[Finl. / 6.]
500—24-8-97.

Financial (1898) Department.

ORDINARY MS.

G.O., No. 679

DATED 10-8-98

22/22

[Despatch Abstract.]

Stating that Messrs West, Leggatt & Mayne of the Police Dept are not entitled to Exchange Compensation allowance but that Mr Sandell of the same Dept is entitled to the allowance.

PRINTED IN G.O., dated
(notes also)
15-8-1899. No. 902 Finl

TD 1898

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ct No 2051/99		Jud					
Cus	1879/99	784-90/Mis 14-7 99					

3483

Judicial (1897) Department.

CURRENT No. 4157

From M. Hammick Esq ICS
Inspr Genl of Police
Madras

Order

No. 3505

Dated 27/September
Received 29/
Registered 30
Enclosures 3.
Spare copies –

CHIEF SECRETARIAT GOVERNMENT OF MADRAS 29. SEP. 1897

SUBJECT.

Submitting for orders the claims of Messrs Sandell West, Mayne & Heggatt to the benefit of exchange Compensation. Allowance.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclosure No. 1

To letter No. 3505 d/27-9-97

From Inspector-General of Police.

OFFICE OF THE INSPECTOR GENERAL OF POLICE
17 SEP 1897
MADRAS

Questions.	Answers.
1. Are you a European or a Eurasian?	European.
2. What was your father's nationality?	English.
3. In what country was your father born, and where was he educated?	England and France.
4. In what year did your father first come to India?	In the ~~fifties~~ forties. I do not know the year.
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?	My father is dead. He died in Ootacamund in 1890.
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?	Army. He was in the Honorable East India Company first and then in Crown Service.
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?	As far as I know my father went home once in 1855 for three years but was recalled after a years absence in England because of the Mutiny.
8. In what year were you born?	1859
9. Were you born in India or in Europe?	I was born in Rangoon.

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.	I was born in Rangoon. I left this country in 1870 returning in 1879. I again left in October 1893 and returned in December 1894. I went to England on both occasions. The first occasion for my Education. The second on furlough.
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?	I entered the Madras Police in 1882 as a Gentleman Inspector or probationary Asst. Supt. of Police. I am now employed as a Superintendent of Police.
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.	I was a tea and coffee planter between 1879 & 1882.
14. In what country were you educated?	England.
15. Are you married? If so, in what country, and in what year were you married?	I am not 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?	I intend to settle in England when I retire from Government Service.

A S West
Supt of Police

Trichinopoly
16.9.97

1897
not
4157

Enclosure No. 2
To letter No. 3505 J 27-9-97
From Inspector-General of Police.

Questions.	Answers.
1. Are you a European or a Eurasian?	1. European –
2. What was your father's nationality?	2. English, both parents being English –
3. In what country was your father born, and where was he educated?	3. Born and educated in India –
4. In what year did your father first come to India?	4. Born in India in 1841 –
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?	5. Father is living and is practising at the bar at Bangalore –
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?	6. In 1858 he entered the Service of Govt – Madras Presidency as Asst. Supt. of Revenue Survey – In 1861 he was appointed Dy. Colr. & Magt. which appt. he held till 1886 when he was appointed Dist. Magt. and Asst. Commr. of Coorg under the Govt. of India – He held that appt. for 10 years, when he retired under the 55 years Rule, and has since been practising at the bar –
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?	7. On one occasion in 1895 he took 7 months leave to Europe –
8. In what year were you born?	8. In 1868 –
9. Were you born in India or in Europe?	9. In India.

LX

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.	10 Yes, (1) on one occasion (2) In 1895 (3) For 3 months on leave to England –
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.	11. —
12. In what year did you enter the public service, and in what capacity? In what Department are you now employed?	12 In June 1888 as a Probationer in the Madras Police – Since promoted and acting as Dist. Supt. of Police in the same Depart
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.	13. —
14. In what country were you educated?	14 India –
15. Are you married? If so, in what country, and in what year were you married?	15 No.
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?	16 —
17. Is it your intention to settle permanently in India, or in Europe, when you retire from the service of Government?	17 In Europe –

C. Brooke-Leggett.

Ag: Dist: Supt. Police.
Tanjore Dt.

1897
Jud
2
4157

Enclosure No. 3
To letter No. 3505 (2)-9-97
From Inspector-General of Police.

