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Financial (1899) Department.

ORDINARY M.S.

G.O., No. 645

DATED 31- 5 - 99

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[Despatch Abstract.]

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Government {1899} of Madras.

FINANCIAL.

FOR RECORD ONLY.

MISCELLANEOUS.

Recd. } 1899. *Enclosures*

Regd. } 1899. *Spare copies*

G.O., No. 645, 31st May 1899.

MAY.

Recording certain papers regarding the difficulties caused to the public service by discontinuity in work due largely to the frequency of leave vacancies, and the measures proposed to minimize these difficulties and wastes.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

Read—the following paper :—

Letter from F. A. NICHOLSON, Esq., I.C.S., to the Chief Secretary to Government, dated Trivandram, 16th November 1898.

His Excellency the other day remarked, in a speech, upon the difficulties caused by discontinuity in work, due largely to the frequency of leave vacancies; Government is naturally anxious to minimize these difficulties and wastes. Well, one simple order will largely do what is needed, and that is, *allow privilege leave and ordinary leave to be taken in continuation of one another, and, if necessary, allow privilege leave to be accumulated beyond three months.* This order will have leave vacancies, and earn the gratitude of the services, especially of the poorer members or sections with families in England. It is a reform which will not only cost Government nothing but will positively reduce State expenditure, while improving work in quantity and quality.

2. Under present rules privilege leave can only be accumulated for three months and may not be joined to any other Code leave. But of what use are two or three months to a man broken down by, perhaps, several years of continuous work in which leave may have been impossible, or even refused owing to service necessities? What are three months to a man who has not seen his wife or children for half a dozen years? Mere tantalization! Besides, hundreds of men cannot afford to take the home voyage for the sake of only six or seven weeks in England; Rs. 1,000 are often barely attainable—especially in these days of attenuated rupees—by men in many of the services, and must be jealously saved for furlough. Privilege leave, then, as it is, is generally useless for home-going, and men must go on half-pay if they wish to go home—a fact which itself prevents many men from so doing for many years together, to the great detriment of work, health and temper.

3. Now men are not such fools as to lose their full-pay privilege leave if they can help it; hence men take such leave whether they need it or not; not only so, but men fritter away leave in short periods of one or two months, with the maximum trouble to Government, just because there is no object in saving it, and for fear of losing it; three months are useless to many a man for going home and he therefore takes his month or two whenever he can get it.

4. Take a concrete case; A intends to go on furlough in April 1899; during 1896—98 he, now, takes privilege leave whenever he can get it; or perhaps he saves up three months which he takes in September—December 1898, when he returns to work for three months till April, and then goes on furlough; hence the very difficulties alluded to by His Excellency.

5. Now allow men to take other leave in continuation of privilege leave; A needs furlough but cannot afford six or eight months on half-pay after incurring the cost of the voyage, but sees his way to six months in 1899 if made up of privilege leave *plus* furlough; that man not only works *continuously* but cheerfully—not hopelessly—for the three or four years prior to 1899 when he takes three or four months' privilege leave *plus* three or four of furlough; results—minimum number of transfers, minimum cost to the State, minimum solution of continuity, minimum total of *furlough* taken by A during his thirty years' service, maximum of work done by A both in quality and in time actually served, maximum comfort, &c., to A. Since writing the above I have spoken to an officer of Travancore, where privilege leave may be added to furlough though it may not accumulate beyond three months. Since 1892 when this officer returned from leave, he has, in order to have three months' privilege leave alway in hand ready to be added to his next furlough, continuously abstained for six years from taking privilege leave, with the result that, though three months' leave has lapsed, he is going home shortly on three months' privilege leave *plus* furlough. The Sirkar has thus gained three months' work in the six years and been free from transfers, while the officer has been hopeful and contented.

6. Such an order would also be highly expedient as removing what is felt as a hardship and often as an injustice. A man has worked faithfully for three years, in *many* cases unable, from the demands of the public service, famine, plague, or the like, to take leave; he is broken down by long, weary, isolated work, broken down, perhaps, just because he has worked extra hard; for this reason or for imperative family urgencies he requires six months' complete rest or freedom; under the present rules he must actually lose, *irrevocably*, the whole of his privilege leave which he has "earned"—to use even the Code language; it is not just, and, therefore, not expedient that a man should lose, for no fault of his own but often because of the interests of the public service or because of the zeal with which he has worked, that which he has "earned." You must excuse plain language; men feel it, and it is no use not saying it. Give the services this boon and the work done will, apart from the question of continuity, be better because more cheerfully and hopefully done when a man feels that ill-health or family needs cannot lose him the few months' full-pay leave which he has earned. Rules framed many years ago under former conditions need alteration, and this is one of them.

7. The British India rules as to privilege leave are not at all universal, if, indeed, they are not peculiar to British India. In some Native States privilege leave and furlough may be taken in continuation, and in the Straits Settlement services this is also the rule; I believe that in these latter full-pay leave may be accumulated up to six months. I do not know the Ceylon rules.

8. If Government do not agree to the full relief asked, there are several minor possibilities or partial reliefs, *e.g.*, (1) privilege leave on full pay may be added to furlough but not counted as "residence;" (2) it may be granted in conjunction only with "leave on medical certificate," thus removing a real hardship; (3) failing any of the above, privilege leave may be accumulable up to, at least, four months, a period which, under present conditions, would give a man 11 or 12 weeks in England; there is no special virtue in a three months' limit. But I strongly urge the full measure.

9. Being just back from leave and of 29 years' service, I have, practically, no personal interest in the matter; I write from past experience to some extent, but chiefly upon what I have seen and heard amongst men less fortunately situated.

From F. A. NICHOLSON, Esq., I.C.S., to the Chief Secretary to Government of Madras, dated 8th December 1898.

I see that the "Madras Mail" in its issue of the second takes the same view, that it would be the most efficient reform in the matter of preventing discontinuit of service.

I may say that neither the letter nor the comment is mine.

Enclosure.

Extract from the "Madras Mail".

The Abuse of Official Transfers.

Sir,—I do not suppose that there is any one who would dispute the fact that the want of continuity of policy is one of the evils of the system of Government in this country, but that that evil has anything to do with the granting of privilege leave is a matter in which few, if any, will agree. Yet this view has twice lately been advanced in the *Madras Mail*. The "General Post" that has been described is in no way an *essential* result of the granting of privilege leave, and could easily be avoided. On the other hand privilege leave is one of the most cherished boons that falls to the lot of the servants of the Government of India. If this privilege were taken away or curtailed it would have a most detrimental effect on the popularity of Government service and it would double the labours of the Medical Boards. A month or two's privilege leave often enables officers who would otherwise have to be invalided, to serve on for many years longer. If privilege leave were abolished the number of officers on sick leave would soon increase to an amount that would seriously embarrass the Government.

Senior.

☞ It is no doubt true that the abuse of official transfers caused by privilege leave could be avoided to some extent by putting in juniors on the spot to act in vacancies thus caused. But it is just this that the Madras Government does not do, the reason in the case of Civilians being, as we have pointed out *ad nauseam*, that the salaries of appointments are "territorial" not "personal". With a graded service many of the present transfers would be unnecessary. The most efficient reform, however, would be to allow privilege leave to be taken in conjunction with other leave. There would then be an end to the present practice of taking privilege leave in order not to forfeit it, returning to duty for a few months, and then taking furlough, thus involving three transfers of officers instead of one.—Ed.

Note.—This file was taken to Calcutta in case it might have been required there, but it was not referred to.

(Intld.) C.M.S.
2-4-99.

FINANCIAL DEPARTMENT.

Notes connected with G.O., No. 645, Financial, dated 31st May 1899.

Leave Rules.

In his demi-official of the 16th November 1898 (which has been put into type and which may be treated as a letter), Mr. F. A. Nicholson makes certain suggestions for minimizing the difficulties caused by discontinuity in the work of officers in consequence of the frequency of leave vacancies—a question to which reference was made by His Excellency the Governor in his speech at Masulipatam on the 24th October last.

2. Mr. Nicholson observes that what is needed will largely be effected by one simple order, viz., to allow privilege leave and ordinary leave to be taken in continuation of one another and, if necessary, to allow privilege leave to be accumulated beyond three months. The advantages of such a rule are set out in paragraphs 2 to 5 of Mr. Nicholson's letter.

3. Failing the above rule there are, Mr. Nicholson remarks, several minor possibilities or partial reliefs; *e.g.*,

(1) privilege leave on full pay may be added to furlough but not count as residence;

(2) it may be granted in conjunction only with "leave on medical certificate," thus removing a real hardship;

(3) it may be allowed to accumulate up to, at least, four months, a period which, under present conditions, would give an officer 11 or 12 weeks in England.

4. The chief merits claimed by Mr. Nicholson for the rule referred to in paragraph 2 *supra* are that it will halve leave vacancies and that it will not only cost Government nothing but will positively reduce State expenditure, while improving work in quantity and quality.

5. Mr. Nicholson states that in the Native State of Travancore privilege leave may be added to furlough, though it may not accumulate beyond three months. He also points out that the British Indian Rules as to privilege leave are not by any means universal and he instances the cases of some Native States

and the Straits Settlements where combination of such leave with other leave is allowed.

6. Attention is solicited to the following summary of the correspondence on the subject of the combination of other leave with privilege leave.

