*. In framing any report, therefore, on the new rules, I would not ignore the case of Officers of the British Line, but would carefully justify their exclusion from the present consideration of the question, and the necessity for treating them as a separate class.

The half dozen Queen's Officer appointments of the Army, and the Personal Staff appointments, do not need a reference, except as proving the rule.

As it may be anticipated that any radical change now made will have some permanence, the exceptional and abnormal state of the present generation may be set aside, and not be allowed to interfere with the fair proportion of the new scheme. Practically, so far as Military Officers are concerned, it is the Staff Corps only, that is, the future Military strength of the Indian Services proper, which requires to be legislated for. In the meantime, however, there are still the Local Service and the Staff Corps Officer under the old, or under the 1854, Regulations to be considered. In the case of such Officers who may refuse to join the new rules, nothing will have to be done. They remain as they were, but I see some difficulty in dove-tailing the new scheme or the old in individual cases. That is, suppose A. of eighteen years' service, under Furlough Regulations of 1854, has returned from furlough on private affairs, say, two years since, and has still two years furlough to get, and desires to join the new rules, how long must he wait before he can take a third year? or say, he has just returned from twenty months' leave on medical certificate, having had no furlough, on private affairs, how would the new rules affect him? I do not attempt to answer such questions, I merely moot them to show that, unless an arbitrary ruling is laid down, drawing a broad line between the present and the future, the introduction of the new rules will, at the

same time, introduce further elements of confusion and complication which, if it be attempted to deal with each case on its individual merits, will be multiplied tenfold. No two doubtful cases under the present rules, as I know from weary experience, are exactly alike; consequently, in dealing with them separately, scores of new precedents and frequent contradictory decisions come on the record.

It seems to me impossible to introduce a new system bodily without acting at first dogmatically, and perhaps inconsistently. I am strongly of opinion that the *gradual** introduction of the Governor General's scheme would be impracticable; at any rate, I am convinced it would be inexpedient to try it. I would, therefore, take the bull by the horns, and say that every Officer is to record by a given date his intention of joining the new, or adhering to the present, rules, and at once admit every Officer wishing it to the full benefit of them,—that is any Officer who would, under these rules, be entitled to furlough, should be allowed to take it without any reference, *as regards periods*, to previous leaves. I do not mean that I would give a fresh cake to a man who had already eaten all his, but such portion as might still be in reserve, he should, if entitled thereto under the new rules, have at once. I will try and illustrate my meaning:—

* That is, its gradual introduction in the case of individuals. Of course, its introduction into the Services must be gradual.

A. has fourteen years' service, and has just returned (on the publication of the new rules which he joins,) from twenty months' leave on medical certificate. Under paragraph 5 of the Governor General's scheme, he would have to wait three years for his three years' furlough, with retention of appointment. I would let him take it at once, or as soon as suits him. B., after ten years' service, has had two years' leave on private affairs. Under paragraph 4, Clause 3, of the scheme, he would have to wait seven years before he could take his third year's furlough, with retention of appointment. I would let him have it on completing his fourteen years' service (residence). Such permission would, however, be exceptional and altogether without prejudice to the prospective action of the new rules on men who may join them.†

† I should add here that, where an Officer has had under the old rules all the leave that the new rules would give him, he has of course no claim to anything further under any circumstance.

In the foregoing, I have assumed that the Governor General's scheme will be the basis of your proposals, the radical feature of which, of course, is the introduction of an identity of Furlough Rules for all Officers under the Government of India. From a Military point of view, the design seems admirable.

As you asked me to do so, I will set down what occurs to me on the different paragraphs as they occur in the Governor General's Note.

Para. 1.—I fancy the view that the State shall neither lose nor gain by furlough will command almost universal assent. I am not, however, sure that the question of loss should be taken into consideration, if it be conceded that Officers have a claim to leave at certain intervals, on such an allowance as shall suffice for their respectable support at home; and if, on the other hand, it be conceded that certain work is entitled to a certain wage in India, then I think that, if in granting the leave and providing for the work, some small loss at times may accrue, the charge is one which may equitably be borne by the State. I do not see why the Officer who does the duty should not draw the pay, notwithstanding that another Officer happens to be at home drawing the authorized pay of his authorized leave.

Para. 2.—On this point I have no doubt there should be no distinction between furlough on private affairs and on medical certificate, *provided that the abolition of the distinction is coupled with the grant of a decent furlough allowance*, as is provided for by the Governor General. As the Military allowances (furlough on private affairs) now stand, they are insufficient in themselves; and to compel a man, when sick, to go home on nothing higher, would be tantamount, in most cases, to telling him to stop in India and die. The present system is simply a premium on malingering, and is the opprobrium of the Military and Medical Services.

Para. 3.—Is this limit necessary when considered in connection with the limits of periods? I think it will be found that either would be sufficient. Still I have no idea that if the per-centage were fixed at 15 or 18 per cent.,* it would ever be completed. I suppose if the rule come into force, medical certificate leave will have priority of choice; in fact it must. This would have rather a tendency to raise the value of leave on medical certificate over that on private affairs, a point to be guarded against whenever it can be done. I think, therefore, allowances and privileges being now equalized, that an Officer entitled to furlough on private affairs might fairly be compelled to take it, and only be allowed leave on medical certificate when he could not otherwise get home. From such a rule I would except Officers sent home, on medical certificate, on account of wounds or disease contracted an active service, and I would also exclude them from the per-centage.

* I am not quite clear how this per-centage is to be calculated. Who would have the preference, those entitled to most furlough, or those who were first to claim when first entitled to it? The present Civil Rule, as I understand it, only contemplates one furlough to which all men are entitled at the same time. The proposed Rules contemplate five furloughs at five different periods of Service.

Para. 4.—I understand this to leave untouched the existing rule which allows a man to go home on urgent private affairs without pay for six months. This is a valued boon rarely taken, except under real urgency, and I would not abolish it.

Seven years seems a good period to fix as the earliest within which furlough may be taken—leave as above, or on medical certificate, excepted. In the case of Staff Corps Officers I would let the formula run thus—"Seven years' residence in India, of which four at least shall have been passed in the Staff Corps." An Officer may enter the Staff Corps after three years' service in the Army, of which two must have been passed in India. If, therefore, the leave was only to count from the date of his entering the Staff Corps, such an Officer, though coming to India with the full determination of making it his career, would have to wait at least nine, or possibly ten, years for his first furlough. If, however, an Officer chooses to stay five or six years with his Regiment in India before joining the Staff Corps, that is his look out. With regard to Clause 3, I do not quite see if it is intended to exclude an Officer who, when entitled to three years' furlough, took only eighteen months, say, from taking the remainder at any time within the seven years, *without* retention of appointment. My inclination would be to allow it more for the sake of removing a restriction (if such be intended), than from any idea that the restriction would ever be found galling, or, indeed, be felt.

Clause 4.—I would go rather beyond this, and say that no one should take more than three years' furlough with pay at a time—five years is a longer time than any man should be away from his duty; and, independently of that consideration, our leave should, I think, be to encourage men to break their furlough and get the benefits of it when in the service, and when they and the State can best benefit by rest and recreation.

Para. 5.—Is a new idea to me as a Military man, and it would probably at first appear distasteful to the Staff Corps. Still, considering the immense advantages conferred by the general scheme, and the fact that one year counts as residence, I see little objection to it, provided that leave necessitated by wounds or disease contracted on service, and as such permitted to count as service towards pension, be excluded from its operation.

The three years' Indian service required before a furlough can be taken hardly calls for a rule, for I do not suppose one man in thousand would do it if he could.

Para. 6.—The proposals for pay are, to my mind, ample. I prefer the Governor General's plan of consolidated sums, provided they do not exceed half the Officer's aggregate allowances, to what I believe Bayley suggests, viz., Indian pay and allowances, and for this reason—that the Governor General's plan would give the working man, and the man who had raised himself highest, the highest rate of pay; whereas the other plan would put all on the same footing. Thus if I, a substantive Major, or take Norman's case, he is substantive Major, and if he went home under Sir J. Lawrence's Rules he would get £1000 a year; and Major, A., who is unfit for anything else but general duty, would get something under £400 a year, that is, half his pay; under Bayley's proposal, both would get £768 a year.

Moreover, the Governor General's plan would make a man pause before taking his furlough, without retention of his appointment, because, of course his furlough allowance would then be calculated on the Military pay of his rank, and not on the salary of the appointment he had resigned. There would moreover be thus a clear gain of the half of the Military pay of the Officer, which could go to a fund towards reducing the charge on the State which the full payment of men acting for absentees might entail.

I attribute little or no weight to the objection that repeated furlough, with retention of appointment, will check promotion. On the contrary, it will, I believe, be found that, from beginning to end of his service, each Officer will find that he has gained more, both in money and reputation, by the greatly increased opportunities he will have had under the new system of acting in the higher appointments of his line, than he could possibly have got by the rare occasions when the holders of good appointments resigned them to take furlough.*

* I made a rough calculation the other day, and found that only ten men, now at home on private affairs, had resigned appointments to go on furlough.

