

Rev. (1884) Department
No. 3606

REVENUE DEPARTMENT

11TH JUNE 1884, No. 1252, PUBLIC.

GOVERNMENT OF MADRAS.
PUBLIC DEPARTMENT.

READ—the following paper :—

From A. MACKENZIE, Esq., C.S., Secretary to the Government of India, Home department (Public), to the Chief Secretary to Government, dated Simla, 16th May 1884, Circular No. 22—815.

In paragraph 4 of the Home Department Resolution, No. 24—885-96, dated the 6th July 1883, the Government of India intimated to local Governments and Administrations that the Secretary of State had approved of the principle to which attention was drawn in paragraph 7 of the

* No. 33—1343-1354. Resolution * of the 7th September 1882

of imposing a check on the abuse of the Civil Furlough Rules by recurring grants of furlough on medical certificate, and that the best mode of effecting that object was still under consideration.

2. The Secretary of State has now decided that the Civil Furlough Rules, as they stand, appear to make sufficient provision against their frequent or general abuse, and that any present formal modification of those rules is therefore unnecessary. Officers at home on medical leave will not be permitted to return to duty without a medical certificate of fitness for duty in India. At the same time His Lordship expresses his readiness to reconsider the subject should further experience show that more stringent precautions against abuse of the rules are necessary, and is of opinion that the matter might be brought by circular to the notice of local Governments and heads of departments. It is pointed out that to grant leave on urgent private affairs in consideration of the state of an officer's health is not in accordance with the spirit of the rules. When an officer applies for repeated grants of medical leave within short intervals, the attention of the Medical Board should be drawn to his case with a view to their carefully considering the term of absence necessary for his complete recovery.

3. I am to request that in future these directions may be borne in mind. Section 4 of the Civil Leave Code gives the local Government ample powers for regulating the grant of leave of every description.

ORDER—dated 11th June 1884, No. 1252, Public.

Communicated to all members of the Covenanted Civil Service, to the departments of the Secretariat, and to heads of departments.

(True Extract.)

F. M. Mackenzie

Chief Secretary.

To all Members of the Covenanted Civil Service.
„ the Departments of the Secretariat.
„ the Heads of departments.

[Annexure.]

ANNEXURE.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following paper :—

Extract from the Proceedings of the Government of India in the Home department (Public), dated Simla, 6th July 1883, No. 24—885-96.

Read—the undermentioned papers on the subject of certain proposed alterations in the Civil Furlough Rules :—

Home Department Resolution, Nos. 33—1343-1354, dated 7th September 1882.
Financial despatch to Secretary of State, No. 299, dated 26th September 1882.
Financial despatch from Secretary of State, No. 66, dated 22nd February 1883.

Resolution—

In the Resolution of the 7th September 1882, the Government of India intimated to local Governments the result of the reference made to them a year previously, as to the practical working of the rule under which officers absent on furlough retain a lien on their appointments. It was stated that the Governor-General in Council had found no sufficient reason for the withdrawal of that concession, but that at the same time there could be no doubt that in some provinces changes among the administrative, and especially among the district, staff had been more frequent than was at all desirable; and it was said that something should be done to check this tendency where it existed, partly by amendment of the rules in some points of minor detail, and partly by the adoption in all local Administrations of a settled line of policy in working the rules. Much could, it was believed, be done by making proper arrangements for regulating the posting of officers on their return from furlough; and the general principle by which the Government of India desired that local Governments should be guided in this matter was that private and personal considerations should always give way to public interests; and that every endeavour should be made to avoid unnecessary disturbance of existing arrangements. In these views of the Government of India the Secretary of State has now intimated his general concurrence, remarking that, while it is undesirable to lay down any general rule as to the length of time during which an officer should remain in one district, or as to the considerations which should guide the several Governments in posting officers on their return from furlough, the arrangements of Government must always be regulated with reference to the requirements of the public service at the time. The Governor-General in Council trusts that local Governments will in future see that full effect is given to these instructions of Her Majesty's Secretary of State. It was not the intention of the Government of India in the resolution of September last to lay down any hard-and-fast rule as to the maximum term during which an officer should be retained in a district. Local Governments must of course be guided in deciding such matters by a consideration of what is best for the public interests, but it should not be forgotten that, while frequent changes are bad, an officer may yet be left too long in a district, and that it may sometimes be best both for himself and for the district administration to make a change.

