M.R.O. 1—77,006—8-6-37.

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(2) Date of repair_____

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 2660 Press / Mis.

181-84

Dated 12 . 11 . 1872

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 12th November 1872.

Read the following papers :—

No. 181. Endorsement of the Superintending Engineer, 5th Division, dated Camp at Salem, 27th September 1872, No. 130.

From Captain H. M. VIBART, R. E., Executive Engineer, Bangalore, to the Superintending Engineer, 5th Division, dated Bangalore, 14th September 1872, No. 735.

I HAVE the honour to bring to notice how very unfavourable the Furlough Rules of 1868 (as at present administered) are to Military Officers in Civil employ as compared with officers in Military employ.

2. Should a Military Officer in Civil employ become sick before he is entitled to furlough and wish to obtain a short leave in India, he can only do so by taking furlough in India, and receive during his leave merely British Furlough pay which for a Captain of Engineers is 11*s* 1*d* per diem, or about 165 Rupees a month.

3. Officers in Military employ have much more favourable terms. They, during such leave, are entitled to draw full Military Allowances and half staff pay.

4. In the Rules of 1868 as originally published a foot-note was added regarding Military Officers in Civil employ to the effect that if the Local Government considered it advisable they could grant sick leave in India under the old rules, that is on half pay.

5. This note was apparently added to give the Local Government power to grant sick leave in India on half pay to such officers as they might think deserving of consideration, on the grounds of the sickness having been brought on by exposure whilst engaged in Government service.

6. This foot-note has, I am told, been cancelled; but I am not aware on whose authority the clause has been abrogated. It would seem to me reasonable that officers both in Civil and Military employ should be placed on the same footing as regards sick leave in India.

7. In the beginning of this year I became sick; and considering my sickness was entirely due to exposure while employed in Government work, I applied for sick leave under the foot-note above-mentioned, but was told I could get none, except on British Furlough Pay. My individual case shows, I think, in a strong light the great disadvantage to which officers in Civil employ are subject to by this ruling. In 1868 I was obliged to go home on sick leave, suffering from Iritis due to exposure. I returned at the beginning of 1871, and although I was unwilling to return to my former district fearing a recurrence of the same complaint (which I was informed by the Doctor who had previously attended me was likely to happen), I was gazetted to the same district. After having served there a year, I had another attack of Iritis and having a month's privilege leave due I took it and went to Madras for medical advice. I was then recommended to apply for short leave and did so, but got the reply mentioned above.

8. I could not return to work and was compelled to take three months' leave to the Hills on British Furlough Pay, thereby incurring a loss of about 2,000 Rupees.

9. The complaint I was suffering from was entirely due to exposure to the sun while engaged in preparing the project for the completion of the irrigation works in the Western Delta of the Kistna. Had I been in Military employ, I should have received my pay as Captain and half of my staff pay, or over 600 Rupees a month.

10. I have the honour to request you will be so good as to represent the hardship of my case and of those similarly circumstanced to the proper authorities, so that the Government of India may be induced to place officers in Civil employ, as regards sick leave in India, in the same position as those in Military employ, or at least that the clause giving power to the Local Government to grant leave under the old rules should again be added to the rules of 1868.

SUBMITTED for the orders of Government.

(Signed) E. A. FOORD, Colonel, R.E.,
Superintending Engineer, 5th Division.

No. 182. From the Executive Engineer, Bangalore.
(Here enter No. 803, dated 7th October 1872.)

No. 183. From the Controller of Public Works Accounts.
(Here enter No. 1,649, dated 19th October 1872.)

No. 184. ORDER THEREON, 12th November 1872, No. 2,660.

ESTABLISHMENT, No. 9.

HIS Excellency the Governor in Council is not prepared to submit Captain Vibart's case for the consideration of the Government of India, nor is he disposed to raise the general question suggested by that Officer, as it is unlikely that any application for extending the benefit of the Furlough Rules, which are sufficiently liberal and must be taken as a whole, will be favourably viewed.

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To the Superintending Engineer, 5th Division.

Exd. E. C. Shunker.

Executive Engineer's Office
Bangalore 7th October 1872.

No. 803

From
The Executive Engineer,
Bangalore.

To
The Chief Engineer
Madras Public Works Dept.
Vellacamund

Sir,

With reference to your memo dated 5th instant, I have the honour to forward herewith a copy of the foot note to the Furlough rules of 1868, as required.

I have the honour to be
Sir,
Your most Obedt Servant

Henry Th. Vibart Captain R.E.
Executive Engr Bangalore

Military Officers in Civil Employ-

Rule XXXIII. Military Officers in Civil or Political employ having leave in India come, as respects periods of leave obtainable and amount of pay to be granted, under the Civil Leave Rules. When they take leave out of India, they come under the Military Leave Rules.

Rule XXXIII. It will, however, rest entirely with the Local Government to decide in each case whether it will grant leave in India to a Military Officer under the old rules.