I am speaking from a Military point of view only. In the Civil Service, I believe men do take their furloughs more regularly, and the objection in their case may be valid.

Indeed, you will see throughout that I have only been considering the scheme as it will affect Military Officers, and have not even touched on the important question of the advantages of having one set of rules for all the Officers of Government, though I look on this scheme as a very great step in advance. I will now shut up, only adding that if Sir John's scheme be accepted, even in its broad outlines, it will be the greatest boon that has ever been conferred on the Indian Military Service, and will do more to attract the best men into it than doubled salaries, coupled with expatriation, would do.

No. 11. Minute by the Honorable Sir H. M. Durand, C. B., & K. C. S. I., dated 19th October 1867.

Major Malleson's memorial places in very strong light the hardship which restriction, in paragraph 7 of the Furlough Regulations, inflicts on a large class of meritorious Officers.

The subject was brought to my notice some time back by notes penned by Colonel Burne and Colonel Bacon, and also by a series of articles which appeared in 1866 in the *Pioneer*, and by a short notice in the *Calcutta Review* for February 1867.

I have waited, before taking up the question of a reform of the Indian Leave Rules, to see in what manner the Secretary of State would receive our recommendation in favor of allowing Officers, where it was feasible, to take their privilege leave in England, as had more than once been already permitted by the Bombay Government. The result of that recommendation has not been favorable; but my intention was, had it been otherwise, to have brought forward for consideration a proposal which flowed naturally from the concession.

The Members of the Civil Service are allowed to accumulate for three years their privilege leave, and are then permitted to visit England within the limitation of that leave, but enjoying all the advantages of salary which accompany taking privilege leave in India. This is an instance of the infringement of the principle that Indian pay and allowances can only be legitimately drawn in India. Manifestly, however, it can be of no consequence to the Government of India, whether Officers on privilege leave are paid in India or in England; nor, from an economical point of view, can it financially make any appreciable difference whether 10 or 12 months of privilege leave salary are paid at the close of 10 or 12 years' service, or paid year by year at the rate of a month, a year, as the leave falls due, or at the end of three years as now allowed.

In an administrative point of view, there is a material difference which affects the question. Privilege leave can only be taken when the applicant can be spared, and arrangement can be made for the discharge of his duties by a competent substitute. If privilege leave were accumulated for 10 or 12 years, this expedient for temporarily supplying a substitute would hardly be practicable; Government must appoint the substitute, and must remunerate him.

Another point is that if privilege leave were allowed to accumulate as a sort of general fund, it must do so at the grade rate of salary of the several years, and not at the grade rate of the final year, otherwise the disadvantages to Government between the two systems would be great.

Bearing in mind these two considerations, viz., that for a protracted period Government must find and pay a substitute, and must guard against the last or highest rate of receipts being carried back and spread over the 10 or 12 years, I think the sanction given to the Civil Service, which I had hoped might have been extended to the Military Service, suggested a mode of lightening the unfavorable pressure of the new Furlough Rules on a point which evidently calls for revision.

The Officers of the Indian Staff Corps complain that the conditions under which two years of furlough are allowed after ten years' service, are such as practically to render it suicidal for Officers holding appointments to take advantage of the furlough, which has become a dead letter in consequence of the penalties attending it. The result is that they can only visit Europe on six months' furlough forfeiting Indian allowances, but retaining their appointments; or, on sick certificate, which is accompanied by the serious disadvantages complained of by Major Malleson.

The inevitable consequence of this system of leave rules is, that the hard-working men of the Service, however sensible that they ought to recruit by a timely furlough passed in Europe, have either to wait to qualify for a medical certificate by a thorough break-down, or are driven to take, under very unfavorable circumstances which few men can afford to meet, six months' furlough instead of twenty-four months'. The tendency of such a system is, of course, to foster the growth of sick certificates.

Some improvement on this state of things would be to diminish the premium on bad health and medical certificates, by allowing the accumulation of privilege leave, wholly or in part, for a period of ten or twelve years; and then to permit the 20 or 24 months, or any portion of them not previously taken, to be carried to the Officer's credit in the two years' furlough available after ten years' actual service. But, with reference to the two considerations previously noted, as affecting a protracted accumulation of privilege leave, not quite on the same terms as to salary which are feasible when the leave is taken annually, but on the same terms as to privilege leave counting towards pension, there must be a deduction to aid in covering the charge for a substitute, and the final rank and pay of the Officer cannot be given retrospective effect over the whole ten or twelve years. To the hard-working, meritorious men of the Service, such an arrangement would prove a great boon and encouragement, and to the Public Service it would be no disadvantage.

Under any circumstances, however, I think the restrictive clause of the 7th paragraph of the Furlough Regulations complained of by the Memorialist, Major Malleson, operates in such instances so harshly that it should be cancelled. Colonel Norman proposes to reduce the restriction from six to three years from last return to duty from sick leave; but as far as an equitable title to leave is concerned, I do not see that the restriction being limited to three years is really, on principle, more justifiable than that of six years.

The great practical checks on this abuse of Furlough Rules, whether in or out of India are,—*First*, the expense of a visit to England and Europe; *Secondly*, the disadvantage which an Officer's career suffers by frequent or protracted absence. As a rule, absence operates very prejudicially to the interests of an Officer who has embarked in earnest on an Indian career. To the greater facilities of visiting both England and other countries which Rail and Steam now afford to the Indian Services, the two fore-mentioned checks must always remain regulating and adverse compensations, even when the somewhat glaring antagonism between existing rules and existing facilities of communication are amended and softened down.

Minute by His Excellency General Sir WILLIAM MANSFIELD, K. C. B., & G. C. S. I. Commander-in-Chief, dated 19th December 1867.

On my return to Calcutta I find that the Committee appointed by His Excellency the Governor General in Council for the revision of the Furlough Rules has made such progress, that the papers are ready for transmission for the consideration of the Right Honorable the Secretary

of State, and that His Excellency the Governor General wishes that they may be despatched by the outgoing Mail.

There is consequently no time for me to subject them to criticism, and I would ask leave to content myself with an expression of general approval of the principles laid down by the Committee and of the reform suggested in consequence.

I observe that no mention is made in the Rules of the Officers serving in Her Majesty's British Regiments, the lists of whom include a considerable number of Officers who are now serving on the General Staff of the Army in the several Presidencies in the so-called five-year appointments.

Although it may be true, as stated by Lieutenant-Colonel Johnson in his letter, which may be found amongst the papers, that there are good reasons why the new Furlough Rules should not be made applicable to the Officers serving in British Regiments, the view taken by Colonel Johnson having the support of the Committee, it seems to be nevertheless the case that the fact of holding a staff appointment will bring the Officer within the operation of the rules, unless it be distinctly stated that all Officers on the Cadres of Regiments and of Royal Artillery and Engineers serving in India, shall obtain leave of absence according to the rules obtaining under H. R. H. the Field Marshal Commanding-in-Chief, and not according to furlough rules, which are designed for the use of the Indian Services, the latter ultimately looking for protection to the Right Honorable the Secretary of State for India alone.

I cannot concur in the recommendation of the Committee that any distinction should be made in favor of Artillery Officers now in the Royal Artillery, but late belonging to the old Indian Regiments of Artillery.

Such Officers have now all the benefit of an early return to England possessed by other Officers of the Royal Army. Many of the Brigades, late Indian Artillery, are actually now in England. The fusion of the four Regiments is now complete. It would, therefore, seem most unadvisable to undo what has been done in this respect, and when framing new Furlough Rules, which are expressedly designed to meet the staff system of the Indian Service to introduce elements of division and difference among the Officers of the one Regiment of Royal Artillery. On the other hand, all Officers of the Royal Artillery and Engineers, whether old or new, who may hold Ordnance, Public Works, Political, Civil or other administrative appointments, should have the advantage of the Furlough Rules as if they belonged to the Staff Corps.

I observe, at the close of the 64th paragraph of the Committee's Report, an assertion which is more than open to question and likely to lead to much misapprehension if it be not authoritatively contradicted. Thus it is said, "at present India is overwhelmed with unemployed Officers." The Committee has here fallen unintentionally into an over-statement. It is quite a mistake to suppose that there is any such surplus of unemployed Officers.

The contrary is, indeed, the truth, with one slender exception. Thus it is a fact that of Subaltern Officers we have at present an insufficiency. Of Captains, there are very few unemployed, and such cases of unemployment may, in general, be traced to recent return from furlough or leave of absence, and to very late promotions. The only real surplus which can be said to exist is among the Field Officers, many of whom are unfit for duty, while the cases of others owe their existence to causes which the rules under reference are intended to remedy. It may, however, be said that, although the number of unemployed Field Officers attracts attention in India, where till recent years unattached Officers were unknown, the surplus number of unemployed Field Officers is after all the merest trifle when compared with the immense establishments from whence they come and the long lists of half-pay Officers with which we are familiar in England.

The Committee would have been more correct if it had dwelt on the large allowances drawn by unemployed Field Officers in India. This is indeed an anomaly, which perhaps may be partly met by the operation of the rules with advantage both to the State and the individuals concerned.

