

Public (1896) Department.

ORDINARY MS.

G.O., No. 334

Dated 10th Mar. 1896

INDEXED:

[Despatch Abstract.]

MR. H. G. JOSEPH.

Informing-----that Government cannot modify the orders already passed refusing to extend his joining time as it does not consider that Article 197 of the Civil Service Regulations can be applied to his case.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

999 28.12.95
 NO 3630 8.10.95
 R. 196 6.3.94
 R. 228 13.12.94

Pub DEPARTMENT.

From G. Joseph Esq NCO

No. 284

Dated 15 } Feb 96
 Received 25 }
 Rep 26 }
 Enclosures -

SUBJECT.

Requests a reconsideration of 80
 no 425 4.2.96 declining to extend
 his joining time

For Order
 The Accountant General has
 already reported that the provisions
 of Art. 197 of the CS. R. do not
 apply.
 If Mr. Joseph ~~had~~ received the
 DO. (NO 3630 8.10.95) addressed to
 him at Aden, then he knew ~~that~~
 when he landed at Bombay that
 he was to go to Mangalore. The
~~direct route~~ was therefore usual
 mode of travelling was therefore
 from Bombay to Mangalore by
 steamer and it is not evident
 that he changed his route in
 order to accompany Mr. Foster
 though he states that he was
 delayed on his journey to Madras
 by the death of Mr. Foster -

CS. 27.2.96
 Art. 197 applies if the ~~fact~~ can be
 that ~~there~~ no fault of his own
 was unable to avail himself of
 the usual mode of travel.
 I don't suppose ~~that~~ ~~he~~ ~~can~~ ~~help~~ ~~it~~
 that ~~he~~ ~~can~~ ~~help~~ ~~it~~

P 20.

* Mr. J. He is at the
first man, & I hope won't
be the last, who has suffered
in doing a kind thing. But,
after all, if he had gone
straight to Mangalore, the
difficulty would never have
arisen

MS
4/3/96

No 284.

District Session Court
South Canara

Mangalore, 15th February 1896.

From

H. G. Joseph Esq. J. C. S.

District Session Judge

South Canara.

To

The Chief Secretary to Government
Madras.

Sir, I have the honor to acknowledge
receipt of G. O. No 155, dated 4th Instant,
communicating to me Accountant General's
endorsement dated 17th January last, on my
letter dated 12th December 1895.

2. I regret that in my letter I did
not make it clear that I was not (as
presumed by the Accountant General)
making any claim under the provision
of Article 199^{C.S.O.} but only requesting Govern-
ment, as a matter of grace, to use the
powers which they undoubtedly possess
under Section 197 of granting an extension
of joining time (even beyond the maximum
of 30 days).

3. And since Government is pleased
to say that it regrets that it is unable to

grant my request, I would venture most respectfully to submit that - now that the nature of my request is more clearly stated - it is not impossible for Government to differ from the opinion (presumably held by the Accountant General, since he says Art 177 cannot apply) that humanity on the part of a Government servant is a 'fault' that requires to be visited with fine.

4. I would further venture to point out that the hypothetical case on which the Accountant General bases his final query to Government shows that he has not apprehended the true state of the facts. If my request is granted I should not get full pay but only half pay for the 3 days; and I have already suffered a considerable pecuniary loss in consequence of this delay which prevented me from availing myself of the usual mode of travelling.

I have the honor to be,

Sir,

Your most obed^t serv^t.

District & Sessions Judge.

Compared
U Narasingarao.

C. No. 721

G. S. Intro

Order No. 334 of 10 March,

The Govt. regrets that it cannot modify the order already passed as it does not consider that article 197 of the C. S. R. can be applied to Mr. Joseph's case.

(From Order)

C.S.
13.96

H. J. Joseph Esq. & C.S. (v) Dec 13/96
2/14/96

When given for copying

When received

When examined

When signed

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL

N.B.---

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only.