

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	832	Press
	687-652	<i>Mis.</i>
Dated	24 th Dec 1869	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
24th March 1869.*

No. 651. Read the following Proceedings of the Madras Government in the
Financial Department:—

Directing the publication in the Fort St. George }
Gazette, Financial Resolution of the Govern- } (Here enter 11th March 1869, No. 132.)
ment of India, respecting leave to Covenanted
Civil Servants.

No. 652. ORDER THEREON, 24th March 1869, No. 832.

Miscellaneous.

Communicated to the Revenue
Board, Director of Revenue Settlement
and Inam Commissioner.

(True Extract.)

(Signed) H. W. WELLESLEY,
Acting Under Secretary to Government.

To the Board of Revenue,
,, the Director of Revenue Settlement, } With Proceedings Financial Department, No. 132.
,, the Inam Commissioner,

Ed. G. A. Turton.

Proceedings of the Madras Government
Read the following

No. 1092.

GOVERNMENT OF INDIA.
FINANCIAL DEPARTMENT.

Leave and Allowances.

FORT WILLIAM, the 18th February, 1869.

Read the following despatches :—

From the Government of India, to the Right Hon'ble the Secretary of State for India, No. 287, dated the 26th October, 1868. (Copy.)

From the Right Hon'ble the Secretary of State for India, to the Government of India, No. 2, dated the 6th ultimo. (Copy.)

No. 287, dated 26th October, 1868.

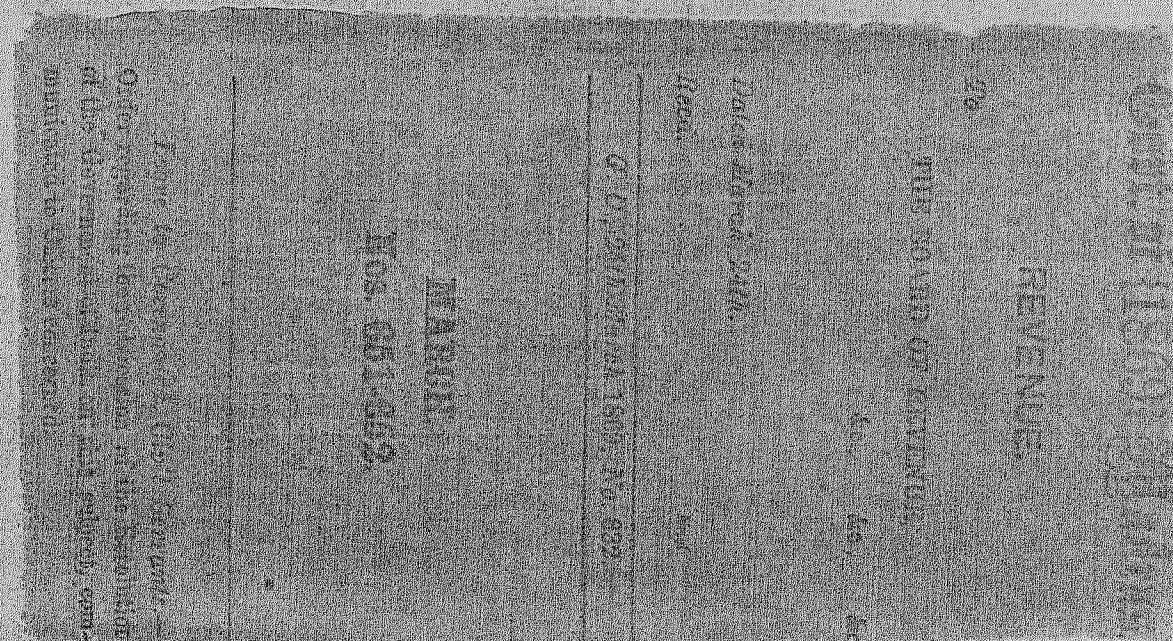
From—The Government of India,
To—The Secy. of State for India.

From an examination of the several statements which have been furnished to us regarding Covenanted Civil Servants at present on leave in England, and of other cases brought to our notice, a hardship in the new Leave Rules has come to light.

2. Under the old rules, one year's leave on medical certificate not only counted as service and residence for pension, but was so counted as qualifying for furlough. For instance, an officer who had served and resided for nine years, and who had also taken one year's leave on medical certificate, was credited with ten years' service and residence, and was entitled to three years' furlough. All officers, therefore, who took leave on medical certificate under the old rules, did so in the full assurance that one year of such leave counted as service and residence, not only towards pension, but as qualifying for furlough.

3. Under the new rules, so far as residence for pension is concerned, compensation has been made for the abolition of the above rule, by shortening the period of residence for pension by one year. But in regard to the qualification for furlough, no such compensation has been made. Under these rules, all leave taken under medical certificate, even under the old rules, is not only not allowed to count as service and residence, but is deducted from the amount of furlough earned by the prescribed period of service. For example, an officer of nine years' actual service and residence, who has in addition taken one year's leave on medical certificate, instead of being entitled to three years' furlough, is entitled to only one year's furlough, and must serve three years more before he is entitled to two years' furlough. Similarly, an officer who had completed nine years' actual service, and had besides taken two years' leave under medical certificate, instead of being entitled, as he was under the old rules, to three years' furlough, must, under the new, serve three years more before he can get any furlough at all. There is no doubt that the new rule has caused great disappointment, owing to this retrospective effect being given to it.