No. 13. From the Government of India, to the Secretary of State for India; dated 21st December 1867, No. 276.

Her Majesty's Government are aware that a feeling of dissatisfaction with the existing Furlough Rules has, of late years, pervaded all classes of Government Servants in this country, more especially the Officers of the Army. This feeling has been based mainly on the fact, that the rules now regulating furlough, act in a manner very detrimental to the interests of all those availing themselves of their provisions. We deemed it advisable, therefore, to consider the subject in the first place in the Financial, Military, and Home departments, and subsequently to appoint a Committee composed of representatives from each of those departments, and two other Members, to examine the Leave Rules as they apply to all Officers of the Government Service, and to propose such alterations as might seem to them just and proper. It was an especial instruction to this Committee that, in any rules which they might frame, the principles regulating the leave of each branch of the service should, as far as possible, be identical.

2. The Committee have recently submitted the rules drawn up by them regarding the Civil and Military Services together with copies of their Proceedings connected therewith. These we have duly considered, and we now forward them with this Despatch together with the documents referred to in the list subjoined.

3. You will not fail to observe that the rules drawn up by the Committee propose considerable changes. We have considered the probable working of those changes under three separate aspects, and the mode in which they will affect the Public Service, the Finances, and the Officers of both Services.

4. With respect to the Public Service, we would remark that the scheme of the Committee lays down, as a main principle, that Officers of both services shall be allowed to retain their appointments when taking furlough on private affairs. The Committee have proposed indeed different terms for the two services for which appointments might be retained during absence on private affairs, viz., three years for the Civil Service, and two for the Military; but we are strongly of opinion that the lesser limit—that of two years—should apply to both services. It will result from this retention of appointments that acting appointments, especially in the Civil Service, will be largely increased.

5. The rules at present regulating furlough for the Civil Service, do not recognise the principle of retention of appointment during absence from India. The Committee have advanced strong reasons in the 4th, 5th, and 6th paragraphs of their Proceedings in favor of the alteration they suggest. We are of opinion, on many grounds, that the Public Service would be benefited by the adoption, and extension of this principle. The fact of there being appointments open in which an Officer may act, will afford to the Government an opportunity of testing his fitness for that particular office, and for the line of service with which it is connected. It is always difficult to remove from his appointment an Officer permanently posted thereto, in every respect a deserving man, but whose abilities are not above mediocrity. Under a system of acting appointments, this difficulty would be obviously mitigated, if not altogether removed. Those acting appointments would afford the Government the opportunity of removing an Officer from a position for which he was naturally unfitted, to another for the duties of which he might be better qualified, without leaving to the Officer himself, or to any one besides, any valid grounds for dissatisfaction.

6. On the other hand, the system of acting appointments need not render the tenure of office in effect less permanent than it now is. This has been pointed out by the Committee in the 5th paragraph of their Proceedings.

7. In the Military Service the system of retention of appointment is better known and acted upon. It would appear from the Returns appended to the Proceedings of the Committee, that, 83 per cent. of the Military Officers who visit England retain their appointments. The principle, therefore, as regards Officers of the Army, may fairly be regarded as already generally prevailing under medical certificate, and its application to them during absence on private affairs, will obviously effect no radical change in the present practical result. Its adoption will rather tend to place the question of furlough on private affairs on satisfactory basis. The Committee have,

it seems to us, shown very clearly, (paragraphs 37-38 of their Proceedings) that furlough on private affairs is, as a rule, impossible to Officers of the Army, who are thus driven in many cases to apply for a sick certificate. It is most desirable, on every ground, to equalize the advantages of the two kinds of leave, and not to hold out special advantages to the sickly or less scrupulous Members of the service.

8. We are of opinion, then, that the system of acting appointments, the natural result of their retention by absentees,—tried and tested as it has been, especially in the Army, would act beneficially for the Public Service in all its branches.

9. We now proceed to ask your attention to the principale next in importance, under-lying the whole scheme, viz., the allowance to Officers proceeding on furlough, whether on private affairs or medical certificate of a sufficient per-centage on their substantive emoluments to enable them to pay their passage to and fro, and to maintain themselves in Europe. We recommend that the proposal of the Committee on this head, viz., to allow pay on furlough to every Officer of both services at the rate of 50 per cent. of the pay of his substantive office—with a maximum of £1200 a year, and a minimum, in the Civil Service of £300, in the Military of £250,—be sanctioned. In the Civil Service the cost of this proposal will be fully met, by existing available allowances (vide paragraphs 9, and 17 to 32 of the Proceedings of the Committee); indeed the change will result in a considerable saving, even after arranging for the additional deputation allowances proposed by the Committee. In the Military Service, likewise, we do not anticipate any increase of expenditure by the adoption of this measure. For, if the proposition in the Rule XXII. of the Revised Military Furlough Rules be sanctioned, and the principle, well known in the Army, of restricting an acting Officer to one-half the staff salary of the absentee, in addition to his own half staff salary, if any, be reverted to, the grant to the absentee of one-half of his substantive salary will involve simply a re-distribution of the emoluments of the Officers of the Army, who will thus contribute, whilst in India, to the expense of their improved position at some future period in England. Instances of the financial effect of the scheme, both as regards the acting Officer and the absentee, have been given by the Committee in their Proceedings (paragraphs 56 to 64). We regard the adoption of some such scheme of increased furlough allowances as essential to the success of any reform in the furlough rules, and we consider the mode of meeting the existing difficulty to be sound and unobjectionable.

10. Before proceeding to the manner in which we anticipate the changes we have recommended may affect the Officers in the service of Government, we propose to notice those less important features of the scheme in which divergence has been made from existing rules.

(*a*).—In the Civil Service Rules one year's leave has been calculated on every four years' residence, up to a maximum, including leave on sick certificate, of six years' absence in an entire service. No leave, moreover, can be taken until after eight years' residence. We consider this arrangement preferable to that now obtaining.

The reduction of the term of residence to 21 years, in lieu of reckoning one year's sick leave as residence, is merely a change of form. As being necessary for the amalgamation of furlough and sick leave under the general head of furlough, we recommend it for adoption.

We recommend also the modifications proposed in the 2nd Chapter of the Civil Rules. on the subject of short leave and privilege leave. Considering that special leave for six months can now only be taken in the Civil Service once, and, if the proposed rules be adopted, can be repeated only after an interval of six years, without pay and at the convenience of Government, we do not think the proposal to join such special leave with privilege leave to be at all unreasonable. The limitations proposed are, we think, sufficient to prevent the abuse of such an indulgence.

(*b*).—In the Military Rules the period now allowed for furlough, viz., four years in 24 years' service, has not been interfered with. The allotment of the four years has alone been changed. We consider the new allotment well adapted to the present conditions of Indian Service, and as likely to be more convenient to the Officers of the Army. We recommend also the adoption of the suggestion regarding a fifth year of absence made by the Committee (paragraphs 44 and 45).

Hitherto no limitation has existed in the Indian Military Service regarding absence on medical certificate. We are of opinion, however, that in return for the many advantages offered by the proposed scheme, as well as to discourage repeated absence on sick certificate, an Officer may fairly be restricted to certain fixed limits of absence, without loss of pay, during his entire service. Having regard to the general nature of that service, we propose to fix the limit at eight years, including leave out of India on medical certificate.

We consider that the limit now allowed for furlough on private affairs—two years—could not justly be lessened. After many years of toil in India, an Officer actually requires to recruit his health and energies, and this can hardly be effected within a shorter term than two years. We have proposed to adapt the leave on medical certificate to this period. Considering, however, that we also suggest the restriction of absence on medical certificate to those who are not entitled to furlough, and that, under these rules, furlough will offer advantages equal to sick leave, we are of opinion that the number of absentees on medical certificate will materially and speedily diminish. To meet special cases, we have proposed, in the Military, as in the Civil Rules, that furlough on medical certificate may be extended to three years, with retention of appointment.

11. We have suggested no alterations in the rules regarding short leave and privilege leave granted to Military Officers.

12. We now proceed to advert to the effect which these rules are calculated to produce on the Officers of Government. One principal result, we have no doubt, will be to make both services popular, to render them attractive to the particular classes from which it is desirable to recruit them. This, in itself, we regard as a very great desideratum, inasmuch as the future of India depends mainly upon the character of the men who may be admitted into the services, and who, in choosing India for a career, will be prepared to devote the best part of their lives to the country. Few circumstances, we are of opinion, act with more repelling force to those classes from which both services are drawn than the idea that an Indian career is tantamount to an unbroken exile from Europe. The removal of this bar cannot fail to be beneficial alike to the services and to India.

13. The result will not be less beneficial to the character and efficiency of the Officers of whom the Civil and Military Services are now composed. Nothing can be more prejudicial to a service than the yearning after a privilege, which it is not open to enjoy, except by paths which a conscientious man will not tread. We think it has been clearly demonstrated that Officers of the Staff Corps are, by existing rules to a great extent debarred from furlough on private affairs. We are sure that this was never intended, and feel that, in justice, it ought not to exist. We are confident, moreover, that the removal of the prohibition will tend to make good Officers better, to render all contented. The result will be that the Officer, especially the good Officer, contrasting his want of means and position in England with his emoluments and opportunities of distinction in India, will return to his work with renewed energy, and with far greater contentment than he ever experienced before.