18 SEP 1897

Questions.	Answers.
1. Are you a European or a Eurasian?	1. European –
2. What was your father's nationality?	2. Irish –
3. In what country was your father born, and where was he educated?	3. Ireland –
4. In what year did your father first come to India?	4. In 1841.
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?	5. My father is still living in India –
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?	6. My father was an officer in the 37th Regt. M. N. I. (now disbanded) and was in the service of the Honorable East India Company, when he first came out – He is now an officer in the European Invalid Battalion of Veterans –
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?	7. After his first arrival. My father has left India on two occasions – First in 1843 for 3 years and again in 1851 for 3 years – He spent these periods in Ireland and England –
8. In what year were you born?	8. In 1863.
9. Were you born in India or in Europe?	9. In India –

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.	10. I have never left India.
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	11. — Nil.
12. In what year did you enter the public service, and in what capacity? In what Department are you now employed?	12. I entered the Public Service in 1884 as a 2nd Grade Sub Inspector in the Salt & Abkari Dept:- I am now in the Madras Police.
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.	13. Nil.
14. In what country were you educated?	14. In India.
15. Are you married? If so, in what country, and in what year were you married?	15. I am married and I married in India in 1893.
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?	16. I have 2 children. Son aged 3 yea[rs] & daughter aged 1 year & 5 months. They are too young to undergo any Education at present, but as soon they attain the proper age for their Education to commence, they w[ill be] sent to England for the same
17. Is it your intention to settle permanently in India, or in Europe, when you retire from the service of Government?	17. My intention is to settle [in] Europe, when I retire.

1897
Jud[l]

St Thomas' Mount 3
17th Sept: 1897 4157

W. W. Mayhe
Ag: Supdt of Police
(being u[illegible]) Dt.

CURRENT No. 4157

No. O-49.

DEPARTMENT.

No. 3505.

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,
MADRAS, 27 September 1897.

1P

FROM

M. HAMMICK, I.C.S., Esq.,
INSPECTOR-GENERAL OF POLICE,
Madras,

TO

THE Chief Secretary to Government,
Ootacamund.

Fin. 902 8.11.97 8/99

SIR,

ENCLOSURES.
3

A B

I have the honor to address Government again with reference to G. O. No.491, Financial, dated 24th June 1897 regarding the grant of compensation allowance to Police officers and in continuation of my letter No.2870, dated 14th August 1897.

on page 39 of 80 491 Fnl. d 24 6.97
G

2. As regards the list of appointments falling within the categories (A) and (B) referred to in para 5 (I) of the Government of India's Resolution read in the above order, I am of opinion that none of the appointments made now to the Police Department in India fall under either (A) or (B). The European recruitment of the service is effected entirely by examinations held in England and the two methods of appointment provided to recruit the service in India appear to have been specially designed to admit natives of India to the Department. It cannot be said that officers appointed under the rules in India are appointed "to offices in which European qualifications are held to be indispensable." A proportion of Europeans is held to be indispensable in the Police but that proportion is maintained by the recruitment of the service by examination held in England.

3. As regards those officers now in the Department who

6

who do not draw compensation allowance, but who now claim it under the rules, they are four - Messrs. West, Leggatt, Mayne and Sandell.

4. Mr. Sandell is clearly entitled to the allowance; he falls under para 3 of the Resolution (Rule II-(1) of the rules). He was appointed to the service in England after the examination held in 1895.

5. As regards the other three officers, it must I think be presumed that they were appointed to maintain the proportion of Europeans required in the Police Department because at the time of their appointment, no natives were ever appointed to the Department. The only question is whether they are excluded as being members of the class to which the privilege is given under statute, -33 Victoria, Chapter 3. They must, to fall under this statute, have been born and domiciled within the dominions of Her Majesty in India of parents habitually resident in India and not established there for temporary purposes only.

Mr. West was born in India, while his father was in the army. His father on retirement lived at Ootacamund and died there. Mr. West was educated in England and I doubt whether he can himself be said to be domiciled in India. His intention no doubt is to settle in England on retirement. [illegible]

Mr. Mayne was born in India and his father is now living in India, having retired from the service. He was educated in India, and beyond that his intention is to leave India on retirement, he appears to be domiciled in India. Mr. Mayne appears to me to be Native of India under the statute referred to.

