

Soon
Public (1899) Department.

ORDINARY MS.

G.O., No. 137

Dated 3-2-88

INDEXED.

[Despatch Abstract.]

Exempting Mr M. Ghose I.C.S.
from loss of appointment in consequence of his
having overstayed his leave by four hours, and
declining to address the ~~for~~ ^{for} the subject
of exempting him also from loss of allowances.

T
3-2-88

BACK PAPERS.

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

FURTHER PAPERS.

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

Govt Board of Revenue. ~~General~~
 Public (1899) Department. 43
 General Register No.

Resolution.



From

The Collector of
 Kurnool
 Di No. 25
 Jan 99

Order
 28

Recorded with reference
 to G.O. No. 1348 Public,
 dated the 20th December
 1898

Dated

2nd Jan 99

Received

Registered

Enclosures

SUBJECT.

Reporting that Mr.
 Ghose arrived at 3.45
 PM on the 2nd Inst. and
 took charge of the
 Nandyal Division.

Wm
 5-199

Copd to the Accountant Genl

1348th 820-1298R

...

...

...

...

...

CURRENT NO. 43

No. 25
24/99

ENCLOSURES.

Kurnool Collector's Office.

Kurnool DATED 2nd July 1899

From Mahamed Raza Khan Esq:
Collector of
Kurnool.

To The Chief Secretary
to Government
Public Department
Madras
Sir,

B
no 687

Adverting to your telegram
of 20th ultimo I have the honor to report
that Mr. Ghose arrived here
at 3.45 PM today and took
charge from me of the Nandyal
Division.

I have the honor to be

Sir,

Your most Obedient Servant.

24/99

Mahamed Raza Khan
Collector.
2/99

189

Revenue Department.

FROM

COLLECTOR OF
KURNOOL

TO

THE

DATED

RECEIVED

DESPATCHED

189

No.

ENCLOSURES

SUBJECT

Public (1899) Department.

CURRENT No. 53



6 Nos 43 & 53

From Mahomed Razabli
Collector of Kurnool

Cont:- No 103, of 10-1-99.
Order

Referred to the
Accountant General for
remarks.

W. W. M.
Chief Secretary

W. W. M.
6-1-99

Current No. 10 of 99

Dated January 1899

Received } 5-1-99
Registered }

Enclosures

Spare copies

SUBJECT.

Reporting that there was
a delay of 4 hours on the
part of Mr. Ghose in taking
charge of the Nanyang Dr
on the 2nd inst and
Submitting the explana-
tion offered by him for
the delay, with his remarks.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Head and faint

KURNOOL COLLECTOR'S OFFICE,

KURNOOL,

Dated 3rd January 1899.

No.

ENCLOSURES.

FROM

M. Ghose Esquire I.C.S.
Agent Collector of Kurnool,

To

THE SECRETARY TO

Collector
Kurnool

after he was questioned by me about this delay, he then submitted this explanation.

I have the honor to bring to your notice that I was four hours late in taking charge of my appointment yesterday. I left Calcutta on Thursday night & arrived at Guntakal on Sunday. I was under the impression that as before there was a night goods train which would bring me to Kurnool Road by midnight. On arrival there I found that the night train had ceased running.

2 I made all preparations to leave Calcutta on Wednesday but

as

as I was suffering from a severe
cold, I put off my journey to the
next day being under the impression
that the 2^d January was a gazetted
holiday and I might take charge
at any hour on that date.

The 2^d January has been
a gazetted holiday in Northern
India & that is what misled me
to think that the same was the
case in Maoro.

3. As a matter of fact I
arrived in Kuvool a little before
4 P.M. and being only 4 hours late
I beg you will be pleased to bring
the matter to the notice of Government
with a view to this little delay being
overlooked.

I have the honor to be
Sir
Your most obed^t servant
J. H. S.
Sd/- Agn. S. S. S.

CORRESPONDENCE DEPARTMENT.