14. With respect to the Revised Military Furlough Rules, we may remark that they were framed primarily for the Officers of the purely Indian Service, *i. e.*, the Staff Corps, the local Officers, and the Royal (late Indian) Engineers. We are, however, strongly of opinion that its provisions, if approved, should be applied to all Officers of the Royal Army, including the Royal (late Indian) Artillery, who may hold permanently staff appointments in India the tenure of which is not limited. The provisions of these rules, drawn up as they have been to suit the circumstances of the Officers of a local Army, would, however, be entirely inapplicable to the general conditions of service in the Royal Army, leave in which is on an entirely different footing, and in which long periods of service in India are not required. It would be impossible to draw up a series of rules regarding furlough which would embrace the differing requirements of an Imperial and a Local Army and we have, therefore, deemed it advisable to keep them on a distinct footing.

15. The rules regarding the Uncovenanted Service and the Chaplains are now under preparation, and will, we hope, be despatched to you by the next Mail.

16. In concluding this Despatch, we would beg your earnest and early attention to the matter on which it refers. The question is one that deeply affects the interests of all Government Servants, as well as those of the country itself, and we feel convinced that the changes which we recommend would confirm the loyal feeling of the Officers of Government, and would fully satisfy their just expectations.

Note by Financial Secretary.

This Despatch is not signed by Honorable Sir H. M. Durand owing to his temporary absence, but he has expressed his concurrence in the propositions therein contained.

(Signed) E. H. LUSHINGTON,
Secretary to Government.

ORDER.—Ordered that a copy of the last mentioned Despatch be forwarded to the Furlough Committee for early consideration and report, and that copies of all the papers mentioned above be forwarded to the Governments of Bengal, Madras, and Bombay, with a request that the Government of India may be favored with the opinions of those Governments on the propositions of the Furlough Committee, and on the review of them by the Secretary of State.

(Signed) E. H. LUSHINGTON,
Secy. to the Govt. of India.
(Signed) J. E. COOKE,
Asst. Secy. to the Govt. of India.

Referred through the Military Department for the purpose of being submitted to His Excellency the Commander-in-Chief for such remarks as he may wish to offer.

FORT SAINT GEORGE,
29th April 1868.

(Signed) R. S. ELLIS,
Chief Secretary.

Forwarded to the Commander-in-Chief, (Adjutant General's Department), with a request that His Excellency will favor Government with his remarks at an early date.

30th April 1868.

(Signed) H. MARSHALL, Major General,
Secy. to Govt., M. D.

No. 40. MINUTE by the Honorable A. J. ARBUTHNOT, dated 5th May 1868.

I have but little to add to the Minutes which I have already recorded on the subject of the Civil Service Absentee Rules, and which have been submitted to the Government of India. I wish, however, to offer a few remarks in answer to the objections which, I am aware, have been advanced with reference to the probable effect of the restriction proposed by me in the amount of leave which should be granted without forfeiture of office.

2. It has been argued that my proposal for restricting leave with retention of appointment to one year in seven would have the effect of materially diminishing the amount of leave which a Civil Servant can obtain under the existing rules. I have briefly adverted to the fallaciousness of this argument in my Minute of the 21st March last. I will take this opportunity of exposing the fallacy, as I regard it, more in detail. What then are the actual facts? Under the existing rules every Civil Servant is entitled to three years' furlough with a furlough allowance of £500 a year, but accompanied by loss of appointment. He is also eligible, once in his service, for six months' special leave, retaining his appointment and drawing on his return half the salary attached to it, and if his health fails, he may obtain leave on Medical Certificate, without loss of appointment, for periods amounting in the aggregate to two and a half years. It is true that the leave on Medical Certificate may

amount to three years, but if the absentee is absent for more than 20 months at one time, or for more than 30 months altogether, he forfeits his appointment. Practically, therefore, the amount of leave, exclusive of privilege leave, which a Civil Servant may obtain under the present rules without forfeiting his appointment, is six months on private affairs, and two years and a half on Medical Certificate, or three years altogether. And if he chooses to forfeit his appointment, he may obtain six months more leave on Medical Certificate with an absentee allowance of £500 a year, and also three years' furlough with a similar absentee allowance.

3. Under the new rules, if the restriction which I have advocated, should be imposed, every Civil Servant, ill or well, will be entitled to be absent from his duties for one year out of every seven, retaining his appointment; *i. e.*, for five years out of the maximum period of service of 35 years, for four years out of what I believe to be the average period of service, viz., 28 years, and for three years out of the minimum period of service required for full pension, viz., 25 years—in addition to the six months' special leave, which will be obtainable under the new rules, as under the old. And under Sections 11 and 12 of the new rules, as proposed by the Calcutta Committee, every Civil Servant, whose health may necessitate more frequent absences, will be able, on producing the requisite Medical Certificate, to be absent for five years and a half out of his service without forfeiting his appointment, even though that service may not exceed 27 years and a half. For instance, suppose a Civil Servant is compelled after completing eight years service to go to England on Medical Certificate, he may obtain leave for two years without loss of office. Should his health fail again three years after his return to duty, *i. e.*, in his fourteenth year of service, he may again obtain such leave as may be requisite, up to two years, without loss of appointment, and should his health fail a third time, he may again obtain leave for a year, or for such balance of the five years' leave obtainable on the whole, as he may not have already enjoyed, provided that three years have elapsed since his last return to duty. He may also, once in the course of his service, obtain the six months special leave, and on the principle laid down in paragraph 12 of the recent Despatch from the Secretary of State, if he have exhausted the whole of the leave available with retention of office, but is obliged by the state of his health to take further leave, he will be able to obtain such further leave as may be requisite, not exceeding one year, forfeiting his appointment but drawing the subsistence allowance of his rank.

4. It will thus be apparent that under the new rules, even if they be restricted to the extent to which I recommend that they should be restricted, every Civil Servant whose health may compel him to visit England frequently will be able to obtain leave amounting in the aggregate to six years and a half, for five and a half of which he will be allowed to retain his appointment; while the aggregate amount of leave which he can obtain under the present rules is the same, viz., six years and a half, but the period for which, under those rules, he can retain his appointment is only three years.

5. The contrast which the new rules, as I have proposed to restrict them, present to the existing rules in the case of Civil Servants who retain their health throughout their service, is not less favorable. Under the existing rules a Civil Servant so situated cannot be absent from duty, except on privilege leave, for more than six months once in his service without forfeiture of appointment. If willing to vacate

his appointment, he can obtain three years' furlough. Under the new rules, if modified in the manner proposed in my former Minutes, every Civil Servant so situated will be able to obtain leave with retention of office for three years and a half in the aggregate out of his service of twenty-five years. If he remains longer in the service, he will be entitled to another year's leave on the completion of his twenty-seventh year, and to another on the completion of his thirty-fourth year.

6. I have thought it right to enter into the foregoing explanation with the object of vindicating the recommendation submitted in my former Minutes against the charge of undue illiberality, and of showing that even if the restrictions, which I have ventured to suggest, should be adopted, the new rules will afford far greater facilities to the service for obtaining leave than are available under the rules now in force.

7. On further consideration, however, and while adhering to the principle that the amount of leave, exclusive of special leave, which may be granted with retention of appointment, ought not to exceed five years out of the aggregate service of 35 years, or at the rate of one year in every seven, I desire to make a slight modification in my previous recommendation, with the view of rendering the last year's leave available a few years before the close of service instead of in the very last year of it. With this object I would adopt the suggestion of the Calcutta Committee, that the first leave should not be available until after the expiration of eight years' service, and that then two years should be granted, and after that I would grant one year's leave after every six years' service. Under this arrangement a Civil Servant obtaining leave regularly, as it fell due under the rules, and serving the full 35 years, would pass on leave his 9th and 10th years, his 17th year, his 24th year, and his 31st year of service.

8. I reserve my remarks on the Military Rules until we receive those of His Excellency the Commander-in-Chief.

(Signed) A. J. ARBUTHNOT.

No. 41. From the Adjutant General, to the Secretary to Government, Military Department, Fort Saint George; dated Fort Saint George, 7th May 1868, No. 334.

I have the honor to acknowledge the receipt of the copy of the papers referred to this Department on the 29th ultimo, herewith returned as requested, and by order of the Commander-in-Chief to observe that the proposed Furlough Rules appear to be calculated generally to meet the present requirements of the Service.

2. Adverting to Rule XV. an Officer proceeding on Furlough on Medical Certificate for two years, and obtaining one year in extension, retains his appointment, but an Officer who originally proceeded on two years' Furlough on private affairs, and obtains an extension of one year on Medical Certificate, it is no doubt intended, should also retain his appointment, a few words to make this point clear in the rule seems desirable.