Mr. Leggatt was born in India and was educated in this country. His father who has retired from the service is now living in India. His mother is however living in England and Mr. Leggatt states that his father is not permanently established in India. Mr. Leggatt ~~does not~~ appears to be entitled to the privileges given under the statute.

6. I enclose with this letter the answers to the questions

tions

2P

questions which these officers have given, which will enable the Government to judge of each officer's case. I am inclined to think that Mr. ~~Messrs.~~ West ~~and Leggatt are~~ is entitled to the allowance, but Mr. Mayne & Mr. Leggatt not so.

I have the honor to be,

Sir,

Your most obedt. servant,

Inspector-General of Police.

Exd.

7

[J./52] 1,000—29-7-96. Financial

~~Judicial~~ (1898) Department.

1416

CURRENT No. ~~2111~~

3(a)

Registers in full 16/5

From

The I.G. of Police

Endorsement.
~~Order~~

Transferred to the Financial Department with ~~reference to G.O. No. 218 Judl. D 5.2.98~~ my letter referred to. M.

ADKnapp.
Ag: Under Secretary

No. 1778

Dated	12th	May 98.
Received	13th	
Registered	16th	
Enclosures	–	
Spare copies.	–	

ATR
16/5/98.

Recd }
Regd } 16.5.98

SUBJECT.

Requesting Early orders on letter No. 3505 D 27th Sep: '97 regarding the Claims of Messrs: Sandell West, Mayne, & Leggatt for Exchange Compensation allowance.

To

The Financial Department.

Recd from H.C. 18/5/98

BACK PAPERS.

G.O.	No.	Department.	Date.
381:	19.4.98	491:	24.6.97
139:	12.2.98	1193/4:	4.6.95
218:	5.2.98		5-2-98
13:	6.1.98		
1005:	3.12.97		
973:	22.11.97		
918:	11.11.97		
809:	30.9.97		
R1132 J.N.:	26.7.97		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

1416
CURRENT No. ~~2111~~

No. O-48.

DEPARTMENT.

No. 1778.

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,
MADRAS 12th May 1898.

FROM
H. A. Stuart Esqre. I.C.S.
~~M. HAMMICK, I.C.S., Esq.~~,
Ag. INSPECTOR-GENERAL OF POLICE,
Madras,

28

TO
THE Chief Secretary to Government,
Ootacamund.

ENCLOSURES.

Cw. 1416/97 with the ct. | 1

SIR,

I have the honour to ask for the favour of early orders on my letter No. 3505, dated 27th September 1897 in regard to the claims of Messrs. Sandell, West, Mayne and Leggatt for Exchange Compensation allowance.

I have the honour to be,
Sir,
Your most Obedt. servant,
Douglas Robertson
Ag. Asst. Inspr. Genl. of Police,
for Ag. Inspr. Genl. of Police.

See no 3(a)

15

(189) DEPARTMENT

FROM

M. HAMMICK, Esq., I.C.S.,

INSPECTOR-GENERAL OF POLICE,

Madras,

TO

THE

Dated
Despatched } 189 .
Received

No.

ENCLOSURES.

SUBJECT.

Jud: Dept

4P

N

No. 1416

Memo No. 1282 Dd 7th June 1898

The I.G. of Police is requested to obtain & forward Mr. Sandell's replies to the questions in the appendix to G.O. No. 13 Jud: Dd 6th Jany 1898

(Irm C.S.'s orders)

Ans.

MCS
6/6/98

I.G. Police (941) desp'd
7/6/98

9

Financial (1898) Department.

Note
To await receipt of further Commn.

S.
29/7/98

CURRENT No. 2079

CHIEF SECRETARY
28 JUL 1898
GOVERNMENT OF MADRAS

From M. Hammick Esquire I.S.
Insp. Genl of Police
Madras

Order

No. 2918.

Dated 27 July 1898.
Received 28 "
Registered 29 "
Enclosures –
Spare copies –

SUBJECT.

Stating that the reply to Memo: No 1282 of 7 June 1898 regarding Exchange Compensation Allowance of Mr Sandell, will be subm. on receipt of certain information from that officer.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Current No 2079

No. O-49.

DEPARTMENT.

No. 2918.

