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(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 458	Press / Mis.
Dated 2-10-	18 68.

12/13

5-9

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 2*nd October* 1868.

Read the following papers :—

No. 5. From C. R. PELLY, Esq., Madras Civil Service, on leave, to the Chief Secretary to Government, Fort Saint George ; dated No. 7 Ely Place, Dublin, Ireland, 26th August 1868.

I have the honor to enclose, herewith, copy of correspondence with the Under Secretary of State for India, relative to the new Furlough Rules.

2. You will observe from Mr. Merivale's letter, that, as regards my first question, viz., whether ten months' sick leave, or about ten months (for I believe the actual period of my absence was somewhat short of this), taken to Ceylon in 1852-53, will be counted against me as a portion of the six years' furlough accorded by the new Rules, I am referred to the Government of Madras.

3. From the marginal extract from the letter in question, I gather that the fact of my electing to take the remainder of my furlough under the new Rules (Section 32) should be communicated to the Government of Madras. I accordingly now beg to report that I so elect. Paragraph 3 of my letter to Mr. Merivale sets forth with tolerable accuracy the leave I have had since entering the Service. I am, however, unable to verify the dates, which can only be ascertained by reference to the *Fort Saint George Gazettes ;* and my *three* years' furlough being, by my electing to come under the new Rules, converted into a *two* years' furlough, I have the honor to request I may be informed of the *exact date on which I shall have to report myself present at Madras.*

> "And that should you elect to take the remainder of your present three years' furlough under the new Rules, you could not be permitted to take more than a two years furlough from the date of the commencement of your present leave. For information in regard to the precise amount of furlough that could be allowed you, you should apply to the local Government."

4. Having elected to take the remainder of my furlough under the new Rules, I presume my allowances from the 1st July will be calculated in conformity with Rule VII, and the amount to be drawn have to be adjusted in the Accountant General's Office at Madras. I accordingly request I may be furnished with such certificate as will enable me to effect an adjustment at the India Office.

From C. R. PELLY, Esq., Madras Civil Service, to the Under Secretary of State for India; dated 5th August 1868.

I am in receipt of your letter of the 1st instant informing me, in reply to mine of the 30th ultimo, that the new Civil Service Furlough Rules have been sanctioned by the Right Honorable the Secretary of State for India in Council, with effect from the 1st ultimo.

2. The said confirmation necessitates my applying to you for information on the following three points :—

1*st.*—Relative to ten months' leave on medical certificate, taken in 1852-53, under what I may designate the original Rules.

2*nd.*—Relative to six months special leave on urgent private affairs obtained in 1863-64.

3*rd.*—Relative to my present three years' furlough.

3. For facility of reference I enter in the margin dates of my appointment and arrival in India, particulars of leave obtained up to the date of my departure from India on my present leave, and the nature of my present leave.

Date of appointment.....	June		1847.
Date of first arrival in India...	30th October		,,
Leave up to commencement of present leave, viz., 27th August 1867.	Yrs.	Ms.	Days.
Sick leave to Ceylon in 1852-53...	0	10	0
Sick leave to England, 10th June 1855 to 18th August 1856.....	1	2	8
Special leave on urgent private affairs, 11th September 1863 to 9th March 1864.....	0	5	25
Present Leave.			
Furlough for three years from 27th August 1867. Of this there has expired up to date.....	0	11	21

4. As shown above in the margin, I obtained sick leave to Ceylon for ten months in 1852-53, and the first point on which I am desirous of obtaining your ruling has reference to it. I cannot specify the exact date from which this leave commenced, nor is it perhaps material to the question to be determined. Under the original Rules in force up to that time these ten months counted as *residence* towards the term of 22 years' residence qualifying for pension, inasmuch as the leave was taken to a place

east of the Cape. Am I still allowed these ten months as residence, or will they now be treated as a portion of the six years furlough allowed by Section 2, Chapter I, of the new Rules? The original Rules in force in 1852, and for some time subsequent, allowed a Covenanted Civilian to proceed on medical certificate to any place east of the Cape for three separate periods of two years each, counting them as residence. These Rules were superseded by Rules passed in 1855, viz., those in force up to 1st July last, and I presume it is not the intention to now necessitate my residing in India for a further term of ten months in lieu of those passed in Ceylon.