3. Rule XVIII. will press hardly on Officers of this Army, serving at distant stations in Burmah; it will be scarcely possible for them to arrange to leave Rangoon by the monthly steamer for Madras (which touches at Vizagapatam and intermediate ports) and catch the Homeward overland steamer at the Presidency within thirty days.

4. His Excellency considers that Rule XXIII. does not go far enough, and recommends that the proportion of leave qualifying as service for pension be extended one year for the period entitling an Officer to retire on the pension of a Colonel, viz.,

Two years in 20.
Three years in 25.
Four years in 30.
Five years in 32.

5. With reference to Rule XXV. an Officer is on leave in India, and being entitled, obtains Furlough to England, must he re-join appointment previous to departure to enable him to retain it? If not, the three years' absence from appointment, alluded to in paragraph 15, could be exceeded.

Transferred to the Financial Department, with reference to its docket, dated 29th April 1868, with the remark that the difficulty adverted to by the Adjutant General in paragraph 3 is provided for in the note at foot of paragraph 49 of the Committee's Report; it being at the discretion of the Government or the Commander-in-Chief to extend beyond thirty days the preparatory leave of Officers located at distant stations.

FORT SAINT GEORGE,
9*th May* 1868.

(Signed) H. MARSHALL, Major-General,
Secy. to Govt., Military Dept.

No. 42. MINUTE by the Honorable A. J. ARBUTHNOT, dated 15th May 1868.

Since writing my Minute of the 5th instant, I have received in circulation the Adjutant General's letter of the 7th idem, submitting the remarks of His Excellency the Commander-in-Chief on the proposed Military Furlough Rules.

2. With reference to His Excellency's remark on the operation of Rule XV., I would observe that the provision made therein for allowing an officer to retain his appointment while on leave on Medical Certificate for three years has been objected to by the Secretary of State in the 17th paragraph of his Despatch of the 13th March last, in which the opinion is expressed that "two years is the utmost extent of leave with retention of appointment that should be granted at one time."

3. I see no objection to the extension of the proportion of leave qualifying as service for pension, which is proposed by His Excellency in paragraph 4 of the Adjutant General's letter.

4. With reference to the Commander-in-Chief's remark on Rule XXV., I presume that an Officer obtaining furlough to England, while absent on leave in India, would only be permitted to retain his appointment for the balance of such period not exceeding two years for which furlough with retention of appointment might be due to him, after deducting the period of absence from duty already spent by him in India without rejoining his appointment.

5. There is one point in these rules adverted to in my Minute of the 5th instant, which I think ought to be made more clear. I refer to the effect of leave taken on Medical Certificate upon the privilege of obtaining leave on furlough. The Committee in their report, paragraph 43, advert to this point as one upon which the Civil and Military Rules differ. They say that "the leave of absence on Medical Certificate of a Military Officer does not restrict his power of applying for furlough after having served certain specified periods; whilst in the case of the Civilian such leave is regarded as Furlough in anticipation." As I remarked in my last Minute, I see no valid reason for the distinction here alluded to; but on again looking at the rules it appears to me to be questionable, whatever the intention of the Committee may have been, whether there is any practical difference on this point between the two sets of rules, as at present drafted. Rule XIII. of the Military Rules says that "an Officer "not entitled to furlough, whose health may necessitate his taking it, may, under the "usual Medical Certificate, obtain such amount as may be duly certified to be neces- "sary for the restoration of his health. Such furlough will not be granted for a "longer period than two years in the first instance, but it may be extended up to "three years on pay," &c. In this rule, the proviso entered in the corresponding Civil Rule XI., that leave on Medical Certificate in the case of an Officer not entitled to furlough shall be "subject to the limits prescribed in respect of the total amount of furlough and the maximum to be taken at any one time" is omitted, but a very similar proviso occurs in a subsequent Rule (XVI. of the Military Rules), in which it is laid down that the aggregate amount of furlough with pay and retention of appointment, whether on Private Affairs or on Medical Certificate, that may be granted to an Officer during his service, will be limited to eight years.

6. It appears to me that the effect of this last quoted rule is precisely the same as that of the proviso in Rule XI. of the Civil Rules, viz., that it involves the principle of counting leave on Medical Certificate as furlough taken in anticipation, unless indeed it be the intention of Rule XIII. of the Military Rules that an Officer taking leave on Medical Certificate, who is not entitled to furlough, is to be allowed to draw the pay of his rank, but not to retain his appointment. Whatever may be the proper construction of Rule XIII which is silent as to retention of appointment, the point is one which ought not to be left in doubt.

(Signed) A. J. ARBUTHNOT.

No. 43. MINUTE by His Excellency the COMMANDER-IN-CHIEF, dated 15th May 1868.

If it is intended that under no circumstance should an officer on leave retain pay and appointment beyond two years, it would clear up all doubt if to Rule XXIV. were added the words—"Two years to be the utmost extent of leave with retention "of pay and appointment that shall be granted under any circumstance at one "time;" "this would be in accordance with the view entertained by the Secretary of State and clear up doubts as to the rules under the head of "Furlough" and "leave in India." I am of opinion also that the note referred to in paragraph 49 of the Committee's Report, should be stated in Rule XVIII., adding "Burmah and places beyond sea," and after "Commander-in-Chief" the words "of the Presidency;" there is no station within the limits of the Madras Presidency that renders an extension necessary, but officers are employed with Madras Troops beyond those limits, and an extension is necessary in these cases; this should be clear in the rules.

(Signed) W. A. McCLEVERTY.

No. 44. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 19th May 1868, No. 251.

With reference to the Proceedings of the Government of India in the Financial Department, dated the 14th ultimo, No. 2198, and in continuation of my letter of the 17th idem, No. 191, I am directed to transmit, for the consideration of His Excellency the Governor General in Council, copies of further Minutes recorded by His Excellency the Commander-in-Chief and Mr. Arbuthnot, on the subject of the proposed changes in the Furlough Rules of the Civil and Military Services.

(Signed) R. S. ELLIS,
Chief Secretary.

India Office, London,
13th March 1868.

Financial,
No. 106.

To His Excellency the Right Honourable the Governor General of India in Council.

SIR,

PARA. 1. I have duly considered in Council your Financial Despatch dated the 21st December 1867, No. 276, covering proposed new Furlough Rules for the Civil and Military services, together with copies of the proceedings connected therewith.

2. I fully recognize that the time has arrived when, owing to the altered relations between India and England, a complete revision of the existing Furlough Rules has become necessary, more especially as respects the Military service, and I am clearly of opinion that this revision should proceed, in a large and liberal spirit, to the removal of all petty restrictions and limitations, and with the view of giving as much reasonable indulgence to the services as is compatible with the public interest and good administration.

The alterations required in the Civil Furlough Rules chiefly relate to the extension of the advantages, now enjoyed by invalids only, to all absentees on leave. But in the Military Rules more extensive changes are necessary. The old rules were passed chiefly with reference to Indian limits, and have become unsuitable to the present time. They were, moreover, passed with a view to the condition of the East India Company's Army, and in many respects, have become wholly inapplicable to the condition of service of Officers of the Staff Corps.

4. The main principles on which these new rules have been based I gather to be as follows:—

1*st.*—The extension of the privilege of retention of appointment to leave on private affairs, so as, in a great degree, to obliterate the distinction between furlough and leave on medical certificate.

2*nd.*—The allotment of a fixed (and enlarged) period of absence from office, with retention of appointment.

3*rd.*—The grant of larger allowances during furlough.

4*th.*—The abolition (generally) of the geographical limits within which furlough may be taken.

5*th.*—The assimilation of rules for each branch of the service, so far as circumstances permit.

To these general principles, I am happy to be able to give my full adherence.

5. But, on going carefully through the rules, I find that these principles have not always been closely adhered to, especially in the Military Rules; and I proceed to notice several points to which I am desirous of calling your attention.

Civil Rules.

6. You have assigned to Civilians a maximum of six years' furlough, with retention of office during their whole service, with half salary, limited to a minimum of 300*l.* and a maximum of 1,200*l.* per annum. To these limits I shall not object. In addition to this, you propose to grant privilege leave for one month in each year, on full salary, to be accumulated to two or three months if not taken annually, six months' special leave, with half salary, once during the whole period of service, and special leave for a similar term, without allowance, after intervals of at least six years.

7. Of the privilege leave for one month in the year, I quite approve, but I have great doubts whether accumulation of leave should be allowed. I should prefer to see the annual privilege leave extended to (say) six weeks, and regularly taken; but if you think this undesirable, I shall not object to the accumulation of the monthly leave to the extent of two months.

8. When the special leave on urgent private affairs was first granted, it was the only leave to Europe which could be taken without the forfeiture of appointment. There is not, therefore, the same necessity for it now as there was then, but as the presence of a Civilian, who is not eligible for furlough, may be urgently required at home, I am willing to continue it, but during this leave the allowance should be the same as that granted to an Officer on furlough.

