M.R.O. 1—77,000—8-6-37.

(1) Number of pages 6

(2) Date of repair 27. 9. 39

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No.	112	Press Mis.
3-4		
Dated	1— 3—	1869.

3/4

3-4

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 1*st March* 1869.

Read the following :—

No. 3. Proceedings of the Government of India, Financial Department; dated Fort William, 3rd February 1869, No. 832.

Leave and Allowances.

Read the following extracts from the Rules of the 16th June 1868, for the grant of leave of absence to Covenanted Civil Servants :—

Section XXX. "Any officer now in the service shall, when next proceeding on furlough, "elect whether he will draw allowances at the higher minimum rate of £500 per annum, "(not exceeding his total salary at the time). If he shall so elect, he will in any future "furlough be limited as to allowance to the lower maximum rate of £1000 per annum."

Section XXXII. "Any officer now absent on furlough, or under medical certificate may "elect whether the remainder of his leave shall be taken under these rules from the "date of their promulgation. If he shall so elect, Rule XXX. shall not apply to him."

Read letter from the Officiating Junior Secretary to the Government of Bengal, No. 223, dated the 19th instant, submitting for decision the question whether Mr. T. W. Gribble, Assistant Magistrate of Khoostea, who was absent on leave on medical certificate, on an allowance of £500 per annum at the time of the promulgation of the new Rules, and continued after their promulgation to draw that allowance instead of the lower minimum of £300 per annum, should be regarded, with reference to the last sentence of Section XXXII. of the new rules, as having forfeited the right of electing the lower minimum and higher maximum rates of furlough allowance which are allowed by Section 30, unless he refunds the amount in excess of £300 per annum which he drew for the portion of his leave subsequent to the 1st July 1868.

Resolution.—The Governor General in Council observes that the intention of Section 32 of the new rules was, that, if an absentee was entitled, under the new rules, to an augmentation of the allowance which he was receiving at the time they came into force, by accepting the augmentation, he should forfeit his right to the higher minimum allowance of £500 per annum during any future furlough. Mr. Gribble's case is different. By electing that his remaining leave from the 1st July 1868, should be regulated by the new rules, he would have suffered a diminution of his allowances. Rule XXXII. was not intended to apply to such cases, and it has already been decided that the new rules shall not affect injuriously the allowances which any officer was drawing at the time of their promulgation.

2. His Excellency in Council is, therefore, pleased to rule that Mr. Gribble is entitled to the right of election, allowed by Section 30 of the new rules, without refunding any portion of the absentee allowance he has drawn.

Ordered that the foregoing Resolution be published in the *Gazette of India*, and communicated to the Foreign and Home Departments; the Governments of Bengal, Madras, Bombay, the North-Western Provinces, and the Punjab; the Comptroller General of Accounts; the Director General of the Post Office of India; the Accountants General in Bengal, Madras, Bombay, the North-Western Provinces, the Punjab, and British Burmah; and the Deputy Accountants General in the Central Provinces, Hyderabad, and Mysore.

(Signed) G. H. M. BATTEN,
Under Secy. to the Govt. of India.

No. 4 Order thereon, 1st March 1869, No. 112.

Ordered that the foregoing Resolution be re-published in the *Fort Saint George Gazette* for general information.

(True Extract.)

Chief Secretary.

To the Revenue Department.

Exd. J. Wright.

Govt. of (1869) Madras.

FINANCIAL.

To

THE REVENUE DEPARTMENT.

Dated March, 1st.

Rcd. " Encl.

G. O., 1st March 1869, No. 112.

MARCH.

Nos. 3-4.

Directing that the Resolution of the Government of India in regard to Section 32 of the Rules of 16th June 1868, for the grant of leave of absence to Covenanted Civil Servants, be re-published in the *Fort Saint George Gazette*.

No. 832.

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Leave and Allowances.

FORT WILLIAM, *the 3d February* 1869.

Read the following extracts from the rules of the 16th June 1868 for the grant of leave of absence to Covenanted Civil Servants :—

Section XXX. "Any officer now in the service shall, when next proceeding on furlough, elect "whether he will draw allowances at the higher minimum rate of £500 per annum (not "exceeding his total salary at the time). If he shall so elect, he will in any future furlough "be limited as to allowance to the lower maximum rate of £1,000 per annum."

Section XXXII. "Any officer now absent on furlough, or under medical certificate may elect "whether the remainder of his leave shall be taken under these rules from the date of their "promulgation. If he shall so elect, Rule XXX shall not apply to him."

Read letter from the Officiating Junior Secretary to the Government of Bengal, No. 223, dated the 19th instant, submitting for decision the question whether Mr. T. W. Gribble, Assistant Magistrate of Khoostea, who was absent on leave on medical certificate on an allowance of £500 per annum at the time of the promulgation of the new rules, and continued after their promulgation to draw that allowance instead of the lower minimum of £300 per annum, should be regarded, with reference to the last sentence of Section XXXII of the new rules, as having forfeited the right of electing the lower minimum and higher maximum rates of furlough allowance which are allowed by Section XXX, unless he refunds the amount in excess of £300 per annum which he drew for the portion of his leave subsequent to the 1st July 1868.

RESOLUTION.—The Governor General in Council observes that the intention of Section XXXII of the new rules was that if an absentee was entitled, under the new rules, to an augmentation of the allowance which he was receiving at the time they came into force, by accepting the augmentation he should forfeit his right to the higher minimum allowance of £500 per annum during any future furlough. Mr. Gribble's case is different. By electing that his remaining leave from the 1st July 1868 should be regulated by the new rules, he would have suffered a diminution of his allowances. Rule XXXII was not intended to apply to such cases, and it has already been decided that the new rules shall not affect injuriously the allowances which any officer was drawing at the time of their promulgation.

2. His Excellency in Council is therefore pleased to rule that Mr. Gribble is entitled to the right of election allowed by Section XXX of the new rules without refunding any portion of the absentee allowance he has drawn.

ORDERED, that the foregoing Resolution be published in the *Gazette of India*, and communicated to the Foreign and Home Departments; the Governments of Bengal, Madras, Bombay, the North-Western Provinces, and the Punjab; the Comptroller General of Accounts; the Director General of the Post Office of India; the Accountants General in Bengal, Madras, Bombay, the North-Western Provinces, the Punjab, and British Burmah; and the Deputy Accountants General in the Central Provinces, Hyderabad, and Mysore.

G. H. M. BATTEN,

Under Secretary to the Government of India.

Financial 1869 Dept

From

GOVERNMENT OF INDIA.

FINANCIAL DEPARTMENT.

Leave and Allowances.

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No. 832.

Dated, Fort William, the 3d February 1869.

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No 94

Observations regarding
Sec 32 of the rules of
16 June 1868 for the Grant
of leave of absence to
Covenanted Civil Ser
vants

O. S. G. P.—No. 10139 C. F.—5-2-69.—100.

With an extr

No. 112 — 1 March 69.

Ordered that the fore
going Resolution be re
published in the Hurkaru
Bengal Gazette for general
information.

Gazette 2/3
to the Revenue Department 2/3

Govt. of {1869} Madras.

Financial

To

The Revenue Department.

Dated March. 1.

Recd. Encl.

G. O., 1 March. 1869, No. 112.

Nos. 3. 4.

Directing that the Resolution of the Govt. of India in regard to Sec. 32 of the Rules of 16th June 1868 for the grant of leave of absence to Covenanted Civil Servants be re-published in the Fort St George Gazette.