7. In accordance with the despatch from the Court of Directors to the Governor-General in Council, No. 25, dated 28th March 1855, the Government of India published on the 8th June 1855 a revised set of rules regulating the grant of leave to Civil Servants. The following excerpts from these rules, which bear on the question of privilege leave and its combination with other kinds of leave, are given for easy reference :—

In Extract from Minutes of Consultation, No. 285, Financial, dated 26th June 1855.

"*Section XII.*—The Government may grant to Civil Servants leave of absence to any place in India, Europe or elsewhere without any restrictions whatever as to the place to which they may resort for one month in each 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 eleven months from the expiration of the last leave; but servants not availing themselves of the indulgence in any one year may obtain, under the like conditions, leave of absence for two successive months, to commence at or after the expiration of twenty-two months from the termination 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 thirty-three 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 month beyond the term granted, his office shall become vacant."

"Civil Servants absent from their stations under medical certificate cannot be admitted to leave under this rule in continuation of their sick leave; and if, while absent under this rule, they be granted extended leave under medical

certificate, they shall be considered liable to the rules applicable to leave of absence on medical certificate for the whole period of their absence."

"Civil Servants who have been absent on medical certificate during any portion of a calendar year are not entitled to leave under this rule during that year; but in determining the interval necessary to entitle a person to leave under this rule, no reference will be made to any intermediate leave of absence that may have been granted under section XIV, clause 1."

"*Section XIII.*—As a general rule, when leave is granted under section XII, such leave will be in one period only, whether for a whole month or less, and not in detached portions to complete one month within the year, and the term year shall be held to mean the calendar year commencing with the 1st of January and ending with the 31st of December, but as an exception to this rule, it shall be discretional with the several Local Governments, where good cause is shown for the indulgence, and 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 instalments, not to exceed in the aggregate one month within the calendar year, on the understanding that no leave can be granted for any fresh calendar year until the completion of three months from the expiration of the entire leave or of the last instalment of leave taken in the past calendar year."

"*Section XIV, Clause I.*—The Government may, on sufficient cause being shown, grant to a Civil Servant special leave of absence on private affairs for six months, to any place in India, Europe or elsewhere, without any restrictions whatever as to the places to which he may resort, provided, however, that if any officer to whom such leave shall be granted shall be absent from his station for any period exceeding that to which he may be entitled without deduction, under section XII, the absentee shall, for the period in excess, draw no more than one-half of his salary and allowances. After an absence of six months (exclusive of any period which may be granted under section XII) any office held by the absentee shall become vacant."

"*Clause II*—The leave granted under this section will be computed from the date of the absentee's quitting his station

This is special leave.
(Intld.) G.S.
5-4-99.

to the date of his return thereto, and a second leave of the same description cannot be taken till the expiration of six years from the date of return to duty from a former leave. * * * "

"*Clause III* * * * *."

8. In their Financial despatch to the Government of India, No. 87, dated 24th November 1855, in Extract from Minutes of Consultation, No. 13, Financial, dated 9th January 1856, the Court of Directors prohibited the grant of special leave on private affairs in continuation of privilege leave, remarking:—

"We expressly stated in paragraph 15 of our despatch abovementioned* that the special leave for six months under section XV† (to be granted only in cases of urgency) was to be '*computed from the date of the absentee's quitting his station to the date of his return thereto*,' a condition which obviously could not be fulfilled if the leave were allowed in continuation of leave granted under section XIII".‡

9. On the 22nd December 1855, the Government of India published a notification revising section XII (privilege leave) and section XIV (special leave on private affairs) referred to in paragraph 7 *supra*. Then it was clearly stated that privilege leave could not be taken in connection with, or in continuation of, special leave on private affairs.

10. When the Civil Absentee Rules were amended in 1856, in accordance with the despatch from the Court of Directors to the Government of India, No. 25, dated 12th March 1856, it was made clear that privilege leave should not be taken from the date of return of an officer from sick leave.

11. In paragraph 18 of their despatch to the Government of India, No. 11, dated the 6th February 1856, and paragraph 3 of No. 40, dated the 21st May 1856, the Court of Directors ruled that a Civil Servant must return to his duty at the expiration of his privilege leave to entitle him to the advantages thereof and that such leave should not be taken preparatory to furlough.

12. With reference to the despatches quoted in the preceding paragraph the Government of India published in 1856 a notification to the effect that officers intending to take furlough or to retire from the service would be required to continue to serve, unless disabled by sickness, for a period of three months after

* No. 25, dated 28th March 1855.

† Section XIV extracted in the preceding paragraph.

‡ Section XII in the extract given in the preceding paragraph.

Last paragraph of amended rule XII in Extract from Minutes of Consultation, No. 34, Financial, dated 28th January 1856.

In Extract from Minutes of Consultation, No. 249, Financial, dated 3rd June 1856.

In Extract from Minutes of Consultation, No. 364, Financial, dated 29th July 1856.

No. 51, Financial, dated 14th November 1856, in Extract from Minutes of Consultation, No. 574, Financial, dated 28th November 1856.

return to duty from privilege leave, failing which its advantages would be forfeited.

13. In connection with a reference made by the Government of Bengal on the subject of privilege leave preparatory to furlough the Court of Directors observed:—

Paragraph 3 of Financial despatch from the Court of Directors, No. 32, dated 29th April 1857, printed in G.O., No. 487, Financial, dated 13th August 1857.

"It was not intended that a return to duty only for a week or two, after privilege leave, should be sufficient to bar the operation of the rule which we have laid down; but as suggested by the Lieutenant-Governor of Bengal, we shall allow privilege leave to be taken before furlough provided three months elapse before the return to station duty after the expiration of such leave, and the date of relinquishing office for the purpose of proceeding on furlough."

14. In January 1863, the Government of India forwarded for the opinion of this Government a copy of the leave rules framed by the Secretary of State. According to those rules privilege leave could be taken by Civilians to any place in India and the adjacent seas for one month in a year and for three months in three years, but not for more than three months at a time. The grant of privilege leave in continuation of leave on medical certificate and *vice versa* was also prohibited.

Government of India letter, No. 124-G., dated 24th February 1863, at page of letter to India, No. 118, Financial, dated 24th February 1863.

15. Paragraphs 5 and 9 of letter No. 118, Financial, dated the 24th February 1863, contained the comments of this Government on the rules regarding privilege leave referred to in the preceding paragraph. In paragraph 9 of the letter, the Government of the day questioned the expediency of allowing privilege leave to accumulate for three months. It was thought then that the grant of cumulative privilege leave would necessitate a series of acting appointments, often at much public inconvenience, and that it would be preferable to increase the amount of privilege leave obtainable in one year to six weeks, to be taken, either the whole together, or by instalments at the option of the applicant and to abolish the cumulative leave. The opinion held by the Government at the time was that privilege leave should be taken by officers once a year in order that they might have an annual rest and cessation of work.

16. In the draft rules submitted by the Committee appointed by the Government of India to revise the leave rules in 1867

* Why?
(Intld.) G.S.
5-4-99.

* *For the C.S.*—
Attention is solicited to rules 5 and 6 at page 2 of G.O., No. 118, Financial, dated 24th February 1863. It is submitted that the Government of India did not assign any reason for the rule.
(Intld.) V.S M.
8-4-99.

it was proposed to lay down that privilege leave and special leave should not be taken in continuation of furlough nor furlough in continuation of these two kinds of leave, but that privilege leave and special leave could be taken together. The arguments of the Committee for proposing such a rule will be found in paragraphs 15 and 16 of their report at pages 15 and 16 of G.O., No. 251, Financial, dated 19th May 1868. The Secretary of State while passing orders on the above question remarked as follows :—

Rule XXVII at page 11 of G O., No. 251, Financial, dated 19th May 1868.

Paragraphs 7 and 9 of despatch to the Government of India, No 106, dated 13th March 1868, at pages 1 and 2 of G.O., No. 251, Financial, dated 19th May 1868.

"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."

* * * * *

"The proposed combination of privilege leave with special leave on urgent private affairs is open to objection * * *. Encouragement should be given to officers charged with laborious duties to avail themselves of this (privilege) 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."

17. The Government of India referred to this Government for opinion the correspondence disposed of by the Secretary of State's Despatch No. 106, dated 13th March 1868. In connection with this and with reference to a memorial submitted by the Members of the Civil Service in February 1868, two Members of the Madras Government recorded minutes in which they expressed the opinion that annual privilege leave might be extended to six weeks, cumulative leave being abolished, and a third Member observed that if the Supreme Government resolved to adopt the one month leave after eleven months at duty, and permitted an accumulation of the privilege leave to the extent of two months as suggested by the

Vide endorsement at page 59 of G.O., No. 251, Financial, dated 19th May 1868.

Page 1 of G.O., No. 191, Financial, dated 17th April 1868.

Pages 8 and 10 of G O., No. 191, Financial, dated 17th April 1868.

Page 11 *ibid.*

Secretary of State, there would be no hardship in a refusal to allow such accumulation to be tacked on to the six months' special leave.

Vide extracts from the *Gazette of India*, dated 20th June 1868 (Financial Department Notification, No. 533, dated 16th June 1868).

18. In the rules published by the Government of India in June 1868, accumulation of privilege to three months was allowed, but furlough, special leave and privilege leave were not to be taken as such in continuation of each other.

Abstract printed in G.O., No. 122, Financial, dated 6th March 1869.