9. The proposed combination of privilege leave with special leave on urgent private affairs is open to objection. The Committee themselves state that "privilege leave was intended to afford the opportunity of occa-"sional change and relaxation, in the intervals between the periods of "longer leave on furlough, and the permission to add privilege leave to "furlough would probably interfere with the practical attainment of "this object." Encouragement should be given to Officers charged with laborious duties to avail themselves of this leave annually, whereas the permission to combine it with special leave would have the effect of inducing them to remain at work, when relaxation was most desirable, in order to accumulate privilege leave for the purpose of adding it to special leave, which would come to be considered more as a matter of course than as an exceptional indulgence, in which light special leave ought to be regarded.

10. The proposed rules also provide that a Civil servant shall be eligible for two years' furlough after eight years' residence, and for a further furlough of one year after every four years' residence, but they admit of an Officer obtaining furlough at any time *on medical certificate*, without reference to his period of residence, or return from a previous furlough, and of obtaining an extension of a third year without vacation of office.

11. The residence required as a qualification for furlough, without medical certificate, is unobjectionable, but it can hardly have been intended by you that an Officer recently returned from furlough should, on production of a medical certificate, be immediately allowed to be again absent, and retain his office; and some provision similar to that contained in the existing Rule 13, which requires an interval of two years, or in the Military Rule XV, which requires an interval of three years, is called for.

12. The allowance of furlough for three years at one time is also open to objection. It is true that the existing rules provide for a three years' furlough, but it is without retention of office, and with an allowance of 500*l.* a year. The case is materially altered when the furlough is to be granted with retention of office, and half salary. A period of two years is ordinarily sufficient to re-establish the health of an invalid, and if a further time be required, it is only reasonable that it should involve the vacation of office and reduction to a subsistence allowance, the whole period of leave, with allowance, being included in the six years.

13. The principle of the subsistence allowance fixed for India might be adopted, but the scale should be revised, and perhaps increased, with a view to equalise the allowance at the different Presidencies.

Note.—A Civilian who has taken one year's leave on medical certificate will, of course, not be prejudiced by any change that may be made.

14. The alteration of the period of residence from 22 to 21 years is open to objection, and is opposed to the rules of the Civil Service Annuity Fund, which require a residence of 22 years.

15. I forward herewith copies of two memorials which I have received from certain Civil servants now in this country on furlough, representing the injury to their prospects from the proposed change in the Furlough Rules. Gentlemen in their position must, I fear, suffer in some degree from a change of this nature, but I am satisfied that I may safely leave it to you to mitigate, as far as practicable, the injury which they apprehend.

16. It is obviously necessary that some provision should also be made to enable gentlemen, holding acting appointments, to obtain their furlough, which the present rules do not appear to supply. The same remark applies to their privilege leave.

Military Rules.

17. In considering the details of your proposed scheme, as it affects the Military service, I observe that you have apparently found it impossible to adopt a set of rules such as would have been suitable to the present organization and future condition of the Staff Corps, if that alone had been in question. You have, no doubt, thought it important to meet the case of the Officers of the old service, by retaining certain traditional usages, which had their origin in a state of things now no longer existing. Such is the reference made, in Clauses XIII and XV, to the extension of leave to Europe, on medical certificate, to three years, with pay and retention of appointment, and to five years in all; an extent of absence not known in the British service, and no longer necessary in the case of an Officer of the Indian Army, since the communication with that country has been shortened and facilitated, and for the reasons assigned in paragraph 12, I consider that two years is the utmost extent of leave, with retention of appointment, that should be granted at one time. Such also appears to me to be your proposal in Chapter 2, Clause XXVI, to allow an indefinite amount of sick leave in India, with retention of appointment, in addition to the very large aggregate of furlough which you propose, by Rule XVI, to grant during an Officer's service. The retention of this indulgence as a thing apart from, and in addition to, the liberal allowance of furlough now proposed is, I observe, not contemplated in the case of the Civil service, and, if allowed in the Military service, must be carefully guarded, so as to prevent abuse.

18. Her Majesty's Government are conscious of the disadvantage of keeping open a question of this important character, and one which so closely affects the personal interests of every individual in the service. They are, moreover, anxious to settle it upon liberal principles. If the question were simply one between the Government and its servants, I should have little difficulty in authorizing you to grant whatever you might be disposed to recommend as fair to the latter. But I cannot forget that we are now dealing rather with a re-arrangement of advantages between different members of the service than with a boon to be conferred by the Government upon the service as a whole; nor that in granting a large extension of leave to Officers holding appointments, we are throwing a greater amount of work, and at a smaller remuneration, upon those who are called upon to act for them during their absence. I must also bear in mind that the new organization of the Army will in a few years have become co-extensive with the service, and that it is therefore desirable, in framing new rules, to adapt them as far as possible to that organization, making special provision, where necessary, for the case of the Officers of the old formation.

19. As a minute, but important illustration of the necessity for care in this respect, I must notice the rule (IX) by which you propose to determine the date at which an Officer shall become entitled to furlough. It is not clear whether, by the phrase "eight years' service in India," you intend service in the Staff Corps, or whether service in India in the general Army previous to admission to the Staff Corps is to be reckoned. It may be well also to remind your Excellency, with reference to the limit which you very properly propose to place on the amount of leave to be taken by an Officer at any one time, with pay and retention of appointment, that, according to the practice of the British Army, of which the several Staff Corps now form component parts, no Officer on the effective list ever ceases to draw full pay, and further, that the principle laid down in the first portion of the 14th Rule, just in itself, can only be made applicable to certain classes of Officers by the withdrawal of privileges which, according to present regulations, they claim on proceeding to England on medical certificate, such as passage at the public expense, and certain allowances from the several Military Funds.

20. Having thus put your Excellency in possession of the views of Her Majesty's Government, I now desire to leave the final arrangement of the rules in your Excellency's hands, and I authorize you, subject to the alterations which I have suggested, to promulgate the new code without further reference to me.

I have the honour to be,

Sir,

Your most obedient, humble Servant,

(Signed) STAFFORD H. NORTHCOTE.

To the Right Hon'ble SIR STAFFORD HENRY NORTHCOTE, BART., C. B., M. P., *Secretary of State for India.*

The memorial of undersigned Members of Her Majesty's Covenanted Civil Service, now in England on furlough.

RESPECTFULLY SHEWETH,—That your memorialists have seen in the public papers that the re-organization of the furlough rules of their service is under the consideration of Her Majesty's Government, and that a very liberal scheme has been sent home in draft from the Government of India, in which it is proposed that a total of six years' general leave may be taken during the entire period of service by instalments of two years after eight years' residence, and one year out of every five during the remainder of service, during which absences the Officer will retain his appointment, and draw half his salary up to a fixed maximum.

That these draft rules, as far as your memorialists are acquainted with them, appear so suited to the present condition of their service, and to the present time, that they are most anxious to see them issued in their integrity.

That while these rules will confer on the service generally a most valuable boon, and will be gratefully welcomed by your memorialists if passed, they desire respectfully to point out, that unless supplemented by a provision, such as hereinafter suggested, the rules will incidentally bear very hardly upon them who (after ten years and upwards service in India) have come home upon the old compulsory condition of vacating their appointments, and who, on their return to India will find all the substantive appointments, which would have been from time to time opened by others going home on furlough, now closed against them by the operation of the new rules, which enable those on furlough to retain their appointments. The result of which will be that your memorialists will have to wait for promotion, until substantive appointments are much more tardily vacated either by retirement or death, and thus be exposed to severe pecuniary loss, whereas it is obvious, that under the old rules the average number of vacated appointments was yearly equal to the number of officers returning from furlough.

That the case of your memorialists is one which can never occur again, nor, if consideration be shown to them, ever be drawn into a precedent, since all who may come home hereafter will come under the new rules.

That your memorialists have not willingly placed themselves in their present position, for when they left India, they were ignorant that a revision of the rules was in contemplation, otherwise most of them would have remained in India, until they were passed, or would, as many of them might, have come home on a shorter sick leave, retaining their appointments.

That your memorialists respectfully submit that their case might be partly met by authorizing their respective Governments to appoint them during their absence to any suitable vacancies which may from time to time occur, and by making their present allowance the same as it would be, if they had come home under the provisions of the new rules.

And your memorialists, as in duty bound, will ever pray.

(Signed)	F. C. CARR.		
Signed for	C. G. MASTER.	Signed for	W. H. NEWNHAM.
"	H. A. HARRISON.	"	C. G. PLUMER.
"	R. W. BARLOW.	"	W. C. TURNER.
"	R. T. MELVILLE.	"	J. W. S. WYLLIE.
"	SWINTON S. MELVILLE.	"	F. WYLLIE.

To the Right Hon'ble the Secretary of State for India.

The Memorial of the undersigned Members of Her Majesty's Indian Civil Service now at Home on furlough.

HUMBLY SHOWETH—That in the event of the passing of the proposed new Furlough Rules, your petitioners will be injuriously affected in the manner set forth below:—

That whereas all Members of the Civil Service now on furlough came Home on the faith of succeeding, on their return to India, to appointments suitable to their standing in the service as vacancies occurred consequent on other Members taking furlough and giving up their appointments, and some of those now on furlough had already obtained the first valuable appointment, which falls to the lot of a Civilian which may be considered the turning point in his official career, a Substantive Collectorate, and others from their standing in the service, had a fair chance of soon obtaining such appointments, and whereas the former expected on their return to regain their Collectorships shortly, the new Rules prevent the fulfilment of these hopes, which were founded on a Rule of the Service always enforced that Officers forfeited their appointment on taking furlough.

