

Financial (1895) Department.

ORDINARY MS.

G.O., No. 607

Dated 23rd Aug. 1895.

INDEXED. 9/10

[Despatch Abstract.]

EXCHANGE COMPENSATION ALLOWANCE

Considering Mr. Eber Hardie of the Forest Department entitled to
draw -- .

BACK PAPERS.

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

FURTHER PAPERS.

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

CURRENT No. 1907

Financial
Revenue 1895. Dept
Board of Revenue
(Land Revenue),
MADRAS.

Current Number 5619

To

The Secretary to Government,

Revenue Department.

Thro' the Accountant

General.

Recd 3 Aug

Ex 2

Proceedings, dated 20 July 1895,
Forest No. 1038. This

Subject.

Submitting to Government
for orders thro' the Accountant
General letter from the Collector
of Malabar forwarding a
statement of Mr. Eber Hardie's
case for claim to exchange
compensation allowance.

mm
6/8

No 2011

For Saint George
Accountant General's office
31 July 1895.
MADRAS

Forwarded to Government of
Mr. Eber Hardie is not admitted
to the benefit of the Exchange
Compensation allowance it rests
with Government to decide under
the Government of India letter
communicated in Madras govern-
ment Order No 598 Financial
dated 3^d August 1894 whether
the amount already drawn
by him viz Rs 284. 3. 1 less
Income Tax Rs 7. 5. 6 or Rs 276. 13. 7
should be refunded by him or not.

I am Sir,

Offg. Accountant General.

The Secretary to Government,
Revenue Department.

No 31/7

CURRENT No 1907
Endorsement
REVENUE DEPARTMENT

Transferred to the
Financial Department

as per order of
6th Aug 1895

N^o 2232
5

C. No. 630
495
Malabar Collector's Office
South Forest Branch
Mylambur, 21st May 1895.

From,

C. A. Eberhardie, Esquire,
Extra Assistant Conservator of Forests,
1st Grade
& Ag District Forest Officer
South Malabar.

To,

The Secretary to the Board of Revenues
Land Revenue, Forests.

Thro'

The Collector of Malabar
Calicut.

Sir,

I have the honor to state that
in January 1894 I was asked by the
Collector of Malabar to take steps to
have my claim for Exchange Compensation
allowance laid before the Local Government
but, being very ill at the time, I
proceeded home on a year's furlough
without doing so. On returning to work,
I was informed by the Accountant General
that

that the Madras Government had, during my absence on furlough, decided that I was not entitled to the allowance, and that, unless I got the orders of Government exempting me from refunding the amount previously drawn, he would have to recover the same from my salary. As I have not represented my case except answering a question or two from the Collector prior to his asking me to take steps to have my case sent up for the orders of Government, as to where I was born, where educated, and my Father's domicile, and, as I have not been favoured with the Board's Proceedings, or Government Order dealing with my case, I am at a loss to know the grounds on which I was considered as not entitled to the allowance. I was not asked whether ~~whether~~ I have been out of India.

I beg to represent though not educated in England for any of the Services, or for any length of time I was in School in England in 1860 and 1861, as a child but the relative with whom I was living having died, I was brought out again in 1861. In 1869 again I was out of India in Australia. None of my Father's people are domiciled in India, and as my children who are all under seven years of age at present, are to be educated in England, and as I will probably retire there myself, as I have acquired no property in India, the refusal to grant me the Exchange Compensation allowance will inflict a very great hardship indeed on me. My last furlough was spent in England, with my Family, which cost me a great deal of money at Rs 18-8-0 the pound.

Under all these circumstances I
most respectfully beg that the Board
and Government will have a favourable
view of my case and sanction the allowance.

I have the honor to be,
Sir,
Your most obedient Servant.

Ch. Christie
Ag. District Forest Officer
South Malabar.

From,

The District Forest Officer
South Malabar

To,

The Collector of
Malabar

Dated } 21st May 95.
Depd }

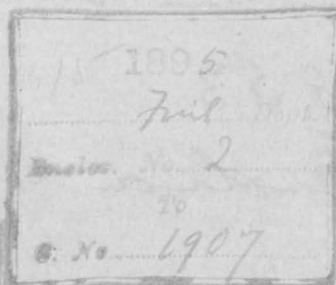
H. MOBERLY,

23 MAY 95

N^o. 2232
5

Subject

Requesting that the
Exchange compensation
allowance may be sanctioned.



1895

REVENUE DEPARTMENT.

Enclosure No. 1

Serial No. 5819

Questions.

Answers.

1. Are you a European or a Eurasian?

European

2. What was your father's nationality?

Nationalised Englishman.
Father German, Mother English
Born & educated in England

3. In what country was your father born, and where was he educated?

4. In what year did your father first come to India?

1839

5. If your father is still living, in what country is he? If dead, in what country was he at the time of his death, and in what year did his death occur?

Died in India in 1877

6. What profession or service did your father follow while in India? If he came to India before 1858, was he in the service of the Honorable East India Company or of the Crown?

Merchant
No

7. Did your father ever leave India after his first arrival in the country? If so, please state (1) on how many occasions, (2) in what years, and (3) for how long on each occasion? Did he spend these periods of absence in Europe?