19. In its letter to the Accountant-General of the Punjab No. 3085, Financial, dated 29th December 1868, the Government of India ruled that privilege leave might be taken in continuation of the two months' leave admissible to a Junior Civil Servant who passed a successful examination in the Oriental languages and that the two months might be regarded as qualifying for privilege leave. In the following January, the Accountant-General, Madras, asked the Government of India whether special leave might be taken by an officer in continuation of the two months' examination leave. With reference to this enquiry, the Government of India observed that, by the letter of the 29th December 1868, it did not mean to authorize privilege leave being added to and combined with the two months' examination leave, but merely to rule that the latter leave should not interrupt the reckoning for privilege leave and indeed should be considered as service qualifying for privilege leave, so that, if entitled, an officer might obtain privilege leave immediately on the expiration of the examination leave. The Government of India added that in all cases it would be necessary for an officer to rejoin his post after the expiration of the two months' examination leave and that no leave must be taken simply in continuation of such leave.

Endorsement, No. 908, Financial, dated 7th February 1869, printed in G O., No. 122, Financial, dated 6th March 1869.

Printed at page 1 of G.O., No. 226, Financial, dated 13th May 1869.

20. In its Resolution No. 101, Financial, dated 24th April 1869, recorded in G.O., No. 226, Financial, dated 13th May 1869, the Government of India, after mentioning two theories about privilege leave, viz., (1) that it is granted for the purpose of enabling an officer who has worked uninterruptedly for a certain period, to recruit his health and strength for future work, and (2) that it is a privilege earned by past work and has no reference to the future, observed that the first theory was the correct one and that it was upon that theory was founded the rule, which had always been insisted upon, that at the conclusion of

privilege leave an officer must rejoin his appointment. It was, however, found that the formality of rejoining the appointment had been observed in letter, but that the spirit of the rule had been broken by the nominal transfer of the officer concerned to a similar post in or near a Presidency town whence he could embark on longer leave. To put a stop, therefore, to such evasions of the rule, the Governor-General in Council prescribed the rule that an officer, when applying for privilege leave, shall declare that he has no present intention of taking any other leave within a period of six months after the expiry of his privilege leave.

Home Department letter, dated 25th August 1869, at page 1 of letter, No. 641, Financial, dated 25th December 1869.

21. In August 1869 the Government of India asked this Government for an expression of opinion whether instead of the rule allowing annually one month's privilege leave, capable of accumulation to three months, it might not be advisable to substitute a rule providing a longer annual period of leave, but disallowing all accumulation; for example, an annual leave of six weeks accompained by such an amount of subsidiary leave as might suffice for the period really necessary to proceed to, and return from, the place where the leave is to be spent, provided that the total time of absence shall in no case exceed two months.

Letter No. 641, Financial, dated 25th December 1869.

This Government demurred to the proposal on the grounds that, if such a rule were passed, the necessity for making acting appointments would tend to recur annually instead of once in three years and that the system which then existed provided a suitable reward for men who were healthy and fond of work, and who, to the undoubted advantage of the public service, remained at the head of their offices for a period of nearly three years, while enabling those who required relaxation to take it annually. The Government added further that as in most cases the officer next in rank in the district was appointed to act for the absentee on leave for three months, sufficient opportunities were afforded to young officers of exercising superior duty and of showing their zeal and capacity which but for such opportunities would not easily become known to the Government and the controlling authorities. The Government thought, moreover, that the cumulative leave was especially suited to officers burdened with families who would find it onerous to take leave every year, and was even disposed to add to leave earned under

the rules then in force three days for each journey to and fro, so that officers might enjoy their month or accumulated months clear of periods spent in travelling.

Pages 1 and 2 of letter, No. 641, dated 25th December 1869.

The Hon'ble Mr. A. J. Arbuthnot recorded a minute dissenting from the views expressed in the letter to India above referred to and referring to the correspondence of 1863 and 1868 wherein the Madras Government advocated the abolition of cumulative privilege leave. Apart from the question of maintaining the consistency of this Government, Mr. Arbuthnot considered that the abolition of cumulative leave would be financially advantageous, seeing that in that case the duties of an officer absent on leave could be performed by the officer next in rank without any expense to the State. He observed further that the consideration that young officers appointed to act for absentees on cumulative leave could have opportunities of exercising superior duties and of making known their zeal and capacity to the Government and other controlling authorities furnished an argument for, and not against, the extension of the period of annual leave and the abolition of cumulative leave; because, he thought, most of the young officers referred to would have an opportunity of exercising the higher functions once in every year instead of once in three years.

G.O., No. 118, Financial, dated 24th February 1863, and No. 191, Financial, dated 17th April 1868.

22. In August 1872 the Board of Revenue submitted for the orders of Government a request by Mr. A. L. Lister, C.S., that the Privilege Leave Rules might be so modified as to allow a week's leave to be placed at the credit of an officer for every three months' service in excess of the first eleven months' service which qualifies for one month's privilege leave. The Government replied that it was not prepared to advocate the change proposed.

G.O., No. 1404, Financial, dated 12th October 1872.

23. The following is an extract from a letter from the Government of India, Home Department, to the Government of Bombay No. 377 (Police), dated 18th November 1881:—

In G.O., No. 2369, Financial, dated 3rd December 1881.

"It is clearly improper that an officer who, while on privilege leave, obtains a certificate to the effect that he is incapable of work and requires leave for a lengthened period, should be allowed, even for a single day, to rejoin his office (the duties of which it may be presumed that he is physically unfit to perform) before the expiration of his privilege leave, and should then be permitted to proceed on furlough on medical certificate."

The Madras Government asked the Government of India to reconsider the foregoing ruling so far as it affected the case of an officer who was in ordinary health when he applied for and proceeded on privilege leave, but who, during the leave, contracted such sickness as to incapacitate him for the performance of work. To oblige such an officer to convert the expired portion of the privilege leave which he had earned into sick or other leave would, the Government added, appear hard.

Letter No. 2370, Financial, dated 3rd December 1881.

In reply, the Government of India stated that the hardship referred to would be removed if the proposals which had been made to the Secretary of State on the subject were sanctioned. No further correspondence is traceable on the subject.

Government of India letter, No. 49, dated 18th February 1882, in G.O., No. 307, Financial, dated 4th March 1882.

It would be useful to obtain these proposals from India.
(Intld.) C.M.S.

24. From the foregoing summary it would appear that the original intention with which the system of privilege leave was instituted was to give rest to hard-worked officers by granting them an annual holiday and not to give them an opportunity of going home frequently for which the furlough rules had made provision.

25. Chapter XI, section VI, of the Civil Service Regulations contains the present rules regarding the extension and commutation of leave.

Article 264 states that no kind of leave except extraordinary leave without allowances and leave under * article 321, and in certain cases examination leave, can be granted in continuation of any other kind of leave, but that any leave granted under these Regulations may be retrospectively changed for any other kind or period of leave for which the officer was qualified when the leave was originally granted.

* Hospital leave.
(Intld.) C.M.S.

Article 266 lays down that if an officer subject to the Indian Service Leave Rules who is absent on privilege leave, or on leave on private affairs, or on furlough, takes an extension of leave on medical certificate, the whole of the absence will be treated as leave on medical certificate.

Under article 270 when privilege leave is, on medical certificate, retrospectively changed for furlough out of India, so much of the leave passed before the departure of the vessel in which the officer sails may be treated as subsidiary leave under clause (1) of article 352 (*a*) as might have been granted as subsidiary leave if the officer had originally obtained furlough and not privilege leave, notwithstanding that a portion of such retrospective furlough has been passed in India.
(Intld.) V.S.M.
13-2-99.

Article 891 prescribes the privilege leave declaration under which an officer applying for privilege leave binds himself not to apply for furlough, special leave, &c., for three months after his return to duty.

The Privilege Leave Rules are contained in articles 277 to 310.

26. Mr. Nicholson's letter sets out the present position of affairs clearly, and it is submitted that there is much to be said in favour of his proposal to allow other leave to be taken in continuation of privilege leave. The foregoing summary shows that the existing rules had their origin in the fifties and sixties when the utilization of three months' leave for a visit to England was out of the question. It is true that privilege leave was originally instituted with the idea of affording hard-worked officers an opportunity of an annual holiday; but with the present facilities for reaching England, officers do not take their annual holiday as originally intended, but allow their leave to accumulate to three months to enable them to run home. It is in the very rarest cases that officers now take privilege leave for a month and this only happens now as an accident and not with the idea on the part of the officer availing himself of the leave to repeat the annual holiday in the year succeeding. It is submitted that the present position should be faced and that is what the leave rules do not do. As regards the combination of privilege and other leave, it is to be noted that Government would not lose money by the concession. Cases need not be cited to show that the practice is increasing under which officers who intend to take furlough in the near future and who have privilege leave to their credit, take this privilege leave, return to duty for the prescribed three months, and then proceed on furlough. If the privilege leave and furlough were concurrent, Government would not be out of pocket whilst it would be saved the cost of an extra transfer and the administration of the country would gain by the removal of one of the factors which now produce constant changes in the incumbents of appointments. Another solution of the difficulty, which Mr. Nicholson proposes, is the

It is a much greater holiday to go to England and does one far more good than it does to go to Ooty or any other hill station.
(Intld.) G.S.
5-4-99.

permission to accumulate privilege leave to four months. This concession would have the advantage of reducing the number of privilege leave vacancies, but it is thought that is less likely to be viewed favourably by the Supreme Government and by the Secretary of State. Mr. Nicholson's first proposal—that of permitting an officer to combine privilege leave with furlough—appears to be the best of those put forward by him.