That consequently Officers now on furlough will not be able to obtain appointments until vacancies occur in the service by death or retirement.

That whereas certain remedies have been proposed by the Committee in Calcutta in paragraph 34 of their Report to meet the case of your petitioners; they are insufficient, inasmuch as—

1*stly*.—They supply the certainty that an acting appointment will be available immediately on an Officer's returning from furlough.

2*ndly*.—That in case of leave of any description, your petitioners forfeiting their acting appointments would have nothing but subsistence allowance to fall back upon, and would thus virtually be precluded from taking leave at all.

To meet the above grievances, your petitioners would venture to submit for favorable consideration the following remedy, which they would urge as most suitable to the circumstances of their case.

That the Members of the Civil Service now at Home on furlough be gazetted to appointments as they fall vacant of the grades of those which they held when they took furlough, and should vacancies not occur in sufficient numbers, those who return unprovided for should receive (pending the occurrence of vacancies) pay and allowances equal to those of the appointments which they held when they took furlough, such pay and allowances to be considered in all respects those of a permanent appointment.

And to enable your petitioners to participate in the benefits of the new rules as regards the proposed rules of furlough pay, they further request that they may, from the date of the introduction of the new rules, receive within the limits of those rules, half the pay of the appointments they vacated on taking furlough, subject to a minimum of £500 per annum.

And your petitioners will ever pray, &c. &c.

J. H. Ravenshaw,	Bengal.	J. B. Peile,	Bombay.	R. G. Melvelle,	Bengal.
Swinton Melville,	Ditto.	W. H. Heeley,	Bengal.	R. B. Worthington,	Bombay.
A. H. Spry,	Bombay.	J. H. Prinsep,	Ditto	A. N. Falcon,	Bengal.
R. White,	Ditto	C. G. Plumer,	Madras.	F. Moucke Masone,	Bombay.
E. P. Robertson,	Bengal.	H. A. Harrison,	Bengal.	W. J. Money,	Bengal.
G. U. Barton,	Ditto	E. G. Jenkinson,	Ditto	C. J. Master,	Madras.
D. S. McNeile,	Ditto	E. H. Percival,	Bombay.	H. N. Simpson,	Bengal.
R. G. Melville,	Madras.	F. D. Melvile,	Ditto.	W. R. Pratt,	Bombay.
J. H. Grant,	Bombay.	L. H. C. Tayler,	Bengal.	C. R. Pelly,	Madras.
W. C. Turner,	Bengal.	Villiers Taylor,	Ditto	J. M. Kindersley,	Ditto.
A. J. Lawrence,	Ditto	J. D. Goldingham,	Madras.	J. W. Reid,	Ditto.
J. C. Colvin,	Ditto	James Simpson,	Bengal.	G. A. Pepper,	Bengal.
W. Lane,	Ditto	J. G. White,	Bombay.	R. W. Barlow,	Madras.
J. W. S. Wyllie,	Bombay.				

London, 11*th March* 1868.

(Sd.) C. G. PLUMER,
Madras Civil Service.

REFERENCE TO PREVIOUS CASES.

GOVT. OF INDIA. 1867.

LEAVE and ALLOWANCES.

December.

Nos. 7 to 13.

Alterations in the existing Furlough Rules for Covenanted Civil and Military Services.

Finl. Proc. 19 May 1868
Ll. 39.

REFERENCE TO LATER CASES.

M/C
in No 2268 of 1868

SUBJECT.

Recommendation to the Home Government for certain alterations in the existing Furlough Rules for the Covenanted Civil and Military Services.

In M/C 68 D
No 201.

69

Military Department

Reference Order

30th April 1868.

Read the following paper

Rec'd from the Chief Secy. to Govt. — Here on the 29th April 1868.

Forwarded to the Commander-in-Chief's Adjutant General's Department, with a request that His Excellency will favor Government with his remarks at an early date.

H. Marshall Major Genl
Secy. to Government

To The Adjutant General
With Dr. No 2268 & 2 orig. Encls. of 1868
To be returned

№ 2198

Government of India

Financial Department

Fort William

The 14th April 1868.

Read the undermentioned papers regarding proposed new furlough rules for Covenanted Civil Servants and Military Officers in India.

Financial Despatch to the Secretary of State No 276 dated the 21st December 1867 and enclosures.

Do — from — Do: No 106 dated the 13th Ultimo and enclosures.

Order

Ordered, that a Copy of the last mentioned Despatch be forwarded to the Furlough Committee for early consideration and report, and that Copies of all the papers mentioned above be forwarded to the Governments of Bengal, Madras and Bombay, with a request that the Government of India may be favored with the opinions of those Governments on the propositions

of

of the Furlough Committee, and on the
Review of them by the Secretary of State.

D. E. H. Lushington
Secy to the Govt of India

R Cole

Asst Secy to the Govt of India

P. & O.
14. 4

Minute.

I have but little to add to the Minutes which I have already recorded on the subject of the Civil Service Absentee Rules and which have been submitted to the Govt of India. I wish however to offer a few remarks in answer to the objections which I am aware have been advanced with reference to the probable effect of the restriction proposed by me in the amount of leave which should be granted without forfeiture of office.—

2. It has been argued that my proposal for restricting leave with retention of appointment to one year in seven would have the effect of materially diminishing the amount of leave which a Civil servant can obtain under the existing rules. I have briefly adverted to the fallaciousness of this argument in my Minute of the 21st March last. I will take this opportunity of exposing the fallacy, as I regard

regard it, more in detail. What then are the actual facts? Under the existing rules every Civil servant is entitled to three years furlough with a furlough allowance of £500 a year, but accompanied by loss of appointment. He is also eligible once in his service for six months special leave retaining his appointment and drawing on his return half the salary attached to it, and if his health fails he may obtain leave on Medical Certificate without loss of appointment for periods amounting in the aggregate to two and a half years. It is true that the leave on Medical Certificate may amount to three years, but if the absentee is absent for more than 20 months at one time or for more than 30 months altogether, he forfeits his appointment. Practically therefore the amount of leave, exclusive of privilege leave, which a Civil servant may obtain under the present rules without forfeiting his appointment is six months on private affairs and two years and a half on Medical Certificate, or three years altogether. And if he chooses to forfeit his appointment he may obtain six months more leave on Medical Certificate with an absentee allowance of £500 a year, and also three years furlough with a similar absentee allowance.

3. Under the new rules, if the restriction which I have advocated should be imposed, every Civil Servant, ill or well, will be entitled to be absent from his duties for one year out of every seven, retaining his appointment, i.e. for five years out of the maximum period of service of 35 years, for four years out of what I believe to be the average period of service, viz. 28 years, and for three years out of the minimum period of service required for full pension, viz. 25 years - in addition to the six months special leave which will be obtainable under the new rules as under the old. And under Sections XI & XII of the new rules as proposed by the Calcutta Committee every Civil servant whose health may necessitate more frequent absences will be able on producing the requisite

requisite Medical Certificate to be absent for five years and a half out of his service without forfeiting his appointment even though that service may not exceed 27 years and a half. For instance suppose a Civil Servant is compelled after completing eight years service to go to England on Medical Certificate, he may obtain leave for two years without loss of office. Should his health fail again three years after his return to duty, i.e. in his fourteenth year of service he may again obtain such leave as may be requisite up to two years without loss of appointment, and should his health fail a third time he may again obtain leave for a year or for such balance of the five years leave obtainable on the whole as he may not have already enjoyed, provided that three years have elapsed since his last return to duty. He may also once in the course of his service obtain the six months Special leave, and on the principle laid down in para 12

of

of the recent despatch from the Secretary of State, if he have exhausted the whole of the leave available with retention of office but is obliged by the state of his health to take further leave he might be able to obtain such further leave as might be requisite, not exceeding one year, forfeiting his appointment but drawing the subsistence allowance of his rank.—

4. It will thus be apparent that under the new rules restricted to the extent to which I recommend that they should be restricted, every Civil servant whose health may compel him to visit England frequently will be able to obtain leave amounting in the aggregate to six years and a half, for five and a half of which he will be allowed to retain his appointment, while the aggregate amount of leave which he can obtain under the present rules is the same, viz six years and a half; but the period for which under those rules he can retain his appointment is only three years.

The contrast which the new rules as I have proposed to restrict them, present

present to the existing rules in the case of Civil servants who retain their health throughout their service is not less favorable. Under the existing rules a Civil servant so situated cannot be absent from duty except on privilege leave for more than six months once in his service without forfeiture of appointment. If willing to vacate his appointment he can obtain three years furlough. Under the new rules, if modified in the manner proposed in my former Minutes, every Civil servant so situated will be able to obtain leave with retention of office for three years and a half in the aggregate out of his service of twenty five years. If he remains longer in the service he will be entitled to another years leave on the completion of his twenty-seventh year and to another on the completion of his thirty-fourth year.

