

*Proceedings of the Madras Government, Revenue Department,  
13th March 1865.*

Read again letter from the Acting Sub-Collector of Malabar, dated 1st February, No. 35, and recorded in Proceedings of Government, 8th February 1865, No. 264.

Read also the following letters:—

No. 176. From W. DONALD, Esq., Chief Assistant Civil Paymaster in charge, to J. D. SIM, Esq., Secretary to Government, Revenue Department, dated Fort Saint George, 10th February 1865, No. 252.

SIR,

I have the honor, with reference to Government Order No. 264, dated the 8th instant, to enquire, before replying to the same, whether the leave granted to Mr. J. H. Garstin, under the letter from the Government of India, Home Department, No. 1,981, dated the 29th December 1858, was under Section XIV. of the old Covenanted Civil Service Rules, as no report was made by this Office upon Mr. Garstin's application for leave, and there is nothing on record to shew whether the leave in question was under that Section or not.

\* Communicated in Extract Minutes of Consultation, 11th January 1859, No. 44, Public.

No. 177. From W. DONALD, Esq., Chief Assistant Civil Paymaster in charge, to J. D. SIM, Esq., Secretary to Government, Revenue Department, dated Fort Saint George, 17th February 1865, No. 260.

SIR,

1. I have the honor, with reference to Government Order No. 264, dated the 8th instant, to state that, as it was formerly held by this Office that the Covenanted Civil Service Rules were not applicable to students either at College or passed, but unposted, the leave to Calcutta in 1859, taken by Mr. J. H. Garstin, apparently cannot be reckoned as leave under Section XIV. of the old Rules, and that therefore Mr. Garstin has not had such leave as seemingly bars him from leave under Section IX. of the new Rules.

2. The case, however, is not altogether free from doubt, and I would therefore beg to suggest for the consideration of Government whether the matter had not better be referred by them to the Government of India, the more especially as another similar case will doubtless one day arise. I refer to that of Mr. J. C. Hannington, who also while a student obtained six months' leave to Calcutta, and who, it is to be presumed, will some time or other apply for leave under Section IX.

3. It seems a doubtful point also whether the leaves above referred to will count as service and residence.

4. I may add that the question as to whether Civil Servants who have obtained leave under Section XIV. of the old Rules are eligible to leave under Section IX. of the new ones, is still undecided, as no answer from the Supreme Government to my letter No. 224, dated 17th ultimo, (a copy of which was sent to the Madras Government for information), has as yet been received.

No. 178. Official Memorandum from the Chief Assistant Civil Paymaster in charge, to J. D. SIM, Esq., Secretary to Government, Revenue Department, dated Fort Saint George, 23rd February 1865, No. 266.

The undersigned has the honor to report, with reference to Memorandum from the Secretary to Government, Revenue Department, No. 33 of the 22nd instant, that both Messrs. Garstin and Hannington received, after their return to Madras, a moiety of their pay and house-rent for the period they were absent in Calcutta in 1859.

(Signed) W. DONALD,  
Chief Assistant Civil Paymaster in charge.

No. 179.

ORDER THEREON, 13th March 1865, No. 532.

The question raised by Mr. Garstin will be referred to the Government of India for decision.

Miscellaneous.

(True Extract.)

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

To the Collector of Malabar.  
„ the Civil Paymaster.  
Exd. S. T. Augustin.

REVENUE DEPARTMENT.  
FORT SAINT GEORGE,  
13th March 1865.

No. 533.

No. 180.

From

J. D. SIM, Esq.,  
Secretary to the Government of Fort Saint George,

To

The Secretary to the Government of India.

Sir,

Miscellaneous.

1. I am directed to submit the following case for the consideration and orders of the Government of India.
2. In January 1859, Mr. J. H. Garstin, who was then an unposted Junior Civil Servant, was, with the permission\* of the Government of India, granted leave to Calcutta on private affairs for six months. Mr. Garstin then held no appointment, but received a moiety of his salary as a College Student. I am directed to enquire with reference to the Secretary of State's Despatch marginally† noted, in connection with Rule 9 of the new Civil Service Absentee

Rules, whether Mr. Garstin is debarred from taking a second leave of absence on private affairs for six months.

From Mr. J. H. Garstin, 1st February 1865, No. 35.  
From Chief Assistant Civil Paymaster in charge, 10th Feb.  
1865, No. 252.  
From do. 17th do. No. 260.  
From do. 23rd do. " 266.

3. Mr. Garstin's letter, with three communications on the subject from the Chief Assistant Civil Paymaster in charge are enclosed.