(Intld.) C.M.S.
3-4-99.

(Intld.) G.S.
2-5-99.

See note below.

(Intld.) G.S.
2-5-99.

The evil to which Mr. Nicholson proposes to apply a remedy is that of the frequent transfers of officers of the Civil Service. These arise from men passing out of the service but much more largely from men going on leave. Of those due to men going on leave by far the larger number of transfers are due to men taking privilege leave. The annual decrement is about seven men in a year, while the number of men who go on furlough is about 20 and on privilege leave nearly 40. The tendency lately has been not to increase the indulgence of privilege leave but to cut it down. Thus it is not many years since the rule has been introduced refusing to give any allowance to the acting man for the first thirty days of his acting period. It seems very hard to refuse a man privilege leave or to interfere with his inclination in the matter but, I think, too much indulgence can be shown and that without any injustice men can be required to take their leave not at the time which suits their own convenience but at that which suits the public interests. I think we are very likely to have the retort hurled at us that granted the evil, we must try some other way of dealing with it than by increasing the indulgences in connection with privilege leave. I think it much more likely that a rule will be introduced that privilege leave must be taken on reduced pay than that we shall be allowed to tack it on to furlough on full pay. The evil is as bad I believe in other provinces. Would it be well to ask them how they think it should be dealt with?

(Intld.) G.S.
2-5-99.

(Intld.) H.W.

Yes.
(Intld.) H.W.

But this is a large item. I think I have forfeited quite half the privilege leave I have earned, and I know several others who have done the same.

(Intld.) H.W.

I agree
(Intld.) H.W.

The Government of India have the subject of official transfers now under consideration I believe. If this is the case I see no particular advantage in our addressing them. All the facts detailed in the office-note are known to them, and we have nothing original to urge apart from what must occur to any one who considers the subject, viz., to allow other leave to be taken in continuation of privilege leave. It would be easy to ascertain from Mr. Meyer or one of the Secretaries whether the subject is under consideration. If it is not, then I think it would be well for this Government to set the stone rolling and address India on the subject. It should be recognised that since privilege leave was first introduced conditions have greatly changed, and that it is now worth while accumulating privilege leave for two or three months in order to go to England—a thing that could not have been accomplished in the time in the old days. It would therefore now be a grave hardship to abolish the concession of accumulating privilege leave and to revert to the original idea that it should be taken as an annual holiday. Given the retention of the concession to accumulate privilege leave the obvious change now necessary in the interests of the public service to prevent frequent transfers, is to allow other leave, *i.e.*, ordinary furlough, furlough on sick certificate and extraordinary leave to be taken in continuation of privilege leave. This would be an undoubted boon to all public servants and of so much value that for this very reason India may hesitate to grant it or recommend it to the Secretary of State. But, on the other hand, it will cost the State nothing—except in so far as some privilege leave will be taken which otherwise would be forfeited—and it would effect a valuable administrative improvement.

It would be necessary to give figures showing for, say, three years the number of transfers due to privilege leave as compared with those due to other leave. The number of cases in which privilege leave was followed after three months by other leave might be of interest.

Another small change might well be introduced—namely, to allow an officer to retire after privilege leave without rejoining his appointment. I can see no reason or advantage in the present prohibition. I am altogether opposed to any larger accumulation of privilege leave than

three months. For longer periods the rules as to furlough with or without sick certificate should apply.

(Intld.) A.T.A.
4-5-99.

The Civil Service Leave Rules are splendidly liberal (except to Members of Council !) and so far as the service is concerned should think it unwise to agitate.

Otherwise I am in sympathy with Mr. Nicholson, and as a matter of policy it would seem expedient to allow privilege leave to be joined with furlough.

It might be provided that the total to be taken at one time should not exceed two years.

(Intld.) H.W.
6-5-99.

This matter is under the consideration of the Viceroy. I spoke to him about it in Calcutta. At His Excellency's request, I am addressing him to-day, on the subject, in a private letter. I think, for the present, no further action need be taken by us.

(Intld.) A.E.H.
13-5-99.

Hon'ble Mr. Arundel, C.S.I.—

Hon'ble Mr. Winterbotham—

With reference to His Excellency's note above.

(Intld.) G.S.
15-5-99.

Seen.

(Intld.) A.T.A.
16-5-99.

Seen.

(Intld.) H.W.
19-5-99.

ORDER—No. 645, Financial, dated 31st May 1899.

Recorded.

(True Extract.)

G. STOKES,
Chief Secretary.

Exd. S. A. S. Raghaviengar.

D.O. 783

Fml

~~Public~~ (1898) Department.

D.O.
~~CURRENT~~ No. 783

Pub / Pub.

Paste out ~~the~~ the telegram the note² in Madras Mail and the³ speech as reported in the Mail — [neatly (giving dates of Madras Mail articles)]

CWB
24.11.98

Done
24.11.98

Ref

Order

Are there any papers (correspondence with India) on the points raised in Mr. Nicholson's D.O.?

CWB
26.11.98

G.R. For papers if any.

DR
29.11.98

Papers put up; important G.O.s have been flagged.
1.12.98

From F. A. Nicholson Esqr. I.C.S.

No.

Dated 16-11-98

Received 20-11-98

Registered 21-11-98.

Enclosures

Spare copies

Press

Please print these D.O.s and show proof soon

VSm
10-1-99

SUBJECT.

Offering certain of his views for the consideration of Government regarding furlough & privilege leave to Civil Servants

BACK PAPERS.

G.O.	No.	Department.	Date.

Madras Mail D
24-10-98
+ 25-10-98

G.R. papers 31-12-98.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Madras Mail D 24-10-98

D.O. 783

THE RESIDENCY TRAVANCORE & COCHIN

CHIEF SECRETARY 20 NOV. 1898 GOVERNMENT OF MADRAS

Trivandrum.
16th November 1898.

My dear Stokes,

His Excellency the other day remarked, in a Speech, upon the difficulties caused by discontinuity in work, due largely to the frequency of leave vacancies; Government is naturally anxious to minimise these difficulties and wastes. Well, one simple order will largely do what is needed, and that is, allow privilege leave and ordinary leave to be taken in continuation of one another, and, if necessary, allow privilege leave to be accumulated beyond 3 months. This order will halve leave vacancies, and earn the gratitude of the Services, especially of the poorer members or Sections with families in England. It is a reform which will not only cost Government nothing but will positively reduce State expenditure, while improving work in Quantity

and quality.

2. Under present rules privilege leave can only be accumulated for 3 months and may not be joined to any other Code leave. But of what use are two or three months to a man broken down by perhaps several years of continuous work in which leave may have been impossible or even refused owing to Service necessities? What are 3 months to a man who has not seen his wife or children for half a dozen years? mere tantalization. Besides, hundreds of men cannot afford to take the home voyage for the sake of only 6 or 7 weeks in England; Rs 1000 are often barely attainable – especially in these days of attenuated rupees – by men in many of the Services, and must be jealously ~~leaved~~ saved for furlough. Privilege leave, then, as it is, is generally useless for home-going, and men must go on half-pay if they wish to go home, a fact which itself prevents many men from so doing for many years together, to the great detriment of work, health, and temper.

3. Now men are not such fools as to lose their full-pay privilege leave if they can help it; hence men take such leave whether they need it or not; not only so, but men fritter away leave in short periods of 1 or 2 months, with the maximum trouble to Government, just because there is no object in saving it, and for fear of losing it; three months are useless to many a man for going home and he therefore takes his month or two whenever he can get it.

4. Take a concrete case; A intends to go on furlough in April 1899; during 1896-98 he, now, takes privilege leave whenever he can get it; or perhaps he saves up 3 months which he takes in September – December 1898, when he returns to work for 3 months till April, and then goes on furlough; hence the very difficulty alluded to by His Excellency.

5. Now allow men to take other leave in continuation of privilege leave; A needs furlough but cannot afford

6 or 8 months on half-pay after incurring the cost of the voyage, but sees his way to 6 months in 1899 if made up of privilege leave plus furlough; that man not only works continuously but cheerfully - not hopelessly - for the three or four years prior to 1899 when he takes 3 or 4 months privilege leave plus 3 or 4 of furlough; result - minimum no. of transfers, minimum cost to the State, minimum solution of continuity, minimum total of furlough taken by A during his 30 years service, maximum of work done by A both in quality and in time actually served, maximum comfort, &c. to A. Since writing the above I have spoken to an Officer of Travancore where privilege leave may be added to furlough though it may not accumulate beyond 3 months. Since 1892 when this Officer ~~returned~~ returned from leave, he has, in order to have 3 months privilege leave always in hand ready to be added to his next furlough, continuously abstained for 6 years from taking privilege leave, with the result that, though 3 months' leave has elapsed, he is going home shortly on 3 months' privilege leave plus furlough - the latter has thus gained 3 months' work in the 6 years and been free from transfers, while the Officer has been hopeful and contented.

5. Such an order would also be highly expedient as removing what is felt as a hardship and often as an injustice. A man has worked faithfully for 3 years, in many cases unable, from the demands of the public service, famine, plague, or the like, to take leave; he is broken down by long, weary, isolated work, broken down, perhaps, just because he has worked extra hard; for this reason or for imperative family exigencies he requires 6 months complete rest or freedom; under the present rules he must actually lose, irrevocably, the whole of his privilege leave which he has ~~returned~~ earned - to use even the Code language; it is not just, and, therefore, not expedient that a man should lose, for no fault of his own but often because of the interests of the public service or because of the zeal with which he has worked

that which he has "earned." You must excuse plain language; men feel it, and it is no use not saying it. Give the Services this boon and the work done will, apart from the question of continuity, be better because more cheerfully and hopefully done when a man feels that ill-health or family needs cannot lose him the few months' full pay leave which he has earned. Rules framed many years ago under former Conditions need alteration, and this is one of them.