2. It was further proposed in the resolution of September 1882 that local Governments should have the power to require an officer to regulate the precise term of his leave to suit the public requirements, i.e., that an officer should be compelled to

take less or more leave (within reasonable limits) than he applies for, on penalty of his forfeiting a lien on his appointment if he declined to accept the arrangement. Upon this the Secretary of State remarks: "The Government should certainly have the power of refusing an officer the full leave for which he applies, if there is reason to think that the grant of that precise amount will be prejudicial to the public interests; but I do not think that an officer should ever be required to take more leave than he desires, or that he should, if prepared to pay the penalty of forfeiting the lien on his appointment or his claim to a similar one, have the right of taking an amount of leave (whether less or more) which would be inconvenient to the Government." The Governor-General in Council desires that effect may be given to this view which practically enables the local Government to insist on leave being taken in the manner most consistent with the interests of the public service. The point has been made clear in the Civil Leave Code by the insertion of the note under section 4 of the code, published in the Financial department notification, No. 1333, dated 7th June 1883.

3. In paragraph 6 of the resolution of September 1882, it was stated that a recommendation would be made to the Secretary of State that the period of a civil servant's residency in India entitling him to his first furlough should be reduced from eight to five years. It has now been decided that no change shall be made in the furlough rules on this point.

4. The Secretary of State has approved of the principle of imposing a check on the abuse of the leave rules by recurring grants of furlough on medical certificate to which attention was drawn in paragraph 7 of the resolution of the 7th September last. The best mode of effecting this is still under consideration.

5. Lastly, the Secretary of State agrees to the proposal made by the Government of India that (except in very special cases) extensions of leave should not be granted in England, unless the applicants produce evidence that the Governments under which they are employed have no objection to such extension. This point has been provided for by the revised rule I under section 77 of the Civil Leave Code, published in Financial department notification, No. 1333, dated 7th June 1883.

Order—

Madras.
Bombay.
Bengal.
North-Western Pro-
vinces and Oudh.
Punjab.

Central Provinces.
British Burma.
Assam.
Coorg.
Hyderabad.

Ordered that a copy of this resolution be communicated to the local Governments and Administrations noted on the margin for information and guidance, and that a copy be forwarded to the Department of Finance for information, and that the resolution be published in the Supplement to the *Gazette of India*.

(True Extract.)

(Signed) A. MACKENZIE,
Secy. to the Govt. of India.

To the Secretary to the Government of Madras.

ORDER—dated 17th August 1883, No. 1608, Public.

Recorded.

(True Extract.)

E. F. WEBSTER,
Acting Chief Secretary.

Exd. T. O'Connor.

No. 1692 S. a/s 8th July/84

B.

Communicated to
officers of the P.W. Dept
from the P.W. Dept

C.S.

27.6.84

W.

1.7.84

Govt. of (1884) Madras.

PUBLIC.

20 S.C

20 S.C

18 short

Issued

Recd.

26/6/84

Encl.

G.O., 11th June 1884, No. 1252.

No. 1692 S. a/s 8th July/84

JUNE.

Furlough Rules.

Communicating to the several officers concerned
circular from the Government of India imposing
a check on the abuse of the Civil Furlough Rules.

2 Copies sent to only

with order

Ch: E. for S.

Comg Engr for Ryp

Suply Engrs.

Suplt. P.W. Dept

Comg Asst. to Govt.

General Engr P.W. Dept

Engrs in ch. State Ryp

Engr P.W. Asst.

Engr Ry Asst.

Engr State Ry Asst.

1394 W 4. 6. 84

ML 5485

Recd 8/7/84