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Proceedings of the Madras Government, Revenue Department,
28th April 1871.

No. 324. Read the following endorsement of the Officiating Under-Secretary to the Government of India, (Home Department—Revenue,) dated Fort William, 31st March 1871, No. 174 :—

Read the following Proceedings of the Government of India, Financial Department, dated 24th March 1871, No. 1,651.

Read again Financial Resolution, No. 4,218, dated 31st December 1870.

READ endorsement by the Home Department, No. 113, dated 7th March 1871, on a letter from the Government of Fort Saint George, forwarding a statement* of fresh charges incurred in the Revenue Department of that Presidency during the month of December 1870.

* Dated 9th February 1871, by the Accountant-General, Madras.

RESOLUTION.—The proceedings of the Government of Madras are confirmed.

ORDER.—Ordered that a copy of the foregoing Resolution be sent to the Home Department and to the Accountant-General, Madras, for information.

(Signed.) J. WESTLAND,
Under-Secy. to the Govt. of India.

COPY forwarded to the Government of Madras with reference to its letter, No. 315, dated the 27th ultimo.

(By Order,)
(Signed) W. W. HUNTER,
Offg. Under-Secy. to the Govt. of India.

No. 325. ORDER THEREON, 28th April 1871, No. 760.

Miscellaneous.

COMMUNICATED to the Board of Revenue, with an intimation that the Proceedings of this Government now confirmed by the Government of India are those dated 7th and 21st December 1870, Nos. 1,963 and 2,087.

(True Extract.)
(Signed) D. F. CARMICHAEL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

Proceedings of the Madras Government, Revenue Department,
28th April 1871.

Read the following papers :—

No. 326. From F. H. WOODROFFE, Esq., Madras Civil Servant on leave, to the Secretary to Government, Revenue Department, Fort Saint George, dated Bangalore, 17th April 1871.

I do myself the honour to request you will represent the following matter for the favourable consideration of His Excellency the Governor in Council.

After return from long furlough on 9th January 1867, I served continuously in the Revenue Department up to 31st October 1868, when I was transferred to the Judicial Department; it thus appears that I then wanted but nine days to entitle me to two months' privilege leave. After five months' judicial service, I took two months' Court adjournment on 5th April, and after eleven and-a-half months' further like service (excepting five days in August 1869), another of the same duration, after which I continued the service up to 12th October last, when I was transferred to the Revenue Department, and in it remained till I went on present preparatory leave. Subsequently I applied to the Accountant-General to inform me for how many days of subsidiary leave I might be entitled to privilege leave pay, and following is the Officiating Deputy-Accountant-General's reply, dated 6th instant, and No. 150 :—

"The undersigned has the honour to state that, as you availed yourself of the adjournments of your Court, you are not entitled to the months' privilege leave which was at your credit, prior to your joining the Judicial Department."

If I am right in attributing Mr. Fitzgerald's communication to a general principle, that taking Court adjournment *ipso facto* cancels privilege leave previously due, I would submit I cannot find such a ruling.

I would further represent that Rule II., "privilege leave, Judicial officers," that appears to form part of Financial Resolution, G. I., 22nd January 1869, No. 378, is not at all applicable to my case. It commences, "If any officer having privilege leave to his credit be appointed to act *temporarily*" (the italic is mine); *vide* also Rule III.; on the other hand, I certainly was not temporarily in the Judicial Department, as I spent therein almost two continuous years, excepting a few days. In the absence, therefore, of rule to the contrary, I would submit it is equitable that my two adjournments having been all but earned by nineteen and-a half months' judicial service, I should be held entitled to two months' privilege leave for the two and-a-quarter years' revenue service.

If, however, it be maintained that Rule II. abovementioned is applicable to me, I would represent, in the third place, that, although the one month's privilege leave to which I stood entitled on 31st October 1868 be considered cancelled in consequence of my having taken two months' recess in April 1869, when I had earned only one of it by judicial service, the almost eleven months which, at the time I entered the Judicial Department, were counting towards a second month's privilege leave, cannot be held to have lapsed merely by my transference from one department to another. No doubt when an officer goes on furlough, the precedent service counting towards privilege leave becomes thereby cancelled, and on return he has to make a fresh start; in my case, however, the act