6. The British India Rules as to privilege leave are not at all universal, if, indeed, they are not peculiar to British India. In some Native States privilege leave and furlough may be taken in Continuation, and in the Straits Settlement Services this is also the rule; I believe that in these latter full pay leave may be accumulated up to 6 months. I do not know the Ceylon rules.

Put up the Year Book and Perhaps Dll

7. If the Government do not agree to the full relief asked, there are several minor possibilities or partial reliefs: e.g. (1) privilege leave on full pay may be added to furlough but not counted as

"Residence"; (2) it may be granted in Conjunction only with "leave on Medical Certificate," thus removing a real hardship; (3) failing any of the above, privilege leave may be accumulable up to, at least, 4 months, a period which, under present Conditions would give a man 11 or 12 weeks in England; there is no special virtue in a 3 months' limit. But I strongly urge the full measure.

8. Being just back from leave and of 29 years Service, I have, practically, no personal interest in the matter; I write from past experience to some extent, but chiefly upon what I have seen and heard amongst men less fortunately situated.

9. I write privately as the Subject has nothing to do with my work as Resident but the letter may be treated as demi-official if you think fit. I hope that the matter may have the attention of Government

Yours Sincerely

F. A. Nicholson.
I.C.S.

[G. / 9]
1,000—11-8-98.

(1898) Department.

Previous do with S

D. O. No. 823

D. O.

From F. A. Nicholson Esqr

No.

Dated 8th December 1898

Received 11th "

Registered 12th "

Enclosures

Spare copies.

SUBJECT.

Forwarding a Cutting from the Madras Mail on the Subject of privilege leave in Conjunction with any other leave.

The Governor's Tour.

(From our Special Correspondent.)

MASULIPATAM, *24th Oct.*—After dinner on Saturday night, His Excellency and party left Bezwada by boats on the Kistna Canal for Masulipatam, which was reached the following day at 2.30 P. M. It being Sunday His Excellency's arrival in the station was private, and therefore his landing was not made the occasion of any demonstration. As one approaches the town by means of the canal it looks quite picturesque with its tall trees and wide expanse of surrounding fields; but when one drives through its streets one feels very disappointed at the ill-kept roads, lined in the majority of cases on either side with dilapidated, old-fashioned, and ill-ventilated houses. It is a straggling town of long distances and except for the Kistna Canal, which is the chief means of communication, it is cut off from all connection with the outer world and probably its past history and its situation on the sea coast were the only recommendations in favour of its being made the headquarters of the District. If the town should unfortunately continue a few more years in its undesirable isolation there is every likelihood of Bezwada, which is daily growing in size and importance as a grand Railway Junction, easily usurping its place as the headquarters of the District, as His Excellency remarked in the course of one of his speeches at Masulipatam. The Governor on landing drove with Mr. Morris to the latter's residence, where the rest of the day was spent quietly.

To-day being the only day His Excellency could give to Masulipatam, a very heavy programme had been arranged to be gone through. He began the day with his usual round of visits to and inspections of important institutions in the town. The first to which he went was the Noble College, a grand Missionary College, occupying the position of the leading educational centre in the Northern Circars. The Rev. Robert Noble, the Missionary whose honoured name the College now bears, started the institution in the early forties with two pupils and brought it into a flourishing school in the course of 23 years of devoted and persistent work. The revered Missionary's interest in his work was so great that in all the 23 years of his practical exile in Masulipatam, he never once visited his native country, and since his days the College, which is a splendid monument to his noble self-sacrifice and persistent perseverence, has had an honourable career of usefulness and has turned out many men who have served the State with distinction in these parts. At present there are over 900 boys in all departments of the College of whom over 150 are Mahomedans, to whom free education is largely imparted. Here the Professors, Masters and students of the College, headed by the Rev. C. W. Clarke, Principal, accorded His Excellency a hearty reception and presented him with an Address of welcome in which was embodied a short history of the institution. The Address claimed with becoming pride that the College had the honour of numbering the first Master of Arts of the Madras University, V. Sundararamyya Garu, who was a student of the College in 1864-65, and last year, Miss K. Krishnama, now Mrs. Sathianadhan, who took her B. A. from that College as the first Native Lady Graduate of the Madras University. In common with others from Masulipatam, this Address urged the necessity for speedy railway communication with Bezwada as being essential for a closer touch with Madras the headquarters of the University and the centre of the intellectual life of the Presidency. Another Address was also presented by the Committee, subscribers and students of the Brahmin Hostel attached to the Noble College where over 65 per cent. of the total numbers studying are Brahmin students. His Excellency made a joint reply to both these Addresses, in the following words :—

MR. PRINCIPAL, PROFESSORS AND STUDENTS OF THE NOBLE COLLEGE.—I feel greatly honoured by the welcome which you have accorded to me. To everybody in any way acquainted with the educational institutions of Southern India, the Noble College is necessarily well-known as being a monument of the educational energy and of the Christianising zeal of a great Missionary Society. But I think there are comparatively few who understand the association of the name of Noble with the College. I must confess myself that my ideas on the subject were somewhat vague. I have therefore been much interested to learn by the Address which has just been presented to me that the Noble College perpetuates the memory of its founder in the name which it bears.

CONTINUITY OF OFFICIAL WORK.

The short history of the work of your founder which has just been given has one particularly strong point in it, and that was the persistent continuity of the founder's work. It appears that he began here with two pupils in November, 1843, and that he died at his post in November, 1865, twenty-two years after, and during that long space of time he did not leave his work. There is a great secret of success contained in this continuity of work. Not only in educational teaching and in religious teaching, but also in administrative work, this continuity is of immense value. I am speaking from my own experience of adminstrative work. I feel very much the misfortunes that arise from the reveree. Everybody who has been connected with my branch of work knows the loss that is sustained by want of continuity. Leave on urgent private affairs is one of the greatest banes of good administrative work and it is one that we have to face continually. If continuous work of this kind can be given, it stands to reason, I think, that the result must be far more satisfactory. One head, one hand and one eye—it being assumed that it is a good head, a good hand and a good eye—must produce far more valuable work at the end of a given period that half a dozen heads, hands and eyes. If we could only put asside these little worries and troubles that necessitate, or as we think necessitate, change of air and scene, and visits to the native country and so forth, I feel certain, in fact it is obvious, that our work would be far more successful in its results. We have an example before us in the founder of the Noble College.

The academic successes obtained by the Noble College have, as shown in the Addresses, given two very remarkable examples: The first was the honour of numbering among its pupils the first Master of Arts of the Madras University, and second, Miss K. Krishnama, now Mrs. Sathianadhan, who took her B. A. degree last year. I remember that it was with feelings of pleasure and satisfaction that I myself handed the diploma of her Degree to this lady.

RAILWAY COMMUNICATION.

You draw attention to the great need that there is for improved communication between Masulipatam and the outer world. In a number of Addresses which it will be my pleasure and duty to receive during the course of the day, I do not think there is one in which this matter does not form a subject. I can see that the people of Masulipatam feel keenly their isolation, and important as communication with the outer world is to them, it is not surprising that they should. I wish it were in my power to give you more positive assurances of early relief in this respect. I can only tell you, as I shall have to tell the rest who are to address me on the subject, that the Government of Madras has for some time been convinced of the great importance of railway communication between Masulipatam and Bezwada; and I may add that we have pressed our views persistently on the Government of India and it rests with that Government to decide what particular lines of railway shall be undertaken. As you doubtless know, it is the Government of India which is responsible for the financing of works of that description. Our reply has hitherto been that it will come some day but that we must wait. All I can undertake to do therefore is to keep persistently and perseveringly before the Government of India the wishes of my Government that this work should be undertaken.

STUDENTS' HOSTELS.

Under the circumstances described in your Address I can well understand the great importance of the establishment of hostels for those students of the College who either live at a distance in the town or who have their homes in some remote locality and who have in consequence to find for themselves board and lodging in the town in order to enable them to attend College. In the case of this latter class of students, it seems to me evident that the establishment of hostels is of primary importance, I may say indispensable to a complete and perfect system of education, for without them it will be impossible to give that training in character and conduct which form such a vital part of a perfect system of education. One can well understand that the teaching that has been obtained within the walls of the College suffers or is liable to suffer serious deterioration when the students leave the influence of the College and fall under those which may probably surround them in the lodging houses and hotels, to which they are obliged to have recourse for want of boarding and lodging accommodation on the premises of the College itself. It is therefore with peculiar satisfaction that I shall undertake the duty of declaring this hostel, intended for Brahmin pupils, open for their reception. I gather, however, from your Address that it has already been in operation for some little time there being already 23 Brahmin boarding pupils and some 20 more who take their mid-day meal there. This is an excellent beginning, and I can only join in the hope which the governing body of the College express that they may be able to extend this very useful, I may say this indispensable form of organisation to a far greater extent than they have been able to do up to the present time.

Gentlemen, I thank you once more for your kind welcome and I wish to express the pleasure satisfaction with which I make the acquaintance of the Noble College of Masulipatam.

His Excellency then took leave of the Rev. C. W. Clarke and the Professors amidst much cheering by the boys.