I have the honor to be,  
Sir,

Your most obedient servant,

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

Exd. S. T. Augustin.

Rev- 1865  
Pro. of Gov. Fort St. George  
N<sup>o</sup>. 473.

The Chief Assistant  
Civil Pay Master  
in Charge  
Fort St. George  
To The Secretary to Gov.  
Revenue Dep. N<sup>o</sup>.

Dated 17<sup>th</sup> Feb<sup>y</sup>. 1865.  
Received 20<sup>th</sup> -

N<sup>o</sup>. 260.

S. O. N<sup>o</sup>. 532. 13 March  
States that as Mr. Garstin's  
leave was not under Sec. XIV of  
the old Rules that therefore he  
has not had such leave as seem-  
ingly bars him from leave under  
Sec. IX of the new Rules.  
The case being a doubtful  
one suggests a reference to  
the Government of India.

M. J. J.

C. S. M. J. J.

Revenue Department  
N<sup>o</sup>. 532.

Proceedings of the Madras Government  
Under date the 13<sup>th</sup> March 1865.

Recd again letter from the  
Acting Sub Collector of Malabar dated  
10<sup>th</sup> February N<sup>o</sup>. 35 and recorded in Pro-  
ceedings of Govt. 8<sup>th</sup> February 1865 N<sup>o</sup>. 264.

Read also the following letters  
from the Chief Civil Pay-  
master in charge.

Requests to be informed  
whether the leave granted to Mr. Garstin in 1859 was under Section XIV of  
the old Rules. - (Here enter 10<sup>th</sup> Feb<sup>y</sup> 1865 N<sup>o</sup>. 252.)

States that as Mr. Garstin's  
leave was not under Sec. XIV of the  
old Rules that therefore he has not  
had such leave as seemingly bars him  
from leave under Section IX of the new Rules.  
The case being a doubtful one suggests a  
reference to the Govt. of India. - (Here enter 17<sup>th</sup> Feb<sup>y</sup> 1865 N<sup>o</sup>. 260.)

Regarding that Messrs. Garstin  
and Baunyan took received a moiety of their  
pay and Bahet Rent after their return from  
Calcutta in 1859. - (Here enter 23<sup>rd</sup> Feb<sup>y</sup> 1865 N<sup>o</sup>. 266.)

The question  
raised by Mr. Garstin  
will be referred to  
the Govt of India  
for a decision.

1. Coll<sup>y</sup> of Malabar Desam N<sup>o</sup>. 5.
2. C<sup>y</sup> Paymaster N<sup>o</sup>.
3. For Ref<sup>y</sup> of India N<sup>o</sup>.

Recd Sept

W. 533.

13<sup>th</sup> March 1865.

The Secretary to the Govt of India

Sir,

I am directed to submit the following case for the consideration and order of the Govt of India.

2. In January 1859, Mr. J. H. Garstin, who was then an unappointed Junior Civil Servant, was, with the permission of the Govt of India, granted leave to be absent on private affairs for six months.

He then held no appointment, but <sup>just paid a month of his salary as a</sup> ~~may be~~ <sup>college student</sup> ~~he~~ <sup>he</sup> I am directed to require to be referred to the Secretary of State.

Despatch marginally cited

copied 4 March

Revenue 1865-1866  
No. of Govt of India

13532.

Chief of the Madras Govt  
13<sup>th</sup> March 1865

From Secy to Govt of India  
13<sup>th</sup> March 1865

Deposited to Govt of  
India for decision  
with J. H. Garstin (see)  
respecting second leave  
on private affairs.

11760179

\* From Govt of India 29  
Decr 1858 No 1981. Home Dept.

\* Despatch to Govt of India  
dated 7 Nov 1864 No 262 para 7

in connection with  
Rule 9 of the new  
Civil Service Commission  
Rules whether Mr.  
<sup>Garrison</sup>~~Mr.~~ is debarred  
from taking a second  
leave of absence on  
private affairs for six  
months.

3. Mr Garrison's letter, from Mr. J. H. Garrison 1<sup>st</sup> Feb/85 No. 3  
with three communications from Chief of Paymaster's  
office on the subject. from do — 10.00 — No.  
from the Chief of Paymaster's office from do — 17.00 — 260.  
Civil Paymaster in charge are enclosed 23.00 — 216.

17

Providence, 1865  
Dear Sir

1.523.

21  
20  
The Secretary to the  
Government of India.  
213: March 65

Returning to you, I  
leave for decision Mr.  
J. H. Gardiner's case, and  
resting second hands on  
private affairs.

28/80

ca. 11.5