

*Proceedings of the Madras Government, Revenue Department,
18th August 1871.*

No. 161. Read the following Proceedings of the Board of Revenue, dated 8th August 1871:—

Read the following letter from T. J. MALTBY, Esq., Acting Senior Assistant Collector, to the Acting Collector of Ganjam, dated Berhampore, 22nd July 1871.

WITH reference to Government Proceedings No. 4, dated the 4th July 1871, embodying Accountant-General's report No. 64, dated the 4th idem, I respectfully beg to submit the following:—

2. I applied for privilege leave in April last year, 1870, for the special purpose of reading for the Second Standard Examination taking place in the following June.

3. My privilege leave was, however, vetoed by the Accountant-General on the ground that my pay had been stopped for one day for overstaying previous leave, in spite of the explanation which I submitted to him.

4. To this one day's stoppage of pay I had tacitly given my consent, simply because the amount in which I had been mulcted was not, I considered, worth the trouble of appealing to Government about.

5. Upon my privilege leave, however, being stopped upon the ground that my pay had been so, I appealed to Government, as I, for the special reason above stated, valued the leave far more than the comparatively small amount of pay, of which I had previously been deprived. Government were pleased, upon my submitting my case to their notice, to order that the amount recovered from my pay should be refunded to me, and were good enough to grant me the privilege leave for which I had applied.

6. It was, however, unfortunately for me not until 8th July 1870 that the Government Order, allowing both my claims, appeared.

7. Special circumstances then obliged me to take leave in September, which, had my privilege leave been available to me in May as I desired, would probably not have occurred.

8. In consequence of the Accountant-General having vetoed my leave in April, I was indirectly obliged to take leave in September; and I therefore beg that Government will allow me to count the months between May and September, namely, three, as continuous service up to the present date, entitling me to privilege leave.

9. I respectfully submit this to your notice, as it will be observed that a somewhat serious question of principle is here involved, and it is upon that point that I have the honour of stating the issue, namely, Has the Accountant-General power to stop an officer's privilege leave?

10. Upon this point the Government have distinctly ruled that he has no such power, but virtually the Accountant-General exercised this power as regards my own case for a period of some three months.

11. Government have also ruled that the Accountant-General is bound to correct *bonâ fide* mistakes made by officers submitting an explanation of the same; and under the special circumstances stated, I trust that Government will be pleased to direct the Accountant-General to consider me entitled to one month's privilege leave for eleven months' continuous service, from the date of my first application

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for privilege leave last year, and not from the date upon which I availed myself of it.

No. 970.

SUBMITTED to the Board of Revenue with reference to their Miscellaneous Proceedings of 8th July 1871, No. 2,277.

2. The correspondence referred to by Mr. Maltby in regard to his former leave must have passed prior to his joining this district. The case, as stated by him, seems to require some consideration, if he was, through a misunderstanding, prevented from taking advantage of the privilege leave due to him in May till a further period of three months had elapsed.

CHETTERPORE,
23rd July 1871.

(Signed) C. G. MASTER,
Acting Collector, Ganjam.

SUBMITTED for the orders of Government.

No. 162.

ORDER THEREON, 18th August 1871, No. 1,403.

Miscellaneous.

ORDERED that the case be recommended for the favourable consideration of the Supreme Government.

(True Extract.)

(Signed) A. DEC. SCOTT, Captain, R.E.,
Under-Secy., P.W.D.,
for Secy. to Govt.

To the Board of Revenue.

Ed. F. R. Bantleman.

REVENUE DEPARTMENT,
OOTACAMUND,
18th August 1871.

No. 163.

No. 1,406.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

Miscellaneous.

SIR,—I am directed to request you will submit the following case for the favourable consideration of His

Excellency the Governor-General in Council:—

2. In April 1870 Mr. Maltby, Acting Senior Assistant Collector of Ganjam, applied for one month's privilege leave to which he was entitled, but owing to an erroneous objection raised in the Account Department (which was subsequently rectified by Government), and to the correspondence consequent thereon, he was precluded from taking the leave until September 1870.