CHIEF OFFICE OF THE INSPECTOR GENERAL OF POLICE,
Madras, 27 July 1898.

5P

From

M. HAMMICK, Esq., I.C.S.,
INSPECTOR-GENERAL OF POLICE,
Madras,

To

THE Chief Secretary to Government,
Ootacamund.

SIR,

Enclosures.

With reference to Memorandum dated 23rd July 1898 I have the honour to state that a reply to Memorandum No.1282, dated 7th June 1898 will be submitted on receipt of information from Mr.Sandell. This officer awaits certain particulars from England.

I have the honour to be,
Sir,
Your most obedient servant,
A Douglas Robertson
Ag.Asst.Inspr:Genl of Police.
for Inspr Genl of Police

Encl. 16.

11

~~Financial~~ Judicial

~~Judicial~~ (1898) Department.

CHIEF SECRETARY
-7 AUG. 1898
GOVERNMENT OF MADRAS

CURRENT No. ~~3271~~ 2160

6 heads

From M. Hammick Esqr. Ics.
Inspr Genl of Police
Madras.

Order

No. 3031

Dated 5th August 1898.
Received } 8 " —
Registered }
Enclosure 1 - 2.
Spare copies

SUBJECT.

Forwarding Mr Sandells reply in regard to his claim for Exchange Compn. allowance.

K/
This is Finl please
nab. 8/8/98.

12

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Enclosure No. 1

To letter No. 3031 d 5.8.98

From Inspector-General of Police.

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 Joseph le Roy Sandell

Office Probationary Assistant Superintendent of Police

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?	I was born in India but am domiciled in England where my parents now reside permanently. I was born of parents resident in India for temporary purposes only.
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?	In India on Decr 7th 1871.
6. In what country were you born and when?	In India on Oct 3rd 1874.
7. In what country or countries were you educated and for how long in each?	In India up to the age of 10½ years, in England for 8½ years, In Germany for 2 years, up to the age of 21.
8. In what country or countries did you reside before appointment to the service of Government and for how long in each? NOTE.—If appointed in England and No. 2 is answered in the affirmative, questions 9 to 17 need not be replied to.	In India 10½ years, in England & Germany 10½ years. V. answer to Question 7.
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?	As I was appointed in England & my answer to Question No 2 is in the affirmative I have not replied to these Questions
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?	

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

Questions.	Answers.
14. In what country or countries, and for how long, did your mother reside?	Father living
(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?	

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 was appointed Probationary Assistant Superintendent of Police after passing the competitive examination in England in July 1895. My appointment dates from Nov 23rd 1895 on which date I landed at Madras.
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. 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.	19. Yes.
20. Is your present appointment permanent?	Yes. Subject to the conditions of my agreement. 1. 9. 22.
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?	Permanent.
22. If appointed by ~~contract~~ agreement, please forward your ~~contract~~ agreement for inspection.	x Agreement enclosed herewith
23. Is your appointment under your ~~contract~~ agreement preliminary to employment in one of the regular services of Government? NOTE.—If your answer to this question be in the affirmative, please adduce proof of your statement.	Yes. Please see articles of agreement.
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.	Nil

x/ To be kindly returned/

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?	No.
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.	No.
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.	(ii) a. The Police dept. is one of those in which a proportion of Europeans is held by the Government of India to be indispensable. See Finance & Commerce Department Notification 2422-Ex., dt. 31-5-97 (Para B.) published in the Fort St George Gazette of ~~May 31st~~ pt. I, July 6th, Aug. 10th, & Aug 17th 1897. (b.) I was appointed after selection by competitive examination in England, which examination is not open to natives of India.

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

STATION, Tirukoilur S. Arcot.
Date August 3rd 1898.

J. H. Sandell
Signature of claimant.

189 8
Fin. Genl [illegible]
[illegible] No. 2
To 2160
[illegible] No. 3277

CURRENT No. ~~3277~~/2160

No. O-49.

DEPARTMENT.
No. 3031.

CHIEF OFFICE OF THE INSPECTOR GENERAL OF POLICE,
Madras, 5th August 1898.

From

M. HAMMICK, Esq., I.C.S.,
INSPECTOR-GENERAL OF POLICE,
Madras,

To

THE Chief Secretary to Government,
Ootacamund.

SIR,

Enclosures.

