M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 808 Press ~~Mis.~~

116=117

Dated 19-5- 1860.

Not to be folded or roughly handled

No. 116. Read the following letter from E. F. HARRISON, Esq., Civil Auditor, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated 30th April 1860, No. 401:—

I have the honor to acknowledge the receipt of the Order of Government of the 19th instant, No. 594, directing me to report on an application from Mr. G. S. Forbes, for a special exemption from the forfeiture of Pay to which he is liable under the Rules.

Mr. Forbes obtained two months' cumulative privilege leave, of which he availed himself, on the 1st February. Mr. Forbes did not, however, it appears from a letter received in this Office, quit his District until the 10th March. He resumed charge of his duties on the 9th April, incurring thereby the penalty of forfeiture of Pay for eight days.

Mr. Forbes claims exemption from this penalty on the ground that the delay was occasioned by the act of the Government, in taking up the Steamer "Governor Higginson," whereby his plans were disarranged.

Had Mr. Forbes obtained leave under the Rule applicable to leave on private affairs, and for the specific purpose of visiting Madras, he would have had to submit to a considerable loss of salary for the period of absence, and if detained beyond the term of his leave under circumstances similar to those in the present case, he might not unfairly perhaps have expected to receive some special consideration.

I cannot, however, recommend that such circumstances should be taken into account in the case of privilege leave, during which an Officer retains the full salary of his appointment, and is at liberty to dispose of the time in any way that suits his inclination.

There appears to be no precedent to justify the claim preferred.

No. 117. ORDER THEREON, 19th May 1860, No. 808.

1. The Civil Auditor reports on the application of Mr. G. S. Forbes, Collector of Ganjam, to be exempted from the penalty of forfeiting eight days' pay, for overstaying by so much his privilege leave. Mr. Forbes being at Ganjam, obtained two months' leave to come to Madras. His intentions was to go to Calcutta by the "Governor Higginson" passenger steamer. advertised to call at Munsoorcotta about the 21st February; and to come thence to Madras by the Mail Steamer which arrived on the 13th March. But the Government having unexpectedly taken up the "Governor Higginson" as a Transport, he lost that opportunity; he therefore took a passage to Madras in a sailing vessel, and arrived there on the 25th March. His leave expired on the 31st idem. He left for his District by the first opportunity; but he reached it eight days after the expiry of his leave. He prays to be excused forfeiture of his pay, as his failure to join within his leave was not caused by his own act.

2. The Civil Auditor considers the claim untenable. He draws a distinction between an Officer on leave on private affairs for the purpose of visiting any particular place, and enjoying but a portion of his salary, and hence possessing a claim under the above circumstance to special consideration, and an Officer on privilege leave in the enjoyment of his full allowances, and at liberty to dispose of his time according to his own inclinations. The Government do not see the difference supposed by the Civil Auditor between the two cases put by him. An Officer on leave of any sort, who is unable to return to his station in time, in consequence of the Government taking up the regular packet steamer, should be indemnified. Mr. Forbes' salary for the eight days of his overstaying his late privilege leave will therefore be passed to him.

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

Revenue Dept

No 808.

Proceedings of the Madras Government

Under date the 19th May 1860

Read the following

letter from the Civil Auditor.

Reports on an application of Mr G. S. Forbes, to be specially exempted from the forfeiture of pay to which he is liable under the rules, for over-stopping his leave.

(Here enter 30th April 1860 No 401.

Lieut. Under orders —

The Civil Auditor reports on the application of Mr G. S. Forbes, Collector of Ganjam, to be exempted from the penalty of forfeiting eight days pay, for overstaying by so much his privilege leave. Mr Forbes being at Ganjam, obtained two months leave to come to Madras. His intention

intentions was to go to Calcutta by the "Governor Higginson" passenger Steamer, advertized to call at Munsoorotta about the 21 February; and to come thence to Madras by the Mail Steamer which arrived on the 13 March. But the Government having unexpectedly taken up the "Governor Higginson" as a Transport, he lost that opportunity; he therefore took a passage ~~and went to Calcutta by~~ to Madras via sailing ~~a sailing Vessel he arrived~~ vessel, and ~~there too late for the Steamer.~~ ~~Consequently he was detained~~ ~~till the second mail and~~ there he arrived ~~at Madras~~ on the 25th March. His leave expired on the 31st idem. He left for his District by the first opportunity; but he reached it eight days after the expiry of his leave.

He

prays to be excused for forfeiture of his pay, as his failure to join within his leave was not caused by his own act.

2 The Civil Auditor considers the claim untenable. He draws a distinction between an Officer on leave on private affairs for the purpose of visiting any particular place, and enjoying but a portion of his salary, and hence professing a claim under the above circumstance to special consideration; and an Officer on privilege leave in the enjoyment of his full allowances, and at liberty to dispose of his time according to his own inclinations.

The

The Government do not see the difference supposed by the Civil Auditor between the two cases put by him. An Officer on leave of any sort, who is unable to return to his station in time, in consequence of the Government taking up the regular packet Steamer, should be indemnified. Mr Forbes' salary for the eight days of his overstaying his late privilege leave will therefore be passed to him.

8 Jw 76-77
20-4-60

25/6
5

3 Copies to the Civil Auditor Dispy
11 " Board of Revenue
1 " G Forbes Esq.