1. No.
2. Date of receipt
3. Initials of Examiner

M.R.O. 1—[illegible]

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 2057 Press Mis.

Dated 2-12- 18

Not to be folded or roughly handled

No. 20. Read the following letter from Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer; to the Secretary to Government, dated 18th November 1858, No. 5557.

SIR,

I have the honor, with reference to para. 14 of Extract Minutes of Consultation, Revenue Department, No. 1219, under date the 8th September last, to forward for submission to Government the accompanying correspondence with the Military Auditor General, as noted in the margin, and to solicit orders on the subject.

To Military Auditor General		dated 15th October 1858,	No. 4569.
From	do.	20th October 1858,	No. 237.
To	do.	21st Do. 1858,	No. 4737
From	do.	10th November 1858,	No. 64*

2. The order of Government above referred to directs that all applications for Privilege leave, under Extract Minutes Consultation 28th January 1858, and under the Notification of Government, dated 27th January 1857, para. 8, should be treated under the general rule of the 1st June 1857, which regulates that no leave shall be granted to servants of the superior grade, (Covenanted or Uncovenanted, Civil or Military,) before their applications had been reported upon by the proper Audit Department.

3. In conformity to the orders of Government above referred to, an application from Sub-Engineer Irving was referred to the Military Auditor General for report, who returned the application, stating that there appeared to be no necessity for submitting it to Government, as the Chief Engineer was empowered by G. O. G. 3rd February 1857, No. 29, to grant privilege leave for one month in the Calender year. As my object of the reference appeared to have been misunderstood by the Military Auditor General, it was explained in paras. 2 and 3 of my letter to his address, dated the 21st Ultimo, and with reference to Extract Minutes

No. 4737. Consultation 8th September last above referred to, his opinion was in the meantime requested, whether he considered that similar applications for privilege leave from Officers and Subordinates of the Public Works Department need not be referred for his report, prior to their being granted by the Chief Engineer. The Military Auditor General states in reply, that only such applications for leave from the Military Subordinates of this Department as require to be submitted to Government for sanction, should be referred to his office for report, and he does not seem to consider by para. 3 of his reply, that the principle enunciated in para. 14 of Extract Minutes Consultation 8th September last, is applicable to privilege leave, or to applications for leave other than those to be submitted to Government for disposal.

4. As this opinion of the Military Auditor General appears to be at variance with the orders of Government above referred to, I have the honor to submit the question for consideration, in connection with my letter to Government No. 5237 under date the 9th Instant.

5. I have the honor to state in the meantime, that under the opinion expressed by the Military Auditor General, and pending the final decision of Government, I have considered it proper to dispose of all applications for privilege leave from Officers and subordinates of the Public Works Department on my own responsibility, as heretofore.

Extract from the Proceedings of the Acting Superintending Engineer, Central Circle, dated 15th October 1858, No. 4569.

Read again letter from the District Engineer Nellore, dated 29th September recorded in Diary 7th October 1858.

(Here enter No. 2123, dated 29th September 1858.)

Resolved to forward the foregoing letter to the Military Auditor General for report with reference to Extract Minutes Consultation* No. 1219, dated 8th September 1858, para. 14.

(Signed) P. M. FRANCIS, Captain.
Acting Superintending Engineer, Central Circle.

1 Original letter from District Engineer Nellore to be returned.

* General No. 6446, In Diary 16th September 1858.

Fort Saint George, Public Works Consultation of 7th December 1858.

Extract from the Proceedings of the Officiating Chief Engineer, dated 21st October 1858, No. 4736.

Read the following letter from Major J. J. LOSH, Military Auditor General; to Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer, dated 20th October 1858, No. 237.

SIR,

In acknowledging the receipt of the Extract from your Proceedings under date the 15th Instant, No. 4569, I have the honor to inform you that, as you seem empowered by para. 8 of G. O. G. 3rd February 1857, No. 29, to grant privilege leave for a month in the Calender year, there seems to be no necessity for submitting to Government the application in behalf of Sub-Engineer Irving, and it is accordingly herewith returned.

Letter from Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer; to Major J. J. LOSH, Military Auditor General, dated 21st October 1858, No. 4737.

SIR,

I have the honor to acknowledge the receipt of your letter dated the 20th Instant, No. 237 and to inform you that in order to save further loss of time I have granted the privilege leave applied for by Sub-Engineer H. Irving of the Nellore District.

My object in forwarding the application to you was to obtain your report on the eligibility of the applicant for leave previous to its being granted by me and not for its submission to Government as supposed by you.

The order of Government under which the application was forwarded to you for report was quoted in my communication dated the 15th Instant No. 4569, and as I am not aware that I have misunderstood the order in question, I beg you will be so good as to inform me whether similar applications for privilege leave for Officers and subordinates of the Public Works Department need not be hereafter referred for your report and whether they should as hitherto be complied with or otherwise on my own responsibility.

Letter from Major J. J. LOSH, Military Auditor General; to Lieutenant-Colonel E. LAWFORD, Officiating Chief Engineer, dated 10th November 1858, No. 64.