5. My next question has reference to the special leave on urgent private affairs for 5 months and 25 days obtained in 1863-64. Section 23, Chap. III, allows six months special leave, but does this term of six months constitute part of the six years' furlough allowed by Section 2, Chap. I, or is it wholly irrespective of it? I presume, from the Rules being apparently silent on the point, that the six months special leave is intended to be an indulgence separate and distinct from the six years' furlough.

6. Section 32, Chap. V, "Temporary Rules," sets forth that any Officer now absent on furlough may elect whether the remainder of his leave shall be taken under these rules from the date of their promulgation. I so elect. My present leave, viz., furlough for three years, commenced on the 27th August 1867; a little short of a year of it has expired up to date; and the last question I shall trouble you with is this:—Does not my electing to take the remainder of my leave under the new Rules convert my furlough for three years into one for two years—Section 6, Chap. I?

From H. MERIVALE, Esq., C. B., Under Secretary of State for India, to C. R. PELLY, Esq., Madras Civil Service; dated India Office, 25th August 1868.

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 5th instant, and, in reply to your inquiry whether ten months sick leave taken by you at the Cape of Good Hope in 1852-53 would count as a portion of the six years' furlough accorded by the new Rules, I have to inform you that your application should be addressed to the Government of Madras.

2. With respect to your remaining inquiries, I have to state that the special leave on urgent private affairs taken by you (for 5 months and 25 days) in 1863-64 would not constitute a part of the six years' furlough allowed under the new Rules, and that, should you elect to take the remainder of your present three years furlough under the new Rules, you could not be permitted to take more than a two years' furlough from the date of the commencement of your present leave.

3. For information in regard to the precise amount of furlough that could be allowed to you, you should apply to the local Government.

Referred to the Examiner of Claims for early report.

28*th September* 1868 (Signed) R. S. ELLIS,
Chief Secretary.

No. 6. No. 1026.

REPORT OF THE EXAMINER OF CLAIMS.

The undersigned has the honor to report that the sick leave, within Indian limits, taken by Mr. C. R. Pelly in 1852-53, under the Rules of 1843, is not reckoned either as part of the six years' furlough allowed by the new Rules, or against his actual service for pension.

2. Mr. Pelly's reduced period of furlough expires with 27th August 1869 inclusive, and he is entitled to absentee allowance from 1st July last, at the rate of Rupees 1,000 a month.

ACCOUNTANT GENERAL'S OFFICE, (Signed) W. DONALD,
FORT SAINT GEORGE, *Examiner of Claims.*
28*th September* 1868.

To the Chief Secretary to Government, Fort Saint George.

No. 7. From M. J. WALHOUSE, Esq., Civil and Session Judge of Mangalore, on leave, to the Chief Secretary to Government, Fort Saint George; dated Sandown, Isle of Wight, 26th August 1868.

In accordance with Rule 12 of the new "Rules regarding leave of absence to Covenanted Civil Servants," and being instructed by the India Office that it is the course I should take, I have the honor to request you will be good enough to lay before Government my application for four months' extension of my present leave on sick certificate, *i. e.*, from 3rd January 1869 to 3rd May 1869, with reference to Rules 3, 6, and 29.

2. The fifteen months' leave granted me by Government from the 4th May last year was extended to twenty months by the Secretary of State for India, under date 9th June last, and will expire on 3rd January next.

3. The relief I had begun to derive from my visit to Europe has been seriously impaired by the extraordinary heat of this summer, and I am anxious to obtain the benefit of another winter in England, believing it will be highly necessary and beneficial, as I am medically advised. To the best of my understanding, the new Rules enable me to do this, as by them (Rules 3, 6, & 7) I appear to have two years' sick leave to my credit, with a lien on my appointment. More than three years had elapsed between my return from furlough and obtaining my present leave on medical certificate, which is the only leave of that kind I have ever had; and my actual service of more than twenty years puts five years' furlough to my credit, which will be completed by the extension of four months now applied for.

4. As the new Rules appear to vest no power of granting leave in the Home Authorities, and the latter are unable to give me any information on the point, I make this application direct, and respectfully beg that any errors in form may be excused and rectified. It is not stated, and I cannot learn, whether in my circumstances such application should be supported by any fresh medical certificate. One can be forwarded if required.

5. This application is made in the belief that, under the new Rules, I should retain a lien on my substantive appointment till the end of the extension applied for. Should I have no such lien I beg this application may be cancelled; my circumstances not allowing me to incur the forfeiture, even to obtain the benefit anticipated.