True Copy

Henry Th. Sibbald Captain R.E.
Executive Engineer, Nangalam

For Rs. 1872 Delft
Road No. 4949
The Executive Engineer
Nangalam
No. 5130/72
The Chief Engineer
Madras Public
Works Department
Dated 7th Octr/72
Read 11 ——

Forwards a Copy
of the foot note to
the Furlough Rules
for 1868.
P.W. 5130/72.
No. 2660 - 12th Nov/72

No 182

No 735

Executive Engineer's Office.
Bangalore, 14th September 1872.

From

The Executive Engineer
Bangalore

To

The Superintending Engineer
5th Division.

Sir,

I have the honor to bring to notice how very unfavorable the Furlough rules of 1868 (as at present administered) are to Military Officers in Civil employ as compared with Officers in Military Employ.

Should a Military Officer in Civil Employ become sick before he is entitled to furlough and wish to obtain a short leave in India, he can only do so, by taking furlough in India, and receive during his leave merely British Furlough Pay (which for a Captain of Engineers is 11"1d per diem. or about 165 Rupees a month.

Officers in Military Employ have much more favorable terms. They during such leave are entitled to draw full Military allowances and half Staff Pay.

In the Rules of 1868 as originally published a foot note was added regarding

regarding Military Officers in Civil employ to the effect that if the Local Government considered it advisable they could grant sick leave in India under the old rules that is on half pay.

5- This note was apparently added to give the Local Government power to grant sick leave in India on half pay to such Officers as they might think deserving of consideration on the grounds of the sickness having been brought on by exposure whilst engaged in Government service.

6- This foot note, has I am told been cancelled; but I am not aware on whose authority the clause has been abrogated. It would seem to me reasonable that Officers both in Civil and Military Employ should be placed on the same footing as regards sick leave in India.

In the beginning of this year I became sick and considering my sickness was entirely due to exposure while employed in Government work. I applied for sick leave under the foot note above mentioned but was told I could get none except on British Furlough Pay. My individual case shows I think in a strong light the great disadvantage to which Officers in Civil Employ are subject to

to by this Ruling. In 1868 I was obliged to go home on sick leave suffering from Iritis due to exposure. I returned at the beginning of 1871 and although I was unwilling to return to my former District fearing a recurrence of the same complaint which I was informed by the Doctor who had previously attended me was likely to happen, I was gazetted to the same District. After having served there a year, I had another attack of Iritis and having a months privilege leave due, I took it, and went to Madras for Medical advice. I was then recommended to apply for short leave and did so - but got the reply mentioned above.

I could not return to work and was compelled to take 3 months leave to the Hills on British Furlough Pay, thereby incurring a loss of abmt 2,000 Rupees.

The complaint I was suffering from was entirely due to exposure to the sun while engaged in preparing the Project for the completion of the Irrigation works in the Western Delta of the Kistna. Had I been in Military employ I should have received my pay as Captain and half of my Staff Pay or over 600 Rs

a

a month.

I have the honor to request you will be so good as to represent the hardship of my case and of those similarly circumstanced to the proper authorities, so that the Government of India may be induced to place Officers in Civil Employ as regards sick leave in India, in the same position as those in Military Employ or at least that the clause giving power to the Local Government to grant leave under the old rules should again be added to the rules of 1868.

I have the honor &c.

Signed Henry M. Vibart Capt: R.E.
Executive Engineer, Bangalore.

Supg: Engineer's Office, 5th Div.
Camp Salem 24th Sept: 1872.

No. 130.

Submitted for the orders of Government.

Edmd Colle, R.E.
Supg: Engineer, 5th Div.

To
The Secretary to Government,
P. W. Department.

P. W. 1872 Departl.
Ex: Engr. Office
From No. 4732.
The Supt: Engineer
5th Div.

To The Secy: to Govt.
P. W. Department

Dated 27 Dec.
Recd. 30 } Dept: 1872.

No. 130.
P. W. 5130/72.

Submitting for the orders of Government Copy of a letter from the Ex: Engineer Bangalore regarding the Hon'ble Members to which Military Officers in Civil employ are subject to by the provisions of Furlough Rules of 1868.
No. 2660-12 Nov. 72

No 181

Statement shewing the conditions under which Officers of the undermentioned Services may be granted short leave in India when not entitled to Furlough.

