

ORDINARY, PRINTED.

Public DEPARTMENT
G.O., DATED *25-5-92*
No. *355*

INDEXED.

First copy sent to Press. *25-5-92*

Returned for signature. *4.6.92*

Despatched in print.

[Despatch Abstract.]

Examinations of Leave
Regarding despatch
from the Secretary
of the ruling that
appears desirable of
receiving — other-
wise than on me-
dical certificate
should be required
to produce with
their applications
evidence that the
local post has no
objection thereto.

YH444

The Cedars,
New Barnet,
Herts.

1st February 1892

To

The Under Secretary of State for India.

Sir,

With reference to your letter F. 5285 dated 15th December 1891 I have the honour to renew my application for permission to appear before the Medical Board with a view to the commutation and extension of my leave. In this connection I enclose a certificate - Enclosure A - received from a local physician who recently examined me.

2. Should the Board, after examination, not feel justified in recommending an extension of leave on medical certificate, I would request that 6 months extra-ordinary leave on loss of pay may be granted in continuation of my special leave. I have cogent reasons for wishing to remain some months longer in England and shall be put to great inconvenience if an extension of leave is not granted. Shortly after leaving India I requested permission from the Madras Government to apply to the Secretary of State for six months extraordinary leave in continuation of my special leave, if I found such additional leave necessary. I enclose - enclosure B - the Proceedings of the Madras Government upon my letters, from which it will be seen that the Government raised no objections, but simply stated that the matter rested entirely with the Secretary of State.

I have &c,

With two enclosures.

(P'd) J. A. Munro.

Enclosure B.

Public Department.

Proceedings of the Madras Government.

Read the following paper:—

From Mr J. H. Munro, dated 21st November 1891.

And Report from the Accountant General,
Madras, dated 5th December 1891, No. A.D.H. on the above.

Mr Munro being on special ³⁰⁴leave in Europe
the grant of extraordinary leave in continuation
of special leave rests entirely with the Secretary of
State under Article 366 of the Civil Service
Regulations and the previous approval of the
Local Government to its grant does not seem to be
necessary.

Order: 11th December 1891 R^o 1262.

The Accountant General's report will be
communicated to Mr Munro.

(True Extract)

(sd) J. H. Brodie.

Ag. Assistant Secretary.

To

Mr. Munro

90 A. S. King & Co.,

Pall Mall.

74444

India Office,
Whitehall, S.W.
2 February, 1892.

Sir,

I am directed to acknowledge the receipt of your letter of the 1st Instant, and to acquaint you that you have permission to attend at this Office on Tuesday the 9th instant at half-past 12 o'clock, for examination by the Medical Board.

Medical certificates or papers relating to your case should be forwarded by you to Surgeon-General Sir J. Fyner, M.D., K.S.B.I., 53 Wimpole Street, London, W., postage being prepaid.

The certificate forwarded with your letter is returned.

(sd) Henry Waterfield.

J. A. Munro Esq
The Cedars
New Barnet
Herts

F. 4441+

India Office,
Whitehall, S.W.

11th February 1892.

Sir,

With reference to your letter of the 1st Instant and to the reply from this Office of the 2nd Idem, I am directed to acquaint you that the Medical Board have reported that there is no evidence before them to justify their recommending an extension of your leave on medical grounds.

I am to add that you have been granted extraordinary leave without pay for the period of six months, subject to confirmation by the authorities in Madras.

(sd) Henry Waterfield

J. H. Munro Esq,
The Cedars,
New Barnet,
Herts.

N.O

2647

844

India Office.

London, 3rd March 1892.

Financial.
N.8.

Copy of correspondence
with Mr J. H. Munro.

My Lord.

Letter forwarded 1st February 1892 + encl.
to " " 2nd " "
to " " 11th " "

I forward a copy of ^x correspondence with Mr. ^x J. H. Munro
[of the Madras Civil Service] relative
to the grant to him of six months
extraordinary leave without pay
subject to confirmation by your
Government; and I have to call
your attention to the Report from
the Accountant General at
Madras, dated the 5th of December
last, No. ^{a.d.d.} 307, wherein it is
stated that, "Mr. ^x [Munro] being on
"special leave in Europe, the grant
"of extraordinary leave in
"continuation of special leave
rests

Referred to in Financial Despatch,
Madras N.8, dated 3rd March 1892
P.O. 11

Agency
Right Honourable
The Governor in Council
Fort St. George.

rest entirely with the Secretary of
State, under Article 366 of the Civil
Service Regulations; and the previous
approval of the Local Government
to its grant does not seem to be
necessary."