Yes, several times, but
the years & periods of absence
cannot now be given.
Some of these periods were
spent in Europe -

8. In what year were you born?

1853

9. Were you born in India or in Europe?

India in Ceylon

Questions.

Answers.

10. * If you were born in India, have you ever left this country? If so, please state (1) on how many occasions you have left it, (2) in what years, and (3) for how long on each occasion. In what country did you spend these periods of absence?

* Note.—It is essential that this question should be answered fully.

11. * If you were not born in India, in what year did you first come to this country? If you have ever left India since your first arrival, please state (1) on how many occasions, (2) in what years, and (3) for how long on each occasion. In what country did you spend these periods of absence?

* Note.—It is essential that this question should be answered fully.

12. In what year did you enter the public service, and in what capacity? In what Department are you now employed?

13. If any interval elapsed between your first arrival in India and your employment in Government service, please state in what profession, service, or other employment, if any, you passed this interval.

14. In what country were you educated?

15. Are you married? If so, in what country, and in what year were you married?

16. If you have any children, please state their present ages, and in what country each of them has been or is now being educated?

17. Is it your intention to settle permanently in India, or in Europe, when you retire from the service of Government?

Yes, twice not including last absence in England on Furlough - In 1869 & in 1869 - One year each time. In England in 1860 & in Australia in 1869 -

In 1883. As Ranger 2nd Grade. Forest Dept

As a child for one year in England, afterwards in India - Married in India in 1886 -

Three children aged 4, 5 & 7 - Being Infants they are not now being educated. but will be sent to England - Will probably retire to Europe -

Nilambur
28/6/95

Robert Hardie
Ex. Commr

CURRENT No. 1907



Proceedings of the Board of Revenue

(Land Revenue).

Dated

20 July

1895.

Forest No.

1038.

Miscellaneous.

READ

the following letter from H. Moberly Esquire, Acting Collector of Malabar, dated 28th May 1895, no. 630, and reference thereto, dated 17th June 1895 to the collector.

I have the honor to forward herewith an application from Mr. Echer Hardie, acting District Forest Officer, South Malabar, for exchange compensation allowance. The delay in submitting the application is due to Mr. Echer Hardie having only recently returned from furlough.

2. In his letter to the Board, dated 2nd July 1894, no. 136 Fr. General Mr. Bradley stated that Mr. Echer Hardie did not

1895

REVENUE DEPARTMENT.

Enclosure No.

Current No.

not appear to be entitled to the
allowance. No final order
appears to have been received
in this office.

The Collector is requested to
obtain from Mr. Eber Hardie a
statement of his case in the form
printed as appendix to Board's
Proceedings, dated 15 February
1895, No. 52, agreeably to para 2
of the G.O. communicated therein.

Read also the following letter
from H. Molerly Esquire, Acting
Collector of Malabar, dated
6 July 1895, no. 256.

Adverting to the Board's
Reference on Forest Register no. 1790
of 1895, dated 17 ultimo, I have
the honor to forward herewith
a statement of Mr. Eber Hardie's
case.

Resolution.

Submitted to Government for orders
through the Accountant General.

(True Copies and Extracts)

K. M. V. V. V.
Secretary.

To the Secretary to Govt, R.D.
thru the Accountant General.
with two enclosures in original.

28
M

[G.
25.
500-21-5-85.

C. No. 1907.

FOR ORDERS.

"Mr. Eber Hardie says that his father was a German who was naturalized as an Englishman - What is the proof of this?

Many can be exempted from the refund

RS
17/8/95

Note for the Hon'ble Member.

With reference to the first portion of the Hon'ble Member's note above, it is ~~sub~~ respectfully submitted that Mr. Eber Hardie's ^{late} ^{late} claim to Ex. Compⁿ Allowance rests on the decision whether his domicile of origin is India or not India and that his claim is the same whether his father was a German or a naturalized Englishman.

C.S.
18/8/95

This is so - overlooked the point - He may be granted Ex. Compⁿ RS

2/8

20/8/95

Mr. Eber Hardie's father came to India in 1839 as a merchant, left the country on several occasions and finally died in India in 1877. Mr. Eber Hardie was born in 1853, and except for one year in England was entirely educated in India. His case does not strictly fall within the decision of the Q. of J. [§ 41 A. 3 of the C. A. Code] that the domicile of an officer born & educated in India, who has never left the country, is Indian. The fact that his father died in the country does not conclusively prove that he had ~~taken up~~ assumed an Indian domicile & there is no evidence to prove that he did. Mr. Eber Hardie has spent his furlough in England & the balance of evidence appears to be in

favour of the presumption that
his domicile is not Indian

C.S.
12.8.95

20
15/8/95

Exchange Compens.

Mr. Ever. Hardie

FOR ORDERS.

HON'BLE MEMBER.

23 Aug 1895, No 607.

The Govt. consider that
Mr. Ever. Hardie is entitled to
draw Exchange Comp. Allowance.

C.S.
21.8.95

(From Order)

20
22/8/95.

Revenue Dept/ B.D. Pm: P. Rn. Sub: Q/
Acct. Genl (ASi Sub: Q). 20 AUG 95

M.S

When given for copying _____
When copied _____ } 189
When examined _____
When signed _____

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.:-

A = Copy in full.
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