With reference to Memorandum No.1282, dated 7th June 1898, I have the honour to forward Mr. Sandell's replies to the questions in the appendix to G.O.No.13 F.D. dated 6th January 1898, in regard to his claim for exchange compensation allowance.

I have the honour to be,
Sir,
Your most obedient servant,
A. Douglas Robertson
for Inspector-General of Police.

Exd. 16

16

[G./25]
500-27-4-98.

c 4/8
R 6/8

Page 1
Press, print these notes consecutively as marked

(16P)

Financial DEPARTMENT.

NOTES CONNECTED WITH G.O. No 679, FINANCIAL, dated 10.8.98

C. No. 1416 2079

18

Letter from the Inspector General of Police No 3585 d/ 27.9.97
No 1778 d/ ~~12.5.98~~
2918 d/ 27.7.98
No 3031 d/ 6.8.98

SUBJECT.

HIS EXCELLENCY THE GOVERNOR.

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

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

Exchange Compensation Allowance to Messrs. Sandell, West, Mayne & Leggatt

Re 907 8/8/98

FOR ORDERS.

margin
G.O. No. 973 Finl., d/23-11-97 (H)

This current relates to the claims of four police officers to exchange compensation allowance. In Govt. of India, Fin: & Com: Dept:, resolution No. 4936 Ex., d/ 8th November 1897, it was decided that the offices of Asst. Dt. Supt. of Police and Dt. Supt. of Police are offices for which European qualifications are indispensable and that exchange compensation allowance may be admitted to any European, not being a Statutory Native, who has been, or may hereafter be, appointed to either of these offices direct (i.e. not by promotion from the subordinate grades), and whom the local Govt. may consider to have been appointed "as a European"

The definition of a Statutory Native of India includes any person born and domiciled within the dominions of Her Majesty in India of parents habitually resident in India and not established there for temporary ~~ur~~ purposes only.

B 2

Page (2)

only.

3. It will be seen from pages 444, 450 & 454 of the History of Services that Messrs. West, Leggatt and Mayne were not appointed to the offices of Asst. Dt. Supt. of Police direct, but by promotion from the grade of Inspector though they all belong to the class formerly known as gentlemen Inspectors.

4. Mr. West From this officers replies to the set of questions formerly in use, it will be seen that his father came out in the service of the East India Company and therefore acquired an Indian domicile of which he did not divest himself ~~change~~ prior to his death at Ootacamund in 1890. Mr.West was born in 1859 in Rangoon. ~~He left the country in 1870 returning there in 1879~~. He was educated for 9 years in England (1870-79). ~~and~~ He seems to fulfil the definition of a statutory native of India as he was born and domiciled within the dominions of Her Majesty in India of parents habitually resident there and not established there for temporary purposes only.

(J)

(K)

5. Mr.Leggatt From this officer's replies to the set of questions, it will be seen that his father was born and educated in India and that with the exception of seven months' leave in 1875 he has been in India since. Mr. Leggatt himself was born in India and has left the country only once on three month's leave. He appears ~~clearly~~ to

(3)

vide para 5 of his letter (M)
No 3505 d/27.9.97

vide his replies flagged (L)

(17)

28

clearly fall within the definition of a Statutory Native of India. The I.G. points out that Mr. Leggatt's ~~father and~~ mother ~~was~~ residing in England but this cannot, it is submitted, affect Mr. Leggatt's domicile which appears to be unquestionably India

6. Mr. Mayne This officer's father came out in the service of the East India Company and acquired an Indian domicile of which he has not yet divested himself as he is still residing in India, being an officer in the European Invalided Battalion of Veterans. Mr. Mayne himself was born in India and has never left India. He seems also to be a Statutory Native of India.

7. Mr. Sandell - vide paragraph 4 of the I.G's letter flagged (M) No 3505 d/27.9.97 - was appointed to the police ~~service~~ dept in England and unless he is a Eurasian, is clearly entitled to the allowance - [vide paragraph 2 of India's letter No. 1271 Ex., d/18th March 1898, on page 2 of G.O.No.381 Finl., d/19th April 1898]

Here comes (2)

CA
(2)
Obtain Mr Sandell's replies to the questions.
4.6.98.