2. The Accountant-General
had evidently overlooked Article
268 of the Civil Service Regulations
the provisions of which have been
in force since 1883, when it was
laid down, at the request of
the Government of India, that
Officers desirous of receiving
extensions of leave otherwise
than on medical certificates,
should be required to produce
with their applications evidence
that the Local Government has
no objection thereto. Since that
date it has been the invariable
practice at this Office not to
grant extraordinary leave, in

access

30
excess of one week, except on
medical certificate, without the
previous assent of the authorities
in India.

3. Mr. ^X[Munro] properly asked
your Government for your assent
to his applying to the Secretary of
State for the grant of additional
leave on the ground of private
affairs; and I request that the
attention of the Accountant
General may be drawn to the
error in the reply given by him
to Mr. ^X[Munro's] application.

I have the honour to be,

My Lord.

Your Lordship's most obedient
humble servant.

L^{on}.

844
Public Dept

N^o 8

From

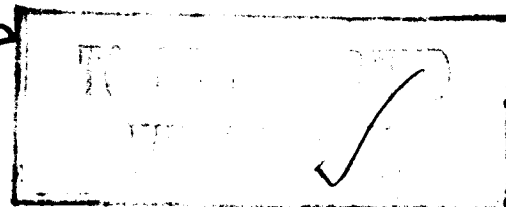
The R. H. The Secretary of
State

Financial

3rd March 1892

The Letter to Fort George

N^o 8



No. 8

Dated 3rd }
Recd 24th } March 1892
Regd 28th }
Enclos: 2

of 6 April 1892 No 635

Referred to the Accountant

- General for remarks.

Redruehine

Chief Secretary

C.
5/4

Re: grant to W. J. H. Munn
of six months extra ordinary
leave without pay.

Pub: 1346792

Received 24 March 1892

C No. 844

From The Secretary of State

Dated 3^d March 1892.

FOR ORDERS.

1. Extraordinary leave is defined (§ 30 of the C. S. R.), so far as European service is concerned, as "leave of absence from duty" granted (see Chap. VIII, article 366) otherwise than under the leave rules.
2. Article 366 prescribes that certain leave (extraordinary) may, subject to certain conditions, be granted otherwise than under those Regulations either by the Local Govt. or Secy of State.
3. Article 268 of the leave rules ^{in England} states that an officer wishing to have his leave extended or commuted must apply to the Secretary of State 3 months before its expiration & produce evidence that the local Govt. has no objection to the extension or commutation.
4. The Accountant General's interpretation of § 366 was, it is submitted, quite correct. ~~Under the C. S. R.~~ Extraordinary leave, as the term itself implies, is not subject to the same rules as other leave, ~~and~~ and that this is the intention of the C. S. R. is apparent from the rules quoted in §§ 1 & 2 supra. Whatever the practice ^{is} in the India Office, the Act. Govt. is not, it is submitted, to be hampered because

1345
No. 1459
Returned with the remark that the report on Mr. Munro's case was made under the impression that the leave required by Mr. Munro being extraordinary leave otherwise than under the Civil Service Regulations (see Civil Service Regulations Article 366), the provisions of Article 268 of those regulations were not applicable.

2. The ruling of the Secretary of State has been noted and will be followed in future.

[3. The enclosures received with G. O. No. 476, Public, dated 5th May '92 are herewith returned.]

Fort St. George }
Accounts Office } Munro
17 May 1892. Accounts General.

To The Chief Secretary
to Government,
Financial Department,
Fort Saint George.

Wij

photo the C.S.R. as he finds
them - If the practice of the Indian Office
is contrary to the rulings in the C.S.R.
that office, ^{should} it is submitted, ~~for that office to~~
either bring about a change in the C.S.R.
or change its practice.

4. Article 268 applies to extensions
^{the particular kind of leave which}
& commutations of leave. It is an open
question whether retarding leave
granted in continuation of any other
kind of leave can be called an extension.

It is certainly not a commutation
It is not an extension of the leave previously
granted, though it follows from the same.
5. The correspondence referred to by
the Secy of State in para 2 of the despatch
is apparently that in G.O. 1608 dated 17
August 1883. The Civil Service
Regulations having been published
6 years later, it is submitted that
they must be given priority.

6. The Act. Genl. will doubtless
be able to say something on the point
submitted that the despatch or orders
he referred to him for remarks.

C.S.
30/3

The Act. Genl. will
no doubt fight his own
case. He should be able to do
it easily.

