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MADRAS RECORD OFFICE.

Government of Madras.

[illegible] DEPARTMENT.

G.O. No. 2848 Press Mis.

175-76

Dated 9 . 11 1871 .

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 9th November 1871.

No. 175. Read the following letter from the Controller of Public Works Accounts, to the Secretary to Government, Public Works Department, dated Madras, 15th August 1871, No. 1,326:—

UNDER paragraph 9 of the Notification published in the supplement to the *Fort St. George Gazette* of the 27th January 1857, Non-commissioned Officers and Soldiers doing duty in the Public Works Department may be granted leave of absence in India under the rules at that time applicable to Military Officers in Civil employ.

2. On reference to those rules it will be observed that leave on medical certificate may be granted to the extent of two years, and on private affairs for six months, with a moiety of staff salary and full Military pay and allowances. This ruling, however, is somewhat opposed to paragraphs 29 to 31, Section III., Chapter V. of the Public Works Code of the Government of India, which, for ready reference, is quoted below:—

"29. *Sick leave in India.*—Non-commissioned Officers and Soldiers requiring change of air for the benefit of their health are to be treated like Regimental Non-commissioned Officers and Soldiers, and sent, after communication with the Military Divisional authorities, and by their orders, and after examination by a Medical Board, to a convalescent or other depôt, under Military supervision, for duty like other men of their rank. When so detached they will continue to be borne on the strength of the department, but will draw the Regimental pay of their rank only, and Rupees 10 batta. Men finding their own way to and from convalescent depôts will be allowed half their departmental staff pay, and travelling allowances at the usual rates for the time they are *en route*, in addition to Infantry pay and batta, provided that their departmental superiors certify that, after communication with the Military authorities, it has not been found practicable to send the men with the annual drafts to the depôt. Local Governments should notify leave so taken, and Local Administrations should make a report to the Government of India.

"29 A. *Sick leave in India.*—A Local Government or Administration may grant leave of absence in India, on sick certificate, to Non-commissioned Officers and Soldiers, without the restrictions in paragraph 29, when resort to a convalescent or other depôt is not practicable, and whenever it is certified by a Medical Officer that a change of air to a sanitarium is not necessary.

"30. *Leave on private affairs in India.*—A Local Government or Administration may grant leave of absence on private affairs in India, for any period not exceeding six months after six years' service, provided the exigencies of the public service admit of it.

"31. *Pay while on leave and not under Military supervision.*—Men obtaining leave under the last two paragraphs, will be allowed half their staff salaries, together with their Military pay and batta at the departmental rate of Rupees 10 a month, but they will not be entitled to travelling allowance, but in the case of leave on medical certificate, the half staff salary will not be given if a period of two years has not elapsed since return from the last leave granted to them, such leave not being privilege leave. Their pay and allowances as above will be drawn by the Executive Engineer of the Division to which they are attached."

3. In paragraph 23 of the Rules circulated to the department with the Chief Engineer's Circular No. LXX. of the 7th January 1862, it is provided that Non-commissioned Officers and Soldiers may be allowed leave of absence in India for any period not exceeding two years on medical certificate, provided that no such leave be granted within two years after return from a previous leave. The latter portion of this rule, which does not appear ever to have been acted upon, makes no mention of the conditions under which leave may be availed of when the limit of two years has not expired, and as a case (Serjeant Seton's) has now arisen in which a Non-commissioned Officer has obtained sick leave before completing the required service since return from last leave, I have the honour respectfully to suggest, for the consideration of Government, that, to ensure uniformity in the treatment of the cases of Non-commissioned Officers and Soldiers serving in the Public Works Department throughout India, the foregoing rules be declared applicable to this Presidency, and Serjeant Seton's allowances regulated accordingly.

No. 176. ORDER THEREON, 9th November 1871, No. 2,848.

ESTABLISHMENT, No. 22.

