

Ym PUBLIC DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Ordinary Routine No. *429-30* dated *9-5* 1898.

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
<i>1-9</i>	<i>98-4-2</i>	<i>2365</i>	<i>1898</i>	<i>Ym</i>	<i>2-9</i>	<i>98-4-2</i>
<i>14-19</i>	<i>98-4-2</i>	<i>25-11</i>	<i>1898</i>	<i>Ym</i>	<i>14-12</i>	<i>98-4-2</i>

Financial (1898) Department.

ORDINARY MS.

G.O., No. *429 & 430*

Dated *9th May 1898.*

[Despatch Abstract.]

Requesting the decision of the Govt. of India as to whether exchange compensation allowance is permissible to the Hon'ble Mr. C.A. White Bar-at-law, who tho' an officer not debarred from the private exercise of his profession, has been informed in the India Office that he was entitled to it.

PRINTED IN G.O., dated *23rd*

September 1898, No. *823*.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
1717/98	567						
	30						

1898.

1028 Sub

From

The Advocate General
Madras

To

The Chief Secretary to Govt
Madras

Dated 28th March

Despatched 29th do

Received 29-3-98
29 MAR 1898



Encl

Subject-

Inquiring whether he is
entitled to Exchange Com-
pensation allowance, and
enclosing replies to ques-
tions on the subject.

139: 12-2-98

13: 6-1-98

9/8: 11-11-97

491: 24-6-97

187: 14-3-96

2757: 5-12-97

2032-34: 6-9-87

1291: 16-6-87

Note. This is a case which
clearly comes under para 3 of
the Govt. of India Resolution
No 2422-Ex. dated 31st May 1897
communicated in G.O. No 491 Sub.,
dated 24th June 1897, and it is
submitted that the officer is
entitled to the allowance.

C. No. 1028.

Order
his.

The Accountant General is
authorized to pass Exchange
Compensation allowance to
the Honble Mr C. Arnold
White Advocate General
under para 3 of Govt. of India
Resolution No 2422 Ex. dated
31st May 1897, communicated
in G.O. No 491, Sub., dated
24th June 1897.

Reference the paper
prepared and put up
in the
Compensation to Exchange
Office
31-3-98

The acct. genl. (A to)

The advocate genl. (A to)

Please see 80
D. 9/8/98
also 80 2032-34
in the
1291

EXCHANGE COMPENSATION ALLOWANCE.

Questions to be answered by—

- (i) Officers claiming the allowance who were appointed in England.
- (ii) Those appointed in India prior to 1st April 1897, who have not been admitted to the allowance under the rules in force previous to that date.
- (iii) Those who, having previously been appointed in India and admitted to the allowance under the rules in force prior to 1st April 1897, obtain an increase of salary after that date, and claim a continuance of the allowance.

Name of claimant Charles Amos White

Office Avonlea General

Questions.	Answers.
1. Were you born and are you domiciled within the dominions of Her Majesty in India of parents habitually resident in India and not established there for temporary purpose only?	No
2. Are you a European?	Yes
3. Of what nationality was your father?	English
4. Of what nationality was your mother?	English
5. In what country were they married and when?	England. 1857.
6. In what country were you born and when?	England. 1858.
7. In what country or countries were you educated and for how long in each?	England.
8. In what country or countries did you reside before appointment to the service of Government and for how long in each?	England
<p>NOTE—If appointed in England and No. 2 is answered in the affirmative, questions 9 to 17 need not be replied to.</p>	
9. In what country was your father born?	

Questions.	Answers.
10. In what country or countries was he educated and for how long in each?	
11. In what country or countries, and for how long, did he reside—	
(i) before you were born?	
(ii) since your birth to the present time?	
12. If he was ever in India, state—	
(i) when?	
(ii) for how long?	
(iii) in what capacity?	
(iv) (a) how often did he leave this country?	
(b) when?	
(c) for how long?	
(d) in what capacity?	
(e) in what countries did he reside during the periods of absence?	
13. If your father is dead, state in what country he died and when?	

Questions.	Answers.
14. In what country or countries, and for how long, did your mother reside?	
(i) before you were born?	
(ii) since your birth to the present time?	
15. If she was ever in India, state—	
(i) when?	
(ii) for how long?	
(iii) in what capacity?	
(iv) (a) how often did she leave this country?	
(b) when?	
(c) for how long?	
(d) in what capacity?	
(e) in what countries did she reside during the periods of absence?	
16. If your mother is dead, state in what country she died and when?	

If your father is living, these questions need not be replied to.

Questions.	Answers.
17. If not born in India, how did you come to be in that country on appointment to the service of Government, and when did you arrive in India?	
18. To what office, service, or department were you first appointed and when?	<i>Account General. Feb. 3rd 1898. (Salary By warrant.)</i>
19. Are you still serving in the same office and department? If not, give the names of the departments and offices in which you have since served and in which you are now serving with dates.	<i>Yes</i>
<p><small>NOTE.—In cases in which complete information for questions 18 and 19 is obtainable from the History of services of Gazetted officers, a reference to the page and date of that publication will suffice.</small></p>	
20. Is your present appointment permanent?	<i>Yes</i>
21. If your present appointment is not permanent—	
(i) is it for a specified duty only?	
(ii) under what regulation or authority are your allowances fixed?	
22. If appointed by ^{contract} agreement , please forward your ^{contract} agreement for inspection.	
23. Is your appointment under your ^{contract} agreement preliminary to employment in one of the regular services of Government?	
<p><small>NOTE.—If your answer to this question be in the affirmative, please adduce proof of your statement.</small></p>	
24. If not a member of any regular service, but employed in a professional capacity, are you debarred from the private exercise of your profession? Quote the rule so debarring you.	<i>I am not debarred from the private exercise of my profession.</i>