FROM

H. A.

THE COLLECTOR OF

KURNOOL,

To

THE SECRETARY TO

Kurnool

Dated

3

Received

3

January 1899.

H. A. No. 99

ENCLOSURES.

SUBJECT.

Regarding to
address the fact
that the delay of
4 hours late in
taking charge may
be overlooked for
the reasons stated
within.

Submitted to the Chief
Secretary to Government,
Public Department in
continuation of my
Disposal No. $\frac{25}{2.1.99}$

2. I drew the attention of
Mr. Ghose to the fact that
he was only permitted by
Government to avail
himself of the Christmas
holidays and that he should
have taken charge of his
Division from me
on the forenoon of
yesterday, and this is
his explanation for
the delay of nearly 4 hours.

J. D. P. N. S. P. N.
Collector
3/99

Public (1899) Department.

CURRENT No. 196



From

The Secretary to
Madras

Order

No. 147

Dated 16-1-99

Received 18 } Jan. 1899

Registered 18 }

Enclosures C. nos. 43+53+99

Spare copies -

SUBJECT.

Stating that as his leave
overstayed his leave by 11 days
he is not entitled to any
allowance.

BACK PAPERS.

G.O.	No.	Department.	Date.
	1348	~~Pub~~	20-12-98K
	832	~	30-6-97S
	3489	~~Pub~~	29-3-97.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT No. 196

Gazetteer and DEPARTMENT.

PORT ST. GEORGE,

Accountant-General's Office,

16 January 1899.

No. 147

From

T. Harketh Buggs Esq.

ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE

GOVERNMENT OF MADRAS,
Chief Secretary to Government,
Public Department.

SIR,

C

With reference to your Indorsement No 103 dated the 10th of January 1899, Public Department, forwarding for my remarks Mr. Ghose's letter reporting that in the circumstances therein explained he took charge of the Naudyal Division on the afternoon of 2nd January 1899, I have the honour to state that, as Mr. Ghose joined his appointment on the afternoon instead of on the forenoon of 2nd January 1899, the first working day after the Christmas holidays, he is not entitled to the benefit of the holidays.

de Article 25th Civil Service Regulations, and that
has therefore overstayed his leave by 11 days
for which he is not entitled to any allowance.
He should also be reappointed as Head Assistant
Collector, Kurnool as per Article 261 (a)(i) Civil
Service Regulations, he ceases to have a lien on
that appointment.

A similar case was disposed of by the Government
of India in Order No. 946 Home Department, No. 532 Pub
Dated 31 May 1897. D
532 Pub
30-6-97

I have the honor to be,
Sir,
Your most obedient servant,

A. M. T. P.
Accountant General

[G.
25]
1,000 2-11-97.

C26-1-99
R30-1-99

Public DEPARTMENT

C. No. 43, 53 and 196

SUBJECT.

HIS EXCELLENCY THE GOVERNOR.

THE HON'BLE MR. ARUNDEL.

THE HON'BLE MR. WINTERBOTHAM.

Mr. Mahimohun Ghose I.C.S.

FOR ORDERS.

H. L. N. E.

G in go R No. 1348 Pub
20-12-98

H in the above G.O.

G.O. R 1348
20-12-98

On the expiry of his
leave on the 22nd ultimo
Mr. Mahimohun Ghose I.C.S.
was declared fit to return
to duty by a Medical Board
which assembled
at Calcutta at the request
of his Govt
conveyed in the G.O. No. 667 dated the 8th
idem. Mr. Ghose was
accordingly permitted to
return to duty
and to take the Christmas
holidays in continuation
of the leave, at the same
time in view to the ful-
filment of the require-
ments of article 251 of

the Civil Service Regulations,
the Collector of Kurnool
was directed to take charge
of the Head Assistant
division from Mr. Tinning
and to hand it over to
Mr. Ghose on his arrival
arrival.