Cutting from the 'Madras Mail'
& 28.10.98

SIR ARTHUR HAVELOCK'S REFERENCE AT Masulipatam to the bane of frequent leave as interfering with the continuity of official work is erroneously taken by the *Pioneer*, which had only received a short telegraphic summary, to have been directed against Home leave of any sort. On this erroneous basis it makes the following remarks :—"Continuity of personal administrative labour without long breaks for furlough and all the resultant official transfers and changes is doubtless (in theory at least), as the Governor of Madras contended, a consummation devoutly to be wished. But exalted officials whose absence from the bracing clime of their native heath is only for a period of five short years, and who spend their hot weathers on the cool heights of Olympus are sometimes apt, we fear, to temporarily forget what a life time's 'continuity of labour' in the sweltering plains of India may mean—not only to the unhappy labourer, but to the very administrative interests for which Sir Arthur Havelock is so solicitous. The question, as our readers have good reason to know, is no new one, and we shall be glad to find from the fuller report of Sir Arthur Havelock's speech that His Excellency at least acknowledged to his audience that there is another side to the controversy."

Recd 16.5.99 R 17.5.99 C18.5.99 R19.5.99 C3.5.99 R4.5.99 C6.5.99 R8.5.99 C9.5.99 R15.5.99

[G. 25] 22-11-97.

.....Financial DEPARTMENT

D. O. No. 783

HIS EXCELLENCY THE GOVERNOR.

THE HON'BLE MR. ARUNDEL. C.S.I.

THE HON'BLE MR. WINTERBOTHAM.

SUBJECT.

Leave Rules

FOR ORDERS.

<u>Note</u> This file was taken to Calcutta in case it might have been required there, but it was not referred to

(7)

This matter is under the consid. of the Viceroy. I spoke to him about it in Calcutta At His Excellency's request, I am addressing him to-day, on the subject, in a private letter. I think, for the present, no further action need be taken by us.

A.H.
13.5.99

(9) Seen A.A. 16.5.99.

(8)

Hon. Mr. Arundel. C.S.I.
Hon. Mr. Winterbotham.
with reference to H.E.'s note above.

15/5/99

(10) Seen 19.5.99

Order No. 645 of 31-5-99

Recorded.

(1)

In his D.O. of the 16th November 1898 (which has been put into type and which may be treated as a letter) Mr. F.A. Nicholson makes certain suggestions for minimizing the difficulties caused by discontinuity in the work of officers in consequence of the frequency of leave vacancies, a question to which reference was made by H.E. the Governor in his speech at Masulipatam on the 24th October

last.

2. Mr Nicholson observes that what is needed will largely be effected by one simple order, viz, to allow privilege leave and ordinary leave to be taken in continuation of one another and, if necessary, to allow privilege leave to be accumulated beyond three months. The advantages of such a rule are set out in paras 2 to 5 of Mr Nicholson's letter.

3. Failing the above rule there are, Mr Nicholson remarks, several minor possibilities or partial reliefs.

E.G. (1) privilege leave

on full pay may be added to furlough but not count as residence;

(2) it may be granted in conjunction only with "leave on medical certificates", thus preventing a real hardship;

(3) it may be allowed to accumulate up to, at least, four months, a period which under present conditions would give an officer 11 or 12 weeks in England.

4. The chief merits claimed by Mr Nicholson for the rule referred to in para 2 supra are that it will halve leave vacancies and that it will not only cost Government nothing but will positively reduce state expenditure while improving work in quantity and quality.

Mr Nicholson states that in the Native State of Travancore privile

leave may be added to furlough, though it may not accumulate beyond three months. He also points out that the British Indian Rules as to privilege leave are not by any means universal and he instances the cases of some Native States and the Straits Settlements where combination of such leave with other leave is allowed.

6. Attention is solicited to the following summary of the correspondence on the subject of the combination of other leave with privilege leave.

7. In accordance with the despatch from the Court of Directors to the Governor General in Council No 25 dated 28th March 1855, the Govt of India published on the 8th June 1855 a

in E.M.C no 285 Jud 26.6.55

the grant of leave to Civil servants. The following excerpts from these rules, which bear on the question of privilege leave and its combination with other kinds of leave, are given for easy reference.

"Section XII. The Govern-
"ment may grant to Civil
"Servants Leave of Absence
"to any place in India, Europe
"or elsewhere without any
"restrictions whatever as to
"the place to which they
"may resort for one month
"in each year, without
"deduction from the Salaries
"and emoluments drawn
"by such Servants — such
"leave, however, will only
"be granted when the Govt
"is satisfied that no incon-
"venience will arise from
"the departure of the Officer
"seeking it. No second leave
"can be granted under this
"Rule until the completion
"of eleven months from the

"expiration of the last leave,"
"but servants not availing"
"themselves of the indulgence"
"in any one year, may"
"obtain, under the like"
"conditions, Leave of Absence"
"for two successive months,"
"to commence at or after"
"the expiration of twenty-"
"two months from the"
"termination 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 thirty-"
"three 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 re-"
"maining so absent without"
"leave, and if he shall so"
"continue absent for more"
"than one month beyond"
"the term granted, his"
"office shall become vacant."

"Civil Servants absent-"
"from their Stations under"
"Medical Certificate cannot"
"be admitted to leave under"
"this Rule in continuation"
"of their sick leave; and"
"if, while absent under this"
"Rule, they be granted"
"extended leave under"
"Medical Certificate, they"
"shall be considered liable"
"to the Rules applicable to"
"Leave of Absence on Medical"
"Certificate for the whole"
"period of their absence."

"Civil Servants who"
"have been absent on"
"Medical Certificate"
"during any portion of"
"a Calendar year are not"

"entitled to leave under this Rule "
"during that year; but "
"in determining the interval "
"necessary to entitle a person "
"to leave under this Rule, "
"no reference will be made "
"to any intermediate Leave "
"of Absence that may have "
"been granted under Section "
"XIV Clause I. "

"Section XIII As a general "
"rule, when leave is granted "
"under Section XII, such "
"leave will be in one period "
"only, whether for a whole "
"month or less, and not "
"in detached portions to "
"complete one month within "
"the year, and the term "
"year shall be held to "
"mean the calendar year "
"commencing with the 1st "
"of January and ending "
"with the 31st of December, "
"but as an exception to this "
"Rule, it shall be discretional "
"with the several Local "
"Governments, where good "

"cause is shown for the "
"indulgence, and 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 instalments "
"not to exceed in the aggregate "
"one month within the "
"calendar year, on the "
"understanding that no "
"leave can be granted for "
"any fresh calendar year "
"until the completion of "
"three months from the "
"expiration of the entire "
"leave or of the last instal- "
"ment of leave taken in "
"the past calendar year. "

"Section XIV Clause I. The "
"Government may, on sufficient "
"cause being shown, grant to "
"a Civil Servant special "
"Leave of Absence on Private "
"Affairs for six months, to "
"any place in India, Europe "
"or elsewhere, without any "

"restrictions whatever as to the"
"places to which he may"
"resort, provided, however,"
"that if any officer to"
"whom such leave shall"
"be granted shall be absent"
"from his Station for any"
"period exceeding that to"
"which he may be entitled"
"without deduction, under"
"Section XII, the absentee"
"shall, for the period in"
"excess, draw no more than"
"one-half of his salary and"
"allowances. After an absence"
"of six months (exclusive"
"of any period which may"
"be granted under section XII)"
"any office held by the"
"absentee shall become vacant."

"Clause II. The leave granted"
"under this Section will be com-"
"puted from the date of the"
"absentee's quitting his Station"
"to the date of his return"
"thereto, and a second leave"
"of the same description"
"cannot be taken till the"
"Government, where good"

"expiration of six years from"
"the date of return to duty from"
"a former leave. × × ×"
"Clause III × × × ×"

8. In their Financial Despatch to the Govt of India № 87, dated 24th November 1855 in E. M. C. № 13 Jud. 29-1-56, the Court of Directors prohibit the grant of special leave on private affairs in continuation of privilege leave, and remarking thereon as follows:-

"We expressly stated in"
"para 15 of our Despatch above"
"mentioned that the special"
"leave for six months named"
"in Section XV (to be granted"
"only in cases of urgency)"
"was to be computed from"
"the date of the absentee's quitting"
"his station to the date of"
"his return thereto, a condi-"
"tion which obviously"
"could not be fulfilled if"
"the leave were allowed"
"in continuation of leave"

× № 25 of 28-3-55

⊗ Section XIV extra in the preceding para

"granted under Section* XIII".

9 On the 22nd December 1855, the Govt of India published a notification revising sections XII (privilege leave) and section XIV (Special leave on private affairs) referred to in para 7 supra Then it was clearly stated that privilege leave could not be taken in connection with, special or in continuation of, leave granted under on private affairs

10 When the Civil absentee rules were amended in 1856, in accordance with the Despatch from the Court of Directors to the Govt of India No 25, dated 12th March 1856, it was ~~laid down~~ made clear that privilege leave should not be taken from the date of return of an officer from sick leave

In para 18 of their Despatch from the Court of Directors

* Section XII in the extract given in the preceding para

Last para of amended rule XII in E.M.C No 34 Finl 28-1-56.

N in E.M.C No 249 Finl 3-6-56.

