M.R.O. 1—77,005—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.

Financial DEPARTMENT.

G.O. No. 83 Press Mis.

25-26.

Dated 13-2- 1869.

4/5

25-26

Not to be folded or roughly handled

27-9-39

Proceedings of the Madras Government, Financial Department,
13*th February* 1869.

No. 25. Read the following Extract from the Proceedings of the Government of India, in the Financial Department, under date 4th January 1869, No. 47.

Read an endorsement of the Home Department, No. 4768, dated the 12th of December 1868, forwarding for consideration a copy of papers on the subject of the commutation into furlough of a portion of the sick leave taken by Mr. Tucker, of the Civil Service, and referring the question raised in paragraph 3 of the letter from the Government of Bengal.

Resolution.—The Governor General in Council observes that it was not intended by the New Rules that periods of service, which formerly counted as residence under Old Rules, should now be deducted from the completed residence of any officer, except in the case of one year's leave on sick certificate taken under old rules. In this latter case a compensation or equivalent was sanctioned by the new rules in the shape of a reduction of the period of residence by one year. All other leave which has under old rules been actually credited as residence will still remain so credited, as, for instance, sick leave under the rules of May 1843, within Indian limits (comprising certain degrees of longitude and latitude). On this point the Home Department is referred to the Financial Resolution, No. 3477, dated the 5th of November, which, indeed, relates only to qualification for furlough, but may *à fortiori* be considered as applying to qualification for pension, since what is actual service for furlough must be held to be "residence" for pension. Rule XVI. will, however, be strictly construed as regards leave granted after 1st July 1868.

Ordered that a copy of the above be communicated to the Home Department, the Comptroller General of Accounts, and to the several Provincial Accountants General and Deputy Accountants General in independent charge.

Also, that the same be published in the *Gazette of India*.

(True Extract).

(Signed) E. H. LUSHINGTON,
Secy. to the Govt. of India, Finl. Dept.

No. 392.

Copy, with extract (paragraph 3) from a letter from the Government of Bengal, No. 4364, dated the 5th November last, forwarded to the Government of Fort Saint George, for information.

(By Order of the Governor General in Council.)

(Signed) J. GEOGHEGAN,
Under Secy. to the Govt. of India.

Home Department,
Fort William, Public,
21*st January* 1869.

Extract paragraph 3 from a letter from the Government of Bengal, to the Secretary to the Government of India; dated 5th November 1868, *No.* 4364.

Paragraph 3.—But there is one point in Mr. Tucker's case to which the Lieutenant-Governor begs to draw the attention of the Government of India. Rule XVI. of the new rules for the grant of furlough and leave of absence to Covenanted Civil Servants declares that "the term of residence qualifying for pension shall be 21 years, but no leave except privilege leave and subsidiary leave shall count as residence." Mr. Tucker, it appears, took six months' special leave of absence on private affairs in July 1862. He, therefore, inquires, with reference to the above rule, whether this leave will be excluded from the computation of residence for the purpose of completing the minimum of 21 years required to qualify a Civil Servant for pension. As special private affairs leave counted as residence at the time when Mr. Tucker took it, and it was on this understanding that it was taken, the Lieutenant-Governor does not see why leave so taken under the old rules should not also form part of the residence now required to qualify for pension.

No 26. Order thereon, 13th February 1869, No. 83.

Ordered that the foregoing Resolution, with its enclosure, be republished in the *Fort Saint George Gazette*.

(True Extract).

R. S. ELLIS,
Chief Secretary.

To the Revenue Department.

Exd. J. Wright.

Govt. of India, 1869, 30 Jan.

FINANCIAL.

To

THE REVENUE DEPARTMENT.

Dated February, 13th.

Recd.

Encl.

G. O., 13th *February* 1869, *No.* 83.

FEBRUARY.
Nos. 25-26.

Directing that the Resolution of the Government of India in regard to the leaves which should, under the new Rules for the Civil Service, count as residence, be republished in the *Gazette*.

Extract from the Proceedings of the Government of India, in the Financial Department,—No. 47, *under date the* 4*th January* 1869.

READ an endorsement of the Home Department, No. 4768, dated the 12th of December 1868, forwarding for consideration a copy of papers on the subject of the commutation into furlough of a portion of the sick leave taken by Mr. Tucker, of the Civil Service, and referring the question raised in paragraph 3 of the letter from the Government of Bengal.

RESOLUTION.—The Governor General in Council observes that it was not intended by the new rules that periods of service, which formerly counted as residence under old rules, should now be deducted from the completed residence of any officer, except in the case of one year's leave on sick certificate taken under old rules. In this latter case a compensation or equivalent was sanctioned by the new rules in the shape of a reduction of the period of residence by one year. All other leave which has under old rules been actually credited as residence will still remain so credited, as, for instance, sick leave under the rules of May 1843, within Indian limits (comprising certain degrees of longitude and latitude). On this point the Home Department is referred to the Financial Resolution No. 3177, dated the 5th of November, which indeed relates only to qualification for furlough, but may *à fortiori* be considered as applying to qualification for pension, since what is actual service for furlough must be held to be "residence" for pension. Rule XVI. will, however, be strictly construed as regards leave granted after 1st July 1868.

ORDERED, that a copy of the above be communicated to the Home Department, the Comptroller General of Accounts, and to the several Provincial Accountants General and Deputy Accountants General in independent charge.

Also, that the same be published in the *Gazette of India*.

(True Extract.)

E. H. LUSHINGTON,
Secy. to the Govt. of India, Finl. Dept.

No. 30

COPY, with extract (paragraph 3) from a letter from the Government of Bengal, No. 4364, dated the 5th November last, forwarded to the Government of Fort St George, for information.

HOME DEPARTMENT;
FORT WILLIAM,
PUBLIC,
The 2 *January* 1869.

By Order of the Governor General in Council,

Under Secy. to the Govt. of India.

Financial 1869 Dept

From
Under Secy. Govt. of India
Home Dept
No 392

d/ 21 Jany
R/ 3 Feby.

No 5-9

Rec'd 6 Feby
Fin Dept

Forwarding a ruling of the Fin. Dept. in regard to the leaves which count as residence under the new Leave rules for the Civil Service

With an order.

No 83 - 13 Feby 1869.

Ordered that the foregoing Resolution with its enclosure be re-published in the Fort St. George Gazette.

R.N.

Gazette - 1/2
To the Revenue Department 1/2

25 & 26.

Govt. of {1869} Madras.

Financial

To

The Revenue Deparmt.

Dated Feby. 13.

Recd. Encl.

G. O. 13 Feby. 1869, No. 83.

Nos. 25. 26.

Directing that the Resolution of the Govt. of India in regard to the leaves which should, under the new Rules for the Civil Service, count as residence, be re-published in the Gazette.