Covenanted Civil Officers.	Uncovenanted Civil Servants of the Higher Grades as per letter from the Government of India Communicated in G.O. No 1265 Dated 14th May 1872.	Military Officers in Staff Employ.	Military Officers in Civil Employ.
Furlough for not more than one year on Medical Certificate, with forfeiture of appointment, and with subsistence allowances as follows.	Furlough for not more than one year on Medical Certificate, with retention of appointment, and one quarter of average salary earned during previous three years, restricted to Rs 400 per mensem as a maximum.	Three months at any time with or without Medical Certificate, with pay equivalent to the English Furlough pay of rank and retention of appointment G.G.O No 613, of 1870. Vide Fort St. George Gazettes of the 26th July 1870 and 28th March 1872 Pages 1228 A and 1001 respectively.	I. General leave on private affairs for any period not exceeding six months, with full Military Pay and moiety of Staff salary if the indulgence be availed of for a third year consecutively, Staff appointment to be forfeited. II. Leave on Medical Certificate for 6 months, to be extended to one year, with moiety of Staff salary in addition to Military Pay of rank. Vide Rules XXV and XXVI Chapter II of the Furlough Regulations of 1868.
Per mensem If of not more than 8 years actual service in India ——— Rs 250. Of more than 8 and less than 12 years — 320. Of more than 12 years — 400. Chapter III Section 8 (a-b) 9 (b) and 11 of the Civil leave code.	Chapter III Section 8 (a-b) 9 (b) and 11 of the Civil leave code.		

Office of the Controller of Public Works Accounts
Fort St George 4th October 1872

S. Mood
Controller of P.W. Accounts.

Office of the Controller of
Public Works Accounts
Fort St. George, 19th October 1872.

No 1629

From

The Controller of
Public Works Accounts
Madras

To

The Secretary to Government,
Public Works Department,
Fort St. George.

Sir,

I have the honor to annex a Statement shewing the conditions under which officers of the Services named in your Memo: No 1487 dated 9th October 1872, when not entitled to furlough, may obtain short leave in India.—

2. The clause of the New Furlough Regulations referred to in para 4 to 6 of Captain Vibart's letter herewith returned was explained and

Enclosure

Statement

and modified in G.O. No. 630 of 1869 published at page 191 of the Madras General Orders by the Governor-in-Council.— These orders rule that a Military officer in Civil employ is not entitled to any other description of leave except Furlough under Chapter I of the Regulations, and Privilege leave under the Civil Service Leave rules.— Subsequently, Local Governments were empowered to grant to Military officers in Civil employ leave in India for any period not exceeding three months, and it was under this authority that the leave to which Captain Vibart refers was granted him in April last.—

in Ca... Part [illegible]

Vide Fort St. George Gazette dated 25th July 1871 Page 1228A

I have the honor to be
Sir
Your most obedient Servant.

S. Thorell

Controller of P.W. Accounts

#

* Vide Page 712 of the Fort St. George Gazette dated 9th April 1872.

P. W. 1872 Despatch
From Govt of Bombay
No. 5130.
The Controller of
P.W. Accounts,
To The Secretary to
Government,
P.W. Department.

Dated 19th & 21st October 1872.
Rec'd 22nd

Enc: 4 √ No 1649

Forwarding Statement shewing the conditions under which Officers, when not entitled to furlough, may obtain short leave in India. —

No 2660-12 Nov 1872

Noted to Rep 23 Oct 72

2660 P.W.D. Secy
Pay. Mad. Mundane Govt 27
2660 Read the following:
From the Supdg. Engr. 5th Circle No 130 dy 27 Sept 72
— Exg. Engr. Bangalore — 803 dy 7 Oct 72
— Controller, P.W. Accts — 1649 dy 19 —

23

Circulated for Orders,
whether I submit Captain
Vibart's case for the consi-
deration of the Govt. of India.
~~Many~~ Cases similar to his
must doubtless have been
brought to the notice of the
Supreme Govt. and been
decided on by them, or
referred for the Orders of
the Secretary of State —
The general advantages
of the Furlough Rules of
1868 are so great, that it
is not supposed that any
application to extend their
benefits as proposed by
Captain Vibart, will be
listened to —

GWW
26.10.72

It is necessary to
send as to what is found
in the Furlough Rules
by which Officers
may obtain short
leave in India
LBV.

5730

Cir. 26th Oct.

Last Endorsement
Recd 29th Oct 1847
Recd 4th Nov 1847

2666 Rec'd Sept 27
Rec'd Madras Sept 27
2680 Read the following:
From the Asst Engr. 5th Dn (Ltr No 30 dy 27 Sept 2)
— Exc Engr. Bangalore — 803 dy 7 Oct 2)
— Controller, Rec. Acct — 1649 dy 19 —)

I.O. the Governor in Council is not prepared to submit Capt Taharts case for the Consideration of the Govt of India, nor is he disposed to raise the general question suggested by that Officer; as it is probable that any application for extending the benefit of the Furlough rules, which are sufficiently liberal & must be taken as a whole, will be favorably viewed.

GWW

Sept 13

G. 8 No 5131, 1949 & 4732

Govt. of {1872} Madras.

PUBLIC WORKS.

To The Superintending Engr
5th Division

Dated

Recd. Encl. 4

G. O. 12 Nov 187- No. 2660

Nos. 181 & 184

Lieut. Captain R.E. Declining to submit the case of to the Govt of India or to raise the question proposed regarding the Furlough Rules of 1868.

G. 8 No 5131, 1949 & 4732

Govt. of {1872} Madras.

PUBLIC WORKS.

To The Superintending Engr
5th Division

Dated

Recd. Encl. 4

G. O. 12 Nov 187- No. 2660

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