3. He has now been allowed six months' leave on urgent private affairs, with the usual preparatory leave, but the Account Department object to his enjoying the advantages of privilege leave during his preparatory leave, on the ground that he has not been back at duty eleven months since his last return from leave.

4. Mr. Maltby urges that this defect in the grounds of his claim is due to the unfounded objection formerly raised by the Account Department, which, without real reason, forced him to delay taking his leave from May till September 1870, and that, had he been able to do as he desired, and was properly entitled to do, he would now have been on continuous duty from the end of May 1870, and therefore entitled to a month's privilege leave, and to enjoy the benefits of privilege leave on the preparatory leave which has been granted to him.

5. He prays that he may not be exposed to the additional penalty of loss of half pay during this preparatory leave, in consequence of the former groundless objection raised by the Account Department, which then exposed him to considerable inconvenience and this Government support his prayer.

I have the honour to be,

Sir,

Your most obedient servant.

(Signed) A. DEC. SCOTT, Captain, R. E.,
Under-Secy., P.W.D.,
for Secy. to Govt.

Ed. F. R. Bantleman.

Tide No. 346 from the Anderson
Coast of Virginia D.

4th July 1871 2nd 4th Aug
- 8 - 1871 5-6.

27
Per 1871 Dep
No 254
Proceedings of the
Board of Revenue.

27
Dep 18th August 71
No 11

Dep 18th August 1871
No 1145. Letter from Mr.
Guthrie, Deputy Assistant
Commissioner, Bangalore,
that Mr. [unclear] will be pleased
to direct the Accountant
General to consider him
entitled to one month's
privilege leave from
date of his first applica-
tion for leave last year
and not from date when
which he availed him-
self of it, submitted
for orders of Govt.

Dep 18th August 71
No 1145. Letter from Mr.
Guthrie, Deputy Assistant
Commissioner, Bangalore,
that Mr. [unclear] will be pleased
to direct the Accountant
General to consider him
entitled to one month's
privilege leave from
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tion for leave last year
and not from date when
which he availed him-
self of it, submitted
for orders of Govt.

File No. 346
Cont of [unclear]

No 161-162

17. Aug 71.
Board in Council.
17. Aug 71.

No 1406
18 Aug 71.
2nd 9th 18th 25th 30th 31st
18 Aug 71.

Sir,
I am directed to
enquire from Mr. [unclear]
the following cases for
the payment of
of Rs. 1000.
In April 1870. Mr.
Guthrie, Deputy Assistant
Commissioner, Bangalore,
applied for one month's
privilege leave from
date of his first applica-
tion for leave last year
and not from date when
which he availed him-
self of it, submitted
for orders of Govt.
The Commission
allowed. & in order to
leave on urgent private

