M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1463 Press ~~Mis.~~

361-362

Dated 28—8— 1860.

Not to be folded or roughly handled

No. 361. Read the following Proceedings from the Director of Revenue Settlement, dated Narsaraupett Táluq, 8th August 1860, No. 763 :—

Read the following letter from Captain F. J. B. PRIESTLEY, Superintendent Revenue Survey, to H. NEWILL, Esq., Director of Revenue Settlement, dated Chepauk, 4th August 1860, No. 628 :—

SIR,

1. In submitting for the decision of Government, the accompanying letter from Captain Pratt, Deputy Superintendent, Krishna District, I have the honor with regard to paragraph 6 to refer to my letter of the 14th April 1860, No. 323.

2. I do not myself anticipate that Government will be induced to alter the rules regarding stoppages during sick leave, but as Captain Pratt seems to consider his case a peculiar one, I have deemed it right to allow his statement to be heard. I may observe that at the time he applied to me demi-officially for privilege leave, I was of opinion that the party under his charge was not in a sufficiently advanced state of organization to warrant my recommending that Captain Pratt should be permitted the indulgence of leave of absence except on the plea of ill health, and as mentioned by him I intimated to him that such was my opinion.

Submitted at the request of the Superintendent of Revenue Survey for the Orders of Government.

(Signed) H. NEWILL,
Director of Revenue Settlement.

No. 362. ORDER THEREON, 28th August 1860, No. 1,463.

The Civil Auditor will be requested to report whether at the time when he obtained leave on Medical Certificate, Captain Pratt was eligible as he stated to two months privilege leave.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Memorandum on 1864

Capt Platt says that he was entitled to two months leave privilege, but that he had applied for one month on the plea of ill health & was refused. He then procured a medical certificate & obtained sick leave

2 The Director of Ord. & H. says that he refused the leave on the plea that the party under Capt Platts charge was "not in a sufficiently advanced "state of Organization to warrant "his recommending the indulgence except on the plea of ill health.

3 In a case which occurred in Bengal the Civil Auditor there refused to grant leave privilege to a person who applied for it on the ground of ill health. The Hon'ble Ct. said that this construction was

See page 250 post

inconvenience that the sole restriction on the grant of privilege leave is "that no inconvenience arise from the departure of the officer seeking it."[4]

4. It is clear that Capt Pratt, whether sick or well at the time, could have commanded the privilege leave for two months, if his services could be spared; but the decision on this point will depend on the circumstances to be placed on the representation of the Director of Res. &c.

5- If it be determined that Capt Pratt could have been granted the leave without inconvenience to the service, a simple order to the Civil Auditor to pass the sick leave

Note. This passage refers to the Civil Auditor's rules, and the rule to be stated, applies equally to the Treasury rules.

that officer as privilege leave would become that officer from petrishment

6. It would be better in the first instance to refer the Director's letter for the report of the Civil Auditor on the subject, and the proper decision & who is the proper authority — such cases

2nd- This is rather a hard case. Capt. Pratt applied for privilege leave; but was told the service could not spare him unless he needed leave for health's sake. He then got a sick certificate; but instead of privilege leave got sick leave.

I think the request to have it changed to privilege leave is fair. It is true, as noticed above, that the Civ. Auditor's Report of his wish to privilege leave at the time is necessary; but

it seems to me better to
ascertain whether if he
is so entitled the Govt
will give him the leave
before referring to the
Civil Auditor —

R. G.
Aug 17

16.

Memorandum

Should you see
no objection
I would
be glad to
have
leave as now
asked for

[illegible]

Revenue Survey
Superintendents Office:
Cheapauk
the 11th August 1860.

No. 628

From. Captain F. J. B. Priestley
Superintendent Revenue Survey.

To. H. Newill Esqr.
Director of Rev. Settlt.

Sir,

In submitting for the decision of Govt the accompanying letter from Captain Prall Deputy Supt Krishna Dist. I have the honor with regard to Para 6 to refer to my letter of the 4th April 1860.

2. I do not myself anticipate that Govt will be induced to alter the rules regarding passages during sick leave but as Captain Prall seems to consider his case a peculiar one I have deemed it right to allow his statement to be heard. I may observe that at the time he applied to me desiring officially for Privilege leave, I was of opinion that the party under his charge was not in a sufficiently advanced state of organization to warrant my recommending that Captain Prall should be permitted the indulgence of leave of absence except on the plea of ill health and as mentioned by him

I

+ The original was sent up to Government
No. 323
8 Aug 1860

I intimated to him that such was my opinion.

I have the honor to be
Sir
Your Most Obdt Servant
Roderick L. Moriarty Captain
Superintendent Rev. Survey.

Qr 1029 of 61.

Rec'd at Secretary's Office 8th August 1860
Referred to
Subject
Solicitation of Capt Moriarty
that the Schr Kate Hollis
may be employed in the
Revenue Service during the
Survey this year.

No 763

Revenue Settlement Office
Bu Circuit Kingston District
Roseau Dominica
8th August 1860.

Submitted at the request of the
Superintendent of Revenue Survey for the
Orders of Government.

Director of Revenue Settlement

To
A. D. Bourdillon Esqr
Secretary to Government
Revenue Department
Port St George

30 April 1860 at 61-62

Rec.d 1860 Dep.t
Prog.e Govt for Assy.t
Trans. 1864

N. Nairne Esqr
Director of Surveys &c.a

&c. L.D. Blandford Esqr
Secretary to Govt
Marine Dep.t
Fort St. Geo.e

Dated 8 } August 1860
Rec.d 13 }

No. 763.

Encls.

Forwards for the orders of Govt a letter from Superintendt of Marine Survey with Enclosure, representing the Circumstances under which Captain Pratt obtained sick leave in the hope that his case being a peculiar one may become a favourable

L
precedent for future applications.

No 1463. 28th Augt
Letter and order

From the Civil Audr 2/1 Sept 1/60
Ct 1865 in Dec.

From July, Augt & Genl 2/13
Sept.r/60 Ct No 1968 in No 27
Sept.r No 1727.

No 361 & 362.

17 August No 822

No. 1463.

The Civil Auditor will be requested to report whether at the time when he obtained leave on Medical Certificate, Captain Pratt was eligible as to date to two months privilege leave.

Fort St. Geo.e
28 Augt 1860.

2 Copies
Civil Auditor with Orig.l Encls
Cons.n 28