6. I venture respectfully to point out the importance to my arrangements of receiving a reply as early as convenient, and request it may be addressed to me to the care of Messrs. Ridgway & Co., 2 Waterloo Place, Pall Mall, London.

Referred to the Examiner of Claims for early report.

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

28*th September* 1868.

No. 8. No. 1025.

REPORT OF THE EXAMINER OF CLAIMS.

The undersigned has the honor to report that, Mr. M. J. Walhouse, Civil and Session Judge of Mangalore, is eligible, upon production of medical certificate, to an extension of four months' leave, under Sections 3, 6, and 29 of the Civil Service Rules of 1868.

2. Mr. Walhouse retains a lien upon his present appointment until 3rd May 1869 inclusive, and is entitled to absentee allowance at the rate of Rupees 1,000 a month from 1st July last.

ACCOUNTANT GENERAL'S OFFICE, (Signed) W. DONALD,
FORT SAINT GEORGE, *Examiner of Claims.*
28*th September* 1868.

To the Chief Secretary to Government, Fort Saint George.

Proceedings of the Madras Government, Financial Department, 2nd October 1868.

No. 9. To the Under Secretary of State for India, dated Fort Saint George, 2nd October 1868, No. 458.

I am instructed by the Governor in Council to transmit, for the information of the Secretary of State for India, two reports* from the Examiner of Claims, Madras, on applications† received from Messrs. C. R. Pelly and M. J Walhouse, from which it will be observed that Mr. Pelly's reduced period of furlough expires on the 27th August 1869, and that he is entitled to absentee allowance from 1st July last at the rate of Rupees 1,000 per mensem.

* Dated 28th September 1868, Nos. 1025 & 1026.
† Dated 26th August 1868.

That Mr. Walhouse is eligible, upon production of medical certificate, to an extension of four months' leave; that he retains a lien on his appointment until 3rd May 1869; and that he is entitled to absentee allowance at Rupees 1000 per mensem from the 1st July last.

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

Exd. J. H. Burns,

2

No 7. Ely Place. Dublin
Ireland
Augt 26th 1868

From,
C. R. Pelly, Esqre
To,
The Hon.ble R. S. Ellis
Chief Secy to Govt

Sir,

1/ I have the honor to inclose herewith copy of correspondence with the Under Secy of State for India relative to the New Furlough Rules -

2. You will observe from Mr. Merivale's letter that as regards my first question, viz: whether Ten months Sick leave, (or about ten months (for I believe the exact period of my absence was somewhat short of this) taken to Ceylon in 1852/53 will be counted against me as a portion of the six years Furlough accorded by the new Rules, I am referred to the Govt of Madras -

3. From the marginal abstract from the letter in question I gather that the fact of my electing to take the remainder of my Furlough under the New Rules (Sec XXXII) should be communicated to the Govt of Madras & accordingly now beg to report that I do elect: Para 3 of my letter to Mr Merivale sets forth with tolerable accuracy the leave I have had since entering the Service, I am however unable to verify the

"And that should you elect
"to take the remainder of your
"present 3 years Furlough
"under the new Rules you
"could not be permitted to
"take more than a 2 years
"Furlough from the date of
"the Commencement of your
"present leave - For infor=
"mation in regard to the
"precise amount of Fur=
"lough that could be

dates which can only be ascertained by re- "allowed you, you should
ference to the Fort St. George Gazettes, and "apply to the local Govt.
my three years Furlough being by my Electing
to come under the new Rules converted into a
two years Furlough, I have the honor to request
I may be informed of the exact date on which
I shall have to report myself present at Madras -

Having elected to take the remainder of my 4
Furlough under the new Rules I presume my al-
lowances from the 1st July will be calculated
in conformity with Rule VII and the amount
to be drawn have to be adjusted in the Accountant
Genl. office at Madras, I accordingly request
I may be furnished with such certificate as
will enable me to effect an adjustment at the
India office -

I have the honor to be,
Sir,
Your obdt. Servant,

C. R. Pelly 5

Referred to the Examiner of Claims for his
report.