SIR,

In acknowledging the receipt of your letter No. 4737, of the 21st Ultimo, I have the honor to state that it appears to me that only such applications for leave, from the Military Subordinates in your Department, as require to be submitted for the sanction of Government, should be referred to this office for report.

2. As stated in my letter to you of the 20th Ultimo, you seem authorised by para. 8 of G. O. G. 3rd February 1857, No. 29, to grant privilege leave for one month, without reference to Government, on your own responsibility.

3. Para. 14 of Extract Minutes Consultation of the 14th September last, No. 1219, is applicable to such Uncovenanted servants drawing more than 100 Rupees a month, whose applications for leave, other than privilege leave as above stated, require to be submitted to Government through the Civil Auditor.

4. I observe that by para. 6 of Minutes Consultation of the 3rd Instant No. 2314, you have been requested to submit a draft of the rules respecting leave to the Officers and Subordinates of the Public Works Department. These rules, when published, will no doubt, remove any uncertainty which may at present exist on the subject.

No. 21. ORDER THEREON, No. 2587; dated 2nd December 1858.

The Government resolve to consider the above letter and correspondence accompanying it in connection with the Rules respecting Leave in the Public Works Department submitted by the Officiating Chief Engineer with his letter dated 9th November 1858, No. 5237.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

3

Central Office of P. Works
Fort Saint George
18th November 1858.

No 5557

From,
The Officiating Chief Engineer
To,
The Secretary to Government
Public Works Department

Public

Sir,

I have the honor, with reference to para 11 of Extract Minutes of Consultation, Revenue Department, No 1219, under date the 8th September last, to forward for submission to Government the accompanying Correspondence with the Military Auditor General, as noted in the margin, and to solicit orders on the subject.

From Military Auditor Gen'l's No 237, 15th Inst, 58
From Do 21st Oct 58 No 4737
To — Do 21st Do 4737
From Do 10th Nov 58 No 64

2. The order of Government, above referred to, directs that all applications for Privilege leave, under Extract Minutes Consultation 28th January 1858, and under the Notifications of Government, dated 27th January 1857, para 8, should be treated under the general Rule of the 1st June 1857, which regulates that no leave shall be granted to Servants of the Superior Grade, (Covenanted or Uncovenanted, Civil or Military) before their applications had

had been reported upon by the proper Audit Department.-

3. In conformity to the orders of Government above referred to, an application from Sub Engineer Irving was referred to the Military Auditor General for report, who returned the application, stating that there appeared to be no necessity for submitting it to Government, as the Chief Engineer was empowered by G.O.G. 3d February 1857 No. 29, to grant privilege leave for one months in the Calender year. As my object of the reference appeared to have been misunderstood by the Military Auditor General, it was explained in para 2 & 3 of my letter addressed to his dated the 21st Ultimo, and with reference to Contract Memo. Consultation 8th September last above referred to, his opinion was in the meantime requested, whether he considered that similar applications for privilege leave from Officers and subordinates of the Public Works Department need not be referred for his report, prior to their being granted by the Chief Engineer. The Military Auditor General states in reply, that only such applications for leave from the Military subordinates of this Department as require to be submitted to Government for sanction, should be referred to his Office

No. 4737

Office for report, and he does not seem to consider by para 3 of his reply, that the principle enunciated in para 11 of Contract Memo. Consultation 8th September last, is applicable to privilege leave, or to applications for leave, other than those to be submitted to Government for disposal.-

4. In this opinion of the Military Auditor General appears to be at variance with the orders of Government, above referred to, I have the honor to submit the questions for consideration, in connection with my letter to Government No. 5237 under date the 9th instant.-

5. I have the honor to state in the meantime, that under the opinion expressed by the Military Auditor General, and pending the final decision of Government, I have considered it proper to dispose of all applications for privilege leave from Officers and subordinates of the Public Works Department on my own responsibility, as here-to fore.-

I have the honor to be
Sir.
Your most Obedient Servant.
H. Lewis Lieut. Colonel.
Officiating Chief Engineer

Central Office 18th November 1858
Fort St. George

To The Secretary to Government.
Public Works Department.

XJRv.

Mr. Cons. 16 Nov/58 No 131-137
— 2 Feby " " 30-31
— 27 June/59 " 144
" 2 June " " 55-56
R 14 Sept 7/58 " 142-

P.W. 1858 Dept
Dy to Cant for Decr
No 2768

From
The Offg Chief Engr
To The Secy to Govt N.W.P.

Dated 18th November 1858
Rec'd 19th " "
No 5557

Orders Returned
21-12-58

Submitting for orders correspondence with the Secretary Canton Committee regarding application for Privilege leave of absence to Officers & Subordinates of the Public Works Department.

No 2587

The Government resolve to consider the above letter and correspondence accompanying it in connection with the Rules respecting leave in the Public Works Department, submitted by the Officiating Chief Engineer with his letter dated 9th November 1858, No 5237.

Fort St. George
2d Decr 1858

W H Baylay
Secy to Govt

10 Copies to the Offg Chief Engr
Desp 3d

No 2084 21 Com

25 Nov. 30th

with an order
No 2587. 22 Dec 1858.