5. I have thought it right to enter into the foregoing explanation with the object of vindicating the recommendation submitted in my former Minutes against the charge of undue

illiberality and of showing that even if the restrictions which I have ventured to suggest should be adopted, the new rules will afford far greater facilities to the Service for obtaining leave than are available under the rules now in force.

6. On further consideration, however and while adhering to the principle that the amount of leave exclusive of special leave which may be granted with retention of appointment ought not to exceed five years out of the aggregate service of 35 years or at the rate of one year in every seven, I desire to make a slight modification in my previous recommendation with the view of rendering the last years leave available a few years before the close of service instead of in the very last year of it. With this object I would adopt the suggestion of the Calcutta Committee that the first leave should not be available until after the expiration of eight years service and that then two years should be granted, and after that I would

Grant

grant one year's leave after every six years service. Under this arrangement a Civil Servant obtaining leave regularly as it fell due under the rules and serving the full 35 years would pass on leave his 6th 10th years, his 17th year, his 24th year & his 31st year of Service.

I reserve my remarks on the Military Rules until we receive those of His Excellency the Commander in Chief.

A. J. Cumbrae

5th May 68

XIIXX No. 334.

From,
The Adjutant General,

To,
The Secretary to Government
Military Department,

Sir,

I have the honor to acknowledge the receipt of the copy of the papers referred to this Department on the 26th ultimo, herewith returned, as requested, and by order of the Commander in Chief to observe, that the proposed Furlough Rules, appears to be calculated generally, to meet the present requirements of the service.

2 Adverting to rule XV. an Officer proceeding on Furlough on Medical Certificate for two years, and obtaining one year in extension, retains his appointment, but an Officer who originally proceeds on two years Furlough on private affairs and obtains an extension of one year on Medical Certificate, it is no doubt intended should also retain his appointment, a few words to make this point clear in the rule, seems desirable.

3 Rule XVIII will press hardly on Officers of this Army serving at distant stations in Burmah: it will be scarcely possible for them to arrange to leave Rangoon by the monthly steamer for Madras (which touches at Vizagapatam and intermediate Ports) and catch the Homeward overland steamer at the Presidency within 30 days.

His

From Quarter Master Genl
Fort St. George
Dated 5th May 1858.

Received by the Hon'ble
the Secretary to Government
Military Department
on the 5th May 1858.

No. 2949

Regarding the new Furlough
Service Rules and
Furlough Rule.

40.

C.H. May

4. His Excellency considers that rule XXIII does not go far enough, and recommends that the proportion of leave qualifying as service for pension, be extended one year for the period entitling an Officer to retire on the pension of a Colonel_ viz:

2 years in 20.
3 years in 25.
4 years in 30.
5 years in 32.

5. With reference to rule XXV an Officer is on leave in India, and being entitled, obtains furlough to England, must he resign appointment previous to departure to enable him to retain it. If not, the three years absence from appointment alluded to in Para XV could be exceeded._

I have the honor to be,
Sir
Your Obedient Servant,
J. E. Robertson Colonel
Deputy Quarter Master General_

Deputy Quarter Master Genl's Office
Fort Saint George
4th May 1868.

Minute

Since writing my Minute of the 5th. ultimo, I have received in circulation the Adjutant General's letter of the 7th. idem, submitting the remarks of His Excellency the Commander-in-Chief on the proposed Military Furlough Rules.

2. With reference to His Excellency's remark on the operation of Rule XV, I would observe that the provision made therein for allowing an officer to retain his appointment while on leave on Medical Certificate for three years has been objected to by the Secretary of State in the 17 para of his despatch of the 13th March last in which the opinion is expressed that "two years is the utmost extent of leave with retention of appointment that should be granted at one time."

3. I see no objection to the extension of the proportion of leave qualifying as service for pension which is proposed by His Excellency in para 4 of the Adjutant General's letter.

with

Rec'd 5th May 1868
Fifty
Mil Office
No 224

From the Adjutant General,
To the Secretary to Government
of India

Dated 1st May 1868. Rec'd 3rd
do —

No 227

Covering observations regarding
certain alterations & additions in
the Furlough Rules for Military
Service &c.

Circulate all round.

—

Mr. D.

Fort St. George
9th July, 1868

Has been perused & the observations with regard to the amendment of Rule 6 in the Furlough Rules contained in the Remark thereon, submitted for the consideration of His Excellency the Commander-in-Chief, have been duly considered by the Commander-in-Chief in Council & he is pleased to direct that the Furlough Rules be not altered in the manner proposed.

By the Commander-in-Chief's Command
H. Macaulay Secretary
to Govt.
M. Chetty
Asst.

4. With reference to the Commander-in-Chief's remark on rule XXV I presume that an officer obtaining furlough to England while absent on leave in India would only be permitted to retain his appointment for the balance of such period not exceeding two years for which furlough with retention of appointment might be due to him after deducting the period of absence from duty already spent by him in India without rejoining his appointment.

5. There is one point in these rules adverted to in my minute of the 5th instant which I think ought to be made more clear. I refer to the effect of leave taken on Medical Certificate upon the privilege of obtaining leave on furlough. The Committee in their report, para 43, advert to this point as one upon which the Civil & Military rules differ. They say that "the leave of absence on Medical Certificate of a Military officer does not restrict his power of applying for furlough after having served certain specified periods; whilst in the case of the

furlough in anticipation." As I remarked in my last minute, I see no valid reason for the distinction here alluded to, but on again looking at the rules it appears to me to be questionable, whatever the intention of the Committee may have been, whether there is any practical difference on this point between the two sets of rules as at present drafted. Rule XIII of the Military Rules says that "an officer not entitled to furlough whose health may necessitate his taking it may under the usual medical certificate obtain such amount as may be duly certified to be necessary for the restoration of his health. Such furlough will not be granted for a longer period than two years in the first instance, but it may be extended up to three years on pay." &c.

In this rule the proviso entered in the corresponding Civil rule XI that leave on medical certificate in the case of an officer not entitled to furlough shall be "subject to the limits prescribed in respect of the total amount of furlough and the maximum to be taken at any one time" is omitted

omitted, but a very similar proviso occurs in a subsequent rule (XVII of the Military rules) in which it is laid down that the aggregate amount of Furlough with pay and retention of appointment, whether on private affairs or on Medical Certificate, that may be granted to an officer during his service, will be limited to eight years.

6. It appears to me that the effect of this last quoted rule is precisely the same as that of the proviso in Rule XI of the Civil rules; viz that it involves the principle of counting leave on Medical Certificate as furlough taken in anticipation, unless indeed it be the intention of rule XIII of the Military rules that an officer taking leave on Medical Certificate, who is not entitled to furlough, is to be allowed to draw ~~[illegible]~~ the pay of his rank, but not to retain his appointment. Whatever may be the proper construction of Rule XIII (of the Military rules), which is silent as to retention of appointment, the point

point is one which ought not to be left in doubt.

C. J. Courtenay

15th May 1868.

Read

It is intended that under the circumstances stated an officer returning from leave and absent beyond 2 years it would clear up all doubt if to Rule XXIV were added the words "2 years to be the utmost extent of leave with retention of pay and appointment that shall be granted under any circumstance at one time" This would be in accordance with the view entertained by the Secretary of State and clear up doubts as to the rules under the head of "Furlough" and "Leave in India" I am of opinion also that the note referred to in Para. 29 of the Committee's Report should be added to Rule XVIII: adding "Burmah & Straits beyond sea" and after "Commander in Chief" the words "of the Presidency" There is no Station within the limits of the Madras Presidency that entails extension Beyond: but Officers are employed with Madras Troops beyond those limits and an extension is necessary in those cases; this should be clear in the Rules

15th May 1868 W. Mansfield

dispd 20/5

98

Financial Department.

No. 257

To

The Secretary to the Government
of India,
Financial Department.

Calcutta

Sir,

With reference to the
Proceedings of the Government
of India in the Financial
department, dated the 16th
ultimo, No 2198, and in
continuation of my letter
of the 17th idem No 191, I am
directed to transmit for the
consideration of His Excellency
the Governor General in Council,
copies of further Minutes
recorded by His Excellency
the Commander in Chief
and the Honorable Mr.
Arbuthnot on the subject of
the proposed changes in
the

Financial Dept
Proceedings
May 16 1868

Forwarded by the Secretary
to the Government of India
in the Financial Department
with the Governor General's
Minute of the 2nd instant
S.C. No 257
15 May 1868

No 230 of 251

Regarding the views
Finlayson & Colvile
make for the Civil &
Military Service,

42 7 45

the Furlough Rules of the
Civil and Military Services.

Fort St George
19 May 1868

3/1 Leg
24-3-16 BL

Civil 1868. Department.

No. 251.

To

The Secretary to the
Government of India.
Department.

Dated 19 May 1868.

Transmitting for consideration copies of further minutes recorded by two of the Members of Council, on the subject of the proposed changes in the Furlough Rules of the Civil and Military Services.

39c44

Council