For the Examiner of Claims - 28 Sept. 1868

R Wallace
Chief Secretary

Madras, 1868 Govt.
Financial
From
C.R. Pelly Esq. C.S.
Dublin, Ireland

Rec'd
Rec'd
Fee

Forwards copy of correspondence
with the India Office relative
to the Furlough he is entitled
to on the Head of his return
to Europe under the Code &
finally asks, as he elects to
remain under the present Rules
a Certificate to enable him
to draw his Furlough, on which
basis the Furlough Allowances
will be calculated at Madras.

Referred.

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Augt. 5 - 1868.

From C. R. Pelly Esqre
Madras Civil Service
To The Under Secretary of State for India.

Sir, I am in receipt of your letter of the 1st inst: informing me in reply to mine of the 30th ult: that the new Civil Service Furlough Rules have been sanctioned by the Right Hon.ble the Sec.y of State for India in Council, with effect from the 1st ult: -

2 The said confirmation necessitates my applying to you for information on the following three points
1st Relative to Ten months leave on Medical certificate taken in 1852/53. under what I may designate the original Rules -
2nd Relative to six months Special leave on urgent private affairs obtained in 1863/64 -
3rd Relative to my present 3 years Furlough -

3. For facility of reference I state in the margin dates of my appointment, and arrival in India particulars of leave obtained up to the date of my departure from India on my present leave, and the nature of my present leave -

Date of appointment	June	1847.	
Date of first arrival in India	30 Oct.	1847.	
Leave up to commencement of present leave viz: 27th Augt/67	years	month	days.
Sick leave to Ceylon in 1852/53	0	- 10	- 0
Sick leave to England. 10th June/53 to 18th Augt/56	1	- 2	- 8
Special leave on urgent private affairs H.S. 16th 63. to March 9/64.	0	- 5	- 25.
Present leave			
Furlough for 3 years from 27th Augt/67			
of this there has expired up to date.	0	- 11	- 21.

4. As shown above in the margin I obtained sick leave to Ceylon for ten months in 1852/53 and the first point on which I am desirous of obtaining your

ruling has reference to it - I cannot specify the
exact date from which this leave commenced nor is
it perhaps material to the question to be determined
under the original rules in force up to that time this
Ten months counted as residence towards the term
of 12 years residence qualifying for Pension in as
much as the leave was taken to a place East
of the Cape - Am I still allowed these Ten months
as residence or will they now be treated as a portion
of the 24 years Furlough allowed by Sec II Chap I of
the new Rules - The original rules in force in 1852
and for sometime subsequent allowed a Covenanted
Civilian to proceed on Med: certificate to any
place East of the Cape for three separate periods
of two years each counting them as residence these
rules were superceded by Rules passed in 1855
viz: those in force up to 1st July last and I presume
it is not the intention to now necessitate my residing
in India for a further term of Ten months in lieu
of those passed in Ceylon —

My next question has reference to the Special leave 5
on urgent private affairs for Years Months Days. 0 - 5 - 25 obtained
in 1863/64 Sec XXIII Chap III allows 24 months Special
leave but does this term of 24 months constitute part
of the 24 years Furlough allowed by Sec II Chap I or
is it wholly irrespective of it; I presume from
the Rules being apparently silent on the point
that the 24 months Special leave is intended to
be an indulgence separate & distinct from the
24 years Furlough —

Sec XXXII Chap V. "Temporary Rules" sets forth that 6
any officer now absent on Furlough may elect
whether the remainder of his leave shall be
taken under these rules from the date of their
promulgation, I so elect, my present leave viz:
Furlough for 3 years commenced on the 27th Aug 1867
a little short of a year of it has elapsed up to date
and the last question I shall trouble you with is
this - Does not my electing to take the remainder of
my leave under the new Rules convert my Furlough
for 3 years into one for 2 years. Sec VII Chap I.

I have the honor to be
Sir
Y. obt. Servt
C. R. Pelly.

(True copy.)

India office. S. W.
25th Augt 1868

Sir, I am directed by the Secretary of State for India
in Council to acknowledge the receipt of your letter
of the 5th Inst: and in reply to your inquiry whether
10 months sick leave taken by you at the Cape
of good Hope in 1852/53 would count as a portion
of the 24 years Furlough accorded by the new rules
I have to inform you that your application should
be addressed to the Government of Madras.

With respect to your remaining inquiries I have
to state that the Special leave on urgent private
affairs taken by you (for 5 months and 25 days)
in 1863/64. would not constitute a part of the 24
years Furlough allowed under the new Rules
and that should you elect to take the remainder

of your present 3 years' Furlough under the new Rules you could not be permitted to take more than a 2 years Furlough from the date of the commencement of your present leave.