As the rules of the Government of India which the Controller of Public Works Accounts seeks to introduce will place Non-commissioned Officers and Soldiers in a more disadvantageous position as regards income while on leave than their Civilian comrades, His Excellency the Governor in Council considers it inexpedient to disturb the regulations now in force in this Presidency; but he resolves to direct that the rule, which appears to have hitherto fallen into disuse, should be enforced of requiring a service of two years before a second leave in excess of two months with the privilege of drawing half staff salary in addition to Military pay.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Controller of Public Works Accounts.
To all Superintending Engineers.
To the Military Department.
To Major R. B. Kennedy.

Exd. S. T. Augustin.

134

Serjeant Seton has had the following leaves—

	months.	days.
Gazette 19th July 70.	3	6
19th Oct 70.	6	— a portion of this leave was cancelled
6th June 71.	—	15
13th do.	—	9
11th July	—	1
15 August	—	4
		15.

Serjt. Seton's ~~salary~~ as Supervisor of the 1st grade draws Staff Salary Rs. 161-5-3 and Military allowances Rs: 38-10-9 making in all Rs: 200. Under existing rules he draws while on sick leave a moiety of his Staff Salary Rs: 80-10-8 + Rs: 38-10-9 = Rs: 119-5-5.

Serjt. Seton will come under Rules 29 A and 31 quoted by Mr. Brock and will draw Military pay and batta at 10 Rs = Rs 48-10-9.

leave Nilgy absent 48 10:

Letter from the Contr Ller of P.W. Accounts
dated 15th August 1871, No 1326.

Circulated for orders.

I think the leave
Rules of the Government
of India that Mr Brock
wants to introduce here
are very illiberal and
would have a bad effect
in lowering a Non
Commissioned Officers
income while sick to a
mere pittance, and re-
ducing him from com-
fort to penury. It would
be inconsistent to give
a Serjeant who is a
Supervisor while on Sick
leave only about 48 Rs.

with the opinion
expressed in this Memo.
and direct accordingly.

No.

A.

I. D.

a month while a Civilian under Similar circumstances would draw 100, the full pay in each case being 200. In my opinion the fall from Rs: 200 to Rs: 100 is quite sufficient to deter men from going on sick leave unless the state of their health really requires it, and in this case they are deserving of liberal consideration. I am therefore in favor of continuing the existing rules by which a Non Commissioned Officer draws his Military pay and half his Staff Salary, or I would not object to a Modification of the rule by which he would draw half his Official

income, thereby placing him on exact terms of equality with his civilian comrade, and assimilating the rule in his case to that which applies in the case of Officers, but I think the rule should be enforced of requiring a Service of two years before a Second leave in excess of three months on Medical Certificate is granted - that is with the privilege of Drawing half Salary. In the event of a man's health failing so as to require a Second long leave on Medical Certificate before two years, the rules in the Code of the Govt. of India might apply and the Non Commissioned Officer

or Soldier be limited to his Military pay plus batta at the rate of Rs: 10 a month.

G. Johnstone
Aug: 28th.

No 887

Public Works Depart.t
No 2848.

Proceedings of the Madras Government
Under date the 9th November 71

Read the following

From The Controller of P.W.A. / H.E. No 1326 of 15th Aug.t 1871 [illegible] to

[illegible] to the rules of the Govern.ment of India which the Controller of P.W. Accounts seeks to introduce with place to Non Commissioned Officers & Soldiers in a more dis.advantageous position as regards income while on leave than their Civilian Comrades. If the Governor in Council considers it inexpedient to disturb the regulations now in force in this Presidency; but he resolves to direct that the rule, which appear

Dy. no. 3872

Govt. of [1871] Madras.

PUBLIC WORKS.

To

The Controller of Public Works Accounts

Dated

Rec'd.

Encl.

G. O. 9th Nov. No. 2848.

Nos. 175 & 176

Leave. Copying orders on letter from the Controller of P. W. Accounts pointing out a difference between the rulings of the P. W. Code & Fort St. George Gazette regarding the granting leave to Non. Com'd Officers employed in the Madras

Leave. Copying orders on letter from the Controller of P. W. Accounts pointing out a difference between the rulings of the P. W. Code & Fort St. George Gazette regarding the granting leave to Non. Com'd Officers employed in the Madras

180
12

To
13 Controller's
130 All Engrs
15 Milty Depts

Dept. 10/6/71