51 Finl 14-11-56

E.M.C No 572 Finl 28-11-56

to the Govt of India No 11, dated the 6th Feby 1856 and para 3 of No 40 dated the 21st May 1856, the Court of Directors ruled that a Civil Servant must return to his duty at the expiration of his privilege leave to entitle him to the advantages thereof and that such leave should not be taken preparatory to furlough

12 With reference to the Despatches quoted in the preceding paragraph the Govt of India published in 1856 a Notification to the effect that officers intending to take furlough or to retire from the service would be required to continue to serve, unless disabled by sickness, for a period of three months after return to duty from privilege leave, failing which its advantages would

privilege accumu

be forfeited

13. In connection with a reference made by the Govt of Bengal on the subject of privilege leave preparatory to furlough the Court of Directors observed:—

"It was not intended" "that a return to duty only" "for a week or two, after" "privilege leave, should be" "sufficient to bar the operation" "of the rule which we have" "laid down, but as suggested" "by the Lieutenant-Governor" "of Bengal, we shall" "allow privilege leave to" "be taken before a furlough" "provided three months elapse" "before the return to station" "[illegible] after the expiration" "of such leave, and the date" "of relinquishing office" "for the purpose of" "proceeding on furlough"

Para 3 of Financial Despatch from the Court of Directors No 32, dated 29 April 1857, prin^d in fo. 487 Finl d 13-8-57

14. In January 1863, the Govt of India forwarded for

Govt of India letter No. 124 G d 24-2-63 at page of the India No 118 Finl d 24.

the opinion of this Govt a copy of the Leave Rules framed by the Secretary of State. According to those rules privilege leave could be taken by civilians to any place in India and the adjacent seas for one month in a year and for three months in three years, but not for more than three months at a time. The grant of privilege leave in continuation of leave on medical certificate and *vice versa* was also prohibited.

For the C.S

Attention is solicited to paras 5 + 6 at R in fo. No 118 Finl d 24-2-63. It is said the Govt of India did not assign any reason for the rule.

*: Why?

15. Paras 5 and 9 of letter No. 118 Financial, dated the 24th February 1863, contained the comments of this Govt on the rules regarding privilege leave referred to in the preceding paragraph. In para 9 of the letter, the Govt of the day questioned the expediency of allowing privilege leave to accumu

for three months. It was thought then that the grant of cumulative privilege leave would necessitate a series of acting appointments, often at much public inconvenience, and that it would be preferable to increase the amount of privilege leave obtainable in one year to six weeks, to be taken, either the whole together, or by instalments at the option of the applicant and to abolish the cumulative leave. The opinion held by the Govt at the time was that the privilege leave should be taken by officers once a year in order that they might have an annual rest and cessation of work.

In connection with the draft rules submitted by the Committee appointed by the Govt of India to revise the leave rules in 1867

Rule XXVII at page 11 offo. 251 Fin. 19-5-68

Paras 7 and 9 of Despatch to the Govt of India No 106 of 13-3-68 at pages 142 of No 251 Fin. of 19-5-68

it was proposed to lay down that privilege leave and special leave could not be taken in continuation of furlough nor furlough in continuation of these two kinds of leave, but that privilege leave and special leave could be taken together. The arguments of the Committee for making this proposing such a rule will be found in paras 15 and 16 of their report at pages 15 & 16 of No 251 Financial, dated 19-5-68. The Secretary of State while passing orders on the above question remarked as follows:—

"2 of the privilege leave for one month in the year, I quite approve but I have great doubt whether accumulation of leave should be allo I should prefer to see

"the annual privilege leave"
"extended to (say) six weeks,"
"and regularly taken, but"
"if you think this un-"
"desirable, I shall not"
"object to the accumulation"
"of the monthly leave to"
"to the extent of two months"
× × × × ×
"The proposed combination"
"of privilege leave with"
"special leave on urgent"
"private affairs is open"
"to objection × × × ×
"Encouragement should"
"be given to officers charged"
"with laborious duties"
"to avail themselves"
"of this (privilege) 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"
"or balance."

Vide Govt at page 59 of
G.o. No. 25-1 Fmil
19-5-68

Page 1 of G.o. 191 Fmil
17-4-68

Pages 8 & 10 of G.o. 191 Fmil
17-4-68

Page 11 ibid

"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 in-"
"dulgence, in which"
"light special leave"
"ought to be regarded"
17. The Govt of India
to this Govt for opinion
referred the correspondence
disposed of by the Secy
of State's Despatch No 12
D 19-3-68. In connection
with this and with refer-
Subs
to a memorial by the
Members of the Civil
Service in February 1868
two
[illegible] members of
the [illegible] recorded min-
ute in which they express
the opinion that annual
privilege leave
accumulative might
well be
extended to six months
cumulative leave to be
abolished, and that
member observed that
if the Supreme

resolved to adopt the one month leave after eleven months at duty, and permitted an accumulation of the privilege leave to the extent of two months as suggested by the ~~Secretary~~ Secy of State, there would be no hardship in a refusal to allow such accumulation to be tacked on to the six months' special leave.

18. In the rules published by the Govt of India in June 68, accumulation of privilege to three months was allowed but the ~~restrictions~~ of furlough, special leave and privilege leave ~~were prohibitive~~ were not to be taken as such in continuation of each other

Vide extracts from the Gazette of India ~~dated~~ flagged. IV

Printed in Fo. 122 Finl 6-3-69

In its letter to the Accountant General of Bengal No 3085 Finl dated 29-12-1868, the Govt of India ruled that privilege

~~examinations~~ in continuation of the two months' leave admissible to a Junior Civil Servant who passed a successful examination in the oriental languages and that the two months might be regarded as qualifying for privilege leave. In the following January, the Accountant General, Madras asked the Govt of India whether special leave might be taken by an officer in continuation of the two months' examination leave. With reference to the enquiry, the Govt of India observed that by the letter of the 29th December 1868 it did not mean to authorise privilege leave being added to and combined with two months' examination leave, but merely to rule that the latter leave should not interrupt the reckoning for privilege

Endt to letter No 908 Finl 7-2-69 printed in Fo. 122 Finl 6-3-69

leave and indeed should be considered as service qualifying for privilege leave, so that, if entitled, an officer might obtain privilege leave immediately on the expiration of the examination leave. The Govt. of India added that in all cases it would be necessary for an officer to rejoin his post after the expiration of the two months' examination leave and that no simple leave must be taken in continuation of such leave.

O. In its Resolution No. 101 Financial, dated 24th April 1869, recorded in G.O. No. 226 Financial, dated 13th May 1869, the Govt of India, after mentioning two theories regulating privilege leave, viz., that it is granted for the purpose of enabling an officer who has worked uninterruptedly

Printed at page 1 of 80 2267-l
13-5-69 H

for a certain period, to recruit his health and strength for future work and (2) that it is a privilege earned by past work and has no reference to the future, observed that the first theory was the correct one and that it was upon that theory was founded the rule, which had always been insisted upon, that at the conclusion of privilege leave an officer must rejoin his appointment. It was, however, found that the formality of rejoining the appointment had been observed in letter, but that the spirit of the rule had been broken by the nominal transfer of the officer concerned to a similar post in or near a presidency town where he could embark on longer leave. To put a stop, therefore, to such evasions of the rule, the Governor General in Council prescribed the rule that an officer, when applying for

privilege leave, shall declare that he has no present intention of taking any other leave within a period of six months after the expiry of his privilege leave.

21. In August 1869 the Govt of India asked this Govt for an expression of opinion whether instead of the rule allowing annually one month's privilege leave, capable of accumulation to three months, it might not be advisable to substitute a rule providing a longer annual period of leave, but disallowing all accumulation; for example, an annual leave of six ~~weeks~~ weeks accompanied by such an amount of subsidiary leave as might suffice for the period really necessary to proceed to, and return from, the place where the leave is to be spent, provided that the total time of absence

Home Dept letter dy 25-8-69 at page 1 of letter no 641 Fmil 25/12/69

Letter no 6417mil 25/12/69

shall in no case exceed two months.

This Govt demurred to the proposal on the grounds that, if such a rule were passed, the necessity for making acting appointments would tend to recur annually instead of once in three years, and that the system which then existed provided a suitable reward for men who were healthy and fond of work, and who, to the undoubted advantage of the public service remained at the head of their offices for a period of nearly three years, while enabling those who required relaxation to take it annually. The Govt added further that as in most cases the officer next in rank in the district was appointed to act for the absentee on leave for three months, sufficient opportunity were afforded to your

officers of exercising superior duty and of showing their Zeal and capacity which but for such opportunities would not easily become Known to the Govt and the controlling authorities. The Govt thought, moreover, that the cumulative leave was especially suited to officers burdened with families who would find it onerous to take leave every year, and was even disposed to add to leave earned under the rules then in force three days for each journey to and fro, so that officers might enjoy their month or accumulated months clear of periods spent in travelling.

The Hon'ble Mr A J. Arbuthnot recorded a minute dissenting from the views expressed in the letter to India above referred to and referring to the correspondence of 1863 and 1868 wherein the Madras Government advocated the abolition of cumulative privilege leave. Apart from the question of maintaining the consistency of this Govt, Mr Arbuthnot considered that the abolition of cumulative leave would be financially advantageous, seeing that in that case the duties of an officer absent on leave could be performed by the officer next in rank without any expense to the State. He observed further that the consideration that Young officers could be appointed to act for absentees on cumulative leave could have opportunities of exercising superior duties and of making known their Zeal and capacity to the Govt and their controlling authorities furnished an argument for, and not against, the extension of

Pages 1 & 2 of letter No 6041
25-12-69

f.v. 118 Jud
24-12-63
.. 191 Jud
17-4-68

the period of annual leave and the abolition of cumulative leave; because, he thought, most of the young officers referred to would have an opportunity of exercising the higher functions once in every year instead of once in three years.