For information in regard to the precise amount of Furlough that could be allowed to you you should apply to the local Govt.

I am
Sir
Your obd. Servant
Herman Merivale.

(True Copy)
C.R. Pelly.

Accountant General's Office. 6

No. 1026. FORT SAINT GEORGE, 28th September 1868.

REPORT of The EXAMINER of CLAIMS.

The Undersigned has the honor to report that the Sick Leave within Indian limits taken by Mr. C. R. Pelly in 1852/3 under the Rules of 1843 is not reckoned either as part of the 6 years' Furlough allowed by the new Rules, or against his actual Service for Pension

Mr. Pelly's reduced period of Furlough expires with 27th August 1869 inclusive, and he is entitled to Absentee Allowance from 1st July last at the rate of Rs 1000 a month.

W. Dowsett
Examiner of Claims.

To
The Chief Secretary to Government

Sandown. Isle of Wight. 26th August 1868.

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To The Hon^ble R. S. Ellis C.B.
Chief Secretary
Fort St. George.

Sir.

In accordance with Rule 12 of the new Rules regarding Leave of Absence to Covenanted Civil Servants, and being instructed by the India Office that it is the course I should take, I have the honour to request you will be good enough to lay before Government my application for 4 months' extension of my present leave on sick certificate viz. from 3d January 1869 to 3d May 1869, with reference to Rules 3. 6. and 29.

2. The 15 months' leave granted me by Government on the 4th May last year was extended to 20 months by the Secretary of State for India under date 9th June last, and will expire on 3d January next.

3. The relief I had begun to observe from my

visit to Europe has been seriously impaired by the extraordinary heat of this summer, and I am anxious to obtain the benefit of another winter in England, believing it will be highly necessary and beneficial, as I am medically advised. To the best of my understanding the New Rules enable me to do this, as by them (Rules 3. 6. 27) I appear to have 2 years' sick leave to my credit with a lien on my appointment. More than 3 years had elapsed between my return from furlough, and obtaining my present leave on Medical Certificate, which is the only leave of that kind I have ever had; and my actual service of more than 20 years puts 5 years' furlough to my credit, which will be completed by the extension of 4 months now applied for.

As the New Rules appear to vest no power of granting leave in the Home authorities and the latter are unable to give me any

information on the point, I make this application direct, and respectfully beg that any error in form may be excused and rectified. It is not stated, and I cannot learn, whether in my circumstances such application should be supported by any fresh Medical certificate; one can be forwarded if required.

This application is made in the belief that under the New Rules I should retain a lien on my substantive appointment till the end of the extension applied for; should I have no such lien I beg this application may be cancelled, my circumstances not allowing me to incur the forfeiture, even to obtain the benefit anticipated.

I venture respectfully to point out the importance to my arrangements of receiving a reply as early as convenient, and request it may be addressed to me to the care of Messrs Ridgway & Co., 2 Waterloo Place

No. 458 Financial Dept
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To, The Under Secretary of State
for India.

Sir,

I am instructed by the Governor in Council to transmit for the information of the Secy. of State for India, two Reports from the Examiner of Claims in Madras, on applications received from Messrs C. R. Pelly and En. J. Walhouse, from which it will be observed that Mr. Pelly's reduced period of furlough expires on the 27th August 1869, & that he is entitled to absentee allowance from 1st July last at the

dated 28th Septr/68.
Nos 1025 & 1026.

& 26th August/68.

the rate of Rs 1000
per mensem.

2. That Lieut Walhouse
is eligible upon
production of medi-
cal certificate to an
extension of four
months' leave. that
he retains a lien
on his appointment
until 3rd May 1869,
& that he is entitled
to absentee allowance
at Rs 1000 per mensem
from the 1st July
last.

457 & 458 - with Awards & Report to follow - 14

Fort St. George.
2 Oct. 68.

Copy to C. R. Pelly Esq.
Do. Lieut. J. Walhouse Esq

Financial 1868 Departt

No. 458

To
The Under Secy. of State for
India

Dated 2d. October 1868.

F.N°505.

Transmitting two Reports from the Examiner of Claims, Madras, shewing the absentee allowances payable to Mess.rs C.S. Pelly, & M.J. Walhouse of the Madras Civil Service while in England on leave.

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