2. Mr. Ghose was, how-
ever, able to take charge
of the Head Assistant Ship
on the afternoon of the
2nd instant only, instead
of on the forenoon. The
circumstances under which
the delay occurred are
stated in Mr. Ghose's letter
of the 3rd instant. Briefly
put, they are (1) that he
made preparations for
leaving Calcutta on Wednesday
the 28th December but
was obliged to put off
his journey to the next

Para 2 (2) of G.O. No. 1348
Put on 12-98 B

c no 53. J

19

J

day as he was suffering
from a severe cold & that
he misadvised the master
of a night goods train which
was to pass Guadalupe ^{Ka} and
which would have taken
him to the Kivavoo Road
by midnight on Sunday
the 1st instant, had it not
ceased running; and (3) that
he was under the impression
that the 1st of January
was a holiday and that
Presidency as it was and
Northern India & so on
3. The consequences of
his having taken notice
of his appointment in the
afternoon of the first working
day after the holidays are,
as pointed out by Mr. Tinning
Accountant General, that
he is not entitled for
the benefit of the holidays
vide G.O. No. 1348, C & R; and that
he has therefore overstay
his leave by 11 days for
which he cannot claim
any allowances, and that

he has lost the leave upon
 his appointment as Head
 Assistant, Kanad... it
 not... case was
 dealt with in G.O. No. 84829... F
 Public, dated the 29th March
 1947, to which attention is
 solicited. In disposing of
 that case, the Govt. of
 India observed: "If an
 officer chooses to incur
 absent still the advantage
 of public holidays following
 his privilege leave, he
 deliberately risks the con-
 sequence of enforced
 delay, and declines to exempt
 the officer from
 loss of allowances...
 In the case above
 referred to, the officer con-
 sidered stayed away ^{for} two days
 after the due date whereas
 in the present case Mr.
 Ghose's delay consisted of
 only four hours. From
 article 262 of the C.S.R.
 it will be seen that if the
 local Govt. is satisfied

Letter No 946 Home (Pub)
 dt 21-5-47 in G.O. 832 Public
 dt 30-6-47 D

I accept the opinion here expressed.
 27.1.49

Dpt:
 120115 D

that the default of an officer
 is due to circumstances
 beyond his control, it may
 exempt him from loss
 of appointment under
 clause (a) of article 261,
 but not from loss of
 allowances during the
 period of his absence
 without allowance.
 6. In these circumstances
 it is subd that, ~~considering~~
 in view of the fact
 that Mr Ghose's delay con-
 sisted of only a few
 hours, he may be exempted
 from loss of appointment
 under article 261, CSR.
 But, considering the decided
 view expressed by the Govt.
 of India in its letter No.
 946 dt 21-5-47, embodied
 in G.O. 832 Public, dt 30-6-47,
 there would, it is subd be
 no use, addressing ^{that Govt} ~~the~~
 on the subject of exempting
 Mr Ghose from loss of
 allowances.

23.1.49 24.1.49 25.1.49

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[Faint handwritten notes and markings in Devanagari script.]

[G.]
124
1,000-11-10-99

C. S.

Public DEPARTMENT.

[Faint handwritten notes in Devanagari script.]

- (1) Of No. 48, the Collector of Kurnool, No. 25, dated 21-1-1899.
- (2) { 53, Mr. Mahimohun Ghose, C.S., 3-1-1899.
- to "the collector of Kurnool," 3-1-1899.
- 143 "196" "Accountant General," 16-1-1899.

Order No 137 of 3-2-89.
 In view of the fact that Mr Mahimohun Ghose delay in assuming charge of the Head Quarters of Kurnool on the afternoon of the 2nd January 1899 consisted of only a few hours, he will, under the provisions of article 262 of the Civil Service Regulations, be exempted from loss of appointment. The Govt is not, however prepared to address the Govt of India on the subject of exempting Mr Ghose from loss of allowances for the