22. In August 1872 the Board of Revenue Sub[mitte]d for the orders of Govt a request by Mr A. L. Lister C.S. H.[?] that the privilege leave rules might be so modified as to allow a week's leave to be placed at the credit of an officer for every three months' service in excess of the first eleven months' service which qualifies for one month's privilege leave. The Govt replied that it was not prepared to advocate the change proposed.

G.O. 1404 Fail / 12-10-72

23. The following is an extract from a letter from The Govt of In[dia] Home Dept. to the

29

158

In G.O. 2369 Jud / 3-12-81

the Govt of Bombay No. 377 (Police) dated 18th November 1881

"It is clearly improper" "that an officer who, while" "on privilege leave, obtains" "a certificate to the effect" "that he is incapable of work" "and requires leave for a" "lengthened period, should" "be allowed, even for a single" "day, to rejoin his office" "(the duties of which it may" "be presumed that he is" "physically unfit to" "perform) before the ex-" "piration of his privilege" "leave, and should then" "be permitted to proceed on" "furlough on medical" "certificate".

Letter No 2370 Jud / 3-12-81

The Madras Govt asked the Govt of India to reconsider the foregoing ruling so far as it affected the case of an officer who was in ordinary health when he applied for and proceeded on privilege leave. [illegible]

during the leave contracted such sickness as to incapacitate him for the performance of work. To oblige such an officer to convert the expired portion of the privilege leave which he had earned into sick or other leave would, the Govt added, appear hard.

In reply, the Govt of India stated that the hardship referred to would be removed if the proposals which had been made to the Secy of State on the subject were sanctioned. No further correspondence is traceable on the subject.

28 From the foregoing summary it would appear that the original intention with which the system of privilege leave was instituted was to give rest to hard worked officers by granting them annual holiday and the Govt of In

Govt of India letter No 49 dy 18-2-82 in Fo. No 307 Fin dy 4-3-82

It would be useful to obtain these proposals from India

Cwl

not to give them an opportunity of going home frequently for which the furlough rules had made provision.

25 Chapter XI, Section VI of the C.S.R contains the present rules regarding the extension and commutation of leave.

Article 264 states that no kind of leave except Extraordinary Leave without allowances and leave under article 221, and in certain cases Examination Leave, can be granted in continuation of any other kind of leave, but that any leave granted under these Regulations may be retrospectively changed for any other kind or period of leave for which the officer was qualified when the leave was originally granted.

Article 261 lays d

* Hospital Leave

that if an officer subject to the Indian Service Leave Rules who is absent on privilege leave, or on leave on private affairs or on furlough, takes an extension of leave on Medical Certificate, the whole of the absence will be treated as leave on Medical Certificate.

Under artcl 270 when privilege leave is, on medical certificate, retrospectively changed for furlough out of India, so much of the leave passed before the departure of the vessel in which the officer sails may be treated as subsidiary leave under clause (1) of Article 352 (a) as might have been granted as subsidiary leave if the officer had originally obtained furlough and not privilege leave,

The Govt.

notwithstanding that a portion of such retrospective furlough has been passed in India.

13/2/99

Article 891 prescribes the Privilege leave declaration under which an officer applying for privilege leave binds himself not to apply for furlough special leave or for three months after his return to duty.

The Privilege leave rules are contained in articles 277 to 310.

26. Mr. Nicholson letter 8th inst

gives the present position of affairs clearly, and it is submitted that there is much to be said in favour of his proposal to allow other leave to be taken in continuation of privilege leave. The foregoing summary shows that the existing rules had their origin in the fifties & sixties when

The

utilization of

three months leave for a visit to England was out of the question. It is true that privilege leave was originally ~~[illegible]~~ instituted with the idea of affording hard-worked officers an opportunity of an annual holiday; but with the present facilities for reaching England, officers do not take their annual holiday as originally intended, but allow their leave to accumulate to three months to enable them to run home. It is in the very rarest cases that officers now take privilege leave for a month, and this only happens now as an accident and not with the idea on the part of the officer availing himself of the leave so as to spend the annual holiday in the year succeeding. It is submitted that the present position should be faced & that is what the leave rules do not do. As regards the combination of privilege and other leave, it is to be noted that Govt. would not lose money by the concession. Cases need not be cited to show that the practice is ~~[illegible]~~ increasing for which officers who intend to take furlough in the near future

The [illegible]

[illegible]

It is a much greater holiday to go to England and does me far more good than it does to go to Ooty or any other Hill Station.

[illegible] 3/4

and who have privilege leave to their credit, take the privilege leave, return to duty for the prescribed three months, & then proceed on furlough. If the privilege leave & furlough were concurrent, Govt. would not be out of pocket whilst it would be saved the cost of an extra transfer & the ~~[illegible]~~ administration of the country would gain by the removal of one of the factors which now produce constant changes in the incumbents of ~~[illegible]~~ appointments. ~~[illegible]~~ Another solution of the difficulty, which Mr. Nicholson proposes, is the permission to accumulate privilege leave to four months. This concession would have the advantage of reducing the number of privilege leave vacancies, but it is thought that is less likely to be [illegible]

favourably by the Supreme Govt. or by the Secretary of State. Mr. Nicholson's first proposal – that of permitting an officer ~~on~~ to combine ~~[illegible]~~ privilege leave ~~[illegible]~~ ~~[illegible]~~ with furlough – appears to be the best of those put forward by him

Concd.
3.4.98

[signature]
2/5/[illegible]

(3)

See note below.

[signature]
2/5/[illegible]

(5)

The Govt. of India have the subject of official transfers now under consideration I believe. If this is the case I see no particular advantage in our addressing them. All the facts detailed in the office note ~~[illegible]~~ are known to them, and we have nothing original to urge apart from what must occur to anyone who considers the subject, viz. to allow other leave to be taken in continuation of priv. leave. It wd. be easy to ascertain from Mr. Meyer or one of the Secretaries whether the subject is under consideration. If it is not, then I think it would be well for this Govt. to set the stone rolling & address India on the subject. It should be recognized that since priv. leave was first introduced conditions have greatly changed, and that it is now worth while accumulating p. l. for ~~[illegible]~~ two or three months in order to go to England – a thing that could not have been accomplished in the time in the old days. It would therefore now be a grave hardship to abolish the ~~p~~ concession of accumulating p. l. and to revert to the original idea that it should be taken an annual holiday.

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(4)

The evil to which Mr. Nicholson proposes to apply a remedy is that of the frequent ~~of~~ transfers of officers of the Civil Service ~~C.S~~. These arise from men passing out of the service but much more largely from men going on leave. Of those due to men going on leave by far the larger number of transfers are due to men taking privilege leave. The annual decrement is about 7 men in a year while the number of men who go on furlough is about 30 and on privilege leave nearly 40. The tendency lately has been not to increase the indulgence of privilege leave but to cut it down. Thus it is not many years since the rule has been introduced refusing to give any allowance to the acting man for the first thirty days of his acting period. It seems very hard to refuse a man privilege leave or to interfere with his inclination in the matter but I think too much indulgence can be shown and that without any injustice men can be required to take their leave not at the time which suits their own convenience but at that which suits the public interests.

I think we are very likely to have the retort hurled at us that granted the evil we must try some other way of dealing with it than by increasing the indulgences

indulgences in connection with privilege leave, I think it much more likely that a rule will be introduced that privilege leave must be taken on reduced pay than that we shall be allowed to tack it on to furlough on full pay. The evil is as bad I believe in other provinces. Would it be well to ask them how they think it should be dealt with.

ff.
2/5/99.

I am altogether opposed to any larger accumulation of p.l. than three months. For longer periods the ~~a~~ rules as to furlough with or without sick cert. should apply.

ASt 4.5.99.

The C.S. leave rules are splendidly liberal (except to members of Council!) and so far as the Service is concerned I should think it unwise to agitate.

Otherwise I am in sympathy with Mr. Nicholson, & as a matter of policy it wd. seem expedient to allow p.l. to be joined with furlough.

It might be provided that the [illegible]

Given the retention of the concession to accumulate p.l. and the obvious changes now necessary in the interests of the public service to prevent frequent transfers, is to allow other leave, i.e. ordinary furlough, furlough on sick certif. & extraordinary leave to be taken in continuation of privilege leave. This would be an undoubted boon to all public servants and of so much value that for this very reason India may hesitate to grant it or recommend it to the Secy. of S. But on the other hand it will cost the State nothing — except in so far as some p.l. will be taken wh. otherwise wd. be forfeited — and it would effect a valuable administrative improvement.

It wd. be necessary to give figures showing for say three years the no. number of transfers due to p.l. as compared with those due to other leave. The number of cases in wh. p.l. was followed after three months by other leave ~~would~~ might be of interest.

Another small change might wellbe introduced — namely, to allow an officer to retire after p.l. without rejoining his appt. I can see no reason or [illegible] the present prohibition.

When given for copying

Prov. A

Financial Dept.

Letters from F A Nicholson Esq ICS ~~[illegible]~~ dated 16th November ~~1898~~ and 8th December 1898

—

Order ~~No. 6459 31-5-99.~~ (but print)

Mis

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(Sd) G. S / 30-5-99

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