Act
9/4/82 31 March

Mr. Munro's letter

N. M.

Ref 35-5-25/5/92

1000 30/3/92

1000 30/3/92

6/6/92

C. 1/4
25/4

Public (189) DEPARTMENT.

H. M.
P. S.

25 May 92 h 355

From

THE ACCOUNTANT-GENERAL,
MADRAS,

To

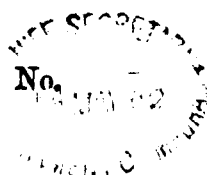
THE Chief Secretary to Govt
Financial Deptt
Fort St George

No. 1459

Dated

Received 18/5
Encls: 4

17th May 1892



Subject.

Returning with the remark that the
report on Mr. Munro's case was made
under the impression that the leave reqd
by Mr. Munro being extra ordinary leave
otherwise than under the Civil Service Regulations.

Order.

Recorded.

20/5-
Depts of the Secretariat 30
C. & L. & J. & L. 1
Respected Secy 28/5/92
Note. The Acct. Genl. has [not] made
no fight at all
much of a fight. The disposal
suggested will bring the feeling
to the notice of all Secretarial
Depts. No reply recd, it is
thought, go to the Secy of State
C. L. He asks for name &
20/5 expects name
J. F. Price

Print only declaration with

Slav. officers. In addition, name
of the [?] [?]

25TH MAY 1892, No. 355, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

Despatch from the Right Honorable Lord CROSS, Her Majesty's Secretary of
State for India, to His Excellency the Right Honorable the Governor in
Council, Fort St. George, dated India Office, London, 3rd March 1892,
No. 8, Financial.

I forward a copy of correspondence with Mr. _____, relative to the
grant to him of six months' extraordinary
leave without pay, subject to confirma-
tion by your Government; and I have to
call your attention to the report from the
Accountant-General at Madras, dated the
5th of December last, No. A.D.H.—307, wherein it is stated that, "Mr. _____
being on special leave in Europe, the grant of extraordinary leave in continuation of
special leave rests entirely with the Secretary of State, under Article 366 of the
Civil Service Regulations, and the previous approval of the Local Government to its
grant does not seem to be necessary."

2. The Accountant-General had evidently overlooked Article 268 of the Civil
Service Regulations, the provisions of which have been in force since 1883, when it
was laid down, at the request of the Government of India, that officers desirous of
receiving extensions of leave otherwise than on medical certificate should be required
to produce with their applications evidence that the Local Government has no objection
thereto. Since that date it has been the invariable practice at this office not to grant
extraordinary leave, in excess of one week, except on medical certificate, without the
previous assent of the authorities in India.

3. Mr. _____ properly asked your Government for your assent to his
applying to the Secretary of State for the grant of additional leave on the ground of
private affairs; and I request that the attention of the Accountant-General may be drawn
to the error in the reply given by him to Mr. _____'s application.

No. 635.

Referred to the Accountant-General for remarks.

FORT ST. GEORGE,
6th April 1892.

(Signed) J. F. PRICE,
Chief Secretary.

No. 1459.

Returned, with the remark that the report on Mr. _____'s case was made
under the impression that the leave required by Mr. _____ being extra-
ordinary leave "otherwise than under the Civil Service Regulations" (see Civil Service
Regulations, Article 366), the provisions of Article 268 of those regulations were not
applicable.

c22/5

rest

R251

2. The ruling of the Secretary of State has been noted and will be followed in future.

FORT ST. GEORGE,
17th May 1892.

(Signed) T. W. RAWLINS,
Accountant-General.

To the Chief Secretary to Government,
Financial Department, Fort St. George.

ORDER—dated 25th May 1892, No. 355, Public.

Recorded.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Departments of the Secretariat

Accountant-General

Govt. of {1892} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., 25th May 1892, No. 355.

MAY.

Extensions of Leave.

Recording despatch from the Secretary of State ruling that officers desirous of receiving — otherwise than on medical certificate should be required to produce with their applications evidence that the Local Government has no objection thereto.

READ AGAIN ORDER OF GOVERNMENT, DATED
1892, No.

BACK PAPER, No.

of 18

FURTHER PAPER, No. *See C/o 4077/9m Tind*
(*Case of m Carmichael*)

ENCLOSURES.

CURRENT No.

844 } - a
1345 }

STATEMENT WITH DITTO.

ORDER, &c., OF GOVERNMENT—A.

LETTER OF GOVERNMENT.

PAPERS KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL
(not paged).

NUMBER OF COPIES REQUIRED. *70*
Order complete.
Letter only.
Order complete with Letter or Endorsement.

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.
R = Print, but not for monthly volume.