

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2249

~~Press~~
~~Mis.~~

387.388

Dated

19-9-1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
19th September 1865.*

No. 387. Read the following Proceedings of the Madras Government in the
Financial Department :—

Allowing, under the circumstances stated,
Mr. W. Wilson the privilege of obtain-
ing the balance of the privilege leave
lately granted to him, and directing
that whenever the leave applied for
shall be in excess of one month, or
whenever, though not in excess of
one month, the grant of leave may
entail Government of an Acting Officer,
the application shall be submitted to
Government.

(Here enter 11th Sept. 1865, No. 421.)

No. 388. ORDER THEREON, 19th September 1865, No. 2,249.

Miscellaneous.

Communicated to the Revenue Board, who will issue
a C. O. on the subject.

(True Extract.)

(Signed) J. GROSE,

Acting Under Secretary to Government.

To the Board of Revenue, with Proceedings Financial Department, No. 421.

Exd. S. T. Angustin.

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Proceedings of the Madras Government, Financial Department,
11th September 1865.

Read the following papers:—

No. 21. PROCEEDINGS OF THE BOARD OF REVENUE, dated 28th June 1865, No. 3587.

READ—

Proceedings of the Board of Revenue, dated 26th May 1865, No. 2796.

Read the following letter from W. WILSON, Esq., Head Assistant Collector of the Kistna District, to the Honorable the Members of the Board of Revenue; dated Madras Club, 24th May 1865.

Abstract.—Requesting to be allowed the privilege of taking, at a subsequent period, the portion of the leave granted in *Fort Saint George Gazette* of 19th April, not availed of by him; and soliciting permission to resume charge of his office after returning from Masulipatam.

Mr. Wilson will be permitted to resume charge of his office as proposed. His request to be held entitled to avail himself of the remaining portion of his leave hereafter will be referred to the Civil Paymaster, for report.

Proceedings of the Board of Revenue, dated 12th June 1865, No. 3160.

Read the following Official Memorandum from W. DONALD, Esq., Chief Assistant in charge of Civil Paymaster's Office, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue; dated Fort Saint George, 3rd June 1865, No. 53.

Abstract.—Stating that Mr. Wilson cannot be allowed to avail himself of the remaining portion of his accumulated privilege leave at a future date.

The object of the Board in referring Mr. Wilson's application to the Civil Paymaster was to ascertain from that Officer whether, under Clause 8 of the Revised Absentee Rules, and with reference to paragraph 5 of the Secretary of State's Despatch, it was not competent to the Board to grant Mr. Wilson his leave in instalments, as he desired. The Civil Paymaster will now be requested to report his opinion on this point.

READ ALSO the following Memorandum from W. DONALD, Esq., Chief Assistant in charge of Civil Paymaster's Office, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue; dated Fort Saint George, 13th June 1865, No. 74.

With reference to the Proceedings of the Board of Revenue, No. 3160, of the 12th instant, the undersigned has the honor to state that Government alone can grant to Mr. Wilson, at a future time, the unavailed portion of his privilege leave.

1. RESOLVED that the foregoing papers be submitted for the consideration of Government.
2. It will be observed that Mr. Wilson obtained three months' privilege leave, and cancelled a portion of it at his own desire. The Civil Paymaster is of opinion that Government alone can permit Mr. Wilson to avail himself of the unexpired portion of his leave at a future time.
3. The Board are under the impression that when the Government were pleased to depute to them the power to grant privilege leave to the officers serving under them, the power to grant this leave in instalments was included. If so, the Board would request that the Civil Paymaster's apparent misconception of the intentions of Government may be corrected.
4. It may be held, however, that in the present case, even although the Board had the power to grant leave in instalments, they could not comply with Mr. Wilson's request, as he had applied for and obtained the full period of leave to which he was entitled. The Board, there-

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*Proceedings of the Madras Government, Financial Department,
11th September 1865.*

fore, resolve to request that Government will be pleased to declare Mr. Wilson to be entitled to the balance of his leave, under the provisions of Clause 8 of the Revised Absentee Rules.
(True Extracts).

(Signed) R. A. DALYELL,
Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, R. D.

Transferred to the Financial Department, for disposal, with reference to G. O., dated 19th June 1865, No. 304.

3rd July 1865.

(Signed) W. HUDLESTON,
Acting Secretary to Government.

Referred to the Examiner of Claims for report.

19th July 1865.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 22. From W. DONALD, Esq., Examiner of Claims, Fort Saint George, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated 27th July 1865, No. 22.

Statement Department.

I have the honor, with reference to Government Endorsement, dated the 19th instant, upon Proceedings of the Board of Revenue, No. 1782, dated the 28th ultimo, to report that I do not consider that Mr. Wilson is entitled to the unavailed portion of his privilege leave, as I am of opinion that the last sentence of Section 8 of the Revised Civil Service Furlough and Absentee Rules is not applicable to cases like the present.

2. It appears to me, from the preceding part of that Section, that the privilege of taking accumulated privilege leave in portions was intended to meet the case of officers who, when applying for leave, inform Government, or the authority who grants the leave, that they wish to enjoy a part only of what is due to them without forfeiting the balance; and was not meant for those who, like Mr. Wilson, ask for, and quit their station upon the grant of, the full leave due to them, and who of their own accord return to duty before the expiry of the same. The recent application for leave by Mr. C. G. Master illustrates my meaning.

No. 23. ORDER THEREON, 11th September 1865, No. 421.

The Governor in Council concurs in the opinion of the Examiner of Claims. It was clearly not intended that an officer, after having applied for, and obtained, the full amount of leave due to him, but returning to his duty of his own accord before the expiration of his leave, should be allowed to take the balance at a future time. Such a practice would cause much inconvenience in those cases in which an officer is appointed to act. As, however, Mr. Wilson may have acted under the impression that the rules made him eligible to the privilege which he applies for, His Excellency in Council will not object to his obtaining the balance of the privilege leave lately granted to him, should the requirements of the public service admit of such leave being granted to him when he applies for it.

2. The Governor in Council does not deem it expedient to vest in the Board of Revenue the power of granting leave in instalments. Such applications should be submitted to Government; and in modification of the orders at present in force, the Governor in Council resolves to direct that whenever the leave applied for shall be in excess of one month, or whenever, though not in excess of one month, the grant of leave may entail the appointment by Government of an acting officer, the application shall be invariably submitted for the orders of Government.

(True Extract).

To the Revenue Department.

„ Accountant General.

„ Examiner of Claims.

Exd. J. H. Burns.

Chief Secretary.

22-2249
Communicated to the Revd
Board who will issue a G.O. on the
subject.

5th Board of Revenue 27th Sept 1865
22-2249

12-19-Sept 1865

Pro 28 June/85 at 292-43.

Rev 1863. Deputy
Secy of Govt for S. & L.
No. 2604.

Proceedings of the
Sustaining Govt. in the
Chimney Works.

Dated 11th 3rd 1863.
Received 16th 3rd 1863.

No. 421.

Alowing, under
the circumstances stated,
Mr. W. W. Know the privilege
of obtaining the balance
of the privilege. He will be
granted to him, & will be
that whenever he shall be
pled for shall be in possession
of one month, or whenever, the
not in possession of one month,
the grant of leave may be
paid out of an existing office,
the application shall be
submitted to Govt.

W. W. W. 19th 1863

With ever best

No 28/5388.