M.R.O. 1—77,006—8-6-37.

(1) Number of pages 4

(2) Date of repair 2-11-39

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial **DEPARTMENT.**

G.O. No. 96	Press / Mis.
11-12	
Dated 10-3-	18 71.

11-12 516

Not to be folded or roughly handled

No. 11. Read the following letter from the Accountant-General, to the Chief Secretary to Government, Fort Saint George, dated Fort Saint George, 18th January 1871, No. 27 :—

Audit Department.

I have the honour to request to be favoured with the orders of Government upon the following points :—

(1,) Whether the Audit Department is to consider, unless it be distinctly ordered otherwise, that a Member of the Covenanted Civil Service suspended for a short time from duty is not to receive subsistence allowance ; and

(2,) Whether such an Officer loses all claim to privilege leave which he may have earned previous to suspension.

2. I am obliged to trouble Government with this reference to enable me to reply to an inquiry made by Mr. McCarthy on the subject, and there are no distinct orders bearing upon it on the records of this office.

No. 12. ORDER THEREON, 10th March 1871, No. 96.

Under the despatch of the Court of Directors, dated 8th October 1823,* a Civil Servant under suspension from the service was not entitled to any allowances whatever ; but, on affidavit of the Civil Servant that he was unable to maintain himself, advances not exceeding two-thirds of the out-of-employ allowances of his rank, to be refunded if disapproved by the Court, might be made by the Government.

* Judicial Department.

2. This rule, however, appears to have become obsolete ; for, in several cases of suspension of Civil Servants, which have occurred in this Presidency since 1857, the out-of-employ allowances of their rank have been drawn.

3. Acting on these precedents, the Government resolve to authorize the Accountant-General to pass to Mr. McCarthy the subsistence allowance of his rank for the period of his recent suspension.

4. With regard to the second question, the Government observe that, as periods of *continuous duty* are required to entitle Civil Servants to privilege leave, service for such leave must commence from the termination of the period of suspension, which interrupts the continuity of duty requisite under the rule.

4. As the points raised are of general importance, and may require the issue of a general rule, these proceedings will be reported for the information of the Government of India.

(True Extract.)

Chief Secretary.

To the Accountant-General.

Exd. J. Wright.

Govt. of [18]71 30 March

FINANCIAL.

To THE ACCOUNTANT-GENERAL.

Dated March, 10*th*.

Recd. Encl.

G. O., 10th March 1871, *No.* 96.

MARCH.
Nos. 11—13.

Authorizing to pass to Mr. McCarthy the subsistence allowance of his rank for the period of his recent suspension, and expressing opinion on the question whether a Covenanted Civil Servant suspended for a short period loses all claim to privilege leave which he may have earned previous to suspension, and reporting these proceedings for the information of the Government of India.

FINANCIAL DEPARTMENT.

No. 97.

FROM

THE HON. R. S. ELLIS, C.B.,
Chief Secretary to the Government of Fort Saint George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I have the honour to forward, for the information of the Government of India, copy of the Proceedings of this Government noted in the margin, and for the issue, should such seem to His Excellency the Viceroy in Council necessary, of general orders on the subject of the allowances to be given to Civil Servants under suspension, and of the effect which suspension should have upon claims for privilege leave, whether accumulated leave, of which no portion has been taken, or a balance of such accumulated leave when it has been earned and taken in instalments.

10th March 1871, Nos. 11 & 12.

I have the honour to be,
Sir,
Your most obedient servant,

FORT SAINT GEORGE,
10*th March* 1871.

Chief Secretary.

Exd. J. Wright.

1871.

FINANCIAL DEPARTMENT.

From

The Chief Secretary to Government,

Fort Saint George,

To

The Secretary to the Govt. of India,

Financial Department.

Dated 10th March, 1871.

Recd. No. 97.

Enclosure.

Forwarding copy of the Proceedings of this Government, for the issue of general orders, if necessary, on the subject of the allowances to be given to Civil Servants under suspension, and of the effect which suspension should have upon claims for privilege leave, whether accumulated leave, of which no portion has been taken, or a balance of such accumulated leave when it has been earned and taken in instalments.

dispd 15/3 with 3 Cols of Proc 2 to 6.

3 3

Financial Department

No. 97

To

The Secretary to the Government of India

Financial Department

Sir,

I have the honor to forward for the information of the Govt. of India, copy of the Proceedings of this Govt noted in the margin, and for the reasons, should such seem to His Excellency the Viceroy in Council necessary, of general orders on the subject of the allowances to be given to Civil Servants under suspension, and of the effect which suspension should have upon claims for

10 March 1871 No. 11 & 12.

for privilege leave, whether accumulated leave, of which no portion has been taken, or a balance of such accumulated leave when it has been earned and taken in instalments.

V. St. St George
10 March/71

187.

Financial DEPARTMENT.

From
The Chief Secretary to Government,
Fort Saint George,

To
The Secretary to the Govt. of India,
Financial Department.

Dated 22nd. A 187.

Read.

No. 77
Enclosure.

Nos. 11. 15.

Forwarding Copy of the Regn. &c. this Govt. for information & orders if necessary, on the subject of the allowances to be given to Civil Servants under suspension, and of the effect which suspension should have upon claims for privilege leave, whether accumulated leave, of which no portion has been taken, or a balance of such accumulated leave when it has been carried and taken in instalments.