4. Without advocating the maintenance of the old rule, which allowed one year's leave on medical certificate to count as service and residence, both for furlough and pension, it would appear but fair to rule that, in the case of



officers who have under the old rules taken leave on medical certificate, one year of such leave should not be debited against any furlough which might otherwise be due under the new rules, although it should still remain as part of the total of six years, which is the maximum amount of furlough that can be taken in the whole course of service. If this were allowed, the rule that furlough should not be renewed until three years from the termination of previous furlough of more than three months' duration, would not thereby be altered.

5. It has also been represented that some of the hardship which the new rules inflict on officers who have by taking leave under the old rules used up all the leave to their credit, might be mitigated by a slight alteration of the rule by which furlough is placed to credit. Instead of one year's furlough being credited after every four years' actual service, it is desired that for each period of actual service a proportionate amount of furlough at the above rate may be placed at credit; for instance, that three months' furlough may be credited after each year's actual service. The rules and restrictions under which furlough may be taken when at credit would not be altered.

6. When officers took furlough under the old rules, they could not foresee what would be the effect under the new rules. For example, an officer who lately took three years' furlough under the old rules, and has no more at credit, now finds that if in the course of three years from his return he falls sick, he must lose his appointment, and be reduced to subsistence allowance, although his furlough allowances under the old rules were only £500 per annum, while under the new they might have been £1,200 per annum. Under the old rules he could have taken immediately after his return, if he had fallen sick, fifteen months' leave, extendable to twenty, on half pay up to £1,000 a year, keeping his appointment, which leave might have been extended to three years with less of appointment, and an allowance of £500 per annum for the last sixteen months.

7. The suggested alteration is not one of principle, and it will not give any one a day's more leave than the rules as they stand. It is a mere question of detail as to the method of bringing furlough to credit.

8. It may be noticed in regard to the first point that, in the case of Military Officers, whatever leave was taken under the old rules on medical certificate is not debited against furlough otherwise at credit,—*vide* example (2) to Rule XXIV of the Military Leave Rules.

9. The second concession is not so much required by Military Officers, as, in addition to the leave which Civilians can get, they are able to obtain general leave under Chapter II, retaining their appointments and drawing half pay.

10. On these grounds, we ask your sanction to the issue of the following orders:—

I.—“A Covenanted Civil Servant who has taken leave on medical certificate under leave rules prior to those of 1868, shall not be debited with such leave, up to the limit of one year, against furlough which would otherwise be at his credit. All such leave shall, however, be included in the maximum amount of six years fixed in Rule II of the Rules of 1868.”

II.—“For Rule III of the Leave Rules of 1868, the following rule is substituted:—

“Subject to the above limit, furlough shall be placed to the credit of each officer at the proportional rate of one year's furlough for every four years of actual service.”

No. 2, dated 6th January, 1869.

From—The Secretary of State for India,
To—The Government of India.

I have considered in Council your Financial letter dated the 26th October last, No. 287, requesting sanction to the issue of the following orders:—

First.—“A Covenanted Civil Servant who has taken leave on medical certificate under leave rules prior to those of 1868, shall not be debited with such leave, up to the limit of one year, against furlough which would otherwise be at his credit. All such leave shall, however, be included in the maximum amount of six years fixed in Rule II of the Rules of 1868.”

Second.—“For Rule III of the Leave Rules of 1868, the following rule is substituted:—
“Subject to the above limit, furlough shall be placed to the credit of each officer at the proportional rate of one year's furlough for every four years of actual service.”

2. The issue of the orders proposed is sanctioned.

RESOLUTION.—The following is an illustration of the rules which have been sanctioned by the Secretary of State.

A. has completed an actual service of 21 years 2 months and 10 days. He has had 15 months' sick leave under old rules and 3 years' furlough. A. has secured by his actual service 5 years 3 months and 17 days' furlough. Against this must be debited 3 years' furlough and 3 months of the 15 months' sick leave, leaving at A.'s credit 2 years and 17 days' furlough. But as this added to the 3 years' furlough and 15 months' sick leave already taken would exceed the aggregate of 6 years by 3 months and 17 days, the excess must be deducted, leaving at A.'s credit 1 year and 9 months' furlough.

2. In this illustration sick leave does not include leave within Indian limits, under the rules of May 1843, which leave has been declared in a Resolution, No. 3477, passed in this Department on the 5th November, 1868, to be actual service.

ORDERED, that the foregoing Despatches and Resolution be published in the *Gazette of India*, and that copies thereof be forwarded to the Foreign and Home Departments, and the Governments of Bengal, Madras, Bombay, the North-Western Provinces, and the Punjab; Comptroller General of Accounts; Director General of the Post Office of India; Accountants General in Bengal, Madras, Bombay, the North-Western Provinces, the Punjab, and British Burmah; Deputy Accountants General in the Central Provinces, Hyderabad, and Mysore.

R. B. CHAPMAN,

Offg. Secretary to the Government of India.

Order drawn

2 March 1869

Ordered that the foregoing Resolution be published in the *India Gazette* for general information.
(J. M. Cantwell)

R. S. Mui
Chief Secretary

The Revenue Department

GOVERNMENT OF INDIA.
FINANCIAL DEPARTMENT.
Leave and Allowances.

To

No. 1092.

Dated, Port William, the February 1869.
Received

82-832

*Approved to the
Revenue Account
Director Genl Secy
William Comptroller*

W. J. Comptroller

*1869 March 1st
1869 March 1st
1869 March 1st*