

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1669	Press Mis.
¹⁸¹⁻⁷⁷³ Dated	22-11-	No. 1864

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
22nd November 1864.*

Read the following papers :—

No. 181. Story on the Order of Government, Judicial Department, 10th October 1864, No. 1474, for the consideration of the Chief Secretary.

The Commandant-in-Chief takes exception to Lieutenant Warlow having been granted special leave for eight months beyond sea, that Officer not being entitled to Furlough, not having served ten years in India.

1. The eight months' leave, however, has been subsequently converted into special leave for six months, in extension of two months' privilege leave.

2. Lieutenant Warlow was entitled to the two months' accumulative privilege leave under the Civil rules, and under G. O. G., No. 17A of 1853, re-published in Madras G. O. G., 14th April 1863, No. 127, a Staff Officer, who has not served the prescribed period in India, may nevertheless take a short Furlough of six months, without pay, retaining his appointment for that time.

3. An Officer employed either in the Military or Civil Department may take general leave in India, in continuation of privilege leave, but cannot take the former in connection with the latter if proceeding on Furlough, or beyond sea—Vide G. O. G., No. 31 of 2nd February 1859, and paragraph 42, Chapter IV, Civil Auditor's Manual.

4. Lieutenant Warlow could therefore have taken the whole eight months' leave in India, the privilege leave being allowed to run into the general leave, or he could have taken the six months' Furlough beyond sea, if it was not in continuation of, or in connection with, privilege leave.

5. The order of Government, Judicial Department, founded upon the Civil Paymaster's report, declares the Cape of Good Hope to be within Indian limits; but the new Furlough rules have removed the distinction between what is considered Indian limits and what is not, as regards Staff Officers and Officers who come under those rules; so that such Officers proceeding on leave beyond sea, come under the same conditions as if they embarked for Europe (except in cases of leave taken to Ceylon, the Mauritius, or other places out of India for short periods not exceeding three months)—Vide paragraphs 6, 7 and 13 of the new Furlough rules, paragraph 1 of G. O. C. C., 18th November 1856, No. 92, and paragraph 47, page 3, Section 1, Pay Code.

6. Pending the Chief Secretary's consideration to the foregoing remarks, action has been suspended in the Military Department upon the Judicial Order above cited.

For Siraj Gama, (Signed) H. MARSHALL, Colonel,
22nd October 1864, Secy. to Govt., Mil. Dept.
To the Chief Secretary to Government, Fort Saint George.

Referred to the Civil Paymaster for his remarks.

21st November 1864. (Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 182.

No. 11.

MEMORANDUM.

The undersigned has the honor to state that his opinion was founded on that of the Military Audit Department in Bombay, to which the question respecting Indian limits was referred in 1862. The reply given in Captain Chitty's (1st Ex-

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minor's) Memorandum, No. 4, of the 11th February 1862, was to the effect that St. Helena, Cape of Good Hope, or outward thereof, Australia, Ceylon, Mauritius, and Egypt were included in the term "Indian Islands," and that leave to any of these places given under both the old and new rules to Indian pay and allowances. Having noted this reply as important, the information was acted upon in Lieutenant Warlow's case.

(Signed) R. W. LODWICK,

8th November 1864.

Civil Paymaster.

No. 183.

ORDER IN COUNCIL, 22nd November 1864, No. 1603.

Communicated to the Military Department, whence a reference will be made to the Government of India as to the correctness or otherwise of the construction which the Civil Paymaster has put upon the rules in question.

(True Extract.)

Chief Secretary.

To the Military Department.
Civil Paymaster.

Est. J. Tallich.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers:-
Memo. from the Secretary, the Hon. Secy. Military Department, No. 219, dated 21st October 1864, N^o 219/
Memo. from the Civil Paymaster, 8th November 1864, N^o 23

Order thereon, 22nd November 1864, N^o 1603.

Communicated to the Military Department whence a reference will be made to the Government of India as to the correctness or otherwise of the construction which the Civil Paymaster has put upon the rules in question.

*The Military Department
Civil Paymaster's Office*

*By A
11/11/64*

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Administration Department

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PROCESSES OF GOVERNMENT

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