M.R.O.—2,500-17-11-50

# MADRAS RECORD OFFICE.

## Government of Madras.

DEPARTMENT.

G.O. No. [illegible] Press
Mis.

Dated [illegible] 18[illegible]

*Not to be folded or roughly handled*

No. 69. Read the following Extract from the Minutes of Consultation in the Public Department, dated 20th February 1857, No. 215.

Read the following Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council, in the Financial Department, under date the 23rd January 1857, No. 435.

Read an endorsement from the Public Works Department, No. 6094, dated the 31st Ultimo, forwarding for consideration and orders a letter from the Government of Bombay, No. 3523, dated the 20th Idem, submitting the case of an Uncovenanted Servant in Sind who exceeded his month's privilege leave by a few days, and recommending that in such cases the excess may be treated as leave on private affairs.

RESOLUTION.—The Right Hon'ble the Governor General in Council observes, that Mancherjee Dorabjee, a subordinate in the Public Works Department in Sind, who obtained one month's privilege leave had exceeded his leave by five days, owing to the Steamer on which he embarked for Kurrachee having been detained in Bombay beyond the usual date of sailing, and to the vessel having made an unusually long passage. The Government of Bombay was thereupon requested to allow the excess period to be regarded as leave on private affairs. But as such leave is not grantable, under the Rule noted in the margin, in continuation of privilege leave, there was no alternative but to treat the entire absence of Mancherjee Dorabjee as on leave on private affairs.

Ruling of 26th September 1856.

As this course appeared to the Government of Bombay to be attended with great hardship, the authority of this Government is solicited for exempting Mancherjee Dorabjee from the operation of the Rule referred to, and also for making similar exceptions in cases where privilege leave may be unavoidably exceeded for short periods.

But His Lordship in Council cannot permit any exception to be made in favor of Mancherjee Dorabjee, as the Government has nothing to do with the place to which a servant goes on privilege leave; his duty being to return to his post at the end of his leave, or to suffer the penalties enjoined by the Rules.

As a general rule, however, His Lordship in Council prescribes that in cases when Uncovenanted Servants exceed by a few days the period of their privilege leave, the Rule obtaining in the case of Covenanted Officers shall be applied, that is to say, if an Uncovenanted Servant shall not return at the expiration of his privilege leave, 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.

ORDER.—Ordered that a copy of the foregoing Resolution be sent to the Public Works Department for communication to the Government of Bombay.

Ordered also, that a transcript of the above Resolution be sent to the Departments,* and the Governments† noted in the margin.

*Home, Foreign, and Military.
†Bengal.
Madras.
N. W. Provinces.
Straits' Settlements.

Ordered further, that a copy be sent to the Civil Auditor at Fort William, for his information and guidance.

Ordered also, that the last paragraph of the above Resolution be published in the Calcutta Official *Gazette* for general information, with the omission of the word noted in the margin.

However.

(A true Extract.)

(Signed) C. HUGH LUSHINGTON,
*Secretary to the Government of India.*

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Ordered that the foregoing Extract be communicated to the several Departments of the Secretariat, and that the last para. of the Resolution of the Government of India be re-published in the Fort St. George Gazette for general information, with the omission of the word "however."

(True Extract.)

(Signed) T. PYCROFT,
*Chief Secretary.*

**Fort Saint George, Public Works Consultation of 3rd March 1857.**

No. 70. ORDER THEREON, No. 400; dated 2nd March 1857.

Ordered to be communicated to the Chief Engineer.

(Signed) H. FORBES,
*Acting Secretary to Government.*

PUBLIC DEPARTMENT.

No. 215.

*Extract from the Minutes of Consultation under date the 20th February 1857.*

Read the following Extract from the Proceedings of the Right Hon'ble the Governor General of India in Council, in the Financial Department, under date the 23rd January 1857, No 435.

Read an endorsement from the Public Works Department, No 6094, dated the 31st ultimo, forwarding for consideration and orders a letter from the Government of Bombay, No. 3523, dated the 20th idem, submitting the case of an Uncovenanted Servant in Sind who exceeded his month's privilege-leave by a few days, and recommending that in such cases the excess may be treated as leave on private affairs.

RESOLUTION.—The Right Hon' ble the Governor General in Council observes, that Mancherjee Dorabjee, a subordinate in the Public Works Department in Sind, who obtained one month's privilege-leave had exceeded his leave by five days, owing to the Steamer on which he embarked for Kurrachee having been detained in Bombay beyond the usual date of sailing and to the vessel having made an unusually long passage. The Government of Bombay was thereupon requested to allow the excess period to be regarded as leave on private affairs. But as such leave is not grantable, under the rule noted in the margin, in continuation of privilege-leave, there was no alternative but to treat the entire absence of Mancherjee Dorabjee as on leave on private affairs.

*Ruling of 26th September 1856.*

As this course appeared to the Government of Bombay to be attended with great hardship; the authority of this Government is solicited for exempting Mancherjee Dorabjee from the operation of the Rule referred to, and also for making similar exceptions in cases where privilege-leave may be unavoidable exceeded for short periods.

But His Lordship in Council cannot permit any exception to be made in favor of Mancherjee Dorabjee as the Government has nothing to do with the place to which a servant goes on privilege-leave; his duty being to return to his post at the end of his leave or to suffer the penalties enjoined by the Rules.

As a general rule, however, His Lordship in Council prescribes that in cases when Uncovenanted Servants exceed by a few days the period of their privilege-leave, the Rule obtaining in the case of Covenanted Officers shall be applied, that is to say, if an Uncovenanted Servant shall not return at the expiration of his privilege-leave, 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.

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Ordered also, that a transcript of the above Resolution be sent to the Departments* and the Governments† noted in the margin.

* *Home, Foreign, and Military.*
† *Bengal.*
*Madras.*
*N. W. Provinces.*
*Straits' Settlements.*

Ordered further, that a copy be sent to the Civil Auditor at Fort William, for his information and guidance.

Ordered also, that the last paragraph of the above Resolution be published in the Calcutta Official *Gazette* for general information, with the omission of the word noted in the margin.

*However.*

(A true Extract.)

(Signed) C. HUGH LUSHINGTON.
*Secretary to the Government of India.*

Ordered that the foregoing Extract be communicated to the several Departments of the Secretariat, and that the last para. of the Resolution of the Government of India be re-published in the Fort St. George Gazette for general information, with the omission of the word "however."

(True Extracts.)

*Chief Secretary.*

To the Department of Public Works.
" Revenue Department.
" Military do.
" Judicial do.

Exd. F. Cartledge.

Public Works 1857 Dept.
Dated 2nd March
No 376

Extract from the Minutes
of Council in the Public Works
Department.

Dated 20th } Feby 1857
Received 24th }

No 215

Communicating the
order of the Govt of Canada
in regard to the privileges
Crane granted to Messrs
& Steamboat Servants.

No 69 & 70.

Wm Norgler
No 100 - 2nd Board.

L

No 400

Order to be com-
municated to the Clerk of Engrs
& Mech

Fort St George
2nd March 1857

A Copy to the Clerk of Engrs