Questions.	Answers.
25. Is any portion of your salary fixed in sterling? If so—	
(i) how much?	
(ii) at what rate of exchange is it convertible into Indian Currency? and	
(iii) under what rule?	
26. Have you been specially permitted to count any deputation allowance as salary for the purpose of calculating your leave allowances? If so, please give a reference to the authority.	
27. State your grounds, and quote any authority you may be able to refer to for holding—	
(i) that European qualifications are held by the Government of India to be indispensable for the office to which you have been appointed;	
OR	
(ii) (a) that a proportion of Europeans is held by the Government of India to be indispensable in the ^{Service} Department to which you belong; and	
(b) that you were appointed as a European for the purpose of maintaining that proportion.	

I certify on honour that the foregoing answers are quite correct.

STATION, *Madras*

Date *March 26* 189*8*.

Amos White.

Signature of claimant.

Madras 28th March 1898.

From

1028
The Hon'ble Mr. C. Arnold White

Advocate General

To

The Hon'ble Mr. A. J. Arundel I.C.S.

Chief Secretary to Government

Fort Saint George

Sir,

A With reference to G.O. No. 491, Financial,
dated the 24th June 1897, I have the honor to en-
quire whether I am entitled to exchange Com-
pensation Allowance under the rules laid down
therein, and to enclose my replies to the ques-
tions specified in the form printed as an
B appendix to G.O. No. 13, Financial, dated 6th
January 1898.

2. May I be allowed to add that upon ac-
cepting the appointment of Advocate General,
I was informed by Sir Charles Turner, on
behalf of the Under Secretary of State for
India, that I should be entitled to
exchange

exchange Compensation allowance.

I have the honor to be

Sir

Your most obedient servant.

Amos J. J. J.

Advocate General

[G.
25]
1,000 - 22-11-97

C. 23-4-98
RS. 25.4.98

C. No. 1028

Financial DEPARTMENT.

SUBJECT.

~~HIS EXCELLENCY THE GOVERNOR.~~

1. ~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~

2. ~~THE HON'BLE MR. GROSE, C.I.E.~~

Ex. Compⁿ Allowance to the
Advocate General.

FOR ORDERS.

Indo Aust. Dept

The Hon'ble Mr. White raises the question of his title to Exchange Compensation Allowance as Advocate General. He states that he was informed at the India Office that he would be entitled to draw the allowance. As a European appointed in England his claim would be admissible under rule II(1) of the rules on page 5 of G.O. No. 491 Financial of 24th June 1897; but as a person who is not a member of any regular service and who is employed in his professional capacity as a lawyer, without being debarred from the private exercise of his profession, his claim seems to be barred under rule V(1) of the same rules.

⊕ Vids his reply to Ques. 24 in the enclosure to the current.

CMS
16/4/98.

P.T.O.

The Advocate General is clearly not entitled to the allowance. Rule V applies equally to persons appointed in England or in India. As however Mr Arnold White has told that he would get the allowance it is submitted that India may be asked to settle this point.

A similar claim has been received from Mr Powell. ^{This it is submitted may be over his Indian office} it may be mentioned in the letter to India that on the decision in the Advocate General's case depends the orders to be passed in the other case.

Mr. Powell's claim is for an inadmissible allowance
23/4/98

yes. simply on that ground.
Mr. B. 25.4.98

Mr. Powell's case is quite different. He cannot be said to be debarred from the exercise of his profession, and he is barred by Rule V - just as the Adv. Genl. is, but the latter urges a special promise, wh. Mr. Powell cannot do.

MA 22.4.98

How? Just

Mr. 21/4/98

Adv. Genl (910)
Acad Genl (and)
H.R. The Governor

S.O. 491/24.6.97 pay 5

C. 2.5.98
M 3.5.98

Financial Department.

C.No.1028

2P

Subject

Exchange Compensation Allowance to the Advocate General.

ORDER N^o 429 dated 9th May 1898

The Govt. of India will be addressed.

Cms 28/4/98

/from orders/

MA 29.4.98

LETTER N^o 430, 9th May 1898

To The Secy. to the Govt. or India,

Finance & Commerce Dept:

Sir,

In rule V (c) of the rules regarding the grant of exchange compensation allowance communicated with Fin: & Com: Dept: No.2422 Ex., d/30th May 1897, it is stated that the allowance is not admissible to persons who are not members of any regular service, and who are employed in a professional capacity

(such

(such as lawyers, teachers, lecturers, clergymen, medical men), without being debarred from the private exercise of their profession. The Hon'ble Mr. Arnold White, who has recently been appointed by Her Majesty the Queen, Empress of India, to be Advocate General in this Presy, ~~in enquiring whether he is entitled to the allowance,~~ states that upon accepting the appointment of Advocate General he was informed by Sir Charles Turner, on behalf of the Under Secy. of State for India, that he ~~should~~ ^{would} be entitled to the allowance. As a European appointed in England, ~~the allowance would be admissible~~ ^{is prima facie eligible for the allowance} the Hon: Mr. Arnold White, but in view of the fact that the office which he holds falls within the category of those mentioned in rule V (c) to which reference is made above, his claim ~~does~~ ^{is} not appear to be admissible. I am, however, to request the ~~orders~~ ^{decision} of the Govt. of India on the point.

I have etc.

/from orders/

MT-29.4.98

When given for copying 5/5
When copied } 6/5
When examined } 1898
When signed

RE-AGAIN G.O., No. 189

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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

N.B.—

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