3.6.98

Forth CA

(3)
Inc No 2079 the I.G. of Police states that Mr. Sandell awaits particulars from England before replying to the questions. Submitted that the other cases may be decided
2/8/98

(4)
H. M. for orders.
2/8/98.

his letter No 2918 dated 27th July 98

(5) 33
See above
4/8/98

Financial Dept

A G.O. 491 Finl d/ 24.6.97 (g)

H G.O. 973 Finl d/ 23.11.97 (g)

N G.O. 381 Finl d/ 19.4.98 (g)

C.S. C. 1416 & 2079

Order No. 679, d/ 10th Augst 1898.

In Govt of India, Finance and Commerce Dept, Resolution No 4936 Ex d/8.11.97, recorded in G.O. No 973 Finl d/23.11.97, it is laid down that the offices of Assist. Supdt of Police and Dt. Supdt of Police are officers for which European qualifications are indispensable and that Exchange compensation allowance may be admitted to any European, not being a Statutory Native, who has been, or may hereafter be, appointed to either of these offices direct (or not by promotion from the subordinate grades) and whom the local Govt may consider to have been appointed "as a European".

H.

2. The definition of a Statutory Native of India includes any person born and

domiciled within the dominions
of parents habitually resident in India & not
of Her Majesty in India ~~and~~
established there for temporary
purposes only.

3. The I. G. of Police sub-mits the claims of Messrs. (1) West, (2) Leggatt, (3) Mayne and (4) Sandell to the privilege of Exchange Com-pensation allowance. for admission to the benefits

But from the History of services it appears that Messrs (1) West (2) Leggatt and (3) Mayne were not appointed to the office of Asst. Dt. Supdt of Police direct, but by promotion from the grade of Inspector.

Further from their replies to the questions in the Appendix to G.O. No 13 Finl dd 6.1.98 it is clear, as will be shown below, that they come within the above definition of a Statutory Native of India. information furnished by these officers themselves

(1). **Mr West**. This officer's father came out in the service of the East India Company and therefore acquired an Indian domicile, of which he did not divest himself prior to his death at Ootacamund in 1890. Mr West was born in 1859 in Rangoon. He was educated for 9 years in England (1870-79) returning to India in 1879. He therefore fulfils the definition of a Statutory Native of India, as he was born & domiciled within the dominions of Her Majesty in India of parents habitually resident there and not established there for temporary purposes only.

(2) **Mr Leggatt**. The father of this officer was born & educated in India where, with the exception of a period of seven months (on leave in 1875), he has always remained. Mr Leggatt himself

18

himself was born in India and has left the country only once on three months' leave. The fact that Mr Leggatt's mother is residing in England cannot affect Mr Leggatt's domicile which is unquestionably an Indian one, and he clearly falls within the definition of a Statutory Native of India

(3) Mr Mayne. ~~His~~ The Father of this officer came out in the service of the East India Company & thus acquired an Indian domicile of which he has not yet divested himself as he is still residing in India being an Officer in the European Invalided Battalion of Veterans. Mr Mayne himself was born in India and has never left the country. He is clearly a Statutory Native of India

It has come. Put it up

C2079
8/8/98.

Ref.
8/8/98

Please cut. 2160 & put it up
8/8/98

To
The I. G. of Police ~~Govt. Depts~~ ~~of all~~
Acctnt Genl

G = all No 1 with encl p to C. No 2160 ...
22 p.p.
a/letter 3505 / 27.9.97

Despd 15.8.98.

Cmd 8.8.98

C.S.

Please see Mr. Sandell's reply in C. No. 2160. He is a European appd. in England & is therefore not a Statutory Native of India
XXII.

Cmd
8/8/98

Cms
8/8/98

4. These three Officers are therefore debarred from the privilege of Exchange Compensation allowance

5. ~~A~~ The decision in Mr. Sandell's case ~~awaits~~ will await the information promised in the I.G.'s letter No 2918 of the 27th ultimo

(from orders)

Mr. Sandell being a European appointed in England is entitled to the allowance.

Cmd
8/8/98

19

When given for copying 12/8
When copied 12/8
When examined 13/8
When signed
} 1898

Given to D 15/8/98.

READ AGAIN G.O., No DATED
189 .

CURRENT NO.

ENCLOSURES TO C. NO.

ORDER OF GOVERNMENT. .. .. .. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

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