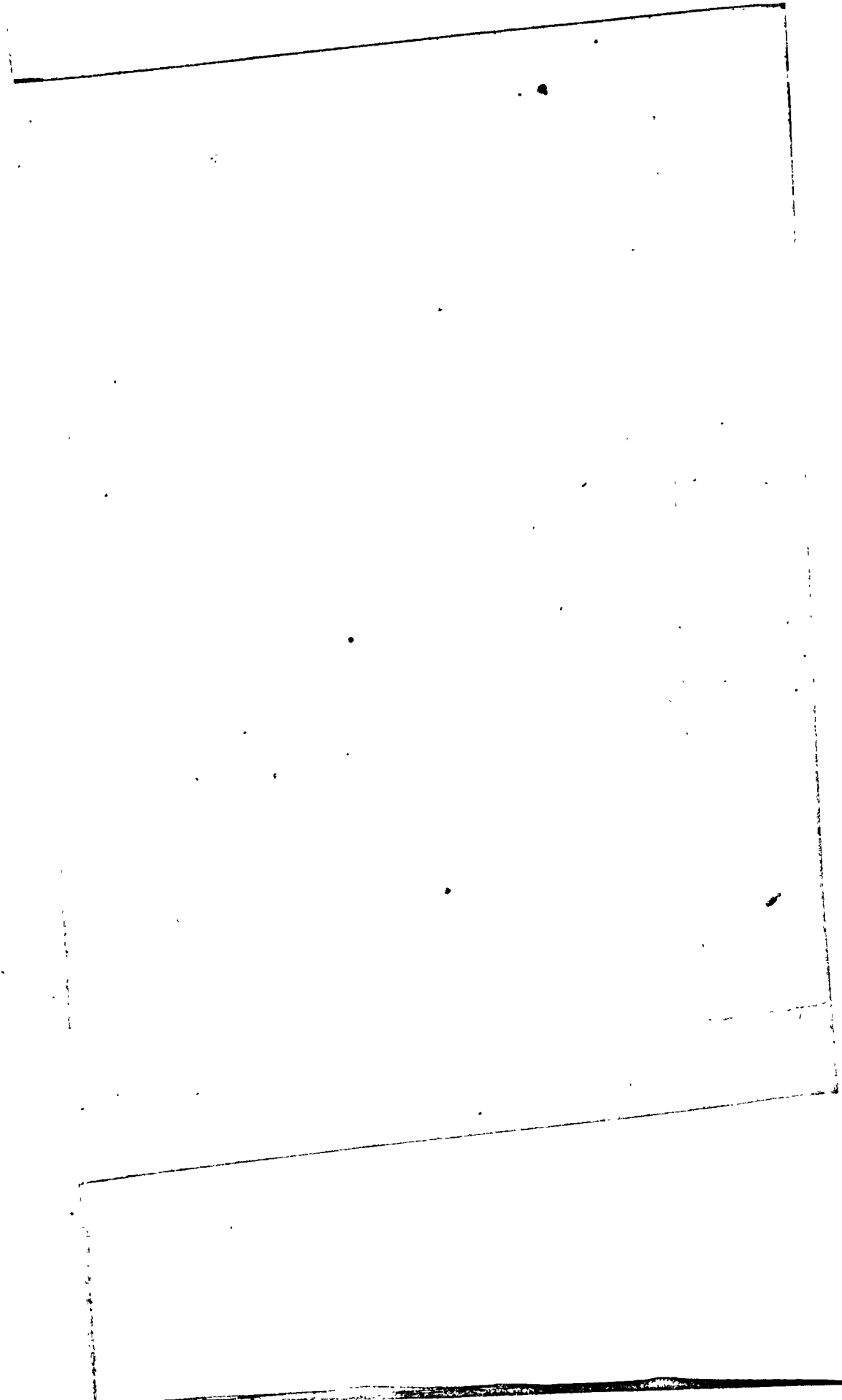
affairs with the usual
preparatory hour. but
the last object is
his enjoying the advantages
of private life. During
his preparatory hour. &
the ground that he has
to show back at his
elbow down to since
his last return from
love. &c. &c.

W. Kelly argues
that this defect in the
grounds of his claim
is due to the misframing
objection formerly raised
by the Sub. Ct. B.
in that said case
for want of delay
taking his leave from
May 21st Sept. 10.
and that said C.
has asked & does

He desired and was
 properly entitled to
 do. He would now
 have him our
 continuous duty
 from the end of
 day 20. and therefore
 entitled to a month's
 privilege leave. He
 enjoys the benefits of
 privilege leave on the
 supervisory leave
 He has been promoted
 to him -

He prays that
he may not be exposed
to the ^{perils} of loss
of half pay during this
preparatory time - &
~~in consequence~~ ^{in consequence} of these former
groundless objections
raised by the Anti-Sl. Soc.
He has exposed him-
self considerably in consequence
of this

Support his prayer
1663



Govt. of {1871} Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated August 18th.

Recd.

Encl.

G. O., 18th August 1871, No. 1,405.

AUGUST.

Nos. 161-162.

Mr. T. J. Maltby, Acting Senior Assistant Collector of Ganjam.—Directing that his case, in reference to his being allowed the advantages of privilege leave during the preparatory leave which has been granted to him, be submitted for the favourable consideration of the Supreme Government.